# Agenda – Petitions Committee

Meeting Venue:

**Committee Room 1 – Senedd**

Meeting date: 15 October 2019

Meeting time: 09.15

For further information contact:

**Graeme Francis** – Committee Clerk

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

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## 2 New petitions

2.1 P-05-895 Rosa's Legacy Introduce a scheme to help people access veterinary care for their companion animals

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## 3 Updates to previous petitions

### Economy and Transport

3.1 P-05-738 Public Petition for the Dinas Powys By-Pass

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3.2 P-05-851 Remove time restrictions on the layby to the east of Crickhowell

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3.4 P-05-743 End the Exotic Pet Trade in Wales

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## The following two items will be considered together

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## Welsh Language

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

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## Health and Social Services

3.12 P-05-724 Rights to Primary Health Care in Welsh

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3.15 P-05-870 Let's Get Every Young Heart Screened (Age 10-35)

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

# Agenda Item 1

Document is Restricted

# Agenda Item 2.1

**P-05-895 Rosa's Legacy: Introduce a scheme to help people access veterinary care for their companion animals**

This petition was submitted by Linda Joyce Jones having collected a total of 95 signatures.

**Text of Petition**

We call on the National Assembly for Wales to urge Welsh Government to regulate commercial bus operators and give powers and funding to Local Authorities to run services that best meet the needs of local people. As well as providing access to employment and education, public transport is a social, health and wellbeing issue which is growing as bus services are being rapidly reduced, affecting the mental and physical health and well being of many residents who will become socially isolated and unable to get to basic services.

**Additional Information**

Bus operators are cutting many core services which were previously operating with little or no subsidy. Operators are not tendering for new contracts and some are requesting 6 figure sums as a subsidy to continue which is unaffordable for Local Authorities who are facing budget pressures. Local Authorities cannot run services in competition with operators. Passenger journey times for those accessing employment take too long as direct services are being cut if still exist at all and some are overcrowded The majority of residents attending the many public meetings we have held are older people who are concerned about accessing services, attending health appointments and becoming isolated. Loneliness is a huge issue in our society. It is our aim to enable older people to live in their own homes longer. It is our aim for them to stay mentally and physically fit and active. Public bus transport is now a huge urgent issue that needs addressing quickly.

**Assembly Constituency and Region**

- Arfon
- North Wales

Y Gwasanaeth Ymchwil | Research Service

# Petition P-05-895: Rosa's Legacy- Access to veterinary care for companion animals

Y Pwyllgor Deisebau | 15 Hydref 2019
Petitions Committee | 15 October 2019

## Research Briefing:

**Petition number:** P-05-895

**Petition title:** Rosa's Legacy: Introduce a scheme to help people access veterinary care for their companion animals

**Text of petition:** We call on the Welsh Assembly to ask the Welsh Government to introduce a scheme to help responsible owners of companion animals access face to face veterinary consultations and care for their animals.

From this year the Welsh Government will for the first time have their own limited tax making powers. For many years ordinary people have and are still struggling with the basic cost of living. There is no doubt the benefits to people's well-being and mental health that having a pet can have. Many become part of their family. For some who live in isolation or alone they are the only family they have.

Veterinary science like most professions has evolved rapidly in recent years. Veterinary Surgeons, RVNs and their support staff who work on the "front line " in Cymru do so under very challenging circumstances. It's good to see that their governing body the RCVS have in recent years recognised this and put in place measures to try and support mental health wellbeing within the profession. But unlike human health in Wales there is no NHS service for animals that is free at the point of need 24/7.

Under the Animal Welfare Act (England and Wales) of 2006 section 3.16, it is the responsibility of owners to provide five basic welfare needs, the fifth being "protection from pain suffering, injury and disease".

I would argue that as well as a requirement set out in law, we also have a moral and ethical responsibility. This was expressed brilliantly by our former First Minister Carwyn Jones AM

on the floor of the Senedd in July last year "the way we treat animals is an important reflection of the values of our society".

The insurance industry for companion animals has flourished in recent years. But many responsible owners can still struggle to get cover for their pets. Pre-existing conditions, dogs who have been exempted by breed specific legislation, or many pets who simply exceeded the amount of treatment their owners insurance policy covers.

Some third sector organisations like the PDSA have for many years tried to plug the gap. They have done sterling work, but in recent years even they have had to take the heartbreaking decision to cut back on the provision they provide. Some areas in Wales have no charity led animal hospitals or veterinary clinics.

There is also a worrying trend of owners turning to the forum of social media in order to get advice on clinical matters rather than take their animals to a veterinary practice. I know people who man helplines for animal charities. They tell me this trend is repeated with them.

With my background in animal rescue I have been convinced for many years that the increasing numbers of companion animals abandoned or signed over to rescues is due in part to people's inability to fund veterinary care for their animals. Rescues in Wales are full to bursting and all available statistics show such instances and any resulting prosecutions are on the rise.

Such a scheme would firstly help companion animals and their owners. It would also help those who work on the front line in rescue, and not least the veterinary profession in Wales, who also at times work in the most challenging circumstances.

**Petitioner:** Linda Joyce Jones

## Background

There are currently no government schemes to help people access veterinary care for their companion animals in Wales or elsewhere in the UK.

There are several national charities that provide support and veterinary help to pet owners in financial difficulties. However this does not cover the whole of Wales. Most charities have firmly set eligibility criteria. These usually provide financial support in the case of a veterinary emergency. Few charities provide financial support for foreseen and preventative costs, such as vaccinations, but some will assist people on low incomes to help to pay for spaying and neutering. Charities include: PDSA Vet Care, The Blue Cross Animal Hospitals, The RSPCA, The Dogs Trust and Cats Protection.

The Dogs Trust's Hope Project focuses on providing veterinary care for homeless people's dogs and finding homeless shelters that will accommodate them with their dogs. The Dogs Trust's Freedom Project provides a fostering service for the dogs of those fleeing domestic abuse and ensuring the veterinary bills of dogs in their care are covered.

In recent years, pet food banks have been establishing across the UK to help people feed their pets.

As mentioned in the petition, there are a number of veterinary insurance providers.

## Welsh Government action

On 19 June 2018, the then Cabinet Secretary for Energy, Planning and Rural Affairs, Lesley Griffiths made a statement in Plenary on Companion Animal Welfare. She stated [emphasis added]:

> Animal welfare is a priority for the Welsh Government and the Wales animal health and welfare framework group. Under the Animal Welfare Act 2006, there is a duty of care on all owners and keepers of animals to ensure their welfare needs are met, whether on a permanent or temporary basis.
>
> [...]
>
> Potential and existing pet owners must consider the future when deciding whether or not to own an animal, including how to meet its welfare needs and the costs associated with doing so. However, I do understand people's circumstances can change. I would like to explore what veterinary provision, assistance and advice is available to people who need help in caring for their pets. This could be during times of illness or emergency, such as fleeing from a violent household. I would like to see a collaborative approach, with information readily available for people when they need it. **Officials will discuss how this can be approached with Animal Welfare Network Wales.**

Lesley Griffiths went on to say that working with charities on this matter was important.

Lesley Griffiths wrote to the Committee on this petition on 3 September. She said:

> Welsh Government Officials have been in discussion with Animal Welfare Network Wales who are gathering information on the support provided by Local Authorities in Wales and are currently awaiting responses. Welsh Government will review the report findings and recommendations as soon as it is made available.

## National Assembly for Wales action

In response to Lesley Griffiths's 2018 Plenary statement, Mick Antoniw, AM, raised the issue of the regulation of veterinary fees:

> They seem to be largely unregulated, they seem to be increasing by about 12 per cent per annum, and then, on top of that, there's a 20 per cent VAT charge.

He asked that the Minister consider the reduction, or removal, of VAT on veterinary bills. Lesley Griffiths committed to raising this issue with the British Veterinary Association.

Vikki Howells, AM, raised the issue of food banks for pets. She mentioned that the Trussell Trust now accepts pet food and that the first foodbank for pets was set up in Wales. She asked that the Minister consider this aspect of provision in her work to support pet owners.

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: Petition P-05-895
Ein cyf/Our ref LG/06521/19

Janet Finch-Saunders AM
Chair of the Petitions Committee

Government.Committee.Business@gov.wales

3 September 2019

Dear Janet

Thank you for your letter of 16 July regarding Petition P-05-895 Rosa's Legacy: The introduction of a scheme to help people access veterinary care for their companion animals.

The Welsh Government is committed to ensuring high standards of welfare of all animals kept in Wales, at all stages of their life. Animals should be protected from pain, injury, fear and distress.

It is important potential and existing pet owners consider the future when deciding whether or not to own an animal, including how to meet its welfare needs and the costs associated with doing so. However, I do understand people's circumstances can change.

In my Oral Statement in June 2018, I committed to explore what veterinary provision, assistance and advice is readily available to people who need help in caring for their pets. This could be during times of illness or emergency, such as fleeing from a violent household.

Welsh Government Officials have been in discussion with Animal Welfare Network Wales who are gathering information on the support provided by Local Authorities in Wales and are currently awaiting responses. Welsh Government Officials will review the report findings and recommendations as soon as it is made available.

Regards
Lesley

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

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## P-05-895 Rosa's Legacy: Introduce a scheme to help people access veterinary care for their companion animals, Correspondence – Petitioner to Committee, 07.10.19

**To the Chair and Members of the Petitions Committee of the Welsh Assembly.**

Thank you for giving me the opportunity to provide you with this submission in support of the petition that is known as Rosa's legacy. It didn't contain many signatures, that could be a reflection of my involvement in the animal circus issue. But maybe also because even sharing this petition and explaining the background to it would have caused me immense pain.

**Background of My Rosa.**

I adopted My late Lady Rosa from an animal centre in May 2011. Rosa had been abandoned by her previous owners, who moved house and left her locked inside at the end of 2010 during one of the coldest winters on record in North Wales. She had no access to water or food , she couldn't be fed through the letter box by her rescuers because there was a inner door at the front that prevented this. Alerted by a neighbour who saw her sitting on an inner window sill looking out . North Wales Police gained a warrant of entry and broke in to get Rosa out . She was in the animal centre I adopted her from for six months.

I had aways had cats as part of my family, but I was shocked at how much Rosa was affected by her background. It took her over a year to trust me enough to sit on my knee, she was always weary of people's feet and didn't particularly like men near her . But in time she grew to trust me and at home with me she was fine. She would approach visitors to our home for a fuss, so long as I was there too. She was well known in my village for following me if I went for a short walk down to Llyn Nantlle Lake.
But she was always a nervous cat and at the vets her former vet [redacted] used the term
" frozen Rosa " whenever she needed to be examined. Which was very apt, Rosa would just cave in inside she was never aggressive, but I was always there talking to her.

Rosa and the way she suffered was the reason I returned to the animal centre I adopted her from as a volunteer until 2015. I suppose she's put me on that road , then followed my campaigning work for animals used in circuses and more, which seemed to become more high profile in recent years.

**Veterinary provision for companion animals in Cymru.**

I am sure from the regions and people you represent you will know the issues in regard to the challenges people face due to the rural nature of many parts of Cymru, public transport links etc. I also think that the rise in veterinary practices being bought out by corporate companies have hit us harder than other parts of the UK.

Benny my previous cat was insured ( my Mam paid for that month by month after I lost Holmes) he received good care from the veterinary practice I used in Caernarfon. Even though he had a multitude of clinical conditions, including a Cardio Myopathy, Diabetes Mellitus ( he was insulin dependent) and eventually Hyperthyroidism.
Until 2014 the practice was owned and run by a married couple who are both veterinary surgeons. They sold the practice that year to a company called Independent Vetcare (IVC).

In 2011 IVC owned twenty practices in the UK by 2018 they owned 624 . This is not including the Vets Now practices and three OOH hospitals which the Vets Now brand owned, which IVC bought in February this year.

I naturally took Rosa there from May 2011. When the practise was sold I remember asking one of the Clinical Directors [redacted] about this happening. [redacted] replied " you will not notice any difference Linda, everything will be the same for Rosa and yourself ". I used that same veterinary practice for sixteen years, I did notice a change in the ethos and ethics. I felt some " up selling" was going on , which I don't consider has any place in small animal practise on animal welfare grounds. Many veterinary surgeons feel the same way too. The turnover of staff started to increase to.

The attached link shows just how few Independently run veterinary practices there are now in Cymru. **1**

**Pet insurance.**

I tired to get insurance for Rosa without success. Once her FIV+ statues was diagnosed in January 2018 ( a test her vets did without my knowledge or consent) there was no chance I would have got insurance for her. As the text of my petition states many owners cannot get insurance for a variety of reasons. Including canines that have been exempted under the breed specific legislation ( BSL).

The insurance route sadly is not an option for many different reasons for even the most responsible owners.

**Out of hours veterinary provision ( OOH )**

Up until 2014 in my part of North West Wales only one veterinary practice didn't provide their own OOH cover, the only one that was run by a corporate company. However this picture has changed completely in recent years. Many owners now have to travel to Colwyn Bay to access OOH provision. With an OOH fee starting at £165.50p
( depending on the time of the consultation) plus their standard consultation fee of £49.50p are charged.

In June 2014 I gave oral evidence to the Standards Committee of the RCVS on their consultation on out of hours ( OOH) provision. Out of 28 other " stakeholders " I was the only member of the public the college called to give oral evidence. In his written evidence Dr James Yeates then the Chief Veterinary Officer of RSPCA England and Wales (now CEO of Cats Protection) stated that at all levels of their organisation ( branch and national) it was becoming common practice for vets to refuse to even see an animal and their owner to provide the required
" first aid and pain relief " their code of conduct requires them to do .

This consultation came about because of the case of a veterinary surgeon who worked for Vets Now ( now owned by IVC) who refused to leave his veterinary practice to treat a dog whose owner had heartbreakingly ran over by mistake on their farm . An online petition started by a veterinary surgeon and numerous calls from those within the profession for further guidance on OOH provision was the context in which this consultation was conducted.

In 2014 I knew OOH provision was increasing being provided by providers like Vets Now. That was why I wanted to give evidence because My Benny and I had received good care at all times from our veterinary practice.

**Economic euthanisea.**

Section 8:4 of the Code of Professional Conduct for Veterinary Surgeons as laid out by the RCVS says:

" The Primary purpose of euthanisea is to relieve suffering. The decision to follow this option is based on many factors.....**and the ability of the owner to pay for private treatment** ". **2**

I recognise that an FIV+ diagnosis in a feline is a complex issue. FIV basically means that the immune system of a feline is compromised. But there are various stages of this condition. It is widely recognised by many experts and rescues that FIV+ felines can live a long life with the right care and understanding. With My Rosa I felt I was fighting a battle on two fronts her FIV and her vets, who at times wouldn't even try. I could add much more in this regard sadly.

I was shocked at how many times the option of euthanisea was offered to me . It was just added on to the list of options. I do think there is a strong element of
" economic euthanisea " being offered to owners these days by veterinary surgeons. I think many people would be shocked to see that the above clause is actually contained within the code of conduct for a VS. To my mind it is contrary to the oath they take and the ethics that they should be promoting. The rise in the corporates companys entering the market in Wales adds to this issue too I feel . I was staggered and still am with hearing so many accounts similar to my own situations when FIV wasn't even in the equation.

**Third sector assistance.**

As I mentioned in the text of my petition many charity's are struggling with the rise in requests for help. In my part of Wales there is no third sector animal hospitals. While South Wales have several. I have been told the criteria for providing such a service is the number of residents. Which is understandable, but seems to discriminate against those who live in rural areas. My Rosa did benefit from assistance from the PDSA before they had to change the criteria. Which I was extremely grateful for , this situation isn't the fault of the third sector organisations who do sterling work . But provision in Cymru does alter radically in each area.

**The Cabinet Secretary's letter .**

I was greatful for the response Lesley Griffiths ' AM gave to you . I am very pleased that Lesley and the Welsh Government recognises that such a scheme could be beneficial to owners. I think this also links in with the WG recent statement that they recognise animals as senitent beings.

However I think that the newly formed group CAWGW
( companion animal welfare group Wales) would also be a very good group to involve and consult with in this matter . As several members are involved in running rescues and see the issues involved at first hand. I think the rise in companion animals being abandoned and signed over to rescues and the rise in veterinary fees is linked. Many in this field have expressed this opinion to me. So such a scheme would help them too .

**Conclusion.**

Animal welfare is the responsibility of our Welsh Government and Welsh Assembly, we have made such strides in this area. Such a scheme would be groundbreaking - quite a statement.

I am aware that sharing your home and life with a companion animal is a choice not a right . But such animals bring such richness and for many living in isolated areas they can be the only family their owner has. We also in turn have a responsibility to them as a society, not just as individuals as our former First Minister Carwyn Jones AM said so eloquently.

My Rosa was a treasured member of my family. I would like others to have options that both she and I where not afforded. So some of the fear and anguish I suffered at one of the most difficult times in my life is taken on broad and built upon.  For the benefit of other owners and animals who are as equally cherished as My Rosa was.

As ever I would be willing to assist you further as you consider this matter, if you think this would be helpful.

Cofion

**1.** http://www.independentvets.co.uk/

**2.** https://www.rcvs.org.uk/setting-standards/advice-and-guidance/code-of-professional-conduct-for-veterinary-surgeons/supporting-guidance/euthanasia-of-animals/

**P-05-900 Look into the way parents are being treated by public services**
This petition was submitted by Reann Jenkins having collected a total of 121 signatures.

**Text of Petition**
We call on the National Assembly for Wales to review the way parents and families, particularly those with disabled children, are treated by public services including the NHS, schools and social services.

Families are being wrongly threatened and treated badly by professionals such as social services, doctors, nurses and staff in schools. This must stop.

**Assembly Constituency and Region**
- Bridgend
- South Wales West

# Look into the way parents are being treated by public services

Y Pwyllgor Deisebau | 1 Hydref 2019
Petitions Committee | 1 October 2019

Reference: RS19/10342-1

**Petition Number:** P-05-900

**Petition title:** Look into the way parents are being treated by public services

**Text of petition:** We call on the National Assembly for Wales to review the way parents and families, particularly those with disabled children, are treated by public services including the NHS, schools and social services. Families are being wrongly threatened and treated badly by professionals such as social services, doctors, nurses and staff in schools. This must stop.

## 1. Background

### 1.1. Support for parents

In addition to a focus on how children and young people are involved in decisions which affect them, the Welsh Government has published a number of documents which may be relevant to the petition in terms of parents. Some examples include:

- Support for parents;
- Parenting engagement and support: guidance for providers.

## 1.2. Schools and Education

In terms of guidance and policy there are a range of references to parents depending on the aspect of education being looked at, for example:

- Special educational needs guidance for carers and parents;
- Additional learning needs factsheet for children, young people and parents.

Section 29 of the *Education Act 2002* requires governing bodies of all maintained schools in Wales to establish procedures for dealing with complaints and to publicise such procedures. Governing bodies may put in place a complaints procedure of their choice but the Welsh Government recommends that they adopt the model complaint procedure set out in their 2012 guidance, *School Governing Body Complaints Procedures*.

## 1.3. Social services and well-being (Wales) Act 2014

The Social Services and well-being (Wales) Act 2014 came into force in April 2016. It aims to improve the well-being of people who need care and support, and carers who need support. The Act changes the way people's needs are assessed and the way services are delivered. As a result, people should have more of a say in the care and support they receive. The Act imposes a number of duties on local authorities, health boards and Welsh Ministers. It requires them to work to promote the well-being of those who need care and support, or carers who need support. The *Social Services and Well-being Wales Act* aimed to change the social services sector, so that:

- People have more control over what support they receive, and make decisions about their care and support as an equal partner;
- People receive an assessment of their care and support needs which looks at capacity, resources and the outcomes people need to achieve, and then identify how they can best be supported to achieve them;

- Carers have an equal right to assessment for support as those people for whom they care;
- Easy access to information and advice is available to all;
- Powers to safeguard people are stronger;
- A preventative approach is taken to meeting care and support needs; and
- Local authorities and health boards come together in new statutory partnerships to drive integration, innovation and service change.

The Welsh Government has published a document which explains the essential elements of the Act. Each local authority will have its own complaints procedure in terms of social services and this should be detailed on their individual websites.

## 1.4. NHS Wales

This NHS Wales webpage refers to 'patient centred care' and states:

> Co-production can support the delivery of person-centred care, which prioritises putting patients, their families and carers at the heart of all decisions and plans about health care.

It also refers to health and care standards with supporting guidance. There is also information on accountability in the NHS in Wales and on 'putting things right'.

## 1.5. Equality Act 2010

The majority of public authorities are covered by 'the general duty' under the provisions of the Equality Act 2010. The aim of the general duty is to ensure that public authorities and those carrying out a public function consider how they can positively contribute to a fairer society through advancing equality and good relations in their day-to-day activities. Public bodies are required to have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010
- advance equality of opportunity between people who share a relevant protected characteristic and those who do not
- foster good relations between people who share a protected characteristic and those who do not.

Guidance for public authorities on implementing their duties was published by the EHRC in 2014.

The Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011 sets specific duties that came into force in April 2011. This includes Regulation 10 that requires an authority to make such arrangements as it considers appropriate for promoting amongst its employees knowledge and understanding of the general duty and of the duties in these Regulations. An authority should also identify and address any training needs of its employees in relation those duties. The regulations also require engagement, by public bodies, with people affected by the decisions taken by public authorities.

## 1.6. Public Service Ombudsman for Wales

The Public Service Ombudsman website has guidance on how to make a complaint about a public body**.** This sets out that the Ombudsman:

- Will usually expect a person to have complained to the public body first and given it the chance to respond to the complaint. There are exceptions if the Ombudsman consider that the complaint is very urgent;
- Cannot look into the complaint if there is a legal right of appeal or the right to take the matter to court;
- Normally expects complaints to be made within 12 months of becoming aware of the problem. However, if time has already been spent complaining directly to the body concerned, they will take that into account.

The guidance suggests that potential complaints should be discussed with the Complaints Advice Team on 0300 790 0203 who can provide advice on whether the matter is something that the Ombudsman can consider and how best to proceed.
Complaints can be made online, or using a form from the Ombudsman's website. If the Ombudsman believe that the complaint is one that they can consider and they believe that there has been a failing on behalf of the public body, they will consider if it is possible to sort out the matter informally. If not, and if it appears that there may have been a serious failure on the part of the public body, they will begin a formal investigation.

### 1.7. Children's Commissoner for Wales

The office of the Children's Commissioner for Wales provides free case work and advocacy support to children and families. In certain circumstances they will take up the case of individual children and can liaise with relevant parties on their behalf. The website states:

> Our Investigation and Advice service is free and confidential. It's there to advise and support children and young people or those who care for them if they feel that a child has been treated unfairly.

## 2. Welsh Government's response

In response to the Petition on 13 August 2019, the Minister for Health and Social Services has said:

> The Welsh Government is committed to ensuring equality for people with disabilities and their families. We have a wealth of legislation and guidance in place to ensure disabled people and their families are supported. Following consultation, we are finalising the Welsh Government's new Framework - 'Action on Disability: The Right to Independent Living', which will be published later this summer. One of the aims is to promote equality of opportunity and support

disabled people to more easily and readily access resources and mainstream services.

All public bodies have a complaints procedure to follow should individuals be unhappy with the services they have received or the way they have been treated. Should they submit a complaint and be unhappy with the outcome then they could ask the Public Services Ombudsman for Wales to investigate.

The Action on Disability: 'The Right to Independent Living' framework was published in September 2019.

**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.**

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

Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref Petition P-05-900
Ein cyf/Our ref VG/07245/19

Janet Finch-Saunders AM
Chair - Petitions Committee
National Assembly for Wales
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SeneddPetitions@assembly.wales

13 August 2019

Dear Janet,

Thank you for your letter of 17 July about the petition you have received from Reann Jenkins asking for the National Assembly for Wales to review the way parents and families, particularly those with disabled children, are treated by public services including the NHS, schools and social services.

The Welsh Government is committed to ensuring equality for people with disabilities and their families. We have a wealth of legislation and guidance in place to ensure disabled people and their families are supported. Following consultation, we are finalising the Welsh Government's new Framework - 'Action on Disability: The Right to Independent Living', which will be published later this summer. One of the aims is to promote equality of opportunity and support disabled people to more easily and readily access resources and mainstream services.

All public bodies have a complaints procedure to follow should individuals be unhappy with the services they have received or the way they have been treated. Should they submit a complaint and be unhappy with the outcome then they could ask the Public Services Ombudsman for Wales to investigate.

Yours sincerely,

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

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CF99 1NA

**P-05-900 Look into the way parents are being treated by public services, Correspondence – Petitioner to Committee, 01.10.19**

My petition is being looked at by the committee today I have written to the U.K. government as I feel the Welsh Government is hiding behind complaints policy's that make it harder for parents/ families the Welsh Government refuses to listen to the fact that families / parents who are for disabled children & adults are being failed leaving parents to struggle or turn to charity's who also struggle because of funding parents are fighting for things such as equipment or support....many families/ parents are being bullied by professionals a number of times it's happened to my self which leaves me at breaking point I do my very best as a mother my partner finds its hard because of its s constant fight and worry especially when professionals abuse their position for examples I made a complaint regarding being refused a wheelchair for my [child] when [they were] little that physio then went on to fabricate lies about my family which was very hurtful...a head teacher [...] took a dislike to me and decided to try and report me to social services one being over my [infant child] wearing children make up glitter I found out this at tribunal....being investigated and treated like a criminal over my [child] having a pressure sore ( [they use] a wheelchair) it happened in school yet that was not investigated... social services have made mistakes yet nothing done and regardless of how many times I go through complaints policy they all get away with it I contact the Welsh Government and they refuse to step in ... I'm still to this day waiting for answers from Bridgend council I asked them a handful of questions one being I made a complaint regarding a support worker at school they then went on to report my [child] going to school Dirty & smelly ( [they] didn't report it to school ) and school as supported me as it Is not true yet the inclusion service refuse to answer why the staff member fabricated lies and what actions being done something as a parent deserve to know .... many families are being put through hell and I'm urging the Welsh assembly to support my petition it's a cruel world we live in we've done nothing wrong .. our children have done nothing wrong so why are professionals allowed to get away with it ? It's because they can

***Please note: The square brackets used above denote where this document has been redacted to remove third party personal data for publication purposes.***

## P-05-738 Public Petition for the Dinas Powys By-Pass

This petition was submitted by V P Driscoll, A R Robertson and R T Harrod, having collected 3,305 signatures – 2,572 on paper and 733 on-line.

### Text of the Petition

We the undersigned, call on the National Assembly for Wales to urge the Welsh Government to provide the necessary funding and support for the construction of a Dinas Powys By-Pass.

### Assembly Constituency and Region.

- Vale of Glamorgan
- South Wales Central

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

Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref KS/07291/19

Janet Finch-Saunders AM
Chair
Petitions Committee

Government.Committee.Business@gov.wales

16 August 2019

Dear Janet,

Thank you for your letter of 29 July on behalf of the Petitions Committee regarding Petition P-05-738, Public Petition for the Dinas Powys By-Pass.

There are a number of transport proposals being taken forward which will potentially benefit Dinas Powys and the wider area. These include improvements under the new rail franchise and the reform of bus services which will be supported through the legislative proposals being taken forward as part of the proposed Public Transport (Wales) Bill. The changes proposed in the Bill will seek to address some of the negative impacts of de-regulation on users, operators and authorities, by creating a number of tools which would enable local authorities to intervene should they chose to do so.

In addition to improvements to the public transport system, we are working closely with local authorities to identify a package of measures along key corridors in the Capital City Region to tackle congestion on the roads and encourage people to transfer from their cars to more sustainable transport modes.

Yours sincerely,

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

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Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1NA

**P-05-738 Public Petition for the Dinas Powys By-Pass, Correspondence – Vale of Glamorgan Council to Chair, 7.10.19**

Dear Ms Finch-Saunders

Petition P-05-738 Public Petition for the Dinas Powys By-Pass

Thank you for your further letter dated 25th July 2019 in respect of Petition P-05-738 – Public Petition for the Dinas Powys By Pass where you ask two further questions. I apologise for not responding sooner due to leave commitments of the key officer for the Project.

I can confirm that currently the Stage 2 study for Dinas Powys is being completed by Arcadis Consulting. I anticipate a report being available for review and then public consultation in late 2019/ early 2020.

