

Agenda – Petitions Committee

Meeting Venue:

Committee Room 4 – Tŷ Hywel

Meeting date: 29 September 2020

Meeting time: 09.00

For further information contact:

Graeme Francis – Committee 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
(Pages 1 – 51)
- 2 New COVID–19 Petitions
 - 2.1 P–05–1006 Release the £59 million to the arts to prevent local grassroots music venues from closure
(Pages 52 – 55)
 - 2.2 P–05–1013 Provide financial support for self–employed individuals within the Welsh live music industry
(Pages 56 – 59)
 - 2.3 P–05–1011 Virtual On–line teacher–led lessons to be provided for all school children
(Pages 60 – 71)
 - 2.4 P–05–1015 Categorise schools as critical infrastructure
(Pages 72 – 82)
 - 2.5 P–05–1017 Allow pupils to wear masks in all areas of the school premises
(Pages 83 – 92)



- 2.6 P-05-1020 Introduce an Appeals process in Wales for all Centre Assessed Grades for 2020 public exam programme
(Pages 93 – 101)

3 Other New petitions

- 3.1 P-05-995 Freedom to Donate Blood
(Pages 102 – 111)
- 3.2 P-05-1007 Merge Hope and Caergwrlle into a two-member ward in the County of Flintshire
(Pages 112 – 121)
- 3.3 P-05-1008 Teach mental health first aid in schools in Wales
(Pages 122 – 128)
- 3.4 P-05-1009 Mandate Welsh Councils to apply a minimum 100% Council Tax surcharge on second homes
(Pages 129 – 138)
- 3.5 P-05-1010 An independent inquiry into the 2020 flooding in Rhondda Cynon Taf so that lessons are learned
(Pages 139 – 159)
- 3.6 P-05-1012 Oxygen chamber therapy for fibromyalgia patients on the NHS
(Pages 160 – 168)
- 3.7 P-05-1016 Extend the new Green Homes Grant to Wales
(Pages 169 – 175)

4 Updates to previous petitions

COVID-19

- 4.1 P-05-960 Fund the funeral costs of all NHS staff who die from or with Covid-19
(Pages 176 – 178)

Environment, Energy and Rural Affairs

- 4.2 P-05-868 Water Safety/Drowning Prevention and the effects of Cold Water Shock to be taught in all Schools in Wales
(Pages 179 – 182)
- 4.3 P-05-933 Ban Goldfish from being given away at funfairs.#OperationGoldfish
(Pages 183 – 185)
- 4.4 P-05-941 Biodiversity Remit for NRW
(Pages 186 – 195)
- 4.5 P-05-951 Impose a legal limit on the maximum number of breeding bitches in licensed dog breeding establishments in Wales
(Pages 196 – 198)
- 4.6 P-05-953 Ban Single Use Plastic Milk Bottles in schools
(Pages 199 – 201)

Health and Social Services

- 4.7 P-05-965 Push the government into introducing a separate ward other than maternity ward, for families going through a miscarriage
(Pages 202 – 204)
- 4.8 P-05-940 Reduce cancelled operations
(Pages 205 – 206)

Equality

- 4.9 P-05-798 Male domestic violence victim support services to be independently run & funded
(Pages 207 – 210)

Housing and Local Government

- 4.10 P-05-898 Ban the use of A boards in Wales
(Pages 211 – 213)

Economy and Transport

4.11 P-05-913 Creation of Lôn Las Môn Multi-Use Path

(Pages 214 – 245)

Education

4.12 P-05-932 Education On Food Allergies In Schools & Mandatory EPI PEN

Training

(Pages 246 – 259)

4.13 P-05-950 Agriculture and Countryside Education for 4-16-year olds in our schools

(Pages 260 – 262)

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Agenda Item 2.1

P-05-1006 Release the £59 million to the arts to prevent local grassroots music venues from closure

This petition was submitted by Neil Bates having collected a total of 100 signatures.

Text of Petition:

Many of the arts and entertainment venues face closure shortly. Unless the Welsh Government start organising support with immediate effect by distributing the £59 million pounds it has for the industry then many venues will close.

Additional Information

Sadly entertainment and the arts appear to be bottom of the priorities with the Welsh Government. Very little discussion is taking place and the lack of information is only adding to the problem.

Please support the entertainment industry by signing this petition before yet another vital industry is lost in your area and more people face unemployment. It's time for the Welsh Government to show support.

Senedd Constituency and Region

- Carmarthen West and South Pembrokeshire
- Mid and West Wales



Eich cyf/Your ref P-05-1006
Ein cyf/Our ref DET/02020/20

Janet Finch-Saunders MS
Member of the Senedd
Ty Hywel
Cardiff Bay
Cardiff
CF99 1NA
Government.Committee.Business@gov.wales

02 September 2020

Dear Janet Finch-Saunders MS,

Thank you for your letter of 11 August regarding correspondence the Petitions Committee has received from Neil Bates, who is currently collecting signatures for a petition to release funding support to the culture sector to prevent local grassroots music venues from closure.

Creative Wales was officially launched in January with a small fund of £20,000 for grassroots music venues announced the same night. Four venues (two in North Wales and two in South) were awarded £5,000 each in late February through this fund.

22 music businesses were funded a total of £402k through the grassroots music relief fund which was praised for its speed and effectiveness by the industry and stakeholders such as the Music Venue Trust who spoke positively during the Culture, Welsh Language and Communications Committee about the impact of the COVID-19 outbreak on the creative industries. Full details of the awardees are available at <https://gov.wales/support-grassroots-music-venues-wales>

A series of comments from recipients was published recently and is available at <https://www.wales.com/creative-wales/grassroots-music-relief-fund>

The Creative Wales fund was the first relief finance made available to music businesses anywhere in the UK with an average turnaround from application to receiving the money of less than a week.

Bae Caerdydd • Cardiff Bay

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.

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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.

This is evidence that supporting the music industry is a priority for Creative Wales. We recognise the incredibly difficult and uncertain circumstances being faced by businesses in the sector across Wales and we are committed to providing support to the industry. We have established a COVID-19 music stakeholder support group to gather intelligence on the impact of the pandemic, and to work with our partners to identify how we can best provide support in response.

The Welsh Government is investing a further £53 million to help Wales' diverse culture sector deal with the impact of the coronavirus pandemic. The Cultural Recovery Fund is intended to provide further essential support to theatres, galleries, music venues, heritage sites, museums, archive services, libraries, 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.

In order to directly target specific sub-sectors, the Cultural Recovery Fund is being delivered jointly between the Arts Council of Wales and the Welsh Government. The Arts Council of Wales opened its fund for applications on 17 August and my officials are working to finalise scheme details for the Welsh Government's fund which will include support for grass roots music venues. We expect to have full details on how the application process will work shortly.

We will continue to engage with the music sector through our COVID stakeholder support group to help ensure the safe re-opening of our music venues as soon as possible.

Yours sincerely,



Yr Arglwydd Elis-Thomas AS/MS

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

P-05-1006 Release the £59 million to the arts to prevent local grassroots music venues from closure, Correspondence – Petitioner to Committee, 22.09.20

Many venues are closing and they will never reopen the funds issued so far have been paltry and unless support is given by the Welsh Government we will lose a valuable commodity to many villages and towns in the area

Without these venues hotels and many other businesses will also suffer due to the decrease in visitors.

I'm fully aware of the current situation regarding the pandemic and the guidelines of social distancing but have to say its rather hypocritical when you run a campaign to entice people back to restaurants and such increasing the risk of social gatherings.

All I ask is that the committee take another look at the current plight and put together a plan of assisting theatres and venues time is of the essence it's no use having £53 million pounds sitting there whilst venues and people face financial ruin

Agenda Item 2.2

P-05-1013 Provide financial support for self-employed individuals within the Welsh live music industry

This petition was submitted by Peter Phillips having collected a total of 189 signatures.

Text of Petition:

The Welsh Government have given no indication as to when live music will be allowed to commence post lockdown. Accordingly, anybody working in the live music industry in Wales is unable to earn a living. The national Self-Employment Income Scheme ends on 17 August. After that date, should the Welsh Government continue to prohibit live music, they should be compelled to provide direct financial support to self-employed individuals in Wales who make their living in that industry.

Senedd Constituency and Region

- Bridgend
- South Wales West

Yr Arglwydd Elis-Thomas AS/MS
Y Dirprwy Weinidog Diwylliant, Chwaraeon a Thwristiaeth
Deputy Minister for Culture, Sport and Tourism



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-05-1013
Ein cyf/Our ref DET/02042/20

Janet Finch-Saunders MS
Member of the Senedd
Ty Hywel
Cardiff Bay
Cardiff
CF99 1NA

Government.Committee.Business@gov.wales

02 September 2020

Dear Janet Finch-Saunders MS

Thank you for your letter of 13 August regarding correspondence the Petitions Committee has received from Peter Phillips, who is currently collecting signatures for a petition to provide financial support for self-employed individuals within the Welsh live music industry.

The Welsh Government is investing £53 million to help Wales' diverse culture sector deal with the impact of the coronavirus pandemic. The Cultural Recovery Fund is intended to provide further essential support to theatres, galleries, music venues, heritage sites, museums, archive services, libraries, 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.

In order to directly target specific sub-sectors, the Cultural Recovery Fund is being delivered jointly between the Arts Council of Wales and the Welsh Government. The Arts Council of Wales opened its fund for applications on 17 August and my officials are working to finalise scheme details for the Welsh Government's fund which will include support for individual freelance creative professionals and grass roots music venues. We expect to have full details on how the application process will work shortly.

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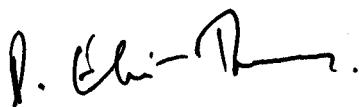
This follows a small fund of £20,000 for four grassroots music venues which coincided with the launch of Creative Wales in January, and 22 music businesses funded by a total of £402k through the grassroots music relief fund which was praised for its speed and effectiveness by the industry and stakeholders such as the Music Venue Trust who spoke positively during the Culture, Welsh Language and Communications Committee about the impact of the COVID-19 outbreak on the creative industries.

The Creative Wales fund was the first relief finance made available to music businesses anywhere in the UK with an average turnaround from application to receiving the money of less than a week.

This is evidence that supporting the music industry is a priority for Creative Wales. We recognise the incredibly difficult and uncertain circumstances being faced by individuals and businesses in the sector across Wales and we are committed to providing support to the industry. We have established a COVID-19 music stakeholder support group to gather intelligence on the impact of the pandemic, and to work with our partners to identify how we can best provide support in response.

We will continue to engage with the music sector through our COVID stakeholder support group to help ensure the safe re-opening of our music venues as soon as possible.

Yours sincerely,



Yr Arglwydd Elis-Thomas AS/MS

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

P-05-1013 Provide financial support for self-employed individuals within the Welsh live music industry - Correspondence from the petitioner to Committee, 21.09.20

I would like to add that it does not appear that any of the arts funding is getting to individual self-employed people in the music sector.

Agenda Item 2.3

P-05-1011 Virtual On-line teacher-led lessons to be provided for all school children

This petition was submitted by Elfed Williams having collected a total of 2,772 signatures.

Text of Petition:

There is a strong possibility that social distancing will remain in place beyond September when the new school year starts. Schools will struggle to accommodate all children returning to school. We are calling on the Welsh Government to work with Local Authorities and Teachers Unions to find a National solution for all children to receive the education they need to progress their education. This will require a combination of school and home-based learning through virtual classrooms.

Additional Information

If social distancing has to be maintained beyond September the Welsh Government (WG) needs to start developing a national strategy to educate our children and to provide support for children that might need shielding. As is likely that only 1/3 of children can be in school at any one time, therefore, a combination of lessons provided in school with virtual on-line lessons will be needed supported by Learning Management Systems.

shorturl.at/boB24

Teachers, schools and Local Authorities will need support and funding in overcoming, setup cost for learning platforms, safeguarding issues but also in delivering of lessons online which might require different skill sets by teachers.

It is not good enough for the WG to wash its hands of this issue. Countries like Singapore, China are embracing these technologies due to Covid restrictions on schools. Wales needs to be on the vanguard, leading the way to ensure our children receive the best education during these difficult times.

Senedd Constituency and Region

- Clwyd West
- North Wales

Continuity of schooling during the COVID-19 pandemic

Y Pwyllgor Deisebau | 29 Medi 2020
Petitions Committee | 29 September 2020

Reference: RS20/13467-1

This briefing provides information for the Committee's consideration of two petitions: P-05-1011 and P-05-1015

Petition Number: P-05-1011

Petition title: Virtual On-line teacher-led lessons to be provided for all school children

Text of petition: There is a strong possibility that social distancing will remain in place beyond September when the new school year starts. Schools will struggle to accommodate all children returning to school. We are calling on the Welsh Government to work with Local Authorities and Teachers Unions to find a National solution for all children to receive the education they need to progress their education. This will require a combination of school and home-based learning through virtual classrooms.

Additional information: If social distancing has to be maintained beyond September the Welsh Government (WG) needs to start developing a national strategy to educate our children and to provide support for children that might need shielding. As is likely that only 1/3 of children can be in school at any one time, therefore, a combination of lessons provided in school with virtual on-line lessons will be needed supported by Learning Management Systems.



Teachers, schools and Local Authorities will need support and funding in overcoming, setup cost for learning platforms, safeguarding issues but also in delivering of lessons online which might require different skill sets by teachers.

It is not good enough for the WG to wash its hands of this issue. Countries like Singapore, China are embracing these technologies due to Covid restrictions on schools. Wales needs to be on the vanguard, leading the way to ensure our children receive the best education during these difficult times.

Petition Number: P-05-1015

Petition title: Categorise schools as critical infrastructure

Text of Petition: Categorise schools as critical infrastructure.

With test, track and trace in place and community transmission across Wales extremely low nationwide, school closures should not happen again in Wales.

This is essential for children's mental wellbeing, their education, and any safeguarding issues.

Additional information: Should any schools be required to close due to a severe outbreak of C19 they must immediately be able to deliver all lessons live and online by way of an education contingency plan. Furthermore they also need to ensure that all children are present in registration and lessons, with any absences followed up in the same as they would in school ensuring children's safeguarding and continuation of education.

*This method of education must only continue for as shortest time as possible before all children must then re attend school as normal.

Schools specifically for children with SEN including disabled children should not close and should have a contingency to continue to remain open even throughout localised lockdowns.

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.
- The Welsh Government's priority is to 'keep schools open where possible'. In the event of future disruption to schooling at a local level, the Welsh Government says it

will 'clearly state our expectation that schools do all they can to ensure continuity of learning'.

- The Welsh Government also says it has been 'working with stakeholders from across the sector to develop guidance on the use of models of blended learning that may include both face to face teaching and online provision'.
- This briefing sets out some relevant background and links to key sources and announcements.

2. Previous phases of school closures and reduced operations: March to July 2020

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: September 2020

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.

The scientific advice 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 petition P-05-1015 refers to the **possibility of 'future disruption to schooling at a local level'** 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 allowed for a period of flexibility in recognition that schools might 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 allowed time, the first fortnight of the new term, 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. From 14 September, face coverings have been required in shops and other indoor premises.

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

4.1. Keeping 'schools open where possible'

As a previous letter from the Minister outlined, the risks 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.

The Minister's letter regarding petition P-05-1015 'Categorise schools as critical infrastructure' reiterates the **First Minister's priority to 'keep schools open where possible'**. It also recognises the 'possibility of future disruption to schooling at a local level.

At the time of writing, schools have remained open in Caerphilly County Borough despite the local lockdown with the Welsh Government saying 'keeping schools and colleges open if possible remains our top priority'.

4.2. The contingency of blended learning

The Minister's letter regarding petition P-05-1011 'Virtual On-line teacher-led lessons to be provided for all school children' reiterates that schools would open fully to all pupils in September. It refers to the guidance on learning in the autumn term and also states:

Additionally there is **planning being undertaken to cope with a range of scenarios that would include partial or full closure of schools if circumstances required.**

Officials have been working with stakeholders from across the sector to develop guidance on the use of models of blended learning that may **include both face to face teaching and online provision.**

The Regional Consortia have also developed **models and examples of delivering blended learning** that have been made available to all Local Authorities and schools to support them to continue to provide consistent and quality learning for all learners in Wales, should the need arise to use these routes. [bold is Senedd Research's emphasis]

The Minister's letter also says the delivery of learning remains the responsibility of local authorities and schools and it is for them to ensure provision that meets the needs of their learners.

5. Welsh Parliament action

The Children, Young People and Education Committee have held several scrutiny sessions with the Minister for Education regarding the disruption and continuity of education as part of its inquiry into the **inquiry into the impact of the Covid-19 outbreak on children and young people in Wales.**

These sessions took place on **19 March, 28 April** and **7 July.**

The CYPE Committee has also commissioned **research on approaches to remote teaching and learning** from Dr Sofya Lyakhova at Swansea University under the **Senedd Research COVID-19 Expert Register scheme.**

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

Eich cyf/Your ref Petition P-05-1011
Ein cyf/Our ref KW/04526/20
Janet Finch-Saunders MS
Member of the Senedd
Ty Hywel
Cardiff Bay
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Government.Committee.Business@gov.wales

19 August 2020

Dear Janet,

Thank you for your letter dated 12 August regarding Petition P-05-1011 Virtual On-line teacher-led lessons to be provided for all school children.

On 9 July I announced that we intend that schools will open fully to all pupils in September. This is in line with the advice received from the Welsh Technical Advisory Group and remains subject to a continuing, steady decline in the presence of COVID-19 in the community.

To help schools prepare for this scenario in September detailed guidance has been published

<https://gov.wales/operational-guidance-schools-and-settings-autumn-term-covid-19>

<https://gov.wales/guidance-learning-schools-and-settings-autumn-term-covid-19>

Additionally there is planning being undertaken to cope with a range of scenarios that would include partial or full closure of schools if circumstances required. Officials have been working with stakeholders from across the sector to develop guidance on the use of models of blended learning that may include both face to face teaching and online provision.

<https://hwb.gov.wales/distance-learning/developing-approaches-to-support-distance-learning/>

The Regional Consortia have also developed models and examples of delivering blended learning that have been made available to all Local Authorities and schools to support them to continue to provide consistent and quality learning for all learners in Wales, should the need arise to use these routes. The delivery of learning remains the responsibility of Local

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
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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.

Authorities and schools and it is for them to ensure provision that is designed to meet the needs of their learners.

Yours sincerely

A handwritten signature in black ink, reading "Kirsty Williams". The signature is written in a cursive style with a large initial 'K' and 'W'.

Kirsty Williams AS/MS
Y Gweinidog Addysg
Minister for Education

P-05-1011 Virtual On-line teacher-led lessons to be provided for all school children, Correspondence – Petitioner to Committee, 21.09.20

I welcome the fact that all children are now back in school receiving full-time education.

This petition was started in response to the lack of education provided to our children especially in the early stages of the lockdown period.

Many children, whilst at home during this period, were sent work by their teachers to be completed. Quite often, but not in all cases, it appeared that very little supervision of this work was carried out with only limited feedback from teachers to children. There appeared to be a postcode lottery as to what support schools provided with some limited number of schools providing online classes to many schools refusing to provide any online classes whatsoever.

In many instances, safeguarding reasons were given as to why online lessons could not be provided but this did not appear to hamper private schools and schools in other countries being able to provide online lessons with their teacher within a few weeks of the lockdown being announced.

With the second wave of Covid 19 I welcome the fact that schools will be the last place to be locked down. But this does not mean that some year bubbles or probably even whole schools might have to be closed if Covid increases dramatically in some areas. Our children have already lost nearly six months of their education with, as yet, unknown implications as to their future career. It is therefore imperative that every effort is made to ensure that each child receives the education they deserve even if they have to self isolate for whatever reason be this on an individual, year or whole school basis. If a child has to stay at home due to Covid then they should be provided with online lessons until they can return to school.

Diolch / Thank you

Agenda Item 2.4

P-05-1015 Categorise schools as critical infrastructure

This petition was submitted by Christopher Hughes having collected a total of 484 signatures.

Text of Petition:

With test, track and trace in place and community transmission across Wales extremely low nationwide, school closures should not happen again in Wales.

This is essential for children's mental wellbeing, their education, and any safeguarding issues.

Additional Information

Should any schools be required to close due to a severe outbreak of C19 they must immediately be able to deliver all lessons live and online by way of an education contingency plan. Furthermore they also need to ensure that all children are present in registration and lessons, with any absences followed up in the same as they would in school ensuring children's safeguarding and continuation of education.

*This method of education must only continue for as shortest time as possible before all children must then re attend school as normal.

Schools specifically for children with SEN including disabled children should not close and should have a contingency to continue to remain open even throughout localised lockdowns.

Senedd Constituency and Region

- Clwyd West
- North Wales

Continuity of schooling during the COVID-19 pandemic

Y Pwyllgor Deisebau | 29 Medi 2020
Petitions Committee | 29 September 2020

Reference: RS20/13467-1

This briefing provides information for the Committee's consideration of two petitions: P-05-1011 and P-05-1015

Petition Number: P-05-1011

Petition title: Virtual On-line teacher-led lessons to be provided for all school children

Text of petition: There is a strong possibility that social distancing will remain in place beyond September when the new school year starts. Schools will struggle to accommodate all children returning to school. We are calling on the Welsh Government to work with Local Authorities and Teachers Unions to find a National solution for all children to receive the education they need to progress their education. This will require a combination of school and home-based learning through virtual classrooms.

Additional information: If social distancing has to be maintained beyond September the Welsh Government (WG) needs to start developing a national strategy to educate our children and to provide support for children that might need shielding. As is likely that only 1/3 of children can be in school at any one time, therefore, a combination of lessons provided in school with virtual on-line lessons will be needed supported by Learning Management Systems.



Teachers, schools and Local Authorities will need support and funding in overcoming, setup cost for learning platforms, safeguarding issues but also in delivering of lessons online which might require different skill sets by teachers.

It is not good enough for the WG to wash its hands of this issue. Countries like Singapore, China are embracing these technologies due to Covid restrictions on schools. Wales needs to be on the vanguard, leading the way to ensure our children receive the best education during these difficult times.

Petition Number: P-05-1015

Petition title: Categorise schools as critical infrastructure

Text of Petition: Categorise schools as critical infrastructure.

With test, track and trace in place and community transmission across Wales extremely low nationwide, school closures should not happen again in Wales.

This is essential for children's mental wellbeing, their education, and any safeguarding issues.

Additional information: Should any schools be required to close due to a severe outbreak of C19 they must immediately be able to deliver all lessons live and online by way of an education contingency plan. Furthermore they also need to ensure that all children are present in registration and lessons, with any absences followed up in the same as they would in school ensuring children's safeguarding and continuation of education.

*This method of education must only continue for as shortest time as possible before all children must then re attend school as normal.

Schools specifically for children with SEN including disabled children should not close and should have a contingency to continue to remain open even throughout localised lockdowns.

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.
- The Welsh Government's priority is to 'keep schools open where possible'. In the event of future disruption to schooling at a local level, the Welsh Government says it

will 'clearly state our expectation that schools do all they can to ensure continuity of learning'.

- The Welsh Government also says it has been 'working with stakeholders from across the sector to develop guidance on the use of models of blended learning that may include both face to face teaching and online provision'.
- This briefing sets out some relevant background and links to key sources and announcements.

2. Previous phases of school closures and reduced operations: March to July 2020

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: September 2020

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.

The scientific advice 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 petition P-05-1015 refers to the **possibility of 'future disruption to schooling at a local level'** 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 allowed for a period of flexibility in recognition that schools might 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 allowed time, the first fortnight of the new term, 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. From 14 September, face coverings have been required in shops and other indoor premises.

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

4.1. Keeping 'schools open where possible'

As a previous letter from the Minister outlined, the risks 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.

The Minister's letter regarding petition P-05-1015 'Categorise schools as critical infrastructure' reiterates the **First Minister's priority to 'keep schools open where possible'**. It also recognises the 'possibility of future disruption to schooling at a local level.

At the time of writing, schools have remained open in Caerphilly County Borough despite the local lockdown with the Welsh Government saying 'keeping schools and colleges open if possible remains our top priority'.

4.2. The contingency of blended learning

The Minister's letter regarding petition P-05-1011 'Virtual On-line teacher-led lessons to be provided for all school children' reiterates that schools would open fully to all pupils in September. It refers to the guidance on learning in the autumn term and also states:

Additionally there is **planning being undertaken to cope with a range of scenarios that would include partial or full closure of schools if circumstances required.**

Officials have been working with stakeholders from across the sector to develop guidance on the use of models of blended learning that may **include both face to face teaching and online provision.**

The Regional Consortia have also developed **models and examples of delivering blended learning** that have been made available to all Local Authorities and schools to support them to continue to provide consistent and quality learning for all learners in Wales, should the need arise to use these routes. [bold is Senedd Research's emphasis]

The Minister's letter also says the delivery of learning remains the responsibility of local authorities and schools and it is for them to ensure provision that meets the needs of their learners.

5. Welsh Parliament action

The Children, Young People and Education Committee have held several scrutiny sessions with the Minister for Education regarding the disruption and continuity of education as part of its inquiry into the inquiry into the impact of the Covid-19 outbreak on children and young people in Wales.

These sessions took place on 19 March, 28 April and 7 July.

The CYPE Committee has also commissioned research on approaches to remote teaching and learning from Dr Sofya Lyakhova at Swansea University under the Senedd Research COVID-19 Expert Register scheme.

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

Eich cyf/Your ref Petition P-05-1015
Ein cyf/Our ref KW/04527/20
Janet Finch-Saunders MS
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21 August 2020

Dear Janet,

Thank you for your recent correspondence regarding a petition against possible schools closures following a new outbreak of COVID-19.

Since the decision was taken to have a national lockdown so much work has been done to build upon the learning that has resulted from that time. Many strategies have now been put in place and we know so much more about the prevalence of COVID-19 that it is not envisaged another national lockdown would necessarily be required. The Disease Outbreak Plan for Wales (2020) Public Health Wales has provided specific advice regarding the investigation and management of clusters and incidents of COVID-19 in educational settings; this, together with our latest Operational Guidance published on 11 August provides a process for schools to follow in the event of an outbreak in a school which will be key to managing confirmed cases of COVID-19 among the school community. The First Minister has also been clear on his priority to keep schools open where possible.

We recognise the possibility of future disruption to schooling at a local level from the impact of the pandemic. We are clear that schools and Local Authorities need to ensure plans are in place for responding to disruption based on local scenarios, and that these should include impact on individuals and groups, the closure of a school for a period or the closure of a group of schools such as a local cluster or all the secondary schools serving a community.

As we go into September, we will clearly state our expectation that schools do all they can to ensure continuity of learning under future conditions of disruption. Schools will be expected to set out in their plans pupils' entitlement to contact and support, the frequency and duration of teaching and learning sessions, and the amount of time pupils are expected to spend in independent study.

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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.

We are aware that the regional consortia have undertaken considerable work to make guidance and Professional Learning available to schools in support of their approach to blended and remote learning, and that the HWB now contains significant resources for use by schools in developing their plans.

I am not convinced that mandating special schools to remain open during any lockdown would necessarily be sensible or practical, but I believe that there is merit in the development of contingency plans to improve the ability of schools to react to any national or local lockdown.

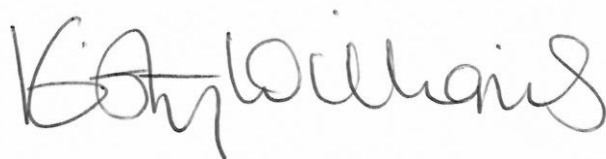
On 17 August, 'Guidance for supporting vulnerable and disadvantaged learners' was published. This guidance supplements the Operational 'Guidance for Schools and Settings from the Autumn Term' and the 'Guidance on Learning in Schools and Settings from the Autumn Term' and provides specific advice for vulnerable and disadvantaged learners, including those learners receiving Education Other Than At School (EOTAS).

The guidance deals with a range of scenarios and sets out expectations for local authorities, schools and settings. As well as expectations around the planning for re-engaging vulnerable and disadvantaged learners in their education from September, the guidance is clear that contingency plans should be made to prepare for potential further disruption to education in the event of future waves of the virus. This will be particularly important for learners who are engaged in vocational learning, which may not be easily adapted to distance or blended learning models.

The guidance is clear that planning and support should be based on the needs of individual learners, taking into account the impact the closure of schools and settings has had on the well-being and wider learning of learners. It also provides information on increased anxiety, mental health issues and challenging behaviour, which may be particularly relevant in the context of supporting learners to re-integrate and re-engage with their learning.

I hope this offers assurance that considerable work is being undertaken to ensure as little disruption as possible to learners should there be further outbreaks of COVID-19 that would result in school closures or a reduction in their operation.

Yours sincerely

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

Kirsty Williams AS/MS
Y Gweinidog Addysg
Minister for Education

**P-05-1015 Categorise schools as critical infrastructure, Correspondence –
Petitioner to Committee, 22.09.20**

Schools must not close again due to COVID19 except in severe circumstances.

Emphasis on SEN schools, many of these children despite being entitled to school provision during the lockdown, they were made to remain home by schools and local education authorities. This had a very negative affect on these children, not all, but many.

ALL children deserve normality. We are aware the virus does not affect children in the same way as adults and teaching is believed to be the safest profession in regards to COVID19.

We need more teaching staff available to cover for any ill staff/staff worried about working.

Children should not be sent home from school and made to be tested when they have a common cold. Many schools/LEAs are having all poorly children sent home and tested which will ofcourse cause upset and disruption.

School is vital for the wellbeing and futures of our children, whilst essential to allow families to work and keep the economy going. Children have suffered enough

Agenda Item 2.5

P-05-1017 Allow pupils to wear masks in all areas of the school premises

This petition was submitted by John Zhao having collected a total of 97 signatures.

Text of Petition:

I am starting this petition to call on the Senedd to make schools let pupils wear face masks at all times (even in classroom settings). Face masks/coverings can substantially reduce the transmission rate as shown in other countries around the world. If wearing a face mask is compulsory on public transports in England, then why shouldn't pupils wear masks in an enclosed environment like a classroom where there are more people and spend a long period of time in there??

Additional Information:

Ysgol Friars has banned the use of face masks and coverings in classrooms.

Senedd Constituency and Region

- Arfon
- North Wales

Face coverings in schools

Y Pwyllgor Deisebau | 29 Medi 2020
Petitions Committee | 29 September 2020

Reference: RS20/13831-1

Petition number: P-05-1017

Petition title: Allow pupils to wear masks in all areas of the school premises

Text of petition: I am starting this petition to call on the Senedd to make schools let pupils wear face masks at all times (even in classroom settings). Face masks/ coverings can substantially reduce the transmission rate as shown in other countries around the world. If wearing a face mask is compulsory on public transports in England, then why shouldn't pupils wear masks in a enclosed environment like a classroom where there are more people and spend a long period of time in there??

Additional information: Ysgol Friars has banned the use of face masks and coverings in classrooms.



1. Summary

The Welsh Government revised its policy on face coverings in schools on 26 August 2020, and face coverings in society more generally on 11 September 2020.

Welsh Government guidance is updated regularly and Committee Members are advised to refer to the latest versions available.

2. Face coverings in schools

The Welsh Government updated its policy on face coverings in schools on 26 August 2020.

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 aged over 11 in indoor settings in which social distancing cannot be maintained, including secondary schools**.

Face coverings are therefore recommended for use in communal areas (corridors etc but not necessarily classrooms) in secondary schools but not primary schools.

Welsh Government operational guidance to schools (updated 2 September) states:

The Chief Medical Officer recommends, but does not mandate, the risk assessed use of face coverings in secondary schools in a range of settings where other physical controls cannot be or are unlikely to be maintained. This may include communal areas of schools where the physical layout means that contact groups cannot remain separated to the same degree. This will be a local decision for the school or setting depending on their assessment of the risk and in context of the local circumstances.

Where a pupil wishes to wear a face covering even though it is not required or recommended, the Minister for Education's letter regarding petition P-05-1017 states that the **Welsh Government 'does not explicitly prohibit use of face coverings in classrooms'**. The Minister says that in such cases the pupil or their parents should discuss the matter with the school who the Welsh Government would want to take a **'pragmatic and inclusive approach'**.

The Minister was asked about face coverings in schools in Plenary on 15 September and said:

With regard to face coverings, the guidance is absolutely clear with regard to face coverings. Our expectations of schools and our operational guidance are that they will take steps within their school to limit contact between groups of students. And schools are doing this in a variety of ways: zoning, for instance; one-way systems; staggered

starts; staggered break times, lunch times and end-of-school-day arrangements. Where, after all those other things have been done—because those things have to be done first—**where those things have all been done and then it is impossible to keep bubbles of students apart in communal areas, that's when face coverings should be worn. And it is best that that is done on an individual risk-assessment basis within an individual school, because our schools come in all different shapes and sizes.** There are high schools in my own constituency that would look like a small primary school in the context of Cardiff. We have some of our schools in wonderful twenty-first century schools buildings, and then some of our schools are still, if I'm honest, Victorian structures, so your ability to achieve these things within your school will vary from school to school. **If you cannot keep groups of students in communal areas 2m apart, then they should wear a face covering, and I'm sure that figuring that out is well within the capability of our headteachers who run our schools.** They are dealing with much more complex problems every single day of their lives than figuring out whether they can keep children 2m apart in a corridor. [Bold is Senedd Research emphasis]

3. Face coverings in society more generally

The Welsh Government announced on 11 September that, from 14 September, the wearing of face coverings is **required in all indoor public places**, such as shops and shopping centres, hairdressers and gyms. The exception to this requirement is where a person is inside a place to eat or drink (for example, cafés, restaurants and pubs).

Children aged under 11 are not required to wear face coverings. This is because the scientific advice indicates that face coverings are likely to be of little value in children under the age of 11 years

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

Eich cyf/Your ref P-05-1017
Ein cyf/Our ref KW/04936/20
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25 August 2020

Dear Janet,

Thank you for your letter dated 19 August regarding Petition P-05-1017 to allow pupils to wear masks in all areas of the school premises.

I am grateful for the opportunity to share some views on this matter with the Petitions Committee in advance of the Committee's formal consideration of the petition.

The use of face coverings and personal protective equipment (PPE) more generally has been a frequent source of discussion during the pandemic. I appreciate many people have strong personal views on whether and in what circumstances face coverings should be worn. Global understanding of the virus has continually improved and this means we must be live to the scientific and medical advice in setting our policy; and equally must be open to reviewing the position as our understanding continues to develop.

The current medical and scientific advice to Welsh Government from our Technical Advisory Cell supports the view of the Chief Medical Officer for Wales that physical distancing, hand hygiene and respiratory hygiene remain strongly evidenced to be the most effective ways to prevent the spread of coronavirus. Our guidance to schools and settings is that there is therefore no need to use PPE when undertaking routine educational activities in classroom and school settings.

Our [operational guidance for schools and settings from the autumn term](#), which we updated on 11 August, includes advice on instances where PPE may be required, for example in the event of a suspected case of COVID-19 or in instances where staff provide intimate care.

The use of PPE by staff within education settings should be based on a clear assessment of risk, taking into account each individual setting and the needs of the individual learner. We

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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.

expect schools and settings to ensure, where possible, that they organise their environment and operate to ensure that social distancing can be maintained throughout a routine day.

The Welsh Government does not explicitly prohibit use of face coverings in classrooms. In cases where a learner or family feel strongly that they or their child should be able to wear a face covering in class, we would urge them to discuss this with the school, noting anything which might require special consideration as part of the school's risk assessment. In coming to a local decision, we would want schools to take a pragmatic and inclusive approach.

Considering the wellbeing of learners is critical to any considerations around whether staff or older learners wear face coverings. Our guidance is also clear that no one who may not be able to manage face coverings as directed, for example young learners or some learners with special educational needs or disabilities, should be required to wear them. The impact of wearing a face covering for learners with any level of hearing loss must also be carefully considered and our guidance links to advice provided by the National Deaf Children's Society to help schools and settings manage this appropriately.

Our operational guidance details that schools should have a process for removing face coverings safely when learners and staff who choose to use them arrive at school, including not touching the front of their face covering during use or when removing them, washing hands immediately on arrival (in the case of all learners), and disposing of or storing them safely.

