

Agenda – Petitions Committee

Meeting Venue:

Committee Room 1 – Senedd

Meeting date: 3 December 2019

Meeting time: 09.15

For further information contact:

Graeme Francis – Committee Clerk

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1 Introduction, apologies, substitutions and declarations of interest

(Pages 1 – 45)

2 New petitions

2.1 P-05-918 Improve disabled access to Treforest train station as a priority

(Pages 46 – 55)

2.2 P-05-919 Do not implement licensing for show dogs, cats and shown horses

(Pages 56 – 64)

2.3 P-05-920 School Budgeting for ALN

(Pages 65 – 74)

2.4 P-05-923 Are you listening to us? Home Education Rights and Respect!

(Pages 75 – 78)

2.5 P-05-922 Withdraw the proposed home education guidance

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3 Updates to previous petitions

Education

3.1 P-04-522 Asbestos in Schools

(Pages 94 – 100)

The following two items will be considered together



- 3.2 P-04-576 Allow Children in Wales to Have a Family Holiday During Term Time
(Pages 101 – 102)
- 3.3 P-04-606 Ensure schools exercise their statutory powers under regulation 7 of The Education (Pupil Registration) (Wales) Regulations 2010 without interference or bias.
(Pages 103 – 105)
- 3.4 P-05-807 Review and change the guidance for attendance awards in welsh schools
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Health and Social Services

- 3.5 P-05-754 Lack of support for children with disabilities at crisis
(Pages 108 – 109)
- 3.6 P-05-846 Save our Hospital at Prince Philip Llanelli
(Pages 110 – 111)
- 3.7 P-05-849 All men in Wales should have access through the NHS to the best possible diagnostic tests for prostate cancer
(Pages 112 – 120)
- 3.8 P-05-854 Make Learning Disability training mandatory for hospital staff
(Pages 121 – 122)
- 3.9 P-05-905 Call for an Independent judicial Inquiry into the reorganisation of services within Cwm Taf Health Board
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Local Government

- 3.10 P-05-723 Establish Proportional Representation Voting System for Welsh Local Council Elections.
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- 3.11 P-05-800 Urgent Appeal for a Welsh Veterans Commissioner for the Health & Wellbeing of Wounded, Injured, Sick and Homeless veterans
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- 3.12 P-05-843 More Third party rights in planning appeals
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- 3.13 P-05-845 End Conflict of Interest in Local Authority Constitution
(Pages 137 – 138)
- 3.14 P-05-901 Ban the Sale of Real Fur in Wales
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- 3.15 P-05-903 Filming and Recording of Council Meetings
(Pages 148 – 149)

Economy and Transport

The following two items will be considered together

- 3.16 P-05-775 Put an end to the Cross Border and Sub-contracting Taxi Licensing loophole.
(Pages 150 – 151)
- 3.17 P-05-835 Allow Free Movement of Taxi Drivers to Carry Out Private Hire Work Anywhere in Wales
(Pages 152 – 158)

Equality

- 3.18 P-05-836 Gender Pay Gap Reporting
(Pages 159 – 161)

Welsh Language and Culture

- 3.19 P-05-873 Free Welsh Lessons for the People of Wales
(Pages 162 – 163)

3.20 P-05-883 National Welsh History Week

(Pages 164 – 167)

4 Motion under Standing Order 17.42 (vi) to resolve to exclude the public from the meeting for the following business:

Item 5 of today's meeting and Item 1 of the meeting on Tuesday 7 January 2020.

5 Petitions Committee Newsletter

(Pages 168 – 169)

Document is Restricted

Agenda Item 2.1

P-05-918 Improve disabled access to Treforest train station as a priority

This petition was submitted by Katie Phillips having collected 156 signatures online and 72 on paper, a total of 228 signatures.

Text of Petition

We call on the National Assembly for Wales to urge the Welsh Government to prioritise upgrades to Treforest Railway Station to enable disabled students to access the University of South Wales sustainably and with dignity.

Treforest railway station provides the primary public transport access to the University of South Wales. Transport for Wales has promised to invest in railway stations across Wales as part of a 15 year improvement programme but for many disabled young people wishing to access a university education independently, these improvements will come too late.

Current arrangements at the station require disabled people to call for help then wait for station staff to come and virtually manhandle them across the footbridge. This is inappropriate and falls short of the access standards we should expect for disabled people in the 21st century. We the undersigned ask the National Assembly for Wales to urge the Welsh Government to prioritise improvements to Treforest station, in particular to provide suitable disability access.

Additional Information

The lead petitioner started this petition after witnessing the current disabled access provisions in action during the first week of term. The provision fell short of that she would want to see for her friends and families with disabilities, especially those for whom the current provision would not be enough.

The Equality Act 2010 makes provision for reasonable adjustments to be made to enable disabled people to access education, employment and other services. Given Transport for Wales announcement of planned improvements, it seems entirely reasonable for this key station to be a priority, preferably before the next intake of students starting their university education in September 2020.

Assembly Constituency and Region

- Vale of Glamorgan
- South Wales Central

Title: **Petition P-05-918 Improve disabled access to Treforest train station as a priority.**

Y Pwyllgor Deisebau | 3 Rhagfyr 2019
Petitions Committee | 3 December 2019

Reference: RS19/11038 – 1

Petition Number: P-05-918

Petition title: Improve disabled access to Treforest train station as a priority.

Text of petition: We call on the National Assembly for Wales to urge the Welsh Government to prioritise upgrades to Treforest Railway Station to enable disabled students to access the University of South Wales sustainably and with dignity.

Treforest railway station provides the primary public transport access to the University of South Wales. Transport for Wales has promised to invest in railway stations across Wales as part of a 15 year improvement programme but for many disabled young people wishing to access a university education independently, these improvements will come too late.

Current arrangements at the station require disabled people to call for help then wait for station staff to come and virtually manhandle them across the footbridge. This is inappropriate and falls short of the access standards we should expect for disabled people in the 21st century. We the undersigned ask the National Assembly for Wales to urge the Welsh Government to prioritise improvements to Treforest station, in particular to provide suitable disability access.



1. Background

Treforest railway station is a station on the Merthyr Line and Rhondda Line forming part of the Cardiff Valleys rail network. The station serves the village of Treforest and the Treforest Campus of the University of South Wales.

Services have been operated by Transport for Wales (TfW) Rail Services since the new Wales and Borders Rail Franchise contract was awarded to KeolisAmey in October 2018.

The TfW Rail Services website indicates that at present the station does not have step free access to platforms, available wheelchairs or 'impaired mobility set down'. The station also does not currently have a toilet – accessible or otherwise.

The latest Welsh Government rail station usage statistical release showed that Treforest station was the 12th busiest of the 222 stations in Wales in 2017-18 with about 750,000 entries and exits – a decline of 7.1% from the previous year.

The Merthyr and Rhondda Lines form part of what the Welsh Government and TfW refer to as the Core Valleys Lines (CVL) – the central valleys lines which will be electrified during the delivery of phase 2 of the development of the South East Wales Metro.

Rail infrastructure in Wales is not devolved and is the responsibility of the Secretary of State for Transport. Like most railway lines in Britain, the CVL are currently owned by Network Rail. However, the Welsh Government is negotiating the transfer of ownership of the CVL from Network Rail to the Welsh Government.

In May 2019 the Minister for Economy and Transport, Ken Skates AM, told the Economy, Infrastructure and Skills (EIS) Committee that the transfer was expected to be completed by 20 September. However, at time of writing no announcement has been made.

The contract awarded to TfWRail Services is to act as Operator and Development Partner (ODP), developing and delivering plans for the CVL as well as operating services. The Welsh Government, via TfW, plans to invest £738m in electrifying and upgrading the CVL – including investment in stations.

In May, the Minister told the EIS Committee that preliminary design work began in February, and that 'within the next 12 or 18 months we'll start seeing structures appearing on the core Valleys lines'.

TfW's website says the project will involve 'upgrading all our stations and signalling'. It has also said it is 'improving accessibility at our stations and on our trains as well as

installing toilet facilities at a number of Metro stations'. In a [June 2018 written statement](#) the then Cabinet Secretary for Economy and Transport said:

The rolling stock used for the South Wales Metro will be a combination of Metro Vehicles and tri-mode trains, all of which will be equipped for level boarding....

2. Welsh Government action

The Minister's letter to the Chair responding to this petition indicates that TfW is currently developing plans for Treforest station:

These plans will bring vastly improved access arrangements and better facilities for customers. TfW's plans include a new accessible footbridge and level boarding providing step-free access from the street, to the train. Construction at the station is expected to begin in 2020.

This letter draws attention to the fact that the works are part of the wider Metro programme which will take around five years to complete. The Minister says he has:

... asked Transport for Wales to explore the possibility of commencing the fund design earlier, which may lead to an earlier construction date. However this cannot be guaranteed due to the complex interdependencies of this project in relation to the wider programme of works.

3. National Assembly for Wales action

There does not appear to have been any discussion of accessibility issues at Treforest Station in this Assembly. However, [following his June 2018 oral statement](#) announcing the award of the franchise to KeolisAmey the then Cabinet Secretary replied to questions from Russell George AM to say:

There are a number of stations that I know of personally, including my own station of Ruabon, that do not have step-free access, or additional access to step-only access. That will be resolved in the coming franchise arrangements. Every station within the metro area will also be step-free accessible. And in terms of toilets, there will be additional toilets on stations within the metro network to ensure that, for the solution within the core Valleys lines network, no passenger will have to wait more than 14 minutes in order to gain access to a universal access toilet.

In 2017 the Petitions Committee held an inquiry into petition [P-05-710 Ensure Disabled People can Access Public Transport As and When They Need it](#). The Committee

published its report in October 2017, one year before the award of the new rail contract. Two of its recommendations were particularly relevant to this petition:

Recommendation 2: The Welsh Government should press Network Rail and the UK Government to deliver physical improvements to stations in Wales which are inaccessible to people with disabilities, and use its own powers to continue to invest in accessible infrastructure as budgets allow.

And

Recommendation 4. The Welsh Government and Transport for Wales must ensure that the final specification for the next Wales and Borders rail franchise and future Metro developments includes a requirement for significant improvements in the accessibility of train services and Metro infrastructure across all aspects of service provision. It should consider including improved accessibility as a core contractual obligation on the successful operator and development partner.

Both were accepted by the Welsh Government.

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-05-918
Ein cyf/Our ref KS/08110/19

Janet Finch-Saunders AM

Government.Committee.Business@gov.wales

13 November 2019

Dear Janet,

Thank you for your letter of 15 October on behalf of the petitions committee regarding access to Treforest train station for disabled people.

My officials have spoken to Transport for Wales (TfW) who have confirmed they are currently developing plans for Treforest station. These plans will bring vastly improved access arrangements and better facilities for customers. TfW's plans include a new accessible footbridge and level boarding providing step-free access from the street, to the train. Construction at the station is expected to begin September 2020.

Delivery of the works at Treforest is integrated with a wider, complex programme of works for the transformation of this part of the rail network (known as the 'Core Valley Lines'), as part of the South Wales Metro project. This is an ambitious, multi-million-pound project, and TfW's current plans will take around five years to complete. TfW have a significant amount construction, engineering and infrastructure work to do to upgrade our rail network so that it's ready for Metro services. These works include electrification of the railway, upgrading all stations and signalling, and building new stations.

I have asked Transport for Wales to explore the possibility of commencing the fund design earlier, which may lead to an earlier construction date. However this cannot be guaranteed due to the complex interdependencies of this project in relation to the wider programme of works.

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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.

Once complete, the Metro will provide customers with quicker, more frequent, more environmentally friendly services on modern, comfortable, accessible Metro trains.

Yours sincerely,

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

Ken Skates AC/AM

Gweinidog yr Economi a Thrafnidiaeth
Minister for Economy and Transport

**P-05-918 Improve disabled access to Treforest train station as a priority,
Correspondence – Petitioner to Committee, 25.11.19**

In response to the document, I would just like to say that I'm happy to hear that improvements will be made and the new station will be welcomed. However, I would like to know how long the construction will take as well as what steps will be taken in the short term to ensure that the existing station is compliant with the Equality Act in a way that maintains the dignity of those using it?

Many thanks,

Agenda Item 2.2

P-05-919 Do not implement licensing for show dogs, cats and shown horses

This petition was submitted by Our Dogs having collected a total of 4,241 signatures.

Text of Petition

The Welsh Government is currently consulting on new Regulations regarding Animal Exhibits which includes a proposal that anyone exhibiting (showing) a dog or cat (or other pet species) in Wales will need to be licensed and inspected. Thousands of dogs and cats and horses come to Wales every year to be shown so such a licensing scheme is not only impractical and unnecessary it will actually have an impact upon Wales' economy. Dogs (registered with the Kennel Club) cats (registered with the governing Council of the Cat Fancy) or horses shown in hand and under saddle should be exempt from registration. We ask that the Welsh Government to 'add the keeping of dogs, cats and horses engaged in competitive events' to Regulation 3(4) which lists a number of exempted activities that are proposed should not be subject to the proposed licensing scheme.

Additional Information

Thousands of people in Wales show their dogs but more importantly many more thousands of exhibitors regularly come to Wales from all over the United Kingdom and Northern Ireland to compete at shows held in the Principality. Figures are not available for cats or horses but there are two major championship shows which between them attract over 11,000 dogs and over 200 open shows each year attracting hundreds at everyone. The owners of these dogs based outside Wales not be licensed so will simply not be able to attend.

Assembly Constituency and Region

- Gower
- South Wales West

P-05-919 Do not implement licensing for show dogs, cats and shown horses

Y Pwyllgor Deisebau | 3 Rhagfyr 2019
Petitions Committee | 3 December 2019

Reference: RS19/11038-2

Petition Number: P-05-919

Petition title: Do not implement licensing for show dogs, cats and shown horses

Text of petition: The Welsh Government is currently consulting on new Regulations regarding Animal Exhibits which includes a proposal that anyone exhibiting (showing) a dog or cat (or other pet species) in Wales will need to be licensed and inspected. Thousands of dogs and cats and horses come to Wales every year to be shown so such a licensing scheme is not only impractical and unnecessary it will actually have an impact upon Wales' economy. Dogs (registered with the Kennel Club) cats (registered with the governing Council of the Cat Fancy) or horses shown in hand and under saddle should be exempt from registration. We ask that the Welsh Government to 'add the keeping of dogs, cats and horses engaged in competitive events' to Regulation 3(4) which lists a number of exempted activities that are proposed should not be subject to the proposed licensing scheme.

Thousands of people in Wales show their dogs but more importantly many more thousands of exhibitors regularly come to Wales from all over the United Kingdom and Northern Ireland to compete at shows held in the Principality. Figures are not available for cats or horses but there are two major championship shows which between them attract over 11,000 dogs and over 200 open shows each year attracting hundreds at everyone. The owners of these dogs based outside Wales not be licensed so will simply not be able to attend.



1. Background

Draft Animal Welfare (Licensing of Animal Exhibits) (Wales) Regulations 2020

On 29 August 2019 the Welsh Government published a consultation on the draft Regulations and associated guidance on the proposed **licensing scheme for Animal Exhibits**. The draft Regulations, the *Animal Welfare (Licensing of Animal Exhibits) (Wales) Regulations 2020*, would be introduced under the *Animal Welfare Act 2006*. The consultation ended on 21 November.

The accompanying written statement said:

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

Currently many Animal Exhibits are not subject to routine checks. The Welsh Government says the licensing scheme would include conditions to protect the welfare of the animals and safety of those who interact with the exhibits. The Welsh Government says that a key principle behind the proposed licensing scheme is to develop ‘respectful and responsible attitudes towards animals’. For that purpose, the draft Regulations introduce a requirement for licensed Animal Exhibits to ‘promote public education and raise awareness of the species kept’.

Once the exhibitors have demonstrated their ability to meet the licence conditions, they can obtain a licence from their local authority which would last for three years. The local authority must appoint ‘suitably qualified’ inspectors to ensure licence conditions are being met.

Scope of the draft Regulations

The licensing scheme is proposed for certain Animal Exhibits. Regulation 3 of the draft Regulations, and Section 2 of the accompanying guidance, provides examples of the types of Animal Exhibits and activities that would require a licence. The “in-scope activities” include (but are not limited to) pony parties, animals in circuses, mobile animal exhibits, agricultural or animal care colleges and bird of prey displays.

Regulation 3(4) describes activities that are **exempt**:

The licensable activity does not include:

- (a) keeping animals primarily for dairy farming and livestock breeding and keeping;
 - (b) keeping or training animals for military or police purposes;
 - (c) keeping or training animals for sporting purposes;
 - (d) animals displaying learned behaviours which are taught for working purposes;
 - (e) any activity permitted under a licence for a zoo under the Zoo Licensing Act 1981(1);
 - (f) keeping a pet shop under a licence granted under section 1(1) of the Pet Animals Act 1951(2); or
 - (g) any activity permitted under a licence for a riding establishment under the Riding Establishments Act 1964(3).
-

The guidance document further describes examples of “out-of-scope” activities that would be exempt from the licensing scheme:

Any organisation or person that keeps or trains animals for exhibition that is either not for entertainment or educational purposes, or exempted by Regulation 3. This could include (but not limited to):

[...]

- **Animals kept primarily as pets.** Inspectors must be satisfied, where a pet is exhibited, this is unlikely to be an ongoing activity. Examples include pet dogs exhibited at local dog shows once or twice a year for recreational purposes, donkeys at nativity plays; ‘show and tell’ activities by children in schools.

[...]

- **Training or exhibiting animals for sporting purposes.** This is intended to include organised sports such as horse racing, greyhound racing, dog agility and other similar competitions commonly seen at agricultural shows. This is not intended to include novelty sports where the animals are not bred or conditioned for sporting purposes, for example sheep or ferret racing, which would require a licence.

[...]

- **Exhibiting animals displaying learned behaviours which are taught for working purposes.** This could include sheepdog trials; gundog and hunt pack displays; horse carriage driving; assistance or therapy animals.
-

The draft Regulations make no specific mention of licences for show cats or shown horses, however, as cited above, the guidance document states that

animals kept primarily as pets, or exhibition for sporting purposes, would be exempt.

2. Welsh Government action

The Minister for Environment, Energy and Rural Affairs, Lesley Griffiths, letter to the Petitions Committee on this matter states:

I am aware of a campaign generated by The Kennel Club, and publicised by 'Our Dogs' which has given the impression people who show their dogs in Wales or further afield will need to be licensed under the proposed licensing scheme. This is not the case. The Regulations as currently drafted do not mention show dogs and the Guidance makes a passing reference to local dog shows as an example of an activity involving pets which should not be considered for licensing; this in no way is intended to imply other dog shows should be licensed and the wording of this point will be considered post-consultation if the results suggest this necessary. Likewise the Regulations do not mention show cats or shown horses as examples of pets which should be licensed.