In terms of your second point in relation to not progressing with the "blue route" option I would refer you to the Cabinet decision on this matter which can be found here minute 656:
https://www.valeofglamorgan.gov.uk/Documents/_Committee%20Reports/Cabinet/2019/19-04-15/Minutes-19-04-15.pdf

I hope this answers your additional questions.

Yours sincerely

Councillor Neil Moore

Leader of the Council

**P-05-738, Public Petition for the Dinas Powys By-Pass, Correspondence – Petitioner to Chair, 07.10.19**

Dear Chair,

## P-05-738, Public Petition for the Dinas Powys By-Pass.

We'd like to respond to the latest communications your Office has received from the Cabinet Secretary for Economy and Transport, Ken Skates A.C./ A.M. and new Vale Council Leader Cllr Neil Moore since the last time this item came before your Committee.

On 30th August 2018 Minister Skates wrote to the Chair of the By-Pass Steering Group (now the Barry to Cardiff Link Road Group). He referenced a request by the Dinas Powys Community Council to the Vale Council Cabinet in April 2018 to extend the scope of the Dinas Powys Transport Study and to include an alternative by-pass route which Consultant / officers have referred to as the Blue route.

*(*http://www.valeofglamorgan.gov.uk/Documents/_Committee%20Reports/Cabinet/2018/18- 04-16/Reports/Dinas-Powys-Transport-Study-Cabinet-Report.pdf*)*

This extension was proposed to enable the whole Barry to Cardiff corridor to be covered by the WelTAG Stage 2 study. The Blue route and the accompanying upgrading of some existing roads would by-pass the A4055 from Merrie Harrier to Fford y Mileniwm thereby relieving traffic congestion for the whole corridor.

The consultant Arcadis included outline work on the Blue route in its draft Stage 2 report submitted in September 2018.

### LATEST CHANGE COULD CAUSE BARRY GRID-LOCK

However, since the draft Stage 2 report was submitted there has been a dramatic reversal of the Cabinet's earlier decision that could seriously jeopardise the financial viability of a by-pass and result in grid-lock of traffic on the section of the A4055 which would not be by-passed.

In April 2019 the then Vale Cabinet changed their earlier scope extension decision by stopping further work on the Blue Route following the motion of a single councillor on the Environment and Redevelopment Scrutiny Committee. Dinas Powys Community Council asked for time to comment on the planned reversal of the unanimous request made by them in February 2018.

Unfortunately an error that has not been attributable resulted in the Community Council not commenting on the change and the Scrutiny recommendation being accepted.

> N.B. Regarding the Blue Route change, a spokesman for the new Vale Council Cabinet led by Cllr Neil Moore informed the media in July 2019: "These comments (Scrutiny regarding Blue Route) seem to reflect the view of a few members of the committee during discussions and **do not** reflect the rationale for a final decision."

Written attempts to gain clarification of this statement from Cllr Moore, from the cabinet member for Roads, Cllr Peter King and from Deputy Leader Cllr Lis Burnett have gone without response.

Vale leader Cllr Neil Moore wrote to the Committee this week referencing the minutes of the Cabinet meeting on 15th April 2019 when he was not a cabinet member.

However, we would submit that those minutes do not substantiate the so-called 'reasons' given for halting work on the Blue route. These were:-

- **Slowing study completion.** But no progress evidence March – October 2019.
- **Dispersal of Assests (?)** WelTAG requires consideration of cost-benefit ratio not just cost.
- **Too many options**. WelTAG requires all options to be properly compared.
- **Traffic direction**. Consultant states considerable majority of traffic through Dinas Powys is from or to Barry **not** the Link Road as incorrectly claimed.

How can the Review Group and the Public at a future consultation make observations, comments or suggestions if the Draft Report has had a major scope change since its arrival at Council in September 2018?

The decision to reverse the scope variation would appear to be non-compliant with WelTAG in that it was made **before** either the Review Group has commented on the technical aspects of updated report or a Public Consultation has taken place. (N.B. The only Public Consultation held on this Study to date was on **March 13th 2017**).

WelTAG states the process should :

> i.) Involve people affected by decisions as a requirement of the Wellbeing of Future Generations Act

II.) share understanding between those involved in making the decisions and those affected by those decisions. This (It) underlies the importance of stakeholder involvement and public consultation in the gathering of evidence of the need for an intervention, the setting of the criteria against which proposed options will be assessed, and the likely impacts of each option.

Without the Blue Route there would be no true comparison or evaluation of different by-pass routes. It would leave just the Green Route that by-passes only the section of the A4055 through Dinas Powys.

There is also a Pink option which is the same as the Green Route but with an added roundabout.

Neither the Green or Pink options would relieve predicted traffic congestion on the A4055 from Biglis to Ffordd y Mileniwm as referenced beneath.

**NO DEVELOPMENT PROPOSAL**

The Minister also refers to the Council being asked by us to consider a development proposal that would be more easily facilitated by the Blue route. He rightly indicates that this type of proposal needs to be considered via the proper processes and probably as part of any future review to the Adopted Local Development Plan.

However, there has been a major misinterpretation of discussions between representatives of our Group and Council Officials regarding this suggestion. Neither any of our Members nor any of our Pro Bono Consultants have at any time put forward any ‘proposed development’ from which any / all might benefit financially. We have only expressed ideas that might be pursued by others and give considerable added value for the alternative route.

Figures of 5,000 potential jobs and £200 Million added GVA P.A. have been indicated by consultants as a potential for development on around 200 acres of employment land, by whoever might be commercially interested.

Obviously such potential gives added information for any cost / benefits analysis of the by-pass route options. It is, for this reason only that the importance of the Blue route by-pass option has been drawn to the Minister and the Council during the current WelTAG study.

**RELIEVING TRAFFIC CONGESTION FOR EAST BARRY, SULLY, COSMESTON AND LOWER PENARTH AS WELL AS FOR DINAS POWYS.**

Only the Blue Route proposal would relieve traffic congestion on the A4055 between Biglis and Ffordd y Mileniwm which is predicted to increase by up to 35% by 2026. This will be partly as a result of continuing expansion of the Barry Waterfront development.

The Blue Route could also provide relief for the major housing developments being proposed along the B4267 at Cog, Cosmeston and Lower Penarth, which otherwise could add over 3,000 extra vehicle trips daily.

The WelTAG study work for the Blue Route was part-complete when the previous Cabinet called a halt to it. Most of the remaining work on the Stage 2 study is required for all route options and includes area wide analysis of future traffic flows using the South East Wales Traffic Model (SEWTM) both with and without alternative by-pass route options.

**REQUEST**

We are suggesting that effectively eliminating the Blue by-pass route from the Stage 2 study is premature, does not provide a solution for the whole Barry to Cardiff corridor and is not in the best interest of the South East Vale community. We believe that the Blue Route should be reinstated into the WelTAG Stage 2 Study for full evaluation and request that your Committee consider suggesting this to the Vale Council.

On behalf of:
ROD HARROD, Chair,
Barry to Cardiff Link Road Group
(formerly Dinas Powys By-pass Group)

# Agenda Item 3.2

**P-05-851 Remove time restrictions on the layby to the east of Crickhowell**

This petition was submitted by Crickhowell Town Council, having collected 209 signatures.

**Text of Petition**

We call on the Welsh Government to remove the time restriction on the layby to the east of Crickhowell. At present it has a time limit of one hour. It is the only such layby with this restriction on the A40 in Wales.

There is rarely a car there as to go into town for a cup of tea would exceed the time limit.

**Assembly Constituency and Region**

- Brecon and Radnorshire
- Mid and West Wales

**P-05-851 Remove time restrictions on the layby to the east of Crickhowell, Correspondence – Powys County Council to Chair, 16.09.19**

Dear Janet

Thank you for your letter regarding the petition to remove the waiting restrictions within the A40 laybys at Crickhowell, I apologise for the lateness in this reply

I can confirm that this Authority agreed to make a Traffic Regulation Order on behalf of the Welsh Government following a request from their Agents, the Mid and North Wales Trunk Road Agency. The request came about to prevent trading and long term parking within the layby.

Following the Council's decision at the Breconshire Committee Meeting of the 29 January 2014, this Authority proceeded to enter into the consultation process and the objections that were received were reported to Welsh Government as the highway authority for the A40 to consider. This decision was noted in the Breconshire meeting of the 28 May 2014 following which, the restrictions were implemented.

With regard to your questions on what this Authority considers, I can only advise that the minutes of the two Breconshire Committee meetings, which at the time had the devolved power of the Highway Authority, raised no specific concerns about the proposals. We are not aware of any significant changes within the town or the A40 route that would cause us concern so as to warrant a review of the previous decision.

Whilst appropriate parking can sometimes be difficult to find busy towns such as Crickhowell, there is a long stay pay and display car park that is in operation as well as on-street limited waiting parking within the core of the town. This provision generally caters for the needs of the Town. In addition to this at the weekends additional parking is made available at the High School but there is no identified coach/lorry car park within the town. The limited supply of parking within the town may assist in affecting local residents modal choice when visiting the town. Knowing that finding a space may be problematic, may alter people's habits and encourage them to consider more sustainable modes of transport such as walking or cycling. Increasing travel by these modes helps to improve the health and wellbeing of our citizens and aligns with the objectives of the Active Travel [Wales] Act and the Well-being of Future of Generations and [Wales] Act.

As you may be aware, laybys are important for drivers needing to stop for a short time. This may be to assist in combatting fatigue, to make or take calls or because legislation requires certain professional drivers to take a break. Where such facility is

used for long term parking, it removes this important facility for those that need to use it most. Given its proximity to the town, visitors and/or workers within the town may have found the laybys a more desirable place to park than the pay and display car park since it would avoid paying a fee. Drivers not being able to stop for a break may therefore cause issues of road safety and/or not provide adequate provision for the professional driver.

For information, the Breconshire report/minutes can be found at the following

29/1/14
https://powys.moderngov.co.uk/CeListDocuments.aspx?CommitteeId=132&MeetingId=760&DF=29%2f01%2f2014&Ver=2

28 May 2014
https://powys.moderngov.co.uk/CeListDocuments.aspx?CommitteeId=132&MeetingId=763&DF=28%2f05%2f2014&Ver=2

Yours sincerely

Tony Caine
Traffic and Travel Manager
Highways, Transportation and Recycling
Powys County Council
County Hall
Llandrindod Wells
LD1 5LG

## P-05-885 Accessible and Inclusive Public Transport for Citizens with Learning Disabilities in Wales

This petition was submitted by Joe Powell having collected a total of 203 signatures.

### Text of Petition

We call on Welsh Government to ensure that all local authorities consult with people with learning disabilities before there are any changes to bus services/ bus routes in Wales. This includes changes to bus stops.

We also call on the Welsh Government to extend the Concessionary Travel Pass to local railway services, in areas which have few bus services. These measures are essential if we want to prevent people with learning disabilities from being isolated within Welsh society, empower them to live as active and equal citizens in Wales and to access the services needed to fulfil their own wellbeing outcomes, as promoted in the Social Services and Well Being (Wales) Act.

### Assembly Constituency and Region

- Newport East
- South Wales East

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

Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref KS/07292/19

Janet Finch-Saunders AM
Chair of the Petitions Committee

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03 September 2019

Dear Janet,

Thank you for your further letter of 29 July on behalf of Joe Powell regarding petition P-05-885 - Accessible and Inclusive Public Transport for Citizens with Learning Disabilities in Wales.

As set out in my previous letter, our guidance document to local authorities states that in developing their proposals for utilising their Bus Services Support Grant (BSSG) funding, local authorities should continue to involve as well as consult and work closely with stakeholders. This includes organisations representing persons with protected characteristics. Local authorities are public bodies and are therefore required to engage with local residents on any public service.

It is clear that local scheduled bus services are the foundation of our public transport system. On 16 July the First Minister confirmed in his legislative statement that we will introduce a Public Transport Bill in this Assembly term, building on the proposals in the 'Improving Public Transport' White Paper that was launched for consultation last year. A summary of responses to that consultation can be found here: https://gov.wales/sites/default/files/consultations/2019-08/improving-public-transport-summary-of-response.pdf

The Bill will be a key part of wider reforms to bus services in Wales and will help us to achieve our ambition of creating an integrated public transport network, planned and provided in the public interest, and which meets the needs of the travelling public. The Bill proposals will provide the Welsh Government and local authorities with the tools needed to drive change. For further information on the Public Transport (Wales) Bill and wider bus reform agenda, please see a link to my written statement here: https://gov.wales/written-statement-update-public-transport-wales-bill-and-wider-bus-reform-agenda

Bus is a critical component of public transport and remains a key focus for both the Welsh Government and Transport for Wales (TfW). We have commissioned TfW to review how bus services could be delivered in future to ensure that urban and rural communities across

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CF99 1NA

Wales benefit from a modern, integrated public transport service. TfW is engaging with local communities, local authorities and bus operators to discuss how they participate in and benefit from an integrated regional transport system, and its work will be taken into account in taking forward the Bill and wider bus reform proposals.

Yours sincerely,

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

**P-05-855 Accessible and Inclusive Public Transport for Citizens with Learning Disabilities in Wales, Correspondence – Petitioner to Chair, 09.10.19**


**All Wales People First**
61 Caerleon Road
Newport
NP19 7BW

Website: www.allwalespeople1st.co.uk

9th October 2019

Janet Finch Saunders
Chair of the Petitions Committee

Dear Janet,

Thank you for the letter from Ken Skates AM, Minister for Transport. I would like to outline my response.

We welcome the Bill and the acknowledgement of the importance of local authorities consulting with all stakeholders when any changes are made. We also commend the fact that Transport for Wales has been commissioned to engage with Stakeholders about their transport experience. I will ask our National Council (a member led forum made up of member representatives of all the twenty-two local authorities in Wales) if they would like to invite Transport for Wales, to consult with them as part of their work.

I would stress however that whilst we welcome the Bill, there is still some time before the Bill will be passed as an Act. In the meantime, many people we represent with learning disabilities are already going to be excluded from gaps in transport provision and prevented from accessing communities, education and employment. By the time the Act is in force and the Welsh Government realise the deficits, it could not only contribute to the isolation and loneliness of our members, it could also force a reactive not preventative solution from Welsh Government or local authorities at a later date. As you know, this would be contrary to the ethos and spirt of the Social Services and Well Being Wales Act and other key Welsh Government legislation.

I need to reiterate that unless this issue is addressed soon, more and more people with learning disabilities (who in most cases are not able to drive and rely heavily on public transport because of the nature of their impairment) are going to be potentially excluded from Welsh society, not included, as the Welsh Governments key legislation aims to promote. We feel this is places

people with learning disabilities in a particularly vulnerable situation and will make them unequal to most other citizens in Wales.

**Yours sincerely**
**Joe Powell**
**Chief Executive, All Wales People First**

# Agenda Item 3.4

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

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

### Text of the Petition

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

### Additional Information

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

### Assembly Constituency and Region.

- Swansea West
- South Wales West

**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-05-743
Ein cyf/Our ref LG/06611/19

Janet Finch-Saunders AM
Chair – Petitions Committee

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12 August 2019

Dear Janet

Thank you for your letter of 29 July regarding Petition P-05-743 for Banning Primates as Pets.

No person may keep any dangerous wild animal (including many primates) without first obtaining a licence from their Local Authority under the Dangerous Wild Animals Act 1976. Under this Act Local Authorities inspect premises, and as part of the inspection, consider welfare requirements.

Officials recently attended the Animal Welfare Network Wales (AWNW) meeting and the group are currently working on timelines for a Code of Practice for Primates. I also acknowledge your support to the petitioner for a ban on primates as pets.

I will write to you again once we have received confirmed timelines from the AWNW.

Regards
Lesley

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

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## P-05-862 Tackling school bullying

This petition was submitted by BlowforBradley Campaign having collected 1,463 signatures.

### Text of Petition

We believe that bullying in schools is often ignored and the issue is not confronted in too many cases. Schools are required to have an anti bullying policy but too often this is merely a paperwork statement which is not acted upon.

We want the Welsh Assembly to produce a standard bullying framework which is enforceable by law. The after effects of school bullying often affects victims throughout their lives therefore changes are required as the current system is a failure. Schools often fail to record bullying incidents as such for fear of damaging their reputation and victims who speak out often find themselves punished themselves, harming their self esteem even more.

We insist that bullying is recorded and acted upon as such with better recording, cctv, reporting, compulsory parental interaction.

### Assembly Constituency and Region

- Llanelli
- Mid and West Wales

Comisiynydd
Plant Cymru

Children's
Commissioner
for Wales

To: Janet Finch Saunders, AM

Chair of the Petitions Committee

Via email only

03 July 2019

Dear Janet Finch Saunders,

Re: Petition P-05-862 Tackling School Bullying

Thank you for writing to me regarding the petition above. Since I commenced my term as Commissioner I have championed the need to take more effective approaches and strategies across Wales to prevent and tackle bullying.

My recommendations have been informed by a comprehensive evidence base developed through sustained engagement with thousands of children and young people in Wales. This extensive participatory research is detailed in full in my policy position paper, which also draws upon wider research.

To summarise the evidence in brief, it shows us that bullying is a safeguarding issue that harms children's wellbeing and evidence from children and young people in Wales consistently shows that approaches to tackle and prevent bullying need to be more effective. A strong response is needed on a national level to make change.

I have repeatedly called on Government to respond. Analysis of children's experiences informed the 18 recommendations I made in my 2017 report *Sam's Story: Listening to Children and Young People's Experiences of Bullying in Wales* and I have also made recommendations about anti-bullying approaches in my last two Annual Reports, both of which were accepted by Welsh Government. Most recently, in 2019, my office launched *Don't Worry, I'm Here for You: Children and Young People's Experiences of Cyberbullying in Wales*, highlighting key findings from my 2018 consultation about cyberbullying.

My policy calls are drawn together and detailed in full in my policy position paper, but I will summarise my key calls below. I have also emphasised these calls in my response to the Government's recent consultation on the redeveloped *Respecting Others* guidance. They are as follows:

- **Government must introduce a duty to record bullying in schools as an essential part of an effective anti-bullying approach.** Currently recording incidents remains entirely optional for schools and this will continue

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when the new Respecting Others guidance is launched as it has advisory status and lacks linkage with statutory mechanisms. This is unfair to children. There must be a stronger approach taken across Wales to better safeguard children and young people and recording should be part of this. Effective use of recording means that far better preventative and responsive work can develop at a school level and this means that fewer young people will bully, fewer will experience bullying, and responses to bullying will be more effective.

- **New anti-bullying guidance should be linked to other evaluation and accountability mechanisms**. The Estyn self-evaluation framework and tool could provide a mechanism for this: evaluation should include an assessment of how well the school is implementing the anti-bullying guidance, including having effective monitoring and recording systems for bullying. This could then be monitored at a national level through inspection. This would enable a system-wide improvement of the effectiveness of anti-bullying policies and approaches. The current redevelopment of Welsh Government's *Respecting Others* guidance is an important opportunity to integrate a preventative anti-bullying approach into the wider educational reforms in Wales but this opportunity is not currently being taken.

- **Anti-bullying guidance including a clear duty to record also needs to be integrated with other whole-school approaches to wellbeing.** Young people and children are repeatedly giving a clear message that more needs to be done to prevent and tackle bullying. Too often children and young people feel that bullying is not taken seriously by adults and that nothing is done when they report it. The lack of a strong national approach to date indicates that this inaction has been reflected at a Government level. There is a clear opportunity for the Government to remedy this now by ensuring that effective action on bullying forms part of their current development of a Whole school Approach to Wellbeing through the joint Ministerial advisory group and the Stakeholder Reference Group. Government should also ensure an effective way of enabling children and young people to participate in how action on bullying forms part of this approach.

I will continue to push for Government to develop a strong national approach and to strengthen the impact of new guidance by linking it to the evaluation framework, which must include a duty to record and monitor bullying. Bullying has serious and long-lasting impacts: it prevents children and young people from experiencing their human rights, including their rights to be safe and to have an education. At the moment the law doesn't require schools to record and monitor bullying but our young people in Wales do. Government must link any new

guidance to a clear duty to record bullying in school-evaluation to ensure this happens.

Yours sincerely,

Sally

Sally Holland
Comisiynydd Plant Cymru
Children's Commissioner for Wales

**P-05-862 Tackling School Bullying, Correspondence – Action for Children to Chair, 29.07.19**

Thank you for the letter dated 26th June 2019 with regards to the petition below (P-05-862 Tackling school bullying)

***"We believe that bullying in schools is often ignored and the issue is not confronted in too many cases. Schools are required to have an anti-bullying policy but too often this is merely a paperwork statement which is not acted upon.***
***We want the Welsh Assembly to produce a standard bullying framework which is enforceable by law. The after affects of school bullying often affects victims throughout their lives therefore changes are required as the current system is a failure. Schools often fail to record bullying incidents as such for fear of damaging their reputation and victims who speak out often find themselves punished themselves, harming their self-esteem even more.***
***We insist that bullying is recorded and acted upon as such with better recording, cctv, reporting, compulsory parental interaction."***

In responding to the above petition, we have liaised with frontline staff and young people who are delivering and participating in Action for Children's Blues Programme throughout Wales.

Although schools in Wales have bullying policy's in place often it can be perceived by parents and young people as a tokenistic approach designed to appease parents rather than properly support young people.

We discussed with young people on what they thought could realistically work within a school setting. The young people felt that an action plan the school and young people could agree to would be ideal.

They also felt a partnership approach between young people and the school would reap huge benefits in which informing parents could be part of an agreement rather than compulsory, unless there are safeguarding or more serious concerns.

Young people were concerned that if the contacting of parents was compulsory it could in a lot of situations make it far worse for the young people involved, although we feel that young people could be encouraged to talk to their parents at home.

Young people they felt contacting parents as a first response, was one of the main reasons why young people fail to disclose an issue with pastoral support teams. Also, when listening and taking in the views of young people they felt that schools do need to record their actions and to be accountable for what they have or have not done in response to a bullying allegation.

Young people said that schools should follow up bullying allegations by monitoring over a longer period rather than dealing with it once and thinking the matter is dealt with.

The final point is that we feel it would be hugely beneficial if pupils were consulted about what action that might be taken and have a say in what approach would work best to resolve the situation, an example of this could be a restorative approach.

Many thanks for contacting Action for Children for a response to the petition, if you require any further information please do not hesitate to ask.

Yours sincerely

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Children in Wales
Plant yng Nghymru

Cymru Ifanc
Young Wales

25th September 2019

Dear Janet

**re: Petition P-05-862 Tackling School Bullying**

Thank you for writing to me regarding the petition above. Bullying is a very important matter, which sadly continues in many schools up until the present day despite it having been known about for many many years and numerous attempts made to reduce the number of incidents in schools. Cyber bullying has increased the problem considerably as has the issue of children from other countries being targeted more in the past couple of years. All bullying adversely affects the emotional and sometimes physical well-being of children.

However across Wales there is a variety of practice in schools ranging from excellent to very poor – as reported by children and young people themselves. Reasons for this vary. However in schools where the culture of the whole school is one of mutual respect, openness and transparency between staff, children and parents, prevention of bullying behaviours is more likely.
Recognising the importance of this issue to children and young people, in 2017 we undertook work both directly with children and young people through our 'Young Wales' programme as well as practitioners and created a Young Wales Anti bullying Network, organised events, surveys and campaigns such as :

**#Bullying-MaketheChange;**

**We are young people of the Young Wales Anti Bullying Network -We say #sayno #bullyingmustgo**

In 2018 we published a Report entitled Anti Bullying and School Attendance based on this work (report attached). Below are the key recommendations made by the children and young people which they hoped would be included in the revised guidance. A Welsh Government official attended these events and the recommendations from all of the work were forwarded to Welsh Government.

The recommendations from the children and young people for Welsh Government's re developed ***Respecting Others – Anti Bullying Guidance*** included:

1. Schools should have a safe room for pupils to use following an incident of bullying, as a space to calm down and gather their composure. The safe room could also be used as a space to discuss issues with a teacher.

2. There should be independent adults who are able to look at reports of bullying, speak to young people and make recommendations for action.

3. Schools should be able to provide a listening service for pupils to access confidentially.

4. Policies must have minimum standards to be able to monitor delivery. Young people report that there is significant variations in how schools respond to and address incidents of bullying. From young people's perspective some schools do address bullying incidents well, while others do not. Standards would support a more consistent response for young people.

5. Teachers and other adults in the school need to be held accountable. There should be a process for teachers and support staff to follow, if bullying is reported, so that the victim is aware of the process to be followed and feedback to the victim is compulsory.

6. Young people reporting bullying should be given a named person as their link and a date by which they will receive some feedback. This should apply whether the school or an independent person is investigating the complaint.

7. Pupils need to be told about and have access to their schools anti-bullying policy. Many young people do not know they have the right to see the school's anti-bullying procedures. Pupils should be included in revising and updating policies.

8. Young people, who are asked to write down the details of the incident, want to know what will happen to their information, who will see it and where will it be held. Where bullying incidents are written up, these should be viewed and given the status of a victim statement or impact statement. In discussion with young people an example was shared, where a pupil reported an incident to a teacher, who made a note of the pupil's concern, but at the end of the interview the information was thrown in the waste paper bin.

9. Teachers should have training on how to manage incidents of bullying, in line with the schools' policy, to ensure effective implantation. Updated training should be offered on a regular basis and when policies are revised.

10. Young people want bullying to be seen as a safeguarding issue, and included in the school's safeguarding policies.

11. Young People remain very concerned that bullying is not seen as a hate crime.

12. Schools and local communities should agree how to manage incidents that happen outside the school grounds. Young people shared examples of where an incident less than ten yards from the school gate is seen as a community incident, while other schools will work with local community services to jointly address the issue.

## Recording

Children in Wales believes that the Welsh Government should place a statutory duty on schools to record all incidences and types of reported bullying. Children and young people should inform what is felt by them to be bullying. They should also be the main evaluators of successful anti bullying polices and there should be the option of anonymity as there are many instances where children prefer not to be identified.

As recording incidents is optional for schools, a stronger approach must be taken so children are better protected. However attention should also be paid to exactly how recording systems are implemented. We know of instances where a child reports bullying, the school records the incident/incidences, but then there is a gap of several months before the same child is bullied again by the same individual and the recording system regards it as a first incident. This has resulted in children no longer reporting incidences.

## Whole School Approach to children's emotional well-being

Children need to feel that they are believed and that teachers will act to protect them. The more open the culture of the school regarding valuing the views of children and young people, the more likely children are to feel able to tell teachers what is actually happening to them in the knowledge that something will be done to sort it out. An effective use of recording means that better preventative work can be done in the school as a whole because bullying behaviour may also indicate an underlying problem for the child who bullies such as family problems as well. The response to reports of bullying would therefore be more effectively dealt with in this context. Schools which have developed a strong ethos of children's rights within their staff, children and parents are well placed to succeed in combatting bullying. The well-being stream in the new Curriculum should be used as an opportunity to promote this whole school approach.

## Conclusion

**A statutory requirement for recording of incidences of bullying, combined with leadership from Welsh Government to promote the ethos of children's rights in schools and the delivery of a whole school approach to emotional well-being would go far to reduce bullying behaviour.**

Yours sincerely

Catriona

Catriona Williams OBE
Chief Executive

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Janet Finch-Saunders AM
Chair
Petitions Committee
National Assembly for Wales
Cardiff Bay
Cardiff CF99 1NA

Dear Ms Finch-Saunders

**RE: Petition P-05-862 Tackling School Bullying**

Thank you for asking NSPCC Cymru/Wales' views on the above petition. Besides providing face to face services to children and families in Wales, we provide the Childline service and our Speak Out Stay Safe school service to primary schools, which urges children to speak out and seek help if they are experiencing abuse, neglect or bullying.

In 2018/19, Childline delivered 15,851 counselling sessions to children and young people across the UK where bullying and online bullying was their main concern. Bullying was the fourth main reason why children and young people contacted Childline.

This is why NSPCC Cymru/Wales is supportive of efforts to develop more effective approaches to prevent and tackle bullying.

**What do children and young people tell Childline about bullying?**

In 2018/19, Childline delivered a total of 8,823 counselling sessions where the child or young person said they were from Wales[1]. Childline delivered 501 counselling sessions about bullying to children and young people who said they

[1] As Childline is a private and confidential service, it's up to children and young people how much they tell us, so we may not know where they are contacting us from.

were from Wales in 2018/19, with over 60% of those sessions being delivered to girls. Bullying was the biggest worry that young people aged between 12 and 15 who said they were from Wales contacted us about.

