

Agenda – Petitions Committee

Meeting Venue:

Video Conference via Zoom

Meeting date: 15 September 2020

Meeting time: 09.00

For further information contact:

Graeme Francis – Committee Clerk

Kayleigh Imperato – Deputy Clerk

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In accordance with Standing Order 34.19, the Chair has determined that the public are excluded from the Committee's meeting in order to protect public health. This meeting will be broadcast live on www.senedd.tv

- 1 Introduction, apologies, substitutions and declarations of interest
09:00 (Pages 1 – 45)
- 2 Motion under Standing Order 17.42 to resolve to exclude the public from the meeting for the following business:

Item 2
- 3 Debates on petitions – private discussion
(Pages 46 – 49)
- 4 New Covid-19 petitions
09.15
 - 4.1 P-05-987 Update guidelines so family run Adult Gaming Centres qualify for Business Grants in Wales
(Pages 50 – 57)
 - 4.2 P-05-991 Make available a sticker stating you live in Wales
(Pages 58 – 60)
 - 4.3 P-05-993 Make retail in Wales fully accessible to disabled people
(Pages 61 – 70)



The following two items will be considered together (4.4 and 4.5):

- 4.4 P-05-998 Wearing of face masks/coverings to be mandatory in shops
(Pages 71 – 75)
- 4.5 P-05-1005 Make sure face masks in shops do not become compulsory
(Pages 76 – 78)
- 4.6 P-05-999 Implement a minimum of 1 metre social distancing in all Primary Schools in September 2020
(Pages 79 – 86)

5 New Covid-19 petitions that are already resolved

- 5.1 P-05-994 Permit the reopening of church buildings, etc. for communal worship
(Pages 87 – 90)
- 5.2 P-05-1004 Allow Dance Schools in Wales to re-open their indoor classes with immediate effect
(Pages 91 – 94)
- 5.3 P-05-1019 Award teacher predicted grades to all Welsh students for examination 2020
(Pages 95 – 98)

6 Other new petitions

- 6.1 P-05-974 Ensure the technology of prosthetic limbs provided within the Welsh NHS is equal to the rest of the UK
(Pages 99 – 109)
- 6.2 P-05-992 We call on the Welsh Government to create a common body of knowledge about Welsh history that all pupils will learn
(Pages 110 – 122)
- 6.3 P-05-1000 Make it compulsory for Black and POC UK histories to be taught in the Welsh education curriculum
(Pages 123 – 133)

- 6.4 P-05-996 To call on the Welsh Government not to remove, damage or destroy any historical symbols in Wales
(Pages 134 – 140)

The following two items will be considered together (6.5 and 6.6):

- 6.5 P-05-1001 Hold an independent inquiry into the choice of site for the proposed new Velindre Cancer Centre
(Pages 141 – 160)
- 6.6 P-05-1018 Support for the current proposed plans to build a new Velindre Cancer Centre, Cardiff, in any future inquiry
(Pages 161 – 165)
- 6.7 P-05-1002 Apply stamp duty holiday to all house purchases in Wales
(Pages 166 – 175)
- 6.8 P-05-1003 Demand an EIA now on the dumping of radioactively contaminated mud in Welsh waters
(Pages 176 – 205)

7 Updates to previous Covid-19 petitions

- 7.1 P-05-962 An emergency amendment to extend age of entitlement to additional educational support from 25 to 26 and to define within Government guidance the Covid 19 pandemic as an exceptional circumstance
(Pages 206 – 210)
- 7.2 P-05-967 Welsh Government to amend its NDR relief policy to help keep Debenhams stores open in Wales
(Pages 211 – 215)
- 7.3 P-05-970 Ask the Senedd to reconsider their decision not to support Zoos & Aquariums with emergency funding
(Pages 216 – 218)

The following two items will be considered together (7.4 and 7.5):

- 7.4 P-05-981 Allow gyms and leisure centres to reopen
(Pages 219 – 222)
- 7.5 P-05-986 Allow small gyms and personal training spaces to open sooner during COVID restrictions
(Pages 223 – 226)
- 7.6 P-05-979 Adopt the policies of UK government with regard to easing of lockdown rules
(Pages 227 – 231)
- 7.7 P-05-983 Give grant aid to Bed and Breakfast businesses in Wales that pay council tax and not business rates
(Pages 232 – 233)
- 7.8 P-05-984 Stop discriminatory remote consultations for incinerator applications during the Covid-19 Pandemic
(Pages 234 – 238)
- 7.9 P-05-985 Provide key-worker childcare equivalent to what was available prior to the Covid-19 pandemic
(Pages 239 – 247)
- 7.10 P-05-988 Give key worker children equal access to their schools and teachers
(Pages 248 – 254)

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Agenda Item 3

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

Document is Restricted

Agenda Item 4.1

P-05-987 Update guidelines so family run Adult Gaming Centres qualify for Business Grants in Wales

This petition was submitted by Delucia Sidoli having collected a total of 706 signatures.

Text of Petition:

Many towns in Wales have an Adult Gaming Centre (AGC). Of all the AGCs in Wales, only a handful are operated by national chains, the rest are family run.

Welsh Government is currently adamant that they will not update COVID Business Grant guidelines to support these family run AGCs. AGCs are also excluded from the Economic Resilience Fund.

Some AGCs in Wales have operated since the 80s and all employ local people. The current lack of support is putting hundreds of Welsh jobs at risk.

Additional Information:

AGCs have been included in the grant schemes in England and in Scotland, and businesses in those countries have confirmed they have received the grants.

Senedd Constituency and Region

- Cardiff South and Penarth
- South Wales Central

P-05-987 Update guidelines so family run Adult Gaming Centres qualify for Business Grants in Wales

Y Pwyllgor Deisebau | 15 Medi 2020
Petitions Committee | 15 September 2020

Reference: RS20/13465

Petition Number: P-05-987

Petition title: Update guidelines so family run Adult Gaming Centres qualify for Business Grants in Wales.

Text of petition: Many towns in Wales have an Adult Gaming Centre (AGC). Of all the AGCs in Wales, only a handful are operated by national chains, the rest are family run.

Welsh Government is currently adamant that they will not update COVID Business Grant guidelines to support these family run AGCs. AGCs are also excluded from the Economic Resilience Fund.

Some AGCs in Wales have operated since the 80s and all employ local people. The current lack of support is putting hundreds of Welsh jobs at risk.

AGCs have been included in the grant schemes in England and in Scotland, and businesses in those countries have confirmed they have received the grants.



1. Background

As part of its response to the coronavirus pandemic, the Welsh Government has implemented a number of schemes to support businesses, including through grants linked to the rateable value of a property and relief for non-domestic rates.

Business rates (also known as non-domestic rates or NDR) have been fully devolved to Wales since April 2015.

Adult Gaming Centres (AGCs), often called arcades, fall under a specific licensing arrangements, as set out by the [Gambling Commission](#).

2. Welsh Government action

On [19 March](#), the Minister for Finance and Trefnydd announced a package of support for businesses in dealing with COVID-19. This followed an announcement on [17 March](#) regarding businesses support.

The support includes 100% business rates relief for all properties used for retail, leisure and hospitality. This was subsequently amended on [24 March](#) to exclude properties with a rateable value of £500,000 and over. The [guidance](#) relating to this relief does not explicitly reference Adult Gaming Centres or arcades. However, it excludes 'casino and gambling clubs'.

The support package also introduced two grants for businesses fulfilling certain criteria, which are being delivered through local authorities (the guidance for these schemes is no longer available on the [BusinessWales website](#)). These are:

- Grant 1: A grant of £25,000 made available for retail, leisure and hospitality businesses occupying properties with a rateable value of between £12,001 and £51,000. This includes, for example, businesses that occupy properties such as shops, restaurants, cafes, drinking establishments, cinemas, live music venues, hotels, guest and boarding premises and self-catering accommodation.
- Grant 2: A £10,000 grant to all businesses eligible for [Small Business Rates Relief \(SBRR\)](#) in Wales with a rateable value of £12,000 or less.

The grant scheme was extended on [6 May](#) to all ratepayers eligible for charitable relief and Community Amateur Sports Clubs (CASC) relief, operating in the retail, leisure and hospitality sectors and occupying properties with a rateable value of £12,000 or below, could access a grant of £10,000.

The Welsh Government outlines in its letter to the Petitions Committee regarding this petition that ‘there are no plans to amend the eligibility criteria’ for the rates relief and grant support schemes. It notes three specific conditions being considered by local authorities in relation to amusement arcades and similar businesses:

1. All businesses in receipt of small business rates relief (SBRR) are entitled to a £10k grant. This means that smaller gaming/gambling establishments benefitting from SBRR could also be eligible for a grant.
2. Arcades of the type that could be classified as amusements rather than gambling premises are considered leisure establishments and are eligible for the grants either via the SBRR route or, where the rateable value of the premises makes them eligible, for the larger £25k grant as leisure facilities.
3. Gaming establishments (as generally found in a city centre environment but potentially also located anywhere) that usually have limited access to people aged 18 and over and are a) not entitled to SBRR and b) where gambling rather than amusement is the predominant activity are not eligible for the retail, leisure and hospitality grant. The NDR scheme guidance for Retail, Leisure and Hospitality Rates Relief in Wales – 2020-21 explicitly excludes gambling hereditaments.

The grant scheme closed to new applications on 30 June 2020.

The UK Government has offered similar grants to businesses in England:

- A £10,000 grant to small businesses that are eligible for Small Business Rate Relief or Rural Rate Relief (the small business threshold in England is properties with a rateable value under £15,000).
- A £25,000 grant for retail, hospitality and leisure businesses with a rateable value of over £15,000 and under £51,000.

It has also expanded its Retail Discount scheme 2020-21 to 100% business rates relief and to include leisure and hospitality sectors. The associated guidance notes that casinos, gambling clubs and bingo halls are eligible for the relief.

The Scottish Government have also offered two grants:

- A grant of up to £10,000 to eligible small businesses (i.e. ratepayer in receipt of the Small Business Bonus Scheme or Rural Relief)
- A grant of up to £25,000 for qualifying retail, hospitality and leisure businesses with a rateable value between £18,001 and up to and including £51,000. The types of properties that qualify include, for example, amusements and bingo halls.

The Scottish Government has also implemented **100% business rates relief for retail, hospitality and leisure sectors**. A list of eligible properties is included in the **relevant regulations** and this includes, for example, bingo halls.

3. Welsh Parliament action

In response to a **written question** (29 April 2020) asking the Minister to confirm that:

...adult gaming centres are shops retailing a leisure activity and therefore entitled to benefit from the grant for retail leisure and hospitality business rate-paying premises, as do similar venues, such as bingo halls, and as they do in England under the equivalent scheme there...

The Minister for Economy, Transport and North Wales answered (13 May 2020):

The guidance recognises that some of the categories listed may include a range of different business activities. Where the guidance is not explicit, it is for local authorities to determine whether the activities of an individual business align with the purpose of the scheme.

In response to a **written question** asking if an amendment would be made to the grant guidance to “ensure that gaming centres and amusement arcades are added to the list of retail, hospitality and leisure businesses eligible for relief” (19 May 2020). The Minister for Finance and Trefnydd answered (5 June 2020) “there are no plans to amend the eligibility criteria”.

The Economy, Infrastructure and Skills Committee has issued an **open call for evidence and experiences of the impact of COVID-19**. Through this it has received **evidence from Bacta** – the trade association for the amusement and gaming machine industry in the UK. This notes:

The situation in Wales has been more problematic than in other parts of the UK, as Welsh Government and local authority decision-making has meant that many high street and seaside arcades have not been able to access the rate-related Retail, Leisure and Hospitality Grant.

The Petitions Committee has considered two petitions relating to COVID-19 and Business Rates:

- **P-05-967: Welsh Government to amend its NDR relief policy to help keep Debenhams stores open in Wales** (23 June 2020)
- **P-05-968: Pay Coronavirus grants to all businesses eligible for Small Business Rate Relief same as rest of UK** (23 June 2020)

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



Eich cyf/Your ref P-05-987
Ein cyf/Our ref RE/00453/20

Janet Finch-Saunders MS
Chair, Petitions Committee

14 July 2020

Dear Janet

Thank you for your letter, in your role as Chair of the Petitions Committee, about non-domestic rates and the Welsh Government's support for businesses.

The Welsh Government recognises that not all businesses will benefit from the rates relief scheme and rates related grant support provided in response to the coronavirus pandemic. The package of support has been designed to be affordable within the available funding. To ensure clarity and consistency in administering the schemes, there are no plans to amend the eligibility criteria.

Local authorities have been administering the non-domestic rates (NDR) grant schemes on behalf of and in partnership with the Welsh Government. In working together on this, they have done a remarkable job in distributing more than 60,000 awards and over £729 million of funding since the outbreak began in March.

You will no doubt be aware of the guidance that the Welsh Ministers have published in relation to the NDR grant schemes. Our local authority partners, while holding the discretion as to whether a grant should be awarded, are working to this guidance in the way that they are implementing the schemes. Specifically for amusement arcades and similar businesses, local authorities are thoroughly considering the following conditions before awarding grant funding:

1. All businesses in receipt of small business rates relief (SBRR) are entitled to a £10k grant. This means that smaller gaming/gambling establishments benefitting from SBRR could also be eligible for a grant.
2. Arcades of the type that could be classified as amusements rather than gambling premises are considered leisure establishments and are eligible for the grants either via the SBRR route or, where the rateable value of the premises makes them eligible, for the larger £25k grant as leisure facilities.

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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.

3. Gaming establishments (as generally found in a city centre environment but potentially also located anywhere) that usually have limited access to people aged 18 and over and are a) not entitled to SBRR and b) where gambling rather than amusement is the predominant activity are not eligible for the retail, leisure and hospitality grant. The NDR scheme guidance for Retail, Leisure and Hospitality Rates Relief in Wales – 2020-21 explicitly excludes gambling hereditaments.

It has been made clear to local authorities that Ministers fully support the use of their discretionary powers to award or withhold NDR grant payments based on the published scheme guidance.

Yours sincerely,

A handwritten signature in black ink that reads "Rebecca Evans". The signature is written in a cursive style with a large initial 'R' and a distinct 'E'.

Rebecca Evans AS/MS
Y Gweinidog Cyllid a'r Trefnydd
Minister for Finance and Trefnydd

Agenda Item 4.2

P-05-991 Make available a sticker stating you live in Wales

This petition was submitted by Rosalind Rhodes having collected 39 signatures online and 42 on paper, a total of 81 signatures.

Text of Petition:

Many Welsh people are afraid of people coming in who could bring in Coronavirus. A bilingual sticker or card has to be provided by the DVLA or local councils.

Additional Information

A sticker like this:

I LIVE IN WALES
LL10 XXX

Easily seen by the police but available to be removed if necessary.

Senedd Constituency and Region

- Dwyfor Meirionnydd
- Mid and West Wales

Ken Skates AS/MS
Gweinidog yr Economi, Trafnidiaeth a Gogledd Cymru
Minister for Economy, Transport and North Wales



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref KS/04217/20

Janet Finch-Saunders MS
Chair, Petitions Committee

22 July 2020

Dear Janet

Thank you for your letter of 6 July regarding Petition P-05-991 Make available a sticker stating you live in Wales.

We have no plans to introduce a sticker stating that you live in Wales. Our detailed Coronavirus website provides a wide range of specific information and advice, at <https://gov.wales/coronavirus>. Specific transport guidance can be found at <https://gov.wales/coronavirus-travel>

Yours sincerely

Ken Skates AS/MS
Gweinidog yr Economi, Trafnidiaeth a Gogledd Cymru
Minister for Economy, Transport and North Wales

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

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

**P-05-991 Make available a sticker stating you live in Wales, Correspondence –
Petitioner to Committee, 28.08.20**

I started this petition because friends were being stopped 2 or 3 times a day, on their way in & out of Bala. Eventually the police remembered them & waved them on. The police behaved admirably. They were friendly & chatty but I thought this was a waste of their valuable time & safety. Rarely are police seen with any protection. They were there, at that time, to stop people holidaying in Wales & coming in to Wales because of Covid 19.

I thought a card or sticker(depending if people wanted to keep it up all the time or not), stating 'Rwy'n byw yng Nghymru' / 'I live in Wales ' & their post code would be a useful & proud effort that people could make. On the back in small print, the person could write their name, the car registration & their locality, in case of theft. The police could then just wave them on(unless they were behaving inappropriately).

The card would be voluntary, for a small cost, with some identification noting that it was official &/or a number. The latter could be used as a reference for the police, if it became necessary. The card could be bought from the DVLA or local councils. A councillor has signed the petition because he thought it may be useful if there is a 2nd wave.

If this second wave comes, Wales does not want hoards of day trippers. These are the people who leave the rubbish, do not social distance & defecate in the countryside. We do want people who have bothered to book in B&B's, self catering, hotels etc. Even 2nd home owners would be welcome because we need the economy, in safety, cleanliness & respect for Wales.

The people who have booked could perhaps be provided with their own pass, from their B&B, or hotel etc.

The day trippers could then be stopped by the police because they would not have a card or sticker.

Perhaps if it became popular to have a sticker or card it may be a deterrent to these day visitors. We seriously need to keep Wales safe.

Cofion cynnes,

Agenda Item 4.3

P-05-993 Make retail in Wales fully accessible to disabled people

This petition was submitted by Angharad Paget-Jones having collected a total of 173 signatures.

Text of Petition:

During the Covid-19 pandemic, many essential stores have used methods of safety that have excluded many disabled people. Visually impaired people were not counted to the priority shopping slots before late May. All the signs and floor markings are purely visual which is useless if you have low/no vision. One way systems in stores not being wide enough for wheelchair users and disabled bays being used for a place for people to queue.

Additional Information

As we're coming out of lockdown disabled people are facing more challenges. Buses and trains have sealed off disabled bays, the deaf can't lip read with people wearing facemasks and with the opening of bars, cafes and restaurants, more outdoor seating is going to be made possible this poses an increased risk to disabled people as most of the time outdoor seating spills over on to public space and causes hazard and obstruction.

Senedd Constituency and Region

- Aberavon
- South Wales West

P-05-993 Make retail in Wales fully accessible to disabled people

Y Pwyllgor Deisebau | 15 Medi 2020
Petitions Committee | 15 September 2020

Reference: RS20/13466

Petition Number: P-05-993

Petition title: Make retail in Wales fully accessible to disabled people

Text of petition:

During the Covid-19 pandemic, many essential stores have used methods of safety that have excluded many disabled people. Visually impaired people were not counted to the priority shopping slots before late May. All the signs and floor markings are purely visual which is useless if you have low/no vision. One way systems in stores not being wide enough for wheelchair users and disabled bays being used for a place for people to queue.

Additional Information

As we're coming out of lockdown disabled people are facing more challenges. Buses and trains have sealed off disabled bays, the deaf can't lip read with people wearing facemasks and with the opening of bars, cafes and restaurants, more outdoor seating is going to be made possible this poses an increased risk to disabled people as most of the time outdoor seating spills over on to public space and causes hazard and obstruction.



1. Background

The accessibility impacts of changes to our built environment as a result of the pandemic has been a key concern as businesses have gradually re-opened.

1.1. Equality Act 2010 requirements

There are three sections of the Equality Act 2010 that are relevant to this issue.

Duty to make ‘reasonable adjustments’

Section 20 imposes a duty on providers of goods, services and facilities to make **reasonable adjustments to avoid a disabled person being placed at a ‘substantial disadvantage’** compared with a non-disabled person when accessing services and facilities.

The duty contains three requirements:

- changing **the way things are done**;
- making changes to overcome barriers created by the **physical features** of the service provider’s premises; or
- providing **extra aids and services** like providing extra equipment or providing a different or additional service.

The Act **does not prescribe what a reasonable adjustment might be**, as this is to be decided according to the particular circumstances of each individual case.

The Equality and Human Rights Commission’s guidance states that **what is reasonable will depend on the size and nature of the business, among other considerations**. So what is considered a reasonable adjustment for a large organisation like a bank, may be different from what is a reasonable adjustment for a small, independent shop.

General public sector equality duty

Section 149 of the Equality Act 2010 creates a single equality duty for the public sector in England, Wales and Scotland. The **general public sector equality duty** requires public authorities, and any organisation carrying out functions of a public nature, to consider the needs of protected groups (e.g., when delivering services and in employment practices).

The general duty requires public authorities to have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;

- advance equality of opportunity between people who share a protected characteristic and those who do not; and
- foster good relations between people who share a protected characteristic and those who do not.

Specific public sector equality duties for Wales

Section 153 of the Act also gives Ministers in England, Wales and Scotland the power to impose **specific duties** through regulations. The specific duties are legal requirements designed to help public authorities meet the general duty.

The **specific public sector equality duties** for Wales place various obligations on most Welsh public authorities (such as local authorities or health boards) including (among others):

- producing **equality objectives and Strategic Equality Plans**;
- **engaging** with people from protected groups in carrying out its functions;
- assessing the **equality impact** of decisions; and
- collecting **equality information**.

1.2. Equality and Human Rights Commission

The Equality and Human Rights Commission (EHRC) is the regulator of the Equality Act 2010. Its Chief Executive Rebecca Hilsenrath wrote an **open letter** to the British Retail Consortium (BRC) in May following an initial exchange, outlining the BRC's **failure to acknowledge the legal obligations on retailers to make reasonable adjustments for disabled people**. The letter emphasises that “voluntary support does not negate the legal requirements on retailers”.

The letter also highlighted that the **legal definition of ‘disability’ is much wider than the group of people who were required to ‘shield’**, meaning that “retailers risk leaving many disabled people isolated and unable to shop for essentials”.

The letter also highlighted that the EHRC are **reviewing over 300 claims against major supermarkets** for failure to consider the needs of disabled people and make adjustments to allow people to shop for essentials.

Due to ongoing concerns that some retailers are failing to make reasonable adjustments for disabled customers, on 3 September the EHRC published new **guidance** which explains the simple steps retailers can take to ensure they comply with the law.

It recommends that retailers:

1. Provide a service that meets the needs of all of their customers;

2. Plan ahead to think about the needs of their disabled customers;
3. Communicate with their customers, and
4. Train their staff.

The guidance contains a range of practical ways to improve accessibility in shops to ensure compliance with the law.

2. Welsh Government action

The Welsh Government's response to the petition highlights:

- "Local Authorities are required to undertake **Equality Impact Assessments** and **engage proactively with disabled people** where there is any potential for an adverse impact. When requested, Local Authorities need to be able to provide evidence that this has taken place before [the Welsh Government releases] funding";
- "Welsh Government is working closely with **retailers and the Welsh Retail Consortium** to ensure adequate steps are taken to accommodate the needs of disabled consumers within the constraints of social distancing protocols";
- "Meetings between members of the Welsh Retail Consortium and disability organisations have proven useful for sharing information and feedback on the communications and adaptations required in meeting the needs of disabled consumers and workers. As a result, many retailers have offered **dedicated hours for elderly and vulnerable consumers**, as well as allowing **personal assistants** to shop alongside consumers when needed. Supermarkets have also introduced **electronic vouchers or gift cards**, allowing family, friends and volunteers to shop for others, and are providing staff with **training** on how to better meet the needs of their disabled customers", and
- "As the economy reopens, Welsh Government **expects the accessibility needs of the public to be fully met wherever possible**, and where the 2m distancing laws makes that difficult, adequate alternative arrangements to allow access are put in place".

3. Welsh Parliament action

The Welsh Parliament's Equality, Local Government and Communities Committee recently published a report on **inequality and the pandemic**. One of the main messages from the report was that accessibility needs to be improved.

The Committee state that:

“The pandemic has presented complex challenges for disabled people. The changes made to our environment and lives should not lead to a reduction in people’s independence, and the Welsh Government needs to ensure that the views of disabled people are taken into consideration when making decisions about the ‘new normal’.”

The Committee made a range of recommendations for the Welsh Government about accessibility, including that it should:

- run a **social distancing public awareness campaign** to emphasise the different challenges the ‘new normal’ presents to different people;
- provide **swift guidance to re-opening businesses on physical and communication accessibility**;
- establish a **priority grocery delivery scheme for disabled people** who are not shielding (similar to Defra/RNIB scheme in England);
- appoint an **accessibility lead** within the Welsh Government to oversee the production of all key public health and other information in accessible formats, and
- ensure that each major policy or legislative decision is accompanied by an **effective equality impact assessment**, and an analysis of the impact on human rights. Both should be published online and copies sent to this Committee for review.

The Welsh Government is required to formally respond to the recommendations in September.

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



Ein cyf/Our ref KS/04233/20

Janet Finch-Saunders MS
Chair, Petitions Committee

21 July 2020

Dear Janet

Thank you for your letter of 6 July regarding retail businesses being fully accessible.

Welsh Government is also aware that any changes in the physical environment can prove difficult for blind and visually impaired people as routes become unfamiliar and unpredictable. Welsh Government have reminded Local Authorities of their duty to ensure that any changes to physical environments are implemented in a way that does not cause any inadvertent issues for disabled people.

Local Authorities are required to undertake Equality Impact Assessments and engage proactively with disabled people where there is any potential for an adverse impact. When requested, Local Authorities need to be able to provide evidence that this has taken place before we release funding.

Welsh Government is working closely with retailers and the Welsh Retail Consortium to ensure adequate steps are taken to accommodate the needs of disabled consumers within the constraints of social distancing protocols. This work is continual and gaps in support continue to be addressed, particularly regarding wider vulnerable groups, including those seldom heard, vulnerable and socially-excluded.

Meetings between members of the Welsh Retail Consortium and disability organisations have proven useful for sharing information and feedback on the communications and adaptations required in meeting the needs of disabled consumers and workers. As a result, many retailers have offered dedicated hours for elderly and vulnerable consumers, as well as allowing personal assistants to shop alongside consumers when needed. Supermarkets have also introduced electronic vouchers or gift cards, allowing family, friends and volunteers to shop for others, and are providing staff with training on how to better meet the needs of their disabled customers.

As restrictions are cautiously lifted on areas of the economy including hospitality and retail, the safety of the public and workforce is of primary importance. As the economy reopens, Welsh Government expects the accessibility needs of the public to be fully met wherever

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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.

possible, and where the 2m distancing laws makes that difficult, adequate alternative arrangements to allow access are put in place.

We understand, however, that there is more to be done, and officials continue to work with retailers to ensure those who are blind or visually impaired are able to maintain their independence as lockdown measures are eased - taking into consideration the issues raised in your letter, as well as in the petition submitted.

Yours sincerely

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

Ken Skates AS/MS

Gweinidog yr Economi, Trafnidiaeth a Gogledd Cymru
Minister for Economy, Transport and North Wales

**P-05-993 Make retail in Wales fully accessible to disabled people,
Correspondence – Petitioner to Committee 09.09.20**

The restrictions disabled people face are still happening 6 months on from Covid. Disabled bays being used for queues, assistance not being made available for those who need it in store and One way systems which blind people can not navigate, service dog owners are being refused entry into establishments and outdoor seating clutters pavements (even if the road is pedestrianised that's not use to service dogs and wheelchair users)

The equalities commission published materials last week on the equality act and how stores need to adhere to it. Although it only need a week no changes have happened, and it's 6 months on this should have come out sooner and business still have no clue.

Kind regards,

Angharad

Agenda Item 4.4

P-05-998 Wearing of face masks/coverings to be mandatory in shops

This petition was submitted by Matthew Engstrom having collected a total of 5,516 signatures.

Text of Petition:

I currently work in retail and despite a very comprehensive effort from my employer the safety measures in place are not enough if a customer decides to ignore the rules. Making it mandatory for the use of face coverings inside shops would be a fair and effective way of further protecting staff and customers.

Additional Information

Wearing of face coverings in shops will help prevent the transmission of Covid 19 and alongside social distancing and hygiene efforts will further protect staff and customers.

Senedd Constituency and Region

- Pontypridd
- South Wales Central



Your ref: P-05-998
Our ref: KS/04826/20

Janet Finch-Saunders MS
Government.Committee.Business@gov.wales

14 August 2020

Thank you for your letter of 27 July on behalf of the Petitions committee regarding the wearing of face masks / coverings to be made mandatory in shops.

The position on whether to make face masks mandatory is under continuous review. The First Minister covered this in his Facebook live session this week – reported on BBC here: <https://www.bbc.co.uk/news/uk-wales-politics-53734928>

The evidence remains clear that the most effective way to protect yourself and others from infection is to follow social distancing rules, avoid touching surfaces and your face, and wash your hands regularly. There is evidence to suggest that the wearing of face coverings gives people a false sense of security which makes them less careful about social distancing and handwashing.

It should be noted that it is compulsory to wear a face covering on public transport in Wales if you are aged 11 or over, aside from some exceptions which mean the requirement would not apply. The requirement is part of a wide range of restrictions and requirements that seek to contain the spread of the virus, however, we will make them mandatory in other places if coronavirus starts to spread in Wales again.

The main justification for wearing face coverings on public transport is that there is less scope in buses, trains, aeroplanes and taxis for taking other steps to minimise the risk of exposure to coronavirus.

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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.

On public transport passengers are generally confined to a seat for the duration of the journey and movement away from other passengers is often not possible. Please see the attached guidance. <https://gov.wales/requirement-wear-face-covering-public-transport-wales>

Yours sincerely

A handwritten signature in black ink, appearing to read 'Ken', with a large, sweeping flourish above the name.

Ken Skates AS/MS

Gweinidog yr Economi, Trafnidiaeth a Gogledd Cymru
Minister for Economy, Transport and North Wales

**P-05-998 Wearing of face masks/coverings to be mandatory in shops,
Correspondence – Petitioner to Committee, 06.09.20**

Dear Members of the committee

Thank you for the opportunity to comment further on why I believe the mandatory use of facemasks/ face coverings in shops is a vital step forward in response to the continued threat of Covid 19.

I have outlined my concerns and some research points below for your consideration. I am available for further comment at any time.

- Masks are proving to be effective in reducing the viral load. If you catch Covid whilst wearing a mask you could get a lighter dose or version of Covid due to the reduced exposure a mask provides. Monica Gandhi, an infectious disease doctor at the University of California, San Francisco, says people wearing masks will take in fewer coronavirus particles, making it easier for their immune systems to cope. Link to research <https://www.ucsf.edu/news/2020/07/418181/one-more-reason-wear-mask-youll-get-less-sick-covid-19>
- People who are continuing to shield because of a concern over people not wearing masks in shops may gain the confidence required to return to the retail environment which would then boost the economic outlook for retailers. This would also be a mental health benefit to those at risk individuals who may not have been out of the house for months.
- The benefit of a mandatory government led approach is that businesses would have a clear rule. The onus would not be on the retailer to decide policy and potentially create any customer issue about entry restrictions. Policing the mask rule in shops has been not been an issue in many other countries with the majority of people adopting this temporary measure as the new norm and a way to protect each other until a viable treatment/vaccine is available.
- The priority given to the NHS for mask supplies was obviously the right call during the peak. With the availability of face masks both single use and reusable now plentiful, cost effective and varied there is no reason to dissuade people from this further form of protection.
- An enclosed space is an enclosed space. The virus doesn't know if it is on a train or in a small shop. Many retail environments have narrow aisles which definitely provide less than social distance space for people to shop and despite the trust placed in shoppers to follow guidelines people do not always follow the rules. I have seen the discipline of many shoppers practically evaporate in the past month as people become board or fed up with the situation we find ourselves in. If risk of transmission is reduced by wearing a mask in these circumstances then surely it is worth doing.
- The advice of catching a cough or sneeze in a tissue is still put forward as an effective worthwhile thing to do to reduce transmission, surely a face covering does the same essential thing on a continuous basis if worn correctly?

- Face coverings are a way of further enhancing the protection of retail staff and by connection their families during the pandemic. Retail staff have either continued to work or returned to work sooner than many other professions during this pandemic. Often putting themselves at risk for minimum wage to ensure the supply of essential and non essential items to the public. It is unfair for staff to keep doing this in Wales without the best possible protection and vital to keep this infrastructure secure and safe. Many retail workers have families and the risk of bringing the virus home because of a non mandatory mask policy is both unfair and a cause for anxiety and mental health problems.

- As we move into the further loosening of restrictions we are also simultaneously approaching important milestones in the reopening of all parts of our society. Children will be returning to school, more people will be returning to workplaces after furlough and in turn using public transport, we are approaching flu season and all that entails. Face coverings in shops could provide a much needed level of further protection during these reopening test phases.

- Masks could help prevent the spread of other viruses that could be mistaken for Covid 19. Currently if you have any of the symptoms of Covid 19 you are advised to self isolate and get tested asap. This could also apply to the others in the household. Other viruses including flu could be mistaken for Covid 19 until tested potentially causing more disruption and harm. If face coverings reduce the transmission of other viruses with similar symptoms this could help keep more people safe and productive. This enhanced protection could also relieve pressure on the NHS during the winter months.

- Time delay factor. It is worse to wait until Covid cases rise before putting a mandatory mask order in place because of the potential of A symptomatic spread. Analysing data of an increase in cases means you are already potentially 10 - 14 days behind the virus. We need to be proactive instead of reactive.

Agenda Item 4.5

P-05-1005 Make sure face masks in shops do not become compulsory

This petition was submitted by Wayne Smith having collected a total of 412 signatures.

Text of Petition:

The mandatory wearing of facemasks is not 100% proven to be a safe measure to prevent the spread of coronavirus (covid 19). People **MUST** have the choice, for their own protection, and to make sure that we don't have Draconian measures.

Senedd Constituency and Region

- Vale of Glamorgan
- South Wales Central

Ken Skates AS/MS
Gweinidog yr Economi, Trafnidiaeth a Gogledd Cymru
Minister for Economy, Transport and North Wales



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref: P-05-1005
Ein cyf/Our ref KS/05110/20

Janet Finch-Saunders MS
Member of the Senedd

Government.Committee.Business@gov.wales

17 August 2020

Dear Janet

Thank you for your letter of 10 August on behalf of the Petitions committee regarding the wearing of face masks / coverings to be made mandatory in shops. Our advice remains the same as for petition P-05-998, although, the position on whether to make face masks mandatory is under continuous review. The FM covered this in his Facebook live session this week – reported on BBC here: <https://www.bbc.co.uk/news/uk-wales-politics-53734928>

The evidence remains clear that the most effective way to protect yourself and others from infection is to follow social distancing rules, avoid touching surfaces and your face, and wash your hands regularly. There is evidence to suggest that the wearing of face coverings gives people a false sense of security which makes them less careful about social distancing and handwashing.

It should be noted that it is compulsory to wear a face covering on public transport in Wales if you are aged 11 or over, aside from some exceptions which mean the requirement would not apply. The requirement is part of a wide range of restrictions and requirements that seek to contain the spread of the virus, however, we will make them mandatory in other places if coronavirus starts to spread in Wales again.

The main justification for wearing face coverings on public transport is that there is less scope in buses, trains, aeroplanes and taxis for taking other steps to minimise the risk of exposure to coronavirus.

