

## WELSH GOVERNMENT RESPONSE TO THE RECOMMENDATIONS FROM THE CHILDREN, YOUNG PEOPLE AND EDUCATION COMMITTEE REPORT: EVERYBODY'S AFFECTED - PEER ON PEER SEXUAL HARASSMENT AMONG LEARNERS

### Minister for Education and Welsh Language; Minister for Social Justice September 2022

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The testimonials on *Everyone's Invited* and the evidence provided within Estyn's report have made for uncomfortable reading; it is difficult to accept the reality that is the lived experience of some of our children and young people.

It is our duty to listen, but more importantly to act, to give children and young people in Wales the opportunity to grow up free from damaging and limiting ideas around gender roles, power and control and give them the tools to be empowered to call out unacceptable behaviours.

We must work with children and young people to educate on the importance of safe, equal and healthy relationships; and that harmful behaviour is always wrong. It is also important to work with adults to support them to model appropriate behaviour and uphold children and young people's rights to equality, information and safety.

I recognise that whilst educational settings have an important role, so do the other adults and organisations that affect learners' lives. I also recognise the need to empower children and young people to input their views in to our work which is why I particularly welcome the recommendations relating to capturing the voice of the child, for example through young people's advisory groups.

I would like to thank the members of the Children, Young People and Education Committee for their report. The report and the recommendations provide a valuable steer to our work in this space and will directly influence the multi-agency action plan on peer on peer sexual harassment.

I have set out my response to the Report's individual recommendations below.

**Recommendation 1.** The Welsh Government and Estyn must adopt/continue to use the definition of sexual harassment used by Estyn in its 2021 report 'We Don't Tell our Teachers', including the specific examples of peer on peer sexual harassment Estyn used in its work with pupils *Page 24*

#### **Response: Accept**

The multi-agency action plan under development adopts this definition and will be the definition utilised when commissioning any further research or reviews in this space.

**Financial Implications** – None. Any additional costs will be drawn from existing programme budgets.

**Recommendation 2.** The Welsh Government must create a Young People's Advisory Board, made up of a representative sample of young people across Wales, to co-design the Welsh Government's response to peer on peer sexual harassment. *Page 25*

**Response: Accept**

Ensuring our work is relevant and meets the needs of our children and young people is vital. We will work with relevant partner organisations on establishing this, ensuring to link in and maximise existing groups and networks where this is appropriate and would add value.

We recognise the central role the online component plays in peer on peer sexual harassment highlighted in Estyn's 'We don't tell our teachers' report. Ensuring that the voice of children and young people is at the heart of our response is vital, and as part of the work being taken forward this year, we will be establishing a children and young people's advisory panel for digital resilience. Panel members will be invited to share their online experiences and provide opinions and insight that will shape and inform the direction of our work.

**Financial Implications** – None. Any additional costs will be drawn from existing programme budgets.

**Recommendation 3.** The Welsh Government must carry out an awareness-raising campaign, co-designed with the Young People's Advisory Board (see Recommendation 2), targeted at learners across Wales, to improve understanding of what constitutes sexual harassment. *Page 25*

**Response: Accept**

We understand the importance of communicating with children and young people, and have, over several years, developed clear and simple content in appropriate formats, most recently in relation to introducing the new Curriculum for Wales and the teaching of Relationships and Sexuality Education in the new Curriculum for Wales.

We will work with the Young People's Advisory Board and our stakeholders to develop an awareness raising campaign around peer-on-peer sexual harassment, ensuring that all messaging/visual content is tested with children and young people. We will also consider the findings of recent research undertaken with young people across Wales on the how they would like to receive communications from Welsh Government.

Recognising the importance of healthy and respectful attitudes online, we have collaborated with the Football Association of Wales (FAW) to raise awareness of the importance of speaking out against sexual harassment on social media with the thought provoking film 'Calling Out: Online Sexual Harassment'. The film includes

open conversations between Cymru international footballers Joe Allen, Lily Woodham, Esther Morgan and Joe Morrell, empowering young people to understand, challenge and safely report inappropriate sexual behaviour online.

