

Agenda – Petitions Committee

Meeting Venue:

Committee Room 1 – Senedd

Meeting date: 19 January 2016

Meeting time: 09.00

For further information contact:

Steve George – Committee Clerk

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1 Introduction, apologies and substitutions

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2 New petitions

2.1 P-04-661 Prohibit Online Use and Electronic Voting by Assembly Members
in the Chamber

(Pages 42 – 45)

2.2 P-04-662 It is Hard to Conceive What Life Would Have Become Without my
Support Worker

(Pages 46 – 48)

2.3 P-04-663 Food in Welsh Hospitals

(Pages 49 – 55)

2.4 P-04-664 Develop Tynton Farm as a Visitor and Information Centre

(Pages 56 – 58)

2.5 P-04-666 Democracy in Local Government

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2.6 P-04-667 Roundabout for the A477/ A4075 Junction

(Pages 65 – 66)

3 Updates to previous petitions



Natural Resources

- 3.1 P-04-365 Protect Buildings of Note on the Mid Wales Hospital Site
(Pages 67 – 70)
- 3.2 P-04-544 Ban the Shooting of Greenland White-fronted Geese
(Pages 71 – 72)
- 3.3 P-04-623 Improve the Provision of Disabled-friendly Housing in Wales
(Pages 73 – 80)
- 3.4 P-04-653 Ban the Use of Wild Animals in Circuses in Wales
(Pages 81 – 84)
- 3.5 P-04-500 Call For Regulation of Animal Welfare Establishments in Wales
(Pages 85 – 86)

Public Services

- 3.6 P-04-397 Living Wage
(Pages 87 – 91)
- 3.7 P-04-631 Save Our Service- Large Animal Rescue in North Wales
(Pages 92 – 100)
- 3.8 P-04-650 Scrap Local Government Councillors' Salaries
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Economy and Transport

- 3.9 P-04-468 Road Safety Concerns A48 Chepstow
(Pages 103 – 109)
- 3.10 P-04-556 No to Junction 41 Closure
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- 3.11 P-04-657 Charging for Parking and the Relationship to High Streets and
Their Success
(Pages 112 – 114)

Health and Social Services

- 3.12 P-04-492 Diagnosis of Autism in Children
(Pages 115 – 121)
- 3.13 P-04-523 Protect the Elderly and Vulnerable in Care Homes
(Pages 122 – 124)

3.14 P-04-553 A Full and Independent Investigation in to the Health Risks of Wireless and Mobile Phone Technologies in Wales Including all Schools
(Pages 125 – 156)

3.15 P-04-564 Restoration of Inpatient Beds, Minor Injuries Cover and X-Ray Unit to the Ffestiniog Memorial Hospital
(Pages 157 – 172)

3.16 P-04-587 A Dedicated Support Team for Myalgic Encephalomyelitis (M.E.),Chronic Fatigue Syndrome & Fibromyalgia Sufferers in South East Wales
(Pages 173 – 177)

3.17 P-04-608 Inquiry into the Welsh NHS
(Pages 178 – 179)

3.18 P-04-638 Emergency Services – Power of Entry
(Pages 180 – 181)

Communities and Tackling Poverty

3.19 P-04-511 Support for Children and Young People Participation Standards
(Pages 182 – 186)

The following two items will be considered together:

3.20 P-04-643 Save Croeserw Flying Start
(Page 187)

3.21 P-04-645 Save Glyncorrwg Flying Start
(Pages 188 – 190)

Education and Skills

The following two items will be considered together:

3.22 P-04-576 Allow Children in Wales to Have a Family Holiday During Term Time
(Page 191)

3.23 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 192 – 219)

Finance and Government Business

3.24 P-04-651 To Work to Protect Local Government When Determining the Budgets this Autumn

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3.25 P-04-656 Establishing a Conscientious Objectors Day in Wales

(Pages 225 – 232)

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Agenda Item 2.1

P-04-662 – Prohibit Online Use and Electronic Voting by Assembly Members in the Senedd Chamber

This petition was submitted by Sovereign Wales.

Text of Petition

We call on the National Assembly for Wales to urge the Welsh Government to ensure that Assembly Members are prohibited from using the internet during Senedd sessions and to ensure voting in the Senedd is either done by a show of hands, orally or by paper ballot.

Additional information

It is of concern that the use of the internet during Senedd debates could diminish the integrity of Welsh political debate and legislation. Debating sessions should hold the full attention of Assembly Members at all times. If Assembly Members are not fully paying attention to Senedd debates, how can they be properly relied upon to be looking out for the interests of the people they represent?

Voting should also be done using a show of hands, orally or by a paper ballot or registration to ensure full transparency.

Technology and the internet are a great aid in administration and research but should not be relied upon or allowed to influence the democratic process and healthy robust political debate in general.

As reference points, the Northern Ireland Assembly Members have voted against electronic voting in their Assembly chamber. And in Scotland, whilst electronic devices are allowed as an alternative to

paper notes for speaking in Scottish Parliamentary sessions, the Presiding Officer of the Scottish Parliament has prohibited internet use.

Assembly Constituency and Region

- Cardiff West
- South Wales Central



William Powell AC
Chair
Petitions Committee
National Assembly for Wales
Cardiff Bay
CF99 1NA

Your ref:
Our ref: PO1133/RB/CN

30 November 2015

Dear William

Thank you for your letter dated 17 November.

My view is that the role of an Assembly Member is demanding, varied and not one that can be performed within typical, fixed working hours. It is usual, for example, for Members to have to fulfil commitments to constituents or others late into the evening throughout the week. The computers in the Siambr are intended to function as alternative work stations away from the office, so that Members can deal with other matters while sitting in the Siambr, and it is up to Members how they use their time. They are also used by Members to communicate on matters pertinent to the debate, for example, to receive briefings, speeches or to request the opportunity to speak. Having said all this, I fully understand that members of the public would expect Members to be engaged with any debate before the Assembly.

The Assembly uses technology extensively, and the transparent nature of our proceedings in plenary means that the public are able to scrutinise the activities of Members in the Siambr in this way, although we rarely get complaints. If the petitioner has identified particular Members, they would of course be at liberty to write to them personally to complain; alternatively they may wish to write to any of the Party Group offices here in Cardiff Bay.

Rosemary

Dame Rosemary Butler AM
Presiding Officer

E-bost newydd: Swyddfa.Breifat@cynulliad.cymru / Rhif ffôn newydd: 0300 200 6232

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Croesewir gohebiaeth yn y Gymraeg a'r Saesneg/We welcome correspondence in both English and Welsh

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P-04-661 Prohibit Online Use and Electronic Voting by Assembly Members in the Senedd Chamber. Correspondence – Petitioner to the Committee 06.01.16

It is good to see the reply from Presiding Officer Rosemary Butler on the matter of the petition prohibiting Assembly members from using the internet during Senedd sessions.

I would disagree with her conclusions and remind all that Scotland and Northern Ireland already have similar prohibitions in place and Parliament members in Westminster usually pay full attention to discussions taking place in the House of Commons. I believe it would be acceptable for members to use mobile electronic devices for taking notes and storing information etc but that internet use and the focus on the large personal computers Assembly member currently have is taken away. I can't remember the number of times I have been with colleagues in the public gallery watching proceedings in the Senedd chamber who have been disillusioned and dismayed seeing our public representatives checking facebook updates and surfing the internet whilst very important issues affecting Wales are being discussed in the chamber. This is simply unacceptable.

I would like to repeat that it is of concern that the use of the internet during Senedd debates could diminish the integrity of Welsh political debate and legislation. Debating sessions should hold the full attention of Assembly Members at all times. If Assembly Members are not fully paying attention to Senedd debates, how can they be properly relied upon to be looking out for the interests of the people they represent?

Voting should also be done using a show of hands, orally or by a paper ballot or registration to ensure full transparency. Technology and the internet are a great aid in administration and research but should not be relied upon or allowed to influence the democratic process and healthy robust political debate in general.

Agenda Item 2.2

P-04-662 – It is hard to conceive what life would have become without my support worker

This petition was submitted by Lisa Pritchard having collected 664 signatures

Text of the Petition

After two years of hard, challenging yet rewarding support from my support worker I am today studying at University whilst living a life fuelled by lots of love, hope, happiness and laughter. I'm working to put myself in a position to provide a good life for my family. My support worker is still my daily affirmation to 'Live my Dreams'.

The post is funded by the Supporting People Programme. Without the programme me and my family wouldn't have had that life changing and life-saving support.

I would like the whole of Wales to know what Supporting People money does and I call upon our Welsh Government to continue to support and commit to protect it in future, so that thousands of people in Wales will get the same kind of life-saving support I received.

I'm grateful for the Supporting People Programme, it helped save my life. If you want to ensure that the same support will always be available to others, please sign my petition.

Assembly Constituency and Region

- Cardiff West

- South Wales Central

Lesley Griffiths AC / AM
Y Gweinidog Cymunedau a Threchu Tlodi
Minister for Communities and Tackling Poverty



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-04-662
Ein cyf/Our ref LG/01384/15

William Powell AM
Chair - Petitions Committee
Ty Hywel
Cardiff Bay
Cardiff
CF99 1NA

8

December 2015

Dear Bill,

Thank you for your letter of 24 November, regarding the petition on the Supporting People Programme from Lisa Pritchard.

I greatly appreciate the important contribution the Supporting People Programme makes to help some of the most vulnerable people in our communities. Lisa's petition illustrates the experience of many people who access housing support services.

Supporting People Programme funding for 2016-17 is being carefully considered against all competing priorities. Until final Welsh Government budgets are agreed, no guarantee can be given to any funding stream.

Over recent years we have protected the Supporting People Programme, as far as possible, in the face of the successive cuts to the Welsh Government budget. We have also maintained the ring fence unlike England and Scotland. This, I believe shows our commitment to supporting vulnerable people.

Regards
Lesley

Lesley Griffiths AC / AM
Y Gweinidog Cymunedau a Threchu Tlodi
Minister for Communities and Tackling Poverty

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

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

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Agenda Item 2.3

P-04-663 – Food in Welsh Hospitals.

This petition was submitted by Rachel Flint having collected 40 signatures

Text of the Petition

We the undersigned call on the Welsh Government to examine the standards of food in hospitals in Wales. Each health board's provision must be investigated to ensure it is fit for purpose for patients, those with dietary needs and medical conditions, and impose standards across the whole of the Welsh NHS. Hospital food should be nutritious, fresh and be a major part of a patient's care package and road to recovery – not make things worse. Dietary needs must be catered for – such as gluten free, lactose intolerant, Celiac, vegetarian and vegan – experience shows this is not currently the case and patients are often made to feel awkward. Food tailored for medical conditions – including those who suffer from bowel conditions or have had surgery – must be standardised, to ensure patients are getting the right nutrition at all times. Currently patients on some wards are being fed all the same food regardless of their conditions, weight and dietary needs – this is not acceptable and can be upsetting and potentially damaging. Hospitals should not rely on relatives to bring in food, eat the same bland meal every day, or allow patients to waste away if they can't have any of the food on offer. Nutrition must be a key part of every patient's care package. We are not asking for Michelin Star quality, just meals that help rather than hinder.

Additional Information

My experiences of food in the NHS have shown that the standards vary across wards, hospitals and departments, as well as between England and Wales. The problem is not in Wales alone – as I find providing meals for those on low res or with dietary conditions is something the NHS as a whole struggles to deal with. But my experience in Wales recently showed that the standards are not up to scratch. There were no menus (as in Chester and other English hospitals) and patients were all fed the same regardless of their condition, weight or dietary needs. On one ward people who had just had bowel surgery were offered curry, lentil soup and tuna sweetcorn sandwiches which was totally inappropriate – and potentially damaging. At times the situation was that if you couldn't eat anything on the trolley or were not at your bed, you simply didn't eat, unless a nurse made some toast. This has to change; without the right nutrition I believe people are in hospital longer.

Assembly Constituency and Region

- Cardiff South and Penarth
- South Wales Central

Mark Drakeford AC / AM
Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol
Minister for Health and Social Services



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-04-663
Ein cyf/Our ref MD/03407/15

William Powell AM
Chair - Petitions Committee
Ty Hywel
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18 December 2015

Dear William,

Thank you for your letter of 25 November on behalf of the Petitions Committee in relation to petition P-04-663 about food in Welsh hospitals.

The Welsh Government recognises food is an essential part of patient care. We know good-quality food can encourage people to eat well, giving them the nutrients they need to recover from surgery or illness and we have put in place standards to ensure quality.

In 2011, the Welsh Government introduced the All-Wales Nutrition and Catering Standards for Food and Fluid Provision for Hospital Inpatients, which are mandated and monitored.

Health boards have worked, and continue to work, extensively to provide a wide range of options for hospital patients which meet these standards, using the All Wales Hospital Menu Framework to ensure consistency in quality and choice. Ongoing improvement is reflected in the overall positive responses to the all-Wales survey of catering and food service provision.

The most recent survey indicated an overall high satisfaction with food and catering systems, including menu and dietary choices, with 70% of people indicating overall satisfaction in the 2015 survey, an increase of 6% on the 2013 survey. Feedback indicates that people want choice and food options that are culturally appropriate, which can vary across health boards and hospitals. The outcome of the survey enables health boards to make changes to improve quality and provision where necessary.

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

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

The general menu provided in each health board aims to meet a wide range of needs, including for patients with higher energy needs; those who seek healthier options and some therapeutic diets, but the general menu will not be able to cater for all. When patients are admitted with complex medical conditions requiring a therapeutic diet, they often require diets and food that are individualised.

The food and nutrient standards state that there must be a hospital protocol for the provision of all therapeutic diets:

- Patients must be given choice for all food and fluid options provided, including therapeutic and/or texture modified diets;
- Hospitals whose patients require certain therapeutic diets irregularly and in minimal numbers must include in their policy a formal contingency for the provision of these diets in the event they are required, for example by using an a la carte menu;
- Therapeutic diets must meet the requirements of the clinical treatment and appropriate nutritional standards. Caterers must work with dieticians in developing systems for planning, ordering and delivery of therapeutic diets, which are appetising and suit the preferences of the patient;
- Where relevant, catering service contracts must be sufficiently detailed and cover the provision of both therapeutic and special diets.

Catering departments work closely with the nutrition and dietetic services to ensure individual requirements for specific conditions are met.

There are more than 100 hospitals across Wales and the arrangements for the preparation for food vary from one location to another; some have their own central kitchens, others may have to use alternative arrangements. However, we expect health boards to ensure all hospitals provide food which meets the required nutritional standards and meet patients' individual needs.

The Welsh Audit Office has recently undertaken a follow-up audit in all health boards' food and catering services and its final report is due soon making specific recommendations to each individual health board, which will inform further improvements to services.

I am reassured by the work of the All Wales Menu Framework group that health boards are committed and take opportunities to continually improve the quality and provision of food for the hospital population. This is also reflected in the robust NHS procurement mechanism for food, which has nutrition and dietetic expertise integrated into the national service to provide advice on nutritional requirements.

While I cannot comment on individual cases, I expect health board to take up individual concerns or complaints and act accordingly.

Best wishes,



Mark Drakeford AC / AM

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

**P-04-663 Food in Welsh Hospitals. Correspondence: Petitioner to the Chair
13.01.16**

Dear Jessica,

Please find attached my response to the letter from Health Minister Mark Drakeford on the hospital food petition.

Please can you pass on my thanks to the committee for considering this.

Rachel Flint

Dear Mr Powell,

Thank you so much for taking the time to write to me with the Minister's response to the petition for better hospital food in Wales, and to the committee for considering the petition.

I had hoped Professor Drakeford would have responded by admitting there was a need to look at the provision of meals across Wales, as he does say "food is an essential part of patient care".

In my experience, and from feedback I have received on social media from patients across Wales and England and following articles in the Welsh press, the quality and experience of food in the NHS is variable from board to board, hospital to hospital and at times from ward to ward.

This is by no means limited to Wales as it is something that is highlighted in the English campaign for Better Hospital food across the border.

