

Cyflwynwyd yr ymateb hwn i ymgynghoriad y [Pwyllgor Plant, Pobl Ifanc ac Addysg](#) ar [Flaenoriaethau'r Chweched Senedd](#)

This response was submitted to the [Children, Young People and Education Committee](#) consultation on [Sixth Senedd Priorities](#)

CYPE SP 51

Ymateb gan: Sally Holland, Comisiynydd Plant Cymru

Response from: Sally Holland, Children's Commissioner for Wales

Beth yn eich barn chi yw'r prif flaenoriaethau neu'r materion y dylai'r Pwyllgor eu hystyried yn ystod y Chweched Senedd? Os oes modd, nodwch eich barn o ran sut y gallai'r Pwyllgor fynd i'r afael â hyn.

What do you consider to be the main priorities or issues that the Committee should consider during the Sixth Senedd? Where possible, please set out your view about how the Committee could address them.

Thema 1: Addysg oedran ysgol | Theme 1: School-age education

Addysgu Gartref

Yn dilyn marwolaeth drasig Dylan Seabridge ddegawd yn ôl, mae llywodraethau olynol wedi gwneud ymrwymïadau i ddiogelu hawliau plant sy'n cael eu haddysgu gartref yn well, ond hyd yma does dim wedi newid. Roedd hwn yn faes pwysig iawn i'r pwyllgor blaenorol, ac ni allwn weld rhagor o gyfleoedd yn cael eu colli yn y maes polisi hwn. Daeth fy [adolygiad statudol](#) o'r Llywodraeth yn 2021 i'r casgliad bod rhaid cyflwyno deddfwriaeth sylfaenol er mwyn osgoi'r peryglon o ran canfod, gweld a siarad â phlant y bu'r Llywodraeth yn ymdrechu'n aflwyddiannus i fynd i'r afael â nhw yn ystod y Tymor Senedd diwethaf. Mae ymateb y Llywodraeth yn dangos y byddant yn ystyried cynlluniau ar gyfer deddfwriaeth eilaidd yn unig; ni fydd hynny'n ddigonol, ac mae angen llais dylanwadol y Pwyllgor i gefnogi'r newidiadau deddfwriaethol angenrheidiol.

Diogelu mewn Ysgolion Annibynnol

Dangosodd fy [adolygiad statudol](#) hefyd fod rhaid i'r Llywodraeth ddiweddarau'r sefyllfa reoliadol yn sylweddol mewn perthynas ag ysgolion annibynnol, a sicrhau bod gofyn i bob athro gofrestru gyda Chyngor y Gweithlu Addysg. Mae modd gwneud y naill beth trwy ddeddfwriaeth eilaidd, ond mae'n dal yn aneglur a oes angen deddfwriaeth sylfaenol er mwyn i staff ysgolion annibynnol gofrestru gyda Chyngor y Gweithlu Addysg. O ganlyniad, rhaid i'r Llywodraeth sicrhau eglurder



ynghylch y sefyllfa gyfreithiol fel mater o flaenoriaeth, fel bod modd dod â newidiadau i rym yn gynnar yn y chweched tymor. Sicrhaodd y Pwyllgor ymrwymadau i hyn yn ôl yn 2014, pan oedd Deddf Addysg (Cymru) 2014 yn cael ei chreu, ond ni chyflawnwyd y rheiny. Efallai bydd y Pwyllgor am fynd ar ôl yr ymrwymadau blaenorol hynny.

Gallai craffu ar rolau Estyn a Chyngor y Gweithlu Addysg ganiatáu i'r Pwyllgor fynd ar ôl hyn hefyd yn ystod y Tymor.

