

## Agenda – Petitions Committee

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Meeting Venue:

Committee Room 1 – Senedd

Meeting date: 5 November 2019

Meeting time: 09.00

For further information contact:

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

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### 2 New petitions

2.1 P-05-904 Ban the use of animals from circuses and travelling shows in Wales

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Cynulliad  
Cenedlaethol  
Cymru

National  
Assembly for  
Wales

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# Agenda Item 2.1

## **P-05-904 Ban the use of animals from circuses and travelling shows in Wales**

This petition was submitted by Linda Joyce-Jones, Kirsty John and Jayne Dendle having collected 849 signatures online and 800 on paper, a total of 1,649 signatures.

### **Text of Petition**

We call on the National Assembly for Wales to ask the Welsh Government to ban the use of animals in circuses and travelling shows in Wales.

On July 17th 2018 the First Minister of Wales Carwyn Jones AM said

" Finally Llywydd, we will bring forward a Bill to ban the use of wild animals in travelling circuses. Animal welfare is a priority for this government and the way we treat animals is an important reflection of the values of our society. Circuses are legitimate businesses and it is not our intention to outlaw all forms of circus entertainment in Wales. But the use of wild animals in circuses in this context is outdated and ethically unacceptable. We will prohibit their use in travelling circuses ."

Circus is an art form in its own right. While in the past it has been strongly connected with the use of animals, it is clear that the public's taste in such matters have changed considerably in recent years. This is demonstrated by the increasing number of all human circuses, together with the success they enjoy. While these shows often play to full audiences and face no protesters outside, it's safe to say the reverse is true in respect of the remaining circuses and travelling shows that use animals, even those using animals not defined as wild.

### **Additional Information**

Many states and Countries are banning all animals in circuses and travelling exhibitions. Italy (long associated with the animal circus industry) are set to do this next year. The welfare concerns around the use of wild animals in circuses such as constant travel, loading and unloading, forced performance, together with inadequate and unnatural social environments apply to all animals used in this way.

Their use should be banned from any travelling show which is purely for people's entertainment and to make people money for example a commercial enterprise. Sadly last year the Cabinet Secretary for Environment Planning and Rural affairs Lesley Griffiths AM, indicated the Welsh Government would licence "mobile animal exhibits".

**Assembly Constituency and Region**

- Arfon
- North Wales

# Petition P-05-904: Ban the use of animals from circuses and travelling shows in Wales

Y Pwyllgor Deisebau | 5 Tachwedd 2019  
Petitions Committee | 5 November 2019

**Reference:** RS19/10596-1

**Petition Number:** P-05-904

**Petition title:** Ban the use of animals from circuses and travelling shows in Wales

**Text of petition:**

We call on the National Assembly for Wales to ask the Welsh Government to ban the use of animals in circuses and travelling shows in Wales.

On July 17th 2018 the First Minister of Wales Carwyn Jones AM said "Finally Llywydd, we will bring forward a Bill to ban the use of wild animals in travelling circuses. Animal welfare is a priority for this government and the way we treat animals is an important reflection of the values of our society. Circuses are legitimate businesses and it is not our intention to outlaw all forms of circus entertainment in Wales. But the use of wild animals in circuses in this context is outdated and ethically unacceptable. We will prohibit their use in travelling circuses."

Circus is an art form in its own right. While in the past it has been strongly connected with the use of animals, it is clear that the public's taste in such matters have changed considerably in recent years. This is demonstrated by the increasing number of all human circuses, together with the success they enjoy. While these shows often play to full audiences and face no protesters outside, it's safe to say the reverse is true in respect of the remaining circuses and travelling shows that use animals, even those using animals not defined as wild.



Many states and Countries are banning all animals in circuses and travelling exhibitions. Italy (long associated with the animal circus industry) are set to do this next year. The welfare concerns around the use of wild animals in circuses such as constant travel, loading and unloading, forced performance, together with inadequate and unnatural social environments apply to all animals used in this way.

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## 1. Background

### The Wild Animals and Circuses (Wales) Bill

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On 8 July, the Minister for Environment, Energy and Rural Affairs ('the Minister'), Lesley Griffiths AM, introduced the Wild Animals and Circuses (Wales) Bill ('the Bill') to the Assembly.

The policy objective of the Bill is to prohibit the use of wild animals in travelling circuses in Wales on ethical grounds. A wild animal is 'used' if the animal 'performs' or is 'exhibited'. There are currently two travelling circuses using wild animals in the UK, both regularly visit Wales.

**The Welsh Bill will not affect the use of domestic animals in travelling circuses. Nor will it affect the use of animals for entertainment in other settings such as other 'Animal Exhibits' (described below) including static circuses.**

Wales is the latest country in the UK to introduce legislation to ban the use of wild animals in travelling circuses. *The Wild Animals in Travelling Circuses (Scotland) Act 2018* ('the 2018 Scottish Act') received Royal Assent on 24 January 2018 and came into force the next day. The UK *Wild Animals in Circuses (No.2) Act 2019* ('the 2019 UK Act') received Royal Assent on 24 July 2019 and will come into force in January 2020.

A Research Service Briefing provides a background to the issues.

The Bill is currently being considered by the Climate Change, Environment and Rural Affairs (CCERA) Committee (Stage 1 scrutiny).

In evidence to the CCERA Committee, some stakeholders have highlighted the issue of the ban being limited to the travelling circuses and have raised questions around the ethics and animal welfare of other Animal Exhibits. Some have argued that if the proposed ban

on using wild animals in traveling circuses is based on ethical grounds, this should also extend to domestic species. Others believe that the same ethical argument does not apply to domesticated animals.

### Animal Exhibit licensing

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Animal Exhibits can display domestic and wild animals, and include exotic pet displays, falconry and hawking displays and reindeer events. They are used for educational school visits, themed events, parties, weddings, fêtes and corporate functions.

On 29 August 2019 the Welsh Government published a consultation on draft Regulations; *The Animal Welfare (Licensing of Animal Exhibits) (Wales) Regulations 2020* and guidance. The Regulations would be introduced under the *Animal Welfare Act 2006*. The accompanying written statement says:

The draft Regulations provide a licensing scheme for all Animal Exhibits (AEs) based in, and visiting, Wales which meet a given criteria; it allows checks to be made to ensure good welfare standards are met at their home base, in transport and during exhibition.

The Welsh Government says that a key principle behind the licensing scheme is to develop 'respectful and responsible attitudes towards animals' and for that purpose, the draft Regulations introduce a new requirement for licensed Animal Exhibits to 'promote public education and raise awareness of the species kept'. This is already a requirement for licensed zoos.

Under the draft Regulations the licensing scheme will cover keeping, training and exhibiting animals in Wales where those animals are being used for exhibition for educational or entertainment purposes.

Please note, the petition text uses the terminology 'Mobile Animal Exhibits'. The Welsh Government's original consultation was around Mobile Animal Exhibits but the scope was later broadened to include all 'Animal Exhibits' (including static exhibits).

In summary, the Welsh Government is using different approaches for regulating the use of animals in travelling circuses and Animal Exhibits; a ban on ethical grounds and a licensing scheme on animal welfare grounds respectively.

## 2. Welsh Government action

The Minister's letter to the Petitions Committee on this matter outlines details of the Bill and licensing scheme described above. She offers the Welsh Government's justification for the different approaches:

The [Wild Animals and Circuses (Wales)] Bill does not affect the use of domesticated animals in travelling circuses, nor does it prevent wild animals being used for entertainment in other settings. There are not the same fundamental ethical objections to the use of animals in these other settings as there are for the use of wild animals in travelling circuses. There are differences with regards to the types of species kept, the conditions in which they are kept and how they are used or displayed.

## 3. National Assembly for Wales action

As mentioned, the Bill is currently being considered by the CCERA Committee. The Committee initially took evidence from the Minister on 18 July on the Bill.

Members asked the Minister for her views on the ethical acceptability of using domesticated animals in travelling circuses. She said:

So, there are not the same fundamental ethical objections to the use of domesticated animals in travelling circuses as there are to wild animals. You use the example of a horse, The example that I was given [...] was in relation to showjumping. So, you could say that it's comparable—what horses do in showjumping to what they would do in a circus. [...] I think it appears that showjumping is acceptable to society in a way that the use of wild animals in circuses isn't.

Members questioned the Minister on widening the scope of the Bill to include static circuses. She said:

So, at the moment, there are no static circuses in Wales. [...] That's not to say that, obviously, there couldn't be static circuses in the future, but they're not included in the ethical argument in the way that—. Obviously, with travelling circuses, it's a much weaker argument. So, an environment that's permanent could, arguably, be better adapted for an animal's needs than an environment that's constantly on the move, which obviously is the purpose of this Bill. So, that's the reason why.

The CCERA Committee launched a public consultation on the Bill over the summer recess which closed on 23 August. It received 24 written responses which are published on the Committee's website.

The Committee subsequently held 3 oral evidence sessions with; academics, animal welfare groups and circus representatives (18 and 26 September and 2 October).

The Committee then held a second scrutiny session with the Minister on 10 October. In reference to other types of Mobile Animal Exhibits she referred to the proposed Animal Exhibit licensing scheme.

The Committee will report on Stage 1 towards the end of the year.

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.



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref P-05-904  
Ein cyf/Our ref LG/06865/19

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Chair of the Petitions Committee

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24 September 2019

Dear Janet

Thank you for your letter of 11 September regarding 'Petition P-05-904 Ban the use of animals from circuses and travelling shows in Wales'.

I think it is important to put the issues raised into context and by way of background I provide information on the present status for both banning the use of wild animals in travelling circuses and the proposed licensing scheme for animal exhibits, which is out to consultation at the moment.

### **Banning the use of wild animals in travelling circuses in Wales**

I introduced the Wild Animals and Circuses (Wales) Bill on 8 July this year. The purpose of this important Bill is to ban the use of wild animals in travelling circuses in Wales; an ethically unacceptable and outdated practice which has no place in modern society. The use of wild animals in travelling circuses contributes little to further our understanding of wild animals or their conservation.

The Bill does not affect the use of domesticated animals in travelling circuses, nor does it prevent wild animals being used for entertainment in other settings. There are not the same fundamental ethical objections to the use of animals in these other settings as there are for the use of wild animals in travelling circuses. There are differences with regards to the types of species kept, the conditions in which they are kept and how they are used or displayed.

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

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



The Bill is at Stage 1 of the scrutiny process and, if successful, is scheduled to receive Royal Assent in May 2020.

## **Mobile Animal Exhibits**

In December 2017, following a public consultation, I announced my intention to introduce a licensing scheme for Mobile Animal Exhibits (MAEs) which meet a given criteria. I also used the public consultation to ask for views on banning the use of wild animals in circuses. There was overwhelming support from respondents for a ban. There are no circuses using wild animals based in Wales, but they do visit, and each time they do there are renewed calls to ban the practice. A later public consultation on a draft Bill attracted over six and a half thousand responses with 97% supporting the introduction of legislation to make it an offence for a wild animal to be used in a travelling circus.

However, the welfare of other animals being exhibited is also important to me. Since the 2017 consultation on MAEs, I have extended the scope to include 'all' Animal Exhibits (AEs), including those which are static in Wales. I launched a consultation on a licensing scheme for all AEs based in or visiting Wales to address concerns welfare standards are not routinely assessed in AEs.

The six week public consultation on the draft Regulations and accompanying Guidance was launched on 29<sup>th</sup> August and can be found at <https://gov.wales/animal-exhibits>

Whilst I cannot pre-empt the outcome of the consultation, the intention is the Regulations will play a key role in ensuring that the welfare standards of exhibited animals, including the domesticated species which continue to be used in travelling circuses, will be subject to regulation, maintaining robust standards and ensuring animals are exhibited in a way which encourages respectful and responsible attitudes towards all species. This approach is intended to deliver a scheme which will have a lasting impact on the welfare of exhibited animals and on the attitudes towards animals of future generations in Wales.

I can assure the Petitions Committee the development of the licensing scheme is to reinforce Welsh Government's commitment to ensure the highest welfare standards for all animals kept and exhibited in Wales and clearly demonstrate to visitors and residents of Wales alike that we are a nation of animal lovers and the welfare of all exhibited animals is taken seriously.

I urge everyone to read and respond to the consultation to ensure comments are taken into consideration in my final deliberations.

A handwritten signature in black ink, reading 'Lesley Griffiths'.

**Lesley Griffiths AC/AM**

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

## Submission to the Welsh Assembly's Petition Committee

### Petition P-05-904 - Ban the use of animals from circuses and traveling shows in Wales.

Thank you for asking us to provide this submission in support of the above petition. Which is a matter devolved to the Welsh Assembly and Government.

#### The current position

The Welsh Government announced its intention to bring legislation forward to ban the use of wild animals in circuses in Wales after Linda's previous petition. Which also triggered a debate on the floor of The Senedd.

The Wild Animals and Circuses (Wales) Bill is currently on its scrutiny journey but it is hoped that legislation will be brought forward by May 2020. England are banning from January 2020. This legislation in Wales is being brought forward **on ethical grounds**.

Since we launched our petition the Welsh Government have opened a consultation on a licensing system for Animal Exhibits. This will include the remaining animals used in traveling circuses in Wales that are not defined as wild. The purpose of this licensing system is one " **that requires that animals are exhibited in a way that encourages respectful and responsible attitudes towards all species** " .

Although there are currently no animal circuses based in Cymru they do tour Wales. Circus Mondeo has toured Wales every year for over a decade they usually visit from April until mid July. Peter Jollies Circus last visited in 2017, they usually stay around the area located close to the English border such as Telford and Wrexham as their home base is in Shropshire. Thomas Chipperfield and Anthony Beckwith toured Wales with their educational show " An Evening with Lions and Tigers " in 2015. Thomas Chipperfield now holds a licence to exhibit animals together with a licence to keep wild animals (under the Dangerous Wild Animals Act 1976) . Both issued by DEFRA.

#### The present licensing system in England.

Because of the Welsh Government's consultation I think it may be of some benefit to look at the licensing system currently in force in England. The UK Government said that their licensing system would cover all aspects of life for a wild animal in a travelling circus environment including:

**Good accommodation and housing whilst being transported at a performance, and in winter quarters.**

**Full veterinary care.**

**Controlling carefully who has access to the animals.**

**Diet including food storage, preparation and provision.**

## **Environment such as noise and temperature.**

## **Welfare during training and performance.**

However the licensing documents in the public domain paint an altogether different picture. These licence inspection reports concerning Circus Mondao are an example of the issues with reference to accommodation and housing.

<https://www.gov.uk/government/publications/reports-on-2-circuses-between-26-june-2014-and-22-january-2015>

At the time of the above unannounced inspection (at the animals winter quarters) the Inspector also raised concerns about the animals veterinary treatment. It became clear to him during this unannounced inspection that Circus Mondao were self-medicating their animals, including their baby Camel (who was born on the road in Wales the previous year). The camel had "open and weeping sores on each of its legs". Circus Mondao's licence was instantly suspended, later to be reinstated, but only on certain conditions; one being that they wouldn't take their wild animals back to this location. They did exactly this in April 2017, with DEFRA having to insist certain animals were returned to their home base while they were at this location. This is not an isolated incident, DEFRA Inspectors have raised concerns many times in regards to members of the public having unsupervised access to their animals after the circus .

Our point has always been that if this can happen to a animal defined as wild, then why not a " domestic " animal?

While giving evidence this year to the UK Government's scrutiny Committee on wild animals in circuses. Carol MacManus (of Circus Mondeo) was asked if there was any animal that couldn't be used in a circus. Ms MacManus replied  
" No " .

## **Enforcement.**

A problem with any licensing system is the effective policing of it. In Wales we face challenges particular to us due to large parts of our Country being very rural. The required licence in the new system will be issued by the Council where the circus or traveling show is based . But the monitoring and enforcement of the licence will fall to the local authority in the area the circus visits . When I met with Councillor Dafydd Meurig and [REDACTED], Public Protection Manager - Pollution Control and Licensing of Gwynedd Council. They made it clear to me the challenges a visiting circus presents to their already stretched department. Ms Roberts also stated her colleagues felt they were operating with "one hand tied behind our backs " . They can be refused entry to the private land to inspect the conditions the animals are kept in. Ms Roberts also admitted as far as the animals go " we can only really check if their basic needs are provided for, and that they are moving around normally and their eyes, coats etc look okay " . When Thomas Chipperfield visited Gwynedd in 2015 she stated that she was faced with "very challenging circumstances " when she and a colleague inspected them. If any concerns are identified then action can be taken, for instance to contact the RSPCA or Animal Health. But they often need police assistance to gain entry. By which time the circus has moved on, usually the longest period they remain in one spot in Wales is seven days. There has been only two successful prosecutions for animal cruelty in relation to animal circuses in England. Many think the constant traveling nature of a circus adds greatly to the issues of effective enforcement and successful prosecutions.

## **Public Opinion.**

If I am honest I was a little unsure how the public would react to supporting this petition in relation to the all animals angle. I ( Linda ) collected nearly half the total of signatures submitted on paper form . At Bangor University's Freshers Fair this September, at Caernarfon Food Festival in April. The most common comment made by people was " I thought this had already been banned " together with " I don't see the difference between using wild animals and other animals in a circus " . People willingly and enthusiastically signed from all sections of the community, age and gender having no bearing on people's opinion in this matter.

In the recent consultation carried out by the Welsh Government 97% of respondents chose to answer only one question - that of banning the use of wild animals in circuses in Wales. However "**many respondents called for an all- animal ban, suggesting the welfare concerns of wild animals in these conditions would also apply to domestic animals. Similarly some argued that if a ban is on ' ethical grounds ', these should apply to all animals "**

\*Page 15 Wild Animals in Traveling Circuses : Research Briefing National Assembly for Wales Senedd Research.

The Cabinet Secretary Lesley Griffiths AM at the recent Climate Change and Environmental Committee meeting admitted that when an animal circus is touring Cymru her " post bag " is full of correspondence . All expressing concern that this practice is happening. Unlike the all human circuses, those circuses that use animals also encounter protesters outside their venues .

## **Economic benefit to Wales.**

Traveling circuses are quite self contained operation's. They come with their show and crew already established and in place. They move from one venue to the other only staying in each venue Sunday to Sunday, with two shows daily from Wednesday until Saturday and one show on Sunday afternoon. A team goes ahead to the new area illegally putting up posters which is counted as fly posting. It's left to our already stretched and under funded local councils to remove these posters. They carry and sell their own merchandise, none of which is produced in Cymru. Non of it reflects our Welsh culture or makes any concession to our thriving Welsh Language.

I think one of the reasons Circus Mondeo tours Wales every year is because of our thriving tourist industry.

I have spoken to one of the major holiday cottage letting companies here in North Wales, who have been established for over forty years. One of their Directors stated " we often get asked by guests about our local attractions such as Zip World, Snowdonia Surf, Bodnant Gardens, Festival No 6 ( when it took place ) . The Welsh Highland Railway, various Food Festivals, the way people book our cottages can depend on the above . But we have never had any enquires in regards to animal circuses ".

In short the animal circuses come, make their money and go .

## **The traveling circus environment .**

The need for the circus to be taken down and put up weekly, means that the animals are kept in temporary very sparse housing with little enrichment. The size of the vehicles they travel in are constricted by the size of our roads. The constant loading and unloading of the animals can often

put them at risk of injury. The traveling aspect of the business dictates everything, in the life of the animals and humans involved in traveling circuses.

The aspect of forced performance together with the " training " that makes this happen, are a great concern to many people.

I would say that this lifestyle - constantly " on the road " together with forced performance goes against the " five freedoms or welfare needs " as laid out by the Animal Welfare Act ( England and Wales) 2006.

**Freedom from hunger and thirst**

**Freedom from discomfort**

**Freedom from pain injury or disease**

**Freedom from fear and distress**

**Freedom to exhibit normal behaviour patterns**

**The response from Lesley Griffiths Cabinet Secretary for Environment Planning and Rural Affairs.**

I am most grateful to Lesley for her response dated 24/09/19, which also clarified the Welsh Government's position. Lesley stated in regards to the use of wild animals " **it's ethically unacceptable and an out dated practice that has no place in a modern society** ".

We would agree with the above statement and see no reason why it cannot be extended to all animals.

**In conclusion.**

The subject of wild animals in circuses has long been debated within the Welsh Assembly and Government.

It could be argued that we could have led the way - set the standard in this matter. However two years after the Welsh Government announced that a ban would be brought forward, we are lagging behind the rest of the UK . With Scotland banning from May 2018, the Republic of Ireland January 2018 and England from January 2020.

With the current consultation this petition is very timely, and could be seen as breaking new ground. The purpose of this licensing system is one " **that requires that animals are exhibited in a way that encourages respectful and responsible attitudes towards all species** ". We struggle to see how this can be achieved.

Ethical grounds together with public opinion can clearly be demonstrated in regards to all animals used in circuses and traveling shows.

It's worth noting that several Members of the Welsh Assembly's Climate Change and Environmental Committee also expressed that opinion during their recent discussions in regards to the Wild Animals and Circuses

( Wales) Bill .

Should you require any more information we will try our very best to assist you .

Jayne Dendle - Swansea.

Kirsty John - Camarthan

Linda Joyce-Jones - Caernarfon

28/10/ 2019

## Agenda Item 2.2

### **P-05-905 Call for an Independent judicial Inquiry into the reorganisation of services within Cwm Taf Health Board**

This petition was submitted by Mark Adams and Robert Bevan having collected a total of 387 signatures.

#### **Text of Petition**

This petition calls on the Welsh Government to undertake a fully independent judicial inquiry into the management and implementation of the NHS South Wales programme at Cwm Taf Health Board and its impact on the services provided to the public of Rhondda Cynon Taff at the Royal Glamorgan Hospital.

#### **Additional Information**

There is great public concern regarding the transfer of services from Royal Glamorgan Hospital to both the Prince Charles Hospital and the Princess of Wales Hospital. These service transfers have had a major effect on residents of Rhondda Cynon Taf. Residents want to see the return of these services.

Rhondda Cynon Taf has a population of 235,000 with major housing developments taking place in the south of the borough and in the neighbouring authority of Cardiff which are close to the Royal Glamorgan Hospital. These developments will have additional impact on public services and in particular the Health Service and Social Care. Residents are continually raising concerns about access to these services since some of the changes have taken place. Issues such as journey times in the case of emergency treatment, ongoing attendances at clinics and the poor transport links for family and friends to visit – these are just some of the comments.

The service areas residents have major concerns about are;–

- Maternity –already subject to investigation
- Paediatrics
- Special Baby Care Unit

- Accident and Emergency Department
- Trips and falls by the elderly resulting in fatality whilst hospitalised
- Out of Hours services
- Cardiac Services
- Impact on GP / Primary Care services where practices are primarily run by locums, this is a chronic situation in the Rhondda in particular – failure to recruit GPs

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

- Pontypridd
- South Wales Central



# P-05-905 Call for an Independent judicial Inquiry into the reorganisation of services within Cwm Taf Health Board

Y Pwyllgor Deisebau | 5 Tachwedd 2019  
Petitions Committee | 5 November 2019

Reference: RS19/10596-2

## Introduction

**Petition number:** P-05-905

**Petition title:** Call for an Independent judicial Inquiry into the reorganisation of services within Cwm Taf Health Board

**Text of petition:** This petition calls on the Welsh Government to undertake a fully independent judicial inquiry into the management and implementation of the NHS South Wales programme at Cwm Taf Health Board and its impact on the services provided to the public of Rhondda Cynon Taff at the Royal Glamorgan Hospital.

## Background

The South Wales Programme (SWP) was established in 2012 to consider the future of four hospital services which had been identified as increasingly fragile. These were consultant-led maternity services, neonatal care, inpatient paediatrics and emergency medicine (A&E).

The SWP is made up of five health boards – Abertawe Bro Morgannwg, Aneurin Bevan, Cardiff and Vale, Cwm Taf and Powys – working with the Welsh Ambulance



Service, with the aim of creating safe and sustainable hospital services for people in South Wales and South Powys.

Although the work of the SWP focuses on four specific hospital services, the public consultation document (May 2013) highlights that the contribution of primary care, especially GPs and their teams, will be critical in providing the integrated care patients need.

We fully accept that in some areas we will need to strengthen our GP services, particularly in the out-of-hours period.

As part of the SWP, a series of clinical summits and conferences were held during 2012. It was concluded that to address recruitment issues, ensure services meet the necessary professional and clinical standards, and to provide safe, effective care to the sickest and most seriously injured patients, these services needed to be provided on fewer hospital sites than they currently were.

The ideas developed in the clinical conferences were put to the public and wider NHS during a 12 week engagement process between September and December 2012, and reportedly received broad general support.

Following that engagement period, a further clinical conference was held in February 2013, as part of the preparations for a formal public consultation on the service changes. The formal public consultation ran for 8 weeks from 23 May to 19 July 2013.

Discussions were held with all partner organisations. All health boards supported the creation of three acute care alliances across south Wales and south Powys, and agreed that consultant-led emergency medicine (A&E), maternity and neonatal care and inpatient children's services should be provided at five centres. A March 2014 press release - South Wales Programme Board agrees next steps - notes that 'this is consistent with the majority of responses to the public consultation'.

In relation to the Royal Glamorgan Hospital (RGH), it was agreed that:

- Local service models in emergency medicine, paediatric assessment and maternity services will be developed at RGH to replace the traditional services.
- Inpatient children's services will not be delivered from the RGH site in the future but implementation will require a new local

assessment service being in place as the changes occur, to ensure that children continue to have their care delivered safely, as locally as possible.

- Consultant-led A&E services will not be delivered from the RGH site in the future but implementation will require the proposed new model for a local A&E service (non-consultant led) to be in place as the changes occur.
- Maternity and neonatal services at RGH will work closely with other units within the alliances to deliver as much safe care as locally as possible. The final model of service at RGH will be determined through the transition and implementation planning process.

There has also been full agreement that RGH will become a beacon site for developing innovative models of care in acute medicine and diagnostic services.

## Implementation of the changes

In July 2018 the Health Minister responded to concerns about the slow pace of change in South Wales services. He said:

Your point about the South Wales Programme is well-made. It was clinician-led. There was agreement on what to do, and we have achieved a number of those things but, again, it usefully highlights the point about the pace and the scale of change. We have taken a long time not to deliver all of the programme, and that's one of the things we need to be able to get over and get around for the future, because the pace at which we're able to move frustrates everyone, it makes people anxious about whether change will really happen and it means that we don't deliver the improvements we recognise are necessary as quickly as possible. So, yes, the south Wales work is still being delivered, and key building blocks have happened, but I want to see much greater pace in the future for the change that we are talking about.

## Welsh Government response to the petition

In reference to the Royal Glamorgan Hospital, the Welsh Government's response states:

There were a number of outcomes to the consultation that were significant for the Royal Glamorgan Hospital including changes to the development of the hospital as a beacon site for acute medicine and the establishment of a Diagnostic Hub. These changes have been implemented.

The response provides an update on changes in the hospital services consulted on under the South Wales Programme, and other specific areas highlighted but the petitioner, including primary care/GPs and out of hours services.

It highlights that the Health Board is developing an Integrated Healthcare Strategy which will set out its longer term strategic direction. This includes the wider implications of the April 2019 boundary change, where responsibility for healthcare services in Bridgend County Borough Council area transferred to the newly formed Cwm Taf Morgannwg University Health Board.



Ein cyf/Our ref VG/07789/19

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

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

14 October 2019

Dear Janet,

Thank you for your letter of 11 September on behalf of the Petitions Committee about petition P-05-905 on an Independent Judicial Inquiry into the reorganisation of services within Cwm Taf Morgannwg University Health Board.

The Cwm Taf Morgannwg University Health Board is responsible for the provision and delivery of safe and sustainable health care services on behalf its local population, within the resources available. You will be aware that the Health Board is implementing changes which were publically consulted on in 2014 and agreed as part of the South Wales Programme.

The consultation focussed on consultant-led obstetrics, paediatrics and emergency medicine which would in future need to be provided at fewer hospitals across south Wales to ensure sustainability and provide the best possible care for patients.

There were a number of outcomes to the consultation that were significant for the Royal Glamorgan Hospital including changes to the development of the hospital as a beacon site for acute medicine and the establishment of a Diagnostic Hub. These changes have been implemented.

The Health Board is also developing an Integrated Healthcare Strategy which will set out its longer term strategic direction, including the wider implications of the Bridgend boundary change, where responsibility for healthcare services in the Bridgend County Borough Council (Bridgend CBC) transferred to the newly formed Cwm Taf Morgannwg University Health Board on 1 April 2019.

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

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

You raised a number of specific areas and I will respond to these in turn as follows:

### **Maternity**

The move of obstetric and neonatal services from Royal Glamorgan Hospital to the new state of the art facilities at Prince Charles Hospital took place in early March. Consultant-led maternity and neonatal services are now delivered at Prince Charles Hospital; and the Royal Glamorgan Hospital is a Freestanding Midwife-led Unit. Obstetric, Special Baby Care Unit and paediatric services are also provided at the Princess of Wales Hospital, the provision of which transferred to Cwm Taf Morgannwg UHB on 1 April following the Bridgend boundary change.

### **Paediatrics**

As part of the implementation of the South Wales Programme it was agreed that inpatient paediatric services currently delivered in both Princes Charles Hospital (PCH) and the Royal Glamorgan Hospital (RGH) would be consolidated into a new unit at PCH. At the RGH a new Paediatric Assessment Unit would be established. These moves were due to take place in June 2019 but have been postponed. The Health Board is taking the opportunity to look at how their wider services are delivered as they develop their Integrated Healthcare Strategy.

### **A&E**

In view of the ongoing work around the development of their Integrated Healthcare Strategy, the Health Board will be reviewing a range of services and considering options in response to the South Wales Programme, including the emergency services provided at the Royal Glamorgan.

I have been assured that the Health Board will continue to engage with its stakeholders on any future service change proposals to ensure patients receive safe, sustainable high quality health care services.

I would also like to take this opportunity to confirm there has been no removal of A&E consultants from the Royal Glamorgan Hospital to Prince Charles Hospital, as this is a matter which has been raised with me previously

### **GP/Primary Care Services**

I understand there are a number of GP Practices in the Rhondda that regularly employ locums, but no more than is the case elsewhere in Cwm Taf Morgannwg University Health Board, or in fact the rest of Wales. Many GPs are choosing careers as locums as opposed to salaried GP or partner working because of the flexibility offered. In many cases GP locums in the Rhondda tend to work regularly in a small number of practices as they enjoy the benefits of team working and the continuity of seeing the same patients.

The Health Board directly manages two practices, both of which are located in the Rhondda, (New Tynwydd/High Street Treorchy and Ferndale/Maerdy). Reliance on locums has reduced considerably over the last 6 months in both of the practices, due to the Health Board successfully recruiting more salaried GPs. The GMS contract for 2019/20 includes a new incentive to promote partnership working as a career. The Partnership Premium scheme provides an incentive for partnership working linked directly to the sessional commitment of the GP.

## **Trips and falls by the elderly resulting in fatality whilst hospitalised**

The Welsh Government is taking a co-ordinated approach to falls policy work in Wales and a number of substantial national and local initiatives are underway to address the issues of falls, ranging from prevention through to treatment.

With regard to falls in hospitals the Welsh Government uses clinical audit to benchmark and measure performance relating to falls. A Falls and Frailty Fracture Audit Programme (FFFAP) Strategic Group has been organised to improve the quality of service provision for frail and elderly people across Wales and highlight the findings and recommendations from national clinical audit and outcome reviews.

## **Out of Hours**

In common with the rest of the UK, there have been challenges in GP out of hours cover and in response the Health Board is developing a new approach. This will be based on a more detailed understanding of demand and capacity, which will include the use of a multi-disciplinary team. You may also be aware that the 111 service will be a key component of the Primary Care Model for Wales in tandem with the development of a range of services delivered in the out of hours period. The 111 service (which already serves the Bridgend area) will be rolled out across the Cwm Taf Morgannwg area before the end of the financial year and will provide further support for primary care out of hours, and with it greater national alignment for the call handling and clinical triage.

Access to services out of hours will increasingly be co-ordinated through the NHS 111 service improving access through better signposting to clinical advice and treatment 24/7 using a free to call number and other multimedia/digital opportunities. There will also be greater regional and national working to meet the demand for critical advice and treatment at peak times.

## **Cardiac Services**

Cardiac Services provided by the Health Board will continue to be delivered as normal and there are no immediate plans for change at this point in time.

Yours sincerely,



**Vaughan Gething AC/AM**

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

## Agenda Item 2.3

### **P-05-906 Save Sam Davies Ward at Barry Hospital**

This petition was submitted by UNISON having collected 1,858 signatures online and 11,407 on paper, a total of 13,265 signatures.

#### **Text of Petition**

We the undersigned call on the Welsh Government, being the ultimate body responsible for the provision of health care in Wales, to stop the proposal of the Cardiff & Vale UHB to close the Sam Davies Ward, a 23 bedded older persons acute rehabilitation ward at the Barry Hospital, and to ensure that the Barry Hospital continues to provide Health Services to the public of Barry the largest Town in Wales.

#### **Additional Information**

The Sam Davies Ward is a 23 bedded older persons acute rehabilitation ward. The services include stroke rehabilitation, orthopaedic rehabilitation, and medical rehabilitation amongst other key health services. The ward also has two respite beds

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

- Cardiff Central
- South Wales Central



# P-05-906 Save Sam Davies Ward at Barry Hospital

Y Pwyllgor Deisebau | 5 Tachwedd 2019  
Petitions Committee | 5 November 2019

Reference: RS19/10596-3

## Introduction

**Petition number:** P-05-906

**Petition title:** Save Sam Davies Ward at Barry Hospital

**Text of petition:** We the undersigned call on the Welsh Government, being the ultimate body responsible for the provision of health care in Wales, to stop the proposal of the Cardiff & Vale UHB to close the Sam Davies Ward, a 23 bedded older persons acute rehabilitation ward at the Barry Hospital, and to ensure that the Barry Hospital continues to provide Health Services to the public of Barry the largest Town in Wales.