Professor Drakeford speaks of the "All Wales Hospital Menu Framework" which is being used across Wales to ensure consistency and quality. But boards are all spending varying amounts on food according to results of an FOI carried out by the Daily Post.

The article for this can be found here: <http://www.dailypost.co.uk/news/north-wales-news/north-wales-hospital-patients-being-10674405>

The FOI showed that patients in Betsi were being fed three meals a day for just under £4 and budgets had been cut, something they say is down to reducing wastage and getting more value for money from contractors, meanwhile in other areas levels of spending per head vary.

Patients experiences appear to be wide ranging of foods in hospital wards, with the majority of complaints about food that I have seen through FOIs appearing to be about intolerances and allergies not being considered or catered for – that was also my experience, and of food not being suitable for people with certain conditions.

Yes, I admit that the level of complaints for the number of meals provided across the NHS is low as a proportion, but in my experience submitting an official complaint or even praise is not top of your priority when you are recovering from a major illness or operation, and once you leave (if you have had a particularly bad experience) you probably don't want to relive it again by entering into a lengthy complaints procedure.

In my experience at the Heath hospital in Cardiff I was not given a) Patients must be given choice for all food and fluid options provided, including therapeutic and/or texture modified diets – despite seeing a dietician on numerous occasions and often the only choice as someone with lactose intolerance and a stoma was rice krispies and/or dry toast.

Professor Drakeford himself admits of the over 100 hospitals in Wales there are “varied” arrangements, it would appear from feedback I have received from the public that some hospitals give out menus, some have central kitchens (serving the whole hospitals) while some have individual kitchens serving individual wards – which can mean they don't have the food for people with certain needs etc. Following my blog post on my experiences in the hospital earlier this year (my first in a Welsh NHS provider) my account was picked up by the Welsh media and the National media.

Here are the blog posts outlining my experiences:

<https://adventuresofthebaglady.wordpress.com/2015/10/24/chips-and-boiled-potato-why-can-hospitals-not-feed-people-with-intolerances-and-special-diets/>

<https://adventuresofthebaglady.wordpress.com/page/2/>

<https://adventuresofthebaglady.wordpress.com/2015/11/13/a-fussy-or-unfeedable-mouth-hospital-food-standards-needed-in-wales-stoma-lactoseintolerant-ibd/>

I do understand that the Minister cannot comment on individual cases but from the feedback on social media and on the Wales online, and Daily Post facebook pages I would suggest my experience is not an isolated case.

Some of the experiences written on Crohn's and Colitis Uks facebook page (over 250 comments which range from positive to negative experiences) show that this is not an isolated case.

I would be interested to find out when the "The Welsh Audit Office" report with recommendations will be published and what the Minister will be doing to ensure health boards meet the recommendations.

I am afraid that I disagree with Prof Drakeford and I am not "I reassured by the work of the All Wales Menu Framework group" as experience on the ground shows it is not always the case that it is working.

I do believe that more training and guidance is needed for hard-working staff in the NHS canteen departments to ensure they are able to deal with allergies and dietary needs. I believe better communication systems need to be set up, between wards and dieticians and surgical teams.

I have been invited for a meeting with someone at Cardiff and Vale NHS trust to talk about my experiences and what I feel can be learned from this, and I will be happy to inform the committee of how I feel that meeting goes.

Agenda Item 2.4

P-04-664 – Develop Tynton farm as a Visitor and Information Centre.

This petition was submitted by Martyn Hooper having collected 112 signatures

Text of the Petition

We call on the Welsh government to acknowledge the important contribution of Dr Richard Price not only to the eighteenth century Enlightenment, but also to the making of the modern world that we live in today, and develop his birthplace and childhood home into a visitor information centre where people of all nationalities and ages can discover how his significant contributions to theology, mathematics and philosophy have shaped the modern world.

Additional Information

Tynton Farm in Llangeinor, the birthplace and childhood home of Dr Richard Price is for sale. Once derelict, the farm has been sensitively restored and almost all of the original features have been preserved. The Richard Price Society is aware that the house attracts visitors from all corners of the globe and this is attested by the previous owner's Visitors Book that was signed by visitors to the farm. The position of the farm and its provenance would make it an ideal learning centre where people can find out just what an important person he was and remains. This is an opportunity to buy the property at market value and help celebrate the achievements of Wales' intellectual giant and apostle of liberty.

Assembly Constituency and Region

- Ogmore
- South Wales West

Edwina Hart MBE CStJ AC / AM
Gweinidog yr Economi, Gwyddoniaeth a Thrafnidiaeth
Minister for Economy, Science and Transport



Eich cyf/Your ref P-04-664
Ein cyf/Our ref EH/05110/15

Llywodraeth Cymru
Welsh Government

William Powell AM
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Petitions Committee

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8 December 2015

Dear William,

Thank you for your letter of 26 November regarding a petition from Martyn Hooper, Chair of the Richard Price Society to develop Tynton Farm, Llangeinor, Bridgend as a Visitor and Information Centre.

In the development of Wales's built heritage there are opportunities to develop unique experiences that help tell the story of Wales's wide heritage and culture. In terms of finance for a visitor centre, although we would be interested in discussing the proposal further, funding of property purchase is not eligible under the Tourism Investment Support Scheme (TISS). In view of a competitive project pipeline, support is dependent on the number of direct jobs created by projects.

Given the significance of the property and the potential that the Richard Price Society feels it has, we would advise that they consider exploring the opportunities of Heritage Lottery Funding for the project. Projects work best where there are other local community links and connections to existing attractions that have visitor facilities in place. Being able to cross refer visitors to other things to do in the area creates interest and helps develop visitor dwell time. It is possible that Dr Richard Price's significance has already been picked up by the local authority destination marketing or development plan, and I would direct the Society to pursue this further with Bridgend County Borough Council.

Edwina Hart

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

Agenda Item 2.5

P-04-666 – Democracy in Local Government

This petition was submitted by Royston Jones, having collected 144 signatures.

Text of the Petition

In recent years we have observed a trend in Welsh local government that has seen unelected officers effectively take control of local authorities.

This is invariably achieved with the connivance of a small group of councillors who commit their loyalty to senior officers rather than to the council to which they were elected and those living within the local authority area.

A phenomenon that raises a number of concerns.

1. When power is exercised by senior officers and elected representatives are, effectively, excluded from the decision-making process then, clearly, the democratic process has been undermined, and democratic accountability lost.

2. Excluding the majority of the elected representatives from any role other than the cosmetic must call into question why cash-strapped councils need to pay so much money in various forms to political eunuchs.

We therefore call on the Welsh Government to be aware of this threat to local democracy and where it becomes clear that senior officers are exerting an unhealthy and undemocratic influence over the running of any local authority to warn that authority publicly that decision-making powers rest solely with the elected

representatives and, where such a warning is not heeded, to take that authority into special measures.

Additional information

Senior local government officers, no matter what their qualifications or how inflated their salaries, remain employees of the council and servants to the electorate and the wider population. That they should subvert democracy by taking over the running of the local authorities that employ them is both unacceptable and dangerous.

Yet this is the situation we find in a number of our local authorities, but for reasons best known to itself the Welsh Government has turned a blind eye to the situation, even though the problem of officer domination has been obvious for a number of years.

Assembly Constituency and Region

- Dwyfor Meirionydd
- Mid and West Wales

Leighton Andrews AC / AM
Y Gweinidog Gwasanaethau Cyhoeddus
Minister for Public Services



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-04-666
Ein cyf/Our ref LA -/00794/15

William Powell AM
Assembly Member for Mid & West Wales
Chair - Petitions Committee
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committeebusiness@Wales.gsi.gov.uk

7 December 2015

Joe William

Thank you for your letter of 26 November regarding the petition concerning the influence of senior council officers within their local authorities. I am pleased you have given me the opportunity to put my views to your committee.

It is certainly not the case that the Welsh Government has "turned a blind eye" to the influence of some senior officers in certain local authorities, nor to the level of remuneration some of them receive.

The prime responsibility for ensuring that officers do not acquire an unreasonable level of influence in an authority lies firmly with the political leadership of the authority. That is why I have included provisions within the Draft Local Government (Wales) Bill, published for consultation on 24th November, which make clear that the chief executive of an authority is appointable by and accountable to the authority concerned. The Draft Bill goes on to provide that the leader of the authority must set objectives for the chief executive and monitor their achievements, reporting on this to the full council.

Furthermore, there is now a legislative framework in place in relation to the pay of senior officers. From January, in keeping with the provisions of the newly-enacted Local Government (Wales) Act 2015, no local authority will be able to vary the pay of their chief executive or any other chief officer without first consulting the Independent Remuneration Panel for Wales. If they do not act in accord with the Panel's recommendation, the authority will have to give their reasons and may be subject to a direction from Welsh Ministers to reconsider. This is in addition to the need for full council to approve the salary structure of their senior staff, as included in the Welsh Government's guidance on Pay Policy Statements.

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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.

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

The Draft Bill also provides for the establishment of the Public Services Staff Commission, already operating on a non-statutory basis, which will be tasked with overseeing the public service workforce in general.

I am determined that reformed local government, which we will move towards over the next few years, will have political leaderships who understand that it is they who must set the direction of their authorities, not their senior employees, and that those senior employees are appointed fairly, and paid fairly, with full public accountability for the procedures involved.



Leighton Andrews AC / AM
Y Gweinidog Gwasanaethau Cyhoeddus
Minister for Public Services

P-04-666 Democracy in Local Government. Correspondence: Petitioner to the Clerking Team. 11.01.16

Dear Ms England,

Petition P-04-666

This is my reply to your e-mail of January 6th, with the attachment being the response to my petition from Leighton Andrews AM, Minister for Public Services.

My petition was not really concerned with salaries, which is why I shall focus my response on the third paragraph of Mr Andrews' letter (in panel below). Mr Andrews writes, "The prime responsibility for ensuring that officers do not acquire an unreasonable level of influence in an authority lies firmly with the political leadership of the authority". A sentiment with which no one would disagree. But my simple question is, what happens when 'the political leadership' fails to exert that control?

The prime responsibility for ensuring that officers do not acquire an unreasonable level of influence in an authority lies firmly with the political leadership of the authority. That is why I have included provisions within the Draft Local Government (Wales) Bill, published for consultation on 24th November, which make clear that the chief executive of an authority is appointable by and accountable to the authority concerned. The Draft Bill goes on to provide that the leader of the authority must set objectives for the chief executive and monitor their achievements, reporting on this to the full council.

I can see nothing changing with the new legislation referred to in the extracted paragraph (above), Mr Andrews simply reaffirms the existing powers of elected representatives, and the relationship that should obtain between councillors and officers; but he fails to tell us what can be done when elected representatives fail to curb the interference and eventual take-over by a chief executive (invariably aided by some other senior officers and one or two leading councillors).

In the right circumstances, of a determined and dictatorial chief executive and a complaisant council, it is inevitable that we shall see further examples

of the problem my petition addressed, a problem to be seen in Wales today. This is why I wish to see some higher authority invested with the power to intervene when it becomes obvious that the chief executive is exercising undemocratic control over the running of the council.

Such a mechanism of intervention cannot be objected to by anyone wishing to defend the democratic process at local authority level. Failure to do so serves only to encourage those with dictatorial propensities while also alienating ordinary people, particularly young people, from the political process. The public losing interest in politics then makes it easier for the system I'm highlighting to flourish. This is a vicious circle.

It might be argued that such power already exists with the ability of the Welsh Government to place a council in 'special measures'. So if the power is already there why has it not been used in obvious cases of the chief executive subverting the democratic operation of the council?

Then again, taking a council into special measures because the chief executive has wrested control from the elected representatives might be regarded as using a scattergun approach when something more focused is needed. So if new legislation is needed to deal with this specific problem then introduce new legislation.

But passing the buck to those who've already exposed their inability to deal with the problem is nothing less than the Welsh Government washing its hands of that problem. We have every right to expect better.

I look forward to seeing this matter debated by the Petitions Committee on the 19th of January.

Yours

Royston Jones

Agenda Item 2.6

P-04-667 – A Roundabout for the A477/A4075 Junction

This petition was submitted by Pembroke Town Council, having collected 115 signatures.

Text of the Petition

We call on the National Assembly for Wales to urge the Welsh Government to replace the Fingerpost Junction on the A477/A4075 with a roundabout – The current road configuration has not resolved the problems on this dangerous stretch of road.

Assembly Constituency and Region

- Carmarthen West and South Pembrokeshire
- Mid and West Wales

Edwina Hart MBE CStJ AC / AM
Gweinidog yr Economi, Gwyddoniaeth a Thrafnidiaeth
Minister for Economy, Science and Transport



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-04-667
Ein cyf/Our ref EH/05165/15

William Powell AM
Chair - Petitions Committee

committeebusiness@Wales.gsi.gov.uk

18 December 2015

Dear William,

Thank you for your letter of 1 December regarding Petition P-04-667 for a roundabout at the A477/A4075 junction at Fingerpost.

Following completion of the A477 Fingerpost Junction Improvement Scheme a Stage 3 road safety audit was undertaken and no significant issues were raised.

A Stage 4 road safety audit will take place early next year when the scheme has been in operation for at least 12 months. This will inform if any further changes will be required in the area. At present there are no plans to construct a roundabout at this location.

Edwina Hart

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

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

Agenda Item 3.1

P-04-365 Protect buildings of note on the Mid Wales Hospital site

Petition wording:

We call upon the National Assembly for Wales to urge the Welsh Government to list or otherwise protect buildings of note on the former Mid Wales Hospital site. Unlisted but in the Conservation Area they are an invaluable part of the architectural and social heritage of Talgarth.

Supporting information: The Brecon and Radnor County Asylum had a Grand Opening in 1903. The souvenir booklet describes how □ thousands of people were present and every nook and corner of the huge building was inspected. □ Altogether the establishment was a wonder of its time. It is now in an appalling state of decay but this important example of an early Edwardian asylum of the compact arrow echelon style, designed by Giles, Gough and Trollope, noted by Pevsner and on SAVE Britain's' Heritage, Buildings at Risk register, is thoroughly worthy of conservation. Situated approximately half a mile from Talgarth in outstandingly beautiful countryside within the Brecon Beacons National Park, and Talgarth Conservation Area, it has a special relationship with Talgarth. Loss of any of the original/notable buildings would be an unacceptable loss of Talgarth's heritage assets.

Petition raised by: John Tushingham

Date petition first considered by Committee: 28 February 2012

Number of signatures: 206

P-04-365 Protect Buildings of Note on the Mid Wales Hospital Site.

19.06.14

Dear Jessica

I refer to your email of 4th June 2014 (sent to Tracy Nettleton (Planning and Heritage Manager)) concerning the above matter. Please accept my apologies for the delay in responding to you.

The consideration of including the buildings at the former Mid Wales Hospital site in Talgarth was postponed due to unforeseen circumstances. The Senior Heritage Officer is currently on long term sick leave, although her role has recently been temporarily filled on a part-time basis. Accordingly, we are now looking to progress this matter.

I can confirm that a site visit/meeting was recently undertaken with the landowner's planning agent. This gave the replacement Senior Heritage Officer the opportunity to view the site and buildings in detail. It is intended to report the matter back to the National Park Authority at the 26th September meeting.

I trust this is of assistance to you.

Regards

Ryan Greaney BSc MSc AMInstLM MRTPI

Principal Planning Officer

Brecon Beacons National Park Authority - Awdurdod Parc Cenedlaethol
Bannau Brecheiniog

13.10.14

Dear Kayleigh

I refer to your recent email copied below concerning the above matter. I can confirm that on 26th September Members of the National Park Authority approved a report to include relevant buildings at the Former Mid Wales Hospital on the Talgarth Local List. Please see attached site map illustrating the buildings to be included (coloured dark pink).

I trust this is of assistance to you.