Emotional bullying was the top concern discussed, followed by physical bullying, for both girls and boys. Young people told us about friends spreading rumours about them, being blackmailed, being called names, receiving threats and being bullied physically and online.

**The effect of bullying on children and young people**

Bullying is a safeguarding issue and has a serious negative impact on young people's well-being. Those who contact Childline talk about feeling hurt, isolated and some even say they feel suicidal:

"*I am not in school today as I am pretending to be ill. I have been bullied every day since I started school and have been having thoughts about ending my own life. I am called fat and ugly and have been told that nobody would care if I died. I feel really sad and want it to stop.* " Gender Unknown, 15

**Strengthening a preventative approach to bullying in Wales**

The NSPCC feels that strengthening a preventative approach to bullying in Wales needs to be strongly aligned with other elements of the improving well-being in schools agenda. The revision of the Welsh Government's Respecting Others guidance presents a key opportunity to review and strengthen arrangements to tackle bullying in schools and the support provided to young people who are bullied.

We fully support the Children's Commissioner for Wales' recommendations to enable a robust response to bullying across Wales and effect change:

- **A duty to record bullying in schools as an essential part of an effective anti-bullying approach:** we are concerned that the new draft Welsh Government Respecting Others guidance continues with the current system of optional recording for bullying incidents. This does not allow schools to put in place effective strategies for preventing and tackling bullying. This system does also not send a message to young people who are being bullied that their experience is being taken seriously. This needs to change: young people have a right to feel safe in school.

- **New anti-bullying guidance should be linked to other evaluation and accountability mechanisms:** it is important that the effectiveness of schools' anti-bullying policies is properly evaluated and monitored, so that there is an incentive to keep learning about what works and to implement the Welsh Government's anti-

bullying guidance. We agree with the Children's Commissioner for Wales that this could be monitored at national level through inspection.

- **New anti-bullying guidance should be integrated with other whole-school approaches to well-being:** the revised Respecting Others guidance should clearly link across to the current approach to developing a whole school approach to well-being. NSPCC Cymru/Wales believes that Relationships and Sexuality Education (RSE), and learning about keeping safe, healthy bodies and healthy relationships is a core entitlement all children should receive and preventing bullying should be a clear part of this. We believe RSE and anti-bullying messages are best delivered as part of a whole school approach where they are embedded across the curriculum and in wider school policies, ethos, behaviours and communications.

**Supporting children and young people**

Children and young people who experience bullying should feel listened to and supported. It is important that the revised Welsh Government Respecting Others and subsequent schools' anti-bullying approaches clearly signpost young people to places where they can receive support, such as Childline.

There is a wealth of information for young people to access if they are being bullied on the Childline website itself and also some message boards where young people can share their experiences and support each other. [2]

Bullying consistently features among the main concerns children and young people contact Childline about. Childline helps empower young people to speak out about bullying and to seek support on their terms, at their own pace:

*"I just wanted to thank the two Childline counsellors I have spoken to recently. You both have made a huge impact on my life and have helped me gain confidence. I hope you keep helping people who are being bullied like you did with me. Tomorrow I am going to tell my mum due to you so again I say thank you so much."* Girl, 12, Cardiff Childline base.

NSPCC Cymru/Wales has also recently developed safeguarding resources (a bilingual poster and animation) with support from Welsh Government, which helps professionals implement interpersonal skills when a child discloses to them that they are being abused. The resources are available on the NSPCC Learning platform at www.nspcc.org.uk/listen and the skills are applicable to situations where a young person is reporting bullying.

NSPCC Cymru/Wales is grateful for the opportunity to comment on this petition. If you have any queries, please do not hesitate to contact NSPCC Cymru/Wales' Policy and Public Affairs Team on publicaffairs.cymru@nspcc.org.uk

[2] https://www.childline.org.uk/info-advice/bullying-abuse-safety/types-bullying/

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Yours sincerely

Des Mannion
National Head of Service for Wales
NSPCC

**MAE POB PLENTYNDOD WERTH BRWYDRO DROSTO**
**EVERY CHILDHOOD IS WORTH FIGHTING FOR**

## P-05-757 Remove the Obligation on Schools to Hold Acts of Religious Worship

This petition was submitted by Rhiannon Shipton & Lily McAllister-Sutton and was first considered in June 2017, having collected 1,333 signatures.

### Text of Petition

We call on the National Assembly for Wales to urge the Welsh Government to pass a law that removes the obligation on Schools to hold acts of religious worship.

### Assembly Constituency and Region.

- Cardiff South and Penarth
- South Wales Central

**Kirsty Williams AC/AM**
**Y Gweinidog Addysg**
**Minister for Education**

Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-05-757 & P-05-765
Ein cyf/Our ref KW/07216/19

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

4 October 2019

Dear Janet,

**P-05-757 Remove the Obligation on Schools to Hold Acts of Religious Worship and P-05-765 Keeping Current Guidelines for Religious Assemblies**

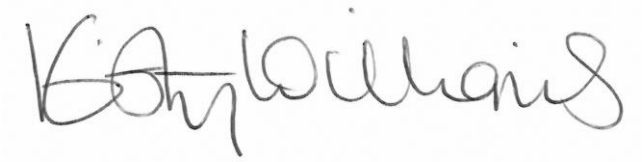
Thank you for your letter dated 27 September requesting an update on the above petitions.

There are a range of issues around the rights protected by the Human Rights Act 1998, equalities legislation and the UNCRC, in relation to collective worship. My officials are continuing to consider these issues.

Naturally, at the moment, my priority is completing work on developing the new curriculum and supporting the profession to implement it effectively. More in depth consideration of collective worship will need to wait until this work is complete.

I will keep the Committee informed on progress in this area over the coming months.

Yours sincerely



**Kirsty Williams AC/AM**
Y Gweinidog Addysg
Minister for Education

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**P-05-757 Remove the Obligation on Schools to Hold Acts of Religious Worship, Correspondence – Petitioner to Committee, 09.10.19**

Dear Petitions Committee,

We are extremely frustrated by the Minister's continued delay in responding properly to our petition.

She has previously stated that her response would come soon, yet it now seems to be receding further into the future.

We cannot believe the legal advice she sought has not been provided.

The Minister says her priority is the National Curriculum. Yet the issue we have raised is entirely separate to the National

Curriculum.

We ask the committee to put further pressure on the Minister, who we believe is allowing a breach of human rights to continue.

# Agenda Item 3.7

## P-05-765 Keeping Current Guidelines for Religious Assemblies

This petition was submitted by Iraj Irfan and was first considered by the Committee in June 2017, having collected a total of 2,231 signatures - 2,209 signatures online and 22 paper signatures in an alternative petition.

**Text of Petition**

We call on the National Assembly for Wales to urge the Welsh Government to keep religious assemblies in state schools in Wales as 'opt-out' and 'wholly or mainly of a broadly Christian character', while considering ways to ensure that they continue to be relevant to people of different faiths and no faith.

**Assembly Constituency and Region**

- Cardiff West
- South Wales Central

**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

Document is Restricted

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

Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref VG/07406/19

Janet Finch-Saunders AM
Chair
Petitions Committee
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Ty Hywel
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21 August 2019

Dear Janet,

Thank you for your further letter of 31 July regarding petition no. P-05-865 about Guaranteeing Fully Plant-Based (Vegan) Options on All Public Sector Menus.

You requested some information about the timescale and process for refreshing the All-Wales Nutrition and Catering Standards.

The current hospital standards include provision for vegetarian diet choices for each meal on standard menus and gives advice on how to plan further for vegan diets. When these standards were developed, the Welsh Government appointed a senior dietitian from a health board to lead the work in 2010 and to develop the new standards published in 2011. I feel a similar approach is needed for the refresh of the existing standards.

An initial scoping exercise has been carried out by a health board nutrition and dietetic manager on behalf of a core group of dieticians working together on the All Wales Menu Framework strategic group. This indicates the areas of the All-Wales Nutrition and Catering Standards that require a refresh. As a result, my officials are currently seeking to establish the costs of appointing a dietitian to lead this work and then to identify an individual who is able to move the work forward.

Bae Caerdydd • Cardiff Bay
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I hope this information is helpful.

Yours sincerely,

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

**Rebecca Evans AC/AM**
**Y Gweinidog Cyllid a'r Trefnydd**
**Minister for Finance and Trefnydd**

Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-05-865
Ein cyf/Our ref RE/05343/19

Janet Finch-Saunders AM

Government.Committee.Business@gov.wales

22 August 2019

Dear Janet,

Thank you for your letter to Lesley Griffiths AM. I am responding as this matter falls within my portfolio.

Public sector organisations are responsible for making decisions in relation to the food and drink that is available at their establishments and should take account of consumer preferences in what they offer.

All public sector organisations in Wales can opt to utilise the National Procurement Service food and drink framework agreements, which enable plant based products to be purchased.

Whilst there are no plans to legislate in this area I am keen to raise awareness of this important area and, following discussions at a recent meeting of the Cross Party Group on Food, my officials will invite food industry representatives to share more information on plant based options with our public sector customers.

Yours sincerely,

Rebecca Evans.

**Rebecca Evans AC/AM**
Y Gweinidog Cyllid a'r Trefnydd
Minister for Finance and Trefnydd

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**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 , Correspondence – Blaenau Gwent County Borough Council to Committee, 20.08.19**

In response to the correspondence from the Chair of the Petitions Committee, please find Blaenau Gwent School Meals Catering position.

In Blaenau Gwent School Meals Catering, we employ an NHS dietitian with experience of consultation, analysis and menu provision in schools. Whilst vegans do have the same protection in law as vegetarians/those with religious beliefs, and cannot be discriminated against, we are not aware that vegan school children are "often going hungry in public sector institutions" as we are not aware of any evidence to back up this statement. Furthermore a vegan option on all menus is neither legally required, nor practical, and where menu choices are already limited, can be to the detriment of others using that menu, Examples as follows:

**"Vegans have the same legal protections as people with religious beliefs".**
We cater for vegans in all our schools in exactly the same manner as we do for those with religious beliefs. They are offered a daily vegan choice, as do our vegetarians who are offered a daily vegetarian choice, and those who choose not to eat beef or pork gelatine, they are offered a daily choice to suit through specifically tailored menus.

**"Service providers have an obligation to provide for vegans and to avoid any discrimination on the grounds of veganism"**. In providing a daily choice, and catering for vegans as we do those on other diets for religious, ethical and medical reasons, we do not discriminate.

**"Provision for vegans in the public sector is often lacking, with hospital patients, prisoners and school children often going hungry".** We are not aware of this, we can provide a daily option for any of our pupils who would like this, in the same way as we cater for those with medical, religious needs etc.

**"We would like to see all Welsh public sector institutions providing at least one plant-based food option on <u>every daily menu</u> to ensure vegans' rights are met"**
To comply with the law and to ensure there is no discrimination Blaenau Gwent School Meal Catering offer a daily vegan choice at meal times. This is provided by way of a separate menu for those who wish to eat vegan at both are primary and secondary schools.

There are good practical and legal reasons why vegans are catered for using a separate menu:

1. **Blaenau Gwent primary school menu consists of one daily hot choice** which caters for the larger majority of school pupils. Pupils with religious, ethical, cultural and medical needs are catered for fully using alternative menus produced. Whilst vegetarianism and veganism is becoming more popular, they are still far from being the most popular choice. We currently cater for vegetarians and other special dietary requirements in our primary schools, in addition to many pupils who do not eat pork, beef or beef gelatine for cultural, ethical or religious reasons.

   We produce special menus changing twice yearly and cater for all religious/ethical or medical needs including pupils with allergies, multiple allergies and complex medical conditions. A request for a vegan menu and have only received one to date has been treated no differently to any other request and a separate menu has been provided for that child. However like every other request it does not mean that this lifestyle choice should become the one hot choice of the day, similarly the one hot choice of the day will not be made Halal, or Kosher, or pescatarian or vegetarian etc. as these are still not the most popular choices in our primary schools for the large majority of pupils.

2. **Blaenau Gwent Primaries** – As with all schools in Wales, primaries must provide menus that comply with the Healthy Eating in Schools (Nutritional Standards and Requirements) (Wales) Regulations 2013. In addition to compliance with food standards, the standard menu is analysed to ensure that 13 nutrients and energy are within range to ensure pupils can receive 1/3 of their daily requirements from this meal. These regulations would prevent the one hot choice being vegan – we are obliged to offer fish once a week, oily fish twice in every 4 weeks and meat cuts on at least 2 days each week on our standard menu.

3. **Blaenau Gwent Comprehensives** – there are no figures for the numbers of vegetarian and vegan pupils we cater for as there are **2 hot choices daily** – **one of which is always vegetarian**, on the standard menu. Therefore, vegetarians are catered for daily using the standard menu and figures of pupils who are vegetarian are not kept. In Comprehensives, pupils with special dietary requests (other than vegetarian) are advised to make these known to the cook, and the cook on site advises on what options are suitable, and where required, will buy in ingredients/foods not routinely offered to ensure the pupils have a suitable (and liked) choice. For example, cooks have ordered in pizza bases and rolls for children requiring a gluten free diet. Where pupils are not confident to speak to the cook directly, we ask parents to contact our dietitian who takes this up

on their behalf. If a request for a daily vegan option is received, this will, of course, be provided, in the same manner as we provide for pupils who follow other alternative diets for religious, cultural, ethical or medical reasons.

Kind regards,

Monmouthshire County Council
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Cyngor Sir Fynwy
Blwch SP 106, Cil-y-Coed NP26 9AN
Tel/Ffôn:
E-Mail/Ebost:
Our Ref/Ein Cyf: PM/JFS
Date/Dyddiad: 08 Aug, 2019

Janet Finch-Saunders
Chair
National Assembly for Wales
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Dear Mrs Finch-Saunders

***Re: 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***

Thank you for your letter of 2nd August in relation to the above noted petition.

Please find below my response in regard to this.

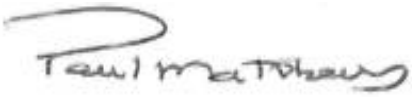
Within Monmouthshire Primary schools we offer a choice of Vegan and Vegetarian meals daily along with menu's suitable for all other dietary needs (dairy free, gluten free etc). 'Mardy Park Resource Centre' offers Vegan and Vegetarian meals daily in the cafeteria that can be used for the residential unit. They operate a "meat free Monday" service for all users on a Monday and will prepare a Vegan and Vegetarian menu for any service user on request. They will also prepare a meal for any service user that has specific dietary needs.

Severn View Resource centre will prepare Vegan and Vegetarian menus on request along with menus for all other dietary needs.
Hilston Park outdoor pursuits centre have a Vegan and Vegetarian menu along with all menus for all other dietary needs available on request.
Gilwern outdoor pursuits centre the same as Hilston Park.

All Leisure Centres offer a choice of Vegan and Vegetarian choices on their menus with Monmouth Leisure Centre recently hosting a children's party with only vegan food available."

Should you have any further queries, please do not hesitate to contact me.

Yours sincerely,



**PAUL MATTHEWS**
**CHIEF EXECUTIVE**

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Neuadd y Dref, Wrecsam. LL11 1AY
Guildhall, Wrexham. LL11 1AY
DX: 721924 - Wrexham 4
www.wrecsam.gov.uk www.wrexham.gov.uk
Cyfnewid Testun/Text Relay: 18001

wrexham
COUNTY BOROUGH COUNCIL
CYNGOR BWRDEISTREF SIROL
wrecsam

Janet Finch-Saunders AM
Chair of the Petitions Committee
National Assembly for Wales
Cardiff Bay
Cardiff CF99 1NA

Email: seneddpetitions@assembly.wales

| | |
|---|---|
| Eich Cyf/Your Ref | |
| Ein Cyf/Our ref | SR |
| Dyddiad/Date | 9 August 2019 |
| Gofynner am/Ask for | Simon Roberts |

**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**

I refer to your letter dated 5 August 2019, that has been passed on to me to respond.

Wrexham School Meals offer a vegetarian main meal option every day in both primary and high schools, and we have done so for many years now. Filled jacket potatoes and vegetarian sandwiches are also available daily. The primary school menu is certified as fully compliant with Welsh Government nutritional standards, and the analysis includes all menu items, including the vegetarian options.

Vegan options are more limited, and we are keen to introduce more choice in this area. However, we are restricted for a number of reasons. It is not currently possible for us to offer a full vegan menu, which offered a range of choices that pupils would be happy to take, and that would meet the nutritional requirements, particularly for protein, iron and calcium, that we must meet in order to remain compliant. While we offer a range of fruits and vegetables at all our schools daily, many of the vegetarian products on our menu, including Quorn, are not suitable for vegans, usually because they contain milk, milk protein, egg or cheese. We have also found that some brands of baked beans are not even suitable.

Our vegetarian sausages and vegetable fingers currently on the menu are suitable for vegans. We have also recently trialled a Country Vegetable Bake that is vegan, and the positive feedback we received from pupils means that we will introduce this item on our next new menu in November. We will continue to try to source suitable new items, and introduce them where possible.

The other building where we provide catering is the Courtyard Café in Wrexham museum. Here a variety of vegetarian options are available on a daily basis. The menu also states that customers can ask if they have any special dietary requirements so that vegans can be catered for on request.

I trust this information is of assistance, but should you require any further advice, please do not hesitate to contact the Business Support Section at HESupport@wrexham.gov.uk who will forward your enquiry to the relevant officer.

Yours sincerely

Simon Roberts
Head of Service - Assets

Ask for/*Gofynnwch am* **James Harris**
Our Ref/*Ein Cyf* **JH/AM**
Your Ref/*Eich Cyf*
Tel/*Ffôn*
Direct Dial/*Rhif Union*
DX
E-Mail/E-Bost

Civic Centre/Canolfan Ddinesig
Newport/Casnewydd
South Wales/De Cymru
NP20 4UR

Newport CITY COUNCIL
CYNGOR DINAS Casnewydd

Janet Finch Saunders AM
Chair of the Petitions Committee
National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA

14th August 2019

Dear Ms Saunders,

**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**

I write in response to your letter to Will Godfrey, Chief Executive of 5th August 2019 regarding the above petition.

The current contractual arrangements in Newport schools operate in accordance with the Welsh Government Guidance on Healthy Eating that stipulates the requirement for a vegetarian main meal option to be available every day in every school.

The new service model currently being designed and planned for implementation in September 2020 will require the successful provider to work with the schools to make significant improvements to the healthy eating options. This will include the offer of more plant based meals, through consultation and menu innovation.

Young people are very engaged with the issues of climate change and understand the impact of human behaviour on the environment and there are already schools who have introduced ‘ vegetarian day’. Therefore, the opportunity to expand plant based menu options as a consensual choice does exist and the new service model will ensure that the provider develops the menu to reflect this new awareness

In relation to Local Authority care homes and the homes that we contract with, the decision around what is eaten lies with the residents as it is their home and their choice. We take great care to engage both the adults and children living in our homes to ensure that they are able to choose the food they would like to eat. Needless to say, any vegetarian and vegan requirements must be accommodated and people living in our homes are engaged in menu planning to ensure their wants and needs are met.

Yn gywir/Yours sincerely

James Harris

**James Harris**
**Cyfarwyddwr Strategol – Pobl / Strategic Director - People**

**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 – Powys County Council to Chair, 15.08.19**

Dear Ms Finch-Saunders AM,

Powys County Council currently offer a daily main meal, vegetarian and jacket potato option on our school meal menus. We also cater for numerous special diets including gluten free, lactose intolerant, egg free, etc. The Catering Service currently offer vegan menus to those who request it, in Powys the requests for vegan options have been very low to date. When we change our menus in October 2019 we will be adding vegan options to our menu for each day of the week, this will be on request and available in all schools. Due to the current demand for vegan options being very low, we will only stock/make vegan dishes at the schools were we have had a request. (i.e. although these choices will be on the menu we will not make/stock products in schools where there is no demand). Hence, we will be asking parents to inform our catering staff in advance.

In our County Hall restaurant, and for hospitality functions, we do offer a variety of special diet dishes including vegan options.

I hope the information above is of assistance, if you require anything else, please don't hesitate to contact me.

Best wishes,

GIG CYMRU NHS WALES | Bwrdd Iechyd Prifysgol Caerdydd a'r Fro
Cardiff and Vale University Health Board

**Executive Headquarters / Pencadlys Gweithredol**

Woodland House
Maes-y-Coed Road
Cardiff
CF14 4HH

Ty Coedtir
Ffordd Maes-y-Coed
Caerdydd
CF14 4HH

Eich cyf/Your ref:
Ein cyf/Our ref: LR-jb-08-7619
Welsh Health Telephone Network:
Direct Line/Llinell uniongychol: 02921 836010

**Len Richards**
**Chief Executive**

21 August 2019

Janet Finch-Saunders AM
Chair
Petitions Committee
National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA

Dear Ms Finch-Saunders

**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**

Thank you for your letter of 6 August 2019, advising that the Petitions Committee is currently considering the Petition P-05-865 which was submitted by Louise Davies on behalf of the Vegan Society. Detailed below is Cardiff and Vale University Health Board's response to the enquiry regarding the provision of plant based food provision for both patients and staff.

Dietetic and Catering staff from Cardiff and Vale were instrumental in the development of the 2011 All Wales Nutrition and Catering Standards for food and fluid provision for inpatients. Continued compliance with these standards helps us to ensure a positive patient experience of hospital food in terms of meals provision and nutritional content. Cardiff and Vale continues to comply fully with the 2011 standards.

All Cardiff and Vale hospital menus are constantly evaluated to ensure patient's dietary, therapeutic and cultural needs are fully met. Dietetics and Catering work closely to develop new recipes that reflect the changing dietary requirements of its service users. We work closely with national procurement and the All Wales Menu Framework working groups to evaluate and amend recipes/menus to increase fruit and vegetable content.

Cardiff and Vale are aware of the increasing numbers of people within Wales choosing plant based eating, however this is not currently reflected within the current cohort of patients within Cardiff and Vale. Requests for the choice of vegan meals is small across the different hospital sites.

Currently for inpatients we provide 16 different main course vegetarian dishes, 4 vegetarian soups and 5 vegetarian sandwiches, available across the main patient menu, and within the A La Carte menu. In areas where there is an increased request for vegetarian meals, the main patient menu has been amended to reflect this, for example Children's Hospital, Maternity and Adult mental Health.

Currently we have 6 vegan dishes and 1 vegan sandwich available, provided through the A La Carte menu which is available to all patients across all sites.

Dietetics and Catering have begun to increase the range of vegan dishes available, whilst retaining nutritional adequacy of the menu choices.

The UHB has also requested that the patient sandwich contract, due for awarding at the end of this year, includes an increased range of vegan sandwich fillings from 1, to at least 3. We have also requested that National procurement source suitable vegan snacks of cereal, dried fruit and nut based snack to help vegan patients achieve the prescribed nutritional intake across the day.

In addition, the UHB is committed to the 'National Peas Please' pledge, to ensure that more vegetables are on offer daily through increasing the number of portions served in the restaurants, in its recipes, sandwiches and salads. We consult with key staff on our plant-based products also.

Recently a fruit and veg stall - `The Grapevine' has been established outside the UHW Concourse so that staff, visitors and patients can purchase fruit and vegetables daily at a competitive price.

Cardiff and Vale UHB was also one of the first Health Boards to develop Healthy Restaurant Standards for its Retail Food Outlets, including 2 restaurants and 13 Aroma coffee shops. The Standards require a 75-25% split in favour of healthy options. As part of the ongoing development of the retail food provision across the UHB, Public Health, Public Health Dietetics and Catering, work closely together to ensure that the products on offer, meet a range of dietary requirements, and in the past 12 months, has increased the vegan and plant-based products for sale, with continued expansion of the range to ensure vegans' rights are met and to maximise the ethical, environmental and health benefits of vegan diets.

I am proud of the approach we are taking in our Health Board, and trust that this answers the queries you have raised.

Yours sincerely

**Len Richards**
**Chief Executive**

**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 – Caerphilly County Borough Council to Chair, 27.08.19**

Janet Finch-Saunders AM
National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA

Your Ref/Eich Cyf:
Our Ref/Ein Cyf: DP/KG
Contact/Cyslltwch
Date/Dyddiad: 27th August 2019

Dear Ms Finch-Saunders,

In response to your request for information on the extent of our vegan catering provision, I can confirm that we have a vegan options available across all the sectors we provide catering for and, in the education sector, we have a vegan menu available across our school catering provision.

I am not able to comment upon independently run catering provision within our schools as this is a matter for headteachers and governing bodies.

Yours sincerely,

**Councillor David Poole**
**Leader, Caerphilly County Borough Council**

Document is Restricted

**P-05-865 Dylid gwarantu bod dewisiadau sy'n seiliedig yn llwyr ar blanhigion ar bob bwydlen y sector cyhoeddus, i ddiogelu hawliau figaniaid ac er budd ein hiechyd, yr amgylchedd ac anifeiliaid, Gohebiaeth - Cyngor Gwynedd at y Cadeirydd, 28.08.19**

Cyfeiriaf at y ddeiseb uchod a hoffwn gynnig sylwadau Cyngor Gwynedd am yr hyn a ddarperir mewn ysgolion.

Cadarnhaf ein bod yn cynnig pryd llysieuol ar y fwydlen Cynradd lle bydd disgyblion yn dewis o flaen llaw os ydynt yn dymuno pryd llysieuol.
Yn yr Uwchradd mae dewis llysieuol ar gael yn ddyddiol yn ystod amser cinio.

Hyd yma, nid oes galw wedi bod i ddarparu prydau fegan (1 cais a dderbyniwyd yn ystod y flwyddyn diwethaf drwy'r Sir gyfan am opsiwn fegan). Mi drafodwyd hyn gyda'r rhieni a gwneud addasiadau i'r fwydlen i gyfarch y galw ar gyfer y teulu hwn. Mi fyddwn yn trafod y galw gyda rhieni unigol pan mae yn codi.

Cofion,

**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 – Ceredigion Council to Committee, 02.09.19**

Good Afternoon

Further to your letter dated 2 August, addressed to Mr Eifion Evans, Chief Executive, I write to confirm that

in the event that a child has a requirement for a vegetarian or vegan meal, the attached request form is completed and the option will be available on a daily basis.

Both public buildings provide daily vegetarian options and in addition display a sign confirming that vegan options are available on request.

Regards

A medically prescribed diet is one which has been prescribed by a doctor i.e. General Practitioner (GP) or Hospital Doctor/Dietician

**Q Can my child have school Lunches?**

Yes, school lunches can be provided for children requiring medically prescribed diets.

**Q What do I have to do to arrange for my child to have a school lunch ?**

Contact Gill Jones on 01970633679

School lunches will only be provided when this form has been completed and returned to the Catering Officers (address over leaf)

**Q What will happen after the form is received by the Catering Officer?**

On receipt of the form the School and Cook in Charge will be informed of your child's needs for a medically prescribed diet, thereafter your child will be provided with an appropriate menu which will be updated every May and November. The school kitchen will be supplied with colour coded plates and bowls, for the pupils with special diets.

**Q Do I have to take any further action?**

No, however if the 'special diet' is no longer required, please contact our Catering Officers (Contact details overleaf)

**Q My child is vegetarian/vegan, can lunch be provided?**

Yes, please tick the box and complete **Section A only**, returning the form to the address overleaf.

Vegetarian ☐ Vegan ☐

**Q My child requires a special diet due to his/her religion, can lunch be provided?**

Yes , please state religion and the diet required. Complete **Section A** only and return the form to the address overleaf.

Religion:————————————

Diet Required————————————

Send the completed form to the address overleaf.

Complete this page of the form if you require a medically prescribed diet. Arrange for Section C to be completed by either a Doctor or registered Dietician, or if you have a letter from a paediatrician please include copy.

**Section A**
**TO BE COMPLETED BY PARENT / GUARDIAN**

Child's details:
Name:————————————
Date of Birth:————————————
Address:————————————
————————————
School:————————————

**Section B**
**MEDICALLY PRESCRIBED DIET:**
(PLEASE TICK)

☐ Diabetic ☐ Egg Free
☐ Gluten Free ☐ Wheat Free
☐ Milk Free ☐ PKU

Other Please state:————————————

**Section C**
**TO BE COMPLETED BY DOCTOR OR REGISTERED DIETICIAN**

I confirm————————————

Follows a ————————————diet and will require an appropriately modified school lunch.
Name ————————————

Signature————————————

Surgery/Hospital Address————————————

Ceredigion County Council

**SCHOOL MEALS SERVICE**

# SPECIAL DIET LEAFLET

## ADVICE FOR PARENTS AND GUARDIANS

Please return the information to:

Catering Department

Ceredigion County Council

Rhodfa Padarn,

Llanbadarn Fawr

Aberystwyth.