**Additional Information:** The Sam Davies Ward is a 23 bedded older persons acute rehabilitation ward. The services include stroke rehabilitation, orthopaedic rehabilitation, and medical rehabilitation amongst other key health services. The ward also has two respite beds.



## Background information

The Sam Davies ward is based at Barry Hospital and has 23 beds which provide ongoing assessment and interventions for older patients, mainly from the Vale of Glamorgan. The ward has 2 respite beds (for patients who meet the criteria for Continuing Healthcare), and receives referrals from the community as well as the other sites.

The ward is usually occupied by elderly patients who have been transferred from University Hospital of Wales or University Hospital Llandough at the point at which they no longer require acute hospital inpatient care. Patients transferred to Sam Davies ward have been identified as not yet ready to return home and therefore require a 'step down' bed or support for further recovery and discharge planning. Most patients transferred to Sam Davies ward will have supported/complex discharge planning needs.

The ward was the first service organisation to win a Carer Friendly Silver award.

In September 2019 Cardiff and Vale UHB started an engagement process on its proposals 'for improving the care for frail older people in the Vale of Glamorgan'.

The proposals adopt the principles of quicker assessment, quicker discharge and ongoing care needs in the community which will reduce the need for a hospital stay. Part of the proposal will consider the option of reducing the number of beds in Barry Hospital through the closure of Sam Davies Ward. Patients will then receive their care at either University Hospital Llandough or closer to home, with appropriate levels of clinical resource.

The Health Board says this is part of the Health Board's strategy Shaping Our Future Wellbeing, which has seen significant investment in primary and community services to increase the support available to keep people living well at home and within the local community.

The Health Board has produced an engagement document, an equality and health impact assessment, and a frequently asked questions document on its proposals which state:

Patients that arrive at Sam Davies ward will have already spent a considerable amount of time in hospital. They will have received assessments in an acute hospital and may often experience duplicate

care assessments by different healthcare professionals. Their care needs may have been over-prescribed, as we see patients at 'their worst' in hospital so care needs can appear greater, and more significantly, their length of stay in hospital will have been increased. This can directly lead to clinical deconditioning for many patients, increasing their frailty and overall poor health, which can affect their longer term care needs.

In February 2018, we carried out an audit which told us that 69% of patients on Sam Davies ward were medically fit for discharge, and no longer needed an acute hospital bed for their needs. Looking more closely at the patient data we identified missed opportunities to discharge patients home and through transferring patients to Sam Davies ward, we had in fact increased the patients' length of stay. A repeat audit in February 2019 showed similar results.

The proposed pathway of care for frail older patients means that there will be more appropriate ways of meeting the needs of these patients which will avoid them having long and unnecessary stays in hospital. It will also mean their individual needs will be met more appropriately closer to home or in the community.

The Health Board says the proposals will help improve independence and mobility, and offer better opportunities for patients to recover more quickly and to return home in a more timely fashion with appropriate support in the community.

The consultation closes on 1 November and the engagement document says the Health Board's next steps will be to:

- Share the responses received with the South Glamorgan Community Health Council (CHC)
- Consider the responses received and write a report summarising the feedback and recommending a way forward
- Liaise with the CHC to consider the outcome of the engagement exercise and the way forward
- Publicise the outcome of engagement exercise by the end of November 2019
- Confirm final proposals reflecting feedback from engagement, and agree next steps, including whether any further engagement or consultation is required.

## Welsh Government's response

The Minister for Health and Social Services states that Cardiff and Vale University Health Board is responsible for the provision and delivery of safe and sustainable health care services on behalf its local population, within the resources available. To achieve this the Health Board has developed new models of care to support patients in receiving their care as close to home as possible, or at the University Hospital Llandough for those with more complex needs.

As part of their 'Shaping Our Future Well-being Strategy' the Health Board has proposed changes to the way services for frail older people are delivered. This includes the closure of the Sam Davies Ward in Barry Hospital with the introduction of more community based services to support patients.

Cardiff and Vale University Health Board has started a public engagement exercise setting out proposed changes to the way it will deliver services for frail older people. Information on the proposals is available on their website and a public workshop was held on 23 September. The local Community Health Council will also be able to provide further information. The Health Board has invited views and feedback on the proposals by Friday 1 November 2019.

It would be inappropriate for me to comment on the proposals at this time.



Eich cyf/Your ref P-05-906  
Ein cyf/Our ref VG/07790/19

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

4 October 2019

Dear Janet,

Thank you for your letter of 11 September on behalf of the Petitions Committee about Petition P-05-906 Save Sam Davies Ward at Barry Hospital.

Cardiff and Vale University Health Board is responsible for the provision and delivery of safe and sustainable health care services on behalf its local population, within the resources available. To achieve this it has developed new models of care to support patients in receiving their care as close to home as possible, or at the University Hospital Llandough for those with more complex needs.

As part of their 'Shaping Our Future Well-being Strategy' the Health Board has proposed changes to the way services for frail older people are delivered. This includes the closure of the Sam Davies Ward in Barry Hospital with the introduction of more community based services to support patients.

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It would be inappropriate for me to comment on the proposals at this time.

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

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

Yours sincerely,

A handwritten signature in black ink, reading "Vaughan Gething". The signature is fluid and cursive, with the first name "Vaughan" and the last name "Gething" clearly distinguishable.

**Vaughan Gething AC/AM**

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

Our ref:

Your ref:

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Dear members of the petitions committee,

Thank you for considering the issues highlighted by this petition.

UNISON is disappointed with the response the petition has received from the Minister for Health and Social Services, particularly when taking into consideration the strength of feeling the petition garnered. The petition received over 13,000 signatures and with this in mind UNISON had been hopeful the Minister would intervene to ensure these important services continue.

The petition calls on the Welsh Government to stop the proposed closure of the Sam Davies ward at Barry Hospital. The closure is still planned and so we do not feel the issues have been adequately addressed.

The letter from the Minister refers to the introduction of more community based services to support patients, however, this is a longer term vision and these services will not be in place in time to address the additional demand caused by the closure of the ward – an issue UNISON has raised at engagement sessions.

Social care services and funding continue to be stretched to breaking point. Efficient and effective community services need proper funding and planning, and this has not taken place.

In addition, we cannot assume the community services the patients on Sam Davies ward will need or even if community services will be appropriate. Some patients will still require a hospital stay, with the nearest hospitals being Llandough or the Heath. This will be taking patients out of their local community, where they may have relatives and established support networks in place, and potentially isolating them.

We wholly support the notion that care should be provided as close to home as possible and in the community where appropriate. In our view, the closure of this ward will have the opposite effect.

We have included some testimonial evidence from workers on the Sam Davies ward for the committee to consider.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Amber Courtney'.

Amber Courtney - UNISON



## Life as a worker on the Sam Davies Ward, Barry Hospital

UNISON has gathered the testimonies of NHS staff employed at the Sam Davies Ward.

There are around 30 staff on this ward and all are women: healthcare workers; a staff nurse; a ward co-ordinator; occupational therapist; physio; caterers; doctor and consultant.

The different reactions are separated by normal and italic font.

### 1. Why do you like your job?

We help people get back home and get their independence and confidence back

*Seeing the progress getting a patient walking again is an amazing feeling*

We live locally and the patients are local people; they might be our neighbours or your friend's gran or old school teachers – we get a lot of them. We are helping our community. If patients have to go to the Heath or Llandough, that local link is lost.

*We have one person who has been coming in regularly for years for respite care and we are a big part of the help for the patient's partner. The patient's bed-bound and with mobility problems, if the hospital ward closed, the patient wouldn't be able to go anywhere else and that respite care would be lost.*

As we live locally, we do whatever we can to get the hospital going, including coming into work in knee-deep snow.

### 2. What do you do in your role?

We wash and dress patients; help feed them breakfast if they need assistance.

*We take them to the toilet and wash and shower them and we might stay at their bedside to calm them if they are distressed.*

They are patients who might have had falls or strokes or suffer with dementia or they have acopia and can't cope at home. There might be social admissions where a person is admitted because they are homeless or their house is in a state of disrepair.

*We've had patients on our ward for a year and some can go home within a matter of weeks; three weeks.*



### 3. Why are you so angry?

This is not the first time there's been a threat to a ward at the hospital. It's the second or the third time. Each is the same – there's no consultation. There's no compassion from managers.

*I'm not angry about what it means for my job; more for what it means for the community of Barry. You see an elderly woman in the ward and her elderly husband can come to visit and easily find a parking space. Sometimes elderly husbands will come twice a day. At Christmas time patients' partners are invited for Christmas dinner. That local connection and ease of visiting goes if ward patients are sent to the Heath or Llandough disappears.*

Patients are very used to our ward and are comfortable with its size and that's really helpful if they have dementia, they are more quickly settled. There's nothing comparable elsewhere with Heath or Llandough.

*Nursing homes come in to assess and turn down a patient because their nursing needs are too high for that environment, so the question is where would he go if we closed? The mental health team has no spare beds so he remains or is transferred to the Heath.*

### 4. How do you feel the health board has behaved?

Terribly. They came en mass – around 8 of them and it felt intimidating.

*No-one was happy. No-one thought what they were proposing was a good idea.*

They are not using our experience or listening to the staff and they've brought in an outside consultant.

### 5. What would Barry Hospital be like without the Sam Davies ward?

I'm sad. Without the Sam Davies ward, Barry hospital would go. They want to keep one ward open but it would just be offices and move to more outpatients in Barry.

*Changes are being made which are not fair on the community.*

Barry is a big town and needs this ward.

*It would be hard for Barry families to visit patients in Llandough. It would be tiring and they would have to catch buses – we're talking about some people in their 80s.*

The staff you have here, you can rely on. It's not perfect but no-one moans if we're short-staffed, we just get on with it.

*We're like a family here. We're used to everyone.*

**6. What do you want to happen?**

We are effective in what we do. We need more money into social care. There is no common sense.

*We agree that we want patients to go home after 3 weeks but they haven't set up the infrastructure in the community for that to happen. The social worker must ask for the care package for the patient but there can wait 6-8 weeks for that to come through.*

We will go back to the old days where if you have money you will go to a nice care home and if not, you'll be shoved anywhere.

## Agenda Item 2.4

### **P-05-907 Change the speed limit in Cemaes to 30mph**

This petition was submitted by Manon Pughe having collected a total of 93 signatures.

#### **Text of Petition**

We call upon the National Welsh Assembly to encourage the Welsh Government to reduce the speed limit in the village of Cemaes (on the A470 between Machynlleth and Dolgellau) from 40mph to 30mph. We also call upon them to extend the speed restriction area so that it begins by the Cemaes sign when entering the village from the Cemaes Road direction.

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

- Montgomeryshire
- Mid and West Wales

# Petition: Change the speed limit in Cemaes to 30mph

Y Pwyllgor Deisebau | 5 Tachwedd 2019  
Petitions Committee | 5 November 2019

Petition Number: P-05-907

Petition title: Change the speed limit in Cemaes to 30mph

**Text of petition:** We call upon the National Welsh Assembly to encourage the Welsh Government to reduce the speed limit in the village of Cemaes (on the A470 between Machynlleth and Dolgellau) from 40mph to 30mph. We also call upon them to extend the speed restriction area so that it begins by the Cemaes sign when entering the village from the Cemaes Road direction.

## 1. Background

The A470 is a main trunk road running from Llandudno in North Wales to Coryton Roundabout off the M4 in South Wales. The Welsh Government is the highway authority for the Welsh trunk road and motorway network and so is responsible for setting speed limits on the A470 roads. A map of the whole trunk road network can be found [here](#). The maintenance of the section of the A470 that runs through Cemaes in Powys is the responsibility of the [North and Mid Wales Trunk Road Agent](#).

The [Road Safety Foundation](#) (RSF) is a UK charity advocating road casualty reduction that has led on the establishment of the [European Road Assessment](#)



Programme (EuroRAP). The RSF publishes annual British EuroRAP reports which include a risk map providing an assessment of the safety of British roads. The risk map shows the statistical risk of a fatal or serious injury crash occurring which is calculated by comparing the frequency of road crashes resulting in death and serious injury on the motorways and 'A' roads. There are five ratings of risk from low risk roads, deemed the safest, through to high risk roads.

The 2014 report and the 2015 report rated this section of A470 as a medium-high risk road. The 2016, 2017, 2018 and 2019 reports have since rated this section of road as a medium risk.

## 2. Welsh Government action

In his letter to the Committee dated 15 October 2019 Ken Skates, the Minister for Economy and Transport, said that this section of the A470 through Cemaes will be included in a Speed Limit Review.

The Welsh Government has a map to show the proposals to improve trunk road safety that came out of a previous Trunk Road Safety Review, which began in 2013. It shows that there previously was a decision to retain the current speed limit of 40mph through this section of the A470 with other programme works planned to improve road safety.

The Welsh Government has published guidance on Setting Local Speed Limits in Wales. The guidance applies to all trunk and county roads, but not to motorways. With regard to speed limits in rural areas, the guidance says:

40 and 50mph speed limits may be used where appropriate, and the speed limit in rural towns and villages should generally be 30mph. Highways authorities should, however, consider each location on a case-by-case basis.

Traffic Advisory Leaflets (TAL) provide information and guidance for implementing traffic regulations and policies. TAL 1/04 (PDF, 363KB) outlines advice on village speed limits. It says a village should have '20 or more houses; and [be] a minimum length of 600 metres'.

When deciding what the appropriate speed limit is, highway authorities are encouraged to use discretion and take into account a number of factors including: schools; shops, cafes and restaurants; banks and post offices; residential and nursing homes; playing fields and sports facilities.

### 3. National Assembly for Wales action

While this specific stretch of road along the A470 does not appear to have been raised in the National Assembly, the Petitions Committee has considered four other petitions related to speed limit reviews since 2016.

The following three petitions were grouped together for consideration:

- [P-05-721 Penegoes Speed Limit Petition;](#)
- [P-05-767 A487 Trunk Road Through Tre-Taliesin: Urgent Need for Effective Speed-Calming Measures;](#) and
- [P-05-792 Petition to extend the 40mph speed limit in Blaenporth.](#)

P-05-721 sought to reduce the speed limit through the village of Penegoes to 30mph. The fourth petition, [P-05-823 Reduce the speed limit on the A487 in Penparcau,](#) called for the reduction of the speed limit to 20mph.

The Committee has written to the Minister several times while considering these four petitions asking for further information regarding the Welsh Government's Speed Limit Review. The responses from the Minister generally note that there is a Speed Limit Review which will take time to complete and requires the collection of evidence in order to come to decisions regarding each road.

All four petitions have been closed by the Committee based on the [commitment from the Minister](#) to take into account the views of the petitions and local residents during the Speed Limit Review process.

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

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



Llywodraeth Cymru  
Welsh Government

Ein cyf/Our ref KS/07915/19

Janet Finch-Saunders AM

Government.Committee.Business@gov.wales

15 October 2019

*Dear Janet,*

Thank you for your letter of 27 September regarding the petition to change the speed limit in Cemaes.

Road safety is an extremely important issue for me and the Welsh Government. We continue to work with key stakeholders across the trunk and country road network to address concerns raised around safety of all users.

The Welsh Government is currently undertaking a review of speed limits across Wales, giving consideration to the most recent personal injury collisions and speed data alongside correspondence received. The A470 through Cemaes is included in that review, and any comments received in the petition will be taken account as part of this work.

*Yours ever,  
Ken*

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

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

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

# Agenda Item 2.5

## **P-05-910 Make thrombectomy available 24-7 for Welsh patients**

This petition was submitted by Callum Rogers having collected a total of 685 signatures.

### **Text of Petition**

We call upon the National Assembly for Wales to urge the Welsh government to end the inequality in access to life-saving stroke thrombectomy treatment.

Thrombectomy is a treatment used for ischaemic stroke where the blood clot is removed with a special device inserted through a catheter. There is a wealth of evidence supporting its benefits in reducing long term disability (morbidity), and saving lives (reducing mortality) In April 2017, NHS England agreed to fund thrombectomy on the NHS, it will take many years before all eligible patients can receive it. It is not currently available routinely in Wales. Agreements with NHS England for Welsh patients to access their services are variable and tenuous.

Patients such as Colin Rogers ([www.justgiving.com/crowdfunding/Colin-rogers-campaign](http://www.justgiving.com/crowdfunding/Colin-rogers-campaign)) are literally dying. He was 55 when he died. He was denied treatment because it was a Sunday and there was no agreement to allow him to be sent to England. Whilst there was no guarantee he would have been saved, it is estimated that over 500 people in Wales could be helped by this treatment. We do not want people who could be saved to die like Colin, or be left profoundly disabled.

We call upon the Welsh government to end the postcode lottery and act to save the lives of the Welsh people.

### **Assembly Constituency and Region**

- Cynon Valley
- South Wales Central



# P-05-910 Make thrombectomy available 24-7 for Welsh patients

Y Pwyllgor Deisebau | 5 Tachwedd 2019  
Petitions Committee | 5 November 2019

Reference: RS19/10732-4

## Introduction

**Petition number:** P-05-910

**Petition title:** Make thrombectomy available 24-7 for Welsh patients

**Text of petition:** We call upon the National Assembly for Wales to urge the Welsh government to end the inequality in access to life-saving stroke thrombectomy treatment.

Thrombectomy is a treatment used for ischaemic stroke where the blood clot is removed with a special device inserted through a catheter. There is a wealth of evidence supporting its benefits in reducing long term disability (morbidity), and saving lives (reducing mortality) In April 2017, NHS England agreed to fund thrombectomy on the NHS, it will take many years before all eligible patients can receive it. It is not currently available routinely in Wales. Agreements with NHS England for Welsh patients to access their services are variable and tenuous.

Patients such as Colin Rogers are literally dying. He was 55 when he died. He was denied treatment because it was a Sunday and there was no agreement to allow him to be sent to England. Whilst there was no guarantee he would have been saved, it is estimated that over 500 people in Wales could be



helped by this treatment. We do not want people who could be saved to die like Colin, or be left profoundly disabled.

We call upon the Welsh government to end the postcode lottery and act to save the lives of the Welsh people.

## Background

Mechanical thrombectomy is one of the possible treatments for a stroke. It aims to restore normal blood flow to the brain by using a device to remove the blood clot blocking the artery. The procedure is performed by 'interventional neuro-radiologists'. If performed within six hours of the onset of stroke symptoms, thrombectomy is an effective treatment that can reduce brain damage and prevent or limit long term disability.

It has been estimated that mechanical thrombectomy would be appropriate for around 10% of ischaemic stroke cases, which would equate to around 500 interventions each year for Welsh patients.

In August 2017, the Health Minister highlighted a lack of appropriately trained neuroradiologists able to perform thrombectomy across the UK – 'Wales, like many other regions across the UK, does not yet provide 24/7 access to this service'.

From April 2019, the Welsh Health Specialised Services Committee (WHSSC) will formally commission mechanical thrombectomy services on behalf of the seven Health Boards in Wales.

A February 2019 update to the WHSSC joint committee states that work has been carried out to secure access to services in NHS England for Welsh patients, and provision has been made in the 2019-22 Integrated Commissioning Plan (ICP) to develop the service in Cardiff for the population of mid and south Wales. It sets out the current provision of thrombectomy for Welsh patients:

Interventional neuro-radiology in Wales is currently only provided in Cardiff. This is a fragile service, with only one consultant interventional neuro-radiologist. Some thrombectomies have been undertaken in Cardiff on an ad hoc basis, but the service is unable to provide the treatment effectively with the current infrastructure. The update states that the service has recently advertised for additional interventional neuro-radiologists. It notes that there are staff shortages in this specialty throughout the UK.

Small numbers of patients have been accessing the thrombectomy service in North Bristol, where capacity has allowed. For patients in north Wales, access to thrombectomy is at the Walton Centre, Liverpool. The numbers accessing the service are lower than projected for the population. Patients from Powys have had a greater access to thrombectomy, based on their population size, provided by North Midlands. This could be attributed to Powys patients accessing all their emergency treatment in NHS England.

On 11 June 2019, the First Minister told AMs:

the Welsh Health Specialised Services Committee are well advanced in planning a Wales-wide service for thrombectomy here in Wales. It will require recruitment. It will require training. In the meantime, we are commissioning services from across our border where scarce spare capacity exists. But the answer, not in the long term but as soon as we can do it, is to create that all-Wales service with the people that we will need and with the coverage that will be required.

## Welsh Government response to the petition

The Welsh Government's response highlights that thrombectomy is a highly specialised and relatively new procedure for treating acute ischaemic strokes. It describes a UK-wide shortage of clinicians who are able to deliver this procedure, and states that the Welsh Government is working with WHSSC to develop a Wales-wide thrombectomy service. WHSSC has drafted a service specification for thrombectomy which is due out for consultation imminently. The specification outlines the pathway for accessing thrombectomy and the expectations of local services for prompt repatriation following treatment.

In the meantime, the WHSSC team continues to work with Health Boards in Wales to put in place interim arrangements for the commissioning of thrombectomy procedures from NHS England providers, where capacity allows. However, English providers face the same challenges to recruit or train clinicians in this specialism. As a result only small numbers of patients have accessed thrombectomy services in north Bristol, north Midlands and Liverpool to date.

Cardiff and Vale University Health Board has recently recruited an additional clinician and is out to advert for a further consultant which is key to being able to offer a thrombectomy service for south Wales. Once

the additional consultant is recruited we anticipate thrombectomy services to be available at the University Hospital Wales, Cardiff.



Ein cyf/Our ref VG/07954/19

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

21 October 2019

Dear Janet,

Thank you for your letter of 27 September on behalf of the Petitions Committee regarding petition P-05-910 – ‘Making Thrombectomy Available on 24-7 Basis for Welsh Patients’.

Thrombectomy is a highly specialised and still relatively new procedure for treating acute ischaemic strokes. There is a UK-wide shortage of trained clinicians who are able to deliver this procedure and the Welsh Government is working with the Welsh Health Specialised Services Commission (WHSSC) to develop a Wales-wide thrombectomy service. WHSSC has drafted a service specification for thrombectomy which is due out for consultation imminently. The specification outlines the pathway for accessing thrombectomy and the expectations of local services for prompt repatriation following treatment.

In the meantime, the WHSSC team continues to work with Health Boards in Wales to put in place interim arrangements for the commissioning of thrombectomy procedures from NHS England providers, where capacity allows. However, English providers face the same challenges to recruit or train clinicians in this specialism. As a result only small numbers of patients have accessed thrombectomy services in north Bristol, north Midlands and Liverpool to date.

Cardiff and Vale University Health Board has recently recruited an additional clinician and is out to advert for a further consultant which is key to being able to offer a thrombectomy service for south Wales. Once the additional consultant is recruited we anticipate thrombectomy services to be available at the University Hospital Wales, Cardiff.

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

Bae Caerdydd • Cardiff Bay  
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[Correspondence.Vaughan.Gething@gov.wales](mailto:Correspondence.Vaughan.Gething@gov.wales)

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

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

Work will also continue with Betsi Cadwaladr University Health Board and NHS English providers to secure additional capacity for north Wales residents.

Yours sincerely,

A handwritten signature in black ink, reading "Vaughan Gething". The signature is written in a cursive style with a large, stylized 'V' and 'G'.

**Vaughan Gething AC/AM**

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

# Agenda Item 2.6

## **P-05-917 No bilingual name for the Senedd**

This petition was submitted by Anthony Jones having collected a total of 1,033 signatures.

### **Text of Petition**

We all know the Senedd, we can all pronounce the Senedd.

So why do we need a bilingual name for it?

This is a waste of money and nothing more than trying to take away more of what makes Wales, Wales.

### **Assembly Constituency and Region**

- Cardiff South and Penarth
- South Wales Central



**Elin Jones AC, Llywydd**

Cynulliad Cenedlaethol Cymru

**Elin Jones AM, Presiding Officer**

National Assembly for Wales

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

Our ref: PO748/EJ/HG  
23 October 2019

Dear Janet

**Petition P-05-917 No bilingual name for the Senedd**

Thank you for your letter of 15 October 2019 regarding the above petition.

When I introduced the Bill in February, the Bill stated that the Assembly should be known as “Senedd”. The name “Senedd” is widely used and recognised in Wales and reflects the constitutional status of the institution as a national parliament. “Senedd” belongs to an international family of names such as Senate and Seanad used to describe national legislatures. Also, the use of “Senedd” in both Welsh and English would have reflected the Assembly’s strong commitment to promoting the status and use of the Welsh language.

As introduced, the Bill also stated that the Senedd may also be known as the Welsh Parliament, to assist those not familiar with the Welsh word and to explain the constitutional status of the institution.

During Stage 2 of the Bill’s legislative passage through the Assembly, various Members tabled amendments to the Bill to propose a different name for the Assembly.

The Committee of the Whole Assembly met on 9 October to consider all the proposed amendments to the Bill. In relation to the Assembly’s name, a majority of Members voted in favour of Carwyn Jones AM’s tabled amendment to propose the names “Senedd Cymru” or “Welsh Parliament”. During the debate, Carwyn

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**Elin Jones AC, Llywydd**

Cynulliad Cenedlaethol Cymru

**Elin Jones AM, Presiding Officer**

National Assembly for Wales

Jones AM stated that the rationale behind the proposed names was to provide “legal assurance and certainty” by ensuring the meaning of “Senedd Cymru” in law is clearly understood.

As I noted during stage 2 proceedings, it is for Assembly Members to decide what the new name should be. The Senedd and Elections (Wales) Bill will require a super-majority of votes in order to be passed and whilst I had envisaged that the name “Senedd” would carry most support amongst Members, I accept that, of the various options presented to Members, “Senedd Cymru” or “Welsh Parliament” gained the most votes at stage 2. At the same time, I am disappointed that Members decided against the name “Senedd” as some of the benefits associated with that name may be lost.

Although the names ‘Welsh Parliament’ and ‘Senedd Cymru’ were agreed during the Bill’s second stage, the Committee of the Whole Assembly did not change reference in the Bill to the use of the Welsh word “Senedd” in official English titles, such as: “Acts of the Senedd”, “Clerk of the Senedd”, and the “Senedd Commission”. These titles therefore do not include the words ‘Welsh Parliament’. Carwyn Jones’s aim was to “ensure that the name ‘Senedd’ is used in common usage”.

As the Bill has now reached its third stage, Assembly Members are again able to propose amendments to the Bill. Members will consider and vote on amendments proposed to the Bill at the Stage 3 debate in plenary, currently scheduled for 13 November 2019.

Yours sincerely,

Elin Jones AM

Llywydd

Croesewir gohebiaeth yn Gymraeg neu Saesneg / We welcome correspondence in Welsh or English

## P-04-477 Support for the Control of Dogs (Wales) Bill

### Petition wording:

We call on the National Assembly for Wales to urge the Welsh Government to proceed with the Control of Dogs (Wales) Bill.

We, the undersigned, residents of Wales, call on the Welsh Government to proceed with its Control of Dogs (Wales) Bill in tackling the issue of dangerous and menacing dogs and not rely on the piecemeal proposals of the UK Government set out in its draft Anti-social Behaviour Bill and initially explained in the its White Paper “Putting Victims First, More Effective Responses to Anti-social Behaviour”.

We agree with the Welsh Government’s statement “The clear advantage of a Dog Control Notice (DCN) over all existing legislation is that a court may never become involved thereby reducing the burden on public finance” and we believe that the UK Governments proposals involving 4 different enforcement tools, namely–

- Injunctions to prevent nuisance and annoyance;
- Crime Behaviour Orders
- Dispersal Powers
- Community Protection Notices

two of which – Injunctions and Crime Behaviour Orders – must be initiated by applications to the court, are unduly complicated, cumbersome, bureaucratic and will lead to delay.

We believe the single all-encompassing Dog Control Notice proposed for Wales is by far the superior approach and we urge the Welsh Government to frame a law based on this concept as originally planned. We draw the Welsh Government’s attention to (i) the highly critical conclusions of the House of Commons Select Committee on Environment, Food and Rural Affairs report “Dog Control and Welfare” which called the UK Government’s proposals as

“simplistic” and “woefully inadequate” & recommended DEFRA and the Home Office to introduce Dog Control Notices and (ii) to the fact that the campaign coalition of Unions, Animal Charities, Police, Vets are also unhappy with the proposals.

**Petition raised by:** Cllr. Dilwar Ali

**Date petition first considered by Committee:** 30 April 2013

**Number of signatures :** 1119



Eich cyf/Your ref P-04-477  
Ein cyf/Our ref LG/05711/19

Janet Finch-Saunders AM/AC  
Chair - Petitions committee

Government.Committee.Business@gov.wales

17 October 2019

Dear Janet

**Petition P-04-477 Support for the Control of Dogs (Wales) Bill**

Further to my letter of 17 April, I promised to update you within six months.

Defra are taking forward many of the recommendations made by the Environment, Food and Rural Affairs Parliamentary Select Committee (EFTA) in their 2018 report "Controlling Dangerous Dogs".

Research by Middlesex University, commissioned by Defra, using the joint England and Wales research budget, is in the initial literature review stage. The findings are due at the end of the year. Defra have confirmed, once the findings have been completed, there will be a detailed discussion with the Devolved Administrations. We can then determine what aspects are relevant to Wales.

I mentioned previously our consultation on Banning Third Party Sales of Puppies and Kittens and I have recently published a Written Statement on wider dog breeding issues which can be found at: <https://gov.wales/written-statement-dog-breeding-wales>

Regards

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

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

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

[Gohebiaeth.Lesley.Griffiths@llyw.cymru](mailto:Gohebiaeth.Lesley.Griffiths@llyw.cymru)  
[Correspondence.Lesley.Griffiths@gov.wales](mailto:Correspondence.Lesley.Griffiths@gov.wales)

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

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

## Agenda Item 3.2

### **P-05-813 Ban the USE of LARSEN TRAPS (Multi Corvid Traps)**

This petition was submitted by Action Against Wildlife Persecution having collected 1,943 signatures.

#### **Text of Petition**

We call on the National Assembly for Wales to urge the Welsh Government to BAN the USE, Sale & Manufacture of LARSEN TRAPS (Multi Corvid Traps).

The Larsen trap is a cage bird trap where a live wild decoy bird, (call-bird), is kept trapped inside one compartment to encourage another bird to come down to it. When another visiting bird lands on top s/he falls through a one way gate or false floor into a compartment, where s/he awaits their fate.

Larsen traps were invented in Denmark but are now BANNED in that country, as they are now considered inhumane and extremely cruel.

Larsen traps are mostly used by gamekeepers & smallholders to trap magpies, crows & other corvids. The bird suffers a terrifying ordeal by being trapped day and night without food, water or any shelter from the elements, which causes extreme distress.

Because they use a captive wild bird (technically contrary to the 1981 Wildlife and Countryside Act) these traps have to be used under the terms of a "General Licence" issued by Natural Resources Wales, where magpies, crows, jays, jackdaws and rooks can be trapped.

The wild "decoy call-birds," with their most vital instincts frustrated & abused by confinement, suffers a most terrible fate. Close to the ground they are terrorised by predators and watch as fellow birds are brutally killed in front of them. A number end up being found dead through neglect. Legally, the trapped decoy call-bird should have food, water, shelter & a perch & the 'trap' inspected at least every 24hrs, but, this is not the case. We have witnessed crows left to die without food & water and found dead rotting corpses of the previous decoy call-birds, who are permanently wired inside until they die of starvation or stress.

We have witnessed birds with broken beaks and cut heads where they have tried to escape. We have witnessed brutality, mutilation & maiming where the gamekeeper has cut wing flight feathers to stop the decoy bird from escaping.

### **Additional information**

The trapping continues throughout the summer months, consequently thousands of chicks starve to death in their nests due to their parent birds being trapped.

Larsen traps are indiscriminate and can trap non target birds or mammals. Although illegal, Pigeons are sometimes used to attract birds of prey who are also then killed.

Trapping wild birds in live bird traps & the use of live decoy call-birds causes untold stress to the unfortunate birds.

We urge that this persecution of wildlife be stopped.

### **Assembly Constituency and Region**

- Cardiff West
- South Wales Central



Ein cyf/Our ref: CX19-128  
Ty Cambria / Cambria House  
29 Heol Casnewydd / 29 Newport Road  
Caerdydd / Cardiff  
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Ebost/Email:  
Clare.Pillman@cyfoethnaturiolcymru.gov.uk  
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Ffôn/Phone:  
0300 065 4453

Janet Finch-Saunders AM/AC  
Chair  
Petitions Committee  
By email: SeneddPetitions@Assembly.Wales

07 October 2019

Dear Janet Finch-Saunders

**Petition P-05-813 Ban the use of Larsen Traps (multi-corvid traps)**

Thank you for your letter of 1<sup>st</sup> October 2019, relating to the above petition.

Recently, NRW has been undertaking a review of some of its General Licences specifically looking at the level of evidence available to support inclusion of the 15 species of wild bird listed on the General Licence suite 001-004 in Wales. We have also appraised the evidence base to determine whether, in Wales, there are no other satisfactory solutions available other than lethal measures or capture.

This review has been carried out in a systematic way using methodology which has been shared and discussed with Natural England, Scottish Natural Heritage (SNH), Defra, Welsh Government and the user and non-user stakeholders in Wales. The evidence considered included, peer-reviewed scientific literature including reviews, unpublished research information commissioned by SNH, stakeholder questionnaires and information gathered as part of the recent Defra 'Call for Evidence' (including anecdotal information). Please find attached a copy of the evidence report.

Our approach, assessments and recommendations for new General Licences 001, 002 and 004 in Wales have been supported and approved by our Board. These new General Licences will be available to users on our website from Monday 7<sup>th</sup> October 2019.