We will continue to work in collaboration with partners and experts to raise awareness and tackle this critical issue.

**Financial Implications** – Yes. Costs for campaign development, message testing with children and young people would be required. Depending on scope, initial budget would need to be £40,000 and will be drawn from existing programme budgets.

**Recommendation 4.** The Welsh Government must commission a review into peer on peer sexual harassment among primary school-aged children, drawing on the expertise and guidance of children's charities, academics and the Children's Commissioner for Wales as appropriate. *Page 37*

**Response: Accept**

It would be beneficial to have a greater understanding about children's experiences of gender based bullying or sexual harassment in primary settings and listening to children would be an essential part of any review into this area. However, the participation of children in any learning or discussion on themes of this nature must be developmentally appropriate and topics of discussion should be relatable to children's own experiences and understanding (experience-near). We will therefore take forward discussions with key stakeholders to determine the scope of the review and provide further details to the committee in due course.

**Financial Implications** – None. Any additional costs will be drawn from existing programme budgets.

**Recommendation 5.** The Welsh Government must update its statutory guidance to ensure that local authorities collect data from schools on sexual harassment specifically on a monthly basis, analyse that data to identify trends and patterns, and report on their findings at least annually. The data should:

- be collected on the basis of the definition of sexual harassment adopted by Estyn in its 2021 report; and
- be broken down by the nine protected characteristics of the Equality Act 2010 to support schools, local authorities and the Welsh Government to discharge their duties under the Public Sector Equality Duty. *Page 47*

**Response: Accept**

Whilst an update to the current anti-bullying guidance, 'Rights, Respect, Equality' will be published in early Autumn, this is a living document which will continue to be developed and updated. While the Welsh Government is clear that we expect both schools and local authorities to collect data on all forms of bullying and harassment,

including sexual harassment, the data currently collected across Wales is inconsistent.

As part of the wider work being scoped and delivered to collect data at a national level, the Welsh Government will also consider how data is collected at a local authority level and how this data is reported.

In principle, we accept that this data should:

- be collected on the basis of the definition of sexual harassment adopted by Estyn in its 2021 report; and
- be broken down by the nine protected characteristics of the Equality Act 2010 to support schools, local authorities and the Welsh Government to discharge their duties under the Public Sector Equality Duty.

In the meantime, we will ensure that the agreed definition of sexual harassment is incorporated within the revised guidance, and also commit to exploring placing a requirement on schools and LA's to analyse and report data on sexual harassment.

**Financial Implications** — None. Any additional costs will be drawn from existing programme budgets.

**Recommendation 6.** Estyn must include within its inspection framework for routine school inspections, no later than January 2023, consideration of schools' approaches to keeping records of incidents of peer on peer sexual harassment specifically, how schools interrogate that data to identify trends and patterns, and the extent to which that data informs the development of school-based interventions. Such an approach must not penalise or reflect badly on schools simply because they have cases of sexual harassment, but focus on how well schools collect and data and act on that data. *Page 47*

**Response: Accept**

Estyn accepts this recommendation. Safeguarding learners continues to be an important focus in Estyn inspections. For example, within the inspection area 'care, support and guidance' inspectors evaluate and report on how well schools create a culture of safeguarding to help keep learners safe. Inspectors also consider how well a school or PRU:

- responds to, records, and addresses any alleged incidents relating to bullying, including those involving protected characteristics; prejudice-related bullying, harassment and discrimination, whether by staff or by fellow pupils, including onward referral and reporting where appropriate;
- develops pupils' knowledge and understanding (in line with their stage of development) of emotionally damaging or unsafe behaviours, for example grooming, sexual harassment, discrimination, bullying and extremism;
- keeps pupils safe from the dangers of radicalisation and exploitation;
- uses its arrangements to promote and support an anti-bullying culture and a positive approach to managing pupils' behaviour, including the appropriate use of exclusions; and