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Yours sincerely

A handwritten signature in black ink, appearing to read 'Ken', with a long, sweeping horizontal stroke above the letters.

Ken Skates AS/MS

Gweinidog yr Economi, Trafnidiaeth a Gogledd Cymru
Minister for Economy, Transport and North Wales

Agenda Item 4.6

P-05-999 Implement a minimum of 1 metre social distancing in all Primary Schools in September 2020

This petition was submitted by Laura Denise Keighan having collected a total of 124 signatures.

Text of Petition:

Protect our Children, Protect our NHS.

It is no secret that every winter our NHS struggles from winter pressures including seasonal flu, filling UK hospitals full to capacity. Each year our news channels/feeds are full with stories of these pressures. A surge in coronavirus cases would put additional pressures on the NHS potentially taking it to breaking point. Despite this our WG plan to return our children to school without social distancing measures to protect them.

Additional Information

Evidence tells us that children need a level of normality to prevent mental health issues and ensure healthy lifestyles. Taking this on board but keeping the risks to our children & the NHS in mind I urge the WG to reconsider its proposal & consider a mixture of formal home schooling via distance learning along with the continuation of a “bubble model” which allows for social distancing. This would allow children to return to school on a part time basis while undertaking formal full time studies. I propose this method continue until the spring term when the annual period of winter pressures has passed.

Senedd Constituency and Region

- Bridged
- South Wales West

Social distancing in primary schools

Y Pwyllgor Deisebau | 15 Medi 2020
Petitions Committee | 15 September 2020

Reference: RS20/13467-1

Petition Number: [P-05-999](#)

Petition title: Implement a minimum of 1 metre social distancing in all Primary Schools in September 2020

Text of petition: Protect our Children, Protect our NHS. It is no secret that every winter our NHS struggles from winter pressures including seasonal flu, filling UK hospitals full to capacity. Each year our news channels/feeds are full with stories of these pressures. A surge in coronavirus cases would put additional pressures on the NHS potentially taking it to breaking point. Despite this our WG plan to return our children to school without social distancing measures to protect them.

Additional information: Evidence tells us that children need a level of normality to prevent mental health issues and ensure healthy lifestyles. Taking this on board but keeping the risks to our children & the NHS in mind I urge the WG to reconsider its proposal & consider a mixture of formal home schooling via distance learning along with the continuation of a “bubble model” which allows for social distancing. This would allow children to return to school on a part time basis while undertaking formal full time studies. I propose this method continue until the spring term when the annual period of winter pressures has passed.



1. Summary

Schools across Wales reopened to all pupils on a full-time basis from the start of September 2020. The Welsh Government took this decision on [9 July 2020](#) following advice from its Technical Advisory Cell.

At the start of August, the Welsh Government [eased the requirement on children](#) aged under 11 (therefore in primary schools) to socially distance.

This briefing sets out some relevant background and links to key sources and announcements.

2. Previous phases of school closures and reduced operations

2.1. Remote learning at home

Schools [closed for the provision of statutory education](#) on Friday 20 March 2020 on public health grounds due to COVID-19. They remained open for [vulnerable children and children of key workers](#) for whom there was no safe alternative childcare, as part of a 'new purpose' for schools, enabling the response to COVID-19. Following their closure to the vast majority of pupils, schools were expected to support pupils' learning from home, through the use of online resources such as [Hwb](#).

Senedd Research's [blog article of 8 April](#) gives more information about this phase.

2.2. 'Blended learning'

A gradual, staggered return to school began on Monday 29 June 2020. The purposes was for pupils to ['Check in, Catch up and Prepare'](#) for what the [Minister for Education, Kirsty Williams MS](#), [warned](#) was 'likely to be a very long and challenging autumn term'.

Due to the need for social distancing, this gradual return to school saw around one third of pupils present in school at any one time, with pupils having the opportunity to attend school on at least three occasions before the summer holidays. The majority of teaching and learning remained online as part of a 'blended learning' model.

Senedd Research's [blog article of 16 June](#) gives further information about this phase.

3. Back to school

The Minister for Education **announced on 9 July** that all pupils would return to schools on a full-time basis from the start of the new term on 1 September 2020, subject to coronavirus transmission conditions. The Welsh Government took this decision following advice from its **Technical Advisory Cell**, which recommended that:

schools in Wales [should] plan to open in September with 100% of pupils physically present on school sites, subject to a continuing, steady decline in the presence of COVID-19 in the community, and appropriate measures to protect staff and children.

The scientific advice noted the importance of the Test, Trace, Protect (TTP) scheme and recommended that the contact tracing programme should aim to trace an estimated 80% of contacts, at least 35% of which should be traced within 24 hours.

It also recommended that ‘preparations should always be in place to teach up to 100% of children remotely if needed’. The Minister’s letter to the Committee regarding this petition refers to the possibility of local lockdowns should conditions deteriorate. Blended learning is therefore very much being retained as a potential contingency plan if needed. However, as the First Minister said in **Plenary on 26 August** (paras 13-20), the Welsh Government is prioritising the reopening of schools in terms of what capacity is available in terms of easing restrictions:

... the Cabinet decided last week to reserve the bulk of the headroom we have available to assist in the safe and successful reopening of schools in Wales as from 1 September....

3.1. Practicalities

The Welsh Government has issued **operational guidance** to schools on managing pupils’ return as well as **guidance on learning**. There is also a **FAQs section** on its website.

The Welsh Government has allowed for a period of flexibility in recognition that schools may want to focus on priority year groups, such as those new to secondary schools, those sitting exams next summer or those in reception classes. This is allowing time, up to a fortnight, for any planning and reorganisation with pupils returning on different dates. The Welsh Government has also **modified statutory curriculum requirements** so that schools are only required to use their reasonable endeavours to deliver the full curriculum. This modification, issued under the Coronavirus Act 2020, lasts until 30 September 2020, and will be kept under review by the Minister.

The **Welsh Government announced on 31 July** that it was relaxing the requirement for social distancing among children aged under 11. It **said** this ‘reflects the scientific evidence, which shows

the risk of transmission is lower among this age group'. However, the Welsh Government added it is very important that older children and young adults continue to maintain social distancing as the level of risk is different in these age groups.

On 26 August, the Welsh Government updated its position on face coverings in schools. Face coverings are recommended for use in secondary schools but not primary schools. The Welsh Government said that, while scientific advice indicates that face coverings are likely to be of little value in children under the age of 11 years, they are recommended for all members of the public over 11 years in indoor settings in which social distancing cannot be maintained, including secondary schools.

4. Balancing the risk of transmission of the virus in schools against the harm to children and young people from not attending school

As the Minister's letter outlines, the risk of transmission of COVID-19 in schools 'have to be carefully balanced with the negative health impacts of being out of school'. The Welsh Government's operational guidance states:

Taking into account the improved situation we now find ourselves in, the balance of risk is now overwhelmingly in favour of children returning to school. Being out of school is detrimental for children's cognitive and academic development and their health and well-being, particularly for disadvantaged children; and, can have an impact both in the short and longer term. We know that lower academic achievement also translates into long-term economic costs. We also know that school closures have affected some families' ability to work. By getting our learners back into school as quickly and as safely as possible will bring positive benefits on a number of fronts not least their mental and emotional well-being.

On 23 August, the four Chief Medical Officers across the UK issued a joint statement on the evidence of risks and benefits to health from schools and childcare settings reopening. This has been interpreted as reinforcing the decision to reopen schools.

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



Eich cyf/Your ref: Petition P-05-999
Ein cyf/Our ref: KW/04316/20

Janet Finch-Saunders MS
Chair, Petitions Committee

3 August 2020

Dear Janet

Thank you for your letter of 27 July regarding the ongoing Petition submitted by Laura Denise Keighan.

The First Minister announced on Friday that the position on children under 11 having to maintain a 2m distance from each other or from adults would be relaxed from Monday 3 August. The scientific evidence shows the risk of transmission is lower among this age group. We know that the risk to children themselves of becoming severely ill from COVID-19 is very low. Current [evidence](#) points to "Infection with SARS-CoV-2 appears to take a milder course in children than in adults: most infected children present with mild symptoms or are asymptomatic, and very few develop severe or life threatening disease. There remains some on-going uncertainty in transmissibility of the disease by children, but real world observation of schools opening in England and other countries has shown little transmission by children."

These risks have to be carefully balanced with the negative health impacts of being out of school. School is also an important point of contact for public health and safeguarding services that are critical to the well-being of children and families. These changes will also mean that young children can meet their friends to play outdoors or give their grandparents a hug.

However children are still subject to the other restrictions on contacts from family groupings etc. This is, simply a realistic balance of risk for those who live with and care for these children, who routinely are likely to need physical contact as part of everyday care. They must still observe the social restrictions on meeting other family groups or wider gatherings, and it is still up to parents to assess and evaluate the risks of their children's family and

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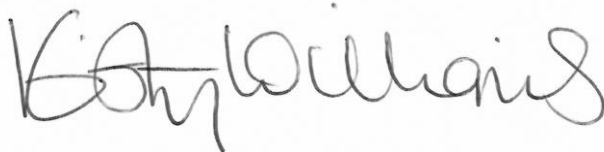
social contacts. Likewise in schools children will continue to work in groups to ensure and consider the health of adults, including teachers and the wider community.

From September schools will be open to all pupils and [Operational guidance](#) has been issued to support them in their preparations for the autumn term. We also recognise that in preparation for the new academic year and should there be a return to lockdown, some form of blended learning approach is necessary. The [Learning guidance](#) provides guidance on developing a blend of in and out of school learning moving forward. Both of these guidance documents have been produced with consideration for the latest advice set out in the [Technical Advisory Group](#) report published on 7 July.

The Welsh Government will continue to monitor the situation carefully and every school will also need to plan for the possibility of a local lockdown and how they will ensure continuity of education within a broader framework of local restrictions.

In the meantime, I hope that the decisions we have made, and more recently specifically in relation to children of primary school age, demonstrates our commitment to supporting all our learners during this challenging time.

Yours sincerely

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

Kirsty Williams AS/MS
Y Gweinidog Addysg
Minister for Education

Agenda Item 5.1

P-05-994 Permit the reopening of church buildings, etc. for communal worship

This petition was submitted by Philip Cushen having collected a total of 416 signatures.

Text of Petition:

For Christians and those of other faiths, communal worship is an essential element of their religious life, and not simply an optional extra.

Additional Information

The current Covid-19 pandemic evidently requires extraordinary restrictions so as to protect the physical health of individuals and of society as a whole. However, the spiritual, emotional and mental health of religious people is also extremely important, with wide repercussions for society. As consideration is currently being given to how soon places of exercise, entertainment, etc. can be reopened, urgent consideration also needs to be given to the imminent reopening of buildings for communal religious worship, to enable this vital aspect of life to recommence for people of religious faith.

Senedd Constituency and Region

- Merthyr Tydfil and Rhymney
- South Wales East



Ein cyf/Our ref FM -/01275/20

Janet Finch-Saunders MS
Chair
Petitions Committee
Senedd

petitions@senedd.wales

23 July 2020

Dear Chair

I am writing in response to your letter of 6 July regarding petition P-05-994 *Permit the reopening of church buildings etc for communal worship*.

Since the start of the pandemic, the Deputy Minister and Chief Whip Jane Hutt MS has chaired meetings of the Wales Faith Communities Forum, which has discussed the safe opening of places of worship. I was pleased to attend the forum meeting on 3 June.

A task and finish group was set up, with membership from the Faith Forum, to consider feedback received from faith communities to develop a protocol for safely re-opening places of worship. We had committed to develop a Wales approach to unlocking faith practice in partnership with the Wales Faith Communities Forum. We are grateful to faith communities across Wales for their engagement.

Officials are in regular contact with Forum members as well as with members of the Funerals, Burials and Cremations group, who have also been involved in discussions about reopening of places of worship.

On 19 June, I announced the reopening of places of worship for private prayer and marriages.

On 10 July, I announced a further easement to enable indoor services and ceremonies to resume, subject to social distancing. I also announced up to 30 people could meet outdoors to worship where that was organised by a religious or belief body.

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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.

Places of worship play an important role in providing spiritual leadership for many individuals, and in bringing communities together. However, their communal nature also makes them places that are particularly vulnerable to the risk of spreading coronavirus.

The Welsh Government is continuing to work with the faith communities in Wales to review the situation and plan for the further reopening of places of worship as the advice around risks of transmission allows.

The guidance relating to places of worship is available at: <https://gov.wales/guidance-reopening-places-worship-coronavirus>

Best wishes

A handwritten signature in black ink that reads "Mark Drakeford". The signature is written in a cursive, slightly slanted style.

MARK DRAKEFORD

P-05-994 Permit the reopening of church buildings, etc. for communal worship, Correspondence – Petitioner to Committee, 21.08.20

Thank you for responding to me, and also enclosing the documents. As it turned out, my petition was rendered unnecessary by announcements made subsequent to its publication, and I am satisfied by the decisions already made by the Welsh Government. In the light of this, it would seem to be unnecessary for the Petitions Committee to spend time considering my petition.

Thank you again

Philip Cushen

Agenda Item 5.2

P-05-1004 Allow Dance Schools in Wales to re-open their indoor classes with immediate effect

This petition was submitted by Michelle Meano having collected a total of 1,307 signatures.

Text of Petition:

Since lockdown of the UK back in March 2020, indoor Dance Schools have been closed. Dance classes offer release to children/adults with many difficulties ie lack confidence, nervous dispositions, Autism, limb problems etc. The Welsh Government should state where Dance Schools fit into Covid19 recovery roadmap, create a tailor-made financial support mechanism for the Dance sector & clarify how help will be provided. Mr Drakeford needs to put forward his plans to restart this sector indoors.

Additional Information

Many teachers work through governing bodies like Bbo Dance, RAD, ISTD etc. Many of these are all recognised by both Ofqual and Qualification Wales. The environment of a dance class is very easily social distanced and most students of any genre are used to being placed (put in positions) by their teachers already. Not all genre require partner work and even if they do there are many creative ways to change this requirement at these times. Dance is not just a passion for the Teachers and Students it also has great health and mental benefits. This is an important part of the Arts Industry which is at present being looked over for business, health and pleasure.

Senedd Constituency and Region

- Newport East
- South Wales East



Eich cyf/Your ref P-05-1004
Ein cyf/Our ref DET/01914/20

Janet Finch-Saunders MS
Chair, Petitions Committee

13 August 2020

Dear Janet Finch-Saunders MS,

Thank you for your correspondence as Chair of the Petitions Committee about the reopening of indoor dance schools in Wales petition that is currently collecting signatures. Welsh Government understands the frustration in the dance school community that they have not been permitted to open for indoor rehearsals until recently.

As highlighted by the First Minister on the 31 July, indoor gyms, leisure centres, swimming pools and other indoor physical activity leisure facilities including dance schools in Wales were permitted to re-open as of the 10 August **but only** if they maintained the relevant safety requirements. These requirements include: ensuring all facility users can maintain 2 metre distance from each other at all times, no more than groups of 30 to gather at any one time, and all staff are fully trained and aware of Covid requirements and conduct regular and vigorous cleans. [Guidance](#) will be available to these businesses and facilities, and the relevant authorities have been engaged in discussions throughout this process.

UkActive have developed a framework for re-opening the fitness and leisure sector safely which can be found here <https://www.ukactive.com/news/ukactive-unveils-recommended-framework-for-reopening-the-fitness-and-leisure-sector-safely/> Sports Wales also provide guidance here <https://www.sport.wales/media-centre/latest-news/implementing-covid-19-safety-measures-in-indoor-facilities/> and there is a small film about how safety measures can be implemented.

The decision to keep indoor leisure facilities closed until the 10 August was based on scientific advice to keep Wales safe. Science tells us that the virus lives on surfaces for far longer indoors than out. Evidence up to now has shown that risk of infection is higher

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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.

indoors in cooler, noisy and humid environments, and where exertion and loudness leads to heavier breathing and louder talking.

In terms of funding, the Welsh Government was pleased to see the UK Government's announcement on 5 July of additional support for the UK's culture sector. You might be aware by now of the Welsh Government [announcement](#) of a £53m fund to help Wales' diverse culture sector deal with the impact of the coronavirus pandemic. The total funding package is £53m in 2020-21 comprising £50m revenue and £3m capital.

The fund is intended to provide essential support to theatres, galleries, music venues, heritage sites, museums, libraries, galleries, archive services, events and festivals, and independent cinemas who have all seen a dramatic loss of revenue due to the pandemic. Funding will support both organisations and individuals in the sector.

The announcement comes on top of the £18m portfolio package provided in April, which was delivered by the Welsh Government, Arts Council of Wales and Sport Wales.

We have listened and worked with our partners across the cultural and creative sectors to put this second package of support together.

The fund will be delivered jointly with the Arts Council of Wales and has a "cultural contract" at its heart to help the sector emerge from the pandemic stronger than ever. This package will help support many in the sectors in responding to the pressures and challenges coronavirus has placed on them, it also presents a unique opportunity to deliver a step change – we will develop a cultural contract so that the sector can re-emerge stronger. This would ensure successful applicants commit to ensuring public investment is deployed with a positive, targeted social purpose.

Further details, including guidance for applicants, will be announced later in August. It will then be for individual organisations to determine if they are eligible to apply for support.

Yours sincerely,



Yr Arglwydd Elis-Thomas AS/MS

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

P-05-1004 Allow Dance Schools in Wales to re-open their indoor classes with immediate effect, Correspondence – Petitioner to Committee, 09.09.20

Please note this issue has now been resolved due to the reopening of dance schools however we have still not heard if we are able to sing in the school which has a whole theatre as its base and social distancing is not an issue.

Kind regards Michelle Meano.

Agenda Item 5.3

P-05-1019 Award teacher predicted grades to all Welsh students for examination 2020

This petition was submitted by Christine Wineyard having collected a total of 28,505 signatures.

Text of Petition:

A significant number of Welsh students have been unfairly disadvantaged by the mathematical algorithm applied to them for examination results 2020. This will disadvantage Welsh young people in their future life chances, which is unfair. Scottish students are receiving teacher predicted grades and will therefore be more likely to secure their first choice university place in 2020. This will not be the case for Welsh students. The process does not treat Welsh students as individuals.

Senedd Constituency and Region

- Alyn and Deeside
- North Wales

P-05-1019 Award teacher predicted grades to all Welsh students for examination 2020, Welsh Government Press Release, Statement from the Minister for Education, Kirsty Williams, 17.08.20

[A level, AS, GCSE, Skills Challenge Certificate and Welsh Baccalaureate grades in Wales will now be awarded on the basis of Centre Assessment Grades, Education Minister Kirsty Williams confirmed today \(Monday 17 August\)](#)

The Minister said:

Working with Qualifications Wales and WJEC we have sought an approach which provides fairness and balances out differences in the standards applied to judgments in schools.

Given decisions elsewhere, the balance of fairness now lies with awarding Centre Assessment grades to students, despite the strengths of the system in Wales.

I am taking this decision now ahead of results being released this week, so that there is time for the necessary work to take place.

For grades issued last week, I have decided that all awards in Wales will also be made on the basis of teacher assessment.

For those young people, for whom our system produced higher grades than those predicted by teachers, the higher grades will stand.

Maintaining standards is not new for 2020, it is a feature of awarding qualifications every year in Wales, and across the UK.

However, it is clear that maintaining confidence in our qualifications whilst being fair to students requires this difficult decision.

These have been exceptional circumstances, and in due course I will be making a further statement on an independent review of events following the cancellation of this year's exams.

Other Awarding Bodies across the UK are involved in the determining the approach to vocational qualifications. This continues to be the case but it is important that I give assurance to GCSE, AS and A level student at the earliest opportunity.

P-05-1019 Award teacher predicted grades to all Welsh students for examination 2020, Correspondence – Petitioner to Committee, 17.08.20

My response to the committee is that I am grateful that there was a process for a petition to be raised. As you can see from the number of signatures over a short period of time, it was an urgent matter that required immediate action and the petition process allowed this. I had reached out directly to my MP and to the Minister for Education but got no response or at least, no support and the petition allowed the people of Wales to have their voice heard. I feel Welsh Government, although too slow to act, have now thrown their support behind the young people of Wales, who have already had a dreadful year of missed experiences and opportunities due to COVID. My only wish is that they'd made this decision before A Level grades were released as many, including my daughter, have missed out on their University place and other options, whilst the situation went unresolved.

Please pass on my thanks to the Chair of the Petitions Committee and other members, who sought to highlight the issue within the petition and looked to expedite the process.

I am now going to sit with my daughter and work out what she will do over the next 12 months and hope Welsh Government realise there is NOTHING more important in Wales than our young people and their future.

Many thanks

Christine Wineyard

Agenda Item 6.1

P-05-974 Ensure the technology of prosthetic limbs provided within the Welsh NHS is equal to the rest of the UK

This petition was submitted by David Bradley having collected a total of 557 signatures.

Text of Petition

We call upon the Senedd to urge the Welsh Government to ensure that funding is in place to enable limb amputees within Wales to have prosthetic technology at least equal to that which is available within the English and Scottish NHS.

We ask for the same level of support to be made available to people living in Wales. NHS Scotland has provided microprocessor prosthetics for several years and NHS England since 2016. The Welsh policy review is outstanding since 2017.

Additional Information

Petitioner's Story

As a fit nearly 60-year-old, whilst at work one Friday afternoon in March 2018 I suffered an aneurysm in my right leg. During the next 8 days I had three major operations during which a very professional team tried to save my leg, save it below the knee, and then above the knee. The last was successful and I am left with my leg removed just above the knee. Introduced to ALAC at Rookwood my journey back to work started. They designed and fitted a prosthetic limb and through regular physiotherapy I was walking and back in work late summer. Thank you, brilliant service.

For several years there has been a significant discrepancy with the type of prosthetics available to disabled people of Wales.

As I will have to spend the rest of my life using a prosthetic leg I would like to be given, and I would like all amputees in Wales to be given, the same opportunity as residents of the rest of the UK.

Do not discriminate. Equal the standard for Welsh disabled residents.

Senedd Constituency and Region

- Monmouth
- South Wales East

Ensure the technology of prosthetic limbs provided within the Welsh NHS is equal to the rest of the UK.

Y Pwyllgor Deisebau | 15 Medi 2020
Petitions Committee | 15 September 2020

Reference: RS20/12961-3

Petition Number: P-05-974

Petition title: Ensure the technology of prosthetic limbs provided within the Welsh NHS is equal to the rest of the UK.

Text of petition: We call upon the Senedd to urge the Welsh Government to ensure that funding is in place to enable limb amputees within Wales to have prosthetic technology at least equal to that which is available within the English and Scottish NHS.

We ask for the same level of support to be made available to people living in Wales. NHS Scotland has provided microprocessor prosthetics for several years and NHS England since 2016. The Welsh policy review is outstanding since 2017.

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the UK.

Do not discriminate. Equal the standard for Welsh disabled residents.

1. Wales

In Wales, NHS prosthetic and amputee rehabilitation services are delivered in-house by three specialist Artificial Limb and Appliance Centres (ALACs) located in Cardiff, Swansea and Wrexham. The service is centrally commissioned by the Welsh Health Specialised Services Committee (WHSSC) on behalf of the seven Health Boards in Wales.

WHSSC published the service specification policy Specialised Services Service Specification: CP89 Prosthetic and Amputee Rehabilitation Services, in December 2014.

The correspondence from the Minister for Health and Social Services to the Committee on 13 July 2020 states that enhanced prosthetics, including microprocessor knee prostheses, are funded for **veterans** resident in Wales with service attributable injuries in accordance with the Specialised Services Policy CP49: War Veterans – Enhanced Prosthetic Provision.

The Minister also notes that WHSSC undertakes an annual process to determine the provision of specialist prosthetics services based on evidence of benefit, assessed against specific criteria. WHSSC again considered the provision of microprocessor knee prostheses for civilians as part of its annual review this year [2020]. At present microprocessor knee prostheses are not routinely provided for civilians. However, the Minister states that officials remain in regular communication with WHSSC to ensure evidence is available to inform their commissioning decisions.

If a patient's needs cannot be managed within the agreed range of equipment, and the prosthetic and amputee clinical team believe that there are exceptional grounds for providing equipment outside of range, then an Individual Patient Funding Request (IPFR) can be made to WHSSC under the All Wales Policy for Making Decisions on Individual Patient Funding Requests. Guidance on the IPFR process is available on the WHSSC website.

2. England

In England, specialised services are planned nationally and regionally by NHS England which has published the Service Specification for Complex Disability Equipment – Prosthetic Specialised Services For People Of All Ages With Limb Loss.

Commissioning policies define access to a service for a particular group of patients. NHS England published the Clinical Commissioning Policy for microprocessor controlled prosthetic knees (MPKs) in December 2016. This policy states:

NHS Provision of MPKs was previously available through Individual Funding Requests (IFRs) resulting in significant variations in prescription and use at the national level in the absence of an agreed prescribing policy. This policy aims to create an equitable, evidence-based approach to the prescribing of MPKs and improve the quality of limb loss rehabilitation and outcomes at a national level.

The policy also states that NHS England reviewed the evidence and concluded that there is sufficient evidence to consider supporting **routine commissioning** of microprocessor limbs. Pages 18 to 21 of the policy set out the criteria for commissioning.

The following policies are **not** routinely commissioned by NHS England:

- Clinical Commissioning Policy: High definition silicone covers for prosthetic limbs, high definition feet and partial hand prosthesis
- Clinical Commissioning Policy: Multi-grip Upper Limb Prosthetics

3. Scotland

In NHS Scotland, the Specialist Prosthetics Service is responsible for the assessment, prescription and provision of state-of-the-art (SOTA) prostheses.

Specialist prosthetics cover a wide range of SOTA devices including, but not limited to:

- microprocessor controlled knees
- microprocessor controlled multi-articulating upper limbs
- specialist foot and ankle joints

- sporting limbs

The service is available to eligible prosthetic limb users resident in Scotland. It covers those who fall into the following categories:

- armed forces veterans (recent discharges) who have had a SOTA prosthesis fitted by the Defence Medical Rehabilitation Centre (DMRC);
- referral for assessment of armed forces amputees whose amputations are a result of service-attributable injuries. They'll also be currently attending a prosthetics centre in Scotland (the Armed Forces Covenant);
- any other prosthetics service user currently resident in Scotland who fulfils the eligibility criteria.

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



Ein cyf/Our ref VG/03889/20

Janet Finch-Saunders MS
Chair
Petitions Committee

Government.Committee.Business@gov.wales

13 July 2020

Dear Janet,

Thank you for your letter of 8 June regarding the Petition P-05-974- Ensure the technology of prosthetic limbs provided within the Welsh NHS is equal to the rest of the UK.

In Wales, NHS Prosthetic and Amputee Rehabilitation services are delivered in-house by three specialist Artificial Limb and Appliance Centres (ALACs) located in Cardiff, Swansea and Wrexham. The service is centrally commissioned by the Welsh Health Specialised Services Committee (WHSSC) on behalf of the seven local health boards in Wales. WHSSC has a service specification policy for Prosthetic and Amputee Rehabilitation CP 89 (please see link below).

<http://www.whssc.wales.nhs.uk/sitesplus/documents/1119/CP89%20Prosthetic%20and%20Amputee%20Rehab%20Services%20Service%20Spec.pdf>

Enhanced prosthetics, including microprocessor knee prostheses, are funded for veterans resident in Wales with service attributable injuries in accordance with the Specialised Services Policy *War Veterans – Enhanced Prosthetic Provision* (please see link below).

<http://www.whssc.wales.nhs.uk/sitesplus/documents/1119/CP49%20War%20Veteran%20Policy%20v1.0.pdf>

WHSSC undertake an annual process to determine the provision of specialist prosthetics services based on evidence of benefit, assessed against specific criteria. WHSSC again considered the provision of microprocessor knee prostheses for civilians as part of their annual review this year. At present microprocessor knee prostheses are not routinely provided for civilians. However, officials remain in regular communication with WHSSC to ensure evidence is available to inform their commissioning decisions.

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

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

I would like to remind the committee that if an individual's needs cannot be managed within the agreed range of equipment, and the prosthetic and amputee clinical team believe there are exceptional grounds for providing equipment outside of range, then an Individual Patient Funding Request (IPFR) can be submitted to WHSSC. This request is done by clinicians on behalf of their patient under the 'All Wales Policy for Making Decisions on Individual Patient Funding Requests (IPFR)'.

I hope this information is helpful.

Yours sincerely,

A handwritten signature in black ink that reads "Vaughan Gething". The signature is written in a cursive style with a large initial 'V' and a long, sweeping tail on the 'g'.

Vaughan Gething AS/MS

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

P-05-974 Ensure the technology of prosthetic limbs provided within the Welsh NHS is equal to the rest of the UK, Correspondence – Petitioner to Committee, 06.09.20

Additional comments for consideration: -

- The English Clinical Commissioning Policy: Microprocessor Controlled Prosthetic Knees ref NHS England:16061/P – December 2016 indicates that: -

‘There are unfortunately no published studies that analyse long term cost effectiveness within the health economy specifics of the UK. However, studies from other European countries such as Italy and the Netherlands reported a **long-term reduction** in medical and care costs.’

One concludes, therefore, that a policy change may in addition to providing improved mobility and wellbeing for Welsh disabled residents will even be cost saving on the Welsh NHS in the medium to long term.
- In Scotland the Specialist Prosthetics Service has, for several years, covered the provision of a wide range of devices including, but not limited to:
 - microprocessor controlled knees
 - microprocessor controlled multi-articulating upper limbs
 - specialist foot and ankle joints
 - sporting limbs
- Northern Ireland also has provision in place

The conclusion is that the provision in Wales has now lagged behind the rest of the UK for nearly a decade. Outside of Wales, disabled residents are enjoying the life-enhancing benefits and their health services the potential cost benefits from changing the policies.

- In a second response dated – 4 June 2020 - received from Vaughan Gething – Minister for Health and Social Services – reference was again made to the Welsh Policy ‘Specialised Services Service Specification: CP89 Prosthetic and Amputee Rehabilitation Service.’ This is the current reference and guidance document for ALAC - Artificial Limb and Appliance Centres - services in Wales. It was due for formal committee review by 1 December 2017, it is outstanding.

It is not unreasonable for Welsh residents to expect their elected members to formally review policy documents within a reasonable timescale. Formal review should therefore have already taken place. At

minimum, as a result of this petition, a thorough and formal review should be requested.

Also in the response - 4 June 2020 - reference is made to the ability for clinicians to use the IPFR - 'Individual Patient Funding Requests Process in Wales':- 'If an individual's needs cannot be managed within the agreed range of equipment, and the prosthetic and amputee clinical team believe there are exceptional grounds for providing equipment outside of range, then an Individual Patient Funding Request (IPFR) can be submitted to WHSSC. This request is done by clinicians on behalf of their patient under the 'All Wales Policy for Making Decisions on Individual Patient Funding Requests (IPFR)'.

IPFR should not be used as a reason why a policy review should not be undertaken.

- Published IPFR data does not itemise the number of applications for microprocessor prosthetics, however this number will be available. It will provide an indication/guide to the level of additional funding required for ALAC – Artificial Limb and Appliance Centres – in the event of policy is changed.

This data should be available for the last 5 Years – since March 2015 – and therefore a trend will be available and budget planning possible.

- Modern state of the art sports prosthetics for young people under the age of 25 has recently been approved providing needed equipment and equality with the rest of the UK. These are required and important, I challenge anyone to justify why modern state of the art prosthetics for adults for daily living differ in justification. A policy change has been made even though these would also have been potentially available via IPFR.
- The petition is only requesting equalisation with the other nations of the UK and to bring the provision in Wales to an equal standard, a discrepancy that has been in existence for nearly a decade. Wales elected its own assembly to have control and be better than the other nations let us at least be equal and end discrimination.

- If anyone moves to Wales already fitted with a microprocessor prosthesis Wales NHS will support, repair and replaced if required. Sad, but I have considered moving across the border to be eligible.

Thank you for taking the time to consider this petition which is targeted to making the lives of some disabled residents in Wales more productive for the benefit of themselves and for the benefit of Wales. The response to my petition in less than two months has surpassed my expectations and I believe demonstrates the validity of the cause.

Being disabled enables one to fully understand what the inequality means. It is difficult to express.

A personal plea on behalf of Welsh amputees to correct an inequality, equal provision and potentially save Wales some money.

David Bradley

Comments following receipt of the reply from Vaughan Gething AS/MS

It is noted that there is no direction or comment as to why the formal policy review for both military provision – outstanding since October 2016 – public provision – outstanding since Dec 2017 – has not been undertaken. Is it not reasonable to expect formal policy reviews to be conducted within the timescales documented? Situations change, costs and benefits change.

The letter does state that annual reviews are conducted although I have not had access to the review documents from the last several years. It indicates that 'WHSSC again considered the provision of microprocessor knee prostheses for civilians as part of their annual review this year' but there is no further comment other than stating they 'are not routinely provided for civilians'. There is no reasoning given. If they are beneficial to veterans would they not be beneficial to the civilian population of Wales?

My comment remains the same: -

'A personal plea on behalf of Welsh amputees to correct an inequality, equal provision and potentially save Wales some money.'

David Bradley

06/09/2020

Agenda Item 6.2

P-05-992 We call on the Welsh Government to create a common body of knowledge about Welsh history that all pupils will learn

This petition was submitted by Elfed Wyn Jones having collected a total of 7,927 signatures.

Text of Petition:

Welsh history is important to all pupils, as it provides the background of our nation's history and our heritage for everyone going through the education system. There are aspects of Welsh history, such as the Laws of Hywel Dda, the Glyndŵr Rising and the Drowning of Capel Celyn, which belong to every community in Wales. It is therefore concerning that the Welsh Government has decided to reject the recommendation by the Culture, Welsh Language and Communications Committee to create a common body of knowledge for all pupils studying history. It's important to create a Welsh history curriculum where pupils learn abouts events and matters at a national level, as well as learning about the history of their communities and areas.

Senedd Constituency and Region

- Dwyfor Meirionnydd
- Mid and West Wales

Teaching of Welsh History

Y Pwyllgor Deisebau | 15 Medi 2020
Petitions Committee | 15 September 2020

Reference: RS20/13468

Petition Number: P-05-992

Petition title: We call on the Welsh Government to create a common body of knowledge about Welsh history that all pupils will learn

Text of petition: Welsh history is important to all pupils, as it provides the background of our nation's history and our heritage for everyone going through the education system. There are aspects of Welsh history, such as the Laws of Hywel Dda, the Glyndŵr Rising and the Drowning of Capel Celyn, which belong to every community in Wales. It is therefore concerning that the Welsh Government has decided to reject the recommendation by the Culture, Welsh Language and Communications Committee to create a common body of knowledge for all pupils studying history. It's important to create a Welsh history curriculum where pupils learn about events and matters at a national level, as well as learning about the history of their communities and areas.