One of the recommendations approved by our Board was a programme to conduct a wider review of all wild bird licensing in Wales (including General Licences) in 2020. This will gather additional evidence framed in a Welsh context and will be coupled with NRW establishing and convening an expert Wild Bird Licence Working Group to provide an annual review of all wild bird General Licensing in Wales. The details of this wider review (i.e. scope, timescales, outcomes) will be developed in the coming months and presented to our Board in early 2020.

The use of Larsen traps in Wales as a means of legal lethal control of corvids is referenced, together with conditions of use, within the new General Licence suite 001, 002 and 004. Our preferred approach will be to review the use and regulation of Larsen traps in Wales during our proposed wider bird licensing review in 2020. I trust this meets the satisfaction of the Petitions Committee.

Should you need any further clarification please do not hesitate to contact me.

Yours sincerely

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

Clare Pillman  
**Chief Executive**

CC      Ceri Davies, Executive Director, Evidence, Policy and Permitting  
Mike Evans, Head of Knowledge and Evidence  
Ruth Jenkins, Head of Natural Resource Management Policy



# Agenda Item 3.3

## **P-05-829 Ban Single Use Plastic Items in Wales**

This petition was submitted by Ban Plastic Straws Wales having collected 161 signatures.

### **Text of Petition**

We call on the Welsh Assembly to ban all single use plastic items within Wales; It is estimated that the UK and US alone throw away around 550 million plastic straws every day. Although each one is used for an average of just 20 minutes, they take centuries to break down. During a clean-up organised by the Marine Conservation Society last year, an average of 138 pieces of food and drink-related waste were found on every 100m of UK beaches.

This needs to stop and the environment needs to become a priority.

### **Assembly Constituency and Region**

- Montgomeryshire
- Mid and West Wales

# Agenda Item 3.4

## **P-05-839 Adopt WHO guidelines for air pollution into Welsh law and introduce a new Clean Air Act for Wales**

This petition was submitted by the British Heart Foundation Cymru, having collected 688 signatures.

### **Text of Petition**

We call on the National Assembly for Wales to urge the Welsh Government to adopt WHO guidelines for air pollution into Welsh law, and to introduce a new Clean Air Act for Wales.

Current legal air quality limits for Wales do not protect health. The EU limits which are observed by UK and Welsh Governments are the same as the World Health Organisation's recommended upper guideline limits for nitrogen dioxide (NO<sub>2</sub>), but are less stringent than the WHO's threshold for other health-harmful pollutants such as fine particulate matter (PM<sub>2.5</sub>).

British Heart Foundation Cymru is calling on the Welsh Government to adopt WHO guidelines into Welsh law, introducing a new Clean Air Act for Wales which will tackle the major sources of air pollution and ensure that everyone from government and local government, to business and the general public are working together to tackle this urgent health crisis.

### **Additional Information**

BHF funded research first proved that short and long-term exposure to poor air quality can aggravate and cause serious cardiovascular problems. Our research established a clear link between cardiovascular disease and exposure to PM<sub>2.5</sub> and ultrafine particles; and that inhalation of fine particles can increase the risk of a heart attack or stroke in vulnerable groups within 24 hours.

Public Health Wales estimated that, in 2017, air pollution contributed to 2,000 early deaths in Wales. Whilst the Welsh Government has been ordered to tackle illegal levels of nitrogen dioxide, there is still no plan to tackle particulate matter and very little detail on how the Government will improve monitoring of pollutants across Wales.

A new Clean Air Act for Wales will:

- Ensure that WHO guidelines on air pollution are observed by Welsh law;
- Introduce charging Clean Air Zones in areas which are in breach or close to the limits for nitrogen dioxide and particulate matter and ring-fence the funds for further improvements to air quality;
- Ensure that infrastructure and technology is in place to facilitate increased uptake of Ultra Low Emissions Vehicles and public transport;
- Invest in improved monitoring of pollution across Wales, and ensure that information on the risks to health is available to vulnerable groups;
- Increase public awareness of the impact of domestic woodburning and the steps which can be taken to minimise this.

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

- Cardiff Central
- South Wales Central

## Petition P-05-839 - Adopt WHO guidelines for air pollution into Welsh law and introduce a Clean Air Act for Wales



20 September 2019

Dear Janet Finch-Saunders AM,

I write to ask you to consider this petition again at your earliest convenience. The petition was last considered in the meeting 29 January 2019; and at this meeting the Members decided to wait for the publication of a draft Clean Air Plan before reviewing whether any further action could be taken.

We write again to ask this petition to be considered for the following reasons:

- 1 - The draft Clean Air Plan has yet to be published. In a statement in April 2018 the then Minister for Environment Hannah Blythyn indicated the Clean Air Plan should be published by the end of 2018<sup>1</sup>. We are very concerned at the delay to its publication.
- 2 - First Minister Mark Drakeford's manifesto for his election included a commitment to introducing a Clean Air Act. In the final legislative statement of this Assembly in July 2019, there was no Bill bringing forward a Clean Air Act.
- 3 - The previous UK Government Environment Secretary announced in July that the UK Environment Bill should include "a legally binding commitment on particulate matter so that no part of the country exceeds the levels recommended by the WHO."<sup>2</sup>
- 4 - Despite the declaration of a Climate Emergency earlier this year by Welsh Government, there has been little action taken by the Government that will combat high levels of air pollution.

Almost eight months after the petition was last considered, we would ask that the lack of detail on this important policy area is assessed, and the immediate need for the WHO guidelines to be enshrined in Welsh law is reviewed by this committee.

Emma Henwood  
Policy and Public Affairs Manager  
BHF Cymru

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<sup>1</sup> Hannah Blythyn, Record of Proceedings, 24 April 2018

<sup>2</sup> Michael Gove, 16 July 2019, quoted on Air Quality News, <https://airqualitynews.com/2019/07/16/who-limits-for-particulate-matter-will-be-enshrined-in-uk-law-pledges-gove/>, accessed 20 September 2019

# Agenda Item 3.5

## **P-05-856 Ban the sale of puppies by pet shops and all commercial 3rd party dealers in Wales (Lucy's Law)**

This petition was submitted by C.A.R.I.A.D., having collected 11,195 signatures.

### **Text of Petition**

We call on the National Assembly for Wales to urge the Welsh Government to implement a ban on the sale of puppies by pet shops and all commercial third-party dealers.

A ban on third-party sale of puppies for profit has been named 'Lucy's Law' and its implementation in England was recently announced. Lucy's Law has huge public, media and cross-party support and we call on the National Assembly for Wales to urge the Welsh Government to deliver Lucy's Law for Wales as a matter of urgency.

Removing puppies for sale from their mum often creates sick, traumatised, dysfunctional dogs. Puppies should be seen with their mum in the place they were born. Transporting them to a different place for sale harms their welfare. Regulating commercial third-party puppy selling is ineffective in preventing harm and a ban is therefore necessary for the welfare of puppies.

Breeding dogs kept in puppy farms are hidden from public view and often suffer from years of physical and psychological trauma. Regulating commercial third-party puppy selling is ineffective in preventing harm to breeding dogs and a third-party ban on puppy selling is therefore necessary for the welfare of breeding dogs.

A ban on the third-party sale of puppies will have a positive impact on breeding dogs, ensuring their visibility and enabling the public to act on best practice advice to view the puppy with the mum where the puppy was born.

In addition, illegal, unlicensed puppy farmers and puppy smugglers currently use licensed third-parties to sell their puppies, making it possible for them to operate under the radar and without the health and welfare of breeding dogs and puppies able to be monitored by local authorities. Regulating commercial third-party puppy selling is ineffective in preventing illegal puppy farming and puppy smuggling and a third-party ban on puppy selling

is therefore necessary for the protection of dogs, puppies and the public as well as in the prevention of criminal activity.

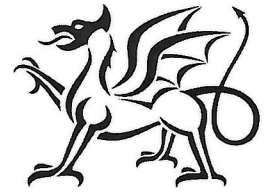
There are no welfare advantages in selling puppies through commercial dealers. This practice only ensures breeding dogs are kept hidden from the public. As well as welfare concerns for animals, third-party sales create additional risks for public health and safety.

Puppy sales direct from reputable breeder or reputable rescue centre protects all parties through greater transparency and accountability. A ban on dealing in puppies for profit can only raise health and welfare standards for breeding dogs and puppies as well as providing greatly needed public protection.

The implementation of Lucy's Law in Wales is also vital if we are to address the damage that has been done to the reputation of Wales, which continues to be acknowledged as the puppy farming hub of the United Kingdom.

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

- Bridgend
- South Wales West



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref P-05-856  
Ein cyf/Our ref LG/07014/19

Janet Finch-Saunders AM  
Chair of the Petitions Committee

Government.Committee.Business@gov.wales

15 October 2019

Dear Janet

Thank you for your letter of 30 September, regarding the Petition P-05-856 to ban the sale of puppies by pet shops and all commercial 3<sup>rd</sup> party dealers in Wales.

Animal welfare and the responsible ownership of animals are priorities for the Welsh Government and the Wales Animal Health and Welfare Framework Group (WAHWFG). We are committed to maintaining high standards of welfare for all animals kept in Wales at all stages of their lives.

I have already committed to reviewing the Animal Welfare (Breeding of Dogs) (Wales) Regulations 2014 and also made my intentions clear on the value I see in banning third party sales of puppies and kittens. However, I appreciate urgent action is needed in this area. With this in mind:

- I have written to the Animal Health and Welfare Framework Group to accept their offer of help and request an urgent and immediate review of the dog breeding regulations.
- I have written to all Local Authority CEOs to raise concerns and invite relevant representatives to a meeting with the Chief Veterinary Officer for Wales to discuss the enforcement of regulations.
- The Chief Veterinary Officer immediately referred the BBC programme to the Royal College of Veterinary Surgeons.

Bae Caerdydd • Cardiff Bay  
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[Correspondence.Lesley.Griffiths@gov.wales](mailto:Correspondence.Lesley.Griffiths@gov.wales)

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

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

- Officials are developing a campaign aimed at prospective puppy purchasers highlighting the importance of sourcing responsibly.

The Welsh Government will continue to work with key stakeholders, including Local Authorities and the other Administrations to ensure we introduce changes which will have a lasting impact on the welfare standards of dogs and cats bred in Wales.

A handwritten signature in blue ink that reads "Regards Lesley". The word "Regards" is on the top line and "Lesley" is on the bottom line, both written in a cursive, flowing style.

**Lesley Griffiths AC/AM**

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



# Agenda Item 3.6

## **P-05-876 Protection of Red & Amber listed species in Wales**

This petition was submitted by Chris Evans having collected a total of 173 signatures.

### **Text of Petition**

It has recently come to light that Natural Resources Wales have been issuing licences to allow the killing of species that appear on the RSPB's Red and Amber lists in Wales for sometimes rather spurious reasons such as "protecting cattle feed" and "air safety".

Other methods are available to disperse birds that do not involve killing. All Red listed species are under severe threat of extinction in Wales and thus the level of protection needs to improve to prevent further loss to our natural biodiversity.

The management of Natural Resources Wales have an anthropocentric viewpoint of the natural environment and thus are simply not fit for purpose when it comes to environmental and biodiversity protection.

We, the undersigned, contend that Natural Resources Wales is failing to protect the natural environment and biodiversity in Wales.

We demand that the ability of Natural Resources Wales (or any other body) to issue licences to kill any Red or Amber listed species should be removed with immediate effect and a less anthropocentric viewpoint be taken by management in all issues relating to the environment and biodiversity.

### **Additional Information**

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

- Gower
- South Wales West



Janet Finch-Saunders AM/AC  
Chair/Cadeirydd  
Petitions Committee / Y Pwyllgor Deisebau  
Sent to: [SeneddPetitions@assembly.wales](mailto:SeneddPetitions@assembly.wales)

Ein cyf/Our ref: CX19-120  
Eich cyf/Your ref: P-05-876

Ty Cambria / Cambria House  
29 Heol Casnewydd / 29 Newport Road  
Caerdydd / Cardiff  
CF24 0TP / CF24 0TP

Ebost/Email:  
[Ruth.Jenkins@cyfoethnaturiolcymru.gov.uk](mailto:Ruth.Jenkins@cyfoethnaturiolcymru.gov.uk)

Ffôn/Phone:  
0300 065 5014 / 0300 065 5021

06 September 2019

### **Petition P-05-876 Protection of Red & Amber listed species in Wales**

Thank you for your letter of 21 August 2019 to Clare Pillman. I have responded on Clare's behalf to the points you raise in your letter.

We understand that you are seeking additional information on the number of Licences NRW have issued which allow, in specific situations, the use of lethal force to kill wild birds listed as red or amber on Wales Birds of conservation concern<sup>1</sup>.

#### **Background**

Natural Resources Wales champions the environment of Wales and works hard to provide opportunities for the conservation of biodiversity. All wild birds are afforded protection under the Wildlife and Countryside Act (1981), but on some occasions, and only when all other avenues of scaring or deterring have failed, we issue Licences to kill birds for specific purposes. In doing so, as the competent licensing authority we carefully balance the needs of conservation with other public interests such as preserving air safety, protecting human health, public safety, minimising damage to crops and livestock and protecting fisheries.

There are two main types of licence – Bespoke and General.

#### **Bespoke licences**

Bespoke licences may be issued to control wild birds for many reasons including: human health and safety, fisheries, protection of crops and livestock, foodstuffs, conservation of flora and fauna and air safety. Bespoke licences require specific applications to be made to NRW. They are assessed and determined by the Permitting Service which aims to determine applications within 30 days.

In deciding whether a licence should be granted, all applications involving wild birds are assessed in the same way against the relevant policy and within the legal framework of the Wildlife and Countryside Act (1981). NRW fulfills this role as the wildlife licensing authority,

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<sup>1</sup> **Johnstone, I & Bladwell, S.** 2016. Birds of Conservation Concern in Wales 3: the population status of birds in Wales. *Birds in Wales* 13(1): 3-31

alongside our statutory responsibilities as Welsh Government's adviser on nature conservation. We only issue a licence as a last resort when all other methods have failed to resolve the problem. Furthermore, NRW would not license any activity which in its professional opinion would adversely affect the conservation status of any avian species.

### General Licences

NRW also make available General Licences which provide a legal basis for people to lawfully carry out a range of activities relating to wildlife. Four of them, General Licences 001 to 004<sup>2</sup> are used to give permission to take or kill certain wild birds, or damage, take or destroy their nests, or destroy their eggs for certain purposes for example to protect public health and safety, preserve air safety, to protect crops and livestock or for the conservation of other species. They currently apply to 15 bird species<sup>3</sup> in Wales and are issued under Section 16(1) of the Wildlife and Countryside Act 1981 (as amended). They allow lethal action and capture to be carried out, which would otherwise be illegal, without the need to apply for a bespoke licence. The process relies on the licensee to apply the legal provisions.

### Red and amber lists

Using a well-established approach, based on quantitative assessments against standardised criteria, birds are placed on 'Red', 'Amber' or 'Green' lists to indicate their level of conservation concern. By using a transparent and repeatable approach, based upon the best available monitoring and/or survey data, and conducted by a multi-partner group, Birds of Conservation Concern (BoCC) is a robust assessment of the conservation status of all of the UK's avifauna. The last UK assessment was BoCC4 (Eaton *et al* 2015)<sup>4</sup> and for Wales BoCC3 (Johnstone & Bladwell, 2016)<sup>5</sup>.

It is important to understand that there may be differences between species that are 'listed as 'Red', 'Amber' or 'Green' in the UK and Wales due to country differences in the rate of decline in numbers or range. The last assessment of the population status of birds in Wales (BoCC3) showed of Wales' regularly occurring bird species 54 species were placed on the Red list and 90 species were Amber listed (Johnstone & Bladwell, 2016, see <https://birdsin.wales/wp-content/uploads/2017/01/Birds-of-Conservation-Concern-Wales-3-2016.pdf>). In comparison, 67 of the UK's bird species are currently Red-listed and 96 species Amber-listed (Eaton *et al* 2015).

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<sup>2</sup> NRW General licence 001 - 2019 Licence to kill or take certain wild birds to prevent serious damage to agriculture, forestry or fisheries, or prevent the spread of disease, 002 - 2019 Licence to kill or take certain wild birds for the purpose of preserving public health and public safety, 003 - 2019 Licence to kill or take certain wild birds for the purpose of preserving air safety, 004 - 2019 Licence to kill or take certain wild birds for the purpose of conserving flora and fauna, including wild birds.

<sup>3</sup> Carrion crow, jackdaw, jay, magpie, rook, lesser black-backed gull, herring gull, great black-backed gull, common gull, black-headed gull, lapwing, wood pigeon, collared dove, feral pigeon, Canada goose.

<sup>4</sup> Eaton, M., Aebischer, N., Brown, A., Hearn, R., Lock, L., Musgrove, A. Noble, D., Stroud, D. & Gregory, R. 2015. Birds of Conservation Concern 4: the population status of birds in the UK, Channel Islands and Isle of Man. *British Birds* **108**: 708-746.

<sup>5</sup> Johnstone, I & Bladwell, S. 2016. Birds of Conservation Concern in Wales 3: the population status of birds in Wales. *Birds in Wales* **13**(1): 3-31.

## Numbers of licences issued

### General Licences

The way in which General Licences are administered, originally by Welsh Government and then by NRW, means that we do not gather information about the number of individuals relying on General Licences or the number of birds killed. The process relies on the licensee to apply the legal provisions. Individuals do not need to apply for a General Licence but are required by law to abide by their terms and conditions. They are currently available as downloadable documents on the NRW website and each downloaded General Licence is valid for the calendar year (and are available from 1<sup>st</sup> January).

Of the 15 species currently covered by General Licences in Wales, the latest assessment of the population status of birds in Wales identify 5 birds species are Red-listed (herring gull, great black-backed gull, common gull, black-headed gull and lapwing) and 1 species Amber-listed (lesser black-backed gull).

Recently, NRW has been undertaking a review of some of its General Licences specifically looking at the level of evidence available to support inclusion of the 15 species of wild bird listed on the General Licence suite 001-004 in Wales and appraising the evidence to determine whether, in Wales, there are no other satisfactory solutions available other than lethal measures or capture. Revised licences will be issued in September. Some of the changes made mean that they will no longer apply to any red or amber listed species in Wales.

### Bespoke Licences

The number of licences issued which give permission to kill or capture red or amber listed species in Wales is set out in the table below.

Year	Number of licences issued which include red and amber listed bird species
2013/14	37
2014/15	36
2015/16	45
2016/17	38
2017/18	34
2018/19	31
2019/20	5 to date

We have undertaken a more detailed analysis of the last full year of data 2018-2019. In this financial year a total of 31 bespoke licences were issued by NRW which authorised the killing or capture or taking of eggs of wild birds in Wales which are red or amber listed. See table below.

Licensable activity	Number of licences issued in 2018/19	Red (R) and amber (A) listed species included on licences
Conservation purposes	1	Black-Headed gull (R)

Licensable activity	Number of licences issued in 2018/19	Red (R) and amber (A) listed species included on licences
Preserving air safety	2	Starling (R) Curlew (R) Oystercatcher (A) Linnet (R) Kestrel (R)
Preserving public health/safety	13	Lesser Black-back gull (A) Herring gull (R) Black-Headed gull (R) House Sparrow (A)
Preventing serious damage to fisheries	11	Cormorant (A)
Preventing serious damage to livestock	3	Lesser Black-back gull (A) Herring gull (R) Starling (R)
Preventing spread of disease	1	Mallard (A)

In total these 31 licences permitted the destroying of up to 900 eggs and the killing or capture of 530 birds.

In deciding whether a licence should be granted, all bird applications are assessed in the same way against the relevant policy and within the legal framework of the Wildlife and Countryside Act (1981). NRW fulfills this role as the wildlife licensing authority, alongside our statutory responsibilities as Welsh Government's adviser on nature conservation. For example, serious damage is assessed according to the evidence collated and presented by the applicant as laid out in the licence application. When demonstrating the effectiveness of non-lethal methods, the licence applicant must provide details of the methods used and the length of time methods were in place.

We continue working to improve our processes and permits, and strive to do this in collaboration with others, so that we can work together towards a resilient and biodiverse Wales that supports the wellbeing of our communities.

Yours sincerely



Ruth Jenkins

**Pennaeth Polisi Rheoli Adnoddau Naturiol / Head of Natural Resources Management Policy**  
Cyfarwyddiaeth Tystiolaeth, Polisi a Thrwyddedu / Evidence, Policy and Permitting Directorate  
Cyfoeth Naturiol Cymru / Natural Resources Wales

# Agenda Item 3.7

## **P-05-817 Specialist prosthetics for child amputees**

This petition was submitted by Rebecca Roberts having collected 116 signatures.

### **Text of Petition**

We call on the National Assembly for Wales to urge the Welsh Government to ensure that funding is in place to enable each child amputee in Wales to have access to a specialist sports prosthetic.

We welcome the news that Westminster have made a further £1.5 million available to develop specialist prosthetics for young amputees in England. We ask that the same level of support be made available to children and young people living in Wales, so that any child or young person who would benefit from having a specialist sports prosthetic is able to have one made by the NHS.

### **Additional information**

#### **Petitioner's story**

My daughter was born with a rare condition called Fibular Hemimelia, meaning a total absence of fibular bones. She has the rarer version of it, which affects both legs. A few days after her first birthday she underwent a double amputation at Alder Hey hospital. A few months later she attended the Limb Centre at Wrexham Maelor to fit her first pair of prosthetic legs.

We have never had anything other than excellent and skilled service from the staff at the Centre; but her prosthetic legs are by necessity, heavy and rigid. She can walk, but slowly. She can climb, but with difficulty. She has never known what it is to run as fast as she can, to be able to ride a bike, or to keep up with her cousins as they race around the park. She has overcome so many challenges in her short life, but she faces many more.

As a parent my wish is that she can be the best version of herself; that she can play without struggling to keep pace with her peers and that she can participate fully in all aspects of life.

Soon she will be old enough for specialist prosthetics. If they were available

to her on the NHS it would make a world of difference to her as she goes about her daily life.

I know other child amputees in Wales are facing similar struggles, and I believe that our children are as deserving of the specialist support as English children. Westminster has just released an additional £1.5 million funding to help English amputees. The number of child amputees in Wales is much smaller than in England, but their needs are the same. We're not asking for millions, just for equality.

My daughter will spend her entire life wearing prosthetic legs. Specialist support could make a huge difference to her as she grows up. Please don't deny her and other Welsh amputees the support offered to English children.

**Assembly Constituency and Region**

- Vale of Clwyd
- North Wales



Ein cyf/Our ref VG/07967/19

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

21 October 2019

Dear Janet,

Thank you for your letter of 30 September on behalf of the Petitions Committee regarding petition P-05-817 about Specialist Prosthetics for Child Amputees.

As explained in my letter of 5 July I can confirm that we have now received the detailed costed business plan from the Welsh Health Specialised Services Committee (WHSSC) on how a service could be commissioned across Wales to provide specialised sports prostheses for children. My officials are progressing this work and I will update you once a decision has been made on the provision of this service in Wales.

Yours sincerely,

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

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

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

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



**P-05-817 Specialist prosthetics for child amputees – Petitioner to Committee, 22.10.19**

I thank the petitions committee for enquiring as to the progress of the petition. It was disappointing to note that the Minister does not appear to have shared the documents requested by the committee, and that there appears to have been little progress made since the committee last met. Hopefully the committee's continued interest and enquiries after the matter will prompt the Minister to make an announcement in the near future.

Not having seen the costed business plan I obviously have no idea of how the scheme's implementation or timeline; but I would like to add at this point that if the scheme were funded, one would hope for an immediate roll-out across the whole of Wales.

Having been personally negatively impacted by the phased 'roll out' of projects and the 'postcode lottery' nature of some early years care and education services in the past, I firmly believe that the only criteria for accessing the service should be the decision made by the patient's clinical team, and not where they happen to live or by which limb centre they attend. I feel strongly that piloting the scheme with a single limb centre would cause further delay in all child amputees being able to access the support they need. There are only three limb centres in Wales, and I believe that the number of child amputees are small enough to warrant offering them all specialist prostheses without the need for trials or pilot projects. Should the Minister's decision be to grant the funding, one would hope that the funding would be released as soon as the limb centres indicate that they have the capacity to begin providing an enhanced specialist service.

Diolch yn fawr.

## Agenda Item 3.8

### **P-05-882 Transforming the response for older people experiencing domestic abuse – a call for action**

This petition was submitted by Sarah Wydall having collected a total of 125 signatures.

#### **Text of Petition**

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

- raise awareness among the public, third sector organisations and statutory agencies of the number of older women & men in Wales who experience domestic abuse by family members, and
- ensure that essential levels of support and protection are available to older people experiencing such abuse.

Domestic abuse in later life: 'Ignored, invisible & overlooked'

The UK wide definition of domestic abuse, irrespective of age, is as follows: Any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over, who are or have been intimate partners or family members regardless of gender or sexuality. This can encompass but is not limited to the following types of abuse – psychological, physical, sexual, financial, emotional and as a result of neglect'.

It is estimated that the total number of older people in Wales experiencing domestic abuse is a staggering 40,000. Domestic abuse of people aged 60 years or over, living in their own homes, is often a misunderstood, overlooked and under-recognised phenomenon that has wide ranging effects on their lives. Images of older people are often not used in public campaigns about domestic abuse. It is difficult for older men and women to identify themselves as potential victims of domestic abuse.

The issue has been neglected in policy and practice when compared with other age groups.

- The Crime Survey for England & Wales did not include domestic abuse statistics for those over the age of 59 years, until April 2017, when the age limit for those who participate in the survey was increased to 74 years of age (ONS, 2017).
- Older people with dementia are at a higher risk of abuse due to their impaired ability to seek help, advocate for themselves or remove themselves from potentially abusive situations.
- Disability is also known to increase the likelihood of a person experiencing abuse.

### **Additional Information**

Do older people seek help?

Research shows that older people are less likely to report abuse than younger age groups; they do not access third sector specialist services and they also want help for the abuser.

On an individual level there may be many reasons why older people do not seek help:

- A misguided feeling that they are somehow responsible for the abuse;
- Fear of repercussion from the perpetrator;
- A greater level of emotional, financial and physical dependence on their perpetrator than their younger counterparts;
- They do not want to criminalise the abuser, who may well be a child or grandchild.

On a more organisational level, barriers to seeking help include:

- Generational factors including notions of privacy surrounding the home and intimate relationships may act as a barrier to seeking help. (Zink et al, 2004, 2005).
- Our research shows that existing services are not suitable for older victims. Services are often tailored towards safely removing the victim-survivor from the harmer through relocation from the family home and the community.
- In many cases older victim-survivors wish to maintain a relationship with the abusive person, particularly if the abuse is perpetrated by an adult child or grandchild. (Research by SafeLives in 2016 and Sprangler & Brandl, 2007).
- Decision-makers frequently view older people as a homogenous vulnerable group of adults that are unable to make their own decisions. (Harbison, 2012).

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

- Ceredigion
- Mid and West Wales



Ein cyf/Our ref JH-/05458/19

Janet Finch-Saunders AM

Government.Committee.Business@gov.wales

13 August 2019

Dear Janet,

Thank you for your letter and additional information regarding the Petitions Committee P-05-882, "Transforming the response for older people experiencing domestic abuse – a call for action." I am pleased the petitioners recognise Wales's commitment to tackling domestic abuse and the rights of older people. While Wales is seen to be leading the way, we are not complacent about the continuing challenges and will continue to raise awareness, challenge behaviour and hold perpetrators to account.

I recognise there are gaps in awareness, and I outlined in my previous letter some of the work we are doing to address this; such as our most recent communication campaign, 'This is not love. This is control.' The campaign is designed to reflect how diverse and underrepresented groups experience coercive control. The experience of older people and disabled people has been taken into account and reflected throughout this campaign. We will also continue to raise awareness of our guidance materials, such as that on Domestic Abuse: Safeguarding Older People in Wales, and are reaching out to survivors through our survivor engagement work, which is being developed further to understand the lived experiences of those we previously have not been able to reach.

While we are proud of the fact that Wales was the first of the UK nations to introduce legislation and a national strategy to tackle violence against women, domestic abuse and sexual violence, we recognise that these are deep and far reaching issues that will take time to change, and the Welsh Government cannot achieve this on its own. That is why we work with partners, and why we have placed a duty on local authorities and local health boards to publish and implement joint local strategies, based on local need.

We have also introduced statutory guidance for regional commissioning of services. These documents may have limited reference to particular communities of interest, but we have deliberately avoided over-prescription in favour of flexibility to meet local need and exercise professional judgement.

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

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

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

These needs-led approaches are intended to support delivery of appropriate, high-quality services at the point of need. In particular, by encouraging commissioners to come together on a regional basis, we want to move to a more strategic approach to the commissioning of services across the region.

In addition to those services that are delivered by local and regional providers, the Welsh Government funds a free 24-hour confidential helpline, Live Fear Free which can be contacted on 0808 8010 800. There is also a website: [www.livefearfree.gov.wales](http://www.livefearfree.gov.wales) with live web chat, both these services offer support and advice to all victims of abuse and violence, including older people and men. The helpline and website can also be accessed by 'concerned others' such as family members, friends and colleagues, and by service providers. All calls and web chat are confidential and are taken by staff that are highly experienced and fully trained.

We also provide funding to Safer Wales for their men-only service Dyn project and their Dyn male helpline. They can be contacted by phone or email 0808 801 0321 or [support@dynwales.org](mailto:support@dynwales.org)

We will continue to ensure that relevant professionals are trained to provide effective, timely and appropriate responses to victims and survivors throughout Wales through our National Training Framework.

Abuse of older people is one of the three key strands of the Older People's Commissioner for Wales' work programme and The Welsh Government recently took part in a round table event led by the Commissioner on this issue. We will continue to work with the Commissioner to ensure effective implementation of the Guidance on Domestic Abuse: Safeguarding Older People in Wales, 2017.

The Welsh Government is working with key delivery organisations to agree a first draft of the new Strategy for an Ageing Society. The strategy will go out for public consultation later this year and I encourage Dewis Choice to feed into this process to ensure that their voice is heard.

I note the concern that the five working groups set up as part of the development work did not specifically focus on domestic abuse and older people. Our 'Making Rights Real' working group did consider how to use older people's rights as a practical tool to combat abuse, ageism and inequality and to protect all older people. The Strategy for an Ageing Society will adopt a rights-based approach that promotes equality, social justice and empowerment across a range of policy areas.

We are also working with Social Care Wales to produce practical guidance to support local authorities deliver their duty to have due regard to the United Nations Principles for Older People, as required by the Social Services and Well-being (Wales) Act 2014.

As part of the review of engagement with older people Welsh Government commissioned Age Cymru to carry out a series of focus groups with older LGBT and BME people. The report that followed highlighted a number of areas for consideration that these individuals face in addition to being an older person. The findings are being considered as part of the strategy development.

As part of our commitment to promoting and advancing equality in Wales, we are helping disabled people to fulfil their potential and live the lives they want to lead. This requires removing both physical and attitudinal barriers that prevent this.

Our new framework – ‘Action on Disability: The Right to Independent Living’ will be published later this year. Disabled people have told us that local action is crucial, so the framework is designed to urge Welsh public services, employers and organisations at every level to take note of, and implement the Framework’s principles and commitments. The new framework is accompanied by an action plan to tackle some of the key barriers identified by disabled people themselves, such as transport, employment, housing and access to buildings and places.

We have also committed to include the needs of disabled people as part of the development of a national survivor engagement framework (2019-2020) for survivors of violence against women, domestic abuse and sexual violence.

I firmly believe that the dedication of our specialist services and support sector has contributed to the fact that Wales is seen as a pioneer in the field of domestic abuse policy and practice with colleagues across the border looking to replicate our initiatives. The work Dewi Choice is undertaking within the pilot is undoubtedly making a difference to older people in Wales and I would be most grateful if my officials could be kept updated on further progress on completion of the pilot phase. The team is contactable on [VAWDASV@gov.wales](mailto:VAWDASV@gov.wales)

Yours sincerely,

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

**Jane Hutt AC/AM**

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



# Comisiynydd Pobl Hŷn Cymru Older People's Commissioner for Wales

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

**03442 640 670**

Rydym yn croesawu  
galwadau yn Gymraeg

Adeiladau Cambrian  
Sgwâr Mount Stuart  
Caerdydd CF10 5FL

Cambrian Buildings  
Mount Stuart Square  
Cardiff CF10 5FL

17 September 2019

*Dear Chair,*

## **Petition P-05-882 Transforming the response for older people experiencing domestic abuse – a call for action**

Thank you for your letter and your request for information relating to the issues raised in the petition and further information about the work I intend to carry out to stop the abuse of older people in Wales.

The petition raises a number of important points and I support the calls made to raise awareness amongst the public and professional organisations about older people's experiences of domestic abuse, and to ensure that there is appropriate support available to older people at risk of, or experiencing, domestic abuse. I recently met with the Dewis Choice team to find out more about their excellent work and the learning from it. We discussed this petition and the domestic abuse of older people more widely and I will continue to work closely with them.

Whilst the petition focuses solely on domestic abuse, my work on abuse encompasses the abuse of older people in its broadest sense, including in health and care settings; financial abuse including scams; and crimes against older people. There is an urgent need to transform our approach and I believe that Wales has an opportunity to lead the way by developing a national action plan to stop the abuse of older people.

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

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

**Pack Page 127**

**[www.olderpeoplewales.com](http://www.olderpeoplewales.com)**



The plan should be developed with the experiences and views of older people at its heart. Its focus should include:

- Increasing awareness of the abuse of older people amongst the public and professionals
- Ensuring training on abuse for health, care, police and others working with older people
- Ensuring adequate and appropriate support services are available for older people at risk of, or experiencing, abuse
- Improving the collection of data about the abuse of older people to increase our understanding and accountability

### **Domestic abuse of older people (A hidden problem)**

Many thousands of older people in Wales experience domestic abuse - a single or repeated act, which causes harm or distress - by their partners as well as other members of their family. For some older people, they will have been experiencing domestic abuse for most of their adult lives, whereas for others it may have only started as they have reached older age or developed particular health conditions.