SY23 3UE

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

Document is Restricted

**P-05-865 Dylid gwarantu bod dewisiadau sy'n seiliedig yn llwyr ar blanhigion ar bob bwydlen y sector cyhoeddus, i ddiogelu hawliau figaniaid ac er budd ein hiechyd, yr amgylchedd ac anifeiliaid, Gohebiaeth - Deisebydd at y Pwyllgor, 02.09.19**

Helo,

Ar ran yr Adran Addysg Cyngor Sir Ynys Môn, mae Caterlink yn rhoi cynnig bwydlen Vegetarian / Vegan os mae yna ofyn am hyn.

Hefyd mae'r fwydlen newydd mis Medi yn cynnwys 'plant based recipes.'

Diolch

**Eich cyf / Your ref**

**Ein cyf / Our ref**

**Dyddiad / Date : 3rd September**

**Rhif union / Direct dial :**

Cyngor sir ddinbych denbighshire County Council

**Private and Confidential**
Janet Finch-Saunders AM
Chair
National Assembly for Wales
Petition Committee
Cardiff Bay
Cardiff
CF99 1NA

Dear Janet

Thank you for your letter dated 2nd August 2019 addressed to Judith Greenhalgh, our Chief Executive, requesting Denbighshire County Council to consider petition number P-05-865 submitted by the Vegan Society seeking a 'guarantee fully plant-based options on every public sector menu to protect the rights of vegans and for our health, the environment and animals.'

I have discussed with Lead Officer's and appropriate Head of Services in both Commercial Leisure and the Facilities Management Unit. Both sections are heavily involved with food and beverage in public buildings, leisure attractions and educational establishments.

With regard to our food and beverage offer in our public buildings and leisure attractions, I am pleased to say that we already provide vegan options at the majority of these venues as well as providing a wide range of dishes that take into account any dietary requirements or allergies. Where we are not able to offer a vegan option on the menu we can prepare something upon request. We will however look at our menus going forward as demand for Vegan dishes increases.

Within schools, a wide range of tailor made menu options for specific allergies are provided for pupils as required and requested by parents/guardians/head teachers.

Regards

**Jamie Groves**
Pennaeth Cyfleusterau, Asedau a Tai
Head of Facilities, Assets and Housing

Council Offices
Caledfryn
Smithfield Road
Denbigh
LL16 3RJ

Gwefan: www.sirddinbych.gov.uk

Swyddfeydd y Cyngor
Ffordd y Ffair
Caledfryn
Dinbych
LL16 3RJ

Website: www.denbighshire.gov.uk

Cyngor **Abertawe**
**Swansea** Council

**Education Department**
Civic Centre, Oystermouth Road,
Swansea, SA1 3SN
www.swansea.gov.uk

Janet Finch-Saunders AM
Chair
Petitions Committee
National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA

*Please ask for:* Nick Williams
*Direct Line:*
*E-Mail:*
*Our Ref:*
*Your Ref:*
*Date:* 3 September 2019

Dear Janet

Many thanks for your letter dated 5 August 2019 which has been forwarded to me from Phil Roberts to respond.

In regards to the question referring to the provision of vegetarian and vegan options in Swansea school meals, Swansea Council offer a daily vegetarian option to the main menu as advertised. The vegetarian menu is on our website alongside the Primary School Menu and a vegan option can be provided on request.

Kind regards

N. J. Williams

Nick Williams
Director of Education

| | | | |
|---|---|---|---|
| Eich cyf / Your ref: | | Gofynner am / Please ask for: | **Mr. Gareth Morgans** |
| Fy nghyf / My ref: | | Llinell Uniongyrchol / Direct Line: | |
| Dyddiad / Date: | **10-09-19** | E-bost Uniongyrchol / Direct E-mail: | |

For the attention of: Janet Finch-Saunders, AM, Chair of the Petitions Committee

**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**

Please find a response below to the request received on the 2nd of August, 2019. Should you require any further information please contact me directly.

## Response in regard to School Catering

In primary schools, our current procedure for providing pupils with a vegan diet is by parents sending in a written request to our Cook in Charge. In our secondary school cafeterias, we are now starting to offer more choice to pupils who require vegan options. In order to develop our menus further we would welcome the support from dieticians and the WLGA on the basis that we could consider more cost effective, practical options that comply with Healthy Eating in Schools Regulations.

## For Communities Leisure service.

In our retail Leisure facilities, we are now starting to develop a new menu offer, we envisage more choice to the public will be on offer for who requires a vegan options. This offer will be signed off by the Departmental Management Team October 2020.

## Older People's Homes and Day Centres

In Care Homes and Learning Disability a Mental Health day services, our current procedure for residents and clients with a vegan diet is part of the care and support plan to comply with care standards. This is communicated to our Cooks in Charge via the manager. This is reviewed every quarter to ensure compliance

Yours sincerely,

E.D. Gareth Morgans, Director of Education and Children's Services

**GARETH MORGANS B Ed. M. Sc**
Cyfarwyddwr Addysg a Gwasanaethau Plant
Adran Addysg a Phlant, Adeilad 2, Parc Dewi Sant,
Heol Ffynnon Job, Caerfyrddin, Sir Gaerfyrddin. SA31 3HB
Director of Education and Children's Services
Department for Education and Children,
Building 2, St. David's Park, Jobs Well Road,
Carmarthen, Carmarthenshire. SA31 3HB

**P-05-865 - Guarantee fully plant-based options on every public sector menu, Correspondence – Rhondda Cynon Taf County Borough Council to Chair 11.09.19**

Rhondda Cynon Taf provide plant based options on all public sector menus. The process regarding menu choice varies in each service area:

**Primary Schools**
Plant based menu options are available via parental request in all Primary Schools. If a vegetarian option is not arranged in advance then we are always able to provide a filled jacket potato, salad or baguette. Please see the attached Primary sector menus.

**Secondary Schools and All Through Schools**
A selection of plant based menu options are available daily or the full menu is available on request in all Secondary and All Through Schools. Please see the below link to menus.
Secondary School Menu

**Community Meal Service**
The Community Meal Service produces and delivers freshly cooked meals to clients on a daily basis. A vegetarian menu option is available daily, please see the below link. Currently there is no demand to produce a vegan alternative, this will be developed as and when required.
Community Meals Menu

**Residential Services**
Any individual accessing either our learning disability respite or elderly residential service, who has specific dietary requirements whether these are personal choice or health related, would have the opportunity to disclose these during an initial assessment process. As a service we would endeavour to meet the requirements, menus would be adapted to cater for such needs . If an individual lacks the capacity to inform us of such choices ,we would explore this further with families, parents/carers or individuals who have a better degree of knowledge relating to the persons personal choices.

Regards,

Andrea Richards
Head of 21st Century Schools

**Conwy County Borough Council Response to the 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**

Conwy County Borough Council is committed to providing high quality food for all dietary needs across the authority. The key areas of food provision within the county are Education, Venue Cymru and Colwyn Leisure Centre where the café is run by a third party. Provision for vegan and vegetarian diets in each of these areas is outlined below.

**Education**

Education Catering provide a school Lunch in all the county Primary Schools, The Special School and one Secondary School.

The Primary School menu also served in the Special school has a vegetarian option on every day. Any child who needs a menu that is different to the published menu is asked to contact the School Cook in Charge. The menu is adapted to suit the needs of the child's diet that is different to the published menu. This procedure is followed for all children who request a different menu because of religious beliefs or because of a medical condition.

The six Secondary Schools who have opted out of the Local Authority Education Catering Service have their own arrangements with the Catering providers.

Education Catering also provide the food served for breakfast in the Primary schools operating the Free Primary School Breakfast Initiative. The only non-plant based product offered at breakfast time is semi-skimmed cow's milk, an alternative plant based milk substitute is provided on request.

Attached, for your information, are the Primary School Menu April 2019 to October 2019 and the Primary School Breakfast Menu

**Venue Cymru:**

Vegetarian and vegan options are always available across the F&B offer.

The kitchen team at Venue Cymru are happy to adapt dishes to make them suitable for dietary requirements. For example, at a recent banquet the client

selected the roasted aubergine and lentil with gnocchi in a tomato & basil sauce as the main course for vegetarians. Venue Cymru Chefs made the gnocchi on site to ensure it was suitable for vegetarians, vegans & dairy free.

The Head Chef researches new innovations and is constantly looking for ways of expanding what is on offer for customers, particularly vegan and dairy-free customers who often have little choice when they are eating outside of their own homes. The service has recently introduced a chocolate tart that is suitable for vegans and is gluten-free. Venue Cymru chefs make meringues using chick pea juice so that deserts such as Eton Mess can be made available for vegans and people who have a dairy free diet.

To give an overview of each F&B department within Venue Cymru:

**Catlin's Café**

Catlin's offers Sandwiches, cakes, biscuits, crisps, popcorn & drinks.
The biscuit range is suitable for Vegetarians and 50% of the products are suitable for Coeliac or gluten free
The popcorn range is suitable for vegetarians and gluten free
The crisp range is gluten free & vegetarian
The cake bar range is gluten free & vegetarian
Sandwiches are ordered to be 50% meat / fish base; 40% vegetarian; 10% vegan. When the service is aware of a big event or of particular needs these percentages may be adjusted to suit client requirements or event profile.

**Y Review Restaurant**

The lunch menu has 15 menu choices suitable for vegetarians and 15 identified as Gluten free and a further 5 dishes which can be adapted to be suitable for Gluten free requirements.

Chefs are able to adapt the menus for vegan customers and this is advised at the bottom of the menu.

The service intends to include more vegan items when the menu is updated in early 2020.

The restaurant staff request dietary information from customers when making a booking to ensure that all needs are met.

**Conferences and Banquetting**

The service produces a large menu pack which is updated every 18 – 24 months.

All the menus are selectors meaning the client selects what they want, agrees the catering numbers and provides us with any dietary requirements that require the menu to be adapted.

All menus have vegetarian, Vegan and gluten free options.

Chefs can adapt many items on the menus to make them Vegan and requirements are discussed with each individual client.

**Colwyn Leisure Centre – Café Operated by Cais:**

The menu in the café offers a fresh daily salad bar, available with various toppings for baps, salads and jacket potatoes. Vegan dairy spread is available for customers and a selection of vegetarian fillings/toppings including cheese, beans and vegetarian sausages. A selection of vegan cakes and bars on a regular basis are also offered on a regular basis.

The buffet menu is vegetarian led with cheese pizza, vegetable satay skewers, fruit kebabs, cheese & egg sandwiches, spinach and feta cheese bruschetta. Any specific dietary or allergen request are always catered for on an individual basis and are plated separately to the main buffet on offer.

**P-05-865 Guarantee fully plant-based options on every public sector menu, Correspondence – Merthyr Tydfil County Borough Council to Committee, 13.09.19**

Flying Start settings have a question in their registration packs that ask parents/carers about providing information about their child's dietary needs and providers would work with families to ensure these requirements are met

Those settings undertaking the Healthy and Sustainable Pre-school Scheme are encouraged where possible to use local, seasonal fruit and vegetables and to plant and grow vegetables that can be eaten by the children and also to have developed a written food policy.

The majority of settings have the Healthy Snack award and whilst this does not stipulate that a vegan option is provided at all times it does consider the dietary needs of children.

Settings also work to the latest Food and Nutrition Guidance for childcare settings from Welsh Government. The guidance is part of the planned Healthy Weight, Healthy Wales strategy. There is guidance within this regarding vegan diets and sustainable food checklists on which is followed.

Within the school arena we endeavour to provide a service to every pupil. This is very much inclusive of those pupils who choose to consume a vegetarian or vegan diet, whether this is religious or ethically based.

Within the current menu setting for primary schools, there is no plant based option offered as the norm. However, parents are able to make contact with the schools catering manager and request a specific diet if they so wish. We do ask for a written request, this is purely to be able to have traceability of permission. This is for all diets which fall away from the mainstream menu and not due to medical purposes.

Diets which are restricted from the main menu for medical purposes require medical documentation to support any said allergy / intolerance.

Currently within the county borough there are many parents who have requested a vegetarian (lacto-ovo vegetarian) menu, but none as yet that have requested a totally plant based (vegan ) menu. There are available items that would be suitable should the need arise.

Alternative menus remain as close as possible to the mainstream menu, so that the pupil doesn't feel any different to their peer(s).

Within the comprehensive school arena, the catering department provides more options on a daily basis and it would be possible to have a plant based diet without request. Here pupils have more autonomy to make their own choices.  In any case, if a pupil or parent made themselves known, then again, as per primary school setting, a menu would be provided for / specifications provided for in order for the pupil to have more choice rather than a restricted one meal choice.

Kind regards

GIG CYMRU NHS WALES
Bwrdd Iechyd Prifysgol Betsi Cadwaladr University Health Board

Bloc 5, Llys Carlton, Parc Busnes Llanelwy, Llanelwy, LL17 0JG

Block 5, Carlton Court, St Asaph Business Park, St Asaph, LL17 0JG

**Private & Confidential**

Mrs Janet Finch-Saunders AM
Chair
Petitions Committee
National Assembly for Wales
Cardiff Bay
CARDIFF
CF99 1NA

**Ein cyf / Our ref:** GD/LR/NWA19/408 & COM39592
**Eich cyf / Your ref:** P-05-865
**☎:**
**Gofynnwch am / Ask for:**
**E-bost / Email:**

**Dyddiad / Date:** 16th September 2019

Dear Mrs Finch-Saunders

**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**

I would like to thank the Petitions Committee for their letter dated 6th August 2019, which was submitted by Louise Davies on behalf of the Vegan Society, and for allowing us the opportunity to respond.

At Betsi Cadwaladr University Health Board, the patient menu is on a one-week cycle, and a hot vegetarian option is offered for both lunch and supper; out of the vegetarian options some are suitable for a vegan diet. Whilst currently there is no specific vegan menu at any of the Health Boards hospital, our Catering Departments will provide a vegan meal option on request, and purchase additional suitable vegan items.

Examples of current vegetarian and vegan meals options include:

- Chickpea and Spinach Curry
- Bean Goulash
- Nut loaf Roast with Tomato sauce
- Cauliflower Cheese
- Quorn and Vegetable Chilli
- Moroccan Bean Casserole
- Quorn Korma, Cauliflower and Spinach Curry

Hot vegetarian options are also offered on the retail menus at all our acute hospital sites, some of which are suitable for a vegan diet. Each acute site also offers cold vegetarian menu choices, with Wrexham Maelor Hospital offering a daily selection of vegan sandwiches and wraps.

At Ysbyty Glan Clwyd Hospital approximately 10% of all vegetarian choices on the retail menu are suitable for a vegan diet.

A pilot called 'Wellbeing Wednesday' is currently being trialled at Wrexham Maelor Hospital. This pilot is being run over a period of eight weeks with each week offering a healthy meal option with most options being vegetarian and one being vegan. These options are discounted and the meal is being retailed at cost price which works out at an average cost of 60p per meal; there is also an option to purchase a piece of fruit for 15p. A recipe card will also be handed out along with a bag containing the spices/seasoning required to make the recipe, to encourage people to make the meal for themselves and their families at home. Following the pilot the Heath Board is planning on rolling this out at each of the acute on an eight week rotation.

A review of both Patient and Retail menus will be taking place over the next couple of months, where we will be introducing more plant-based meal options and the possibility of introducing a standard vegan menu for patients. Meanwhile, the Catering Departments are looking at adapting existing vegetarian meal options in order to make them suitable for vegan diets.

I hope that my comments are helpful. Please do not hesitate to contact me again if you require anything further.

Yours sincerely

**Gary Doherty**
**Prif Weithredwr / Chief Executive**

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My Ref: MM

Date: 16 September 2019

Janet Finch-Saunders AM
Chair
Petitions Committee
National Assembly for Wales
Cardiff Bay
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Email: SeneddPetitions@assembly.wales

Dear Janet,

**Re: 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**

Thank you for your letter, which was sent originally to the Chief Executive, requesting information about the provision of daily vegetarian and vegan meal options at schools and public buildings in Cardiff.

With reference to schools, Cardiff Education Catering provides a service to circa 120 Primary, Secondary, and Special schools across the city. Secondary schools provide a cafeteria style service where pupils are free to make their own choice from a range of foods on offer daily. A selection of vegetarian or plant based options are available daily in all Secondary schools where Cardiff Education Catering provides a service.

In Primary schools, meals are pre-ordered by parents, carers or guardians. A selection of vegetarian options are available, some of which are plant based; however, it cannot be guaranteed that the Primary school offer will be suitable for those following a vegan lifestyle. In this instance, the parents of Primary school pupils are encouraged to discuss individual preferences with Area Managers responsible for Primary school catering operations. In Primary schools in Cardiff, as in many other Local Authorities, jacket potatoes, salad and fresh fruit options are offered daily, which can be taken by those following a plant based diet.

Cardiff Education Catering is working closely with other Local Authorities and the WLGA Food in Schools Coordinator in relation to the provision of a vegan diet in schools. Consideration is also given to The Healthy Eating in Schools (Nutritional Standards and Requirements) (Wales) Regulations 2013, which are a set of nutritional standards that the Education Catering service must meet. The service will continue to monitor the requirements of customers whilst striving to provide a cost effective, nutritionally compliant and customer focused service.

The Council's Functions Catering service at City Hall, Cardiff Castle, Mansion House, Norwegian Church and St David's Hall offers both vegetarian and vegan dishes on function menus. The service has seen a growing demand for vegetarian food in the last 30 years and, this year, has supplied food to two events that were entirely vegan. It is estimated that the range of vegetarian food provided at functions is currently between 8% and 20%.

At the staff restaurant at City Hall, vegetarian food is always available and the chefs that are based at City Hall are able to cater for any requests by staff for vegan food options. Similarly, at County Hall, the staff canteen, which is operated by Youth Foods, provides a vegan hot food option on a daily basis as part of the vegetarian and vegan food options that are available.

Leisure centres in Cardiff, which are now under the management of GLL, provide gluten free, vegetarian, vegan and halal food options. They are currently reviewing their menus to promote healthy food options, including looking at costings in an effort to bring down the cost of the healthy option when compared to food items such as chips. In addition, Cardiff International White Water Centre also provides both vegetarian and vegan options through its café concession provider.

With reference to the Council's Meals on Wheels service, the food is supplied by Apetito and meets the nutritional standards required by the British Dietetic Association. A vast range of food is available to cater for a variety of special dietary needs, including energy-dense meal options for underweight/malnourished patients, low-sugar and low-fat meals, and meals appropriate for those with food intolerance and allergies, including gluten-free. A selection of vegetarian, vegan, kosher, halal, gluten free, soft and textured modified options are available on request, which can also be provided as part of a bespoke 4-weekly menu to meet an individual's special dietary requirements and cultural needs.

Currently, the Council's Meals on Wheels service only offers a vegetarian, but not a vegan, food option. The Council's food supplier provides a range of individual and multi-portion vegetarian meals that deliver a range of vital nutrients and are free from meat, fish, and their derivatives, including gelatine. However, they may contain products such as vegetable fats or oils, milk, vegetarian cheese (using vegetarian rennet) or eggs. The vegetarian menu options provided by Apetito include some meals that are suitable for a vegan diet. In addition, some of the ethnic meal options provided are also suitable for vegetarians and vegans.

The Council's Cabinet is due to consider a new Cardiff Food Strategy later this year, which aims to promote sustainable food, including local, healthy, affordable and environmentally friendly food options, that will help Cardiff to become a more sustainable food city.

I hope this information is helpful to the Committee in its consideration of the petition submitted by Louise Davies.

Yours sincerely

**Councillor / Y Cynghorydd Michael Michael**
**Cabinet Member for Clean Streets, Recycling & Environment**
**Aelod Cabinet dros Strydoedd Glân, Ailgylchu a'r Amgylchedd**

GIG CYMRU NHS WALES
Bwrdd Iechyd Prifysgol Cwm Taf Morgannwg University Health Board

Your ref/eich cyf:
Our ref/ein cyf: SH/TLT
Date/Dyddiad: 16 September 2019
Tel/ffôn: 01443 744803
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Email/ebost: Sharon.Hopkins@wales.nhs.uk
Dept/adran: Chair and Chief Executive

Ms Janet Finch Saunders AM
National Assembly for Wales
Senedd Petitions
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Dear Ms Finch

**Petition P-05-865**

On behalf of Cwm Taf Morgannwg University Health Board I would like to provide a response to your letter requesting information about the extent of the current provision of daily vegetarian and vegan meals.

To provide an accurate response to your query, I have provided the information under the following headings:

1) Patient feeding - standard menu
2) Patient feeding – Texture modified diets
3) Restaurant and Coffee shop outlets
4) Future work

**Patient feeding – Standard menu**

There are a number of vegetarian and vegan choices available on the standard patient menu, these are summarised in the table below for each meal service:

| Meal Time | Vegetarian Options | Vegan Options |
|---|---|---|
| Breakfast | There is an extensive range of vegetarian options including toast, a choice of cereals and a range of cooked breakfast options | Dairy free margarine and vegan jams are available to be served with toast and plant based milk is available to be served with cereals. |

| | | |
|---|---|---|
| | (eggs, beans, tomatoes and vegetarian sausage) | |
| Lunch | There are 10 lunchtime choices including range of soup, sandwiches, salads, jacket potatoes with fillings, omelettes, finger food platters and hot choices, | The choice of vegan options includes soup, sandwiches, jacket potato with certain fillings and beans on toast. |
| Dinner | There are 6 vegetarian evening meal choices available on the seasonal menu which can be chosen from on a daily basis | There is currently 1 vegan choice on each seasonal al a carte menu. Vegan patients can also choice from lunchtime options and inform ward based catering staff of meal preferences so that additional meal choices can be provided. |
| Snacks | There is an extensive range of vegetarian snacks including yoghurts, cakes, cheese and savoury biscuits, sweet biscuits, salad, sandwiches, fruit pots. | Vegan snacks include fresh fruit, sandwiches, crudite (e.g. carrots/celery sticks and humus), sweet biscuits. |

In addition to the daily choices available on the patient menu, our catering assistants are able to assist individual patients to make choices available through the restaurants or to identify meals that the patient would prefer which can be made available.

Whilst at the current time, we receive few requests for vegan diet options, the health board is committed to providing a range of meal options to suit all diets and is in the process of increasing current choices (see below).

**Patient Feeding – Texture modified diets**

There is a good choice of vegetarian options available on each of the three texture modified diets that are offered to patients who require them. This range will be reviewed in conjunction with the current commercial supplier so that additional vegetarian and vegan options can be included on future menus.

## Restaurant and Coffee shop outlets

Restaurants

There is an extensive range of vegetarian options available in all restaurant on a daily basis. This choice includes: sandwiches, salads and salad bar choices, jacket potatoes, fresh fruit and 1 vegetarian hot option from the servery.

In terms of vegan choices, this is currently limited to sandwich options, a selection of items from the salad bar and jacket potatoes with certain fillings (e.g. beans).

The health board is committed to promoting healthier eating and operates a daily healthier choice meal deal which includes a vegetarian choice. A fresh fruit loyalty card is also in operation and rewards customers with a free piece of fresh fruit for every 6 purchases.

There is also a range of fresh fruit juices, water (including flavoured water 'Get more Vits') sugar free drinks and plant based milk available for hot drinks.

Coffee shops

There is a good range of vegetarian sandwiches and sweet options available at our coffee shops on a daily basis. We also stock a smaller range of vegan sandwiches and cakes which are suitable for vegans. Our point of sale system has identified that whilst vegan options are increasing in popularity there is still a limited demand for these items.

Plant based milk is available at all coffee shops to provide hot drinks suitable for vegans and there is also a large range of cold drinks available.

## Future work

We are currently completing a review of the recipes and meal choices which are made at the health board operated central production unit (CPU). A part of this review is focused on increasing the range of vegetarian and vegan recipes available.

All commercial suppliers have been contacted to submit their current range of vegan options to suit patient feeding, restaurant and coffee shop menus to assist us in increasing the range of choices that we are able to provide.

Should you require any further information, please do not hesitate to contact me directly.

Yours sincerely

**Dr Sharon Hopkins**
**Prif Weithredwr/Chief Executive**

GIG CYMRU NHS WALES | Bwrdd Iechyd Prifysgol Aneurin Bevan University Health Board

Our ref: JP/RB/lab

1st October 2019

Janet Finch-Saunders AM
Chair of the Petitions Committee
National Assembly for Wales
Cardiff Bay
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Dear Ms Finch-Saunders

**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**

Thank you for your recent request for the Health Board to comment on the above petition received regarding Vegan options on every public sector menu.

Aneurin Bevan University Health Board caters for vegans in all our hospitals. Our menus offer a daily range of vegan choices. In providing a daily choice of options, we are catering for vegans as we do for those on other diets or those with specific religious or ethical requirements.

Vegan staff, visitors and patients have been consulted with regard to the design of the menu and the choices included. The Health Board's vegan menu for inpatients was last revised and improved in May 2019.

To comply with the law, the Health Board seeks to ensure that there is no discrimination by offering a daily vegan choice at mealtimes. This is provided by way of a separate menu for those who wish to eat vegan in our hospitals. Welsh hospitals are governed by mandatory standards, one of which is that 3 hot choices must be offered at each main meal. The current standard hospital menu used across the Health Board does offer vegan choices on

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some days as part of these menus (in addition to a full separate vegan menu) as one of these 3 hot choices. A full separate vegan menu will always be available for any patient who wishes to eat vegan choices on all hospitals.

I hope the above response is helpful to you. If you require any additional information, please do not hesitate to contact me.

Yours sincerely

Judith Paget

**Judith Paget**
**Chief Executive/Prif Weithredwr**

**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 – Petitioner to Committee, 09.10.19**

**Petition Ref: P-05-865**

We note the content of the submissions provided by the Local Authority and Health Boards in Wales, which outline the existing provisions of vegan food within the public sector.

We would like to specifically address the submissions from the many councils which state that they already provide a vegetarian option as standard. By making the simple amendments required to change this to a vegan option, more pupils with special requirements will be catered for and food provisions will become more inclusive. This would also address the issue of demand and would eliminate the need to create alternate options for those areas concerned about low uptake of vegan dishes.

We are pleased to see the responses by the Minister of Health and Social Services and the Minister for Finance and Trefnydd, who have stated that they are considering improving their vegan offerings. By mandating this and simultaneously offering advice and support - which The Vegan Society are willing to collaborate on - such improvements will become easier to implement and therefore, more consistent across Wales.

We still believe there is crucial progress to made however, most of the submissions indicate that vegan food is predominantly only provided via special request, whilst the aim of our petition is to achieve consistent and guaranteed provision for the following purposes:

**Vegan Rights**

Our petition asks for a plant-based option to be made mandatory on every standard public sector menu. In practice, this would mean that there would be a plant-based option readily available in every school, hospital, prison, council, care home and any other state or local authority-run institution menu in Wales, every day. This would be available to everyone, without the need to make a special request. This differs from the current situation that's been outlined in several of the submission responses, where vegans, in theory, can only be catered for by special request.

Not only does this promote division, but it also indicates an issue with the rights of vegans – despite the claims made in the submissions that vegans can be catered for by many schools, in practice, this is often not the case. Where a vegan menu is

provided, staff often have little awareness of it or are ill prepared to make provisions. Vegans are therefore often told they cannot be provided for or are offered very limited options to compensate, such as plain toast, a single piece of fruit or a packet of crisps. These are not nutritious meals and do not meet the standards in the *'Healthy Eating in Schools'* regulations.

Many hospitals do not provide for vegans with any consistency, leaving vegan patients to rely on family and friends, or having to discharge themselves before they are well enough because they are not being provided with food. Not everyone will have friends or family who can bring them food, and many wards do not allow food to be brought in. Offering a plant-based meal as standard on all public sector menus ensures that the growing number of vegans are catered for and are not discriminated against.