1. Background

The current National Curriculum for Wales comprises the core and foundation subjects which are set out in the Education Act 2002. The core subjects at Key Stages 2 and 3 are maths, English, science and in relation to Welsh speaking schools, Welsh. History is **a foundation subject within the national curriculum**. The Welsh Government's **History Programme of Study** (PDF 155KB) (January 2008) sets out the current requirements for history at Key Stages 2 and 3. Beyond Key Stage 3, the WJEC has published specifications for history at **GCSE** and **AS/A level**. These were introduced for first teaching in 2017 and 2015 respectively.

The new age 3-16 Curriculum for Wales will be introduced in all maintained schools and publicly funded nursery settings from September 2022 on a phased basis. The **Curriculum and Assessment (Wales) Bill** was introduced to the Senedd on 6 July 2020. The Bill sets out the four purposes of the curriculum:

- To enable pupils and children to develop as ambitious, capable learners, ready to learn throughout their lives;
- To enable pupils and children to develop as enterprising, creative contributors, ready to play a full part in life and work;
- To enable pupils and children to develop as ethical, informed citizens of Wales and the world;
- To enable pupils and children to develop as healthy, confident individuals, ready to live fulfilling lives as valued members of society.

The Welsh Government has emphasised that the new Curriculum for Wales will be **purpose-driven rather than content-driven**. Specific learning content is not stipulated in the same way as under the current national curriculum.

The Bill sets out six Areas of Learning and Experience (AoLEs) for the new curriculum and the mandatory elements within them. The AoLEs are:

- Expressive Arts
- Health and Well-being
- Humanities
- Languages, Literacy and Communication
- Mathematics and Numeracy
- Science and Technology.

The mandatory elements within the AoLEs will be English; Relationships and Sexuality Education; Religion, Values and Ethics and Welsh.

History will be taught within the **Humanities AoLE**. The Humanities AoLE also encompasses geography, religious education, business studies and social studies. The new curriculum is non-prescriptive and does not include a list of topics that all schools must teach.

The Bill provides for a 'What Matters Code' to set out key concepts of learning and experience in each AoLE (including Humanities) and that schools' curricula must encompass each of these concepts. The Welsh Government has published 'Statements of What Matters' in the **Curriculum for Wales documentation**. This is intended to provide the 'national approach' which the **Minister for Education says** will ensure consistency for learners.

The **provisional statutory guidance on the Humanities AoLE**, was published in January 2020.

On 22 January 2020, the Petitioner published a blog, **Why I've set up a petition calling for the teaching of a common Welsh history in our schools**.

2. Welsh Parliament action

2.1. Petitions Committee

This is the second petition initiated by Elfed Wyn Jones on the subject of the teaching of history. The Committee considered his first petition, **Change the National Curriculum and teach Welsh history, from a Welsh perspective, in our Primary, Secondary and Sixth form Schools** during 2018. The Petitions Committee heard evidence from, Dr Elin Jones, Chair of the Cwricwlwm Cymreig, history and the story of Wales task and finish group, and Kirsty Williams, the Minister for Education and Skills.

2.2. Culture, Welsh Language and Communications Committee

During summer 2018, the **Culture, Welsh Language and Communications Committee** ran a public poll inviting members of the public to select from a list of potential inquiry topics. Forty-four per cent of those who took part in the poll voted for 'Teaching of Welsh history, culture and heritage in schools'. In light of the work being undertaken by the Culture, Welsh Language and Communications Committee, the Petitions Committee closed the petition in November 2018.

The Culture, Welsh Language and Communications Committee's report, **Inquiry into the teaching of Welsh history, culture and heritage** [PDF1.2KB] was published in November 2019 and was debated in **Plenary on 15 January 2020**. The Welsh Government published its **response** [PDF 235KB] on 8 January 2020.

Many of those giving evidence, including Welsh historical societies, spoke of the need for there to be certain events or themes that all learners should know. The Committee recommended that the new curriculum

should include guidance which sets out a common body of knowledge for all pupils studying history. These key events and topics will allow all pupils to have an understanding of how their country has been shaped by local and national events within the context of Welsh, British and international histories.

The Minister for Education rejected the recommendation stating that:

The Humanities AoLE guidance outlines a methodology for selecting content and refers to the need for consistent exposure to the story of learners' locality and the story of Wales, as well as to the story of the wider world, to enable learners to develop an understanding of the complex and diverse nature of societies, past and present.

She also said:

we will be working with practitioners to commission new resources, which refer to key events and topics in the histories of Wales and the world. The flexibility of the new Curriculum will enhance this learning by allowing teachers to deliver lessons in more creative ways better suited to the learners they teach.

2.3. Plenary

During the course of the Culture, Welsh Language and Communications Committee work on history, there was also a Plenary debate, [Teaching the History of Wales on 19 June 2019](#).

3. Welsh Government action

3.1. Task and Finish Group

In October 2012, the then Minister for Education and Skills, Leighton Andrews established a task and finish group, chaired by Dr Elin Jones, to explore and consider the future development of Cwricwlwm Cymreig, the teaching of Welsh history. The group's final report, [Cwricwlwm Cymreig, history and the story of Wales: Final report](#) (PDF 154KB) (September 2013) made twelve recommendations relating to the Welsh dimension in the development of the next curriculum and in relation to the history curriculum in particular. In March 2014, Huw Lewis announced that Professor Graham Donaldson would be undertaking a review of the national curriculum in Wales.

As part of his review, Professor Donaldson considered the recommendations of the Task and Finish Group.

3.2. Estyn review

One of the recommendations on the Culture, Welsh Language and Communications Committee's 2019 report on the teaching of history, was that Estyn should undertake a thematic review of the teaching of Welsh history in schools. Welsh Government officials are currently discussing the remit of this review with Estyn.

3.3 'Communities, contributions and cynefin: BAME experiences and the new curriculum' working group

On **21 July 2020, the Minister announced** that Professor Charlotte Williams OBE, would chair a Communities, Contributions and Cynefin: BAME Experiences and the New Curriculum Working Group. In the first phase of the project, the working group will complete a review of resources currently available to support the teaching of themes relating to BAME communities and cynefin across all parts of the curriculum. It will highlight examples of good practice as well as identifying areas that need further work, The second phase of the project will review professional learning related to BAME communities, their contributions and experiences, and cynefin, across the curriculum. The work of the group will be closely aligned to the Estyn review of Welsh history.

Cynefin in the context of the curriculum is defined as:

The place where we feel we belong, where the people and landscape around us are familiar, and the sights and sounds are reassuringly recognisable. Though often translated as 'habitat', cynefin is not just a place in a physical or geographical sense: it is the historic, cultural and social place which has shaped and continues to shape the community which inhabits it.

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.

Kirsty Williams AS/MS
Y Gweinidog Addysg
Minister for Education



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref KW/03726/20

Janet Finch-Saunders MS
Member of the Senedd
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14 July 2020

Dear Janet Finch-Saunders MS,

Thank you for your letter of 6 July about a petition regarding the teaching of Welsh history in the new Curriculum for Wales and their concerns about the Welsh Government's rejection of the Culture, Welsh Language and Communications Committee's recommendation that the new curriculum should include guidance which sets out a common body of knowledge for all pupils studying history.

As I stated during January's Senedd debate about the teaching of Welsh History, 'studying the history and histories of Wales is important to the fulfilment of the purposes of the new curriculum. To be an engaged, informed and ethical citizen, learners will make sense of their identity and that history, cultures and geography helped shape it'.

This is why, whilst the recommendation was rejected, I accepted the recommendation for Estyn to undertake a review of Welsh history, and my officials are currently discussing the remit of this review with Estyn.

It is vital for learning to be inclusive and to draw on the experiences, perspectives and cultural heritage of contemporary Wales. In the new curriculum, learners will explore the local, national and global contexts to all aspects of learning, and to make connections and develop understanding within a diverse society.

The Curriculum for Wales framework gives every school in Wales the opportunity to design their own curriculum within a national approach that ensures consistency. All aspects of learning will in the future have a Welsh dimension, and learners will have the opportunity to understand their locality, country and its contribution to the world in every part of the curriculum.

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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.

Whilst the new curriculum guidance does not include a long list of individual topics to be studied, it does outline a methodology to help teachers select content and ensure The Curriculum for Wales guidance (Humanities Area of Learning and Experience) states: *'the need for consistent exposure to the story of learners' locality and the story of Wales, as well as to the story of the wider world, to enable learners to develop an understanding of the complex, pluralistic and diverse nature of societies, past and present. Learners should be grounded in an understanding of the identities, landscapes and histories that come together to form their cynefin. This will not only allow them to develop a strong sense of their own identity and well-being, but to develop an understanding of others' identities and make connections with people, places and histories elsewhere in Wales and across the world. Local, national and global contexts are integral to the Area and form part of the key principles ... relating to the choice of content.'*

Key to the new curriculum is the concept of collaboration and cross-disciplinary learning, both within and across the six Areas of Learning and Experience, with learners building connections across their learning and combining different experiences, knowledge and skills. Whilst History will form part of the Humanities Area of Learning and Experience, the histories of Wales will feature across the curriculum, for example in Expressive Arts and Languages, Literacy and Communication.

In order to deliver the new curriculum effectively and realise our shared vision, it is vital that our schools have the support, understanding and resources they need. We will therefore be working with practitioners to commission new resources which will refer to key events and topics in the histories of Wales and the world. This work will also be informed by the outcome of the forthcoming Estyn review of Welsh history, which will take full account of Welsh and wider, history, identity and culture.

Central to the vision of the Curriculum for Wales is allowing teachers the flexibility to decide which topics, subjects and resources are best suited to their learners. A list of prescribed topics to be studied would therefore be inconsistent with the vision of the new curriculum. I rejected the Committee's recommendation for guidance setting out a common body of knowledge for all pupils studying history because the Curriculum for Wales is non-prescriptive.

Whilst the Committee's recommendation was rejected, I agree with the principle and the intention behind the recommendation, The Curriculum for Wales will ensure Welsh history and culture is embedded across all areas of learning and experience. In my view, this is robust and long-term approach.

Yours sincerely,



Kirsty Williams AS/MS
Y Gweinidog Addysg
Minister for Education

P-05-992 Rydym yn galw ar Lywodraeth Cymru i greu corff cyffredin o wybodaeth am Hanes Cymru fydd pob disgybl yn ei ddysgu, Gohebiaeth – Deisebydd i'r Pwyllgor, 05.09.20

Darn dros Hanes Cymru yn y Senedd

Mae Hanes yn bwnc llawer pwysicach na dysgu i bwyso a mesur. Mae'n adrodd hanes ein Cenedl i'n pobl, gan ddangos yr holl bethau sydd wedi digwydd, y da a'r drwg. Mae'n creu darlun o'r hyn ydi Cymdeithas, a sut mae'r tirlun cymdeithasol, gwleidyddol ac economaidd wedi esblygu ers dyddiau'r Celtiaid, trwy gyfnod Llywelyn a Glyndwr, trwy'r Chwyldro Diwydiannol a brwydrau'r 60au, sefydlu'r Senedd yng Nghaerdydd yn 90au'r ganrif diwethaf ac ymlaen at y dydd presennol.

Pa fath o Gymry ydym ni os nad ydym yn gwybod ac adnabod hanes ein gwlad? Dwi'n credu fod Gerallt Lloyd Owen yn crynhoi hyn mewn un frawddeg berffaith "Estroniaid heb ystyr yw hanes". Sut fedrwn ni ddeall beth yw'r Gymdeithas 'ryda ni'n byw ynnddi, ac i ba gyfeiriad mae hi'n mynd os nad yda ni'n gwybod a deall yr hyn sydd wedi digwydd yn y gorffennol?

'Rown i yn un oedd ddigon ffodus i baentio murlun Cofiwch Dryweryn ar ol iddo gael ei ddirinistrio ..a dyna pryd daeth difrifoldeb y broblem yn amlwg - tra'n cyfarfod a phobl oedd erioed wedi clywed am drychineb Tryweryn. Dinistr y murlun ddaeth a Tryweryn unwaith yn rhagor i sylw'r cyhoedd.

A dyna'r broblem.

Mae diffyg gwybodaeth am Hanes Cymru yn adlais o genedlaethau. Sawl tro yda ni wedi clywed "Yn ysgol 'rown i'n gwybod mwy am Battle of Hastings 1066 nag 'rown i am Llywelyn ein Llyw Olaf, Owain Glyndwr a'r Welsh Not". Mae'r sefyllfa yr un mor ddigalon heddiw. Tydi hynny ddim wedi newid dim. Yr un peth ddigwyddodd i mi, ac a fydd yn digwydd i'm mhlant i ac i'r Genedlaeth ar ei holau hwythau, - os na fyddwn ni'n gweithredu rwan!

Mae'r Llywodraeth yn cynnig Cwricwlwm newydd ar gyfer ein hysgolion. Ond beth fydd y cwricwlwm newydd yma yn ei olygu yng nghyd-destun dysgu Hanes Cymru os nad oes arweiniad, na chynnwys, na gwrslyfrau cadarn? Mae gen i edmygedd mawr o athrawon yn yr oes hon, ac mae disgwyl y byddent hwy'n gallu llunio gwersi a dysgu am Hanes Cymru heb strategaeth na chynnwys i'w cymorth.

Mi fydd hyn yn creu system loteri amlwg, lle bydd rhai plant yn ddigon ffodus i ddysgu am Hanes Cymru a rhai eraill ...ddim. Mi fydd hyn yn creu gwahaniaeth mawr rhwng gwahanol ysgolion a hefyd mi fydd y gagendor rhwng disgyblion yr ysgolion Cymraeg a disgyblion yr ysgolion Saesneg yn mynd yn fwy fyth. Mae tystiolaeth yn dangos fod disgyblion sy'n mynychu ysgol Gymraeg gyda mwy o gyfleoedd i gael gwybodaeth am Hanes Cymru na'r rhai sy'n mynychu'r ysgolion Saesneg.

Credaf... fod y fath sefyllfa yn gwbl annerbyniol. Mae pobl hefo'r hawl i wybod a deall hanes eu gwlad eu hunain. Toes dim synnwyr cuddio Hanes Cymru oddiwrth ei phobl. Mae angen i ni fod yn agored fel gwlad a dod i delerau gyda'n gorffennol. Ond..fedrwn ni ddim gwneud hynny heb wybod y ffeithiau yn gyntaf.

Dwi'n gofyn i chi rwan i ystyried yr hyn dwi wedi ei ddweud. Mi fyddai'n fwy na pharod i brotestio, ac rwy'n barod i ymprydio i'r eithaf ar risiau'r Senedd ei hun i sicrhau fod pobl y Genedl Gymraeg yn derbyn y gwybodaeth a'r addysg priodol am eu Hanes. Trwy hynny, byddwn wedyn yn datblygu dealltwriaeth o sut mae Cymru wedi cyrraedd y sefyllfa mae hi ynnddi rwan. Trwy ddeall Hanes ein hunain, y down i ddeall sut i symud ymlaen fel unigolion ac fel Cenedl.

Document is Restricted

Agenda Item 6.3

P-05-1000 Make it compulsory for Black and POC UK histories to be taught in the Welsh education curriculum

This petition was submitted by Angharad Owen having collected a total of 34,736 signatures.

Text of Petition:

Britain –including Wales– benefited from colonialism and slavery for centuries. This needs to be represented in the curriculum.

The British Empire has often been glamorised and the global impact of Britain’s colonialism downplayed. This has been reflected in the content taught.

There needs to be real and significant change. The legacies of slavery and colonialism have very real impacts on BAME communities across Britain today, and the Welsh education system needs to recognise this.

Senedd Constituency and Region

- Clwyd South
- North Wales

Black and People of Colour History

Y Pwyllgor Deisebau | 15 Medi 2020
Petitions Committee | 15 September 2020

Reference: RS20/13471

Petition Number: P-05-1000

Petition title: Make it compulsory for Black and POC UK histories to be taught in the Welsh education curriculum

Text of petition: Britain -including Wales- benefited from colonialism and slavery for centuries. This needs to be represented in the curriculum.

The British Empire has often been glamorised and the global impact of Britain's colonialism downplayed. This has been reflected in the content taught. There needs to be real and significant change. The legacies of slavery and colonialism have very real impacts on BAME communities across Britain today, and the Welsh education system needs to recognise this.

1. Background

The killing of George Floyd, an African-American who died while being detained by police in Minneapolis, has prompted mass protests in the USA and the UK and calls for better education in black and people of colour history.

The new age 3-16 Curriculum for Wales will be introduced in all maintained schools and publicly funded nursery settings from September 2022 on a phased basis. The [Curriculum and Assessment](#)



(Wales) Bill was introduced to the Senedd on 6 July 2020. The Bill sets out the four purposes of the curriculum:

- To enable pupils and children to develop as ambitious, capable learners, ready to learn throughout their lives;
- To enable pupils and children to develop as enterprising, creative contributors, ready to play a full part in life and work;
- To enable pupils and children to develop as ethical, informed citizens of Wales and the world;
- To enable pupils and children to develop as healthy, confident individuals, ready to live fulfilling lives as valued members of society.

The Welsh Government has emphasised that the new Curriculum for Wales will be **purpose-driven rather than content-driven**. Specific learning content is not stipulated in the same way as under the current national curriculum.

The Bill sets out six Areas of Learning and Experience (AoLEs) for the new curriculum and the mandatory elements within them. The AoLEs are:

- Expressive Arts
- Health and Well-being
- Humanities
- Languages, Literacy and Communication
- Mathematics and Numeracy
- Science and Technology.

The mandatory elements within the AoLEs will be English; Relationships and Sexuality Education; Religion, Values and Ethics and Welsh.

History will be taught within the Humanities AoLE. The Humanities AoLE also encompasses geography, religious education, business studies and social studies. The new curriculum is non-prescriptive and does not include a list of topics that all schools must teach.

The Bill provides for a 'What Matters Code' to set out key concepts of learning and experience in each AoLE (including Humanities) and that schools' curricula must encompass each of these concepts. The Welsh Government has published 'Statements of What Matters' in the Curriculum

for Wales documentation. This is intended to provide the ‘national approach’ which the Minister for Education says will ensure consistency for learners.

The provisional statutory guidance on the Humanities AoLE, was published in January 2020.

2. Welsh Government action

In her letter to the Committee, Kirsty Williams, Minister for Education outlines the actions the Welsh Government is taking following the calls for greater diversity in the teaching of history:

- On 21 July 2020, the Minister announced that Professor Charlotte Williams OBE, would chair a Communities, Contributions and Cynefin: BAME Experiences and the New Curriculum Working Group. The group will review existing resources available to teachers and good practice, and professional learning related to Black Asian and Minority Ethnic (BAME) communities. The Group should provide key recommendations by the end of December;
- A project has been established to consider under-representation from BAME communities in the teaching workforce.

3. Welsh Parliament action

During summer 2018, the Culture, Welsh Language and Communications Committee ran a public poll inviting members of the public to select from a list of potential inquiry topics. Forty-four per cent of those who took part in the poll voted for ‘Teaching of Welsh history, culture and heritage in schools’. In light of the work being undertaken by the Culture, Welsh Language and Communications Committee, the Petitions Committee closed the petition in November 2018.

The Culture, Welsh Language and Communications Committee’s report, Inquiry into the teaching of Welsh history, culture and heritage [PDF1.2KB] was published in November 2019 and was debated in Plenary on 15 January 2020. The Welsh Government published its response [PDF 235KB] on 8 January 2020.

As part of the inquiry, the Committee heard oral evidence from Race Council Cymru, the Ethnic Minorities & Youth Support Team Wales (EYST) and the Heritage and Cultural Exchange. The Committee made a number of recommendations in relation to diversity in history:

- The Curriculum for Wales 2022 should have diversity as a core element. There is a risk that the proposed flexibility for schools and teachers may not ensure that all pupils in Wales know the story of our diverse ethnic and religious communities.
- To ensure that history is representative of all of Wales’ communities and their international connections, the thematic review of history teaching by Estyn, recommended in the Committee’s report, should assess how diversity is currently taught in schools.
- The Welsh Government should consider how they can expand the work of EYST and the Race Council Cymru to all students and teachers in Wales. EYST and Race Council Cymru to investigate students’ perceptions of race and history and their efforts to widen the curriculum.

The Welsh Government accepted these recommendations.

The Committee also recommended:

- The Welsh Government should set out their efforts to increase the number of BAME teachers in Wales and how successful they have been.
- That histories of Wales' racial and religious diversity should be included in initial teacher education and reflected in teaching materials for the Humanities Area of Learning and Experience.

Both were accepted in principle. In her response, the Minister said that the Welsh Government do not prescribe the content of individual Initial Teacher Education programmes. She also said that officials are working with the Education Workforce Council to develop an action plan regarding the degree to which the teaching workforce in Wales is reflective of the communities it serves and the range and depth of diversity in the workforce.

4. Petitions in the UK Parliament

There have been a number of petitions to the UK Parliament on similar themes:

- [Add education on diversity and racism to all school curriculums](#) (Government response 30 July 2020);
- [Making the UK education curriculum more inclusive of BAME history](#) (Government response 30 July 2020);
- [Teach Britain's colonial past as part of the UK's compulsory curriculum](#) (Government response 30 July 2020).

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

WRITTEN STATEMENT BY THE WELSH GOVERNMENT

TITLE **Written Statement: Communities, contributions and cynefin:
BAME experiences and the new curriculum Working Group**

DATE **21 July 2020**

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

Today I am pleased to announce that Professor Charlotte Williams OBE has agreed to chair the ‘Communities, contributions and cynefin: BAME experiences and the new curriculum’ working group.

Professor Williams is Honorary Professor in the School of History, Philosophy and Social Sciences at Bangor University and former Associate Dean and Professor of Social work at RMIT University in Melbourne, Australia. She holds Honorary Fellow appointments at Glyndwr University and the University of South Wales.

Prof Williams is known for her commentary on issues of Welsh multiculturalism, and for her groundbreaking text “A Tolerant Nation? Exploring Ethnic Diversity in Wales”. Her award-winning memoir of growing up in Wales, “Sugar and Slate”, won Welsh book of the Year 2003. She is currently working on the third edition of the book ‘*Social Policy for Social Welfare Practice in Wales*’ due for publication in 2021.

In 2007, Professor Williams was awarded an OBE in the Queen’s New Year’s Honours List for services to ethnic minorities and equal opportunities in Wales.

In the first phase of the project, the working group will complete a review of resources currently available to support the teaching of themes relating to BAME communities and cynefin across all parts of the curriculum. It will highlight examples of good practice as well as identifying areas that need further work. I expect this phase to be completed in the autumn term, to feed into teaching for the coming academic year.

In the second phase of the project, the working group will review professional learning related to BAME communities, their contributions and experiences, and cynefin, across the curriculum. I expect that the group will present key recommendations in this area by the end of December.

The work of the group will be closely aligned to the Estyn review of Welsh history.

Informed by the outcome of this work, we will commission new resources to support the teaching of themes relating to BAME communities, cynefin, contributions and experiences. The group will oversee the development of these resources in advance of the phased introduction of the new Curriculum for Wales in 2022, and I would intend to reflect on progress within the 2020/21 academic year.

Further details of the membership of the group will be announced during the summer.

This statement is being issued during recess in order to keep members informed. Should members wish me to make a further statement or to answer questions on this when the Senedd returns I would be happy to do so.

Kirsty Williams AS/MS
Y Gweinidog Addysg
Minister for Education



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-05-1000
Ein cyf/Our ref KW/04315/20

Janet Finch-Saunders MS
Chair of the Petitions Committee.
Ty Hywel
Cardiff Bay
Cardiff
CF99 1NA
Petitions@Senedd.Wales

6 August 2020

Dear Janet

Thank you for your correspondence dated 27 July relating to Petition P-05-1000 Make it compulsory for Black and POC UK histories to be taught in the Welsh education curriculum.

The recent events in America have reminded us all of the importance of an understanding and appreciation of all aspects of our history and the struggle faced by black communities in Wales, the UK and across the world.

It is important for learning to be inclusive and to draw on the experiences, perspectives and cultural heritage of contemporary Wales. The history of Wales is diverse, and comprises a variety of diverse and rich histories of the many communities, races, religions, and individuals in our country. Black history is a part of Welsh history.

As you are aware from 2022 there will be a new [Curriculum for Wales](#). In the new curriculum, learners will explore the local, national and global contexts to all aspects of learning, and will learn how to make connections and develop understanding within a diverse society. Central to the vision of the Curriculum for Wales is allowing teachers the flexibility to decide which topics, subjects and resources are best suited to their learners

At the heart of the Curriculum for Wales framework there are four purposes which have been central to every decision made about the new curriculum. These four purposes, specifically supporting learners to become “ethical, informed citizens of Wales and the World”, are a part of the statutory framework for the Curriculum for Wales, and present significant opportunities for schools to develop curriculums incorporating black history.

The Curriculum for Wales framework gives every school in Wales the opportunity to design their own curriculum. It encourages schools to build their own vision for their learners within

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Correspondence.Kirsty.Williams@gov.wales

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

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

the context of the four purposes and the learning defined at a national level. Whilst the new curriculum guidance does not include a long list of individual topics, it does set out what schools should take into account in designing their curriculum and the broad expectations for learners.

This framework includes mandatory elements, including statements of What Matters for each Area of Learning and Experiences, One of these statements of What Matters for Humanities is “Human societies are complex and diverse, and shaped by human actions and beliefs”. Through this, learners will explore the varied beliefs, values, traditions and ethics that underpin and shape human society, and develop an understanding of the diversity of different societies.

Humanities includes concepts such as citizenship, authority and governance, interconnectedness, justice and equality, enterprise, rights, and social action and responsibility.

Learning about human rights, equity, and diversity are cross-cutting themes which should be embedded within learning across the curriculum. The guidance on [cross-cutting themes](#) for the curriculum also explains how the local, national and international contexts provide key perspectives for learners and are of particular importance in supporting learners to realise the four purposes. Linking the local, national and international includes opportunities like examining Wales’s role in the slave trade and our contribution to building the empire. It means learners examine different perspectives on the Welsh experience

The [‘Designing Your Curriculum’](#) guidance, published to support schools in implementing the Curriculum for Wales framework, explains that Wales, like any other society, is not a uniform entity, but encompasses a range of values, perspectives, cultures and histories that are inclusive of everyone who lives in Wales. In contemplating different perspectives, and different ethnic and cultural thinking in Wales, learners will appreciate the extent to which they are part of a wider international community, fostering a sense of belonging that can encourage them to contribute positively to their communities.

The Design Your Curriculum guidance also explicitly states that learning should “Focus on the experiences of ordinary people, including those who have traditionally been underrepresented.”

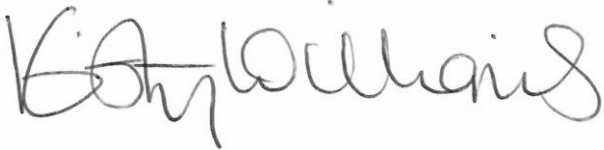
On 21 July, I was pleased to announce that Professor Charlotte Williams OBE, a leading academic who has written about ethnic diversity in Wales, has agreed to chair a Communities, Contributions and Cynefin: BAME Experiences and the New Curriculum Working Group.

The work of the Group will be closely aligned to the Estyn review of Welsh history will be carried out in phases. The first phase will focus on a review of existing resources available to teachers and good practice, and the second phase will focus on a review of professional learning related to BAME communities. This phased approach will allow us to feed into teaching for the coming academic year and before the Group is hopefully in a position to present key recommendations to me by the end of December.

I have received a significant amount of correspondence in this area, which also raises the need to address the under-representation of BAME communities in the education workforce is an issue that we are actively seeking to address. We have set up a project to specifically look at the issues around recruitment to Initial Teacher Education programmes and into the

workforce more generally. We have commissioned the Education Workforce Council to undertake a review of the data that is available to support our development of policy. We are also engaging with relevant stakeholders such as the Race and Faith Forum and the Ethnic Minorities and Youth Support Team. Our engagement with other stakeholders will increase as the project progresses. We will use the data and the intelligence provided by stakeholders to develop policies to strategically address the shortage of BAME representatives in the education workforce.

Yours sincerely

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

Kirsty Williams AS/MS
Y Gweinidog Addysg
Minister for Education

P-05-1000 Make it compulsory for Black and POC UK histories to be taught in the Welsh education curriculum, Correspondence – Petitioner to Committee, 03.09.20

In a 2018 collaborative report by Ethnic Minorities & Youth Support Team Wales, Show Racism the Red Card, Race Council Cymru, and Tros Gynnal Plant on [‘Experiences of Racism & ‘Race’ in Schools in Wales’](#) (I have attached a link to the report here) it was asserted that the Welsh curriculum has consistently been a ‘White curriculum’ (p.22). Difficult histories and complex subjects can be very daunting for teachers to discuss, especially in a classroom where these conversations may not have been brought up before. It is imperative that a holistic humanities curriculum includes a range of BAME histories and cultural studies, however, histories of slavery, Welsh colonialism and imperialism are immensely important as they are integral for understanding modern racism and discrimination.

With the new Welsh Curriculum being rolled out in the near future, how will the education department ensure that diverse histories are included by schools when writing their own curriculums?

The report from 2018 also revealed that teachers felt ‘unprepared to confront racist incidents in an effective way’ (p.18). After discussions with friends completing the PGCE qualification, they expressed a similar lack of confidence in discussing complicated subjects; including the impact of colonialism and imperialism on modern Britain, distressing or harrowing histories, and current political topics, for fear of “getting it wrong.” They were also concerned by the thought of having to mediate discussions surrounding the Black Lives Matter movement and felt ill-prepared to de-escalate emotive debates.

What support and training will the education department be providing to educators and teachers in how to discuss these complicated topics in classrooms?

Extra support from official sources could instill greater confidence in educators in how to appropriately conduct meaningful discussions surrounding racism, sexism, colonialism, and imperialism.

Are the Senedd/Welsh Parliament/Welsh Government intending to allocate funding towards the production of resources and materials for educators to use?

If so, will this be outsourced to third party companies or will this be something that the working group led by Professor Charlotte Williams will address?

All the best,

Angharad Owen

Agenda Item 6.4

P-05-996 To call on the Welsh Government not to remove, damage or destroy any historical symbols in Wales

This petition was submitted by Aled Thomas having collected a total of 415 signatures.

Text of Petition:

The recent Black Lives Matter protests have resulted in the Welsh Government reassessing the appropriateness of statues, public buildings and street names which have links to slavery.

We believe that no public authority should remove, damage or destroy any of them

Senedd Constituency and Region

- Cardiff West
- South Wales Central

P-05-996 To call on the Welsh Government not to remove, damage or destroy any historical symbols in Wales

Y Pwyllgor Deisebau | 15 Medi 2020
Petitions Committee | 15 September 2020

Reference: RS20/13469

Petition Number: P-05-996

Petition title: To call on the Welsh Government not to remove, damage or destroy any historical symbols in Wales

Text of petition: The recent Black Lives Matter protests have resulted in the Welsh Government reassessing the appropriateness of statues, public buildings and street names which have links to slavery.

We believe that no public authority should remove, damage or destroy any of them.

1. Background

In June 2020, during the Black Lives Matter protests, a crowd toppled a statue of slave trader Edward Colston, leading to a public debate about the appropriateness of historical acts of remembrance.



For instance, Cardiff Council has since voted to remove a statue of Thomas Picton from City Hall. The statue will be covered up whilst the Council seeks permission from Cadw to remove it. Picton was the highest ranking general to die at Waterloo, and was convicted of authorising the torture of a teenage girl whilst he was Governor of Trinidad. In Carmarthenshire, Councillors plan to address racism by reviewing monuments and street names, including an obelisk to Thomas Picton, in Carmarthen.

2. Welsh Government action

On 18 June the Senedd's Culture, Welsh Language and Communications Committee wrote to the Welsh Government calling for "an inventory of statues in public spaces" to enable "an open discussion about the way historical figures are remembered in Wales' significant public spaces". It said that:

The Committee is interested in establishing some guiding principles for public bodies on how to make balanced judgements when deciding whether it is appropriate to continue displaying certain figures.

On 6 July the Welsh Government announced it had commissioned an audit of statues, street and building names to address Wales' connections with the slave trade, led by Gaynor Legall. An external group of young people and communities will be consulted about the findings before the Welsh Government considers its next steps in this area.

3. Welsh Parliament action

In August 2020 the Senedd's Culture, Welsh Language and Communications Committee launched an inquiry looking into Who gets remembered in public spaces?

The Committee is not looking at the rights and wrongs of individual instances, such as statues or street names. Instead, it is looking for views on what principles should be used to decide who is commemorated, and what process should be followed if people want individual instances to be removed or changed.

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

Title:

these briefings are not necessarily updated or otherwise amended to reflect subsequent changes.



Eich cyf/Your ref: P-05-996
Ein cyf/Our ref: FM-/01372/20

Janet Finch-Saunders MS
Chair of Petitions Committee
Senedd Cymru

petitions@senedd.wales

4 August 2020

Dear Chair

Thank you for drawing my attention to Petition P-05-996 calling on the Welsh Government not to remove, damage or destroy any historical symbols in Wales.

The Black Lives Matter movement has brought to the fore a number of issues which we need to address as a country, one of which is the need to reflect on the nature of the visible reminders of the country's past which exist in communities across Wales.

To help us in this process of reflection, I have announced the establishment of a task and finish group charged with undertaking an audit of historic monuments and statues, street and public building names, associated with the history of black communities in Wales, and in particular the slave trade.

Under the Well-Being of Future Generations Act 2015, the Welsh Government has a duty to work towards a Wales that is more equal. This audit is important work to further the equality of people and communities across Wales.

Once the audit has been completed we will consider appropriate response. However, it would be inappropriate to suggest what these might be at this stage.

I enclose a link to my written statement setting out more information about the audit:

<https://gov.wales/written-statement-audit-public-monuments-street-and-building-names-associated-history-black>

Best wishes

MARK DRAKEFORD

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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 6.5

P-05-1001 Hold an independent inquiry into the choice of site for the proposed new Velindre Cancer Centre

This petition was submitted by Amelia Thomas having collected 5,241 signatures online and 113 on paper, a total number of 5,354 signatures.

Text of Petition:

£30M would be spent on roads alone to access the land on which the new Centre is proposed. The old Whitchurch Hospital and the existing Velindre site have access in place already, and are viable alternatives.

The current plan is not in line with best practice for modern joined up cancer care, which is person-centred with services physically linked to larger acute hospitals. Heath Hospital offered Velindre space alongside Cardiff Uni cancer research in their new build due to start in 2023.

Additional Information

Velindre University Health Board would swap their current land (Whitchurch hospital site) for the meadow land, (owned by Cardiff and Vale Health Board). £30M of tax payers money would need be used to build access roads to enable building to take place on this land-locked meadow linked to SSSI.

Taking away the Northern Meadows would be hugely detrimental to physical and mental well-being.

Cancer treatment has become more complex, and patients undergoing treatment have increasingly complex issues. Locating at the Heath alongside Cardiff Uni cancer research, would provide rapid access to intensive care and other key medical and surgical specialties when patients need them.