3. National Assembly for Wales action

Stakeholders' concerns around dog shows being captured under the proposed licensing scheme were raised in the Climate Change, Environment and Rural Affairs (CCERA) Committee's meeting on 10 October 2019 during its scrutiny of the Wild Animals and Travelling Circuses Bill:

Llyr Gruffydd AM: We've had a lot of correspondence about that consultation [on the proposed Animal Exhibit licensing scheme]. I think a number of people involved with agricultural shows and dog shows are very concerned. I don't know if it's appropriate whether you could signal that your intention is not to capture those kinds of activities.

Lesley Griffiths AM [Minister for Environment, Energy and Rural Affairs]: Absolutely. I've just written, I think it was yesterday or the day before, to the chief executive of the Kennel Club, because, clearly, that was the impression

Llyr Gruffydd AM: I think a number of us have had correspondence.

Lesley Griffiths AM: Yes, wrongly—that we were going to include dog shows, and we're not.

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



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-05-919
Ein cyf/Our ref LG/07186/19

Janet Finch-Saunders AM
Chair of the Petitions Committee

Government.Committee.Business@gov.wales

23 October 2019

Dear Janet

Thank you for your e-mail of 15 October regarding petition P-05-919 'Do not implement licensing for show dogs, cats and shown horses, which has been received from 'Our Dogs'.

You will appreciate we are in a consultation period, therefore I can only comment on the draft proposals as they stand and not what the final requirements of the licensing scheme will be, which could be subject to change dependent on the feedback received from the consultation.

I am aware of a campaign generated by The Kennel Club, and publicised by 'Our Dogs' which has given the impression people who show their dogs in Wales or further afield will need to be licensed under the proposed licensing scheme. This is not the case. The Regulations as currently drafted do not mention show dogs and the Guidance makes a passing reference to local dog shows as an example of an activity involving pets which should not be considered for licensing; this in no way is intended to imply other dog shows should be licensed and the wording of this point will be considered post-consultation if the results suggest this is necessary. Likewise, the regulations do not mention show cats or shown horses as examples of pets which should be licensed.

I am passionate about Welsh tourism and agri-business and believe this licensing scheme will be beneficial as it will reassure visitors to Wales and residents alike we take the welfare of all animals, including those used for exhibiting purposes, seriously.

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

Pack Page 62

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 it clear throughout the policy development process this licensing scheme is to be proportionate yet fit for purpose; it is not intended to create unnecessary burden on those who may be subject to a licence. The evidence provided through the consultation process will be crucial to inform officials of the impact the scheme may have on the people and biodiversity of Wales.

Regards
Lesley

Lesley Griffiths AC/AM

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

**P-05-919 Do not implement licensing for show dogs, cats and shown horses,
Correspondence – Petitioner to Committee, 20.11.19**

The attached letter demonstrates a disconnect between the proposals and this person's understanding of the proposals. A key phrase in their letter implies that it is **dog shows** which should be licenced but the proposed legislation is that animals which may be shown in Wales which will require a license. The implication is quite clear from your published proposals that animals being 'shown/exhibited' will require a license (the 'passing reference' is so 'passing' that no one has found it).

As currently proposed your regulations will require any dog being 'shown/exhibited' in Wales to be 'licensed' so by default any dogs brought into Wales for a dog show would be breaking your laws if it was not licenced.

Frankly, the whole idea that such a measure will 'improve' animal welfare is simply wrong.

David Cavill FRSA

Agenda Item 2.3

P-05-920 School Budgeting for ALN

This petition was submitted by Iwan Williams having collected a total of 106 signatures.

Text of Petition

We call on the National Assembly for Wales to urge Welsh Government to allocate an additional budget for schools across Wales, to be able to provide the additional learning needed for pupils with additional learning needs (ALN) and achieve the objectives of the Additional Learning Needs and Education Tribunal (Wales) Act 2018.

Additional Information

Schools lack resources for supporting pupils with additional learning needs to ensure they achieve their potential.

The Additional Learning Needs and Education Tribunal (Wales) Act 2018 states:

"A person has additional learning needs if he or she has a learning difficulty or disability (whether the learning difficulty or disability arises from a medical condition or otherwise) which calls for additional learning provision."

Schools do not currently have sufficient resources to be able to offer the additional learning provision that their pupils need.

Assembly Constituency and Region

- Aberconwy
- North Wales

School budgeting for Additional Learning Needs (ALN)

Y Pwyllgor Deisebau | 03 Rhagfyr 2019
Petitions Committee | 03 December 2019

Reference: RS19/11038-3

Petition number: [P-05-920](#)

Petition title: School budgeting for ALN

Text of petition: We call on the National Assembly for Wales to urge Welsh Government to allocate an additional budget for schools across Wales, to be able to provide the additional learning needed for pupils with additional learning needs (ALN) and achieve the objectives of the Additional Learning Needs and Education Tribunal (Wales) Act 2018.

Additional Information: Schools lack resources for supporting pupils with additional learning needs to ensure they achieve their potential.

The Additional Learning Needs and Education Tribunal (Wales) Act 2018 states:

"A person has additional learning needs if he or she has a learning difficulty or disability (whether the learning difficulty or disability arises from a medical condition or otherwise) which calls for additional learning provision."

Schools do not currently have sufficient resources to be able to offer the additional learning provision that their pupils need.



1. The Welsh Government's funding for schools via local government

As the Minister for Education's letter to the Committee highlights, funding to support pupils' Additional Learning Needs (ALN) is **not ring-fenced** and is contained within general funding for schools.

The Welsh Government provides each local authority with its **un-hypothecated** Revenue Support Grant, which together with its redistributed Non-domestic rates allocation, makes up the local authority's Aggregate External Finance (AEF). Local authorities use this money, along with locally raised revenue from council tax and other fees and charges, to finance all of the services they provide. **Local authorities therefore decide themselves** how much to spend on education, and within that how much to allocate to schools' budgets, from the overall resources they have available.

The arrangements for funding schools is complex and is explained further in the Assembly Research Service's blog article, *[How are schools in Wales funded and what are the main issues?](#)* (October 2019).

2. Funding for ALN / SEN within education and school budgets

Approximately **22%** of pupils in schools across Wales are identified as having ALN, or Special Educational Needs (SEN) as is the current legal term.¹ These pupils'

¹ The [Additional Learning Needs and Education Tribunal \(Wales\) Act 2018](#) replaces the current 'SEN' system with one based on 'ALN'. The Welsh Government plans to introduce the new system from September 2021. This briefing refers to SEN in the context of current arrangements and ALN in the context of the new arrangement to be brought in under the 2018 Act. However, the two terms are used relatively interchangeably and ALN is already commonly used in practice.

needs vary considerably from requiring relatively minor additional support in the classroom to complex and specialist provision in a special school or even a residential setting.

Under the School Funding (Wales) Regulations 2010, local authorities are required to allocate education funding to three tiers of budgets.

- The **Local Authority Education Budget** is for a local authority's central functions relating to education. This includes certain types of SEN provision.
- The **Schools Budget** covers expenditure which is also administered by the local authority but is directly aimed at supporting schools. It includes other centrally provided/funded SEN provision.
- The amount of expenditure on schools retained centrally by the local authority is deducted from the Schools Budget and the remainder makes up the **Individual Schools Budget (ISB)**, i.e. funding delegated to schools. This includes funding to support the majority of learners with SEN, within a school setting. Each mainstream school's delegated budget includes a **notional allocation for its SEN provision** (notional because it is for each school to determine how much they actually spend on SEN). For special schools, the whole of its delegated budget is regarded as SEN expenditure.

3. Statistics on ALN/SEN expenditure

The Welsh Government publishes [annual statistics on budgeted expenditure on SEN provision](#). These are based on the **notional allocations within schools' delegated budgets for SEN** provision and do not necessarily represent how much is actually spent by schools on SEN.

Table 1 below shows how much in total was budgeted by local authorities for SEN provision and the amount budgeted per pupil (calculated per total pupils on roll not just those with SEN). It also shows the delegation rate, i.e. how much of local authorities' SEN budgets was passed directly to schools. From Table 1, it can be observed:

- Total budgeted expenditure on SEN in **2019-20** across Wales is **£404.664 million**. This is a **6% rise on 2018-19**.
- Expenditure has risen by £63 million **since 2010-11**. This is a 18% rise in cash terms and a **1.3% rise in real terms** (at 2019-20 prices, using [HM Treasury GDP deflators](#), September 2019).

- Expenditure **per pupil** has risen from £754 in **2010-11** to £892 in 2019-20. This is a 18% rise in cash terms and a **1.2% rise in real terms** (at 2019-20 prices, using HM Treasury GDP deflators, September 2019).

Table 1: Gross budgeted expenditure on SEN provision by local authorities in Wales

	<u>£ Million Budgeted gross expenditure on SEN provision</u>	<u>£ Per pupil budgeted gross expenditure on SEN provision</u>	<u>% delegated to individual schools' budgets</u>
2019-20	(r1) 404.664	(r) 892	(r) 72%
2018-19	381.479	844	73%
2017-18	372.706	825	73%
2016-17	361.737	800	73%
2015-16	356.306	789	72%
2014-15	357.099	792	70%
2013-14	(r2) 359.217	796	69%
2012-13	346.862	769	67%
2011-12	(r2) 347.100	770	60%
2010-11	341.755	754	55%

Source: Welsh Government, Statistical First Releases: Budgeted expenditure on SEN provision (several editions)

Notes:

a) Includes notional allocations to schools for SEN provision as part of local authorities' formulae for distributing funds to schools. As it is for each school to determine how much of its delegated budget to spend on SEN, the actual expenditure within schools may vary from these notional allocations.

b) The £ per pupil expenditure is based on the whole cohort of pupils on roll rather than only pupils with SEN.

r1) Figures for 2019-20 were released on 27 June 2019 and subsequently revised on 5 July 2019 due to errors in the original version.

r2) Figures for 2013-14 and 2011-12 are the revised figures that were published in the subsequent year's release. Updated £ per pupil and delegation rates were not published, hence some caution is advised in comparing these two fields with gross budgets for these years.

4. Changes in overall school funding

Listed below are changes in overall school funding between the same time period, 2010-11 to 2019-20, in order to place the changes in SEN funding in some context.

- In 2019-20, £2.654 billion is budgeted for expenditure on schools, **3.4% higher than 2018-19**.
- Between **2010-11 and 2019-20**, gross budgeted expenditure on schools increased by 8.0% in cash terms (£196 million), a **7.6% decrease in real terms** (at 2019-20 prices, using [HM Treasury GDP deflators](#), September 2019).
- The **per pupil** amount budgeted in 2019-20 is 8.1% higher in cash terms (£440) than in 2010-11, a **7.5% decrease in real terms** (at 2019-20 prices, using [HM Treasury GDP deflators](#), September 2019).

5. Funding for ALN Transformation

The [Additional Learning Needs and Education Tribunal \(Wales\) Act 2018](#) brings about a substantial overhaul of the current SEN system. Further information is provided in our [summary of the 2018 Act](#) and [blog article on the draft ALN Code](#). One of the main changes is that **all learners with ALN will have a statutory Individual Development Plan (IDP)**, whereas at present only those with statements of SEN have a legal entitlement to specified provision (the remainder are supposed to have a non-statutory plan). This increases the number of learners, for which statutory plans must be prepared from around 13,000 to 104,000 ([StatsWales data](#)).

The changes to the statutory framework for supporting pupils' ALN, which will be implemented from September 2021², are part of the Welsh Government's wider [ALN Transformation programme](#). The Welsh Government has allocated **£20 million to ALN Transformation over the four-year period 2017-18 to 2020-21**. The Minister's

² In September 2019, the [Minister for Education announced](#) a delay in implementing the 2018 Act from September 2020 to September 2021.

letter to the Committee regarding this petition states that her officials are considering whether this needs to be re-profiled to reflect the new time period.

6. Previous concerns

The Children, Young People and Education Committee published the report of its [inquiry into School Funding](#) in July 2019. This concluded that there is not enough money going into the education system in Wales and not enough is finding its way to schools. However, the Committee acknowledged that there is no simple solution and that arrangements for funding schools are hugely complex, multi-layered and dependent on many factors.

The Committee recommended that the Welsh Government commission an **urgent review of how much funding is required to fund schools** sufficiently in Wales, particularly at a time of substantial reform. The Welsh Government has accepted this recommendation and [appointed education economist Luke Sibieta to undertake this review](#).

The Committee's School Funding report identified the implementation of the **new ALN system** as an example of a policy area which some stakeholders perceive to be at **risk from insufficient funding**.

The [Finance Committee's consultation](#) ahead of the Welsh Government's draft budget 2020-21 had highlighted financial pressures on schools and local authorities resulting from the ALN reforms (see responses from Neath Port Talbot County Borough Council and the teaching union, UCAC).

The CYPE Committee also expressed concerns in its [response to the Welsh Government's consultation on the Draft ALN Code](#) in March 2019, commenting:

We are extremely concerned that there is a risk that insufficient resources (whether that is funding or staff) threatens the successful implementation of the Act and delivery against the Code.

The Committee was also concerned that **insufficient funding could affect the way schools apply the definition of ALN**, having heard from some stakeholders that resource pressures will mean pupils have to exhibit a higher level of need to be judged as having ALN and qualify for support. The Committee called on the Welsh Government to make it explicitly clear that this must not be the case as the definition of ALN under the 2018 Act is essentially the same as the definition of SEN under the current system.

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 AC/AM
Y Gweinidog Addysg
Minister for Education



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-05-920
Ein cyf/Our ref KW/07354/19
Janet Finch-Saunders AM
Assembly Member
National Assembly for Wales
Ty Hywel
Cardiff Bay
Cardiff
CF99 1NA

Government.Committee.Business@gov.wales

25 October 2019

Dear Janet,

Thank you for letter dated 15 October regarding the petition received from the Petitions Committee from Mr Iwan Williams about school budgeting for ALN.

The organisation of all education services is a matter for local authorities and decisions on how to meet the needs of their area are properly for local authorities to make in light of their local needs and demands.

Funding for statutory age education in Wales is provided mainly on a non-hypothecated basis through the Local Government Settlement Revenue Support Grant (RSG). This approach to funding is a key part of the Welsh Government's policy position that local authorities are best placed to deliver these services and that in order to do so well, they require financial flexibility to be able to judge local needs and circumstances and to decide how to allocate their resources accordingly. Of course, schools must take part in this process and local authorities must consult their schools budget forums and all schools in their area when setting a funding formula.

In respect of funding for Special Educational Needs, local authorities and schools are responsible for providing a suitable education for learners, including those with Special Educational Needs. Funding to local authorities for this provision is again not ring-fenced and it is for local authorities to determine how to spend their funding in order to best meet their local needs. Local authorities are however, expected to work with schools to ensure school funding arrangements are effective in supporting and raising the achievement of all learners, regardless of their needs.

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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.

A £20m package of funding was allocated by the Welsh Government in 2017 to support preparation for the implementation of the new ALN system during this Assembly term.

In a written statement on 17 September I announced changes to the intended timescale for implementation of the Additional Learning Needs and Education Tribunal (Wales) Act 2018. Implementation of the new ALN system will commence on a phased basis from September 2021, with the statutory roles created under the Act commencing in January 2021.

The amended timescale will help ensure services are fully prepared for the coming into force of the new system, which in turn will lead to a smoother and more successful implementation. With this in mind I have asked my officials to give careful consideration to whether the remainder of the £20m needs to be re-profiled to reflect the new time period.

I hope this is helpful to you in addressing your concerns.

Yours sincerely,

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

Kirsty Williams AC/AM
Y Gweinidog Addysg
Minister for Education

Agenda Item 2.4

P-05-923 Are you listening to us? Home Education Rights and Respect!

This petition was submitted by Mountain Movers Education Charity having collected a total of 512 signatures.

Text of Petition

The draft statutory guidance on home education is not fit for purpose. It sets to continue the hostilities between local authorities & home educators both through the language used in the document & the aims it sets to empower LAs to achieve.

There is a failure to provide any credible support to home educators. There is a failure to protect, respect & value home educators. This document does not recognise or support them in any credible or effective means.

We ask the National Assembly to investigate the role and pressure the Welsh Government have been put under from the children's commissioner's office with regards to home education & the extent this has shaped this guidance against the input from stakeholders in the home education community.

We ask the assembly to investigate the level of engagement the children's commissioner has with home educated children & why from what engagement she has had, she has failed to listen to their views about home education & is still continuing her campaign against home educators.

We ask the assembly to investigate why there are no safeguards throughout this guidance to protect home educators & hold LAs to account in their conduct with home educators?

We ask the assembly to investigate why there is no mention or recommending of signposting to the Welsh home education charities in the guidance despite these being best placed for support & advocacy for Welsh home educators.

We ask the assembly to investigate the feedback Welsh Government has received from primary stakeholders & if Welsh Government has fairly represented their views & needs to the same extent as the Children's Commissioner and LAs objectives.

Assembly Constituency and Region

- Neath
- South Wales West

Kirsty Williams AC/AM
Y Gweinidog Addysg
Minister for Education



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-05-923
Ein cyf/Our ref KW/07395/19
Janet Finch-Saunders AM
Assembly Member
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29 October 2019

Dear Janet,

Thank you for your letter regarding Petition P-05-923 "*Are you listening to us? Home Education Rights and Respect!*" from Mountain Movers Education Charity. I recognise that this is an emotive subject for some home educators.

Whilst I acknowledge the contents of the petition I would point out that the statutory guidance is only draft at this stage. The consultation asks a number of questions including what further support home educators would find useful and a series of consultation events were held across Wales. In addition a handbook for home educators containing advice and information about support and how to access it is being consulted on at the same time as the guidance. I genuinely welcome the views of home educators in the consultation and responses so far have demonstrated their passion and commitment. The deadline for responses has been extended to 25 October and where possible officials will continue to take account of responses received after this date.

There have been discussions with both the Children's Commissioner and local authorities regarding the development of the draft guidance. My officials have tried to engage with the home educating community over the past year but the response has been limited. That is why the consultation is so very important in gathering the views and opinions across the board.

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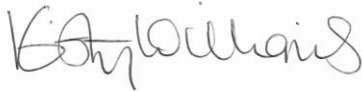
Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

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 will be giving full consideration to all responses received to the consultation and I also expect my officials to undertake further engagement with stakeholders before the draft is finalised. As a result, I would anticipate that the draft guidance will undergo some redrafting before it reaches a final version.