[Addysg heblaw yn yr Ysgol \(EOTAS\)](#)

Rhaid sicrhau momentwm wrth fwrw ymlaen gyda chymau gweithredu tymor canolig a hir fframwaith gweithredu EOTAS. Mae'r rhain yn angenrheidiol i gyflawni newid ar gyfer pobl ifanc yn y ddarpariaeth EOTAS. Gwaetha'r modd, bu oedi yn ymchwiliad y Pwyllgor blaenorol ar EOTAS oherwydd effaith pandemig COVID-19. Fodd bynnag, mae'r ymchwiliad hwn yn darparu corff cyfoethog o wybodaeth, y cododd nifer o [egwyddorion allweddol](#) yn eu sgîl. Dylid defnyddio'r dystiolaeth hon yn ystod y Chweched Senedd i ystyried sut mae modd gwella'r trefniadau ar gyfer y rhai sy'n cael eu haddysgu mewn mannau heblaw'r ysgol.

[Gwahardd plant ifanc](#)

Amlygodd fy [adroddiad Blociau Adeiladu](#) yn 2020 i ba raddau mae plant Cyfnod Sylfaen yng Nghymru yn cael gwaharddiadau, gan gynnwys plant ifanc iawn. Dylai'r Llywodraeth bennu nod polisi clir o atal cyflwyno gwaharddiadau i blant o dan 8 oed, a chefnogi hynny â chynllun gweithredu ar gyfer cymorth cynnar. Dylid adolygu'r ddeddfwriaeth sylfaenol a'r canllawiau statudol sy'n ymwneud â gwahardd plant a phobl ifanc o bob oed. Efallai bydd y Pwyllgor yn dymuno mynd ar ôl hyn gyda'r Gweinidog ac Estyn, er mwyn deall sut mae'r Llywodraeth yn bwriadu ymateb i'r adroddiad hwnnw.

[Deddf y Cwricwlwm ac Asesu \(Cymru\) 2021](#)

Ni ddylai fod oedi wrth sicrhau'r hawliau a geir yn y cwricwlwm newydd. Y plant sydd ym Mlwyddyn 5 ar hyn o bryd fydd y garfan hynaf i brofi'r hawliau hyn ar hyd eu haddysg uwchradd, a chyhoeddwyd Dyfodol Llwyddiannus pan oedd y plant hyn yn 2 neu'n 3 oed, a chyn iddyn nhw gychwyn mewn addysg orfodol. Rhaid i'r cyfnod helaeth hwn o ddiwygio'r cwricwlwm gael ei drosi'n awr yn hawliau y bydd plant yn eu derbyn. Yn arbennig, mae angen sicrhau ar frys bod plant yn profi hawliau sy'n ymwneud ag Addysg Iechyd a Llesiant a Chydberthynas a Rhywioldeb. Os bydd oedi'n codi yn ystod y flwyddyn nesaf, byddai'n berthnasol i'r Pwyllgor ddod yn ôl at hyn fel y pwyllgor sy'n craffu ar y Bil. (*Gweler argymhelliad 61 o adroddiad Cyfnod 1*).

Efallai bydd y Pwyllgor am ystyried hefyd i ba raddau mae'r newidiadau sylfaenol i'r cwricwlwm ac asesu yn cael eu symud ymlaen wrth ddatblygu cymwysterau newydd, a gallai craffu ar waith Cymwysterau Cymru yn y maes hwn fod yn fodd i fynd ar ôl hyn yn effeithiol.



Hawliau Digidol

Mae angen bod gan bob disgybl oed ysgol uwchradd eu dyfais eu hunain i gael mynediad i'w hawliau addysgol. Mae hyn yn dal yn wir nawr bod dysgwyr yn ôl yn eu hystafelloedd dosbarth, gan fod mynediad at ddysgu annibynnol, ymchwil a thasgau gwaith cartref yn galw am fynediad digidol parhaus a dibynadwy. Croesawyd cynlluniau'r Llywodraeth a roddwyd ar waith yn ystod y pandemig, ond rydyn ni'n dal heb sicrhau darlun clir o lefelau angen parhaus. Gallai'r Pwyllgor gynnwys pobl ifanc wrth ddylunio a chyflwyno darn o waith o'r math hwn, er mwyn gweld beth yw eu barn ynghylch y pethau y dylen nhw allu eu hawlio a mynediad at y gwasanaethau mae arnyn nhw eu hangen i hybu eu haddysg.