**Public Procurement**

Fully plant-based options ought to be available every day for all pupils, avoiding the need for special requests and reducing the likelihood of mistakes and misunderstandings. If implemented well, ensuring tasty, nutritious options, the availability of plant-based options for all pupils could have many benefits including improving carbon footprint, reducing cost and improving uptake of healthy options.

When local authorities push back against requests for vegan provision, one of the things most frequently referenced is limitations imposed on them by the procurement system and the fact that much of the food comes from outside suppliers with a limited list of options. Clearly, we should not be led by our existing procurement system, but rather the system should be reformed as necessary to ensure that public sector bodies in Wales are providing good quality, nutritious meals, ideally using locally sourced produce. This would be in line with the Welsh Government's commitment to sustainability and climate change.

**Climate Emergency**

In specifically noting the content of the submissions from Cardiff Council and Newport Council, it is evident that public sector organisations are already aware of the role of plant-based diets in addressing sustainability and environmental initiatives:

- Plant-based diets are better for the environment and can reduce an individual's food-related carbon emissions by up to 50%.
- Researchers at Oxford University have concluded that eating a plant-based diet could be the single biggest way to reduce an individual's environmental impact on the planet.

Following the declaration of a Climate Emergency in Wales, it is imperative that government promote environmentally sustainable consumption behaviours. Making vegan food mandatory on every menu would not only encourage this, but would also address the concerns about demand noted in the submission by Powys County Council. Greater accessibility would see a rise in consumption, simply due to the fact that vegan options are suitable for people from a multitude of backgrounds.

In order to tackle the climate crisis effectively, we must take heed of the large body of scientific evidence that highlights the need for promoting plant-based options, such as the most recent Committee on Climate Change report[1], which has explicitly stated that the public sector should lead the way by serving plant-based food.

Wales has the opportunity to not only take meaningful action to address climate change, but also protect the rights of an ever-growing number of vegans. These issues are of paramount importance, and it is imperative to take appropriate action now.

[1] https://www.theccc.org.uk/publication/net-zero-technical-report/

# Agenda Item 3.9

**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

**Eluned Morgan AC/AM**
**Gweinidog y Gymraeg a Chysylltiadau Rhyngwladol**
**Minister for International Relations and the Welsh Language**

Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref EM/05512/19

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

14 August 2019

Dear Janet,

Thank you for your letter dated 31 July with regards to Petition P-05-873 – 'Free Welsh Lessons for the People of Wales'. Further information in response to the committee's discussions regarding this petition on 9 July is included below.

Numbers trained to deliver Welsh teaching

According to information gathered by the National Centre for Learning Welsh, 575 tutors currently teach mainstream Learn Welsh courses. As I mentioned in my letter dated 28 June, the Centre's five-year Workforce Development Plan explains how it will support and strengthen the workforce over this period. As part of this work, a new qualification has been developed to train individuals joining the Learn Welsh tutor workforce. This qualification will be available from September 2019. The Centre aims to ensure that 30 individuals gain this qualification annually.

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Number of free and affordable places for Welsh learners

For the first time, one common course fee (of £90 per course) will be introduced by all Learn Welsh providers from September 2019. The National Centre for Learning Welsh's fee policy also allows providers to offer discounts of up to 100% for priority courses and/or in order to target specific audiences. Approximately one third of the 1,500 Learn Welsh courses offered annually are currently discounted.

Yours sincerely,

**Eluned Morgan AC/AM**
Gweinidog y Gymraeg a Chysylltiadau Rhyngwladol
Minister for International Relations and the Welsh Language

## P-05-863 Call on the Welsh Government to provide free sanitary products to all women in low income households

This petition was submitted by Malpas Women's Institute having collected 141 signatures.

### Text of Petition

Malpas WI demands free sanitary products to all women in low income households. The Women's Institute was set up in 1915 and campaigns on issues which matter to women and their communities. Our aim is to empower and inspire women of all ages. We believe that no-one should be forced to go without sanitary products because of cost. With ever more women needing foodbanks to keep themselves alive, it has become clear that sanitary products are a luxury women on low incomes cannot afford.

Across the UK there are girls too poor to buy sanitary protection. They are having to miss school. Their dignity is being undermined. For too long women's needs have been neglected. Unlike property transactions, sanitary products are still not exempt from VAT. Periods are not a luxury, they are a necessity. Women do not choose to menstruate. We call on the Welsh Government to follow Scotland's lead and provide free sanitary products to all women in low income households.

### Assembly Constituency and Region

- Newport West
- South Wales East

# Agenda Item 3.11

**P-05-871 Make baby and toddler changing available in both male/female toilets**

This petition was submitted by Antony Esposti having collected - a total of 125 signatures.

**Text of Petition**

Within Wales there are many businesses, hospitals and council run parks/sites that don't have baby changing available for use by both men and women. Normally the facilities are only available in female toilets.

This means that men are often forced to hunt out facilities that they can use, or on many occasions, use makeshift measures like changing their child on the floor, on top of wheelie bin lids in toilets, balancing on their laps and on benches outside.

We would ask the Assembly to ensure that all future renovations and new builds within areas open to the public have an area that provides a safe and clean space to change babies/allow toddlers to go to the toilet safely and as a short term measure make a standalone or drop down changing unit available.

**Additional Information**

**Assembly Constituency and Region**

- Cardiff Central
- South Wales Central

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-/05241/19

Janet Finch-Saunders AM
Assembly Member for Aberconwy
Chair - Petitions committee
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8 May 2019

Dear Janet,

Thank you for your letter of 18 April requesting clarification and further information regarding the petition concerning making baby and toddler changing available in both male and female toilets (P-05-871).

To clarify the position regarding design standards, statutory guidance contained in Approved Document M: 'Access to and the use of buildings' of the Building Regulations identifies that where baby changing provision is intended, the only provision should not be located in wheelchair-accessible unisex toilets.

With regards to the local toilet strategies produced by local authorities, the Welsh Government does not intend to formally scrutinise the strategies. The local authority must publish its local toilet strategy by 31 May 2019. It was made clear during the passage of the Public Health (Wales) Act that accountability for the contents of the local toilets strategies lay with local authorities to their own populations. However, the Ministerial commitment to map the toilet facilities of all types identified by local authorities during the production of their strategies has been taken forward, and the data received has been scrutinised and is currently being finalised. Local authorities have been required to identify toilet facilities of all types, including baby changing facilities as part of this data collection exercise.

The Welsh Government has not had discussions with the private sector regarding provision of baby and toddler changing facilities as it would not be appropriate. However, we are aware that a number of local authorities have secured agreement with private businesses to include their toilet facilities within their local toilet strategies. They have also identified properties under their control for inclusion.

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It must be borne in mind that these first publications of the local toilets strategies are the starting point for further actions to be taken to meet the identified needs of each authority's population.

The provisions for local toilet strategies within the Public Health (Wales) Act 2017 Section 8 took account of the actions contained in Health and Social Care Committee's 2012 report, *Public health implications of inadequate public toilet facilities*. The requirements for consideration of wider use of existing facilities; the possibility of charging and community involvement were all included within the statutory guidance provided for local authorities for preparing and consulting on their local toilet strategies. The statutory guidance also identifies how local authorities may use the planning system as a mechanism to secure the provision of public toilets.

The statutory guidance makes it clear that baby changing facilities accessible to parents/carers of both sexes should be considered. The action identified in the 2012 report for developing an overarching Toilet Strategy for Wales was rejected during the passage of the Public Health (Wales) Act.

Best wishes,

Jane

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

**P-05-724 Rights to Primary Health Care in Welsh**

This petition was submitted by Cymdeithas yr Iaith, having collected 766 paper signatures.

**Text of the Petition**

We call upon the Welsh Government to look again at the proposed Standards in the health field, to include primary health service providers such as surgeries and pharmacies, to ensure that people have full and robust rights in this all-important area.

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

Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref - MA-L/VG/0528/19

Bethan Sayed AM
Chair
Culture, Welsh Language and Communications Committee
National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA

25 July 2019

Dear Bethan,

Thank you for the Committee's report of 13 June on the National Health Service (Welsh Language in Primary Care Services) (Miscellaneous Amendments) (Wales) Regulations 2019 ("the 2019 Regulations").

I have carefully considered the recommendations of the Committee and I have included a response to the recommendations individually in annex 1 to this letter, except for recommendation 2 which is outlined below.

In Recommendation 2, the Committee seeks an explanation as to why only the minimum 21 days was allowed for scrutinising the Regulations by the Assembly when the Welsh Government had given the Chair a commitment that more time would be allowed.

The 2019 Regulations did meet all the requirements under the Standing Orders for introducing this Statutory Instrument under the negative procedure. However, this was not in the spirit of what I would have intended, as I welcome and value committee scrutiny. Unfortunately, more time was not available for scrutiny of the 2019 Regulations due to the linkages between the introduction of the duties for the independent primary care providers and the Welsh language standards for the Local Health Boards coming into force on 30 May.

I also noted the importance of not delaying the introduction of the duties as they are an important component to improving Welsh language services in primary care and are part of a jigsaw of work and support being put in place with the development of a toolkit and GP Welsh language base line survey.

As I note above, I fully appreciate providing time for scrutiny and in response to the debate on annulling the motion, reported I have asked my officials to ensure that, in future, when we make regulations about the use of the Welsh language in health and social care, even if under the negative procedure, we alert and engage with the specific subject committee but

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also with the Culture, Welsh Language and Communications Committee earlier in the process.

Yours sincerely,

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

**Response to the Report of the National Assembly for Wales Culture, Welsh Language and Communications Committee Report on the National Health Service (Welsh Language in Primary Care Services) (Miscellaneous Amendments) (Wales) Regulations 2019 (13 June 2019)**

**Provided by the Minister for Health and Social Services**

**July 2019**

The Welsh Government welcomes the findings of the report and offer the following response to the eight recommendations contained within it.

**Recommendation 1 - Some Members felt that the Welsh Government should revoke the Regulations, whilst others did not, but the course of action on which all Members are agreed is that the Regulations should be revised following a full consultation including patients' groups, the Welsh Language Commissioner and the Culture, Welsh Language and Communications Committee as well as professional bodies representing independent primary care providers.**

**Response: Accept in Principle**

As your report identifies there is wide spectrum of views on the duties. The placing of achievable duties on independent primary care providers provides a reasonable and proportionate starting point to introduce Welsh language provision in the primary care sector. The motion to annul the Regulations was not agreed and the Welsh Government will not be revoking the Regulations.

It is important momentum to raise awareness and further develop Welsh language services in primary care is not lost, but we recognise the need to continually review and assess progress and impact.

It has always been our intention to review the implementation and impact of the duties during 2020/2021. The review will involve engaging with patient groups, the professional bodies representing independent primary care providers, health boards and the Welsh Language Commissioner. Following that review, consideration will be given as to whether the Regulations need revising and if so, a consultation will be undertaken with relevant stakeholders including the Culture, Welsh Language and Communications Committee.

**Recommendation 2 - The Minister for Health and Social Services should write to the Chair of the Culture, Welsh Language and Communications Committee to explain why only the minimum 21 days was allowed for scrutinising these Regulations by the Assembly when the Welsh Government had given the Chair a commitment that more time would be allowed.**

**Response: Accept**

The response has been set out in my covering letter to you.

**Recommendation 3 - The Committee calls on the Welsh Government to commit to submitting future draft legislation relating to the provision of services in Welsh by independent primary care providers, bilingually, for scrutiny by this Committee in advance of introducing it to the Assembly.**

**Response: Accept in Principle**

I deeply regret that the Explanatory Memorandum on the amendments to the Regulations was not laid at the same time as the English copy in this case. As I said in plenary on 19 June in response to the annulment motion and in my covering letter to you responding to Recommendation 2, when regulations are made regarding the use of the Welsh language in health and social care my officials will alert and engage with the specific subject committee but also with the Culture, Welsh Language and Communications Committee earlier in the process.

Any future amendments to these regulations relating to the provision of Welsh by independent primary care providers will be laid for 40 days before coming into force to incorporate the period of annulment. Along with any regulations a bilingual Explanatory Memorandum will be laid.

**Recommendation 4 - While only some Members of the Committee felt that the Welsh Government should guarantee the right to receive public services in Wales in Welsh where current capacity exists, all Members of the Committee agreed that the Welsh Government should work towards developing this capacity in other areas.**

**Response: Accept**

Over 120 bodies are currently complying with Welsh language standards which has improved the availability and quality of Welsh language services across many sectors, including local government, further and higher education, health sector, and police forces and fire authorities. The Welsh language Commissioner is working with these bodies, and with other bodies to improve their capacity to provide Welsh language services, and also to increase the demand for Welsh language services. Through its Cymraeg 2050 strategy, the Welsh Government is also working to increase the use of Welsh, and is implementing a Welsh Language Technology Action Plan which will allow bodies from all sectors to utilise technological developments to offer Welsh language services.

**Recommendation 5 – The Welsh Government should undertake a communications campaign to educate independent primary care providers of their new duties. This campaign should promote the opportunities for Welsh speakers as a result of these duties and clarify the extent to which service providers are required to converse in Welsh.**

**Response: Accept**

The duties being placed on independent primary care providers are part of the jigsaw of interventions and support which build on the foundations laid by ‘More than just words…’ within the health and care sector. Planned activity over the coming months

included in the More than just words action plan for 2019/2020 to support developments in primary care include:

Welsh Language Baseline Survey- GP Practices

To coincide with the introduction of the duties on independent primary care contractors Welsh Government officials have worked with the General Practitioners Committee (Wales) on developing a survey to collect baseline data on Welsh language services within GP practices and clusters. The survey is currently being finalised with questions themed under the following headings:

- Promotion and information – promoting and provision of information in the Welsh language
- Skills – level of Welsh language awareness and skills and opportunities for staff to learn and enhance Welsh language skills.
- Active Offer – recording the active offer and patient language preference.

The survey will be undertaken during the summer. The findings from this survey will inform the development of the toolkit for primary care, the Cymraeg Byd Busnes pilot and the future review on the implementation and impact of the duties. .

Toolkit for Primary Care

Welsh Government officials are taking work forward the development of a primary care toolkit to promote the Welsh language and the 'Active Offer' and provide practical guidance and support. In the interim we will in response to this specific recommendation produce a 'Frequently Asked Questions' fact sheet to promote the opportunities as a result of these duties and clarify what is expected to share with primary care contractors.

Cymraeg Byd Busnes Pilot

It is Welsh Government's intention to undertake Cymraeg Byd Busnes pilots with clusters to support primary care organisations with the introduction of the duties. This will include identifying the needs of the practices in the cluster area, and finding possible solutions to assist them in offering improved bilingual provision. A pilot has been identified in the Hywel Dda University Health Board area - Aman Gwendraeth Cluster and are discussing options with Betsi Cadwaladr University Health Board. The work will help identify good practice that can be developed on a national basis and support the planned toolkit for primary care in delivering Welsh language services and the 'Active Offer'.

**Recommendation 6 - The Welsh Government should ensure that education and training providers for those working in primary care are aware of the nature of the new duties in order to dispel any misconceptions about the need for professionals to speak Welsh to work in Wales.**

**Response: Accept**

This issue was raised at your committee meeting by the representative bodies and it has also been raised separately with my officials. It is important that we address the misconceptions on requirement about Welsh speaking abilities. We would not want the duties to be seen as a barrier to future recruitment across the primary care sector. Welsh Government, health boards, training providers and the representative bodies of the independent primary care providers all have a role to play in ensuring this is not the case. My officials will continue to work with the relevant stakeholders to dispel any misconceptions.

**Recommendation 7 - The Welsh Government should immediately clarify the local health boards' responsibilities for meeting independent primary care providers' costs incurred as a result of complying with the Regulations.**

**Response: Accept**

We would not expect or wish to see independent primary care providers losing income as a result of the Regulations coming into force introducing the duties. My officials will be writing to the Directors of Primary Care of Health Boards to clarify the position.

**Recommendation 8 - The Welsh Government should fund the Welsh Language Commissioner to carry out a review of the implementation of the Regulations after they have been in force for 12 months. The Minister for Health and Social Services and the Welsh Language Commissioner should submit a report on the review to the Culture, Welsh Language and Communications Committee.**

**Response: Accept**

As noted in the response to Recommendation 1 we will be undertaking a review on the implementation and impact of the duties and we will discuss the appropriate approach with the Welsh Language Commissioner. This review will be undertaken during 2020/21. The findings from the review will be shared with the Committee.

## P-05-724 P-05-724 Hawliau i ofal iechyd sylfaenol yn Gymraeg, Gohebiaeth – Deisebydd at y Pwyllgor, 07.10.19

Annwyl Glerc y Pwyllgor Deisebau

**Rheoliadau'r Gwasanaeth Iechyd Gwladol**
**(Y Gymraeg mewn Gwasanaethau Gofal Sylfaenol) (Diwygiadau Amrywiol) (Cymru) 2019**

Diolch am eich gwahoddiad dyddiedig 2 Hydref 2019 i gynnig sylwadau ar ymateb y Gweinidog Iechyd a Gwasanaethau Cymdeithasol i adroddiad y Pwyllgor Diwylliant, y Gymraeg a chyfathrebu ar Reoliadau'r Gwasanaeth Iechyd Gwladol (Y Gymraeg mewn Gwasanaethau Gofal Sylfaenol) (Diwygiadau Amrywiol) (Cymru) 2019.

Rydym yn cadarnhau bod y Gweinidog wedi trafod pob un o'r argymhellion yn ei ymateb.

**Argymhelliad 1**
Yn ei adroddiad, mae'r Pwyllgor yn nodi fod rhai aelodau o'r farn y dylai'r Llywodraeth ddiddymu'r Rheoliadau, ond nid oedd eraill o'r un farn. Er hynny, cytunodd yr holl aelodau y dylid diwygio'r Rheoliadau yn dilyn ymgynghoriad llawn; ac mae'r Gweinidog yn gosod addewid i weithredu camau o'r fath. Bwriad deiseb y Gymdeithas oedd galw am newid Safonau'r Gymraeg fel bod hawliau cyfreithadwy cadarn a chlir gan y cyhoedd i dderbyn gwasanaethau gofal sylfaenol yn Gymraeg. Am hynny, rydym yn galw am addewid pendant y bydd y Rheoliadau yn cael eu cryfhau erbyn 2020/21; ac y bydd camau penodol i sicrhau bod deddfwriaeth ac is-ddeddfwriaeth sydd yn yr arfaeth yn adlewyrchu'r angen i hybu'r Gymraeg mewn gwasanaethau gofal sylfaenol.

**Argymhelliad 2**
Yn ei ymateb i adroddiad y Pwyllgor, mae'r Gweinidog yn cyflwyno addewid i ganiatáu amser ar gyfer gwaith craffu rheoliadau am y defnydd o'r Gymraeg ym maes iechyd a gofal cymdeithasol i'r dyfodol, gan hysbysu ac ymgysylltu â'r pwyllgor penodol ar gyfer y pwnc dan sylw, ond hefyd â'r Pwyllgor Diwylliant, y Gymraeg a Chyfathrebu yn gynharach yn y broses. Tra rydym yn croesawu addewid o'r fath, mae'n rhaid tynnu eich sylw at y ffaith bod Gweinidog y Gymraeg a Chysylltiadau Rhyngwladol, eisoes wedi cynnig yr un addewid i'r Pwyllgor. Mae diffyg parodrwydd y Llywodraeth i wireddu addewidion yn peri gofid i ni fel Cymdeithas ac yn tanseilio'r broses ddemocrataidd.
**Cwestiwn:** Faint o amser a neuilltir ar gyfer y gwaith craffu o hyn ymlaen? Yn ystod pa gam o'r broses caiff y Pwyllgor Diwylliant, y Gymraeg a Chyfathrebu eu hysbysu?

**Argymhelliad 3**
Rydym yn croesawu'r addewid i gyflwyno Memorandwm Esboniadol dwyieithog o hyn ymlaen.

**Argymhelliad 4**
Rydym yn croesawu'r addewid y bydd Llywodraeth Cymru yn gweithio tuag at ddatblygu'r capasiti i ddarparu gwasanaethau Cymraeg ar draws y sector gyhoeddus. Ym maes iechyd, mae dirfawr angen cynllunio gweithlu ar sail anghenion ieithyddol y boblogaeth er mwyn

mynd ati i weithredu’r ‘cynnig rhagweithiol’ yn llwyddiannus. Am hynny, wrth gomisiynu’r addysg, mae angen gosod targedau clir ar gyfer recriwtio nifer digonol o siaradwyr Cymraeg ar gyfer gweithlu'r dyfodol; sicrhau fod rhaglenni proffesiynol ar gael trwy’r Gymraeg ar draws y disgyblaethau er mwyn sefydlu’r sgiliau iaith angenrheidiol ar gyfer ymarfer mewn sefyllfa ddwyieithog: a gwella sgiliau Cymraeg a hyder y gweithlu presennol.
**Cwestiwn:** A fydd y Gweinidog yn rhoi sylw manwl i’r anghenion hyn wrth adolygu Cymru Iachach: Strategaeth Gweithlu ar gyfer Iechyd a Gofal Cymdeithasol (Addysg a Gwella Iechyd Cymru / Gofal Cymdeithasol Cymru, 2019)?

**Argymhelliad 5**
Rydym yn croesawu’r addewid i gynnal ymgyrch i addysgu darparwyr gofal sylfaenol annibynnol am eu dyletswyddau newydd, gan gynnwys cynnal arolwg; paratoi pecyn cymorth ar gyfer gofal sylfaenol; a chynllun peilot Cymraeg byd busnes.
**Cwestiwn:** Beth yw’r amserlen ar gyfer y mentrau hyn?

**Argymhelliad 7**
Rydym yn croesawu’r bwriad i ysgrifennu at Gyfarwyddwyr Gofal Sylfaenol y Byrddau Iechyd i egluro cyfrifoldebau'r byrddau iechyd lleol o ran cwrdd â chostau darparwyr gofal sylfaenol annibynnol o ganlyniad i gydymffurfio â'r Rheoliadau.

**Argymhelliad 8**
Rydym yn croesawu’r bwriad i gynnal adolygiad ar weithredu ac effaith y dyletswyddau yn ystod haf 2020/21; a thrafod y dull gweithredu priodol gyda Chomisiynydd y Gymraeg. Er hynny, mae’n rhaid pwysleisio mai bwriad deiseb y Gymdeithas oedd galw am newid Safonau’r Gymraeg fel bod hawliau cyfreithadwy cadarn a chlir gan y cyhoedd i dderbyn gwasanaethau gofal sylfaenol yn Gymraeg. Am hynny, rydym yn galw am addewid pendant y bydd y Rheoliadau yn cael eu cryfhau erbyn 2020/21; ac y bydd camau penodol i sicrhau bod deddfwriaeth ac is-ddeddfwriaeth sydd yn yr arfaeth yn adlewyrchu’r angen i hybu’r Gymraeg mewn gwasanaethau gofal sylfaenol.

Yr eiddoch yn gywir

Gwerfyl Roberts
Cadeirydd
Is-grŵp Iechyd
Cymdeithas yr Iaith Gymraeg

Document is Restricted

# Agenda Item 3.13

**P-05-732 Unacceptable Waiting Times for NHS patients in A & E Wrecsam/Wrexham Maelor Hospital**

This petition was submitted by Charles Dodman and was first considered by the Committee in January 2017, which collected 14 signatures.

**Text of the Petition**

I am petitioning the Welsh Assembly to debate and discuss and implement measures to resolve unacceptable waiting times for the Welsh people at A & E Wrecsam/Wrexham Maelor Hospital. Welsh people look undermined and demoralised by this unacceptable situation.

**Assembly Constituency and Region.**

- Wrexham
- North Wales

GIG CYMRU NHS WALES | Bwrdd Iechyd Prifysgol Betsi Cadwaladr University Health Board

Bloc 5, Llys Carlton, Parc Busnes Llanelwy, Llanelwy, LL17 0JG

Block 5, Carlton Court, St Asaph Business Park, St Asaph, LL17 0JG

**Ein cyf / Our ref:** GD/CB/KKS/9162/2258
**Eich cyf / Your ref:**
**☎:**
**Gofynnwch am / Ask for:**
**E-bost / Email:**
**yddiad / Date:** 26th September 2019

Ms Janet Finch-Saunders AM / AC
Chair of the Petitions Committee
National Assembly for Wales

Sent via e-mail:
SeneddPetitions@Assembly.Wales

Dear Janet

Thank you for your correspondence of 18th April 2019 asking for a further update on developments to waiting time for NHS patients in Ysbyty Maelor Wrecsam/Wrexham Maelor Hospital.

Since our previous communication, we have continued to strengthen our leadership team in Wrexham and maintained a strong focus on Unscheduled Care as a key quality driver.

There is evidence that progress in some areas is improving outcomes for patients accessing unscheduled care. In particular, the ambulance handover process introduced late last year is yielding excellent results and sustained for over 6 months. The Welsh Delivery Unit has also acknowledged this area as one of the best performing across Wales. This has resulted in prompt handover of ambulance patients conveyed in the Emergency Department releasing the crews back into the community to respond to other emergency calls.

A new interim Managing Director (MD) for Wrexham Maelor Hospital was appointed in August 2019. The MD has developed an implementation plan to right size the hospital within the existing resources. The first phase will be the creation of a 57 spaced Acute Medical Unit and short stay area as part of the acute floor reconfiguration providing a dedicated assessment area for clinical need, ambulatory and short stay (including frailty), which is scheduled to go live on 4th November. This is designed to manage patients requiring medical care promptly, through either an ambulatory emergency care service or the short stay ward caring for patients up to 72 hours. This is a key intervention to improve patient flow and experience through the Emergency Department. In addition, the leadership team is reviewing the medical staffing establishment within the Emergency Department to ensure effective senior decision making capacity particularly out of hours.

Overall, the focus is on managing the clinical processes as patients present to the hospital, through to the ward areas ensuring daily planning of care to discharge and finally, effective discharge planning with our partners to eliminate non-acute delays. The Hospital leadership team remain focused on strengthening the discharge support of patients who do not require a hospital bed with the Local Authority colleagues. Any support with improving this will be greatly appreciated for Wrecsam and Flintshire.

The team have updated the progress against the recommendations in the CHC review below:

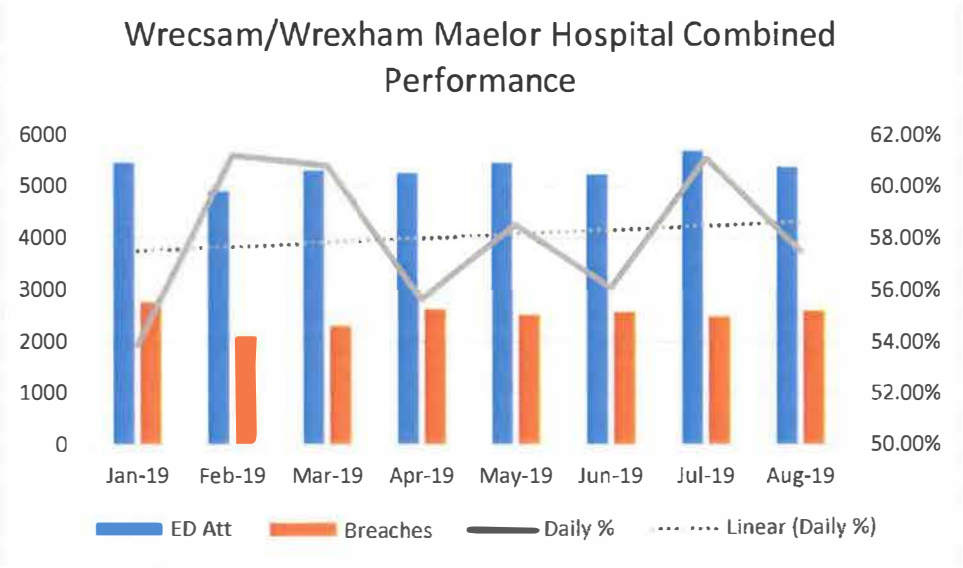
**Recommendation 1: The Health Board is asked to clarify the position of a Specialist Nurse role and feed back to the Community Health Council**

The Health Board would like to inform the Community Health Council that the Specialist Nurse role within our Emergency Department (ED) at Wrexham Maelor Hospital is in the form of Emergency Nurse Practitioners (ENPs). The ENP role is to see and treat minor injury patients. There are 3 full time ENPs as per our establishment. This is an established model nationally. The ED leadership team is also looking to invest in Advanced Nurse Practitioners (ANP) aligned to our medical teams providing consistent care for our patients as part of the skilled clinical team.