- uses their records to improve the quality of provision

The issue of how well schools record and respond to incidents of peer-on-peer sexual harassment was considered in detail in Estyn's thematic report, 'We Don't Tell our Teachers'. Inspectors will consider the effectiveness of the systems and processes used for staff to record concerns and actions and how well they use monitoring systems and stakeholders' views to evaluate the quality of their work and to plan for improvement. One of the recommendations for schools is to:

*'Improve the way they record, categorise and analyse incidences of harassment and bullying. Records should include details about the nature and type of incidences, the impact on the victim and appropriate actions in response to both perpetrators and victims. Leaders should ensure they review records regularly and evaluate the impact of their actions on pupils' wellbeing.'*

Estyn also recommended that local authorities improve recording of incidents and suggested they:

*'Work with schools to collect and categorise and analyse all bullying and harassment data correctly and comprehensively. In addition, support schools to analyse this information regularly to identify trends and put restorative arrangements in place.'*

**Financial Implications** – None. Any additional costs will be drawn from existing programme budgets.

**Recommendation 7.** The Welsh Government must ensure that any reviews into peer on peer sexual harassment in Further Education and primary schools consider how effectively schools and colleges collect, categorise and analyse sexual harassment data to identify trends and develop school-/college-based interventions. *Page 48*

### **Response: Accept**

With regard to Estyn's current thematic review of peer-on-peer sexual harassment in further education, the Welsh Government has requested Estyn to ensure that this aspect is included.

Similarly, we will also request that any future reviews/research within primary schools includes considering the effectiveness of data collection and analysis.

**Financial Implications** – None. Any additional costs will be drawn from existing programme budgets.

**Recommendation 8.** The Welsh Government must ensure that pupils are taught about the underlying causes of peer on peer sexual harassment – such as unhealthy depictions of sexual relationships and behaviours across society amplified by pornography, social media, online gaming platforms and others - as part of current Personal and Social Education and future Relationships and Sexuality Education curricula. *Page 56*

**Response: Accept**

The world around us is evolving rapidly and significantly. As a society we are becoming ever more aware of changing family structures and relationships; shifting social, cultural and religious norms in relation to sex, gender and sexuality; advances in technology including the rising influence of social media and increased use of digital communications and devices; changing laws and rights around relationships, sex, gender and sexuality.

RSE is an important support in enabling learners to navigate these changes. Understanding how relationships are formed, developed and maintained enables children and young people to develop skills and attitudes to support them in their own relationships throughout their lives. These may include family relationships, friendships, professional relationships, romantic and sexual relationships. Learning about both relationships and sexuality supports young people to develop the knowledge and skills needed to make sense of their thoughts and feelings and to effectively navigate rapidly changing influences. Learners need to be supported to respond to these and, where appropriate, feel equipped to challenge harmful stereotypes and perceptions and seek help and support.

The mandatory RSE Code, at a developmentally appropriate phase, includes learning on:

***Understanding the impacts associated with sexual material and intimacy online, including the ethical and legal implications.*** And, ***“An awareness of how sexual material and media often represents gender, sexual activity, bodily appearance and relationships in unrealistic and harmful ways.”***

Through the ‘Keeping safe online’ area of Hwb, we provide a range of resources and guidance to support schools to educate learners on considerate and respectful behaviour online.

This has included working with expert partners such as **Childnet International** to publish age-appropriate toolkits for practitioners to address online sexual harassment in schools and empower learners to ask for help if they need it. The **‘Just a joke?’** and **‘Step up, speak up’** toolkits include a series of lesson plans and activities that address online sexual harassment in an age-appropriate way and raise awareness of unacceptable online behaviours to prevent them from becoming normalised.