Home Education

Following the tragic death of Dylan Seabridge a decade ago, successive governments have made commitments to better protect the rights of home educated children, but to date, nothing has changed. This was an area of high importance to the predecessor committee, and there can be no further missed opportunities in relation to this policy area. My 2021 [statutory review](#) of the Government concluded that primary legislation must be introduced in order to avoid the pitfalls around identifying, seeing and speaking to children that the Government unsuccessfully grappled with last Senedd Term. The Government's response indicates that they will consider with plans for secondary legislation only; this will not be sufficient and the influential voice of the Committee is needed to support the necessary legislative changes.

Safeguarding in Independent Schools

My [statutory review](#) also showed that the Government must substantially update the regulatory position in respect of independent schools, and ensure that all teachers are required to register with the Education Workforce Council. The former can be done through secondary legislation but it remains unclear if primary legislation is needed for independent school staff to register with the EWC. The Government must therefore clarify the legal position as a matter of priority so that changes can be enacted early in the sixth term. The Committee obtained commitments to this back in 2014 during the passage of the Education (Wales) Act 2014 but these have not been delivered. The Committee may wish to follow up those previous commitments.

Scrutiny of the roles of Estyn and Education Workforce Council may also allow for this to be pursued by the Committee during the Term.



Education other than at School (EOTAS)

Momentum must be gained on driving forward the medium and long term actions of the EOTAS framework for action. These are necessary to achieve change for young people in EOTAS provision. The predecessor Committee's inquiry on EOTAS was unfortunately paused due to the impact of the COVID-19 pandemic. However this inquiry provides a rich body of information through which a number of [key principles](#) arose. This evidence should be drawn upon during the Sixth Senedd to consider how arrangements for those educated otherwise than at school can be improved.

Exclusion of young children

My 2020 [Building Blocks report](#) highlighted the extent of exclusion of Foundation Phase children in Wales including very young children. Government should set a clear policy aim to prevent exclusions being issued to children under 8 years old, and support this with an action plan for early support. Primary legislation and statutory guidance relating to exclusion of children and young people at all ages should be reviewed. The Committee may wish to pursue this with the Minister and Estyn, to understand how the Government intends to respond to that report.

Curriculum and Assessment (Wales) Act 2021

There should be no delay to ensuring the entitlements of the new curriculum. Children currently in Year 5 will be the oldest cohort that will experience these entitlements throughout their secondary education and Successful Futures was published when these children were 2 or 3 years old, and before they had started compulsory education. This extensive period of curriculum reform must now translate into entitlements that children will receive. In particular there is a pressing need for children to experience entitlements related to Health and Wellbeing and Relationships and Sexuality Education. Should there be delays arising during the course of the next year, it would be relevant for the Committee to revisit this as the scrutiny committee for the Bill. (*See recommendation 61 of the Stage 1 report*).

The Committee may also wish to consider how far the fundamental changes to curriculum and assessment are being taken forward in the development of new qualifications, and scrutiny of the work of Qualifications Wales in this area may enable this to be effectively pursued.

Digital Entitlement

All pupils of secondary school age need to have their own device to access their educational rights. This continues to be the case with learners back in their classrooms, as access to independent learning, research and homework tasks requires ongoing and reliable digital access. Government schemes implemented during the pandemic have been welcome but there is still not a clear picture of ongoing levels of need. This could be a piece of work that the Committee could



involve young people in designing and delivering, to see what their views are on entitlements and access to the services that they need to further their education.

Thema 2: Addysg bellach ac addysg uwch | Theme 2: Further and higher education

[Cymwysterau ôl-16](#)

Bydd y garfan gyntaf o blant sy'n profi'r cwricwlwm newydd fel hawl statudol yn cael eu pen-blwydd yn 16 yn 2026. O ganlyniad, mae angen gwaith yn fuan iawn i sicrhau pontio cydlynus ar gyfer y garfan hon i ddysgu ôl-16. Rhaid i hynny gynnwys cyfleoedd hyblyg i gyflawni ystod o gymwysterau sydd â gwerth cyfartal, heb anghysondebau rhwng cymwysterau galwedigaethol a chyffredinol.