The proposed Velindre Cancer Centre model is outdated & must be scrutinised. Onsite surgical and medical support services are considered ESSENTIAL: <https://www.england.nhs.uk/east-of-england/wp-content/uploads/sites/47/2019/08/Independent-Clinical-Panel-Report.pdf>

https://savethenorthernmeadows.wales/?page_id=1129

Senedd Constituency and Region

- Cardiff North
- South Wales Central

P-05-1001 Hold an Independent Inquiry into the choice of site for the proposed new Velindre Cancer Centre

Y Pwyllgor Deisebau | 15 Medi 2020
Petitions Committee | 15 September 2020

Reference: RS20/13470

Petition Number: P-05-1001

Petition title: Hold an independent inquiry into the choice of site for the proposed new Velindre Cancer Centre

Text of petition: £30M would be spent on roads alone to access the land on which the new Centre is proposed. The old Whitchurch Hospital and the existing Velindre site have access in place already, and are viable alternatives.

The current plan is not in line with best practice for modern joined up cancer care, which is person-centred with services physically linked to larger acute hospitals. Heath Hospital offered Velindre space alongside Cardiff Uni cancer research in their new build due to start in 2023.

Velindre University Health Board would swap their current land (Whitchurch hospital site) for the meadow land, (owned by Cardiff and Vale Health Board). £30M of tax payers money would need be used to build access roads to enable building to take place on this land-locked meadow linked to SSSI.

Taking away the Northern Meadows would be hugely detrimental to physical and mental well-being.

Cancer treatment has become more complex, and patients undergoing treatment have increasingly complex issues. Locating at the Heath alongside Cardiff Uni cancer research, would provide rapid access to intensive care and other key medical and surgical specialties when patients need them.



The proposed Velindre Cancer Centre model is outdated & must be scrutinised. Onsite surgical and medical support services are considered ESSENTIAL:

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https://savethenorthernmeadows.wales/?page_id=1129

1. Background

A petition to hold an independent inquiry into the choice of site for the proposed new Velindre Cancer Centre has been submitted to the Petitions Committee.

A counter petition is collecting signatures on the Senedd website, calling on the Welsh Government to support the current proposed plans to build a new Velindre Cancer Centre at Whitchurch, Cardiff. It states; ‘the current plan will ensure that Velindre Cancer Centre continues to provide specialist cancer services in a location that is more accessible to patients, with better access from Junction 32 of the M4. It is widely accepted that hospitals set within a natural setting aids patient recovery and lowers the stress levels of families and staff at hospitals’.

The Committee has received written evidence from Velindre University NHS Trust. The Welsh Government has yet to respond to the petitions.

The provision of the new replacement cancer centre in South East Wales is a central focus of the Welsh Government and NHS Wales strategy for Transforming Cancer Services, to help to address the predicted on-going increase in demand for cancer treatment over the next few decades. The Project is one of three projects for the Welsh Government’s Mutual Investment Model (MIM) Programme to support investment in capital infrastructure in Wales. The plans for the new cancer centre have been approved by the local Health Boards in South East Wales and the Welsh Health Specialist Services Committee.

The Proposed Velindre Cancer Centre

The Velindre University NHS Trust website sets out why a new cancer centre is needed in Wales. It states that; ‘the current 60 year-old Velindre Cancer Centre does not have the facilities or space to meet the needs of the increasing number of people diagnosed with cancer’. The new cancer centre will have the capacity to treat more patients, and will also support international research and development.

The petitioner argues that ‘the proposed Velindre Cancer Centre model is outdated and must be scrutinised’. The petitioner states that ‘the current plan is not in line with best practice for modern joined up cancer care’. The petitioner also highlights the environmental implications of the proposed site.

The Environment

The new Velindre Cancer Centre is due to open in 2024. Cardiff City Council granted planning permission for the new centre in the Spring of 2018, but there has been opposition to the plans for the new facility. It is due to be built about half a mile north east of the current Velindre cancer centre, referred to locally as the ‘northern meadows’.

The Velindre University NHS Trust state on their [website](#) that ‘sixty per cent of the northern meadows will remain undeveloped’. However, the petitioner states that ‘taking away the northern meadows would be hugely detrimental to physical and mental well-being’. Concerns have been raised over the loss of green space, used by many for walking, and the impact the development will have on the environment. Concerns have also been raised about an increase in traffic in the area.

On their website, Velindre University NHS Trust explain why the new cancer centre must be built on the site of the northern meadows, stating;

The northern meadows was selected because it is NHS owned where the principle of development is already well established and agreed by the council.

(The council has already granted planning permission for housing on the site).

The site’s proximity to the M4 and A470 means that it provides easier access for three quarters of our patients who travel to us from across south East Wales. They will no longer have to travel into the village of Whitchurch.

Thirdly, the site provides the space and quality of outlook which will help our patients and their wellbeing at difficult and anxious times.

In their written response, Velindre University NHS Trust reiterate that Cardiff Council granted planning permission for housing on the site in 2001 and in 2018 it also granted outline planning permission for a new cancer centre. It states ‘the site was selected after reviewing other potential options available in the wider NHS estate’.

The northern meadows site, which is next to Whitchurch hospital, is owned by Cardiff and Vale University Health Board.

Alternative sites

The petitioner is calling for an independent inquiry into the choice of the site for the Velindre cancer centre, stating that ‘there are viable alternatives’. The Velindre University NHS Trust website includes details of the other sites that were considered, including those referred to by the petitioner;

Why can't you build on the existing Whitchurch Hospital site instead of the northern meadows?

The site is not big enough to achieve the patient experience we are aiming for. The northern meadows site is bigger than the current Velindre Cancer Centre and Whitchurch Hospital sites put together.

It will also improve access to the new Velindre Cancer Centre for three-quarters of our patients who come from areas outside of Cardiff.

The old Whitchurch Hospital is also listed which makes it difficult to redevelop as a modern cancer centre.

In their written evidence, Velindre University NHS Trust explain that they reviewed the possibility of building on the current Whitchurch Hospital site but that it was too small to construct the cancer centre to the required standards (p.11).

Other sites considered included NHS land in Newport and land adjoining the University Hospital of Wales (UHW) in Cardiff, but these were ruled out because the sites were deemed too small to provide what was needed.

The petitioner states that ‘Heath Hospital offered Velindre space alongside Cardiff Uni cancer research in their new build due to start in 2023’. In their written evidence, Velindre University NHS Trust clarify that Cardiff and Vale University Health Board (CVUHB) has not offered the Trust land by the Heath to develop a new cancer centre and there are no confirmed plans for a “new build” starting in 2023. Velindre University NHS Trust state that the site for a new University Hospital of Wales has not yet been agreed (p.11).

Cancer Services

The Velindre University NHS Trust website’s section on cancer services aims to address some of the issues that are raised by the petitioner, including whether the new cancer centre should be built on the site of a larger acute hospital;

Shouldn't the new cancer centre be built on the site of a larger acute hospital?

No. We considered these options with our staff, partners and patients and concluded that the proposals we are now pursuing work best for us all.

Velindre provides a regional service, supporting patients from across south east Wales. Our staff already work closely with, and on, a number of hospital sites and will do so more in future.

The model for the way we provide services is modern and fits with the lessons of COVID-19 which show that there should be an appropriate separation between acute and elective care.

It also aligns with the Welsh Government's plan for health and social care in Wales. "A Healthier Wales", published October 2019, sees large general hospitals in future supporting the delivery of specialist services across networks of hospitals and centres of excellence. Our plan for a new cancer centre of excellence, on its own site, and part of the Cancer Services Network, is in line with this policy.

Our plan also reflects the reality that there is no existing hospital site which has the space to hold eight specialist radiotherapy machines.

Further details are provided on the number of ambulance journeys from the current centre, and how access to acute services off site can be accessed quickly and safely.

The written evidence submitted by Velindre University NHS Trust outlines the engagement work it has undertaken with clinicians and patients in support of its clinical model. Velindre University NHS Trust insist that their approach has the support of the health boards and their clinicians from across the region, emphasising it has been subject to scrutiny and independent review.

A recent BBC Wales article (published on 8 September 2020) refers to a letter, signed by fifty-seven cancer experts, that has been sent to the Minister for Health and Social Services outlining concerns for patient safety at the new Velindre cancer centre. The letter has yet to be published. However, the BBC articles states that 'the Minister has responded to the letter confirming that the Velindre Trust would seek independent advice on the clinical model for the new cancer hospital'. It goes on to say 'the chief medical officer is also discussing the management of acutely unwell cancer patients with health board medical directors to ensure that current model of delivery is fit for purpose'.

The petitioner provides a link to the Mount Vernon Report, stating that the development of the new Velindre cancer centre should learn from the clinical advisory panel review and recommendations. NHS England commissioned an urgent review of Mount Vernon Cancer Centre (MVCC) in May 2019, led by the East of England Specialised Commissioning Team, due to

increasing concern regarding the sustainability of a safe and high quality oncology service provided at the site. Velindre University NHS Trust state;

The Velindre Cancer Centre is very different to Mount Vernon in terms of its geography, population and workforce challenges as well as collaborative working arrangements

Velindre has not faced the same challenges regarding recruitment and retention of staff and the resulting impact on training. Our network of services with the three health boards in south east Wales give us a strong regional focus for our services.

We have considered the lessons learnt from the Mount Vernon report around the management of unwell patients and, as a result, we are refining our current service....

Recent developments

Following outline planning permission for a cancer centre on the northern meadows site, two further planning applications have been submitted to Cardiff City Council to revise access roads to the new Velindre Cancer Centre. Asda supermarket had raised concerns over traffic congestion but the supermarket has since worked with the Trust to resolve those issues. In their written evidence, Velindre University NHS Trust say that the planning application to revise the access roads will reduce overall costs and bring forward the opening date.

(The petitioner refers to £30 million that 'would be spent on roads alone to access the land on which the new centre is proposed'. Velindre University NHS Trust state that the figure of £26.9 million to deliver these roads, includes the cost of enabling works for the site, not just roads).

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.

Chair of the Senedd Petitions Committee

2 September 2020

Dear Chair

Thank you for your letter of 10 August requesting a formal response to the petition published on the Senedd Petitions website on 16 July under the heading "Hold an Independent inquiry into the choice of site for the proposed new Velindre Cancer Centre".

Since then, a new petition supporting the new Velindre Cancer Centre has been published on the Senedd website with a closing date of 24 September. As I write, it has attracted over 7000 signatures. I look forward to hearing the Committee's views on whether the two petitions should be considered together given they address the same subject, albeit from different perspectives.

This submission provides a response to the substantive issues raised by the petition. It also provides background information on the new Velindre Cancer Centre project which the committee might find helpful.

Background - playing our part in transforming cancer services in South East Wales

There are more and more people being diagnosed with cancer. The system as it stands is not working as best it should – and Velindre University NHS Trust has a critical role in improving outcomes for cancer patients in Wales.

The 60 year-old Velindre Cancer Centre does not have the facilities or space we need. There is no space for future development. We're not giving every patient the best possible service joined up close to home wherever they live. And we're not preventing enough cancer in the first place.

So, across the system, whatever our roles and wherever we are based, organisations are coming together to improve cancer services.

Following considerable engagement with patients, staff and our regional NHS Wales partners, the Welsh Government approved a strategic outline programme to establish the Transforming Cancer Services programme.

Improving patient outcomes is at the heart of the programme and what we do. It's the starting point for our service model for cancer services today and the services we're developing for the future. We want high quality cancer treatments to be easy to access for patients across south east Wales and for the care offered to be excellent.

That means working with our partners to look at opportunities to integrate services better. We want to play our part in improving the whole cancer pathway for patients from cancer awareness and prevention to early diagnosis and treatment and we want to support people who are living with the impact of cancer palliative care and advance care planning.

We also want to work collaboratively with academic partners across Wales and beyond to ensure Wales plays its part in internationally renowned cancer research, development and innovation. Velindre already plays a key role in international research but our current 60 year old cancer centre does not portray the right image to meet the ambitions of the organisation or indeed Wales.

We believe that a leading role in research, development and innovation will contribute directly to a sustainable future for the Welsh oncology workforce and so secure the development of cancer services fit for future generations.

Working to these principles, the Transforming Cancer Services programme has been tasked with delivering four key services changes for cancer patients in south east Wales:

- at home: more care, support and treatment in people's homes if they so wish
- a small number of purposely designed 'Velindre @' locations on Health Board sites, referred to as Velindre outreach facilities
- a Radiotherapy Satellite Unit to be located at Nevill Hall Hospital in Aneurin Bevan University Health Board
- a new specialist non-surgical cancer centre to replace the existing Velindre Cancer Centre.

The northern meadows site

The northern meadows was selected because it is NHS owned land where the principle of development is already well established and agreed. Cardiff Council

granted planning permission for housing on the site in 2001 and in 2018 it also granted outline planning permission for a new cancer centre.

The site's proximity to the M4 and A470 means that it provides easier access for three quarters of our patients who travel to us from across south east Wales. They, like many of our staff, will no longer have to travel into the village of Whitchurch.

The site provides the space and quality of outlook which will help our patients and their wellbeing at difficult and anxious times.

The site was selected after reviewing other potential options available in the wider NHS estate.

We identified potential sites at Llanfrechfa Grange, north of Newport, land opposite the Royal Gwent Hospital in Newport and land adjoining the University Hospital of Wales (UHW) in Cardiff. These sites do not provide what we need. The Newport sites were not geographically suitable because we provide cancer services to people living as far west as Bridgend with many of our patients living in the Cwm Taf Morgannwg and Cardiff areas. The site near UHW was too small for our needs.

Contrary to the petition wording, Cardiff and Vale University Local Health Board has not offered us land by the Heath to develop a new cancer centre and there are no confirmed plans for a "new build" starting in 2023. The site for a new University Hospital of Wales has not yet been agreed. I understand that the Cardiff and Vale University Health Board is at the start of the Programme Business Case and as part of that process there will be a need to do a site options appraisal. That has not been done yet and will take some time to complete.

We also reviewed the possibility of building on the current Whitchurch Hospital but this was too small to construct the cancer centre to the required standards. It is also listed which makes it difficult to redevelop as a modern cancer centre.

Land to the south west of Whitchurch Hospital has outline planning permission for a hospital but is too small.

Following our outline planning permission for a cancer centre on the northern meadows site, we submitted two further planning applications to Cardiff Council on 9 June 2020 to revise access roads to the new Velindre Cancer Centre which will reduce overall costs and bring forward the opening date.

The petition refers to a cost of £26.9 million to deliver these roads. This description is incorrect. The figure covers the cost of all our enabling works for the site, not just roads. Enabling works include tasks such as excavation, levelling, site surveys, drainage and the connection of utilities as well as roads and bridges for improved access, the widening of the slip-road directly off the Coryton roundabout and further improvements to help ease traffic flow in the area.

The petition also refers to the Northern Meadows site as “this land-locked meadow.” This is also incorrect. The Northern Meadows are accessible from the south, through the Whitchurch Hospital site. The land was previously used as part of the hospital site. The aforementioned planning permission for housing on the northern meadows proposes an access road through the Whitchurch Hospital site.

Clinical model development

The clinical model which underpins the Transforming Cancer Services programme has been developed in partnership with our regional colleagues, our staff, stakeholders and patients.

The first phase of engagement ran between April and August 2015 and included the voices of over 400 participants. These engagement events were supplemented with input from three national groups – the NHS Wales Directors of Planning, Nursing and Medical Directors respectively. During these events, all participants were asked to provide feedback in terms of how services could be improved and importantly to identify which elements of the current service model they felt we should retain.

A number of key findings and themes emerged from these initial engagement events and they were used to inform the process of developing a detailed clinical service model of care. Fundamental to the development of the service model was the establishment of a clear set of clinical principles which included (i) offering high quality and equitable non-surgical cancer care to the population of south east

Wales (ii) improving patient outcomes (iii) reducing the inequalities in those outcomes across the region, and (iv) delivering care closer to home.

This clinical service model was further developed through extensive internal meetings, engagement events with patient and public involvement and a series of workshops with health board cancer leads and wider stakeholder groups (universities, industry, third sector etc.) This involved 49 workshops during 2016 – 2017. Through these events we were able to further develop and enhance the service model which was described in the Strategic Outline Programme and this was presented within the Programme Business Case.

The patient voice was prominent in this process. Patients told us they want services as close to home as possible but they do not mind travelling for specialist services. They said they want the same quality of care and experience wherever the service is provided, that they want to be able to find it and park easily and have good access to spaces for quiet reflection.

We also established a Clinical Advisory Group which had senior clinical representation from health boards and from the Wales Cancer Network. The remit of this group was to ensure that the service model was clinically robust and to provide multi-disciplinary and organisational advice and challenge to the Trust.

The clinical service model is one which supports the broader regional model of care for South East Wales e.g. a network of cancer services. It was set out within the Outline Business Case for the new Velindre Cancer Centre which was formally approved by all health boards (Cwm Taf Morgannwg University Health Board, Cardiff and Vale University Health Board, Powys Teaching Health Board, Aneurin Bevan University Health Board, Swansea Bay University LHB and Hywel Dda University Health Board) and the Velindre University NHS Trust Board in April 2018.

We are constantly seeking to evolve and refine our service model to ensure alignment across the region and so that it delivers high quality and safe care every day.

We are currently undertaking work with our colleagues in health boards to identify improvements we may need to make both at a local Velindre Cancer Centre service

level and regional, systemic level. This will take account of a number of external factors including the impact and learning from COVID-19, changes in clinical practice within the region and broader evidence base, areas for potential improvement raised by staff and LHB/Wales Cancer Network cancer strategies and plans.

On a local Velindre Cancer Centre level, we are currently concentrating on a small number of areas including research and development, training and education. A significant piece of work is being undertaken in partnership with colleagues from health boards and the Trust on unscheduled care and acute oncology services to deliver a joined-up, appropriate regional response. Any improvements identified by all work streams will be used to supplement and strengthen the regional model we have agreed with health boards and feed into our current plans.

In November 2019 we established the Collaborative Cancer Leadership Group (CCLG) in south east Wales. This group, chaired by the Chief Executive Officer of Cardiff and Vale University Health Board has met twice, due to COVID19, and includes members from the other health boards in South East Wales. It is responsible for leading the regional approach to system design and delivery supported by the NHS Wales Chief Executive Group.

All these developments will help us deliver services that are fit for cancer patients today and develop cancer services fit for future generations.

Conclusion

The development of the new Velindre Cancer Centre has been part of a long and robust process engaging hundreds of patients, staff and partners at dozens and dozens of events over many years. It's one part of a programme to transform cancer services and improve cancer outcomes across south east Wales.

All of the reviews and consultations we have undertaken confirm that our clinical model is the correct one for the needs of the population we serve and that the location of the new Velindre Cancer Centre on the Northern Meadows site is the most effective and timely means of delivering that clinical model.



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Above all, we are confident that our proposals are what will work best for our patients. The patient voice has been loud and clear in the process. Velindre has an excellent record in patient safety and patient satisfaction and patients want this experience further improved in a modern building on a green site. Patients in their thousands have expressed their support for the new cancer centre in Whitchurch.

Finally, I'd like to clarify that the petition refers to our organisation as Velindre University Health Board. We are Velindre University NHS Trust. The Trust directs the strategy and performance of our two main Divisions, Velindre Cancer Centre and the Welsh Blood Service, and host Health Technology Wales, NHS Wales Shared Service Partnership and NHS Wales Informatics Service. Our blood and transplantation services are delivered across Wales and our cancer services are commissioned by our partners, the Local Health Boards of south east Wales.

I hope you find the information included helpful as you consider the petition. I would be happy to provide you with any further information if required or deemed helpful,

Yours sincerely

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

Professor Donna Mead OBE
Chair of Velindre University NHS Trust

Paper to Senedd in support of the petition “Hold an independent inquiry into the choice of site for the proposed new Velindre Cancer Centre”

Velindre’s NHS workers provide outstanding care, compassion and treatment. Accordingly, *Save The Northern Meadows* (STNM) stands with all who feel hugely grateful for Velindre. STNM’s posters declare **YES to Velindre**, before saying **NO to Meadow Destruction**. YES for the highest and the best, a top quality cancer care service in South-East Wales. STNM stands fully behind patient wellbeing, the safest medicine possible, respect for all NHS key workers and the integrity of medicine itself. The campaign’s special role is to fly the flag for a corresponding and supportive health asset – green spaces that are a community’s lungs and beating heart, an indispensable constituent of a community’s health and wellbeing <https://savethenorthernmeadows.wales/campaign-overview/>

The Case for a Review

The petitioner’s request for an independent review is to ensure that all in South East Wales benefit from the best treatment model, service provision and maximum use of resources over the next 60 years. Velindre’s Professor Tom Crosby has said on air, “It’s taken us ten years to get here.” Precisely, and it’s taken over three years from the announcement of a New Velindre to where we are now: no building designs or architect, no agreed access, no construction contracts, no work begun. Welsh Government investment in an urgent cancer provision is fully warranted but with such little progress, and on the rim of rapid, huge post-Covid 19 expenditure, the time is ripe for an independent review.

To consider a review which may result in a changed approach is not unreasonable. On the contrary it is wise and decisive. The current proposals for access do not even have WG funding approved – in response to an [FOI request August 2020 ATISN 14204](#), WG advised: “*The Outline Business Case for the enabling [works]... is presently being reviewed by Welsh Government officials...no decision has been taken in respect of funding for the site access works.*” Actual build costs for it are shown as “awaiting *competitive dialogue.*”

The costs of the enabling works alone are so prohibitive that developers would not take on the project, as it doesn’t promise sufficient profit unless “*shovel ready*”. Only then, with access done, can the MIM’s proposal for financing focus “on the Velindre Cancer Centre facility.” ([WG FOI request August 2020 ref ATISN 14204](#)). However, if nVCC were located on a general hospital site, most of the claimed access £26.9m will disappear. No excavation, drainage, connection of utilities and most notably access roads and bridges (cited as costs in nVCC’s letter to Petition chair). On final costs some professionals have quoted a real total of £500m. An enquiry could bring clarity to the present situation.

So even nVCC can’t know the precise costs of the access works and therefore are not positioned to question our petition’s figures. Equally, it’s hardly fair for nVCC to query a petitioner’s use of the term ‘*roads*’ instead of ‘*access route*’ as in their planning application (20/01110/MJR). The issues are frankly far more serious than that.

As for the petition supporting the new VCC, it doesn’t oppose STNM’s at all, but supposes its success more than we dare. It merely requests ‘Support [New VCC] *in any future inquiry.*’ However, our role in this paper is not to evaluate a petition requesting Welsh Government to show partiality during an *independent* inquiry such as ours. That is for the committee. We’re concerned about issues much more serious than how two petitions relate. In the next session our clinical advisers have helped us make this clear.

Clinical Issues

It’s not disputed that we need a new Velindre Cancer Centre. It should offer world class, safe, sustainable services. In our region, many live in some of the most deprived areas in Europe, with poor outcomes on most health measures, including for cancer. They deserve better, they deserve

nothing but the best. We know that this can be delivered. The need for an independent clinical inquiry is therefore implicit in the petition.

Concerns over the Velindre care model

There are today grave concerns over the safety and sustainability of a stand-alone cancer centre. VCC has been such for the 60 years since it was built. This means that unlike many other cancer centres of similar scope, scale and reputation it doesn't offer care for tumours of the blood, children or adolescents, cancer surgery, acute medicine (e.g. dialysis, cardiology), interventional radiology (e.g. drains, stents), endoscopy or intensive care facilities. Stand-alone centres elsewhere have encountered safety problems and been forced into reconfigurations as a result. The rebuild offers the opportunity to proactively 'future-proof' the cancer service offered to the people of SE Wales.

Safety for the patient

There have been many developments in cancer care since the start of the Transforming Cancer Services (TCS) programme, and even in the three years since planning permission was granted for the new centre. Effectiveness has increased, but so has treatment toxicity. Cancer centres built in the 21st Century (such as Leeds, and Liverpool's Clatterbridge) provide integrated cancer care on acute hospital sites so patients requiring urgent surgical or medical intervention, or urgent critical care with ventilatory support, can be treated immediately rather than transferred in an ambulance to another hospital. Time is crucial in an emergency.

External reviews of other UK centres, carried out in response to safety concerns, have concluded that the safest care is provided when on the same site as a large acute hospital with a full range of medical and surgical specialities. Between May and July 2019, a Strategic Review of the Mount Vernon Cancer Centre was carried out, regarding future provision of services for a population of 2 million people.

<https://www.england.nhs.uk/east-of-england/wp-content/uploads/sites/47/2019/08/Independent-Clinical-Panel-Report.pdf>

The reviewers noted

- the increased intensity and toxicity of modern-day treatments, and the increasing age and co-morbidity of patients
- the need for comprehensive support services, including ITU, meant that some services, should relocate to a hospital with comprehensive acute services and oncology expertise on site.

In another example, staff at the Beatson Cancer Centre in Scotland alerted the General Medical Council to safety concerns when their acute services were withdrawn to a more distant hospital, leaving the Beatson as a stand-alone centre. Healthcare Improvement Scotland recommended that co-location of non-surgical oncology services with acute services, including critical care, medical and surgical specialities, should be pursued at the earliest opportunity.

http://www.healthcareimprovementscotland.org/our_work/governance_and_assurance/programme_resources/beatson_enquiry_visit.aspx

https://www.nhsggc.org.uk/media/256389/item-9-paper-no-19_47-moving-forward-together-update.pdf

Neither VCC nor the proposed new VCC has facilities to deal with acutely unwell patients, who are transferred to acute hospitals, usually UHW. Such transfers are said by the Trust to be required around 30 times a year, with ambulance transfer taking 'minutes'. Staff at Velindre and UHW believe that urgent transfer is much more common than this, and takes much longer to arrange and carry out. We are awaiting responses to Freedom of Information requests lodged simultaneously with Velindre NHS Trust and the Welsh Ambulance Service Trust on 24/08/2020, to determine:

- the number of 999 calls made to request urgent assistance,
- whether there were any deaths at scene prior to transfer,
- how many patients at the less acute end of the spectrum required non-emergency ambulance transfer to other hospitals for treatment or intervention not available at the Velindre site.

The Trust point to the Emergency Medical Retrieval and Transfer Service as a safeguard, although this helicopter service is based 51 miles away, and overnight it is actually a single car covering the whole of Wales. The service can't guarantee their availability to attend and treat at scene, yet the Trust suggest that this is an acceptable safety arrangement.

Sustainability

Velindre cancer centre is held in high esteem in Wales. The new centre must be able to offer all modern therapies for this to remain the case. Velindre can currently recruit high quality staff and trainees. This may change in the future with the proposed clinical model. The Mount Vernon review commented specifically on the detrimental impact of transferring acutely unwell patients on staff skills, recruitment and retention (p9).

It has already been decided that CART therapy (a type of immunotherapy) can't be safely provided at Velindre. Instead it will be delivered from UHW. The inability of a new standalone cancer hospital to deliver CART will severely diminish the ability of Cardiff to attract Oncology trainees and Consultants, to the detriment of clinical cancer services in SE Wales.

The Trust states that research is a key driver for excellence, and clinicians agree. Many of the UK's best cancer researchers and facilities, including in Cardiff, are on acute hospital sites. Many clinical trials demand immediate access to critical care facilities, meaning these 'early stage' trials can't be conducted on a stand-alone site. Indeed, the current proposal acknowledges this, meaning that this work will need to be conducted away from the nVCC if it is built on a remote site. Again, this can be expected to make Velindre a less attractive place for exceptional staff to build their careers than the integrated centres elsewhere in the UK with whom they will be competing at recruitment.

Lack of clinical support for model

This model lacks clinical support from within Velindre and the wider SE Wales cancer workforce.

- 19 August 2020: a letter calling for an independent clinical review of the model was sent to Minister for Health and Social Services, the Director General of NHS Wales and the Chief Medical Officer for Wales, signed by 57 senior clinicians with a high proportion of cancer care in their work from all three SE Wales Health Boards
- 2 September 2020: a letter calling for independent clinical review of the model was sent to the CEO of the Trust by 34 Consultants and senior nurses at Velindre.
- 2nd September 2020: a letter from Trainees also called for an independent clinical review

Velindre response to feedback and challenge

Velindre's response to the petition describes the process of 'engagement' they have undertaken in determining that a stand-alone model is the preferred option. However, throughout the process Velindre has been resistant to challenge.

- the Trust has frequently publicly responded to calls for an independent clinical review of the model by stating that such a review been carried out in 2017 by Dr Jane Barrett, (without sharing the review's findings, conclusions or recommendations). In response to a personal approach, Dr Barrett has confirmed that in fact her review concerned the siting of a satellite radiotherapy centre, rather than a review of the model for the cancer centre itself.
- the internal letter from staff was only achieved after BMA intervention led to assurances that there would be no repercussions to staff who signed (Velindre is effectively a monopoly employer of oncologists and specialist cancer nurses in SE Wales).
- staff have been criticised in correspondence for approaching their elected representatives (Julie Morgan AM/ Anna McMorrin MP) to discuss their concerns.
- individuals (not Trust employees) approaching the Trust for information about their claims that the model has been subject to independent clinical review were criticised for posting on related topics on social media without first clearing it with the Trust.

Conclusion

We do need a new Cancer Centre, but not at the expense of patient safety. Cancer Care has advanced significantly since the concept and approval of the nVCC back in 2017, with more toxic treatments and a greater reliance on integrated care. Welsh Government's own Plan for Health and

Social Care 2019-20 'A Healthier Wales' reminds us of the core value of NHS Wales - putting quality and safety above all else.

<https://gov.wales/sites/default/files/publications/2019-10/a-healthier-wales-action-plan.pdf>

An independent external review will ensure we are doing the right thing in Wales - or potentially face the same situation that is awaiting resolution at the Beatson. This would be extremely costly to rectify at a later date and would put cancer patients in Wales at a disadvantage for years to come.

Our STNM environment advisers also want a review of VCC's site to highlight the defining crisis of our time, namely climate change.

The Relationship of Environment to Health

The Northern Meadows are not just some local beauty spot. Today, we know green spaces such as these help to address the challenge of climate change. Since planning approval was obtained for nVCC (2017/18), the Minister for Environment, Energy and Rural Affairs, Lesley Griffiths, published a *Climate Change Adaption Plan for Wales, Prosperity for All: A Climate Conscious Wales* in 2019. The author highlighted pivotal actions needed now, such as growing more woodlands, creating more open spaces, improving air quality, reducing erosion, protecting soil and supporting our existing ecosystems.

https://drive.google.com/file/d/1vZ6zqedT3faA8hv_tedx7-yE5FG4K6YY/view

<https://www.walesonline.co.uk/news/health/air-pollution-wales-traffic-asthma-17626718>

This call aimed at nothing less than people's wellbeing. The nVCC's plans for the Northern Meadows, however, will destabilise a precious health asset. Habitat destruction like this violates Welsh Government Policy. Building on a space like Northern Meadows aggravates the adverse health impacts of heat exposure and raises the risk of illness, morbidity and mortality. A greater exposure to green spaces improves mental health and wellbeing while reducing stress, anxiety, depression and boosting immune systems. It also combats loneliness, while encouraging physical activity and so creating a community and social cohesion. Green spaces also reduce the risk of chronic diseases such as asthma. In addition, they're associated with a healthier weight and therefore combat obesity-related health issues which include cancer itself. Green spaces enhance the quality of life for both children and adults, reducing hyperactivity rates and inattention, improving the working memory and motor skills to enable better behavioural outcomes. A site like the Northern Meadows is particularly beneficial to the likes of Ty Coryton and Coryton Primary School

<https://www.sciencedirect.com/science/article/pii/S0143622818312384?via%3Dihub>

The meadows also protect from flooding <https://gov.wales/prosperity-all-climate-conscious-wales> and provide public paths. In February 2020, the Glamorganshire Canal and The Feeder caused several houses to flood. Building on the meadows and draining the excess water into The Feeder would surely increase the risk of flooding again.

Over 5000 wildlife records exist for the meadows and the many specialised habitats. This highly developed mosaic sustains the diversity of wildlife in the surrounding Forest Farm nature reserve, a wildlife integral to our healthy food systems (e.g. the role that pollinators play). The natural habitat is critical to community health and wellbeing – physical or mental. The meadows provide just such space for the 500 residents of the Hollybush estate the majority of whom live in flats with no other access to open space. They and others deserve a review of seemingly reckless plans that cut right across the Healthier Wales vision. When the diggers have finished, the so-called 'mitigations' are no more than sticking plasters over a decapitation. We should be increasing green spaces not reducing them.

To destroy this space when other options exist is a wilful act against public health and only an independent review of the choice of site for nVCC can give Northern Meadows the attention they warrant. For an NHS Wales Trust to countenance this act certainly merits a proper debate and an independent inquiry into whether nVCC's project really is sound and fit for purpose.

Agenda Item 6.6

P-05-1018 Support for the current proposed plans to build a new Velindre Cancer Centre, Cardiff, in any future inquiry

This petition was submitted by Natasha Hamilton–Ash having collected a total of 11,392 signatures.

Text of Petition:

We the undersigned call on the Welsh Government to support the current proposed plans to build a new Velindre Cancer Centre at Whitchurch, Cardiff.

The current plan will ensure that Velindre Cancer Centre continues to provide specialist cancer services in a location that is more accessible to patients, with better access from Junction 32 of the M4. It is widely accepted that hospitals set within a natural setting aids patient recovery and lowers the stress levels of families and staff at hospitals.

Additional Information:

The current location lacks adequate parking and accessed is often delayed causing additional stress and anxiety to patients. The 60 year–old Velindre Cancer Centre does not have the facilities or space to meet this future challenge.

We want a space that blends medical care with nature.

The last couple of decades have seen a major development of research into the impact of architectural design on the success of healthcare environments.

One example is 'healing architecture'. The term 'healing architecture' was first coined in the 1980s, and is a specific discipline of the 'healing environment', which investigates the influence of the environment on patients' healing and recovery process. Research shows that patients could be discharged earlier, and needed fewer painkillers post–surgery, if they were in rooms with a view of a park with trees. Later studies demonstrated that such factors are important not only for the well–being of patients and residents, but for employees as well.

Senedd Constituency and Region

- Cardiff West
- South Wales Central

P-05-1018 Support for the current proposed plans to build a new Velindre Cancer Centre, Cardiff, in any future inquiry, Correspondence – Petitioner to Committee, 05.09.20

Comments regarding the Petition: Support for the current proposed plans to build a New Velindre Cancer Centre, Cardiff, in any future enquiry.

I would like to comment that a supporter Facebook group in favour of the New VCC build in Whitchurch was set up less than two weeks ago and has had over 16600 supporters coming forward in this short time to voice their agreement in favour of this new build Cancer Centre in Whitchurch . This group is growing each day.

Whitchurch is Velindre's Home and has been for the past 63 years. The site proposed belongs to CAVHB and is not a public amenity.