There is a great deal that our schools and settings can do to reduce the risk of transmission and create as safe a space as possible for all learners to thrive. In the classroom, maintaining a safe distance between people and reducing the amount of time they are in face-to-face contact, lowers the risk of transmission. Ideally, adults should maintain a 2 metre distance from each other and from learners. It is strongly advised that staff in secondary schools maintain distance from their learners, staying away from colleagues where possible and staying at the front of the classroom. We know these measures will not always be practical, in particular with younger learners, but following the guidelines when circumstances allow will help reduce the risk of transmission.

It is important for our schools and settings to support learners to maintain a safe distance and not to touch staff and their peers where possible. Where this cannot be achieved, the transmission risk can still be reduced significantly by keeping learners in smaller, class-sized groups as outlined in our guidance.

In line with health advice, children under 11 no longer have to maintain a 2 metre distance from each other or from adults while at schools and settings. The advice remains that the risk to and from children under 11 is very low. However, they will remain subject to other restrictions in place and must continue to observe the social restrictions on meeting other family groups or wider gatherings for example.

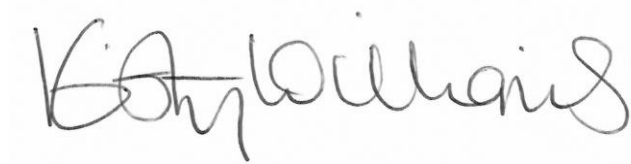
Schools can make changes to the routine of the day, such as not holding large gatherings such as physical assemblies in one place, staggering break times, changing seating arrangements, increasing ventilation to indoor areas and holding activities in outdoor learning environments, where possible.

The author of the petition refers to public transport arrangements and face coverings. The Welsh Government are working closely with local authorities in Wales who are responsible for school transport. Our operational guidance outlines that local authorities should assess the travel needs of learners aged under 19 and should put in place proportionate safeguards to minimise the risk of transmission on dedicated home to school transport. There is no requirement to wear a face covering on dedicated home to school transport.

However, a child over the age of 11 who is travelling on ordinary public transport will need to wear a face covering in line with the Coronavirus regulations.

I understand this guidance will be welcomed by some and may cause concern for others. We must balance the overall risk to learners from COVID-19, which is very low, as well as the absence of evidence of any substantial benefit from the use of face coverings, compared with the potential risks of incorrect use and disposal, against the concerns of parents and children and desire to wear face coverings. I would like to reassure the author of the petition that our advice on face coverings will be kept under constant review against the latest health and scientific evidence, including in context of new information released by the World Health Organisation.

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-05-1017 Allow pupils to wear masks in all areas of the school premises,
Correspondence – Petitioner to Committee, 22.09.20**

PETITION P-05-1017

21st September 2020

Dear whom it may concern,

Thank you for the response. Throughout the pandemic, the use of face coverings has been a highly debatable topic; with the government changing its advice from 'No evidence the general wearing of face masks by the public who are well affects the spread of the disease' (Jonathan Van Tam, Deputy Chief Medical Officer Professor) to 'Things like wearing a face mask, which reduces the transmission, very clearly' (Matt Hancock, Health Secretary). The Welsh government's latest plea for shoppers to wear face coverings when shopping, and I believe schools across Wales should follow suit and have face coverings in classroom settings as pupils are confined in classrooms together for a long period of time.

The Welsh Government's latest advice is for pupils to wear face coverings in school communal areas, but the use of face covering is still not recommended in classrooms. The messaging laid out is nothing short of chaotic. Currently, I must wear a face covering to buy a pint of milk where 2 meters social distancing is more likely to be observed as well as plastic screens at checkout points. But pupils are not allowed to wear face coverings when in a closed environment of more than 20 people, with no social distancing, and central air conditioning in some classrooms.

The mixed messaging from the Welsh Government creates an impression that people can spread the virus in shops but not in schools. On the other hand, some may argue that children are less at risk compared to adults. Even so, it does not make them any less contagious. This means they can still contract the virus in school and

pass it onto more vulnerable adults that may be in their bubble creating chains of infections that can be hard to break up.

As we move to the autumn/winter season we are likely to experience a spike in other illnesses like Rhinovirus and flu. The use of face coverings can limit the distance that droplets travel during a cough or sneeze, meaning a broader use of them can result in higher attendance rates among pupils as less pupils are off with other illnesses.

In the response from the Minister of Education, she wrote 'The Welsh Government does not explicitly prohibit use of face coverings in classrooms' but there have been cases in Ysgol Friars where pupils are told off for refusing to take off their face coverings in lessons.

I do understand the impact of face coverings on pupils who may have hearing difficulties or those who rely on lip reading as their main source of communication. However, I believe the Welsh Government should NOT use a 'one size fits all' solution when tackling a problem like this, especially in secondary schools where pupils move between blocks of buildings mixing with hundreds of pupils across the school. To this day, the use of face shields as an alternative is still not permitted in many schools across Wales even though it solves all the problems a face covering may cause like speech and lip reading. The benefits of a face shield are that it can block off any potential droplets from other people also droplets produced by the user. Personally, I see this as a solution to any classes that may have pupils who have problems with speech or those who rely on lip reading. should there be no pupils in a particular class that have hearing difficulties or must rely on lip reading, the use of face coverings must remain an option for the pupil.

As the scientific evidence on the use of face coverings grow, I believe the Welsh Government should allow the use of face coverings in classroom settings and make schools to let pupils have a choice on

whether to wear one. Recently, the World Health Organization has advised members of public to “Wear a mask where physical distancing is difficult, such as on public transport, in shops or in other confined or crowded environments” these conditions all fit the description of a classroom.

Even though the Welsh Government have called on schools to reduce classroom size numbers, but many schools are simply unable to do it. Whether its lack of classrooms or lack of teachers. Therefore, the use of face coverings is important as social distancing is near impossible and class sizes remains unchanged.

The Welsh Government should look at our European counterparts (France, Italy, Germany, and Spain) where widespread face covering use in schools have resulted in safer schools. Even in countries like the Netherlands where the use of face coverings in classroom settings are not compulsory, there is no advice saying it is “not recommended” or there are no schools telling pupils off for wearing one in classrooms.

Finally, I have some further questions for the First Minister of Wales, Minister of Education and the petitions committee

- Since neither social distancing nor face coverings are existent in **classrooms across Wales**, what makes you so sure schools are ‘COVID Secure’?
- The latest figures show that 1 in 5 pupils in Wales were absent in the first week of school, do you think this is down to parents thinking that schools are not safe?

Yours Sincerely,



JOHN ZHAO

Agenda Item 2.6

P-05-1020 Introduce an Appeals process in Wales for all Centre Assessed Grades for 2020 public exam programme

This petition was submitted by Parents in Wales having collected a total of 87 signatures.

Text of Petition:

We were relieved that the Welsh Assembly Government decided that CAGs should form the basis for 2020 exam results. However, what learners need now is a transparent process for appeals against CAGs which may have been lowered due to assessment criteria set by WJEC, disallowing compensatory measures ie variable learner circumstances affecting data.

Additional Information:

Some examples

- o learner illness/medical issues causing school absence and missing mock results, topic tests and lowering of tracking data;
- o inconsistencies/issues with staffing affecting quality of teaching and impacting on learner data outcomes;
- o learners with additional needs who may have been absent, in isolation, or did not receive adequate SEN support and this would impact on all data and excludes potential;
- o cared for children who may be experiencing changes to school/foster parents and emotional trauma impacting on data

Qualifications Wales has mentioned in the media their concern that the use of CAGs could include inflated results by teachers. If this concern is viable it is also possible that to offset inflation, teacher bias would use compensatory deflated grades to secure a normal school pattern of performance. It is therefore likely that some students may be disappointed with their CAGs and should have the opportunity to seek appeal with their schools.

Parents Voices in Wales.

Senedd Constituency and Region

- Cardiff North

- South Wales Central

Appeals against Centre Assessed Grades

Y Pwyllgor Deisebau | 29 Medi 2020
Petitions Committee | 29 September 2020

Reference: RS20/13831-2

Petition Number: [P-05-1020](#)

Petition title: Introduce an Appeals process in Wales for all Centre Assessed Grades for 2020 public exam programme

Text of petition: We were relieved that the Welsh Government decided that CAGs should form the basis for 2020 exam results. However, what learners need now is a transparent process for appeals against CAGs which may have been lowered due to assessment criteria set by WJEC, disallowing compensatory measures ie variable learner circumstances affecting data.



1. Summary

- Following the cancellation of exams in 2020, grades were initially going to be issued under a standardisation process applied by WJEC to the grades submitted for learners by their school or college.
- In response to concerns that standardisation resulted in many Centre Assessment Grades (CAGs) being lowered, the Welsh Government decided that the higher of the CAG and the standardised grade would be used.
- Candidates cannot appeal against the professional judgement their centre has reached in determining their grade, only where there has been an administrative or procedure error, or malpractice.

2. The cancellation of exams and the process put in place for awarding grades in 2020

On the same day (18 March) as announcing the closure of schools, the Minister for Education, Kirsty Williams MS, decided, following discussions with Qualifications Wales and the WJEC, that the **2020 summer GCSE and A level exam series would not go ahead**.

The Minister said from the outset that learners due to sit their GCSE and A level exams this summer (predominantly Year 11 and Year 13 respectively) would be awarded a **'fair grade'**, **'drawing on the range of information available'**.

Welsh Government guidance issued in late March said that grades would be 'calculated using a range of available evidence including for instance, work done to date, mock exams and teacher assessed grades'. The government also stated its **'aim that no learner will be disadvantaged'**.

As the regulator of qualifications below degree level, Qualifications Wales instigated a process under which grades would be issued in 2020. Such a process would have to be mindful of the **two principal aims** which the regulator has under the Qualifications Wales Act 2015:

- a) ensuring that qualifications, and the Welsh qualification system, are effective for meeting the reasonable needs of learners in Wales;
- b) promoting public confidence in qualifications and in the Welsh qualification system.

The process put in place by Qualifications Wales consisted of schools submitting a grade for their pupils (Centre Assessed Grade) and a rank order for their pupils. Qualifications Wales agreed a mechanism under which WJEC, as the awarding body, would **'standardise' these grades using a statistical model**. This was aimed at achieving fairness and consistency between centres as well as

maintaining grade stability and the value of qualifications awarded. Further information about this process can be found in blog articles Senedd Research published on [7 August 2020](#) and [14 August 2020](#).

3. Centre Assessment Grades (CAGs)

3.1. The decision to use (CAGs)

Following the publication of A-Level grades on 13 August 2020, it emerged that nearly half (46%) of the Centre Assessed Grades (CAGs) were changed after the standardisation calculation. **42% of calculated (standardised) grades were lower than the CAG** and 4% were higher.

On 17 August, the [Minister for Education announced](#) that A level, AS, GCSE, Skills Challenge Certificate and Welsh Baccalaureate candidates would receive the **higher of the CAG and the grade calculated** from the standardisation model. This followed concerns at the number of candidates who faced receiving lower grades than their school had submitted for them as a result of the standardisation system. The Minister said the ‘balance of fairness’ now lay with awarding CAGs to students.

Similar decisions were taken in Scotland, Northern Ireland and England.

The Minister was scrutinised by the [Children, Young People and Education Committee on 18 August 2020](#). The Committee also held sessions with Qualifications Wales and WJEC.

3.2. How were CAGs determined?

Guidance issued by Qualifications Wales to centres on generating CAGs for their pupils (May 2020) stated:

Producing centre assessment grades for each learner should be a **holistic professional judgement**, balancing the different sources of evidence. Teachers, Heads of Department and senior leaders will have a good understanding of their learners’ abilities and how they compare to other learners taking the qualification this year, and in previous years. We want centres to consider each learner’s performance over the course of study and make a **realistic judgement of the grade each learner would have been most likely to get if they had taken their exam(s)** in a subject, along with any non-exam assessment this summer. [bold is Senedd Research emphasis]

Further details are available on [pages 3- 5 of the guidance](#).

4. Appeals

Following the decision to use CAGs, Qualifications Wales issued [revised appeals arrangements](#). Candidates **cannot appeal against their school's or college's professional judgement** of the grade that they would most likely have achieved if exams had taken place. They can only appeal where there has been some form of administrative or procedural error.

It was already the case that candidates would not be able to appeal against CAGs other than where any error was administrative or procedural rather than relating to schools and teachers' judgements. However, following the Welsh Government's decision to use CAGs where they are higher than calculated grades, the main focus of any disagreement with the grade that has been awarded is likely to be towards the school or college, rather than the awarding body and the standardisation process.

Qualifications Wales [decided](#) at the end of June, following [consultation](#), that learners would not be allowed to appeal to the WJEC against the grade that their centre has submitted for them or the ranking they have been given. It said that, **because there is no common assessment to inform the professional judgements made, there is no benchmark or standard form of evidence against which those judgements could be evaluated by a reviewer or appeal decision maker** (see page 27 of Qualifications Wales' [decision report](#)).

Qualifications Wales also said there would be **nobody better placed to make these judgements than teachers** who have engaged with their learners through the course of study, have the best understanding of their abilities and how they compare to other learners in that centre taking the qualification this year, and in previous years (see page 28 of Qualifications Wales' [decision report](#)).

The Minister confirmed in the CYPE Committee on 18 August (see paragraphs 346-347 of the [transcript](#)) that candidates would not be able to appeal against centres' professional judgements.

As the Minister's letter to the Petitions Committee regarding this petition outlines, where candidates have concerns that their school has exhibited bias or discrimination in determining their CAG, they should contact their centre and use the [school complaints procedure](#). They can also pass any evidence to the WJEC who may then decide to investigate the matter as alleged malpractice by the centre. A [learners' guide to the appeals process](#), produced by Qualifications Wales, gives more information.

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/05120/20

Janet Finch-Saunders MS
Chair Petitions Committee
Senedd
Cardiff Bay
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8 September 2020

Dear Janet,

Thank you for your letter of 1 September regarding Petition P-05-1020 to introduce an Appeals process for all Centre Assessed Grades for the 2020 public exam programme which you have received.

As you know, I announced on Monday 17 August that GCSE, AS, A level and Welsh Baccalaureate Skills Challenge Certificate qualifications would now be awarded on the basis of centre assessment grades. As a result of this change in approach to awarding qualifications, learners in Wales will now receive the higher of the centre assessment grade and calculated grade for GCSE, AS level and Welsh Baccalaureate Skills Challenge Certificate qualifications. For A levels, learners will receive the higher of their AS level grade, centre assessment grade and calculated grade.

In light of this change in policy approach, Qualifications Wales has refined the appeals process to reflect the use of centre assessment grades. The full Qualifications Wales appeals statement is accessible below and was recently expanded to allow for exceptional circumstances to be taken into account, following changes made in other jurisdictions so that learners in Wales are not disadvantaged. A [learner's guide](#) to the appeals process has also been published to support learners in considering whether they should make an appeal and how to do so.

<https://qualificationswales.org/english/coronavirus---covid-19/qualifications-wales-statements/qualifications-wales-statement-on-appeals-process/>

Following my decision on 18 March 2020 to close schools and cancel the summer 2020 exam series, progression of learners to sixth form, college, higher education, training or employment had to be facilitated.

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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.

Schools and colleges were asked to submit centre assessment grades, together with a rank order of learners to enable the award of GCSE, AS, A level and Skills Challenge Certificate (SCC) qualifications. Guidance was provided to Heads of Centre and teachers about how to generate the grades and the evidence that should be considered to arrive at Centre Assessment Grades and a link to that is also provided below.

<https://www.qualificationswales.org/media/5973/information-for-centres-on-the-submission-of-centre-assessment-grades-version-2-18-may-2020.pdf>

Centres were advised that the centre assessment grades submitted to WJEC must reflect a fair, reasonable and carefully considered judgement of the most likely grade a learner would have achieved if they had sat their exams this summer and completed any non-exam assessment.

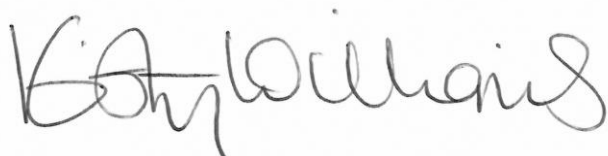
Where learners have concerns that their centre has exhibited bias or discrimination of one form or another, in determining their centre assessment grades then the learner should raise the matter with their centre and ask if an error has been made. If the grade was submitted correctly, a learner may wish to make a complaint to their school or college and we have published guidance on schools complaints procedures on the Welsh Government website <https://gov.wales/school-complaints-procedures-guidance>.

In cases where that may not be appropriate, a learner could also pass such evidence on to WJEC who may then decide to investigate the matter as alleged malpractice by the centre. This is all explained in the learner guidance produced by Qualifications Wales. With regards to the appeals process, on 12 August I also made a commitment that appeals to the Welsh Exam board, WJEC, would be free to ensure that there was no financial barrier for learners who were unhappy with their grades.

On 28 August, I announced that Louise Casella will chair an independent review of the arrangements for awarding grades for the 2020 exam series. Louise is Director of The Open University in Wales and has extensive experience in strategic roles in the education sector. The review will consider key issues that have emerged from the arrangements which were put in place for this summer's exams, and the challenges resulting from the 2020 experience. Given the pressing need to put measures in place for the 2021 exam series, and development of contingency arrangements in case of further disruption, I have asked Louise to provide me with an interim report of key findings by the end of October, with a final report and recommendations to follow by mid-December.

I hope you find the above information useful.

Yours sincerely



Kirsty Williams AS/MS
Y Gweinidog Addysg
Minister for Education

Agenda Item 3.1

P-05-995 Freedom to Donate Blood

This petition was submitted by Arron Glyn Bevan-John having collected a total of 2,726 signatures.

Text of Petition:

In Wales gay and bisexual men are not allowed to give blood – unless they abstain from sex for three months. We would like to campaign for ‘Blood Without Bias’ giving people ‘Freedom to Donate’. This petition asks the Welsh Government to scrap the three-month deferral period, and to introduce an individualised, risk-based approach to assess sexual behaviour, rather than a simplistic process where people are grouped together based on their sexual orientation and are banned from donating blood. This is the best way to ensure that those who want to donate, and can do so safely, are able to. It is a public health issue and one of inequality, that we do not have enough blood in our blood banks and yet we choose to discriminate against a whole group of people based on their sexual orientation. There is only one solution to a national shortage of blood; remove the deferral period and stop discriminating against gay and bisexual men.

Senedd Constituency and Region

- Gower
- South Wales West

Freedom to Donate Blood

Y Pwyllgor Deisebau | 29 Medi 2020
Petitions Committee | 29 September 2020

Reference: RS20/13682-6

Petition Number: P-05-995

Petition title: Freedom to Donate Blood

Text of petition: In Wales gay and bisexual men are not allowed to give blood - unless they abstain from sex for three months. We would like to campaign for 'Blood Without Bias' giving people 'Freedom to Donate'. This petition asks the Welsh Government to scrap the three-month deferral period, and to introduce an individualised, risk-based approach to assess sexual behaviour, rather than a simplistic process where people are grouped together based on their sexual orientation and are banned from donating blood. This is the best way to ensure that those who want to donate, and can do so safely, are able to. It is a public health issue and one of inequality, that we do not have enough blood in our blood banks and yet we choose to discriminate against a whole group of people based on their sexual orientation. There is only one solution to a national shortage of blood; remove the deferral period and stop discriminating against gay and bisexual men.



1. Background

The Welsh Blood Service website advises that UK blood services are required to apply criteria for blood donation set by the Department of Health Advisory Committee on the Safety of Blood, Tissues and Organs (SaBTO) and the Joint Professional Advisory Committee on Donor Selection.

The Welsh Blood Service has to follow strict guidelines from SaBTO and is regularly inspected by independent regulators.

The criteria across all of the UK blood services for accepting blood donors on the basis of transfusion transmissible infection risk are regularly reviewed by SaBTO.

The Welsh Blood Service website states that all men must wait three months after having oral or anal sex with another man before donating. This rule applies to every man, regardless of their sexual orientation, whether they're in a stable relationship or whether they use protection such as condoms or pre-exposure prophylaxis (PrEP).

If an individual is taking pre-exposure prophylaxis (PrEP) or post-exposure prophylaxis (PEP), they will be unable to give blood. If they stop taking PrEP or PEP, they will need to wait three months before they can give blood.

The correspondence from the Minister for Health and Social Services to the Committee dated 3 August 2020 states that the broad basis for deferring men who have sex with men (MSM) who are sexually active from blood donation is based upon the fact that as a group they are known to have a higher risk of acquiring a blood borne infection such as HIV or Hepatitis B which then could be potentially transmitted through a blood transfusion.

This increased risk also applies to other groups of people including sex workers; people who have partners known to be infected with transfusion transmissible infections like HIV or hepatitis B; people who have partners from parts of the world with a very high incidence of HIV/AIDS; people who have ever injected themselves with non-prescribed drugs, and people who are currently taking PrEP or PEP. Each individual within these larger groups presents a different level of risk dependant on their

specific circumstances. Currently the Welsh Blood Service is unable to adapt these rules for individuals and must adhere to the overarching guidelines.

The Welsh Blood Service website also states that the three month wait is to reduce the risk of any very recently acquired infections not being detected on screening and further tests that the blood services perform on every donation.

Every blood donation is tested but the Welsh Blood Service notes that there is a very small possibility that a donor's very recently acquired infection might not get picked up by testing but may still be passed on through blood. This is because there is a period of time (called a window period) between getting an infection and it showing up reliably on tests. If someone gives blood during the window period, their blood could contain an infection that could be passed on to the patients who receive their blood. A SaBTO report is available on the medical and scientific reasoning behind the wait.

The Welsh Blood Service is currently part of the FAIR (For the Assessment of Individualised Risk) steering group alongside blood services across the UK to explore whether a more individualised donor selection policy could be used which would take a donor's personal circumstances into account in more detail. The Welsh Blood Service is working with a range of people and LGBT+ groups including:

- National AIDS Trust
- Stonewall
- Freedom to Donate
- Terence Higgins Trust
- Epidemiology and psychology experts

The group hopes to report the findings of its research towards the end of 2020.

There have been campaigns in relation to the three-month wait for the donation of blood, including the organisation Freedom to Donate and Blood Without Bias. The Freedom to Donate website states that it wants to go further than the deferral period being reduced from 12 months down to three. Freedom to Donate is

advocating for an individualised, risk-based policy to assess sexual behaviour, rather than sexuality.

2. Welsh Government action

The correspondence from the Minister for Health and Social Services to the Committee dated 3 August 2020 reiterates that the Welsh Blood Service is bound by strict rules with regard to blood donor and plasma eligibility. The rules are the same for all UK blood services and the Welsh Blood Service is unable to make independent rules that contradict national guidance as many of these rules are rooted in UK law within the Blood Safety and Quality Regulations 2005, as is the case with MSM eligibility criteria.

The rules have evolved over time following several guidance reviews undertaken by SaBTO and the most recent amendments are:

- Prior to 2011 there was a rule in place stating that a man who had sex with another man could never give blood;
- In 2011 this permanent deferral was changed to a 12 month deferral period, and
- In 2017 the deferral period was further reduced to 3 months.

The Minister highlights that the latest UK change in 2017 reducing the deferral to the 3 month period places the UK in a more advantageous position than some other services such as the Australian Red Cross who still apply a 12 month deferral period.

During the most recent SaBTO review undertaken in collaboration with patient group representatives and other interested parties such as the Terrence Higgins Trust, consideration was given to the MSM criteria.

Although the 2017 deferral reduction is welcomed, the Minister notes that it is recognised that further consideration to deferral is required and individual risks should be considered as opposed to group risk. The Minister refers to the FAIR steering group, whose aim is to explore if a more individualised risk assessment approach to blood donor selection policy is possible whilst ensuring the safe supply of blood to patients. It is hoped that the study will report its research findings to SaBTO towards the

end of 2020 and the Minister states that any changes to the MSM guidelines will be announced at that time.

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/04758/20

Janet Finch-Saunders MS
Chair, Petitions Committee

3 August 2020

Dear Janet,

Thank you for your email of 6 July concerning Petition P-05-995-Freedom to Donate Blood.

The Welsh Blood Service (WBS) is bound by strict rules with regard to blood donor and plasma eligibility based on the principle of keeping things safe for both donors and recipients' of blood and blood products. These rules are the same for all UK blood services and the WBS is unable to make independent rules that contradict national guidance as many of these rules are rooted in UK law within the Blood Safety and Quality Regulations, 2005, as is the case with MSM eligibility criteria.

The broad basis for deferring MSM who are sexually active from blood donation is based upon the fact that as a group they are known to have a higher risk of acquiring a blood borne infection such as HIV or Hepatitis B which then could be potentially transmitted through a blood transfusion. This increased risk also applies to other groups of people including sex workers, people who have partners known to be infected with transfusion transmissible infections like HIV or hepatitis B, people who have partners from parts of the world with a very high incidence of HIV/AIDS, people who have ever injected themselves with non-prescribed drugs and people who are currently taking Pre-Exposure Prophylaxis (PrEP) or Post-Exposure Prophylaxis (PEP). Of course, each individual within these larger groups presents a different level of risk dependant on their specific circumstances. Currently the WBS is unable to adapt these rules for individuals and must adhere to the overarching guidelines.

The current UK donor selection guideline for all UK blood services states:

“You must not donate if you are a man who has had oral or anal sex with another man in the last three months, even if a condom or other protection is used.”

“You must not donate if you have taken Pre-Exposure Prophylaxis (PrEP) or Post-Exposure Prophylaxis in the previous three months”

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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.

These rules have evolved over time following several guidance reviews undertaken by The Advisory Committee on the Safety of Blood, Tissues and Organs (SaBTO).

The most recent amendments are:

- Prior to 2011 there was a rule in place stating that a man who had sex with another man could never give blood
- In 2011 this permanent deferral was changed to a 12 month deferral period
- In 2017 the deferral period was further reduced to 3 months.

During the most recent SaBTO review undertaken in collaboration with patient group representatives and other interested parties such as the Terrence Higgins Trust, consideration was given to the MSM criteria.

The latest UK change in 2017 reducing the deferral to the 3 month period places the UK in a more advantageous position than some other services such as the Australian Red Cross who still apply a 12 month deferral period.

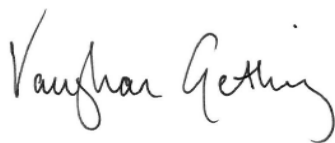
Although the 2017 deferral reduction was welcomed, it was recognised that further consideration to deferral is required and individual risks should be considered as opposed to group risk.

The UK blood services are working collaboratively with a range of stakeholders, including LGBT+ groups, as part of the FAIR (For the Assessment of Individualised Risk) steering group. The aim of the FAIR steering group is to explore if a more individualised risk assessment approach to blood donor selection policy is possible whilst ensuring the safe supply of blood to patients.

We want to give as many people as possible the opportunity to donate if they can do so safely and the Welsh Blood Service is taking a collaborative and evidence-based approach to assess this. It is hoped that the study will report their research findings to SaBTO towards the end of 2020.

Any changes to the MSM Guidelines will be announced at that time.

Yours sincerely,



Vaughan Gething AS/MS

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

BLOOD EQUALITY WALES



✉ bloodequalitywales@gmail.com

Facebook/Twitter: @EqualBloodWales

22 September 2020

Janet Finch-Saunders MS
Chair, Petitions Committee

Welsh Parliament
Cardiff Bay
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petitions@senedd.wales BY EMAIL

Petition: P-05-995-Freedom to Donate Blood

Dear Janet,

Many thanks for taking our petition to the Minister for Health and Social Care, Vaughan Gething MS, *P-05-995-Freedom to Donate Blood*. Please see our full response to the Minister's letter to you dated 3 August 2020 below.

- What are your thoughts on the attached document?

We understand the need to keep blood safe for recipients, however in our view the current rules make it even more unsafe for patients as there is a chance that somebody completing the questionnaire at the blood bank could lie, meaning the national guidance is contradicted intentionally. Our proposal to introduce an individual, risk-based assessment ensures that all blood is safe and that people are not discriminated against purely on the grounds of their sexuality alone.

The argument that men who have sex with men (MSM) are 'known to have a higher risk of acquiring blood borne infection such as Hepatitis B or HIV' is outdated, untrue and quite frankly offensive.

The change in the law over time, detailed below, is of course very welcome but it does not go far enough in ensuring MSM are able to donate blood freely. Take, for example, two males who are in a committed relationship and know their status. They are still

discriminated against on the grounds of their sexuality and so these changes are still discriminatory.

- ***Prior to 2011 there was a rule in place stating that a man who had sex with another man could never give blood***
- ***In 2011 this permanent deferral was changed to a 12 month deferral period***
- ***In 2017 the deferral period was further reduced to 3 months.***

The United Kingdom has a proud history of supporting Lesbian, Gay, Bisexual, Transgender and Plus (LGBT+) people and causes. Whilst we recognise that the UK is far further forward in this debate/change in blood donation rules, the comparison with other countries who find themselves being more discriminatory than we are is unhelpful.

- Does it adequately address the issues that you raised?

Blood Equality Wales welcomes the opportunity to raise questions with Members of the Senedd and of the Minister, Vaughan Gething MS, on the issue of blood donation. Although we know that blood donation laws are governed nationally and that the Welsh Government/Welsh Parliament does not necessarily have a say on the advice from The Advisory Committee on the Safety of Blood, Tissues and Organs (SaBTO), we feel that more could be done to ensure the Welsh Blood Service engages with LGBT+ people on the issue of blood donation, for example through lobbying national government on the want/need for a change and through key engagement with LGBT+ people are Pride events/updating website pages.

- Is there anything additional that you would like the Committee to know at this stage, either in response to this document or as an update to the Committee?

Yes, broadly these are;

1. There are many established campaigns like ours in the United Kingdom which are lobbying Government on the historic decisions, such as the rules around blood donation, which continued to have a detrimental impact on LGBT+ people to this day. Although we know that recent work has made donating blood easier for LGBT+ people, it still does not go far enough. LGBT+ people are being labelled as promiscuous and as 'a risk' and this divisive stance only enhances the difficulties LGBT+ people face on a daily basis.
2. The trade union movement, in particular GMB Union, has produced several campaigns linked to ensuring blood donation by MSM is kept as a topic of high interest in debates, motions and at key engagement events. The public outside those who are affected by these rules are often shocked to learn that MSM are unable to donate blood.

3. The paragraph of the Minister's letter detailed below is full of contradictions and offensive language. Will the Petitions Committee seek clarity on the Minister's thoughts and in particular the damage labelling has on the LGBT+ community?

The broad basis for deferring MSM who are sexually active from blood donation is based upon the fact that as a group they are known to have a higher risk of acquiring a blood borne infection such as HIV or Hepatitis B which then could be potentially transmitted through a blood transfusion. This increased risk also applies to other groups of people including sex workers, people who have partners known to be infected with transfusion transmissible infections like HIV or hepatitis B, people who have partners from parts of the world with a very high incidence of HIV/AIDS, people who have ever injected themselves with non-prescribed drugs and people who are currently taking Pre-Exposure Prophylaxis (PrEP) or Post-Exposure Prophylaxis (PEP). Of course, each individual within these larger groups presents a different level of risk dependant on their specific circumstances. Currently the WBS is unable to adapt these rules for individuals and must adhere to the overarching guidelines.

4. The Minister puts MSM in the same category as drug users and sex workers. Both of these things are choices, being LGBT+ is not a choice. This is evidenced in the Equality Act 2010 where gender and sexual orientation feature as protected characteristics. Addiction and job type do not.
5. The Minister fails to state the benefits of increased blood donations from males, especially in light of COVID19. It is a fact that male blood contains higher levels of antipathogen antibodies i.e. against a virus. This is something that is sought after currently in light of the COVID19 pandemic. MSM blood therefore would be a huge help to healthcare professionals working to remedy this pandemic.
6. The Minister fails to state that the Welsh Blood Service (WBS) is experiencing shortages of O- blood at present, something that MSM could help alleviate, if they could freely donate blood. This is evidenced in the social media pleas from WBS begging donors to come forward.

Points five and six alone highlight the shortcomings of restricting MSM being able to donate blood, the impact of which affects the population as a whole in Wales, not just the LGBT+ community.

Many thanks for taking the time to read our response. We are extremely grateful for the time you have committed to our petition and for your continued commitment to making Wales a better place in which for LGBT+ people to live and work.

Yours respectfully,
Blood Equality Wales

Agenda Item 3.2

P-05-1007 Merge Hope and Caergwrle into a two-member ward in the County of Flintshire

This petition was submitted by David John Healey having collected a total of 282 signatures.

Text of Petition:

The Final Report of the Local Democracy and Boundary Commission for Wales (LDBC) recommends that Higher Kinnerton and Hope are merged into a two-member ward and that Caergwrle, Llanfynydd and Treuddyn are also merged into a two member ward. The latter proposal is entirely new and was never submitted for consultation.

Additional Information

The communities of Hope and Caergwrle have a long history of working together and are regarded as one settlement either side of the River Alyn. The expression 'Live in Hope, Die in Caergwrle' is known the world over. The community spirit between these two villages has played a vital role in providing support for vulnerable residents during the Covid-19 pandemic and will be crucial in building community resilience in the post-Covid environment. The proposed electoral arrangements threaten to pull the community in separate directions and undermine proven social cohesion at a critical time. We urge the Senedd to give a significant weighting to social cohesion in this case in determining future ward boundaries.

Senedd Constituency and Region

- Alyn and Deeside
- North Wales

Merge Hope and Caergwrle into a two-member ward in the County of Flintshire

Y Pwyllgor Deisebau | 29 Medi 2020
Petitions Committee | 29 Medi 2020

Reference: RS20/13682

Petition Number: P-05-1007

Petition title: Merge Hope and Caergwrle into a two-member ward in the County of Flintshire.

Text of petition: The Final Report of the Local Democracy and Boundary Commission for Wales (LDBC) recommends that Higher Kinnerton and Hope are merged into a two-member ward and that Caergwrle, Llanfynydd and Treuddyn are also merged into a two member ward. The latter proposal is entirely new and was never submitted for consultation.

The communities of Hope and Caergwrle have a long history of working together and are regarded as one settlement either side of the River Alyn. The expression 'Live in Hope, Die in Caergwrle' is known the world over. The community spirit between these two villages has played a vital role in providing support for vulnerable residents during the Covid-19 pandemic and will be crucial in building community resilience in the post-Covid environment. The proposed electoral arrangements threaten to pull the community in separate directions and undermine proven social cohesion at a critical time. We urge



the Senedd to give a significant weighting to social cohesion in this case in determining future ward boundaries.

1. Context

The Local Government (Democracy) (Wales) Act 2013 ("the 2013 Act") established a statutory process for conducting electoral and boundary reviews in Wales. The Local Democracy and Boundary Commission for Wales ("the Commission") is responsible for undertaking these reviews. Following extensive public consultation, which includes publication of draft proposals for each County in Wales, the Commission publishes and submits its final recommendations to the Welsh Ministers.

The Commission's final recommendations are then subject to a **six week period when representations may be made to the Welsh Government**. It is then for the Welsh Ministers to decide how to proceed, and whether to implement the Commission's recommendations by Order.

The electoral review for the county of Flintshire began in November 2018 when the Commission undertook an initial consultation. A draft proposal for the Electoral Arrangements for Flintshire County Council was published in August 2019.

The Commission then undertook a further period of consultation on the draft proposals from September to November 2019.

Representations made were then considered by the Commission, before it published its Final Recommendations for the future electoral arrangements for the County of Flintshire. Its recommendations were submitted to the Welsh Ministers on **16 June 2020**.

Key recommendations include:

- a council of **66** members, a **reduction from 70**. This results in a recommended county average of 1,809 electors per member.
- 42 electoral wards, a reduction from **57** existing wards.
- 23 multi-member wards in the County consisting of 22 two-member electoral wards and one three-member electoral ward.

2. The Local Democracy and Boundary Commission for Wales

The Local Democracy and Boundary Commission for Wales is an independent Welsh Government sponsored body established by the Local Government (Democracy) (Wales) Act 2013. The Commission is able to undertake work on its own initiative, at the request of a principal council in some circumstances or following direction by the Welsh Ministers.

On 23 June 2016, the Cabinet Secretary for Finance and Local Government at the time, Mark Drakeford MS published a Written Statement asking the Commission to restart its 10 year electoral review programme. The programme would have a new prioritised timetable, with an expectation that all 22 electoral reviews be completed in time for the new arrangements to be put into place for the 2022 local government elections.