I am clear that the primary policy intent behind the proposals is to ensure that home-educated children and young people receive a suitable education. However, I am conscious that there needs to be balance between the expectations on local authorities and the impact on home educators

Yours sincerely,

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

Kirsty Williams AC/AM
Y Gweinidog Addysg
Minister for Education

Agenda Item 2.5

P-05-922 Withdraw the proposed home education guidance

This petition was submitted by Wendy Charles-Warner having collected a total of 5,447 signatures.

Text of Petition

We call upon the National Assembly for Wales to urge the Welsh Government to withdraw the proposed guidance for home education.

Additional Information

The Welsh Assembly Government has issued prospective guidance for home education. This mandates that home educating parents must meet with their local authority and allow their children to be interviewed by the local authority. We have received specialist legal advice which claims that the guidance is unlawful and petitioners ask that the guidance be withdrawn to be reconsidered in light of that advice.

Assembly Constituency and Region

- Vale of Clwyd
- North Wales

Elective Home Education

Y Pwyllgor Deisebau | 3 Rhagfyr 2019
Petitions Committee | 3 December 2019

Reference: RS19/11038

Petition Number: P-05-922 and P-05-923

Petition title: Withdraw the proposed home education guidance

Text of petition: We call upon the National Assembly for Wales to urge the Welsh Government to withdraw the proposed guidance for home education.

Additional Information: The Welsh Assembly Government has issued prospective guidance for home education. This mandates that home educating parents must meet with their local authority and allow their children to be interviewed by the local authority. We have received specialist legal advice which claims that the guidance is unlawful and petitioners ask that the guidance be withdrawn to be reconsidered in light of that advice.

Petition title: Are you listening to us? Home Education Rights and Respect!

Text of petition: The draft statutory guidance on home education is not fit for purpose. It sets to continue the hostilities between local authorities & home educators both through the language used in the document & the aims it sets to empower LAs to achieve.

There is a failure to provide any credible support to home educators. There is a failure to protect, respect & value home educators. This document does not recognise or support them in any credible or effective means. We ask the National Assembly to investigate the role and pressure the Welsh Government have been put under from the children's commissioner's office with regards to home education & the extent this has shaped this guidance against the input from stakeholders in the home education community. We ask the assembly to investigate the level of engagement the children's commissioner has with home



educated children & why from what engagement she has had, she has failed to listen to their views about home education & is still continuing her campaign against home educators.

We ask the assembly to investigate why there are no safeguards throughout this guidance to protect home educators & hold LAs to account in their conduct with home educators? We ask the assembly to investigate why there is no mention or recommending of signposting to the Welsh home education charities in the guidance despite these being best placed for support & advocacy for Welsh home educators. We ask the assembly to investigate the feedback Welsh Government has received from primary stakeholders & if Welsh Government has fairly represented their views & needs to the same extent as the Children's Commissioner and LAs objectives.

1. Background

Parents may elect to educate their children at home for many reasons. These may be ideological or philosophical views which favour home education, or wishing to provide education which has a different basis to that normally found in schools. Parents may also be dissatisfied with the school system, or the school at which a place is available. Other reasons may include bullying of the child at school, health reasons, particularly mental health of the child, a child's unwillingness or inability to go to school, including school phobia or special educational needs, or a perceived lack of suitable provision in the school system for those needs.

The [Welsh Government publishes data](#) on the number of children who are known to be electively educated at home. In the 2018/19 academic year **2,517 children were known to be electively home educated in Wales**. The rate of elective home educated pupils increased in 2018/19 **to 6.6 out of 1,000**, from 5.5 out of 1,000 in 2017/18. As parents notify their local authority that they are home educating their children on a voluntary basis (unless they have withdrawn their child from school), these data may not include all electively home educated children.

1.1. Legal background

Parents may educate their children at home providing they fulfil the requirements of section 7 of the Education Act 1996:

7. Duty of parents to secure education of children of compulsory school age.

The parent of every child of compulsory school age shall cause him to receive efficient full-time education suitable –

(a) to his age, ability and aptitude, and

(b) to any special educational needs he may have,
either by regular attendance at school or otherwise.

There is no current duty for local authorities to monitor the progress of home-educated children. However, under section 436A of the Education Act 1996, **local authorities have a duty to make arrangements to identify children not receiving a suitable education:**

436A Duty to make arrangements to identify children not receiving education

(1) A local authority must make arrangements to enable them to establish (so far as it is possible to do so) the identities of children in their area who are of compulsory school age but

(a) are not registered pupils at a school, and

(b) are not receiving suitable education otherwise than at a school.

2. Welsh Government action

Between September and November 2012, the Welsh Government consulted on proposals to legislate to introduce a compulsory registration and monitoring scheme for elective home educated children. Huw Lewis, then Cabinet Secretary for Education and Skills, explained in a [statement on 6 May 2014](#) that he had decided not to introduce legislation, but the Welsh Government would issue non-statutory guidance.

Following a [consultation](#) in May 2015, [Elective home education, Non-statutory guidance for local authorities](#) was published in January 2017. The guidance seeks to clarify the rights of home-educating parents/carers and the responsibilities of local authorities and provide guidance to local authorities on developing and maintaining relationships with families who home-educate their children. Kirsty Williams, the Cabinet Secretary for Education said in a [statement on 9 January 2017](#), accompanying the publication of the guidance, that whilst the guidance sought to strike an appropriate balance:

I believe we need to adopt a more robust approach to education provision for all children, regardless of where that education is provided. This guidance will form part of a package of measures I'm considering to support local authorities, the home educating community and alternative providers, including the potential for introducing legislation.

On 29 July 2019, the Welsh Government published a consultation on [draft statutory guidance for local authorities on home education along with a handbook for home educators](#). The consultation states local authorities have called for 'more robust guidance' than the 2017 non-statutory guidance in terms of identifying children and young people not receiving a suitable education, and on assessing the suitability of home education. There will be separate consultations on regulations to require:

- Local authorities to establish and maintain a database to assist them in identifying children not on any maintained schools roll, not on any education other than at school (EOTAS) roll, or independent school roll, and not receiving a suitable education.

- Local health boards to disclose to local authorities specified, limited, non-clinical information about a child who is ordinarily resident in that local authority's area.
- Independent schools to share data on the pupils registered with them with the local authority.

There are some differences between the 2017 non-statutory guidance and the draft statutory guidance published this year. In relation to local authorities meeting and interviewing home educated children, the 2017 guidance states:

Meeting EHE [elective home education] families

It is recommended that an initial meeting takes place with EHE families to discuss their provision and any advice and ongoing support they may need. Contact with the family should normally be made in writing and should seek a meeting or request a written update. Meetings should take place at mutually agreed locations. Thereafter it is recommended that the LA [local authority] seeks to make contact with home-educating families at least once a year. Where parents elect not to meet LA officers in their home, alternative arrangements should be sought.

The draft statutory guidance states:

In order for a local authority to satisfy itself of the suitability of education provided by the parents, the local authority **should** see and speak with the child. In the absence of seeing the child, it will be questionable whether the local authority can reasonably assess suitability of education and to know if other evidence provided relates to that child. Communicating with the child will provide an opportunity for the local authority to better understand how the child learns and what areas of learning they are interested in. [emphasis as set out in the guidance]

It also states:

The frequency of meetings with home educating families should be undertaken proportionately and based on the individual circumstances of each child. A meeting should take place at least once a year to ensure the suitability of education is maintained and that the child is considered to be making suitable progress.

The revised guidance explains that, in this context, 'should' means:

Local authorities must have regard to this statutory guidance and carefully consider it. Having done so, there would need to be a good reason to justify not complying with it. For example, avoidance or refusal by the family would not constitute good reason.

The draft statutory guidance states that in reviewing their procedures and practices, it would be good practice for local authorities to involve home education organisations and home educators. It also states that local authorities should provide clear and accurate written information on their home education policies on their website on a page specifically for home education, including contact details for home education support organisations where available. The draft handbook for home educators includes the details of some organisations that exists to support home educators, for example, [Ed Yourself](#) and [Education Otherwise](#).

2.1. Children's Commissioner for Wales

In her previous three annual reports, the Children's Commissioner for Wales has called on the Welsh Government to make significant policy changes to ensure that children educated at home are not invisible and that they receive all of their human rights. This includes their right to education, their right to participate in decisions about their lives and their right to be safe.

At the time of the Children's Commissioner's **2018-19 annual report** (published in October 2019), she recommended that the Welsh Government publish their updated policy with the aims of meeting the following three tests in full:

- That all children in Wales can be accounted for and that none slip under the radar of universal services and society in general;
- That every child receives a suitable education and their other human rights including health, care and safety;
- That this cannot be achieved without enabling every child the opportunity to be seen and their views, including their views about their education, and experiences listened to.

In her 2018-19 annual report, the Children's Commissioner states that regarding concerns over a lack of pace and progress, she has made the Welsh Government aware that she was considering using her legal powers to review the development of this policy area, retaining the option to review at any point should she have concerns that Government are not exercising their functions to ensure appropriate policy aims will be met.

The **Children, Young People and Education Committee** took evidence from the Children's Commissioner on her Annual Report on 6 November 2019. In her evidence, she said:

- There has been a big shift towards meeting her three tests;
- From the draft statutory guidance, there is a clearer idea of how children would be seen and what would happen if they were not seen;
- There are areas in the guidance where there are loopholes which she would like to see tightened;
- In terms of knowing where children are, there have been policy statements about the Government's intentions.

When asked about the suggestion that the draft guidance is unlawful, the Children's Commissioner said:

Obviously, the Government will have had their own legal advice before they put out their draft guidance, and I'm sure they'll be working on a response to that. The key issue, and the key discussions I've had with the Minister, when I've had the chance to discuss this with her, has been how much they can do under secondary legislation—which is what they're attempting to do this under, which was an attempt to do it quickly. It hasn't actually been very quick, but it was an attempt to do this more quickly and proportionately—and what would need primary legislation. So, my understanding is that they've worked hard to make sure that the guidance uses the full extent of what can be done through secondary legislation, but, clearly, there are different legal interpretations and I'm sure there are going to be robust legal discussions about that.

She went on to say:

There's been talk about this going forward for a number of years since the child practice review recommendations on the death of Dylan Seabridge. It's very complex; I'm not at all suggesting to the Government it's easy. It's a very complex area to work in, as we all know. It's a highly emotive area. People feel very personally pro or against it, a bit like many other areas that this committee considers. So, it is very complex. It's been a very difficult area, I think, for the Government to work up their guidance on. However, it's a shame that it still remains so controversial and so opposed by sections of the home educating community, who I don't think speak for everyone who's home educating.

The **Committee has written to the Minister for Education (19 November 2019)** seeking clarification on the legal issues with regard to the guidance.

3. National Assembly for Wales action

3.1. Petitions Committee

There have been three petitions on the subject of home education prior to the two being considered at this meeting. One on the subject of the non-statutory guidance that was issued for consultation in May 2015 and two in relation to the 2012 consultation on registration and monitoring of home education:

- **P-04-646: Petition against Welsh Draft Non-statutory Guidance for Local Authorities on Elective Home Education** was considered by the Petitions Committee in 2015. The then Minister for Education and Skills addressed the petitioner's concerns and agreed to ensure that their views would be taken into account in developing the new guidance. The petition was therefore closed.
- **P-04-517: Stop the Welsh Assembly Government from bringing in the monitoring of electively home educated children under the guise of safeguarding** was considered between November 2013 and June 2014; and

- **P-04-437: Opposing compulsory registration for home educating children**
was considered by the Petitions Committee between November 2012 and June 2014. The petition's originator has submitted one of the petitions currently under consideration by the Committee (P-05-922, Withdraw the proposed home education guidance).

Huw Lewis, Minister for Education at the time announced in May 2014 that, following consultation, he had decided not to legislate for a compulsory registration and monitoring scheme during the current Assembly term. Both petitions (P-04-517 and P04-437) were therefore closed.

3.2. Children, Young People and Education Committee

The Children, Young People and Education Committee has maintained an interest in elective home education and has corresponded with the Minister for Education and the Children's Commissioner for Wales and others:

- 28 February 2018: **Letters between the Minister for Education and the Children's Commissioner for Wales about planned statutory guidance and database**
- 22 November 2018: **Letter from the Children's Commissioner for Wales to the First Minister**
- 28 November 2018: **Letter from the Cabinet Secretary for Education to the Children's Commissioner for Wales**
- 10 January 2019: **Letter from the Children's Commissioner for Wales**
- 30 January 2019: **Letter from the Children's Commissioner for Wales**
- 18 July 2019: **Letter from the Children Commissioner for Wales and Letter from the Minister for Education**
- 14 November 2019: **Letter from Protecting Home Education Wales regarding the draft statutory guidance for local authorities on home education and Email the Trustee and Welsh Liaison for Education Otherwise regarding the draft statutory guidance for local authorities from on home education**

- 19 November 2019: The **Committee has written to the Minister for Education (19 November 2019)** seeking clarification on the legal issues with regard to the guidance.

4. Position in England

Following an earlier call for evidence, on 2 April 2019 the UK Government's Department for Education published a consultation on proposed legislation concerning children not in school. The consultation closed on 24 June 2019.

The consultation sought views on proposals to create four new duties:

- A duty on local authorities to maintain a register of children of compulsory school age who are not registered at a state-funded or registered independent school.
- A duty on parents to provide information to their local authority if their child is within scope of the register.
- A duty on education settings attended by children on the register to respond to enquiries from local authorities about the education provided to individual children.
- A duty on local authorities to provide support to home educated families if requested by such families.

The UK Government has not yet published its response to the consultation.

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 AC/AM
Y Gweinidog Addysg
Minister for Education



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-05-922
Ein cyf/Our ref KW/07392/19
Janet Finch-Saunders AM
Chair, Petitions Committee
National Assembly for Wales
Ty Hywel
Cardiff Bay
Cardiff
CF99 1NA

28 October 2019

Dear Janet Finch-Saunders AM,

Thank you for your letter regarding Petition P-05-922 Withdraw the proposed home education guidance.

With reference to the comment that the draft guidance “*mandates that home educating parents must meet with their local authority and allow their children to be interviewed*”, the guidance advises meeting families at least once a year to ensure the suitability of education is maintained.

Whilst there are no new legal duties placed on local authorities, the draft statutory guidance does represent a shift in current expectations of local authorities, it has been developed to assist them to carry out their existing duty to ensure children receive a suitable education.

The guidance is a draft document and therefore subject to change following detailed consideration of all consultation responses. Officials have met and engaged with a number of home educators and the consultation provides an opportunity for a greater number of views to be heard from a wider range of stakeholders.

The consultation deadline has been extended to 25 October, although officials will also aim to give every consideration to responses received after this date.

We have received a large number of responses and my officials will consider each and every one. I fully expect the guidance will undergo drafting changes as a result of the consultation.

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
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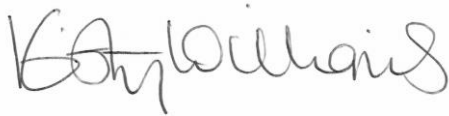
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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

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.

This is a highly emotive and contentious matter for some home educators and I am sensitive to their concerns. This is also an area of considerable concern for local authorities, who have sought legislative and policy change on this matter for a considerable time. We are seeking to strike a balance between the expectations of local authorities to discharge their duties in assuring themselves of the suitability of education being delivered, while protecting the choice to home educate and the flexibility home educators have in choosing how they educate their children.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Kirsty Williams'. The signature is written in a cursive style with a large initial 'K'.

Kirsty Williams AC/AM
Y Gweinidog Addysg
Minister for Education

Dear Petitions Committee members,

We refer to our Petition to stop the Welsh Government's [draft guidance on home education](#) (the **Guidance**) and our main points are the following:

1. LEGAL ADVICE

[Protecting Home Education Wales](#) has obtained [legal advice](#) from [David Wolfe QC](#) (a human rights and education law specialist) on the Guidance which states that if the same is issued in its current form it unlawful and/or lead to illegality by local authorities acting in the light of it.