Regards

Ryan

Ryan Greaney BSc MSc AMInstLM MRTPI

Principal Planning Officer



Map identifying proposed buildings for inclusion on the Local List – (buildings shaded in purple)

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Agenda Item 3.2

P-04-544 Ban the Shooting of Greenland White-fronted Geese

Petition wording:

We call on the National Assembly for Wales to urge the Welsh Government to reverse their decision not to ban the shooting of an endangered species, the Greenland White-fronted goose, meaning that Wales remains the only country on the flight path of this endangered species where they can still be legally shot and killed. Scientific evidence has shown that the species is extremely vulnerable to hunting pressures. In their consultation report, the Welsh Government also admit that failure to take appropriate steps to reduce as far as possible Greenland White-fronted geese adult mortality could be seen as a failure to meet conservation obligations. Unlike Scotland, Ireland, Iceland and Greenland there is no current ban on the shooting and killing of this endangered bird in Wales. A voluntary ban is in place on part of the Dyfi estuary in Wales but there is evidence that the geese also use other areas away from the estuary in mid and North Wales where no voluntary agreements are in place.

The population of these geese, as a whole, is declining and they have been of conservation concern since the late 1970s when sharp declines triggered protection from hunting on their wintering grounds. They receive heavy statutory protection. However, since the mid 1990s the population has again declined sharply. While WOS has acknowledged that long running voluntary bans on shooting are in place at some wetlands such as the Dyfi Estuary, it believes that nothing less than a statutory ban on shooting will ensure its protection. The society is concerned that any voluntary ban could be lifted at any time and that the current approach does not cover all the sites where this declining subspecies spends the winter.

Petition raised by: Aaron Davies

Date Petition first considered by Committee: 29 April 2014

Number of signatures: 240. An associated petition has collected over 3500 signatures on an alternative petitions website.

Carl Sargeant AC / AM
Y Gweinidog Cyfoeth Naturiol
Minister for Natural Resources



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-04-544
Ein cyf/Our ref CS/01922/15

William Powell AM
Assembly Member for Mid & West Wales
Chair - Petitions Committee
Ty Hywel
Cardiff Bay
Cardiff
CF99 1NA

committeebusiness@Wales.gsi.gov.uk

6 January 2016

Dear William Powell AM,

I am writing in response to your letter of 4 December in which you ask what action Welsh Government will take should the numbers of Greenland White-fronted Goose (GWfG) fall below the level which would trigger a review under the African-Eurasian Waterbirds Agreement.

I wrote to you in September 2015 outlining the Welsh Government position at that time. My officials have since briefed me on the latest figures from the Wildfowl and Wetland Trust (WWT). They estimate the 2015 Britain and Ireland GWfG population to be 18,854.

This figure is of concern to me, and I have therefore decided that it would be appropriate to re-consult stakeholders in Wales on the option of introducing a statutory ban on the shooting of GWfG in Wales. I expect to be in a position to undertake this consultation early in the New Year.

Carl Sargeant AC / AM
Y Gweinidog Cyfoeth Naturiol
Minister for Natural Resources

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

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

Agenda Item 3.3

P-04-623 Improve the Provision of Disabled-friendly Housing in Wales'

Petition wording

We the undersigned call upon the National Assembly for Wales to urge the Welsh Government to take action to ensure that all new homes in Wales are built to fully meet all the Welsh Housing Quality Standards ensuring they are as comprehensive as Lifetime Home Standards, with at least 10 per cent of new homes built to full wheelchair accessibility standards.

Organisation: Leonard Cheshire Disability

Lead petitioner: Rhian Stangroom-Teel

First considered by the Committee:

Number of signatures: 788 online signatures.

Carl Sargeant AC / AM
Y Gweinidog Cyfoeth Naturiol
Minister for Natural Resources



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-04-623
Ein cyf/Our ref CS/01795/15

William Powell AM
Assembly Member for Mid & West Wales
Chair - Petitions Committee
Ty Hywel
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Cardiff
CF99 1NA

committeebusiness@Wales.gsi.gov.uk

 November 2015

Dear William Powell AM,

Thank you for your letter of 13 November which shared the latest response from Leonard Cheshire Disability regarding petition P-04-623: Improve the Provision of Disabled Friendly Housing in Wales.

Since my last letter of 1 September officials have begun to review planning policies in adopted and emerging local development plans to identify policies which require Lifetime Homes in new developments. This has revealed varying practice; from those which explicitly require the standard, through those which reference it in design policies, to those who make no mention of them at all.

As stated in my previous letter, I will write to local planning authorities to ascertain the quantum of Lifetime Homes delivered through the planning system in Wales. However, I expect the responses on this to relate to those which have particular planning policies on this very issue. These, in turn, will relate to the findings of a Local Housing Market Assessment (LHMA) which is prepared to inform all local development plans.

Of course, in negotiating the terms of each planning application both local planning authorities and developers will be mindful of the costs associated with other requirements which may include the Community Infrastructure Levy (CIL), affordable housing, energy efficiency and sprinkler systems; and their impact on the overall viability of a housing scheme. It is in no ones interests to require so much from new developments to the extent that they are not built at all.

It is ultimately up to each local planning authority to decide on its priorities locally and negotiate the delivery of the right type of housing for their area.

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Pack Page 74

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

The 2013 research project on Accessible Housing Registers which was up-dated in 2014 showed that all Local Authorities had a system in place for matching people with disabilities to available adapted social housing. The Welsh Government and the Welsh Local Government Association continue to work with Local Authorities to further develop and improve Accessible Housing Registers. The Code of Guidance on the Allocation of Accommodation and Homelessness encourages all Local Authorities to have an Accessible Housing Register or similar matching system in place. Consideration of the information from the Leonard Cheshire Disability has raised a number of questions. It says only half of Welsh Authorities have an Accessible Housing Register or similar system but this appears to have been based on a 50% response rate from Councils and may therefore not be representative of all of local Government. It does not bear out the findings of our 2013 research on the subject.

Turning now to the delivery of adaptations, it is encouraging the most recent performance indicator for the delivery of disabled facilities grants in 2014-15 has shown continued progress, with waiting times down by seven days. The average waiting time is now 231 days across Wales as a whole. The time taken to deliver a disabled facilities grant is much less than it used to be, for example, in 2005-06, the average was 593 days. We believe further improvement is possible and indeed necessary. The improvement extends beyond the disabled facilities grant process to all adaptations. The Welsh Government is currently working with stakeholders to deliver an enhanced adaptations system and we anticipate an announcement on this in the first quarter of next year.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'CS', written in a cursive style.

Carl Sargeant AC / AM
Y Gweinidog Cyfoeth Naturiol
Minister for Natural Resources

18 December 2015

Dear Minister,

P-04-623 Improve the Provision of Disabled Friendly housing in Wales

Thank you for your ongoing correspondence on the importance of disabled-friendly homes with the Petitions Committee Chair, William Powell AM.

As we outlined in our letter to William of 16 September, we are very happy to work with you on this important issue in order to set out the clear case for building homes in Wales to wheelchair accessible and Lifetime Homes standards. Please accept our apologies that this letter reaches you after a lengthy delay.

In this letter we will outline:

- The importance of disabled-friendly homes;
- The economic benefit of providing such homes;
- Local authorities' failure to use the current building regulations flexibility to deliver enough disabled-friendly homes in Wales; and
- The need for additional data collection in this area to fully scope the challenges posed by the current lack of disabled-friendly homes.

The importance of disabled-friendly homes

Over 250,000 adults in Wales have a mobility impairment¹ - more than 10% of all adults in the country. But Welsh housing is not currently meeting their needs:²

- Almost three quarters (72%) of people in Wales report that they live in a home without an accessible front door
- Seven in ten (70%) people in Wales report they do not have environmental controls (like light switches) which can be accessed from a sitting position;
- Three in five (60%) people in Wales report they do not have a bathroom big enough for a wheelchair to fit in.

We have included the full findings of our poll at Annex A, for your consideration.

When people's homes do not meet their most basic needs, they are often denied the ability to live independently, to contribute economically, or to participate fully in society. Families with disabled children, like Ruby and Cody below, also end up trapped - unable to plan for the future or forced to rely on expensive and inflexible support from the local authority, which a disabled-friendly home would render unnecessary.

Ruby and Cody

¹ ComRes interviewed 2,006 GB adults aged 18+ online between the 4 and 6 June 2014; including 109 from Wales. 11.8% of the sample self-identified as having a mobility impairment. Data were weighted to be representative of all GB adults aged 18+. Extrapolation was based on the Census 2011 data (2,345,208 people aged 18+ in Wales)

² ComRes interviewed 2,006 GB adults aged 18+ online between the 4 and 6 June 2014. Data were weighted to be representative of all GB adults aged 18+. Welsh sample size: 108

Ruby lives in Barry in South Wales with her son Cody, who has the degenerative muscle condition Duchenne muscular dystrophy. Cody currently finds it difficult getting up the stairs on his own, and this will only get worse as time goes on and his illness progresses.

Ruby told us that: “I’m very worried about what will happen if we have to stay here once Cody has to use a wheelchair. He won’t be able to sleep in his bedroom, or use the bathroom privately, and the impact on his life, our lives, will be enormous.

“There are new developments being built in Barry, but neither the council nor private developers are building enough homes to cater for families like us who need them. We are gold priority on the Homes 4U list (the local housing association), but there’s not a single available home in the area which is suitable.

“The life expectancy for someone living with Duchenne is only 27 years. Our precious time together shouldn’t be wasted struggling to get out of the front door, or get down the stairs, we should be able to enjoy our lives together while we can.”

That is why we are calling for all new homes in Wales to be built to Lifetime Homes standards.³ Lifetime Homes are ordinary houses and flats which incorporate 16 design criteria that can be applied to new homes with a total average cost of £1,100.⁴

These standards save money in the long run, by ensuring that things like grab-bars and stair-lifts can be easily and cheaply installed if people’s needs change.

Lifetime Homes work for a broad range of people - from disabled people who need more space to move around, to older people who need grab bars to help them get around the home safely, to families with young children who need to fit prams and pushchairs through the front door. These are not just homes for disabled people - they work for everyone.

We are also calling for 10% of new homes to be built to wheelchair accessible standards. While only 2% of the population rely on the use of a wheelchair,⁵ it is necessary to build a greater proportion of wheelchair accessible homes for two reasons:

- There is currently an acute shortage of wheelchair accessible homes.

In 2010, Habinteg estimated that there was a shortage of 78,000 wheelchair accessible homes in England based on analysis of the Survey of English Housing 2007/08, around 240 per local authority.⁶ Unfortunately, there is not an equivalent survey in Wales, though there seems little reason to expect the demand in Wales to be substantially lower.

³ Lifetime Homes standard were developed by Habinteg and the Joseph Rowntree Foundation, details are available here: <http://www.lifetimehomes.org.uk/pages/about-us.html>

⁴ Estimates vary. The CLG Housing Standards Review Consultation Impact Assessment estimated the average cost as £1,100. A previous CLG estimate put the average cost at £547. DCLG The Future of the Code for Sustainable Homes, 2007.

⁵ NHS purchasing and supply agency 2000

⁶ Mind the Step: An estimation of housing need among wheelchair users in England, Habinteg, London South Bank University (2010)

The data we do have supports this conclusion further, however. In Wales, 22% of disabled households were waiting for an adaptation to be made to their home in 2008.⁷

- It is vital that wheelchair users have some choice in where they live

Even once the backlog of demand for wheelchair accessible homes is cleared, it will not be enough to match the number of wheelchair users in Wales exactly with the number of wheelchair accessible homes.

People need, or choose, to move for any number of reasons: for work, to live closer to family, to downsize their home as their needs change, to move to another part of the country, and wheelchair users are no different. In order for the supply of homes in Wales to meet the needs of its wheelchair user population, significantly more than 2% of all homes in Wales will need to be wheelchair accessible.

As such, it is our view that the Welsh Government should commit to building 10% of new homes to wheelchair accessible standards at least over the course of the next National Assembly for Wales term.

The economic benefit of providing disabled-friendly homes

We recently worked with Landman Economics to estimate the overall costs to the public purse of the lack of accessible housing in Wales and the potential fiscal benefits from building all homes to Lifetime Homes standards and carrying out all the necessary adaptations to those homes to allow disabled people to live independently.

The report concluded that the lack of accessible homes in Wales imposes costs on the Exchequer due to increased NHS and social care expenditure. It modelled four categories of costs to the public purse:

- NHS costs for people suffering injuries or depression-related conditions as a result of living in inaccessible housing (including hip fractures and other injuries resulting from falls, ambulance call-outs, treatment for depression, bed blocking and GP appointments);
- Additional local authority expenditure on residential social care system resulting from individuals with care needs having to move into residential social care because their own home is not sufficiently adapted for them to receive domiciliary care;
- Reduced receipts of taxes and National Insurance Contributions for people forced out of work due to health problems arising as a result of inaccessible housing; and
- Increased expenditure on disability and unemployment-related benefits for people forced out of work due to health problems sustained due to inaccessible housing.

The results show that each newbuild home built to the Lifetime Homes standards, and adapted to suit disabled occupants, saves the Exchequer an average of £122.

Over a 50-year period the Net Present Value to the public finances of a newbuild home built to Lifetime Homes standard and adapted to suit the needs of its disabled tenants is £98m annually for Wales alone. The report, including detailed methodology and statistical findings, is included at Annex B.

⁷ The Living in Wales Survey, 2008

How many local authorities are currently choosing to invest in Lifetime Homes standards?

Our analysis of the current disabled-friendly housing provision in Wales indicates that local authorities are not currently investing in the disabled-friendly homes that Welsh people need.

Freedom of Information requests sent to all Welsh housing authorities revealed that:⁸

- Only one Welsh local authority - Denbighshire - told us that they have a policy to build any new homes to Lifetime Homes standards;
- A third (36%) of Welsh councils either do not have a housing plan, or their plan makes no reference to disability at all;
- No Welsh councils have analysed the additional costs of inadequate housing to the health and social care systems;
- Only half (55%) of Welsh local councils have an Accessible Housing Register or similar system;
- Only five Welsh local authorities - Bridgend, Cardiff, Conwy, Newport and Swansea - were able to tell us how many disabled people were on their housing waiting lists; and
- Between them, those five local authorities had over 2200 disabled people waiting for a home in their area. If the rest of Wales had the same proportion of disabled people on their housing waiting list, we would expect there to be more than 7000 disabled people waiting for a home across Wales. If, as seems likely, those local authorities who could not tell us how many disabled people were on their housing waiting list have a greater than average proportion of disabled people on their lists, the number would be even higher.

The evidence is clear that local authorities are not currently taking the steps necessary to deliver the disabled-friendly homes that people living in Wales need.

In our discussions with local authorities, many reported that they felt unable to implement Lifetime Homes standards on an individual basis - fearing that developers would simply choose to move their planned developments across the border and their constituents would miss out on new build homes. The Welsh Local Government Association said that local authorities in Wales would likely support the introduction of Lifetime Home standards across the whole of Wales and are looking to the Welsh Government to issue clear direction and guidance on this important issue.

The benefit of legislating for a countrywide uptake of Lifetime Homes standards is that developers' opportunity to relocate will be dramatically curtailed. Other areas - including the Greater London Authority and the Scottish Government⁹ - have not suffered a reduction in the number of homes built as a result of embracing disabled-friendly building standards in recent years.

Accessible housing data

One of the problems we have faced in truly getting to grips with the scale of the problem caused by the lack of disabled-friendly homes in Wales has been the lack of available data.

⁸ We sent FOI requests to all Welsh local authorities in August 2014, and received at least a partial response from 19 local authorities

⁹ The Scottish Government brought in new building standards in 2007 which adopted 14 of the 16 standards of Lifetime Homes – the only standards which were not adopted related to the installation of tracking hoists and through-floor lifts

It is our view that without effective scrutiny, thousands of disabled people will be left stuck sleeping in their lounge, washing at the kitchen sink and unable to go upstairs to kiss their kids goodnight for many years to come.