3. Boundary and Electoral Reviews

Over time, due to changes or shifts in population, there may be a need to make changes to boundaries of community areas or electoral arrangement in some or all of the 22 principal council areas in Wales. The Commission can make recommendations on a

number of matters, including the appropriate number of elected members for each principal council, boundaries of electoral wards and whether a ward should be multi-member or not.

The Commission can make recommendations on electoral arrangements to the Welsh Ministers which it feels are in the interest of **effective and convenient local government**. This is set out in section 21(3) of the Act. In its Electoral Reviews: Policy and Practice document, the Commission notes that:

The Commission must comply with the considerations set out in the legislation that state that the Commission must seek to ensure that "the ratio of local government electors to the number of members of the council to be elected is, as nearly as may be, the same in every electoral ward of the principal area".

The document goes on to state:

The Commission will seek to provide the best level of electoral equality for each area under review and will take each case on its merit. The Commission takes the view that departing from the average ratio for the council can only be justified by clear evidence of other balancing factors, such as local ties or other relevant considerations.

The current programme of electoral reviews will aim to submit recommendations for **all 22 Principal Council areas** to the Welsh Ministers to be implemented with, or without modification, in time for the 2022 local government elections.

The way the Commission conducts an electoral review is defined by the Act; through its Electoral Reviews: Policy and Practice document; and by directions issued by the Welsh Ministers. The Commission's guidance for electoral reviews sets out the procedures and methodology it proposes to adopt in respect of reviews. The guidance also explains how the Commission considers the issue of the appropriate number of elected members identified for each principal council. There is a separate booklet on its Council Size Policy.

4. Senedd Action

Orders and regulations made under sections 37 to 39, and 43 of the 2013 Act (save s.37(1) and 41(1)), are only subject to the requirements and procedures set out in those and associated sections. In practice, what this means is that these can be thought of as '**no procedure**' statutory instruments and, as such, they are not subject to scrutiny by the Senedd via either the negative or affirmative procedure.

It should be noted however, that the specific procedures set out in the relevant sections impose a number of scrutiny type requirements such as consultation with specified parties, time limits, and where being made other than by Welsh Government, approval of the Welsh Ministers.

The Welsh Ministers will therefore make a decision on whether to implement the recommendations of the Commission by Order, with or without modification - or not at all following a period of representation.

5. Welsh Government action

In a letter to the Chair of the Committee, the Minister for Housing and Local Government notes:

It is important that each review follows the statutory process and that the integrity of the process is preserved. I regularly receive correspondence in connection with the reviews being undertaken and while it is not possible to answer them in detail, the points raised are considered when making decisions about each of the recommendations in each of the reports.

While I understand why individuals would seek to pursue petitions in these circumstances I am concerned this could become a routine route of representation which takes place in parallel to the established legal process.

A statutory six week period for making representations to the Welsh Ministers began on 16 June 2020, ending on 28 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.

Julie James AS/MS
Y Gweinidog Tai a Llywodraeth Leol
Minister for Housing and Local Government



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref JJ/02102/20

Janet Finch-Saunders MS
Chair, Petitions Committee,
Senedd Cymru

petitions@senedd.wales

14 September 2020

Dear Janet,

Thank you for your letter of 12 August about petition P-05-1007 Merge Hope and Caergwrle into a two-member ward in the County of Flintshire.

The petition relates to a recommendation contained within the Local Democracy and Boundary Commission for Wales' (the Commission) Final Report into the Review of the Electoral Arrangements of the County of Flintshire.

It may be helpful if I set out the process and timetable for the current programme of reviews as background.

The Commission was established in 1974 under the Local Government Act 1972. It was re-named the Local Democracy and Boundary Commission for Wales in 2013 by the Local Government (Democracy) (Wales) Act 2013 (the 2013 Act). It is responsible for, amongst other things, keeping under review the electoral arrangements for the principal council areas in Wales and making proposals to the Welsh Government about changes it feels necessary in the interests of effective and convenient local government. This includes changes to electoral boundaries, ratios of councillors to electors or name changes to electoral wards.

In June 2016 the then Cabinet Secretary for Finance and Local Government took the decision that all 22 electoral boundary reviews should take place within the current Local Government term i.e. in advance of the next elections in May 2022 and in sufficient time to enable changes in the electoral boundaries to be taken into account and reflected in Orders. In order to be in place before the principal council elections in May 2022 the reviews need to be completed and Orders in force by the end of September 2021 to provide local authorities with sufficient time to implement any changes. This programme of reviews is currently being progressed.

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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 2013 Act sets out a detailed statutory process for conducting a review. This includes an initial engagement process with key stakeholders to inform a draft report which is the subject of consultation by the Commission with mandatory consultees and others to inform a final report which the Commission submit to Welsh Ministers. The Final report is then subject to a six week representation period to enable individuals / organisations to submit comments, observations and concerns about the recommendations contained within the final report. Following this period and consideration of the representations received Welsh Ministers are able to implement any recommendation (with or without modification) or decide to take no action.

It is important that each review follows the statutory process and that the integrity of the process is preserved. I regularly receive correspondence in connection with the reviews being undertaken and while it is not possible to answer them in detail, the points raised are considered when making decisions about each of the recommendations in each of the reports.

While I understand why individuals would seek to persue petitions in these circumstances I am concerned this could become a routine route of representation which takes place in parallel to the established legal process.

As the Flintshire report is currently progressing through the statutory process I am sure you will understand this is not a matter for which I can provide further information.

Yours sincerely,



Julie James AS/MS

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

Petition P-05-1007 Merge Hope and Caergwrle into a two-member ward in the County of Flintshire – Correspondence from the petitioner to Committee, 17.09.20

Dear Chair,

Thank you for your email of 14th September informing me of the current situation with regard to consideration of this petition, for enclosing the response from the Minister and for your offer to send me the link to the live broadcast of the meeting via Senedd TV. This level of communication is really appreciated.

I note that the Minister has taken the time to explain the wider context of the petition including the June 2016 decision to require the review of all county council electoral boundaries so that arrangements could be in place in time for the next elections of May 2022.

I also note the Minister's concern that it is important that all reviews follow the same statutory process and that there would be issues if a parallel process of petitioning over boundary issues developed alongside the established legal process.

Whilst I fully respect the need to adhere to legally established processes I believe that the Petitions Committee should consider this petition and also the wider context of boundary reviews because of the unprecedented situation presented by the coronavirus pandemic.

The organisational challenges which local communities will face in adapting local political party structures to meet the requirements of new electoral boundaries will be considerable. Unlike any previous occasion, the new arrangements will have to be established by local groups working via virtual platforms (i.e. something akin to 'Zoom' meetings rather than physical meetings.) Whilst it may be argued that this process may engage people who are too busy to attend physical meetings, the chances are that it will not involve those, at grassroots level, of all political colours, who are not digitally proficient. In brief, the Iron Law 'Whoever says Organisation says Oligarchy' (Michels, 1911) will become "Whoever says Digital Organisation says Oligarchy, Disengagement and Apathy." It is likely to be the elderly community stalwarts who regularly make the tea or organise the raffle who are disenfranchised by this process. The Local Democracy and Boundary Commission would probably not welcome this as a desirable outcome.

In view of the above considerations it may be that the Petitions Committee will consider a recommendation for Welsh Government to pause further reviews of electoral boundaries during the current pandemic.

The key issue raised by the petition is that Hope and Caergwrle have very long-established historical links and numerous community links which make the two wards an obvious building block in any further review of electoral boundaries. These links have proved to be of great importance in enabling support to be given to vulnerable people during the lockdown and will be important in promoting community resilience during the recovery period. The Petitions Committee may, therefore, feel that it is appropriate to recommend that to Welsh Government that

the wards of Hope and Caergwrle should be merged into a two-member ward as a key building block in the process of boundary review.

The Local Democracy and Boundary Commission has been tasked with the job of reviewing electoral boundaries and naturally gives determining significance to the issue of electoral parity. The need to establish constituencies of equal size is a long-established cornerstone of British democracy and we must never return to the era of 'Pocket Boroughs'. However, the pandemic has now thrown up the issue of community resilience and it seems appropriate for Welsh Government to consider the need to balance electoral parity with provisions to safeguard this resilience.

The pandemic has given Wales the opportunity to consider a further development of the democratic process which builds up on the need for 'Equal Constituencies' to make them 'Equal Cohesive Constituencies'. The Petitions Committee may consider the recommendation to ask the Local Democracy and Boundaries Commission to give consideration to the type of service transformation which it needs to undertake to meet the requirements of the New Normal. I appreciate that this may have far-reaching and radical implication for the review of other electoral boundaries in pursuit of a more inclusive and participatory form of democracy.

In summary the three recommendations which are being suggested are:

Recommendation 1: Pause the current process of reviewing electoral boundaries during the period of the coronavirus pandemic;

Recommendation 2: Merge Hope and Caergwrle to become a two-member ward within the County of Flintshire;

Recommendation 3: Invite the LDBC to review its own Terms of Reference so that the process of boundary review gives weighting to the need to retain community cohesion in order to promote resilience during the recovery period and beyond.

Thank you for allowing me to respond to the letter from the Minister and for your consideration of the petition and the wider issues raised by the process of boundary review.

Agenda Item 3.3

P-05-1008 Teach mental health first aid in schools in Wales

This petition was submitted by Jonny Alcock having collected a total of 222 signatures.

Text of Petition:

For too long now Wales has been plagued by a silent killer, countless people have lost loved ones as a result of fighting an unknown battle. This petition is to push for Mental Health first aid training in schools to build a society where people will always have support and the tools to fight the awful battle so many face on a daily basis, hopefully saving many lives.

Senedd Constituency and Region

- Pontypridd
- South Wales Central

Teach mental health first aid in schools

Y Pwyllgor Deisebau | 29 Medi 2020
Petitions Committee | 29 September 2020

Reference: RS20/13862

Petition Number: P-05-1008

Petition title: Teach mental health first aid in schools in Wales

Text of petition: For too long now Wales has been plagued by a silent killer, countless people have lost loved ones as a result of fighting an unknown battle. This petition is to push for Mental Health first aid training in schools to build a society where people will always have support and the tools to fight the awful battle so many face on a daily basis, hopefully saving many lives.



1. Background

Mental and emotional health and well-being is included in the current curriculum through Personal and social education (PSE). Delivery of PSE is a statutory requirement of the basic curriculum although content is at the discretion of schools. The non-statutory **Personal and social education framework for 7 to 19-year-olds in Wales** (2008) provides a recommended approach and learning outcomes. Health and emotional well-being is one of five themes of the PSE framework.

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.

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 Health and Well-being AoLE](#), was published in January 2020. This states:

The fundamental components of this Area are physical health and development, mental health, and emotional and social well-being.

2. Welsh Parliament action

2.1. Children Young People and Education Committee

The Children Young People and Education Committee (CYPE) published the report of its inquiry into children and young people's emotional and mental health, [Mind over Matter](#) [PDF 3.4KB], in April 2018. The Committee were not satisfied that the [Welsh Government's initial response](#) [PDF 1.2KB] met the Committee's report recommendations.

In May 2019, the [Ministers for Health and Social Services and Education provided an update](#) on the recommendations to the CYPE Committee. In June 2019, the Committee undertook follow-up work and [heard oral evidence](#) from the Minister for Health and Social Services and Minister for Education.

2.2. Petitions Committee

The Committee considered two petitions, [Introduce Compulsory Mental Health Education in Secondary Schools](#) and [To Make Mental Health a Part of the National Curriculum](#) in 2016. At that time, the Minister for Education said that as part of the design of the new curriculum, the Health and well-being AoLE would draw on mental, physical and emotional well-being. As such, the Committee closed both petitions.

3. Welsh Government Action

On [14 January 2019 the Health and Social Services Minister announced](#) £7.1 million, to support the Government in its work following recommendations made by the Committee. The funding is intended to protect, improve and support the mental health and wellbeing of children and young

people by further developing services. The £7.1m investment is in addition to £1.4m being invested by the Welsh Government in a programme of mental health in-reach support for schools to strengthen the support from CAMHS [children and adolescent mental health services] in schools in four pilot areas across Wales.

3.1. A whole school approach to emotional and mental health

The Welsh Government established a **Ministerial Task and Finish Group** and a **Stakeholder Reference group**, co-chaired by the Minister for Education and the Minister for Health and Social Services to take forward the whole school approach to emotional well-being and mental health, as part of a whole system approach which also recognises the links between mental and physical well-being.

The Welsh Government published a consultation, **Embedding a whole-school approach to mental health and well-being** on 8 July 2020. The consultation, which closes on 30 September 2020, seeks views on possible improvements to how the framework will support:

- positive mental health and emotional well-being of all learners and staff
- the development and embedding of best practice
- consistency and collaboration between schools and partners
- activities such as training and awareness.

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

Eich cyf/Your ref Petition P-05-1008
Ein cyf/Our ref KW/04524/20
Janet Finch-Saunders MS
Chair Petitions Committee
Ty Hywel
Cardiff Bay
Cardiff
CF99 1NA
Petitions@Senedd.Wales

21 August 2020

Dear Janet,

Thank you for your correspondence dated 12 August relating to Petition P-05-1008 Teach mental health first aid in schools in Wales.

Mental health and wellbeing of all learners is an issue which is important to me. Schools currently have an opportunity to cover these issues within the current curriculum as part of PSE and as you are aware from 2022 there will be a new [Curriculum for Wales](#).

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. One of the four purposes is to support children and young people to become healthy confident individuals, who are building their mental and emotional well-being by developing confidence, resilience and empathy.

The Curriculum for Wales, has been designed so that it maximises its contribution to the four purposes. These set out the fundamental purpose of education that form basis of what we should be aiming to achieve for our children and young people.

The new curriculum, includes a Health and Well-being Area of Learning and Experience (AoLE). This is an innovative part of the new curriculum and aims to ensure that learning and support around issues such as physical, mental and emotional health are provided to all young people in Wales. The Health and Well-being AoLE has been designed to support the development of the fundamentals of health and well-being in learners, while allowing professionals to shape specific content as appropriate to their learners.

The Curriculum for Wales framework, gives every school in Wales the opportunity to design and adopt their own curriculum. It encourages schools to build their own vision for their learners within the context of the four purposes and the learning defined at a national level.

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

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

It is for schools and practitioners, drawing on guidance and resources, to decide what specific experiences, knowledge and skills will support their learners to realise the four purposes. This is set within the consistency provided by the national framework.

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.

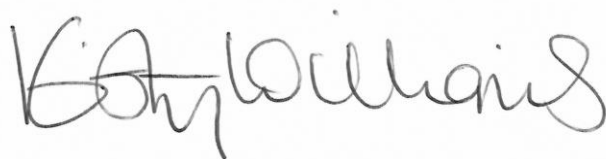
Schools will have the flexibility to select the content which best meets the needs of their learners in their specific context. Learners will have a range of needs and backgrounds, and the Framework offers schools and practitioners the ability to choose the specific experiences, knowledge and skills, as well as the specific topics, activities and contexts that will best support learning within the Framework. This means that schools will be able to teach mental health first aid within their curriculum, should they wish to do so.

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 Health and Well-Being is how we process and respond to our experiences affects our mental health and emotional well-being. Under this statement of What Matters, learners will be supported to explore the connections and complexities between their experiences, mental health and emotional well-being. This will enable them to understand their feelings and develop strategies to help them to regulate their emotions, which can contribute towards a positive state of mental health and emotional well-being. Giving learners the opportunity to develop the skills and the freedom to express how they are feeling will help to create a culture where talking about mental health and emotional well-being is normalised.

The '[Designing Your Curriculum](#)' guidance, published to support schools in implementing the Curriculum for Wales framework, explains that learners need to understand the links between mental health and emotional well-being, how mental health and emotional well-being affects them and that our mental health can change over time. Schools should ensure that their whole-school ethos and support systems enable learners to openly talk not only about their mental health, feelings, thoughts and emotions but also those of others.

I hope this clarifies the position.

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 3.4

P-05-1009 Mandate Welsh Councils to apply a minimum 100% Council Tax surcharge on second homes

This petition was submitted by Michael Murphy having collected a total of 1,026 signatures.

Text of Petition:

Second homes and seasonal homes are destroying our rural communities, while pricing locals out of the housing market. Meanwhile many second home owners avoid paying any Council Tax by claiming small business relief. The Welsh Government should be actively discouraging this and applying penalties of 10% of value of second home for wilful avoidance.

Senedd Constituency and Region

- Cardiff South and Penarth
- South Wales Central

Council tax and second homes

Y Pwyllgor Deisebau | 29 Medi 2020
Petitions Committee | 29 September 2020

Reference: RS20/13682-9

Petition Number: P-05-1009

Petition title: Mandate Welsh Councils to apply a minimum 100% Council Tax surcharge on second homes.

Text of petition: Second homes and seasonal homes are destroying our rural communities, while pricing locals out of the housing market. Meanwhile many second home owners avoid paying any Council Tax by claiming small business relief. The Welsh Government should be actively discouraging this and applying penalties of 100% of value of second home for willful avoidance.



1 . Background

Discretionary council tax premiums

The *Housing (Wales) Act 2014* amended the *Local Government Finance Act 1992* ('the 1992 Act') to give local authorities in Wales discretionary powers to charge higher rates of council tax in respect of long-term empty dwellings (that have been empty for at least a year) and dwellings occupied periodically, more commonly known as second homes.

This additional council tax is referred to as a premium. The maximum increase a local authority can charge is an additional 100% of the standard council tax charge, i.e. a 100% council tax premium. This means second home owners could be charged up to double the standard rate of council tax for that dwelling by the authority.

On the first occasion a local authority chooses to charge such a premium, it must make its determination at least one year before the beginning of the financial year in which the premium will be charged. Local authorities have had the ability to charge a premium since April 2017.

The Welsh Government has issued **guidance** to local authorities on use of these powers. The guidance notes:

The discretion given to local authorities to charge a premium is intended to be a tool to help local authorities to:

- bring long-term empty homes back into use to provide safe, secure and affordable homes; and
- support local authorities in increasing the supply of affordable housing and enhancing the sustainability of local communities.

In considering whether or not to charge a premium, regard should be given to these aims. Authorities should take into account the particular housing need and circumstances in their area.

Exempt properties

A council tax premium cannot be charged on a property that is either not banded for council tax purposes, exempt from council tax entirely, or where Welsh Ministers have specifically said no premium may be charged.

The *Council Tax (Exceptions to Higher Amounts) (Wales) Regulations 2015* prescribes seven classes of dwellings where no premium may be charged. These include exceptions for occupied caravan

pitches (where they are currently empty, but when occupied will be a person's sole or main residence) and also seasonal homes where year round occupation is not permitted. That exception is applicable to dwellings that are subject to planning conditions that prevent occupancy for a continuous period of at least 28 days in any 12-month period.

Providing certain conditions are met, some second home owners could be liable for non-domestic rates (business rates), rather than council tax. In those cases, the council tax premium for second homes could not be charged.

Non-domestic rates

There has been considerable attention paid in the Senedd to the ability of second home/self-catering accommodation owners to have their property valued for non-domestic rates instead of council tax.

The Welsh Government has published *Guidance for Ratepayers: Non-Domestic Rates for Self-Catering Properties in Wales*. This guidance sets out the criteria that must be met for a property to be liable for non-domestic rates rather than council tax:

...from 1 April 2010 in Wales, property is non-domestic, and therefore liable for non-domestic rates, if the VOA [Valuation Office Agency] is satisfied that:

- it will be available for letting commercially as self-catering accommodation for short periods totalling 140 days or more in the following 12 month period;
- the ratepayer's interest in the property enables them to let it for such periods;
- in the 12 months prior to assessment it has been available for letting commercially as self-catering accommodation for short periods totalling 140 days or more; and
- the short periods it has actually been commercially let total at least 70 days during that period.

Ratepayers must continue to satisfy the non-domestic rates criteria for each property, for each 12-month period. Otherwise, unless the property falls within any other category of non-domestic property, the property is likely to be considered "domestic" and would be subject to an assessment of liability to council tax.

The criteria that must be met are statutory requirements and are set out in section 66(2BB) of the *Local Government Finance Act 1988* as amended by the *Non-Domestic Rating (Definition of Domestic Property) (Wales) Order 2010*.

The *Non-Domestic Rating (Definition of Domestic Property) (Wales) Order 2016* amended the above criteria from 1 April 2016 so that:

...businesses consisting of several self-catering properties at the same location or within very close proximity have the option to average the number of lettings days of the properties to meet the 70-day criterion where they are let by the same or connected businesses.

The Valuation Office Agency (VOA), determines whether a property is categorised as domestic or non-domestic in accordance with the statutory requirements.. The VOA is an executive agency sponsored by HM Revenue and Customs. The VOA is independent of the Welsh Government.

Where a property is listed as self-catering accommodation, but does not meet the statutory criteria, the owner could face a back-dated council tax demand.

Small business rates relief

While owners of second homes may be liable for business rates, they may also be eligible for Small Business Rates Relief (SBRR) and may not face any charges after SBRR is applied.

In addition to specific reliefs targeted at certain types of business, eligible business premises with a rateable value of up to £6,000 receive 100% relief; and those with a rateable value between £6,001 and £12,000 receive relief on a tapered basis from 100% to zero. The number of properties eligible for SBRR is limited to two properties per business in each local authority.

Welsh Government guidance, [*Permanent Small Business Rates Relief Scheme for Wales*](#), provides further details of the scheme.

2. Welsh Government action

In the Minister for Finance and Trefnydd's response to this petition, she notes that local authorities already have discretionary powers to 'charge a premium of up to 100% of the standard rate of council tax on second homes, and long-term empty properties.' The Minister notes that the discretionary power:

Allows individual authorities to tailor their approaches to the particular needs and circumstances of their area, and to strike a balance between the interests of communities, homeowners and the local economy.

The response continues by noting that:

The Welsh Government has worked closely with local authorities and the VOA to identify any cases of properties which have been incorrectly listed as self-catering accommodation. Local authorities have been invited to provide information about properties they believe have been wrongly listed for examination by the VOA. No evidence has yet been identified of self-catering properties being inappropriately listed. The invitation to authorities to provide evidence for examination by the VOA remains open.

3. Welsh Parliament action

The Senedd's Petitions Committee has previously considered a number of petitions relating to council tax and second homes. The [Second Home Tax](#) petition was considered during 2019/20. That petition focused on what the petitioners described as a 'legal loophole' that allowed home owners to switch their property from council tax to non-domestic rates. In responding to that petition, the Minister for Finance and Trefnydd said in a [letter to the Committee](#) (PDF, 270KB) dated 5 June 2019 that "there is no legal loophole."

The Senedd's Equality, Local Government and Communities Committee conducted an [inquiry into empty properties](#) in Wales which, in part, addressed the issue of council tax premiums as they also cover empty properties. The committee's report was published in October 2019. It made the following recommendation which was accepted by the Welsh Government in principle, subject to further evidence gathering:

We recommend that the Welsh Government and WLGA undertake an exercise to assess whether people are taking action to avoid paying the council tax premium, including by changing a property to self-catering accommodation or by claiming that a family member has moved in to an empty property to receive a single person discount. Should the exercise demonstrate a significant increase in such practices, further steps should be taken to prevent the avoidance of council tax premiums.

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-05-1009
Ein cyf/Our ref: RE/00634/20

Janet Finch-Saunders MS
Chair of the Petitions Committee
Welsh Parliament
Cardiff Bay
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CF99 1SN
Government.Committee.Business@gov.wales

3 September 2020

Dear Janet,

Thank you for your letter about Petition P-05-1009 which proposes local authorities in Wales should be mandated “to apply a minimum 100% council tax surcharge on second homes”.

Local authorities in Wales already have powers to charge a premium of up to 100% of the standard rate of council tax on second homes, and long-term empty properties, in their areas. Wales is the only part of the UK to have introduced these powers in relation to second homes. The powers are discretionary and enable local authorities to determine whether to apply a premium and, if so, at what level. This allows individual authorities to tailor their approaches to the particular needs and circumstances of their area, and to strike a balance between the interests of communities, homeowners and the local economy.

The powers were introduced as part of a package of tools to help local authorities in bringing properties back into use and in managing issues affecting local housing supply. Certain second homes, for example job-related dwellings, are exempt from the premium. More detail about the powers is given in the guidance which accompanied their introduction:

<https://gov.wales/sites/default/files/publications/2019-06/council-tax-on-empty-and-second-homes.pdf>

The law in Wales makes a clear distinction between second homes retained for private use and properties let as self-catering accommodation. Second homes are subject to council tax and their owners cannot claim small business rates relief. Self-catering accommodation is listed for non-domestic rates and is treated in the same way as other businesses when considering eligibility for rates relief. Following consultation, the Non-Domestic Rating (Definition of Domestic Property) (Wales) Order 2010 was made and set minimum letting criteria for properties to be classified as self-catering accommodation. The criteria were strengthened in 2016 following further consultation. The assessment as to whether a property is listed for council tax or non-domestic rates is made by the Valuation Office Agency (VOA).

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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 VOA is independent of the Welsh Government. It has a statutory function to compile and maintain the lists of domestic and non-domestic properties in Wales and England for local tax purposes.

A property is identified as self-catering accommodation and defined as non-domestic, if the VOA is satisfied that:

- it will be available for letting commercially as self-catering accommodation for short periods totalling 140 days or more in the following 12-month period
- the ratepayer's interest in the property enables them to let it for such periods
- in the 12 months prior to assessment it has been available for letting commercially as self-catering accommodation for short periods totalling 140 days or more
- the short periods it has actually been commercially let for amounted to at least 70 days during that period.

Movements between the council tax list and non-domestic rating list occur in both directions, for example when properties change use or are adapted for different purposes. If an owner of self-catering accommodation wishes to have their property removed from the council tax list and transferred to the non-domestic rating list, they must submit a formal request to the VOA. They must also provide supporting documentary evidence that the property meets the letting criteria. The VOA examines this evidence before determining whether the property should be entered onto the non-domestic rating list.

The Welsh Government has worked closely with local authorities and the VOA to identify any cases of properties which have been incorrectly listed as self-catering accommodation. Local authorities have been invited to provide information about properties they believe have been wrongly listed for examination by the VOA. No evidence has yet been identified of self-catering properties being inappropriately listed. The invitation to authorities to provide evidence for examination by the VOA remains open.

There also is a well-established legal framework in place for enforcing the payment of council tax and non-domestic rates. In addition, financial penalties may be imposed on anyone who submits inaccurate information for local tax purposes and the provision of false information with an intention to commit fraud could result in prosecution.

The Welsh Government remains committed to increasing housing supply in Wales and is on target to deliver 20,000 additional affordable homes by the end of the current Senedd term.

Yours sincerely



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

P-05-1009 Mandate Welsh Councils to apply a minimum 100% Council Tax surcharge on second homes, Correspondence – Petitioner to Committee, 14.09.20

Dear Sirs,

Thank you for providing a detailed response. However this does not really address the issue in hand - yes local authorities have the right to charge a second home surcharge but in practice they are reluctant to use this power. Hence my proposal that a surcharge should be mandated. Unless we adopt a tougher stance our rural communities will continue to be stripped out and which will have a devastating effect on Welsh speaking communities.

Agenda Item 3.5

P-05-1010 An independent inquiry into the 2020 flooding in Rhondda Cynon Taf so that lessons are learned

This petition was submitted by Heledd Fychan having collected 274 signatures on paper and 5,743 online, a total of 6,017 signatures.

Text of Petition:

We, the undersigned, urge the Welsh Government to initiate a full, independent, open and public inquiry into the 2020 flooding of homes and businesses across Rhondda Cynon Taf, and that appropriate steps are taken to rectify any issues so that similar damage can be prevented from reoccurring.

Additional Information

People and businesses across Rhondda Cynon Taf need an inquiry into the flooding that has hit so many of our communities this year, with some affected three times since February. It is time for the voices and experiences of the people and businesses of Pontypridd, Treforest, Taff's Well, Trehafod, Cilfynydd, Rhydyfelin, Nantgarw, Hawthorn, Hirwaun, Abercwmboi, Mountain Ash, Pentre, Treorchy, Treherbert, Maerdy, Porth and others to be heard, so that lessons are learned for the future.

Senedd Constituency and Region

- Pontypridd
- South Wales Central

P-15-1010 Independent inquiry into the 2020 flooding in Rhondda Cynon Taf

Y Pwyllgor Deisebau | 29 Medi 2020
Petitions Committee | 29 September 2020

Reference: RS20/13682-10

Petition Number: P-15-1010

Petition title: An independent inquiry into the 2020 flooding in Rhondda Cynon Taf so that lessons are learned

Text of petition:

We, the undersigned, urge the Welsh Government to initiate a full, independent, open and public inquiry into the 2020 flooding of homes and businesses across Rhondda Cynon Taf, and that appropriate steps are taken to rectify any issues so that similar damage can be prevented from reoccurring.

People and businesses across Rhondda Cynon Taf need an inquiry into the flooding that has hit so many of our communities this year, with some affected three times since February. It is time for the voices and experiences of the people and businesses of Pontypridd, Treforest, Taff's Well, Trehafod, Cilfynydd, Rhydyfelin, Nantgarw, Hawthorn, Hirwaun, Abercwmbוי, Mountain Ash, Pentre, Treorchy, Treherbert, Maerdy, Porth and others to be heard, so that lessons are learned for the future.



1. Background

In February 2020, Wales saw some of the worst flooding on record from Storms Ciara and Dennis. The Met Office reported that it had been the wettest February on record for Wales.

During the weekend of the 15 and 16 February Storm Dennis hit the UK. The most affected areas were south Wales and the West Midlands in England. At the peak of the storm there were 61 Flood Alerts, 89 Flood Warnings and two Severe Flood Warnings in force across Wales. On the morning of 16 February, the River Taff reached its highest levels in 40 years at Pontypridd.

The Minister for Environment, Energy, and Rural Affairs, Lesley Griffiths MS ('the Minister') confirmed on 25 February 2020 that more than 1,000 homes and 300 businesses across Wales had been directly impacted by the flooding. It was reported that Storm Dennis impacted 1,000 homes and businesses in Rhondda Cynon Taff (RCT) alone.

RCT was hit by further flooding on the weekend of 29 February 2020 from Storm Jorge, and again for a third time in June 2020.

1.1. Responsibility for flood management

The Flood and Water Management Act 2010 (hereafter, the Act) make provisions for the management of flooding and coastal erosion in England and Wales. The Act provides powers to, and makes requirements of, the Welsh Government, Natural Resources Wales (NRW) and Local Lead Flood Authorities (LLFA).

Section 6 of the Act defines the roles and responsibilities of 'Risk Management Authorities', which include all 22 Welsh local authorities (who act as LLFA). The Act also places a duty on local authorities to develop and implement Local Flood Risk Management Strategies to set out objectives for managing local flood risk from surface water, groundwater and ordinary watercourses.

Section 19 of the Act sets out the responsibility of a LLFA to investigate a flood event:

- (1) On becoming aware of a flood in its area, a lead local flood authority must, to the extent that it considers it necessary or appropriate, investigate—
 - (a) which risk management authorities have relevant flood risk management functions, and
 - (b) whether each of those risk management authorities has exercised, or is proposing to exercise, those functions in response to the flood.

- (2) Where an authority carries out an investigation under subsection (1) it must—
- (a) publish the results of its investigation, and
 - (b) notify any relevant risk management authorities.

1.2. Public inquiries

Public inquiries are held under the *Inquiries Act 2005* (hereafter ‘the 2005 Act’), which provides the framework for establishing an inquiry. It sets out the main points such as how the Chair of the inquiry is appointed, how evidence may be taken and how the report is to be produced. It states that the Welsh Ministers may “cause an inquiry to be held” where it appears that:

- (a) particular events have caused, or are capable of causing, public concern, or
- (b) there is public concern that particular events may have occurred.

The 2005 Act is supplemented by the *Inquiries Rules 2006* which outline the detailed structure of how an inquiry must be run.

2. Welsh Government action

Following the February storms, the Welsh Government made £10m available to help meet the costs of the initial response. Every household affected was able to claim £500, with an additional £500 available for those without flooding insurance. The Welsh Government provided local authorities and NRW with 100% of the funding required to repair damaged defences and culverts.

RCT County Borough Council received £549,500 emergency funding in response to the flooding by the beginning of April 2020, and a further £1.7 million through the emergency financial assistance scheme to fund its initial response.

The Minister confirmed in Plenary on 16 September 2020 that the Welsh Government had funded 100% of what RCT has applied for.

Answering a written question from Andrew RT Davies MS on 26 June 2020 on meetings held in relation to flood defences, the Minister said:

Immediately following the storms I visited communities in Llanrwst, Pontypridd, Mountain Ash, Crickhowell, Tylorstown, Llanhilleth and Bangor-on-Dee.

The First Minister and I held a meeting at Rhondda Cynon Taf Council offices to discuss the flooding with councillors, emergency responders, local businesses and NRW.

In response to this petition, the Minister disagreed with the need for an independent inquiry 'at this stage', highlighting the responsibility of RCT County Borough Council to produce a flood investigation report (under section 19 of the Act as described above) in the first instance. She stated that:

RCT is currently developing 19 reports to assess the causes of flooding from Storm Dennis and recent events. NRW has confirmed it is working with RCT to support this process. Once completed, the reports must be published by each RMA [Risk Management Authority] so they can be subject to appropriate scrutiny by the public, elected members and all other interested parties.

I have made clear to Wales' RMAs these reviews need to be prioritised to help bring forward scheme proposals to address flood risk

On 24 June 2020, in response to a Plenary question from Leanne Wood MS on whether the Welsh Government supports calls for an independent, expert lead inquiry into the flooding in RCT, the Minister replied:

I think it's important that we let all the investigations come forward. They can be done much quicker than an independent inquiry, and that's what I'm waiting for.

In Plenary on 16 September 2020, Janet Finch-Saunders MS highlighted in a question to the Minister that "seven months on, that [section 19 investigation] report has not been published", and asked if the Minister would "address this urgently by setting a deadline" for publication. In her response, the Minister said that she would "will certainly look at those dates".

3. Welsh Parliament action

The flooding in Pentre, RCT in June was discussed on 9 July 2020 in a meeting of the Climate Change, Environment and Rural Affairs (CCERA) Committee. Jenny Rathbone MS questioned the Minister on why Pentre had flooded again in June, saying that it "gave the impression that we weren't on top of doing something about the much larger flooding that took place in February". In response the Minister said:

...the flooding in June was caused by something like a month's worth of rain that fell in 15 minutes, so it was a very different flooding incident to what we had back in February. Obviously, it's not acceptable to see the same streets flooded, but we still are investigating all the flooding from February.

In Plenary on 16 September 2020, Leanne Wood MS reiterated that “Plaid Cymru wants to see an independent inquiry as to why so many communities in the Rhondda have suddenly become prone to flooding”, but added that this “shouldn't stop any preventative measures or remedial works” taking place.

In the same Plenary session, Mick Antoniw MS highlighted the concerns of residents in RCT “as winter approaches”:

...there are very real concerns for those people who were flooded or live in flood risk areas that the same might happen again, having got their houses in order, to be potentially flooded again if we face more serious storms

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-05-1010
Ein cyf/Our ref LG/02027/20

Janet Finch-Saunders MS
Chair of the Petitions Committee

Government.Committee.Business@gov.wales

24 August 2020

Dear Janet

Thank you for your letter of 12th August, regarding Petition P-05-1010 “An independent inquiry into the 2020 flooding in Rhondda Cynon Taf” so lessons are learned”.

I understand and share your wish to see the risk of future flooding reduced as quickly as possible. I do not agree however an independent inquiry is required at this stage. Rhondda Cynon Taf County Borough Council (RCT) needs to complete its statutory review of the flooding earlier this year before I consider whether any inquiry or other review is required. A significant amount of work is underway across the Rhondda Cynon Taff area, both by NRW and the RCT to assess the causes of the flooding has occurred this year, both during the unprecedented storms in February and more recently.