**Recommendation 2: The Health Board is asked to investigate the observed performance in respect of patient waits for January 2018 and offer feedback to the Community Health Council on the findings.**

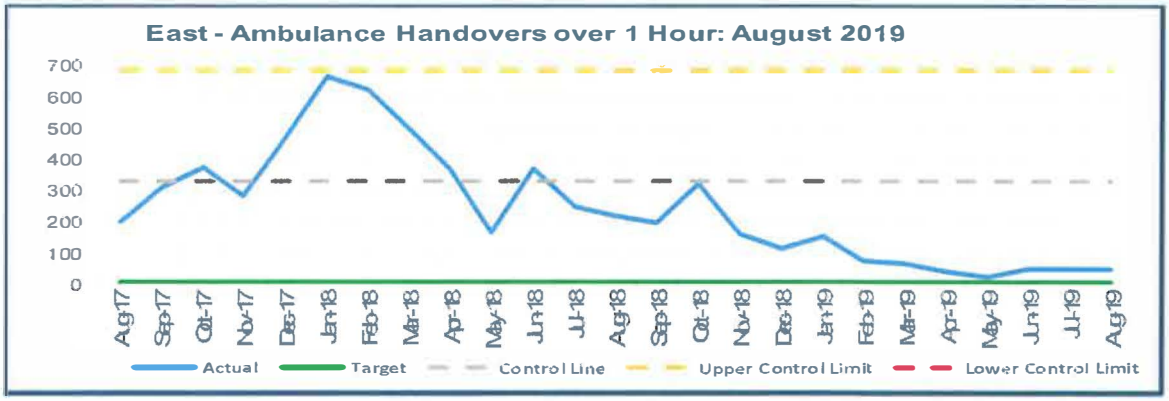
As previously reported seasonal pressures affect most Hospital ED's in the UK, with a corresponding reduction in performance.

Performance from January 2019 onwards demonstrates that the wait time trend from the beginning of the year is slightly improving.



**Recommendation 3: The Health Board is asked to investigate handover times for weeks 1 to 4 and report the findings to the Community Health Council.**

This area is one of our key successes lead by the front line colleagues in improving care for our patients.




In July we implemented dual pin handovers with WAST to ensure that we are effectively capturing handover times and to focus on the improvements to the 15 minute patient handover numbers which have also seen an improvement in the last 6 months.

**Recommendation 4: The Health Board is asked to provide information on the training level of agency nurses in the use of the Manchester triage system or any other 'in-house' training for triage that may be provided and feedback the information to the Community Health Council.**

The Health Board can confirm that the agency nurses are not permitted to triage patients within the Emergency Department at Wrexham Maelor Hospital. Our permanent staff undergo Manchester Triage System training and undertaking the triage process for our patients once the staff member is deemed competent to triage.

**Recommendation 5: The Health Board is asked to consider feedback from patients and the visiting teams in relation to the level of ongoing communication between staff and patients. Particularly in relation to expected waiting times.**

The Health Board has considered the feedback from patients and the visiting teams. The triage nurse is ideally placed to inform the patient about the waiting times to be seen by a medical doctor at the time of triage. During the busy periods, it is imperative that our staff should communicate with patients regularly about any delays. Therefore, we are currently reviewing our processes to ensure we communicate with our patients effectively on a regular basis. The ED department is in the process of introducing safety huddles which will be attended by senior staff within ED and which will support in improving our communication with our patients.

We have also installed electronic screens in the waiting area to display the waiting times to be seen by a doctor and we are currently working with our informatics department to ensure correct waiting times are displayed throughout the day.

In addition, we are an early adopter of National Emergency Department Quality & Delivery Framework (EDQDF) for NHS Wales looking at 'what good look likes' for ED departments. The quadruple aims being:

- Improved clinical outcomes within ED
- Improved patient experience and quality of care within ED
- Enhanced engagement of ED workforce
- Increased value for money achieved from ED funding through innovation, improvement, adoption of good practice and eliminating waste

I hope that I have been able to provide, through my letter, assurance about the improvements we are making, in the Wrexham Maelor hospital site. I acknowledge that we have further to go to ensure we are providing the best experience for our service users. However I can confirm that our commitment to do that is unwavering.

Yours sincerely

**Gary Doherty**
**Prif Weithredwr**
**Chief Executive**

**CC** Nesta Lloyd-Jones, Assistant Director, Welsh NHS Confederation

## P-05-751 Recognition of Parental Alienation

This petition was submitted by Families Need Fathers Both Parents Matter Cymru and was first considered by the Committee in May 2017, having collected 2,058 signatures – 752 on paper and 1,306 online.

### Text of the Petition

We call upon the Welsh Assembly to persuade the Welsh Government to protect children and young people in Wales by formally recognising 'Parental Alienation' as a form of emotional abuse of children. We further call upon the Welsh Government to take specific actions to reduce the impact of Parental Alienation on children and their families.

### Additional Information

We propose the following action by Welsh Government

- Recognise 'Parental Alienation' as emotional abuse of children with a definition incorporating the one given by the Ministry of Justice (paragraph 1) here https://petition.parliament.uk/petitions/164983 )
- Commission and fund mandatory training for professionals including but not Social Work and Cafcass Cymru staff, in recognising Parental Alienation including pathways to protect children from harm.
- Establish and fund a national campaign to inform children and families about Parental Alienation and the harm that it causes.
- Place a duty on Welsh Ministers to act to protect children from abuse and harm where Parental Alienation has been identified.

Parental Alienation has been defined by the Ministry of Justice as:

'In cases where parents are separated, parental alienation refers to a situation in which one parent (usually the parent with whom the child lives) behaves in a way which creates anxiety in the child, so that it appears the child is opposed to living or spending time with the other parent.'

This definition is taken from the first paragraph of the Government's response to Mr. Darren Towill's petition. https://petition.parliament.uk/petitions/164983

CAFCASS in England have already recognised Parental Alienation as an abuse of children. CAFCASS CEO Anthony Douglas stated in an article in the Telegraph online

dated 12th Feb 2017 about Parental Alienation that '"It's undoubtedly a form of neglect or child abuse in terms of the impact it can have". http://www.telegraph.co.uk/news/2017/02/12/divorced-parents-pit-children-against-former-partners-guilty/

**Assembly Constituency and Region.**

- West Cardiff
- South Wales Central

Cafcass Cymru

Llywodraeth Cymru
Welsh Government

Janet Finch-Saunders AM
Chair
Petitions Committee
National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA

30 August 2019

Dear Janet Finch-Saunders AM

**Petition P-05-751 Recognition of Parental Alienation**

Further to my letter dated 17 July 2019, I am pleased to inform the Committee the Cafcass Cymru practice guidance has recently been published on the Cafcass Cymru website.

The document can be found here:

https://gov.wales/childrens-resistance-or-refusal-spend-time-parent-cafcass-cymru-practice-guidance

I also attach a bilingual copy of it to this correspondence.

Yours sincerely

**Nigel Brown**
**Chief Executive, Cafcass Cymru**

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Caerdydd • Cardiff
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Cafcass Cymru

# Children's Resistance Or Refusal To Spend Time With A Parent: Practice Guidance

Published v1
June 2019

# Contents

# Children's Resistance or Refusal to Spend Time with a Parent: Practice Guidance

*Adapted from guidance developed by Cafcass and used by their kind permission*

## Introduction

Cafcass Cymru provides expert child-focused advice and support, to safeguard children and make sure their voices are heard in family courts across Wales so that decisions are made in their best interests.

All cases we work with are referred to us by a court with the child's future welfare being at the heart of every decision taken and recommendation made by Cafcass Cymru. We are part of the Welsh Government's Health and Social Services Group. We are accountable to both the Minister and the Director General for Health and Social Services.

In 2011 Wales became the first country in the UK to incorporate children's rights into domestic law with the introduction of the Rights of Children and Young Persons (Wales) Measure 2011. The Measure embeds consideration of the United Nations Convention on the Rights of the Child (UNCRC) and the optional protocols into Welsh law. The Measure requires all Welsh Ministers to consider children's rights when exercising any of their functions. The Children's Rights Scheme 2014 sets out the arrangements that we have in place to comply with the duty to have due regard to the UNCRC and reflects our on-going commitment to children's rights.

Our statutory functions are:

- Safeguard and promote the welfare of children;
- Give advice to any court to any court about any application made to it in such proceedings;
- Make provision for children to be represented in such proceedings;
- Provide information, advice and other support for children and their families.

In the context of separated parents in dispute over child-related arrangements, children who resist and/or refuse to spend time with a parent will feature frequently in cases that Cafcass Cymru has involvement in. With this in mind, this practice guidance aims to provide Cafcass Cymru practitioners with the most up to date thinking, research, legislation and legal context in order to ensure that children and their families receive a quality, evidenced based service focussed on achieving the child's best interests.

This guidance is to aid and assist your thinking around the impact on children who resist or refuse to spend time with a parent and consider how best to approach such cases in the best interests of the child.

This guidance is not designed to be prescriptive and should be used as an aid to practice; it contains recommendations for further reading and practical application of organisational procedures. This practice guidance should be read in conjunction with:

- Cafcass Cymru's Domestic Abuse Practice Guidance
- Cafcass Cymru's Harmful Conflict Practice Guidance

Practitioners, in addition should familiarise themselves with Cafcass Cymru's safeguarding procedure.

Cafcass Cymru has a clear framework as we operate within The Children Act 1989, Social Services and Well-Being (Wales) Act 2014, Family Procedure Rules as well as internal policies and procedures which provide the foundation, guidance and structure for our work. In all respects, we need to find the right practice approach by considering each child's individual needs and the impact of their lived experience.

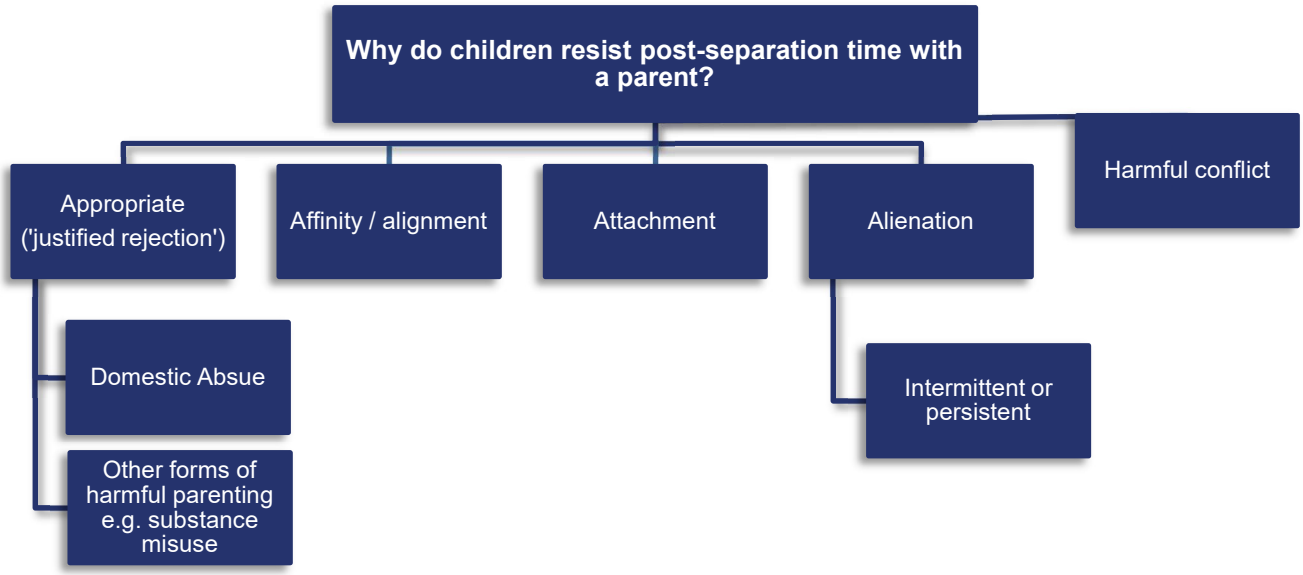
## Assess the Reasons for a Child Resisting or Refusing Time With a Parent or Carer

**Please note:** The child may also refuse or resist a parent as a response to conflict. Kelly and Johnston (2001) identified that "*resistance can be rooted primarily in the high-conflict marriage and divorce (e.g. fear or inability to cope with the high-conflict transition)".* If this is identified as a factor at any point in the case refer to the tools and practice guidance on harmful conflict, which includes potential impacts on children and information about interventions aimed at reducing parental conflict.

Resistance or refusal by the child may occur for a range of reasons. Perhaps the child has been harmed by the parent or is frightened of them (known as *appropriate justified rejection*) (Fidler, Bala & Saini, 2013). There may be reasons to do with the child's active choices about how they want to live their life, or perhaps they have been affected by the 'alienating behaviour' of one or both parents.

The reasons for a child refusing or resisting a relationship with a parent/family member can be categorised as the four A's (Fidler, Bala & Saini, 2013), set out below:

- Appropriate justified rejection
- Alignment / affinity
- Attachment
- Alienation




- Use your case plan for planning your interviews with the child and parents and/or carers to enable you to gather relevant information about why the child is resisting or refusing time with a parent.
- Direct work with children can be a powerful method for helping parents see the conflict through the eyes of the child.

- The Child Impact Analysis approach to s7 reports allows for a creative and dispute resolution focused approach throughout the life of the case, allowing you to be creative with the work you undertake to secure an outcome which is more closely aligned with the best interests of the child.
- You can promote the use of the parenting plan and also consider a court-ordered referral to a WT4C programme.
- Harmful conflict and domestic abuse are distinct from 'alienation' and each other. 'Alienation' is one of a number of reasons why the child may reject or resist spending time with a parent. Indeed, some cases may involve allegations of domestic abuse at the same time as counter allegations of 'alienation'

## Key Practice Points: Alienating Behaviours and Child Impact

***Definition: Alienating Behaviours and Child Impact***

The definition of parental alienation as a concept in family court cases, its surrounding terminology and its scale remain subject to debate. Whilst there is a lack of an agreed single definition, Welsh Government and Cafcass Cymru recognises that some parents can behave in a way that alienates the other parent from their child's life and that these behaviours can have a significant adverse impact on the emotional wellbeing of the child. Cafcass Cymru does not recognise parental alienation as a syndrome or a classification but as 'alienating behaviours'. The most important issue for us is that these behaviours, when they occur, are appropriately dealt with using the existing regulatory and legal framework. The debate about whether alienation is a syndrome can be a distraction from the necessary focus on the impact on the child. Your role is to understand children's individual experiences and how they are affected by behaviours.

It is important to recognise that the term parental alienation refers to a wide range of behaviours spanning from a parent being critical of the other parent, causing disruption to planned contact arrangements or fabricating evidence and making allegations to damage and/or end the child's relationship with the other parent. The emotional impact upon the child will be dependent upon the extent of the alienating behaviours the parents' exhibits, the age and development of the child and the child's emotional resilience. Undoubtedly, such behaviour can be emotionally abusive to children.

- Early identification of behaviours which are not intentionally seeking to exclude one parent from the child's life is important e.g. withholding a session of time with the other parent as a response to the child being returned late, may over time result in the child 'taking sides and opting out of seeing one parent'. If there are indications that the child's previously good relationship is being undermined and this is not justified it requires further exploration. These behaviours can include:
  - a parent constantly badmouthing or belittling the other;
  - limiting contact;
  - forbidding discussion about them; and
  - creating and/or supporting the impression that the other parent dislikes or does not love the child.
- They can also include spurning, terrorising, isolating, corrupting or exploiting and denying emotional responsiveness. These tactics foster a false belief that the 'alienated' parent is dangerous or unworthy. Children may adapt their own behaviours and feelings to the 'alienating' parent to ensure that their attachment needs are met (Baker, 2010).
- Both men and women can demonstrate 'alienating' behaviours. While 'alienation' can be demonstrated solely by one parent, it is often the case that a combination of child and adult behaviours and attitude, with both parents playing a role, can lead to the child rejecting or resisting one parent.
- Information on the history and context of parental alienation can be found in the article: Kelly. J & Johnston. J (2001) *The alienated child; a reformulation of parental alienation syndrome*. Family Court Review, 39 (3) pp. 249 – 266.

## Key Practice Points: Appropriate Justified Rejection

***Definition: Appropriate justified rejection***
Justified rejection by the child to spending time with a parent or realistic estrangement because of harmful parenting, including neglect or abuse or significant parenting limitations.

**Factors and indicators:**

- There are allegations of abuse or neglect.
- There are allegations of domestic abuse, this could also include coercive and controlling behaviour, which could feature in addition to other factors or be a stand-alone feature.
- The child feels unsafe or very unhappy in the care of the other parent, these feelings should be explored via the use of focussed direct work.
- The parent the child lives with has acted protectively.
- Rejection of the other parent is justified due to non-existent, interrupted or minimal involvement, inexperience or poor parenting which may or may not reach the level of abuse or neglect.
- The other parent has unmanaged mental health difficulties, such as personality disorder, or substance and/or alcohol misuse issues or other factors that impact on their capacity to provide attuned and consistent care.

Where these factors are present you should refer to the domestic abuse practice guidance; consider the presenting issues and determine the need for the court to carry out a fact finding hearing – see Cafcass Cymru's Finding of Fact guidance.

In addition, the child and adult's need for safety and protection should be a priority. Therefore it may be that the practitioner needs to prepare a 16a Risk Assessment Report and/or complete a safeguarding referral to the local authority.

**Link:** Cafcass Cymru Safeguarding Operational Procedure

## Assess Indicators of Domestic Abuse and Other Forms of Harmful Parenting

- The first step in assessing the reasons for the child's resistance or rejection of a parent is to consider whether domestic abuse or other forms of harmful parenting are factors.
- Domestic abuse is not a 'conflict between parents', it is the abuse of one person by another, in the setting of an intimate relationship with an imbalance of power.
- Note that children may be subject to coercive and controlling behaviour as a means of alienating them from a parent as part of a longer history of the alleged perpetrator controlling the victim and continuing this abuse through family court litigation. Practice Direction 12J says that the court must consider the impact on and risk to the parent with whom the child lives ahead of making any Child Arrangement Order.

If domestic abuse, including coercive and controlling behaviour, is a potential factor refer to the practice guidance on domestic abuse. This includes where the following indicators are alleged, present or suspected – either now or in the past (including, but not limited to):

- Information relating to a primary perpetrator
- Physical violence
- Sexual violence
- Coercive, controlling behaviours (towards a child or as an adult)
- Stalking behaviours and 'jealous surveillance'
- Power imbalance
- Threats to kill; any known or alleged threats must be taken seriously until sufficiently assessed to reduce potential risk and safeguard the child and others at risk
- One or both parents report or present as being afraid
- One or both parents were in a previous relationship that was abusive
- Children imitate violent behaviour
- Presence of degrading or humiliating behaviours
- Features of 'honour' based violence and / or features of forced marriage
- Psychological abuse such as calling the victim names, undermining the victim's self-esteem or sanity, making victims think they are to blame, threatening to kill themselves

If the following indicators are alleged, present or suspected either now or in the past refer to the tools and guidance for assessing the impact of harmful parenting. These include but are not limited to:

- Alcohol and/or drug misuse which is harmful to the child
- The impact of mental health difficulties, including personality disorders, that are harmful to the child
- Neglect
- Physical abuse
- Sexual abuse
- Emotional and / or psychological abuse (including radicalisation)

**If appropriate justified rejection does not appear to be a factor for the reason for the child's resistance or refusal, proceed to consider the other possible reasons for this.**

## Assess the Pre and Post Separation Parent / Child Relationships, with Focus on Considering Affinity, Alignment and Attachment

- Set clear expectations with the parents that the focus of your work will be on what the impact for the child is using these Child Impact Analysis template letters to parents to assist. These letters can also be helpful to give to parents when a Child Impact Analysis is not being prepared (i.e. 16.4, FAO)
- Use your case plan to think about how you will gather information from parents, children and professionals to answer the following questions:
  - What is each parent's perception of the pre-existing relationship with the parent being resisted? If so, what was the quality of this?
  - Has the quality of the relationship deteriorated post-separation?
  - How were the parenting tasks and responsibilities shared before separation?
  - What is the capacity of each parent to meet the child's developmental needs, particularly their emotional needs, considering the separation?
  - Does the child have any additional or complex needs? If so, what has been the role of each parent in meeting these needs and what will these roles be in future?
- Consider the key practice points below on affinity/alignment and attachment in developing your analysis.

## Key Practice Points: Affinity/Alignment

***Definition: Affinity/Alignment***
Affinity is where the child does not have strong negative feelings for the other parent but prefers spending time with one parent. Alignment between a parent and child may develop before, during or after separation as part of naturally occurring preferences or from the other parent's non-existent, interrupted, or minimal involvement, inexperience or poor parenting (which does not reach the level of abuse or neglect).

**Factors and indicators:**

* Resisting a parent, particularly in the early stages after separation, could result from one or more forms of 'benign post-separation parental rejection' such as dislike of tougher rules at one house, dislike of upheaval or anger at a departing parent (Clarkson & Clarkson, 2006).
* An alliance may occur because of the child's indignation at the departed parent's behaviour and resistance to seeing that parent may be entirely understandable, at least initially.
* Older children and teenagers may resist time with a parent as part of normal adolescent behaviour and exercising increased independence and personal choice.
* Brothers and sisters may have different reasons for their acceptance or rejection of time with a parent.

**Next steps, case planning and support:**

- If the reasons for the child's resistance indicates affinity/alignment, explain this to the parents and encourage them to reflect on the impact of their behaviour on their child.
- Consider local and online options for signposting the parents and children for support and guidance on post-separation parenting.
- Completing a Parenting Plan and/or WT4C referral may also be beneficial.
- Is it appropriate for the CAWAC to be completed? If not, why not?

## Key Practice Points: Attachment

***Definition: Attachment***
Age or gender appropriate reactions for resisting time with a parent for attachment reasons, including separation anxiety.

**Factors and indicators:**

* From an attachment perspective, a child or young person's distress and hostility to the parent they don't live with may be interpreted as an attempt to activate care-giving responses from the other parent. If the child does not receive Parent A's endorsement of Parent B, it triggers '*proximity-seeking behaviours*' in the child towards Parent A. Proximity-seeking behaviours could include crying, clinging, defiantly rejection the other parent, aggression, withdrawing or attentively caring for Parent A.
* The child is not likely to have conscious awareness of their attachment behaviours; children do not always '*know*' that they are using such strategies to protect their relationship with their primary caregiver.
* Consider the possibility that the child's behaviour and feelings may be distorted by the attachment strategy of the child as his/her means of maintaining loyalty to or eliciting care from the parent they live with. See the section below on considering the child's wishes and feelings in relation to their emotional and mental health and wellbeing.

**Next steps, case planning and support:**

- Encourage both parents to reflect on how their behaviour affects their child and to think about how, for example, handover arrangements or frequency or length of time with the other parent may be adapted to support the child.
- Consider use of the Parenting Plan and/or WT4C as with affinity/alignment.

(With thanks to Asen & Morris (2019, not yet published) for contribution to this section)

# Key Practice Points: Alienation

## Cafcass Cymru Literature Review and Further Work

In April 2018 CASCADE – Children's Social Care Research and Development Centre at Cardiff University, published the '*Review of Research and Case Law on Parental Alienation'* commissioned by Cafcass Cymru. The review aims to provide an evidence base to inform practice in Cafcass Cymru.

**Link:** CASCADE Literature Review: Review of research and case law on parental alienation (April 2018)

The authors of the review point out that:

"*The notion of parental alienation was first recognised by Wallerstein and Kelly in 1976, but it was Gardner's assertion in 1987 that parental alienation was a syndrome, that is, a mental condition suffered by children who had been alienated by their mothers, which has led to debate over the last 30 years. However, despite a wealth of papers written by academics, legal and mental health professionals, there is a dearth of empirical evidence on the topic.*

*Research in this area is dominated by only a few authors who appear polarised in their acceptance or rejection of the nature and prevalence of parental alienation. Such variability means that there is no commonly accepted definition of parental alienation and insufficient scientific substantiation regarding the identification, treatment and long-term effects (Saini, Johnston, Fidler and Bala, 2016)."*

The literature review has been helpful in informing and consolidating our approach to working with cases which feature children who resist and refuse contact.

**Practice Point**

The key implications for practice as set out in the review (pg. 42-43) and are summarised as follows:

- Good practice is to identify the reasons and to analyse those reasons as to why a child is refusing or resisting contact the Reasons tool and/or CAWAC could assist in appropriate cases.
- Where the basis for refusal appears irrational you will work on the basis that the court will want to strive to maintain or resume safe contact arrangements for the child.
- Allegations of alienation or disputed facts about the child's refusal to attend contact should be flagged with the court at the earliest opportunity. Early identification of the issues is crucial, which can reduce the risk of delay and the issues becoming entrenched - this view is supported by research and judicial guidance. You need to feel confident in requesting a fact finding hearing or recommending appointment of r16.4 guardian, if the case cannot be progressed without these interventions.

**Practice Point (continued)**

- You need to be mindful, that any advice/recommendations given to the court prior to any determination of the facts, will need to consider all of the options available. Your analysis will need to consider an '*either/or*' approach, i.e. the options in the event of findings being made and then also those where findings are not made, also including the options if findings are found to be partly true.
- Where a court does make a finding which evidences that a parent has behaved in a way that would alienate a child from the other parent that amounts to a risk of emotional harm, family court advisers need to be cautious in assessing or recommending a particular intervention because the evidence base for effective intervention is very limited. NB: Cafcass Cymru does not provide advice or recommendations as to interventions when alienating behaviours has been found to be the key feature in the case.

It is important to note the conclusion of the literature review which, in summary explains there is a limited evidence base around the subject of parental alienation. It does clearly acknowledge how crucial it is to demarcate between circumstances where the child is justified in not wanting to spend time with a parent from situations where there is no rational reason for that position.

**Practice Point**

Where there is evidence to suggest that a child is subject to significant harm, or is at risk of this happening, as a result of alienation which may amount to emotional abuse, a referral should be made to the local authority in accordance with safeguarding procedures. Included in your considerations should be whether to prepare and file a 16a Risk Assessment report updating the court and outlining the presenting risks, enabling the court to consider the issues and further directions on an urgent basis.

**Practice Point**

Reported court judgments emphasise a proactive approach to ensuring that children have contact with their non-resident parent. Where allegations or issues of alienation arise, early determination of the facts is seen as the essential factor in achieving the best outcome for the child. You can use this guidance at any stage of a case to assist you in determining if alienation is the key feature. If you are able to establish that early on, it should be flagged with the court and a clear approach to manage the case identified.

**In September 2018, Community Care Inform (CCI) produced a podcast on alienation involving Julie Doughty (the lead author on the literature review) and Sarah Parsons, Principal Social Worker and Assistant Director in Cafcass (England).**

**Here is the link to the podcast: https://www.ccinform.co.uk/learning-tools/learn-on-the-go-podcast-parental-alienation/**

As with all assessments, the case analysis should begin with and follow what is happening for each child, considering any risk posed to them and the impact of parental behaviour and their wider experiences.

| Key practice points | |
|---|---|
| **Consider: Child impact and risk** | ‣ **Past** – What has been happening for this child?<br>‣ **Present** – What is happening now?<br>‣ **Future** – What might happen?<br>‣ **Risk** – How likely is it to be repeated?<br>‣ **Impact on the child** – How serious would it be? |

*Identify and assess the impact of alienation on the child, including emotional harm*

- Kelly and Johnston (2001) caution against labelling children as alienated 'too often' without a full exploration of all the subtle and complex reasons for their resistance or refusal.
- The increasing number of allegations of alienation in the family courts and the risk of over identification, provides a further reason for balanced, nuanced, child-centred guidance drawing on as wide a knowledge base as possible. See article by Linda Neilson, 2018.

  **Link:** Parental Alienation Empirical Analysis: Child Best Interests or Parental Rights? *Linda Neilson (2018) Fredericton: Muriel McQueen Fergusson Centre for Family Violence Research.*
- Early identification of behaviours which are not intentionally seeking to exclude one parent from the child's life is important e.g. withholding a session of time with the other parent as a response to the child being returned late, may over time result in the child *'taking sides and opting out of seeing one parent'*.