In order to ensure that disabled people get the support they need to live independently, the following data should be collected and published annually by the Welsh Government:

- The number of disabled people on housing registers across Wales;
- The proportion of wheelchair accessible social and private homes across Wales;
- The proportion of new homes built to Lifetime Homes standards across Wales;
- The average wait for adaptations for Welsh homes;
- How many Welsh homes are 'visitable', i.e. how many have level access; a flush threshold; a sufficiently wide door and circulation space to move around; and use of a WC on the ground or entry floor; and
- The unmet demand across Wales for wheelchair accessible housing.

It is our view that this additional data collection would allow the Welsh Government to measure - and tackle - the unmet need for disabled-friendly homes in Wales, and the ongoing cost to the Welsh economy of that unmet need.

We would be very grateful for the opportunity to meet with you to discuss these matters further - particularly in light of our recent economic findings. We are very keen to work with you on this matter to ensure that disabled people have access to homes that work for them, and allow them to live their lives to the full.

Yours sincerely,

Rhian Stangroom-Teel
Policy and Public Affairs Officer (Wales)

Cc'd: William Powell AM, Chair of the Petition's Committee,
Minister for Communities and Tackling Poverty,
Ceri Breeze, Head of Housing Policy/Deputy Director

Agenda Item 3.4

P-04-653 Ban the Use of Wild Animals in Circuses in Wales

Petition wording:

We, the undersigned:

- Believe the complex needs of wild animals can never be adequately met in a circus environment;
- Note that wild animals continue to face the prospect of life in an unsuitable circus environment in Wales;
- Urge the Welsh Government to ensure an outright ban on the use of wild animals in circuses is introduced in Wales as soon as possible.

Additional Information

Further information on RSPCA Cymru's work to put an end to the use of wild animals in circuses in Wales, can be found at:

<http://politicalanimal.wales/wild-animals-circuses-wales/>

Petition raised by: RSPCA Cymru

Date petition first considered by Committee: 20 October 2015

Number of signatures: 517 signatures on the Assembly's website between 15 May and 09 October 2015. An additional 7,268 signatures were gathered via the RSPCA Cymru website and offline by RSPCA volunteers

Rebecca Evans AC / AM
Y Dirprwy Weinidog Ffermio a Bwyd
Deputy Minister for Farming and Food



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-04-653
Ein cyf/Our ref RE/00900/15

William Powell AM
Assembly Member for Mid & West Wales
Chair - Petitions Committee
Ty Hywel
Cardiff Bay
Cardiff
CF99 1NA

committeebusiness@Wales.gsi.gov.uk

9 December 2015

Dear William,

Thank you for your letter of the 19 November about the petition P-04-653 about a ban on the use of wild animals in circuses and enclosing a copy of the RSPCA's position paper.

You will be aware that I have asked Professor Stephen Harris, 2nd Lord Dulverton Memorial Professor of Environmental Sciences at Bristol University, to undertake an independent review on the evidence of animal welfare of wild and/or non-domesticated animals in travelling and non-travelling circuses. In addition I have asked him to consider the environmental enrichment of such animals and their behaviours.

The Review is due to be completed by the end of February 2016. I will consider the findings and possible next steps in due course.

Rebecca

Rebecca Evans AC / AM
Y Dirprwy Weinidog Ffermio a Bwyd
Deputy Minister for Farming and Food

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Correspondence.Rebecca.Evans@wales.gsi.gov.uk

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. Correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.



Llywodraeth Cymru
Welsh Government

WRITTEN STATEMENT BY THE WELSH GOVERNMENT

TITLE **Circuses - next steps in considering whether wild animals should be used in travelling circuses**

DATE **1 December 2015**

BY **Rebecca Evans, Deputy Minister for Farming and Food**

The Welsh Government believes there is no place for the use of wild animals in circuses and despite previous commitments from Defra to take forward primary legislation to ban the use of wild animals in circuses, and numerous promises from the Secretary of State, it is now clear the UK Government shows no appetite for action.

In considering how to take this forward separately in Wales, I have asked Professor Stephen Harris, 2nd Lord Dulverton Memorial Professor of Environmental Sciences at Bristol University, to undertake an independent review on the evidence of animal welfare, both physical and mental, of wild and/or non-domesticated animals in travelling and non-travelling circuses. In addition I have asked him to consider the environmental enrichment of such animals and their behaviours. I look forward to receiving the draft final report by the end of February 2016.

Professor Stephen Harris has held the Chair of Environmental Sciences at the University of Bristol since 1992. He is an expert on the behaviour and welfare of wild mammals, and is an internationally recognised expert. It is expected that he will gather evidence from across the world from a variety of sources.

I have also previously agreed that Welsh Government officials should continue their discussions with the Welsh Local Government Association, the Animal and Plant Health Agency, police and Local Authorities to map out a cohesive, Wales-wide approach to monitoring public safety and animal health and welfare standards in travelling circuses. That work is ongoing with a view to all local authorities and enforcement agencies in Wales having a single reference document and check list for their use.

I will continue to keep Assembly members informed on progress.

Document is Restricted

Agenda Item 3.5

P-04-500 Call for Regulation of Animal Welfare Establishments in Wales

Petition wording:

We the undersigned, call on the National Assembly for Wales to urge the Welsh Government to regulate Animal Welfare Establishments and legislate for compulsory requirements be met by all animal rescue establishments in line with the report produced by the AWW Animal Welfare Establishments Working Group October 2012. The Welsh Government need to put in place legislation for Wales under the Animal Welfare Act(2006), to protect animals from neglect and abuse.

Additional Info:

More and more animals are suffering abuse, neglect and are being bred from in unregulated establishment who advertise as a Rescue Center, and we call upon the Welsh Assembly to legislate under the Animal Act 2006 to try and stop this from continuing.

Petition raised by: Lisa Winnett

Date petition first considered by Committee: 24 September 2013

Number of signatures: 265

Rebecca Evans AC / AM
Y Dirprwy Weinidog Ffermio a Bwyd
Deputy Minister for Farming and Food



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-04-500
Ein cyf/Our ref RE/00874/15

William Powell AM
Assembly Member for Mid & West Wales
Chair - Petitions Committee
Ty Hywel
Cardiff Bay
Cardiff
CF99 1NA

committeebusiness@Wales.gsi.gov.uk

2 December 2015

Dear William,

Thank you for your letter of 13 November following correspondence from Ms. Lisa Winnett regarding petition P-04-500 (Call For Regulation of Animal Welfare Establishments in Wales).

As stated previously, my officials have met with the Chair of the Animal Welfare Network Wales (AWNW) to discuss the matter of Animal Welfare Establishments and how to ensure they meet their duty of care to the animals in their keepership. The AWNW agreed to explore options other than legislation and report back to me with updated recommendations and supporting evidence in due course. The next meeting of the group to discuss this matter is 16 December; my officials will be in attendance in an observer capacity.

*Yn,
Rebecca*

Rebecca Evans AC / AM
Y Dirprwy Weinidog Ffermio a Bwyd
Deputy Minister for Farming and Food

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1NA

English Enquiry Line 0300 0603300
Llinell Ymholiadau Cymraeg 0300 0604400
Correspondence.Rebecca.Evans@wales.gsi.gov.uk

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 86

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 3.6

P-04-397 Living Wage

Petition wording:

We call on the Welsh Government to stand by their promise to work towards a living wage for every worker in Wales and tell us when and how they will make it happen.

No matter how hard they try the minimum wage simply is not enough for some parents to make ends meet and give children like us the best chance in life. The living wage means that parents who work would earn at least £7.20 an hour.

We are young campaigners working with Save the Children across the UK for change. We are campaigning for a living wage, representing the views of young people, families and communities in Wales.

Petition raised by: Save the Children

Date petition first considered by Committee: 19 June 2012

Number of signatures: 483

Leighton Andrews AC / AM
Y Gweinidog Gwasanaethau Cyhoeddus
Minister for Public Services



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-04-397
Ein cyf/Our ref LA -/00816/15

William Powell AM
Chair - Petitions Committee
Ty Hywel
Cardiff Bay
Cardiff
CF99 1NA

committeebusiness@Wales.gsi.gov.uk

15 December 2015

Dear William,

Thank you for your letter of 4 December regarding information about the Workforce Partnership Council (WPC) and 'Petition P-04-0397' relating to a Living Wage, including a copy of recent correspondence from Save the Children.

The WPC brings together public service employers, trade unions and the Welsh Government in social partnership. The WPC acts as a forum for discussion and considers current public service workforce issues. It includes employer representatives from the NHS, Local Government, Fire and Rescue Services, Welsh Government Sponsored Bodies (WGSBs), Further and Higher Education alongside representatives of public service trade unions. The WPC Joint Secretaries, drawn from the trade union group and the employer group, are currently Alison Ward, Chief Executive of Torfaen County Borough Council for the employers, and Julie Cook, National Officer of the Wales TUC for the trade unions.

The most recent meeting took place on 10 December, at which I updated the WPC on progress with the Living Wage. I was pleased to report that as of 2 November, the Welsh Government is an accredited Living Wage employer. The Welsh Government pays all directly employed staff (with the exception of apprentices) the Living Wage and is committed to explore what we can do through our tendering and procurement practices as current contracts for on-site services expire. This reflects a 'Phased Implementation' accreditation approach as developed by the Living Wage Foundation.

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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 88

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.

More broadly, adoption of the Living Wage is progressing across public services in Wales. For example, several Local Authorities have adopted the Living Wage, it has been introduced in Health, all WGSBs either pay their employees the Living Wage or are seeking to do so and progress is being made in Further and Higher Education. Specific further work is underway to consider practical issues around Local Authorities in Wales adopting the Living Wage on a consistent basis. The Welsh Government continues to encourage all employers in Wales to adopt the Living Wage.

Yours sincerely,



Leighton Andrews AC / AM

Y Gweinidog Gwasanaethau Cyhoeddus
Minister for Public Services



Save the Children

Achub y Plant

William Powell AM
Chair of the Petitions Committee
National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA

14th January 2016

Dear William,

Re: Petition P-04-397 Living Wage

Thank you for forwarding the update the Committee recently received from the Minister for Public Services (15th December 2015) following a meeting of the Workforce Partnership Council on the 10th December 2015.

We were pleased to read the Welsh Government has become an accredited Living Wage employer and that significant progress has been made, particularly in the public sector. However, we remain concerned that limited progress has been made in the private and not-for-profit sector in Wales. As stated in our last correspondence

“recent data released by the Office of National Statistics that showed 288,000 jobs in Wales (25%) pay below the living wage. 47% of jobs paid below the living wage across the UK are in the private and not-for profit sector. 43% of jobs paid below the living wage across the UK are part-time. We are concerned this combination of factors is particularly challenging for families who need to balance work with caring for their children.”

We believe the Petitions Committee has a role in continuing to hold the Welsh Government to account on progress made on the Living Wage, however appreciate this will inevitably require a long term, strategic approach to become a reality. We would like to take this opportunity to take advice from the Committee regarding the future management of our petition, your scrutiny of the Welsh Government’s progress and any potential recommendations you may wish to make.

We look forward to your consideration of these issues.

Yours sincerely,

R. Stevens

**Achub y Plant
Rhaglen Cymru**

3ydd Llawr, Tŷ Ffenics
8 Ffordd yr Eglwys Gadeiriol
Caerdydd CF11 9LJ

Ffôn 029 2039 6838
Ffacs 029 2022 7797

www.savethechildren.org.uk

**Save the Children
Wales Programme**

3rd Floor, Phoenix House
8 Cathedral Road
Cardiff CF11 9LJ

Telephone 029 2039 6838
Fax 029 2022 7797

www.savethechildren.org.uk

The Save the Children Fund, a company limited by guarantee, registered in England (number 178159). Registered charity number 213890. Registered office: 1 St. John's Lane, London EC1M 4AR. Patron: Her Majesty the Queen; President: Her Royal Highness The Princess Royal; Chief Executive: Jasmine Whitbread. Save the Children UK is a member of the International Save the Children Alliance.

Rhea Stevens, Senior Policy, Advocacy and
Campaigns Manager



Save the Children

Achub y Plant

**Achub y Plant
Rhaglen Cymru**

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Agenda Item 3.7

P-04-631 Save our service- Large Animal Rescue in North Wales

Petition wording

This is a call for action. We the undersigned want the National Assembly for Wales to urge the Welsh Government to intervene to prevent North Wales Fire and Rescue stopping their large animal rescue service. We believe that stopping this service will put animals at risk and have a negative impact on welfare in North Wales. There is also a human risk element as people will put themselves in situations of danger to help rescue animals if there is not a service to help them.

Large animal rescue is a highly specialised service and requires extensive training and equipment which cannot be provided by any other organisation at present. We ask that the decision is reversed and additional funding is given to enable this or other sustainable funding models are put in place. Thank you.

Additional Information

Concerns:

- More animals will be put down due to being unable to 'rescue' them (North Wales Fire and Rescue have had sixty calls in two years)
- People will try and be a hero- this decision puts people at risk, no knowledge of physical effect of mental anxiety- the release reaction.

Who will help now?

RSPCA have neither the equipment/ training or manpower. Lots of training such as that done by Hampshire has been lessons learnt from previous rescues. RSPCA don't have that. Man power- 9 officers in North Wales some of which are part time.

Vets receive no training other than specialist courses– many vets won't have attended

Why Fire service need to be involved:

- Trained– knowledge of stimulation versus restraint/sedation and how animals react to trauma
- Developed national good practice and protocol 2007
- Have roles identified
- Incident command
- Risk assessments

Hampshire Fire Service are leaders in the field of Large Animal Rescue, they state on website: Large animal rescue is recognised as one of the most dangerous activities a firefighter will be engaged in and so specialised training and equipment is essential

From a lecture given by one of their staff:

- Lack of knowledge leads to dangerous situations for animal and rescuers
- Horse/large animal rescue variety of challenges
brain/history/anxiety/owner
- Large animal should be considered– hazardous material

Cost of this service is around £8,000/£9,000 per year.

Lead petitioner: Sabina Dunkling

First considered by the Committee:

Number of signatures: 1,394 online signatures



3rd December 2015

William Powell AC/AM
National Assembly for Wales
Cardiff Bay,
Cardiff,
CF99 1NA

**Gwasanaeth Tân ac Achub
Fire and Rescue Service**

Simon A Smith
Prif Swyddog Tân / Chief Fire Officer

Dear Mr Powell

Thank you for your email of 26 November 2015 to Chief Fire Officer Simon Smith regarding large animal rescue services. Mr Smith has asked me, as head of Operational Response, to respond on his behalf.

In 2014 North Wales Fire and Rescue Authority (FRA) undertook a budget-setting process that involved balancing possible efficiencies and savings against risks for the purpose of setting an affordable 2015-16 budget. As part of this budget setting process, a decision was taken to cease performing some non-statutory duties in order to maintain current Service provision allowing us to continue to deliver our statutory services to the same level.

Large animal rescue was one of these non-statutory duties. Decisions to withdraw a service are taken with great reluctance, but the FRA has a responsibility to its statutory duties over other non-statutory duties.

The concerns identified in the petition include:

- the suggestion that more animals would be put down due to NWFRS not responding to such calls - to date in this financial year, NWFRS has received 10 calls to incidents from individuals wanting assistance to rescue an animal, NWFRS is not aware of any animal being put down.
- People will try to be heroes – of the 10 calls received as described, one caller identified that a person was at risk – NWFRS responded with a fire engine and a water rescue crew – when they attended it was found that there was no person trapped or in danger.
- Who will help now? - our communication strategy around this decision identified that in the first instance a vet must be called to advise on the welfare of the animal. NWFRS also advised owners to contact the RSPCA.

- In almost all the cases when NWFRS has attended large animal rescues over the last few years the requirement has been for heavy lifting equipment. NWFRS had no heavy lifting equipment and therefore in the majority of cases assistance was sourced by the owner.