A statutory guidance should be just that, a guide on the law concerning home education, the powers and duties of local authorities and rights and obligations of parents and their children so as to enable local authorities to fulfil their duties within the legal framework. A guidance must be clear and unambiguous and should not lead to confusion or even suggest that local authorities have powers or duties that they do not actually have or that parents have obligations that they do not exist. However, the Guidance is ambiguous and gets the law wrong on many occasions, as pointed out in the legal advice which among other things states:

- A. *"5. Paragraph 1.4 of the Draft Guidance explains that principles of the UNCRC guide how the rights of the child are protected. It says that "these principles are", and then lists Articles 2, 3, 6 and 12 UNCRC. However, and importantly, that list fails to include or recognise the obligations arising under Article 14 (rights and duties of parents) or Article 16 (prohibition on interference with privacy and home)."*
- B. *"[...]paragraph 2.23 says that "Where a child has been de-registered, the local authority should meet with the family as soon as possible to determine the reasons for home education [my underlining]." That sentence goes too far in suggesting that such a meeting is mandatory (either for the local authority and/or the family), and in implying that there is some obligation on parents to give a reason for de-registering their child with a view to home education."*
- C. *"While local authorities can request meetings and explanations, they cannot lawfully demand them. As drafted, the sentence gets the law wrong."*
- D. *"Similarly, in paragraph 2.31, the Draft Guidance says that "Where they can identify early signs of an intention to de-register, local authorities should contact parents to discuss their reasons." In implying an obligation on parents to respond to such requests, the guidance goes too far and gets the law wrong."*
- E. *"Paragraph 4.21 says that "In order for a local authority to satisfy itself of the suitability of education provided by the parents, the local authority should see and speak with the child." The word "**should**" is in bold in the text, and has a footnote which explains that a local authority would need a good reason not to comply with the guidance (and that refusal to comply by a family does not provide a good reason). That goes too far in suggesting that children/parents are under some sort of obligation to meet with the local authority – they are not."*
- F. *"The text also risks being read by local authorities as suggesting that they can (or indeed should) insist on seeing a child without its parents. There is no lawful basis for a local authority to behave that way simply because a child is being home educated. That must be made clear in the Guidance which currently gets the law wrong."*
- G. *"Paragraph 4.22 touches on that issue again in saying that "There may be occasions it is not in the best interests of the child for the local authority to meet with them, or in exceptional circumstances, the local authority can conclude without seeing the child they are receiving a suitable education." Two points arise: first of all the question of whether the child sees the local authority in relation to just the question of home education is entirely a matter for the child's parents and (for an older child) the child. This is not a question of "best interests", and it is entirely inappropriate for the Guidance to suggest that such a threshold or test applies."*

- H. *"Secondly, sections 436A and 437 Education Act 1996 require the local authority to reach a view on whether a child is not receiving suitable education. Unless there is positive evidence that the education is not suitable, then the local authority could not reach a rational and therefore lawful conclusion to that effect. There is certainly no proper basis to create a presumption that the education is not suitable unless the local authority has seen the child in question, let alone provide that the local authority should only "exception-ally" depart from such a conclusion. While the Welsh Government can provide guidance on how a local authority approaches its statutory obligations, it cannot distort or subvert those obligations in the way which this Draft Guidance would appear to do here."*
- I. *"Paragraph 4.24 refers to information provided by a child and to what use may be made of it. That too implies some form of entitlement on the part of local authorities to insist on seeing a child, or on the part of parents/children to agree to that. There are no such legal entitlements or obligations and the guidance gets the law wrong in suggesting the contrary. "*
- J. *"The paragraph continues "If it is clear that a child does not wish to be educated at home although the education provision is satisfactory, the local authority should discuss the reasons for this with the parents and encourage them to consider whether home education is in the best interests of the child when clearly it is not what the child wants." That is unlawful in suggesting some form of hierarchy or presumption in favour of education at schools and against home education, when the law (and Education Act 1996 section 7 in particular) is entirely agnostic as between the two: they are equal in the eyes of the law with the only issue for each being whether the education being provided is suitable."*
- K. *"That same sentence is also unlawful in implying that the local authority can insist on discussions with parents and/or children (or that the latter have to engage in such discussions); also in suggesting that the local authority has any role in questioning the parental choice to home educate in circumstances where that education is agreed suitable."*
- L. *"Those are clear interferences with, for example, Article 8 ECHR (right to respect for private and family life) which means that Article 14 ECHR (prohibition of discrimination) is engaged. That leads to the conclusion that there would be unlawful discrimination (contrary to Article 14 read in conjunction with Article 8) for a local authority to be taking the action in contemplation in that sentence of the guidance when it would not be doing the same for other children – there is (I assume) no equivalent guidance suggesting that local authorities should ask children at school whether they would like to be educated in a different way and then challenging parents on that basis."*
- M. *"To ask about those things - and certainly to insist on answers from, and then to act on those answers - from parents and pupils involved would be incompatible with Convention rights under the Human Rights Act 1998, and so un-lawful."*

The advice concludes: ***"Overall, if the matters set out above are adopted in the final guidance following consultation, then that final guidance will mis-state or misunderstand the law and so be unlawful (and/or leads to illegality by local authorities acting in the light of it). "***

It is not clear how local authorities would be guided to conduct themselves in accordance with the law by a document (the Guidance) that gets the law wrong and fails in so many respects.

2. EDUCATION MINISTER'S LETTER DATED 28 OCTOBER 2019

You have requested our input in respect of the Education Minister's [letter](#) of 28 October 2019.

Far from addressing our concerns the letter suggests that no change will be made to the Guidance in respect of mandatory meetings and this can be clearly implied from the following paragraphs:

“With reference to the comment that the draft guidance “mandates that home educating parents must meet with their local authority and allow their children to be interviewed”, the guidance advises meeting families at least once a year to ensure the suitability of education is maintained.

Whilst there are no new legal duties placed on local authorities, the draft statutory guidance does represent a shift in current expectations of local authorities, it has been developed to assist them to carry out their existing duty to ensure children receive a suitable education.” [emphasis added]

To suggest that the Guidance only advises (as opposed to mandates) and to say that “there are no new legal duties” is disingenuous, if not misleading. The legal advice raises serious concerns about the language used in this regard and the Guidance itself expressly confirms its mandatory status on several occasions, such as:

- *“1.1. [...] Local authorities must have regard to this statutory guidance in exercising their functions under that section.” And the footnote to that paragraph reads: “‘Must have regard’ means to take account of this guidance and carefully consider it. Having done so, there would need to be a good reason to justify not complying with it.” [emphasis added]; and*
- Paragraph 4.21 which, crucially, is referred to in the QC’s advice (please see paragraph 1. E above).

Consequently, as it was held in *R v Islington LBC ex p Rixon* [1998] 1 CCLR 119, local authorities would only have liberty to deviate from the Guidance where the local authority judges on admissible grounds that there is good reason to do so, but without freedom to take a substantially different course.

Contrary to the minister’s assertions, the Guidance does create new legal duties on local authorities, ie the duty to comply with the Guidance (the only justification for not doing so being a good reason) which in turn advises local authorities to meet with families, child, see the child etc. Given that local authorities can only depart from the Guidance if there is a good reason, such “advice” becomes a legal duty (ie mandatory).

We are unable to see how the Minister can justify stigmatising home educating families by making them and their children the only inhabitants of Wales, who would not be suspected of committing an offence, but yet subject to mandatory interviews. This is not least because where a social worker is refused consent to interview a child, they cannot interview that child without first obtaining a Court order. Consequently, parents suspected of causing significant harm to their children are entitled to have evidence of the requirement for a child interview to be presented to a Court, by the Authority and to have opportunity to challenge that application. How does this sit with home educating families being given no such choice and subjected to the serving of a school attendance order if they decline an interview with their child? School attendance orders are served by Authorities with no oversight by the Court. Furthermore, such school attendance orders could lead to criminal proceedings (not civil, as with social services applications) if the parent declines to comply. To add weight to this point, a child who is suspected of committing a crime may not be compelled to give evidence (UNCRC Article 40 iv) and yet the Guidance suggests that parents should allow their children to give such evidence unless they want to face a school attendance order.

The letter from the Minister goes on to say:

“I fully expect the guidance will undergo drafting changes as a result of the consultation.”

It is not clear if such changes will address the issues raised in the legal advice or whether the revised wording will be put to consultation before it is issued in its final form. Clarification should be sought from the Minister in this regard. Notwithstanding that, our contention is that the legal issues with Guidance are such that the same should be scrapped altogether. If the Guidance was to survive it would have to be totally redrafted (as its current version relies heavily on the unlawful mandatory meetings, interviews, etc) and any such redraft would have to be put before public consultation which in turn should comply with the [Welsh Government Guidance on Making Good Decisions](#).

Finally, the letter says:

"We are seeking to strike a balance between the expectations of local authorities to discharge their duties in assuring themselves of the suitability of education being delivered, while protecting the choice to home educate and the flexibility home educators have in choosing how they educate their children."

Any such balance can only be sought within the limitations of a statutory guidance which cannot create new legal duties on local authorities or suggest that they have any such duties.

In addition, in striking such balance due regard must be had to the European Convention on Human Rights, including Article 8 ECHR (right to respect for private and family life) and the Welsh Government should be reminded of its obligations under the Human Rights Act 1988, particularly section 6(1) which states that "[i]t is unlawful for a public authority to act in a way which is incompatible with a Convention right."

3. THE CHILDREN, YOUNG PEOPLE AND EDUCATION COMMITTEE'S LETTER DATED 19 NOVEMBER 2019

The Children, Young People and Education Committee (the **Education Committee**) has given significant time and attention to the views of the Children's Commissioner, but simply 'noted' concerns of home educating families without opportunity to hear directly from those with the greatest knowledge and experience of home education. In their [letter](#) to the Minister dated 19 November 2019 the Education Committee said:

"As part of these exchanges, we have stated clearly our belief that action is needed to ensure that children educated at home are seen and spoken to about the education they are receiving, and that they are happy, healthy and safe, and would like to reiterate these views at this stage".

There is no corresponding requirement to seek the views of schooled children as to their education (please see paras. 1. J to M of the legal advice above) and according to a [response](#) from the Children's Commissioner following a FOI request, only 2% of those children have given their views.

4. RESEARCH

Based on information obtained from local authorities under the Freedom of Information Act 2000 we conducted a full analysis (see [2015](#) and [2019](#) reports) of the facts and found that the proportion of school teachers found guilty of abusing children in their care, is greater than the proportion of home educated children who are subject to child protection plans, despite those children being under considerably greater scrutiny than other children. By way of example, please see [report](#) by York Consulting. Notwithstanding the above, the Children's Commissioner has confirmed that only 2% of schooled children have been enabled to give independent views in respect of their education. Home educated children in Wales are considerably less likely to commit an offence leading to a disposal than are schooled children, attain higher average academic results, are found to be at least as well socialised than are schooled children and far from being 'invisible' are uniquely visible.

"Rates of home educated children subject to a Child Protection Plan at 0.17 - 0.24% of the population, were also found to be less than teaching staff guilty of abuse offences 0.18 – 0.46%. Home educated children are found to not be at increased safeguarding risk, rather they are shown to be at lower risk than other children."

"Home educated children were found to be subject to statistically significant higher rates of referral for assessment under the Children Act 1989 s47 at 4.17% than were children under 5 years of age at 2.34 % and children aged 5 to 16 years at 2.03%. Despite these higher rates of referral, no significant difference was found between rates of child protection plan in children who are home educated at 0.44% and children aged 5 to 16 years at 0.43%. Difference in rates of child protection plan in children under 5 years of age compared to home educated children and children aged 5 to 16 years were statistically significant at 0.71%. Conversion rates from referral under the Children Act 1989 s47 to child protection plan were 11.06% in home educated children compared to 35.40% in children under 5 years of age and 26.81% in children aged 5 to 16 years".

Agenda Item 3.1

P-04-522 Asbestos in Schools

This petition was submitted by Cenric Clement-Evans and was first considered in December 2013, having collected 448 signatures.

Petition Text

We call on the National Assembly for Wales to urge the Welsh Government to put measures in place to ensure that parents and guardians of children across Wales can easily access information about the presence and management of asbestos in all school buildings.

Given the health risks associated with the presence of asbestos in public buildings, we believe parents and guardians across Wales have the right;

- to know if asbestos is located in their school;
- to know whether, where asbestos is present, it is being managed in line with the Control of Asbestos Regulations 2012;
- to access that information easily online

Assembly Constituency and Region

- Cardiff Central
- South Wales Central

**P-04-522 Asbestos in schools, Correspondence – Petitioner to Committee,
27.11.19**

I am grateful for the Committee's continued interest in this important issue.

For completeness I would remind the Committee that I am the Secretary of the Cross Party Group on Asbestos (CPG) chaired by Dawn Bowden AM. I am also an observer member of the Joint Union Asbestos Group (JUAC) and operate their Twitter account @theJUAC. These memberships post-dated the commencement of my petition.

It is a little while since I have submitted any response to the Committee or been able to update them.

HSE Statistics on Mesothelioma Deaths

Attached is the HSE response to my Freedom of Information request dated 31 July 2019. It will be seen that in the period 2013 – 2017, there have been eight mesothelioma deaths between the ages of 16 and 74 (the HSE does not record mesothelioma deaths over 74-which means that inevitably the figures are likely to be higher) in Wales amongst further education teaching professionals, secondary education teaching professionals and primary and nursery education teaching professionals. I attach also the latest JUAC analysis of mesothelioma deaths among school staff from 1980 to 2017, with more than 380 school teaching professionals having died of mesothelioma in Britain since 1980, with an average of 19 deaths every year. In addition it will be noted that other support staff have died from mesothelioma, with the statistics less clear because of the manner in which the data is collected. The figures take no account of those who have died from mesothelioma as a result of childhood exposures in school. I am sure that the Petitions Committee will agree why this is such a significant issue.

Welsh Government Guidance-Asbestos Management in Schools

The Committee has asked that I comment on the Welsh Government Guidance on Asbestos Management in Schools. The Committee should be aware that I

contributed on behalf of the CPG to the consultation on draft guidelines. Together with other members of the CPG, I also attended the stakeholder meeting in May 2018, where the Health and Safety Executive (HSE) were represented together with representatives of both trade unions and local authorities. It was a positive and collaborative meeting.

I understand informally via JUAC that the Guidance has been a positive influence at the Department of Education (DfE) Asbestos in Schools Steering Group during their review of the DfE Guidance. (I would remind the Committee of my understanding that a representative of the Welsh Government Education Directorate attends the DfE steering group. The same HSE representative who attended the meeting in May 2018 also attends).

My concern with regard to the Welsh Government Guidance is that there is no review date provided for, in contrast to the position of the DfE Guidance. I have previously referred to the need in Wales for a similar steering group to the DfE Group. I do not think that it is acceptable for Wales to rely upon the DfE Group, which as I have made clear in the past is primarily (and understandably) concerned with schools in England.

Asbestos in Schools Steering Group

As the Committee has been previously advised, during the course of this petition Welsh Government has established a group reviewing asbestos in schools in Wales but this has been entirely internal to Welsh Government, save for the presence of the HSE. The success of the stakeholder meeting in May 2018 and the positive discussions around the table led to significant changes in the Guidance from the draft previously circulated. I have long called for representation at such meetings from local authorities, trade unions, and experts. Victim organisations ought to be represented as well. I would maintain my call for such a representative group coupled with a review date.

Letter of the Minister to the Chair 20th May 2019

I note that the Minister wrote *inter alia*

“Asbestos management in schools - responses in the school condition survey

I am pleased to report that full assurances have now been received from local authorities confirming that the information they have provided is current and valid, and that schools in their estates with asbestos present have an asbestos management plan in place. On this basis, I have now decided to make this high level information available and will be instructing my officials to set this in motion as soon as possible.”

I would be grateful if the chair could confirm whether the high level information referred to has now been made available and how so.

Asbestos Management Assurance Process (AMAP)

Letter of the Minister to the Chair of the Cross Party Group on Asbestos 12th September 2019

This is attached. It will be noted the comments with regard to the AMAP in England.

“Asbestos Management in Schools: Assurance

Thank you for the information with regards the progress on the Asbestos management assurance process (AMAP) in England. As you will be aware, in Wales we monitor information about the presence of asbestos in our schools and confirmation that asbestos management plans are in place as part of our annual condition survey.

Following our annual survey earlier this year, I can confirm that we have full assurances from local authorities confirming that the information they provided is current and valid, and that schools in their estates with asbestos present have an asbestos management plan in place. We will continue to monitor this on an annual basis.”

For background I refer to my letter to the chair of the Public Accounts Committee of 20 May 2018 in which I highlighted the position of the Public accounts committee at Westminster.

<http://senedd.assembly.wales/documents/s76259/Letter%20from%20Cenric%20Clement-Evans%20-%20May%202018.pdf>

Therein I referred to the April 2017 recommendation by the committee at Westminster

“Recommendation: The Department should set out a plan by December 2017 for how it will fill gaps in its knowledge about the school estate in areas not covered by the property data survey. Specifically it needs to understand the prevalence, condition and management of asbestos, and know more about the general suitability and safety of school buildings.”

It can be seen on any reading that there is a difference in the level of detail being required with regard to schools in England and schools in Wales. To my knowledge there has been no equivalent to the AMAP carried out in Wales. Respectfully I would suggest to the committee that this is a matter of concern, as this provides no assurance that the second aspect of the petition, namely *“to know whether, where asbestos is present, it is being managed in line with the Control of Asbestos Regulations 2012”* is being addressed.

Last weekend Lucie Stephens whose mother Sue Stephens <https://you.38degrees.org.uk/petitions/protect-our-children-and-teachers-from-asbestos-exposure-in-schools> , a teacher died from Mesothelioma launched a new website <https://toxicschools.org.uk> . It is designed to allow every parent or school staff member to search online to find out if their school or that of their child contains asbestos. It relates only to schools in England as it is based on the data provided to the DfE via the AMAP process. Such online information, a request made in this petition, is not available to our school staff and parents in Wales.

Is Asbestos, where present, being managed in line with the Control of Asbestos Regulations 2012?

This is also a concern of the CPG on Asbestos and the Chair has written very recently to the Minister on 25 November seeking further information from the Minister. A copy is attached. The concerns of the CPG extend to other public buildings in Wales and copies of letters dated 25 November to the Minister for Housing and Local Government, and also to the Minister for Health and Social Services, are also attached. I shall inform the committee of any responses received in due course.

Asbestos in Public Buildings in Newport and Cardiff

I understand that one of my colleagues on the CPG, Mr Phillip Gower, recently wrote to the Minister for Health and Social Services relating to his concerns as to the conditions of public buildings containing asbestos in Newport and Cardiff. I attach a copy of the response from the Minister for Housing and Local Government together with Mr Gower's letter.

ResPublica Report

The Committee will no doubt have seen the recent articles in the media regarding asbestos in schools following the publication of the report by the think tank ResPublica "DON'T BREATHE IN: BRIDGING THE ASBESTOS SAFETY GAP", including the Guardian article "UK children exposed to more asbestos than other countries – report" <https://www.theguardian.com/society/2019/nov/25/uk-children-exposed-to-more-asbestos-than-other-countries-report>

A copy of the ResPublica report is attached and it is worth highlighting the short passage with regard to asbestos exposure in children.

"5.2 HARM OF ASBESTOS EXPOSURE IN CHILDREN

We carried out multiple searches around the term: 'biopersistence of asbestos fibres in children'. One article argues that there have not been enough high-quality studies to allow for clear conclusions to be drawn about how the age of exposure to asbestos affects the risk of developing asbestos-related cancers in the future.⁸⁶ Many articles provide evidence supporting the claim that exposure to asbestos early in life significantly increases the likelihood of developing mesothelioma.⁸⁷ Some articles go into greater detail, describing how the risk of developing mesothelioma doubles every ten years before the age of 30 in which someone is exposed to asbestos.⁸⁸ There is contention around whether children have an increased likelihood of developing other ARDs that have a shorter latency period as mesothelioma.

There is a gap in the research around whether children's incomplete development increases their vulnerability to ARDs. However, the academic literature does establish that exposure to asbestos at a younger age substantially increases the

likelihood that one will develop mesothelioma since one is more likely to live to an age where the symptoms will develop.”

Asbestos in Schools: the health of the children of our nation

The Committee is reminded, that it is the future health of the children of our nation that is at stake, which is of course why the Committee has considered this petition on so many occasions and continues to do so. It is why I and many others continue to press Welsh government for action over the issue of asbestos in our schools in Wales.

As ever I am grateful for the continued scrutiny by the committee of this issue.