The petition calling for the government to support the current proposed plans has gathered 10000 signatures to date in just a few days. It is worth noting that this petition was unable to run for the full 30 days but could only run for approximately ten days.

Nevertheless, in this short time there are almost treble the number of signatures compared to that from the campaigner's petition calling for an independent review which ran for at least thirty days ended up with far less signatures.

I think that speaks volumes in terms of support for the new VCC in Whitchurch. We all wish for the new VCC build in Whitchurch to progress quickly with no delay.

The Campaigners are calling for an independent inquiry into the choice of site for the proposed new VCC. If this petition is upheld this could delay the build. We know there is now an urgency for the new build as the existing footprint is too small for the number of patients requiring services. (Information obtained from the Mick Button Video produced by VCC) We also know that the access to the cancer centre does cause traffic disruption for Whitchurch and causes anxiety and stress for patients attending the cancer centre. (Feedback from our Facebook Group) The new VCC, which is a welsh government commitment, in Whitchurch developed on the new site would increase the footprint and significantly enhance the access for patients and staff and additionally improve the traffic for Whitchurch.

One of the major benefits of the new development would be to achieve as environment of embracing heath and nature.

I would also like to point out that the Petition by the campaigners calling to Hold an independent inquiry into the choice of site states:

“£30M would be spent on roads alone to access the land“

This is not true. People have signed a petition containing false information.

The figure is 26.9M and covers the cost of improving the access with two bridges, highways, bringing utilities to the site and site preparation. This information has been given out via social media and in answers to questions by VCC.

The campaigners are also calling for the model to be scrutinised claiming that a standalone cancer centre is outdated. This information has been put into the public domain by a handful of clinicians. These clinicians are speaking in opposition to their own LHBs who agree with the new VCC plan.

They refer to a report from NHS England relating to the Mount Vernon Cancer Centre that highlights specific actions and recommendations regarding failings. That certain elements of that report have been cherry picked and are being used to challenge not only the new VCC build but also the existing services provided by the cancer centre. It is extremely worrying that some of these claims are being made on the VCC Facebook group, which would cause anxiety to current patients. I have noticed nurses commenting for people to be kind.

Having read the Mount Vernon report it was identified that the problems arose from staffing issues which in turn affected training and education, which in turn affected the quality of care which was highlighted in the inspection report where improvements were required.

In respect of the VCC inspection report by Health Inspectorate Wales last year the services provided safe and effective care.

The report found no issues with staffing levels and education and training at VCC.

In addition, they refer to the Beatson Cancer Centre and a report from 2015 which highlighted concerns regarding patient's safety. This hospital is on an acute site and issues occurred regarding the management of acutely unwell patients. Again, this is not aligned to VCC.

Both the Mount Vernon report and the Beatson report indicate management failings and are not about a standalone cancer centre. Again, their petition should not be upheld calling for an independent review of VCC. Velindre Cancer Centre has never had any such problems in the last 60 Years.

The Campaigners previous suggestions of building on a brownfield site or on Whitchurch hospital also contradicts their latest objection that the hospital model type is wrong and should be questioned as that also would have been a stand-alone centre should it have been built on one of these previous suggestions. However, all the suggestions point to the same thing – that the land should not be built on in the opinion of the campaigners.

Our petition calls on the government to support and back VCC plans and to swiftly assist them to build this much needed New Cancer Centre as soon as possible on the CAVHB land in Whitchurch.

Please take the time to look on our Supporters of the New Velindre Cancer Centre in Whitchurch Facebook group and you will see that the patients and their families all hold VCC and its incredibly special staff in the highest regard. The experience of VCC whether a happy or sad outcome all praise VCC. The personal touch that is described would not be found in a larger hospital. Another theme I have noted is that the patients and their families have a sense of " we are all in this together" whilst fighting this awful disease when entering Velindre. This would not be found in a larger hospital as suggested UHW which has deemed unfit for purpose in 2019.

Healing Architecture which has been thoroughly researched has found that there are significant health benefits to patients in terms of recovery times when in surroundings with trees etc. This environment would not only benefit the patients but their families as well. To take a breath and to take in the outdoor surroundings of a beautiful garden or the wind blowing through the trees I believe would make such a difference at such moments when the effects of the treatment and the psychological impact becomes challenging.

Such an environment would also be a benefit to staff who may need to take a moment with such an emotional job.

It would also allow members of the public including the campaigners to enjoy 60 % of this area in addition with the benefit of well-maintained surroundings at one with Nature.

The patients, some of the most vulnerable in some South East Wales are unable to choose their surroundings for Chemo or Radiotherapy so this would benefit them so much. Whereas non patients can choose one of the many areas available locally such as the Glamorganshire canal, Taff trail to name but a few to walk on to help with their emotional wellbeing or they even have the choice to drive somewhere else. Patients do not.

As there will be 60 % of the meadow remaining, we will all be able to co-exist whilst providing a Cancer Centre of Excellence - with the aim to be the greenest hospital in Britain.

Please consider and uphold our petition for the Majority of South East Wales.

1 in 3 of us will get cancer in our lifetime. Please assist VCC to move swiftly with their plans and help save multiple lives.

Agenda Item 6.7

P-05-1002 Apply stamp duty holiday to all house purchases in Wales

This petition was submitted by Paul Southard having collected a total of 53 signatures.

Text of Petition:

It is unfair that the WAG not follow suit as the rest of the UK on the stamp duty holiday announced by the chancellor on 8th July. At present the holiday only applies to first time buyers or those moving up the property chain in Wales. It would benefit the economy more for this holiday apply to prospective landlords, or families wanting to buy a holiday home, or other cases. In England a saving can be made of £15,000 whiles in Wales a maximum of £2,450. Why are we always the poor neighbour!!!

Senedd Constituency and Region

- Gower
- South Wales West

Apply stamp duty holiday to all house purchases in Wales

Y Pwyllgor Deisebau | 15 Medi 2020
Petitions Committee | 15 September 2020

Reference: RS20/13472-1

Petition Number: P-05-1002

Petition title: Apply stamp duty holiday to all house purchases in Wales

Text of petition: It is unfair that the WAG not follow suit as the rest of the UK on the stamp duty holiday announced by the chancellor on 8th July. At present the holiday only applies to first time buyers or those moving up the property chain in Wales. It would benefit the economy more for this holiday apply to prospective landlords, or families wanting to buy a holiday home, or other cases. In England a saving can be made of £15,000 while in Wales a maximum of £2,450. Why are we always the poor neighbour!!!



1. Background

In April 2018, Stamp Duty Land Tax (SDLT) was devolved to Wales. The Welsh Government replaced SDLT with Land Transaction Tax (LTT) and it is responsible for any changes to LTT in Wales.

LTT applies to property purchases in Wales and has different tax rates and bands to SDLT which is paid in England and Northern Ireland.

The Welsh Government published its LTT rates and bands for 2020-21 in its most recent budget. In February 2020, pre-COVID, it was forecast that the residential element of LTT would raise £179 million in 2020-21. The budget set out the rates and bands for purchasing residential properties as shown below.

Table 1. Residential LTT rates and bands for 2020-21

Threshold	LTT rate
£0 - £180,000	0%
£180,001 - £250,000	3.5%
£250,001 - £400,000	5%
£400,001 - £750,000	7.5%
£750,001 - £1.5m	10%
Over £1.5m	12%

UK SDLT changes

On 8 July 2020, the UK Chancellor Rishi Sunak announced in his Summer Statement that residential property transactions up to £500,000 would be exempt from UK SDLT in England and Northern Ireland until 31 March 2021. Previously this exemption only applied to property transactions up to £125,000 and would save buyers as much as £15,000, if they were buying a property of £500,000 or more.

Landlords and second home buyers are also eligible for the tax cut but will still have to pay the extra 3% of stamp duty they were charged under the previous rules.

2. Welsh Government action

In response to these changes, the Welsh Government's Minister for Finance and Trefnydd, Rebecca Evans MS, announced that the Welsh Government would raise the LTT tax exemption threshold from £180,000 to £250,000 for residential property transactions in Wales until 31 March 2021.

The table shows the new temporary tax rates as a result of the changes made by the Welsh Government.

Table 2. Changes to residential LTT rates and bands for 2020-21

Threshold	LTT rate
£0 - £250,000	0%
£250,001 - £400,000	5%
£40,001 - £750,000	7.5%
£750,001 - £1.5m	10%
Over £1.5m	12%

The Minister commented that the change "will take effect on 27 July to coincide with the full reopening of the housing Market in Wales".

The medium-term outlook for the housing market is highly uncertain, both in terms of house prices and volume of sales. Much will depend on the performance of the wider economy, which will in turn be determined by how the pandemic and restrictions on activity evolve.

Before the announcement of the change to LTT rates, house prices had started to fall and had been expected to fall further, however the reduction in LTT will save £2,450 for a person purchasing a house valued at £250,000, which will somewhat counteract possible falls in prices and increase demand.

The Minister stated "the new threshold will mean that no tax will be paid on around 80% of transactions in Wales where the main residential rates apply".

Higher rate purchases

Unlike SDLT, the change to the LTT tax exemption threshold in Wales **will not apply to the purchase of additional properties** such as buy-to-lets and second homes which have to pay an additional 3% in tax on top of the existing rate for their value shown in Table 1.

The Minister for Finance and Trefnydd, Rebecca Evans MS, **noted that** the changes made to LTT in Wales “will support people looking to purchase their first home or those seeking to move up the property ladder. So it will offer more targeted help to those who may be affected by the economic challenges resulting from the pandemic.”

The Minister also **commented**:

By setting these rates for Wales I am also able to confirm the £30 million to the Social Housing Programme that ‘will provide additional support to a range of activities that will boost construction within the social housing sector

Tax scenarios

The Welsh Revenue Authority (WRA) publishes **Land Transaction Tax (LTT) statistics** which reports the tax due by residential tax band on property purchases and residential lease transactions. By taking two-thirds of the total tax 2019-20 due on purchases of residential properties over £180,000, excluding purchases being charged the higher rate, **we have estimated that the tax take relating to the £180,000 to £250,000 band over 8 months is likely to be around £20 million.** This simple calculation has been made as the LTT temporary tax variation between August 2020 and March 2021 spans 8 months.

The table shows a sensitivity analysis which gives some ranges for the possible loss in LTT revenue resulting from the temporary variation to the main tax rates for residential property transactions. The table forecasts the loss in revenue based on 2019-20 LTT data and also accounts for a variation in residential property transactions as a result of the LTT changes.

Table 3. Scenarios on LTT revenue losses for main residential purchases

% change in residential property transactions valued over £180,000	-10%	0%	10%	20%
Total tax loss (£m)	18.5	20.5	22.6	24.6

Source: Research Service calculations using [WRA data](#)

As shown in the table above, while the outlook is unpredictable, allowing for a swing in property transactions of this value of -10% to +20% the amount of income foregone by this change to tax rates could be in the region of £18 million to £25 million.

Table 4 includes lost tax revenue if the increase in the tax exemption threshold applied to both main residential property purchases and higher rate purchases for properties such as second homes. As can be seen, **the Welsh Government could incur an extra £6 million to £8 million loss in LTT revenue for higher rate purchases based on data from last year.** A reduction of property transactions by 10% could result in an overall loss of approximately £24 million whilst an increase of 20% could lead to a loss of approximately £32 million.

Table 4. Scenarios on LTT revenue losses for main residential and higher rate purchases

% change in residential property transactions valued over £180,000	-10%	0%	10%	20%
Total tax loss (£m)	24.3	27	29.7	32.4

Source: Research Service calculations using [WRA data](#)

These tables do not take into account the potential of either reduced demand due to the pandemic and recession or the potential for any increases due to latent demand or stalled transactions being completed.

3. Welsh Parliament action

To change LTT rates and thresholds, the [Land Transaction Tax \(Temporary Variation of Rates and Bands for Residential Property Transactions\) \(Wales\) Regulations 2020](#) were made by Welsh Government on 22 July 2020 and laid before the Senedd on 24 July 2020.

The Senedd must approve the Regulations through an affirmative procedure within 28 days (excluding any days when the Senedd is: (i) dissolved, or (ii) in recess for more than four days) of the date they were made for them to continue to have effect.

On 22 July 2020, the Minister for Finance and Trefnydd, Rebecca Evans, **wrote to the Llywydd** of the Senedd noting the changes to the LTT threshold and her intention to hold a plenary debate on the Regulations on 29 September 2020.

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.

Rebecca Evans AS/MS
Y Gweinidog Cyllid a'r Trefnydd
Minister for Finance and Trefnydd



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref RE/00608/20

Janet Finch-Saunders MS
Member of the Senedd
Senedd Cymru
Cardiff
CF99 1SN
Janet.FinchSaunders@assembly.wales

11 August 2020

Dear Janet.

Thank you for your letter about the petition relating to the land transaction tax (LTT).

The petition suggests that the temporary changes to LTT in Wales should match the changes to Stamp Duty Land Tax in England, and specifically that we should match the reduction for second home and buy-to-let purchases.

The property market in Wales is different from that in England, with the average house price in Wales (£162,000) lower than the English average price (£248,000). Before any tax changes were made in July, the LTT starting threshold of £180,000 meant that Wales was the only country in the UK with a starting threshold for paying tax that was higher than the average house price. It also meant that around 60% of homebuyers liable to the main rates of LTT paid no tax on their purchase.

Since 27 July, the LTT residential threshold has been temporarily increased to £250,000. This will increase the number of homebuyers who pay no tax to around 80%. This temporary change to LTT applies only to the purchases of main residences until 31 March 2021.

Careful consideration was given to the timing and scope of these changes. The temporary threshold adjustment is intended to encourage transactions in the housing market this year by homebuyers. The temporary tax reduction does not apply to transactions that are subject to the LTT residential property higher rates. The decision was to target the tax savings to those buying their main residence, and not those investing in buy-to-let, second or holiday homes in Wales.

The devolution of this and other taxes, has allowed the Welsh Government greater flexibility to introduce tax policies which are more reflective of the social and economic conditions of Wales. By taking a more targeted and measured approach in Wales with the changes to LTT, the Welsh Government is also able to allocate £30 million to the Social Housing Programme. This will provide support to a range of activities that will boost construction

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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.

within the social housing sector, which will in turn help to provide homes to people who are some of the most in need in our society.

I understand the frustration of those who will not benefit from the tax reduction in Wales. I also understand those who believe there may be economic benefit from not charging tax on other residential property purchases. The SDLT reductions will have greatest impact where prices are highest, such as in London and the south east of England. If a similarly high threshold was to be applied with LTT, then this would provide a sizeable reduction or remove from tax some of the most expensive home purchases in Wales. This reduction of tax would then be at the expense of being able to fund other measures, such as the boost to social housing funding.

Instead, the Welsh Government's approach removes tax for around 80% of homebuyers in Wales, and a reduction for the remaining 20% easing some of the costs of buying a home whilst also providing a direct stimulus to the Welsh economy from increasing the provision of much needed social housing.

Yours sincerely,

A handwritten signature in black ink that reads "Rebecca Evans." The signature is written in a cursive style.

Rebecca Evans AS/MS
Y Gweinidog Cyllid a'r Trefnydd
Minister for Finance and Trefnydd

**P-05-1002 Apply stamp duty holiday to all house purchases in Wales,
Correspondence – Petitioner to Committee , 08.09.20**

Thank you for the reply.

I still don't agree and feel that a boost to the economy would be to get the housing market moving

Agenda Item 6.8

P-05-1003 Demand an EIA now on the dumping of radioactively contaminated mud in Welsh waters

This petition was submitted by Cian Ciaran having collected a total of 10,689 signatures.

Text of Petition:

We, the undersigned, call on the Welsh Government to invoke the Environment (Wales) Act 2016 in respect of uncertainties, and to ensure that a full Environmental Impact Assessment (EIA) is carried out before any further sediment from Hinkley Point nuclear power station can be dumped at Cardiff Grounds.

Don't allow the Welsh government to break their own law!

Additional Information

The EIA must provide

Detailed baseline data on the behaviour and fate of material dumped at Cardiff Grounds;

Full radiological analysis including detection of alpha-emitting particles;

A detailed and up-to-date assessment of potential radiological impacts on the population of south Wales;

Containing nuclear pollutants on land rather than dispersing them at sea;

Respecting international agreements on marine dumping;

Protecting the Severn Estuary.

We also call on the Senedd to ensure that any EIA is NOT scoped by pro-nuclear interests.

Senedd Constituency and Region

- Cardiff South and Penarth
- South Wales Central

Disposal of Hinkley sediment and EIA

Y Pwyllgor Deisebau | 15 Medi 2020
Petitions Committee | 15 September 2020

Reference: RS20/13473

Petition Number: P-05-1003

Petition title: Demand an EIA now on the dumping of radioactively contaminated mud in Welsh waters

Text of petition:

We, the undersigned, call on the Welsh Government to invoke the Environment (Wales) Act 2016 in respect of uncertainties, and to ensure that a full Environmental Impact Assessment (EIA) is carried out before any further sediment from Hinkley Point nuclear power station can be dumped at Cardiff Grounds.

Don't allow the Welsh government to break their own law!



1. Background

EDF Energy intends to submit a new marine licence application to enable to enable it to dispose of dredged marine sediment from the Bristol Channel into an established designated disposal site (Cardiff Grounds) off the coast of Cardiff, South Wales. The source of the marine sediment is the Somerset foreshore in England, part of the construction site of the Hinkley Point C power station.

EDF previously dredged and disposed of sediment in 2018 and now plans further work at the site in early 2021 to dredge and dispose a further 600,000m³. Before EDF can dispose the sediment in Cardiff Grounds, it will need a sediment sampling plan and a marine licence approved by Natural Resources Wales (NRW). NRW and EDF have begun pre-application discussions, and NRW has provided EDF with its pre-application advice.

1.1. Sediment sampling

EDF will be required to undertake a chemical and radiological assessment of the sediment at the dredge locations to find out whether it's suitable for disposal at sea.

NRW will then decide whether the number, location and depth of samples taken, what is measured and how EDF will test the sediment, complies with internationally agreed guidance under the OSPAR Convention and procedure developed by the International Atomic Energy Agency (IAEA).

1.2. Marine licences

EDF will require three distinct marine licences for activities in Welsh and English waters.

Two licences are required from the Marine Management Organisation (MMO) in England. Firstly, to collect samples on the dredge sites at Hinkley Point C. These sediment samples will then be independently tested for chemical and radiological material by the Centre for Environment, Fisheries and Aquaculture Science (Cefas). The second marine licence is to conduct the dredge of the sediment if it's deemed safe for disposal at sea following testing.

EDF also require a marine licence from NRW for the disposal of the sediment in Welsh waters. The application will include the results of the sediment testing.

1.3. Timeline

The [NRW website](#) sets out the timeline for the application:

- **June 2020** – NRW provided its [pre-application advice to EDF](#) on the content of the sampling plan and its compliance with the international guidelines;
- **August 2020** – expected submission of final sampling plan for NRW approval;
- **August / September 2020** – NRW expects submission of EDF’s request for a Screening Opinion on the need for an EIA to support a future marine licence application for the disposal of marine sediment at Cardiff Grounds;
- **2020** – submission of EDF’s marine licence application to NRW;
- **2020** – public engagement and consultation on the marine licence application; and
- **Winter 2020/21** – possible date for the decision on the marine licence application by NRW.

1.4. Environmental Impact Assessment (EIA)

As part of the application process, NRW expects to receive a request from EDF to consider whether an EIA will be required. This is known as a Screening Opinion request. Once received, NRW will assess EDF’s request in line with the appropriate legislation and regulations as to whether the project is likely to have a significant effect on the environment. NRW will publish the request from EDF and its decision (the Screening Opinion) on its [public register](#). This step will inform EDF’s marine licence application.

Further information explaining the [screening process](#) is available on the NRW website.

The NRW [website states](#):

We want to reassure people that all marine licence applications, whether they are EIA or not, are thoroughly and robustly assessed to protect people and the environment, and to prevent interfering with other legitimate uses of the sea in line with the Marine and Coastal Access Act (2009).

1.5. Public engagement

The previous sediment disposal was controversial. In relation to the new proposals NRW states:

We understand that the previous disposal activity in 2018 caused great public concern, and we recognise that people are also concerned about the new disposal plan, so we are committed to inform, communicate and engage with people as we assess whether the disposal can take place. We also understand that EDF intends to undertake their own communication and engagement.

We started this engagement with a six-week public consultation (5 February 2020 - 18 March 2020) to provide the opportunity for people to comment on EDF's proposed sampling plan.

As set out in the timeline above, a further consultation on the marine licence application itself is expected later this year.

1.6. Environment (Wales) Act 2016

The petition makes reference to the Environment (Wales) Act 2016. It does this in the context of 'uncertainties'. The Environment Act makes no specific reference to EIA. The reference to uncertainties within the Act is in relation to the Sustainable Management of Natural Resources (SMNR).

Natural resources are listed in the Act as:

- (a) animals, plants and other organisms;
- (b) air, water and soil;
- (c) minerals;

(d) geological features and processes;

(e) physiographical features;

(f) climatic features and processes.

SMNR is defined in the Act as:

(a) using natural resources in a way and at a rate that promotes achievement of the objective in subsection , (b) taking other action that promotes achievement of that objective, and (c) not taking action that hinders achievement of that objective.

The Act also outlines principles for SMNR. These include taking 'account of all relevant evidence and gather evidence in respect of uncertainties'.

2. Welsh Government action

The Minister wrote to the Petitions Committee in response to the petition on 10 August 2020. The letter states:

Natural Resources Wales Marine Licensing Team (MLT) administers and determines marine licence applications, acting on behalf of the Welsh Ministers. The Marine and Coastal Access Act 2009 establishes the legal process which must be followed by any person wishing to apply for a marine licence and the matters which the MLT must consider in its assessment of any application, before making its determination, including the need to protect the marine environment and human health.

The marine licensing process is one of the key tools in ensuring the sustainable management of Welsh waters. The process is evidence led and by its nature fully supports the requirements of the Environment (Wales) Act 2016 and the Conservation of Habitats and Species Regulations 2017, protecting marine ecosystems and ensuring regulated activities do not significantly affect protected habitats and species. [...]

Supporting the marine licensing process is a suite of other legislation relevant to the marine environment which the MLT must also comply with [...] this includes the need to consider whether an Environmental

Impact Assessment (EIS) is required to support an application for a marine licence.

The requirement for an EIA is set out in legislation through the Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended. [...] It is a regulatory matter for the MLT, in consultation with its internal and external experts, and having regard to the legal requirements of the EIA Regulations, to determine whether the disposal of dredged sediment back at sea triggers the need for an EIA.

The Minister goes on to say that should the MLT determine an EIA is required for the proposed activity, the MLT will advise EDF Energy on the scope of the EIA, which must comply with the requirements as set out in the EIA Regulations. She also notes that:

...it is important to note a non-EIA approach does not mean a full and thorough assessment will not be undertaken on an application. I would like to assure you whether an EIA is required or not, robust procedures are in place to ensure all sediment deposited at sea under the terms of a marine licence is fully assessed to ensure it will not cause any harm to the environment or human health.

3. Welsh Parliament action

In 2017 and 2018 the Petitions Committee gave detailed consideration to a petition concerning the first phase of sediment disposal from the Hinkley site. The Committee published an overview of its consideration and a summary of evidence in May 2018. The report was debated in Plenary on 23 May 2018.

The Climate Change, Environment and Rural Affairs (CCERA) Committee also considered the issue. The Committee asked NRW if an EIA had been undertaken in relation to the first marine licence, and if not, why not. NRW's response indicated that an EIA had not been requested on this specific activity, though an EIA was conducted on the overall development of Hinkley Point C overall. NRW explained that this decision had been taken by the Welsh Government's Marine Consents Unit, which was responsible for administering the marine licensing system at the time the applications were received:

Significant progress had been made on both applications when they were transferred to NRW on vesting day (1 April 2013), when NRW was

delegated the Welsh Marine Licencing function on behalf of Welsh Ministers

We understand that the Welsh Government, as appropriate authority, took the decision that it was not necessary to determine this application under the Environmental Impact Assessment process. We therefore, in good faith, continued the determination of the marine licence application on that basis. When NRW issued the marine licence in July 2014 we were satisfied that a robust process had been followed to ensure that the licence fulfilled its requirements of preventing pollution of the environment, harm to human health or impact to legitimate users of the sea.

On 4 March 2020, the issue was discussed in Plenary in oral questions to the Minister for Environment, Energy and Rural Affairs.

On 10 October 2018 the Senedd debated a No Named Day Motion on disposal of dredged materials from the Bristol Channel.

In response to a question from Neil McEvoy MS on 3 October 2018, the Minister for Environment, Energy and Rural Affairs, Lesly Griffiths MS, set out the EIA process:

I'm very grateful for the opportunity to set out the EIA process again. A key point to note is that this non-EIA approach does not mean that a full and thorough environmental assessment was not undertaken. A radiological assessment was carried out and supported by experts, as well as the wider environmental and human health assessments needed for the marine licence determination. An EIA was carried out on the Hinkley Point C project overall; it was submitted as part of the supporting information supplied with the application for the marine licence and, as such, was considered in the determination process.⁶⁰

The difference between non-EIA and EIA projects is the length of time for public consultation: 28 days for non-EIA, and for EIA applications this is increased to 42 days.

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.



**Cyfoeth
Naturiol
Cymru
Natural
Resources
Wales**

Sent by e-mail

3 August 2020

Our ref: SN/ME/CX20-153/5075-030820

Your ref:

Rivers House
St Mellons Business Park
Fortran Road
St Mellons
Cardiff
CF3 0EY

Dear Janet,

Thank you for your letter regarding Petition 'P-05-1003 Demand an EIA now on the dumping of radioactively contaminated mud in Welsh waters'. This has been passed to me for response by Claire Pillman.

In administering and determining marine licence applications on behalf of the Welsh Ministers, Natural Resources Wales (NRW) carries out thorough assessments on all applications in line with the Marine and Coastal Access Act 2009 and, when applicable, the Marine Works (Environmental Impact Assessment) Regulations 2007, Conservation of Habitats and Species Regulations 2017 and Conservation of Offshore Habitats and Species Regulations 2017. It is, therefore, important to recognise that applications that do not require an EIA are still subject to a robust assessment based on evidence and expert advice, that enables full consideration of potential impacts to the marine environment, other seas users and human health.

With reference to the petition; NRW is not currently in receipt of a marine licence application from EDF Energy regarding future disposal of dredged material from the Bristol Channel into an established designated disposal site (Cardiff Grounds) off the coast of Cardiff, South Wales.

It is our current understanding that EDF Energy will be shortly submitting an EIA Screening Opinion request to us (please note that this is not an application). The timeframes for such a submission are, however, at the applicant's discretion. Once received, we will assess EDF's Scoping Opinion request in line with the Marine Works (EIA) Regulations 2017 and consider whether the disposal activity requires an Environmental Impact Assessment. Once we have provided a Screening Opinion to EDF Energy, we will publish the applicant's request and our decision (the Screening Opinion) on our public register. This will inform EDF Energy's marine licence application that we anticipate that will receive later in the year.

In respect of the additional information provided by the petitioner regarding what an EIA should consider, as stated above, NRW in exercising its licensing functions on behalf of Welsh Ministers, will consider the requirements of the Marine Works (EIA) Regulations 2017. We would offer the following comments in relation to elements of the petition:

- *"Detailed baseline data on the behaviour and fate of material dumped at Cardiff Grounds":*

This is beyond the scope of the Marine Works (EIA) Regulations 2017 and Marine and Coastal Access Act 2009.

Cardiff Grounds is a sustainable disposal site that has been in operation since the 1980's. There are three marine licences that currently enable the disposal of dredged material at the site from South Wales ports/harbours to maintain safe navigational routes and this occurs on a regular

basis. Our position is based upon the current evidence available to us, that includes regular disposal returns provided by licence holders, and a research report produced by Cefas for the Welsh Government entitled “Welsh Disposal Site Review C6268U” (March 2020). This states material deposited at the site is dispersive in nature as the Severn Estuary is naturally highly dynamic.

- *“Full radiological analysis including detection of alpha-emitting particles”:*

On 10 June 2020, NRW provided [pre-application advice](#) to EDF Energy on its proposed sampling plan. Our advice contained 17 recommendations that will ensure the sampling plan explains how the requirements of internationally agreed guidance and sampling procedures will be achieved. EDF Energy will need to address all recommendations before submitting its final sampling plan to NRW for our approval. It is our understanding that this will be submitted to us in August 2020.

- *“A detailed and up-to-date assessment of potential radiological impacts on the population of south Wales”:*

As detailed in our pre-application advice this is beyond the remit of NRW and is out of scope of Marine Works (EIA) Regulations 2017 and Marine and Coastal Access Act 2009. Our determination process will ensure that we only issue licences for material that is safe for disposal following a thorough assessment of the evidence that supports the application.

- *“Containing nuclear pollutants on land rather than dispersing them at Sea”:*

As stated above our determination process will ensure that we only issue licences for material that is safe for disposal following a thorough assessment of the evidence that supports the application.

- *“Respecting international agreements on marine dumping”:*

The licensing of disposal operations in Welsh waters is undertaken in accordance with accepted internal guidance and standards, including the OSPAR Convention and the International Atomic Energy Agency (IAEA). OSPAR guidance of the management of dredge material at sea addresses physical, chemical and biological characterisation of sediment. For radiological assessments, this follows procedures developed by the IAEA in line with the London Convention of 2003, 2004, 2015.

Further information is available from our pre-application advice document:

<https://publicregister.naturalresources.wales/Search/Download?RecordId=32304>

- *“Protecting the Severn Estuary”:*

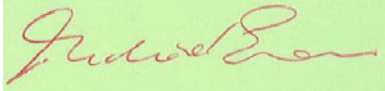
NRW complies with domestic and international law when exercising its licensing functions. All marine licence applications are determined in accordance with the Marine and Coastal Access Act 2009 and, when applicable, the Marine Works (Environmental Impact Assessment) Regulations 2007, the Conservation of Habitats and Species Regulations 2017 and the Conservation of Offshore Habitats and Species Regulations 2017.

Our determination process will ensure that we only issue licences for material that is safe for disposal following a thorough assessment of the evidence that supports the application. A marine licence application within the Severn Estuary would also require a Habitats Regulations Assessment to be undertaken in respect of the Severn Estuary European Marine Site (Special Area of Conservation and Special Protection Area) to ensure there is no adverse impact to its features.

We are happy to liaise with Petitions Committee as this matter progresses. We also maintain a position statement of the latest information via the following dedicated webpage:

<https://naturalresources.wales/about-us/news-and-events/statements/marine-licence-to-dispose-dredged-material-off-the-coast-of-south-wales/?lang=en>

Yours sincerely,



MICHAEL EVANS
Head of Operations South Wales Central
Ffôn/Tel [REDACTED]
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Croesewir gohebiaeth yn y Gymraeg a'r Saesneg
Correspondence welcomed in Welsh and English

<https://cyfoethnaturiolcymru.sharepoint.com/teams/manbus/ManagingRegionsAndGroups/ops-scm/Correspondence LTD/AM's & MP's/2020/5075 Janet Finch-Saunders MS - Dumping of radioactively contaminated mud in Welsh waters .doc>

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



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-05-1003
Ein cyf/Our ref LG/01902/20

Janet Finch-Saunders MS
Chair of the Petitions Committee

Government.Committee.Business@gov.wales

10 August 2020

Dear Janet

Thank you for your letter of 29 July, regarding the Hinkley Point C development and a petition calling on the Welsh Government to demand an Environmental Impact Assessment.

Natural Resources Wales Marine Licensing Team (MLT) administers and determines marine licence applications, acting on behalf of the Welsh Ministers. The Marine and Coastal Access Act 2009 establishes the legal process which must be followed by any person wishing to apply for a marine licence and the matters which the MLT must consider in its assessment of any application, before making its determination, including the need to protect the marine environment and human health.

The marine licensing process is one of the key tools in ensuring the sustainable management of Welsh waters. The process is evidence led and by its nature fully supports the requirements of the Environment (Wales) Act 2016 and the Conservation of Habitats and Species Regulations 2017, protecting marine ecosystems and ensuring regulated activities do not significantly affect protected habitats and species. A marine licence to dispose of sediment back at sea is only approved where the MLT concludes the evidence which supports an application demonstrates the sediment is safe and suitable for disposal at sea.

Supporting the marine licensing process is a suite of other legislation relevant to the marine environment which the MLT must also comply with prior to making a determination on an application, this includes the need to consider whether an Environmental Impact Assessment (EIA) is required to support an application for a marine licence.

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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 requirement for an EIA is set out in legislation through the Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended) (EIA Regulations). NRW is defined as both the Appropriate Authority and the Regulator under these regulations. It is, therefore, a regulatory matter for the MLT, in consultation with its internal and external experts, and having regard to the legal requirements of the EIA Regulations, to determine whether the disposal of dredged sediment back at sea triggers the need for an EIA.

The EIA Regulations are concerned with the management of significant effects to the environment. Not all projects require an EIA. Schedule A1 of the EIA Regulations lists those projects which must require an EIA and Schedule A2 list those projects which can be determined on a case by case basis by the MLT, as the Appropriate Authority. Following consultation with its experts, should the MLT determine an EIA is required for the proposed activity, the MLT will advise EDF energy on the scope of the EIA, which must comply with the requirements as set out in the EIA Regulations.

Further to the above, it is important to note a non-EIA approach does not mean a full and thorough assessment will not be undertaken on an application. I would like to assure you whether an EIA is required or not, robust procedures are in place to ensure all sediment deposited at sea under the terms of a marine licence is fully assessed to ensure it will not cause any harm to the environment or human health.

The UK has signed up to the London Protocol and the OSPAR convention for the Protection of the Marine Environment of the North-East Atlantic. All applications for a marine licence to dispose of sediment must follow guidelines produced by OSPAR and be in compliance with Action Levels set by the Centre for Environment, Fisheries and Aquaculture Science (Cefas). The Action Levels have been adopted across the UK for comparison and consistency and they are applied to determine if dredged sediment is safe and suitable for disposal at sea. All sediment is sampled and robustly tested against these Action Levels prior to a determination being made on an application.

NRW has a dedicated page on its website providing details on the latest position with the disposal of dredged sediment associated with the Hinkley development. This includes its latest advice to EDF energy on a draft sediment sampling plan, which details the requirements for testing of the sediment. Should the sample plan be approved by the MLT it will be used by EDF energy to support an application for a marine licence. You may wish to review this for further information: <https://naturalresources.wales/about-us/news-and-events/statements/marine-licence-to-dispose-dredged-material-off-the-coast-of-south-wales/?lang=en>.

Regards

A handwritten signature in black ink that reads "Lesley Griffiths". The signature is written in a cursive style with a large, sweeping flourish at the end.