It is difficult to know the true scale of domestic abuse faced by older people as we only have data available on reports to adult safeguarding teams and the police, which does not show the level of abuse that is often hidden. Research undertaken in the UK and across the world has estimated between 4-16% of older people have experienced some kind of abuse (including domestic abuse). In Wales, this would put the range between 33,000-138,000 people.<sup>1 2</sup>

The statistics that we do have available show that during 2017-18, there were 1,611 reports of domestic abuse of people aged over 65 made through local authority safeguarding teams<sup>3</sup>, as well as 3,483 domestic abuse incidents with an older victim reported to the police in Wales.<sup>4</sup>

Despite the levels of domestic abuse faced by older people and that 1 in 4 domestic homicide victims in the UK is aged over 60,<sup>5</sup> there is an alarmingly low prosecution rate for all crimes committed against older people. Only around 1% of all crimes committed against an older person lead to a prosecution, compared to around 19% for all crimes that are committed.<sup>6</sup>

In order to increase the visibility of domestic abuse of older people, as well as increase the rate of reporting and prosecution, it is vital that more is done to raise awareness amongst the public and professionals about older people's experiences of domestic abuse and the support that is available to those at risk of, or experiencing, abuse.

## Older people's experiences of domestic abuse

As well as raising awareness of the incidences of abuse, it is also important for there to be greater awareness about how domestic abuse involving older people is different from that experienced by others who are younger.

For example, the Welsh Government's '*An Evaluation of the Access to Justice Pilot Project*' identified a much lower volume of cases where the perpetrator was under the influence of substance misuse when compared to domestic abuse in younger age groups.<sup>7</sup> The report also identified a higher volume of older male victims when compared to younger victims. This was also identified in a UK study undertaken by SafeLives, which found that males under 60 accounted for only 4% of clients, whereas for those over 60 they accounted for 21%. This study also identified higher numbers of victims with a disability for older women (48%) when compared with younger women (13%).<sup>8</sup>

One particular area of concern is domestic abuse involving older people living with dementia. I am aware of several cases where the individual living with dementia has begun to demonstrate violence (physical and/or sexual) towards their family carer (usually their spouse/partner). Whilst there had been early indications in these cases of a low level of violence, it was only when the violence had escalated to a critical point that a professional's intervention was considered.

Usually, this will result in police intervention where the 'perpetrator' is arrested and subjected to the criminal justice process, which will often lead to a conviction and the implementation of a Restraining Order preventing further contact with the victim. In some of the cases that have been brought to my attention, this was not the outcome the victim was expecting or seeking. Some have stated that had they been aware of this possible outcome, they would not have made a complaint as they were only seeking help and assistance for their partner.

As well as understanding the effect that dementia can have on experiences of domestic abuse, research has also identified that a disabled person is at twice the level of risk of experiencing domestic abuse than a non-disabled person.<sup>9</sup> Given that 36% of our older population in Wales have a disability, this could affect a significant number of people.

The availability of specialist support services, and older people's awareness of them, is also very limited, meaning older people will often remain in, or return to, an abusive situation which can negatively impact on their health and wellbeing. Services are not effectively targeted at older victims, and do not always meet their needs.<sup>10</sup> Older people experiencing abuse also often have great difficulty accessing alternative and suitable housing options that meets their needs; this equally applies to accessing refuge provision.

## Welsh Government guidance on domestic abuse

In 2017, the Welsh Government, in partnership with my office, published guidance for professionals on safeguarding older people from domestic abuse.<sup>11</sup> This guidance provides a comprehensive overview of older people's experiences of domestic abuse and the action that can be taken to address it. However, during training sessions that have been delivered by my office to professionals across Wales, it has become clear that many staff are not aware of the existence of the guidance.

The guidance is available on the Welsh Government's website, but I do not believe enough is being done to promote its existence to the staff that it is intended to reach. This guidance should be better promoted by the Welsh Government, as well as by public bodies throughout Wales.

## My work to stop the abuse of older people

Stopping the abuse of older people is one of the three priorities I set out in my strategy to make Wales the best place in the world to grow older. As part of this work, I will be taking action to increase the awareness of the abuse of older people amongst professionals and wider society; improve the access to support services for older people at risk of experiencing abuse; enable more older people who experience abuse to access legal justice; and take action to prevent incidences of abuse of older people.<sup>12</sup>

In January 2015, my office published *Crimes against, and abuse of, older people in Wales*, which identified gaps in service provision that met the needs of older people as well as an extensive lack of understanding and recognition of domestic abuse by professionals who would have contact with older people. One of the key recommendations of the report was for the delivery of training on domestic abuse of older people to be implemented.<sup>13</sup>

Following publication of the report, my office facilitated a series of seminar events across Wales bringing together operational and strategic leads from local authorities, health boards, police and third sector organisations. The purpose of the events was for these organisations to identify the areas of improvement needed within their organisations and develop actions to address these issues. Despite positive engagement from these organisations throughout Wales, more needed to be done.

Subsequently, my office began delivering our own training on domestic abuse of older people to professionals across health, social care and policing. So far, this training has been attended by over 2100 individuals working across Wales. Over the next 12 months, I will be continuing to deliver training for professionals working across health, social care and other key public services to enable them to recognise

the signs of abuse and understand the support available to protect and safeguard older people who have experienced abuse. I will be exploring how this can be developed into a bespoke training module that can be delivered by the internal training departments of local authorities and health boards.

To support these professionals, as well as the public, I will be identifying and mapping out the support services that are available for older people who have experienced abuse and will develop a set of resources to ensure they can find information about the support services in their area (where they exist).

In addition to this, I hosted a roundtable discussion in June to bring together key organisations and individuals – including the police, safeguarding teams, health boards, third sector organisations and other experts to learn from each other's experiences, explore the potential opportunities to work together and discuss the focus of my work.

Following this discussion, I will be holding three roundtable events this autumn with experts with operational and research experience to explore the motivators behind abuse and neglect and consider how these types of abuse could be effectively prevented. One of the events will focus specifically on domestic abuse of older people and I would be happy to share the findings of this discussion with the Committee.

In 2020, I will be publishing research, working with the police and the Crown Prosecution Service, to examine why prosecution and conviction rates for crimes against older people are disproportionately low when compared with the population as a whole, particularly in cases relating to safeguarding, abuse and neglect in care homes and hospitals. By reviewing data and outcomes relating to over 400 safeguarding cases throughout Wales, this research aims to identify potential ways in which safeguarding investigations and training could be enhanced and whether existing legislation could be improved.

Alongside this work, my office continues to provide support to individual older people that have experienced, or are at risk of, abuse. I will also be taking a keen interest in the development of the UK Government's proposed Domestic Abuse Bill and its implications in Wales.

## Conclusion

The fact that thousands of older people throughout Wales are victims of abuse – including domestic abuse – every year is something that we should not tolerate as a society.

Given the sensitivity and importance of this issue, I am seeking to build cross-party support in the Senedd for the national action that is needed to stop the abuse of older people in Wales and call on all Assembly Members to speak out on this issue.

I will be meeting Julie Morgan, Deputy Minister for Health and Social Services, later this month to have a further discussion on the action needed to stop the abuse of older people and have also raised the issue with Jane Hutt, Deputy Minister and Chief Whip, during a meeting in June. I have sent them a copy of this letter for their information.

If I can assist the Committee's inquiries any further, please do not hesitate to get in touch.

*Yours sincerely,*

A handwritten signature in black ink, reading 'Helena Herklots'.

Heléna Herklots CBE

**Older People's Commissioner for Wales**

CC: Jane Hutt, Deputy Minister and Chief Whip, Welsh Government  
Julie Morgan, Deputy Minister for Health and Social Services, Welsh Government

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- <sup>1</sup> O'Keeffe, M. et al. (2007) UK Study of Abuse and Neglect of Older People Prevalence Survey Report; <https://www.kcl.ac.uk/scwru/pubs/2007/okeefeetal2007ukstudyprevalence.pdf>
- <sup>2</sup> Yon, Y. et al. (2017) Elder abuse prevalence in community settings: a systematic review and meta-analysis; *The Lancet Global Health* (5:2); 147-156; <https://www.sciencedirect.com/science/article/pii/S2214109X17300062>
- <sup>3</sup> Welsh Government (2018) Adult safeguarding: April 2017 to March 2018; <http://bit.ly/2KydS1T>
- <sup>4</sup> Data provided to the Commissioner from Wales's four police forces for 2017-18 (Dyfed Powys, Gwent, North Wales and South Wales)
- <sup>5</sup> Bows, H. (2019) Domestic Homicide of Older People (2010–15): A Comparative Analysis of Intimate-Partner Homicide and Parricide Cases in the UK; <https://academic.oup.com/bjsw/article/49/5/1234/5211414>
- <sup>6</sup> Ministry of Justice (2014) Criminal Justice Statistics Quarterly Update to March 2014; <http://bit.ly/2M78y8M>  
In 2013-14, 18,931 crimes against people aged 60+ in Wales were recorded. 2,561 arrests were made. 233 cases went to court. Only 194 cases resulted in a successful conviction. 3,506,699 crimes were recorded in the UK in 2013-14. The total number of convictions during 2013-14 was 675,316.
- <sup>7</sup> Welsh Government (2012) An Evaluation of the 'Access to Justice' Pilot Project; <http://bit.ly/2Z0xmpH>
- <sup>8</sup> SafeLives (2016) Safe Later Lives: Older people and domestic abuse; <http://bit.ly/2NgNqN4>
- <sup>9</sup> Hague, G. et al. (2010) Disabled Women and Domestic Violence: Making the Links, a National UK Study; *Psychiatry, Psychology and Law* (18:1); 117-136; <http://bit.ly/31u4KSS>
- <sup>10</sup> SafeLives (2016) Safe Later Lives: Older people and domestic abuse; <http://bit.ly/2NgNqN4>
- <sup>11</sup> Welsh Government (2017) Information and guidance on domestic abuse: Safeguarding older people in Wales; <http://bit.ly/2yJO7WD>
- <sup>12</sup> Older People's Commissioner for Wales (2019) Making Wales the best place in the world to grow older; <http://www.olderpeoplewales.com/en/publications/strategy.aspx>
- <sup>13</sup> Older People's Commissioner for Wales (2015) Crimes Against, and Abuse of, Older People in Wales; <http://bit.ly/31kFRZw>

**P-05-895 882 Transforming the response for older people experiencing domestic abuse – a call for action, Correspondence – Petitioner to Committee, 30.10.19**

*Petition P-05-882 Transforming the response for older people experiencing domestic abuse – a call for action: Response by Dewis Choice, Aberystwyth University*

Dewis Choice is a research-based Welsh initiative that has been co-produced by older people in community settings, to develop a locally responsive and needs-based service for older victim-survivors of domestic abuse. It is the first dedicated service for men and women aged 60 years and over, who have experienced domestic abuse in the UK. The initiative is also the first global longitudinal study that explores older people's justice-seeking and help-seeking journey in the context of domestic abuse and coercive and controlling behaviours.

Domestic abuse is a human rights violation and a major social issue that affects one in four women and one in six men. Prevalence studies for those aged 60 years and over state that between 25 and 30% of women report experiencing domestic abuse, suggesting a potentially higher rate of violence in later life (Fisher, 2006; Bonomi, 2007). The data on prevalence rates for people aged 60 years and over, is inadequate which prevents resource allocation, and policy and practice developments. This lack of data further reinforces ageist assumptions centred around the notion that domestic abuse ends at 60 years of age, despite domestic homicide in later life being the fastest rising rate of homicide across all age groups.

With the exception of the Dewis Choice Initiative (2015-2020), there is insufficient service provision that is dedicated to a range of complex needs such as the co-existence of dementia and domestic abuse, older male and female victims, LGBTQ+ victims and victims of adult family violence and intimate partner violence. Given Wales is perceived as a pioneer in the field of domestic abuse and has the advantage of having an Older People's Commissioner in office, it is disappointing that currently three generations of older victims do not have access to appropriate services. This serious issue creates a significant well-being and human rights deficit involving protection, private life and justice.

The petition raised by Dewis Choice calls for the following actions:

- Raise awareness among the public, third sector organisations and statutory agencies of the number of older women and men in Wales who experience domestic abuse by family members, and;
- Ensure that essential levels of support and protection are available to older people experiencing such abuse.

The petition calls for the National Assembly to urge the Welsh Government to provide a consistent coordinated response to older women and men in Wales who are victims of domestic abuse, ensuring a commitment to funding to support meeting the objectives of the *National Strategy on Violence against Women, Domestic Abuse and Sexual Violence Cross-Government Delivery Framework 2018-2021*, specifically:

**Objective 1:** Increase awareness and challenge attitudes of violence against women, domestic abuse and sexual violence across the Welsh Population.

**Objective 5:** Relevant professionals are trained to provide effective, appropriate responses to victims and survivors.

**Objective 6:** Provide victims with equal access to appropriately resourced, high quality, needs-led, strength-based, gender-responsive services across Wales.

Jane Hutt AM highlights the work in Wales to combat abuse, ageism and inequality and to protect older people, particularly in relation to the *Making Rights Real* working group, the *Strategy for an Ageing Society* and work to increase engagement opportunities for older people. Dewis Choice welcomes the important work in promoting rights and equality for older people in Wales; however, the legislative framework does not provide a coordinated community response to older people experiencing abuse. Our research in Wales shows there is a significant gap in policy development and service provision (Wydall et al., 2018).

We will now address the three objectives (1, 5 & 6) of the VAWDASV delivery framework in relation to a range of older victim-survivors.

**Objective 1: Increase awareness and challenge attitudes of violence against women, domestic abuse and sexual violence across the Welsh Population.**

Campaigns to increase awareness of domestic abuse have historically been linked to services, primarily for the support of younger victim-survivors and the reporting of crime. Domestic abuse services are based on a model that relies on people being able to self-identify as victims of abuse and to seek help from specialist services. A large part of older people recognising themselves as potential victims is attributed to the effectiveness of public awareness campaigns. Our research shows that campaigns, including the *Live Fear Free* campaign, are exclusionary and hetero-normative; typically, they represent younger, white, middle-class, heterosexual females who experience abuse from an intimate partner. People aged 60 years and over are absent from the 'public story' of domestic abuse (Donovan and Hester, 2014) and therefore, are invisible, ignored and overlooked in campaigns. This is a violation of their human rights.

Although we welcomed the campaign *This is not love. This is control*, the advert did not include a person over the age of 70 years. The campaign gained momentum across social media and the internet. This may restrict access for some older people, particularly those aged 85 years and over, who may not use social media and the internet.

Within the VAWDASV strategy, there is a strong focus on educating younger people on the issues that fall within VAWDASV in Relationships and Sex Education and Health Education. Abuse does not stop when a person reaches a certain age and abuse can begin at any point during the life course; therefore, we call for health and wellbeing work on healthy relationships to extend beyond younger people and include healthy relationships in later stages of the life course.

**Objective 5: Relevant professionals are trained to provide effective, timely and appropriate responses to victims and survivors.**



Specialist domestic abuse training programmes for practitioners working with standard, medium and high-risk victims of domestic abuse, focus on those aged 16 to 59, experiencing abuse from an intimate partner or ex-partner (not a family member). In core training provision, there is limited inclusion of those aged 60 years or over, addressing how their additional needs can be met. Practitioners across all statutory and third sector services, frequently report feeling ill-equipped, lacking skills and confidence to respond to older victims of domestic abuse.

Core training for professionals working across all risk levels needs to reflect victims across the lifespan. Our research demonstrates that older people are more likely to present in health and social care settings and the option of safe disclosure should be made available with a routine enquiry that extends beyond the focus of pregnancy. We call for mandatory training for health and social care staff, including GP's and community nurses.

Specialist domestic abuse services and risk assessment tools are not designed to encompass the needs of older victims nor the specific risks to safety older people experience. In later life, there are specific factors including; care-givers stress, increased contact with family members following retirement, financial dependency and potential isolation from social networks that may increase the risk of domestic abuse (Wydall et al., 2018). Given that older people are more likely to experience abuse from an adult family member than a current intimate partner (SafeLives, 2015-2016), most services and domestic abuse risk assessments are catered towards a model designed for younger victims of intimate partner violence.

Although the Older People's Commissioner for Wales, produced an adapted DASH RIC for older people, once more it caters to heterosexual model of intimate partner violence and does not cover family members and the additional complexities of dementia and ill health. The assumption that the risk of physical abuse decreases with age is not substantiated with research, in fact some studies have shown the risk may increase with the onset of dementia where domestic abuse has been a feature in the relationship (Knight, 2012). Practitioners have reported feeling uncomfortable, and in some cases avoiding asking older people about abusive experiences, particularly those of a sexual nature. Thus, high-risk victims are not being identified by practitioners through current assessment methods, and are denied access to timely and appropriate resources (Clarke et al., 2012). It is concerning that resources are largely based on risk assessments that do not sufficiently identify the risks and needs of older victim-survivors. The lack of suitability is reflected in the poor uptake of specialist services by older people and the number of people supported by an IDVA or the MARAC model. This raises questions regarding equality of access to service provision.

**Objective 6: Provide victims with equal access to appropriately resourced, high quality, needs-led, strength-based, gender-responsive services across Wales**

#### **Equality of access for older victims of domestic abuse**

The percentage of people aged 65 years and over, makes up over 25% of the adult population in Wales (aged 16 and over). In line with objective 6, it would be reasonable to expect the allocation of resources for a gender-responsive service to take account of the demographic.

The 2018 regional VAWDASV guidance- *Welsh Government Guidance for local strategies*, contains a section, "Older People," stating that:

*older people can fall between the systems which are designed to offer them protection and as a consequence do not receive appropriate support to help them to stop the abuse or make them safe...*

Whilst it is wrong to depict three generations of older people as 'the same', there are significant differences within and across these generations in terms of general health and morbidity. It is important that public sector and third sector providers are prepared and able to link safeguarding systems to offer a suite of support which addresses all of the issues which may be faced by an older person experiencing violence and abuse.

The 2018 regional guidance made no specific reference to provision for older people, including them as marginalised groups (BAME, LGBTQ+, disability), which is a cause for concern, and reflected in Jane Hutt Am's response:

In relation to the VAWDASV strategy, the guidance for the regional commissioning of services deliberately makes "limited reference to particular communities of interest," to ensure regions have "flexibility to meet local needs."

Due to of the lack of dedicated services, older victim-survivors are falling between the gaps in current legislation; the VAWDASV Act 2015 and the Social Services and Wellbeing (Wales) Act 2014. The two pieces of legislation promote a collaborative response from adult safeguarding and domestic abuse services, however, greater strategic alignment between the two acts is needed to create an environment within which older victim-survivors of VAWDASV have equal access to both justice options and support services as their younger counterparts. Our research across Wales suggests when a person is aged 60 years and over, they are diverted away from the criminal justice system towards an adult safeguarding 'welfarised response' (Wydall and Zerk, 2017; Clarke et al., 2012). For victim-survivors who are not deemed to have care and support needs, they do not qualify for safeguarding nor are they given access to specialist domestic abuse services.

Additional gaps in service provision within Wales:

- There is a dire shortage of Welsh speaking specialist trained professionals;
- For older people who may have additional needs there is a shortage of trained domestic abuse professionals, particularly where there are intersections between disability, dementia, mental health and sexuality;
- Social justice options and well-being services are limited to short-time initial disclosure and safety planning. More resources should be made available for support after sentencing.

Because of inappropriate service provision, older people are not receiving sufficient protection and support. We feel that there is a significant well-being and human rights deficit concerning protection, private life, and justice.

### **Provision of gender-based services for older men**

As with young men, older men rarely identify as victims of domestic abuse. Third sector domestic abuse services are marketed to respond to women and children. Services are limited in what they can offer male victims especially older men who may have more complex needs. The research findings suggest that third sector services are designed using empirical evidence based on women-only studies. The Dyn project is currently the only dedicated specialist

service in Wales providing dedicated support for male victims, however, the service is limited to: support to males who are heterosexual, gay, bisexual, and trans, who experience abuse from an intimate partner; telephone support limited to 2.5 days per week; face to face support for males in the Cardiff area only.

Our evaluation of the Access to Justice Pilot identified higher rates of male victimisation in older age groups when compared to younger age groups (those less than 60 years of age). In addition, older males are as likely to experience abuse from a family member as they are from an intimate partner.

In Wales and across the UK, Dewis Choice is the only dedicated service supporting older men who have experienced abuse from an intimate partner and/or a family member. Older males engaging with Dewis Choice have highlighted the benefits of face-to-face support to address their needs, for example, safety planning and support to access housing. Greater consideration is needed to how service providers can better respond to the needs of older male victim-survivors living in Wales.

*Older people's experiences of domestic abuse and accessing justice and welfare services are influenced by both gender and age, plus additional identities including; ethnicity, sexual orientation, culture, immigration status. We call for the intentional inclusion of older people in research, policy, practice and awareness campaigns that recognises abuse features across the life course.*

31 October 2019

*Links to research referenced in response:*

Clarke, A., Williams, J., Wydall, S. and Boaler, R (2012) 'An Evaluation of the Access to Justice Pilot Project', Welsh Government: <https://gov.wales/evaluation-access-justice-pilot-project-0>

Wydall, S. Clarke, A. Williams, J. Zerk, R. (2018) Domestic Abuse and Elder Abuse in Wales: A Tale of Two Initiatives, *British Journal of Social Work*, Volume 48, Issue 4, 1 June 2018, Pages 962–981 <https://doi.org/10.1093/bjsw/bcy056>

Wydall, S. and Zerk, R. (2017) 'Domestic abuse and older people: Factors influencing help-seeking' *The Journal of Adult Protection* <https://www.emeraldinsight.com/doi/pdfplus/10.1108/JAP-03-2017-0010>

# Agenda Item 3.9

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

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

### **Text of Petition**

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

### **Assembly Constituency and Region**

- Neath
- South Wales West

**P-05-864 Ban the use of 'Hostile Architecture' – Caer Las to Committee 14.06.19**

Dear Sir/Madam,

I am responding to the attached request for views concerning 'hostile architecture' and rough sleeping.

Our organisation Caer Las, works with homeless people across four local authority areas; Carmarthenshire, Swansea, Neath Port-Talbot, and Bridgend.

We assist almost 2000 people every year across a range of services.

In Swansea and Port-Talbot we have services dedicated to assisting street homeless people.

Examination of Wales own 'rough sleeper counts' (attached), and Caer Las' own project data, makes it clear that Wales, like many areas of the UK has a significant (and rising) population of rough sleepers.

The speculative 'causes' of homelessness, are complex, but in spite of 50 years of public investment, and an ever more sophisticated range of services, the problem is not diminished.

The question for Caer Las is whether 'hostile architecture' helps reduce rough sleeping.

Simply put, it does not, and only serves to make the trauma of homelessness a demonstrably worse experience.

Given that no-ones interests are served by a cohort of our citizens living on the streets, it would be far better to understand the concerns of those businesses and organisations that create these hostile environments.

The assumed purpose of so-called 'hostile architecture' is to protect property. It is clearly not helpful to either the individuals experiencing street homelessness or the agencies working with them.

It would be more rational for the companies to work with the agencies set up to assist rough sleepers, and to direct their investment at tackling the 'humanitarian' problem.

Reducing rough sleeping and creating mutual understanding and dialogue would better serve the interests of all parties.

This is far more likely to create a win/win/win for all concerned.

- People on the streets need shelter and support

- Agencies want to have the means to provide assistance
- Businesses want to protect their rights to trade.

Our concerns is that 'hostile architecture' contributes to a growing list of factors that contribute to an individual's social exclusion.

Poverty, a paucity of affordable housing, rising mental health concerns, epidemic substance use, a punitive benefits systems already push people to the margins of society and serve to create an underclass.

Hostile architecture simply exacerbates the problem.

Please feel free to contact me if you have any questions,

Best wishes, Jim

Jim Bird-Waddington

Prif Swyddog Gweithredol

Chief Executive Officer



## Response to Petition P-05-864 Ban the use of 'Hostile Architecture'.

14<sup>th</sup> June 2019

### **Our vision**

Everyone in Wales should have a decent and affordable home: it is the foundation for the health and well-being of people and communities.

### **Mission**

Shelter Cymru's mission is to improve people's lives through our advice and support services and through training, education and information work. Through our policy, research, campaigning and lobbying, we will help overcome the barriers that stand in the way of people in Wales having a decent affordable home.

### **Values**

- Be independent and not compromised in any aspect of our work with people in housing need.
- Work as equals with people in housing need, respect their needs, and help them to take control of their lives.
- Constructively challenge to ensure people are properly assisted and to improve good practice.

We welcome the opportunity to engage with this issue and provide some information to the Committee to support the petition.

Hostile architecture, also known as defensive or disciplinary architecture, is a term referring to methods designed to subtly or unsubtly exert environmental social control which renders the building, furniture or area in question unusable to certain groups.

The trend of adding obstructive additions to public areas, including but not limited to: fencing; spikes; or railings on benches, all of which are designed to prevent homeless people from being able to lie or sit down, is a cynical practice that shows an intolerance of homelessness, and an inhumanity.

There is little data to show the scale of the use of these measures and it may be an issue that the wider public are somewhat blind to. However, if you were to put yourself into the shoes of someone who is sleeping rough and walk around towns and cities and try to see the landscape through the eyes of someone on the street it might look different.

You cannot design a way out of homeless, and the resources being used and spent on designing, installing, and maintaining these obstructions could be used better by addressing the core issues affecting people who have become homeless and preventing more homelessness – as opposed to moving them elsewhere as if to make the problem invisible and therefore easier to pretend it does not exist.

Quite often the justification for these measures is to encourage people to utilise existing services. However, [research](#) shows that there a range of reasons why people are reluctant or unable to use these services. Taking away other options to try and force them into services may just lead to people being put in precarious and more dangerous situations. For example, hostile architecture may force someone who is unable to sleep on a bench or in a space on the high street that is well lit and in the view of CCTV into a more remote area of the city where they are isolated and more vulnerable to a range of risks.

It is not just people who are sleeping rough that are affected by hostile architecture but also people who are in emergency accommodation and 'engaging' with services. Quite often this accommodation requires people to vacate by 9am and they are unable to return until 9pm, meaning they are left with nowhere to go during the day and often need a space in which they can settle for the day with their belongings. Hostile architecture removes these spaces for people.

We understand that not all examples of these measures are aimed at people sleeping rough, for example armrests on benches may be beneficial and essential for people with mobility issues. However, there are some measures that are used for nothing more than to design people sleeping rough out of the high street and other public spaces.

The resources spent on planning, designing, installing and maintaining hostile architecture could be better used to address the root issues rather than firefight the symptoms, demonising and marginalising people in the process. A continuation of the use of hostile architecture just pushes people, and the perceived problem, elsewhere, and comes no closer to addressing the growing issue of rough sleeping and homelessness, as well as restricting the wider public from using certain areas, just to punish a small and incredibly vulnerable group of people.

More worryingly this approach reinforces the myths around homelessness and can negatively influence the perception of the public, placing people at increased risk of victimisation. There are better ways of managing the public's concerns about



homelessness and we would highlight our [7 Ways](#) campaign which includes education and promotes understanding and compassion whilst giving practical advice on how people can help.

## Crisis response to Petitions Committee on 'hostile architecture'

June 2019

### Key points

- People who are rough sleeping face a struggle to survive against weather, risks to their health, and a greater likelihood of being abused or victims of anti-social behaviour.
- Informal 'enforcement' against people rough sleeping is common and more widespread than formal enforcement measures by police or local authorities. Informal measures include being moved on, facing 'hostile architecture' and 'designing-out', or the 'wetting down' of sleeping areas.
- Enforcement activity of any kind without any offer of support can push people further away from sources of help. The best way to help people rough sleeping is to provide rapid support and rehousing; and to prevent people being in the situation in the first place.

### Recommendations

1. 'Hostile/defensive' architecture is one of a number of informal ways that people who are rough sleeping are moved on. This approach does not address the root causes of a person's situation and can push people further away from sources of support or into more dangerous places or situations. It also reflects poorly on society's treatment of some of our most vulnerable citizens. Instead, **local areas should invest in what works: providing multi-agency support and suitable housing to rapidly help people away from the streets.**
2. **Concerned members of the public or businesses should be encouraged to use the Streetlink service to link people rough sleeping to support services.** Enforcement agencies, and police in particular, are limited in the support they can provide to help a person away from the streets and should only be called to deal with emergencies or anti-social behaviour that is causing genuine alarm, distress or harm to the community.

## The harms of rough sleeping

- People sleeping rough are almost 17 times more likely to be victims of violence and 15 times more likely to have suffered verbal abuse compared to the wider public. The majority (53%) of instances are unreported to the police with the main reason for not reporting being an expectation that nothing would be done as a result.<sup>1</sup>
- Between 2012 and 2017 the number of people who died while homeless in England and Wales increased by almost a quarter (24%).<sup>2</sup>
- In Wales more people presenting to their local authority for homeless assistance had mental (and physical) health problems than the broader population.<sup>3</sup>

## Use of 'informal' enforcement, including 'hostile architecture'

- Mark, who sleeps rough, said: "I find all benches... They're always either curved in the middle so they raise up, or they're slanted so yeah, to be honest like it's hard to find a bench to sleep in. And if you can, they're not comfortable anyway and then as you said any wall areas, yeah, you know, you got those little metal circle bits on or little spikes."<sup>4</sup>
- A Crisis survey (2017) found that 1 in every 5 local authorities in England and Wales intended to use further 'defensive/hostile' architecture in the future.<sup>5</sup>
- 92 per cent of people on the streets in England and Wales said to a Crisis survey they have experienced informal measures against them, such as being challenged or 'moved on'.<sup>6</sup> Informal measures can be a response to calls for action from local businesses or members of the public and are an attempt to deal with anti-social behaviour more generally. People sleeping rough are sometimes considered part of this despite the evidence that this approach does little to help people away from the streets.<sup>7</sup>
- Any enforcement activity that is not combined with an offer of support can displace people physically to other locations, potentially further away from support services and also make people feel more lonely and isolated.<sup>8</sup>

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<sup>1</sup> Sanders, B. and Albanese, F. (2016), *"It's no life at all"- Rough sleepers' experiences of violence and abuse on the streets of England and Wales*. London: Crisis.

<sup>2</sup> Office for National Statistics (2018), *Deaths of homeless people in England and Wales: 2013 to 2017*.

<sup>3</sup> Cymorth (2017), *Health Matters – the health needs of homeless people in Wales*, Cardiff: Cymorth, p.6

<sup>4</sup> Sanders, B. and Albanese, F. (2017), *An examination of the scale and impact of enforcement interventions on street homeless people in England and Wales*, London: Crisis, p. 23

<sup>5</sup> Ibid. p.19

<sup>6</sup> Sanders, B. and Albanese, F. (2017), *An examination of the scale and impact of enforcement interventions on street homeless people in England and Wales*. London: Crisis, p.34

<sup>7</sup> Sanders, B. and Albanese, F. (2017), *An examination of the scale and impact of enforcement interventions on street homeless people in England and Wales*. London: Crisis, p.17

<sup>8</sup> Sanders, B., & Albanese, F. (2017), *An examination of the scale and impact of enforcement interventions on street homeless people in England and Wales*. London: Crisis, p.35

Other evidence shows that enforcement without support can also lead to 'activity displacement', whereby people engage in potentially riskier behaviour like shoplifting or street-based sex work to survive and meet their needs.<sup>9</sup>

## The state of debate on street homelessness

While not directly linked to the use of enforcement, Crisis is very concerned about the state of discussion in the public domain about rough sleeping and wider homelessness. We worked late last year with Shelter Cymru to jointly publicise our concerns.<sup>10</sup>

Particularly, we are concerned that the discussion can miss the causes and solutions of homelessness; and not safeguard the value and human dignity of people forced to sleep rough, including by some people in positions of authority.

There are some good examples of media coverage and political discussion<sup>11</sup> but also some bad examples, including:

- Use of 'the homeless' as a type/class of person rather than 'people who are (experiencing) homelessness' and dehumanised discussion about 'homeless tents' rather than people.
- Senior local elected politicians talking about sleeping rough as a 'lifestyle choice'<sup>12</sup> or saying individual rough sleepers are responsible for their situation because there is 'no need to sleep rough'.

## What works to end rough sleeping

- Evidence is clear that the best way to end rough sleeping is to prevent it as much as possible and to provide mainstream housing as early as possible together with support to help someone rebuild their life.
- A review for Crisis of what works to end rough sleeping specifically found the following five themes feature in successful approaches:<sup>13</sup>

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<sup>9</sup> Johnsen, S (2016), Enforcement and interventionist responses to rough sleeping and begging: opportunities, challenges and dilemmas, ESRC, p.3

<sup>10</sup> Crisis and Shelter Cymru (2018), Call for councils to change their approach to begging, <https://www.crisis.org.uk/about-us/media-centre/crisis-and-shelter-cymru-call-for-councils-to-change-begging-approach/>

<sup>11</sup> WalesOnline (5 February 2019), The complex set of reasons why homelessness in Wales is more visible than ever, <https://www.walesonline.co.uk/news/politics/complex-set-reasons-homelessness-wales-15769048>

<sup>12</sup> BBC Wales News online (5 May 2018), Cardiff rough sleepers are making 'lifestyle choices', <https://www.bbc.co.uk/news/uk-wales-south-east-wales-44012807>

<sup>13</sup> Mackie, P., Johnsen, S. and Wood, J. (2017) *Ending rough sleeping: what works? An international evidence review*. London: Crisis.

- Recognising the individual needs people have for housing and support.
- Swift action to prevent or quickly end homelessness through proven approaches.
- Assertive outreach leading to suitable accommodation offers.
- Offering rapid access to settled housing, including the use of the Housing First approach for some people.
- Offering person-centred support and choice and ensuring access to wider support, such as mental health, substance use etc.