It is the responsibility of the relevant lead Local Flood Risk Management Authority (RMA), designated under the **Flood and Water Management Act 2010**, to produce a ‘Section 19’ Flood Investigation Report following any incidences of flooding. These reports analyse and investigate the reasons to why the flooding occurred, how the relevant RMA responded and can make recommendations on how flood risk may be reduced in the future and help inform new flood defence scheme proposals.

RCT is currently developing 19 reports to assess the causes of flooding from Storm Dennis and recent events. NRW has confirmed it is working with RCT to support this process. Once completed, the reports must be published by each RMA so they can be subject to appropriate scrutiny by the public, elected members and all other interested parties.

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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 have made clear to Wales' RMAs these reviews need to be prioritised to help bring forward scheme proposals to address flood risk. In my recent remit letter to NRW I set out as a top priority the need to consider asset improvements in those communities which suffered flooding and to accelerate delivery on flood schemes.

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 of the name.

Lesley Griffiths AS/MS

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

P-05-1010 An independent inquiry into the 2020 flooding in Rhondda Cynon Taf so that lessons are learned, Correspondence – Petitioner to Committee, 21.09.20

An Independent Inquiry into the Floods in RCT 2020

Unprecedented. Devastating. Traumatizing.

Those are the three most often used words in relation to the floods that hit so many communities across RCT this year. And we weren't the only communities affected, with similar scenes being seen across the country.

All Councils affected have been overwhelmed, and it has been estimated that at least £500m more is needed in the next decade if Wales is to avoid significant flooding. The clean-up bill for RCT Council alone has been £80m this year.

Unfortunately, though for those communities affected, many of the questions they have remain unanswered seven months on, with some suffering further floods as recently as August. Every time there is now heavy rainfall, people are naturally anxious. Nothing done to date has alleviated their fears.

Whilst I understand from the response that there are a number of reports pending, I disagree that there shouldn't also be an independent inquiry as those reports are limited in scope. Also, there are no plans to bring all those report together to take a holistic overview across the region. I am therefore asking the committee to support this petition to be debated in the Senedd, as an important next step in seeking both answers and justice for the residents and businesses affected.

Why should there be an inquiry?

Limitations of Section 19 reports

The reports referenced in section 19 do not differentiate between a major incident of flooding and more localised flooding. I believe this to be inadequate in light of the severity of the flooding that occurred in RCT this year.

In effect, the act also asks Councils to investigate themselves as part of the process, something which is surprising given the important role Local Authorities also play in flood prevention.

Businesses and residents affected do not have any opportunity to input their own experiences as part of this process and submit evidence. Again, given the scale of what occurred, this means that all reports pending are limited in what they will reveal. Video footage and photographs would greatly help investigators to better understand what happened in each of the locations affected, as the reasons differ widely and include potential lack of maintenance of drains and flood defences, failed pumps, trees been cut from mountainsides and debris left in rivers and much much more. The only way we can plan to prevent flooding in the future is by understanding what happened. Only an independent inquiry will be able to achieve this, by taking a holistic overview of what took place and why, and also, if anything could have been

done differently that would have prevented homes and businesses from being affected to the extent they were.

Climate Emergency

In 2019, the Welsh Government declared a climate emergency. The Future Trends report, published in 2018, predicted that by 2030 the predicted potential impacts on Wales include flooding, coastal changes, drought, shortages of water, risks to health and wellbeing from high temperatures, and risks to nature.

An independent inquiry would help us understand the role the changes to the climate played in the flooding and determine what actions we need to take now – rather than in years to come – to save our climate. It would also help determine how we should best invest to prevent flooding. Locally in RCT, we are seeing the Council take some steps to try and prevent some further flooding but these are sticky plaster solutions rather than permanent ones. We need a plan that takes into account both the whole of RCT, and arguably the whole of Wales if we are serious in responding to the Climate Emergency.

Wellbeing of Future Generations Act 2015

We are fortunate to have in place in Wales the Wellbeing of Future Generations Act in Wales, meaning that all public bodies – including Local Authorities and Natural Resources Wales – must embed the act in all that they do. Obviously, the 2010 act does not take this into account, and therefore is focused on finding out what happened in a local area at a point in time rather than also being focused on future outcomes. An independent inquiry would need to apply the principles of the act to their work, making it a much more worthwhile and insightful process than simply a Section 19 report.

Impact on physical and mental health

An independent inquiry needs to include looking at the impact the floods have had on the health and wellbeing of residents affected, both children and adults. The Section 19 report looks at the material elements, eg, if pumps drained properly but it does not in any way look at the human side of the impact. As a local Councillor representing an area affected, I have seen with my own eyes the toll the floods have had on the physical and mental health of children and adults. There is a long-term impact that needs to be considered, and none of this is being looked into at present. Nor will this be addressed in the reports referenced in the Minister's response.

Impact to the local economy

Many of those affected had been costed out of insurance or did not have cover for flood damage. This has had a huge financial impact on them, and also means they are either not able to secure insurance for the future or are facing extremely high premiums. We must look at how we can support businesses and residents in these areas, so that if the worse happens again in the future, they are protected.

Many businesses that were flooded are also lacking confidence in the way the reasons for the floods are being addressed, and are now considering re-locating to an area where there is a lower risk of floods. Given the importance of businesses as employers, especially in an area such as the Treforest Industrial Estate, it would be a huge blow to an area that already has high unemployment and high dependency on food banks. This would further increase child poverty in the area.

Conclusion

It is a fact that under the Flood and Water Management 2010 Act there is a statutory duty on Rhondda Cynon Taf Council to produce a Section 19 Flood Investigation Report follow any incidences of flooding.

Nonetheless, as outlined above, that report will not necessarily take into account the many issues that the local communities have raised. It will mainly relate to technical matters and not the human issues relating to the personal effects on individuals, both adults and children in relation to their health and wellbeing following such devastating experiences. Hence the need for an independent inquiry.

The precedence for commissioning an Independent Investigation was made in the first National Assembly for Wales in 2000.

The Environment, Planning and Transport Committee under the Chairmanship of Richard Edwards AM commissioned an Independent report to LEARN any relevant lessons and INFORM future policy on waste disposal in Wales. This is known as the Purchon Report on the Nant Y Gwyddon Landfill Site dated 12th December 2001.¹

Like flooding there was a regulatory framework covering waste disposal but it did not stop that committee with the full support of Sue Essex AM - the then Government Minister who had portfolio responsibility - from supporting an independent Investigation to learn the lessons and drive forward policy in Wales

The terms of reference were set by the Committee in consultation with the Minister and used as headings to format the final published report. The infamous Tip was operating throughout the investigation but closed following the publication of a very damning report. Many agencies regulating the hazardous waste at a national and local level were held to account in the final report, as was RCT and its predecessor Council. The Environment Agency, Audit Commission, Wales Office and National Assembly also had questions to answer.

There is a striking comment highlighted in the report in relation to information being withheld by public bodies who relied on “commercial confidentiality “ to defend their position.

“When seeking to investigate matters of great public interest, where virtually all the business concerns public money and where the risks, financial, health and

1

<https://senedd.wales/Committee%20Documents/Independent%20Investigation.%20Nantgywyddon%20Landfill%20Site.%20Investigator's%20Report-12122001-29740/3c1086e5000c772400005cdd0000000-English.pdf>

environmental, fall on the public, and its purse, lack of transparency is unsatisfactory”.

The report also says,

“ The procedure was entirely new and required a degree of innovation, tolerance, flexibility, patience and good will from all those involved “ and also “ The search for facts, relevant data and opinion is never easy and in the UK we are not used to non adversarial governance or inquiry procedures. The National Assembly for Wales has sought to conduct an entirely open investigation and I feel honoured to be part of that approach in the early days of the Assembly’s history. “

I hope that this brief reminder of the innovative way that the first Assembly, in its infancy some two decades ago, dealt with a very high profile environmental disaster in the Rhondda. I hope it will persuade the Petitions Committee to use all its influence to support this petition.

In addition, the following questions are ones that I hope the committee will consider when deciding to support a debate in the Senedd:

- 1) Will the reports listed by the Minister provide adequate answers so as to prevent flooding of this scale from occurring again?
- 2) Will the reports listed by the Minister provide adequate answers to inform a whole Wales plan and approach to flood prevention?
- 3) Will the reports listed by the Minister provide an insight into the impact the floods have had on both the physical and mental health of those affected?
- 4) Will the reports listed by the Minister give confidence to businesses based in the areas affected that they won’t be flooded again, or will businesses relocate because of the uncertainty?

I am firmly of the view that the answer to each of the questions above is no and hope that you will give those affected the opportunity to have their say, and receive the answers they deserve about why the flooding occurred. This will help us better understand how to prevent flooding in the future, as far as is possible, and inform where investment is needed. It will also help inform how best to support the children, adults and businesses affected in a cohesive and joined up way.

Appendix A:

Evidence sent to me from affected residents and businesses, and why they believe an independent inquiry is essential.

"I've been left with bronchitis since the floods. I'm still on antibiotics and steroids I'm not well at all they wanted me to go into hospital yesterday but I said I can't because my son is gonna uni on Monday and I've got two other children. Now we are in lock down I'm not good with my mental health either"

"I honestly feel like this experience has pushed me to the brink. It's been one of the worst things I've ever experienced and still affects me every day in some way. Even filling in this survey and thinking back to it all I've cried. I had 6 weeks off work with stress, I can't sleep or relax when it's raining badly. I don't know if I'll ever be the same again, I've spoken to many neighbours who all agree it's like we have PTSD. The mental and emotional stress of the whole situation has absolutely shocked me, I've always regarded myself as a very strong person but this almost broke me. Waking up at 5am to the sound of running water and going downstairs to dirty water pouring in your house and looking out the window to see a literal river raging past your house and taking cars with it, with absolutely no warning at all, it makes me sick to my stomach thinking about it even now. How are we ever supposed to relax in our homes again when there's bad weather? We can't trust NRW or RCT for that matter. My sense of safety in my home has been robbed from me and my family. We've been moved into an unfurnished flat in a strange area and then we went into lockdown as well, we literally have a bed and a tv because we lost everything else and then with lockdown getting furniture was practically impossible. Then on top of all that stress we have the stress of trying to rebuild our houses and lives, deal with insurance companies who are basically soulless monsters in some cases, source 2 new cars. If I ever had to go through this again... well, I don't think I could. I'd be in a psychiatric hospital. They need to protect us before they take more of us and more from us than they already have, we can't survive another instance like this."

"I'm disabled the help we received we zero we had to do all the work ourselves."

"I feel extremely let down by authorities, we have been forgotten about and no one wants to own up to their part in what has happened. The council think that by giving some money it will go away and welsh water/natural resources won't take won't accept liability, and I as the innocent party am now paying the price, I have had no help off anyone because I've had insurance which is unfair as I've done the correct thing. I have lived in Treforest for nearly 12 years and loved it up until that night, I no longer wish to live in the area if no one can help prevent this from happening again but will not be able to sell now and am stuck there."

“Our eldest daughter (20) has been diagnosed with PTSD as a result of the flood. She is on medication, receiving counselling and although she tried, she has been unable to return to work and as a result has had to leave her post with BT. Her wellbeing is very much our focus. We cannot believe that we have never had that much rain before, there must be a more rational explanation . Someone is responsible, we are desperately worried that this may happen again. We need reassurance that steps will be taken to prevent another disaster. Anxiety levels are high every time it rains.”

“In some respects The lack of support from the local authorities as far as they are concerned we have insurance so that’s our problem bare in mind many insurance companies have got out paying out or underpaying. The lack of any report, any sign of prevention, even just answering our questions or having a meeting. I have to reassure my wife and young children it won’t happen again and I honestly can not tell them that it won’t. Also I would really want to know why major funding campaigns were set up separately rather jointly as we are all RCT and we were all affected.”

“We needed advice on what to do to the house (in absence of insurance company guidance). This advice was very difficult to get despite contacting RCT many times. They responded once our local councillor expedited our request. We are now very anxious each time it rains. We need answers to whether this was a natural event or whether there is blame. If there is blame, then we will hopefully rest easier during future rain storms as we would live in hope that lessons would have been learnt.”

“We had a lot of presence from council, dwr cymru and NRW etc in Treforest immediately following the flood. Almost 6 months on much of the discussion seems to focus further up the valley and Treforest residents and effect in Treforest (not Pontypridd Town or Pentre) is largely forgotten. We would like to safeguard our house by moving entrance ways to the property to higher ground, is funding or can funding be made available to strengthen personal flood defenses.”

“It was very traumatic when it happened - it has caused my mental health to worsen and I live in fear that when I am able to move back that it will happen again. Where I am living now I feel isolated and alone -trying to cope one day at a time to stop myself from feeling suicidal And depending on people to chat with on phone Especially past few months due to COVID not able to visit my elderly parents or friends and family.”

“I would like to know what happened that night. It wasn’t just the rain it was something much more significant that morning on the 16th February. We are devastated and will always live that nightmare. Also Financially it’s devastated me bringing up two children of GCSE ages on my own.”

“The stress and financial effects of having my business closed due to flooding has affected me greatly I have never had time of work before but haven't worked now for four and a half months and I'm one of the lucky ones that had the builders in straight away regardless of covid.”

"Yeah since being in the floods I haven't long come off medication because I had newmonia and chest infection several hospital visits and tests and they said it was because I was up to my waist in water now I've been left with bronchitis for rest of my life"

"I also lost my car in the flood. It's been a Very stressful time. I am a single person. I am now living with my parents In a small 1 1/2 bedroom house. I am still going to work. The whole experience has been horrific and very upsetting."

"Because of covid Prehaps the council could have helped with priority supplies of plaster etc that would have helped immensely. I am extremely worried about the increase and availability of insurance for next year."

"it has been an horrific time for myself and family. We have had to move out while repairs are taking place as the house was unlivable. It will be 6 months in total before we will be able to return"

"It has tipped our life's upside down, our 3 children's houses were effected too, to see that much water and devastation in our house has been horrendous and it's hasn't helped with Covid 19"

"We are concerned about the impact on resale of our home (We has planned to sell this year) as well as insurance premiums and of course the impact of future floods on our home and our lives"

"It's destroyed our lives, the difficulty with the insurance is unbelievable, 5 months on and nothing done at property, they are looking to knock down 7&8 Rhyd-Yr-Helyg and rebuild"

"Just that I think it could have been prevented and someone has messed up some where and we need answers, my dads last months should have been in his own home not in a Temp house"

"There was no help we was left to fight the floods ourselves with our neighbors .if wasn't for my neighbours helping me I would have been in more mess"

"The level of response for Trefforest was less than anywhere else, they had council employees cleaning the park before helping with peoples houses!!!"

"How it's turned out lives upside down. Petrified when we have bad weather. Kids asking are we going to flood again. Living in fear."

"Haven't cleaned up the roads and pavement after the flood and haven't collected the sand bags from Trehafod all over the pavement"

"We lost our pet. Our dog was downstairs. Our children are traumatised knowing she suffered and drowned. We want answers"

"It was one of the worst experiences ever which is still going on.. mentally, physically and emotionally draining."

"We took the brunt of the water because we were directly in its path we have left our home structurally unsafe"

"Just the devastation it caused to the community and the community spirit shown by everyone was superb"

"my car was written off. I am £600 out of pocket from car hire charges because it was a natural event"

"We are still in temporary accomadation that one night has kept us from our home and neighbours"

"I just hope nobody else goes through it,my wife was in tears,all of our family photos are gone."

"I never want to experience this again abd I am scared to return to my home when it's finished"

"The lack of sympathy that was shown by the council left us for 3 days with nothing"

"I have lots to say, including being insured is irrelevant. We are not in our home."

"It's been the worst experience ever and would never want to go through it again."

"I live on my own and I was petrified as it was on the fourth step of my stairs. No warnings. Middle of the night. Rescued by boat the officers were brilliant!"

"Felt like we were on our own watching all our treasures going down the drain"

"It's just heart breaking and mentally put strain on our family."

"Was not alerted quickly and not enough time to move possessions"

"Council did nothing till it was too late."

"Not enough support no am or mp in sight"

"It's really bad and stops your life"

"I have mental health issues since the floods. Please help me."

"If I may share my experience briefly - my business is located within Rizla House (the former Rizla factory building) in one of the units to the rear, north facing side. We look out to the substation which separates us from what is known as Power Station Hill i.e. Tonteg Road. We were therefore in the 'firing line' when the flood water came and had around 14 inches of water inside our unit which resulted in a great deal of the equipment stored there being affected and around three months of work to save the vast majority of it! I remember watching the aerial images of the river rising and seeing the path that the flood water took. I noted that the river breached its bank at the rear of the small industrial estate at the other side of Power Station Hill, known as Taf Business Centre. This breach was adjacent to the old transport cafe at the rear of the site. In the days following, I did a little recce of the area and observed that contractors had been at work in that exact area on the river bank"

installing perimeter fencing. Now, I cannot prove that they did anything to compromise the bank there, but it did seem at the time that there were less trees there and that the bank was perhaps a little lower compared to images found on Google Street View from a couple of years prior. Regardless, of any issues of liability, it is clear to me that this section of the river bank needs building up in the same way as has been done further along Tonteg Road - opposite the Hutchings Vauxhall and other car dealerships. At no point did the flood water breach the built-up embankment there. Thank you once again and here's hoping that answers are found and something can be done to protect residents and businesses from such catastrophic events in future”

“While our area of Hawthorn was not actually flooded, it was a ‘close’ call. Mentally it caused myself (even while with family in NZ) and neighbours, many hours of worry watching the water ‘lap’ at the very top of the flood bank, near us!!

It still does worry me personally, as of course this could/will re-occur??I would support an Independent enquiry because -

a. Worst flooding in my living memory and I am 70 years old

b. Overall COST financially of the floods to the tax payer AND the negative impact this has on our RCT area. Seeing photos of the town centre under several feet of water.

c. The impact mentally, physically and financially to residents and businesses on the area. Again, on a negative note many businesses may be considering relocating? These businesses need to know things will not be ‘brushed under the carpet’. We want them to be convinced and confident to remain in RCT.

d. No political bias. A party majority, would likely result in actual or perceived bias!

e. Independence infers fairness, truth, facts AND no ‘bulls..t

f. ‘Scotch’ rumours replace them with facts

g. Result in recommendations which can be audited and properly action planned/supervised.

h. If needed, not only genuinely learn from any errors but also, bring people/organisations to account.”

“We are at 10, Lewis St Pentre and we were flooded in February and high water levels in June.....

The trees were removed from the mountain in Pentre and when we had rain the brash washed into the culvert blocking it so the water overflowed into the lower streets of Pentre

We had been renovating for a year and we were moving in in 3 weeks time, then got flooded so we're unable to move in until the end of May.

We were not insured as the house was classed as empty so not able to insure an empty property

WE ARE LIVING IN FEAR OF MORE FLOODING EVERY TIME IT RAINS!!!”

Ymchwiliad Mewn i Lifogydd RhCT / Enquiry into RhCT Flooding

Bragdy Twt Lol ~ The Trefforest Brewery was hit badly by the flooding in February following a particularly wet Autumn and Winter culminating in the flooding after two Atlantic storms. It goes without saying that hundreds of people's homes were badly affected in our area and we hope they are fully considered in this review.

The flooding cost our business nearly £50,000, in addition to the physical, emotional and long-term implications.

We have engaged a number of insurance brokers and insurance companies directly, **and no one has been willing to even offer a price on flood insurance.**

Businesses and insurance companies need confidence that everything reasonably possible is being done to mitigate the effects, risks and likelihood of such an even happening. Trefforest Industrial Estate has been highlighted an area **of strategic importance to the Welsh Government** and local authority. **Without a full and open enquiry** how can this area be considered of strategic importance?

We can't neglect all of the **human-made, managed, or influenced** functions of our drainage basin. They can be prone to failure, systemically or mechanically. Many Government and non-Government companies and bodies have a role to play, including but not exclusively Natural Resources Wales, Dŵr Cymru, Rhondda Cynon Taf Local Authority, the Welsh & UK Governments.

We need to understand the implications of heavy rainfall in a time of changing climate and have a joined-up approach to cover these aspects. We have highlighted some areas we believe should be considered.

Reservoir management

Were the reservoirs leading into this catchment basin managed appropriately? Could more water have been drained from the reservoirs before the event to ensure spare capacity. Including Llwynonn, Pontsticill, Llestwen & Castell Nos Reservoirs.

Dŵr Cymru carried out extensive silt treatment work at **Castell Nos reservoir**. Did this impact on the water system?

River and river flood defence management & risks

Were flood defences adequately maintained or was underinvestment potentially an issue?

Should there be schemes in place to **flood agricultural land** and adequately reimburse their owners to relieve pressure on developed areas? Were river walls and human made embankments adequately maintained? Such as Trefforest Estate (see aerial image) where it appears the flood defence on Trefforest Estate was breached, and subsequently stopped the flood water from leaving further down the basin.

Natural Resources Wales had allegedly changed their flood risk advice in November, resulting in a business on Trefforest Estate being priced out of flood insurance. Did they change their advice? What was done as a result?

Is it possible the **Cardiff Bay barrage** could have affected river flow as far up as Nantgarw and Trefforest?

Understanding **existing river pumping** stations. We know of at least one which failed locally. What was the cumulative effect?

Flood defence management (remotely for specific areas and properties)

If risks were known (see Natural Resources Wales flood risk adjustment in Nov), should more local water defence projects for properties and specific areas such as business estates been funded in advance?

Culvert & tributary management

This has been identified as the cause of flooding in some areas. Had other culvert, tributaries been adequately cleared? Are there any more examples?

Deforestation in the middle and upper valleys

Had the Forestry arm of Natural Resources Wales fully considered the impact of forestry management (e.g. above Pentre) on the Rhondda and Taf rivers?

Dŵr Cymru have been replacing the **entire water pipeline from Maerdy to Pontypridd**. They have **felled many trees/forests to lay pipeline**, such as a large section between Wattstown and Ynyshir (the footpath below was greatly damaged and has been closed since).

Development on land which functions as natural rain water buffers

Not limited to lower lying land by the river bank, but also land higher up in the hills. Development has taken place for housing, businesses and even wind turbine farms which could have an effect.

At the head of the Rhondda is an area with one of the highest densities of onshore **wind turbines**. **Substantial road infrastructure** has been laid allowing the movement of heavy large industrial machinery. **Thousands of tonnes of concrete** is sunk into the ground for each turbine foundation. Much of this in areas of historic **marshland** and **former forestry**, which is an excellent natural drainage buffer.

Sewerage

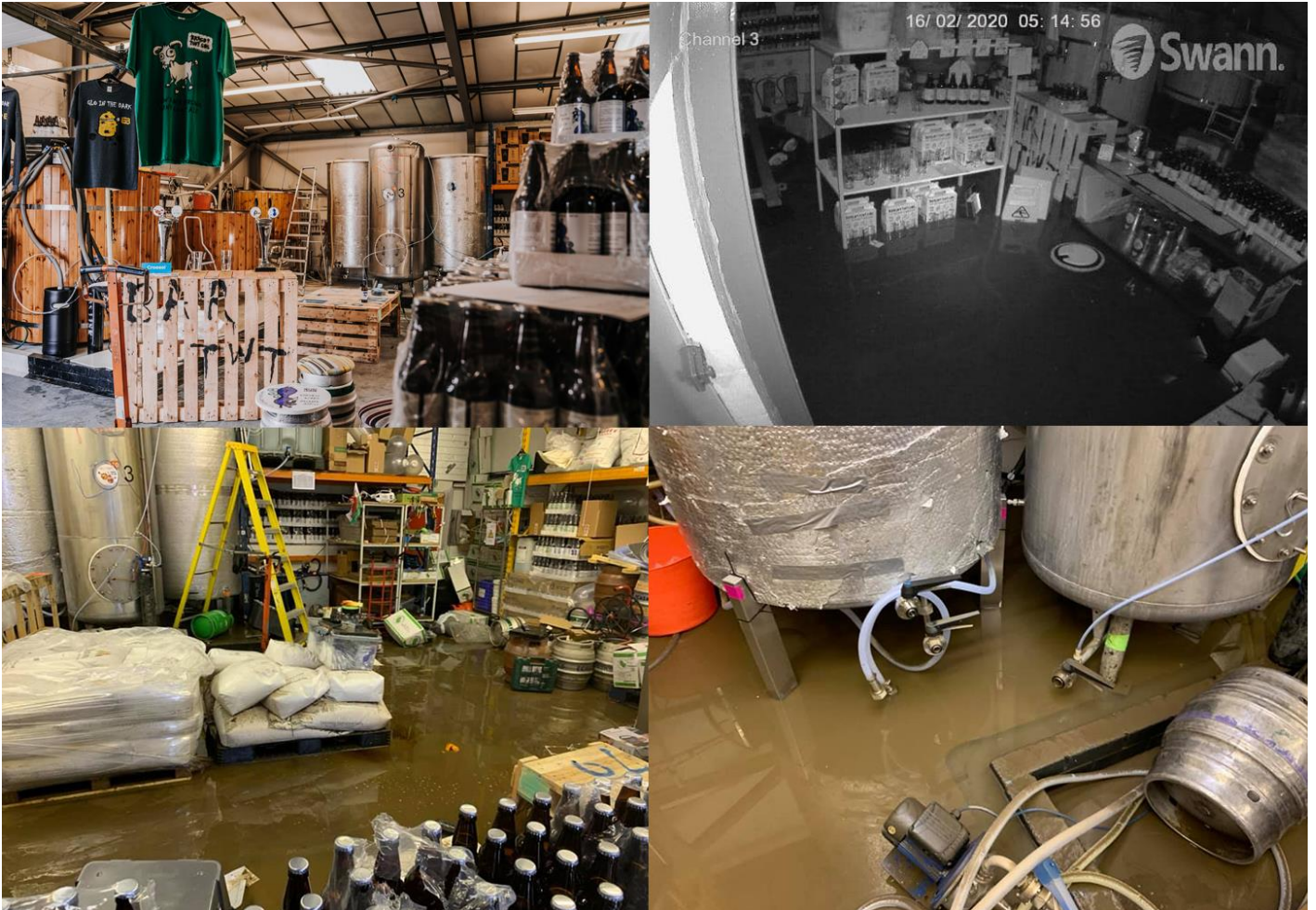
Had sewerage systems been working and maintained adequately? Understanding existing sewerage pump stations, did any fail or not meet the flow requirements. What was the cumulative effect?



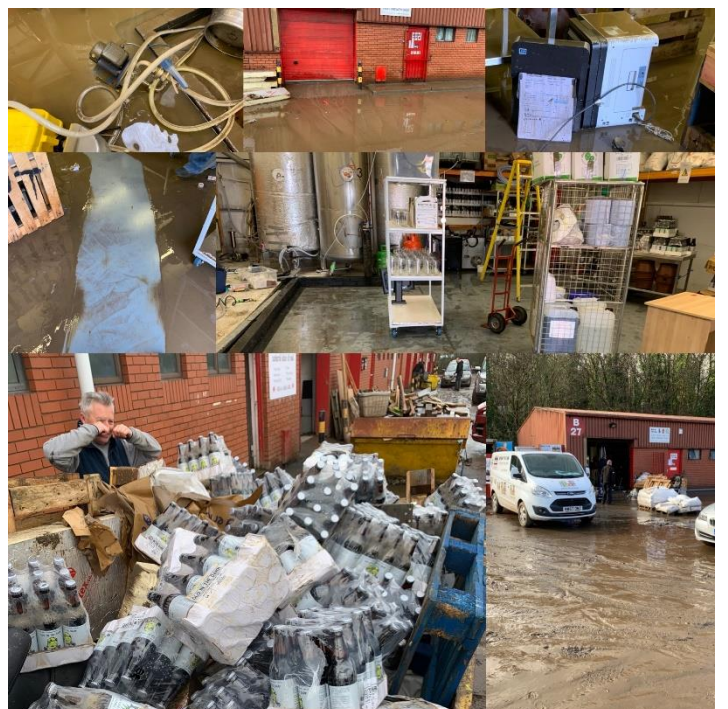
Conclusions

As we face Autumn, we need assurance every possible mitigation is in place to avoid another catastrophe. Clearly at this point in time, as we cannot obtain flood cover as the insurance industry does not have this level of confidence.

The lessons learned will be of use for Wales as a whole providing a blue print to best manage the effects of a changing climate and prevent what we believe could well have been a preventable flood.



BRAGDY TWT COE
THE TREFFOREST BREWERY



Agenda Item 3.6

P-05-1012 Oxygen chamber therapy for fibromyalgia patients on the NHS

This petition was submitted by Katie Nicole Jones having collected a total of 64 signatures.

Text of Petition:

We the undersigned call on the Welsh government to provide oxygen chamber therapy to Fibromyalgia sufferers funded through the NHS.

Additional Information

Oxygen chamber therapy has been researched and it has been shown to reduce the symptoms of fibromyalgia and help people become medication free, which while medication can help comes with unpleasant side effects.

These studies

include <https://journals.plos.org/plosone/article?id=10.1371/journal.pone.0127012>

https://ard.bmj.com/content/77/Suppl_2/461.3

These studies show that this treatment could help many sufferers such as myself to lead a fuller and healthier life and we the undersigned would like the opportunity to have this treatment.

Senedd Constituency and Region

- Aberavon
- South Wales West

P-05-1012 Oxygen chamber therapy for fibromyalgia patients on the NHS

Y Pwyllgor Deisebau | 29 Medi 2020
Petitions Committee | 29 September 2020

Reference: RS20/13682

Introduction

Petition number: [P-05-1012](#)

Petition title: Oxygen chamber therapy for fibromyalgia patients on the NHS

Text of petition: We the undersigned call on the Welsh government to provide oxygen chamber therapy to Fibromyalgia sufferers funded through the NHS.

Oxygen chamber therapy has been researched and it has been shown to reduce the symptoms of fibromyalgia and help people become medication free, which while medication can help comes with unpleasant side effects.

These studies include <https://journals.plos.org/plosone/article?id=10.1371/journal.pone.0127012>

https://ard.bmj.com/content/77/Suppl_2/461.3

These studies show that this treatment could help many sufferers such as myself to lead a fuller and healthier life and we the undersigned would like the opportunity to have this treatment.



Background

Fibromyalgia

According to [NHS 111 Wales](#), Fibromyalgia, also called fibromyalgia syndrome (FMS), is a long-term condition that causes pain all over the body. As well as widespread pain, people with fibromyalgia may also have:

- increased sensitivity to pain;
- extreme tiredness (fatigue);
- muscle stiffness;
- difficulty sleeping;
- problems with mental processes, such as memory and concentration;
- headaches;
- irritable bowel syndrome, a digestive condition that causes stomach pain and bloating;

Individuals who think they may have fibromyalgia are advised to visit a GP, although it can be a difficult condition to diagnose. There is no specific test for the condition, and the symptoms can be similar to a number of other conditions. The exact cause of fibromyalgia is unknown, but it is thought to be related to abnormal levels of certain chemicals in the brain and changes in the way the central nervous system processes pain messages carried around the body.

Treatment is available to ease some of its symptoms, although they are unlikely to disappear completely. Treatment tends [to be a combination of](#):

- patient education;
- medicine, such as [antidepressants](#) and painkillers;
- talking therapies, such as [cognitive behavioural therapy \(CBT\)](#) and [counselling](#);
- lifestyle changes, such as exercise programmes and relaxation techniques.

[Fibromyalgia Action UK](#) report that the condition is seen in about 2% of the population, affects men, women, and children of all ages, races and economic levels, and around 14,000 people are diagnosed annually in the UK. The onset of symptoms can be at any age, but mainly from 20-60 years of age, and affects women more than men in the ratio of 9 to 1.

Hyperbaric Oxygen Treatment (HBOT)

[Hyperbaric Oxygen Treatment \(HBOT\)](#) involves breathing pure oxygen at higher than atmospheric pressures in an enclosed chamber, for a prescribed [duration of usually 60 to 90 minutes](#). This

process causes oxygen to be absorbed by all body fluids and by all body cells and tissues, even those with blocked or reduced flow.

Published evidence

The original petition includes links to two studies:

- **Hyperbaric Oxygen Therapy Can Diminish Fibromyalgia Syndrome – Prospective Clinical Trial**, (Efrati et al, Plos One, 2015). The study of 60 female patients ‘provides evidence that HBOT can improve the symptoms and life quality of FMS patients’;
- **THU0512 Hyperbaric oxygen therapy (HBOT) treatment in fibromyalgia**, (Muratore et al, Annals of the Rheumatic Diseases, June 2018). This argued that their data from 33 female patients confirmed the efficacy of HBOT in treating fibromyalgia, but further studies were required ‘to understand the duration of the clinical effect’.

It is possible to identify other published research studies; some argue for HBOTs’ benefit in treating fibromyalgia, but others also note areas for further study:

- **Hyperbaric oxygen treatment of fibromyalgia: a prospective observational clinical study**, (Atzeni et al, in Clinical and Experimental Rheumatology, January-February 2019). This study of 32 patients evaluated the efficacy and safety of HBOT after fewer sessions than generally used. The findings supported the view that HBOT is an effective, rapid and safe means of treating various symptoms of fibromyalgia;
- **Comparative study of the effectiveness of a low-pressure hyperbaric oxygen treatment and physical exercise in women with fibromyalgia: randomized clinical trial**, (Izquierdo-Alventosa et al, Therapeutic Advances in Musculoskeletal Disease, June 2020). A study of 49 patients indicated that low-pressure HBOT and physical exercise improve pressure pain threshold, endurance and functional capacity, as well as physical performance;
- **Ozone therapy in 65 patients with fibromyalgia: an effective therapy**, (Tirelli et al, European Review for Medical and Pharmacological Sciences, 2019) states that it is possible to propose ozone therapy to patients with fibromyalgia that are not obtaining adequate results from other available treatment;
- **Hyperbaric oxygen and aerobic exercise in the long-term treatment of fibromyalgia: A narrative review**, (El-Shewy et al, Biomedicine & Pharmacotherapy, January 2019,) reports that ‘it has been known that HOBT and aerobic exercise have a promising role in chronic pain management’ but notes there are safety concerns regarding the oxidative damage that may follow HBOT, and calls for further studies and clinical trials;
- **Hyperbaric Oxygen Therapy for the Treatment of Chronic Pain: A Review of Clinical Effectiveness and Cost-Effectiveness**, (Pejic and Frey, Canadian Agency for Drugs and Technologies in Health; September 2018). This argued that the research provided evidence

to suggest that two months of HBOT increases pain thresholds, physical functionality, and health-related quality of life. However, 'no evidence was identified regarding the cost-effectiveness of HBOT for the treatment of chronic musculoskeletal pain.

This does not represent an exhaustive review of the published literature, which appears to have a limited but emerging evidence base. It has not been possible to identify any published evidence on fibromyalgia and HBOT by the [All Wales Medicines Strategy Group \(AWMSG\)](#), the [National Institute for Health and Care Excellence \(NICE\)](#), nor is it included in the [Cochrane Library](#).

Following a [consultation in 2018](#) on Reviewing Hyperbaric Oxygen Services in July 2018 NHS England published several new Commissioning Policies for HBOT and has confirmed routine funding for only the following [two emergency conditions](#):

- Decompression Illness (DCI);
- Air / Gas embolism.

Welsh Government response to the petition

The Welsh Government's response highlights that they rely on the expert advice of NICE and the AWMSG, and state that:

NICE guidance does not recommend oxygen therapy as an effective use of NHS resources; nor are we aware of the evidence of the effectiveness of oxygen therapy for people living with fibromyalgia.

The response also [includes guidance](#) from the [Welsh Health Specialised Services Committee](#) outlining the conditions HBOT should be provided for, which include:

- **Emergency indications:**
 - Decompression illness;
 - Carbon monoxide intoxication;
 - Life threatening anaerobic or mixed soft tissue infections;
 - Crush injuries and other traumatic ischaemia with compromised circulation.
- **Elective indications:**
 - Diabetic foot ulcers;
 - Osteoradionecrosis (ORN) of the head and neck;
 - Prevention of osteo-radionecrosis for head and neck surgery;
 - Soft tissue radiation tissue damage;
 - Chronic refractory osteomyelitis.

WHSSC have also published a [more detailed version of the guidance for HBOT](#) (July 2019). The Welsh Government response goes on to note that:

...the majority of resources across Welsh Government and the NHS in Wales are now directed to tackling Covid-19 and preventing a future second wave. As such, I hope you understand that at this time we are unable to consider the further investigation of oxygen therapy for fibromyalgia.