In response to the comments made by the RSPCA:

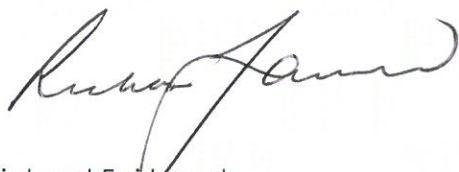
- Across the UK there are a variety of ways FRS's respond to large animal rescue. Some do not respond at all, some respond with no specialist equipment and some respond with specialist equipment. NWFRS not responding to large animal rescue is different from the two other FRS's in Wales although Mid and West Wales FRS does not respond with any specialist equipment.
- NWFRS has not routinely undertaken small animal rescues for approximately 10 years.
- As described previously, the majority of times owners of animals require the use of heavy lifting equipment to rescue their animals. This is no different from what has happened in the past and this assistance came from local landowners and farmers.

I can reassure you that our response to fires or road traffic incidents which involve large animals will continue, as will our response to events where persons are trapped or human lives are in danger.

As with all our activities, we believe that prevention is better than cure and have been working with our partners to enhance the prevention and safety messages around this issue. We have worked with the RSCPA, Countryside Council for Wales and local groups to improve our safety message and provide specialist guidance to owners of large animals.

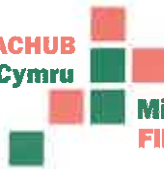
The decision to withdraw large animal rescue response will be reviewed by the FRA at the end of the 2015/16 financial year.

Yours sincerely



Richard Fairhead
Assistant Chief Fire Officer

richard.fairhead@nwales-fireservice.org.uk



William Powell AM
Chair – Petitions Committee
National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA

Gofynner am/
Please ask for:

Chief Fire Officer
Chris Davies

Rhif Est/Extn. No.

4401

E-bost/E-mail:

c.davies@mawwfire.gov.uk

Fy Nghyf/My Ref:

CD/MT

Eich Cyf/Your Ref:

Dyddiad/Date:

9 December 2015

Dear *William*

Petition P-04-631 Save our Service – Large Animal Rescue in North Wales

Further to your letter dated 26 November 2015 and the RSPCA letter dated 25 June 2015.

As highlighted in the letter dated 25 June 2015, these are difficult times for all public sector organisations and in particular, the Fire and Rescue Authorities are having to prioritise their funding to satisfy their responsibilities contained within the Fire and Rescue Services Act 2004.

In relation to this specific activity, Mid and West Wales Fire Authority has chosen to maintain the animal rescue capability within the Mid and West Wales Fire & Rescue Service area; however, this may change subject to further financial cuts. It is also worth noting this Authority has already made £7.5m cuts – 17% of our overall budget and removed 23% of fire station based posts.

As you will therefore appreciate it is a matter for each Fire and Rescue Authority to determine their budget to enable the effective and efficient delivery of a Fire and Rescue Service within their specified area. Any budget decision/prioritisation within North Wales Fire & Rescue Authority is therefore a decision for that Authority only.

It is also worth noting that the future of the animal rescue capability within Mid and West Wales Fire & Rescue Service, like all other statutory and non-statutory functions, will be subject to further review once the extent of Fire and Rescue Authority budget settlement is agreed.

Yours sincerely

C Davies
Chief Fire Officer

P-04-631 Save our Service- Large Animal Rescue in North Wales.

Correspondence from the Petitioner to the Committee. 07.01.16

In response to the letter from North Wales Fire and Rescue (NWFR) I wish to draw attention to the fact that a cow was actually euthanized as a result of no trained/equipped rescue staff such as NWFR being in attendance 24th Sept 2015. It has been widely publicised across North Wales that NWFR is no longer attending large animal rescues so I believe the reduction in calls is due to both this and the fact that the RSPCA is not referring callers to NWFR or requesting their attendance. The reduction in calls is therefore not representative of the number of rescues enacted.

NWFR are aware of ten rescues and their outcome including human safety but how many more were not reported due to their being no service in place. It is stated that owners can source heavy lifting equipment, yes that is true many owners can find a tractor or JCB to use but it is the other skills that are missing. NWFR have trained staff in large animal rescue, they know how important it is to sedate an animal before attempting rescue, staff are experienced in rescue situations, staff can manage an incident scene so keep members of the public safe. NWFR are removed from the emotion of the situation too. It is both inadequate and dangerous to expect members of the public to enact these rescues safely.

Below are some quotes from a document written by Jim Green (large animal rescue specialist in Hampshire Fire and Rescue and British Animal Rescue and Trauma Care Association) I have attached full document to email.

What should be clearly understood is that large animals in distress should be considered "unpredictable hazardous materials". Rescues of animals however, are fundamentally different from routine hazmat incidents. Animals do not come with Emergency Action Codes which tell the firefighter if they do 'x', 'y' will result.

Critical to the ethos of animal rescue is acknowledgement that humans will put themselves and others at risk by attempting to rescue an animal that is in difficulty. Some would say these are selfless acts but rarely is consideration given to the jeopardy into which their actions place human life. With this in mind and the fact that personnel will come into contact with animals during the course of everyday FRS activities, it was important that all firefighters had access to basic knowledge of animals in distress, likely actions of the public and a clearly defined role whilst awaiting further trained resources.

Animal rescue training begins with basic ethos, why we carry out large animal rescue, the dangers associated with animals in distress and influencing factors such as the behaviour of the equine owner or farmer or public. In the US a survey concluded that 83% of the public would happily risk their lives for an animal?! (American Animal Hospital Association)

This shows how risky these rescues are for trained and equipped personnel can the public really be expected to step in to do this instead?



I do not feel that the fact that no one has been injured or killed YET is justification for not reinstating the service. Do we have to wait until someone is killed or injured for this to be looked at seriously? or is the identified and assessed risk (by experts such as Jim Green) not enough. NWFR have not answered the question of who else can provide this service, yes a vet should be in attendance but this only goes so far as to ensure the vet can receive medical treatment and maybe sedation and the RSPCA can be called but they have neither the man power to respond quickly nor equipment/training to enact these rescues either.

Agenda Item 3.8

P-04-650 Scrap Local Government Councillors' Salaries

Petition wording:

We call on the National Assembly for Wales to urge the Welsh Government to scrap Councillors' salaries. With cuts to public services and increases in council tax it is right that councillors share the burden by having their salaries scrapped and replaced with payments of reimbursement only, much like magistrates. This will help to make savings in expensive local democracy.

Petition raised by: Geraint Williams

Date petition first considered by Committee: 6 October 2015

Number of signatures: 82 Online signatures

Leighton Andrews AC / AM
Y Gweinidog Gwasanaethau Cyhoeddus
Minister for Public Services



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-04-650
Ein cyf/Our ref LA -/00771/15

William Powell AM
Chair - Petitions Committee
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25 November 2015

Dear Bill,

Thank you for your letter of 16 November regarding a petition to scrap Local Government Councillors' salaries.

As noted in my previous response of August 2015, the Independent Remuneration Panel for Wales holds full responsibility for setting the levels of remuneration for Councillors in Wales. At present they have determined that a salary is necessary and should be payable to elected members as recognition of the duties and commitment expected of them.

The salary, which was aligned to the median gross earnings of a full-time employee resident in Wales, offers individuals from all backgrounds and areas of society the opportunity to participate in democracy. Democracy is strengthened when the membership of Local Authorities reflects the demographic make-up of the communities it represents. If no salary was available to elected members, and they were solely reimbursed for expenses incurred, this would have a negative effect on the diversity of Local Authority membership, financially excluding many skilled and willing individuals from being able to represent their communities.

*Yours sincerely
Leighton Andrews*

Leighton Andrews AC / AM
Y Gweinidog Gwasanaethau Cyhoeddus
Minister for Public Services

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Correspondence.Leighton.Andrews@wales.gsi.gov.uk

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 102

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 3.9

P-04-468 Road Safety Concerns A48 Chepstow

Petition wording:

We call upon the National Assembly for Wales to urge the Welsh Government to reduce the speed limit on the A48 Bridge at Chepstow from 50mph to 30mph.

Petition raised by: Chepstow Town Council

Date petition first considered by Committee: 19 March 2013

Number of signatures : An associated petition collected 1,000 signatures



Eich cyf/Your ref P-04-468
Ein cyf/Our ref EH/05181/15

William Powell AM

committeebusiness@Wales.gsi.gov.uk

15 December 2015

Dear William

Thank you for your letter of 3 December regarding petition no. P-04-468 Road Safety Concerns A48 Chepstow.

I wrote to all Members on 6 February providing information regarding the trunk road safety review. Further information can be found at the following link:
<http://www.traffic-wales.com/Trunkroadsafetyreview.aspx>

I wrote to the Town Council regarding this matter on 13 October and 18 November. The decision to retain the existing speed limit was based on a number of factors including personal injury collision records and speed data. This information is held on a large database and is not in a form that can be shared easily.

We also took into consideration comments from correspondence and the Town Council's response to the trunk road safety questionnaire received in November 2014. My officials have also met and undertaken a site visit with the Town Council and discussed the issue in detail.

I have also recently approved the installation of a pedestrian guardrail across the Wye bridge. Installation works began on 7 November and will continue for seven weeks. The works are being undertaken at night to avoid disruption to traffic flows.

The trunk road safety review is a continuous process and once the guardrail is in place my officials will monitor pedestrian movements across the bridge, and consider the need for any further improvements.

Edwina Hart

Chepstow Town Council

Historic Chepstow: *The Way to Wales and the Wye Valley*
See the Chepstow website at www.chepstow.co.uk
clerk@chepstow.co.uk



William Powell Assembly Member
Chair - Petitions Committee
National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA

11th January 2016

Dear Mr Powell,

A48 Bridge at Chepstow - Petition for 30mph speed limit
Petition no. P-04-468
Comments on Minister's letter of 15th December 2015

Thank you for the email from your office enclosing the response you received from the Minister for Transport dated 15th December 2015, on the petition for 30mph on the A48 Wye Bridge.

We are still surprised that the Government is unwilling to respond positively on the petition request from pupils of Wyedean School, supported by Chepstow Town Council, for a reduction in the speed limit from 50mph to 30mph on this short and dangerous stretch of road.

There seems to be no logical or practical argument against the proposal to reduce speeds to 30mph and in over 2 years we have still not received any explanation of why it is necessary to retain 50mph on this narrow bridge. At 30mph it takes 24 seconds to cross the bridge. At 50mph it takes 14 seconds to cross the bridge. What is so special to the Government about these 10 seconds that it is prepared to insist on a highly dangerous traffic situation for vehicles and for pedestrians? We have never received an explanation of why it needs to be 50mph. The road in question is a high level bridge only 350 yards long. We have never received a detailed response from the Government to any of the reasonable points we have made.

Our specific comments on the Minister's letter of 15th December 2015 are as follows.

1. **Trunk Roads Review.** Paragraph 1 of the Minister's letter refers to the Minister's review of trunk roads. The Trunk Road Review website referred to by the Minister in the letter provides no explanation of the decision. It just says '*Existing Speed Limit to be Retained*'. The Review claims it has been carried out '*in line with the Government guidance on Setting Local Speed Limits in Wales*'. This is not the case for Chepstow. The Government has not followed the guidance. The conditions required by the Guidance for 50mph or 40mph do not exist on the A48 Wye Bridge at Chepstow.

The conditions at Chepstow conform to 30mph in the Guidance. We have written to the Minister in detail on this matter.

2. **Basis for decision.** Paragraph 2 of the letter says that the '*decision to retain existing speed limit was based on a number of factors including personal injury collision records and speed data*'. We would like to know all the factors used as neither of the two quoted factor have any direct bearing on the road conditions on Chepstow Bridge unless the Minister is saying that we need more accidents. We are trying to prevent accidents. The methodology quoted may have some relevance for assessing speed limits on stretches of open road but this is an urban road in a unique situation and it is not appropriate for this bridge. The reference to the data not being in a form which can be shared easily seems unreasonable. If the data were that compelling in the decision to retain the speed limit presumably it was in a form that could be understood by the decision maker. It seems that there is a reluctance to pass on this data. We were invited to participate in a consultation exercise and now we are being told that the outcome is too complex to communicate. It seems that there is some other explanation regarding the speed limit and we are not being advised as to what it is. The most logical and safest place for a change in speed limit is after the bridge has been crossed when leaving Chepstow (and before the bridge is crossed when arriving at Chepstow) - that is where drivers would expect to see a change in speed limit - where the signs are for 'Welcome to England' and 'Welcome to Wales'. To have a change in speed limit 350 yards before these signs makes no sense and is dangerous.
3. **Correspondence and comments taken into account** Paragraph 3 of the letter says that the Council's comments have been taken into account. We do not feel that this has been the case because we have received no reasonable explanation as to why the reasonable points put forward by the petitioners and by the Council are not valid, or not feasible, or not affordable. The decision has remained the same throughout the petition period with no explanation as to 'why'. The Minister has given examples of some of the factors that have taken into account but has not discussed the results, the analysis, and the judgements reached on any of the factors. We still don't know after 2 years. The reference to an official discussing the issue in detail is erroneous. An official did visit Chepstow but made no comments at all about the reasons for the Minister's decision. There was no discussion nor explanation.
4. **Pedestrian Guard Rails.** Paragraph 4 refers to pedestrian guard rails. Pedestrian guard rails have been installed in the last month and this is a welcome move and has improved safety on the bridge. At least we have some protection and it demonstrates that the Petition Committee's persistence has not been in vain. It certainly feels much safer on the pavement on the bridge but there are some hidden dangers. As we predicted, traffic speeds have increased considerably and there is a problem for cyclists which all points to addressing the original issue of reducing the speed limit to 30mph. We have buses and 40 ton HGVs, vans and cars approaching each other at

closing speeds of 100mph with only a couple of feet between the wing mirrors of passing vehicles. There is nowhere to go if an on-coming vehicle is too close to the centre of the road or to swerve or go round a cyclist or anything dropped in the road. A head on impact between vehicles on this bridge would be disastrous and the guard rails would be insufficient to protect pedestrians. The guard rails are welcome but not enough. Crash barriers are needed in the centre of the road and on the west side in front of the guard rail (there is just enough space for crash barriers) and the speed limit must be reduced to 30mph.

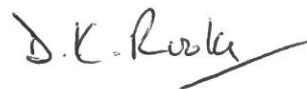
5. All these safety measures such as crash barriers and lower speed limits, in addition to guard rails, are in place on the A48 where it crosses the next big river in South Wales, the Usk Bridge at Newport, so why can't they be installed at the Wye Bridge at Chepstow - starting with the 30mph limit. Reducing the speed limit is vital. Barriers help but it is speed that dramatically increases the impact of a collision, and lower speed reduces the impact. This road is a very narrow high level bridge - there is nowhere to go if there is a collision. It needs a 30mph speed limit.

Once again many thanks for your continued help. The guard rails are a step in the right direction but the petition was for a 30mph speed limit and that is still needed to make the bridge safer both for vehicles and pedestrians.

Yours sincerely,


Caroline Tremeer

Town Clerk



Dale Rooke

Town Mayor

Agenda Item 3.10

P-04-556 No to Junction 41 closure

Petition wording:

We call upon the National Assembly for Wales to urge the Welsh Government not to close Junction 41 of the M4 for the following reasons: 1. The closure will negatively impact the town centre traders and businesses. 2. The closure will cause traffic chaos in the town as residents try to access the motorway. 3. There has been insufficient consultation with the townspeople. 4. Further research is needed into alternative solutions. 5. The new train station cannot be a transport hub if it is not easily accessible. 6. It will adversely affect the town redevelopment.

Additional Text: Again, the needs of motorists have been prioritised over those of the people of Port Talbot. The town was desecrated when the motorway was originally built through the heart of the town and now we are expected to suffer the pollution whilst traffic passes through our town on the way to somewhere else! The motorway, not the Steelworks, is the towns biggest polluter, and yet we who breathe it in will be unable to gain access to it. Plans to reroute the towns traffic through the streets will add to traffic pollution and bring chaos. People of the town understand the issues with the motorway but demand real consultation on options and alternatives. Please give us a chance to protect our town.