**Financial Implications** – None. Any additional costs will be drawn from existing programme budgets.

**Recommendation 9.** The Welsh Government must treat peer on peer sexual harassment as an Adverse Childhood Experience and ensure that it prioritises, and allocates resources to its response to peer on peer sexual harassment accordingly. *Page 62*

**Response: Reject**

Adverse Childhood Experiences, or ACEs, refers specifically to a group of ten intra-familial sources of childhood adversity and trauma (i.e. events where parents may have some control), which have been the subject of extensive research for over 25 years. Studies from around the world, including those undertaken in Wales by Public Health Wales, have consistently found a strong association between these ten ACEs and poorer health and wellbeing outcomes across the whole life course. However, reservations have been expressed that focusing on just the ten ACEs ignores the existence and impact of a wider range childhood adversity, including extra-familial events and circumstances over which parents might have little or no control. This includes structural and social inequalities like poverty and discrimination, in all forms. This was an issue which was identified during the review of the Welsh Government's ACEs policy, undertaken in 2020. One of the review's key recommendations was for the Welsh Government to take a more holistic view to tackling childhood adversity and trauma and to extend the policy's reach beyond the ten ACEs, to include other sources of adversity.

The Welsh Government is currently developing an ACEs plan. The plan will be built on the ACE's evidence base but will recognise other sources of childhood adversity which also prevent children from having the best possible start in life and the opportunity to achieve their potential. Experiences like peer-to-peer sexual harassment would be encompassed within this broader definition of, and approach to tackling childhood adversity, alongside issues like bullying, racism, additional learning needs and chronic illness and bereavement.

Training in ACEs has been offered to all schools in Wales. We plan to undertake a review and refresh the existing training materials, in light of the planned changes to the Welsh Government's ACEs policy and the recent publication of a trauma-informed practice framework for Wales. The framework has adopted a holistic approach to sources of trauma and adversity, not just those included in the current list of ten ACEs. The Welsh Government's ACEs plan will be published this autumn.

**Financial Implications** – N/A

**Recommendation 10.** The Welsh Government must, alongside the Young People’s Advisory Board (see Recommendation 2), carry out a review into the support provided to young people who have experienced peer on peer sexual harassment, with a view to making recommendations to schools, local authorities and others as required to improve the quality and timeliness of that support. *Page 62*

**Response: Accept**

Considering the level and efficacy of the support provided to children and young people is important in helping to design and inform future interventions and there are existing data sources we can draw from. For example, the Estyn thematic review in to peer on peer sexual harassment provides rich data on the experiences of young people with questions and activities that relate young people's ideas about how settings best respond to and prevent peer sexual harassment. The findings from the Committee’s engagement with young people aged 11 to 18 also provides valuable data.

Rather than an isolated review, the engagement work that will be undertaken as part of updating the Rights, Respect and Equality guidance, and the development of the whole school approach to RSE, will provide an opportunity to consider the support provided to children and young people who have experienced peer on peer sexual harassment.

It is also important to consider intersectionality with other issues and as such we will need to ensure that any subsequent recommendations take in to account learners lived experiences and background. We will therefore need to align with the LGBTQ+ action plan, RSE implementation and the Anti Racists Wales Action Plan.

**Financial Implications – None.** Any additional costs will be drawn from existing programme budgets.

**Recommendation 11.** The Welsh Government must ensure that schools and colleges create a culture in which sexual harassment is unacceptable, reports of sexual harassment are taken seriously and responded to promptly and consistently. *Page 93*

**Response: Accept**

Estyn’s report, ‘We don’t tell our teachers: experiences of peer-on-peer sexual harassment among secondary pupils in Wales’, found that peer-on-peer sexual harassment is more prevalent online and outside school than in school.

Whilst it acknowledged this is a wider societal issue, we recognise that creating an ethos and culture of rights, respect and equity within schools is key to tackling peer-



to-peer sexual harassment and its impact on children and young people. Welsh Government officials are developing a Whole School Approach to RSE which will set out guidance for schools to create this culture throughout education settings and will go further than the teaching of RSE in the classroom. This is expected to be published in Spring 2023.