Cenric Clement-Evans 27th November 2019

Agenda Item 3.2

P-04-576 Allow Children in Wales to Have a Family Holiday During Term Time

This petition was submitted by Bethany Walpole-Wroe and was first considered in July 2014, having collected 1008 signatures (an associated e-petition has collected over 10,300 signatures)

Petition Text

We call on the National Assembly for Wales to urge the Welsh Government to review the guidance to Local Authorities on head teachers being able to authorise absence for family holidays during term time. Many families from poor backgrounds can only afford to go on holiday during term time, as holidays are about 60% more expensive during the holiday period. Also, many families where parents work are unable to take time off during the school holidays. Holidays can be extremely educational, giving the children awareness of the world in which we live.

Assembly Constituency and Region

- Ceredigion
- Mid and West Wales

P-04-576 Allow Children in Wales to Have a Family Holiday During Term Time, Correspondence – Petitioner to Committee, 20.11.19

Thank you for your update,

the action that we would taken is very clear, we want the power to approve leave during term time for pupils, to be given back to the Head teachers, we want the Welsh Assembly to stop claiming that they still do have this power, most of the education consortia have prevented them from doing this by removing the 'H' code from the attendance forms, thus leaving the Head teacher the choice of putting the absence down to unapproved or lying about the reason the child was not in school and putting their job in jeopardy. Neither of these options is acceptable and this can easily be remedied by the 'H' code being reinstated without further delay. We also believe that the Welsh Assembly should take attendance out of the Pisa survey, which would take pressure off the hugely demoralise teaching workforce, who are frightened to talk on the record because they fear for their jobs if they do, but are most eloquent about it in private, and the pupils alike.

B Walpole-Wroe

P-04-606 Ensure schools exercise their statutory powers under regulation 7 of The Education (Pupil Registration) (Wales) Regulations 2010 without interference or bias.

This petition was submitted by *Pembs Parents Want a Say / Rhieni Pembs eisiau cael dweud* and was first considered in December 2014 having collected 812 electronic signatures.

Petition Text

We ask the National Assembly for Wales to ensure that schools are free to exercise their statutory powers under regulation 7 of The Education (Pupil Registration) (Wales) Regulations 2010 without interference from bodies such as regional educational consortia and local authorities and without threat of penalisation through school inspection, performance judgement and banding processes.

Local authorities in Wales and their consortia are recommending that schools do not exercise their statutory powers under the above legislation leaving more families exposed to the threat of penalty notices under the Education (Penalty Notices) (Wales) Regulations 2013 than would have been otherwise. These recommendations are made on the basis that they can improve attainment despite the lack of evidence that absence of the type allowed under regulation 7 of The Education (Pupil Registration) (Wales) Regulations 2010 results in poorer attainment.

Currently schools in Wales can be penalised through inspection, performance judgement and school banding processes for authorising legitimate absences such as sickness, family holidays or other events or instances which enable families to participate fully in a normal, private family life.

These recommendations and processes bias schools against the authorisation of legitimate absence and make schools reluctant to exercise

their statutory powers under regulation 7 of The Education (Pupil Registration) (Wales) Regulations 2010. This can damage the home/school relationship and child well-being. Where a family disagrees with a decision to refuse authorisation of absence on the grounds of equality, human rights or child well-being there is no independent route of appeal. Where a family disregards a decision to refuse authorisation of absence the issue of a penalty notice and potential criminalisation can result. There is an economic impact on the Welsh tourism and leisure industry which provides employment and income to many of our families.

Additional Information

Regulation 7 of The Education (Pupil Registration) (Wales) Regulations 2010 gives schools the discretionary power to authorise up to 10 days absence during a school year for family holidays and more than 10 days absence in exceptional circumstances.

Schools are being advised against exercising this power by their local authorities. They are feeling pressured to improve school attendance figures by Estyn, the education and training inspectorate for Wales, who can penalise them if attendance falls below a certain level.

The drive to improve attendance is based on an assumption that it will improve educational attainment. This is an over-simplification of a very complex issue. Attendance and attainment are linked but a causative relationship is not proven. Research shows that absence for family holidays does not affect attainment at primary school level, and a small degree of absence is unlikely to have any effect at secondary school level. ("A Profile of Pupil Absence, 2011, DfE").

A school's refusal to authorise an absence which is allowable under the law can seriously damage the home/school relationship, particularly if the family believe that the absence is important to their child's well-being and take their child out of school anyway. The family can receive a penalty notice (fine) or be criminalised.

There are many legitimate reasons why children and families need the flexibility to be absent from school during term time which include difficulty obtaining annual leave during school holidays, important family events, geographical remoteness from non-resident parents, grandparents and extended family. Families employed in the Welsh tourism and leisure industry have felt a significant economic impact from the English term time holiday ban this year. The Good Childhood Report 2014 identified school as only ONE of the ten aspects of life with the greatest influence on child well-being. Family, home, finances, friends, health and choice were among the others.

Assembly Constituency and Region

- Preseli Pembrokeshire
- Mid & West Wales

Agenda Item 3.4

P-05-807 Review and change the guidance for attendance awards in Welsh schools

This petition was submitted by Laura Charles-Price and was first considered by the Committee in April 2018, having collected 123 signatures.

Text of Petition

We call on the National Assembly for Wales to urge the Welsh Government to review any guidance it issues on school attendance awards in Wales.

Many children across Wales suffer with chronic illnesses that affect their school attendance. A child may miss school due to the illness itself or due to hospital appointments which they have to attend related to this illness.

Each year attendance awards are given out at school which many of these children miss out on. Not only is this unfair but it also discriminates against those children.

I would like to propose that the Welsh Government either makes allowances for those children or advises local authorities and schools that attendance awards should not be given.

Assembly Constituency and Region

- Gower
- South Wales West

P-05-807 Review and change the guidance for attendance awards in Welsh schools, Correspondence – Petitioner to Committee, 25.11.19

I have no further comments to add, the situation is still exactly the same, where by children with long term chronic illness, are continually punished for having to attend appointments and missing school in general due to their conditions.

It really is an appalling state of affairs.

Kind Regards

Agenda Item 3.5

P-05-754 Lack of support for children with disabilities at crisis (there is a crisis team but do not support children with disabilities)

This petition was submitted by Rebecca Weale and was first considered in June 2017, having collected 200 signatures.

Text of the Petition

I am trying to highlight the need for the Cwm Taf children's crisis team to recognise there is a vital need for children with disabilities to be supported through crisis and have the right to be treated as any other child would.

I am a mother of four children, my middle son Tom has numerous needs, severe learning difficulties, autism, a mood disorder as well as other additional health issues. Tom hits a crisis point every now and again. Which involves increase in aggression, shouting louder than usual, hurting himself as well as others, as well as many other changes in behaviour. Tom has extremely limited communication skills and is unable to tell us what is wrong or what we can do to help. We have been at crisis point with Tom who is now 15yrs old and on high doses of medications, many times over the years and it's astonishing how things have not progressed with regards to support for children with disabilities while at crisis. Tom is currently at a crisis point and has been for some time. We as a family have had very little if any support to help him through this difficult period. I have been made aware there is a children's crisis team however they do not support children with disabilities! Surely a child at crisis no matter if they have disabilities or not, is still a child at crisis. In fact I may be wrong but in some cases may need more crisis support. I can not believe at this day in age this divide is still acceptable. I am trying to highlight the need for the Cwm Taf children's crisis team to recognise there is a vital need for children with disabilities to be supported through crisis and have the right to be treated as any other child would.

Assembly Constituency and Region

- Merthyr Tydfil and Rhymney
- South Wales East

**P-05-754 Lack of Support for Children with Disabilities at Crisis,
Correspondence – Petitioner to Committee, 21.11.19**

Once again I have received no update or any correspondence relating to the petition whatsoever from Cwm Taff Health Board. I have deliberately refrained from making any contact myself with the hope that the professionals would have corresponded at some point, however I am not shocked with the lack of response or support.

I appreciate that Cwm Taff have other agendas, problematic issues and situations at hand at present, although that is no excuse to choose to put this very important, much needed issue aside while dealing with other pressures the Health Board are currently facing. They have a duty of care to all health needs, and therefore have a duty to act according to each and every need. Again, I cannot stress that I appreciate the fact that staff and resources are stretched, although communication is key and costs nothing.

My son Tom has currently gone through the process of transition to adult services, and I may add has not had the smoothest of journeys.

Starting this petition gave me some sort of hope that possible changes would be made, and that help and support would be provided for the vulnerable children and families, like mine. I hoped we would finally receive the support that should already be available without having to fight for it. Bear in mind, these families, like my family, are already fighting a fight of their own every single day. Today I feel that starting the petition has achieved nothing, as children and families are still struggling and under constant pressure.

I have recently been made aware that our local special needs school, that of which my son attends, are having difficulties funding the school nurse, a much-needed essential at a school with such needs (such as having bloods taken at the school, etc) however, this has very recently been provoked due to funding. These children have been having bloods taken within a safe, familiar environment for many years with much more success than any other clinical environment, but it's apparently justified to take another part of security away due to funding.
Once again, thank you for your time,

Agenda Item 3.6

P-05-846 Save our Hospital at Prince Philip Llanelli

This petition was submitted by Sospan. The petition has collected 12,745 signatures.

Text of Petition

We call upon the National Assembly for Wales to save our hospital at Prince Philip, Llanelli.

Assembly Constituency and Region

- Llanelli
- Mid and West Wales

P-05- 846 Save our Hospital at Prince Philip Llanelli, 27.11.19

We would be grateful if the petition could be held for a further six months

We are engaging with the Health Board on a regular basis and hopefully in the next few months will be able to secure a planned future for our Hospital

Can we take this opportunity to thank the committee again for their support

Thanks

Agenda Item 3.7

P-05-849 All men in Wales should have access through the NHS to the best possible diagnostic tests for prostate cancer

This petition was submitted by Stuart Davies, having collected 5,916 signatures online and 429 on paper, a total of 6,345 signatures.

Text of Petition

We, the undersigned call on the National Assembly for Wales to urge the Welsh Government to act now and make high-quality, multi-parametric MRI (mpMRI) before biopsy scans available to all eligible men across Wales who have a suspicion of prostate cancer.

Why is this petition needed?

Prostate cancer can be difficult to diagnose. For years, men have had biopsies that are invasive and painful. Sometimes they can lead to serious infections – we only want men to have a biopsy if it is needed.

If a biopsy is carried out before an mpMRI this involves using a series of needles that randomly sample tissue from the prostate, to see whether there are any cancerous cells. The problem with these techniques is there are gaps between the needles, so sometimes significant cancers can be missed if that section of tissue isn't sampled. A biopsy can lead to false positives, where clinically insignificant cancer is diagnosed, this can lead to unnecessary overtreatment.

mpMRI scans can be used with other tests to improve the number of aggressive prostate cancers being caught earlier. If the mpMRI is carried out to a sufficient standard it's also been proven to safely reduce the number of men who may have biopsies unnecessarily, by ruling them out of having prostate cancer at an earlier stage.

What is mpMRI?

mpMRI means multi-parametric MRI. This combines up to three different types of scan for a clearer picture of what's going on in the prostate. Also, an injection of a dye means that scan images can be enhanced making it clearer to see if cancer is present or not. This is different to a standard MRI scan which creates an image of an internal organ, these are rarely clear enough to confidently diagnose early prostate cancer.

What is happening in Wales?

There are 7 Health Boards in Wales, mpMRI before biopsy is being provided in 3 Health Boards. Only one board is doing it to a standard high enough to safely rule men out of biopsy. This means men in 4 Health Boards do not have access to mpMRI as a diagnostic test, unless they pay more than £900 to have it done privately.

Find more information about mpMRI and biopsies here:

<https://prostatecanceruk.org/prostate-information/prostate-tests/introduction-to-prostate-tests>

Assembly Constituency and Region

- Clwyd South
- North Wales

Status

This petition is currently under consideration by the [Petitions Committee](#).

Further information

- [Learn more about the Assembly's petitions process](#)
- [Sign an e-petition](#)
- [How the petitions system works](#)



Ein cyf/Our ref VG/07969/19

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

Government.Committee.Business@gov.wales

21 October 2019

Dear Janet,

Thank you for your letter of 30 September regarding petition P-05-849: all men in Wales should have access through the NHS to the best possible diagnostic tests for prostate cancer.

In recognition of the emerging evidence and the National Institute for Health and Care Excellence's review of its guidance, the Welsh Government convened three workshops to bring the clinical community together to create a consensus on the best way forward and to enable local planning to comply with any revised guidance. At the most recent workshop on 2 October 2019, Health Boards not providing investigations in line with the revised guidance were required to provide updates on their implementation plans. It is my expectation that all Health Boards will come into line with guidance by the end of the financial year, potentially earlier. This programme of change is being overseen by the National Imaging Network and the Wales Urology Board. I will continue to monitor progress closely.

While Health Boards are transitioning to this new service model, people with suspected prostate cancer will continue to be investigated in line with the extant clinical pathways. While I appreciate it is desirable for appropriate patients to be offered pre-biopsy mpMRI, I accept that Health Boards will need time to put in place the relevant equipment, training and capacity to do this.

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

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Gohebiaeth.Vaughan.Gething@llyw.cymru
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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.

As said in my earlier correspondence, should patients seek to be investigated by private means then this must remain a matter for those patients concerned. I understand the point being made by Prostate Cancer UK about the fairness of some men seeking private investigations but we must not lose sight of the fact that all men in Wales with suspected prostate cancer will continue to be offered expert NHS diagnostic care.

Yours sincerely,

A handwritten signature in black ink that reads "Vaughan Gething". The signature is written in a cursive style with a large initial 'V'.

Vaughan Gething AC/AM

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

P-05-849 All men in Wales should have access through the NHS to the best possible diagnostic tests for prostate cancer, Correspondence – Cancer Research Wales to Committee, 24.10.19

We agree in principle with the chief recommendations that all men should be offered mpMRI scanning as a first line investigation where appropriate. To ensure health equality across Wales we agree that such scans may have to be provided short term through other health boards or private providers. However, long term investment in infrastructure and training of personnel is essential to ensure that all men across Wales have routine access to the best standard of care which mpMRI scanning provides.

Ann Tate

Chief Executive Officer

11 November 2019

**MACMILLAN
CANCER SUPPORT**

**CYMORTH CANSER
MACMILLAN**

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

First floor, 1 Oldfield Rd,
Bocam Park, Pencoed,
Bridgend, CF35 5LJ

Llawr cyntaf, 1 Ffordd yr Hen Gae,
Parc Bocam, Pencoed,
Pen-y-bont, CF35 5LJ

Dear Janet,

Re: Petition P-05-849 All men in Wales should have access through the NHS to the best possible diagnostic tests for prostate cancer

Thank you for your correspondence dated 22 October 2019.

Pre-biopsy Multiparametric MRI (mpMRI) is NICE guidance and Macmillan Cancer Support fully expects this to be the standard of care for eligible patients with suspected prostate cancer in Wales. We have recently been made aware that Betsi Cadwalladr University Health Board has established pre-biopsy mpMRI as part of the pathway and started accepting referrals. I believe this change came into effect on 31 October 2019.

To the best of our understanding, all Health Boards in Wales - with the exception of Powys Teaching Health Board, which refers out of area – are now providing pre-biopsy mpMRI as standard.

The next challenge is to ensure all health boards can sustainably provide the service with the additional numbers of patients. Macmillan will be monitoring the developments closely and we hope this provides a higher standard of care for people suspected of having prostate cancer.

Yours sincerely,



Richard Pugh

Head of Services (Wales), Macmillan Cancer Support

P-05-849 All men in Wales should have access through the NHS to the best possible diagnostic tests for prostate cancer, Correspondence – Petitioner to Committee, 22.11.19

Interesting the points about the interim period being made time and time again, yet the Betsi is refusing to repay those guys who have made payments since we met with the Chair of the Board and the Director of Nursing. It would be helpful if the committee made reference to this to the Minister?

Stu

Stu Davies



To: Petitions Committee, National Assembly for Wales

22nd November 2019

Dear Ms Janet Finch-Saunders AM,

RE: Petition P-05-849

Firstly, we would like to thank you for the opportunity to contribute to this important debate in the Welsh Assembly.

As a charity, we strongly support the introduction of pre-biopsy mpMRI in the diagnosis pathway as outlined by NICE in the revised guidelines on prostate cancer diagnosis and management which came into being in May 2019.

It is Orchid's view that the implementation of high-quality pre-biopsy mpMRI will likely reduce the number of men who are over diagnosed and overtreated for prostate cancer. This not only directly benefits patients who will be spared potentially unnecessary invasive treatments but could also save the health service in treatment and care costs. It is also possible that in time, if the number of overdiagnoses and overtreatments are reduced, there will be greater confidence in the diagnosis pathway which could help to encourage more men to seek medical attention sooner, aiding earlier diagnoses and improving outcomes for both patients and the health service.

We understand that only two of the seven Health Boards in Wales currently offer pre-biopsy mpMRI. It is our view that this must be addressed as a matter of urgency so as to achieve adherence to the NICE Guidelines across the entirety of Wales. It is not fair or equitable that some men in Wales currently have access to pre-biopsy mpMRI and others do not, simply based on location.

In view of the current situation, Orchid would in principle support an interim plan if it were to enable men who would be appropriate for a pre-biopsy mpMRI to do so – these men should not have to seek 'private means' in order to have a pre-biopsy mpMRI in line with NICE Guidance.

Orchid believe that if any interim arrangements should be put in place, they must only be interim and that efforts should not be diverted from delivering a full roll-out of pre-biopsy mpMRI across Wales. To that end we were reassured to read in the Minister's letter to the Petitions Committee (of 1st July 2019) that the Government and Health Boards have implementation plans in place. These must now be delivered as quickly as possible.

Finally, we would like to acknowledge and thank Mr Stuart Davies and the 6,345 people who have pledged their support to this petition, their work in fighting for better outcomes for the men of Wales is admirable.

Yours sincerely,

Rebecca Porta

Chief Executive Officer, Orchid Cancer Appeal

Orchid, 60 Gray's Inn Road, London WC1X 8AQ

T: 0203 745 7310 F: 0207 388 1175 E: info@orchid-cancer.org.uk W: www.orchid-cancer.org.uk

Orchid Male Cancer Helpline: 0808 802 0010 or email: helpline@orchid-cancer.org.uk

Page 119

Registered in England with the Charity Commission No. 1080540. Company registered in England No. 3963360

P-05-849 All men in Wales should have access through the NHS to the best possible diagnostic tests for prostate cancer, Correspondence – Prostate Cancer Wales to Committee, 23.11.19

Dear Ms Janet Finch- Saunders AM.