Lesley Griffiths AS/MS

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

Pack Page 189

P-05-1003 Demand an EIA now on the dumping of radioactively contaminated mud in Welsh waters, Correspondence - Petitioner response to letter from Minister for Environment, Energy and Rural Affairs, 08.09.20

Introduction.

Environmental Impact Assessment is fundamental to major developments on land and at sea. For land-based projects the Welsh Government issued its own EIA(Wales) Regulations in 2017. NRW issues licences for land-based activities and regulates them. However, for a marine project, Wales uses the same Marine Works EIA Regs as England, and both the planning and regulatory functions are vested in NRW (the MMO does the planning and issues licenses in England while the EA regulates).

EIA applies to all major development projects, in this case the Hinkley Point-C Power Station granted planning and MMO consent in 2013. That gave planning consent for up to 300 000t sediment excavation and dumping in Cardiff Grounds, as long as NRW licensed it. The Welsh Government and EDF have falsely maintained alternately that an EIA was not necessary or that the project EIA covered it. Yet NRW's own rules say an EIA is always required for works within a top-rank conservation site, as is the Severn Estuary.

In response to Lesley Griffiths' letter as Minister, 10 August.

The marine licensing process supports but does not encompass the requirements of the Environment Wales Act 2016. In particular Welsh marine licensing lacks;

- a) appropriate arrangements for public participation (Part 1, s.4(d)) based in the Aarhus Convention and EU law.
- b) take account of all relevant evidence (Part 1, s.4(e)), yet the Minister says they decide on "the evidence which supports an application" only;
- c) appropriate regard to uncertainties (Part 1, s.4(e)), as encoded in the precautionary principle of the UN 1992 Convention and the Lisbon Treaty.

Though not explicit in the EWA 2016, the OSPAR Treaty requires the precautionary principle in respect of marine regulatory decisions. Environmental Impact Assessment requires public participation (a) and assessment of uncertainties (c).

Marine licensing aims to apply only the minimum standards. It works to the 'de minimus' IAEA level for radioactive pollutants. Wales can go better than minimum standards; our sustainable development commitment requires that we do, particularly re. radioactivity levels set by the nuclear industry (Euratom has remit to develop nuclear power). Furthermore the law in Wales - Environment (Wales) Act 2016 - requires NRW to take account of all relevant evidence, to gather evidence in respect of uncertainties, and to change their decisions where appropriate.

The IRPC 'safe' dose model is challenged by many scientists and the ECRR. Wales needs to do better. We are also required under OSPAR to reduce radioactivity levels in Welsh waters to 'historic' levels and not discharge further artificial nuclides. The EWA 2016 can cover all this, but the Welsh marine licensing does not.

The Cardiff High Court case challenged EDF's claim that they had carried out EIA within the Power Station EIA of the dumping in Welsh waters. EDF conceded in the settlement registered at the Court that they were wrong. The judge said it was up to the Welsh Government and Senedd to resolve this hole in the claim that all necessary procedures had been fulfilled. The WG's Marine Consents Unit reportedly said in 2013 that EIA is not needed, but this undocumented decision does not comply with EIA-screening processes laid down in the Regulations, and the MCU was closed down on the start-up of NRW in 2013.

NRW proceeded to issue the licence without considering the issue. If the English planning decision did not apply in Wales and the MCU decision is not a valid planning decision, there was no planning consent for the dumping in 2018. The dumping in fact started during the Court hearings; the legal case could have pursued this, but we had to settle because of the huge liability (£100k per day) associated with the injunction that had been sought.

The current proposal for 600 000cu m extraction counts as an amendment to the top-level EIA (Schedule 1) power station development. The Marine EIA Regs 2007 (and 2017 revision) apply across the England/Wales divide, but it is questionable whether England's planning decision applies to Wales.

The WG Marine Consents Unit (disbanded 2013) was said to decide that EIA was not needed, but that "screening" decision is not documented. NRW treated it as a licensing decision alone.

The Minister poses the issue incorrectly (paras. 4-5):

"need to consider whether an Environmental Impact Assessment (EIA) is required to support an application for a marine licence... NRW is defined as both the Appropriate Authority and the Regulator under these regulations. It is, therefore, a regulatory matter for the MLT..."

- NOT SO - the EIA legislation stands in its own right relative to the EDF project. It is a *planning matter* for NRW as the Appropriate Authority. We consider the MLT, or NRW itself, do not have the necessary planning expertise, as that based in the Minister's own planning division.

Minister's para.6 :

Implies the MLT alone can decide EIA-screening, and in consultation with its experts on EIA-scoping.

- This is untrue. Both processes are specified in the EIA Regs and both require consultation with defined consultation bodies.

Minister's para.7 :

"Robust" not "cause any harm"

- non-EIA approach missed harm from alpha-nuclides (MLT is now to assess)
- Borehole samples below OSPAR minimum requirements and radiological biotoxicity assessment omitted though required in 2014-15 IAEA and IMO updates. Mounds of solid material now detected on the seabed, shows the dumped material did not all disperse and must be presumed to have smothered the benthic life buried by it.
- Must follow OSPAR guidelines: these require solid material to be separated and not dumped at sea. NRW disregarded this condition. Also require alternatives to sea-dumping be considered; NRW did not require this, just accepted EDF's false statements of no land-based alternative.

Minister's para.8 :

Above Action Level 1 for several toxic metals and organics.

- CEFAS did not assess the impacts of these poisons if dumped on marine life in the dumping area, but just dismissed the issue on the basis of exceedances in some sediments elsewhere in the Channel (which are not to be dumped).
- Contrary to the Minister's assurance, CEFAS failed to show the dredged sediment is safe and NRW did not challenge their 'experts', ignoring procedure.

Minister's para.9 :

- NRW's dedicated page on its website is rudimentary and does not comply with planning requirements for a public Register.
- There are no records of the communications between NRW and the company. We had to ask for the July 2020 report to NRW on the 2018 dumping to be posted, but no other documents from the 2017-18 licence review are available.
- All documents posted up for the January 2020 consultation have been removed and public responses to it were never posted. We just have the NRW's brief summaries of those responses. In contrast, LPAs and the Planning Inspectorate Wales post up full documents.
- NRW used to keep full sequential files with file-logs that prevented arbitrary removal of documents. The Environment Agency Public Register web pages include public responses (as on the Hinkley fish-deterrent issue).
- NRW's practice to individual requests for file-information is sometimes to authorise access to the internal file for that person for a limited time, or sometimes to send out a CD with copies of the files. Both procedures entail delays, not the access within office hours that planning law requires.

The Minister fails to mention that NRW were to approve the sediment sampling plan so that MMO could approve the start of sampling. The plan had to be changed but EDF failed to submit a revised version for approval in August. EDF have nevertheless proceeded with the sampling (core extraction) operations by the Jack up Barge "Excalibur", disregarding the lack of approval. They apparently think they can ignore NRW as the operations are in English waters and approved by the MMO.

In response to Michael Evans' letter for NRW of 3rd August.

Introduction.

Environmental Impact Assessment is part of planning legislation. For marine applications, NRW combines the licensing and planning functions within the one Marine Consents Unit, which appears to have no expertise in planning law, nor in waste planning law as relevant in this case. NRW has moreover failed since its creation to review the 1980s permit for the Cardiff Grounds disposal site, contrary to IMO's basic guidance of 2014 for review at regular intervals *Waste Assessment Guidelines under the London Convention and Protocol, 2014*.

para.2 :

'...applications that do not require an EIA are still subject to a robust assessment...'

- Untrue in practice
 - a) the number of deep samples was previously below OSPAR's minimum (now to be increased to 30 instead of 5
 - b) the Habitats Regs Assmt was a travesty, dismissing impact on protected (fish) species as "no pathway" from mud to fish
 - c) the requirement to consider Radiological impacts on marine life (under IAEA) was based on an Env.Agency informal assurance with no report issued.

- NRW lacks in-house marine radiological expertise, admitted to the Petitions committee in 2018.

- EIA includes (Sch.3)
 - a) indirect effects
 - b) secondary socioeconomic effects on eg. tourism and fishing.

- EIA requires public consultation; there was none in 2014; that in 2017-18 was entirely due to the publicity of opposition to the project, lacked necessary documents and used outdated IAEA and OSPAR documents (which had been updated in 2014-15)

- an EIA would have covered the slaughter of fish in the Cooling Water intake, basic to the dredging-dumping project and an 'indirect' effect of it. As responsibility for wildlife in the Severn conservation area is shared between England and Wales, the EIA could have supported a Welsh refusal on planning grounds.

para.4 :

EIA Screening and Scoping Opinion

- The terminology is incorrect. EDF have to submit *Screening and Scoping requests*, which must contain a lot of specified material; NRW have to consider if the information is sufficient. It has to cover "possible environmental effects" which are wider than "likely significant environmental effects", reducing the scope for NRW confirmation bias.

- These are planning decisions, requiring NRW to follow planning procedures and norms. This means publishing EDFs requests on the NRW website when received (as do LPAs and WG/Planning Inspectorate) and taking into account public comment. Publishing only after the decision does not comply with their openness policy.

- NRW have to consult a defined range of *consultation bodies* (Annex C to the *Marine Works EIA Regs.*) on both Screening and Scoping.

para.5 :

Detailed baseline data is *'beyond scope'*

- A baseline description of the aspects of the environment likely to be significantly affected is fundamental to an Environmental Statement (EIA Regs. Schedule 3 s.2)

'Cardiff Grounds is a sustainable disposal site that has been in operation since the 1980's.'

- The 1980s permit, which may allow only Port dredgings, is lost or hidden by NRW. Under IMO 2014, all licences have to be reviewed at regular intervals:

taking into account the results of monitoring and the objectives ... and contribute to informed decisions regarding the continuance, modification or revocation of permits. This provides an important feedback mechanism for the protection of human health and the marine environment.

- CCW began a review in about 2011, NRW took over in 2013 and never completed it.
- English sites are subject to a monitoring programme, to see if the licence objectives are still satisfied, but NRW have done no such monitoring.
- The WG's new CEFAS report is the first since NRW started in 2013 and repeats the assumption that Cardiff Grounds is a dispersal site.
- The 2019 post-dump monitoring (published July 2020) shows accumulations of solid Hinkley materials on the seabed, contrary to the dispersal intention and the dumping being "sustainable".

para.7 :

'Full radiological analysis including detection of alpha-emitting particles'

- The draft pre-application advice requires only alpha-spectrometry, not the adequate detection we seek. NRW have agreed to CR-39 detectors for alpha-particles, but EDF's response and revision of the pre-application advice is still pending.
- The pre-application advice specifies physical, chemical but not biological characterisation. All three are required under IMO's "Dredged material assessment guidelines" in *Waste Assessment Guidelines under the London Convention and Protocol, 2014*. It specifically includes bio-accumulation which simple IAEA procedures ignore.
- NRW refused to acknowledge this international guidance in 2018 and is still doing so.

para.8 :

A detailed and up-to-date assessment of potential radiological impacts on the population of south Wales '...is beyond the remit of NRW and is out of scope...'

- Last time NRW accepted use of the CEFAS assessment appropriate to radionuclides discharged from Sellafield to the Irish Sea. CEFAS failed to admit the technical deficiencies and lack of knowledge, as EIA Sch. 3, s.8 requires.
- The Severn Estuary is hugely different from the Irish Sea, due to our very high suspended sediment and the many tidal cycles before being flushed to sea. Our exposed population is also far higher with different habitats to the Cumbrian coastal population.
- Including forecasting methods, technical deficiencies and resultant uncertainties is fundamental to EIA (Sch. 3, s.4, 8)

paras. 9-10 :

*"Containing nuclear pollutants on land rather than dispersing them at Sea"
"Respecting international agreements on marine dumping"*

- Government policy is that there is *no safe level* of artificial radionuclides
- Marine biology processes can concentrate nuclides – as in the infamous Sellafield lobsters and seagulls.
- OSPAR/London Treaty requires minimisation of sea dumping and reduction of artificial nuclides in the North Sea to historic levels by 2020.
- OSPAR specifies (10.3) solid waste contained within the dredged material should be separated and managed on land, but NRW ignored this for the 2014 licence and review.
- IMO 2015 Guidelines for the application of the de minimis concept... qualifies the IAEA guidance in *Dose Methodology* - the reference dose for humans is not a limit – if of the order of 10µSv or more

in a year, there is no exemption (Cefas wrongly stated their calculated 5.8µSv/yr made the Hinkley mud “exempt”).

- IMO 2015 points out (13.5) the dose limits are not defined in any international standard as “exemption criteria for protection of flora and fauna”, yet Cefas and NRW assumed limits for protection of humans would automatically protect wildlife.
- IMO’s “Dredged material assessment guidelines” in *Waste Assessment Guidelines under the London Convention and Protocol, 2014* is the main assessment which details risk assessment comparison of sea dumping against use or disposal on land.
- Cefas and NRW wrongly used 2004 IAEA in the 2017-18 review. NRW is still refusing to reference IMO 2014 and 2015 as the prime reference documents, and failing to follow the risk assessment procedures detailed in 2014 (first in LC 35/15, annex 2, 2013), which should have been used in the 2014 licensing.

NRW para. 11 :

“Protecting the Severn Estuary”

- While NRW has to comply with the MCAA, they forget much of the international legislation that this requires them to respect
 - a) appropriate arrangements for public participation based in the Aarhus Convention and EU law.
 - b) take account of all relevant evidence (EWA, 2016, Part 1, s.4(e)), not just “the evidence which supports an application”
 - c) appropriate regard to uncertainties as encoded in the precautionary principle of the UN 1992 Convention and the Lisbon Treaty.
 - d) the precautionary principle in respect of marine regulatory decisions under the OSPAR Treaty.
 - e) principles and policy on waste management, as in the Waste Framework Directive.
 - f) minimise dumping at sea via seeking alternatives and carrying out risk assessment (OSPAR, IMO)
 - g) issues clearly in the scope of the Marine Works EIA Regs. not be arbitrarily ruled *out-of-scope*

Fish-kill by the Hinkley Cooling Water project.

The fish and other marine life sucked in with the cooling water, killed or injured, is an indirect and/or secondary environmental effect of the dumping project. For EIA purposes, it cannot be ruled out-of-scope. It was given scant attention at the 2013 English Inquiry. It can and should be included under the new Welsh licence application whether or not the MMO does likewise in England. Assessments of the fish-kill have been made for the fish-deterrent condition in the EA licence, so can be used for EIA of the dumping. The EA plans public consultation in October.

Included with the slaughtered fish would be European Protected Species (certain species of shad, lampreys and eels), therefore NRW are obliged to seek alternatives that avoid (or substantially reduce) their deaths: *Conservation of Habitats and Species Regulations 2017*.

Dump-site seabed survey July 2020.

Titan Environmental Surveys Ltd conducted a bathymetric survey and collected some grab samples in April 2019. They show solid Hinkley materials mounded on the seabed, about a 1m high, 30m across, stretched with the dump-barge trails. Because of uncertainty in zeroing the bathymetry, it’s uncertain what fraction of Hinkley’s dumped 58 000 cu m remains on the seabed. It does prove the dumpsite is not dispersive for solid materials; NRW should have conditioned the licence to exclude them last time.

The finding of solid dredgings on the seabed, coming from the ‘capital’ dredging from Hinkley, requires a full review of the Cardiff Grounds dumping permit to assess whether capital dredging should be excluded in future, with dumping restricted to ‘maintenance’ dredgings for ports and shipping channels.

NRW did not require pre- and post-dumping radiological surveys, as requested. Nor did they ask for radiological tests of the grab-samples, but only size analysis which show the deposits are Hinkley’s.

Failure to respect Waste Planning legislation.

The Environment Agency accepted that dredged materials that are intended for disposal are “waste” and subject to waste and waste planning legislation. Planning Policy Wales edn.10, (2018) requires respect for the waste hierarchy (re-use, recycle, before disposal) and other principles of EU policy.

- Proximity principle: the Hinkley construction site is using much tunnelling waste for constructing bunds; the dredged waste could be used similarly, also processed for soil cover.
- Self-sufficiency: it's English waste, so England has to deal with it.
- NRW has a statutory role in relation to the management and regulation of waste (PPW 5.13.6)
- Waste planning statements are required for all developments in Wales involving waste.
- Licenses for waste disposal facilities have to be reviewed to bring up to modern standards.

Failure in Public Consultation

IMO 2014 recommends (s. 8.4) early and full involvement of the public in all stages of the project, which is far better than NRW general practice:

“a consultation process be established with all relevant stakeholders, ensuring opportunities for public review and participation beginning from the earliest stages of the project through to completion, including the permitting process. Such coordination activities stimulate joint fact finding, often identifying opportunities to improve the overall project, including through identification of alternative sediment management options and beneficial use opportunities”

The 2020 consultation on pre-application advice advanced towards this, but incompletely. The numerous issues ruled “out-of-scope” without reason plus the failure to place all relevant documents on the public website show further deficiencies.

Health effects of radioactivity and the *Uncertainty* issue in Welsh law.

Authorities in Wales are ignoring evidence of errors in estimating the risk of radiation exposure which has been presented to the Westminster and Cardiff governments. In 2018 Cardiff bounced the issue back to Westminster, where it has been blocked. Fresh communication with Cardiff has produced no dialogue. The evidence amounts to a powerful challenge to the mud dump on grounds of *uncertainty* as referred to in the Environment (Wales) Act 2016. There is potential for legal action if this continues to be ignored or misrepresented. LLRC (Richard Bramhall) has copious written material to demonstrate all the assertions.

The government and its advisors ignore significant evidence and evade dialogue. If they persist in their determination to allow the mud dump without adequate testing they will be in conflict with provisions of the Environment (Wales) Act 2016 which require wide consultation in light of *uncertainties*.

Background.

The modelling of radiation risk has long been contentious, especially as it applies to alpha-emitting particles. The CwCUK report gives an outline.^[1]

History of dialogue from 2016. (There is documentary evidence for everything outlined below.)

In 2016 LLRC applied to BEIS (Westminster) for a review of the justification of Hinkley Point C.^[2] We cited recent evidence in the scientific literature showing that the health effects of some kinds of radioactivity (especially alpha-emitting particles) are grossly underestimated. We submitted the same information to COMARE. In addressing BEIS we invoked a provision of EU law which constrained them to give a written answer. LLRC replied to that answer, pointing out various errors and evasions. BEIS gave a second written answer which was equally deficient. BEIS indicated that further replies would be treated as "vexatious", which closed that correspondence.

In 2017 COMARE gave its own written answer which was just as deficient as those provided by BEIS. In 2017 LLRC wrote to the SoSs Health and BEIS to point out the problem. Minister Richard Harrington replied, hoping that COMARE would address the issues in the Church House meeting on September 12th 2017. They did not. BEIS's minutes of the meeting suggest otherwise but the minutes do not agree with the recollections of NGOs who attended, and the date of the BEIS minutes is compatible with the idea that there was collusion between COMARE and BEIS to show that matters were bilaterally discussed when in fact COMARE did not address the information LLRC spoke of.^[3]

COMARE's own minutes of its subsequent meetings show that they had taken specialist advice on handling "challenging stakeholders", and that although their 118th meeting identified actions to investigate the contentious matters that LLRC presented at Church House, nothing further has been done (up to and including the 125th meeting).

In 2018 LLRC submitted the correspondence with BEIS and COMARE to Natural Resources Wales. We advised that the evidence was relevant to the type of contaminant likely to be in the mud so that BEIS's and COMARE's failure to address it required the Welsh authorities to investigate using methods capable of detecting that type of contaminant. We also advised that the risks would increase over long time-scales, and explained why. When the Chair of NRW resigned we and NuclearFree Local Authorities (Wales) sent the same material to Environment Secretary Griffiths; she has never responded.

In 2018 NRW eventually recommended that we should refer it back to BEIS since the correspondence related to discussions with BEIS. Although that assertion is only partially true we did refer it back to BEIS. In a private meeting in 2018 senior managers asked for a research proposal. LLRC complied ^[4] but in two BEIS/NGO Forum meetings BEIS said they cannot be involved in any investigation of the substantive issues since that would undermine COMARE.

There are two strands to LLRC's letters to the authorities in Wales: errors in the modelling of radiation risk as it applies to internal emitters, and the uncertainty about the extent to which the mud contains alpha emitting particles that could be inhaled or ingested. The only communication that addresses either topic is the 18th August letter to Cian Ciaran from Marine Licensing Manager Sharon Davies (TO/LG/01912/20). Her paragraph 10 attempts to be reassuring but is unrealistic and lacks specific information. Its reliance on spectrometry is disturbing, since the technique cannot detect particles.

It will be necessary to have a detailed discussion of all her assertions with whoever is feeding her with (dis)information. LLRC would be willing to participate in that and to have Ms. Davies mediate it if the people she is presently relying on are unwilling to have direct contact but in the present context the lack of clarity and specificity in her letter are among the uncertainties that need to be addressed, especially in view of the UNSCEAR data on historical releases of particulates from Nuclear Power Plants, the evidence adduced by Professor Barnham, and the alpha-emitting particles LLRC has found in the north Somerset car engine filter.

The overall situation of incomplete discussion has been communicated to the Well-being of Future Generations Commissioner, the First Minister and the Chair of the First Minister's Expert Group. The latest scientific information is outlined in the Children with Cancer UK report.^[5]

Conclusion: We have very powerful arguments relating to the high level provisions on *uncertainties* in the Environment (Wales) Act 2016. There is potential for legal action if they continue to be ignored or misrepresented.

^[1] <http://www.llrc.org/children.htm>

^[2] "Justification" is a crude cost/benefit analysis required by EU radiation protection Directives. Health detriment must be outweighed by social and economic benefits.

^[3] principally congenital malformations in children born after Chernobyl - a review in the scientific literature.

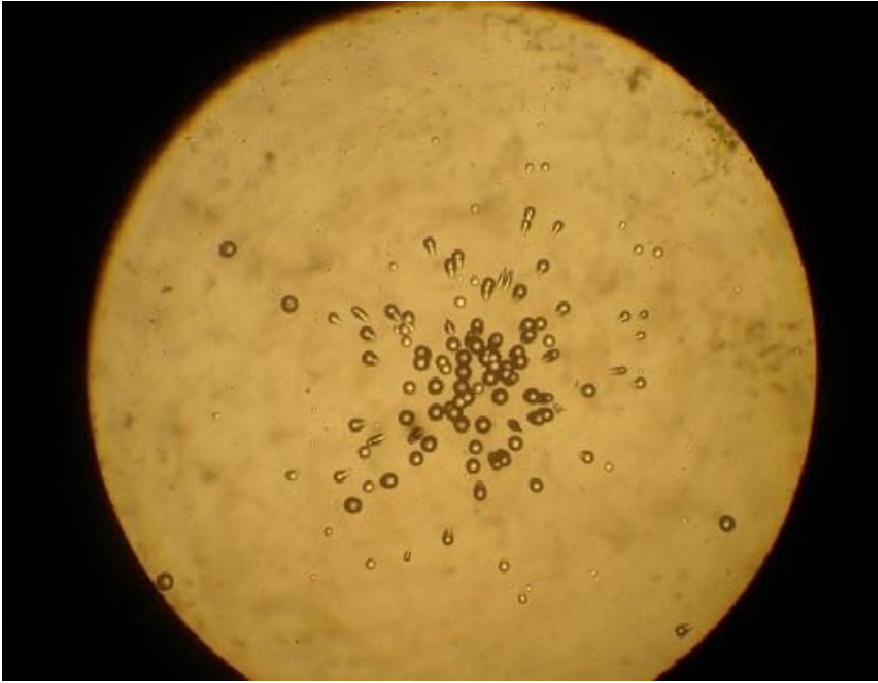
^[4] See Appendix 1 of CwCUK report (<http://www.llrc.org/children.htm>)

^[5] as 2

In addition the dump would bring no benefit or compensation to Wales, though the cost of treating the health effects would fall on the Welsh Health Service. We don't know why the Welsh Government is so willing to facilitate the dump, especially in view of the fact that Wales has enough renewable resources to be self-sufficient in energy and with alternatives to dumping at sea available to EDF could dump the mud such as on land at the Hinkley Point site itself.

As far as human health is concerned, "sea-to-land transfer" is the biggest issue. It has been known for decades that radioactive micro-particles small enough to be inhaled are resuspended by wave action and can be blown inland for miles. In 2006 the *Dounreay Particles Advisory Group advised that it was unwise to disturb sediment that contained such small particles (report summary attached below).

In Wales no baseline survey was done before the 2018 dump nor since. We have this image of emission tracks from a micro-particle collected near Hinkley Point, indicative of particles that may be trapped in Hinkley mud as they are within sediments near the Dounreay discharge.



The round and oval marks in the middle are pits in the surface of a plastic sheet burned by alpha rays from a radioactive micron-sized particle. The plastic is CR39, which official bodies recommend for detecting radon gas in buildings, radon being another alpha emitter. The particle is representative of several found in dust caught inside the air filter of a car that had been driven exclusively within a few miles of Hinkley Point. The number of hits suggests a sub-micron fragment of spent nuclear fuel, containing uranium but also alpha-emitting fission products including plutonium.

In Wales, public consultation on the mud has been limited to the sampling and testing programmes. Natural Resources Wales, acting for the Government, ruled many of the responses "out of scope".

A few days ago EDF deployed a rig to take a small number of samples from the bed of the estuary. The tests they plan to use on the samples cannot detect small uranium or plutonium particles which UN data show were emitted in huge numbers by nuclear power stations along the Severn (the [data are here](#); see Table 34). If the Welsh Government were nevertheless to grant the licence they would contravene the Environment (Wales) Act 2016, which requires special care and the widest consultation in light of uncertainties. Campaigners have also invoked the Well-being of Future Generations (Wales) Act 2015.

Wales is in a pivotal position with global implications. Westminster refuses to participate in discussions of the radiation risk model and appears to have colluded with its advisors COMARE (Committee on Medical Aspects of Radiation in the Environment) to falsify the records of what little discussion there has been. COMARE has failed to deliver on its own decisions to investigate radioactivity inside the body. New evidence underlines decades of controversy over the health effects of inhalable radioactive particles.

A very recent [judicial verdict in Japan](#) demonstrates the weakness of arguments based on the old view of radiation risk. The Hiroshima District Court recognised 84 people as hibakushas (A-bomb survivors eligible for medical support) because they were affected by internal radiation from fallout particles, whereas they were previously denied support because they were so far from the bomb that they didn't receive the external neutrons and gamma rays that previously defined the hibakushas.

The Welsh Government needs to catch up and understand the significance of the Hiroshima verdict. The First Minister has established a new "[Expert Group](#)" chaired by Jane Davidson but there is no sign that any of its members know about the problems with the old radiation risk model nor that they understand why the planned tests cannot detect small alpha-emitting particles in the mud.

The scientific evidence [is summarised here](#) including very recent papers in the peer-reviewed literature.

In 2018 the Environment Minister for Wales rejected protests against the first dump, calling campaigners "liars and scaremongers". We need another debate in the Senedd to air the real arguments. Over 10,000 signatures means a Senedd debate must now surely be more than a consideration.

***Dounreay Particles Advisory Group: Third Report: September 2006**

FROM Summary of Main Conclusions:

Re Behaviour and fate of particles (page XIV)

11: DPAG concludes that a large proportion, especially of the significant particles discharged from Dounreay, have been buried in sediment or physically broken up to become smaller or fragmented particles and transported predominantly northeastwards from the site. [Section 4.3]

12: Currently, it is believed that about 1,000 significant, 1,000 relevant and 3,000 minor particles are present within the main particle plume offshore from Dounreay. [Sections 4.3.29 ; 4.3.34 : 4.3.35]

13: Of the significant particles present in the local marine environment, it is estimated that about 92% of these are within 0.5 km of the Old Diffuser. [Figure 4.20]

14: Of the relevant particles present in the local marine environment, it is estimated that about 95% are within 1 km of the Old Diffuser. [Figure 4.21]

15: Particles are not uniformly distributed with depth of sand. The proportion of significant particles is greater at depth than in the surface sediments, although the abundance of particles decreases with depth. [Section 4.4.21]

16: Smaller particles, generally having lower activities, are more easily mobilised and transported than physically larger (higher activity) particles. This effect may be reflected in the nature of particles detected on local beaches. [Section 4.4.15]

Re Recommendations Remedial Action to return seabed environment to "pristine condition" (page XVII)

41: The extent and nature of the contamination of the environment means that it is impractical to aim to return the environment to a pristine condition. Remediation should aim to do more good than harm to the environment. DPAG recommends that serious consideration should be given to the targeted removal of significant particles in the marine environment providing that this causes only minimal disturbance to the ecosystem. [Sections 4.6.17 : 6.9.3]

I would also refer members of the Senedd Petitions Committee to the documentation submitted by campaigners in support of Petition P-05-785 "Suspend Marine Licence 12/45/ML".

P-05-1003 Demand an EIA now on the dumping of radioactively contaminated mud in Welsh waters, Correspondence - Petitioner to Committee: Additional petitioner comments - Petitioner email to Natural Resources Wales, 08.09.20

Dear Dr. Dodds et al,

I ask you to address the points detailed below with some urgency.

Thank you again for your reply of 30 July, explaining that you will be applying the Marine Works (EIA) Regulations (2017) to consider whether the dumping of the Hinkley sediments requires EIA.

1. Have you already advised the company that the project would be considered as a change/extension to the Schedule 1 project to construct a nuclear power station (Sch. A1:3)? If not, what alternative category in the Marine Works (EIA) Regulations 2017 is open to you? The point enters under Schedule 2 1(2).
2. Could we ask for the EIA-screening application to be publicly available, in line with Planning Authority practice, including Planning Inspectorate Wales under regulations on 'developments of national significance'?
3. Could you specify the "consultation bodies" under the Regs. (ie. LPAs and other relevant authorities and consenting authorities, nature conservation bodies, and such other bodies likely to have an interest), in particular would you include the VoG, Cardiff and Newport Councils, since the mobile mud lands up primarily on their shores and estuaries?
4. Would you accept Geiger Bay as a "consultation body" in view of our access to expert knowledge of the unique marine and nuclear issues?
5. As regards consulting under Schedule 2 4(1) before making the screening decision, does the NRW have guidance on selecting appropriate consultation bodies, or is it just open to the MCU to make a judgement? We would naturally wish to be judged "appropriate".

Due to the lack of transparency and engagement, we are left to assume that advice from the Environment Agency contains a number of scientific errors. NRW admitted on page 58 of the Marine Licensing report *Pre-application Advice And Public Consultation Responses* that 'Gamma spectroscopy cannot measure Pu isotopes with confidence'.

In my correspondence with Lesley Griffiths, Minister for Environment the reply from 18 August 2020 stated: 'Furthermore, no microparticles containing high levels of radioactivity were found in the sediment using gamma-ray spectroscopy' provides no reassurance that NRW are taking a sufficiently critical approach to advice from EA experts.

In addition, the letter stated: 'If there was an abundance of these microparticles, then a gamma-emitter (e.g. caesium-137) would identify a "spike" in the results and would be further identified'.

I draw your attention to the attached graph. The red line shows the alpha emissions from plutonium microparticles (all less than 5 microns diameter due to the size of the cooling pond filters) in the liquid discharges from Hinkley Point A. This plutonium alpha data is from NRPB-M173 and shows a 'spike' in alpha emissions from the plutonium microparticles discharged in 1982 larger than that in 1969 when the cooling pond accidents occurred. The dashed blue line shows the gamma emitter data (from *MAFF Radioactivity in Surface and Coastal Waters of The British Isles 1967-1995*). Notice there is no evidence for any spike in the gamma-emitter data. The EA advice concerning the main source of hot particles in the sediment is completely incorrect. All the plutonium discharged into the sediments over the operating lifetime of Hinkley Point A was in the form of particles less than 5 microns in size. They have no gamma signal; they have been observed to be blown back on land in sea-spray at Sellafield and are small enough to be inhaled.

This in itself adds to the ever-growing list of uncertainties that must be addressed in accordance with the Environment (Wales) Act 2016. Anything else can only be seen as dereliction of duty, a violation of procedures and complicity in that it is illegal and, therefore, a criminal act.

The Expert Committee appointed to examine the issues has been less than transparent and this gives us no confidence. Welsh government, NRW and the Future Generations Commissioner must act for the wellbeing of Wales and its people.

We request that you ask the EA the following questions with urgency:

1. Please supply the results of all direct alpha measurements on the Hinkley Point site, in discharges from the A and B reactors, on the beaches or in sediments from 1965 to date.
2. Did the plutonium alpha measurements in NRPB-M173 continue after 1984? If so, please supply the results. If not, please explain why not.
3. Have any investigations been made to identify microparticles containing plutonium on the Hinkley Point site, in the discharges from the A and B reactors, on the beaches or in sediments using techniques such as those used in the case of Sellafield discharges referenced here, or by other methods? If so, please supply the results. If not, please explain why not in view of the plutonium signal in waste discharges in NRPB-M173. ("Studies of Environmental Radioactivity in Cumbria Part 5: The Magnitude and Mechanisms of Enrichment of Sea Spray with Actinides in West Cumbria" J.D. Eakins et al'. UKAEA: AERE HARWELL. March 1982, "Plutonium in Intertidal Coastal and Estuarine Sediments in the Northern Irish Sea", S.R.Aston, D.J.Assinder & M.Kelly, *Estuarine, Coastal and Shelf Science* (1985),**20**, 761-771)
4. When EA prosecuted Magnox Ltd in 2001 for 'poor maintenance of effluent filters at Hinkley Point A (and Bradwell) in June 2001' (*Pre-application Advice and Public Consultation Responses*, page 57) did this have any connection with either plutonium discharges or the size of the particulates allowed through the filters?

Finally we respectfully request a ZOOM conference with the NRW Marine Licensing team to discuss these and other matters pertaining to our concern over the scope, methodology and health risks associated with the alpha testing. This could also be a preparatory meeting for a subsequent ZOOM conference involving NRW, EA, EDF and our expert team.

It appears that, unlike in normal planning EIAs, the Welsh government does not play a role as statutory consultee, being not the 'appropriate authority' but a 'relevant authority' *'where a regulated activity is likely to have a significant effect on the environment of Wales'*.

Could you clarify if the Welsh government is a 'consultation body' as the EIA Regs say 'consultation bodies' include 'any relevant authority' and 'any consenting authority' but NRW say they consult only with *'external consultation bodies, which may include the Centre for Environment, Fisheries and Aquaculture Science (Cefas) and the relevant Local Planning Authority'*.

The regulations say 'the local planning authority' is one of the EIA consultation bodies. Would the Vale of Glamorgan, Cardiff and Newport Councils all be relevant LPAs for the Hinkley mud dumping?

It has been explained to us that the Marine Licensing Team decides on whether the project triggers the need for an EIA and that the team consults with its experts on the scope of the EIA. Could you please supply a copy of the source for this summary of the application of the Marine Works EIA Regulations?