The Welsh Government response does, however, note that where medicines are not routinely available within NHS Wales, a clinician may apply for the medicine on behalf of their patient through an **Individual Patient Funding Request (IPFR)**. The clinician would need to provide sufficient evidence to demonstrate the clinical and cost effectiveness of the proposed treatment

Earlier in 2020 Welsh Government **issued a statement** setting out their intention to merge three existing advisory groups (Persistent Pain, Arthritis, and ME/Chronic Fatigue Syndrome and fibromyalgia) into one advisory group. This would report to the Chief Medical Officer on issues the conditions share, as well as bespoke issues relating to specific conditions. It was hoped the new group would be established by April 2020, although coronavirus may have intervened in its' work. However, the Welsh Government response to this petition sets out that:

When normal services are able to resume, we will work together to continue the consideration of the most appropriate treatment and support for fibromyalgia patients.



Eich cyf/Your ref P-05-1012
Ein cyf/Our ref VG/05662/20

Janet Finch-Saunders MS
Chair
Petitions Committee

petitions@senedd.wales

3 September 2020

Dear Janet,

Thank you for your letter of 12 August on behalf of the Petitions Committee regarding the provision of NHS-funded oxygen chamber therapy to relieve the symptoms of fibromyalgia.

Health boards in Wales are responsible for meeting the health needs of their population, which includes providing services for those living with fibromyalgia in Wales.

In Wales, we take an evidence-based approach to decide which treatments should be routinely available. To do this, we rely on the expert advice of NICE and our own appraisal body, the All-Wales Medicines Strategy Group (AWMSG). These two bodies analyse the clinical benefits and the cost charged by the manufacturer to assess if the benefits are in balance with the price the NHS has to pay. In doing this, they take advice from expert clinicians and take account of patient views. NICE guidance does not recommend oxygen therapy as an effective use of NHS resources; nor are we aware of the evidence of the effectiveness of oxygen therapy for people living with fibromyalgia.

Where medicines are not routinely available within NHS Wales, a clinician may apply for the medicine on behalf of their patient through an Individual Patient Funding Request (IPFR). The clinician would need to provide sufficient evidence to demonstrate the clinical and cost effectiveness of the proposed treatment. The Welsh Health Specialised Services Committee has produced the following guidance outlining which conditions Hyperbaric Oxygen Therapy should be provided for:

<http://www.whssc.wales.nhs.uk/sitesplus/documents/1119/cp071.pdf>

As you will appreciate, the response to the pandemic is a fast-moving and evolving situation and the majority of resources across Welsh Government and the NHS in Wales are now directed to tackling Covid-19 and preventing a future second wave. As such, I hope you understand that at this time we are unable to consider the further investigation of oxygen therapy for fibromyalgia.

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

Bae Caerdydd • Cardiff Bay
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CF99 1SN

Gohebiaeth.Vaughan.Gething@llyw.cymru
Correspondence.Vaughan.Gething@gov.wales

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

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

The Welsh Government has advisory groups that provide advice from healthcare professionals and those living with long term fatigue conditions. When normal services are able to resume, we will work together to continue the consideration of the most appropriate treatment and support for fibromyalgia patients.

Yours sincerely,

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

Vaughan Gething AS/MS

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

Agenda Item 3.7

P-05-1016 Extend the new Green Homes Grant to Wales

This petition was submitted by Cheryl Griffiths having collected a total of 1,413 signatures.

Text of Petition:

The Chancellor has announced a new Green Homes Grant to give up to £5000 in vouchers for energy efficient improvements to homes in England. The Welsh Government should implement the same in order to improve the housing stock, safeguard Welsh jobs and contribute to Welsh environmental concerns.

Senedd Constituency and Region

- Cynon Valley
- South Wales Central

Green Homes Grant

Y Pwyllgor Deisebau | 29 Medi 2020
Petitions Committee | 29 September 2020

Reference: RS20/13682-12

Petition Number: P-05-1016

Petition title: Extend the new Green Homes Grant to Wales

Text of petition: The Chancellor has announced a new Green Homes Grant to give up to £5000 in vouchers for energy efficient improvements to homes in England. The Welsh Government should implement the same in order to improve the housing stock, safeguard Welsh jobs and contribute to Welsh environmental concerns.



1. Background

The Chancellor of the Exchequer, Rishi Sunak MP, announced a new £2 billion green homes grant to Parliament on 8 July 2020 as part of his summer statement, *A Plan for Jobs*.

In his statement, the Chancellor said:

From September, homeowners and landlords will be able to apply for vouchers to make their homes more energy efficient and create local jobs. The grants will cover at least two thirds of the cost—up to £5,000 per household—and for low-income households we will go even further, with vouchers covering the full cost, up to £10,000.

Further detail of the scheme was later made available by the UK Government. The grant, in the form of a voucher, can be used to fund a range of energy efficiency measures subject to certain eligibility criteria.

The voucher must be used to install one ‘primary measure’ from a list that includes solid wall, cavity wall and loft insulation amongst other measures. Where at least one primary measure is installed, the voucher can be used to help cover the cost of a range of secondary measures, including double/triple glazing and external energy efficient doors.

The Green Homes Grant scheme is only available to homeowners and landlords in England. The vouchers must be redeemed, and improvements completed, by 31 March 2021.

2. Welsh Government action

In her letter to the Chair of the Petitions Committee dated 24 August 2020, the Minister for Environment, Energy and Rural Affairs notes that the Welsh Government:

...is not currently proposing to introduce a similar voucher scheme here in Wales. Since 2011, householders in Wales have benefitted from our more generous schemes delivered under the Warm Homes Programme. Through this programme, which has benefitted more than 55,000 households since its launch, funding of between £5,000 and £12,000 is available for home energy efficiency measures recommended following a whole house assessment.

The Welsh Government’s **Warm Homes Programme** aims to improve the energy efficiency of housing stock and to help tackle fuel poverty. The programme includes two projects: Nest and Arbed.

The Nest scheme ‘**supports access to free independent advice and support to help householders living in Wales**’. Those meeting Nest’s **eligibility criteria** can also access a free package of energy efficiency measures which could include a new gas boiler, central heating system, insulation or air source heat pumps.

The **criteria** for free home energy improvements under Nest can be summarised as:

- You own or privately rent your home (not from a local authority or housing association);
- Your home is energy inefficient and expensive to heat; and
- You or someone you live with receives a means tested benefit OR has a chronic respiratory, circulatory or mental health condition and an income below the defined thresholds.

Arbed is a partially EU funded element of the Warm Homes Programme. It is an area-based scheme meaning that householders must be living in an eligible area to access Arbed. The funding is provided to install energy efficiency measures, such as external wall cladding and new central heating systems in these areas. The current Arbed scheme (Arbed 3) is delivered by Arbed am Byth (a joint venture between Everwarm and the Energy Saving Trust) and is targeted towards focused areas identified by Arbed am Byth and local authorities.

In her letter to the Petitions Committee, the Minister for Environment, Energy and Rural Affairs notes that:

Under the terms of the current Warm Homes Programme contracts, provision is made for energy efficient glazing and doors. This is limited to the provision of secondary glazing or draught proofing of windows and doors only, if recommended as part of the whole house assessment. The inclusion of replacement external doors and windows to the list of approved measures delivered through our programme is an issue on which I will be consulting as part of the forthcoming consultation on the new draft plan to tackle fuel poverty, which I expect to be published by no later than the end of September.

3. Welsh Parliament action

In August 2018, the Climate Change, Environment and Rural Affairs Committee published a report and recommendations following its inquiry, ***Low Carbon Housing: the Challenge*** (PDF, 1MB). The report noted that housing is responsible for nearly 8% of Welsh greenhouse gas emissions. Recommendation 5 was that:

The Welsh Government should continue to invest in and expand the current retrofitting schemes under Arbed 3. The Advisory Group on the Decarbonisation of Existing Homes should report to the Committee on the feasibility of retrofitting homes under this scheme by “type” of dwelling.

The recommendation was accepted in principle by the Welsh Government in its [response](#) (PDF, 279KB).

The Senedd’s Climate Change, Environment and Rural Affairs Committee recently carried out an [inquiry into fuel poverty](#). It’s report and recommendations were published in April 2020. Some of the recommendations related to the Warm Homes Programme, including:

- **Recommendation 10.** The Welsh Government must review the eligibility criteria for free energy efficiency improvement packages under Nest, taking account of the new definition of fuel poverty. The review must consider, in particular, broadening the eligibility criteria to include low-income households living in, or at risk of falling into, fuel poverty.
- **Recommendation 11.** The Welsh Government must ensure that funding is available through the Warm Homes Programme to meet the cost of enabling works for households that would otherwise be unable to benefit from home energy efficiency improvements under government schemes

The Welsh Government accepted the above recommendations in its [response](#) (PDF, 409KB) to the Committee’s report.

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

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



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref LG/02042/20

Janet Finch-Saunders MS
Chair of the Petitions Committee

Government.Committee.Business@gov.wales

24 August 2020

Dear Janet

Thank you for your letter of 13 August, addressed to Rebecca Evans MS, Minister for Finance and Trefnydd, regarding petition P-05-1016 calling on the Welsh Government to introduce in Wales a Green Homes Voucher Scheme the same as announced by the UK Government on 7 July. The letter has been passed to me for reply as home energy efficiency improvement is part of my policy portfolio.

The UK Government scheme is part of a package of measures announced by the Chancellor of the Exchequer in the UK Parliament on Tuesday 7 July, designed to encourage householders to invest in home energy efficiency improvements, specifically wall insulation and replacement doors and windows. The UK Government announced this scheme will apply in England only. Households can apply for a voucher to meet up to two thirds of the cost of home energy efficiency improvements up to a maximum of £5000 per household. Households on a very low income can apply for a voucher of not more than £10,000 without the need of a financial contribution. This scheme is expected to run only until March 2021.

The Welsh Government is not currently proposing to introduce a similar voucher scheme here in Wales. Since 2011, householders in Wales have benefitted from our more generous schemes delivered under the Warm Homes Programme. Through this programme, which has benefitted more than 55,000 households since its launch, funding of between £5,000 and £12,000 is available for home energy efficiency measures recommended following a whole house assessment.

No financial contribution is required from the householder for measures delivered under our programme, which is designed to focus our efforts to help people who are struggling to meet the costs associated with maintaining a safe and comfortable home environment at an affordable cost.

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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.

Under the terms of the current Warm Homes Programme contracts, provision is made for energy efficient glazing and doors. This is limited to the provision of secondary glazing or draught proofing of windows and doors only, if recommended as part of the whole house assessment. The inclusion of replacement external doors and windows to the list of approved measures delivered through our programme is an issue on which I will be consulting as part of the forthcoming consultation on the new draft plan to tackle fuel poverty, which I expect to be published by no later than the end of September.

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 of the name.

Lesley Griffiths AS/MS

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

Agenda Item 4.1

P-05-960 Fund the funeral costs of all NHS staff who die from or with Covid-19

This petition was submitted by Profs Jane Henderson & Karin Wahl-Jorgensen having collected a total of 414 signatures.

Text of Petition

They gave their lives to save ours. We call on the Welsh Government to fund the funeral costs of all NHS staff who die from or with Covid-19. The average simple funeral costs £4000. We ask the Welsh Government to ensure that bereaved families immediately have access to the funds to pay for funeral costs.

Additional Information

Source for funeral cost

<https://www.moneyadvice.service.org.uk/en/articles/help-paying-for-a-funeral>

Senedd Constituency and Region

- Cardiff West
- South Wales Central

Vaughan Gething AS/MS
Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol
Minister for Health and Social Services



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref VG/05476/20

Janet Finch-Saunders MS
Chair
Petitions Committee
Senedd Cymru

Government.Committee.Business@gov.wales

9 September 2020

Dear Janet,

Thank you for your further letter of 5 August regarding a petition to fund funeral costs for all NHS staff who die from, or with, COVID-19.

You have confirmed that the committee consider this would be appropriate in the circumstances and would support families to meet the immediate costs associated with arranging and paying for a funeral and you have requested that I give this matter further consideration.

I have asked my officials to provide me with advice on the potential costs involved and practicalities of putting such arranging in place. Once I have had the opportunity to consider further advice from my officials I will write to you again.

Yours sincerely,

Vaughan Gething AS/MS
Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol
Minister for Health and Social Services

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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.

P-05-960 Fund the funeral costs of all NHS staff who die from or with Covid-19 – Correspondence from the Petitioner to the Committee, 18.09.20

Dear Petitions Committee,

Thank you so much for the work you are doing to keep this discussion on the table. I have been proud to see each of the committee respond so positively to this request understanding how we, the people of Wales, owe a debt of gratitude to NHS staff. We simply want the costs of the funerals for NHS staff dying of Covid-19 to be covered by the tax payers who have relied on their service through the pandemic.

I have read Vaughan Gething's letter and am delighted that officials are considering the practicalities. Many of us involved in the petition have been hoping that the arrangement could be as simple as a single one off grant application operated by funeral homes based on the production of an NHS staff number. The critical thing is to make it quick, simple and up front so that the families have one less burden to bear in what we know is an intolerably stressful time. The other thing I would like to stress is that the intention of the petition is, and has always been, to offer this to all NHS staff specifically including all non-British citizens who are working for the NHS. If people offer care on an equal basis we should return our compassion to them on the same basis.

On several occasions people have asked about other staff, such as care home staff, and I certainly believe natural justice would suggest that this should be investigated.

We hope with all sincerity that by approving this petition, the Welsh Government can show the lead in compassion in the UK,

Thanks to all on the committee for your determination to keep this issue alive

Agenda Item 4.2

P-05-868 – Water Safety/Drowning Prevention and the effects of Cold Water Shock to be taught in all Schools in Wales

This petition was submitted by Carmarthenshire Water Safety Partnership having collected 394 signatures online and 502 on paper – a total of 896 signatures.

Text of Petition

We call on the National Assembly for Wales to urge the Welsh Government to include – Water Safety/Drowning Prevention and the effects of cold-water shock to be taught on the national curriculum in Wales.

In 2016 we saw the launch of the first ever water safety strategy in the UK, which aims to reduce water related fatalities by 50% by 2026. Collaboration, awareness, education and prevention are the main focuses. Wales needs to respond in support.

The families of Cameron Comey, Luke Somerfield, Kieran Bennett-Leefe, Robert Mansfield and Jem Pendragon all support this petition in memory of their sons lost to water.

Additional Information

Several hundred adults and children drown accidentally every year in the UK & Ireland, and Wales – having a considerable number of rivers, lakes and a wild coastline is not immune. Education and prevention are key to safeguarding our communities from needless drowning.

This petition also has its aims focused on healthy, educated interactions with our many open waterways in Wales, by promoting events nationally and locally where young people and the public can access organized events where they engage with social, active and safe events with clubs/organisations concerned with water based activities.

We also recognise that local authority cuts to swimming accessibility for all pupils (through central government pressures) and a new Welsh Baccalaureate on water safety is too wide a gap to ensure a consistent

education message for all. Wales has three broad strategies (our Healthy future, Building a brighter future and Well-being of Future Generations) and have links to injury prevention and, therefore, to reducing drowning.

This petition is supported by many partners including; five families of young men lost to drowning in West Wales, Ferryside Inshore Lifeboat, Jonathan Edwards MP, South Wales Fire & Rescue Service, Rebecca Ramsey (campaigner for England water safety education), All Wales Water Safety Group, Mid & West Wales Fire and Rescue Service, Simon Hart MP, Carmarthen Town Council, The Coracle & Netsmans Association, Gwendraeth Valley Paddlers Canoe Club, Ammanford Police Station, Carmarthen Boat Club, Brecon Mountain Rescue Team, Llansteffan Coastguard, Angela Burns AM, Carmarthen Bay Ferries, Llandysul Paddlers Canoe Centre, to name a few.

Senedd Constituency and Region

- Carmarthen East and Dinefwr
- Mid and West Wales



Eich cyf/Your ref P-05-868
Ein cyf/Our ref LG/01598/20

Janet Finch-Saunders MS
Chair of the Petitions Committee

Government.Committee.Business@gov.wales

08 July 2020

Dear Janet

Thank you for your letter of 23 June regarding a petition on water safety and drowning prevention and the development of an All Wales Water Safety Strategy.

Progress on the development of the Wales Water Safety Strategy is continuing, with Water Safety Wales having completed initial consultation with their 16 member organisations. These organisations include representation from emergency services, safety charities and water companies. The Strategy will support the drowning prevention and water safety work which they and their partner organisations deliver in Wales.

The next stage will be to review consultation responses and any proposed changes to the draft Strategy with the Water Safety Wales steering group. Once this is completed, Water Safety Wales will consult the National Water Safety Forum and families who have been affected by a water fatality.

Water Safety Wales' aim is to have a formal launch of the Strategy in September.

Dŵr Cymru Welsh Water, as part of their long term commitment to water safety, are once again running their 'One Last Breath' campaign during the summer. They are using social media to get the message across about the dangers of swimming in reservoirs due to freezing temperatures, strong currents and dangerous hidden machinery, which can drag even the strongest swimmer under.

The Fire Services in Wales have a duty to respond to serious flood and inland water rescue emergencies. Whilst this duty does not extend to water safety promotion, I know all three services in Wales are involved in a number of water safety campaigns across Wales. Just recently, all three services joined partners in supporting and promoting Drowning Prevention Week 12-19 June.

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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.

You may wish to note a sub-group of the National Access Forum Wales (NAFW) was established in November 2019 to consider how access to inland waters can be increased for recreational purposes. The NAFW will report the outcomes of its sub-group discussions, and associated conclusions and recommendations to the Deputy Minister for Housing and Local Government by March 2021. I expect part of this consideration to include health and safety around water.

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 of the name.

Lesley Griffiths AS/MS

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

Agenda Item 4.3

P-05-933 Ban Goldfish from being given away at funfairs.

#OperationGoldfish

This petition was submitted by Holly Rosalie Homer collected 498 signatures online and 1,918 on paper, a total of 2,416 signatures.

Text of Petition

We call on the National Assembly for Wales to urge the Welsh Government to ban goldfish from being given away at funfairs.

Goldfish are still being given away as prizes at funfairs all over the country, they are complex creatures that can live up to 25+ years and grow between 25-45cm. They are kept in poor conditions and given away to someone who won on an impulse and due to this they usually only last a couple of months. This is an archaic tradition that through recent education we've realised is unethical.

Senedd Constituency and Region

- Vale of Glamorgan
- South Wales Central

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-05-933
Ein cyf/Our ref LG/01742/20

Janet Finch-Saunders MS
Chair of the Petitions Committee

Government.Committee.Business@gov.wales

03 August 2020

Dear Janet

Thank you for your letter of 9 July regarding the giving of animals as prizes, and the additional documentation provided to the Petitions Committee from the petitioner and the RSPCA, which I have read with interest.

You will appreciate the Coronavirus has had an impact on the priorities of the Welsh Government and the Senedd, both in terms of the business which has been possible to consider in the Senedd, and from a resource perspective, as officials have been redeployed to provide an emergency response to those affected by the pandemic. The Animal Welfare team is no exception. Whilst it was my intention for The Animal Welfare (Licensing of Animal Exhibits) (Wales) Regulations 2020 to be made this year, the difficult decision was made to postpone this whilst other, higher priority work is undertaken.

Since my last letter, I can confirm the results of the 2019 consultation have been published (www.gov.wales/animal-exhibits) and a third, short consultation is planned when resources allow. My officials do maintain a mailing list for those who wish to be kept updated on the progress of these Regulations; should the petitioner be interested in being added, please ask them to email WAHFG@gov.wales. With regard to whether the giving of animals as prizes would fall within the scope of these Regulations, the position has not changed since my previous letter i.e. Local Authorities will be encouraged to take a pragmatic approach to ascertain whether an activity is licensable.

With regard to your query about the Wales Animal Health and Welfare Framework Group, whilst the group has continued meeting virtually throughout the pandemic, understandably their focus has shifted to topics relevant for the current situation we find ourselves in.

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

I can assure you the giving of animals as prizes will be added as a future agenda item when it is appropriate for the Group to return its attention to 'business as usual'.

Regards

A handwritten signature in black ink that reads "Lesley Griffiths". The signature is written in a cursive style with a large, sweeping 'L' and 'G'.

Lesley Griffiths AS/MS

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

Agenda Item 4.4

P-05-941 Biodiversity Remit for NRW

This petition was submitted by Initiative for Nature Conservation Cymru (INCC) having collected 873 signatures online and 322 on paper, a total of 1,195 signatures.

Text of Petition

The Initiative for Nature Conservation Cymru (INCC) is calling on the National Assembly for Wales to urge the Welsh Government to explicitly include 'Biodiversity' when setting their strategic remit to Natural Resources Wales (NRW) for 2020 / 2021 and in future. Specifically the remit should include:

- NRW will ensure that biodiversity is central to its core purpose of pursuing sustainable management of natural resources by:

1. Working towards an overall improvement in the status of Welsh wildlife and preventing or at least minimising the risk of any further extinctions as a consequence of human activities.

2. Establishing sustainable, bigger and less fragmented areas for wildlife, this should initially focus on the consolidation and extensions to existing National Nature Reserves and other protected areas, followed by the establishment of new areas.

3. Prioritising the need to obtain favourable or recovering status for conservation features on all statutory nature conservation sites (SPAs, SACs, SSSIs and NNRs).

4. Developing and improving an effective network of Marine Protected Areas which are sufficient to ensure the adequate protection of marine life and sustainable fisheries around Wales.

5. Ensure that more people are actively engaged with biodiversity issues, and aware of the significance of biodiversity to their health and wellbeing.

Additional Information

Since the inauguration of NRW six years ago, there has been a steady and noticeable deterioration in Wales' commitment toward biodiversity and nature conservation. Wales has been described as one of the most nature depleted areas of the world having already caused the extinction of many of its native plant and animal species. A great number of the species that do remain are now rare or threatened, surviving in fragments of their often isolated habitats.

INCC believes that the people of Wales and the wildlife they share their community with deserve better. Greater commitment from Welsh Government and NRW is required if Wales is to stand any chance of reversing the declines in biodiversity and preventing further wildlife extinctions from occurring.

An effective way of demonstrating this commitment toward reversing the decline in biodiversity would be to ensure that the Welsh Government explicitly includes 'Biodiversity' as part of the NRW strategic remit.

Given the continued losses to wildlife and the perceived lack of prioritisation toward nature conservation within NRW, it is clear that 'Biodiversity' cannot simply remain as an implied part of NRW's functions. It has to be made explicit and given the appropriate prioritisation.

If there is no change, future wildlife extinctions in Wales are inevitable.

Senedd Constituency and Region

- Carmarthen East and Dinefwr
- Mid and West Wales

Janet Finch-Saunders AS/MS
Chair
Petitions Committee
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By Email Only: Petitions@Senedd.Wales

30 July 2020

Dear Janet

Petition P-05-941 Biodiversity Remit for Natural Resources Wales (Cyfoeth Naturiol Cymru)

Thank you for your letter and enclosures of **Petition P-05-941 Biodiversity Remit for Natural Resources Wales (Cyfoeth Naturiol Cymru)** seeking a response to the points raised by the petitioner which calls on the Welsh Government to explicitly include 'Biodiversity' when setting their strategic remit to Natural Resources Wales (NRW) for 2020/2021.

Globally, the scale of climate change and the urgent need for action to address it was reinforced by the United Nations' Intergovernmental Panel on Climate Change. This gave rise to a growing climate emergency movement recognised by both the Welsh Government and UK Parliament. Coupled with this, the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services in its 2019 report described the loss of biodiversity as a threat of equal size - a nature emergency.

The Welsh Government declared a 'Climate Emergency' in Wales in April 2019 with the intention of prompting 'a wave of action at home and internationally' the statement recognised the connection between the drivers of climate change and action to recover nature and the need to drive urgent action to both increase the resilience of our ecosystems to environmental change and reverse the decline in habitats and species.

NRW published our interim second State of Natural Resources Report (SoNaRR2) last December. It made clear that we face these two large interconnected global challenges: climate change and biodiversity loss.

NRW is already subject to a statutory duty to maintain and enhance biodiversity

The Environment (Wales) Act established NRW's general purpose to pursue the sustainable management of natural resources (SMNR). The objective of SMNR is to maintain and enhance the resilience of ecosystems and the benefits (ecosystem services) they provide, and in doing so meeting the needs of present generation without compromising the ability of future generations to meet their needs.

NRWs purpose and focus supports the transformational change needed to halt and reverse the decline in biodiversity. Action on biodiversity is embedded in the sustainable management of natural resources delivery framework, ensuring that biodiversity is considered as an essential element to contribute to the resilience of ecosystems which in turn is inextricably linked to human wellbeing.

The Act recognised the essential contribution biodiversity makes to the sustainable management of natural resources and to our well-being by establishing the section 6 duty. Section 6 of the Environment (Wales) Act introduced a stronger biodiversity and resilience of ecosystems duty for public authorities in Wales, which includes Natural Resources Wales. A public authority must seek to maintain and enhance biodiversity in the exercise of functions in relation to Wales, and in so doing promote the resilience of ecosystems, so far as consistent with the proper exercise of those functions.

To fulfil this duty, action for biodiversity is embedded in the delivery of our general purpose, the sustainable management of natural resources. We have integrated our plan for compliance with the Section 6 duty into organisational plans such as the five-year Corporate Plan and our annual Business Plan.

In response to the specific points in the petition:

1. Working towards an overall improvement in the status of Welsh wildlife and preventing or at least minimising the risk of any further extinctions as a consequence of human activities.

Our priorities and commitments are set out in our Corporate Plan and annual Business Plan. This also sets out appropriate measures and targets for the key actions for NRW for 2020/21.

We have identified five strategic priorities in responding to the nature emergency:

a. Roll-out nature-based solutions to drive forward the themes in the Area Statements

Our Area Statements establish the opportunities for place based, nature-based solutions contributing to the implementation of the Welsh Governments Natural Resources Policy in a local context. Collaborative working delivers better results at a local level building on evidence that communities are best placed to deliver the behaviour change needed to tackle the national challenges and priorities including biodiversity loss.

b. Support a move towards a circular economy

The policy agenda around building a circular economy provides an opportunity for everyone to look at how they could contribute to a more integrated approach in Wales. NRW can lead through our regulatory approaches and tools, and through our own procurement processes to support work to optimise the journey to a circular economy in Wales.

c. Lead by example on the land and assets we manage

NRW directly manages 7% of Wales' land area including woodlands, National Nature Reserves, water and flood defences and operates visitor centres, recreational facilities, offices and depots. Using these sites to demonstrate exemplar management is a key step to building our reputation and persuading others that the approach we provide the outcomes we all want to see for biodiversity.

d. Improve the condition and resilience of protected sites

Protected sites on land, inland waters and the sea are an essential mechanism for maintaining biodiversity and building ecosystem resilience. Around 12% of land 69% of the inshore marine area is protected in this way this includes SSSI and Natura 200 sites. Our goal is that protected sites function as core areas of a resilient ecological network in which habitats and species can thrive and expand.

e. Deliver targeted action for species

Many species threatened with imminent extinction, or showing significant decline have relatively specialist requirements. Species recovery requires a prioritised and coordinated approach with targeted interventions.

2. Establishing sustainable, bigger and less fragmented areas for wildlife, this should initially focus on the consolidation and extensions to existing National Nature Reserves and other protected areas, followed by the establishment of new areas.

Building resilient ecological networks is all about working at larger scales, promoting functional connections between natural places, ensuring they have high natural diversity, are in good condition and increasing their extent. These concepts are being developed and included within our emerging guidance for building ecosystem resilience and contributing to Welsh Government's Natural Resource Policy aims.

3. Prioritising the need to obtain favourable or recovering status for conservation features on all statutory nature conservation sites (SPAs, SACs, SSSIs and NNRs).

We recognise that protected site features need to be in favourable or recovering condition to safeguard their biodiversity and contribute effectively to ecosystem resilience and wider delivery of SMNR. Alongside our Business Plan priorities for our protected sites improvement work, NRW is currently leading three EU LIFE programmes (Welsh Raised Bogs, Sands of LIFE & River Dee LIFE) as part of delivering landscape-scale improvements. We are also working with on the development of a number of other EU LIFE, NHLF and other restoration and improvement projects which will contribute to the condition of nature conservation sites in Wales.

We are working with Welsh Government to help deliver their Sustainable Management Scheme – *Supporting Natura 2000 Restoration* – launched in July 2020. This will be an important mechanism for improving the condition of some of Wales' most important sites for biodiversity. We are also using additional capital money from Welsh Government in 2020/21 to invest in marine, terrestrial and freshwater projects delivered by NRW and partners to improve the condition of nature conservation features in Wales. Understanding the condition of protected sites is key to prioritising action effectively so NRW is also currently running a baseline evaluation exercise to produce indicative condition assessments for SAC, SPA and SSSI features.

4. Developing and improving an effective network of Marine Protected Areas which are sufficient to ensure the adequate protection of marine life and sustainable fisheries around Wales.

As part of our support for the Marine Protected Areas (MPAs) network we have a Corporate Plan commitment to *'Improve the resilience of marine ecosystems as part of the Marine Protected Area (MPA) network and activities under the MPA Condition Improvement Project and the Assessing*

Welsh Fisheries project. We see developing an ecologically coherent and well-managed MPA network as key to the health, productivity and biodiversity of Wales' marine area and for the sustainable management of marine natural resources. Welsh Government has overall responsibility for developing the MPA network in Wales and is currently working on the *MPA Network Completion Project* to identify and fill gaps in the network. We are one of several MPA management authorities also actively involved in supporting Welsh Government with developing the MPA Network Management Framework and Action Plan. As part of supporting Welsh Government's MPA work, we provide advice to developers and others about steps to sustainably manage the impacts of activities in these important marine sites.

5. Ensure that more people are actively engaged with biodiversity issues, and aware of the significance of biodiversity to their health and wellbeing.

Our wellbeing and that of future generations depends completely on the natural environment and the biodiversity it supports. Through Area Statements and Public Service Boards NRW is working to develop and contribute to joint actions that maximise the multiple benefits that natural resources provide.

Natural Resources Wales also supports, or is a member of, a number of education and learning networks, using them to communicate with stakeholders and partners and influence the way SMNR education is taught and learnt in Wales e.g. we are currently working with Senedd Cymru to ensure biodiversity is incorporated within the new Curriculum for Wales and we have developed a range of educational resources and activities which are available on our website.

We also grant fund many projects that deliver for the environment and people and increase action, knowledge and awareness of the importance of biodiversity for the environment and also people's mental and physical health, wellbeing and learning. Examples include: Coed Lleol, Tir Coed, Wales Outdoor Learning, Acorn Antics, Natural Progression Steps campaign, Healthy Weight, Healthy Wales 2-year delivery plan and funding to the John Muir Trust who work directly with people to enhance health and wellbeing through nature and learning and help establish pro-environmental behaviours.

NRW also manages the Welsh Government Woodland Estate which provides opportunities for recreation, enriches our culture and heritage, presents opportunities for tranquil reflection and a connection with nature.

NRW also supports the Wales Biodiversity Partnership Hosting the secretariat which is a proven key player in promoting and raising awareness about biodiversity and linking individuals and bodies working with biodiversity throughout Wales.

INCC's letter to the petitions committee dated 15th of June 2020

As requested, we have also provided comments on the INCC's letter to the petitions committee dated 15th of June 2020.

"INCC Comments following the Ministers response (LG/00673/20) to the petition (P-05-941) - Biodiversity Remit for Natural Resources Wales (NRW)."

We note that the letter states that NRW does not have the resources, structure, and organisational ethos to counter the nature emergency. The letter also says that one of the failings of NRW is their silence regarding the planning process in Wales.

Organisational structure, resources and organisational ethos

NRW has a wide range of duties and powers that relate to biodiversity; a variety of mechanisms and ways-of-working. We have statutory functions whose primary purpose is the conservation of habitats, species and geodiversity, such as our duties and powers relating to the designation and management of protected sites and the statutory protection of rare and threatened species. We are the statutory nature conservation body for Wales and an evidence-based expert independent advisor to government and others. Our wide remit includes being a regulator, advisor, policy-maker, land manager, educator, facilitator and grant provider.

The first years of NRW after its creation in 2013 were focussed on the work to establish its own stand-alone capability, through restructuring, setting up new systems and ways of working, and removing the dependency on the legacy organisations. Since this work has been completed, NRW have been focussed on developing an organisational structure so that we can meet our future ambitions, deliver our new purpose and operate effectively in the new legislative framework in Wales and critically deliver against key priorities including the Climate and Nature Emergencies. In 2019 NRW underwent transformational change through its Organisational Design Process. This focussed on different ways of working within NRW with emphasis on integrated place-based delivery, working even more closely with partners and communities to ensure we can fulfil our purpose and lead the way in Wales to a more sustainable management of natural resources.

Our intention is that through the development of a participatory spatial planning approach for Area Statements, we identify and cost where nature-based solutions can best be located to deliver multiple benefits, rolling out this approach extensively in NRW. The joined-up spatial plans produced will simultaneously maintain and enhance Nature Recovery Networks plus marine equivalents (and the protected sites at their core), deliver climate emergency actions and a variety of other key ecosystem services using a blend of public and private investment.

Key here is that our staff capacity needs to be considered alongside changes in approach, new ways of working, improved processes, better evidence, the potential for closer alignment with partner bodies, the 'whole organisation' approach taken by NRW and the extent to which NRW is a 'doer' itself and enabler/enthusier of others. This collective resource and approach in NRW helps us deliver biodiversity work on our own estate (principally the WGWE and National Nature Reserves), with owner occupiers and users on protected sites and beyond this to work with partners. Arguably there would never be enough staff and expertise in NRW to reverse the decline in biodiversity in Wales if NRW was solely responsible for delivering the changes needed. Everyone's wellbeing in Wales relies on biodiversity and resilient ecosystems and everyone has a responsibility to make the transformational changes needed to halt and reverse the decline. NRW has a key role but is not solely responsible.

NRWs involvement in the development planning system

The land use planning system is a strategic delivery mechanism for the delivery of NRW's corporate priorities, including the response to climate and environment emergency in Wales.

We are a statutory or specialist consultee within the planning system, both during the development plan making process, and during the planning application process. Our main role is to provide evidence-based advice on how planning policies and development proposals should protect and enhance the environment and allow for our natural resources to be sustainably managed.

We work strategically to proactively provide strategic advice to inform policy frameworks nationally, regionally and locally to provide a framework to help ensure the right development in the right place.

Specifically, local development plans provide the framework for decisions on individual planning applications and we work to provide evidence and advice to ensure our corporate priorities are integrated within the policy framework including, for example, the discharge of the respective section 6 and section 7 duties of Local Planning Authorities and Natural Resources Wales.

Our roles within the planning system are set out in various legislative provisions. Our advice is informed by the information submitted by the applicant, our expertise and evidence including Area Statements, the Welsh Government's aspirations and policies for the environment as set out in national planning policy together with the policy framework set out in the relevant Local Development Plan.

We receive and reply to around 7,000 planning consultations annually and, when consulted, we are required to provide a substantive response within statutory or otherwise agreed deadlines. Our [Consultation Topic List](#), sets out when we would currently ask to be consulted as part of a planning application consultation.

I trust the above information is helpful in your consideration of the questions raised with the Petition's Committee.

Best wishes



Clare Pillman
Prif Weithredwr, Cyfoeth Naturiol Cymru
Chief Executive, Natural Resources Wales



Petitions Committee
Welsh Parliament
Cardiff Bay
Cardiff
CF99 1SN

23rd September 2020

Dear Petitions Committee

**INCC Comments regarding Natural Resources Wales' response (CX20-136) to Petition P-05-941
- Biodiversity Remit for Natural Resources Wales.**

Thank you for the opportunity to provide further representation to the committee in relation to NRW's response (CX20-136) to Petition P-05-941.

INCC believes that Natural Resources Wales (NRW) is misleading the committee, the Welsh Parliament and the people of Wales by claiming that:

"NRW's purpose and focus supports the transformational change needed to halt and reverse the decline in biodiversity"

Clare Pillman - Chief Executive
Natural Resources Wales

There is very little independent evidence to support the claim made by NRW. On the contrary, it could be suggested that NRW's purpose is too conflicted and their focus too risk adverse to make the necessary and meaningful contributions needed to reverse the decline of biodiversity in Wales. Both the NRW and Ministerial response to the petition have been disappointingly defensive. Neither party has acknowledged the growing discrepancy between the work undertaken by NRW and the work needed to be undertaken by NRW – if we are to truly reverse the decline in biodiversity.