Yvonne Connelly

Regional Manager - Wales & South West /  
Rheolwraig Rhanbarthol - Cymru a'r De  
Orllewin

Date: 28 October 2019

Ref: YC281012019

28 October 2019

Janet Finch-Saunders AM/AC  
Chair/Cadeirydd  
National Assembly for Wales  
Cardiff Bay  
Cardiff  
CF99 1NA

Dear Janet,

The Salvation Army are pleased to be called to give evidence to the valuable efforts of Petition P-05-864 on a proposed ban of the use of 'hostile architecture'.

The growing use of hostile architecture not only symbolises disrespect and a lack of care for fellow human beings, but its rollout is proactively harming the health, wellbeing and recovery of people who experience homelessness and the services we provide them in Wales.

Ultimately, hostile architecture is dehumanising. Our experience tells us that people who experience homelessness do not reside in busy central locations by choice. They simply have nowhere else to go. Hostile architecture merely forces them to move to more isolated and vulnerable locations as well as reinforcing the message that homelessness is 'not to be seen' in our communities. Additionally, we believe the use of hostile architecture to reflect a poor financial investment, which merely serves to move on an individual as opposed to offer a meaningful solution to the issue of homelessness.

Hostile architecture **destroys 'safer' spaces** where people experiencing homelessness commonly reside. We have viewed with concern the growing trend for organisations and authorities to simply block off access to spaces where people who experience homelessness have often gathered, generally on the basis that there is drug use and anti-social activity occurring there. However, rarely have we seen these actions go hand in hand with adequate support and a credible offer to end the experience of homelessness.

Shelter from poor weather conditions is a basic human right for good reason, because it fundamentally contributes to human survival, and yet hostile architecture is forcing people experiencing homelessness out into the elements and into less hospitable and often more dangerous environments.

**Therefore, banning hostile architecture would help end the systematic displacement of people experiencing homelessness from 'safer' spaces and reduce projected harms to their health, wellbeing and recovery.**

Furthermore, hostile architecture can directly **hinder our efforts to monitor, engage and support** people experiencing homelessness by damaging their little remaining trust of authorities and wider society. We fear that further efforts to drive people who experience homelessness away from central public locations will decrease their participation with our vital outreach services, such as The Bus Project and Housing First, which monitor the

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The Salvation Army Trustee Company, registered number 00259322 (England and Wales). Registered office: 101 Newington Causeway, London SE1 6BN  
General: Brian Peddle Territorial Commander for the United Kingdom with the Republic of Ireland: Commissioner Anthony Cotterill

location, wellbeing, health and progress of rough sleepers which in turn feeds into a wider multi agency assertive engagement approach.

We know from our work delivering housing, in particular our Housing First services, that a significant factor in why people are disengaging from housing services and the wider community is because they no longer trust them.

Building trust and repairing the broken relationships is therefore key if we are sincere as a society in our desire to end homelessness and in particular rough sleeping. Physically forcing people in crisis out of their communities and reinforcing their perceptions of a lack of care, consideration and compassion through hostility, will only serve to increase the disengagement, distrust and destitution of this vulnerable group of people.

Therefore, The Salvation Army believes that banning hostile architecture will allow us all to clearly demonstrate care, compassion and fairness in all aspects of our community.

The proposed ban offers Wales a unique platform to lead on championing the concept of public space as space *for all*.

*This very public statement will send out a clear message of value and acceptance to those who experience homelessness and importantly, it will also directly aid the efforts of organisations like The Salvation Army in our assertive work throughout Wales to build productive and meaningful relationships with people experiencing homelessness and deliver credible solutions to ending this experience.*

We look forward to continuing this important conversation with you. If there is anything we can offer more in the meantime please get in touch.

Yours sincerely,

Yvonne Connolly



Regional Manager - Wales & South West / Rheolwraig Rhanbarthol - Cymru a'r De Orllewin  
Homeless Services / Gwasanaethau Digartrefedd  
The Salvation Army

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# Agenda Item 3.10

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

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

### **Text of Petition**

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

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

### **Assembly Constituency and Region**

- Merthyr Tydfil and Rhymney
- South Wales East



# Agenda Item 3.11

## **P-05-872 Protect school funding or admit to the weakening of service provision**

This petition was submitted by James Wilkinson having collected a total of 5,784 signatures.

### **Text of Petition**

We call upon the Welsh Government to protect funding to schools and, if they cannot, to acknowledge the impact of cuts on educational provision, particularly for our most vulnerable learners.

As cuts continue to council budgets, and these cuts are passed on to schools, governing bodies are being asked to make impossible decisions about which vital educational services should be removed from our schools.

This will mean reduced provision for pupils with additional learning needs, less support for vulnerable learners, a narrowed curriculum choice, insufficient learning resources and dilapidated buildings.

These are not the foundations on which schools can be expected to construct and implement a world leading educational curriculum.

### **Assembly Constituency and Region**

- Clwyd West
- North Wales



Ein cyf/Our ref MA-P/KW/2889/19

Lynne Neagle AM  
Chair of the Children, Young People and Education Committee  
National Assembly for Wales  
Cardiff Bay  
Cardiff  
CF99 1NA

9 September 2019

Dear Lynne

Thank you for your letter of 8<sup>th</sup> July 2019 regarding the Committee's report on School Funding in Wales.

I welcome the report and equally recognise that this is hugely complex, multi-layered and dependent on many factors. The strength of the evidence provided to the Committee highlights the importance of ensuring our schools receive the appropriate levels of funding.

The attached table sets out the Welsh Government's response to each recommendation. I am pleased to have been able to accept all of the Committee's recommendations. I have committed to provide the Committee with further updates in relation to some of the recommendations; I will do this as information becomes available or work develops.

Please pass on my thanks to the Committee and everyone else involved in supporting your inquiry.

Yours sincerely

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

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

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

**National Assembly for Wales  
Children, Young People and Education Committee Report:  
School Funding in Wales  
Welsh Government response**

**Recommendation 1**

**That the Welsh Government commission an urgent review of how much funding is required to fund schools sufficiently in Wales, particularly given the level of reform currently being undertaken. The review should:**

**Consider, as its basis, what the basic minimum cost is of running a school and educating a child in Wales, before allocating additional resources required for other factors such as deprivation and sparsity and local circumstances; and provide an estimate of the current funding gap between the amount currently spent on schools and the amount required to deliver on all that is required of them - including the considerable reform agenda.**

**Recommendation – Accept**

I agree that a review of this nature has merit. My officials, working with officials in local government, will start discussions with key stakeholders and experts to consider the scope of such a review. I will provide the Committee with a further update in due course.

**Financial implications:** The costs of any review will be met from existing budgets within the Education Main Expenditure Group (MEG).

**Recommendation 2**

**That the allocation of spending across the Welsh Government's budget should be balanced in favour of preventative spend. In doing so, the Welsh Government should keep under review the priority it gives to funding for local government and within that, the funding available for schools, in both its annual budget-setting process and in-year re-allocations of resources.**

**Recommendation - Accept**

We fully recognise the importance of preventative spend and its potential to have a transformative impact on public services. Preventative spending remains an important consideration in the allocation of Welsh Government budgets.

Local government is at the forefront of delivering public services and is a priority area for the Welsh Government. We took steps last year to mitigate the reductions in local government funding and we are committed to provide the best possible outcome to local government from this year's budget process.

**Financial implications:** None.

### **Recommendation 3**

**That the Welsh Government continue to keep under review the cost/rates of payment across maintained and non-maintained settings for childcare, early years education, and the childcare element of Flying Start. Particular attention should be given to increasing the consistency between the hourly rate paid for early years education and childcare and the pilot that has been established in Flintshire should inform this approach.**

#### **Recommendation – Accept**

We continue to keep these rates under review and are in regular discussion with the childcare and education sectors. Working with Flintshire County Council we have recently piloted aligning the funding rates for Foundation Phase Nursery and childcare funded under the Childcare Offer for Wales. The evaluation of that pilot is due in the autumn. In addition, we have committed to review the rate for the childcare funded under the Childcare Offer ahead of September 2020. The provision of high quality, part-time childcare is integral to the Flying Start programme but the rates of payment made to childcare settings commissioned as part of the programme are not prescribed by the Welsh Government and are negotiated by each Local Authority.

**Financial implications:** The costs associated with this review are being met from existing programme budgets within the Education MEG.

### **Recommendation 4**

**That the Welsh Government consider how the allocation of resources for local authorities can be determined by a needs-based approach, rather than one based on historic methodology. Such a needs-based approach, when considering the education element of local government's overall funding, should start from the basis of considering how much it costs to educate a child (see recommendation 1) and applying indicators reflecting local circumstances such as deprivation and sparsity on top of that basic minimum cost.**

#### **Recommendation – Accept**

The Education sub-group of the Distribution Sub-Group (DSG) are considering the potential for developing an alternative approach to the education formula within the local government settlement model. The theory behind this different distribution approach, would be based on building a formula up using unit cost measures for the main components of education spending.

The Education sub-group are currently at early stages of this project and are working with ADEW finance representatives to help with the work stream. The group are currently investigating a sub-set of recently reviewed local authorities' funding formulas, to derive a list of the determinants of the need to spend and the cost drivers of those determinants for schools. Once this list has been compiled, the

group will then have to agree the value/ratios ascribed to the cost drivers going forward. This will then be evaluated by ADEW and other key stakeholders to ensure they agree with the principles before investigating the full financial impact of these changes.

Due to the way in which the overall local government settlement funding formula is constructed, it is not possible to update the education part of the formula in isolation from the other areas (such as social care, transport and other services).

The work on the education part of the formula is, essentially, a pilot that will need to be tested thoroughly before the methodology is, potentially, rolled out to other areas and the overall formula updated. As the funding is unhypothecated the education component of the formula is not intended to set an Authority's education budget.

**Financial implications:** None.

### **Recommendation 5**

**That the Welsh Government monitor more closely the level of priority local authorities give to education in the way they set their budgets, in order to help ensure that process is more transparent and robust and to assure itself that sufficient funding is being provided to enable schools to improve and deliver on its reform agenda.**

### **Recommendation – Accept**

The local government settlement is unhypothecated meaning that it is up to authorities how they spend this funding according to local needs and priorities. The settlement funding formula takes account of the relative need for authorities to spend across all services, given the amount of funding available for distribution and the relative ability of authorities to raise income locally, through council tax.

The settlement formula makes an assessment of authorities' relative need to spend by calculating 'Standard Spending Assessments' (SSAs) across notional service areas known as Indicator Based Assessments (IBAs). The Wales total for each of these IBAs is set by looking at the total amount of funding available, adding an assumed element of council tax income and then apportioning across the notional services by using local authorities' budgeted and actual spend data, at a Wales level.

Each IBA is then distributed across the 22 authorities using formulae developed and agreed with local government through the Partnership Council for Wales and its Sub Groups.

Welsh Government publishes all the data on local government expenditure including schools in our statistical releases.

Local authorities are entirely responsible for determining how much funding is allocated to each individual school, and in line with their statutory function to provide appropriate education provision for all learners in Wales. Each Local Authority sets its own formula for funding schools in consultation with schools through their schools budget forum, and in line with the legislative framework provided by the School

Funding (Wales) Regulations 2010. The School Funding (Wales) Regulations 2010 provide the framework within which local authorities set their funding for schools.

The Regulations ensure consistency with the requirement for 70% of schools budgets to be set based on pupil numbers. Local authorities have discretion to distribute the remaining 30% on the basis of a range of factors so that they can take account of individual school circumstances. Local authorities must consult their schools budget forums and all schools in their area when setting a funding formula.

Additional factors or criteria such as the size and condition of buildings and grounds, rates, cleaning, school meals and milk, salaries, a school which has a split site, special educational needs of learners, and so on, may also be taken into account in the Local Authority formula. This can affect the amount of funding that each individual school receives.

**Financial implications:** None.

### **Recommendation 6**

**That the Welsh Government publish guidance to clarify the exact purpose of the Indicator Based Assessments (IBAs), including whether or not they are a guide to how much a local authority needs to spend on education to provide a standard level of school services**

#### **Recommendation – Accept**

The purpose of the Indicator Based Assessments (IBAs) are clearly defined in the Green Book Publication: [https://gov.wales/sites/default/files/publications/2019-06/welsh-local-government-revenue-settlement-green-book-2019-2020\\_0.pdf](https://gov.wales/sites/default/files/publications/2019-06/welsh-local-government-revenue-settlement-green-book-2019-2020_0.pdf) (paras 4 and 5 (top of page vii)).

Officials will continue to look at ways of clearly explaining the purpose and function of the IBAs working closely with the DSG.

**Financial implications:** None.

### **Recommendation 7**

**That the Welsh Government clarify why it publishes local authorities' expenditure on education directly alongside the Indicator Based Assessments (IBAs) in its annual statistical release, if IBAs are not to be regarded as spending targets.**

#### **Recommendation – Accept**

I recognise that this may be confusing. The Chief Statistician will action this recommendation for future statistical releases.

**Financial implications:** None.

### **Recommendation 8**

**That the Welsh Government work with local authorities to balance how the principles of local decision-making and democratic accountability can be**

**upheld while achieving greater transparency, consistency and fairness in the way schools across different local authorities are funded.**

**Recommendation – Accept**

We will continue to work with our middle tier and through the DSG to look at how we can collectively ensure there is greater transparency, consistency and fairness in the way schools are funded. This links closely with recommendations 4 and 5. However, there is a balance to be struck here, ultimately local authorities are responsible for determining how much funding is allocated to each school.

**Financial implications:** None.

**Recommendation 9**

**That the Welsh Government review the operation of Section 52 budget statements, to ensure that the data submitted by local authorities is comparable and consistent. The Welsh Government should also ensure that Section 52 budget statements are more easily accessible.**

**Recommendation – Accept**

Section 52 of the School Standards and Framework Act 1998 requires each Local Education Authority (LEA) to prepare a budget statement containing information on its planned expenditure on maintained schools. Currently we collect part 1 of the S52 return which is comparable and consistent. Every cell of this is data collection at both the budget and outturn stage is published to StatsWales and is easily accessible.

We will review part 2 and 3 of the section 52 Regulations to consider if there is a way of providing a more consistent approach to collecting the data.

**Financial implications:** None.

**Recommendation 10**

**That the Welsh Government keep under review the balance it strikes between providing hypothecated funding for specific objectives, and the funding it provides local government to finance schools' core budgets. The Welsh Government should also regularly assess the value for money of allocating such funding.**

**Recommendation – Accept**

Any new funding made available is allocated on a case-by-case basis, to ensure the most appropriate delivery mechanism is used. However, if funding comes through late then timing does not always allow for this. Teachers' pay is a live example of this, UK Government agreed to provide the funding in September, which was too late for the money to go into the RSG it therefore had to go through a grant to local authorities in the first instance.

I am always keen to provide funding through the Education MEG to deliver specific initiatives, such as the work we are doing on ITE and embedding the Digital

Competence framework (DCF) across the school curriculum. The DCF funding for example, based on regional needs, is designed to provide our learners with high level digital skills in line with Our National Mission. Whether this is developing resources, cluster training or action research to develop case studies. Another example is the Initial Teacher Education Programme.

There are also other considerations, such as whether the funding is a one-off, or a very specific distribution that would not lend itself to a distribution formula through the settlement. I am clear that grant funding should be there to support specific initiatives. Grants come with clear terms and conditions, sets of expectations and clear outcomes.

**Financial implications:** None.

### **Recommendation 11**

**That the Welsh Government put mechanisms in place to ensure that grant funding is provided to schools as early as possible in the financial year. If such funding cannot be provided earlier in the financial year, the Welsh Government should build in greater flexibility within the relevant grant conditions for how and/or when schools are able to spend it.**

#### **Recommendation – Accept**

We will continue to work to provide grant funding allocations as early as possible. However much is dependent on final budget decisions and timelines. Grant funding must be spent during the financial year.

**Financial implications:** None.

### **Recommendation 12**

**That the Welsh Government provide an update on its work with local authorities to investigate the reasons for the high levels of reserves, and whether those have been adequately tested, and publish any findings from its investigations. In particular, the update should highlight any work undertaken in relation to the 501 schools holding reserves above the statutory thresholds, including any possible local authority intervention.**

#### **Recommendation – Accept**

The School Funding (Wales) 2010 regulations specifies that a local authority's 'scheme for financing schools' should prescribe for a statement from the governing body on what they plan to do with a surplus school budget which exceeds 5% of the school budget share or £10k, whichever is greater.

It also provides authorities with the ability to take certain specific action when school surpluses reach certain levels. When surpluses are £50,000 or more in a primary school, £100,000 or more in a secondary school or special school, authorities will be able to direct schools to spend balances. If the governing body does not comply with the direction, the amount could be clawed back with the proceeds applied to the authority's Schools Budget.



Schools with surpluses should be subject to ongoing monitoring by local authorities to ensure that approved plans to spend their balances are delivered and within the timescales agreed with the authority. Through ADEW we will continue to work with local authorities to ensure this remains a priority. We will monitor the position and challenge those local authorities that are not effectively managing this.

**Financial implications:** None.

### **Recommendation 13**

**That the Welsh Government review the statutory powers available to local authorities under the School Funding (Wales) Regulations 2010 to establish if they are fit for purpose. In doing so, the Welsh Government should, in particular, investigate if the powers give adequate flexibility for local authorities to reallocate effectively any money they recover. Any review undertaken should also consider whether the thresholds of reserves should be a relative percentage of a school's budget rather than an absolute figure, to account for different schools' sizes.**

#### **Recommendation – Accept**

The School Funding (Wales) Regulations 2010 provide the framework within which local authorities set their funding for schools.

The Regulations ensure consistency with the requirement for 70% of schools budgets to be set based on pupil numbers. Local authorities have discretion to distribute the remaining 30% on the basis of a range of factors so that they can take account of individual school circumstances. Local authorities must consult their schools budget forums and all schools in their area when setting a funding formula.

Additional factors or criteria such as the size and condition of buildings and grounds, rates, cleaning, school meals and milk, salaries, a school which has a split site, special educational needs of learners, and so on, may also be taken into account in the Local Authority formula. This can affect the amount of funding that each individual school receives.

We will look at the School funding (Wales) Regulations, working with key stakeholders to explore how these can be strengthened.

**Financial implications:** None.

### **Recommendation 14**

**That the Welsh Government continue to work closely with local authorities to address cases where schools have deficit budgets, particularly where there is no recovery plan in place.**

#### **Recommendation – Accept**

The existing School funding (Wales) Regulations 2010 sets out that local authorities must have recovery plans in place, to manage school deficits. We will however

continue to work with local authorities and local government to explore the effective management of school deficits.

Local authorities should closely monitor school budgets to ensure that no school receives more than it needs, that expenditure is efficient and effective and that deficits are planned and managed properly. Local authorities must challenge schools with significant reserves to determine how they have arisen and to what purpose schools intend to use them.

I continue to challenge both regional consortia and local authorities with regard to ensuring that as much money as possible reaches the front line of our education system in to individual schools. I am always open to discussions as to how best we can ensure that more money makes it into our schools.

Ultimately, however, school funding is the responsibility of local authorities and it is up to them how they spend this funding.

**Financial implications:** None.

### **Recommendation 15**

**That the Welsh Government consider how it can take forward the long-standing aim of providing schools with three-year budgets, in the context of three-year funding settlements for local authorities, in order to enable schools to plan more effectively for the long-term. In doing so, the Welsh Government should factor in the trade-off between the benefits of long-term projections and the accuracy and certainty of those long-term budget allocations.**

### **Recommendation – Accept**

We start this year with our current revenue settlement not extending beyond the current year, 2019-20, and a capital budget only until 2020-21. Having confidently stated that it would set budgets for three years through a Comprehensive Spending Review, the UK Government conducted a ‘fast-tracked’ one year spending round on 4 September, with a multi-year Spending Review to be carried out in 2020. This is a clear demonstration of the UK Government failing to provide the stability and certainty public services need. As a Government we will continue to call for long term financial planning for our schools.

We recognise – and are sympathetic to – the calls from our public sector partners for budgeting over a longer period whenever possible in order to support forward financial planning. Every Local Authority should have a medium-term financial plan using a range of sensible scenarios.

I continue to call for longer term financial planning. It is always our ambition to provide long-term clarity over budgets, whenever possible. However, this must be balanced with realistic and sensible planning assumptions. The UK Government’s austerity agenda coupled with the uncertainty regarding Brexit constrains our ability to do this.

**Financial implications:** None.

## **Recommendation 16**

**That the Welsh Government undertake work to communicate and explain clearly the respective roles of local authorities and regional consortia in providing education services, specifically services to schools. In doing so, the Welsh Government should consider how this can be taken forward within the work of the middle tier group led by Professor Dylan Jones.**

### **Recommendation – Accept**

Through the work of the evaluation and improvement group we are continuing to define and clarify the roles of the middle tier. This will feed into the work of Professor Dylan Jones' group and I will continue to keep the committee updated.

It is a shared endeavour that sees regional consortia working on behalf of local authorities to lead, orchestrate and coordinate the improvement in the performance of schools and education of young people. Together, they play a central role in delivering our ambition of a self-improving education system and continuing to promote and facilitate improved outcomes for all learners.

**Financial implications:** None.

## **Recommendation 17**

**That the Welsh Government urgently investigate what the £11 million budgeted by local authorities for school improvement is spent on, compared to the £11 million that local authorities pay the regional consortia for their school improvement services.**

### **Recommendation – Accept**

We will continue to work closely with local authorities, regional consortia and the WLGA to clarify the budgets for school improvement. We monitor the spend of local authorities and regional consortia on school improvement through the terms and conditions of grants and will continue to do so as we move forward. In education there isn't an exhaustive list of functions that are carried out by local authorities.

In the main, there are general duties for school improvement. However, the National Model for Regional Working does describe what activities we expect to be carried out regionally. Crucially, though, the funding and agreement for the delivery of these services are determined within each regional Business Plan that is agreed by each of the joint committees.

My officials have already started work to look at the level of funding local authorities and regional consortia delegate to schools and what is provided as core contributions. We will continue to keep the committee updated.

**Financial implications:** None.

## **Recommendation 18**

**That the Welsh Government work with local authorities and the consortia to ensure there is no duplication and inefficient use of resources when funding is allocated for school improvement.**

### **Recommendation – Accept**

I am absolutely clear that the regional consortia are not an additional layer in the system. In the most efficient cases, consortia support and work closely in partnership with local authorities and in the most efficient arrangements there is limited duplication and roles and responsibilities of the local authorities and Consortia are clearly communicated.

The leadership of the local authorities sit on the joint committee with the regional education consortia to ensure good governance and effective delivery. Local authorities retain statutory accountability for school improvement, together with the responsibility for the exercise of statutory powers of intervention and organisation of schools.

The regional consortia provide the school improvement activities on behalf of the local authorities and are accountable through their governance models for the delivery of the agreed priorities within the Business Plans.

It is clear that we have to work collectively to find additional ways in which we can avoid duplication and get more money to the front line. I will continue to challenge our middle tier, this includes local authorities to ensure that they are not hanging on to budgets that should be delegated to our schools.

**Financial implications:** None.

## **Recommendation 19**

**That the Welsh Government monitor the extent to which local authorities and regional consortia delegate funding directly to schools. In doing so, it should be recognised that some services are delivered more effectively and efficiently centrally.**

### **Recommendation – Accept**

We will continue to monitor the extent to which local authorities and regional consortia delegate funding directly to schools to ensure it is effective and efficient. This will also be considered as part of the scope of the review of school funding, set out in recommendation 1.

**Financial implications:** None.

## **Recommendation 20**

**That the Welsh Government investigate the effect of schools “buying back” services from local authorities, to ensure that the published delegation rates accurately reflect the level of funding which is genuinely delegated for a school’s core activity.**

### **Recommendation – Accept**

The level of buy back in some local authorities is of concern. I will continue to work with local authorities to look at this and how it is reported. This will also be considered as part of the scoping work in accepting recommendation 1.

**Financial implications:** None.

### **Recommendation 21**

**That the Welsh Government closely monitor delegation rates for its own hypothecated education grants to ensure the money is finding its way to the front line, for the purposes intended.**

### **Recommendation – Accept**

This will be picked up as part of the work on taking forward Recommendation 17.

**Financial implications:** None.



Llywodraeth Cymru  
Welsh Government

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## WRITTEN STATEMENT BY THE WELSH GOVERNMENT

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**TITLE** Appointment of Luke Sibieta – Response to CYPE Committee inquiry into school funding

**DATE** 24 October 2019

**BY** Kirsty Williams AM, Minister for Education

Further to yesterday's debate on the Children and Young People Education (CYPE) Committee's Report on School Funding in Wales, I am pleased to provide further details on the Government's response to Recommendation 1.

The leading education economist Luke Sibieta will take forward an analysis of how total spending, and spending on different categories of inputs, varies across schools in specific circumstances in Wales.

This will include, but not be limited to, how spending varies with levels of deprivation, rurality and growth in Welsh medium education. This empirical analysis would account for the differences in levels and methods of central spending across local authorities, and will help provide for informed decision making on levels of funding for schools and pupils in different circumstances across the country.

I have asked that the work is completed before the 2020 summer recess.

CYPE published their report into school funding on 10<sup>th</sup> July 2019. I welcomed the report and accepted all 21 recommendations;

<http://senedd.assembly.wales/documents/s93706/Welsh%20Government%20Response.pdf>

Luke's experience, knowledge and understanding of the complexities involved in school funding will be paramount in taking this forward. His work on behalf of the Institute for Fiscal Studies will be well known to members.

According to IFS analysis, spending per pupil in Wales is just below £6,000 on average. However this varies considerably between local authorities, reflecting differences in deprivation and sparsity, as well as choices made by local authorities in line with their responsibility for setting school budgets.

Although schools differ significantly in terms of the factors which influence their costs, making it difficult to identify a “minimum cost”, this work will provide an essential analysis for government, local authorities, schools and all with an interest in securing the right investment in Welsh education.

## **P-05-877 Children's used uniform scheme**

This petition was submitted by Rachael Mackay (Topaz class, Monnow Primary School) having collected a total of 54 signatures.

### **Text of Petition**

We the children of Monnow Primary School in Newport would like to see a used school uniform scheme up and running in every city in Wales. The scheme should provide uniforms, shoes and trainers for all ages. This would make sure that all children have access to affordable uniforms. Families that receive free school meals should take priority.

### **Additional Information**

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

- Newport West
- South Wales East





**Children in Wales**  
**Plant yng Nghymru**

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

09 July 2019

Dear Janet Finch-Saunders AM

**Petition P-05-877 - Children's Used Uniform Scheme**

Thank you for your letter of 12 June regarding the petition submitted by Rachael Mackay and Topaz Class at Monnow Primary School, and for providing us with an opportunity to inform your considerations.

Children in Wales have been requested by the Welsh Government to produce a suite of guides designed for schools across Wales. The Price of Poverty Guides will identify many of the challenges poverty presents for learners in respect of their education and well-being, and sets out a number of interventions schools can adopt to help ameliorate the impact of poverty by taking a whole school approach. The Guides cover a number of themes, including understanding the key drivers and impact of poverty for pupils in low income families, food insecurity and hunger, school uniforms and clothing, participation in the school day and home-school relationships. The Guides have been developed with input from the End Child Poverty Network Cymru and other key stakeholders. This work is due for completion this summer, with the Guides anticipated to be ready for the next school term in September. We will be delighted to share these resources with you and Committee members upon their release.

The resource we are producing in respect of School Uniform and Clothing pays particular regard to the concerns raised in respect of affordability and availability of uniform items, and the additional financial barriers many families from low income backgrounds can face. For children living in families who struggle to afford the correct uniform, school can be a particular source of worry and anxiety.

There is much that schools can do to help lift the barriers for children from low income families in respect of the cost of school uniforms. This can include initiating recycling schemes for uniforms in schools, making available spare uniform and sports kit that learners can borrow, and organising end of term 'pre-loved' uniform swaps, sales or pop-up shops.

As well as reducing the costs for parents, such schemes can also positively contribute to the broader environmental agenda, by helping to avoid clothing waste, promoting the concept of recycling and encouraging the re-use of items which may otherwise be disposed of.

All actions taken by schools to help learners to access a school uniform should always be done in a sensitive, non-stigmatising and dignified manner, ensuring that items are always in a presentable condition, clean and undamaged.

We would wish to draw your attention to the Revolve Project lesson plan<sup>1</sup> which has been developed by the Children's Commissioner for Wales to encourage children and young people to set up uniform re-use shops in their schools.

However, some parents and children may prefer, and be better able, to access pre-used uniforms in a different location in their community other than within a particular school. Engagement and consultation with parents is therefore critical in helping to establish and identify the most convenient and accessible location(s) with a locality. This will be of particular relevance, although not exclusively, to parents residing in rural areas some distance away from their child's or children's school.

Local authorities would have a role in working with the schools in their area, as well as with local third sector clothing outlets and civil society/community groups, to help ensure that there is a choice of locations where possible, particularly important in enabling parents, including working parents, to access pre-used items outside of school opening hours and holiday periods. The Denbighshire Uniform Recycle Scheme is the often quoted practice example in Wales of what can be achieved where

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<sup>1</sup> <https://www.childcomwales.org.uk/a-charter-for-change-resources/>

cooperation between several partners has enabled parents to access used clothing items at a reduced price<sup>2</sup>

We are therefore of the position that used school uniform schemes should be available in all local authority areas in Wales. Such schemes should be accessible for, and be inclusive of, all parents and carers and be delivered in a non-stigmatising and dignified manner. Re-usable items should be affordable, with particular consideration given to the needs of low income families, including those in receipt of free school meals and where need is greatest. Schemes should be well promoted.

We hope that our response is of help to inform your deliberations, and would wish to thank the children of Topaz Class at Monnow Primary School for bringing this important matter to your attention. Should you require any addition information, we would be only too happy to help.

Yours Sincerely

Sean O'Neill  
Policy Director

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<sup>2</sup> <https://www.denbighshirefreepress.co.uk/news/16689304.uniform-recycle-scheme-provides-about-900-children-with-school-uniforms/>



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Welsh Government

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## WRITTEN STATEMENT BY THE WELSH GOVERNMENT

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<b>TITLE</b>	<b>Statutory guidance for school governing bodies on school uniform and appearance policies</b>
<b>DATE</b>	<b>10 July 2019</b>
<b>BY</b>	<b>Kirsty Williams AM, Minister for Education</b>

In November 2018 I published a consultation to seek views on the Welsh Government's draft statutory guidance for school governing bodies on school uniform and appearance policies. The summary of responses was published on 10 June 2019.

I would like to thank all those who contributed to the consultation for their views. The responses received covered a range of issues and there were some clear areas of consensus.

I am today pleased to publish the new [statutory guidance for school governing bodies on school uniform and appearance policies](#).

The statutory guidance which will come into force from 1 September 2019 provides advice for governing bodies and head teachers on issues relating to developing, implementing or changing a school uniform and appearance policy.

A school's uniform and appearance policy will remain the responsibility of the governing body, and I strongly encourage schools to have one in place as it has many benefits.

Schools must have regard to the Welsh Government's statutory guidance when considering their school uniform and appearance policies. As the guidance sets out, I expect governing bodies to consider equality issues, the wide availability of uniform garments and cost implications to families and to consult widely with parents, pupils and other groups. The guidance has also been revised to include the most up to date information on a range of issues including the financial assistance available for families to assist with the purchase of uniforms.

# Statutory guidance for school governing bodies on school uniform and appearance policies

Education, Wales (2019, No. 21)



## Guidance

Guidance document no: 247/2019

Date of issue: July 2019

Replaces guidance document no: 015/2011

**Pack Page 172**

# Statutory guidance for school governing bodies on school uniform and appearance policies

## Audience

Governing bodies and headteachers of maintained schools in Wales; local authorities; teaching and other unions; diocesan authorities; NACAB Cymru; equality and disability organisations; other national and local bodies concerned with education in Wales.

## Overview

This document provides guidance for governing bodies and headteachers on issues relating to developing, implementing or changing a school uniform and appearance policy. It replaces the non-statutory guidance currently published on the Welsh Government's website.

## Action required

Governing bodies and headteachers to have regard to this statutory guidance when implementing or changing school uniform and appearance policies.

## Further information

Enquiries about this document should be directed to:  
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The Education Directorate  
Welsh Government  
Cathays Park  
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e-mail: [schoolfundingmailbox@gov.wales](mailto:schoolfundingmailbox@gov.wales)



@WG\_Education



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## Additional copies

This document can be accessed from the Welsh Government's website at [www.gov.wales](http://www.gov.wales)

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## Summary

This statutory guidance is aimed at school governing bodies and head teachers to support them in their development, adoption, revision and evaluation of school uniform and appearance policies. Schools must have regard to this guidance when considering school uniform and appearance policies. The guidance focuses on:

- ensuring that due regard is given to securing equality of treatment between pupils of different sexes and genders; pupils from different ethnic and religious backgrounds and; disabled pupils in relation to school uniform and appearance policies;
- cost and affordability;
- practical considerations involved in introducing or changing school uniform and appearance policies;
- consultation with parents, pupils and the community.

## Changes to previous guidance

- School governing bodies should have regard to the affordability, access and availability of uniform items when setting their school uniform and appearance policy.
- Schools' uniform policies should not dictate different items of clothing on the basis of sex/gender.
- School governing bodies should have a sensible, flexible approach to uniform items to account for extreme weather conditions.

The guidance also sets out the current position in Wales regarding financial assistance for parents towards the cost of purchasing school uniforms:

- The all-Wales School Uniform Grant is no longer available as a grant from April 2018.
- PDG-Access, a new element of the Pupil Development Grant to replace the school uniform grant, came into effect from September 2018.
- Claimants currently claiming Universal Credit can apply for a Budgeting Advance.