Petition raised by: Rose David

Date Petition first considered by Committee: 13 May 2014

Number of signatures: 1654. An associated paper petition was handed in and collected 22,467 signatures.



Eich cyf/Your ref P-04-556
Ein cyf/Our ref EH/05203/15

William Powell AM
Chair
Petitions Committee

committeebusiness@Wales.gsi.gov.uk

21 December 2015

Dear William

Thank you for your letter of 4 December regarding petition P-04-556: “No to junction 41 closure”.

My officials are currently conducting further analysis to inform a decision as to whether to proceed to a consultation on permanent closure for junction 41.

Monitoring has taken place to assess the impact of reopening of the junction on motorway traffic. Further information will be made available in due course.

I have passed the comments of the Action Group to my officials to note as part of this ongoing work.

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

Agenda Item 3.11

P-04-657 – Charging for Parking and the Relationship to High Streets and Their Success

This petition was submitted by Ann Dierikx, having collected 89 signatures on line and 32 paper signatures.

Text of Petition

We, the undersigned, call upon the National Assembly for Wales to urge the Welsh Government to commission research, in partnership with local authorities in Wales, to assess fully the relationship between car parking charges and successful local high streets.

Prof Calvin Jones of Cardiff Business School has emphasised the negative economic impact of car parking charges, especially in market towns. In the light of this – and a current Ministerial study on the issue – we call upon the Welsh Government to urge Welsh local authorities to impose a moratorium on the introduction of car parking charges at new sites in their ownership and any increase in parking fees until the 2017 election.

In addition, we urge the Welsh Government to ensure that local authorities engage proactively with relevant town and community councils, before implementing any changes in the local car parking regime. Town and community councils should be given the opportunity to adopt car parks in their area – as no one is better placed to understand the dynamics of the local high street

– before any other options, notably outsourcing of management, is contemplated.

Finally, we call upon the Welsh Government to make clear and transparent regulations governing the procedures relating to car parking charges to be followed by local authorities.

Assembly Constituency and Region

- Brecon and Radnorshire
- Mid and West Wales

Edwina Hart MBE CStJ AC / AM
Gweinidog yr Economi, Gwyddoniaeth a Thrafnidiaeth
Minister for Economy, Science and Transport



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-04-657
Ein cyf/Our ref EH/05244/15

William Powell AM
Chair - Petitions Committee

committeebusiness@Wales.gsi.gov.uk

5 January 2016

Dear William

Thank you for your letter of 8 December regarding the petition on charging for parking and the relationship to high streets and their success.

I commissioned research into the impact of car parking charges on town centres as there is a range of views on the matter, and I have discussed the work on a number of occasions at my regular meetings with local authority Leaders.

Following its completion, I wrote to the Minister for Public Services and the Minister for Communities and Tackling Poverty enclosing a copy of the report. I also wrote to the Leader of the Welsh Local Government Association.

As I set out in my letter to you of 16 October, I believe that local authorities are best placed to determine the charges to be levied in their own car parks.

Edwina Hart

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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 response.

P-04-492 Diagnosis of autism in children

Petition wording:

We call upon the National Assembly for Wales to urge the Welsh Government to:

- ensure timely diagnosis for children with Autism Spectrum Disorder [ASD], regardless of where they live, so that children with autism can be supported and lead fulfilled lives; and
- review implementation of and ensure compliance with the NICE guidelines on recognition, referral and diagnosis of children and young people on the autism spectrum as part of the Welsh Government's refresh of its ASD Strategic Action Plan.

Supporting information:

Diagnosing can be a critical milestone for people with autism. For children, it can help ensure that the right support is put in place from an early age.

Diagnosing autism can be difficult because autism is complex condition that affects each person in a different way. We therefore support the view that a number of different specialists should be part of the process to ensure a correct diagnosis.

However a timely diagnosis is vital in order to minimise anxiety and stress for children with autism and their families. The Deputy Minister for Social Services supports this view and in response to a question from Rebecca Evans AM said: 'I fully recognise the importance of receiving a timely diagnosis.' We also know that early intervention for children with autism is crucial in their educational, emotional and social development and for their longer-term health.

While there are good examples of diagnostic and assessments services in Wales, we are very concerned that not everyone can access a timely diagnosis and that not every area is following the NICE guidelines on

recognition, referral and diagnosis of children and young people on the autism spectrum.

Our experience in Pembrokeshire has been particularly difficult, with some members of the branch waiting up to seven years for a diagnostic assessment. This lengthy wait for diagnosis is having a huge impact on families across Pembrokeshire.

We have tried on several occasions to engage with Hywel Dda Local Health Board. We have also met with local AMs Paul Davies and Angela Burns outlining our concerns. Paul Davies has written to Hywel Dda Health Board urging them to meet with the branch. We are still waiting for the Health Board to act on that request.

One of the branch members has 'waited over six years for my one son to get a diagnosis. Now I'm waiting for the other it's been about two years and it fills me with dread.'

We want to ensure timely diagnosis for all children with an Autism Spectrum Disorder across Wales so that they can be supported appropriately to lead fulfilled lives.

About autism

Autism is a lifelong developmental disability that affects the way a person communicates with, and relates to, other people. It also affects how they make sense of the world around them. It is a spectrum condition, which means that, while all people with autism share three main areas of difficulty, their condition will affect them in different ways. The three main areas of difficulty are:

- Difficulty with social interaction. This includes recognising and understanding other people's feelings and managing their own. Not understanding how to interact with other people can make it hard to form friendships;
- Difficulty with social communication. This includes using and understanding verbal and non-verbal language, such as gestures, facial expressions and tone of voice; and

- Difficulty with social imagination. This includes the ability to understand and predict other people's intentions and behaviour and to imagine situations outside of their own routine. This can be accompanied by a narrow repetitive range of activities.

Some people with autism are able to live relatively independent lives but others may need a lifetime of specialist support. People with autism may also experience some form of sensory sensitivity or under-sensitivity, for example to sounds touch, tastes, smells, light or colours. Asperger syndrome is a form of autism.

Research has shown that 1 in 100 people have autism. By applying the 1 in 100 figure we estimate that over 30,000 people in Wales have autism. Together with their families, they make up over 100,000 people whose lives are touched by autism every single day.

About the NAS and Pembrokeshire Branch

The National Autistic Society Cymru [NAS Cymru] is Wales' only member-led charity for people affected by autism. The National Autistic Society was founded in 1962 by a group of parents who were passionate about ensuring a better future for their children. In Wales, since 1994, we have been providing local support, services and actively campaigning so that people with autism get to lead the life they choose.

NAS Cymru believes that the right support at the right time makes an enormous difference to the lives of those affected by autism and we are committed to ensuring that their voices are heard.

Across Wales we have over 900 members and 11 local branches including the one in Pembrokeshire. Launched on the 1st April 2011, the branch is for parents of children with autism to provide a network of support for people connected through autism living in Pembrokeshire and surrounding areas. The branch meets on a regular basis holding formal and informal events, as well as campaigning and fundraising locally.

Petition raised by: National Autistic Society Pembrokeshire Branch

Date petition first considered by Committee: 18 June 2013

Number of signatures: 902

Mark Drakeford AC / AM
Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol
Minister for Health and Social Services



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-04-492
Ein cyf/Our ref MD/03311/15

William Powell AM
Chair - Petitions Committee
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7 December 2015

Dear William,

Thank you for your letter of 16 November about the work of the ASD diagnosis task and finish group and seeking my views on correspondence you have received from Professor Trevor Purt, the then chief executive, Betsi Cadwaladr University Health Board.

The ASD diagnosis task and finish group was established in March 2015 to consider diagnostic services for children and adults. To support its work, the ASD national lead and development team have engaged in a range of consultation activities reaching over 1000 parents, carers and individuals who shared their views with us via surveys and workshops. The group has met four times to date and is due to provide me with advice by next February.

The terms of reference of this group have, however, recently changed as a result of the launch of the Together for Children and Young People programme (T4CYP). One of the specific work streams being taken forward under this programme is consideration of how best to meet the needs of those with neurodevelopmental issues and learning disabilities in a timely manner with the appropriate level of input from specialist Children and Mental Health Services (CAMHS). To support this work stream, I have announced additional recurrent funding of £2 million. A national steering group has also been established to provide strategic leadership and support for the delivery of high-quality services and to agree the priorities for a three-year WLGA/Public Health Wales 1000 lives improvement programme.

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

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

The remit of the group is to:

- Achieve a better understanding of Attention Deficit Hyperactivity Disorder (ADHD)/ Autistic Spectrum Disorder (ASD) across all agencies.
- Agree bespoke care pathways for individuals with ADHD/ASD.
- Give timely access to those needing specialist assessment and treatment services.
- Draw together the skills of mental health, paediatrics, therapists and learning disability services.

In order to avoid duplication, the original ASD diagnosis task and finish group will now focus on adult assessment and diagnosis only. However, there will be some common membership across both groups to ensure the work is aligned and linked to the refresh of our autism strategy.

I have considered the letter from Professor Purt written in May this year. The issues raised are now being addressed through the national neurodevelopmental steering group. Betsi Cadwaladr University Health Board (BCUHB) is represented on this group. I note the comments about the role of speech and language therapy, and this is being addressed by the group, as part of its consideration of the role of therapists. In addition, there is significant support going in to help BCUHB itself, which is in special measures, including appointing a new director of mental health services who will report directly to the chief executive; an experienced mental health divisional lead nurse joining the improvement team as the senior mental health and learning disability nurse; and continued support from the associated director of the Royal College of Nursing in Wales who will now focus on ensuring the health board keeps pace with the Wales-wide child and adolescent mental health services improvement programme.

Please find more detailed information about the T4CYP programme and its work streams in the attached annex.

Best wishes,



Mark Drakeford AC / AM

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

Together for Children and Young People programme (T4CYP)

In February 2015, the Together for Children and Young People programme (T4CYP) was launched and informed a work-plan of activity to bring about service change and reconfiguration. The Welsh Government is working with the internationally renowned child psychiatrist Professor Dame Sue Bailey, who is providing external advice and scrutiny to the NHS as it seeks to embed cultural and organisational change within CAMHS and its partners. A number of specific work-streams are being taken forward including:

- Specialist CAMHS – this work-stream will develop a delivery and quality framework for specialist CAMHS to achieve consistent outcomes across Wales. It will be based on the Choice and Partnership Approach, a clinical system widely adopted by CAMHS services. The framework will be implemented in 2016.
- Early years and the wellbeing of children and young people –this work-stream will consider building early years resilience.
- Early intervention and enhanced support – this group will consider the concept of early intervention for a broad audience, exploring its application in supporting young people’s mental health.
- The needs of those with neurodevelopmental issues and learning It will link with work to refresh our autism strategy and the ASD Diagnosis task and finish group.

Supporting these work streams, I announced additional recurrent funding of £7.65m for CAHMS including funding of £2m to support neurodevelopmental services for children.

The priority for the current financial year is to improve CAMHS waiting times and access ensuring targets for children and young people with mental illness are equitable with those required for adults. Initial proposals submitted by health boards were considered by my officials following external scrutiny and advice. Betsi Cadwaladr University Health Board has received its full share of £1.6million which will be used to support neurodevelopmental services; improve access to local primary mental health support services; and support early intervention in psychosis and CAMHS specialist service and crisis intervention.

Agenda Item 3.13

P-04-523 Protect the elderly and vulnerable in care homes

Petition wording:

We, the undersigned, call upon the National Assembly for Wales to urge the Welsh Government to hold a Public Inquiry into the events that led to Operation Jasmine, which investigated alleged neglect of older people in nursing homes in Wales.

Additional information:

With the collapse of Operation Jasmine, where the police investigated more than 100 cases of alleged neglect and spent more than £13 million, it has meant that those affected have had no justice and those responsible for the neglect have not been held accountable. We call for a Public Inquiry to take place to ensure that all aspects of the cause of neglect are fully investigated and that new legislation is passed to make certain that people in nursing homes will receive a higher standard of care and if they do not, that they can then obtain redress via the appropriate agencies and the legal system.

Petition raised by: Justice for Jasmine

Date Petition first considered by Committee: 10 December 2013

Number of signatures: 4216



Eich cyf/Your ref: P-04-523
Ein cyf/Our ref:FM -/001049/15

William Powell AM
Chair - Petitions Committee
Welsh Government

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26 November 2015

Dear William

I am writing in response to your letter dated 13 November. It may be helpful to update you on the latest position with regards to the Operation Jasmine Review following the publication of Dr Flynn's Report - *In Search of Accountability - A review of the neglect of older people living in care homes investigated as Operation Jasmine on 14 July*.

On 6 October I gave my formal response to plenary (of which I attach a link for ease of reference <http://www.senedd.tv/Meeting/Archive/16050fe9-54d8-405e-8963-f66eee2976f5?autostart=True>). I met with the families of Justice for Jasmine immediately afterwards to reassure them that all recommendations within the Welsh Government's competence will be acted upon. This was the third meeting I had held with the families since the petition in question was provided to your committee.

In my response to Dr Flynn's review I said it was my intention to involve Dr Flynn in a series of 'learning lessons' workshops by the end of 2015. The workshops are being organised by the six regional adult safeguarding boards and will involve members of the families.

The Committee may wish to note that Dr Flynn recommended that the Coroner should open inquests in a number of cases. The Coroner for Gwent has indicated that this will happen.

Yours sincerely

CARWYN JONES

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

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

**P-04-523 Protect the Vulnerable and Elderly in Care Homes. Correspondence
- Petitioner to the Committee. 13.01.16**

Dear Jessica

Please thank the Committee for allowing us to carry over our petition to this point. Justice for Jasmine Group are very grateful to the First Minister for commissioning the Independent Review into Operation Jasmine and the subsequent publication of the Review last year. We are pleased that we have been able to contribute to the Health and Social Care Committee on the Regulation and Inspection of Social Care (Wales) Bill and to the Safeguarding Boards workshops delivered towards the end of last year to ensure lessons are learnt from our own experiences going forward. We sincerely hope that our considerable endeavours over the past two years will now result in better care, improved regulation and more appropriate law in the future in Wales.

We are still very disappointed with the Crown Prosecution Service's refusal to review their decision, despite the recommendations in the Independent Review published by Dr Flynn. But having taken advice there seems to be no further advantage in pressing for a Public Inquiry via our petition and as such kindly ask that it now be withdrawn.

Kind regards

Kelvyn Morris

Secretary

Justice for Jasmine Group.

P-04-553 A full and independent investigation in to the health risks of wireless and mobile phone technologies in Wales including all schools

Petition wording:

We call on the National Assembly for Wales to urge the Welsh Government to conduct a full and independent investigation in to the effects of Electro Magnetic Fields created and emitted by wireless technologies, phone masts, mobile phones and other frequency emitters and domestic appliances on the health and general well being of humans and the natural world. There is now an enormous body of evidence demonstrating that the bombardment of modern traffic in electro magnetic fields can be harmful, causing DNA and cellular damage, having an impact on immune function and causing an increased risk of cancer and a loss of fertility – with children being especially susceptible to these threats.

Additional Information

The Council of Europe, World Health Organization, International Agency for UK Trades Union Congress (TUC), European Environment Agency, International Commission for Electromagnetic Safety and the Russian, German and Israeli governments are all asking for these health risks to be addressed and for practical measures such as hard wiring in schools to be introduced instead of Wi Fi. The Welsh Government could also lead in this area and protect the future health of all Welsh citizens by conducting their own independent research as well as consulting with independent organisations such as Powerwatch and WiFiinschools who provide a vast amount of research and strongly advise that the precautionary principle be followed.

Petition raised by: Cymru Sofren / Sovereign Wales

Date Petition first considered by Committee: 13 May 2014

Number of signatures: 11



Eich cyf/Your ref P-04-553
Ein cyf/Our ref MD/01339/15

Mr William Powell AM
Chair of the Petitions Committee
National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA

7 May 2015

Dear William

Thank you for your recent letter asking for my further views on petition P-04-553 from Cymru Sofren/Sovereign Wales calling for a full and independent investigation into the health risks of wireless and mobile phone technologies in Wales including all schools.