This Whole School Approach will also link to our statutory anti-bullying guidance, 'Rights, Respect, Equality' which includes sexual harassment.

To ensure all schools in Wales embed a culture where sexual harassment online is recognised as unacceptable and dealt with appropriately, we will provide all education practitioners and school staff with training opportunities. The training which will be available from Autumn 2022 is designed to support all staff to understand, prevent and have the confidence to respond to incidents effectively.

The draft LGBTQ+ Action Plan published in 2021, and the forthcoming updated LGBTQ+ Action Plan, aim to address, through concrete actions, issues concerning physical or sexual harassment and violence, as well as hate crime against LGBTQ+ people – the latter one continuing to rise, most notably against trans people.<sup>1</sup>

These messages will also be reinforced through the national awareness raising campaign.

**Financial Implications** – None. Any additional costs will be drawn from existing programme budgets.

**Recommendation 12.** Estyn must include within its inspection framework for routine school inspections specific consideration of how schools and colleges respond to and support learners who have reported and/or experienced sexual harassment, and to address the behaviour of individuals who have perpetrated it. Such an approach must not penalise or reflect badly on schools simply because they have cases of sexual harassment but focus on how well schools deal with cases and support pupils. *Page 94*

### **Response: Accept**

Estyn accepts this recommendation. Estyn recognises that schools have an important role in dealing with the problem of peer-on-peer sexual harassment and agree with the report that it is not the sole responsibility of schools to deal with the issue of peer-on-peer sexual harassment. In Estyn's thematic report they highlighted that peer-on-peer sexual harassment is a societal issue and that parents as well as relevant external agencies have an important role to support schools in educating young people about this issue. Estyn have revised their inspection guidance within

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<sup>1</sup> Hate Crime Figures Available Online at: [Hate crime, England and Wales, 2017 to 2018 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/statistics/hate-crime-england-and-wales-2017-to-2018); <https://www.gov.uk/government/statistics/hate-crime-england-and-wales-2018-to-2019> ; <https://www.gov.uk/government/statistics/hate-crime-england-and-wales-2019-to-2020>

the inspection 'Care Support and Guidance' to ensure that inspectors consider how well a school or PRU:

- provides well-considered support for pupils' physical and mental health and wellbeing;
- helps pupils to understand issues relating to equality, diversity and inclusion and develops the values of respect, empathy, courage and compassion;
- fosters shared values, such as honesty, fairness, justice and sustainability;
- helps pupils to understand the needs and rights of others, both locally and as members of a diverse world, and promotes human rights;
- challenges stereotypes in pupils' attitudes, choices and expectations; and
- promotes principles that help pupils to distinguish between right and wrong

Inspectors will continue to engage in internal professional dialogue to discuss how to include specific activities to enable them to further evaluate how well schools record and respond to incidents of sexual harassment and how well they address the behaviour of perpetrators. Although inspectors will consider these aspects, they will only report by exception, if there is particularly strong or weak practice.

**Financial Implications** – None. Any additional costs will be drawn from existing programme budgets.

**Recommendation 13.** The Welsh Government must make ring-fenced funding available to schools for all school staff to undertake training on identifying, responding to, and reporting peer on peer sexual harassment. That funding should include provision for schools to provide cover for teachers who are taken out of class, if necessary. *Page 94*

**Response: Accept**

We recognise the importance of professional learning (PL) in relation to all aspects of the curriculum relating to relationship and sexuality education. Schools are already allocated grants that are ring-fenced for professional learning, and they are in receipt of guidance in respect of how they can invest in PL and how they can use the grants to cover teachers who are undertaking PL activities.