[Teithio gan Ddysgwyr](#)

Yn gysylltiedig â hyn mae adolygiad y Llywodraeth o Deithio gan Ddysgwyr, a gafodd ei estyn i gynnwys addysg ôl-16. Wrth i'r Ddeddf Anghenion Dysgu Ychwanegol fynd trwy'r senedd, sicrhaodd y Pwyllgor ymrwymadau gweinidogol i adolygu'r Côt ADY, mewn ymateb i'r argymhelliad i ystyried sut mae modd ymgorffori anghenion teithio dysgwyr mewn CDU. Nododd y Gweinidog ar y pryd y bydd *'darparu trafnidiaeth yn elfen allweddol wrth hwyluso cyfranogiad rhai plant a phobl ifanc sydd ag anghenion dysgu ychwanegol mewn addysg'*. Nid yw'r Llywodraeth wedi adrodd ar yr Adolygiad o'r Mesur Teithio gan Ddysgwyr a gynhaliwyd ganddynt yn ystod tymor diwethaf y Senedd, a nodwyd bwriad i wneud gwaith pellach ar hyn, ond heb unrhyw fanylion na therfynau amser. Bydd gweithredu'r ddeddfwriaeth ADY yn cychwyn heb i'r Llywodraeth gyflawni'r ymrwymiad hwn.

[Cymwysterau galwedigaethol](#)

Ar ben hynny, nid yw pobl ifanc sy'n astudio ar gyfer cymwysterau galwedigaethol wedi cael eu trin yn gyfartal yn ystod y pandemig, ac mae anawsterau strwythurol ynghylch cefnogaeth deg i fyfyrwyr galwedigaethol yng Nghymru. Mae angen datblygu cymwysterau newydd ar gyfer pobl ifanc 16-18 ochr yn ochr ag archwilio i ganfod sut mae modd cefnogi'n well fuddiannau pobl ifanc sy'n dilyn cyrsiau galwedigaethol. Efallai bydd y Pwyllgor yn dymuno craffu ar Cymwysterau Cymru ynghylch yr agwedd benodol hon.



Post-16 Qualifications

The first cohort of children experiencing the new curriculum as a statutory entitlement will turn 16 in 2026. Therefore, work is needed imminently to ensure a coherent transition for this cohort into post-16 learning. This must include flexible opportunities to take a range of qualifications that are equally valued, with no disparities between vocational and general qualifications.

Learner Travel

Related to this is the Government's review of Learner Travel, which was extended to include Post-16 education. The Committee obtained ministerial commitments during the passage of the Additional Learning Needs Act to review the ALN Code, in response to the recommendation for consideration as to how travel needs of learners can be incorporated into an IDP. The then Minister noted that the *'provision of transport will be a key element in facilitating the participation in education of some children and young people with additional learning needs'*. The Government has not reported on the Review of the Learner Travel Measure it undertook during the last Senedd term and has indicated an intention to undertake further work on this but without any detail or timescales. The implementation of the ALN legislation will commence without this commitment having been followed through by the Government.

Vocational qualifications

In addition, young people taking vocational qualifications have not been treated equally during the pandemic, and there are structural issues with equitably supporting vocational students in Wales. The development of new qualifications for 16-18 needs to be undertaken alongside exploration to ascertain how the interests of young people taking vocational courses can be better supported. The Committee may wish to scrutinise Qualifications Wales on this particular aspect.