## **Section 1: Introduction**

1.1 The Welsh Government strongly encourages all governing bodies to have a school uniform policy after consultation with parents, pupils and relevant local or faith communities. Properly developed and appropriately implemented, a school uniform can:

- provide a sense of identity, community and cohesion within the school;
- support positive behaviour and school discipline;
- ensure pupils dress appropriately for learning activity;
- remove peer pressure to dress in particular fashions;
- enable pupils of all backgrounds to share in a common identity which embraces their particular requirements;
- help reduce inequalities between pupils and help reduce some triggers for bullying;
- benefit safeguarding and attendance policies through helping to identify truants;
- assist identification of strangers on school premises; and
- support and promote the ethos of the school.

### **Status of guidance**

1.2 This guidance is statutory and as such governing bodies and head teachers must have regard to it when formulating and revising their school uniform policies.

1.3 The previous non statutory guidance entitled “Guidance for governing bodies on school uniform and appearance policies” published in July 2011 (Circular 006/2008) is revoked.

### **Legal Context**

1.4 There is no education legislation specifically covering the wearing of school uniform or other aspects of appearance such as hair colour and style and the wearing of jewellery and makeup. However, as part of its responsibility for the conduct of the school, a governing body can specify a uniform which pupils are required to wear and other rules relating to appearance. The powers for the Welsh Ministers to issue this statutory guidance in this area are contained in a number of legislative provisions.

1.5 The power for the Welsh Ministers to issue statutory guidance to governing bodies is contained in section 88 of the Education and Inspections Act 2006 (“the 2006 Act”). Whilst this section does not specifically mention school uniforms, it is broad enough to include it. This section places a duty on governing bodies to ensure that policies designed to promote good behaviour and discipline are pursued at the school.

1.6 In addition, section 89 of the 2006 Act places a duty on head teachers to determine measures (including rules and provisions for enforcing them) to be taken with a view to promoting discipline among pupils, a proper regard for authority, encouraging good behaviour and respect for others. Any measure introduced by the head teacher under

section 89 should be publicised by them in the form of a written document. That document should be made known within the school and to parents. The head teacher is also required once in every school year to take steps to bring it to the attention of pupils, to their parents and all those employed or otherwise engaged to work at the school.

1.7 In making and operating measures drawn up under section 89 of the 2006 Act, a head teacher should include measures to prevent all forms of bullying. Thus a governing body should ensure that when a school uniform or appearance policy is drawn up, modified or operated, grounds are not created for bullying. The school should have regard to the Welsh Government's [anti-bullying guidance](#).

And the Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015: [https://www.legislation.gov.uk/anaw/2015/3/pdfs/anaw\\_20150003\\_mi.pdf](https://www.legislation.gov.uk/anaw/2015/3/pdfs/anaw_20150003_mi.pdf)

1.8 Further, under section 175 of the Education Act 2002 ("the 2002 Act") a governing body must make arrangements for ensuring their functions relating to the conduct of the school are exercised with a view to safeguarding and promoting the welfare of pupils at the school. Therefore, when a governing body is considering introducing a school uniform policy, it should have regard to this overarching duty to do so in a way that safeguards and promotes the welfare of pupils. There is a power for the Welsh Ministers to issue statutory guidance to governing bodies and local authorities under this section. .

## **Conduct of the school**

1.9 Section 21 of the 2002 Act places the conduct of a maintained school under the direction of the school's governing body. The governing body is required to conduct the school with a view to promoting high standards of educational achievement. As noted above section 175 of the 2002 Act requires governing bodies to conduct the school with a view to safeguarding and promoting the welfare of pupils at the school.

1.10 The School Government (Terms of Reference) (Wales) Regulations 2000 made under Section 38 of the Schools Standards and Framework Act 1998, impose a duty on governing bodies and head teachers to exercise their responsibilities with the need to:

- a) eliminate unlawful discrimination on grounds of race, sex and gender and;
- b) promote equal opportunities and good relations between persons of different racial groups and between sex/gender groups.

## **Equality legislation**

1.11 There are a number of statutory provisions contained under the Equality Act 2010: [https://www.legislation.gov.uk/ukpga/2010/15/pdfs/ukpga\\_20100015\\_en.pdf](https://www.legislation.gov.uk/ukpga/2010/15/pdfs/ukpga_20100015_en.pdf)

Those provisions may impact on school uniform and appearance policies and to which governing bodies and head teachers need to have regard so as not to discriminate unlawfully on the grounds of sex, gender reassignment, sexual orientation, pregnancy and maternity, race, religion or belief and disability.

1.12 The duties placed on governing bodies as a consequence of these Regulations include to "assess and monitor the impact of its policies, for example, its school uniform policy on pupils, staff, and parents of different racial groups, including the impact on attainment levels on such pupils".

1.13 Advice and guidance can be accessed from the Equality and Human Rights commission: <https://www.equalityhumanrights.com/en>. The commission has published a number of useful documents including [https://www.equalityhumanrights.com/sites/default/files/what\\_equality\\_law\\_means\\_for\\_you\\_as\\_an\\_education\\_provider\\_in\\_wales\\_schools.pdf](https://www.equalityhumanrights.com/sites/default/files/what_equality_law_means_for_you_as_an_education_provider_in_wales_schools.pdf)

## **School councils and consultation with pupils**

1.14 The Welsh Government's policies for children and young people are founded on the United Nations Convention on the Rights of the Child. In *Children and Young People: Rights to Action* the Welsh Government has 7 core aims and states that "every young person in Wales has the right to be consulted, to participate in decision making, to be heard on all matters that concern them or have an impact on their lives".  
<https://gov.wales/docs/dsjlg/publications/cyp/151106-core-aims-comprehensive-version-en.pdf>

1.15 Pupils should be consulted on, and be able to influence, decisions that affect them. To support pupils and schools, the Welsh Government made The School Councils (Wales) Regulations 2005, which require all maintained primary (excluding nursery and infant schools), secondary and special schools in Wales to establish a school council. NAW Circular 42/2006: *Guidance for Governing Bodies on the Establishment and Operation of School Councils* advises that school uniform is one of the issues that a school council should be asked to consider at its meetings, and in consultation with the pupil body of the school. [Guidance for Governing Bodies on the establishment and Operation of School Councils](#)

## Section 2: Equality issues to be considered by school governing bodies

2.1 In formulating school uniform and appearance policies, a school governing body must consider its obligations not to discriminate unlawfully on the grounds of sex; gender reassignment; sexual orientation; pregnancy and maternity; race; religion or belief and; disability.

2.2 Governing bodies will give high priority to cost and affordability considerations. No school uniform should be so expensive as to leave pupils or their families feeling unable to apply for admission or to attend a particular school.

2.3 The essential point is that governing bodies will act fairly and reasonably when developing or reviewing their school uniform and appearance policies, ensuring that they meet their duties under the Human Rights Act 1998 and other anti-discrimination legislation.  
[https://www.legislation.gov.uk/ukpga/2010/15/pdfs/ukpga\\_20100015\\_en.pdf](https://www.legislation.gov.uk/ukpga/2010/15/pdfs/ukpga_20100015_en.pdf)

Governing bodies will also uphold the principles of the United Nations Convention on the Rights of the Child (Articles 2, 12, and 13 have particular relevant to this guidance):

### Article 2

- 1. States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.*
- 2. States Parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members.*

### Article 12

- 1. States Parties shall assure to the child who is capable of forming his or her own views, the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.*
- 2. For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.*

### Article 13

- 1. The child shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds,*

*regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of the child's choice.*

2. *The exercise of this right may be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:*

*a) For respect of the rights of reputations or others; or*

*b) for the protection of national security or of public order, or of public health or morals.*

## **Discrimination on the grounds of race or religious belief**

2.4 School governing bodies will consider their uniform and appearance policies in the context of their race equality policy; their obligation to promote equality of opportunity between pupils of different racial groups; and the requirement to assess the impact of school policies on pupils from different racial groups. A governing body may be regarded as discriminating if it does not accommodate religious needs concerning dress. This may either amount to unlawful race discrimination in terms of the Equality Act 2010 (for example, because a high proportion of the followers of a particular faith come from one or more minority racial groups and could not comply with a particular uniform requirement), or it may amount to a breach of the rights protected under the Human Rights Act 1998.

2.5 The Human Rights Act 1998 protects the right to “manifest one’s religion or beliefs”. It is important, therefore, for a governing body to consider how uniform and appearance policies might infringe on an individual’s right to reasonably follow a recognised practice of their religion or belief. Governing bodies will act reasonably in accommodating such requirements and should consider any request to vary their policy to meet the needs of a pupil to accommodate their religion or belief.

2.6 It may be a recognised religious practice for a pupil to wear a particular item of clothing. In recognising this, the governing body could decide that the item could be worn in the school uniform colours. Governing bodies must remain within relevant statutory requirements in reaching decisions.

## **Disability discrimination**

2.7 Governing bodies need to ensure that school uniform and appearance policies do not disadvantage disabled pupils in comparison to pupils who are not disabled. Issues for consideration include the practicality of policies and whether reasonable adjustments can be made to accommodate disabled pupils’ requirements.

## **Sex and gender identity discrimination**

2.8 A governing body will state the composition of its school uniform and ensure an inclusive school uniform policy that does not discriminate on the basis of sex or gender identity. A gender neutral school uniform policy may list items of clothing which are permitted to be worn in school, without any requirements for items of clothing to only be worn by students of a certain gender.

2.9 If there are any differences in the school uniform and appearance policies between sexes/ genders, these should be justified and clearly stated in the policy. One ground for justification might be that a certain religion lays down different dress and appearance codes for different sexes. Failure to respect such codes could amount to race discrimination or a breach of human rights. For example, where differences in dress requirements don't have significantly more detrimental effects on one sex/gender or the other, they are unlikely to be regarded as discriminatory but it might be unlawful if, for example, the uniform was considerably more expensive for girls than for boys.

2.10 Schools need to consider whether flexibility is needed in relation to uniform to meet the needs of a pupil who is undergoing gender reassignment. Failure to allow a pupil to wear uniform that reflects their gender identity may constitute discrimination on the basis of gender reassignment under the Equality Act (2010).

2.11 The Equality Act 2010 does not deal specifically with school uniform or other aspects of appearance, but the general requirement not to discriminate in the treatment of pupils applies here as in relation to other aspects of school policy.

## **Section 3: Issues to consider in developing, adopting, changing or evaluating school uniform and appearance policies**

### **Cost of school uniform and affordability**

3.1 The Welsh Government recognises that school uniform and other items that are required to be purchased in accordance with a school uniform policy can be a financial burden, particularly for low income and large families. Consequently, when introducing a new uniform, or considering changes in uniform requirements, governing bodies will give high priority to cost and affordability. No school uniform should be so expensive as to leave pupils or their families feeling unable to apply for admission or to attend a particular school.

3.2 Governing bodies should consider the following in the context of keeping down the cost of school uniform:

- Only stipulate basic items and colours but not styles so that items can be bought from multiple retail chains at reasonable prices and not just from one authorised supplier.
- Avoid high cost items such as blazers and caps.
- Requiring school logos on polo shirts, jumpers, blazers and PE kit, obtainable from specialist suppliers can be costly. Schools should consider the necessity of such items, weighing up the balance of having a distinct identity, whilst ensuring that uniform items are widely available and affordable. If a governing body determines that uniform items with logos are required, schools should limit logos to one item (reasonably priced and widely available) which is worn frequently, e.g. a sweater or cardigan.
- If a school requires a logo to be worn on a second item of clothing (e.g. a jumper and trousers) they should consider providing the second logo free of charge as a badge that could be iron-on or sew-on.
- The purchase of logos to sew, iron or stick onto items of clothing should be considered as an option to reduce costs where a governing body determines logos are considered to be a necessary part of school uniform.
- Avoid variation in colours and style for different year groups as this is expensive for parents and limits the scope for second-hand sale or handing on to siblings.
- Have easily washable items: dry clean only items should be avoided.
- Limit the frequency of uniform changes as this can be costly for parents and limits the scope for re-sale or handing on to siblings or other pupils.
- Consider the cost and availability of non-standard sizes.
- If there is a change to a school uniform policy, introduce a transitional period so that old uniforms can be worn for at least a year before a total changeover to a new uniform and consider if items of the old uniform can be retained in the new policy.
- School governing bodies should consider whether there is a need for different uniforms for summer and winter. School uniforms should be as economical as possible and summer uniforms are only worn for a matter of weeks. For example, governing bodies could consider trousers for students in the winter or periods of



very cold weather, shorts in the summer or during periods of very hot weather and; students not having to wear woollen tights in warm weather.

- Secondary schools are encouraged to consider the feasibility of aligning their school uniform policy with those of their feeder primary schools to enable any core uniform items (e.g. shirts, polo shirts, trousers, skirts and sports equipment) to continue to be used in secondary schools and reduce the cost of transition into secondary education.
- Consider other options to improve access and affordability such as school uniform exchange or recycling schemes where parents can donate unwanted or outgrown items in good condition to be made available to other families.

3.3 The Welsh Government encourages governing bodies to have regard to the availability of school uniform garments. Having a wide range of uniform suppliers addresses issues for those parents and carers who encounter difficulty accessing specialist uniform suppliers and who are in remote areas.

3.4 Where single supplier arrangements are in place for some items, governing bodies should review these arrangements regularly in the context of this guidance and to seek to ensure items are affordable. Where a uniform item is only available from a single outlet, prices are likely to be higher than they would be if parents were able to buy the item from other sources.

3.5 Where schools remain with a single retailer arrangement, if there is an element of competition for the market in the form of a tender or selection process that is regularly reviewed, this is likely to result in lower prices.

3.6 Governing bodies should be able to demonstrate that they have obtained the best value for money from suppliers. Any savings negotiated with suppliers should be passed on to parents wherever possible. Schools should not enter into cash-back arrangements. Exclusive single supplier contracts should be avoided unless regular tendering competitions are run where more than one supplier can compete for the contract.

## **Other school uniform and appearance considerations**

### **Coats**

3.7 Governing bodies should be flexible in their requirements regarding coats worn between home and school. Specifying a particular colour or style may result in parents having to buy two coats for their child: one for school and one for wear at other times.

### **Home-to-school travel**

3.8 Governing bodies should encourage children to walk or cycle to school and should consider this when determining the design and style of uniform. School uniforms are often

quite dark making it difficult for children to be seen by drivers especially during the winter months. Governing bodies should consider the benefits of including light colours and/or reflective or high-visibility materials such as removable reflective strips as part of their school uniform policy to ensure that children are able to walk and cycle safely to school.

## **Physical education**

3.9 All pupils should feel comfortable about their PE clothing. Schools should choose a PE kit which is practical, comfortable, appropriate to the activity involved, and affordable. Pupils' participation in PE lessons can be adversely affected because of the clothing that they are required to wear. Governing bodies should adopt a sensitive, flexible approach that has regard to the equality issues outlined in this guidance. Schools will consider the costs of PE clothing, particularly where specialised equipment is necessary.

3.10 PE footwear should be suitable, e.g. trainers, for health and safety reasons. Governing bodies should consider whether any child not wearing the correct footwear should be permitted to take part in the PE lesson if safety is at risk. In such cases, governing bodies should consider that these pupils could still participate in another capacity e.g. by officiating, keeping score etc. while providing a reminder that appropriate clothing for taking part in PE activities is worn in future.

## **Health and safety**

3.11 Health and safety issues are extremely important and need to be given constant consideration, especially when pupils are taking part in practical lessons such as PE, science and technology. In drawing up or modifying school uniform or appearance policies, governing bodies may have to balance the desires and rights of individual pupils against health and safety or security requirements. For instance, governing bodies have a right to expect pupils with long hair or headscarves to tie them back safely for PE and work in science labs or technology workshops, where it would otherwise form a risk to the pupil or other pupils and surroundings.

## **Jewellery, hair and makeup**

3.12 Governing bodies may wish to consider the wearing of jewellery as part of school uniform and appearance policies and to specify items of jewellery that pupils may wear. Governing bodies may also want to consider the wearing of makeup and hairstyles/ hair colour as part of their policies. When doing so, it should be taken into account whether the policy could infringe an individual's right to reasonably follow a recognised practice of their religion or belief and whether the policy could be discriminatory. There are also health and safety issues to consider. For example it may be reasonable for a governing body to ban pupils from wearing jewellery where it considers that this poses a risk of injury (e.g. in PE lessons, where pupils should be asked to remove earrings or to tape them).

## **Medical issues**

3.13 Governing bodies will need to consider carefully requests made to vary policies in order to meet the needs of pupils with a temporary or permanent medical condition or impairment. For example, pupils with some skin conditions may be unable to wear specific fabrics, and pupils with foot or leg injuries may be unable to wear school shoes. A pupil with a specific impairment may find that a certain school uniform item poses restrictions for them.

## **Extreme weather conditions**

3.14 Both in respect of affordability and practicality, governing bodies should take a sensible, flexible approach to basic uniform requirements during very hot or cold weather, such as temporarily relaxing policies to ensure that pupils are comfortable in their learning environment. For example, allowing pupils to wear their PE kits or uniform shorts in very hot weather or allowing trousers to be worn instead of skirts in very cold weather.

3.15 School governing bodies should make clear their approach to flexible uniform items to account for extreme weather conditions when setting their school uniform and appearance policy including how any changes will be communicated.

## **Section 4: Information, consultation and complaints**

### **School prospectuses**

4.1 School uniform and appearance requirements should be included in the school prospectus. The school prospectus should be updated annually and made available to all parents of existing and prospective pupils on request. School uniform and appearance policies could also feature on a school's website and be shared with parents via social media and electronic contact. This will help ensure that all parents are made aware of the school's policies on school uniform and appearance before electing to send their child to the school.

### **Consulting with parents, pupils and other groups**

4.2 When considering the introduction of new school uniform and appearance policies or changes to existing policies, governing bodies should consult with current pupils and parents/carers and prospective pupils and parents/carers, especially as change could give rise to additional costs. Consultation should also include representatives of different pupil groups in the wider community, taking care to identify community leaders representing minority ethnic and religious groups as well as groups representing pupils with special educational needs, disabilities and gender identities. Governing bodies should engage pupils and the school council in developing school uniform and appearance policies by encouraging them to take ownership in designing their uniform policy in line with the principles set out in this guidance.

4.3 Governing bodies should document the consultation process undertaken, the points made by respondents and the decisions taken in weighing up competing points of view. It would be useful if governing bodies provided respondents with the reasons for decisions reached, especially if there was a contentious issue addressed during the consultation. In cases where a decision is made based on a majority opinion, governing bodies should take special care to ensure that the majority opinion does not discriminate against a particular group or protected characteristics.

4.4 Governing bodies are encouraged to review their school uniform and appearance policies periodically (and should always consider doing so at times when representations are made) and to consult parents, pupils and other groups for their views. Schools should provide sufficient notice of a forthcoming consultation about uniform and appearance policies and publish it widely to encourage maximum responses. If changes are made to uniform policies as a result of the outcome of a consultation, schools should ensure that transition arrangements are in place and provide a long lead-in time for any significant changes.

### **Complaints**

4.5 Complaints or concerns about school uniform and appearance policies, including the availability of the uniform or the cost of purchasing the uniform from a particular supplier, should be raised with the school governing body and dealt with in accordance with the governing body's complaints procedure. All governing bodies are required by law to have a procedure in place for dealing with complaints from parents, pupils, members of staff, governors, members of the local community and others in relation to matters for which the governing body has statutory responsibility. The Welsh Government has produced guidance

on complaints procedures for school governing bodies:

<https://gov.wales/docs/dcells/publications/121002complaintsschoolsen.pdf>

The process for raising complaints regarding school uniform or appearance policies should be publicised, for example, on the school website or in targeted communication with parents on school uniform and appearance policies.

## **Non-compliance with school uniform and appearance policies**

4.6 Where the governing body has put in place a school uniform policy and/or rules about appearance, it is for the head teacher to enforce these as part of his or her overall responsibility for the day-to-day running of the school and for maintaining discipline.

4.7 Head teachers should decide what action to take when pupils infringe a school's uniform or appearance rules. Head teachers can discipline pupils for breach of the school's uniform/appearance policies, however, it is very important they first try to establish why a pupil is not complying with the policy. If it is because families are in financial difficulties, schools should allow an appropriate amount of time for the required items to be purchased and offer information about any assistance the Local Authority or the school is able to offer. Schools should also publicise relevant Welsh Government grant funding such as school uniform support through PDG-Access along with the eligibility criteria.

4.8 There may be other reasons, apart from financial difficulties or defiance, why a pupil is not complying with the uniform or appearance policy. For example, their uniform may have been lost, stolen, damaged, or accidentally soiled beyond the point where it can be worn and it may not be possible to wash and dry some articles of clothing overnight. The Welsh Government would not expect head teachers to send children home in these circumstances. Other reasons could be that the uniform is not available in the pupil's size, or there may be religious reasons that have not been previously identified.

4.9 Head teachers may ask pupils to go home to change their clothes if it is appropriate to do so. This should be for no longer than necessary to effect the change of clothing and would only be appropriate where the change could be made quickly and easily. Head teachers must not send a pupil home indefinitely or for longer than is necessary to change clothes or modify appearance (e.g. by having a haircut) as this could amount to an unofficial exclusion. This measure should be used proportionally. When sending a pupil home, head teachers or senior staff should bear in mind the age and vulnerability of the child and should contact the parents or carers. The pupil would be expected to return to school immediately after their clothes had been changed. Failure to do so could amount to an unauthorised absence.

## **Exclusion and non-attendance**

4.10 Only where breaches of the school's uniform or appearance policy are persistent and in open defiance and where all other avenues for resolving the uniform dispute have been exhausted, may the school consider exclusion as a last resort.

4.11 Governing bodies need to ensure that absenteeism does not arise because families are unable to provide a uniform for their children. If that situation arises, information and

other appropriate assistance should be given to families by the Local Authority or the school.

4.12 The Welsh Government does not consider, in normal circumstances, exclusion to be an appropriate response to breaches of school uniform/appearance policies.

## **Section 5: Financial assistance**

### **PDG–Access**

5.1 The Welsh Government recognises that some parents face financial hardship from the costs of purchasing school uniforms for their children. The Welsh Government also believes that the financial support parents receive towards the cost of school uniform should not be a barrier to learning.

5.2 In 2018, the Welsh Government replaced the former School Uniform Grant with a new fund: PDG-Access which is a component of the Pupil Development Grant:

<https://beta.gov.wales/pupil-development-grant-access>

5.3 The new grant focuses on the entry point into education and the transition into secondary school. The Funding is available to pupils who are eligible for free school meals entering:

- Reception class of maintained primary schools;
- Year 3 of maintained secondary schools;
- Year 7 of maintained secondary schools;
- Year 10 of maintained secondary schools; or
- pupils in special schools, special needs resource bases and pupil referral units who are aged 4 or aged 11 on entry.

The Funding is also available to all looked after children of compulsory school age.

5.4 Funding of up to £125 is available for each eligible learner with the exception of those in Year 7. Eligible learners in Year 7 will be entitled to a maximum of £200.

5.5 Asylum Seeker pupils entering reception; Year 3; Year 7; and Year 10 are entitled to assistance under this Funding if they fulfil the eligibility criteria.

5.6 In addition to school uniform, PDG-Access covers school PE kit; uniform for wider activities outside the school day (such as sports, scouts and guides); school equipment where new curriculum activities begin (such as design and technology); and equipment for out of school hours trips (such as waterproofs for outdoor learning).

5.7 The grant scheme is being administered by Local Authorities on behalf of the Welsh Government. Schools should make information available on PDG Access and advise parents that applications for this grant should be made to the Local Authority.

### **Local Authority grant assistance**

5.8 Section 518 of the Education Act 1996, and the Local Education Authority (Payment of School Expenses) Regulations 1999 made under that section provide discretionary powers for Local Authorities to make payments to relieve financial hardship to enable a pupil take advantage of any educational or to take part in any school activity. That would include financial assistance to cover the cost of school clothing where they are satisfied that payment should be made to prevent or relieve financial hardship but such financial assistance must be related to the means of the parents.

5.9 Some Local Authorities across Wales offer financial assistance towards the cost of school uniforms.

## **Responsibility of Local Authorities as corporate parents**

5.10 In fulfilling their role as corporate parents, Local Authorities are expected to prioritise the education of looked after children and act as advocates for them as parents do for their own children. Local Authorities must therefore make arrangements to ensure the child or young person is able to comply with the school's school uniform and appearance policies and is not disadvantaged.

## **Other assistance for low-income households**

5.11 There are other limited potential sources of financial help:

- Parents receiving Income Support, Income Based Jobseeker's Allowance, Income-related Employment and Support Allowance, Pension Credit or payment on account of one of these benefits or entitlements for at least 26 weeks may be able to apply for a social fund budgeting loan under the category of clothing and footwear from Jobcentre Plus. Claimants currently claiming Universal Credit can apply for a Budgeting Advance.
- Help may be available from governing bodies or parents' associations of schools. This may be financial support from a hardship fund, a savings scheme or through the provision of second-hand clothing.

## **Credit Unions**

5.12 Credit Unions are financial co-operative that are community focussed, run by local people for the benefit of local people offering ethical savings and loans.

5.13 Everyone who lives or works within the Credit Union area, and any member of their family who lives with them, can join. Credit Unions also welcome junior members to save with them. The Welsh Government actively encourages people of all ages to join Credit Unions and for schools to set up school collection points for young savers and their families.

5.14 Credit Unions offer a range of services including affordable loans, savings accounts, and can also help with budgeting advice and debt management. Importantly, they offer smaller value loans at affordable rates. Being a member of a Credit Union allows parents to save a little on a regular basis towards meeting the cost of buying school uniforms, or to apply for a small loan that will allow the cost of buying a uniform to be spread out into more manageable payments throughout the year.

## **Good practice by schools**

5.15 Examples of good practice by schools in relation to financial assistance with school uniforms include:

- Publicising the Welsh Government school uniform and other support through PDG-Access.



- Publicising Local Authority discretionary grant schemes where they exist.
- School discretionary hardship funds.
- Promote and encourage good quality second-hand school uniform stalls at parents' evenings or other events.
- Loan second-hand uniform items to pupils and setting up a resource room where pupils can access these discretely to avoid stigmatisation.
- Bulk purchase of items to sell to parents at a discounted price, possibly coupled with an easy payment scheme.
- Where an item of PE clothing is only required for part of the school year, specifying this in the kit list so that the child will not outgrow the item before it is needed and parents can budget for it by spreading the cost.
- Denbighshire County Council and Citizens Advice Denbighshire run a school uniform recycle scheme that allows parents to access affordable, high-quality uniforms in their community. Donated uniforms are collected from schools before the end of the summer term so that they can be recycled and made available to other families for free or for a donation at a recycle shop (donations help cover the cost of washing the uniforms).

Comisiynydd  
Plant Cymru  
  
Children's  
Commissioner  
for Wales

To: Janet Finch  
Saunders, AM

Chair of the Petitions  
Committee

Via email only

03 October 2019

Dear Chair,

In June 2019 I wrote to the Committee in respect of petition P-05-877 Children's used uniform scheme. I had published my *A Charter for Change* report and advised that I would be launching a special mission for my ambassador schools in relation to the cost of the school day, including a focus on school uniform reuse schemes.

That mission has now been launched and can be accessed here -  
<https://www.childcomwales.org.uk/our-schemes/primary/special-mission/>

The mission challenges the ambassadors to consider the cost of the school day in their own school and work with school governors and staff to reduce costs. We include resources on establishing uniform reuse schemes, with pre-prepared lessons linking the production of uniforms to environmental considerations. We highlight Top Tips from those running such schemes already. The resources, which are adapted for different age groups and accessible for those with additional needs, were developed alongside children and teachers and are based on our original research which led to our Charter for Change report in March 2019. They are also freely available for all schools and are not only open to our ambassador schools.

I noted with interest a question raised by Jane Bryant in the Siambr last week to the Minister for Education, regarding the recycling of school uniforms and the Government's support for such schemes. In light of that question I have also written to the Minister for Education to share the resources with her and ask that the department support the publicity for these resources on their social media channels. They fit well with the ambitions of the new curriculum as well as, it goes without saying, children's rights.

Yours sincerely,



Sally



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Croesawn ohebiaeth yn y Gymraeg yn ogystal â'r Saesneg ac mewn amryw o fformatau  
We welcome correspondence in the medium of Welsh and English as well as alternative formats

Comisiynydd  
Plant Cymru

Children's  
Commissioner  
for Wales

Sally Holland  
Comisiynydd Plant Cymru  
Children's Commissioner for Wales



**Dyddiad /Date:**  
**Gofynnwch am/**Please ask for:  
**Llinell uniongyrchol/Direct line:**  
**Ebost/Email:**

23 October 2019  
D Hopkins



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

Dear Ms Finch-Saunders,

### **Petition P-05-877 Children's used uniform scheme**

Please accept my sincere apologies on behalf of the WLGA for the delay in replying to your letter of 12<sup>th</sup> June 2019.

That concerned a petition from Rachael Mackay, a pupil at Monnow Primary School, Newport, on behalf of pupils there who would like to see used school uniform schemes across Wales.

A key principle of introducing school uniforms in Welsh primary schools was of course affordability. That was a widely accepted principle at the time. Cost has to be an important consideration for all families with children of school age, particularly in areas of the country where levels of deprivation are high.

Over time, it appears that some schools not only require a uniform, but also a school logo or symbol on many items which comprise the uniform: That can be the point where costs for parents rise, as suppliers are limited by virtue of the stocks of 'badged' items held for sale. At the same time, parents know that uniform items of the required colours and styles are readily available at less cost in chain stores and supermarkets, and that can lead to frustration.

It can also lead to local bad feeling between small local suppliers of specific clothing who feel that their businesses are suffering at the hands of multi-nationals. There is also the moral question of some clothing manufacturers and suppliers internationally, who may not be offering rights to workers which Wales and the United Kingdom would expect. That may include child labour. So uniform supply is a vexed issue.

But these are broader matters, and ones WLGA suspects the Committee will be aware of. Going back to the question put from Monnow Primary School, it seems that a structured way of recycling good quality uniforms is eminently sensible. There are examples of

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Prif Weithredwr  
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**Croesawn ohebiaeth yn y Gymraeg a'r Saesneg a byddwn yn ymateb i ohebiaeth yn yr un iaith.**

**Ni fydd defnyddio'r naill iaith na'r llall yn arwain at oedi.**

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We welcome correspondence in Welsh and English and will respond to correspondence in the same language.  
Use of either language will not lead to a delay.

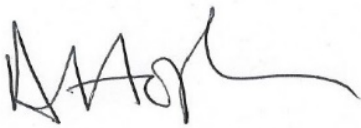
individual schools running schemes, but it is difficult to place a figure on how many, and how effective these are.

The WLGA raised this matter at a recent meeting of the Association of Directors of Education in Wales, and the attached paper describing the scheme run in Denbighshire was subsequently circulated to all local authorities to make them aware of the possibilities of such schemes.

I trust that the Petitions Committee will find these observations, and the attached paper, helpful.

**Yn gywir / Yours sincerely**

David Hopkins



**Pennaeth Addysg dros dro  
Interim Head of Education**

**Croesawn ohebiaeth yn y Gymraeg a'r Saesneg a byddwn yn ymateb i ohebiaeth yn yr un iaith.**

**Ni fydd defnyddio'r naill iaith na'r llall yn arwain at oedi.**

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# Denbigh School Uniform Recycle

## Impact Document



Sir Ddinbych  
Denbighshire

## **Foreword** – Winnie Lawson, Denbigh Office Manager

It has become increasingly obvious that families with dependent children are struggling financially. Whilst the welfare reform is aimed in the main at people on long-term benefits, the consequences are also affecting working families on low income.

As a member of Citizens Advice staff and a parent and grandparent I am aware of the financial constraints on young families. Having worked for twenty years with people in Denbigh and being aware of the deprivation in the area I feel if children are to improve their situation they have to be encouraged and supported to take advantage of a good education. To ensure a child is able to fit in he or she needs the same uniform as everybody else, this helps to ensure that children are integrated and equal.

In 2014 we contacted all of the local schools to see if they wanted to participate in a scheme which enabled us to recycle good quality uniforms. This worked really well; we collected uniforms from the schools before the summer term ended. We washed, pressed and mended the uniforms and we used the HWB in Denbigh as the centre for the exchange.

The following year (2015), we developed our Recycle and raised funds with the assistance of Citizens Advice Denbigh's staff and volunteers. We received grants from Denbigh Town Council, Ruthin Rotary and Denbigh Round Table which allowed us to issue grants of £100.00 to parents on low income whose children were moving to the High School.

In 2016 we further improved the scheme by sizing the uniforms and placing them in individual bags. We have also been very grateful to Mr & Mrs Shakespeare who allowed us to use their empty premises on Denbigh High Street as a pop-up shop (they kindly allowed us to use the shop again, this year).

This proved extremely successful and we provided regulation school uniform to more than 100 children. We also promoted the take up of free school meals which directly benefit not only the family but their school through the pupil deprivation grant.

Our most recent event in August this year (2017) was an out-and-out success, with over 200 families coming to our shop. We will continue with this initiative as it is so obviously needed and our additional offer of support is helping people to improve their lives.



Winnie Lawson (left) and Tanya at the February half-term Denbigh School Uniform Recycle

## Filling a need

The Denbigh School Uniform Recycle, previously known as the Denbigh Uniform Exchange, fills a clear need within the community for access to affordable school uniforms. Over the past decade, financial support available to parents for the purchase of school uniforms has been greatly reduced across the UK.

In Wales the school uniform grant helps eligible pupils acquire a school uniform, the scheme is targeted specifically at pupils entering year 7 of secondary school who are eligible for free school meals; also pupils aged 11 at the start of the school year in special schools, special needs resource bases and pupil referral units who are eligible for free school meals. The grant set by Welsh Government is £105 per pupil<sup>1</sup>. Each local authority administers the grant scheme.