## Impact for Children: Exposure to Extreme Forms of Alienating Behaviours can be Emotionally Harmful to the Child

Alienated children can be at risk of short-term emotional distress and long-term adjustment difficulties (Fidler, Bala & Saini, 2013). Children can develop distorted belief systems that impact on their internal working models of self and others. The potential impact on the child and their outcomes include:

- Loss of important relationships with a parent and / or wider family.
- Dislikes the traits that they have inherited from the alienated parent and belief that they must be 'bad' if they share them.
- Low self-esteem and a belief that they are unloved by the alienated parent.
- Experience of severe guilt or betrayal in late adolescence and adulthood for rejecting a parent and others.
- Mental health difficulties, such as depression, anxiety or personality disorder. The focus in the case becomes how to help a child recover a degree of normal development and reduce symptoms of emotional, psychological or mental ill-health.
- Experiencing poor modelling of healthy adult relationships and conflict resolution can lead to children's own relationships and understanding of healthy relationships being adversely impacted.

Trauma informed practice recognises that the impact of living through traumatic and stressful events and relationships can result in a range of mental health and wellbeing difficulties, other than post-traumatic stress disorder, including:

- alcohol/substance abuse,
- depression,
- anxiety problems,
- childhood behavioural disorders,
- psychosis and some personality diagnoses.

However, it is worth pointing out that not all children exposed to alienation become alienated. A nuanced approach to assessment is necessary, recognising that alienating behaviours are on a spectrum and that the impact on the child varies according to their individual resilience and vulnerability, prior relationships and other influences and factors.

Although these negative long-term consequences have been reported by adults who experienced alienation in their childhood, empirical findings about outcomes are mixed and hampered by being retrospective and not taking account other potential explanatory factors (Drozd, Saini & Olessen, 2016).

## In my shoes – experiences of young people in their own words

**Please note that these real-life stories are anonymised to protect the identities of the young people**

*Jane:* "I live with my dad now, but my sister still lives with our mum. It's my mum who has done things like change my sister's surname and stop contact between my sister and my dad's extended family who have not seen her since around 2013. She would take my sister to court hearings and tell her what to say. My sister would throw Christmas presents and birthday presents back in my dad's face with a grin on hers. I see my dad's pain and hurt at not seeing my sister."

*Ayesha:* "Parental alienation feels like you've heard so many things from one (parent) it starts to become believable. Although you don't know the truth, you're made to feel like it's the only truth. You're constantly made to feel as if the other parent hates you, wants nothing to do with you. Badmouthing one another and others getting involved agreeing (with them). When you walk around the streets on your own, you always see that perfect family: mum, dad and two children and you think to yourself that it'll never be you."

### Patterns of alienating behaviours

Not all alienating behaviours by a parent the child lives with will be of the same degree of intensity and the impact will vary. For example, the child is likely to be influenced by the emotional intensity of the negative comments about the other parent. The range of behaviours from intermittent to persistent are best seen on a spectrum, rather than as discrete categories.

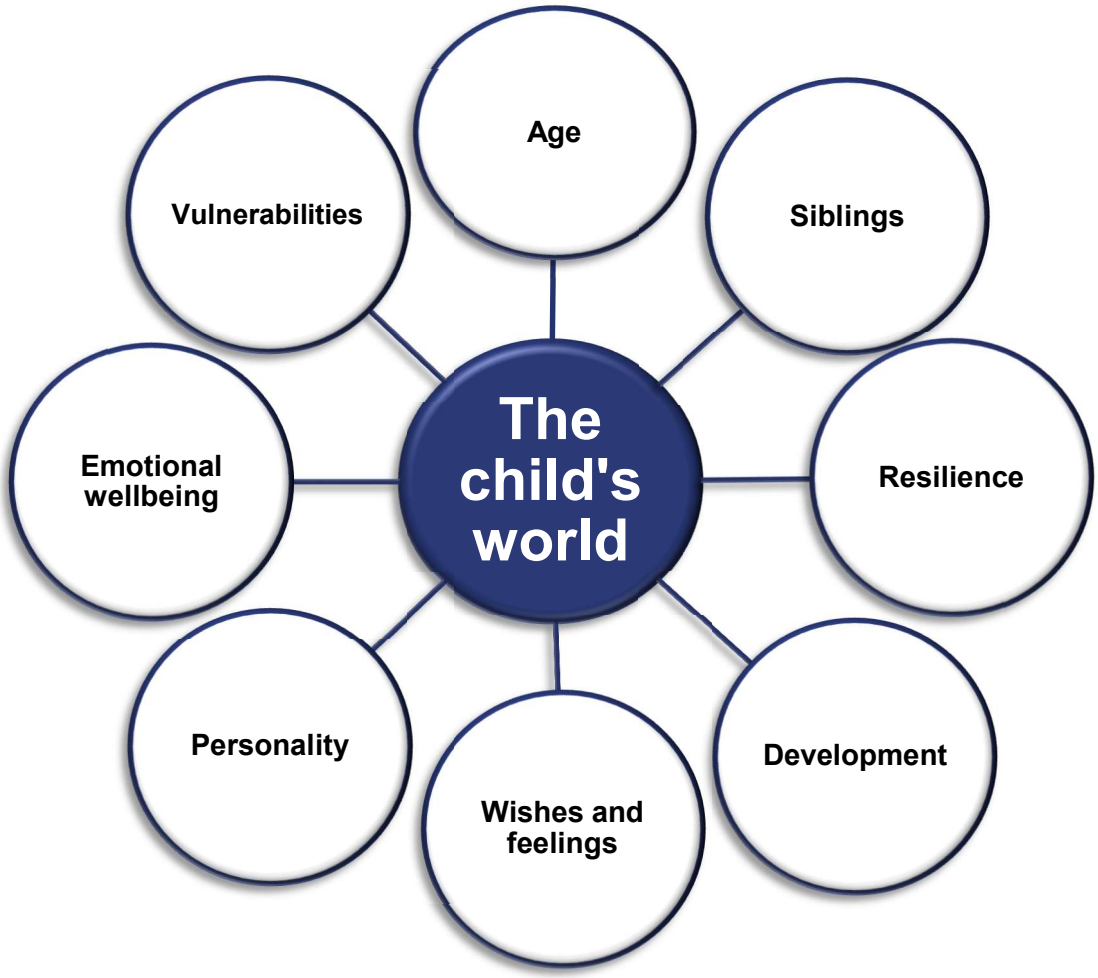
The diagram below illustrates how alienating behaviours are not all of the same intensity or level of persistence and includes some of the indicators of intermittent and persistent alienating behaviours and their varying impact on the child.

**Alienating behaviour on a spectrum – behaviour and impact**

| Intermittent: | Persistent: |
|---|---|
| Intermittent, intentional words or actions aimed at either undermining the child's relationship with the other parent as a result of hurt or anger or emotional vulnerability. They may feel genuinely concerned for the child in the care of the other parent, but these concerns are unfounded (adapted from Judge and Deutsch, 2017). | Persistently acting in a way to hurt the other parent and destroy their relationship with the child, rarely showing empathy, self-control or insight and taking on an obsessive quality (adapted from Judge and Deutsch, 2017). |

| Indicators: | |
|---|---|
| • Some recognition of the value of the child's relationship with the other parent (and their extended family where applicable).<br>• However, intermittently exhibits alienating behaviours or strategies.<br>• Understands that what they are doing is wrong and in this sense there is an element of intentionality connected to their pain and anger at the end of the relationship. | • Active and persistent campaign to undermine and destroy the other parent's relationship with the child.<br>• Unable to recognise or accept that the child may have wishes and feelings that are separate from their own.<br>• Denies or undermines the value of the relationship between the child and the other parent (and sometimes their extended family).<br>• Lacks empathy and/or is unwilling to forgive.<br>• Has made allegations of abuse against the other parent which the court has found to be false.<br>• Where there are unsubstantiated allegations of abuse, they cannot be convinced otherwise, even when there is evidence to the contrary.<br>• Is not motivated to seek help to restore the child's relationship with the parent (or extended family and friends where applicable).<br>• The alienating behaviours are intentional, although their actions may be direct, indirect or a result of protective behaviours based on genuine beliefs.<br>• Mental health difficulties or personality disorder may be contributing to the alienating behaviours. |


The impact on the child will vary according to factors in the child's world. Every child is unique. Intermittent and persistent alienating behaviours are likely to be harmful, but the degree and type of harm will differ for each child as will the best course of action to reduce or overcome the harm.


The child's world
Age
Siblings
Resilience
Development
Wishes and feelings
Personality
Emotional wellbeing
Vulnerabilities

# Analysis, Conclusion and Preparing Your Report When Alienation is the Key Feature in a Case

**Points for Consideration**

- One parent may be alienating the child without any contribution to this by the other parent. However, it is often the case that each parent is playing some role in this.
- Family members, friends, professionals and the court (particularly when proceedings are protracted), can become entangled in the harmful impact on the child. Consider what contribution people in the child's network are making. This could be a positive support for the child or more negative.
- Persistent adult behaviour, which has a cumulative effect, is likely to have more impact on the child that single incidents. How emotionally charged the alienating comments and behaviours are will also influence the degree of impact on the child.
- Are arrangements for handovers safe and helpful for the child? Is the child unhelpfully influenced by who is present?
- Consider again whether there are indicators that allegations of alienation are being made as a form of post-separation abuse, as part of coercive and controlling behaviour towards both the other parent and / or the child.
- Consider the child's diversity in its widest sense, including in relation to their identity.

**Next steps and support**

- Availability of effective interventions remain problematic because of its cost and lack of consensus about the effectiveness of alternative options.
- Consider a recommendation for an early fact finding hearing by the court or an early appointment of a Children's Guardian under rule 16.4, with a clear and focussed remit, is required.
- Consider whether the court will require expert assessment regarding any psychological or mental health difficulties within the family.
- A recent review of interventions internationally suggests that there is no single protocol for the assessment and treatment of cases where alienation may be a factor (Templer, Matthewson, Haines, & Cox, 2017). No interventions from the UK were identified in this review or that of Doughty, Maxwell and Slater (2018), conducted on behalf of Cafcass Cymru.
- Refer to the Top Tips set of guidance documents produced by the Family Justice Young People's Board for working with children and young people.
- The child's views should be reported directly, using their own words where possible, to bring this to life for the parents and court. For example, embed their words into a report or support them to write a letter to the judge.
- If the child has been exposed to the alienating behaviour, there may be tension inherent between their wishes and feelings and their best interests.
- If your recommendations are not in line with the child's wishes and feelings, it is best practice to let them know about this in an appropriate way.
- In order to make a thorough assessment of how the child behaves with each parent, it is crucial that observations are made of the child with each parent alone. It is key to your assessment, that the child is made available for these observations and to see the parent who is seeking to spend time with the child.

## Reflect on your Analysis, Including Potential Sources of Bias

When considering your conclusions or within reflective supervision, have reference to these points and questions:

- Reflect on your analysis of the reason for the child's resistance or refusal of time with a parent.
- Refer to the tools used and summarise what they have told you.
- What is the specific risk to the child? Is the resistance justified or an understandable response by the child that should be respected? Is the risk that their relationship with a parent could be damaged beyond repair, for no good reason other than the alienating behaviour of another parent? Or is it that alienation is a factor, but is so deeply entrenched that reintroducing time with the other parent (or 'forcing') a child against their expressed wishes would be very harmful?
- What does this tell you about the best arrangements or support for the child going forward?
- Consider all possible forms of bias, including gender bias and the impact of personal and cultural norms on your thinking.
- Have you retained your focus on the impact and risks for the child and tried to help the parents to do the same?
- Reflect on the cultural sensitivity of your assessment. Have you taken account the cultural context of the child and their identity needs?
- When reflecting on your analysis refer back to your case and revisit the questions you asked at the beginning of the case about what is happening for this child; see page 11. This helps to ensure there are no loose ends in your assessment and brings focus to any risks and child impact as you reach your recommendations.
- Be mindful of our commitment to UNCRC and the potential impact on children of not endorsing their wishes and feelings.

## Make Recommendations in the Child's Best Interest, Focusing on Positive Change for the Child

- Consider as early as possible whether the appointment of a Children's Guardian and children's solicitor under rule 16.4 is required to provide separate representation for the child.
- Maintaining the focus on the impact on the child at all times and making clear links between the analysis and the recommendations that can help to avoid the proceedings becoming adult-centric.
- In this context, when reporting to court it is helpful to provide a concise description of the child and parental behaviours which inform your analysis and be clear about your observations and what conclusions you are drawing about these.
- Where you believe the child is suffering or likely to suffer significant emotional harm, consider the need to refer the case to the local authority, or whether to recommend to the court that the local authority produce a section 37 report. If you are making a safeguarding referral, consider how to make the referral impactful. Consider speaking to the relevant LA manager in advance.
- If a change in where the child lives is being considered, is the involvement of an expert necessary? What will this contribute in addition to your own social work analysis?
- Once you have written your report and before you file it, go back to the beginning of your assessment. Are all the risks dealt with? Has anything been missed, or has an issue been overlooked during the life of the case? Of the issues remaining, consider your advice to the court about how these should be addressed?

**Using a balancing exercise approach to assist with recommendations for the child:**

- The assessment needs to consider the strengths and risks posed by both parents. You are seeking to ensure that a child has a beneficial relationship with both of their parents where safe, so that they do not go through their formative years without the benefits of a loving relationship with all significant adults.
- Taking a balance sheet approach to the welfare analysis, in terms of undertaking a systematic review of the pros and cons of each option (see 'Re B-S (Children) [2013] EWCA Civ 1146') is helpful in evaluating the impact on the child of all potentially realistic options.
- Your recommendations should seek to find resolution for the child, this will mean weighing up the realistic options and also forecasting the likelihood of each parent being able to work with what you have recommended and with one another (if appropriate).

  Realistic options could include:
  a) a change in where the child lives
  b) a shared living arrangement
  c) re-introduction of time with the other parent (a range of frequency and duration)
  d) no change in arrangements.
- The balancing exercise should be carried out separately for each child.
- The list below includes some of the key factors to consider in each balancing exercise:
  - The level of intentionality, persistence and intensity of the alienating adult behaviour and the capacity of the parent to change this.

- Did the child enjoy a previously positive relationship with the other parent?
- Is that parent attuned to the child's needs?
- The child's age and an analysis of what this means
- Is the child progressing well educationally, socially and emotionally in the current arrangements? If so what is the detriment to the child of the loss of the parental relationship?
- How likely is this child able to cope with the change being considered?
- If a change of where the child lives is ordered by the court, will it be possible to retain positive elements of the child's relationship with the previous main carer?
- Can the parent the child does not currently live with provide the child with compensatory care to overcome the impact of alienation?
- Would a period of no *'time with'* the parent who demonstrated alienating behaviours, encourage positive improvements in the relationship between the child in the new arrangement?
- What impact will a change have on the child's identity needs and in respect of the child's wider family networks and any cultural differences between the two households?
- If the change involves the separation or reunification of siblings, what impact will this have on each child?

**Change of arrangements as to where the child lives:**

- Does the parent with whom the child lives, support contact with the other parent & attitude towards the other parent – impact on the child?
- Does the child's level of distress quickly ease when spending time with the parent with whom the child does not usually live?
- Previous relationship with the parent with whom the child does not normally live?
- Length of time since the child spent time with the parent with whom they do not live? When did contact break down?
- Circumstances of the parent with who the child does not live? Do they have suitable accommodation and access to child care?
- Impact on education & other relationships and friendships?

**Continued placement with the resident parent:**

- Is the parent with whom the child lives engaging and demonstrating any further insight or ability to change?
- Is there some level of time being spent with the other parent and extended family members?
- Parent child relationship with both parents?
- Other factors influencing the child – Consider the 4 A's (page 4)
- Has the child witnessed post separation conflict between the parents? Could this account for their refusal to spend time with their parent?
- Is the child showing other signs of emotional distress/harm? Interface with other agencies to gather information.

**No direct contact with the parent with whom the child does not live:**

- What will be the impact on the child in the short or long term? Consider in the short term what level of distress enforcing contact is having on the child and the emotional impact of doing so.
- Can relationships with other family members of the parent with whim the child does not live be put in place?
- Is there likely to be change in the future? Think about whether these arrangements will need to change in the future? How will the 'door' to the relationship be left open for the child now and in the future?

**Local Authority – placed in foster care:**

- Balance emotional impact of moving to a stranger vs remaining with parent with whom the child normally lives.
- What are the likely long term plans and likely success of any such plans?
- Are there any family members that can assist?
- Is such a move proportionate?

**Use of contact centres:**

- Consider to what ends: for further assessment? For supported reintroduction? Has this previously helped? What would that look like? Supported, supervised.
- Willingness of all parties to engage.

**Family Assistance Order:**

Link: Family Assistance Order Guidance

- Are the parties willing to engage?
- What will this look like?
- What are the likely outcomes?
- What is the likelihood that this will illicit change?

## Dilemmas in '*overcoming*' a child's unjustified rejection of a parent

- A child who has been subject to alienating behaviour may appear very angry and/or distressed at the prospect of spending time with the other parent. The level of emotion may dissipate very quickly when with the other parent, or this may persist. Questions then arise regarding how far the child should be forced into spending time with the rejected parent, even when it is thought to be in their longer term best interests to do so.
- If it is established that the child is suffering harm, warranting involvement of the local authority, then a similar level of scrutiny and analysis to that applied regarding the removal of a child from a parent in care proceedings will need to be applied, even if the case remains in private law proceedings. If the recommendation is for a safe and beneficial transition to a new carer it will need to be carefully considered and reviewed by the court.
- The court may consider ordering the local authority to report under s37.
- A referral by Cafcass Cymru to the local authority may need to be considered.
- Where a child is suspected, alleged of believed to be at risk of harm, Cafcass Cymru has a duty under s16A to advise the court through a risk assessment report.

- Where a child has been taught by a parent that contact with their other parent would be unsafe or undesirable, this can be very difficult to change.
- A parent not addressing this potentially involves collusion with an emotionally abusive situation and a distorted world view. It reinforces avoidant behaviour and may disproportionately empower a child in a negative way. In any other circumstances a parent would be expected to help the child overcome something they were avoiding, for example if a child was unjustifiably resistant to attending school, the parent or carer would be expected to make every effort to understand the resistance and help the child overcome it.
- Despite these risks to the emotional wellbeing of the child, the risk of forcing them into time with the other parent may be higher. This assessment of competing risks needs to be carried out on a case-by-case basis, based on the individual needs of each child and the family situation.
- It can, very understandably, feel wholly unjust to a rejected parent. However, regardless of how they were formed, a child's wishes and feelings may be so entrenched against time spent with the other parent (and a change of where they live is also not viable), that time with that parent is not possible.
- The assessment and the court process will need to balance the risks in each scenario for each individual child.

## Case Examples Involving Alienation

Mali's Story

Mali, aged 7, was being prevented from having a meaningful, loving and supportive relationship with her father. Mali's mother was adamant that her father should have no role in her life and held these beliefs so firmly that when the court, Cafcass Cymru and social services all concluded that Mali should live with her father, mother absconded with the child. She was missing for several days, with increasing concerns for the both the welfare of Mali and also her mother.

Mali did not want to see or live with her father, she was very firmly aligned with her mother, however there was no justifiable reason for her refusal to see her father – over and above her reflecting the views of her mother. There was a psychological assessment undertaken of mother, which stated that she required therapy to help her shift her views of father. She would not engage in the therapy offered. Due to the severity of the emotional harm being caused to Mali by her mother's behaviour, the court made an interim care order, meaning that the local authority shared parental responsibility with both parents. This enabled Mali to be removed from her mother's care and placed with father. Mali was found by police in mother's care, after they absconded following the court confirming it would be making the order for Mali to live with her dad. Initially, Mali was distressed and anxious, however following a period of close monitoring by the social worker and visits by the children's guardian she showed signs of settling and of being calm. Mother was offered supervised contact due to the risk of absconding, however she failed to take advantage of this and at the time of conclusion of the case, mother had not asked to see Mali.

Extract from a judgement: H (Children) [2014] EWCA Civ 733 Mrs Justice Parker

"74. I regard parental manipulation of children, of which I distressingly see an enormous amount, as exceptionally harmful. It distorts the relationship of the child not only with the parent but with the outside world. Children who are suborned into flouting court orders are given extremely damaging messages about the extent to which authority can be disregarded and given the impression that compliance with adult expectations is optional. Bearing in mind the documented history of this mother's inability to control these children, their relationship with one another and wholly inappropriate empowerment, it strikes me as highly damaging in this case. I am disappointed that the professionals in this case are unable truly to understand this message. Parents who obstruct a relationship with the other parent are inflicting untold damage on their children and it is, in my view, about time that professionals truly understood this."

Jac's Story


Jac was 2 years old at the time of his father's first application, Jac's parents were not in a relationship at the time of his birth and Jac's father found that making arrangements to spend time with him was becoming increasingly difficult. Jac had three older half siblings and one younger brother, his older siblings had no existing relationship with their fathers. It was established through the court proceedings relating to Jac, that all of the respective fathers of the older children had made numerous court applications to spend time with their children. However, these arrangements had broken down over time. Cafcass Cymru was ordered to complete a s7 report to consider the amount of time Jac should spend with his father.

The progress of the case was hampered by mother's inability to meaningfully promote the relationship between Jac and his father. Jac's mother made a range of allegations about Jac's father, including that bruising seen by mother on Jac's body was caused by father during a brief contact session. Jac's mother also made allegations that father posed a sexual risk to Jac. As the issues in the case became increasingly complex, the court made an order pursuant to rule 16.4 for Jac to be represented by a children's guardian and solicitor. Despite this, the prospects for Jac to have a meaningful relationship with his father continued to be hampered by mother. She would ensure that Jac was not available on the identified date/time. She would call the police if father was a few minutes late and she would allow the older children denigrate and swear at father if they saw him in the street. Jac was not allowed to return from spending time with his father with any gifts or new clothes. A s37 report was ordered by the court in order for the local authority to consider the need to share parental responsibility – in addition safeguarding referrals were made in respect of the other children. No further action was taken by the local authority and their s37 report concluded that the local authority would not be issuing care proceedings.

Despite numerous efforts to engage with mother and for Jac to enjoy a relationship with both parents, no progress was being made. There was no justifiable reason as to why Jac should not see and spend time with his father. Cafcass Cymru recommended strongly to the court that Jac should move to live with his father, the analysis undertaken showed that the prognosis for mother to meaningfully promote father's role in Jac's life was slim. She would persistently intervene in arrangements and deliberately set about to promote the active rejection of Jac's father by Jac. Mother refused to engage in a psychological assessment, despite one being ordered, she changed Jac's surname at the GP and nursery and also told them that father was to have nothing to do with Jac should he contact either agency.

This case was before the court for 2 ½ years before the final outcome was made, there were three judgements made, all making findings that either mother had made up allegations against father or that she was deliberately hampering the positive progress of contact. Jac did move to the care of his father, with his father promoting an ongoing relationship between Jac and his siblings. Father would make Jac available to spend time with his mother and managed the arrangements well.

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- With special thanks to Cafcass
- Cafcass Cymru family court advisors and learning and development practice lead:
  - Polly Lauchlan, Practice Manager – Mid & West Wales
  - Kevan Lee, Family Court Advisor – South Wales
  - Fiona Bevan, Family Court Advisor – Mid & West Wales
  - Caroline Crosswood, Senior Learning & Practice Development Manager

Cafcass Cymru would like to extend its thanks to all those who offered their time and contributions to the development of this practice guidance.

| | |
|---|---|
| **Author:** | Beth Altman |
| **Date signed off by SLT:** | 27 June 2019 |
| **Document review date:** | 1 July 2020 |

**P-05-751 Recognition of Parental Alienation**
**Response to the Senedd Petitions Committee – October 2019**

## OVERVIEW

On 2nd October 2019, the Charity was forwarded a copy of the Cafcass Cymru document *Children's Resistance Or Refusal To Spend Time With A Parent: Practice Guidance*.

We recognise that many front line Cafcass Cymru Family Court Advisers (FCAs) do a difficult and demanding job extremely well, placing the child first and working to reduce or eliminate the harmful effect of the Family Court process. Though clearly a move in the right direction we do not believe that this Guidance goes sufficiently far towards standardising the approach of FCAs, monitoring the effectiveness of assessment or the impact of work with children and families. It does nothing for the large minority of Private Law cases where Local Authority Children's Services social workers are the primary agent of the Family Court.

We find it unhelpful that Cafcass Cymru and Welsh Government cannot bring themselves to use the term parental alienation in the title of the guidance. We fear that this allows those who remain abuse deniers in relation to parental alienation to continue to marginalise and prevent a proper system of protection for children and parents in Wales from developing.

## SPECIFIC POINTS

We were asked to put forward our views in light of this document addressing the following:

### <u>What are your thoughts on the attached document?</u>

We are pleased to note that Cafcass Cymru has begun to recognise the emotional harm caused by parental alienation, where a child's resistance or refusal to spend time with a parent is not warranted by their experience of that parent. We acknowledge that in publishing this practice guidance, Cafcass Cymru practitioners have a more defined process to support their assessment of likely parental alienation than previously.

We are grateful to the Petitions Committee for their continuing scrutiny of this issue for without that we believe that Cafcass Cymru would not have moved even the small distance shown by this work towards protecting children from these harmful behaviours.

In regard to the document, we have the following observations:

1. The guidance fails to acknowledge the complexity that is often present in cases within proceedings. It suggests a distinction between domestic abuse and alienation (page 5) while later suggesting the perpetration of alienating behaviours is controlling behaviour used in the continuation of domestic abuse through family court litigation (page 8). There is increasing recognition of parental alienation as family and intimate partner violence (Harman, Kruk, & Hines, 2018) including current research by Dr E Bates which is beginning to highlight the prevalence and impact of post-separation abuse through active alienating behaviours.

2. There seems to be insufficient understanding of the factors which contribute to the emotional impact on the child (page 6). Absent is a recognition of the contribution statutory services and the legal process make to the emotional impact on a child. Delays, failure to identify behaviours as alienating at the earliest opportunity and to act promptly, contribute to the largest factor in embedding alienation in a child – the length of time a child is not having direct parent-child time. There is no guidance or recommendation on ensuring that safe parent-child time is maintained during the assessment process.

3. There is a failure to adequately acknowledge that ***allegations*** of abuse, neglect or domestic violence are a significant feature of alienation. This is clearly stated as a feature of justified rejection (page 7). A child's justified rejection would be likely if there was ***actual*** abuse or domestic violence. A focus on allegations without seeking evidence or an early finding of fact risks identifying a child's rejection as justified, when in fact the child may be alienated (Bernet, Gregory, Reay, & Rohner, 2017). In consideration of this, there is no reference made to the qualitatively different response between a child's rejection of a parent when justified and unwarranted. We have noted in our practise that parents who are prevented from seeing their child, subject to false allegations and breaches of court orders, are scoring in the moderate to high range on the SafeLives DV Risk Indicator Checklist.

4. Similarly with reference to the child feeling unsafe or very unhappy in the care of a parent (page 7). An alienated child can appear very distressed even at the thought of spending time with a parent – this is the essence of alienation. Such a response is not a factor of their relationship with that parent. The suggestion is that this as an identifier of justified rejection – when it can also be an identifying factor in alienation. There is no reference to the qualitatively different response in a child, particularly the splitting, idealisation and devaluation which is present in alienation. This is a clinically relevant marker of likely alienation (Bernet et al., 2017)

5. The guidance suggests that there is a limited evidence base for effective intervention (page 13). This is not the case. While there is limited evidence for a specific intervention or protocol in the UK, there is much to support the elements required in a tailored intervention as reported in the Templer et al. (2017 ) paper referenced (page 19). Alienation cases are complex and it is unlikely that a single validated protocol will be forthcoming for all cases.

6. It is noted that "Cafcass Cymru does not provide advice or recommendations as to interventions when alienating behaviours has been found to be the key feature in the case" )page 13). We would ask what this means in practice when alienation has been determined. If Cafcass Cymru are unable or unwilling to offer advice or recommendations, when they do so in all other cases – how can they effect their responsibilities? This seems to suggest that Cafcass Cymru staff are not sufficiently trained to protect children from harm, which we sought to redress by raising our

petition. We would like reassurances on how Cafcass Cymru intend to address this issue in order that they can fulfil their statutory responsibilities.