Thema 3: Iechyd a lles, gan gynnwys gofal cymdeithasol (i'r graddau y maent yn ymwneud â phlant a phobl ifanc) | Theme 3: Health and well-being, including social care (as they relate to children and young people)

Iechyd a Llesiant

Mae'r Comisiynydd wedi bod yn rhoi pwysau ar Fyrddau Partneriaeth Rhanbarthol i roi ymatebion amlasiantaeth ar waith mewn ymateb i ddiffygion yn y system gyfredol o gefnogaeth i blant ag anghenion cymhleth, a materion iechyd meddwl, ymddygiad neu emosiynol sy'n dod i'r amlwg. Gan gymryd i ystyriaeth lawer o'r themâu a nodwyd yn adroddiad Cadernid Meddwl y Pwyllgor blaenorol, mae'r Comisiynydd wedi gweithio ar y cyd â'r rhaglen Law yn Llaw at Blant a Phobl Ifanc, yr ydyn ni'n falch o ddweud eu bod wedi datblygu'r fframwaith NYTH. Bydd gwireddu'r



fframwaith hwn yn heriol, ac yn galw am gefnogaeth gynaliadwy gan Lywodraeth Cymru. Rydyn ni'n credu bod gan y fframwaith botensial i fynd gryn dipyn o'r ffordd at gyflawni dull gweithredu Dim Drws Anghywir, ond bydd angen monitro'n fanwl o hyd.

Efen fawr o ddull gweithredu 'dim drws agored' yw cydnabod angen pob plentyn sy'n profi trallod dwys, ym mha ffurf bynnag, a bod gwasanaethau'n ymateb mewn modd sy'n diwallu anghenion y plentyn. Yn rhy aml, mae mynediad at unrhyw gefnogaeth yn cael ei seilio ar ddiagnosis. Mae angen gwneud mwy i gydnabod niwroamrywiaeth, ac er na fydd gan rai plant gyflwr y gellir darparu diagnosis ar ei gyfer, bydd arnynt angen cefnogaeth gwasanaethau niwroddatblygiadol ac eraill serch hynny. Mae angen cydnabod y ffaith bod niwroamrywiaeth a phroblemau iechyd meddwl yn cyd-ddigwydd yn rheolaidd, a gwneud hynny ar ffurf llwybrau ac ymateb cydlynus. Mae perygl y bydd cynigion ar gyfer Côt Ymarfer penodol i Awtistiaeth yn colli golwg ar anghenion y plant a'r teuluoedd hyn, neu yn eu gwthio i'r cyrion. Gallai'r Pwyllgor ddymuno archwilio gweithio ar y cyd â'r Pwyllgor Iechyd a Gofal Cymdeithasol yn y maes hwn.

Eiriolaeth Iechyd

Mae'r Pwyllgor wedi cynnal nifer o ymchwiliadau ar eiriolaeth statudol ym maes gofal cymdeithasol i blant, gan arwain at weithredu Dull Cenedlaethol o ymdrin ag Eiriolaeth Statudol. Mae eiriolaeth yn fesur diogelu hanfodol i blant a phobl ifanc, ac yn angenrheidiol mewn rhai achosion i helpu pobl ifanc i ddeall a chyfranogi mewn penderfyniadau sy'n cael eu gwneud am eu gofal, yn unol â'u hawl.

Mae mynediad cyfyngedig at eiriolaeth mewn lleoliadau iechyd ar gyfer y rhai nad ydynt yn gymwys i dderbyn eiriolaeth iechyd meddwl neu ofal cymdeithasol. Ymrwymodd y Llywodraeth i weithio ar ganllawiau fyddai'n sicrhau mynediad at eiriolaeth i'r plant a'r bobl ifanc sydd angen hynny mewn lleoliadau iechyd, ond mae gwaith ar hynny wedi dod i ben yn sydyn yn ystod y pandemig. Gallai'r Pwyllgor weld hyn fel y cam nesaf wrth sicrhau mynediad plant at eu hawliau trwy'r gefnogaeth angenrheidiol, gan adeiladu ar waith cryf presennol y Pwyllgor blaenorol ym maes gofal cymdeithasol.

Gofal Parhaus i Blant a Phobl Ifanc

Lle mae plentyn neu berson ifanc yn gymwys i dderbyn gofal parhaus i blant a phobl ifanc (CYP CC), rhaid i asiantaethau fel iechyd, addysg a gofal cymdeithasol gydweithio i sicrhau nad oes bylchau wrth ddiwallu'r anghenion a aseswyd. Mae Gofal Parhaus i Blant a Phobl Ifanc yn galw am waith cryf mewn partneriaeth rhwng asiantaethau. Fodd bynnag, trwy ein gwaith achosion rydyn ni wedi canfod bod cyfathrebu'n dal yn broblem benodol y mae teuluoedd yn ei hamlygu wrthyn ni yn rheolaidd, gwaetha'r modd, yn ogystal â dadleuon rhwng asiantaethau ynghylch cyllid.