Schools can provide grants for low-income families although this is done on a discretionary basis and there has been a sharp decline over the years in the number of schools offering this help, due to the challenging financial landscape in the public sector.

These are administered by individual schools so little information is available on the number of grants awarded or the amount of these grants. Some schools subsidise the cost of uniforms, particularly those brought from a single supplier although these, like grants, are in decline. Unlike grants, which target lower-income families, these schemes also help to subsidise families who do not require this help.

Our experiences as an advice agency and through our Recycle and events in the Denbigh area show that there is a need for help with the cost of school uniforms for families with children across all school years.

Recent and ongoing welfare reform will increase the strain on parents claiming working age benefits massively. This September (2017) will be the first time that parents in Denbigh who are subject to the benefit cap will have to find the money for school uniforms from this reduced income.

From the feedback we have received from the families who have visited our school uniform recycling events, the cost of kitting out children for school is a significant financial burden on a family's finances. For those families who are "just about managing" the cost of school uniforms has become a pinch point in the family's annual budget.



Nationally, 43% of low-income (<£15,000 per annum) families say they are unhappy with the value of school uniform<sup>3</sup> (although attitudes based on cost is not available). There has been a noticeable increase in the number of schools who require items to be purchased from specialist suppliers and a corresponding drop in the number of schools allowing purchase of any, or all, items from general clothing stores and supermarkets<sup>4</sup>. Parents find greater value in the cost of school uniforms when they are able to choose their own supplier.

A government report on school uniforms, published in 2015, states that the cost of school uniforms has decreased in real terms since 2007<sup>5</sup>. Unfortunately, welfare benefits have decreased further in real terms over the same period.

Worryingly, parents have reported that they have taken on debt to pay for school uniforms<sup>6</sup>. This increases the cost of school uniforms even further as interest is repaid on loans. A £200 loan with a well-known door-to-door lender would require repayment of £374.40 if paid back over a full year<sup>7</sup>. This creates a cycle of dependency on expensive credit as people are unable to save for next year's uniform while paying off the loan for the current year's uniform. The Illegal Money Lending Unit, Wales Office, tell of a mother in Wales asking a local loan shark for money as a direct result of school costs.

Within this context it can be seen that the Denbigh School Uniform Recycle fills a clear need.



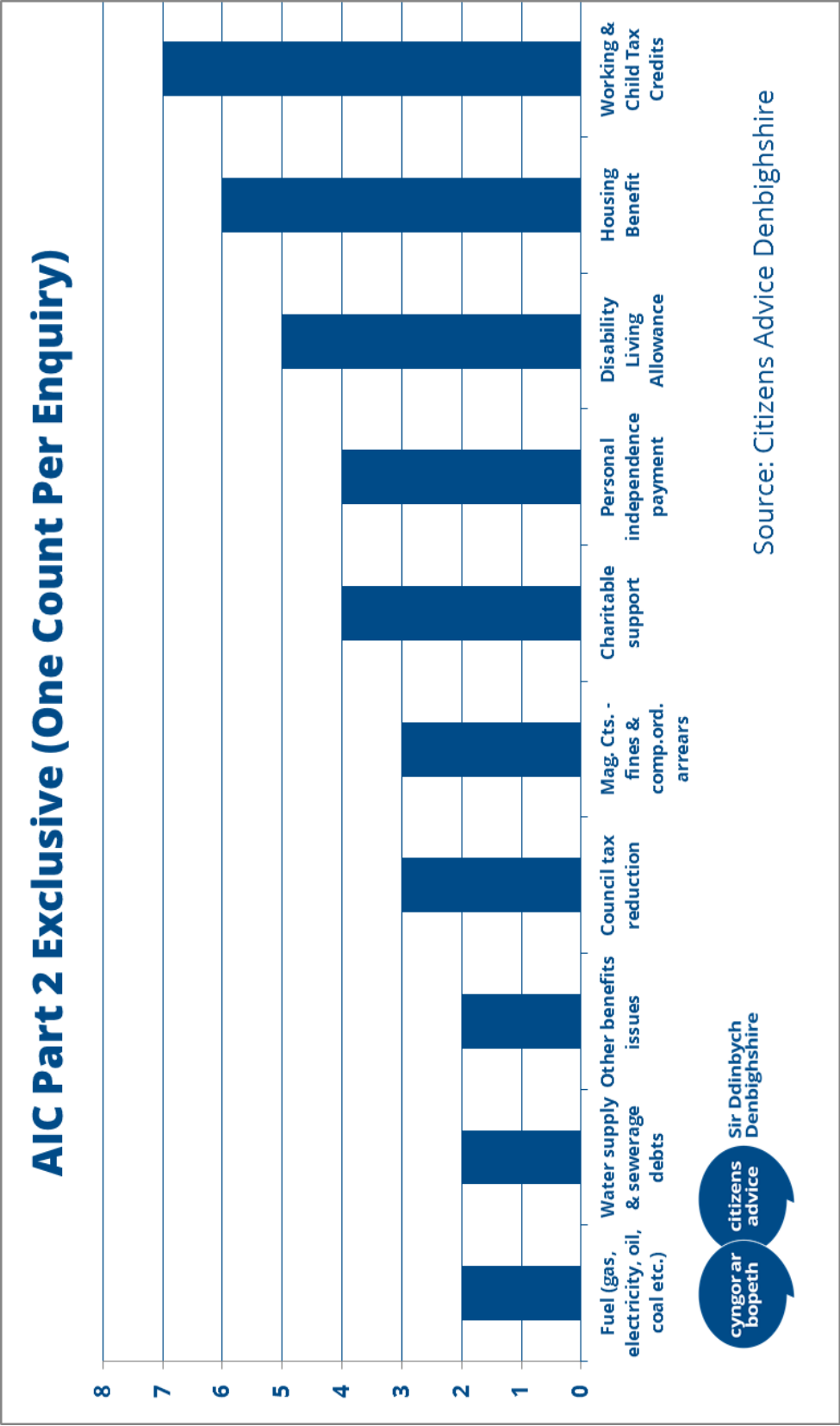
## Offering solutions

An advantage of the Denbigh School Uniform Recycle Shop perhaps, is that it operates outside of the school and is able to provide a level of discretion consistent with Citizens Advice Denbighshire's other services. It offers uniforms for all schools in the area in a single shop with complete uniforms available for an optional donation of £1. This allows parents, primary care givers and other family members to pick up uniforms in a single place, and for a nominal price.

The quality of all uniforms at the exchange is guaranteed by Winnie and the volunteers; no faded, torn or over-repaired uniforms are displayed (they are donated to recycling centres) let alone sold. Winnie and the volunteers take days at a time to wash, iron and package the uniforms into attractive, easily sold packs. This presentation greatly increases uptake, a child in a local primary school was unwilling to take a uniform offered to him by Winnie but when he opened the pack, and was hit with the smell of fabric freshener, he immediately took it home.

The greatest advantage for the Denbigh School Uniform Recycle is that Winnie and the volunteers have decades of combined experience in giving advice and supporting the local community. Citizens Advice Denbighshire caseworkers also help when the shop is open. While the primary purpose is the exchange and selling of uniforms, informal advice is often given. It has been shown that whenever we can engage with clients who may not have realised they required advice, invariably there are positive outcomes for clients, even if delivery of advice is a secondary purpose.

A requirement for help with school uniform costs is often a symptom of low income and other issues, including servicing debt. As can be seen on the graph below, these clients have issues we would expect as clients on a low-income; with benefit- and debt-related issues appearing most (note that these are not debts for non-essential items such as catalogues but such as water & fuel arrears). The charitable support issue is of note as the sub-issue to this, for these clients, is the issue of a foodbank voucher.



Income maximisation is an important part of creating sustainable futures for families in Denbigh in regards to school uniform costs. Through the Denbigh School Uniform Recycle, we have engaged with clients and found £16,495.60 of unclaimed benefits between 10 customers (25 customers signed up for follow-on advice).

**In April, as part of follow-up advice, we sent all 25 Denbigh School Uniform Recycle customers who had volunteered their contact information a leaflet advertising our new, NEA-funded, Cosy Cymru scheme. The scheme aims to provide energy saving measures and essential white goods, we awarded over £700 of energy saving measures and white goods to customers who contacted us.**

Through the Denbigh School Uniform Recycle we found parents weren't always aware of all 'passported' help available with the costs of school and childcare. Encouraging families to sign up for free school meals is advice well suited to the Denbigh School Uniform Recycle as it does not require knowing personal information beyond whether they are already receiving them.

To encourage take up of free school meals, we focus on the annual costs; showing that the price of a typical child's lunch is about £2 per day - around £400 per school year, per child. Putting daily and weekly costs into an annual context is a common budgeting technique. The cost saving of a free school meal then becomes evident.

Since the very first event we have also informed parents about the Pupil Deprivation Grant, a Welsh Government grant which allocates extra resources to schools with high pupil deprivation (measured by the number of children in receipt of free school meals). Through focusing on the personal benefits and those for their children's school during our February event, 10 customers stated their intention to apply for free school meals.

**We appreciate that the take up of free school meals is important to the individuals and has a wider educational benefit. We are keen to work more closely with schools and the Local Authority to promote this element.**

With the Denbigh School Uniform Recycle entering its fourth year, Winnie has been able to provide quality uniforms to deprived families in the area and has built strong relationships with local schools. Parents and guardians are more aware of the help they can receive with school costs. Clients who engage with Citizens Advice Denbigh are informed about the Denbigh School Uniform Recycle, relieving them of the stress of school uniform costs, and customers that we have already engaged with through the Denbigh School Uniform Recycle have received advice that has led to increased income, managed debt and/or reduced expenditure.

**Sarah, 44**, first attended our offices in November 2016 following a referral from Team Around the Family. She had recently been affected by several life events: she had recently lost her job, there was an increase in family size and her son was demonstrating behavioural problems in school.

Sarah was waiting for her benefits to be in place and had an income of only £150 per week Child Benefit and Child Tax Credit for her family of 4, which included an infant. She was issued 2 food bank vouchers to help her with the immediate costs. She was also offered assistance with her son's uniform, the loss of her job had meant she could only afford a single set of this and due to his behavioural problems and age, 13, were often getting torn or being outgrown.

We immediately booked Sarah an appointment with a Welfare Benefits Caseworker so that her correct entitlement could be checked and an application for Child Disability Living Allowance made. We were able to gather the required medical evidence and this claim was successful. This also allowed Sarah to claim Carer's Allowance.

Sarah received the immediate help she needed in the short-term and has, through our help, been able to create a sustainable future for her family. Her income has increased to approximately £500 per week and her son is receiving the help and support he needs.



## Summer 2017

The first draft of this report, originally created in July, predicted that the Denbigh School Uniform Recycle would be busier this year than ever before. With Welfare Reform affecting many families in Denbigh and working families' budgets being squeezed harder than ever, this was an easy prediction to make.

We promoted the Denbigh School Uniform Recycle through local schools and also meetings with local councillors and MP Chris Ruane. We advertised the event on Facebook & Twitter; the post on Facebook reached nearly 7000 people. The use of Facebook also allowed us to answer questions about the upcoming event.

The summer event was set to run from Monday 7<sup>th</sup> August to Friday 11<sup>th</sup> August this year. By the time 10 o'clock came around on Monday, there was a large queue on Denbigh High Street. Over 200 families purchased, for the nominal amount of £1, at least one item during the week, with many kitting out several children, making it nearly as successful as all previous events combined.

Dozens of families left their details with us so we can follow up with benefit entitlement checks and other forms of income maximisation in the coming months.

Customers sent really positive feedback, unbidden, over Facebook during the event;



We also asked clients to fill in a short 10 question survey, via Facebook and Google Forms, 2 weeks after the event. We received 43 responses and the feedback was overwhelmingly positive and informative regarding the types of uniforms people required.

42 respondents described the quality of the uniforms as very good, while one said good, and all 43 felt the Denbigh School Uniform Recycle offered good value. All 43 respondents would recommend the Denbigh School Uniform Recycle to their friends or family.

41 respondents stated that the Denbigh School Uniform Recycle helped reduce the stress associated with school costs. While the original intention of the Denbigh School Uniform Recycle was to make sure each child in Denbigh had the correct school uniform, reducing stress for parents was an important secondary goal and this has clearly been achieved.

This year's summer event was a runaway success. The Denbigh School Uniform Recycle served over 200 Denbigh families, saving them hundreds of pounds compared to the full retail price of the uniforms. We were able to produce the desired soft outcomes regarding reduction of stress on the family. We were able to restock more uniforms during the week as many customers brought in items, with an important restock of Denbigh High School uniforms halfway through the week. Even though it was extremely busy the Denbigh School Uniform Exchange was still able to gather contact details and encourage customers to engage with Citizens Advice Denbighshire.



Winnie Lawson at midday on the Monday of this year's summer event (note the rapidly emptying tables just 2 hours after opening).



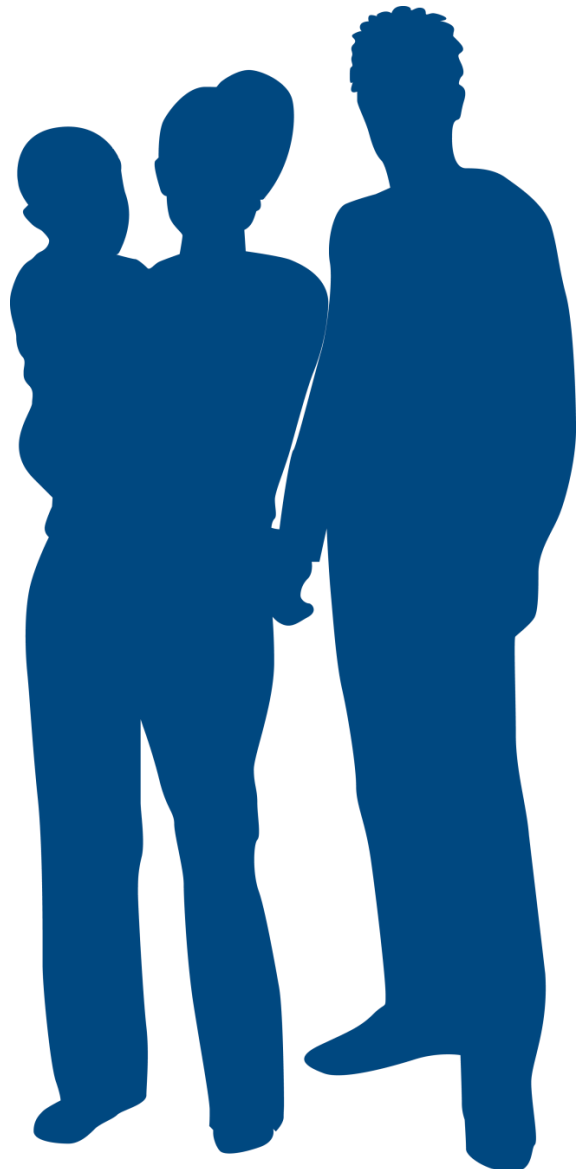
**Vanessa, 33**, visited the Denbigh School Uniform Recycle on Tuesday 8th August. She had seen the Facebook post advertising the event and was hoping to get uniforms for her 3 school-aged children.

Vanessa lives with her husband and 4 children, including one new-born. She had lost her job in November 2016 and her family were living on her husband's part-time salary along with Child Tax Credits, Child Benefit and some Council Tax Reduction. She was already caring for her second-to-youngest child while she was working as he had complex needs.

Vanessa was asked, like all customers, whether she had applied for, or was receiving, free school meals. She stated that she was not entitled to any help. We found that as she had lost her job while pregnant (there was no discrimination), she should be entitled to Maternity Allowance. The second-to-youngest child's complex needs also pointed to an underlying entitlement to Disability Living Allowance.

We made an appointment with a caseworker for the following week and helped her to apply for Maternity Allowance and Child Disability Living Allowance. If successful (which is highly likely), this will increase the household income by over £1000 per month.

Vanessa was able to get correct uniform for all of her school-age children and saved a significant sum by attending the Denbigh School Uniform Recycle. Vanessa was absolutely convinced before attending the Denbigh School Uniform Recycle that she was not entitled to any financial help and almost certainly would not have come to see Citizens Advice Denbighshire before her low-income had caused serious financial difficulty.





## References:

1. <https://www.denbighshire.gov.uk/en/resident/education/grants-and-funding/school-uniform-grants.aspx> (accessed 13/09/2017)
2. At what cost? Exposing the impact of poverty on school life – The Children’s Commission on Poverty (2014) (Page 28)
3. Cost of school uniform 2015 Research report – Elizabeth Davies – BMG Research (Page 21)
4. Cost of school uniform 2015 Research report – Elizabeth Davies – BMG Research (Page 9)
5. Cost of school uniform 2015 Research report – Elizabeth Davies – BMG Research (Page 11)
6. At what cost? Exposing the impact of poverty on school life – The Children’s Commission on Poverty (2014) (Page 26)
7. <https://www.providentpersonalcredit.com> (accessed 13/09/2017)

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**Sir Ddinbych  
Denbighshire**

**[citizensadvice.org.uk](http://citizensadvice.org.uk)**

Citizens Advice Denbighshire  
23 High Street  
Denbigh  
Denbighshire  
LL16 3HY





# Agenda Item 3.13

## **P-05-879 Add Mental Health Education to the mandatory teaching curriculum for all schools in Wales**

This petition was submitted by Annie Harris having collected a total of 1,947 signatures.

### **Text of Petition**

When working for Mental – The Podcast to Destigmatise Mental Health, I am continually concerned by the lack of education in schools around mental health. With 1 in 4 of us experiencing mental illness every year according to the charity Mind, this seems to be a real and significant gap in our education system.

### **KEY STATISTICS:**

Over half of all mental ill health starts before the age of 14, and 75% of this has developed by the age of 18;

A 2015 survey found that 13% of adults (16 & older) living in Wales were reported to have received treatment for a mental health problem, an increase from 12% reported in 2014;

The overall cost of mental health problems in Wales is an estimated £7.2 billion a year.

The statistics are shocking, yet whilst there is a whole subject in the Welsh curriculum about our physical health in the form of PE, our young people are left without knowledge of even the most common mental illnesses.

Not only does this leave them unprepared & vulnerable when it comes to looking out for their own mental health, but also sets the standard that Mental Health is not discussed. This plants a seed of stigma that many carry for their whole lives.

We are keen to hear back from those in power on a more extensive plan to better the lives of Wales's young people.

#### **CAMPAIGNING FOR:**

Mental Health education becoming mandatory teaching for all schools in Wales without the addition of any exams/homework on this subject.

Every child in Wales having the ability to access a qualified counsellor through their school.

Every school in Wales offering Mental Health training for its staff.

Please join our petition to help bring us one step closer to making these requests a reality for Welsh children, thus safeguarding the health of generations to come.

Thank you for reading, Annie Harris

Learn more about this petition & the team behind it at [mentalpodcast.co.uk/petition](http://mentalpodcast.co.uk/petition)

#### **Additional Information**

1. Source: Murphy M and Fonagy P (2012). Mental health problems in children and young people. In: Annual Report of the Chief Medical Officer 2012. London: Department of Health.

2. and 3. Source: Mental Health Foundation. Mental Health in Wales, Fundamental Facts 2016

(<https://www.mentalhealth.org.uk/sites/default/files/FF16%20Wales.pdf>)

Please see <https://www.change.org/p/get-mental-health-education-on-the-school-curriculum-mentalpetition-join-me-and-over-100-000-others> for the national interest in this petition. We handed in the petition to 10 Downing Street on 3rd October 2018.

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

- Monmouth
- South Wales East



Eich cyf/Your ref P-05-879  
Ein cyf/Our ref KW/06415/19

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

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

24 June 2019

Dear Janet

Thank you for your letter of 13 June in relation to Petition P-05-879 from Annie Harris entitled - Add mental health to the mandatory teaching curriculum for all schools in Wales.

I will respond separately to each of the specific points raised in your letter:

**How pupils should be able to access counselling services in schools;**

School counselling provision has been operating successfully in schools for a number of years. Since April 2013 local authorities have been required, under the School Standards and Organisation (Wales) Act to make reasonable provision of independent counselling services for children and young people aged between 11 and 18 on the site of each secondary school that it maintains and for pupils in Year 6 of primary school. The latest statistical release for *Counselling for Children and Young People 2017/18* (SFR 18/2019 March 2019), showed over 11,300 children accessed the service in 2017/18.

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

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

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

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

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

Despite this success there is always more we can do to improve provision. The Children, Young People and Education Committee's *Mind Over Matter* Report (April 2018) recommended that Welsh Government should assess the quality of the counselling available, not least how the service copes with increasing demand, tackles stigma and meets the needs of children and young people. This should include consideration of providing counselling support online and outside lessons / school, and for those younger than 11 years old.

We are working with local authorities and the British Association for Counselling and Psychotherapy to assess provision and see what further improvements we can make to ensure the service is accessible and meets the needs of those young people accessing the service. This includes:

- updating and revising the school based counselling operating toolkit. When published, towards the end of 2019, the toolkit will provide a valuable resource for counselling providers on the best practice in delivering the service, but more importantly it will promote consistency of provision and equity of access to those young people who need the service.
- reviewing capacity and demand for the service to ensure it is able to meet current and future demand and that service delivery is available as and when it is required, for instance during summer holidays and outside of school hours.
- exploring how we can provide online support to children and young people, working alongside face-to-face provision. Many local authorities across Wales are already using online counselling resources to support their children and young people. We have asked Health Technology Wales to undertake a Topic Exploration Report to consider the evidence for self-directed and guided programs. It will enable us to work with partners and Health Technology Wales to identify those technologies that could benefit from fuller assessment, by for instance focussing on a particular brand of self-help tool, or a specific type of intervention that shows promise in a particular population.
- looking at the effectiveness of links with providers of other support including Local Primary Mental Health Support Services for children and young people.

### **How the mental health and wellbeing of pupils is incorporated into teacher training and ongoing professional development.**

We recognise that students in initial teacher education need both an understanding of child development and knowledge to learn and engage with emerging issues and areas of concern around emotional and mental wellbeing for learners. This needs to form part of a wider understanding of interdependencies including ALN and the range of approaches to behaviour and pedagogy.

Anecdotal evidence suggests that well-being has traditionally not formed part of initial teacher training. However, Welsh Universities providing initial teacher training have confirmed that, in line with delivery of the new curriculum, well-being will form part of the new syllabus from September 2019. However, this will not be a stand-alone module, rather it will permeate all aspects of the syllabus.

The curriculum for ITE under the terms of the new accreditation is being developed by Universities in readiness for delivery from September 2019. We will have the opportunity to consider how well this has addressed a range of priorities, including child development and well-being. Based on an assessment of how well the new programmes have addressed

these issues, the criteria for accreditation which inform ITE curriculum development could be revised for programmes submitted for accreditation from 2021 onwards.

We are therefore working with the Universities to support their efforts to make learning resources and opportunities available that enhance the main programmes and which can be accessed by students in many education and related programmes across our Universities. Working through the Universities Council for the Education of Teachers (UCET) Cymru we will develop materials which are voluntary and / or support enrichment. This could take the form of self-assessment training, and we will look to promote the use of online project and learning materials delivered through the innovative use of digital technology. There will also be a need to ensure any material is aligned with the exiting teacher training syllabus.

This proposal is still at its early stages and initial discussions with ITE providers have been positive. It was proposed that UCET Cymru would consider taking the lead role in the development and initial planning envisages that materials will be ready for use from September 2020. While it will only be available as non-accredited training initially, we will ensure that it is 'future proofed' and able to form part of accredited training as and when the existing syllabus is reviewed.

Recognising and promoting teaching excellence is a key objective of 'Our National Mission', our shared action plan for education reform, and is crucial to translating the new curriculum into practice.

Our own "made in Wales" approach to professional learning will be made available to every practitioner in schools across Wales and pulls together our new professional standards and the Schools as Learning Organisations approach to create a vision fit for our evolving system.

The new approach is centred on the learner and embodies the four purposes of the new curriculum. It is designed to be responsive to school, local and national priorities and encompasses the individual learning journey of all practitioners. It will also include a focus on supporting teachers to better understand and improve pupil mental health and well-being.

Integral to the national approach to professional learning is ensuring that professional learning for our practitioners is adequately resourced including both financial resources and time for teachers and leaders to engage with high quality professional learning opportunities.

Since the autumn, professional learning pioneers have been interacting with the draft curriculum through cycles of action enquiry supported by higher education partners. Cardiff Metropolitan University is supporting pioneers to explore the professional implications of the new Health and Well-being Area of Learning and Experience (AoLE).

During the spring term, enquiry cycles extended to the wider community of schools, with some pioneers focusing on the implementation changes for schools including internal organisation, timetabling and subject specialism.

Pioneers leading on enquiries linked to the Health and Well-being AoLE focused on how schools will need to plan and develop their school curriculum to deliver this AoLE, exploring how pupil voice, community links and outside agencies could also inform the curriculum for this AoLE.

Early feedback reflected that practitioners were pleased that health and well-being has an equal footing within the other areas of learning and experience, acknowledged that the AoLE achieves an appropriate balance between knowledge and skills and recognised the need to be creative in delivery to consistently develop pupils' knowledge and skills.



Regional consortia will have a variety of ways of sharing the outcomes from the ongoing enquiry cycles as part of the wider professional learning offer. We will work with the regions to ensure that the relationship between pioneers and the wider community of schools delivers for all educational practitioners in Wales.

### **How mental health education is included in the current PSE curriculum**

Personal and Social Education (PSE) forms part of the curriculum for all registered pupils aged 7 to 16 in maintained schools. It prepares learners to be personally and socially effective by providing learning experiences in which they can develop and apply skills, explore personal attitudes and values, and acquire appropriate knowledge and understanding.

The non statutory framework for PSE for 7-19 year olds supports schools to develop a broad and balanced PSE programme, structured around five themes including Health and Emotional Wellbeing.

The framework is designed to support and provide scope for schools to allow learners to develop respect for themselves and others, value and celebrate diversity and equality of opportunity locally, nationally and globally.

The five themes in the framework are:

- Active citizenship;
- Health and emotional well-being;
- Moral and spiritual development;
- Preparing for lifelong learning; and
- Sustainable development and global citizenship.

Schools have the flexibility to select appropriate topics from the PSE framework as contexts for learning. It is the responsibility of schools to plan and deliver a broad, balanced programme to meet the needs of their learners. Schools can work with specialist organisations on aspects of PSE provision.

Through the Health and Emotional Wellbeing theme, learners can be helped to maintain their emotional and physical health, be enabled to explore their feelings, develop self-awareness, self-respect and develop their self-esteem.

At Key Stage 2, learners build on the skills, attitudes and values, and knowledge and understanding they have started to acquire and develop during the Foundation Phase.

Learners should be given opportunities to:

- take increasing responsibility for keeping the mind and body safe and healthy; and
- feel positive about themselves and be sensitive towards the feelings of others.

The requirement to teach the current National Curriculum is still in force and will continue for school year groups until such time as they move onto the new curriculum.

I launched the new draft curriculum and assessment arrangements for feedback on 30 April which is accessible via this link: <https://hwb.gov.wales/>. The feedback period runs until 19 July and may be of interest to the Petitioner in this case.

The refined Curriculum for Wales 2022 will then be made available in January 2020 for use in September 2022 by primary schools and for year 7 pupils in secondary schools. The curriculum will then be rolled out on a year by year basis in secondary schools.

I hope this letter clarifies the position on the issues you have raised.

Yours sincerely

A handwritten signature in black ink, reading 'Kirsty Williams'.

**Kirsty Williams AC/AM**

Y Gweinidog Addysg  
Minister for Education

**P-05-879 Add Mental Health Education to the mandatory teaching curriculum for all schools in Wales, Correspondence - Cardiff Metropolitan University to Chair, 08.07.19**

Programmes 2018-19			
Programme	Hours	Provision	Content
PGCE Primary	16 hours	Lectures/Seminars	Safeguarding, Equality and Diversity; Child Development (inc emotional development); Mindfulness (for teachers); ALN Conference (some seminars address emotional needs); Action on Bullying; Positive Relationships; Mindfulness and Power of Effort (for pupils)
	Student effort	Assignment	Child Development (inc emotional development)
PGCE Secondary	12 hours	Seminars	Being a resilient and healthy professional; Bullying and truancy; Looked after Children; ALN and mental health
All programmes	1 hour	Personal Tutor Support	Individual support for student teachers' personal and professional development
All programmes	ongoing	Reasonable Adjustments Support	Bespoke support for student teachers who have been identified as needing ALN or mental health support in university and on school placement
All programmes	ongoing	Online support	Dedicated well-being online support materials specifically targeted at student teachers.
All programmes	ongoing	Mentor training	Mentor training includes input on supporting the student teacher's wellbeing. This is to ensure student teachers continue to be supported on school placement.

Programmes 2019-20			
Programme	Hours	Provision	Content
PGCE Primary and PGCE Secondary programmes	25 hours	Lectures/seminars	<p><b>Wellbeing, including Personal Development and Planning:</b> develops approaches to assist student teachers to manage their own wellbeing, as well as their ability to contribute to the wellbeing of the pupils in their care. Seminars include:</p> <ul style="list-style-type: none"> <li>• Resilience and receiving feedback</li> <li>• Support for student wellbeing</li> <li>• Managing stress and conflict</li> <li>• Mindfulness</li> <li>• Communication with parents and external agencies</li> </ul>

			<ul style="list-style-type: none"> <li>• Dealing with issues of social inclusion and equal opportunity</li> <li>• Working with additional adults</li> <li>• Pupil voice</li> <li>• Monitoring and supporting pupil attendance and punctuality</li> <li>• Using different types of data to track pupil wellbeing</li> <li>• Bullying</li> </ul>
PGCE Primary and PGCE Secondary programmes	15 hours	School-based training day in a lead partnership school (jointly planned between schools and University) plus directed enquiries	<b>In Pursuit of Happiness / Nurturing Needs:</b> focuses on supporting social and emotional development and positive relationships within the classroom for pupils and, also, for the student teacher themselves. Directed tasks and accompanying reading materials provided.
PGCE Primary and PGCE Secondary programmes	15 hours	School-based training day in a lead partnership school (jointly planned between schools and University) plus directed enquiries	<b>Great Expectations:</b> focuses on mindfulness and mind-set for pupils and, also, for the student teacher themselves. Directed tasks and accompanying reading materials provided.
BA (Hons) Primary QTS	300 hours effort	Lectures/ Seminars / Assignment	<b>30 credit level 6 module on Professional Practice and Well-being</b> Aims are to help student teachers critically reflect on the contemporary professional demands facing today's primary school practitioners; see themselves as part of a larger community and recognise the impact that their decisions and actions have on those around them; to effect change and be responsive to the situations and environments in which they operate; to consider how to use qualities of own professional practice positively to influence the practice of others.
BA (Hons) Primary QTS	25 hours	Lectures / seminars	Successful Futures (I), level 4 module contains content on: <ul style="list-style-type: none"> <li>• Partners in learning: the role of parents/carers, colleagues and others</li> <li>• Meeting the needs of pupils with additional learning needs to ensure equity</li> <li>• Promoting a positive wellbeing culture, including health and healthy relationships education; multi-agency</li> </ul>

			<p>working; fostering a growth mindset; spiritual and ethical beliefs; social and emotional wellbeing.</p> <ul style="list-style-type: none"> <li>• Safeguarding, including UNCRC and understanding and preventing bullying.</li> </ul>
BA (Hons) Primary QTS	30 hours	Lectures / seminars / directed task	Introduction to Child Development and Clinical Practice, level 4 module contains significant input on child development, emotional development; attachment theory; and the factors that can promote or hinder effective learning including the impact of pupils' backgrounds, identities, values and beliefs.
BA (Hons) Primary QTS	15 hours	School-based training day in a lead partnership school (jointly planned between schools and University) plus directed enquiries	<b>In Pursuit of Happiness / Nurturing Needs:</b> focuses on supporting social and emotional development and positive relationships within the classroom for pupils and, also, for the student teacher themselves. Directed tasks and accompanying reading materials provided.
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All programmes	1 hour	Personal Tutor Support	Individual support for student teachers' personal and professional development
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All programmes	ongoing	Mentor training	Mentor training includes input on supporting the student teacher's wellbeing. This is to ensure student teachers continue to be supported on school placement.



**Prifysgol Cymru**  
Y Drindod Dewi Sant  
**University of Wales**  
Trinity Saint David

**Yr Athrofa**  
Institute of Education  
Addysg i Gymru Education for Wales



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

SeneddPetitions@assembly.wales

10 September 2019

Dear Janet,

I write on behalf of Yr Athrofa: Professional Learning Partnership (University of Wales Trinity Saint David) in response to your letter of 13 June 2019, regarding the following petition:

**Petition P-05-879 Add Mental Health Education to the mandatory teaching curriculum for all schools in Wales**

We note that the points raised in the petition relate largely to the school sector in Wales, and as a university, we are not necessarily best placed to respond to these individually. We are, however, very happy to outline, at the Committee's request, more specific information regarding our initial teacher education (ITE) programmes and how they relate to the mental health of children and young people.

Yr Athrofa: Professional Learning Partnership, involving Yr Athrofa: Institute of Education at University of Wales Trinity Saint David and partner schools, was one of four providers of ITE accredited by the Education Workforce Council (EWC) in June 2018. The commendation ensured that new programmes of ITE, the product of more than three years' co-construction between school and university-based staff, were launched in line with EWC expectations for first teaching earlier this month.<sup>1</sup>

Yr Athrofa: Professional Learning Partnership wholeheartedly supports the Welsh Government's commitment to 'strong and inclusive schools committed to excellence, equity and wellbeing' and therefore strives to develop student-teachers who are well equipped to deliver high-quality education for all.<sup>2</sup> This in turn requires strong reference to and grounding in theory relating to the mental health and wellbeing of children and young

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<sup>1</sup> Education Workforce Council. 2019 *Accredited providers of Initial Teacher Education in Wales from 2019* [ONLINE] Available at: <https://www.ewc.wales/site/index.php/en/ite-accreditation/providers-of-initial-teacher-education-in-wales-from-2019.html> [Accessed: September 2019].