You have asked for my views on the evidence and information that Ofcom has provided to you in the course of your consideration of the petition. Ofcom confirms the position that I provided in my previous letter to you on 4 October 2014. This position was provided to the Welsh Government by Public Health England Centre for Radiation, Chemical and Environmental Hazards (PHE-CRCE). Therefore, I have no comments to make on Ofcom's response.

You have also asked me to confirm whether PHE-CRCE takes account of evidence from within Wales in providing advice to the Welsh Government. I can confirm this is the case. PHE-CRCE, as well as international organisations with similar responsibilities to its own for reviewing and advising on the health-related scientific research, gathers evidence from peer-reviewed scientific journals, which are global in coverage. If Welsh organisations have carried out well-designed scientific studies and published their results in the peer-reviewed literature, that evidence will have been taken into account in developing the international scientific consensus and in PHE's advice to the Welsh Government.

You may wish to note that PHE-CRCE is a specialist centre of expertise on radiation hazards with many years experience and strong international connections providing advice on a UK basis and this expertise is not duplicated in Wales. For this reason both the Welsh Government and Public Health Wales obtain advice on such issues from PHE-CRCE. I mention this as I note that the petitioner has queried in his correspondence why such advice is not obtained from Public Health Wales.

Based on the above information I hope that you are reassured that the evidence of compliance with international exposure guidelines and PHE-CRCE's continued monitoring of the scientific research data provides sufficient information that the public is protected in this area.

Yours sincerely

A handwritten signature in black ink that reads "Mark Drakeford". The signature is written in a cursive style with a large initial 'M'.

Mark Drakeford AC / AM

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

P-04-553 A full and independent investigation in to the health risks of wireless and mobile phone technologies in Wales including all schools. Correspondence – Petitioner to the Committee. 07.01.16

Thank you for sending on Welsh Health Minister Mr Mark Drakeford's response to the petition calling for a full and independent investigation in to the health risks of wireless and mobile phone technologies in Wales including in all schools. My response to his letter is that Mr Drakeford seems to have completely ignored all the international peer reviewed evidence that I have previously sent to him. I attach a small collection of these peer reviewed scientific papers outlining the danger to health once more.

As previously mentioned, there is now an enormous body of evidence demonstrating that the bombardment of modern traffic in electro magnetic fields can be harmful, causing DNA and cellular damage, having an impact on immune function and causing an increased risk of cancer and a loss of fertility – with children being especially susceptible to these threats.

The Council of Europe, World Health Organization, International Agency for UK Trades Union Congress (TUC), European Environment Agency, International Commission for Electromagnetic Safety and the Russian, German and Israeli governments are all asking for these health risks to be addressed and for practical measures such as hard wiring in schools to be introduced instead of Wi Fi.

In May 2011 the World Health Organization's International Agency for Research on Cancer categorized "radiofrequency electromagnetic fields as possibly carcinogenic to humans based on an increased risk for glioma, a malignant type of brain cancer, associated with wireless cellphone use.

Is Mr Drakeford claiming that all these international organisations and experts in their fields are making things up?

The following presentation, given by Professor emeritus Martin L. Pall of Washington State University, explains that governments and industry bodies claiming wireless technologies to be harmless are, tragically and verifiably, wrong. I hope Mr Drakeford can also view this video as part of the evidence gathering which his job entails:

<https://www.youtube.com/watch?v=Pjt0ijThPU0#t=13> Prof. Martin Pall –
How WiFi & other EMFs Cause Biological Harm www.youtube.com

English language mirror of: Elektrotåka – den nye helse og miljøgiften?
https://www.youtube.com/watch?v=_Up8b ... “I think this is going to be one
of ...

Health is a devolved issue in Wales, by law. There is a duty, both moral and constitutional for the Welsh Government and Public Health Wales to hold its own thorough independent investigation in to the dangers of wi fi technology. The idea that the devolved Welsh Government is reliant on Public Health England for all its advice on such a crucial and devolved matter is an absurd and serious matter, and in my view a breach of trust of the whole devolution agreement. I don't now know why Mark Drakeford chooses to ignore this evidence but there really isn't any excuse for it. The scientific precautionary principle alone deems that, as Health Minister, Mr Drakeford should be conducting a thorough and urgent independent investigation in to the matter. Contrary to his claim in his letter, the public in Wales clearly isn't being adequately protected, especially schoolchildren.

I hope the information provided in this email will be used as further evidence by the Welsh Government who are now urged to conduct their own independent investigation in to this matter as part of their constitutional duty and obligations as a devolved government for Wales,

Many thanks for taking the time to read this,

Sincerely,

G.Meredith

Cymru Sofren/Sovereign Wales"



ELSEVIER

Journal of
Pediatric
urology

Immunohistopathologic demonstration of deleterious effects on growing rat testes of radiofrequency waves emitted from conventional Wi-Fi devices

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Received 2 October 2011; accepted 28 February 2012

KEYWORDS

Carcinogenesis tests;
Infertility;
Internet;
Oxidative stress;
Wireless technology;
Testes

Abstract Objective: To investigate effects on rat testes of radiofrequency radiation emitted from indoor Wi-Fi Internet access devices using 802.11.g wireless standards.

Methods: Ten Wistar albino male rats were divided into experimental and control groups, with five rats per group. Standard wireless gateways communicating at 2.437 GHz were used as radiofrequency wave sources. The experimental group was exposed to radiofrequency energy for 24 h a day for 20 weeks. The rats were sacrificed at the end of the study. Intracardiac blood was sampled for serum 8-hydroxy-2'-deoxyguanosine levels. Testes were removed and examined histologically and immunohistochemically. Testis tissues were analyzed for malondialdehyde levels and prooxidant–antioxidant enzyme activities.

Results: We observed significant increases in serum 8-hydroxy-2'-deoxyguanosine levels and 8-hydroxyguanosine staining in the testes of the experimental group indicating DNA damage due to exposure ($p < 0.05$). We also found decreased levels of catalase and glutathione peroxidase activity in the experimental group, which may have been due to radiofrequency effects on enzyme activity ($p < 0.05$).

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Use of laptop computers connected to internet through Wi-Fi decreases human sperm motility and increases sperm DNA fragmentation

Conrado Avendaño, M.S.,^a Ariela Mata, M.S.,^a César A. Sanchez Sarmiento, M.D., Ph.D.,^a and Gustavo F. Doncel, M.D., Ph.D.^b

^a Nascensis Medicina Reproductiva, Córdoba, Argentina; and ^b CONRAD, Department of Obstetrics and Gynecology, Eastern Virginia Medical School, Norfolk, Virginia

Objective: To evaluate the effects of laptop computers connected to local area networks wirelessly (Wi-Fi) on human spermatozoa.

Design: Prospective in vitro study.

Setting: Center for reproductive medicine.

Patient(s): Semen samples from 29 healthy donors.

Intervention(s): Motile sperm were selected by swim up. Each sperm suspension was divided into two aliquots. One sperm aliquot (experimental) from each patient was exposed to an internet-connected laptop by Wi-Fi for 4 hours, whereas the second aliquot (unexposed) was used as control, incubated under identical conditions without being exposed to the laptop.

Main Outcome Measure(s): Evaluation of sperm motility, viability, and DNA fragmentation.

Result(s): Donor sperm samples, mostly normozoospermic, exposed ex vivo during 4 hours to a wireless internet-connected laptop showed a significant decrease in progressive sperm motility and an increase in sperm DNA fragmentation. Levels of dead sperm showed no significant differences between the two groups.

Conclusion(s): To our knowledge, this is the first study to evaluate the direct impact of laptop use on human spermatozoa. Ex vivo exposure of human spermatozoa to a wireless internet-connected laptop decreased motility and induced DNA fragmentation by a nonthermal effect. We speculate that keeping a laptop connected wirelessly to the internet on the lap near the testes may result in decreased male fertility. Further in vitro and in vivo studies are needed to prove this contention. (Fertil Steril® 2012; ■:■-■. ©2012 by American Society for Reproductive Medicine.)

Key Words: Laptop computer, Wi-Fi, sperm quality, fertility, sperm DNA fragmentation

In recent years, the use of portable computers (laptops, connected to local area networks wirelessly, also known as Wi-Fi) has increased dramatically. Laptops have become indispensable devices in our daily life, offering flexibility and mobility to users. People using Wi-Fi may be exposed to radio signals absorbing some of the transmitted energy in their bodies. Portable computers are commonly used on the lap (1–3), therefore exposing the genital area to radio frequency electromagnetic waves (RF-EMW) as well as high temperatures (3, 4).

Infertility is a common worldwide condition that affects more than 70 million couples of reproductive age (5). It has been suggested that male fertility has declined during the past several decades (6). Such decline has been attributed to the direct or indirect exposure to certain environmental factors such as RF-EMW (7).

Extremely low frequency magnetic fields can initiate a number of biochemical and physiological alterations in biological systems of different species (8–12). Many of these effects have been associated with free-radical production

(13, 14). Free radicals are causative factors of oxidative damage of cellular structures and molecules such as lipids, proteins, and nucleic acids. Free radicals react with polyunsaturated fatty acids in cell membranes promoting a process called lipid peroxidation. In human spermatozoa the presence of unesterified polyunsaturated fatty acids is causally associated with the induction of reactive oxygen species (ROS) generation and lipid peroxidation (15). Damage may occur at the membrane level, leading to immotility and cell death, or at the DNA level. DNA integrity is essential to normal conception. Sperm DNA fragmentation has been associated with impaired fertilization, poor embryonic development, high rates of miscarriage, and increased incidence of morbidity in the offspring, including childhood cancer (16, 17). It has been proposed that genetic and

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Modulation of wireless (2.45 GHz)-induced oxidative toxicity in laryngotracheal mucosa of rat by melatonin

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Abstract It is well known that oxidative stress induces larynx cancer, although antioxidants induce modulator role on etiology of the cancer. It is well known that electromagnetic radiation (EMR) induces oxidative stress in different cell systems. The aim of this study was to investigate the possible protective role of melatonin on oxidative stress induced by Wi-Fi (2.45 GHz) EMR in laryngotracheal mucosa of rat. For this purpose, 32 male rats were equally categorized into four groups, namely controls, sham controls, EMR-exposed rats, EMR-exposed rats treated with melatonin at a dose of 10 mg/kg/day. Except for the controls and sham controls, the animals were exposed to 2.45 GHz radiation during 60 min/day for 28 days. The lipid peroxidation levels were significantly ($p < 0.05$) higher in the radiation-exposed groups than in the control and sham control groups. The lipid peroxidation level in the irradiated animals treated with melatonin was significantly ($p < 0.01$) lower than in those that were only exposed to Wi-Fi radiation. The activity of glutathione

peroxidase was lower in the irradiated-only group relative to control and sham control groups but its activity was significantly ($p < 0.05$) increased in the groups treated with melatonin. The reduced glutathione levels in the mucosa of rat did not change in the four groups. There is an apparent protective effect of melatonin on the Wi-Fi-induced oxidative stress in the laryngotracheal mucosa of rats by inhibition of free radical formation and support of the glutathione peroxidase antioxidant system.

Keywords Melatonin · Larynx · Trachea · Oxidative stress · Wireless devices

Introduction

Wireless devices usages in industrial, scientific, medical, military and domestic applications, with potential leakage, of such radiation into the environment have increased by leaps and bounds in past decade [1]. From being a luxury and limited to the wealthy, wireless devices especially near 2.45 GHz is indispensable in daily lives [2]. However, every technological advance and its overuse possess possible adverse effects [3].

Exposure to electromagnetic radiation (EMR) induces degenerative effects via two ways, namely directly or indirectly. Direct effects of EMR induce production of reactive oxygen species (ROS), including superoxide anion, hydrogen peroxide, and hydroxyl radicals. The ROS contribute to tissue and DNA damages [1]. Exposure to 2.45 GHz EMR causes an increase in lipid peroxidation levels and a decrease in the activity of enzymes that prevent or protect against lipid peroxidation in tissues [4, 5]. The human cells have nonenzymatic and enzymatic antioxidant systems against degenerative effects of ROS. Glutathione

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Effects of Selenium and L-Carnitine on Oxidative Stress in Blood of Rat Induced by 2.45-GHz Radiation from Wireless Devices

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Abstract The levels of blood lipid peroxidation, glutathione peroxidase, reduced glutathione, and vitamin C were used to follow the level of oxidative damage caused by 2.45 GHz electromagnetic radiation in rats. The possible protective effects of selenium and L-carnitine were also tested and compared to untreated controls. Thirty male Wistar Albino rats were equally divided into five groups, namely Groups A₁ and A₂: controls and sham controls, respectively; Group B: EMR; Group C: EMR + selenium, Group D: EMR + L-carnitine. Groups B–D were exposed to 2.45 GHz electromagnetic radiation during 60 min/day for 28 days. The lipid peroxidation levels in plasma and erythrocytes were significantly higher in group B than in groups A₁ and A₂ ($p < 0.05$), although the reduced glutathione and glutathione peroxidase values were slightly lower in erythrocytes of group B compared to

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Provocation study using heart rate variability shows microwave radiation from 2.4 GHz cordless phone affects autonomic nervous system

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Abstract

Aim: The effect of pulsed (100 Hz) microwave (MW) radiation on heart rate variability (HRV) was tested in a double blind study. **Materials and Methods:** Twenty-five subjects in Colorado between the ages of 37 to 79 completed an electrohypersensitivity (EHS) questionnaire. After recording their orthostatic HRV, we did continuous real-time monitoring of HRV in a provocation study, where supine subjects were exposed for 3-minute intervals to radiation generated by a cordless phone at 2.4 GHz or to sham exposure. **Results:** Questionnaire: Based on self-assessments, participants classified themselves as extremely electrically sensitive (24%), moderately (16%), slightly (16%), not sensitive (8%) or with no opinion (36%) about their sensitivity. The top 10 symptoms experienced by those claiming to be sensitive include memory problems, difficulty concentrating, eye problems, sleep disorder, feeling unwell, headache, dizziness, tinnitus, chronic fatigue, and heart palpitations. The five most common objects allegedly causing sensitivity were fluorescent lights, antennas, cell phones, Wi-Fi, and cordless phones. **Provocation Experiment:** Forty percent of the subjects experienced some changes in their HRV attributable to digitally pulsed (100 Hz) MW radiation. For some the response was extreme (tachycardia), for others moderate to mild (changes in sympathetic nervous system and/or parasympathetic nervous system). and for some there was no observable reaction either because of high adaptive capacity or because of systemic neurovegetative exhaustion. **Conclusions:** Orthostatic HRV combined with provocation testing may provide a diagnostic test for some EHS sufferers when they are exposed to electromagnetic emitting devices. This is the first study that documents immediate and dramatic changes in both Heart Rate (HR) and HR variability (HRV) associated with MW exposure at levels

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well below (0.5%) federal guidelines in Canada and the United States (1000 microW/cm²).

Key Words: heart rate variability, microwave radiation, DECT phone, autonomic nervous system, provocation study, sympathetic, parasympathetic, cordless phone, 2.4 GHz, electrohypersensitivity

Introduction

A growing population claims to be sensitive to devices emitting electromagnetic energy. Hallberg and Oberfeld¹ report a prevalence of electrohypersensitivity (EHS) that has increased from less than 2% prior to 1997 to approximately 10% by 2004 and is expected to affect 50% of the population by 2017. Whether this is due to a real increase in EHS or to greater media attention, is not known. However, to label EHS as a psychological disorder or to attribute the symptoms to aging and/or stress does not resolve the issue that a growing population, especially those under the age of 60, are suffering from some combination of fatigue, sleep disturbance, chronic pain, skin, eye, hearing, cardiovascular and balance problems, mood disorders as well as cognitive dysfunction and that these symptoms appear to worsen when people are exposed to electromagnetic emitting devices²⁻⁷.