I write regarding the petition for the implementation of mpMRI screening before biopsies. Firstly I would inform you that I am also a Prostate cancer patient which is of the aggressive type and has metastasised and have actually undergone the Truss biopsy. The biopsy is a very invasive and painful but nevertheless essential procedure. I also have concerns around infection and cancer spread with biopsies. I had ten biopsies taken and all proved positive. The biopsies are essential in the staging and determining the aggressiveness of the cancer. We as a charity would welcome the roll out of mpMRI prostate cancer screening prior to biopsies in Wales. Before it is fully implemented it is essential that we have the capacity to do so and that radiologists are competent and trained in the diagnosis. We should learn the lessons from the Bowel cancer screening programme whereby we didn't have the capacity or the Endoscopists to implement properly. GP awareness is imperative and to add lower back pain as a symptom as was in my case. Hopefully one day a tool for earlier mass screening will be discovered .

Yours Nick Phillips.

Prostate cancer Wales subsidiary off Cancer Research & Genetics UK.

Agenda Item 3.8

P-05-854 Make learning disability training mandatory for hospital staff

This petition was submitted by The Paul Ridd Foundation, having collected 5,654 signatures.

Text of Petition

Paul Ridd was our brother. He had severe learning disabilities and died in Morriston Hospital in 2009. The Public Services Ombudsmen report into the circumstances leading to Paul's death said that neglect, lack of training and ignorance were contributory factors leading to Paul's death. The Government must ensure all healthcare professionals get mandatory training to address the huge health inequalities facing people with autism and a learning disability.

1 in 4 healthcare professionals has never had training on learning disability or autism. This is unacceptable. Two thirds want more training, and 1 in 3 think a lack of government leadership is contributing to the problem of avoidable deaths (statistics from survey conducted by YouGov for Mencap: <https://www.mencap.org.uk/press-release/concerns-over-lack-clinical-training-causing-avoidable-learning-disability-deaths>).

Assembly Constituency and Region

- Aberavon
- South Wales West

**P-05-854 Make learning disability training mandatory for hospital staff,
Correspondence – Petitioner to Committee, 26.11.19**

Following on from the debate at the Senedd on November 6th we would like to reiterate the importance that the mandatory learning disability training is delivered in a meaningful and interactive way, with the support of people with a learning disability wherever possible.

Kind regards

Agenda Item 3.9

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

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

Text of Petition

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

Additional Information

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

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

The service areas residents have major concerns about are;–

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

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

Assembly Constituency and Region

- Pontypridd
- South Wales Central

P-05-905 Call for an Independent judicial Inquiry into the reorganisation of services within Cwm Taf Health Board, Correspondence – Petitioner to Committee, 19.11.19

Thank you for sending this to me. I have already followed the debate on this petition and am pleased to note that further consideration is to be given. I note that Mike Hedges AM suggested that a further two weeks be given to allow further response, I and Mark Adams welcome this and wish to submit the following further information.

Today we note that two further reports by the Health Inspectorate Wales and Wales Audit Commission are now in the public domain which are seriously critical about the way some departments at Royal Glamorgan (and Prince Charles) were run, particularly in respect of patient care, the reporting of incidents and an apparent culture of fear. These reports I am sure will be considered by the committee when further consideration of the petition is to be considered.

Further consideration needs to be given to the safety, effectiveness and efficiency of the services provided by the changes imposed on Royal Glamorgan Hospital since the advent of the South Wales Programme. It is clear that the changes have resulted in experienced staff leaving the service or taking early retirement as they feel they can no longer work under the day to day pressures of delivering services in a climate of fear and intimidation. Recent conversations we have had with staff indicate there is still a climate of uncertainty about what services are going to be provided and where, they feel that senior management are unsupportive and the main reason they feel this is happening is because of the ill thought out impact that South Wales Programme would have on their ability to deliver on behalf of the public.

It is clear and evident that failure to manage and deliver health services at Royal Glamorgan in a safe and effective manner is having on the residents of Rhondda and Rhondda Cynon Taff. The frontline staff at this hospital are excellent and professional but sadly they and the public have been let down by changes that were totally unnecessary and poorly managed.

Agenda Item 3.10

P-05-723 Establish Proportional Representation Voting System for Welsh Local Council Elections.

This petition was submitted by Mohammed Sarul Islam, having collected 202 signatures.

Text of the Petition

We the undersigned call on the National Assembly for Wales to establish a proportional representation voting system for 22 Welsh council elections.

Assembly Constituency and Region:

Cardiff West

South Wales Central

Agenda Item 3.11

P-05-800 Urgent Appeal for a Welsh Veterans Commissioner for the Health & Wellbeing of Wounded, Injured, Sick and Homeless veterans

This petition was submitted by Nicola Hester and was first considered by the Committee in February 2018, having collected 50 signatures online.

Text of Petition

Here in Wales, I was proud that we were first for a Commissioner for both Children & Young People, and Older Persons. Unfortunately Scotland has beaten us to have a Commissioner for Veterans.

We veterans need someone to be our voice and true representation to the Welsh Government. Not what the "chiefs" want you to know.

We need someone who can meet with us, know our views and what we need. To support those unfortunate who end up in prison instead of having mental health treatment for PTSD.

Assembly Constituency and Region

- Torfaen
- South Wales East

Agenda Item 3.12

P-05-843 More Third party rights in planning appeals

This petition was submitted by Emma Eynon, having collected 59 signatures.

Text of Petition

We, the undersigned, call on the Welsh Government to introduce legislation which will grant more rights for third parties to appeal on planning decisions. Currently, even those who are directly affected by planning approvals are considered as third parties to applications and have little or no rights to appeal or even to input into planning conditions. The judicial review process is aimed at developers and the time limit of six weeks to submit such an application is not suitable for community action groups. Third parties should have the same rights as a developer to appeal in planning decisions and should not have to send all communications through the elected ward member.

Assembly Constituency and Region

- Neath
- South Wales West



Ein cyf/Our ref JJ/06191/19

Janet Finch-Saunders AM
Assembly Member for Aberconwy
National Assembly for Wales
Ty Hywel
Cardiff Bay
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CF99 1NA
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11 July 2019

Dear Janet,

Thank you for your letter of 05 July, on behalf of the Petitions Committee, relating to petition P-05-843.

1. Reviewing decisions contrary to the development plan. I have already asked my officials to explore whether the Town and Country Planning (Notification) (Wales) Direction 2012 can be expanded to capture a wider range of applications which Local Planning Authorities have resolved to approve contrary to the development plan in place for the area. This passes the application to the Welsh Ministers, who have 21 days to decide whether or not to call in the application for their own determination. This would have a similar effect to the introduction of a third party right of appeal for applications which are a departure from the adopted development plan.
2. Amendments to the Town and Country Planning (Use Classes) Order 1987. Work is ongoing to consider further refinements, and potential subdivision, of the A3 “food and drink” use class. The Welsh Government will consult on proposals for more refined food and drink use classes in the near future.
3. Decisions made by the Planning Inspectorate are made on behalf of the Welsh Ministers. Such decisions can be challenged via judicial review. A judicial review of a planning decision would not consider the merits of the case. Rather, it would depend on a claim of the handling of the application being legally flawed.

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.

There is no statutory right to judicial review of a planning decision; one would first need to seek leave from the Courts to pursue such a case. The Courts have indicated such a challenge should ordinarily be mounted within six weeks of the grounds for challenge first arising. Such challenges do arise but are infrequent.

The Planning Inspectorate provides annual performance reporting statistics on the quality of appeal decisions, based on the percentage of decisions which are subject to legal challenge. The Inspectorate has a target of no more than 1% of decisions being subject to successful legal challenge. The Inspectorate has met this target every year since 2010.

On a less formal basis, excellent working relationships exist between officials in Welsh Government and the Planning Inspectorate Wales Division. This enables regular dialogue between officials and Inspectors on any emerging or changing national policies, or changes to the Local Development Plan process. This joint working ensures appeal decisions are made in the context of the latest and best advice on national policy considerations.

I trust my response to your request for further information is useful to the Committee.

Yours sincerely,



Julie James AC/AM

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



Blaengwrach Community Action Group

Cover Letter – reply concerning petitions P-05-843 / P-05-845

Date: 26th November 2019

Dear Chair,

After a year of actively progressing these petitions, I must confess to feeling ‘soul-weary’ in the face of blank refusals by Ministers to acknowledge any of the points in both of these appeals.

Despite providing endless arguments and logical reasoning as to why, we the public, need more protection from those who make life-changing and community-changing decisions, I see the same refusals to make positive change from those with the power to make them.

It seems the Minister for Housing and Government is very happy with the situation, and avoids answering any of my points directly in favour of evoking logical fallacies. I can only refer you back to the first letter I provided at around this time last year, which is still just as valid today.

My community is very disappointed at the lack of change that these petitions have brought about. While there are large numbers of people who are very grateful that I have made this effort, it just highlights why so few people make the attempt. This long and exhaustive process seems to be designed in the favour of Ministers, in the hope that genuine residents such as myself, and members of my community, just ‘give up’ as it were.

I do not feel that the points I have raised in my petitions, have been adequately considered by the relevant parties, and believe there is little chance of that happening at this stage. I strongly believe that an overhaul of the planning system is required, and you will continue to receive petitions from the public, on such related matters, as more injustice occurs across South Wales.

Before you consider a final verdict on these petitions, I would request that the Committee reviews all of the documentation that I have sent through on these matters. I have the full support of my local councillor, the SUSTRANS charity (the director of which requested to come and speak on my behalf in a previous reply, but we heard nothing back on this?) and my regional Assembly Ministers.

These are real issues, affecting huge numbers of residents across Wales, and they are not, sadly, resolved by repeated assurances from the Minister for Housing and Local Government that she is satisfied.

With expensive legal teams and advice on the side of our local authorities, what hope do our small Welsh communities have of fighting injustice, with no knowledge of planning law to call on? If you would please read my petition points in my initial addresses to the Committee, (after my petitions were accepted), it should be clear that I am asking only for positive, and very achievable changes.

I thank you for your time and consideration,



Blaengwrach Community Action Group

More Third Party Rights In Planning Appeals

This petition asks for legislation to be introduced which will grant more rights to third parties affected by planning applications. In order to elaborate on this, and to demonstrate why the current legislation is simply not adequate, I have used our own experience with a recent planning approval (for a major development of a petrol filling station and a fast food drive-through restaurant) which is set to devastate the way of life for our small village.

We ask for:

1. Direct communication about planning applications to affected third parties

We believe that if a planning application is going to affect the home or travel of any local resident, that resident should be considered as an affected third party. This should also apply to sensitive institutions such as affected health centres or schools. An affected third party should be **directly notified by letter** and **directly invited to consultations** to allow for the opportunity to input into planning conditions or to be given the chance to appeal.

Notices on random lampposts in the area should no longer be a sufficient means of communication. Nor should there be a sole reliance on local councillors to directly inform all affected parties. The residents affected by the Blaengwrach development were not sent letters or direct communications and were unaware of the planning application until 2 days before the planning meeting. We are absolutely certain that, had we been given the opportunity to form this action group in the pre application stages, this development would never have been granted approval.

Many residents staged a protest at the site for the Planning Committee visit. Numbers were such that a police presence was requested to ensure Planning Committee safety at the ensuing Planning Meeting later that same day. Despite this, it was officially recorded that there was *little* protest to the planning application.

This demonstrates the need for mandatory direct communication to affected third parties in order to give residents ample notice of applications and to form any official responses.

2. Mandatory consultation invitations to affected residents

Consultations between the Local Planning Authority and affected third parties should be made freely available, in good time, and with flexible options for working people and those with dependents. Each affected party should be able to have their concerns recorded and assessed as each situation is unique and important.

In our case, access to and from our houses and the primary school will be severely impacted. Affected residents deserve to have their situations considered by an objective public body who should be putting the best interests of our residents first, and implementing appropriate remedial action or conditions.



Blaengwrach Community Action Group

3. More advice to be freely given at the point of notifying third parties of a planning application.

Information and advice on legal rights and responsibilities is severely lacking and inadequate.

In our case, residents were told in the planning application meeting (P2017/0112) by the Head of Planning, that there was no legal way to challenge their decision to approve, and that we had no recourse to appeal in any way.

We since learned that this was not correct and third parties have a 6 week window to request a judicial review. We were hampered by this misinformation and were not able to challenge the application in time.

Our residents were surprised to learn that the LPA has unrestricted and unchallenged powers in the land. As Lesley Griffiths AM herself has directly stated to us, there is no official body or authority that will intervene once that 6 week deadline has passed.

Our action group later learned of the Planning Aid charity which deals with giving objective advice. Our residents have been hesitant to use this service, as the same planning official names listed as advisors in this organisation are the ones we have been unsuccessfully dealing with during our own appeal.

We ask that when affected third parties are directly notified of planning applications and invited to consultations, they are also provided with correct information and guidance including actions available to take, avenues for appeal and relevant timescales.

4. More time to submit third party planning appeals

Communities and action groups take longer to organise and form official responses. Residents are not experts in planning, process, or legislation and have much to learn in their spare time before they can even begin to form an appeal via a judicial review.

Information must then be gathered from Freedom of Information requests which, using our experience with NPTC, typically take the full 4 weeks to elicit a response. This is an especially long process where follow-up correspondence is required.

As such, the current 6 week window for third parties to formally request a judicial review is completely unrealistic and merely plays lip service to the whole process.

5. The right for recognised Community Action Groups to have direct consultations with the Local Planning Authority

With a view to save public resources, Community Action Groups can be a better method to represent large numbers of affected third parties in a residential area. With the approval of the Local Councillor, these groups should be given the rights to represent those in their community to work with the Local Planning Authority and take positive action in direct consultations. This is not the case currently.



Blaengwrach Community Action Group

6. Special consideration be given to appeals where vulnerable people are affected in a community

We have a large number of elderly and mobility impaired people in our community who rely on public transport (Active Travel) to reach health centres and grocery shops. Our school children use the only pedestrian route through the village to travel to school. Not everyone is able to own and drive private vehicles, and developments that impact Active Travel have a severe effect on residential lives.

Vulnerable residents, and those community groups that represent them, should be given more consideration by the local authority when appealing against detrimental planning applications.

In our case, a realistic traffic assessment has been requested numerous times and summarily dismissed every time. If conducted, this would mean a much needed major change to the conditions imposed on this development, and which is sorely needed for the safety of local residents.

We would also like to take this opportunity to address the comments received from the Cabinet Secretary, Lesley Griffiths AM, on this subject.

More rights for third parties in planning appeals are still sorely needed and is a long running topic that will not go away while our (third party) needs remain unaddressed.

The provisions advised by the Independent Advisory Group for the Planning (Wales) Act 2015 are simply not adequate and are not being enforced. Improved public engagement is desperately needed in Local Planning Authorities. More opportunities to attend pre application and pre approval consultations are something we are asking for in this petition and more importantly, a mechanism to enforce such processes. It is all well and good to implement a facility for consultation but it is ultimately useless, unless steps are taken to ensure consultations are carried out and the feedback from third parties taken seriously.

Local Development Plans are very important to communities and yet ours is inaccurate and needs updating. The development approval in our community was rushed through by our Local Planning Authority using an inconsistent interpretation of the policies in our LDP. This was facilitated by a lack of detail around these policies, (some of which do not even exist) as well as missing key information. Indeed we have also submitted another petition to allow us the opportunity to update and amend our LDP rather than to wait another 2 years; as there is no mechanism in place to force our local authority to keep this current and up to date.

We also agree that it is more efficient to involve third parties in the pre application stages than in post approval, and this would alleviate the planning system in many ways. But in cases such as ours, where we have had no opportunity to input and discuss the implications of such a major development, we should also have some avenue to appeal. We have serious concerns over school route safety, and pedestrian walkways to public transport, as the planning conditions on the development are wholly insufficient.



Blaengwrach Community Action Group

These planning conditions were created by a Planning Committee Member and read out to us at the planning meeting. They were based on incorrect information and with no avenue for us to appeal or to make changes. We were told in the meeting that we were lucky that he had taken it upon himself to implement his conditions, as it was made clear to him before the meeting that this approval was going ahead. He also informed us that if it were not for him, we would have had no conditions implemented for any pedestrian and traffic safety, however insufficient we believe them to be. Despite over a thousand letters and complaints to our local authority from our residents, we are met with blank refusals to even discuss our safety concerns and provisions in planning conditions.

Indeed, the Public Services Ombudsman for Wales is the only recourse available to us (as the public) where we believe the planning authority have failed to uphold our best interests in a planning application. The Ombudsman regularly writes to advise local authorities in Wales about the sheer number of complaints his office has to deal with, which could be prevented with more proactive steps taken by local planning authorities.

We would ask the Welsh Government, in the aftermath of voting against the amendment to the Planning Bill in 2015, to consider that the provisions intended by the Planning (Wales) Act 2015 have proven insufficient to meet the needs and rights of third parties. Community Action Groups such as ours are still on the rise and complaints about planning are being generated in higher numbers than ever. The requests we have submitted for consideration under this petition are absolutely critical to improve the planning system in this country and to rebalance the system which is weighed so heavily in favour of profit heavy corporations.

Our Welsh culture is under threat and more of our traditional towns and villages are suffering from what we perceive as a massive injustice. We are asking for the tools and mechanisms to be put in place so we may work with our local authorities toward suitable developments and appropriate remediation. The system as we know it today simply does not work and we need to look to the well-being of future generations and the rights of everyone in our communities.

P-05-843 More Third party rights in planning appeals / P-05-845 End Conflict of Interest in Local Authority Constitution, Correspondence – Petitioner to Committee, 26.11.19

Before:



After:



Agenda Item 3.13

P-05-845 End Conflict of Interest in Local Authority Constitution

This petition was submitted by Emma Eynon, having collected 56 signatures.

Text of Petition

We, the undersigned, call on the Welsh Government to enforce better code of conduct policies for employees in local authorities. Currently, planning authority officers are able to run private planning consultancy companies at the same time as maintaining their public roles. There is no available resource to invest in policing these private firms, where declared in the necessary forms, to ensure the prevention of fraud and corruption. In the example of planning officers, running private consultancies 'on the side' could potentially facilitate corruption, of which there are many types, generally relating to the abuse of office. This practice needs to be stopped immediately and the constitutions amended to no longer allow this conduct. We demand greater accountability and transparency from our local authorities and standards of conduct in such public roles need to be set higher than the private sector, where this is highly unacceptable.

Assembly Constituency and Region

- Neath
- South Wales West



Blaengwrach Community Action Group

Cover Letter – reply concerning petitions P-05-843 / P-05-845

Date: 26th November 2019

Dear Chair,

After a year of actively progressing these petitions, I must confess to feeling ‘soul-weary’ in the face of blank refusals by Ministers to acknowledge any of the points in both of these appeals.