7. There is insufficient acknowledgement of the impact of unwarranted and inappropriate influence and the likely discrepancy between a child's expressed views and their suppressed or influenced views. "The child's views should be reported directly, using their own words where possible, to bring this to life for the parents and court" (page 19). The child's views need to be clearly set within their individual context and experience, and need to be interpreted in light of this. There is an absence of understanding of children's behaviour around lying firmly established in the empirical evidence, particularly their willingness to lie in order not to upset someone they care about (Warneken & Orlins, 2015).

8. There is a lack of explanation in regards to how Cafcass Cymru will determine whether alienation "is so deeply entrenched that reintroducing time with the other parent (or 'forcing') a child against their expressed wishes would be very harmful" (page 20). While there is an indication that this will be undertaken on a case-by case basis (page 24), we remain concerned that practitioners have insufficient knowledge to carry out such a nuanced assessment. There is much evidence from practitioners who reintroduce children to a parent they profess to hate or fear, that distress is minimal, short-lived and far outweighed by the benefits of a continued loving, supportive parent-child relationship. It is the responsibility of a parent, or those with parental responsibility, to sometimes over-ride the expressed wishes of a child where it is clearly in the benefit of a child. It would not be acceptable for a child's refusal to attend school, or attend medical appointments to remain unchallenged or conceded to. We suggest that where all the evidence suggests that a child benefits from the involvement of two loving, caring, involved parents in their life, it would be unwise to give undue weight to a child's expressed views when these are clearly the result of alienation.

## Does it adequately address the issues that you raised?

In petition P-05-751 we proposed that the Welsh Government:

- Recognise 'Parental Alienation' as emotional abuse of children
- Commission and fund mandatory training for professionals including Social Work and Cafcass Cymru staff, in recognising Parental Alienation including pathways to protect children from harm.
- Establish and fund a national campaign to inform children and families about Parental Alienation and the harm that it causes.
- Place a duty on Welsh Ministers to act to protect children from abuse and harm where Parental Alienation has been identified.

We accept that Cafcass Cymru are not in a position to tackle points 3 and 4 of the petition – which should be addressed to other areas of Welsh Government.

In terms of point 1 the simple fact that the guidance cannot bring itself to include the words 'parental alienation' in the title is indicative of the failure to properly engage and provide the leadership that front line staff need. We detect from our engagement with senior management team within Cafcass Cymru that they do not fully accept the reality, significance or prevalence of parental alienation in the way that they clearly do accept the reality of domestic violence when perpetrated against women. On that basis we do not feel that Cafcass Cymru fully recognise that parental alienation is an emotional abuse of children.

In terms of point 2 we are unclear of the status of this guidance for front line FCAs. We know from Cafcass in England that take up of online training modules about parental alienation has been vanishingly low and we would hope that Cafcass Cymru will take steps to ensure that training on parental alienation is established on a compulsory footing. We are aware that extensive training modules have been designed on domestic violence – indeed we have contributed directly to the training materials around understanding the experience of male victims of domestic violence and abuse.

## Do you have further questions in response?

We would seek assurances from Cafcass Cymru on the following points

- How will the impact of this guidance and the prevalence of its use be monitored – both in terms of effectiveness for FCAs and in terms of the impact on children and families in Wales?
- Will Cafcass Cymru be commissioning training from experts in the field of parental alienation to support this guidance?

## Is there anything additional that you would like the Committee to know at this stage, in response to this document or as an update to the Committee?

Our charity is developing a Parental Alienation Risk Indicator checklist in collaboration with professionals who are expert in this field to assist in the recognition of this form of abuse. We would be happy to share this tool when complete with the Committee and Welsh Government

We would also seek to encourage Cafcass Cymru to more explicitly recognise the reality that parental alienation is an integral part of an understanding of the wider coercive and controlling behaviour framework. This is true both for the alienated child and for the alienated parent. We recognise that this perspective challenges the feminist interpretation of coercive and controlling behaviours that appear to be prevalent in the approach taken by Cafcass Cymru and others.

**Paul Apreda, National Manager – October 2019**

**P-05-870 Let's Get Every Young Heart Screened (Age 10-35)**
This petition was submitted by Sharon Owen having collected a total of 3,444 signatures.

**Text of Petition**
We call on the National Assembly for Wales to ask the Welsh Government to roll out a heart screening programme to all young people between 10 and 35 in Wales. Hundreds die each year in Wales from an undiagnosed heart condition and a simple ECG will identify most cardiac abnormalities so that conditions can be managed effectively.

Heart screening sessions involve a short 5-10-minute test which is quick and painless and able to detect most heart abnormalities and could save hundreds of lives in Wales. In the Veneto region of Italy, where heart screening programme has been undertaken for 25 years the number of young athletes, male and female, dying of sudden cardiac arrest fell from one in 28,000 each year to one in 250,000, according to a 2006 study published in the Journal of the American Medical Association.

**Additional Information**

**Assembly Constituency and Region**
- Cardiff West
- South Wales Central

British Cardiovascular Society

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Professor Simon Ray BSc MD FRCP FACC FESC
President

Janet Finch-Saunders AC/AM
Cadeirydd/Chair
National Assembly for Wales
Cardiff Bay
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3rd July 2019

Dear Janet,

Thank you for contacting the British Cardiovascular Society about the petition for screening of young people aged between 10 and 35 in Wales. I have sought expert advice from within the Society. This is a controversial area with strongly and sincerely held views both for and against screening. The British Cardiovascular Society does not have a formal position on screening of this nature and supports ongoing research into the potential benefits of this and other screening programs.

With best wishes,

Prof Simon Ray
President, British Cardiovascular Society

*'Promoting excellence in cardiovascular care'*

**BHF Cymru response to petition: P-05-870: Heart screening for 10-35 year-olds**

Janet Finch-Saunders AM,
Chair of the Petitions Committee,
National Assembly for Wales

SeneddPetitions@Assembly.Wales

September 2019

We thank the Petitions Committee for asking us to outline our position on heart screening. Below we have set out our position and the evidence for this, as well as the work of the inherited heart conditions programme underway in Swansea Bay Health Board.

**Overview**

- We support targeted expert assessment of families with high risk of inherited cardiac disease or where there has been a sudden unexplained death but there is insufficient evidence for the usefulness of universal screening.

- The BHF supports individuals having an increased understanding of their family's medical history. So, if a family member has died suddenly, particularly at a young age, they would be advised to discuss this with their GP, with a view to getting themselves screened and assessed at an inherited heart conditions service, where appropriate.

- The BHF supports cascade testing of individuals who have a first degree relative who has died suddenly and no cause of death has been established (and post mortem reveals a structurally normally heart) or who has been diagnosed with an inherited heart condition.

- While sudden death in the young is particularly tragic, it is also thankfully relatively rare.

**Policy Statement: Cardiac Screening for Professional Athletes**

Sudden death in young adults is usually caused by ventricular fibrillation (VF), a chaotic heart rhythm disturbance that causes the heart to stop pumping blood around the body and to the brain, also known as cardiac arrest. It is invariably

fatal unless cardiopulmonary resuscitation (CPR) is immediately performed and a defibrillator is used to help shock the heart back into a normal rhythm. There are several conditions that can cause VF in young athletes. Hypertrophic cardiomyopathy (HCM) is the most common, but there are other, rarer conditions that predispose an individual to sudden death due to genetic mutations.

While sudden death in athletes is rare (between 1 in 50,000 and 1 in 100,000 cases annually), it is two to four times more common in athletes than in non-athletes[1]. Following the tragic deaths of high profile athletes, screening professional athletes for heart disease has been a significant topic for debate in the UK for the past few years.

**BHF Position**

The BHF supports targeted expert assessment of families where there is a high risk of an inherited cardiac disease, or where there has been a sudden unexplained death.

However, at present we are not calling for a publicly-funded screening programme for all professional athletes. While a proportion of people may be identified that have an underlying heart condition, screening is not yet at a scientific level of precision whereby all people at risk of sudden cardiac death can be accurately predicted. Misleading screening results can have potentially damaging consequences for healthy athletes and their families.

Many professional sports organisations offer some form of screening for their athletes. Where this occurs, it is essential that the results are interpreted by experts and that the athletes concerned are aware of both the benefits and limitations of such screening.

In the future, we anticipate that the accuracy of screening will improve to a level whereby a combination of ECG, echocardiography and genetic testing could be used to screen all athletes.

**Background**

Standard cardiovascular risk assessment screening – the type that ideally all adults over the age of 40 should have periodically – would not pick up most of the conditions that cause sudden death in young athletes. Until more evidence is available, physicians have a duty of shared decision-making with athletes when

[1] Ferreira M, Santos-Silva PR, de Abreu LC, Valenti VE, Crispim V, Imaizumi C, Filho CF, Murad N, Meneghini A, Riera AR, de Carvalho TD, Vanderlei LC, Valenti EE, Cisternas JR, Moura Filho OF, Ferreira C. Sudden cardiac death athletes: a systematic review. Sports Med Arthrosc Rehabil Ther Technol. 2010 Aug 3;2:19. Available at: http://www.ncbi.nlm.nih.gov/pubmed/20682064

discussing the risks and uncertainties of intense exercise in those with underlying cardiovascular conditions[2].

In contrast, signs of an underlying risk of sudden death can sometimes be picked up by an ECG or an echocardiogram. But these tests are often difficult to interpret, not least because athletes' hearts undergo physiological changes that produce ECG or echocardiographic features that, if found in a non-athlete, would indicate an underlying heart condition, whereas in an athlete may be normal. Multiple gaps in evidence strongly indicate that implementing pre-participation cardiovascular screening of athletes on a large scale would be premature[3].

A statement released by the BMJ (2016) states that overall, 25% of people with a condition that may lead to a sudden cardiac death would not be identified, and that up to 5% of healthy people can be suspected of having cardiac disease. The high number of false positives associated with screening programmes leads to over-diagnosis, which for some can cause health-related anxiety and psychological trauma. Athletes may also be restricted or prevented in certain sporting activities unnecessarily and experience issue with employment and insurance throughout their lives[4].

Most conditions that can cause sudden death in the young are genetically determined. However, understanding of the DNA variations that do and do not lead to an increased risk of sudden death is not yet sufficiently advanced to allow reliable DNA screening for all the mutations that lead to HCM and other potential sudden death syndromes. In the future, it may be possible for a DNA test, possibly combined with an ECG and echocardiogram, to reliably identify most people at risk of developing these conditions.

High profile cases where athletes have suffered cardiac arrests have often led to calls that all athletes should be regularly screened to detect anomalies in the heart that could trigger a cardiac arrest in the future, even though, in some cases, the individuals concerned had undergone screening and been passed as normal.

When screening for genetic or congenital cardiovascular abnormalities, American Heart Association Guidelines recommend that physicians should use the AHA's 14-point screening guidelines combined with a history and physical examination[5].

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[2] Sharma, S. and D'Silva, A. (2017) *Management of young competitive athletes with cardiovascular conditions,* Available at: *https://heart.bmj.com/content/103/6/463*

[3] Sharma, S. (2013) *Cardiac Screening Before Participation in Sports.* New England Journal of Medicine 369;21

[4] British Medical Journal (2016) *Screening young athletes to prevent sudden cardiac arrest not proven to save lives,* Available at: *https://www.bmj.com/company/wp-content/uploads/2016/04/Athlete-screening.pdf*

[5] American Heart Assocation (2014) *American Heart Association 14-Element Screening (Maron BJ Circulation 2014,* Available at: *http://med.stanford.edu/content/dam/sm/ppc/documents/HSupervision/AHA_14-point.pdf*

The 14-point guideline includes the following assessment: chest pain or pressure related to exertion; unexplained syncope or pre-syncope; dyspnoea, fatigue, or palpitations related to exercise; history of a heart murmur; elevated blood pressure; previous restrictions from sports; previous cardiac testing; family history of premature death; family history of disability from heart disease; family history of hypertrophic or dilated cardiomyopathy, long-QT syndrome, or other ion channelopathies, Marfan syndrome, significant arrhythmias, or specific genetic cardiac conditions; heart murmur on examination; femoral pulses for aortic coarctation; physical examination findings consistent with Marfan syndrome; and brachial artery blood pressure[6].

The use of 12-lead ECG or echocardiography should not be limited to competitive athletes and may be considered as part of screening in smaller cohorts of young (12 to 25 years of age)

However, universal screening of the general population of young persons with 12-lead ECG is not recommended, regardless of athletic status. When utilized, the limitations of 12-lead ECG as a population screening test (e.g., false-positive or negative results) and cost should be taken into account.

Most data place these cardiovascular sudden deaths in the range of approximately 1 in 80,000 to 1 in 200,000 participants per year.

**Evidence**

In July 2008, the BMJ carried an editorial which backed a systematic pre-participation screening programme for all competitive athletes. This would use a comprehensive personal and family history questionnaire, physical examination, and screening using an ECG to identify those at risk of sudden cardiac death. This recommendation was based on a study published in the same edition which analysed data from 30,065 Italian athletes who underwent a complete pre-participation cardiovascular evaluation including resting and exercise ECGs[7]. However a subsequent study of British athletes to identify HCM suggests that screening was not cost-effective, as several thousand athletes would have to be screened to identify one with HCM[8]. A screening programme for all athletes may not therefore be appropriate for public funding.

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[6] Barry J., Maron, M.D., Benjamin, D., Levine, MD., Reginald, L., Washington, MD., Aaron, L., Baggish, MD., Kovacs, RJ, Martin, S., (2015) 'Eligibility and Disqualification Recommendations for Competitive Athletes With Cardiovascular Abnormalities: Task Force 2: Preparticipation Screening for Cardiovascular Disease in Competitive Athletes A Scientific Statement From the American Heart Association and American College of Cardiology.', *American Heart Association Journal,* 132(1), pp. 267-272.

[7] Asif, I., M., Drezner, J., A., and O'Connor, F., G., (2016) 'Cardiovascular Preparticipation Screening in Young Athletes Looking Through One Lens', Sports Health, 1(9), pp. 19-21.

[8] Basavarajaiah S, Wilson M, Whyte G, Shah A, McKenna W, Sharma S. Prevalence of Hypertrophic Cardiomyopathy in Highly Trained Athletes: Relevance to Pre-Participation Screening. J Am Coll Cardiol. 2008 Mar 11;51(10):1033-9. Available at: http://www.ncbi.nlm.nih.gov/pubmed/18325444

It is also important to note that different screening models (with or without ECG) offer their respective benefits and limitations, but the absence of clear outcomes-based evidence precludes any universal policy for all athletes. It is also clear that some athletic groups are at substantially higher risk of sudden cardiac arrest and death (SCADS) than others, and a "one size fits all" approach is not appropriate. There is limited evidence to support the new guidelines from the American Heart Association.

Malhotra, A. et al. (2018)[9] investigated outcomes of cardiac screening in adolescent football (soccer) players in the UK. Diseases that are associated with sudden cardiac death were identified in 0.38% of adolescent football players in a cohort that underwent cardiovascular screening. The incidence of sudden cardiac death was 1 per 14,794 person-years, or 6.8 per 100,000 athletes. Most of these deaths were due to cardiomyopathies that had not been detected on screening.

The English Football Association (FA) has run a mandatory cardiac screening program for adolescent athletes in the United Kingdom since 1997 to determine the incidence and causes of sudden cardiac death in this well-defined population of previously screened football players. Each athlete was classified in one of three categories on the basis of the evaluation: normal; further evaluation needed, if an abnormality was detected that required further investigation to confirm or refute the presence of cardiac disease; or cardiac disease detected.

The last category was sub-classified into disorders that are associated with sudden cardiac death or those encompassing congenital septal and valvular conditions that were followed up every 2 years at regional centres.

Following this, decisions to disqualify such athletes were made by the FA cardiology consensus panel after discussions in accordance with current exercise recommendations of the European Society of Cardiology and the American Heart Association.

During the course of these assessments, of the 8 sudden cardiac deaths that occurred, 6 (75%) were in athletes who had normal findings during preliminary screening.

A BMJ review (2016)[10] revealed that while the pre-participation physical evaluation (PPE) may serve many purposes, the ability to identify athletes with cardiac disorders at potential risk of SCADS through a screening history questionnaire and physical examination is significantly limited.

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[9] Malhotra, A. et al (2018) Outcomes of Cardiac Screening in Adolescent Soccer Players. New England Journal of Medicine 2018;379:524-34.

[10] https://www.bmj.com/company/wp-content/uploads/2016/04/Athlete-screening.pdf

A study by Landry et al (2017)[11] supports this further and revealed the incidence of sudden cardiac arrest during participation in competitive sports as 0.76 cases per 100,000 athlete-years. The occurrence of sudden cardiac arrest due to structural heart disease was uncommon during participation in competitive sports. The rarity of sudden cardiac arrest due to structural heart disease raises questions about the potential value of pre-participation screening.

The European Society of Cardiology also recommends that all European countries adopt such screening. This recommendation was based on an Italian study that found a sharp reduction in sudden deaths among athletes once mandatory screening among athletes was introduced (from 3.6 per 100,000 in 1980 to about 0.4 per 100,000 by 2004). However, there are concerns that this study included data only from the two years before the law was implemented when the sudden death rate may have been unusually high[12].

Since 1997, Israel has required ECG screening not only for competitive athletes, but for anyone who wants to join in an 'organised' activity: this includes joining a gym. A 2011 study focused on Israel looked at the decade preceding the screening laws implementation. Researchers compared rates of sudden death from cardiac arrest during the decade before the law with rates in the decade after. Findings indicated that before the law, there were about 2.5 deaths per 100,000 athletes each year; after the law, there were roughly 2.6 deaths per 100,000 each year – the authors therefore concluded that mandatory ECG screening of athletes had no apparent effect on their risk for cardiac death[13].

A 2010 US study screened 510 Harvard athletes with an ECG, with researchers also using echocardiography. Echocardiography results showed that 11 of the athletes had heart disease. But when limited to screening using medical history and physical examination alone only five of these cases were picked up, with two potentially serious heart abnormalities missed[14]. However, there are potential issues concerning false positive results. In the study, one in six athletes who were tested turned out to be a false positive – the authors reported that 'about 20 per cent of ECG screening results could be expected to turn up a potential problem, most of which would be false-positives'[15]. A false positive result could have serious

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[11] Landry et al (2017) Sudden Cardiac Arrest during Participation in Competitive Sports. New England Journal of Medicine 377;20

[12] Steinvil A, Chundadze T, Zeltser D, Rogowski O, Halkin A, Galily Y, Perluk H, Viskin S. Mandatory Electrocardiographic Screening of Athletes to Reduce Their Risk for Sudden Death: Proven Fact or Wishful Thinking? J Am Coll Cardiol. 2011 Mar 15;57(11):1291-6. Available at: http://www.ncbi.nlm.nih.gov/pubmed/21392644

[13] Ibid

[14] Baggish AL, Hutter AM Jr, Wang F, Yared K, Weiner RB, Kupperman E, Picard MH, Wood MJ. Cardiovascular Screening in College Athletes With and Without Electrocardiography: A Cross-sectional Study. Ann Intern Med. 2010 Mar 2;152(5):269-75. Available at: http://www.ncbi.nlm.nih.gov/pubmed/20194232

[15] Ibid

ramifications not just for the career of a young athlete, but also their chances to get life or medical insurance in the future, and for their families.

In a British Cardiovascular Society comment piece in 2012, it was highlighted that were results from other programmes replicated in the UK, 40 of the 196 sudden cardiac deaths that are expected each year could be prevented[16]. However, for each death prevented, it is estimated that 40,000 individuals would need screening and 791 athletes would be disqualified[17]. This net good/harm ratio does not therefore compare favourably with other national screening processes such as for colon or breast cancer, but may still be considered worthwhile in view of the consequences of sudden cardiac death in this young population.

However, the editorial stated that before such a scheme could be introduced in the UK further cost-effectiveness analysis would be necessary, and the infrastructure and funding would need to be put in place to provide trained experts to conduct screening, analyse the ECGs, and deal with the significant number of further specialist consultations that would be generated.

The UK National Screening Committee, who advise Ministers and the NHS in all four UK nations about all aspects of screening policy, considered its policy for HCM and risk of sudden cardiac death screening in 2008 (reviewed March 2015). The policy review concluded that the evidence did not support the introduction of screening, and that pre-participation screening of athletes for HCM or other causes of sudden cardiac death should not be instituted at present[18]. However, we are aware that at the time of writing (August 2019) the Committee has recently issued a call for evidence on Sudden Cardiac Death in 12 to 39 year olds.

**Recommendations of existing screening programmes**

The charity Cardiac Risk in the Young (CRY) runs a subsidised screening programme, offering ECG screening to all young people between the ages of 14 and 35. The charity advocates mandatory screening for all young athletes. CRY currently provides screening services for a number of professional sporting bodies, including the Lawn Tennis Association and a number of FA football teams[19].

The International Olympic Committee (IOC) has recommended, but not mandated, that all countries screen their athletes to minimise the risk of sudden cardiac

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[16] Taylor R. Editorial: Pre-participation screening for athletes in the UK. British Cardiovascular Society; 2012. Available at: http://www.bcs.com/pages/news_full.asp?NewsID=19792061

[17] Elston J, Stein K. Public health implications of establishing a national programme to screen young athletes in the UK. British Journal of Sports Medicine, 2011. 45(7): p. 576-582. Available at: http://www.ncbi.nlm.nih.gov/pubmed/19622527

[18] The UK National Screening Committee (UK NSC) (2015) *Screening for risk of sudden cardiac death not recommended,* Available at: *https://www.gov.uk/government/news/screening-for-risk-of-sudden-cardiac-death-not-recommended*

[19] https://www.testmyheart.org.uk/

death. According to the IOC, if an ECG raises suspicion of an underlying serious problem in an athlete, further tests should be performed[20].

**British Heart Foundation Activity**

- We continue to review any evidence presented that screening techniques have been suitably improved to the point at which they can confidently and consistently detect inherited heart conditions (IHCs) where an athlete is at risk of SCADS.
- We consider research applications that aim to better understand IHCs and SCADS in both athletes and the general public.
- The BHF runs the Genetic Information Service (GIS), which is a unique service where members of the public can speak to a senior cardiac nurse trained in practical genetics at master's level. The service provides information and support about inherited heart conditions to anyone, and our service is confidential. Where indicated, a facilitated referral via the caller's GP can be made to a specialist IHC centre for assessment and consideration for genetic testing.

**Inherited Heart Conditions testing in Wales**

- The Miles Frost Foundation started after Miles Frost, son of David Frost passed away in 2015 from an undiagnosed inherited heart condition, hypertrophic cardiomyopathy (HCM). The fund has allowed more research to take place into the condition and now supports specialist nurses across the UK to help diagnoses in families who may have inherited heart conditions.
- The BHF award for a nurse specialist post, genetic counsellor and vital admin support is for two years. Louise Norgrove is the specialist nurse funded across ABMU (now Swansea Bay) and Hywel Dda UHBs since November 2018.
- There is considerable evidence of the significant impact this is already having on improving testing, treatment and support for HCM. It is important that this service can be sustained after the first two years and also that it can be rolled out into other areas of Wales, to reach even more families.

[20] https://stillmed.olympic.org/media/Document%20Library/OlympicOrg/News/20090716-The-IOC-Consensus-Statement-on-Periodic-Health-Evaluation-of-Elite-Athletes/EN-Health-Evaluation-of-Elite-Athletes-2009-report-1448.pdf#_ga=2.135516209.1617059244.1547820806-189988006.1547820806

**P-05-870 Let's Get Every Young Heart Screened (Age 10-35), Correspondence – Petitioner to Committee, 09.10.19**

To whom it may concern,

1) Welsh Hearts recognises that population screening for cardiac disease might be seen as controversial as evidenced by the fact that it is not already currently routinely taking place elsewhere.

2) There is a suggestion from the Wales Hypertrophic Cardiomyopathy genetic testing service that the genetic prevalence of susceptible genes in Wales is different from the data in published the literature. This suggests the possibility that published international screening studies may not always be applicable to the Wales population, and the negative cost/benefit conclusions from some studies may not be relied upon.

3) The screening events that Welsh Hearts has already untaken has found a higher incidence of both life-limiting and life-affecting cardiac conditions than that published in the literature.

4) There is therefore an opportunity for Welsh Government to support Welsh Hearts to obtain valuable screening data on a smaller scale to more fully inform decisions about wider population screening in the Welsh population.

Justin Taylor
Cardiologist and Medical Lead for Welsh Hearts

We still remain very committed to screening  and when we can offer as many heart screenings as possible for free we will continue to do so but as a small charity we can't keep offering these for free without large donations. We have set up The Ben McDonald Heart Screening Fund for Wales so any donations will go towards free screening sessions.

In view of what happened at this year's Cardiff Half Marathon more needs to be done to screen these young athletes!

Sharon Owen

# Agenda Item 3.16

## P-05-892 Appoint a Learning Disability Commissioner for Wales

This petition was submitted by Cardiff People First having collected 145 signatures online and 423 on paper – a total of 568 signatures.

### Text of Petition

We call on the National Assembly for Wales to appoint a Learning Disability Commissioner for Wales. This must be a person with a learning disability.

They are more reports of abuse of people with a learning disability in England again. Research also shows that people with a learning disability get unequal healthcare and die up to 20 years earlier than others. It's 50 years since the Ely Hospital report showed abuse and led to the closure of these institutions. As the organisation set up by people leaving Ely, we believe it is time that we had someone to champion our rights for us at a Welsh level.

### Assembly Constituency and Region

- Cardiff West
- South Wales Central

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

Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref Petition P- 05-892
Ein cyf/Our ref VG/07379/19

Janet Finch-Saunders AM
Chair – Petitions Committee
National Assembly for Wales
Ty Hywel
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Government.Committee.Business@gov.wales

13 August 2019

Dear Janet,

Thank you for your letter of 29 July following your Committee's consideration of my letter of 20 June. I note the further comments relating to the petition for a Learning Disability Commissioner.

You ask how people with a learning disability are supported to engage in self-advocacy. Securing strong voice and control for individuals is a key principle of the Welsh Government. The approach we have taken is to embed advocacy within the Social Services and Well Being (Wales) Act 2014, ('The Act') accompanied by a dedicated Part 10 Code of Practice (Advocacy), (The Code).

The Code under the 2014 Act recognises self-advocacy as an important form of advocacy. The Code also stipulates that local authorities and local health boards must utilise the outcomes from their shared population assessment to inform commissioning and partnership arrangements under Part 9 of this Act, for the provision of advocacy services. Advocacy includes the full range of provision set out in Chapter 8 of the Code of Practice, which includes self-advocacy.

The Code sets out the requirement for local authorities to ensure that access to advocacy services and support is available to enable individuals to engage and participate when local authorities are exercising statutory duties in relation to them.

A Technical Group is currently providing advice in updating the Code to align with the requirements which were placed on regulated service providers from the end of April 2019, when the Regulated Advocacy Services (Service Providers and Responsible Individuals) (Wales) Regulations 2019 came into force.

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I maintain the view that we do not need a Learning Disability Commissioner at this time. We are committed to improving the lives of all people with a learning disability in Wales. The best way of achieving this is through the implementation of the 24 recommendations in the Learning Disability Improving Lives Programme.

Yours sincerely,

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

## Response from Cardiff People First 4 October 2019

We are happy that the current Welsh Government thinks that it is important that people with a learning disability have more control of their lives.

But we know that governments can change and have different priorities, and without the protection of a Commissioner to stand up on behalf of self advocacy, and on behalf of individuals, there is no guarantee of self advocacy being a priority in future.

We also know that self advocacy organisations are in danger all across Wales, and they are the only way that individuals can have a true voice of their own. If there is no self advocacy organisation that can support an individual, then they have no way of challenging the decisions of their local authority in denying them advocacy.

We know that in local authorities across Wales the voices of people with a learning disability are still being ignored, services are run for them rather than by them and their voice is being taken away.

Please ask the Minister:

- how he can measure how well a local authority is actually implementing their duties under the SSWB Wales Act
- how many people with a learning disability are employed by each local authority, and how many of those are employed in roles that impact on policy
- how, in practice, can an individual with a learning disability challenge a decision by a local authority under the SSWB Wales Act ? And what steps are being taken to ensure that every individual with a learning disability in Wales is aware of this procedure and able to use it?

We would also like to make the Minister aware that All Wales People First will be having a national consultation on supporting the call for a Learning Disability Commissioner in Wales, as their membership has previously fully supported it.