Ultimately, decisions about PL are for Headteachers to make in response to the needs of their learners and practitioners, though all schools will recognise the PL requirements that will come from the realisation of the new curriculum and a whole-school approach to RSE. From September 2022 onwards, we will ensure that resources are directly allocated to the Professional Learning practitioners need to realise RSE and issues within that area including sexual harassment.

**Financial Implications** – None. Any additional costs will be drawn from existing programme budgets.

**Recommendation 14.** The Welsh Government must work alongside Estyn, relevant academics, and the Young People’s Advisory Board (see Recommendation 2) to gather and collate examples of sex and relationships education that learners consider to be effective in addressing peer on peer sexual harassment, with a view to creating a bank of resources for schools and colleges to facilitate the sharing of good practice across Wales. These, alongside the RSE Code where appropriate and possible, must inform the provision of sex and relationships education to older learners whose year groups are not covered by the Curriculum for Wales. *Page 95*

**Response: Accept**

The Curriculum division will work with practitioners, partners and stakeholders (including those set out above) to review RSE resources and identify effective resources that align to the RSE Code for sharing nationally on Hwb.

Whilst there is no standardised curriculum within further education, we will explore the opportunities to collate and share best practice for colleges.

**Financial Implications – None.** Any additional costs will be drawn from existing programme budgets.

**Recommendation 15.** The Welsh Government must write to local authorities and/or schools to ensure that schools have clear policies on acceptable mobile phone use by learners throughout the school day, those policies are well-communicated to learners, staff and parents, and are consistently enforced by school staff. *Page 96*

**Response: Accept**

The use of mobile phones in schools is included the Welsh Government [Behaviour management in the classroom: guidance for secondary schools](#). This guidance dates back to 2012 and all areas of technology have evolved considerably in the last 10 years. My officials will consider changes that might be required to this guidance alongside the [All Wales attendance policy](#) and the [Exclusion from schools and pupil referral units guidance](#).

**Financial Implications – None.** Any additional costs will be drawn from existing programme budgets.

**Recommendation 16.** The Welsh Government must publish the findings of the 2019 review that was carried out into the Wales police schools programme. *Page 96*

**Response: Accept**

The Deputy Minister for the Mental Health and Wellbeing has provided the Committee with the findings of the review of the Wales Police Schools Programme that was conducted in 2019. We understand that this will be published by the Committee.

**Financial Implications – None.** Any additional costs will be drawn from existing programme budgets.

**Recommendation 17.** The Welsh Government must work with local authorities to create and maintain databases of third sector organisations that provide support services for schools and colleges that could assist them in their response to peer on peer sexual harassment. *Page 97*

**Response: Accept**

The Safeguarding in Education Group (SEG) is a network of education safeguarding professionals from local authorities and other organisations across Wales which contributes to the development of effective safeguarding policy and practice in education services. We work with the SEG to discuss a range of issues which impact on safeguarding matters, within education and on a multi-agency basis, and provide mutual support and share good practice. We propose to work with SEG to compile this database.

**Financial Implications – None.** Any additional costs will be drawn from existing programme budgets.

**Recommendation 18.** As part of its wider work on raising awareness of peer on peer sexual harassment in schools, the Welsh Government, alongside the Young People's Advisory Board (see Recommendation 2), must carry out an awareness raising campaign targeted at parents and families to:

- raise awareness of peer on peer sexual harassment, including how and when it is perpetrated and the impact of sexual harassment on young people;
- help parents and families talk to and support their children, including to address their children's inappropriate behaviour, if necessary; and
- improve understanding of the risks of young people accessing inappropriate online content/platforms, the age restrictions associated with those platforms, and what steps parents can take to limit their children's online access. *Page 98*

## **Response: Accept**

We understand the importance of communicating effectively with parents and carers and have, over several years, developed awareness raising campaigns targeting parents/carers on a wide range of topics in education, most recently in relation to the teaching of Relationships and Sexuality Education in the new Curriculum for Wales.

We will look at how we can utilise the 'Call Out Only' campaign to develop messaging for parents/carers around peer-on-peer sexual harassment, taking into consideration lessons learned from previous parental campaigns and activity already taking place around RSE.