As we have illustrated the new evidence must inform Welsh Government and highlights an opportunity for them to reverse the decisions made in the period 2014-2018 when the first license was granted. This is not a face saving exercise but it is about safeguarding Wales, its people and environment. We believe the Welsh government's Covid-19 strategy demonstrates how effective it can be when implementing Welsh law and policy for the well-being of Wales rather than following Westminster's flawed advice and advisory bodies. We have the means and the science on our side so that the uncertainties can and must be dealt with by WG because the history of dialogue shows Westminster and its committee COMARE are evading their responsibilities.

Let the precautionary principle guide us, let us not break our own laws.

Yours sincerely,

Cian Ciarán on behalf of Geiger Bay.

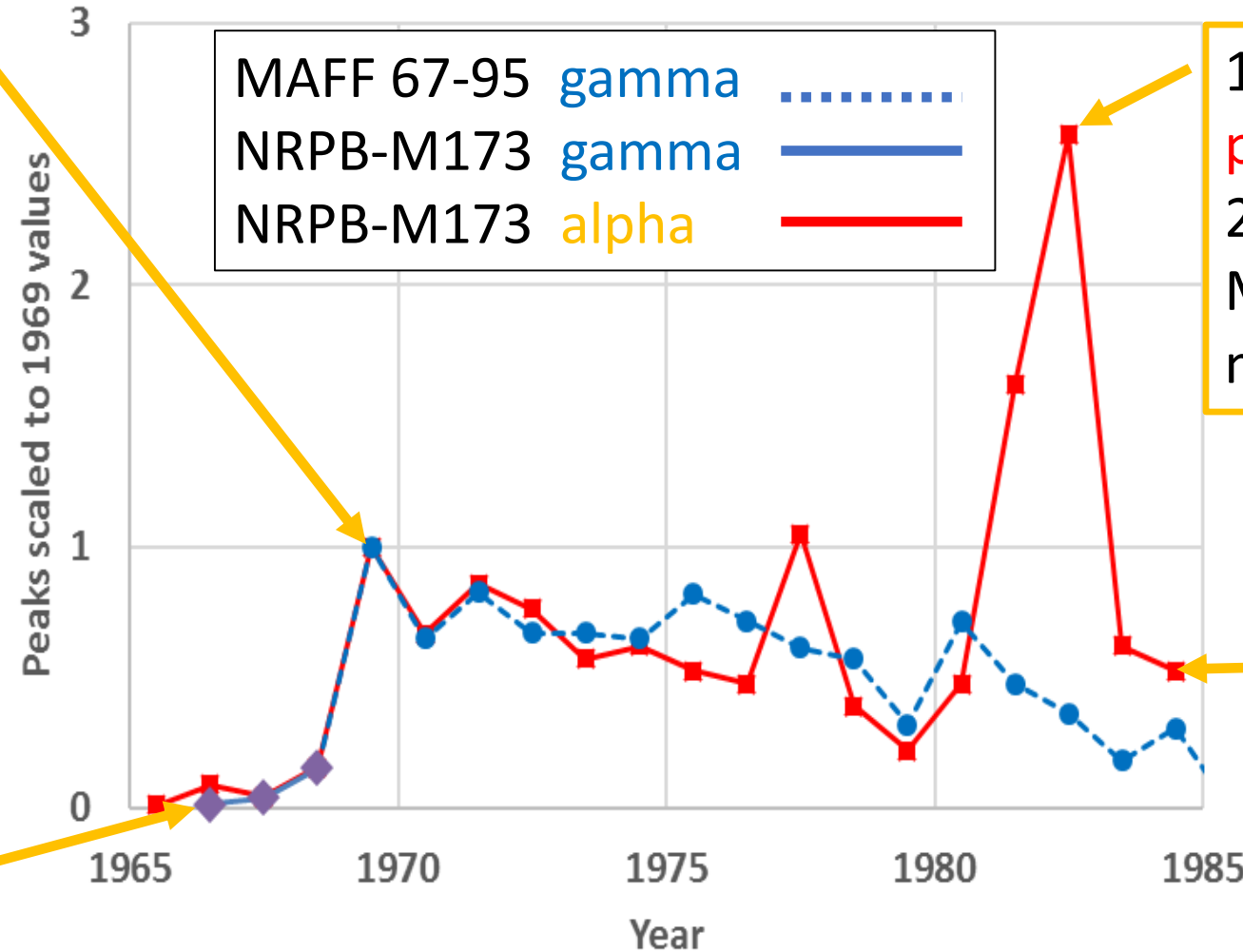
08.09.20

EA claim: "an incident...led to...fission products" (gamma emitters)

In pond in 1969: 1 fission atom \approx 1 plutonium atom \approx 500 uranium atoms

Such a massive fission product peak that leak doesn't affect amount left in pond & gammas in leak decay exponentially. Not just "an incident"

MAFF 67-95: no gamma data 66-68
NRPB: large peak



1982, larger plutonium peak but no gamma peak
2001, EA prosecuted Magnox for "poor maintenance of...filters"

Westminster stopped plutonium testing?

- 1969 in pond large gamma peak meant large plutonium peak
- 2018 low gamma signal does NOT mean low plutonium in mud

Is-adran Môr a Physgodfeydd
Marine and Fisheries Division



Llywodraeth Cymru
Welsh Government

18 August 2020

Ein cyf/Our ref: TO/LG/01912/20

Cian Ciaran

[REDACTED]

Dear Mr Ciaran,

Thank you for your email of 30 July to Lesley Griffiths, Minister for Environment, Energy and Rural Affairs, regarding the disposal of dredged material associated with the Hinkley Point C development. I have been asked to provide a reply.

Natural Resources Wales (NRW) administers and determines marine licence applications, acting on behalf of the Welsh Ministers. The Marine and Coastal Access Act 2009 establishes the legal process which must be followed by any person wishing to apply for a marine licence and the matters which NRW must consider in its assessment of any application, including the need to protect the environment and human health.

The marine licensing process is one of the key tools in ensuring the sustainable management of Welsh waters. Part 1 of the Environment (Wales) Act 2016 seeks to promote the sustainable management of natural resources (SMNR) and to ensure ecosystems are maintained and enhanced. One of the principles of SMNR defined in the Act is to take account of all relevant evidence and to gather evidence in respect of uncertainties. The marine licensing process is evidence led and by its nature fully supports the requirements of the Environment (Wales) Act 2016. A marine licence to dispose of sediment back at sea is only approved where NRW' Marine Licensing Team (MLT) concludes the evidence which supports an application demonstrates the sediment is safe and suitable for disposal at sea.

Supporting the marine licensing process is a suite of other legislation relevant to the marine environment which the MLT must also comply with prior to making a determination on an application, this includes the need to consider whether an Environmental Impact Assessment (EIA) is required to support an application for a marine licence.

The requirement for an EIA is set out in legislation through the Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended) (EIA Regulations). NRW is defined as both the Appropriate Authority and the Regulator under these regulations. It is, therefore, a regulatory matter for the MLT, in consultation with its internal and external experts, and having regard to the legal requirements of the EIA Regulations, to determine whether the disposal of dredged sediment back at sea triggers the need for an EIA.

The EIA Regulations are concerned with the management of significant effects to the environment. Not all projects require an EIA. Schedule A1 of the EIA Regulations lists those projects which must require an EIA and Schedule A2 list those projects which can be

Rydym yn croesawu gohebiaeth Gymraeg. Cewch ateb Cymraeg i bob gohebiaeth Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome correspondence in Welsh. Correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not involve any delay.

determined on a case by case basis by the MLT, as the Appropriate Authority. Following consultation with its experts, should the MLT determine an EIA is required for the proposed activity, the MLT will advise EDF energy on the scope of the EIA, which must comply with the requirements as set out in the EIA Regulations.

Further to the above, it is important to note a non-EIA approach does not mean a full and thorough assessment will not be undertaken on an application. I would like to assure you whether an EIA is required or not, robust procedures are in place to ensure all sediment deposited at sea under the terms of a marine licence is fully assessed to ensure it will not cause any harm to the environment or human health.

The UK has signed up to the London Protocol and the OSPAR convention for the Protection of the Marine Environment of the North-East Atlantic. All applications for a marine licence to dispose of sediment must follow guidelines produced by OSPAR and be in compliance with Action Levels set by the Centre for Environment, Fisheries and Aquaculture Science (Cefas). The Action Levels have been adopted across the UK for comparison and consistency and they are applied to determine if dredged sediment is safe and suitable for disposal at sea. All sediment is sampled and robustly tested against these Action Levels prior to a determination being made on an application.

With regard to your comments about the testing of material associated with the previous marine licence (NRW ref: 12/45), now expired. All necessary testing was carried out. Chemical and radiological sampling and analysis was undertaken in 2009, 2013 and 2017 by Cefas. The analysis showed the dredged material to be well within safe limits and posed no radiological risk to human health or the environment. The procedure adopted for radiological assessment followed internationally agreed guidelines - Atomic Energy Agency (IAEA) procedures, incorporating a stepwise evaluation procedure for the screening of sediment.

Furthermore, no microparticles containing high levels of radioactivity were found in the sediment samples using gamma-ray spectroscopy. These type of microparticles contain a mixture of alpha, beta and gamma-emitting radionuclides. If there was an abundance of these microparticles, then a gamma-emitter (e.g. caesium-137) would identify a "spike" in the results and would be further investigated. Annual monitoring of sediments by the Environment Agency around Hinkley Point, reported in annual Radioactivity in Food in the Environment Reports, has not identified any "spikes" in sediment samples, indicating microparticles are not present in large quantities.

NRW has a dedicated page on its website providing details on the latest position with the disposal of dredged sediment associated with the Hinkley development. This includes its latest advice to EDF energy on a draft sediment sampling plan, which details the requirements for testing of the sediment. Should the sample plan be approved by the MLT it will be used by EDF energy to support an application for a marine licence. You may wish to review this for further information: <https://naturalresources.wales/about-us/news-and-events/statements/marine-licence-to-dispose-dredged-material-off-the-coast-of-south-wales/?lang=en>.

Yours sincerely,

[Redacted signature]

[Redacted signature]

Rheolwr trwyddedu morol / Marine Licensing Manager

Agenda Item 7.1

P-05-962 An emergency amendment to extend age of entitlement to additional educational support from 25 to 26 and to define within Government guidance the Covid 19 pandemic as an exceptional circumstance

This petition was submitted by Mike Charles having collected a total of 537 signatures.

Text of Petition

We call upon the Welsh Assembly to direct our Government to urgently amend the Learning and Skills Act to allow for funding within specialist colleges to be extended from the age of 25 to 26 for those affected by the Covid19 pandemic and to urgently scrap or amend its guidance document no: 221/2017 November 2017 so that the Covid19 crisis is defined as an exceptional circumstance.

Additional Information

The ALN Act 2018 will in time change the law but young people with complex needs cannot wait. Decisions about how long they may be supported in specialist colleges are being made today. Vital time is being lost by schools and colleges which may have closed or may be operating in a very limited way. For those with complex needs their critical access to learning resources are restricted. People with complex needs often learn from being out in the environment to develop critical life independence and employability skills. Outside is a classroom yet this is now being heavily restricted. Covid19 is altering this ability to learn in a material way.

Many parents and young people are fearful that this is one year open to them out of the 2 maximum. Although the guidance allows for exceptional circumstances it is interpreted in practice as limiting provision to two years and does not define adequately what would amount to an exceptional circumstance. The law however only allows for support up to 25 and this needs to urgently change to give those affected during this pandemic another chance. A chance for another less interrupted year.

This will otherwise manifest into skills being lost and consequent greater reliance on the state. That is not desirable for so many reasons not least the

fact that the loss of critical skills will be devastating for the individual involved.

We call upon our Government to help those most vulnerable. To support them for what they may have lost and give them another chance. A chance for an opportunity not to be missed. For many it is a difference between a life of dependence and independence.

Senedd Constituency and Region

- Cardiff South and Penarth
- South Wales Central



Ein cyf/Our ref: KW/03386/20

Janet Finch-Saunders MS
Chair, Petitions Committee

20 July 2020

Dear Janet,

Further to my letter of 30 June, my officials have now been able to consider the information from Mr Mike Charles in more detail. The following points are therefore the key issues in response to the points raised in the original letter:

- The guidance documents quoted in the original letter are out of date - [policy](#) and associated technical guidance documents for [Careers Wales](#) and [specialist FE establishments](#) were updated in February 2020;
- There seems to be some confusion that may arise from a misinterpretation of the policy with regards to requests for an extension to an agreed programme of study and requests for an additional programme of study. In order to provide clarity, I thought it would be useful if I confirm that, a request for an extension of study will be made to enable a young person to complete their agreed programme of study; an additional programme of study is to undertake provision over and above what the young person has completed;
- The Welsh Government has commissioned Careers Wales to undertake section 140 assessments on behalf of Welsh Ministers and there may be a small number of cases, where due to exceptional circumstances an educational psychologist would need to be secured. The specific reasons are provided within paragraph 76 of the policy;
- It may not always be the case that the impact of coronavirus would mean a young person is unable to complete their agreed programme of study. Each young person's access to education during the lockdown, their ongoing educational needs, the

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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.


Back Page 208
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.

progress they have already made through their programme of study, and their personal circumstances, will differ. Our policy and associated technical guidance documents already allows for requests to be made to extend a young person's agreed programme of study in the event they are unlikely to complete within the agreed time. In some cases this could occur as a consequence of the coronavirus pandemic. As I mentioned in my previous response, to date, four requests for an extension to an agreed programme of study have been submitted, which include reasons relating to the impact of COVID-19. These requests have been considered on their own merit and have been approved in line with the policy. As has always been the case, any requests to extend a young person's placement beyond the programme's original agreed end date is considered on a case-by-case basis.

- The guidance currently does not specify or detail all of the exceptional circumstances that may be a reason to request an extension to an agreed programme of study. This is because each individual's case will be different and we do not want to limit the potential scope for the submission of the request;

In light of the coronavirus pandemic, the Welsh Government has published advice relating to extension requests via our [guidance for safeguarding and vulnerable children and young people](#). We have also produced a frequently asked questions document which has been issued to all specialist FE establishments we have a funding agreement with, which reiterates the advice regarding extension requests. Furthermore, my officials are in regular dialog with Natspec, the group representing specialist FE establishments across Wales and England, where a number of matters relating to the impact of coronavirus have been discussed, including the position with regard to applications for extension requests.

Yours sincerely,

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

Kirsty Williams AS/MS
Y Gweinidog Addysg
Minister for Education

P-05-962 An emergency amendment to extend age of entitlement to additional educational support from 25 to 26 and to define within Government guidance the Covid 19 pandemic as an exceptional circumstance

Dear Sir/Madam

The minister reply is noted. The guidance to which I referred was the guidance published on the WAG website and the one recently quoted in the courts.

That said, I was pleased to note that the Minister states in her letter of 30th June that .." to date, four requests for an extension to an agreed programme of study have been submitted, which include reasons relating to the impact of COVID-19. These requests have been considered on a case by case basis and in line with the policy and I can confirm that they have been approved."

The minister's reference to 2020 guidance updates does not alter the statistics that I provided nor the fact that determining need at age of 16 via a section 140 assessment is unfair and unreasonable if it is rarely if ever updated to take into account the evolving nature of special needs as well as progress and aspirations.. A prediction made at 16 might not be sufficient to last to the age of 25 for obvious reasons. Capability and capacity might change, needs may change, aspirations may change, and a section 140 that is not updated or changed to take in account developments should never pre determine a young person's destination for up to 9 years thereafter. A course set at age of 16 has no reason to be limited to two years whatsoever. In this respect the guidance remains the same. The equality act 2010 is all about removing barriers for those with disabilities. The guidance that I quoted before which broadly remains the same in 2020 is all about creating them.

That is in my view not acceptable. It is certainly unacceptable to not further amend the guidance to take into account specifically the massive impact of Covid19 as I have previously described. My position remains the same as does my disappointment that the Minister has not seen fit to make the amendments called for. Our disabled people in Wales deserve better.

Yours sincerely

Michael Charles

Agenda Item 7.2

P-05-967 Welsh Government to amend its NDR relief policy to help keep Debenhams stores open in Wales

This petition was submitted by Peter Black having collected a total of 5,790 signatures.

Text of Petition

The Welsh Government has adopted different NDR Relief policies to England for the retail sector, excluding the small proportion of properties with a rateable value of over £500,000. With Debenhams already in financial trouble this threatens the viability of all their Welsh stores and the future of up to 900 staff. If these stores close it will have a disastrous impact on shopping centres where they are situated, reducing footfall for other retail outlets.

Additional Information

<https://www.walesonline.co.uk/news/wales-news/debenhams-coronavirus-wales-stores-closed-18147574>

Senedd Constituency and Region

- Swansea East
- South Wales West



Eich cyf/Your ref P-05-967
Ein cyf/Our ref: RE/00581/20

Janet Finch-Saunders MS
Chair of the Petitions Committee
Welsh Parliament
Cardiff Bay
Cardiff
CF99 1SN
Government.Committee.Business@gov.wales

28 July 2020

Dear Janet,

Thank you for your letter about non-domestic rates and the Welsh Government's support for businesses.

I met with the Chair of Debenhams, Mark Gifford, on 12 May to learn more about the company's position and I asked officials to explore whether alternative support might be an option.

On 23 June, Ken Skates MS, Minister for Economy, Transport and North Wales and I attended the Welsh Retail Consortium's board meeting. The meeting was attended by representatives of numerous businesses impacted by the decision to limit rates relief to properties with a rateable value of up to £500,000. Attendees included representatives from those in the retail sector as well as representatives from large supermarkets.

Businesses not eligible for non-domestic rates support have been able to apply for financial support from our £500m Economic Resilience Fund. Our direct funding support has been complemented by access to loans and UK Government schemes, including the Job Retention Scheme.

Businesses which have not been eligible for financial support have been assisted with advice and guidance from Business Wales. We have also enhanced our support for employees and people facing redundancy.

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

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,

Rebecca Evans.

Rebecca Evans AS/MS
Y Gweinidog Cyllid a'r Trefnydd
Minister for Finance and Trefnydd

P-05-967 Welsh Government to amend its NDR relief policy to help keep Debenhams stores open in Wales, Correspondence – Petitioner to Committee, 28.08.20

Thanks. I have no further comments

Councillor Peter Black,

Agenda Item 7.3

P-05-970 Ask the Senedd to reconsider their decision not to support Zoos & Aquariums with emergency funding

This petition was submitted by David Wilkins having collected a total of 6,299 signatures.

Text of Petition

As a result of lost income due to emergency closures due to Covid-19 zoos and aquariums including the Welsh Mountain Zoo in Colwyn Bay are facing a funding crisis. The Senedd has decided not to provide emergency funding to support them. This threatens the conservation work, educational opportunities and tourism income into the area. We ask the Senedd to reconsider their decision and provide this vital support.

Senedd Constituency and Region

- Clwyd West
- North Wales

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



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-05-970
Ein cyf/Our ref LG/01850/20

Janet Finch-Saunders MS
Chair of the Petitions Committee

Government.Committee.Business@gov.wales

Dear Janet Finch-Saunders

11th August 2020

Thank you for your letter of 21 July, regarding Petition P-05-970: Ask the Senedd to reconsider their decision not to support Zoos & Aquariums with emergency funding.

You will appreciate I cannot comment on individual cases, I am aware the Welsh Mountain Zoo in particular has received very generous funding from the Welsh Government. The petitioner has referenced those figures which have been made public by the zoo itself.

With regard to how the funding available for Welsh zoos and aquaria is being kept under review, this has and will continue to take many forms. My officials have continued to liaise with colleagues who are managing the Covid-19 response funds. For example, the second phase of the £500 million Economic Resilience Fund (ERF), which I referenced in my previous letter, has now launched and is available to many zoos which did not apply for funding from the first tranche. Further, those with charitable status can apply to the Third Sector Resilience Fund.

I am also aware many animal attractions have benefitted from funding from the Development Bank of Wales, which was set up by the Welsh Government. I am reassured, to date, most zoos and aquaria in Wales have had the opportunity to access generous short-term funding to counter the effects of the Covid-19 lockdown and my officials will continue to liaise with those managing these funds to ensure this remains the case.

Additionally, my officials have worked closely with their counterparts in the Governments of England, Scotland and Northern Ireland via regular policy meetings and through the Zoo Expert Committee, which has been providing advice throughout the pandemic. They have also liaised with the British and Irish Association for Zoos and Aquaria (BIAZA), which has three member zoos in Wales.

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Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
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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.

You may have seen, since my last letter, Defra announced its Zoo Fund was being increased from £14 million to £100 million, of which the Welsh Government are eligible for approximate Barnett Formula consequentials of £5.1 million. Although we are unable to ring-fence funds received into the Covid-19 relief fund, many of our Zoos have benefited generously to date from funding through our ERF. These short term funds have supported Zoos until they were able to re-open. We are keen to ensure Zoos have the opportunity to recoup some of the lost income through the remaining summer months, however, we will continue to engage with Zoos to ensure they are able to continue to meet animal welfare standards.

Regards



Lesley Griffiths AS/MS

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

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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.

Agenda Item 7.4

P-05-981 Allow gyms and leisure centres to reopen

This petition was submitted by Kirsty Stevenson having collected a total of 964 signatures.

Text of Petition:

The goal is to get the government to rethink their decision to close gyms and leisure centres, and to come to an agreement to reopen them. Many people utilise such facilities for mental health and wellbeing purposes and it would be beneficial to reopen in a controlled manner.

Additional Information:

There are processes that can be put in place to ensure distancing and hygiene policies are adhered to, and can be done in a safer and more manageable way than current shops that are open and most certainly more manageable than the 'non essential' shops' that are being considered.

Senedd Constituency and Region

- Pontypridd
- South Wales Central



Eich cyf/Your ref P-05-981
Ein cyf/Our ref DET/01961/20

Janet Finch-Saunders MS
Member of the Senedd
Ty Hywel
Cardiff Bay
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CF99 1NA
Government.Committee.Business@gov.wales

17 August 2020

Dear Janet Finch-Saunders MS,

Thank you for your letter of 05 August regarding petitions P-05-981 and P-05-986.

As highlighted by the First Minister on the 31 July, indoor gyms, leisure centres, swimming pools and other indoor physical activity leisure facilities in Wales will be allowed to re-open as of the 10 August **but only** if they can maintain the relevant safety requirements. These requirements include: ensuring all facility users can maintain 2 metre distance from each other at all times, no more than groups of 30 to gather at any one time, and all staff are fully trained and aware of covid requirements and conduct regular and vigorous cleans.

[Guidance](#) will be available to these businesses and facilities, and the relevant authorities have been engaged in discussions throughout this process.

UkActive have developed a framework for re-opening the fitness and leisure sector safely which can be found here <https://www.ukactive.com/news/ukactive-unveils-recommended-framework-for-reopening-the-fitness-and-leisure-sector-safely/> Sports Wales also provide guidance here <https://www.sport.wales/media-centre/latest-news/implementing-covid-19-safety-measures-in-indoor-facilities/> and there is a small film about how safety measures can be implemented.

Additional guidance and requirements may also be made available from the local authorities, and all businesses are encouraged to check the rules of their local council, and when relevant discuss plans with the relevant personnel.

The decision to keep indoor leisure facilities closed until the 10 August was based on scientific advice to keep Wales safe. Science tells us that the virus lives on surfaces for far longer indoors than out. Evidence up to now has shown that risk of infection is higher

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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.

indoors in cooler, noisy and humid environments, and where exertion and loudness leads to heavier breathing and louder talking.

The First Minister and the Welsh Government fully acknowledge the importance of exercise for our physical and mental well-being. That is why we have lifted a number of restrictions over the last few months in a safe and orderly manner. Throughout the pandemic we have fully encouraged the public to continue to exercise outdoors, appreciating Wales' natural beauty and the outdoor sports facilities on offer. We have and will continue to take our advice from medical and scientific experts and hope to lift all restrictions in Wales as soon as possible – but **only** when it is safe to do so. The impact of this virus and the challenges we face may unfortunately affect the mental health of many us. It is essential that we in our supporting roles – encourage those in need to seek the excellent expert support available from organisations such as MIND, or where necessary from our doctors.

The Welsh Government reviews the coronavirus regulations every 21 days and, on the basis of the latest available scientific evidence, considers whether they need to stay in place or whether they can be eased. The regulations were reviewed again on 30 July and the outcome of that review has been published on the Welsh Government's website: <https://gov.wales/coronavirus-restrictions-relaxed-further-support-tourism-and-leisure-sectors-wales>. The website also provides some guidance and some frequently asked questions to explain what people can and cannot do during the coronavirus outbreak <https://gov.wales/coronavirus-regulations-guidance>. The outcome of the next review will be announced on the 21 August.

Yours sincerely,



Yr Arglwydd Elis-Thomas AS/MS

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

**P-05-981 Allow gyms and leisure centres to reopen, Correspondence -
Petitioner to Committee, 02.09.20**

Nothing further to add.

Many thanks

Kirsty

Agenda Item 7.5

P-05-986 Allow small gyms and personal training spaces to open sooner during COVID restrictions

This petition was submitted by Andrew Starling having collected a total of 3,181 signatures.

Text of Petition:

Small gyms or personal training spaces, such as Crossfit gyms, can control members distancing and cleaning better than larger commercial gyms. I propose a safe system of work with 16 square metres (4 by 4) per client, with no movement within the gym out of that space. Thorough cleaning of used equipment and floor space and sufficient downtime between sessions. Temperature checks on arrival. Alternatively, training sessions to be conducted outdoors (such as is already happening in England)

Additional Information:

With current restrictions being lifted and non essential retail and fast food outlets being allowed to open, we as a business invested in the health industry believe it is of far greater good and far lower risk to open this model of gyms than those businesses mentioned above. We are an obvious benefit to overall health as opposed to a detriment, which fast food chains are.

Senedd Constituency and Region

- Llanelli
- Mid and West Wales



Eich cyf/Your ref P-05-981
Ein cyf/Our ref DET/01961/20

Janet Finch-Saunders MS
Member of the Senedd
Ty Hywel
Cardiff Bay
Cardiff
CF99 1NA
Government.Committee.Business@gov.wales

17 August 2020

Dear Janet Finch-Saunders MS,

Thank you for your letter of 05 August regarding petitions P-05-981 and P-05-986.

As highlighted by the First Minister on the 31 July, indoor gyms, leisure centres, swimming pools and other indoor physical activity leisure facilities in Wales will be allowed to re-open as of the 10 August **but only** if they can maintain the relevant safety requirements. These requirements include: ensuring all facility users can maintain 2 metre distance from each other at all times, no more than groups of 30 to gather at any one time, and all staff are fully trained and aware of covid requirements and conduct regular and vigorous cleans.

[Guidance](#) will be available to these businesses and facilities, and the relevant authorities have been engaged in discussions throughout this process.

UkActive have developed a framework for re-opening the fitness and leisure sector safely which can be found here <https://www.ukactive.com/news/ukactive-unveils-recommended-framework-for-reopening-the-fitness-and-leisure-sector-safely/> Sports Wales also provide guidance here <https://www.sport.wales/media-centre/latest-news/implementing-covid-19-safety-measures-in-indoor-facilities/> and there is a small film about how safety measures can be implemented.

Additional guidance and requirements may also be made available from the local authorities, and all businesses are encouraged to check the rules of their local council, and when relevant discuss plans with the relevant personnel.

The decision to keep indoor leisure facilities closed until the 10 August was based on scientific advice to keep Wales safe. Science tells us that the virus lives on surfaces for far longer indoors than out. Evidence up to now has shown that risk of infection is higher

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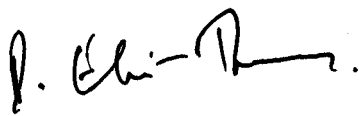
We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

indoors in cooler, noisy and humid environments, and where exertion and loudness leads to heavier breathing and louder talking.

The First Minister and the Welsh Government fully acknowledge the importance of exercise for our physical and mental well-being. That is why we have lifted a number of restrictions over the last few months in a safe and orderly manner. Throughout the pandemic we have fully encouraged the public to continue to exercise outdoors, appreciating Wales' natural beauty and the outdoor sports facilities on offer. We have and will continue to take our advice from medical and scientific experts and hope to lift all restrictions in Wales as soon as possible – but **only** when it is safe to do so. The impact of this virus and the challenges we face may unfortunately affect the mental health of many us. It is essential that we in our supporting roles – encourage those in need to seek the excellent expert support available from organisations such as MIND, or where necessary from our doctors.

The Welsh Government reviews the coronavirus regulations every 21 days and, on the basis of the latest available scientific evidence, considers whether they need to stay in place or whether they can be eased. The regulations were reviewed again on 30 July and the outcome of that review has been published on the Welsh Government's website: <https://gov.wales/coronavirus-restrictions-relaxed-further-support-tourism-and-leisure-sectors-wales>. The website also provides some guidance and some frequently asked questions to explain what people can and cannot do during the coronavirus outbreak <https://gov.wales/coronavirus-regulations-guidance>. The outcome of the next review will be announced on the 21 August.

Yours sincerely,



Yr Arglwydd Elis-Thomas AS/MS

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

P-05-986 Allow small gyms and personal training spaces to open sooner during COVID restrictions, Correspondence – Petitioner to Committee, 07.09.20

Dear Petitions Committee,

Thanks for your email.

I do believe this adequately deals with the issues I presented. The gym being open is providing the very much needed mental and physical health for our community once again.

However I have 2 points related I wish to raise;

1. The guidance is not being followed by a majority of gyms in our area. It only takes 10 minutes browsing other gyms' Instagram pages to see this. The rules simply aren't being enforced and because of this the businesses following the rules, like ourselves, are essentially being punished. I would like to know what the plans for enforcement and the punishments planned are. We are running at a massively reduced capacity and at a huge financial loss whilst other gyms rake in the money by not following the rules.

2. There was additional support offered in the form of £8000 grants in Swansea to help restaurants and cafes improve their outdoor seating areas, whilst businesses in sectors such as ours, that were shut for a longer period of time, received no extra funding. As I pointed out at the very beginning of this discussion and has now finally been widely acknowledged, living a healthy and fit lifestyle is the best way to prepare ourselves for illnesses such as Covid. Why was there an "eat out to help out" scheme but no "get fit to help out scheme"? Why as a country are we promoting eating out over keeping fit and healthy, for the second time may I add (as businesses in this sector were allowed to open weeks before we were, both outside and then inside).

I look forward to your response, but I imagine as with everything else, we will have passed this point before I hear back from the Welsh Government and the hard working, rule-following businesses will have lost out further.

Thank you for taking the time to read this.

Kind regards,

Andrew

Agenda Item 7.6

P-05-979 Adopt the policies of UK government with regard to easing of lockdown rules

This petition was submitted by Georgina Stanger having collected a total of 96 signatures.

Text of Petition:

Many Welsh people feel that they are being unfairly kept in lockdown at a time when people living in England are being given more freedom. They are also worried about their jobs and small businesses and feel that the stance taken by the Welsh government will hinder central government's attempts to unlock the economy.

Senedd Constituency and Region

- Monmouth
- South Wales East



Ein cyf/Our ref FM -/01367/20

Janet Finch-Saunders MS
Chair
Petitions Committee
Senedd Cymru

10 August 2020

Dear Chair

I am writing in response to your letter dated 16 June on behalf of the Petitions Committee regarding lockdown measures. Please accept my apologies for the delay in replying.

The Welsh Government recognises the incredibly difficult and uncertain circumstances currently being experienced by both businesses and individuals at this difficult time and we are absolutely committed to providing the support and assurance needed.

Our £1.7 billion business support package - which is equivalent to 2.6% of our GVA - complements other Welsh Government funding packages as well as UK Government schemes and means that companies in Wales have access to the most generous offer of help anywhere in the UK.

Our Wales only Economic Resilient Fund has so far awarded 11,400 grants to businesses, totalling £186.6m

The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) Regulations 2020 were designed to protect people from the spread of severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2).

The UK's Scientific Advisory Group for Emergencies (SAGE) and the Welsh Government's Technical Advisory Cell (TAC) has advised that every change made to relax the lockdown measures – via the coronavirus regulations – has a cumulative effect. We are therefore taking a step-by-step approach towards unlocking these measures; closely monitoring the impact of each change; learning from the changes we make and moving forward carefully. We are moving into the green phase in our traffic light system and as we do, guidance is increasingly important in setting out all the measures and steps we need to take to protect us from coronavirus.

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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.

It is vitally important we all follow these new ways of working and behaving and that people and businesses comply with the guidance to help reduce the spread of the virus and to protect people, ensuring we can go on lifting restrictions in the future.

The scientific and medical advice shows that, overall, levels of coronavirus transmission in Wales are now low.

In the last three-week review cycle, we made a number of changes to open up our leisure, retail, tourism and hospitality sectors. After monitoring the impact of these changes and reviewing the wider evidence and indicators about the transmission of the virus in Wales and around the world, we concluded there is headroom to make some further changes over the coming three-week cycle. I refer you to my Written Statement of 31 July:

<https://gov.wales/written-statement-review-health-protection-coronavirus-restrictions-no-2-wales-regulations-2020>

Best wishes

A handwritten signature in black ink that reads "Mark Drakeford". The signature is written in a cursive style with a large initial 'M'.

MARK DRAKEFORD

P-05-979 Adopt the policies of UK government with regard to easing of lockdown rules, Correspondence – Petitioner to Committee, 29.08.20

Thank you for your email inviting my comments on the petition I raised, hoping to address the divergence of the Welsh government lockdown policies from the approach taken by Westminster.

The letter attached to your email did not even begin to address the central issue, and was a masterful example of classic politician's waffle.

At a time of crisis I believe it is deeply unhelpful for the devolved nations to impose separate measures. Not only is it deeply confusing, but it is done for no other reason than to make a statement to Westminster, and without regard to the economic consequences. The United Kingdom would have emerged sooner, and in better shape from this crisis if the regional assemblies had not been bickering on the sidelines and imposing their own measures.

The measures announced by Westminster as we began to emerge from lockdown were focused on economic recovery - something Mr Drakeford does not have to worry about because the economy is not a devolved issue. He was therefore free to announce measures that may have had some merit if the only issue facing us was stopping the spread of the virus, but in doing so he decimated parts of the Welsh economy, and particularly tourism and the hospitality industry. This clearly has had a financial impact on the UK as a whole in lost tax revenues, but with no political consequences for Mr Drakeford, he did not need to concern himself with it.

It is disingenuous for Mr Drakeford to talk about pumping money into the Welsh economy. Wales has no tax raising powers, so all that funding will come directly from Westminster, leading to a situation where Wales, having resisted measures to lessen the economic impact of the virus, is now demanding extra funding to deal with the severity of the consequences..

The fear that has been generated by the virus has been compounded by different governments sending different messages and it is a fear that is a great deal more pernicious and damaging than the virus itself. If the regional governments stopped their posturing and bickering, and deferred to Westminster, there would be a good chance that the level of fear could be allayed, and our citizens would have the confidence to send their children back to school and to return to work. As it is the different messages are causing confusion and mistrust of motive, and the economy is suffering.