The committee can be in little doubt that Wales is still failing to deliver the necessary nature conservation action needed to halt (let alone reverse) the declines in biodiversity, with many habitats and species still being lost in Wales.

It is also worrying that neither NRW nor the Minister has made any suggestions for improvement, nor has there been any inference that more could be done by the organisation. Even the most successful organisations strive for improvements in delivery.

NRW's reliance on verbosity and defensiveness has made evaluating their organisational delivery against what is actually needed to reverse the declines in biodiversity very difficult. It is for this reason why INCC would strongly recommend that an independent inquiry be established to ascertain whether Wales has the appropriate statutory body, with the appropriate purpose, focus and remit to truly undertake the actions needed to reverse the decline of biodiversity.

The recent global focus on species extinctions has brought a keener focus on the plight of Wales' own biodiversity and the efforts needed here to ensure nature's long-term survival. An independent inquiry would therefore be an appropriate step to take to reassure the people of Wales that we have the appropriate statutory organisation with the appropriate purpose, focus and remit to bring about the outcomes needed for wildlife and their habitats.

I would like to thank the committee for debating this petition and if you require any further information regarding this response please feel free to contact me.

Yours Faithfully



Robert

Robert Jones Parry
Chief Executive Officer

Agenda Item 4.5

P-05-951 Impose a legal limit on the maximum number of breeding bitches in licensed dog breeding establishments in Wales

This petition was submitted by Dinah Mulholland having collected a total of 229 signatures.

Text of Petition

The Animal Welfare (Breeding of Dogs) (Wales) Regulations 2014 has imposed the requirement for a breeder with 3 or more breeding bitches to be licensed as a breeding establishment. However, no maximum limit has been placed on the number of breeding bitches that can be kept in a licensed dog breeding establishment. There are therefore licensed dog breeding establishments in Wales that are breeding dogs on an industrial scale, with some establishments licensed to breed from 90 or 100 bitches on a single premises. Even if licensing conditions are met in these mass breeding establishments, the breeding of dogs on such an industrial scale is a highly questionable practice and needs to be reviewed. This petition therefore requests that Welsh Government hold a public consultation into defining a maximum limit on the number of breeding bitches in licensed breeding kennels. Included in this consultation should be a review of whether or not the Welsh public and Welsh organisations consider that the mass breeding of dogs is acceptable. The consultation also needs to consider whether the licensing local authorities in Wales have fulfilled their requirement to inspect and where necessary revoke dog breeding licenses, as if we are to permit the mass breeding of dogs then Welsh Government must ensure that local authorities enforce licensing conditions and fulfil their obligations as laid out in the 2014 Regulations.

Senedd Constituency and Region

- Ceredigion
- Mid and West Wales

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



Llywodraeth Cymru
Welsh Government

Your ref P-05-951
Our ref LG/01597/20

Janet Finch-Saunders MS
Chair of the Petitions Committee

Government.Committee.Business@gov.wales

13 July 2020

Dear Janet

Thank you for your letter of 23 June regarding Petition P-05-951 – Impose a legal limit on the maximum number of breeding bitches in licensed breeding establishments in Wales.

In my appearance at the Climate Change and Rural Affairs Committee on Thursday 11 June, I re-affirmed my commitment to introducing legislation to ban the third party sales of puppies and kittens in Wales before the end of this term of the Senedd. Work on this new legislation is underway and a final formal consultation was launched on 22 June <https://gov.wales/ban-third-party-sales-puppies-and-kittens>.

In my Written Statement on 4th March, following the review of the dog breeding regulations I commented:

'...for new regulations to be effective we must also tackle the barriers to enforcement Local Authorities are facing before proposing amendments to the current Breeding Regulations. The need for consistency of inspection and enforcement by Local Authorities is paramount in ensuring the welfare of breeding dogs and their offspring. Dog breeding premises are not evenly distributed across Wales and means some Local Authorities are struggling to cope with demands.'

Therefore I am pleased to advise, working closely with Local Authorities, work is underway in relation to tackling barriers to enforcement; enhanced training; better guidance; and improved use of resources within Local Authorities as part of a three year Welsh Government funded pilot project.

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1SN

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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 mention the findings from the review undertaken via a Task and Finish Group from the Wales Animal Health and Welfare Framework Group in your letter. Please be assured it is being used in relation to the work with the Local Authorities project, indeed the scoping document included some of the findings to identify how the pilot would operate, and will be referenced over time and going forward with improvements for the welfare of dogs and puppies in breeding establishments in Wales.

The establishment of the project with Local Authorities is a further opportunity to identify *at grass roots* where future changes to legislation, and it is important to stress this is a forward thinking process, *may* be required and is part of the data gathering and evidence process, including issues arising in relation to larger breeding premises in Wales. I am sure you will appreciate we are having to carefully manage resources at present in the face of the COVID-19 pandemic so will not be commissioning any further bespoke research at this time.

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

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 of the name.

Lesley Griffiths AS/MS

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

Agenda Item 4.6

P-05-953 Ban Single Use Plastic Milk Bottles in schools

This petition was submitted by St Aidan's Church in Wales VA School having collected a total of 369 signatures.

Text of Petition

We, children of St Aidan's Church in Wales VA School call on the National Assembly of Wales to change the way we use plastic milk bottles in schools. Each day in Wales we use approximately 300kg of plastic milk bottles which are used as part of the free milk scheme in schools. We think it is portraying a negative view towards sustainability, because more people are buying more plastic. The amount of plastic bottles we use is outrageous.

Plastic is made out of natural gas, crude oil and coal. We are using about 4,000 plastic bottles nearly every year for this free milk scheme. We want you to ban single use plastic milk bottles in school. We suggest that all schools in Wales purchase big bottles of milk and pour it in plastic cups which we can use again. We are using the fossil fuels faster than we can develop it. Thank you for reading this petition and for hopefully helping the country sort this mass of waste.

Senedd Constituency and Region

- Preseli Pembrokeshire
- Mid and West Wales

Hannah Blythyn AS/MS
Y Dirprwy Weinidog Tai a Llywodraeth Leol
Deputy Minister for Housing and Local Government



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-05-0953
Ein cyf/Our ref HB/00420/20

Janet Finch-Saunders MS
Chair
Petitions Committee
Senedd Cymru
Ty Hywel
Cardiff Bay
Cardiff
CF99 1NA

8 July 2020

Dear Janet,

Thank you for your further letter of 23 June on behalf of the Senedd's Petition Committee regarding Petition P-05-953 about plastic milk bottles, submitted by St Aidan's Church of Wales VA School.

Plastic pollution is one of the biggest issues the world is facing today, as it impacts on the places we love to visit, on wildlife and on our health.

In terms of St Aidan School's question in relation to funding for a pergal unit, the school may wish to consider applying to our £6.5 million Circular Economy Fund which is available to help publicly funded bodies like schools adopt solutions that reduce waste and increase reuse and recycling. The aim of the fund is to help organisations and businesses work towards a more circular plastics economy in Wales. Details of how to apply to the fund can be found [here](#). I also welcome St Aidan's suggestion of making glass bottles in Wales and I'm pleased that the research undertaken by WRAP on this issue has been useful to the school.

In relation to a Deposit Return Scheme (DRS), in partnership with the UK government and Northern Ireland Executive, we are developing proposals for a DRS and plan to ask people's views on the plans for a DRS. I am very keen to hear the views of children and young people as a key part of the consultation.

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
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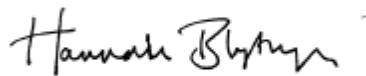
Back Page 200
We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

We are also working with the UK government to bring in a tax on plastic packaging. This will encourage businesses to include more recycled plastic in their products. The idea is that this will speed up increased levels of recycling and collection of plastic waste, diverting it away from landfill or incineration.

Littering of plastic is not acceptable and we are trying very hard to make sure everyone either puts it in the bin or recycles it, rather than throwing it on the ground. We are also writing a new Litter Prevention Plan and this will involve the help of companies, councils and environmental groups to make sure we find answers to stop littering in Wales.

Wales is already third in the world when it comes to recycling and our aim is to be number one! We will continue to build on the fantastic progress we have made in Wales on recycling, by making sure more products such as plastic bottles are recycled.

Yours sincerely,

A handwritten signature in black ink that reads "Hannah Blythyn". The signature is written in a cursive style with a small flourish at the end.

Hannah Blythyn AS/MS

Y Dirprwy Weinidog Tai a Llywodraeth Leol

Deputy Minister for Housing and Local Government

Agenda Item 4.7

P-05-965 Push the government into introducing a separate ward other than maternity ward, for families going through a miscarriage

This petition was submitted by Peter Leigh-Robinson having collected a total of 52 signatures.

Text of Petition

After seeing what the NHS put me and my wife through when she was having her miscarriage: being sent to have a scan with mums to be and just telling us 'You're having a miscarriage, go home', that was it. Then told to come back a few days later to be made to sit in a room with people coming out with their scan pictures, is not fair. There needs to be a separate ward.

Additional Information

When we asked if there was somewhere else we could wait they said it was there or nowhere. This had a massive detrimental effect on our mental health. How did they know we were strong enough to leave the hospital? They didn't, this needs to change.

Senedd Constituency and Region

- Cardiff South and Penarth
- South Wales Central

Vaughan Gething AS/MS
Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol
Minister for Health and Social Services



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-05-965
Ein cyf/Our ref VG/05200/20

Janet Finch-Saunders MS
Chair
Petitions Committee

Government.Committee.Business@gov.wales

19 August 2020

Dear Janet,

Thank you for your letter of 22 July on behalf of the Petition Committee regarding families going through a miscarriage.

The initial focus of the National Bereavement Steering Group is to develop a national framework for bereavement care in Wales and to advise on the allocation of the additional £1m Welsh Government bereavement funding being made available from April 2021. The recommendations of the Fair Treatment for the Women of Wales (FTWW) report are very specific to miscarriage and are likely to fall outside the scope of the Steering Group's work.

My officials will continue to work with health boards to ensure the improvement of miscarriage provision across Wales. Officials are considering the wider recommendations made by FTWW report regarding miscarriage services in Wales and met members of FTWW last month to discuss the latest position.

Yours sincerely,

Vaughan Gething AS/MS
Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol
Minister for Health and Social Services

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
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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.

P-05-965 Push the government into introducing a separate ward other than maternity ward, for families going through a miscarriage – Petitioner to the Committee, 15.09.20

Hi I see that he has not changed his views on this matter so I have emailed him directly and called him and the government and NHS trust out in one this is the email I sent him can you once again thank the whole petition committee for there continued support.

Everything you have said about bereavement support is a good start but it goes nowhere near what is needed if you call improvements that have been made giving someone a leaflet and telling them that they are in the middle of a miscarriage go home and find your own help witch after my mental health being absolutely decimated I decided to do to find that there is absolutely none out the then there is the fact of the mental anguish me and my wife have been made to go through being forced to go to our next normal maturity scan date sitting in the main waiting room next to mum's and dad's to be who had done nothing wrong it's the government and the NHS trust we have to have angle wards in every hospital with the correct professional staff to look after the whole family as it was not just my wife's life that was destroyed on my birthday 2 years ago it's was almost my whole family so I am asking and begging for your help to make this right so no one ever has to go through what we did.

Agenda Item 4.8

P-05-940 Reduce cancelled operations

This petition was submitted by Claire-Louise Walker having collected a total of 100 signatures.

Text of Petition

An article published on 31 July 18 stated that 178,000 operations in Wales were cancelled in the last 2 years (2016-2018), 70,000 due to non clinical reasons. 90,000 were cancelled in 2017/18.

In 2012 my son passed away, he was placed on the waiting list for an emergency tonsillectomy in September 2011 the first operation was cancelled because of no HDU bed being available, the second and third was cancelled by ourselves because Dylan was not well enough. The fourth and final operation was cancelled because of no HDU bed being available this was scheduled to take place the day he died.

An investigation concluded that had he had the operation he would have made a full recovery.

We are now fast approaching almost a decade since his death and Cardiff and Vale health board assured me that changes had been put in place. It has become apparent given these diabolical high figures that nothing has changed.

I call upon Vaughan Gething, and the Welsh Assembly to put changes in place to ensure that the number of cancelled operations are dramatically reduced. I personally find these figures disgusting.

Assembly Constituency and Region

- Cynon Valley
- South Wales Central

P-05-940 Reduce cancelled operations, Correspondence – Petitioner to Committee, 12.08.20

First may I apologise for the delay in responding, I was taking into account the fact we are in a pandemic, I have given Mr Gethin's response careful consideration and whilst I appreciate his condolences, and understand that there are reasons behind cancelling operations, but if we use my son as an example the operation to remove his tonsils was referred in October 2011 this was supposed to be an EMERGENCY tonsillectomy. Yet by 15th of June 2012 (the last scheduled operation was the day he died).

That is an 8 month wait, given that it was an emergency operation surely he could have been seen at a different hospital.

I am fully aware that patients cancel as I had to cancel because Dylan was too unwell, Mr Gethin states that nearly half of all postponements are due to patient requests, so here is my question,

Excluding 2020 as no one could have predicted covid19.

- 1) how many were cancelled by the health board
- 2) how many were cancelled by patient request
- 3) how many were children

Mr Gethin doesn't explain what plans are in place to reduce the number of cancelled operations.

Agenda Item 4.9

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

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

Text of Petition

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

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

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

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

Additional Information

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

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

"Putting people & their children first."

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

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

Please support this to help support others.

Senedd Constituency and Region

- Cardiff West
- South Wales Central

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



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref
Ein cyf/Our ref JH-/00459/20

Janet Finch-Saunders MS
Chair, Petitions Committee

20 July 2020

Dear Janet,

Thank you for your letter of 29 June, in which you enclosed the Petitions Committee Report on petition P-05-798, Male Domestic Violence Victim support services to be independently run and funded.

The Violence Against Women, Domestic Abuse and Sexual Violence Act ensures relevant authorities and organisations work to a shared, collective strategic vision which will move Wales towards a more consistent response which victims tell us is crucial. It will raise the issue of gender-based abuse, domestic abuse and sexual violence with our most senior leadership and place a responsibility on them to drive forward changes which improves the safety of all victims, including men and women and their children.

The Welsh Government recognises that the experience of men and women of all forms of abuse can be different and therefore requires a different response. The Act therefore requires a nuanced response to men and to women, reflecting their different experience and requiring an appropriate response which properly addresses their needs.

Local strategies, provision for which is included in the Act, must be based on a robust needs assessment by Local Authorities and Local Health Boards for their areas which will identify where men and women require different services and support. Services must be provided which meet the needs and experiences of men and women, and which acknowledge the different services these groups require and are proportionate to need. The Act will, therefore, enable a gender-specific response where necessary.

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.

The Welsh Government has also published statutory commissioning guidance which requires regional commissioning partnerships to work strategically to commission needs-based services. Where there is a need for support services for male victims of domestic abuse, regional commissioning arrangements should recognise this.

The commissioning cycles and rules governing the commissioning of services will vary between organisations and between regions. Where services are being procured, public sector organisations must adhere to public procurement rules.

In recognition more specifically male victims of domestic abuse and sexual violence, the Welsh Government funds Project Dyn which supports male victims.

Project Dyn provides frontline advocacy support for men, as well as telephone and web-based support and signposting to local services. The Project also delivers training and works to raise awareness across Wales about the issue and how best to support men in these circumstances. In addition, Welsh Government funded services, such as the Live Fear Free website, Live Fear Free Helpline and Bawso, support both men and women.

Whilst we understand the importance of reviewing all of our grant funded programmes from time to time, we feel that during a global pandemic it is not the appropriate time for the funding to be reviewed.

Yours Sincerely,

A handwritten signature in black ink that reads "Jane Hutt". The signature is written in a cursive style with a long horizontal line above the first name.

Jane Hutt AS/MS

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

Agenda Item 4.10

P-05-898 Ban the Use of A Boards in Wales

This petition was submitted by Angharad Paget-Jones having collected a total of 80 signatures.

Text of Petition

A petition to ban the use of A board advertising in Wales. A boards not only clutter our pavements but pose a huge risk to disabled people as getting past them in a wheelchair or if you're visually impaired often means you're forced onto the road to by-pass them.

This is especially an issue on shared spaces such as city centres as well as coastal towns where the pavements are narrower.

Senedd Constituency and Region

- Aberavon
- South Wales West

Julie James AS/MS
Y Gweinidog Tai a Llywodraeth Leol
Minister for Housing and Local Government



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref JJ/01688/20

Janet Finch-Saunders MS
Chair, Petitions Committee

20 July 2020

Dear Janet,

Thank you for your letter of 9 July regarding Petition P-05-898 and the petition to ban the use of A boards in Wales. You have asked about the considerations given to accessibility issues in relation to configuring public spaces for social distancing as a result of the covid-19 pandemic.

The Deputy Minister and Chief Whip's Disability Equality Forum continues to provide an opportunity for stakeholders to advise Welsh Government on the key issues that affect disabled people in Wales. This has become increasingly important during Covid-19 as the Forum meets more frequently, ensuring the voice of disabled people is not lost.

Issues around blind and visually impaired people's difficulties in maintaining the 2m social distance rule, and in manoeuvring around changing physical environments have been raised at the Disability Equality Forum. The RNIB and Guide Dogs Cymru have also drafted a briefing which has been submitted to the Deputy Minister and Chief Whip and the Minister for Economy and Transport, to highlight their concerns on this issue. A response letter has been issued by the Deputy Minister for Economy and Transport.

We hugely value the support and guidance our national disability organisations provide to the Welsh Government and to communities right across Wales. Welsh Government officials are in contact with a number of these organisations and there are mechanisms in place to capture information and emerging issues. This information is then being considered in the decisions and actions being taken by the Welsh Government. By ensuring good communication continues, we will be able to share and disseminate information and advice quickly.

In June we published guidance entitled "Creating safer public places: coronavirus" which can be found on our website at <https://gov.wales/creating-safer-public-places-coronavirus>.

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Back Page 212
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 guidance states that legal obligations to ensure that policies, practices, procedures and working arrangements support the equality and well-being of disabled people are set out in the Equality Act 2010 and the Well-being of Future Generations (Wales) Act 2015.

Whilst the Equality Act 2010 uses the 'medical model' definition of disability, in the development and implementation of policies and programmes the Welsh Government applies the Social Model of Disability, recognising that those who are covered by the legal definition of disability are frequently disabled by barriers in society, or the workplace, rather than by their impairment or condition.

In designing Safer Public Spaces organisations should consider accessibility issues carefully, carrying out equality impact assessments and consider the particular needs, and consult with, the people who share protected characteristics.

Consideration of the needs of partially sighted / blind people is particularly important given the potential impact of temporary, or changed layouts. Working closely with organisations such as RNIB at the planning stage can ensure needs are as fully met as possible.

The guidance also contains further references reminding managers of public spaces to consider the needs of all users, including people with disabilities or those with sight issues, at all stages in designing safer places.

I hope this answers your question.

Yours sincerely,



Julie James AS/MS

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

Agenda Item 4.11

P-05-913 Creation of Lôn Las Môn Multi-Use Path

This petition was submitted by Gethyn Mon Hughes having collected a total of 2,216 signatures.

Text of Petition

We call on the Welsh Government to withdraw its objection, and offer support, to the proposal for Network Rail to permit the Anglesey Central Railway to be re-purposed into an 18 mile traffic-free multi-user path from Amlwch through to Gaerwen. Having been out of service for the past 26 years, it is our belief that the line could no longer serve any useful purpose for passenger services or freight between Gaerwen and Amlwch. Instead, the Lôn Las Môn multi-user path would be open for use by families, walkers, runners, equestrian users and leisure cyclists, including those with disabled access requirements.

Additional Information

Unlike the neighbouring counties of Gwynedd and Conwy, Anglesey has very few sections of traffic free paths. Although two national cycle routes are in existence on the island, they are primarily B-roads which are signposted principally for use by experienced road cyclists. Sixty percent of people who do not cycle state fear of traffic as a reason for not using a bicycle as a means of transportation. A traffic free route such as Lôn Las Môn is crucial to encourage more people to cycle for leisure and transport purposes. In addition, with an average of one rider involved in a road traffic incident every day across the UK, equestrian users on Anglesey would also benefit from a traffic free route, away from fast moving vehicles which pose a major hazard for both horse and rider. Once completed, the multi-user green-way would be a traffic free long-distance corridor from the South West to the North East of the island, allowing users to link with the Anglesey coastal path as well as other footpaths, cycle routes and bridleways. The project would also have knock-on economic benefits for the tourism sector on Anglesey. This is demonstrated by the Camel Trail in Cornwall, a disused railway trail of a similar length to the proposed Lôn Las Môn trail at 17.3 miles. In 2015 users of the Camel Trail spent around £6.7m and generated approximately £13m of business turnover. With obesity, mental health issues, as well as levels of type 2 diabetes increasing at an alarming rate, Lôn Las Môn would allow the public to exercise in a traffic free environment, away from vehicle emissions

and pollutants, and over terrain which is readily accessible to those with disabilities and access needs. The benefits to residents, businesses and visitors that would result from this project are substantial and would undoubtedly improve the quality of life for everyone on Anglesey.

Senedd Constituency and Region

- Ynys Mon
- North Wales



Ein cyf/Our ref KS/04357/20

Janet Finch-Saunders MS
Chair, Petitions Committee

17 July 2020

Dear Janet

Thank you for your letter of 9 July as Chair of the Petitions Committee following the Committee's meeting of 23 July.

You say that, at the meeting, members agreed to write to me to ask whether the Welsh Government's desire to maintain the potential for rail services to be reinstated in the future - between Gaerwen, Llangefni and Amlwch – have been impacted by the effects of Covid-19 on public transport.

Covid 19 has had an impact on current public transport operations, which we are beginning to build back up. For the future, we have to believe that the crisis will be overcome in due course and will continue unremittingly with our strong commitment to improvements in public transport infrastructure and services to further improve access across Wales to welcoming, attractive, comfortable and affordable services. Increased investment will be a major contribution to improved rail connectivity, supercharge our post Covid19 recovery, and develop our public transport for the future

Rail infrastructure continues as the non-devolved responsibility of the UK Government, where we have suffered from historic under investment, and we have made clear our strong view that there is a compelling case for the full devolution of responsibility for rail infrastructure alongside a fair funding settlement in both our response to the UK Government's Williams Rail Review, and our rail vision publication A Railway for Wales – meeting the needs of future generations, as per the following links:

<https://gov.wales/written-statement-williams-rail-review>

<https://gov.wales/sites/default/files/publications/2019-09/a-railway-for-wales-the-case-for-devolution.pdf>

The Committee may wish to note that A Railway for Wales sets out our Strategic Railway Development Programme, with a series of illustrative maps, which we would wish to pursue

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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.

and develop should we be granted full devolution and a fair funding settlement. This includes future major strategic corridor developments. In terms of north – south connectivity, this includes enhanced connectivity from Ynys Môn to Bangor, Caernarfon, through Dolgellau, Aberystwyth and to Swansea Carmarthen and South West Wales. This may include upgraded lines, reopened lines and new lines, as well as integration with bus services.

I have included the reopening of the Gaerwen – Llangefni – Amlwch line as a key future priority in correspondence with the Secretary of State for Transport, and enclose my letters of 2 March and 4 June which specifically reference this.

My officials are making a submission to the UK Government for support under their Restoring Your Railways fund for a study to progress this reopening in terms of developing the strategic case and consulting community interests. Part of the proposal would see the inclusion of cycle facilities along the route where possible to encourage the use of walking and cycling as the natural choice for local journeys, in line with Welsh Government Active Travel policy. It will seek to accommodate, alongside restored rail operations, parallel active travel and heritage rail operations. We propose to work with local stakeholders in the development of the proposal and to invite them to input into the process. This will include local authorities, community groups, the heritage railway and active travel interests.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Ken', with a long, sweeping flourish extending upwards and to the right.

Ken Skates AS/MS

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



Ref: KS/135/20

Rt Hon Grant Shapps MP
Secretary of State for Transport

transportsecretary@dft.gsi.gov.uk

2 March 2020

Dear Grant,

I am writing in response to your recent announcement of Restoring your Railway fund.

Rail infrastructure in Wales has, and continues to be starved of investment to improve the network. Wales has 11% of GB's track miles, 5% of the population and, since 2010, has received less than 2% of GB's rail enhancement spend. We have a shared interest in addressing climate change, improving air quality and relieving congestion but to do this we will need to provide viable alternatives to the private car.

As you are aware, to address these issues, we have developed an ambitious programme of rail enhancements for Wales, including re-opening closed lines and stations (see example schemes in Annex 1), to remedy the pattern of rail investment that has for too long offered limited benefits to Wales.

While the Welsh Government welcome this new funding and the focus, that we share, on connecting communities, I am concerned that the application process and timescales will not deliver the potential benefits that this funding could bring. This is particularly the case in Wales where responsibilities and funding for services lie with the Welsh Government.

The Welsh Government can support the development and delivery of this programme, with appropriate local community and political input, through a fair allocation of this funding for enhancements in Wales to develop a comparable rail infrastructure enhancement programme. This includes enhancements to rail connectivity with England identified in our Mid Wales and Shropshire cross-border strategy developed with Midlands Connect and Shropshire Council.

We would also be willing to offer appropriate support for ideas that we anticipate to be proposed by sponsoring MPs in Wales that you receive and will be going through our own prioritisation process, for example Greenfield and Magor stations.

The decision to proceed with HS2 comes at considerable cost to the tax payer. The scheme will only deliver significant benefits to North Wales if the right solution is adopted for the Crewe hub and if electrification from Crewe to Chester and onward to Holyhead is also delivered. This work is vitally important if the U.K. Government wishes to address the north-south divide and improve the economic prospects of North Wales and the Mersey Dee Area.

Looking ahead, the full devolution of rail infrastructure powers and a fair funding settlement as we set out in our evidence to the Williams Review and recently to our newly elected MPs (Annex 3) is the only rational long-term solution to achieve our shared integrated public transport network ambitions, recognising that via Transport for Wales we already have the capability, capacity and experience to make a success of full devolution. Our ambition for the railways, including full devolution, has received strong and consistent cross-party support in Wales and I would expect MPs to also support these proposals.

I am copying this letter to the Secretary of State for Wales, all MPs in Wales, and other affected MPs.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Ken Skates', with a long horizontal flourish extending to the right.

Ken Skates AC/AM

Gweinidog dros yr Economi a Thrafnidiaeth
Minister for Economy and Transport

Potential Scheme in Wales for Restoring your Railway Funding

Ideas Fund

- Porthcawl – Bridgend
- (Chris Elmore MP – Ogmore, Dr Jamie Wallis – Bridgend)
- Pontyclun – Beddau (Alex Davies-Jones MP – Pontypridd)
- Aberdare – Hirwaun – Neath (Beth Winter MP – Cynon Valley, Christina Rees MP – Neath)
- Ystrad Mynach – Treharris (Wayne David MP – Caerphilly, Gerald Jones MP – Merthyr Tydfil and Rhymney)
- Gaerwen – Amlwch (Virginia Crosby MP – Ynys Mon)
- Pontypool – Usk (Nick Thomas-Symonds MP – Torfaen, David Davies MP – Monmouth)
- Coryton extension (Anna McMorrin MP – Cardiff North. Alex Davies-Jones MP – Pontypridd)
- Pye Corner – Machen and Caerphilly (Ruth Jones MP – Newport West. Wayne David MP – Caerphilly)
- North West Cardiff (Kevin Brennan MP – Cardiff West)
- Porth – Maerdy (Chris Bryant MP – Rhondda)
- Blaenau – Trawsfynydd (Liz Saville Roberts MP – Dwyfor Meirionnydd)

Acceleration Fund

- Wrexham – Gresford - Rossett and further north (Sarah Atherton MP – Wrexham; Chris Matheson MP – City of Chester)
- Wrexham to Liverpool Lime Street (Kim Johnson MP - Liverpool, Riverside; Mark Whitley MP - Birkenhead; Angela Eagle – Wallasey; Alison McGovern MP – Wirral South; Margaret Greenwood MP – Wirral West; Justin Madders MP – Ellesmere Port; Mark Tami MP – Alyn and Deeside)
- Abertillery (Nick Smith MP – Blaenau Gwent)
- Tondy – Pontycymmer (Chris Elmore MP – Ogmore)
- Cambrian mainline (Craig Williams MP – Montgomeryshire; Daniel Kawczynski MP - Shrewsbury and Atcham)
- Aberystwyth – Carmarthen (Ben Lake MP – Ceredigion, Jonathan Edwards MP – Carmarthen East and Dinefwr)

New Stations Fund 3

- Deeside (Mark Tami MP – Alyn and Deeside)
- Carno (Craig Williams MP – Montgomeryshire)
- St Clears (Simon Hart MP – Carmarthen West and South Pembrokeshire)
- Ely Mill/Victoria Park (Kevin Brennan MP – Cardiff West)

Y Gwir Anrh/ Rt Hon Mark Drakeford AC/AM
Prif Weinidog Cymru/First Minister of Wales



Llywodraeth Cymru
Welsh Government

The Prime Minister
10 Downing Street
London

pmpost.ext@no10.gov.uk

11 February 2020

Dear Prime Minister,

Your announcement today that the HS2 project will proceed confirms an unprecedented investment in rail services in England. This will continue a pattern of rail investment that has systematically neglected Wales. In accordance with your plan to level up economic growth across the UK, I urge you to take action to remedy this.

Over the past 25 years, the railway in Wales has been starved of investment. Wales has 11% of GB's track miles, 5% of the population and since 2010 has received only 2% of GB's rail enhancement spend. Not surprisingly therefore, Wales has the UK's lowest level of rail ridership, and the highest percentage of journeys made by private car. To address climate change, improve air quality, and relieve congestion we have to provide viable alternatives to the private car. To achieve this, the Welsh Government is investing in buses and active travel, but at the same time, substantial investment to upgrade rail services in Wales is urgently needed.

When the UK Government cancelled electrification to Swansea in 2017, it was acknowledged that a programme of enhancements across the network in Wales was required in its place. To date, no such schemes have been delivered.

One of the root causes of the current position is the Department of Transport's funding model which gives priority to areas with higher levels of rail use, itself reflecting higher levels of historic investment. Research by the Rail Delivery Group demonstrates that this model consistently overestimates growth for rail journeys connected to London, while underestimating growth elsewhere. This discriminates against investment in Wales. For example, the Ebbw branch line, whose re-opening we funded, is carrying 450% more passengers than the Department for Transport modelling predicted. This system bias undermines confidence in Wales that future decision-making will meet our needs.

We have mitigated this under-investment through funding from our block grant, diverting money from our devolved responsibilities for roads, health and education. We have reopened lines, opened new stations, and delivered additional capacity to operate more services. This has been supported by funding from the European Union: it is

imperative that the replacement for structural funds continues to support such investment.

The decision to proceed with HS2 underlines the lack of investment in Wales. The scheme is predicted by HS2 Ltd to have a negative impact of £150m every year on the Welsh economy. Action to mitigate this must include extending HS2 services into Wales, with electrification of the line between Crewe and Holyhead between now and 2027. This would enable HS2 services to reach more areas in North Wales and the North of England, and enhance our vital links with Ireland. There must also be investment in schemes on the core Trans-European Transport Network routes through Wales to Milford Haven and to Holyhead by 2030, estimated to cost approximately £1 billion (£500m in Wales) — around 1% of the latest HS2 cost estimate

Your plans to spend 3% of GDP on infrastructure in this Parliament are very welcome — Wales's share of this will amount to some £37 billion. If we receive this, and a fair share of the HS2 spend over the next 10 years, we will be in a position to deliver our plans to transform services and connectivity in Wales and across the border.

These plans include three integrated Metro schemes (for North Wales, South East Wales and Swansea Bay) which will generate employment and enhance productivity in some of the poorest parts of the UK.

These schemes are vital to cross-border collaboration, including the Great Western Cities Partnership. Ken Skates, Minister for Economy, Transport and North Wales, will be writing to you jointly with Steve Rotheram, Mayor of the Liverpool City Region, about investment in the Borderlands railway.

As well as tackling under-investment, we need to ensure that decision-making on rail in Wales is fully integrated with regional planning and complementary investment in infrastructure and services. As I've said, historically, Wales has been low on the list of priorities in decision-making on the UK rail network. Rail devolution will enable us to put this right, building on the recent devolution of franchising powers and transfer of infrastructure ownership, which are already delivering results.

Keith Williams' root and branch review of Britain's railways presents an opportunity to reform the railways and create the fully integrated public transport network which Wales needs. We look to the Rail White Paper to grasp this opportunity.

To conclude, I am calling on your government to remedy the historic under investment in Wales' rail infrastructure through your budget next month, and thus ensure delivery of the improvements needed to improve connectivity across Wales.

I am copying this letter to the Chancellor of the Exchequer, the Secretary of State for Transport, the Secretary of State for Wales and the Chair of the National Assembly for Wales' Economy, Infrastructure and Skills committee.

Best wishes,
Mark

MARK DRAKEFORD

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



Llywodraeth Cymru
Welsh Government

Our ref: KS/104/20

Welsh Members of Parliament

31 January 2020

Dear Colleagues,

Following the recent general election I wanted to write in the hope that the Welsh Government can develop positive working relationships with MPs across all parties to ensure that our mutual interests in high quality transport - and the interests of our constituents - are represented in Westminster.

Central to this are improvements to the railway in Wales and I would like to take this opportunity to re-state our ambitions for the network in Wales. As you may be aware, the Welsh Government has high expectations for the outcome of the rail review that Keith Williams has undertaken on behalf of the Secretary of State for Transport and the White Paper that we are expecting to be published soon.

Passengers across Wales currently experience poor network reliability, low speeds and capacity constraints, which results in a much smaller proportion of people choosing to travel by train than in England and Scotland. Therefore, it is vital that our rail infrastructure receives the urgent funding it needs to deliver the fast, reliable and frequent services required to support our communities, businesses and economic growth.

Although Network Rail's Wales Route area has around 11 per cent of the railway track in England and Wales, since 2011 it has only benefited from around 2 per cent of the money spent by the UK Government on rail enhancements. Professor Mark Barry of Cardiff University estimates this to a shortfall of around £1 billion. Urgent investment is needed by the UK Government to correct this historical under-investment.

HS2 is predicted to have a negative impact of £150m every year on the Welsh economy, with particular consequences for the economy of South-west Wales where relative competitiveness will be affected by the significant reduction in journey times to the North of England. The Barnett formula comparability factor for the UK Government's HS2 budget for Wales is currently 0%, which is used to calculate the funding that comes to Wales through the block grant, compared with 100% for Scotland. Furthermore, Scotland will also be benefitting from three direct HS2 services every hour.

It is critical, therefore, that more direct investment is made in Wales to ensure that we experience some of the benefits of HS2 by extending these services into Wales. This will clearly require electrification of the line between Crewe and North Wales between now and 2027, in addition to the links north of Birmingham. This would improve integration between HS2 and the classic rail network and allow HS2 services to benefit more areas in North

Wales and the North of England. It was estimated in 2016 when Business Cases were submitted to DfT that such work would cost approximately £1 billion – less than 1% of what the latest HS2 cost is estimated to be.

Since the launch of the Williams Rail Review, the Welsh Government has clearly and consistently set out our expectations¹ that it should:

- enable Wales to own, to manage, and to develop our rail infrastructure,
- give us greater flexibility to operate high quality, frequent cross-border services to more destinations, and
- ensure that organisations responsible for delivering passenger services and rail infrastructure in Wales - including train operators, Network Rail, and the ORR - are properly accountable to the people of Wales.

Following the overwhelming and cross-party vote in the Assembly last year in support of the Welsh Government's position, we submitted our final response to the UK government's review, summarised last September in *A Railway for Wales*². This explains how we would manage our railways to meet our own needs and objectives, deliver our obligations under the Well-being of Future Generations Act, and, in conjunction with our new legislation to develop our bus networks, develop a truly integrated transport system.