Er bod canllawiau 2019 yn eu lle, mae ein trafodaethau gyda gweithwyr proffesiynol a theuluoedd yn awgrymu nad yw hynny wedi creu'r newidiadau gofynnol yn ymarferol. Mae canfyddiad bod penderfyniadau'n aml yn dal i gael eu harwain gan adnoddau, yn hytrach nag angen, ac mae diffyg tryloywder yn y prosesau, gan gynnwys yng nghyswllt apeliadau. Mae cyffordd yn y system yn 18 oed, pan fydd pobl ifanc yn symud i mewn i Ofal Iechyd Parhaus y GIG, a gall hynny greu newid o ran cymhwysedd a'r angen am ailgychwyn y broses o ganfod, asesu a diwallu anghenion.

Nid yw'r canllawiau diwygiedig wedi rhoi sylw i hyn. Fel rhan o'r craffu ynghylch diwygio ehangach ar ofal cymdeithasol, gan gynnwys beth bynnag a gyflwynir o'r papur gwyn diweddar ar ddiwygio gofal cymdeithasol, mae angen mwy o ffocws ar weithio priodol ar y cyd rhwng asiantaethau. Efallai bydd y Pwyllgor yn dymuno derbyn tystiolaeth ar hyn gan asiantaethau perthnasol a hefyd gan deuluoedd, er mwyn trafod y rhwystrau a'r heriau presennol a gwneud argymhellion i'r Llywodraeth eu hymgorffori mewn unrhyw becynnau dilynol o ddiwygiadau.

[Llety heb ei reoleiddio i rai o dan 18 oed](#)

Mae hwn yn faes sy'n derbyn sylw trwy newid rheoliadol yn Lloegr, ond y bu llai o graffu arno yng Nghymru hyd yma.

Mae'r newidiadau yn Lloegr wedi arwain at lawer o drafodaeth, a bydden ni'n dadlau o blaid archwiliad pellach o'r ffyrdd gorau o sicrhau bod pob plentyn sy'n derbyn gofal yn cael y gofal hwnnw mewn lleoliadau diogel sy'n diwallu eu hanghenion. Rydyn ni wedi gofyn i'r Llywodraeth sicrhau bod ganddyn nhw'r data cywir ynghylch unrhyw ddefnydd o ofal heb ei reoleiddio i rai o dan 18 oed yng Nghymru, ac i ystyried pa newidiadau sy'n angenrheidiol i Ddeddf Rheoleiddio ac Arolygu Gofal Cymdeithasol (Cymru) i gryfhau'r arolygu a'r rheoleiddio ar leoliadau nad ydynt yn cael eu cwmpasu gan y Ddeddf ar hyn o bryd.

Mae fy Swyddfa wedi bod yn gwthio am ddatblygu opsiynau llety ar gyfer plant ag anghenion cymhleth, sy'n aml yn methu cael hyd i leoliadau, yn agos at eu cartrefi, sy'n gallu darparu'r cymorth therapiwtig mae arnyn nhw ei angen. Rydyn ni wedi galw hefyd am ddatblygu mwy o opsiynau llety ar gyfer ymadawyr gofal.

Byddai ymchwiliad gan y Pwyllgor yn helpu i ganfod gwahanol arlliwiau'r maes hwn ac yn ceisio cyflwyno argymhellion ynghylch sut gellid gwella digonolrwydd a thirlun y ddarpariaeth yng Nghymru, er mwyn sicrhau bod llety addas a diogel ar gael i bob plentyn ar hyd eu cyfnod mewn gofal ac wrth adael gofal. Dylai geisio archwilio hefyd pam a pha mor aml mae opsiynau gofal heb eu rheoleiddio yn cael eu defnyddio ar gyfer plant a phobl ifanc.