I am not under any illusion that my petition will have any effect on Welsh Assembly policy under this administration, but I really do hope that the majority of Welsh voters have the capacity to understand the damage that has been done by Mr Drakeford, and that they have long memories.

Georgina Stanger

Agenda Item 7.7

P-05-983 Give grant aid to Bed and Breakfast businesses in Wales that pay council tax and not business rates

This petition was submitted by Louise Grice having collected a total of 86 signatures.

Text of Petition:

Some businesses in Wales are not getting any grant help whatsoever. I am in my second year of my business and my first year profits went back into my business. I'm not vat registered or a LTD company and don't employ anyone, no grants available to me. Council tax is classed as a second home. I pay a premium although this is 10m from my home. We haven't had guests since Oct 20. We don't have any indication when we can reopen but still have rent etc to pay. We need help now and the future.

Additional Information:

Business rates payers on second homes are getting a grant of either £10,000 or £25,000 and this may be on properties that are not necessarily used as self catering accommodation. My B&B is my only source of income like most people this income has gone down to nothing.

Senedd Constituency and Region

- Ynys Môn
- North Wales

Ken Skates AS/MS
Gweinidog yr Economi, Trafnidiaeth a Gogledd Cymru
Minister for Economy, Transport and North Wales



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-05-983
Ein cyf/Our ref KS/05022/20

Janet Finch-Saunders MS
Member of the Senedd
Ty Hywel
Cardiff Bay
CF99 1NA
Government.Committee.Business@gov.wales

19 August 2020

Dear Janet

Thank you for your letter of 5 August to the Minister for Finance and Trefnydd, regarding Petition P-05-983 - Give grant aid to Bed and Breakfast businesses in Wales that pay council tax and not business rates. I am replying due to my portfolio responsibilities.

I recognise that not all businesses will benefit from our current package of support, the package has been designed to be affordable within the available funding, and we had to take difficult decisions on the eligibility criteria. There are alternative options that these types of businesses may wish to consider such as UK Government level funding including the Bounce Back Loans, Self-Employment Income Support Scheme and the Business Interruption Loan Scheme.

Regarding your second question on whether future funding from the UK Government could be used for B&Bs, we will continue to engage with a range of stakeholders and review our package of support to see whether we can do more through it. It is clear that we need the UK Government to step up and provide the additional funding needed to see Welsh business through this pandemic.

Business Wales has a wide range of non-financial advisory support available. Any business affected is encouraged to visit the Business Wales website <https://businesswales.gov.wales> or contact the Business Wales helpline on 03000 6 03000.

Yours sincerely

Ken Skates AS/MS
Gweinidog yr Economi, Trafnidiaeth a Gogledd Cymru
Minister for Economy, Transport and North Wales

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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.

Agenda Item 7.8

P-05-984 Stop discriminatory remote consultations for incinerator applications during the Covid-19 Pandemic

This petition was submitted by Councillor Amanda Jenner having collected a total of 392 signatures.

Text of Petition:

It has been announced that due to COVID-19, an applicant for a large incinerator intends to hold a "remote" planning consultation. Under Developments of National Significance legislation, this is allowed. Due to Covid-19, the County Councillor & Community Council won't be able to hold public or face-to-face meetings with residents. This is a very technical & emotive application. It is unfair/discriminatory on the elderly, disabled & those who are shielding to remotely consult during this period.

Additional Information:

Some elderly residents may not use nor have access to the internet. Some may not feel comfortable taking part in this consultation over the telephone. Incinerator applications are very technical so both the County Councillor & Community Council had intended to hold public meetings to ensure all residents could access, understand & take part in the consultation. The incinerator applicant had also previously indicated that they'd hold a public meeting and 'drop-in' events. This will not be allowed due to Covid-19.

Furthermore, this matter has been in the pipe-line for a number of years. It would not be unreasonable for the Welsh Government Planning Inspectorate to delay this consultation until public and face-to-face meetings are allowed and safe again. This would be in the public interest. It would ensure that elderly residents and those with disabilities or who may be shielding, will have fair access to feed into this consultation should they wish to.

Relates to DNS/3214813

Senedd Constituency and Region

- Montgomeryshire
- Mid and West Wales

Julie James AS/MS
Y Gweinidog Tai a Llywodraeth Leol
Minister for Housing and Local Government



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-05-984
Ein cyf/Our ref JJ/02034/20

Janet Finch-Saunders MS
Member of the Senedd
Ty Hywel
Cardiff Bay
Cardiff
CF99 1NA

Government.Committee.Business@gov.wales

17 August 2020

Dear Janet Finch-Saunders MS,

Thank you for your follow-up letter of 5 August regarding Petition P-05-984: 'Stop discriminatory remote consultations for incinerator applications during the Covid-19 Pandemic', which includes the petitioner's latest submission.

I note the petitioner's request to extend consultation timescales both at the pre-application stage and following the making of a Developments of National Significance ("DNS") planning application.

There are no powers which enable the Welsh Ministers to extend minimum consultation periods at the pre-application stage. The minimum pre-application consultation requirements have been in place since 2016 and have not been amended as a consequence of the coronavirus pandemic. Should a prospective applicant comply with those requirements, there is no legal reason a DNS planning application can be deemed invalid on this basis.

The situation is different following acceptance of a valid DNS planning application by the Welsh Ministers, should the applicant reach this stage. The DNS procedures enable the Welsh Ministers to extend the timescales associated with any consultation or submission requirement, and the Planning Inspectorate shall exercise those powers on the Welsh Ministers' behalf where it considers appropriate. While the power to extend consultation timeframes is exercised unilaterally, there is nothing to prevent an individual, consultee or the applicant making such a request. Such requests may be made in writing, along with appropriate reasoning, to dns.wales@planninginspectorate.gov.uk, following acceptance of a valid DNS planning application.

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

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

Information relating to proposed and accepted DNS planning applications is included at the following website: <https://dns.planninginspectorate.gov.uk/projects/>. If the petitioner is interested in a particular scheme, the website contains instructions which allow individuals to receive email updates about the application, including when an application is submitted, accepted and when consultation commences, to enable participation at the appropriate stage.

Yours sincerely,



Julie James AS/MS

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

P-05-984 Provide key-worker childcare equivalent to what was available prior to the Covid-19 pandemic, Correspondence – Petitioner to Committee, 07.09.20

Dear Committee,

Thank you for providing me with this information and the correspondence from the Minister to the Committee.

I am pleased to hear that the timescales for consultations can be extended at the DNS application stage. Given the potential impact that such large scale developments could have on communities (in this case a large scale commercial incinerator), I should be grateful if I could be provided with the criteria for what would allow such an extension to be granted? I realise that every case may be different, but the concern my residents have about not being able to fully engage in a remote consultation for such a highly technical and emotive potential development, is significant.

I really appreciate the Committee's further consideration of this matter.

Kind regards,

Amanda

Agenda Item 7.9

P-05-985 Provide key-worker childcare equivalent to what was available prior to the Covid-19 pandemic

This petition was submitted by Adam Calcutt having collected a total of 719 signatures.

Text of Petition:

Minister for Education, Kirsty Williams, has announced the planned re-opening of schools on 29th June. From Monday 22nd June, the opening hours of school hubs providing childcare for children of key-workers will be reduced, in some areas, from 0800 – 1800 to 0830 – 1600. This will penalise key-workers who are unable to access the levels of childcare available prior the Covid-19 pandemic; key-workers will be unable to fulfil their normal working hours resulting in a detrimental effect on essential services.

Additional Information:

Having provided children of key-workers with childcare between the hours of 8.00am and 6.00pm failure of the Senedd Cymru Welsh Parliament to provide further arrangements for childcare within these hours, or at least equivalent to the hours of care available at individual schools immediately prior to the Covid-19 outbreak, penalises hard working key-workers. Without the immense effort, dedication and sacrifice of these key-workers to maintain essential services throughout the pandemic the effects on the general public and proud nation of Wales would have led to an even greater death toll, appalling hardships and deprivation – the likes of which would and still could entail serious ramifications for our future generations. Access to the level of child care previously available – including, but not limited to breakfast and after-school clubs at the levels of cost paid by the parents pre-Covid-19 – should be the bare minimum.

Senedd Constituency and Region

- Monmouth
- South Wales East



Eich cyf/Your ref Petition P-05-985
Ein cyf/Our ref KW/04439/20
Janet Finch-Saunders MS
Chair, Petitions Committee

13 August 2020

Dear Janet,

Thank you for your letter of 05 August regarding Petition P- 05-985 - Provide key-worker childcare equivalent to what was available prior to the Covid-19 pandemic. I am grateful for the opportunity to share further views on this matter with the Petitions Committee.

In considering the petition, and the correspondence from the petitioner, regarding summer provision available to children of key workers and the personal experience they received during the pandemic, I would like to reassure the petitions Committee that I have been guided by the [latest scientific and technical advice](#) and recommendations from the Technical Advisory Cell to Welsh Government throughout the pandemic.

In my role as Minister for Education, when I made the decision for learners to 'check in, catch up and prepare for summer' during the last four weeks of the summer term this was in collaboration with Local Authorities and teaching unions. Our proposal was for teachers to work one extra week, the fourth week in July, and get that week back as an extra week at the half term in October. That was our national preference, based on the best health and scientific evidence available to us at the time. However, I recognise that Local Authorities are the employer and are best placed to take decisions over term dates, understanding their local circumstances and issues. Where Local Authorities were able to open schools for the fourth week, they did, but where they were not able to, the Local authority, as the employers took that decision.

I know the Local authorities consulted with their head teachers, with their staff and with their parents.

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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.

Back Page 240
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Summer Holiday and Key Worker Child Provision

The latest scientific advice is that the risk to children of becoming severely ill from COVID-19 is very low. The Welsh Government Technical Advisory Cell, which provides scientific and technical advice to Government during emergencies, has reviewed the current evidence that suggests that, where children are infected with the virus, it takes a milder course than in adults. Children generally present with mild symptoms or are asymptomatic. Very few develop severe symptoms or life threatening levels of infection.

Furthermore, the Technical Advisory Cell reported that transmissibility in children under the age of 12 seems to be particularly low, with emerging evidence showing limited child to child transmission. It is for these reasons that the Technical Advisory Cell has concluded children can be 'covid secure' using a broad range of measures. This evidence supports the return of schools to full operation from September. However, it also assesses the evidence on children in general and is, therefore, also relevant to the childcare sector.

Alongside the updated evidence, our Test, Trace, Protect system is operational and we are clear about the measures that need to be in place to create safer environments within settings and provision. However, there cannot be a one-size fits all approach. We recognise that each Open Access Play work provision will have individual challenges to address.

Since 22 June, childcare settings in Wales have been able to extend their operations, providing care for all children, not just those of key workers or vulnerable children. In many cases, this has been on a reduced basis taking account of the protective measures put in place to help reduce the rate of COVID-19 transmission.

In the period since then, over 900 settings that had closed in the initial period of the pandemic have reopened. Over two thirds of childcare settings across Wales are now open with a number running summer holiday provision. Since 05 August, settings have been able to further expand their operations, increasing the size of contact groups and caring for more children. This is in line with the scientific evidence on transmission in children.

We have updated our guidance on the protective measures to be taken in childcare settings. The guidance for Open Access Play work provision is based on the childcare guidance with the appropriate amendments to reflect the different provision.

Whilst the term Open Access applies to registered provision for children under 12 years, such provision usually caters for a wide age range of children, including those over 12 years. The purpose of the provision is to provide staffed play opportunities for children in the absence of their parents. Children have the freedom of choice as to what range of play activity they wish to undertake and with whom they play. The measures set out in this guidance should be considered alongside the requirements contained within the [National Minimum Standards for Regulated Childcare](#).

I would like to highlight to the Committee an announcement that I made together with the Deputy Minister for Health and Social Care. As school staff take a much-needed break over the summer holidays, we announced an additional £1.6 million available via the Local Authority Emergency Hardship Fund, to allow Local Authorities to enhance their childcare and play opportunities for children and young people aged 5-16 who may need additional support over the summer.

Local Authorities are best placed to use the services and facilities available to them to help those most at risk in their area. In addition, it has also been confirmed that the Coronavirus Childcare Assistance Scheme will continue during the summer holiday period to the end of August.

Children of critical workers and vulnerable children under the age of five will receive funded care in childcare settings until the end of the summer period. I have also committed to funding Free School Meals for eligible children over the summer holidays. Wales was the first UK country to make this commitment.

In very recent developments, I am pleased to confirm the childcare offer for Wales has re-opened to applications in August and September. This Government was elected on a pledge to provide 30 hours of early education and childcare to the working parents of three and four-year-olds for 48 weeks per year. This has been available throughout Wales since April last year and around 14,600 children were taking up the childcare offer in January 2020.

We had to take the unprecedented step of pausing the childcare offer to new entrants on 01 April because of the coronavirus pandemic as we focused resources on supporting the childcare needs of critical workers and vulnerable children through the Coronavirus Childcare Assistance Scheme (C-CAS).

I want to thank our Local Authorities for the way they have run C-CAS and supported families with diverse and often complex needs. Childcare providers have been fantastic; many stayed open when the virus was at its peak to ensure critical workers were able to contribute effectively to the national effort against the pandemic.

At the same time, we have enabled childcare providers to increase their operations to support working families as more workplaces open, while putting in place measures to reduce the risk of transmission of coronavirus as much as possible. As childcare services continue to increase their operations, we believe there will be sufficient provision for those who need it.

A further £1million has been allocated from the education budget to fund support for children and young people over the school summer holidays to help them re-engage with education, giving them the opportunity to take part in activities, which they may have missed while not at school, including socialising with their peers and physical activity.

We will continue to work with the Welsh Local Government Association to determine how this funding will be allocated. We would like to see it targeted towards those children who have missed out the most while they have not been able to attend school and particularly towards the needs of vulnerable children in deprived communities. Altogether, a further £2.6million will be invested to support Local Authorities to provide childcare support and play provision for children during this year's school summer holidays.

I have been clear that if there is a local outbreak of the virus, then the Welsh Government, local authorities and schools, working closely with Public Health Wales (PHW) should be prepared to implement appropriate restriction measures. This firmly recognises that whilst the presence of Covid-19 is declining in our communities, it has not disappeared and we must continue to be aware of the threat of the virus and take safety measures to reduce risk at every opportunity.

I understand these last months have been a challenge for all of us. Many families have struggled with home schooling, juggling work and other priorities and responsibilities. We understand the challenges and benefits of blended learning. On 09 July, I announced an additional £29 million for schools to boost support for learners entering crucial stages in their education from September; to recruit, recover and raise standards and minimise the impact of time away from school as far as possible.

The support package will enable the equivalent of 600 extra teachers and 300 teaching assistants to be recruited throughout the next school year and target support at Years 11, 12, 13 as well as disadvantaged and vulnerable learners of all ages. I have been clear that we must never lower our expectations for any of our children and young people, no matter their background.

I fully recognise the incredibly difficult and uncertain circumstances that school staff, children and young people and their families have been experiencing and we know the impact of the coronavirus will continue to be felt for some time. I feel the decision for September is a positive development in line with the latest scientific and technical guidance and I am very proud of the way people in Wales have responded and of the resilience which continues to be shown during this time.

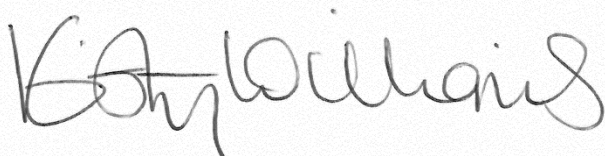
Extended hours provision available for key workers in the autumn when schools fully re-open

During the pandemic, our schools have provided critical childcare and support to enable other key workers, acknowledging firmly that teachers are designated as critical workers, to continue their roles knowing their children are safe. I take it as a compliment to their credit that some critical workers are calling for these arrangements to continue. I am proud of the way our schools have responded. We must however acknowledge that teachers are classed as key workers for their educational role and it is this role that I am most occupied with as we take opportunities safely to increase footfall in schools, make up lost ground, and return fully to school in September. Our teachers must be able to direct their time and efforts to their core teaching and educational roles.

This is of course far more difficult in the gradual easing of restrictions than the more abrupt and immediate instigation of lockdown measures. I have however been clear, that there are no plans at this point to provide funded childcare for those currently identified as critical workers beyond the end of August. The childcare arrangements for summer including support from extended families will help many parents and guardians. In addition we are seeing more and more childcare providers opening up and we are working to ensure school breakfast and after school, clubs can reopen. This includes both school based provision and provision operated across the wider childcare sector.

I believe the pandemic has brought into sharp focus how much social reliance there is on our schools beyond the educational role, which must be their priority. I therefore have great sympathy with families who juggle their lives, childcare, working time and annual leave to cover the summer period. That is why I feel the decision for September is a positive development in line with the latest scientific and technical guidance and I am eager to see our schools able to return to normal as soon as it is safe to do so. I am very proud of the way people in Wales have responded and of the resilience, which continues to be shown and I take heart from this. It is to our credit in Wales.

Yours sincerely



Kirsty Williams AS/MS
Y Gweinidog Addysg
Minister for Education

P-05-985 Provide key-worker childcare equivalent to what was available prior to the Covid-19 pandemic, Correspondence – Petitioner to Minister for Education, 06.09.20

Kirsty Williams AS/MS
Y Gweinidog Addysg/Minister for Education

Adam Calcutt

6th September 2020

Dear Ms Williams,

Thank you for your response to my petition: P-05-985 to provide childcare equivalent to what was available prior to the Covid-19 pandemic. I am very grateful to the Petitions Committee for taking this matter forward.

Along with, I am sure, the vast majority of parents in Wales, I am very pleased that our children are finally heading back to school to access the education and social interactions they so desperately need.

I would like to take this opportunity, however, to comment on some of the assertions you make in your letter.

I initiated the petition in response to a decision made by Monmouthshire County Council to drastically reduce the operating hours of the school hubs provided for childcare purposes for the children of essential workers at the height of the Covid-19 pandemic with very limited notice. This change made it impossible for many key workers to fulfil their contracted hours of work. I also raised concerns about summer holiday childcare provision and the exclusion of key worker children from the “Check in, Catch up, Prepare” school sessions provided at the end of the summer term.

Unfortunately, by the time my petition reached its hearing at the Petitions Committee session on 17th July 2020, it was too late to influence local authorities to reinstate childcare provision that would cover a full working day. However, I believe this is an issue that is worth taking forward in the unfortunate event that an increase in coronavirus cases should lead to further local or national lockdowns. If schools should be required to close again in the future, key worker childcare provision must be maintained in order to allow essential roles to continue to be performed. This provision needs to cover core working hours. There must be an undertaking by the Welsh Government to insist that local authorities plan ahead for this “worst-case scenario” and ensure plans are put in place ahead of issues arising.

You state that you “believe the pandemic has brought into sharp focus how much social reliance there is on schools beyond the educational role”. Indeed, it must be understood that in this era needs are very different to how they may have been in the past. The vast majority of modern families work; they have to in order to make ends meet. Women are no longer stay-at-home housewives but have careers, aspirations and independence and contribute fully to wider society. The traditional school day and academic year format are no longer fit for purpose and the current situation could be used to make positive changes to bring the school system into the 21st century. Wrap-around care is essential to enable parents to work and families struggle to find childcare for the 13 weeks of school holidays a year (with additional teacher training days) when annual leave allowances come nowhere near meeting this.

Parents base their choices on what kind of family to have and how to manage their families on the availability of childcare. For example, before choosing a primary school for our children we researched the possible local options, deciding on a school that offered both breakfast club and after school club provision. No-one could have foreseen the disruption that would be caused by coronavirus; it is unprecedented for schools to shut in the way that they have over the past few months. It must be accepted, though, that parents cannot work without childcare in place and this has been of particular importance for families where parents are key workers who have been required to continue working while many others have been furloughed or able to work from home. As key workers we have continued to provide essential services, without which the health, safety and well-being of us all would be at risk. We are not asking for anything over-and-above what is usually available – just that in the event of any further school closures there is childcare provision for key workers covering the period of 8.00am–5.00pm, thus enabling us to continue our essential roles. Additionally, this provision needs to continue throughout any school holidays. We have based decisions about our families and work lives on the basis of available childcare facilities; without these in place we simply cannot fulfil our roles, to the detriment of the whole of the population of Wales.

I am disappointed to note that the approach taken to summer holiday childcare provision by various local authorities has been patchy, to say the least. Yet another example of a “postcode lottery” leading to variable services where there has been no coherent nationwide leadership. Looking ahead, should a situation arise in future where key workers require childcare provision over school holiday periods, a comprehensive national solution should be in place.

It would be very interesting to see how, exactly, the £2.6million funding you say was provided by Welsh Government was spent by the various local authorities. Considering just the area covered by the Aneurin Bevan University Health Board (my own employer), two areas provided no childcare whatsoever for key worker families: Blaenau Gwent and Powys. I have no idea how parents in these areas were supposed to manage childcare over such an extended period. Monmouthshire (our local authority) provided five weeks of childcare available to all with no key worker priority booking available. Places were only confirmed a few days before the end of term, making booking leave and planning cover at work incredibly difficult. Parents had to pay £20 per day per child and find alternative provision for the final two or three weeks of the holidays, with the scheme ceasing on 21st August but most schools not returning fully until well into September. Torfaen provided 130 free places per day for key worker children over a five-week period, with families only being able to attend for three weeks during this time – leaving four weeks of no childcare. Caerphilly made even less provision available for key worker families, offering just two weeks of childcare. Newport alone have made a stand, acknowledging the importance of childcare in enabling key workers to continue to provide essential services, and thanking them for doing so during such a difficult period. They provided four weeks of free childcare. The Newport City Council website states:

Councillor Jane Mudd, Leader of Newport City Council, said: “We know how important our childcare provision in schools and Flying Start hubs has been for some parents during the pandemic but that was finishing at the end of term.

“We decided that we would step in and provide childcare during the school holidays even though there was no requirement for us to do so.

“We owe a great debt of gratitude to our key workers and they are still vital as we cautiously move through the recovery period. I am glad that we are able to continue to provide this childcare.”

It is a shame that other local authorities felt unable to emulate this.

You suggest in your response to the Petitions Committee that alternative childcare became available when term finished on 17th July 2020. This may be true in some areas, but certainly not all, with many holiday clubs and other schemes remaining closed or limiting access to protect “bubbles” of children already in place. I would also ask how key workers, while continuing to work, were supposed to research, visit and vet these providers whom they have not previously

accessed? I, for one, would not be happy to leave my young children in circumstances I had not been able to fully check out. You also cite assistance from extended families to help with childcare issues, but fail to acknowledge that not every family has this luxury and also that many grandparents would have fitted into the vulnerable category and so were required to continue shielding until 16th August – a full month after the end of the school term – and so could not help out until after this time.

You mention a “support package” to assist “disadvantaged and vulnerable” learners. Please would you confirm that key worker children could now fit into the category of “disadvantaged” as they have not been able to access home learning in the way that other children have as their parents have been required to work and also because they were denied access, through no choice of their families, to the sessions at the end of term? Our children will have fallen behind educationally as a result of our commitment to our work roles; they will need help to regain lost ground and should not be excluded from this because they would not traditionally be thought of as a vulnerable or disadvantaged group.

I very much hope that the return to school goes without any hitches and that in Wales we manage to continue to keep the pandemic successfully under control. However, we must acknowledge that circumstances may change and local or national lockdowns or other control measures may need to be reimposed. It is clear, from what we have seen in other countries and, indeed, other parts of the United Kingdom, that the pandemic has not gone away. A “second spike” during the autumn and winter months is a very real possibility and must be planned for. Key workers will need to continue their essential roles throughout any such periods, just as they did at the height of the crisis earlier in the year, but must receive support in order to do so. Our children need to receive safe and stimulating care while we are unable to stay at home with them. This care must cover the hours of a full working day to enable us to fulfil our necessary roles. The care must continue over periods of school holidays and our children cannot continue to be educationally disadvantaged as we are not in a position to undertake comprehensive home schooling.

I hope you will consider these points and take them forward to ensure key workers across Wales are able to continue to provide essential services should there, unfortunately, be any further disruption to public life as a result of this unprecedented pandemic.

Yours sincerely,

Adam Calcutt

Agenda Item 7.10

P-05-988 Give key worker children equal access to their schools and teachers

This petition was submitted by Catherine Evans having collected a total of 508 signatures.

Text of Petition:

Key worker children in some parts of Wales have been excluded from 'check in, catch up, prepare' sessions in their schools. They are not allowed any face-to-face contact with their teachers or friends if their parents also need childcare to enable them to do critical work. They are to be looked after in leisure centres with inadequate information about provision for their health, emotional well-being or education.

Schools should plan to include all learners this term and in September.

Additional Information:

Welsh Government guidance on the reopening of schools states that 'all learners who are able to, have the opportunity to attend their school or setting for face to face time over the remainder of the summer term'.

<https://gov.wales/keep-education-safe-operational-guidance-schools-and-settings-covid-19>

Senedd Constituency and Region

- Montgomeryshire
- Mid and West Wales



Ein cyf/Our ref KW/04442/20
Janet Finch-Saunders MS
Chair, Petitions Committee

13 August 2020

Dear Janet,

Thank you for your letter of 05 August regarding Petition P- 05-988 - Give key worker children equal access to their schools and teachers. I am grateful for the opportunity to share some views on this matter with the Petitions Committee.

In considering the petition, and the correspondence from the petitioner, regarding the personal experience they received during the pandemic, I would like to reassure the Petitions Committee that I have been guided by the [latest scientific and technical advice](#) and recommendations from the Technical Advisory Cell to Welsh Government throughout the pandemic.

Consideration of local or regional disparities in education provision for the children of key workers and whether they could be avoided in the event of any future reduction in school provision

In my role as Minister for Education, when I made the decision for learners to 'check in, catch up and prepare for summer' during the last four weeks of the summer term, this was in collaboration with Local Authorities and teaching unions. Our proposal was for teachers to work one extra week, the fourth week in July and get that week back as an extra week at the half term in October. I appreciate different Local Authorities face many different sorts of contexts and, where Local Authorities were able to open schools for the fourth week, they did, but where they were not able to, the Local Authority, as the employers were able to make that decision.

My proposal that schools open for an extra week in July with an extra week in the Autumn half term break was well thought out and based on the best health and scientific advice available to us at that time. I believed that the additional week would be hugely important in helping schools take a phased approach in supporting children and young people. However, I recognise that Local Authorities take the decisions over term dates and governing bodies as they are better placed to understand their local circumstances.

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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.

I understand Local Authorities consulted with their headteachers, staff, and parents within their school communities in making these decisions.

The latest scientific advice is that the risk to children of becoming severely ill from COVID-19 is very low. The Welsh Government Technical Advisory Cell, which provides scientific and technical advice to Government during emergencies, has reviewed the current evidence that suggests that where children are infected with the virus, it takes a milder course than in adults. Children generally present with mild symptoms or are asymptomatic. Very few develop severe symptoms or life threatening levels of infection.

Furthermore, the Technical Advisory Cell reported that transmissibility in children under the age of 12 seems to be particularly low, with emerging evidence showing limited child to child transmission. It is for these reasons that the Technical Advisory Cell has concluded children can be 'covid secure' using a broad range of measures. This evidence supports the return of schools to full operation from September. However, it also assesses the evidence on children in general and is, therefore, also relevant to the childcare sector.

Alongside the updated evidence, our Test, Trace, Protect system is operational, and we are clear about the measures that need to be in place to create safer environments within settings and provision. However, there cannot be a one-size fits all approach. We recognise that each provision will have individual challenges to address.

The position concerning the virus and our understanding of both the susceptibility of children and their role in transmission have developed. There is now more and better information available to inform our decisions for the measures to be taken in education settings.

The exceptional nature of the pandemic, and how circumstances developed over time, meant that during the initial period following the repurposing of schools there was variation across Wales. That was understandable and, to an extent, to be expected. However, steps were taken to bring greater consistency through advice and guidance, for example through our Continuity of Learning plans.

I am committed to continue to work closely with all those involved in the schools system in Wales and I have used various engagement methods to listen and to improve our plans throughout the evolving situation. For example, our learning and operational guidance for schools to support reopening and preparation for Summer and September, built upon discussions with employers, practitioners, employees, unions, parents and learners. Stakeholders have different perspectives and have helped shape the steps we have taken and with the respective guidance. We have also been looking at what has been done elsewhere in the UK, as it has been clear during this pandemic that whilst the challenges have been similar, the approaches have differed.

The education system in Wales adapted quickly and effectively to the challenges it faced, and we have all learned important lessons about what support we can put in place and what works well in particular circumstances. There can be no one size fits all approach as we face the ongoing uncertainty of this virus and we must continue to understand what is needed, and be prepared to adapt to changing circumstances. However, we must also continue to strive for the best for our learners; this will be front and centre of what we will do, and consistency in that regard is of critical importance.

Many uncertainties face the education system as we prepare for the next academic year. The UNCRC's right to an education applies without exception, regardless of the scenario or any barriers to learning faced by individuals. A further lockdown or a period of blended

learning does not absolve Local Authorities of their duty to provide a suitable education. However, it is recognised that that duty may need to be implemented differently for some learners for periods.

If during the next academic year, there is a return to lockdown, or some form of blended learning approach is necessary, the following expectations will apply in terms of contact and duration of learning. All learners should be contacted regularly to 'check in' – this will provide an opportunity to check on the safety and well-being of the learner as well as to explore their learning experience and consider possible additional support. Further, all learners should be provided with the duration of learning time they would receive were they in their school or setting, regardless of whether or not some of their learning is taking place at home or elsewhere. There will be exceptions to the implementation of this expectation. However it should be the starting position for all learners.

The recently published guidance on learning in schools and settings from the autumn term details, that at any level of operation, schools and settings will need to think carefully about how time in the school or setting should be used. During this period, contact time will be valuable. Practitioners should think about the balance and relationship between learning time in school and learning elsewhere, using contact time carefully and effectively and identifying how time at home or elsewhere, if needed, can support making connections and consolidating learning.

They should consider a wide range of pedagogical approaches that effectively use school and out-of-school learning to empower learners. Learning time at home can include practising skills and deepening knowledge that has been introduced during contact time but also could include acquiring new knowledge and understanding. Time at home can also allow older learners to research prepare and think before exploring and consolidating concepts, knowledge and skills during contact time. They should seek to support these skills both in school and out of school. Practitioners should always seek to develop digital skills in the context of wider learning rather than trying to teach them in isolation. In developing their approach to learning experiences, schools and settings should consider guidance on blended learning.

Will contact groups or 'bubbles' from September will be available in full to the children of key workers, or any parents who need to access wraparound childcare?

We have taken the decision to change the measures in relation to children under 11 as part of the formal review of the need for the lockdown requirements. The law in Wales requires that Ministers review lockdown restrictions and their proportionality every 21 days. The advice remains that the risk to and from children under 11 is low. However, they are still subject to the other restrictions and they must still observe these restrictions. This also includes social restrictions on meeting other family groups or wider gatherings.

We know that minimising contact and mixing between people reduces transmission of COVID-19. Schools must consider how to best implement this and do everything possible within their own context to minimise contacts and mixing, while delivering a broad and balanced curriculum. It is acknowledged, however, that schools will have constraints relating to buildings and staffing resources and an element of flexibility may be needed in order that children can be accommodated in this return to school.

The overarching principle to apply is reducing the number of contacts between learners and staff. This can be achieved through keeping groups separate and through maintaining distance between individuals. Both measures will help, but the balance between them will change depending on the:

- Learners' ability to distance;

- Layout of the school; and
- Feasibility of keeping distinct groups separate while offering a broad curriculum.

It is likely that for younger learners the emphasis will be on separating groups, and for older learners it will be on social distancing. For learners old enough, they should be supported to maintain distance and not touch staff where possible.

Maintaining a distance between people while inside, and reducing the amount of time they are in face-to-face contact, lowers the risk of transmission. There is strong public health advice that staff in secondary schools maintain distance from their learners, staying at the front of the class and away from their colleagues where possible.

Ideally, adults should maintain a 2-metre distance from each other and from learners. I appreciate that this is not always possible, particularly when working with younger learners, but if adults can do this when circumstances allow, that will help. In particular, they should avoid close face-to-face contact and minimise time spent within 1 metre of anyone. Similarly, it will not be possible when working with many learners who have complex needs or who need close contact care. These learners' educational and care support should be provided as normal.

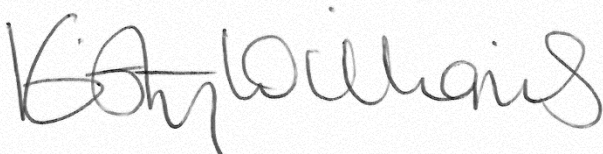
Childcare arrangements for the summer can now include the use of extended family support and will help many families, in addition to seeing more and more childcare providers opening up. We are also working to ensure school breakfast and after school clubs can reopen, which I appreciate will be a key concern for many. I expect schools and Local Authorities to communicate local arrangements accordingly.

I fully understand how families juggle their working time and annual leave to cover school holidays normally. For many, the breakfast club or after school club are essential for the children who attend and for the parents to be able to meet their work or other commitments.

I understand that part-time school provision without wrap around provision and childcare can mean that parents may quickly exhaust the option to use annual/flexible leave and that we in Government must continue to encourage employers to support flexible working arrangements wherever they can at this time, including homeworking where possible for those who have caring commitments.

I fully recognises the incredibly difficult and uncertain circumstances that school staff, children and young people and their families have been experiencing. I feel the decision for September is a positive development in line with the latest scientific and technical guidance and I am very proud of the way people in Wales have responded. We will of course continue to keep our policies under review as the evidence evolves and more is learned about the transmission of COVID 19.

Yours sincerely



Kirsty Williams AS/MS
Y Gweinidog Addysg
Minister for Education

**P-05-988 Give key worker children equal access to their schools and teachers,
Correspondence – Petitioner to Committee, 29.08.20**

Thanks you for forwarding the Minister's response. Unfortunately it doesn't address my concerns at all.

Going back to the situation in June, I was told, three working days before school reopening, that as I needed to use key worker childcare to do my own work as a teacher, my children could not have contact with their class teachers or their friends. It later transpired that children in this situation would be sent to the local leisure centre, which wouldn't be staffed by teachers. Later still, I learned that the children of school staff only (which didn't make epidemiological sense) could attend school to do their online learning supervised by a TA, but still without access to their teacher or opportunities to mix with friends.

Kirsty Williams has not addressed any of this in her letter, which seems to be a convoluted overview of the guidance to schools. She makes no reference at all to the exclusion of key worker children from their classroom settings.

I teach in England and will remove my children from their school if this happens again, in the event of reopening after local or regional lockdown. I was able to teach key worker children alongside their classmates during the phased return so I would seek for my children to be afforded the same over the border.

Please consider asking the Minister to be more specific about whether or not headteachers will be allowed to exclude the children of key workers who need to use childcare, in the event of phased reopening after future lockdown.

With thanks

Catherine