Through the devolution of franchising powers, we created an organisation in Transport for Wales that oversaw a procurement process that put our own objectives at its heart, developed skills and expertise in Wales and delivered a model to maximise wider benefits. The new Wales and Borders franchise has allowed the Welsh Government to develop an innovative approach that will see transformational changes for passengers delivered across Wales. The transfer and transformation of the Core Valleys Lines demonstrates how decentralisation and devolution can develop innovative bespoke solutions. The transformation of the public transport network across the South-east of Wales over the next three years is well underway and we are developing similarly ambitious Metro programmes across the South-west and in the North.

The ability to meet diverse local needs within differing regional contexts can only be achieved through a devolution settlement where decision-making, utilising the full range of levers and a fair funding settlement, is informed by community, regional, and national priorities.

Now we need to go further, to take on greater responsibility and powers to transform the railway across Wales, to deliver the infrastructure and services that meet the needs of future generations, and to improve accessibility and accountability to local communities to ensure that they have the high quality railway that they deserve.

We are already in a strong position to meet these challenges. Cross-border governance and accountability issues were collectively and comprehensively addressed by the Welsh and UK Governments when responsibility for the Wales & Borders franchise was transferred. In Transport for Wales, we already have the structures, the expertise, and the processes in place to take on these new responsibilities and powers.

We recognise that there have been operational challenges in delivering the step change across service delivery that we expect to see through the franchise. These challenges are reflective of the wider issues across the GB rail industry and the mitigations that we have put in place have already seen improvements in performance, in punctuality and in industrial

¹ <https://gov.wales/written-statement-williams-rail-review>

² <https://gov.wales/sites/default/files/publications/2019-06/a-railway-for-wales-the-case-for-devolution.pdf>

relations. We expect further improvements over the coming months as new rolling stock is introduced, as part of our £800m plan for new trains, by 2023.

We recognise that it will be necessary for some functions such as safety standards, crossborder timetables, and rail freight access, to remain managed centrally at a GB level. However, this system must recognise the diversity of UK devolution and be subject to appropriate governance, transparency, and representation for national governments and authorities with devolved powers.

Following the clear position that the Welsh Government has set out to the Williams Rail Review, I expect the UK Government's Rail White Paper to set a pathway, timeline and programme for full devolution of our railways. This would allow us to develop our own rail infrastructure to offer a step-change in frequencies, integration and journey times to meet our own needs.

We hope you will agree that Wales is now equipped to rise to the challenge of further devolution, integrating track and train, developing our cross-border services, and playing an important role within a UK rail body and I would welcome your support for our clear position in your discussions with your colleagues in Westminster and in Parliament.

We have a clear template for delivering the remaining elements of devolution, we have unprecedented cross-party support and we have an ambitious and deliverable vision that will reverse the decades of under investment in our railway.

We would regard any outcome that resulted in an inferior degree of devolution for Wales to that proposed for other areas of the United Kingdom as a significant missed opportunity. An equitable rail devolution settlement across all nations of the UK would address some of the concerns being raised by the growing independence movements in both Scotland and Wales.

Finally, through the Buses (Wales) Bill we also intend addressing the failures of bus deregulation, which I would be happy to provide a briefing on.

I am copying this letter to Members of the National Assembly for Wales, and the Secretaries of State for Transport and for Wales.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Ken Skates', with a long horizontal flourish extending to the right.

Ken Skates AC/AM

Gweinidog dros yr Economi a Thrafnidiaeth
Minister for Economy and Transport



Ein cyf/Our ref:KS/220/20

Rt Hon Grant Shapps MP
Secretary of State for Transport

TransportSecretary@dft.gov.uk

4 June 2020

Dear Grant,

I wrote to you on 2 March about the UK Government's Restoring Your Railways fund and investment in the Wales and Borders rail network. Thank you for your reply of 6 May.

I am writing now, following a report undertaken for me by Transport for Wales, to request formally UK Government investment in the delivery, by early 2024, of four new stations across the regions of Wales which are my shortlisted priorities for potential developments under the New Stations Fund 3. These are - in no particular order as they are all of the highest priority - Deeside Parkway, on the Borderlands Line in North Wales; Carno, on the Cambrian Mainline in Mid Wales; St Clears on the Great Western Mainline in West Wales; and Ely Mill on the City Line in Cardiff, in South Wales.

In combination, which is why I have not prioritised between them, the Transport for Wales report demonstrates that there is a compelling case for all four to be developed as an integrated programme to improve access to the rail network across the regions of Wales. This package will make a major contribution to improved rail connectivity, supercharge our post Covid19 recovery, and develop our public transport for the future. Our new station openings will be key to Building Back Better.

In the cases of Deeside Parkway and Ely Mill, both will be key components of their respective Metro developments with major contributions to improved urban connectivity, employment/economic growth and reduced car use. New stations in Carno and St Clears would support strong employment and sustainable economic growth through improved regional connectivity. They share extensive community and third party support (community councils, local authorities and community groups) within rural communities that have limited public transport opportunities and have historically been overlooked, particularly since the closure of previous stations in these communities and of Laura Ashley's famous factory in Carno. Carno station will adjoin a new community hub/museum at the factory site and there will be great synergy between the two developments.

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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 226
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.

Each is deliverable, and is operationally viable, and will offer regular services to national hubs. Carno will also require Network Rail to expedite the planned upgrade of the adjacent level crossing to avoid increased risk.

Transport for Wales has an unsurpassed delivery record over the previous two rounds of NSF. I have requested Transport for Wales to submit the completed NSF application forms directly to your NSF team on my behalf. Given that the UK Government continues to maintain responsibility and funding for rail infrastructure enhancements, I requested in my letter of 2 March, a fair allocation of the Restoring Your Railways funding for enhancements in Wales to develop a rail infrastructure enhancement programme delivering on our priorities and those of our partners. Your commitment to meeting the full costs of our new station building programme would be a positive first step to deliver transformative benefits to those communities.

As set out in my letter of 2 March, I do have further priorities for rail investment, including new stations at Greenfield and Magor, supported by MPs and MSs, and I would be glad to assist with any evaluation process in these cases.

My letter also set out other priorities for rail reopenings and my officials have recently lodged an expression of interest for the New Ideas Fund, for the restoration of passenger services on the line between Gaerwen and Amlwch on Anglesey and an expression of interest for the Accelerating Existing Proposals fund to restore the line and services to Abertillery in South Wales. My priorities are not limited to these cases, as you will recall from the attachment to my 2 March letter, and I will continue to press the case strongly for them, including the Aberystwyth – Carmarthen and Bangor – Caernarfon reopenings.

I would be very glad to have a discussion with you on these important issues, and the forthcoming Williams Rail Review outcome, and I am also content for my officials and Transport for Wales to have any detailed discussion with your own officials on any of these schemes.

I am copying this letter to Members of the Senedd, the Secretary of State for Wales, and to the other Wales and Borders MPs to whom I copied my 2 March letter.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Ken Skates', with a long horizontal flourish extending to the right.

Ken Skates AC/AM

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

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

Network Rail
St Patrick's House
17 Penarth Road
Cardiff
CF10 5ZA

24 July 2020

Dear Janet,

Petition P-05-913 Creation of Lôn Las Môn Multi-Use Path

Thank you for your recent letter following up on the petition regarding the disused Gaerwen to Amlwch branch on Anglesey.

To bring you up to date, we are now in the latter stages of our negotiations with Anglesey Central Railway Ltd. (ACRL) over a long-term lease of the line, which would see them take on responsibility for the land, infrastructure and its use.

As we set out when we wrote to the committee previously, we absolutely support constructive dialogue between ACRL and Lôn Las Môn and I welcome this opportunity to reinforce that message.

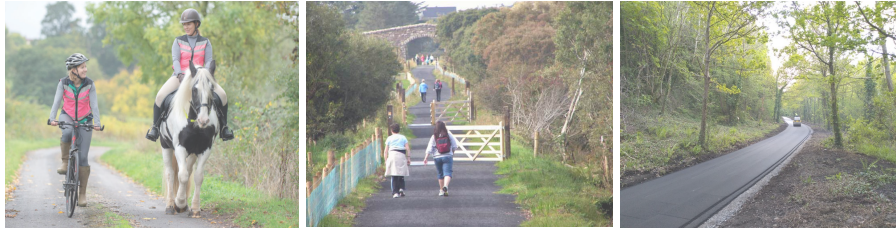
Should the lease negotiations with ACRL not progress to completion, or if the terms of the lease are not met, there may be future opportunities to discuss an alternative use for the line. However, as the committee know, the Welsh Government recently reiterated their desire to see a rail solution maintained on the branch.

I hope this is a helpful response, if you have any further questions on behalf of the committee, please do not hesitate to get in touch.

Yours sincerely,



Sam Hadley, Senior Public Affairs Manager, Wales and Borders



Lôn Las Môn

For the attention of Mr Steffan Lewis
Swyddog Cymorth, Y Pwyllgor Deisebau, Cynulliad Cenedlaethol Cymru
Support Officer, Petitions Committee, National Assembly for Wales

P-05-913 - Pwyllgor Deisebau 23.06.20 / Petitions Committee 23.06.20

Date 4th September 2020

Dear Sirs, Madam

We would like to respond as follows to the letters & enclosures:

- Network Rail – Cymru Wales letter dated 24th July 2020
- Ken Skates AS/MS letter dated 17th July 2020 & associated enclosures to the Petitions Committee and UK Gov Secretary of State for Transport

We do wish to bring this exchange of letter and emails to a conclusion for some form of debate to take place in the Senedd as its felt that the Minister for Economy, Transport and North Wales is not giving any weight or credence to the petition signed by 2500 people in just over a month and just pursuing a policy of rail over all else, which does not reflect well the desires and feelings of the people of Ynys Môn. All this seems to do including a very recently online article on the BBC and SC4 is to raise hopes of a trainline that at best is going to cost a vast sum of money circa. £9-£16m per mile according to industry figures “The case for expanding the rail network” via www.bettertransport.org.uk 18 miles at those figures not including stations currently in private ownership and repairing fixed structures is hardly a sustainable figure. The recent article on the BBC and SC4 seems to have got transposed into actual monies for the restoration works whereas the money in the £500m Restoring Your Railways Fund is for a feasibility studies to be carried out to support or not various railways re-instatement.

As we have mentioned in previous responses the scheme for the Multiuse Path / Greenway has been costed at £5.5m for the full 18 miles, if that funding was made available the line could be fully cleared, fences re-instated and bridges / structures repaired and the path used for walking, cycling, leisure and active travel while a full feasibility is being carried out by Welsh Government. There are many questions that keep getting asked of the passenger scheme i.e. who will use the service, how much will it cost (capital) how much it will costs to use the service, and will it have a long-term sustainable future (revenue). As regards the heritage scheme there is nothing published by the heritage group or supporters for us to engage with and little idea of any cost, no one has seen a business plan to speak off and Network Rail are willingly handing over the responsibility of the line with no public consultation. Has the Petitions Committee who might have more influence written to their chair of the Anglesey Central Railway Group to see what they have planned, timescale, cost, running costs, fares etc.?

We are in regular touch with schemes such as the Rhondda Tunnel Society and Waterford Greenway in Ireland who seem to be far more progressive with their approach to Greenways & Multiuse Paths which are traffic-free routes “connecting communities to all kinds of destinations for commuting, everyday journeys, leisure and recreation”. We seem to have fallen back to trains and cars as the main mode of transport irrespective of the Active Travel Act and very little has been done on Ynys Môn to look at potential schemes that could open up the island to safe traffic free use. This project is one great opportunity to show Wales as a whole that its serious about Active Travel and long-term solutions to encourage people out of their cars post Covid19. In a

recent communication from Mr Ken Skates AS/MS to supporter of our scheme a response came back as follows re Active Travel:

“A commitment of the Welsh Government is to achieve a modal shift away from cars. In Prosperity for all: A low carbon Wales the Welsh Government’s priority is encouraging active travel, walking and cycling for everyday journeys - especially for short journeys that would otherwise be made by motorised transport. The Active Travel Act places a duty on local authorities to plan and create walking and cycling networks in all larger villages, towns and cities. It is for Anglesey County Council to decide where there is potential to develop active travel routes, through consultation ahead of the submission of its next Integrated Network Map.”

It seems as though the matter of Active Travel seems to just get kicked around the park with no one taking over all responsibility to join up areas and towns unless sorry to say they are in the South, we have four towns on the island that have Active Travel Plans: Holyhead, Llangefni, Amlwch, Menai Bridge. The rail line passes through two of these Amlwch and Llangefni and then onto Gaerwen which is in its own right a major employment centre, surely connecting up these towns with Active Travel Corridors would be something the Welsh Government and Senedd would welcome and encourage?

We have run a Google Form during August and September of people who support this project which we broke down into their county of residence and the type of support and why they think this scheme is beneficial (see attached fig 1 7 fig 2) a summary of their comments is also attached.

I’ll leave you with a few photos sent onto us over the summer from various paths, trails and greenways, so many people on Ynys Môn wish to see this project happen and not alas trains.

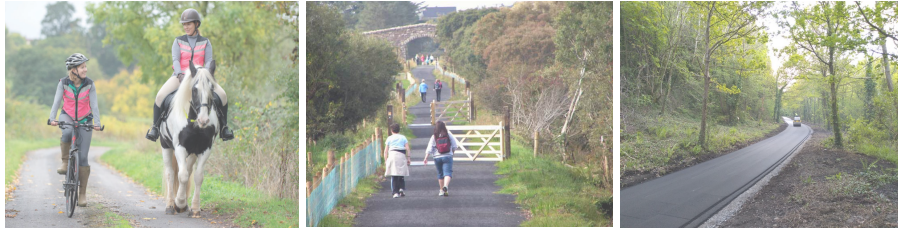
Yours Sincerely



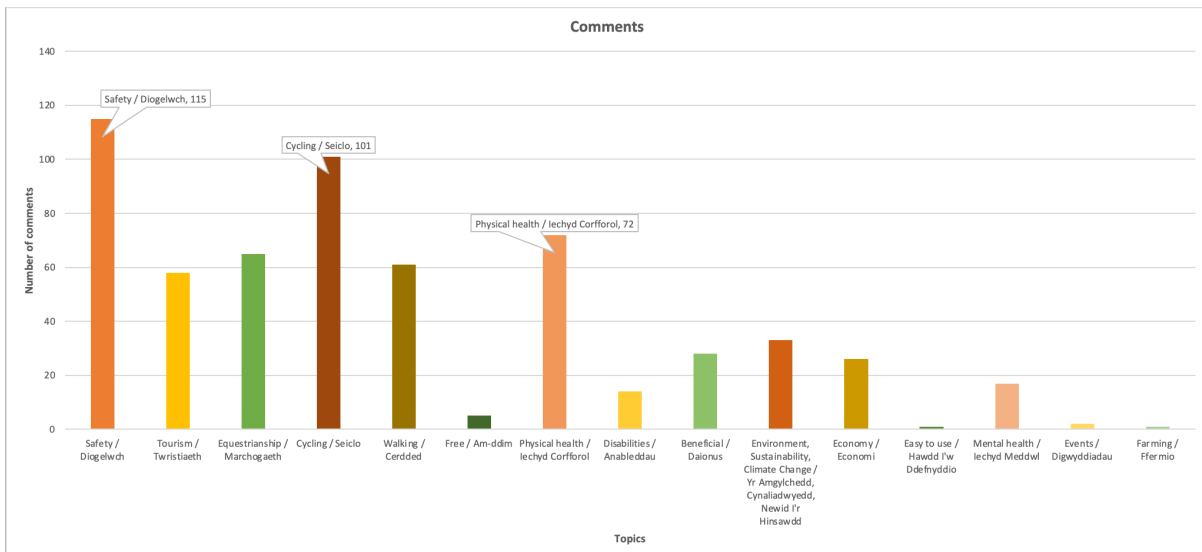
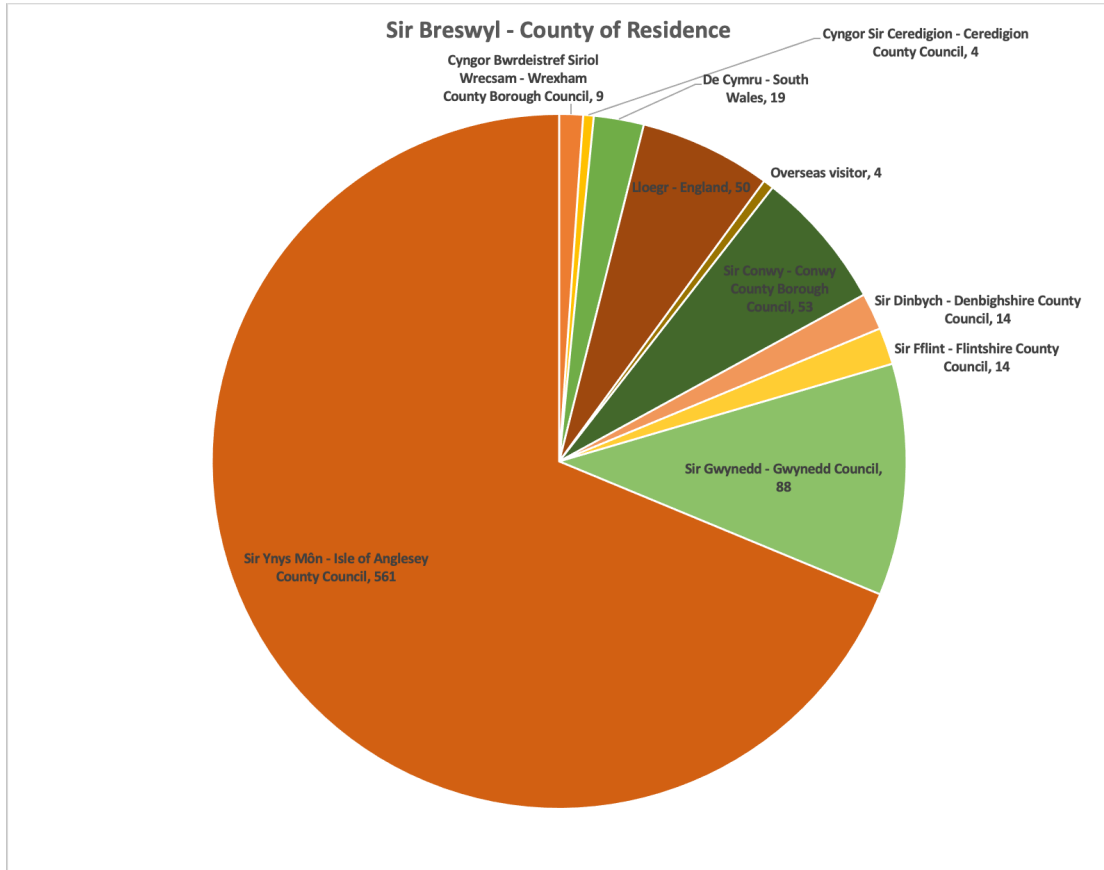
Adrian Williamson

For and on behalf of Lôn Las Môn

Continued over...



Lôn Las Môn





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

Document is Restricted



Ein cyf/Our ref TO/KS/03062/20

Rhun Ap Iorwerth AS
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Llywodraeth Cymru
Welsh Government

30 Gorffennaf 2020

Annwyl Rhun Ap Iorwerth AS,

Diolch am eich e-bost dyddiedig 5 Mehefin at Weinidog yr Economi, Trafnidiaeth a Gogledd Cymru, Ken Skates, ynglŷn â'r llinell rhwng Gaerwen ac Amlwch. Yn anffodus, nid yw'r Gweinidog yn gallu ymateb yn berson oherwydd y nifer fawr o ymholiadau mae'n eu derbyn ar yr adeg hon.

Yn dilyn llythyr y Gweinidog dyddiedig 4 Mehefin at yr Ysgrifennydd Gwladol dros Ddrafnidiaeth, rydych yn gofyn am y diweddaraf ar ein cynnig i ddatblygu ymhellach gynlluniau i ailagor y rheilffordd rhwng Gaerwen ac Amlwch. Amgaeaf ein cyflwyniad ffurfiol i Lywodraeth y DU yn ceisio cyllid o dan ei Chronfa Syniadau ar gyfer astudiaeth i'r gwaith hwn, a fyddai hefyd yn ystyried y potensial ar gyfer gweithrediadau ochr yn ochr â rheilffordd dreftadaeth a darpariaeth ar gyfer teithio llesol ar hyd y llwybr. Bydd briff yr astudiaeth hefyd yn ei gwneud yn ofynnol ystyried barn grwpiau lleol â diddordeb, a hoffem glywed eich syniadau chi yn fawr iawn – gallech chi hyd yn oed hysbysu'r Ysgrifennydd Gwladol dros Ddrafnidiaeth neu ei gydwethiwr, Ysgrifennydd Gwladol Cymru, am eich cefnogaeth i'r cynlluniau.

Y gweithrediadau rheilffyrdd confensiynol fyddai gwasanaethau rheolaidd rhwng Amlwch, Llangefni a Bangor, gyda'r potensial i estyn gwasanaethau ar hyd yr arfordir i Landudno. Rydym yn credu y dylai'r astudiaeth ddangos bod achos strategol cryf dros ailagor a chyflwyno'r gwasanaethau hyn, a fydd yn gwneud cyfraniad sylweddol at economi a llesiant Ynys Môn.

Mae seilwaith y rheilffyrdd yn gyfrifoldeb nad yw wedi cael ei ddatganoli, a byddai'n rhaid i Lywodraeth y DU ymrwmo i fuddsoddi mewn ailagor y gwasanaethau hyn pan brofir yr achos.

Amgaeaf hefyd gopi o lythyr y Gweinidog dyddiedig 2 Mawrth at yr Ysgrifennydd Gwladol dros Ddrafnidiaeth pan lansiodd Llywodraeth y DU ei rhaglen gyllid Restoring Your Railway, y cyfeiriwyd ati yn y llythyr dyddiedig 4 Mehefin. Mae'r llythyr hwn yn amlinellu ein cynigion ehangach mewn perthynas â buddsoddiadau gan Lywodraeth y DU yn y rheilffyrdd ledled Cymru, rheilffyrdd sydd, yn ein barn ni, wedi dioddef yn y gorffennol o ddiffyg buddsoddi.

Yn gywir

Dewi Rowlands

Dirprwy Gyfarwyddwr Strategaeth a Pholisi Trafnidiaeth

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.

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Rheilffordd Canolog Môn Cyf Anglesey Central Railway Ltd

27 March 2020

Mrs Janet Finch-Saunders AM
Cadeirydd Pwyllgor
Senedd Petitions
Cynulliad Cenedlaethol Cymru
Cardiff Bay
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CF99 1NA

Annwyl/Dear Mrs Finch-Saunders

P-05-913 - 'Creation of Lôn Las Môn Multi-Use Path'

Following the opportunity of recent communication exchanges between Mr. Rhun ap Iorwerth AM for Ynys Môn and the undersigned it was considered the time was appropriate to place, for your deliberations, relevant facts and detailed information pertinent to the subject petition to enable your committee to arrive at a fully informed adjudication and decision on the merits, or otherwise, as the basis for the continuation of the petition.

Firstly, may we state we have observed with interest the details and transcripts of your committee meetings of the 19 November 2019 and the 25 February 2020 on this petition and are grateful for the nature of your discussions. We have assimilated the contents of the evidential documentation claiming support of and responses by the petitioner.

If we may make one observation; the document dated 08 November 2019 from the petitioner, in response to information received, highlights a number of Appendices (five in total) all of which are reproduced in their entirety for the observer. However, in a similar document dated 17 February 2020, four Appendices are identified in the additional petition submission but only one is reproduced; the remaining three are not available in the public domain for the observer. Is there a specific reason for this omission?

At this point, please allow us to summarise our primary objectives and aspirations:

The overall and combined mission statement and objectives of Rheilffordd Canolog Môn Cyf is to create a sustainable and accessible transport system linking communities, visitor attractions and strategic road and rail routes in order to boost the area's tourist potential and to act as catalyst for social and economic regeneration in association with emerging commercial enterprises.

The project will redevelop 17.5 miles of “mothballed railway line”, originally designated as such for potential future use by Network Rail, into a distinct community railway that will primarily serve the needs of its communities, but also recognises its heritage and tourist potential, together with those commercial operations that have existing plans for change and/or renewal, and those expressing an interest in new programmes of extension within the communities of Ynys Môn.

To achieve this target the company have advanced the position of the railway re-instatement negotiations over the previous 11 years to the point that on the 21 January 2020 our solicitors, Parry Davies Clwyd-Jones Lloyd LLP, received from Eversheds Sutherland (International) LLP, the solicitors acting on behalf of Network Rail in this matter, a 63-page document entitled “*Lease of The Gaerwen Line north of Gaerwen Junction and Amlwch for the term of 99 years, beginning 2020, ending 2119*”, detailing the full terms and condition of the said lease.

Our solicitors are reviewing the content, line by line, to ensure that all agreements attested to by both parties in the course of our lengthy negotiations are incorporated within this document and that no onerous terms are contained that may or may not have a direct or indirect detrimental impact on this company meeting their clearly stated objectives and aspirations for the development of the line.

When we receive confirmation, in the very near future, from our legal representatives that all is to their satisfaction then both Network Rail and Rheilffordd Canolog Môn Cyf Railway will execute the document as a formal deed by affixing their respective common seals in the presence of the appropriate designated witnesses.

In acknowledging the content of your research document, referenced RS19/10865-1, we would take the liberty of submitting to you and your committee a detailed background to the subject rail corridor from those whose research has necessitated total accuracy to facilitate legal contractual positioning.

Historical statement of the Gaerwen Junction to Amlwch branch line.

In 1833 a small railway track had been built from the smelting works down to the shipping berths at Amlwch Port. It was operational by 11 June 1834.

A public meeting was held in Llangefni on 05 July 1858 with the aim of bringing the railway from Gaerwen to Amlwch at an estimated cost of £150,000. A Bill was passed in parliament on 13 July 1863 and work on the line, at a cost of £6,000 per mile, commenced.

The Anglesey Central Railway main line was extended from Gaerwen initially to Llannerch y medd by October 1864. The first train left Bangor for Llangefni on 16th December 1864. By the 01 February 1866 the line had reached Llannerch y medd station and the first passenger train to Amlwch ran on the 01 June 1867; freight had been allowed on the line from March of that year.

In 1952 a private extension to the line was opened at Amlwch to connect the line to the Associated Ethyl Company (OCTEL). In the 1970s another private siding was constructed off the main line between Rhosgoch and Amlwch to the Shell Tank Farm for the purpose of storage of crude oil from the Shell Offshore mooring buoy prior to transfer to the oil refinery at Elsmere port.

“The Reshaping of British Railways (The Beeching report)” of March 1964 was consequential to the closure of the passenger carrying services on the subject line on the 05 December 1964; and the commencement of the efforts by the community to re-establish services.

Our Chairman, Mr Walter Glyn Davies, commenced this work immediately upon closure of the line in 1964 with the then Transport Minister, Mr Ernest Marples, latterly Lord Marples, under the title of *“Lein Amlwch”*.

Today there exists a 450 + membership, or supporters, of the association named *“Lein Amlwch”*, comprising of individuals on Ynys Môn and other areas of the UK, whose primary objective is the reinstatement of the railway corridor between Gaerwen Junction and Amlwch.

Their support is by subscription and in more recent times the physical working on the line under the authority of our Community Rail Licence, held in the company name and awarded to us by Network Rail.

Returning to the historical details.

The line remained in use for the transport of freight to the Associated Octel works, latterly known as Great Lakes, until the early 1990’s; with the freight company EWS, now DB Schenker Cargo Ltd, holding a covenant on the line for the movement of freight. An additional new siding was built at Rhosgoch by Shell UK in the 1970s to transport steel and other materials needed to build a vast tank farm.

The line closed in March 1993. At this point, 33 years after the opening of the Octel plant at Amlwch, 2 million tonnes of traffic had been conveyed from their freight terminal.

In 1991 the predecessor of our present company was formed to spearhead the manifesto for the reopening of the line; the company, with the support of the Awdurdod Datblygu Cymru, established, in 1991/92, a period of passenger special services in association Railtrack (now Network Rail).

In 1995 Anglesey County Council agreed in principle to procure the line for £250,000 from the asset owners and to subsequently lease it to the Isle of Anglesey Railways Ltd. but funding at the Council became unavailable.

In 1996 the line was officially *“mothballed”* for future re-use.

To establish ownership of the asset.

We refer to the Transport and Works Act 1992 Order, and in particular to the Network Rail Output Definition Report, Document Version 2 issued November 2010 in which it is stated, and we take the liberty of citing the text:

“6.3.2 Authorising Act

For any works to be permitted under Part 11 of the General Permitted Development Order (GPDO) 1995 (i.e. development authorised under a private Act or Order), the authorising act under which the section of railway was originally constructed needs to be extant (i.e. not repealed)”

In this instance, the Gaerwen to Amlwch Branch Line was constructed under the Anglesey Central Railway Act 1863 (with a portion of the 1863 line [between former Holland Arms station to Llangwyllog at 7m 10c] that was deviated by the Anglesey Central Railway Act 1864).

This act contains provision for the then railway company and its successors in title (now Network Rail) to undertake future works which include the ability to replace track, equipment and structures to bring the route up to a suitable standard to allow operation of trains.”

In conclusion the title of ownership of the said asset, as defined as a non-operational section of railway extending to approximately 17.5 miles between ELR GLA 0.0000 and GLA 17.880; and identified on Land Information Network Rail Plan Number 66408083 pages 1 to 31; is held by Network Rail.

Llangefni Station.

Regarding the announcement for the potential reopening and development of Llangefni station originally under consideration in June 2017. We had meetings in March 2018 with the Pennaeth Cynllunio Trafnidiaeth, Adran yr economi, Gwyddoniaeth a Thrafnidiaeth Llywodraeth Cymru.

It is our understanding, from the meeting, this project will be determined as an objective, based upon the outcome of assessments of the strengths of the financial and economic business cases for the project, coupled with the technicalities for the deliverability of the same.

It was outlined to us the proposed development did not necessarily encompass the existing location of the station nor the route of the existing rail corridor. It was acknowledged the time frame for this project is indeterminable at the present and will not be prioritised until a suitably robust business case has been presented.

We confirmed our intent to incorporate within Heads of Terms for the Grant of a Lease by Network Rail to the Rheilffordd Canolog Môn Cyf, conditions integrated within the Lease, that will ensure a non-prejudicial stance by us on the future operational aspirations of the Llywodraeth Cymru project. It is our understanding this covenant was and is totally acceptable to both Llywodraeth Cymru and Network Rail.

In our original submissions to Network Rail a 45-page Cynllun Busnes Gweithredof formed an essential element of our presentation to Network Rail for the original Community Rail Licence, and subsequently the Long-Term Lease. This was accepted by Network Rail in the initial format and will be reviewed by RHCMC when ongoing detailed costings are finally established in respect to the permanent way and structures conditions. The plan contained a detailed profit and loss forecast for the initial 5 years period of an operational railway.

We should also give substantive assurance that this overall project is fully supported at the highest levels in the public and private sectors. The First Minister of the Llywodraeth Cymru is on record as stating: *It is very important that, first, the railway itself is kept, and the tracks are not removed or taken away.*

We are pleased to note this sentiment is also endorsed by the Gweinidog yr Economi a Thrafnidiaeth Llywodraeth Cymru, Mr Ken Skates in his letter of response to you of the 31 January 2020. Also, the democratically elected Aelod Cynulliad Ynys Môn, Mr Rhun ap Iorwerth believes in and supports the essence of our objectives.

It is noted that Cyngor Sir Ynys Môn in their letter to you of the 20 December 2019 did not consider it appropriate to comment on the issue of the redevelopment of the line but we are in a position to confidently state that we have the support of the democratically elected representatives and members of Cyngor Sir Ynys Môn; Cyngor Trêf Llangefni and leading members of the business and commercial communities are also fully supportive of the reinstatement of the operational rail corridor.

Finally, as the operational railway is developed, we will have responsibility for all technical, commercial and maintenance issues; approval for any changes or improvements proposed by this company will be subject to Network Rail consent.

Furthermore, but most importantly, we will have responsibility for all health and safety issues and governance of the operational railway encompassed within the rail corridor under direct licence from the Office of the Rail and Road Regulator. Consequently, whilst we as a company have no objections to a pathway, bridle path or cycle route alongside and extraneous to the rail corridor, any encroachment within the boundaries of the rail corridor, as defined within the formal lease documentation, will not be authorised or accepted by the ORR, from a personnel and public safety consideration.

Any additional land required to facilitate a multi-user pathway, not germane to the rail corridor, will be the responsibility of the groups or corporate bodies proposing the said development but naturally we will have a vested interest alongside their programme and will proffer any assistance or guidance relative to our safety governance.

Yn gywir / Yours sincerely





Rheilffordd Canolog Môn Cyf Anglesey Central Railway Ltd

23 September 2020

Mrs Janet Finch-Saunders AM
Cadeirydd Pwyllgor
Senedd Petitions
Cynulliad Cenedlaethol Cymru
Cardiff Bay
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CF99 1NA

Annwyl/Dear Mrs Finch-Saunders

P-05-913 - 'Creation of Lôn Las Môn Multi-Use Path'

If we may take this opportunity to update the information contained within our original submission of the 27 March 2020 and in particular the subject of the Community Rail License issued by Network Rail and held by this company as and from the 19 August 2011.

Standardisation of legal documentation by Network Rail at the commencement of 2020 resulted in further negotiations on the terminology and technical content of our Community Rail License to ensure the work being undertaken by our group was covered in all eventualities. Final agreement was achieved, and our License now runs concurrently to September 2021.

Reference to our previous statements relating to the long-term Lease with Network Rail. Our respective legal teams have continued with their due diligence on the 63 page formal documentation, and if we may draw an analogy to our negotiations relating to that of the elements of a 24 hour clock, we are now at 23:59 minutes, anticipating the formal acceptance and signing within the very near future of the 99 year Lease.

Without wishing to denigrate the standing of the petitioner it is important to recognise the respective disparity between the presented public image and that of the “behind the scenes” activities.

The attached document, posted on the Facebook page of Lôn Las Môn on the 21 September 2020, clearly demonstrates their intent and the breach of the law of trespass they are inducing members of the public in which to participate.

Whilst their claim the offence of trespass is in essence a civil and not a criminal breach of the law, if you refer to the attending documentation of legal notation it will be noted that in the circumstances in which it is a criminal offence is usually trespass on railway property.

It is our understanding, upon receipt of a telephone conversation from Network Rail yesterday, they are in possession of the aforesaid information and will be formulating the appropriate action.

We stated in our final paragraph of the 27 March 2020 communication to you that we would proffer our assistance, or guidance, to assist the group or corporate body who wished to develop a multi user pathway, not germane to the rail corridor, but alongside the rail corridor, to achieve their objectives.

However, in retrospect, if the petitioners proposed activities on the 26 September 2020 are an indication of their modus operandi, and they proceed to execute their intentions, then we will have to distance ourselves from any involvement with this specific group.

If we are in a position to provide to you any additional information, please do not hesitate to contact the undersigned.

Yn gywir / Yours sincerely



Lôn Las Môn

Posted on Facebook page

21 September 2020

WANTED this Saturday 26th September at 9am volunteers armed with heavy gardening equipment to start clearing the railway line from Lôn Las Cefni towards Pentre Berw.

It is an organised trespass/clearing and for those of you who maybe concerned at the legality of being on the line we have been informed that it is not a criminal offence and that the police would not be notified.