Despite providing endless arguments and logical reasoning as to why, we the public, need more protection from those who make life-changing and community-changing decisions, I see the same refusals to make positive change from those with the power to make them.

It seems the Minister for Housing and Government is very happy with the situation, and avoids answering any of my points directly in favour of evoking logical fallacies. I can only refer you back to the first letter I provided at around this time last year, which is still just as valid today.

My community is very disappointed at the lack of change that these petitions have brought about. While there are large numbers of people who are very grateful that I have made this effort, it just highlights why so few people make the attempt. This long and exhaustive process seems to be designed in the favour of Ministers, in the hope that genuine residents such as myself, and members of my community, just ‘give up’ as it were.

I do not feel that the points I have raised in my petitions, have been adequately considered by the relevant parties, and believe there is little chance of that happening at this stage. I strongly believe that an overhaul of the planning system is required, and you will continue to receive petitions from the public, on such related matters, as more injustice occurs across South Wales.

Before you consider a final verdict on these petitions, I would request that the Committee reviews all of the documentation that I have sent through on these matters. I have the full support of my local councillor, the Sustrans charity (the director of which requested to come and speak on my behalf in a previous reply, but we heard nothing back on this?) and my regional Assembly Ministers.

These are real issues, affecting huge numbers of residents across Wales, and they are not, sadly, resolved by repeated assurances from the Minister for Housing and Local Government that she is satisfied.

With expensive legal teams and advice on the side of our local authorities, what hope do our small Welsh communities have of fighting injustice, with no knowledge of planning law to call on? If you would please read my petition points in my initial addresses to the Committee, (after my petitions were accepted), it should be clear that I am asking only for positive, and very achievable changes.

I thank you for your time and consideration,

Agenda Item 3.14

P-05-901 Ban the Sale of Real Fur in Wales

This petition was submitted by Cardiff Animal Rights having collected 827 signatures online and 2,271 on paper, a total of 3,098 signatures.

Text of Petition

Farming animals for fur has been banned in the UK for over 16 years due to the cruelty involved. However, fur products are still legally imported from countries with little or no animal welfare laws.

Many animals are trapped in the wild using steel jaw leghold traps and have been known to chew off their own limbs in a frantic attempt to escape. Animals are also bred on fur farms usually in horrendous cramped conditions leading to severe mental trauma, skin sores and diseases.

Animals endure extreme pain and suffering, whether they are bred on fur farms or trapped in the wild. The fur industry is totally unethical, unnecessary and inhumane.

We call on the National Assembly for Wales to urge the Welsh Government to ban the sale and import of real animal fur.

Assembly Constituency and Region

- Cardiff North
- South Wales Central

P-05-901 Ban the Sale of Real Fur in Wales, Correspondence – Petitioner to Committee, 25.11.19

With regards to our petition calling for the sale of real fur to be banned in Wales. we would like to make the following points, firstly referring to other states/counties/cities and councils etc that have banned the sale of real fur, all of who are listed below -

These Places Have Banned Fur:

Los Angeles is the largest and most notable city yet to ban fur. The cruelly derived material is out—and cities and countries around the world are catching up with the times. Not only have major American cities begun to prohibit the sale of fur, countries around the world are also shutting down their fur farms. This widespread movement is taking flight as consumers, businesses, and nations alike recognize that innovative faux-fur fabrics are better for the environment and spare animals a miserable life and a bloody, painful death.

Here's a list of influential countries and municipalities that are leading the way!

FUR-FARMING BANS

Slovakia

The Slovak National Council has just passed a law banning fur production in the country – making it the 14th European nation to do so. Currently, one mink fur farm—with the capacity to torment roughly 5,000 minks—and eight rabbit fur farms operate in the country. The new ban will go into effect in 2021, with a complete phase-out period (applying to existing fur farms) meaning no furs farms within 6 years.

Serbia

Animals can no longer be killed for their fur in Serbia! The country decided to ban fur farming in 2009, giving farmers a 10-year phase-out period ending in January 2019. Throughout this period, the Serbian government was heavily pressured by the fur industry to delay implementing the ban or outright cancel it. But to ensure that the ban moved forward local animal rights pressure groups teamed up with Serbian singer Jelena Karleuša, who took a strong stand against the wearing of fur

Luxembourg

Luxembourg's progressive animal-welfare law was passed in June 2018 and prohibits fur farming entirely beginning in October 2018. While Luxembourg currently has no operating fur farms, legislation will prevent any from opening.

Norway

Norway introduced a total ban on fur farming in 2018 and will phase out fur farms entirely by 2025. The ban followed the release of an exposé showing horrific conditions on fur farms in the country. It's currently home to roughly 300 such farms, which breed and kill 700,000 minks and 110,000 foxes every year, so this marks a massive victory for animals.

Croatia

Croatia's Ministry of Agriculture listened to the concerned public and animal rights groups, and decided in 2006 to ban fur farms. After a phase-out period of 10 years, the ban went into effect in January 2017.

Czech Republic

In 2017, the Czech Republic passed an animal-protection law that would end fur farming by January 2019. OBRAZ—the local group working toward the ban—with financial assistance, information, and expert testimony.

Macedonia

Macedonia introduced a three-year phase-out period of fur farms in 2014, making fur farming illegal as of 2017.

Slovenia

In 2013, Slovenia passed a progressive animal-protection law that banned the farming and hunting of animals for their fur and hides. Existing farms were given a three-year phase-out period.

Bosnia and Herzegovina

In 2009, Bosnia and Herzegovina passed an anti-fur farming law that would prohibit raising animals for their fur by the end of 2018. In 2017, the deadline was under threat of being extended another 10 years, but thanks to sustained activism—members of the country's House of Peoples rejected the decision to postpone the

ban and it went into effect in January 2018. However, another meeting took place and the phase-out period was extended another 10 years. In October 2019, the state veterinary authority announced that 60 chinchilla farms have already ceased operations, and the remaining fur farms will be closed by 2028.

Japan

In 2006, Japan passed the Invasive Alien Species Act, which restricted the breeding of the non-native species American mink, raccoon, and coypu. The act essentially outlawed fur farming, and 10 years later, the last fur farm in the country shut down!

Austria

In 2004, six of the nine federal states in Austria banned fur farming. The remaining three began to enforce such strict animal-welfare regulations that fur farming is now no longer economically feasible.

United Kingdom

The United Kingdom was the first country to ban fur farming, which it did in 2000 in response to overwhelming public support for ending the cruel practice of breeding and killing animals for their fur. The ban initially extended only to England and Wales, but Scotland and Northern Ireland joined in 2002.

Belgium

In 2018, the Flemish government of Belgium adopted a decree to end fur farming following bans in Wallonia in 2015 and Brussels in 2017. This historic decision signifies the end of fur farming there, and the remaining 17 Belgian mink farms will shut down by 2023.

IMPORTATION AND SALES BAN

Islington.

The sale of fur is banned at Islington markets. Islington is the first London borough to ban the sale of real fur in its markets, after the council decided to tackle the "cruel and awful" industry. It will be illegal for traders in Chapel, Exmouth, Camden Passage and Whit

Vikki

Whitecross Street markets from 1 January 2020.

Teignbridge Council.

A ban on selling products that include real animal fur on Teignbridge Councils land has been agreed. Real animal fur to be banned from being sold in Teignbridge

California

California has housing requirements for minks and foxes that make the cost of fur farming prohibitive. In September 2019, it became the first state to ban fur trapping. One month later, it also passed legislation that will ban the sale and manufacture of new fur clothing and accessories beginning on January 1, 2023. These monumental victories came after appeals from a coalition of organizations, and local activists—including some 8,000 supporters—who wrote to their representatives in support of the legislation to help rid the Golden State of the ugly fur trade. In other fashion news, the sale of crocodile and alligator skins will be illegal in California beginning in 2020.

Los Angeles

In September 2018, Los Angeles became the largest and most notable city in the world to ban the sale and manufacturing of fur by 2020. City council members unanimously voted for the ban following animal rights campaigners ceaseless efforts, which included petitions, protests, several fur investigations, and celebrity anti-fur ad campaigns.

San Francisco

In March 2018, the San Francisco Board of Supervisors voted unanimously to ban fur following weeks of tumultuous debate between animal rights activists and retailers. This historic victory for animals came after appeals from leading campaign organisation and local activists, who attended numerous committee meetings on the issue and held a rally at City Hall just a few weeks prior to the ban.

Berkeley, California

The city of Berkeley, California, passed an ordinance in 2017 prohibiting the sale of fur from all species of fur-bearing animals. The city council received a Compassionate City Award from a campaign group in honor of its initiative.

São Paulo, Brazil

São Paulo, the largest city in Brazil, passed a historic law in 2015 that banned the importation and sale of all fur items. The year prior, city leaders signed a law that banned fur farming.

West Hollywood, California

In 2011, West Hollywood's city council approved a ban on the sale of new fur jackets, vests, stoles, and boots in stores within the city limits.

Prior to the decision, the council was bombarded with calls, letters, and e-mails from anti fur supporters, both local and from outside the city, urging it to pass the measure. Following the ban, a campaign group named West Hollywood the Most Compassionate U.S. City of 2011.

India

In 2018, India became the 36th nation to pass a ban on seal fur, joining the United States as well as Belarus, Kazakhstan, Mexico, Russia, Switzerland, Taiwan, and the 28 countries of the European Union. This victory for seals came after more than a decade of work by PETA India.

New Zealand

In 2013, New Zealand passed a prohibition on the importation of minks, which effectively bans mink farming in the country. However, the country still allows fur farming of ferrets.

PARTIAL BANS

Netherlands

The Netherlands passed a ban on farming minks for their fur in 2015, which will phase out the production of mink fur entirely by 2024. The decision came after thousands of anti fur supporters spoke out about the cruelty inherent in fur farming. In 1995, the country became the first in the world to ban farming foxes for their fur, after which it banned farming chinchillas for fur in 1997.

Denmark

Denmark adopted legislation in 2007 to improve the welfare of fur-bearing animals that included a number of welfare improvements for foxes on fur farms. In 2009, the country passed a ban on fox farming, with a phase-out period that lasted until 2017

for a majority of farms and a longer period until 2023 for farms where the main income comes from fox farming.

Hungary

In 1998, Hungary passed the Animal Protection and Tolerance Act, which states that “animals shall not be killed for reasons and under circumstances that are unacceptable or intolerable.” However, the act was not applicable to fur farming until later modifications were made.

In 2011, the country declared that only chinchillas and angora rabbits can be farmed for their fur.

STRICTER REGULATIONS

Sweden

Sweden’s Animal Protection Ordinance, passed in 1995, prohibits caging foxes and requires those animals to have the opportunity to be active, to dig, and to socialize with other foxes. Following the ordinance, fox farming was no longer economically viable in Sweden, and the remaining fur farms have shut down.

Switzerland

Switzerland’s legislation allows animals to be kept in captivity only under conditions that are equivalent to those required in modern zoos.

Therefore, fur farming became unprofitable and no longer exists in the country.

Italy

Italy passed stricter animal-welfare laws regarding fur farming in 2008.

Foxes and chinchillas on fur farms must have pens located on the ground—not cages—as well

We would also like to point out, that due to moving forward into modern times her majesty the Queen has announced that she will not be wearing real fur and instead even on state ceremonies will only be wearing fake or faux fur. This, we feel shows that consumers are going in the right direction and making the conscious choice to boycott fur and shops that sell real fur, it is therefore, in these enlightened times, bad for business for anyone to be selling real fur.

The production/farming of real fur is banned in the UK due to the cruelty involved and it makes sense for the next logical step to be the banning of the sale of an item already banned due to cruelty from production in this country.

The argument that , the spending in Wales on real fur is so minimal that to ban the sale would make no difference is a flawed argument at best, with so many other countries, councils, states, public figures etc banning the sale of real fur, it is our argument that in joining these examples in moving forward and banning the sale of real fur in Wales, will have, on a grander scale a very large impact on an industry already proven as cruel by our banning the farming and production of real fur in Wales in the first place.

We would also like to point out that banning real fur will stop the huge amount of problematic legal cases against stores selling things mislabeled as fake to consumers that then discover their items are real, if real precautionary methods are put in place to make sure all faux fur is tested , nothing will likely get through, and those caught selling mislabeled illegal items will be easier to prosecute, costing the tax player less.

"A BBC Watchdog Live investigation previously found shops including Amazon and TK Maxx have been selling faux fur clothes and bags which are actually made from rabbit, fox and raccoon dog fur. Widespread concern over animal cruelty has led to real fur very nearly disappearing from most UK high streets. It's part of a more widespread problem of real fur masquerading as fake fur.

Amazon, TK Maxx, Boohoo and Groupon were among companies found to be selling real fur that was not advertised as such. Tests undertaken as part of an investigation by the charity Humane Society International and Sky News revealed that customers have unwittingly been buying animal products.

A TV investigation by ITV's Good Morning Britain found 'faux' items sold at Debenhams, Forever 21 and Westside actually contained angora rabbit fur and raccoon dog fur. When sent off for testing, a fur expert discovered a handbag pom pom being sold by Debenhams was actually real fur."

High Street Giants Tesco And Boots were Caught Selling Real Fur Labelled As Fake
The retailers have since dropped the items Tesco had to remove a £16 keyring from sale which was found to have rabbit fur in it, and Boots took a £3.99 hair slide containing mink off its shelves.

Also in South Wales , due to local campaigns by the public, these shops have made the decision to go fur free:

Coco Blush
Luxor

Blue Banana (caught out selling mislabelled fur) Michael Coors (due to nationwide campaign)

Also one of Cardiff's main Christmas markets has a strict no fur policy .

In view of the cruelty, the farming bans and the stopping of the sale of real fur indicates a need to abolish this cruel product, let Wales lead the way and not be left behind due to medieval style animal cruelty, purely for self adornment, profit and greed.

Cardiff Animal Rights

Agenda Item 3.15

P-05-903 Filming and Recording of Council Meetings

This petition was submitted by Cllr Russell Spencer-Downe having collected a total of 58 signatures.

Text of Petition

We call upon the National Assembly for Wales to urge the Welsh Government to follow the law in England that enshrines in law the right of residents, bloggers and journalists to report, blog, tweet and film council meetings to ensure openness and transparency. This has not happened in Wales and should be brought in, to allow the same in Wales.

This requirement should allow members of the public, as responsible observers, to record or film such meetings without the need for prior permission and to re-use the material freely to provide a direct and wider line of communication to the electorate.

England brought in this law that gave these rights in 2014 and Wales should be given the same rights.

Assembly Constituency and Region

- Vale of Glamorgan
- South Wales Central

Julie James AC/AM
Y Gweinidog Tai a Llywodraeth Leol
Minister for Housing and Local Government



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref JJ/06705/19

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

11 November 2019

Dear Janet,

Thank you for your letter of 14 October seeking further information on my view of the proposal that there should be a right for members of the public and the press to record and report on council meetings - in relation to community and town council meetings.

Like local authorities community and town council meetings must be open to the public, the press and public have a right to observe how community councils operate, unless sensitive issues are being discussed such as legal, contractual or personnel matters. The council can agree to exclude the press and public for just those items. Similarly it is a matter for each community or town council to determine the detailed arrangements for these meetings.

Councils are encouraged to set out the format for public participation in its standing orders, but it is a matter for each council, at its discretion, to decide the details of such arrangements, which could take account of any data protection or other security matters that may arise as a consequence.

As the petition has now closed, I look forward to seeing more about the overall level of support it attracted.

Yours sincerely,

Julie James AC/AM
Y Gweinidog Tai a Llywodraeth Leol
Minister for Housing and Local Government

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

Bae Caerdydd • Cardiff Bay
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CF99 1NA

Gohebiaeth.Julie.James@llyw.cymru
Correspondence.Julie.James@gov.Wales

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

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

Agenda Item 3.16

P-05-775 Put an End to the Cross Border and Sub-contracting Taxi Licensing Loophole.

This petition was submitted by Taxi Drivers of Cardiff, having collected 390 signatures online.

Petition text:

We call on the National Assembly for Wales to urge the Welsh Government, in the context of its consultation into the reforms of the taxi licensing laws, to put a stop to the 'cross border' and 'sub-contracting' loophole in the law which means hundreds of out of town taxis and private hire vehicles descend on Cardiff to work Private Hire.

Additional information:

There are enough Cardiff licensed vehicles to cover the City without the need for these cars from as far afield as London, Merseyside, the Midlands etc. As well as from neighbouring authorities like Newport, the Vale and RCT etc.

There have even been vehicles not working on any platform, illegally plying for hire, hiding behind the fact so many 'alien' cabs are in the City.

Many of these vehicles have NO markings on them, making a mockery of the standards set by Cardiff County Council for vehicles licensed by themselves, including highly visible livery and local street knowledge. Alas it will be only matter of time before a vulnerable person jumps into a non licensed car with catastrophic results.

We urge the Welsh Government to ensure that the only Taxis and Private Hire vehicles allowed to work in Cardiff are those licensed by Cardiff County Council. This is to ensure public safety and to ensure that Cardiff isn't saturated with even more cars than what is needed which if allowed to continue will see even more congestion and pollution in our Capital. It will also give existing drivers licensed by Cardiff a chance to earn something approaching a living wage.

Assembly Constituency and Region

- Cardiff South and Penarth
- South Wales Central

Agenda Item 3.17

P-05-835 Allow Free Movement of Taxi Drivers to Carry Out Private Hire Work Anywhere in Wales

This petition was submitted by Taxis Without Borders, having collected 136 signatures.

Text of Petition

We call on the National Assembly for Wales to allow Taxi Drivers carry out private hire work freely anywhere in Wales, regardless of which council the driver is licensed by.

We bring this petition in response to the actions of a group of taxi drivers based in one City. We call on the National Assembly to take into account the wishes and desires of taxi drivers and operators across Wales, as opposed to a small group of drivers from one city.

If you book a taxi either by phoning someone, or using an app that company is legally allowed to send a car to you, regardless of where you are, or where the company is based. If you were in Barry and phoned a Cardiff company for a taxi to go to Caerphilly, they could, and would send a car to come and pick you up in Barry, and take you to Caerphilly.

If you were in Swansea, and wanted to go to Llanelli and were unable to get a taxi, you could phone a company in Bridgend, and they could send a car to pick you up, if they had one available.

This gives taxi users a greater choice of which companies that can and can't use. More choice, and more options meaning more competition drives companies to offer a better service to retain each person's custom.