We will work with children and young people to educate on the importance of safe, equal and healthy relationships; and that harmful behaviour is always wrong. We must give children and young people in Wales the opportunity to grow up free from damaging and limiting ideas around gender roles, power and control and give them the tools to be empowered to call out unacceptable behaviours.

We must also work with adults to support them to model appropriate behaviour and to empower children and young people's rights to equality, information and safety.

We recognise that whilst educational settings have an important role, so do the other adults and organisations that affect learners' lives. We also recognise the need to empower all learners, regardless of age, in tackling sexual harassment.

Estyn's findings confirmed that children and young people turn more to the internet for support and guidance rather than talking with parents or other adults.

We continue to promote and raise awareness of the peer on peer sexual harassment online and the support available to children and young people and their parents carers through the Keeping safe online area of Hwb. As part of the 'online issues and worries' area on Hwb co-constructed with children and young people they can access advice to develop their understanding of online sexual harassment.

Acknowledging the important role that parents and carers play in addressing children and young people's behaviour online, the 'In the Know' guides on Keeping safe online provide parents and carers with information on the latest and most popular 'apps', social networks and games used by children and young people. The guides provide information for parents and carers on how these apps are used, highlight risks and concerns the apps pose and provide advice and tips on their suitability for children and young people.

In addition to this we will further develop our resources for families with a focus on supporting improved cooperation and communication between schools, learners and their parents/carers in addressing the issue of online sexual harassment.

**Financial Implications** – Yes. Costs for campaign development, message testing with children and young people would be required. Depending on scope, initial budget would need to be £40,000 and will be drawn from existing programme

budgets.

**Recommendation 19.** The Welsh Government must publish its statutory national trans guidance for schools and local authorities no later than January 2023. *Page 98*

**Response: Accept in Principle**

Welsh Government officials are currently working on guidance for schools to support Trans children and young people. This will form part of wider guidance on a whole school approach to Relationships and Sexuality Education (RSE).

While we recognise the urgency in publishing guidance for schools, this is statutory guidance and will therefore require a public consultation exercise, and extensive engagement with children, young people and education practitioners. We aim to publish the guidance in Spring 2023.

**Financial Implications – None.** Any additional costs will be drawn from existing programme budgets.

**Recommendation 20.** The Welsh Government must amend its Violence Against Women, Domestic Abuse and Sexual Violence strategy to acknowledge the impact of peer on peer sexual harassment on the safety and wellbeing of female learners, and that tackling peer on peer sexual harassment in and around educational settings must be included in any future workstream arising from that strategy. *Page 98*

**Response: Accept in Principle**

The Welsh Government has already recognised the need to take forward this work and included this within the Blueprint structure for delivering the Violence Against Women, Domestic Abuse and Sexual Violence (VAWDASV) National Strategy.

One of the objectives set out in the VAWDASV National Strategy is to increase awareness in children, young people and adults of the importance of safe, equal and healthy relationships and empowering them to positive personal choices. This work will be taken forward as part of the Blueprint approach for delivery which includes a working group on the issues affecting children and young people. This group will bring together devolved and non-devolved organisations as well as representatives from the specialist sector to determine the relevant priorities in this space and maintain a focus on delivering for children and young people who are victims of VAWDASV including peer on peer sexual harassment. This working group will take forward the governance of the Welsh Government peer on peer sexual harassment action plan.

The strategy was developed in collaboration with partners and was published for a public consultation. Consultation events were run on our behalf by partner organisations including ones focussed on engaging with children and young people.

This consultative approach shaped the final version of the strategy and highlighted the need for the children and young people workstream.