<sup>2</sup> Welsh Government. 2017 *Education in Wales: Our National Mission*. Cardiff: Welsh Government.

people, as well as the many practical solutions and strategies student-teachers can exercise to best support learners as they progress through compulsory education.

In each of its ITE programmes, Yr Athrofa: Professional Learning Partnership draws upon four, high-level beginner competencies as its principles of teaching and learning: namely that learning about teaching is about:

- Embracing complexity;
- Understanding that there is a relationship between knowledge and experience;
- Forming meaningful relationships; and
- Researching, practising, modelling and reflecting.

A common core content has been devised for delivery across the Partnership's entire portfolio of ITE programmes, and ensures that our high-level beginner competencies can be achieved. This core content includes four inter-related and compulsory modules, which underpin both postgraduate (PGCE) and undergraduate (BA) routes into teaching. The most pertinent in the context of this petition, relates to the module entitled '*The learner – who am I teaching?*'.

This module places the child/pupil at the centre of each ITE programme. It recognises that child and youth development, including theories of learning, practice-related evidence and the place of health and wellbeing, is fundamental to effective teaching and learning. The module challenges assumptions and beliefs related to cultural diversity and the expectations of a normative model of child development. Children's rights, voices and contributions are explored and the view of the child as an individual as opposed to a 'group' or 'class' is promoted. In addition, the module positions the teacher as a professional by considering safeguarding, child protection, contractual, pastoral and legal responsibilities.

Upon successful completion of the module, student-teachers are able to demonstrate the ability to:

- Evidence a critical understanding of theories and research that impact on wellbeing, child development and learning from 0-19 years and apply this to personal practice;
- Present personal stance on the role of the professional teacher in relation to meeting the needs of a diverse range of children and young people – including challenging assumptions, beliefs that lead to prejudice and stereotyping;
- Critically reflect and evaluate a range of different approaches for meeting the diverse needs of all learners in a range of settings, and justify choices made in personal practice.

In order to do this, within the module student-teachers:

- Critically evaluate research and key theories and research that underpin the holistic development of children and young people, in relation to ensuring pupil progress – including a critical understanding of physical literacy and other contemporary issues;
- Evaluate and apply evidence-based theory and research to personal practice, justifying pedagogical choices made and share findings in a professional setting;

- Are provided with a deep understanding of how contractual, pastoral, and legal responsibilities (including additional learning needs (ALN), safeguarding and child protection, children's wellbeing, rights and voices) interact in a range of situations;
- Are equipped with a deep understanding of the physical, emotional, social, intellectual and other needs that impact on learning and development, and identify pedagogies which mitigate negative effects;
- Critically evaluate strategies and approaches to best support equality and diversity, including challenging beliefs and assumptions about the norm.

The module content relates explicitly to the four purposes of the new Donaldson-inspired national curriculum in the following ways:<sup>3</sup>

<b>To develop children and young people as:</b>	<b>Student-teachers will be able to:</b>
Ambitious, capable learners, ready to learn throughout their lives.	Meet the diverse needs of all learners to ensure pupil progress.
Enterprising, creative contributors, ready to play a full part in life and work.	Engage in a range of creative learning opportunities that will inspire active learners.
Ethical, informed citizens of Wales and the world.	Adopt the role of a professional teacher in understanding and respecting the needs and rights of pupils as members of diverse societies, and challenge assumptions and beliefs that lead to stereotyping.
Healthy, confident individuals, ready to lead fulfilling lives as valued members of society.	Show a deep understanding of theories and research that impact on promoting the mental and emotional wellbeing of pupils by developing confidence, resilience and empathy in their practice.

In addition, student-teachers are given an introduction to the new Health and Wellbeing Area of Learning and Experience; an overview of relevant ALN documentation and statutory obligations; an understanding of physical literacy and the holistic development of the child; a critical evaluation of social media, both positive and negative; information and strategies relating to exclusion, bullying and challenging behaviour; and a detailed assessment of the impact of adverse childhood experiences (ACEs).

Finally, Yr Athrofa: Professional Learning Partnership is cognisant of the fact that positive mental health and wellbeing is not only an aspiration for pupils, but also student-teachers and practising, experienced teachers as they progress through their careers in education. Indeed, the Partnership considers wellbeing integral to an inclusive and healthy education system which considers the physical, social and mental states of all practitioners, as well as the learners in their care. As such, the Partnership advocates a 'team around the student-teacher' approach to professional, academic and pastoral wellbeing. This approach recognises that studying to be a teacher is challenging and that different levels of support are needed for different aspects of the programme and for different individuals.

<sup>3</sup> Donaldson, G. 2015 *Successful Futures: Independent Review of Curriculum and Assessment Arrangements in Wales*. Cardiff: Welsh Government.



The 'team around the student-teacher' provides every student-teacher enrolled with Yr Athrofa: Professional Learning Partnership access to several named individuals with responsibility for certain elements of ITE programmes. The team includes a named University Tutor (Curriculum), who supports student-teachers with subject-specific expertise and research; a University Tutor (Professional) leading on pastoral matters; and a Senior Mentor, responsible for co-ordinating a student-teacher's professional teaching experience in school. Together, this team ensures that all student-teachers are professionally and pastorally supported for the duration of their teacher education.

We hope that the outline presented in this letter satisfies the Committee's needs. If not, we would be happy to provide further information on request.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Gareth Evans', with a stylized, flowing script.

Gareth Evans

Director of Education Policy, Yr Athrofa: Institute of Education  
University of Wales Trinity Saint David

# Agenda Item 3.14

**P-05-891 National Reading and Numeracy Tests for children from as young as age 6 need to be discontinued with immediate effect**

This petition was submitted by Tanya Beer having collected a total of 256 signatures.

## **Text of Petition**

National Numeracy and Reading Tests for children as young as 6 are not fit for purpose and should be discontinued as soon as possible. Young children who have been encouraged to learn through play are not best assessed through sitting for up to 40 minutes to complete a test.

Although Welsh Government recommends that no preparation is required, schools inevitably take time out of normal learning to familiarise children with the format of the tests and frequently children struggle to understand what is expected of them. This results in loss of confidence and enjoyment of learning at such a young age which could be detrimental to their ongoing learning.

The Donaldson Review (Successful Futures, 2015) recommended that any assessments should be 'as light-touch as possible', 'avoid unnecessary bureaucracy', include 'holistic assessments of achievement' and use 'both self-assessment and peer assessment' to 'encourage children and young people to take greater responsibility for their own learning'. Four years have passed since this review and still these tests are ongoing, as a result the current format of structured assessment needs to be discontinued with immediate effect.

## **Assembly Constituency and Region**

- Torfaen
- South Wales East



Eich cyf/Your ref: P-05-891  
Ein cyf/Our ref: KW/07336/19

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

18 October 2019

Dear Janet,

Thank you for your letter of 14 October following the Petitions Committee meeting on 1 October seeking my views on the points raised by Dr Tanya Beer in her additional evidence, in particular her concerns that teachers are required to take time to familiarise pupils with the question style of formal tests.

As outlined in my original response in June, we are moving away from paper based testing, to online personalise assessments. These assessments are being phased in over a three year period with Numerical (Procedural) introduced last year, Reading being available during this academic year and Numerical Reasoning during 2020/21. This means that, during the 2019/2020 academic year, only one national paper based test will be in place, this is for Numerical Reasoning.

The personalised assessments are based on the skills in the school curriculum set out in the National Literacy and Numeracy Framework. They have been developed and designed with expert input and with learners' wellbeing in mind; and they provide a more flexible and less formal approach than the paper-based tests to assessing learners' skills. Teachers can choose to assess learners individually, or in small groups, at a point during the school year that best suits the learner and/or the class.

The assessments can be taken on a PC, laptop or tablet, in accordance with what learners use every day in the classroom and are familiar with. There is no time limit, so learners can work through the questions at their own pace and teachers are also able to give breaks to learners at any point. As outlined in my previous response, all of these flexible features are particularly relevant to provide an assessment experience suited for younger learners.

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

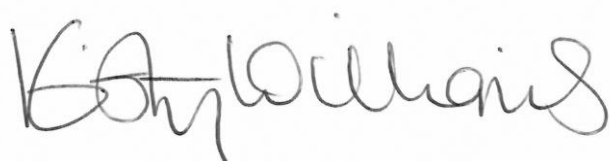
Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

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

There is no requirement for learners to practise either the paper based tests or the online assessments, and I expect all schools to follow our guidance to maintain a broad and balanced curriculum throughout the school year. In order to ensure that learners feel comfortable with how the questions work, they are able to undertake a short familiarisation assessment online. Guidance on how assessments should be administered and information on how teachers can support learners is provided via written guidance, videos and targeted webinars.

These assessments are not 'high stakes' and should not be used to measure school performance. They provide useful, timely feedback for teachers, learners and parents on learners' skills, and can form part of an overall suite of information that is available to each teacher to inform their teaching and classroom planning.

Yours sincerely

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

**Kirsty Williams AC/AM**

Y Gweinidog Addysg  
Minister for Education

# Agenda Item 5

## **P-04-433 CCTV in Slaughterhouses**

This petition was submitted by Animal Aid and was first considered in November 2012 having collected 1,066 signatures.

### **Text of Petition**

We call on the National Assembly to urge the Welsh Government to introduce mandatory CCTV in slaughterhouses to help vets with better regulation and monitoring, to provide footage for training and retraining, to deter some of the animal welfare abuses filmed by Animal Aid, and to provide evidence for prosecutions should they be necessary.

July 2015

## CCTV in slaughterhouses

1. BVA believes that for the benefit of animal welfare, all approved slaughterhouse operators (Food Business Operators - FBOs) must have effective procedures in place to be able to observe and verify stunning and slaughter operations.
2. We consider that all animals should be stunned before slaughter, purely for reasons of animal welfare. However, BVA recognises that for various reasons the stun process is on occasion not carried out as effectively as legislation dictates. Closed Circuit Television cameras (CCTV) are a useful tool in helping to meet animal welfare requirements in slaughterhouses, observing and verifying handling of animals and in observing and verifying the proper application of the stun process. CCTV also has the potential to provide supplementary evidence in response to any allegations of illegal practice as well as to help protect the food chain and public health.
3. Slaughterhouses are increasingly installing CCTV as a means of observing, verifying and recording operations, though its use is currently not mandatory. EU legislation on the protection of animals at the time of killing (1099/2009) simply requires the FBO to take necessary measures to ensure various conditions that protect animal welfare (Article 3), such as through Standard Operating Procedures, regular observing and verifying of animals for signs of consciousness and the provision of Animal Welfare Officers and Official Veterinarians. In addition, since 2010 the Food Standards Agency (FSA) has encouraged FBOs to voluntarily install CCTV as best practice and as an additional management tool to protect animal welfare.
4. A number of slaughterhouse operators have proactively installed CCTV. In addition, the use of CCTV in slaughterhouses is being promoted by animal welfare organisations and supported by retailers and farm assurance schemes, many of which are increasingly requiring CCTV in the slaughterhouse. Additional options for observing and verifying slaughterhouse activity include an aperture, or window in the stunning pen. However such options have their limitations as they cannot offer continuous recorded surveillance and do not provide objective evidence or records.
5. A [FAWC opinion](#) on CCTV in slaughterhouses was published in February 2015 and put forward 23 recommendations in support of the use of CCTV. We consider the key recommendations are:
  - All approved slaughterhouse operators (Food Business Operators, FBOs) should install CCTV in all areas where live animals are kept and where animals are stunned and killed
  - All assurance scheme operators, food retailers and others in the food chain require that CCTV be installed in the slaughterhouses associated with them
  - FBOs install CCTV in a manner that allows for the clear and uninterrupted recording of all actions and areas involving live animals and animal killing.
  - FBOs should ensure that CCTV footage is regularly and securely reviewed according to an established protocol

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Patron: Her Majesty The Queen

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- The slaughter industry should produce a common set of good practice protocols for the review, evaluation and use of CCTV footage
  - FBOs should make CCTV footage readily available to authorised officers
6. BVA is calling for the implementation of all the recommendations set out in the FAWC report.
  7. BVA considers that all slaughterhouses should be required to install CCTV in all areas where live animals are kept and killed, in order to provide a clear and uninterrupted recording of all activities within these areas.
  8. It should not be necessary for FBO staff to constantly observe slaughter operations via CCTV in real-time. The CCTV footage should be regularly observed and verified according to an agreed protocol and should be used as an additional training, observing, verifying, and enforcement tool to ensure the relevant legal requirements are met and high animal welfare standards are maintained.
  9. Appropriate training should also be provided on observational techniques, and the use and secure storage of recorded material, for staff involved in reviewing CCTV footage. It is recommended that OV's as well as other enforcement officers must have access to any CCTV footage and this should be written into UK legislation. This would avoid any delays and complications caused by securing a warrant.

**P-04-433 CCTV in Slaughterhouses, Interested Party to the Minister for Environment, Energy and Rural Affairs, 01.04.19**

Ms Lesley Griffiths  
Cabinet Secretary for Environment,  
Energy and Rural Affairs

By email

1<sup>st</sup> April 2019

Dear Ms Griffiths

You will be aware that in England it is now compulsory that CCTV is installed in all slaughterhouses. The Scottish Government has committed to legislating this year to require mandatory installation in Scottish slaughterhouses also. These are entirely appropriate steps in light of extensive evidence from fully documented undercover investigations in a large number of slaughterhouses of frequent breaches of welfare regulations, and of outright cruelty. They are supported also by evidence provided by Official Veterinarians (OVs), and through audit processes undertaken by both the Food Standards Agency (FSA) and Food Standards Scotland (FSS).

Wales has yet to make this commitment, with failure to date to recognise the importance of preventing breaches, detecting them and pursuing enforcement action. Bizarrely, you have sought to imply, without any basis, that poor practice, welfare breaches and cruelty observed in English slaughterhouses somehow do not apply in Wales. Yet, the slaughterhouses in England and Wales operate in very similar ways. They both process large numbers of animals, and they are both subject to the same 'official controls' that have been revealed to be so ineffective in detecting the number and severity of welfare breaches that occur. All reason implies that similar risks will occur in Welsh slaughterhouses and that similar protections (including CCTV) are needed to properly ensure animal welfare at slaughter.

When questioned (eg in the Assembly) you presume to support the Welsh abattoir industry with references to 'high welfare standards' in Wales, as if such assertions have any substance. In fact, they are contradicted by the evidence. The FSA conducts regular audits of both English and Welsh slaughterhouses against animal welfare and food hygiene criteria and publish the results of these. The most recently published data (1<sup>st</sup> March, 2019) for current audit status of all slaughterhouses show that, for pre-announced inspections with significant notice, **only 30% of Welsh slaughterhouses are given a 'Good' rating**. This compares with 46% of English slaughterhouses, and 89% in Northern Ireland. Only Scotland (subject to audits by FSS) performs worse than Wales, with just 17% of establishments gaining a 'Good' rating during 2018.

It is very concerning indeed that such a low proportion of Welsh slaughterhouses achieve a rating that does not imply any major non-compliances at a pre-announced inspection. Far from any evidence-free room for complacency about welfare standards at slaughter in Wales, this data implies that standards here are significantly lower even than England, and that there is likely to be a particularly strong need for compulsory CCTV installation in slaughterhouses in Wales. After all standards can be



expected to be lower still when visits by the FSA are not in progress.

You have to date presumed to listen only to industry voices. No consultation of Welsh citizens, and a complete lack of a critical and sceptical attitude towards industry claims that compulsory CCTV monitoring is not needed. Instead, some Government funding has been made available, with application to date received by only eight establishments. The Government continues to hold no data on how CCTV is deployed or used in Welsh slaughterhouses.

The Welsh Government has not made legislative requirements on how CCTV is to be used for any establishment that does use it. Astonishingly, instead it has agreed a 'protocol' with the meat industry (eg for CCTV installation funded through the Government) that severely restricts the potential for any footage obtained to be used to prevent or detect welfare breaches. This protocol, clearly influenced by meat industry pressure rather than putting animal welfare as the priority, includes, for example, the following conditions:

*'The purpose of the OV CCTV review is as an additional indirect verification of an FBO's animal welfare procedures, not as a replacement of direct practical official observations'.* (This has legal implications for the weight that might be put on documentary evidence obtained through CCTV).

*'The FBO will view the CCTV alongside the FSA veterinary staff in FBO offices'.* (Since there has been evidence of undue pressure on FSA staff operating in some abattoirs, this may be concerning).

*'The duration of the OV viewing of the CCTV should be reasonable and practical, and usually equivalent to up to 15 minutes additional check a day'.* (Not at all clear why there should be a presumption of such a severe restriction, and this would undermine both potential for deterrence and detection)

(note – OV – Official veterinarian; FBO – Food Business Operator).

Moreover the protocol is couched in terms not of preventing or detecting welfare breaches, but industry terms of 'verifying good practice'. The associated 'CCTV requirements August 2018' published by the Government is a flimsy, poorly specified document which fails to detail with any clarity whatsoever what is required, where CCTV should be sited, how it should be used and so on (see attached).

The most important issue is the need to protect the welfare of animals at the time of their slaughter, when they are at their most vulnerable. Any appropriate method that can help achieve such protection should be used. CCTV has been clearly identified as such a method including by the Farm Animal Welfare Committee (FAWC) which recommended that all FBO's should adopt it. The British Veterinary Association (BVA) and the FSA itself are consistent in recommending its mandatory use. The public have a right to expect that relevant welfare regulation arrived at through democratic process is properly and rigorously monitored and enforced.

All of these factors should not be over-ridden by an inappropriate concern

for positive impression management for the Welsh meat industry, and narrow collusion with it.

Yours

David Grimsell  
Welsh citizen.

cc.

David Rowlands, Chair of the Welsh Assembly Petitions Committee

Graeme Francis, Clerk to the Petitions Committee

Eluned Morgan, A.M. (Mid- and West Wales Region)

Neil Hamilton, A.M. (Mid- and West Wales Region)

Helen Mary Jones, A.M. (Mid- and West Wales Region)

Joyce Watson, A.M. (Mid- and West Wales Region)

Mike Hedges, A.M. Chair, Climate Change, Environment and Rural Affairs Committee

#### Sources

re FSA meat establishment audits

<https://data.gov.uk/dataset/43038f2d-6d94-4e6d-bbf9-04bf58726ad3/fsa-audits-of-approved-meat-establishments>

re FSS meat establishment audits

<https://www.foodstandards.gov.scot/business-and-industry/safety-and-regulation/approval-of-meat-plants>

re CCTV use protocol agreed between Welsh Government and meat industry bodies:

<https://gov.wales/sites/default/files/publications/2019-03/ATISN12984.pdf>



Ein cyf/Our ref LG/05712/19

David Grimsell

17 April 2019

Dear Mr Grimsell

Thank you for your letter of 1 April, regarding CCTV in slaughterhouses.

As I have previously stated the Welsh Government is committed to ensuring a high standard of welfare for all animals kept in Wales is maintained at all stages of their life, including at the point of slaughter. I have publicly stated I am considering legislating to ensure CCTV is in place in all Welsh slaughterhouses. However, I have also committed to working with the Food Business Operators (FBOs), in a supportive relationship, to achieve the same objective. The Food Business Investment Scheme – Slaughterhouse, opened to expressions of interest (EOI) on 30 September.

The network of small slaughterhouses in Wales is one to be proud of. They provide essential services to farmers, butchers and consumers in some of our most remote areas. They also provide skilled jobs and support locally integrated supply chains.

I believe that CCTV is an important part of animal welfare protection in slaughterhouses, however, it is not a catch-all. This is why I will require all successful grant applicants to receive expert advice on their welfare safeguards, premises, animal management and movement. Guidance on the installation and management of CCTV and a joint protocol, agreed by FSA and industry bodies, to enable Official Veterinarians access to CCTV footage will be provided.

The larger red meat slaughterhouses, which process the majority of animals, already have CCTV and official veterinarians are able to access footage if they suspect welfare standards are not being met. They are also members of various assurance schemes such as Red Tractor and Freedom Foods. These make additional animal welfare requirements and impose additional audits on slaughterhouses. Freedom Food sites have to install CCTV and give the auditors access to the footage.

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

Pack Page 233

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

The Food Business Investment funding package specifically for small and medium size slaughterhouses has been welcomed by the industry and stakeholders, including the British Veterinary Association. The safeguarding of welfare requires both knowledge and a culture that respects animals and the grant scheme will go some way to address these twin challenges

However, we will review the progression of the scheme, uptake by Food Business Operators and the type and scale of investments undertaken. I want Wales' slaughterhouses to be fully prepared as I continue to explore opportunities to legislate in the longer term.

Yours sincerely  
Lesley Griffiths

**Lesley Griffiths AC/AM**

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

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

Document is Restricted

**P 04-433 CCTV in Slaughterhouses, Correspondence – Petitioner to Committee, 17.09.19**

Animal Aid's Petition Committee submission in light of Farmers Fresh investigation

I note that at the Petitions Committee meeting last November, the Committee agreed to put forward a report to the Cabinet Secretary concerning CCTV in Welsh slaughterhouses, and I understand that this is to happen imminently. I would be very grateful if the following information could please be included in the report.

Animal Aid has conducted an extensive investigation into Farmers Fresh slaughterhouse in Wrexham and brought to light damning new evidence which makes the case for mandatory CCTV for Welsh slaughterhouses. We would be very grateful if you could put forward this vital new evidence for consideration and inclusion.

Here is a weblink to the investigation: <https://www.animalaid.org.uk/breaking-our-covert-cameras-capture-appalling-scenes-of-slaughterhouse-incompetence-and-chaos-at-farmers-fresh-wales/>

And here is the link to the exclusive article from the Daily Mail: <https://www.dailymail.co.uk/news/article-7416503/Hidden-camera-footage-shows-abattoir-workers-throwing-sheep-backs-slaughterhouse.html>

Our investigators took four sets of footage at Farmers Fresh slaughterhouse in Wrexham, between 26th March and 3<sup>rd</sup> June 2019.

We were horrified to bring to light a number of incidents. These are set out below.

The high throughput of animals may well have exacerbated issues such as poor layout and design of animal loading facilities. The need for fast-paced movement, stunning and killing could contribute to worker fatigue, which could well lead to greater levels of frustration being misdirected at the animals, particularly when they are scared and bewildered. This could also lead to the temptation to cut corners and could potentially lead to mistakes, as it's a very physically demanding job. One worker remarks to another: "I don't think there's going to be a great deal of lambs to kill today. Probably about 1,500."

Issues at the restraint conveyer loading point/race

We have concerns about the design and layout of the loading area. There wasn't a natural 'flow' for ease of movement for the animals.

The animals were moved from the lairage into a holding pen, from where they were supposed to be loaded individually into the conveyer restrainer, a mechanised way of moving the animals diagonally up into the slaughter area. At the mouth of the restrainer, the animals may have felt more hesitant about going forwards, as they may have detected that the floor is falling away. Essentially, with no false flooring at the base, it created a visual cliff effect.

We were also concerned to see a number of line pauses, with the animals held in the restraint conveyer, which would have created further distress.

Before they even went to the knife, sheep were treated with shocking brutality. Sheep were dragged along by their throats and pulled by their ears, picked up by their fleeces, as well as being kicked, slapped, shouted at, or kneed roughly into the mouth of the conveyer restrainer. When animals became 'stacked' on top of each other in the conveyer, they were often pulled backwards by their legs or left to travel upside down in the conveyer.

We would like to flag the following incidents as being of particular concern:

- One worker often grabbed sheep by their throats or fleeces and toppled or threw the animals backwards into the conveyer, or sent them flying into metal pen sides, often with an audible crash. On a number of occasions, two of the workers left the bewildered sheep to travel upside down and backwards up the conveyer towards the slaughter-line.
- One sheep became trapped in the conveyer and eventually fell through, unnoticed by the worker. On another occasion a worker notices a trapped sheep and climbs up onto the conveyer and stamps on her back to force her to drop through, onto the floor below.
- One worker regularly had his hands clamped over the animals' muzzles, sometimes wrenching their heads back as they struggled. This was often for extended periods of time, including 52 seconds, 29 seconds and 22 seconds.
- On one occasion, a worker even sits on a sheep.
- A worker leans his body right over two sheep who are crushed side by side in the conveyer.
- A sheep is grabbed by the ear and pulled backwards from on top of another sheep.
- A worker continues to knee and kick at a sheep who is positioned in the conveyer, with nowhere to move to.

- A worker deliberately slams the metal gate on sheep and the other worker appears to encourage this by saying "bash it onto them". On another occasion, a worker kicks the pen or gate deliberately in order to scare the sheep.
- A worker swears at a sheep on a couple of occasions.
- A worker uses the EID reader to poke a sheep in the rump.
- A visibly lame sheep enters the loading pen.

There are anecdotal reports of sheep potentially being left in the lairage all weekend, a sheep found dead in the lairage but with no cause inferred. There was also some discussion of an unspecified number of sheep being found dead in the lairage with the worker questioning whether the water drinking devices were actually re-filled:

- Some sheep appear to have been left all weekend in the lairage, as per "Seems that we already have some. Some of the sheep have been here all weekend."
- A sheep appears to have been found dead in the lairage, as per "there's one dead in there".
- An unspecified number of sheep appear to have been found dead in the lairage, as per: "move them dead sheep" to which another worker replies: "did you do all the drinkers?".

#### Issues in the stunning and slaughter area

- A worker fails to properly stun a sheep, who surges forwards onto the cutting table. Two workers pin her down, and whilst she would appear to be fully conscious, her throat is cut.
- A stun-man roughly picks up a sheep, hurls a sheep backwards down the slaughter conveyer line, whilst angrily shouting. She had likely been poorly loaded into the conveyer and was walking up the line on the backs of other sheep. On another occasion a sheep surges forward and the worker fails to catch her as she topples from the table. The slaughter-man stuns the sheep for 0.5 seconds, whilst she is in the arms of the stun-man. She doesn't appear to be sufficiently stunned.
- A sheep is thrashing strongly on the shackle line following a brief stun, both legs break free of the shackles and she drops into the blood pit. She is hauled



out by the workers and simply hung back up with no checks for consciousness nor any attempt to re-stun her.

- The stunning process was often utterly incompetent. Workers were seen misapplying tongs to the animals' necks, snouts and faces and even to the leg of an animal on one occasion.
- One worker holds the tongs hesitantly and jabs at the faces of the sheep. He doesn't initially appear to receive any instruction. He is not wearing rubber gloves.
- Many stuns appeared very brief, often just a second or less, and there appeared to be no checks for signs of consciousness. We are deeply concerned that some of the animals may have been inadequately stunned and therefore may have been conscious when they went to the knife.
- The fast-paced line appeared to compound matters. A sheep was stunned roughly every 10 to 12 seconds. Workers were overheard saying, "Fast killing now, 850 good, 700 not so good".
- On the single occasion that the Official Vet (OV) checks up on the worker stunning sheep, his behaviour completely changes. As her back is turned and her attention is on hosing off her boots, the worker continues with the same short stuns. She turns around. They both look up at what may be a visual device such as a stun assurance monitor for the electrode application, but this is out of the view of our covert camera. The length of stun increases significantly to three seconds each time on five consecutive occasions in the presence of the OV. Sheep appear to have once again been poorly loaded into the conveyer leading to issues along the line at point of slaughter. Two sheep arrive, one stacked on top of the other. The worker that is undertaking stunning pulls one sheep from below the other. The placement of the stunning tong would appear to be good, spanning the brain. For the third, fourth and fifth stun, the animal's head rises into view and the forelegs are extended, which are signs of the animal entering the 'tonic' phase post-stun. The worker also shackles one of the animals by one leg, which is the more conventional method, the others he shackles by two. **Neither the worker nor the OV appear to check the animals for signs of consciousness, post-stun, even in the presence of the official vet.**

As Farmers Fresh was established recently, the premises should fall under the following 'REGULATION 1099/2009 Requirement:

'Article 14 / Annex II existing slaughterhouses Electrical stunning equipment. Must be fitted with device that displays and records the electrical parameters for each animal. Device must be placed so clearly visible to personnel.

### Presence of CCTV at the slaughterhouse

We understand that there was CCTV present at Farmers Fresh, but without legislation in place to determine where it was sited and how it should be monitored, this failed to prevent the serious problems we uncovered. For example, an infra-red camera was present to cover the stun/kill area, but a worker standing in the stun area would likely obscure the view of the killing, as this was in line from the camera.

Of course, cameras alone do not deter law-breaking, and unless the footage is properly monitored, Food Business Operators (FBOs) do not detect – or do not report – these breaches. It is unknown whether the FBO failed to monitor their cameras properly or whether they monitored them and simply failed to take sufficient action to prevent the abuse. We have no insight into the access granted to the Official Vet, in order to monitor the footage. There have even been historical cases where FBOs have failed to hand over CCTV footage. Either way, the voluntary system of installation is not working, and it is now time to make cameras mandatory, and task an independent body that has animal welfare as its priority with monitoring the footage.

Without our covert cameras in place, this horrendous situation may have continued, unchecked for some time.

The Welsh government has made available voluntary funding for small-to-medium-sized slaughterhouses, as part of the 'Food Business Investment Scheme' which would cover the installation, upgrade or improvement of CCTV, as a priority, in order to 'level the playing field' for smaller businesses. As mentioned, Farmers Fresh slaughterhouse had CCTV installed but without rules pertaining to its placement, use, operation and storage it cannot truly be deemed an effective tool.

**Animal Aid submitted the following Freedom of Information (FOI) request for slaughterhouse breaches, specifically for Wales.**

30<sup>th</sup> April 2019

Dear FOI, Complaints and Transparency Team,

I am writing to you under the Freedom of Information Act 2000 to request the following information from the Food Standards Agency regarding animal welfare incidents in Welsh slaughterhouses between 5 April 2017 and 21 December 2018:

- (1) The total number of animal-welfare related incidents recorded for the specified period. And for these to be classified by the total number ranked at level 4 (critical

non-compliance), level 3 (serious non-compliance) and level 2 (minor non-compliance) with level 1 pertaining to compliance.

- (2) For this period, how many 'welfare enforcement notices' were issued, how many incidents were 'referred for investigation', how many had 'written advice' notices issued and how many cases of 'verbal advice' were issued?
- (3) How many incidents of 'operative kicked or hit an animal', 'ineffective stunning', 'incompetent slaughter-man – stunning and killing', 'failure to sever both carotid arteries' and 'no monitoring of animals to ensure unconscious until death' occurred during the specified period?

The response was sent in the form of a spreadsheet, as follows:

A	B
Count of non-compliance score	Wales
2 - Minor non-compliance	33
3 - Serious non-compliance	28
4 - Critical non-compliance	15
Grand Total	76

Count of non-compliance action	Wales
Referred for Investigation	2
Verbal Advice	65
Welfare Enforcement Notice	2
Written Advice	7
Grand Total	76

Count of non-compliance type	Wales
Failure to sever both carotid arteries	0
Incompetent slaughterman - Stunning and Killing	0
Ineffective stunning	1
No monitoring of animals to ensure unconscious until death	0
Operative kicked/ hit an animal	2
Grand Total	3

These FOI findings clearly show that there are issues across the board, at multiple slaughterhouses. Over the course of a year there were 15 cases of critical non-compliance.

The FSA states: 'Welfare practices were observed as failing to comply with legislative requirements, and there was evidence of animals suffering avoidable pain, distress or suffering during their killing and related operations or a contravention poses a serious and imminent risk to animal welfare. Welfare of animals during transportation was seriously compromised with evidence of animals suffering unnecessary or avoidable pain, distress or suffering.'

It is also highly concerning to note two cases of 'operative kicked/ hit an animal, which would have taken place in front of an official.

Of course, Animal Aid believes that slaughter can never be cruelty-free, since no animal wants to die. However, we feel that mandatory, independently monitored CCTV would be a major step forward. It would help to prevent the shocking brutality that we have repeatedly filmed inside slaughterhouses in England, and that we have now witnessed inside a major Welsh slaughterhouse.

#### Further information

Animal Aid previously commissioned a report entitled '**CCTV Monitoring in Slaughterhouse's**', by a team of independent experts. This found that the cost of independent monitoring of CCTV inside England's slaughterhouses is likely to cost between £150,000 and £370,000 a year – a figure 'far from prohibitive'.

The report sets out how an independent system of monitoring might be conducted, what it would cost and how it might be funded. Crucially, the report's authors – who are drawn from Cormack Economics and HEC Associates – endorse the current regulatory ethos that says the cost of regulation should fall to industry and consumers, not to government and taxpayers.

The report is available to download here:

<https://www.animalaid.org.uk/wp-content/uploads/2016/10/RotherhamReport.pdf>

The farming industry itself appears to be outraged by the findings of our investigation into Farmers Fresh, as per the following comments on publicly a available farming forum:

'Just needs cctv installing like in English abattoirs'

'I hope they all go to jail; company directors down, including the vet...'

From:

<https://thefarmingforum.co.uk/index.php?threads/cruelty-reports-at-wrexham-abattoir.299484/#post-6541429>

And this report from the Farm Animal Welfare Council is available here:

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/325241/FAWC\\_report\\_on\\_the\\_welfare\\_of\\_farmed\\_animals\\_at\\_slaughter\\_or\\_killing\\_part\\_one\\_red\\_meat\\_animals.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/325241/FAWC_report_on_the_welfare_of_farmed_animals_at_slaughter_or_killing_part_one_red_meat_animals.pdf)

The Humane Slaughter Association guidance on best practice stunning is available here:

<https://www.hsa.org.uk/killing-mammals-using-electricity-two-stage-application/killing-mammals-using-electricity-two-stage-application>