From a drivers point of view, if they are licenced in Cardiff, and they were taking someone to Cardiff Airport, and a Cardiff based operator has a booking from someone to be picked up at Cardiff Airport going to Merthyr, the Cardiff driver is allowed to do that job.

Additional Information

If a Vale of Glamorgan driver is taking someone from Cardiff Airport to Pontypridd, and there is someone who has pre-booked their company to

take them from Pontypridd to Cardiff Airport, but there is a few hours wait, that driver can ask a Vale of Glamorgan operator to find them work. This could be by the operator phoning Pontypridd based firms to see if there is any work the driver can do around the area whilst waiting for the return booking. This gives drivers a greater earning potential, as it increases the size of are they can work in, and opens up possible income streams. It is also more environmentally friendly and reduces congestion as the driver that went to Pontypridd, isn't forced to go back to The Vale of Glamorgan empty, and the operator is not forced to send a second car to Pontypridd empty.

If a Newport based operator looked to expand their company, they could speak to Hotels in Caerphilly, and become that hotels preferred supplier to pick up guests from Airports. The operator can expand their company, and the hotel can provide a better service to potential customers, increasing their bookings, whilst still having a greater choice of companies to use to provide this service.

If a publican ran a pub in Merthyr Tydfil, and wanted to provide a pick up and drop off service to its customers, it would need an operators licence and would need to use licenced private hire drivers and vehicle, all from Merthyr. If then the same publican wanted to open a second pub in Llanbradach, and wanted to offer the same service, they could provide a pick up and drop off service from the same operators licence. This enables them to expand their business.

All this and more is possible thanks to Cross Bordering.

Assembly Constituency and Region

- Cardiff North
- South Wales Central

[Welsh Government Written Statement: Update on the Public Transport \(Wales\) Bill and wider bus reform agenda, Ken Skates AM, Minister for Economy and Transport, 24.07.19](#)

Wider Bus Reform

The Public Transport (Wales) Bill is a key element of a wider process of reform that we are undertaking in relation to the delivery of bus services in Wales, which will contribute to our ambition of a high quality, low carbon, multi-modal and integrated public transport network, which meets the needs of the travelling public.

The changes proposed in the Bill will seek to address some of the negative impacts of de-regulation on users, operators and authorities, by creating a number of tools which would enable local authorities to intervene should they chose to do so. Using these tools alone however, will not halt or reverse the decline in bus patronage.

Our aim is to increase the number of people using public transport by encouraging travellers to switch from private car use, thereby reducing congestion, carbon emissions and improving air quality and economic performance. We want to see more people using public transport to get them where they need and want to be, quickly and on time.

Bus reform cannot be seen in isolation either. The only way we will see increased patronage on public transport is if we are able to deliver a truly integrated public transport system where the mode of public transport (bus, train or taxis) is unimportant, but the ease of usability and price of all modes of public transport provides a viable alternative to private car use.

As part of this agenda, I recently launched a number of pilots of Integrated Responsive Travel.

Transport for Wales is currently rolling out a replacement for every one of the 750 000 concessionary passes that are in circulation.

This replacement work, alongside TfW's work on the rail service, is based on a new national technology platform that will in future allow us to implement an account based ticketing solution for bus, rail, cycle hire, park and ride and access to other forms of transport. This system will form the foundation of how people across Wales pay for and access buses across Wales in future.

Through Transport for Wales, we have also been working with partners across Wales to explore how bus services can be improved by better integrating routes and timetables, for example, with the railway. From Cardiff to Flintshire this will have a real impact on the way that services operate for the benefit of users.

This work is being carried out in partnership with local authorities and bus operators across Wales, and I would like to recognise and thank them for their support and cooperation.

Public Transport (Wales) Bill

Between December 2018 and March 2019 we consulted on the Improving Public Transport White Paper, which set out proposals for improving the legislative framework for how local bus services are planned and delivered, together with proposals for the reform of the licensing of taxis and private hire vehicles. Following the consultation and engagement, work has been underway to build on the White Paper and develop the proposals for a Bill.

In the First Minister's legislative statement on 16 July, it was confirmed that the Public Transport (Wales) Bill would be included in year 4 of the current legislative programme.

Building on the wider bus reform agenda and our partnerships with local authorities and bus operators, the Bill will put in place enabling provisions that will provide a suite of tools for local authorities to consider using when planning and delivering bus services, including enhanced partnership working, franchising and local authority run bus services. The Bill will put in place new information management and sharing arrangements, so that information to the public will be more accessible and reliable, and local authorities will be in a better position to make arrangements to address changes in service provision. The Bill will also amend the eligibility age for the mandatory concessionary fares scheme so that over time it will align with a person's state pension age. Work has been underway to develop a draft Regulatory Impact Assessment to consider the potential costs and benefits of the proposed legislation. Officials will continue to engage with key stakeholders over the summer with a view to updating and refining the document in the lead up to the Bill's introduction and throughout the legislative process.

Regulatory Impact Assessment (RIA)

The White Paper, published on 10 December 2018, sets out that a draft RIA seeking to identify the costs, benefits and impacts of the proposed legislative changes would be published in January 2019. However, during the development of the RIA it became clear that consultation on the RIA during this period would not be as meaningful as expected. As such the draft RIA was not issued for consultation alongside the White Paper.

The legislative proposals set out in the White Paper provide a range of legislative tools to empower local authorities to work collaboratively with each other and with bus operators to respond flexibly to local community needs. Therefore, the cost implications of the legislation could vary considerably depending on which of the options local authorities decide to use to address the circumstances and challenges within their communities. These issues have been addressed in the draft RIA which

will be published imminently and can be accessed through the following link: <https://gov.wales/public-transport-wales-bill-draft-regulatory-impact-assessment>.

My officials will be engaging with key stakeholders, including local authorities and bus operators, over the summer to inform the ongoing development of the RIA. We are committed to working with these sectors to test the assumptions and financial analysis set out in the draft RIA and using the feedback to develop and strengthen the RIA throughout the legislative process.

Taxis and Private Hire Vehicles (PHV)

As outlined in the First Minister's legislative statement, we will not be pursuing legislation in relation to taxi and private hire vehicles in this Bill. Addressing the outdated taxi and private hire vehicle legislation remains a key priority. However, it has become very clear that there is a considerable amount of work still required before we can bring forward legislation that addresses the improvements needed. Responses to the White Paper consultation highlighted the wide range of stakeholder views about how the legislation underpinning the operation of the taxi and PHV industry should be improved and those views are not consistent across the industry.

Furthermore, the Department for Transport is proposing to introduce new guidance relating to measures for the protection of children and vulnerable adults when using taxis and private hire vehicles, which would apply in Wales. The Department for Transport is also looking at introducing national minimum standards; national enforcement powers; a national database and some form of out-of-area restrictions. These would be England only provisions, unless the Welsh Government wanted them extended to Wales and secured the necessary legislative consent motion. The steps being considered by the Department of Transport has also given us cause to reconsider the proposals.

The Welsh Government is still committed to working with the industry to legislate to bring Taxi and Private Hire Vehicle regulation into the 21st Century. However, rather than hold up introduction of our important bus proposals in order to strengthen the taxi elements, the First Minister yesterday announced that we will now decouple the 2 parts of the proposed Bill for this term and work to bring forward a separate bill on taxis early in the next term.

In the meantime I have asked officials to develop a package of short-term measures, using existing legislative powers, to begin to address some of the concerns local authorities, drivers, unions and others have raised. Officials are already working in partnership with the Welsh Local Government Association to develop and deliver these short-term arrangements. A plan, for future delivery of new measures will be developed by late autumn.

Regional working

Establishing formal regional working arrangements also remains a key element of our ambitions for public transport, and work is ongoing across the Welsh Government to develop a common approach to of delivering consistent and effective regional working.

Feedback from the consultation and engagement events undertaken during the consultation period found that stakeholders largely agree that there should be regional working arrangements in place for the planning and delivery of bus services and that, in principle, the Welsh Ministers should have powers to issue guidance and directions and to intervene where regional arrangements are considered to be failing. However, many have sought clarity in relation to the circumstances in which such powers would likely be used.

Since the launch of the White Paper, it has been agreed that the Government should include powers in the Local Government and Elections (Wales) Bill, to enable the creation of a single mechanism for regional working – currently referred to as Statutory Joint Committees. The ambition is that Statutory Joint Committees will deliver the coherence, consistency and simplification needed for governing collaborative regional working arrangements, whilst retaining democratic control and oversight.

I have worked closely with the Minister for Housing and Local Government in recent months to reduce the potential for duplication in our proposals and I am pleased that we have agreed to explore how a Statutory Joint Committee model can be used to support effective regional working for transport.

In February 2019, the North Wales Economic Ambition Board (NWEAB) agreed to formalise the previous informal arrangements for regional collaboration on transport by supporting the establishment of a formal Transport Cabinet members group within the governance arrangements for the NWEAB and North Wales Growth Deal. The NWEAB is keen to support the Welsh Government in piloting the some aspects of the White Paper through regional delivery.

An outline schedule of issues for regional working has been considered, which will form the basis of a work programme for the group over the next 18 months. This includes:

- Developing a Strategic Bus Network and associated projects
- Responding to the Improving Transport White Paper and proposals to establish regional working arrangements
- Preparing for transport decarbonisation and managing the delivery of emerging pilot projects
- Monitoring rail developments and opportunities for modal integration as part of the North Wales Metro
- Preparing for and supporting the next version of the Wales Transport Strategy / National Transport Plan and the need to review the Regional Local Transport Plan
- Preparing for 20mph zones implementation
- Delivering the un-adopted roads strategy
- Regional coordination and delivery of Active Travel projects

- Responding to the Improving Air Quality agenda and the potential impact on transport networks.

The NWEAB has supported the emerging regional working agenda and has welcomed the financial support offered by Welsh Government to help develop a programme based on the initial work plan identified above.

I will keep members updated on progress with this important work over the coming months.

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

P-05-836 Gender Pay Gap Reporting

This petition was submitted by Estelle Hart and was first considered by the Committee in October 2018 having collected 56 signatures.

Text of Petition

The Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017 has not been applied in Wales meaning devolved public bodies have not been required to publish gender pay gap reports in a central place. We believe that bodies in receipt of public money should publish this information and to ensure transparency in public funding this information should be available in a centralised location and in the same format, using guidelines developed for public sector bodies in England.

Assembly Constituency and Region

- Gower
- South Wales West



Llywodraeth Cymru
Welsh Government

WRITTEN STATEMENT BY THE WELSH GOVERNMENT

TITLE **Gender Equality Review Phase 2 Report and Roadmap**
DATE **26 November 2019**
BY **Jane Hutt AM, Deputy Minister & Chief Whip**

Phase 2 of our Gender Equality Review has concluded with the publication of Chwarae Teg's *Deeds not Words* report and Roadmap for achieving gender equality in Wales. A number of complementary reports were also published:

<https://chwaraeteg.com/projects/gender-equality-review/#phase-two>

The Welsh Government welcomes and accepts Chwarae Teg's reports that recognise the progress we have made in tackling inequality in Wales. The reports set out actions to help achieve our vision of equality for all, making Wales an equal, fair and just society. In accepting the vision and principles for gender equality in Wales we are also recognising the need to take an intersectional approach in responding to the review's recommendations.

Equality is at the heart of this government's work and the Gender Equality Review is just one part of our approach to strengthening equality and human rights in Wales. We are consulting on our White Paper on a Social Partnership Bill, followed later this month by a consultation on the commencement of Part 1 of the Equality Act (2010) - the socio-economic duty. Earlier this year we accepted the recommendations of the Fair Work Commission's *Fair Work Wales* report. Additionally, we are commissioning research to understand how we can further strengthen rights and protections.

Taking forward action from the Gender Equality Review requires a long-term plan for change and will require sustained commitment and focus. Therefore, I am extending my Strengthening Equalities and Advancing Human Rights Steering Group to provide strategic direction and oversee implementation of the recommendations. The Group will include representatives from Equality and Human Rights Commission, Future Generations Commissioner's office and representatives from the third sector including women's groups, race, LGBT+ and disability groups.

Based on Cabinet's agreed responses to the recommendations in *Deeds not Words* and the Roadmap, officials are now engaged in developing our Implementation Plan. This will not

only ensure that we are able to monitor and review progress but will also allow us to maintain focus and momentum.

We have been striving for gender equality for generations. We need everyone to be engaged with this work if we are to achieve the level of change we all want to see and this includes men, women, boys, girls, and non-binary people.

I would like to take this opportunity to thank Chwarae Teg for their hard work, commitment and passion in undertaking the Gender Equality Review. I also wish to express my gratitude to Dr Alison Parken and the Wales Centre for Public Policy (WCPP) for their work on the supporting reports. Finally, none of this would have been possible without the unstinting support of the members of my Gender Equality Review Steering Group and the Expert Advisory Group, chaired by WEN Wales. You have all been vital in getting us to this stage. I very much hope that I can rely on your continued support as we drive this work forward and realise our ambition of becoming a feminist government.

Agenda Item 3.19

P-05-873 Free Welsh Lessons for the People of Wales

This petition was submitted by Sheryl Callard having collected a total of 95 signatures.

Text of Petition

When I was younger I was deprived of the right to study my native language in school, and because of that I am not speaking my native tongue today. I, and so many others of my generation, and even the younger generation are deprived of the means to speak Welsh because the teaching of Welsh in schools wasn't successful with them in the past. This is why I am asking the Welsh Government to right the wrongs of the past, and to show true leadership to fight for my right to learn my own language by providing Welsh classes and resources for free. We are asking for the Minister for Welsh to support this motion and fund the classes so I, and many others who were deprived of the Language get the chance to speak once more. This would work perfectly with the Welsh Government's plan to reach a Million Welsh Speakers by 2050, and would provide a spark for people to re-grasp their culture and their mother tongue once again. We ask the government to work with different agencies to provide these lessons to people in different areas, and by making learning services available on the web for people. Also to provide booklets and paper to different people from different background in Wales to have a chance in learning the Language.

Please secure this for the people of Wales who are passionate to regain their culture and native tongue.

Assembly Constituency and Region

- Cardiff North
- South Wales Central

**P-05-873 Free Welsh Lessons for the People of Wales, Correspondence –
Petitioner to Committee, 22.11.19**

The £90 course fee is a step in the right direction, however I strongly believe that people born and brought up in Wales i.e natives of Wales like myself should not be expected to pay to learn their native tongue. Please bear in mind that Welsh school children, who were taught Welsh in schools, were robbed of their native language when it was removed from the curriculum by the government back in the 60s.

This has not happened in other countries and should not have happened to Welsh children.

I ask that the government to please correct this injustice done to Welsh children by providing them with free Welsh lessons.

Kind regards,

Sheryl Callard

Agenda Item 3.20

P-05-883 National Welsh History Week

This petition was submitted by Phil Rowe having collected a total of 86 signatures.

Text of Petition

We call on the National Assembly for Wales to urge the Welsh Government to establish a National Welsh History Week.

The aim is to create and promote a celebratory and historically accurate week of learning and educational opportunities about the history of Wales that is more honest than the sanitised British history that many of us took from school and does not seek to bias the information to offer a favourable view of any party.

To challenge the stereotypical and inaccurate historical fantasies of Wales and how it came to be within the hierarchy of modern day Britain.

Through understanding our actual history, promote the importance of Welsh language and culture, its place within modern Britain, and bring about discussion on how we should seek for it to be perceived not only within Wales, but within the other countries of the British isles and the wider world.

Additional Information

Many people in Wales (myself included) grow up with inaccurate assumptions and ideas of how Wales came to be, and of 'races' within the British Isles.

A more complete understanding of who we are and how we arrived where we are today can better place us as a population to consider where we want to be in the future.

Assembly Constituency and Region

- Neath
- South Wales West

P-05-883 National Welsh History Week, Correspondence – Petitioner to Committee, 26.11.19

Thank you for the opportunity to address the points raised by Lord Elis-Thomas.

It is encouraging to hear that opportunities to study Welsh History and the Age of Princes exist at Key Stage 2. With several grandchildren currently in Key Stage 2 in Welsh medium education I look forward to seeing them gain knowledge of their heritage.

The aim of the petition was intended to be about the packaging of Welsh History rather than the content, which I am not qualified to speak on. I can only speak of my own experience and of those I have discussed this issue with around me, admittedly of people well beyond the age of both Primary and Secondary Education. Unfortunately I grew up in an era where many Welsh parents came to the incorrect conclusion that the Welsh language would be a hindrance to their children's progress in the English world, and my English medium education did not make much allowance for history from a Welsh perspective.

It is telling that, even with a reasonably active interest in Wales and Welsh culture, the previous initiatives that are mentioned by the Deputy Minister are entirely unknown to me. I would point out that the 'National Newspaper of Wales' is an entirely self-attributed accolade by the publishers of the Western Mail. With the circulation currently being somewhere around 11,000 copies issue, it could hardly be stated that the aforementioned articles, however commendable, represent blanket coverage of the issue.

Likewise, while I have had the pleasure of enjoying some of CADW's usually excellent offerings, the many strands of the interpretation plan mentioned remain to be many strands and, therefore, outside the circles of already interested parties, are not particularly highly visible to the public.

As we are currently seeing from the chaos surrounding Brexit, the general public as a whole struggle to digest a complex message, preferring the simplicity of a binary option. I believe that a National Welsh History Week offers the opportunity to provide a central, easily identifiable product that would be far simpler and more powerful to market than a plethora of related and unrelated events and offerings by various organisations. The marketable product, of course, would serve as a gateway beyond which all of those other worthy activities would reside.

I see no conflict between building "a contemporary, engaging nation brand that promotes Wales on a UK and international stage..." and building the brand of Wales for her own inhabitants through both formal and incidental education.

Having spent most of my adult life working in advertising I am painfully aware of how, even with the very best of intentions, most of us eventually assume that the outside world holds similar knowledge of our endeavours as we do ourselves. This is virtually always an incorrect assumption (as demonstrated by some of the previous initiatives mentioned above), and I think it is reasonable to expect our national assembly to perform a little higher in this respect than the average small business, as it does in many other areas.

The Deputy Minister's suggestion to draw on the successes of initiatives such as 'Black History Month' is an excellent and appropriate one; the now transcontinental nature of this movement being a wonderful ambition for a project such as National Welsh History Week, which could reach out through our many Welsh Societies and groups throughout the world.

I certainly agree that the project should be undertaken fully in collaboration with existing and future stakeholders, and I would hope that all concerned would find the prospect of a unified approach to this an exciting and productive opportunity.

Cofion gorau / Best regards,

Agenda Item 5

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

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