Health and Well-being

The Commissioner has been pushing Regional Partnership Boards to implement multiagency responses to flaws in the current system of support for children with complex needs, and emerging mental health, behavioural or emotional issues. Taking account of many of the themes identified in the predecessor Committee's Mind Over Matter report, the Commissioner has worked with the Together for Children and Young People programme who we are pleased to say have developed the NEST / NYTH framework. Turning this framework into a reality will be challenging and require sustainable support from Welsh Government. We believe the framework has the potential to go a long way towards achieving a No Wrong Door approach but close monitoring will still be required.

A large part of a 'no wrong door' approach is to recognise the need for all children experiencing severe distress, in whatever form that takes, and for services to respond in a way which meets the needs of the child. Too often, access to any support is based upon a diagnosis. More needs to be done to recognise neurodiversity and that while some children may not have a diagnosable condition they may still need the support of neurodevelopmental services and others. The regular co-occurrence of neurodiversity and mental health problems needs to be recognised in coherent pathways and a joined-up response. Proposals for an Autism specific Code of practice potential risks overlooking or sidelining these children and families' needs. The Committee may wish to explore joint working with the Health and Social Care Committee in this field.

Health Advocacy

The Committee has undertaken a number of inquiries on statutory advocacy in children's social care, resulting in the implementation of a National Approach to Statutory Advocacy. Advocacy is a vital safeguard for children and young people, and is necessary in some cases to help young people understand and participate in decisions being made about their care, as is their right.

There is limited access to advocacy in health settings for those not eligible for social care or mental health advocacy. The Government committed to working on guidance to ensure access to advocacy for those children and young people who need it in health settings but work on this has stalled during the pandemic. The Committee may see this as the next step in ensuring children's access to their rights through the necessary support, building on the existing strong work of the previous Committee in the social care field.



Children and Young People's Continuing Care

Where a child or young person is eligible for children and young people's continuing care (CYP CC), agencies such as health, education and social care must work together to ensure that there are no gaps in meeting the assessed needs. CYP Continuing Care requires strong partnership working between agencies. However, through our casework we've found that communication remains a particular issue that families unfortunately regularly highlight to us, as well as arguments between agencies over funding.

Whilst there is 2019 guidance in place, our discussions with professionals and families suggest that this has not resulted in the required changes in practice. Decision making is still often perceived as being led by resource and not need, and there is a lack of transparency in the processes, including around appeals. There is a junction in the system at age 18 when young people move into NHS Continuing Healthcare and this can result in a change in eligibility and the need to restart the process of identifying, assessing and meeting needs.

The revised guidance has not addressed this. As part of scrutiny around wider reforms to social care, including whatever is brought forward from the recent white paper on reforming social care, more focus is needed on proper joint working between agencies. The Committee may wish to take evidence on this from relevant agencies and also families, in order to air the current barriers and challenges and make recommendations to the Government to incorporate into any subsequent package of reforms.

Unregulated accommodation for under 18s

This is an area that is being addressed through regulatory change in England but which has had less scrutiny in Wales to date.

The changes in England have given rise to much debate and we would advocate further examination of the best ways to ensure that all children who are looked after are cared for in safe settings that meet their needs. We've asked the government to ensure it has the correct data on any use of unregulated care in Wales for under 18s and to consider which amends are necessary to the Regulation and Inspection of Social Care (Wales) Act to strengthen inspection and regulation of settings not currently within the remit of the Act.

My Office has been pushing for the development of accommodation options for children with complex needs, who often fail to find placements, close to home, that can provide the therapeutic support they require. We have also called for more accommodation options to be developed for care leavers.



An inquiry by the Committee would help to draw out the nuances of this area and seek to make recommendations as to how the sufficiency and landscape of provision in Wales could be improved to ensure all children have suitable and safe accommodation available to them throughout their time in and upon leaving care. It should also seek to explore why and how often unregulated care options are used for children and young people.