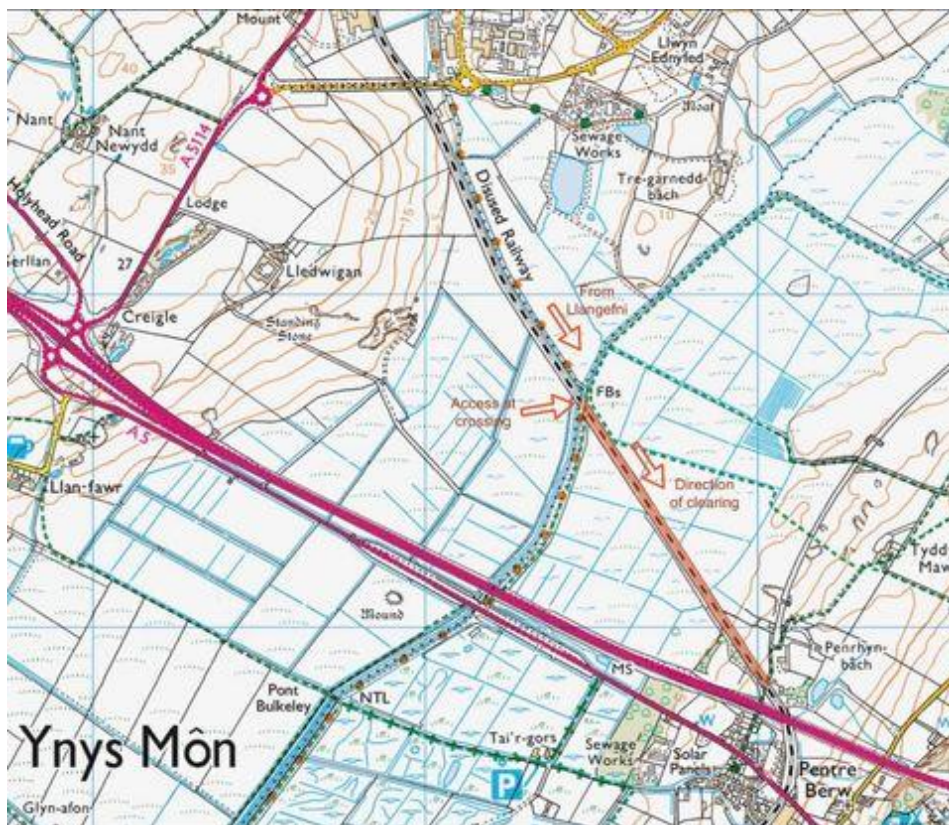
It is a civil offence and that the claimant would have to be Network Rail itself which is our aim. Social distancing will have to be observed and masks worn.

We do suggest that you bring heavy cut resistant gloves as the thorns are thick and sharp.

As we are not funded we are unable to provide equipment so bring your own. We would ask that if you know of anybody who does have heavy duty equipment, strimmers etc then please encourage them to come. The growth is very challenging and it will be a tough to start with. Bring your own snacks and water as you can see from the map we will be in the middle of nowhere.

We suggest that you park in Llangefni and walk or cycle along Lôn Cefni to where the Amlwch railway line crosses the path. The walk is roughly half a mile. There is a wooden barrier to climb over to get onto the line which is around 1 meter high.

Our aim is to clear a pathway directly into Pentre Berw so people can use the line that was built by local people for the benefit of local people.



What is trespass to land?

Trespass to land is a civil wrong under the law of tort. Trespass is not, for the most part, a criminal offence. However, trespass on residential property which amounts to 'squatting' has been a criminal offence since 2012.

Trespass in English (and Welsh) law is mostly a civil tort rather than a criminal offence. The circumstances in which it is a criminal offence are usually trespass on educational premises, railway property, protected sites, etc.

In English law, trespass to land involves the "unjustifiable interference with land which is in the immediate and exclusive possession of another". It is not necessary to prove that harm was suffered to bring a claim, and is instead actionable *per se*. While most trespasses to land are intentional, the courts decided that it could also be committed negligently. Accidental trespass also incurs liability, with an exception for entering land adjoining a road unintentionally. Although previously a pure tort, the Criminal Justice and Public Order Act 1994 created some circumstances in which trespass to land can also be a crime.

Land is defined as the surface, subsoil, airspace, and anything permanently attached to the land, such as houses. The rights of landowners over airspace are not unlimited

Possession does not necessarily mean the ownership of land, but the right to eject or exclude others from it.

Interference

The main element of the tort is "interference". This must be both direct and physical, with indirect interference instead being covered by negligence or nuisance.¹ "Interference" covers any physical entry to land, as well as the abuse of a right of entry. If the person has the right to enter the land but remains after this right expires, this is also trespass. It is also a trespass to throw anything on the land. For the purposes of trespass, the person who owns the land on which a road rests is treated as the owner; it is not, however, a trespass to use that road if public.

Civil trespass

The civil law provides remedies to those who are harmed by the conduct of other people. Trespass to land is one of the oldest actions known to the common law and consists of any unjustifiable intrusion by a person upon the land in possession of another. When a trespass is alleged, it is for the

trespasser to justify the 'trespass' to avoid the consequences; for instance, they have a licence to occupy the property, or a legal right of way across someone's land.

To prove trespass there must be an intention to interfere with the right of possession, and this includes removing a part of land or property belonging to someone else. Even a minimal encroachment on someone's property may amount to trespass.

Trespass to land does not require proof of damage for it to be actionable in the courts. If damage is caused by a trespasser, a charge of criminal damage can ensue.

What are the types of trespass?

The most common form of trespass is entry by the trespasser on to the plaintiff's land. Other forms of trespass include:

- Placing objects on the land, such as fly tipping.
- Removing land or property from the plaintiff's land.
- Abusing an existing right to be on someone else's land, including remaining on the land when permission has expired.
- Other actions that are deemed to be trespass under specific statutes.

There are other forms of trespass. As land includes subsoil and airspace, trespass can include using someone else's land to drill down to access minerals beneath the property. Similarly, invasion of the airspace above land may constitute a trespass (limited to the height at which the invasion would interfere with the full use of the land). For example, overhanging eaves or other structures on a building that overhang an adjoining property may amount to a trespass.

What amounts to authorised entry to land?

If the alleged trespasser can prove they were authorised to be on the land in question, they can defend a claim against them for trespass. Permission to enter the land can be granted in a number of ways, including:

- Express permission given by the plaintiff, whether verbal or written, such as in the form of a licence or a ticket.
- Legal right of way, such as an easement over the land.
- Public rights of way.

However, where there is an authorised right to be on the land, that right must not be exceeded or abused, otherwise a trespass may have been committed. For instance, if an individual has the right to use a specific field for exercising horses, they must not go outside of that area. If a licence permits someone to be on the premises until 10pm but they remain on site after 10pm, they will be trespassing. If a theatre goer is asked to leave the theatre because of their behaviour, they will be trespassing if they refuse to leave.

Where a licence or other form of permission is revoked, authorisation to be on the land or property is withdrawn. If the licensee still goes onto the property thereafter, they may be trespassing.

Necessity

Sometimes, it is necessary to go onto someone else's land without authorisation. Necessity is a defence to trespass to land. For example, the police and other law enforcement authorities have power to go onto land in the lawful execution of their duties.

In addition, under the Access to Neighbouring Land Act 1992, an occupier can make an application to the court for an access order to enable them to enter the adjoining/adjacent land to carry out repairs. The court will not, however, make the order where the adjoining occupier would suffer interference with, or disturbance with the full use or enjoyment of his land, or would suffer hardship to such a degree that it would not be reasonable to grant the order. The court may require the applicant to pay compensation for any loss or damage or any loss of privacy or other substantial inconvenience.

Who can sue?

The person who has "immediate and exclusive" possession of the land that has been subject to trespass can sue. Possession refers to occupation or physical control of the land (this may or not be the legal owner of the property – e.g. it could be the tenant in commercial property).

The plaintiff may seek damages, or an injunction, or both. If the trespass is continuing, an application for an injunction can be made – but it will have to be proved that the trespasser is in unlawful possession or use of the land.

Where the trespass is trivial, damages may be nominal, and an injunction refused. Where a trespass concerns some use of the land without causing damage, the damages will be measured.

Agenda Item 4.12

P-05-932 Education On Food Allergies In Schools & Mandatory EPI PEN Training

This petition was submitted by Archie's Allergies having collected a total of 172 signatures.

Text of Petition

There is currently no law in place anywhere in the UK that offers education on food allergies in schools from primary age and up.

We want to change that! Offering educational sessions in schools will benefit children at risk of anaphylaxis. It will help others to understand food allergies, a medical condition that unless you know someone with this disease you wouldn't be aware of the side effects it carries.

We hope introducing educational sessions on food allergies will also break the stigma around them, eliminate bullying and offer more support to children living with this disease.

All it takes it one touch or one bite and without administering an epi pen you could be faced with a very tragic situation.

Introducing mandatory epi pen training will also eliminate the worry for families living with food allergies. Teachers and school staff will know the vital signs of an allergic reaction meaning anaphylaxis can be spotted sooner.

Archie's Allergies is a new charity offering support, advice and information on the importance of being allergy aware.

Assembly Constituency and Region

- Cardiff South and Penarth
- South Wales Central



By email to SeneddPeitions@assembly.wales

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

19th May 2020

Dear Janet,

Title: P-05-932 Education on Food Allergies in Schools and Mandatory EpiPen Training

Many thanks for your letter dated 2nd April. Please accept my apologies for the delay in replying. Responding to the current Covid-19 situation has presented challenges to us all and unfortunately impacted on timeframes to respond.

From our meeting earlier this year we understand that the Welsh Government is currently reviewing its approach to allergies and immunology, including what we believe to be the crucial issue of awareness, and we look forward to participating in further engagement on this broader topic. I'd like to thank the National Assembly for Wales, and specifically the Petitions Committee for including Allergy UK in the discussion related to this petition. (In preparing our response we have taken note of the Welsh Government's "Supporting Learners with Healthcare Needs" which has been issued by the Welsh Ministers. This refers to Section 175 and Section 21(5) of the Education Act 2002 and places a duty on local authorities and governing bodies to make arrangements to ensure their functions are exercised with a view to safeguarding and promoting the welfare of children in school or another place of learning. This includes supporting children with healthcare needs).

Allergy UK's perspective is that awareness and understanding of allergy as a potentially chronic and serious condition is very low among the general public and that this lack of awareness and understanding extends into our public institutions, workplaces etc. While the tragic deaths of young people because of food allergy draw the media spotlight onto the seriousness of allergy, this is fleeting. As the leading charity for people living with allergy, we know from our day to day engagement with our community of the challenges that they face in many aspects of their daily lives, from accessing the diagnosis and treatments that they need to finding reassurance that their needs are recognised, understood and met at school, at work, in supermarkets and in restaurants.

People living with allergy, or caring for those living with allergy, can experience a lifetime of anxiety and fear. As you will know, an allergic reaction can be fatal and many parents who have seen their children experience an anaphylactic shock from an allergic reaction never forget the experience.

As there is no known cure, just avoidance, many establish ways and routines to control the risk of losing their loved ones. When their children enter school the anxiety is enhanced, because they have to hand that control over to others with the expectation that they will keep their child safe at all costs. Sadly, 17% of fatal food-anaphylaxis reactions in school age children in the UK happen in schools⁽¹⁾ and 20% of anaphylaxis reactions in schools are in children with no prior history of food allergy⁽²⁾.

While there is no definitive data on current care standards in schools our anecdotal feedback suggests that standards are variable. We have received reports of both 'outstanding' schools and schools which have fallen short in the provision of care and support for pupils with allergy, and their families, and this inconsistency is the key issue which would be addressed by mandatory 'gold standard' policy guidance. **Note:** Allergy UK does not advocate for 'nut free' schools on the basis that this policy is difficult to police and can create a false sense of security and this is only one allergen among many others.

Schools have a very demanding and difficult role in a complex environment. We have, in recent years, seen an increase in legislation and statutory guidance for schools to support children with healthcare needs, such as the 'Supporting Learners with Healthcare Needs in Wales'. Allergy UK was instrumental in advocating and bringing about the statutory guidance whereby schools across the UK can now purchase a spare adrenaline autoinjector (AAI), laid down in the 'Guidance on the use of emergency adrenaline autoinjectors in Schools in Wales' in 2017. Most schools take their responsibility for children's health extremely seriously and we know that individual care plans are used in many schools. However, the steps forward we have made over recent years in legislation and statutory guidance still, in our view, need to go further to ensure all children living with allergy are safe in school.

Prevention of Future Deaths reports for Ismaeel Ashraf and Karanbir Cheema, both of whom died from a severe allergic reaction resulting in an anaphylactic reaction, highlighted issues around these schools' management of allergic pupils. The inquests flagged the key issues were lack of adequate staff training which resulted in the delayed and incorrect administration of adrenaline, along with policy implementation issues around adrenaline autoinjectors (AAIs) being out of date and not readily available. This has prompted a strong collaboration between Allergy UK, the Anaphylaxis Campaign and leading allergy specialists to lobby the Department for Education in England at a time when it is planning to review the 'Supporting Pupils with Medical Conditions' statutory guidance.

This is generic guidance for all medical conditions and as a collaborative group we are pressing for the development of a 'gold standard' model policy for the management of allergies in schools to be included as an annexe to the revised guidance. Whilst there is an appreciation that schools are supporting pupils with a range of complex medical conditions, there are children dying from allergic reactions whilst in school, so we believe more needs to be done to safeguard all children living with allergy.

We would also welcome an opportunity to discuss this with the Minister for Education, Kirsty Williams, as a part of the review that is being undertaken on the approach to allergies and immunology by the Department for Education and Skills in Wales. We will also contact local authorities in Wales to discuss this in relation to the Supporting Learners with Healthcare Needs guidance, which is also generic guidance.

We are pressing for the guidance on generic adrenaline autoinjectors (AAIs) in schools (issued in October 2017 and detailed on the website www.sparepensinschools.uk), to be made mandatory (as they are in certain states in Australia and the USA) with funding for both the purchase of AAIs and for comprehensive staff training. We would also like to see recommendations to extend the use of 'spare' AAIs for the emergency treatment of any pupil having an allergic reaction resulting in anaphylaxis, whereas currently only those who have already had an anaphylactic reaction are included for emergency treatment. The collaborative group would also like to propose mandatory measures would form part of Ofsted school assessments in the future.

This work began in earnest late last year and our last meeting with the Department for Education in England took place in February 2020, just before the Corona virus restrictions. The timing for the Department for Education review is not yet confirmed but we will be working on the development of the 'gold standard' allergy management model policy and the refinement of our recommendations around the current guidance on the use of adrenaline autoinjectors in schools to inform this review. We would very much welcome the opportunity to also work with the Welsh government on this to ensure consistency and safety for children living with allergy across the UK.

Allergy UK's Resources for Schools

Allergy UK is committed to improving the standards of care for pupils in schools. Our work in this area has included the development of a programme called SAAG (School Allergy Action Group) which is available as a free downloadable toolkit on our website (www.allergyuk.org). This programme takes schools through a seven-step programme to develop their own robust allergy management policy and it involves the 'whole' school from pupils themselves to the management and catering teams. It also helps the development of a better understanding of what it means to have a food allergy, which can help deter bullying and prevent isolation.

Our programme is currently designed for secondary schools and there are currently over 100 schools signed up and working through this programme. We have had much interest from primary schools, and we are planning to adapt the programme for primary schools in the near future. This is not, of course, mandatory for schools but it provides a 'self-help' approach which will provide them with the information and resources to effectively manage and care for pupils with allergy safely and with increased confidence.

The above summarises the work Allergy UK has been doing to bring about change in the standards of care for pupils with allergy while they are at school, with the provision of information and advice and with a policy development toolkit, all available via our website www.allergyuk.org

In the public domain we are working with other influencers to bring about change that will establish both consistency and accountability which we believe to be crucial.

We are very aware that some parents are very distressed about their school's ability to manage their child's allergy in a safe way and know of some who have taken the decision to stop sending their child to school. A similar petition was sent to Westminster last year from parents in England with children with food allergy calling for allergy management policies in schools to be made mandatory. This petition attracted over 10,000 signatures. Our policy prevents us from signing petitions, but we do align with the objectives.

We are working on behalf of all of these parents across the UK, along with collaborators who share our objectives.

In summary, the petition referenced very much reflects our own objectives. As the leading charity for people living with allergy, we are actively seeking the changes, which we believe are overdue, through our collaborations and connections with government and leading clinicians.

We would welcome the opportunity to provide further details on our SAAG programme but more importantly we would welcome the opportunity to work collaboratively with you to ensure that all children living with allergy in Wales felt safe in school. We would also be more than happy to engage with Mrs Murphy and Archie's Allergies if they would like to make contact.

I hope this information provides assurance of our commitment to advocate for the allergic community by working collaboratively with government departments and schools, who we know are also committed to pupils with healthcare needs being fully supported, to ensure all children living with allergy are safe in school.

Yours sincerely,



Carla Jones

CEO, Allergy UK

References:

- 1) Turner PJ, Gowland MH, Sharma V et al. Increase in anaphylaxis-related hospitalizations but no increase in fatalities: An analysis of UK national anaphylaxis data, 1992-2012. *J Allergy Clin Immunology* 2015 Apr;135(4):956-63.e1.
- 2) Muraro A, Clark A, Beyer K, et al. The management of the allergic child at school: EAACI/GA2LEN Task Force on the allergic child at school. *Allergy* 2010 June 1:65(6):681-9



GIG
CYMRU
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Our Ref: TC.CS.020720.JFS

2 July 2020

PRIVATE AND CONFIDENTIAL

Janet Finch-Saunders, AM,
Chair of the Petitions Committee.Address
National Assembly for Wales

Dear Janet,

**P-05-932 Education On Food Allergies In Schools and
Mandatory EPI PEN Training**

Thank you for the opportunity to respond to this petition and apologies for not responding to you sooner. In relation to the role of schools, food allergies and what advice is available to them, schools currently use the following guidance:

1. Supporting learners with healthcare needs

<https://gov.wales/sites/default/files/publications/2018-12/supporting-learners-with-healthcare-needs.pdf>

This document is designed to assist local authorities, governing bodies, education settings, education and health professionals and other organisations to support learners with healthcare needs and ensure minimal disruption to their education. It contains both statutory guidance and non-statutory advice.

As stated in the supporting learners with healthcare needs guidance, governing bodies must ensure that plans, arrangements and procedures to support learners with healthcare needs are in place and are properly and effectively implemented. These arrangements and procedures could be placed within a single healthcare needs policy for the education setting. This would provide an accessible guide to assist staff when responding to the healthcare needs of learners. Governing bodies should seek advice from their local authority, health board and any other relevant health or social care professionals to develop these arrangements.

In terms of food management (page 13), where food is provided by or through the education setting, consideration must be given to the dietary needs of learners. For example, those who have diabetes, coeliac disease, allergies and intolerances. Where a need occurs, education settings should in advance provide menus to parents and learners, with complete lists of ingredients and nutritional information. Gluten and other intolerances or allergens must be clearly marked. Providing information will help facilitate parent and catering teams collaborative working. This is especially important when carbohydrate counting is required.

Consideration should also be given to the availability of snacks. Sugar and gluten-free alternatives should always be made available. As some conditions require high calorific intake, there should always be access to glucose-rich food and drinks.

Food provided for trips must reflect the dietary and treatment needs of the learners taking part. Food provided for snacks in classroom settings should also take the dietary and treatment needs of these learners into account. While healthy school and 'no sweets' policies are recognised as important, learners with healthcare needs may need to be exempted from these policies. Learners needing to eat or drink as part of their condition should not be excluded from the classroom or put in isolation.

➤ **Emergency medication**

Emergency medication must be readily available to learners who require it at all times during the day or at off-site activities. Medicines and devices such as asthma inhalers, blood glucose testing meters and adrenaline auto-injectors (pens) should be readily available to learners and not locked away. This is particularly important to consider when outside of the education setting's premises, for example, on trips. If the emergency medication is a controlled drug it should be kept as securely as possible so as to minimise the risk of unauthorised access while also allowing quick access if this might be necessary in an emergency. For example, keys should not be held personally by a member of staff. A learner who has been prescribed a controlled drug may legally have it in their possession, if they are competent to do so, and they must not pass it to another learner or other unauthorised person.

➤ **Emergency procedures**

Governing bodies should ensure that a policy is in place for handling emergency situations. Staff should know who is responsible for the policy, nominated first aiders and how to deal with common healthcare needs. In situations requiring emergency assistance, 999 should be called immediately. The location of learners' healthcare records and emergency contact details should be known to staff. Where a learner has an Individual Health Plan, this should clearly define what constitutes an emergency and explain what to do. Staff should be made aware of emergency symptoms and procedures.

Other learners in the education setting should also know what to do in general terms in an emergency, such as to inform a member of staff immediately. If a learner needs to be taken to hospital, a staff member should stay with the learner until a parent

arrives. This includes accompanying them in an ambulance to hospital. The member of staff should have details of any known healthcare needs and medication.

➤ **Reviewing policies, arrangements and procedures**

Governing bodies should ensure that all policies, arrangements and procedures are reviewed regularly by the education setting. Individual Health Plans may require frequent reviews depending on the healthcare need – this should involve all key stakeholders including, where appropriate, the learner, parents, education and health professionals and other relevant bodies.

2. Guidance on the use of emergency adrenaline auto-injectors (AAIs) in schools in Wales

<https://gov.wales/sites/default/files/publications/2018-12/guidance-on-the-use-of-emergency-adrenaline-auto-injectors-in-schools-in-wales.pdf>

This guidance document is primarily to provide advice to schools and LAs on changes to UK regulations which allow schools to obtain, without prescription, adrenaline auto-injectors for emergency use

As stated in the guidance, schools are not required to hold spare AAIs for emergency use - this is a discretionary power enabling schools to do so if they so wish. If a school decides to hold a spare AAI, they should produce a policy on its use. The policy needs to be developed in line with the guidance and the Supporting Learners with Healthcare Needs statutory guidance.

The role of assisting or supervising the administration of medicines is voluntary. Where staff volunteer or are contracted to carry out this role, the LA and governing body must ensure they receive appropriate and effective training, support and feel confident in their duties.

➤ **Training**

Staff will require effective training in order to administer the spare AAI in an emergency. Roles around staff training are set out fully in the Supporting Learners with Healthcare Needs statutory guidance.

Training resources can be found online, including at <http://www.sparepensinschools.uk> although this is not a substitute for face-to-face training. The school nurse or local health board may be able to provide advice on arranging training. Parents/pupils may also have the contact details of allergy healthcare professionals.

Also relevant to the detail of this petition is the Welsh Network of Healthy Schools Scheme and the new Curriculum for Wales:

3. The Welsh Network of Healthy Schools Scheme

The Welsh Network of Healthy School Scheme (WNHSS) takes a whole school approach to promoting health and wellbeing in line with the World Health Organization model and works across 22 Local Authority areas in Wales. The whole school promotes the health of all who learn, work and play within the school with an approach that addresses the ethos, policies and practices of each school, while also focusing on what happens in the classroom and taking account of the community beyond the school. The Scheme supports schools to enable pupils and staff to take control over aspects of the school environment which influence their health in addition to formally teaching pupils about how to lead healthy lives. Each area employs Healthy School Practitioners who support cohorts of schools in their area to stimulate whole school approaches to health and wellbeing.

A health promoting school actively promotes, protects and embeds the physical, mental and social health and well-being of its community through positive action. This can be achieved by policy, strategic planning and staff development about its curriculum, ethos, physical environment and community relations. The WNHSS incorporates 7 health topics to be completed over 6 phases. Of these, the most relevant to food allergies and the use of EPI pens are: **Food and Fitness, Hygiene and Safety**. Each topic has 4 assessment areas to embed the topic into the day to day functioning of the school:

- Leadership and communication
- Curriculum
- Ethos and Environment
- Family and Community Involvement

For schools to progress through the scheme, they must ensure that they meet all of the criteria outlined in the framework. The framework does not specify lesson content, however, we promote that all food and drink offered throughout the school day is consistent with the Healthy Eating in Schools (Nutritional Standards and Requirements) (Wales) Regulations 2013 ('Healthy Eating in Schools Regulations'). Monitoring and recording procedures need to be in place including risk assessments and every school should have a Healthcare Needs Policy in place that includes the use of epi pens. Other policies include first aid, administration of medication and safety in other environments relevant to school location, educational visits, food safety and playground safety. The schools must also have a commitment to whole staff training on safety related issues and that teachers receive appropriate training.

4. New School Curriculum for Wales 2022

You will be aware that in 2022, a new Welsh curriculum for young people aged 3-16 will be rolled out in all schools across Wales. This new curriculum has more emphasis on equipping young people for life and offers six areas of learning and experience, one of which is Health and Well-being.

The Health and Well-being Area of Learning and Experience (AoLE) provides a holistic structure for understanding health and well-being. It is concerned with developing the capacity of learners to navigate life's opportunities and challenges. The fundamental components of the Health and Well-being AoLE are physical health and development, mental health, and emotional and social well-being. It will support learners to understand and appreciate how the different components of health and well-being are interconnected, and it recognises that good health and well-being are important to enable successful learning. Engagement with this AoLE will help to foster a whole-school approach that enables health and well-being to permeate all aspects of school life.

This new area of learning experience will help learners to understand the factors that affect physical health and well-being. This includes health-promoting behaviours such as physical activity, including but not limited to sport; as well as the importance of a balanced diet; personal care and hygiene; sleep; and protection from infection. Learning about behaviours, situations and conditions that affect physical health and well-being could include learning about substance misuse, the development of first aid skills and an understanding of health conditions – including different food allergies.

From this understanding, learners can develop positive, informed behaviours that encourage them both to care for and respect themselves and others. These behaviours support learners' sense of self-worth, their overall mood and energy levels. Learners will also be encouraged to develop the confidence, motivation, physical competence, knowledge and understanding that can help them lead healthy and active lifestyles which promote good physical health and well-being. By learning how to communicate their feelings, learners will be better placed to create a culture where talking about mental health and emotional well-being is normalised.

The Health and Well-being area of learning experience can also help learners to understand how decisions and actions impact on themselves, on others and on wider society, both now and in the future. It can also help learners understand the factors that influence decision-making, thus placing them in a better position to make more informed and considered decisions. Learning and experience in this AoLE can enable learners to develop the critical-thinking skills necessary to consider their decision-making in terms of possible implications, including risks, for themselves and others. This can offer learners opportunities to engage in collective decision-making and to understand the importance of their contributions to this process e.g. developing an understanding that I need a balanced diet and I can make informed choices about the food I eat and prepare to support my physical health and well-being.

The new curriculum will offer Learners with appropriate opportunities to assess and manage risk so they can keep themselves and others safe. Schools will need to consider what strategies their learners may need to be able to safely intervene to support others who may be at risk. This may include lifesaving skills and first aid.

A fundamental aspect of the new school curriculum will be the schools' responsibility to decide their own content to deliver the curriculum, based on their own Learners needs and school context.

I do hope this assists the Committee in its deliberations and please do not hesitate to let me know if you have any further queries.

Yours sincerely,



Dr Tracey Cooper

Chief Executive, Public Health Wales

Rydym yn croesawu gohebiaeth yn y Gymraeg neu'r Saesneg
We welcome correspondence in Welsh or English

(Email to: SeneddPetitions@Assembly.Wales)

5 August 2020

Dear Janet Finch-Saunders MS,

RE: Petition P-05-932 Education On Food Allergies In Schools & Mandatory EPI PEN Training

Thank you for your letter dated 3rd April 2020 regarding the petition 'Education on food allergies & mandatory EPI PEN training'. The petitioner rightly raises understandable food safety concerns which, if left unmanaged, can result in the most tragic of circumstances.

ADEW recognises the important need for pupils to learn about food allergies and food safety in school. When it comes into force, there are unique opportunities for schools to incorporate this into the Health and Wellbeing Area of Learning and Experience as they design local curricula under the new Curriculum for Wales arrangements.

With regard to staff training, healthcare policies and EPI Pens: All maintained nurseries, mainstream schools, special schools and pupil referral units have a statutory duty to properly support learners' healthcare needs, including those with allergies. These arrangements should be established in line with [Supporting Learners with Healthcare Needs](#). This includes supporting staff training where appropriate. Local authorities are responsible for monitoring effective implementation and you will be aware that we have already given assurances to the Minister for Education that appropriate healthcare needs policies are in place.

The Welsh Government published [Guidance on the use of emergency adrenaline auto-injectors in schools in Wales](#) in October 2017. Although non-statutory, it contains helpful emergency information and advice on how schools can respond to allergy signs, anaphylaxis, how to use Adrenaline Auto-Injectors (AAIs) and how to record incidents.

Schools are not required to hold spare AAIs for emergency use - this is a discretionary power enabling schools to do so if they so wish. If a school decides to hold a spare AAI, then they should produce a policy on its use. This policy needs to be developed in line with both guidance documents listed above. A spare AAI can be used if the pupil's prescribed AAI is not available, for example because it is broken or expired, and should only be administered to a pupil known to be at risk of anaphylaxis:

- whose own prescribed AAI cannot be administered correctly, without delay; and
- where consent has been given by the parent or where appropriate the pupil.

Any AAI held by a school should be considered a spare or back-up device and not a replacement for a pupil's own AAI.

The Petitions Committee may also be interested to know that the WLGA have recently recruited a National Dietitian for Special Diets in Schools. Initially, she is further developing guidance and resources for managing special food requirements in schools, focusing on those that may not require an Individual Healthcare Plan (e.g. mild allergies, intolerances, modified dining environment, vegan). In the longer term, she will be reviewing training provisions for catering and school staff in Wales and may develop bespoke training resources, covering broader issues than epi-pen administration.

Yours sincerely,

Karen Evans

Chair of ADEW

P-05-932 Education On Food Allergies In Schools & Mandatory EPI PEN Training, Correspondence – Petitioner to Committee, 21.09.20

Thank you to all that have responded, however the problem is no one is being held accountable for these actions. You can include lots of links to great resources but if there is no one to CHECK that this has been done or even checked if they understood what they've read etc what good are these procedures to anyone? Who do they go to if they have any questions? Why aren't we appointing at least 1 person in every school or council to be an allergy champion that is ensuring these guidelines and procedures are met, that can support our teachers and education staff?

Our story is the best example of how these procedures are flawed and have been ignored countless times and not just in our case but many many more. I'm asking the welsh assembly to make it the LAW, to hold those responsible for educating our children, to educate them on what a food allergy is, if a child comes into contact with their allergen whilst at school and has anaphylaxis who's fault is that? If they die due to this, who is being held responsible for not having the right training or knowledge? that if they are having an egg sandwich for lunch then wash your hands after it because their friend could die if they don't. Schools don't HAVE to make anyone aware of any serious food allergies and again our example is under 5 DIFFERENT head teachers and school governors they did NOTHING for my son or anyone else with allergies at his school. Now there is another new head teacher that due to his own personal experience with a family member FINALLY the school is taking it seriously and are making others aware as well as making classrooms free from. These actions are solely personal because this ONE headteacher out of 6 has a loved one with serious food allergies, there is no blanket procedure in place on how to manage allergies and head teachers don't want to get involved because they have never had to know about allergies. How can families living with food allergies just accept this?

However, I have had to show my sons new teachers how to use an epi pen because they AREN'T GIVEN THE TRAINING, give them FREE training when they study to become a teacher, mandatory for anyone that works in a classroom.

(Update): As of Thursday 24th September, No EPI PEN Training has been given to the teachers and although hopeful of the newest headteacher he 'doesn't know' if anyone attended the training nor when it was, further to this another incident where my son was ignored three times by 2 different teaching staff and was told to IGNORE his allergic reaction on Tuesday 22nd September and that it will go away. When asked why this happened after coming home with hives covering his arm his teacher said he didn't want to over react, when my son or someone else's child is dead on the floor because teachers are CHOOSING to not 'overreact' WHO IS RESPONSIBLE, I am fed up of 'apologies' and 'it won't happen again' because it does, when teachers use negative language to discourage a child like Archie with food allergies, they're teaching them to ignore what their bodies are telling them and this is not acceptable and we cannot allow this to continue, what will become of these children if this is the attitude of adults teaching them. These teachers are not bad people, they just don't know and this is the serious problem in schools and teaching settings.

We adapt our schools for those with certain disabilities but because we cant SEE food allergies we should just ignore them? We should say click this link and hope for the best?

We invite police officers to tell our children drugs can kill but so can your chocolate bar, it is the same but because of our relationship with food and by using it as a social tool we cannot separate the differences, until food becomes a lethal weapon and then we take it seriously when it affects us, but if it doesn't affect you then it doesn't matter

I have contacted Allergy UK for assistance many times but was always just to go to the headteacher and that is that, YOU as the Welsh Assembly are responsible for CHANGE and again YOU can make this difference. By providing Wales with the tools needed which is costless then we can save lives, we can stop children from developing food anxiety and not eating because of it, all because you normalised the stigma around having a deadly allergy. Kirsty Williams doesn't want to know and her last response was to go to the local council but I did because they are not supported because THEY DON'T KNOW about allergies, let's give them the TOOLS to LEARN and support teachers and their students.

Because it will only come from another child to die from anaphylaxis at school because we NEVER taught our children that FOOD CAN KILL. It can be PREVENTED by education!

I provided an example the last time the petition was up for discussion from the local council themselves and you can see that their risk assessment is not sufficient enough for children with allergies, it is not good enough and if you let this petition slip you will be showing schools, the local councils and the education system that food allergies aren't serious enough, you'll let hundreds of families affected by allergies daily down, every child deserves an education and they deserve to feel safe whilst in a school environment and that if they ever did need help they would know what to do, epi pen training is not part of the first aid training

From a desperate mother trying to bring a positive change and attitude towards those living with food allergies, I put my faith in you as my Welsh government to do what is so life-saving vitally needed, you will be the leaders of change and open the gates for the rest of the UK to follow.

WE CAN DO BETTER, THE EDUCATION SYSTEM AND THE ASSEMBLY CAN DO BETTER, WE ALL MUST DO BETTER

Agenda Item 4.13

P-05-950 Agriculture and Countryside Education for 4-16-year olds in our schools

This petition was submitted by Osian Hedd Harries having collected a total of 93 signatures.

Text of Petition

We call on the Welsh Government to provide Agriculture and Countryside Studies in our schools.

Additional Information

It is important that young people learn how the process of producing food works and learn about the relationship between Food and Agriculture. It is also important that they learn about the basic skills involved in producing our food products. This will also promote respect and understanding of the work of farmers.

Senedd Constituency and Region

- Preseli Pembrokeshire
- Mid and West Wales



Eich cyf/Your ref P-05-950
Ein cyf/Our ref KW/03384/20

Janet Finch-Saunders MS
Chair, Petitions Committee

6 July 2020

Dear Janet,

Thank you for your letter dated 18 June regarding the Petition (P-05-950) Agriculture and Countryside Education for 4-16-year olds in our schools. The Petitions Committee has asked what work is being done to develop teaching resources on subjects, including those brought to the attention of the Committee, and when these resources will be made available for teachers.

Your letter is very timely as education in Wales is changing. In January 2020 the first iteration of the new Curriculum for Wales was launched. At the heart of the new curriculum are the four purposes which set out the aspirations for all children and young people. By the age of 16, they should be confident, ethical individuals who play an active part in their community and society.

The curriculum will be available for first teaching in September 2022; it provides a framework to support all schools to design their own curriculum at a local school level. This is significant departure from the previous top down prescriptive approach.

As part of the *Keep Education Safe: guidance on learning over the summer term* issued on 10 June 2020, schools have been advised to maximize the time learners spend outdoors. The physical, mental and educational benefits of outdoor learning approaches are:

- learning 'in' the outdoors has been shown to support both physical and mental health and well-being
- learning 'about' the outdoors provides a context to develop ambitious, capable learners (particularly though science and humanities)
- learning 'for' the outdoors can be about understanding the climate emergency and environmental sustainability, leading to the development of ethical, informed citizens.

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

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

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

A wide range of organisations provide resources to support schools and settings when considering outdoor learning which accessed via Hwb, as well as through the Wales Council for Outdoor Learning, including their guidance on 'High Quality Outdoor Learning for Wales':

<https://hwb.gov.wales/repository/discovery>

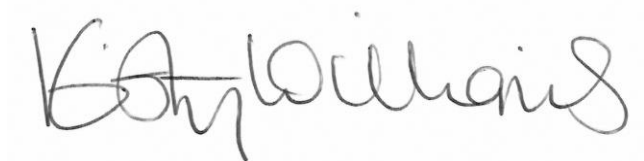
<https://www.walescouncilforoutdoorlearning.org/activity-ideas/>

As part of its on-going activities Natural Resources Wales has developed on-line resources which cover issues including trees and woodlands to sustainable development. The resources highlight the importance of sustainability in managing our natural resources, the environment and local communities:

<https://naturalresources.wales/guidance-and-advice/business-sectors/education-learning-and-skills/looking-for-learning-resources/?lang=en>

I hope this information has been helpful.

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