**Financial Implications** – None. Any additional costs will be drawn from existing programme budgets.

**Recommendation 21.** The Welsh Government must publish the LGBTQ+ action plan no later than autumn 2022. The action plan must acknowledge the scale and impact of sexual harassment on LGBTQ+ learners, and set out how the Welsh Government will support schools and others to address it. *Page 99*

**Response: Accept**

The revised LGBTQ+ Action Plan is scheduled for publication by late Autumn 2022, as expressed by the Deputy Minister for Social Justice Hannah Blythyn MS in her Oral Statement on 21 June 2022 titled “Pride and Progress on the LGBTQ+ Action Plan”.<sup>2</sup> However, as we finalise the updated version of the Action Plan, LGBTQ+ Policy Officials and action owners are already making progress towards achieving the actions shown in the draft action plan published in July 2021. A dedicated section covers “Education”, including inclusive curriculum, RSE and Transgender Guidance for Schools; but also sections on bullying and hate crimes, and our dedicated actions and ambitions to address those issues.

**Financial Implications** – None. Any additional costs will be drawn from existing programme budgets.

**Recommendation 22.** The Welsh Government must proceed with pace on its work to publish a multi-agency action plan to tackle the problem of peer on peer sexual harassment, informed by Estyn’s report and in synergy with other relevant work in progress across government. *Page 99*

**Response: Accept**

We have established a multi agency group to coproduce the action plan which we plan to publish in the Autumn. The recommendations from the CYPE Committee provide a useful steer for focus and will be reflected in the action plan as appropriate.

**Financial Implications** – None. Any additional costs will be drawn from existing programme budgets.

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<sup>2</sup> [Oral Statement: Pride and Progress on the LGBTQ+ Action Plan \(21 June 2022\) | GOV.WALES](#)

**Recommendation 23.** The Welsh Government must provide the Committee with an update in September 2022, and then at 6 month intervals thereafter, on the numbers and proportions of local authorities and schools with RSE leads in place.

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**Response: Accept**

Welsh Government officials have previously requested information from local authorities on the numbers of RSE leads in place within local authorities and schools – this information was very inconsistent, with some stating that they had plans to ensure RSE leads were in place by September 2022.

Officials will seek to update this information and provide the Committee with an update in September 2022.

**Financial Implications – None.** Any additional costs will be drawn from existing programme budgets.

**Recommendation 24.** The UK Government and the Welsh Government should ensure that there is sufficient time given to the Senedd for scrutiny of any future Legislative Consent Memoranda relating to the Online Safety Bill, if amendments are made to that Bill that require the legislative consent of the Senedd. *Page 112*

**Response: Accept in principle**

The UK Government's Online Safety Bill seeks to establish a new regulatory regime to address illegal and harmful content online, with the aim of preventing harm to individuals.

Welsh Government officials have had regular engagement with counterparts in UK Government both prior to, and following, the introduction of the Bill on 17 March 2022. This engagement has involved discussions in relation to the development of the Bill as well as consultation around priority offences for inclusion.

Following publication of the draft Bill in May 2021, Welsh Government officials have actively engaged with the Department for Digital, Culture, Media and Sport on an exemption for Welsh education institutions and childcare providers at paragraph 10 and Part 2 of Schedule 1 of the Bill.

On 30 March the Welsh Government laid a Legislative Consent Memorandum on the Bill before the Senedd in respect of Clause 175(5) of the Bill as introduced which confers a power on Welsh Ministers to amend a list of Welsh education and childcare providers (Part 2 of Schedule 1) that will be exempt from regulation under the Bill.



We will continue to work with UK Government counterparts to monitor amendments tabled to the Bill during its passage through the UK Parliament. If amendments are made to the Bill that require the consent of the Senedd, the Welsh Government will lay supplementary Legislative Consent Memoranda and will endeavour to allow sufficient time for scrutiny. This will be subject to the UK Government's timetabling of the Bill.

**Financial Implications** – None. Any additional costs will be drawn from existing programme budgets.

Jeremy Miles MS  
Minister for Education and Welsh Language

Jane Hutt MS  
Minister for Social Justice