Thema 4: Plant a phobl Ifanc | Theme 4: Children and young people

[Incwm Sylfaenol Cyffredinol \(UBI\)](#)

Er nad mater penodol i blant a phobl ifanc yw hwn, efallai bydd y Pwyllgor am fynd ar ôl ymchwiliad ar y cyd â Phwyllgorau eraill perthnasol i archwilio manteision peilot UBI yng Nghymru. Rhaid sicrhau bod taclo tlodi plant yn nod clir i fuddsoddiadau megis UBI a byddai archwilio'r gwahanol fodolau a buddion i'w groesawu wrth ffurfio'r prosiect hwn, a allai fod yn gyffrous, yn benodol yng nghyswllt anghenion teuluoedd a chymunedau yng Nghymru.

[Cymhwysedd i dderbyn Prydau Ysgol am ddim \(e-FSM\)](#)

Yn gysylltiedig â'r pwyntiau uchod ar daclo tlodi plant, byddai cymharu ag awdurdodaethau eraill y Deyrnas Unedig ynghylch dangosyddion cymhwysedd prydau ysgol am ddim hefyd yn golygu craffu ar drosolion datganoledig i liniaru effeithiau tlodi i blant. Mae'r Llywodraeth wedi cynnig adolygu cymhwysedd a throthwyon, ond nid oes manylion yn dod i'r amlwg hyd yma. Mae'n debygol y bydd angen mewnbwn y Pwyllgor i symud hyn ymlaen i'r graddau llawnaf sy'n angenrheidiol.

[Cefnogaeth ar gyfer Craffu gan y Pwyllgor Plant, Pobl Ifanc ac Addysg](#)

Roedd y **Senedd Ieuentid** yn ychwanegiad pwysig i'r tirlun craffu yn ystod y Tymor diwethaf. Efallai bydd y Pwyllgor yn dymuno archwilio sut mae alinio a mwyafu'r prosesau craffu trwy gydweithio â'r Senedd Ieuentid; byddwn i'n fodlon i'm rôl innau, er enghraifft, fod yn destun craffu mewn modd o'r fath, er mwyn bod yn uniongyrchol atebol i blant a phobl ifanc.

[Argyfwng yr Hinsawdd](#)

Yn fy nogfen maniffesto '[Hapus, Iach a Diogel](#)' ar gyfer etholiad Senedd 2021, fe wnes i gynnwys galwad am gynnwys pobl ifanc yn weithredol mewn cynlluniau i fynd i'r afael ag argyfwng yr hinsawdd. Gallai hyn fod yn gyfle pellach i'r Pwyllgor ymgymryd â darn o waith dan arweiniad plant a phobl ifanc, a'u cynnwys yn llawn.



Universal Basic Income

Whilst this is not an issue specific to children and young people, the Committee may wish to pursue a joint inquiry with other relevant Committees to explore the benefits of a UBI pilot in Wales. Tackling child poverty much be a clear goal of investments such as UBI and an exploration of the different models and benefits would be welcome in shaping this potentially exciting project, specific to the needs of families and communities in Wales.

Eligibility for Free School Meals (e-FSM)

Related to the above points on tackling child poverty, comparison with other UK jurisdictions around the eligibility indicators for free school meals would also give scrutiny to devolved levers to allieviate the effects of poverty for children. The Government have proposed to review eligibility and thresholds but there are no details forthcoming to date. The input of the Committee is likely to be needed to progress this to the fullest extent necessary.

Support for CYPE Committee scrutiny

The **Senedd Ieuenctid** was an important addition to the scrutiny landscape in the last Term. The Committee may wish to explore how to align and maximise the scrutiny proceses through collaboration with the Senedd Ieuenctid; I would be happy for my role for example to be subject to scrutiny in such a way in order to be directly accountable to children and young people.

Climate crisis

In my '[Happy, Healthy and Safe](#)' manifesto document for the 2021 Senedd election, I included a call for young people to be actively involved in plans to tackle the climate crisis. This could present a further opportunity for the Committee to undertake a piece of work led by and fully involving children and young people.