The World Health Organization (WHO) organized an international seminar and working group meeting in Prague on EMF Hypersensitivity in 2004, and at that meeting they defined EHS as follows⁸:

“ . . . a phenomenon where individuals experience adverse health effects while using or being in the vicinity of devices emanating electric, magnetic, or electromagnetic fields (EMFs) . . . Whatever its cause, EHS is a real and sometimes a debilitating problem for the affected persons . . . Their exposures are generally several orders of magnitude under the limits in internationally accepted standards.”

The WHO goes on to state that:

“EHS is characterized by a variety of non-specific symptoms, which afflicted individuals attribute to exposure to EMF. The symptoms most commonly experienced include dermatological symptoms (redness, tingling, and burning sensations) as well as neurasthenic and vegetative symptoms (fatigue, tiredness, concentration difficulties, dizziness, nausea, heart palpitation and digestive disturbances). The collection of symptoms is not part of any recognized syndrome.”

Both provocation studies (where individuals are exposed to some form of electromagnetic energy and their symptoms are documented) and amelioration studies (where exposure is reduced) can shed light on the offending energy source and the type and rate of reaction.

Several amelioration studies have documented improvements in the behavior of students and the health and wellbeing of teachers⁹, among asthmatics¹⁰, and in both diabetics and those with multiple sclerosis^{11,12} when their exposure to dirty electricity is reduced. Dirty electricity refers to microsurgs flowing along electrical wires in the kHz

Replication of heart rate variability provocation study with 2.4-GHz cordless phone confirms original findings

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This is a replication of a study that we previously conducted in Colorado with 25 subjects designed to test the effect of electromagnetic radiation generated by the base station of a cordless phone on heart rate variability (HRV). In this study, we analyzed the response of 69 subjects between the ages of 26 and 80 in both Canada and the USA. Subjects were exposed to radiation for 3-min intervals generated by a 2.4-GHz cordless phone base station ($3-8 \mu\text{W}/\text{cm}^2$). A few participants had a severe reaction to the radiation with an increase in heart rate and altered HRV indicative of an alarm response to stress. Based on the HRV analyses of the 69 subjects, 7% were classified as being “moderately to very” sensitive, 29% were “little to moderately” sensitive, 30% were “not to little” sensitive and 6% were “unknown”. These results are not psychosomatic and are not due to electromagnetic interference. Twenty-five percent of the subjects’ self-proclaimed sensitivity corresponded to that based on the HRV analysis, while 32% overestimated their sensitivity and 42% did not know whether or not they were electrically sensitive. Of the 39 participants who claimed to experience some electrical hypersensitivity, 36% claimed they also reacted to a cordless phone and experienced heart symptoms and, of these, 64% were classified as having some degree of electrohypersensitivity (EHS) based on their HRV response. Novel findings include documentation of a delayed response to radiation. Orthostatic HRV testing combined with provocation testing may provide a diagnostic tool for some sufferers of EHS when they are exposed to electromagnetic emitting devices. The protocol used underestimates reaction to electromagnetic radiation for those who have a delayed autonomic nervous system reaction and it may under diagnose those who have adrenal exhaustion as their ability to mount a response to a stressor is diminished.

Keywords: heart rate variability, mobile phone, tachycardia, arrhythmia, microwave radiation, radio frequency radiation, electrohypersensitivity, autonomic nervous system

Introduction

Individuals who complain of electrical hypersensitivity experience a myriad of symptoms that may include heart palpitation, arrhythmia, tachycardia, pain or pressure in the chest that may or may not be accompanied by anxiety, dizziness, nausea and headaches (Austrian Medical Association, 2012; Bevington, 2010; McCarty et al., 2011; Eltiti et al., 2007; Johansson, 2006). Since we have technology to measure the activity of

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WI-FI ELECTROMAGNETIC FIELDS EXERT GENDER RELATED ALTERATIONS ON EEG

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Abstract

The present study investigated the influence of electromagnetic fields, similar to that emitted by Wi-Fi system, on brain activity. Fifteen female and fifteen male subjects performed a short memory task (Wechsler test), both without and with exposure to a 2.4GHz Wi-Fi signal. For each subject, radiation condition and electrode, the amplitude in the frequency domain of the EEG signal was calculated from the recordings of 30 scalp electrodes, using the Fourier transform.

The presence of radiation had no effect on the energies of alpha and beta band of male subjects, while it reduced these energies of female subjects, resulting in significantly lower energies, as compared to those of males. Delta and theta band energies did not experience any noteworthy effect from gender, radiation condition and their interaction. Conversely, there was a significant interaction effect (gender x radiation) on the energies of alpha and beta rhythms.

Interestingly, this pattern was observed for a number of electrodes, which formed two distinct clusters: one located at right- anterior and the second at occipital brain areas.

The present data support the idea that Wi-Fi signal may influence normal physiology through changes in gender related cortical excitability, as reflected by alpha and beta EEG frequencies.

ORIGINAL ARTICLE

Drosophila oogenesis as a bio-marker responding to EMF sources

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Abstract

The model biological organisms *Drosophila melanogaster* and *Drosophila virilis* have been utilized to assess effects on apoptotic cell death of follicles during oogenesis and reproductive capacity (fecundity) decline. A total of 280 different experiments were performed using newly emerged flies exposed for short time daily for 3–7 d to various EMF sources including: GSM 900/1800 MHz mobile phone, 1880–1900 MHz DECT wireless base, DECT wireless handset, mobile phone-DECT handset combination, 2.44 GHz wireless network (Wi-Fi), 2.44 GHz blue tooth, 92.8 MHz FM generator, 27.15 MHz baby monitor, 900 MHz CW RF generator and microwave oven's 2.44 GHz RF and magnetic field components. Mobile phone was used as a reference exposure system for evaluating factors considered very important in dosimetry extending our published work with *D. melanogaster* to the insect *D. virilis*. Distance from the emitting source, the exposure duration and the repeatability were examined. All EMF sources used created statistically significant effects regarding fecundity and cell death-apoptosis induction, even at very low intensity levels (0.3 V/m blue tooth radiation), well below ICNIRP's guidelines, suggesting that *Drosophila* oogenesis system is suitable to be used as a biomarker for exploring potential EMF bioactivity. Also, there is no linear cumulative effect when increasing the duration of exposure or using one EMF source after the other (i.e. mobile phone and DECT handset) at the specific conditions used. The role of the average versus the peak E-field values as measured by spectrum analyzers on the final effects is discussed.

Keywords

Apoptosis, baby monitor, blue tooth, DECT base, DECT handset, *Drosophila*, EMFs, mobile phones, MW oven, reproduction, Wi-Fi

History

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Introduction

Wireless communication devices are widely used worldwide at nearly all human activities at home, for entertainment, for education and especially at work. The related devices include the well-known cell phones (nearly 6 billion users globally), the wireless DECT telephones (no records available but apparently their number is considered very high), the wireless local area network routers (no records available), iPads which are increasingly penetrating the market having only Wi-Fi (and not wired) internet access, not to mention the baby monitors and the also newly developed “smart meters”. Apart from the above “electromagnetic pollution” sources, there is also direct or indirect radiation exposure of humans by FM and TV broadcast stations, cell phone network mast stations, TETRA police and fire department antennae and many more. Because people may be adversely affected by the environmental impact of such electromagnetic fields (EMFs), it is of great scientific and social interest to explore the

possible health hazards (Behari, 2010) potentially caused by this radiation spectrum. Major research is associated mainly with cell phones, while at the same time the other sources have been neglected with the exception of the epidemiological and partially clinical studies involving DECT phones (Hardell & Carlberg, 2009; Hardell et al., 2004, 2006, 2011; Khurana et al., 2010). Mobile phone-like radiation studies have been performed during the last decades investigating a variety of biological effects, in humans with clinical studies and experimental work with rodents, flies and cell cultures. Assessing the possible link between exposure to electromagnetic fields and genotoxic effects, a number of studies have reported DNA damage, cell malformations, apoptotic cell death, changes in chromatin conformation and micronucleus formation in different cell types or organisms (Lai & Singh, 1996; Lixia et al., 2006; Ruediger, 2009; Zhao et al., 2007). However, in other studies, no genotoxic effects from exposure to EMF were observed (Belyaev et al., 2006; Verschaeve, 2005).

Mobile phone radiation has been also found to cause broad changes in gene and protein expression in certain cell types (Belyaev et al., 2006; Nylund & Leszczynski, 2006; Nylund et al., 2009; Remondini et al., 2006). Our group using

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Modulator effects of L-carnitine and selenium on wireless devices (2.45 GHz)-induced oxidative stress and electroencephalography records in brain of rat

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(Received 8 September 2008; Revised 25 April 2009; Accepted 29 April 2009)

Abstract

Purpose: Electromagnetic radiation (EMR) from wireless devices may affect biological systems by increasing free radicals. The present study was designed to determine the effects of 2.45 GHz EMR on the brain antioxidant redox system and electroencephalography (EEG) records in rat. The possible protective effects of selenium and L-carnitine were also tested and compared to untreated controls.

Materials and methods: Thirty rats were equally divided into five different groups, namely Group A₁: Cage control, Group A₂: Sham control, group B: 2.45 GHz EMR, group C: 2.45 GHz EMR + selenium, group D: 2.45 GHz EMR + L-carnitine. Groups B, C and D were exposed to 2.45 GHz EMR during 60 min/day for 28 days. End of the experiments, EEG records and the brain cortex samples were taken.

Results: The cortex brain vitamin A ($p < 0.05$), vitamin C ($p < 0.01$) and vitamin E ($p < 0.05$) concentrations values were lower in group B than in group A₁ and A₂ although their concentrations were increased by selenium and L-carnitine supplementation. Lipid peroxidation, levels were lower in group C ($p < 0.05$) and D ($p < 0.01$) than in group B where as reduced glutathione levels were higher in group C ($p < 0.05$) than in group A₁, A₂ and B. However, B-carotene levels did not change in the five groups.

Conclusions: L-carnitine and selenium seem to have protective effects on the 2.45 GHz-induced decrease of the vitamins by supporting antioxidant redox system. L-carnitine on the vitamin concentrations seems to more protective affect than in selenium.

Keywords: Wireless devices, lipid peroxidation, brain, vitamin E, L-carnitine, selenium, electroencephalography records

Abbreviations: ANOVA, analysis of variance; EEG, electroencephalography; EMF, electromagnetic fields; EMR, electromagnetic radiation; GSH, glutathione; GSH-Px, glutathione peroxidase; L-CAR, L-carnitine; LP, lipid peroxidation; LSD, least significance test; ROS, reactive oxygen species; SAR, specific absorption rate; SD, standard deviation; Se, selenium

Introduction

In present times there is widespread use of 2.45 GHz irradiation-emitting devices in industrial, scientific, medical, military and domestic applications, with potential leakage of such radiation into the environment (Crouzier et al. 2007). Several studies have suggested that biological systems might be sensitive to such form of radiation (Koyu et al. 2005, Köylü et al. 2006). Today there is widespread use of 2.45 GHz radiation from common household devices likemicrowave ovens, wireless access points, and

computers, which in some cases were shown to be carcinogenic (Omura and Losco 1993).

Reactive oxygen substances (ROS) are produced by a free radical chain reaction, which can also be initiated by ROS (Naziroğlu 2007a). The ROS, i.e. singlet oxygen, superoxide anion radical and hydroxyl radical, contribute to tissue damage (Naziroğlu 2007b). ROS also cause injury by reacting with biomolecules such as lipids, proteins and nucleic acids as well as by depleting enzymatic and/or non-enzymatic antioxidants in the brain (Halliwell 2006, Naziroğlu et al. 2008). Memory and learning

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2.45-Gz wireless devices induce oxidative stress and proliferation through cytosolic Ca²⁺ influx in human leukemia cancer cells

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Abstract

Purpose: Electromagnetic radiation from wireless devices may affect biological systems by increasing free radicals. The present study was designed to determine the effects of 2.45 GHz radiation on the antioxidant redox system, calcium ion signaling, cell count and viability in human leukemia 60 cells.

Materials and methods: Twelve cell cultures were equally divided into two main groups as controls ($n = 6$) and irradiated ($n = 6$) and then subdivided into four different subgroups depending on the duration of exposure, namely 1, 2, 12 and 24 hours. The samples were analyzed immediately after the experimental period.

Results: The extent of lipid peroxidation, cytosolic free Ca²⁺ and cell numbers were higher in 2.45 GHz groups than in the controls. The increase of cytosolic free Ca²⁺ concentrations was radiation time-dependent and was highest at 24-h exposure. The reduced glutathione, glutathione peroxidase, vitamin C and cell viability values did not show any changes in any of the experimental groups. 2-aminoethyl diphenylborinate inhibits Ca²⁺ ions influx by blockage of the transient receptor potential melastatin 2.

Conclusions: 2.45 GHz electromagnetic radiation appears to induce proliferative effects through oxidative stress and Ca²⁺ influx although blocking of transient receptor potential melastatin 2 channels by 2-aminoethyl diphenylborinate seems to counteract the effects on Ca²⁺ ions influx.

Keywords: Wireless devices, oxidative stress, Ca²⁺ influx, TRPM2 channels, blood cancer

Introduction

In present times there is widespread use of 2.45 GHz irradiation-emitting devices in industrial, scientific, medical, military and domestic applications, with potential leakage of such radiation into the environment (Crouzier et al. 2007). Common household devices like microwave ovens, wireless access points, and computers were in some cases shown to be carcinogenic (Omura and Losco 1993). Other studies have

suggested that biological systems might be sensitive to such form of radiation (Nazırođlu and Gumlral 2009, Nazırođlu et al. 2012, Gumlral et al. 2009).

Reactive oxygen species (ROS) are produced by a free radical chain reaction, which in some cases can be auto-initiated (Nazırođlu 2007a, 2007b). These species cause injury by reacting with lipids, proteins and nucleic acids as well as by depleting antioxidants in cancer cells (Reuter et al. 2010). There are various antioxidant mechanisms in cells that neutralize the harmful effects of ROS. In contrast, exposure to electromagnetic radiation (EMR) results in increases of ROS due to loss of efficiency of antioxidants mechanisms and alterations in mitochondrial electron transfer chain (Kovacic and Somanathan 2008).

Glutathione peroxidase is responsible for the reduction of hydro- and organic peroxides in the presence of reduced glutathione (Whanger 2001). Vitamin C is a free radical scavenger that also transforms vitamin E to its active form (Nazırođlu 2007a). We recently reported that 2.45 GHz radiation induced oxidative stress in brain and blood cells of rats (Nazırođlu and Gumlral 2009, Gumlral et al. 2009). However, whether 2.45 GHz EMR also induces oxidative stress in cancer cells is still unknown and deserves further study. The homeostasis of Ca²⁺ ions is one of the most important factors of cellular physiological function. It is involved in such diverse functions as cellular proliferation, apoptosis, induction of oxidative stress and physiological signal transductions (Putney 2009). The cytosolic free calcium ion concentration [Ca²⁺]_i is controlled by a number of membrane-bound ion channels located both in the plasma and intracellular membranes. Transient receptor potential (TRP) channels are a group of non-selective cation channels that play important functions in sensory neurons (Nazırođlu 2011a). One subgroup of TRP melastatin is TRP melastatin 2 (TRPM2), which has two distinct domains with one functioning as an ion channel and the other as an adenosine diphosphate ribose-specific



Melatonin modulates wireless (2.45 GHz)-induced oxidative injury through TRPM2 and voltage gated Ca^{2+} channels in brain and dorsal root ganglion in rat

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ABSTRACT

We aimed to investigate the protective effects of melatonin and 2.45 GHz electromagnetic radiation (EMR) on brain and dorsal root ganglion (DRG) neuron antioxidant redox system, Ca^{2+} influx, cell viability and electroencephalography (EEG) records in the rat. Thirty two rats were equally divided into four different groups namely group A1: Cage control, group A2: Sham control, group B: 2.45 GHz EMR, group C: 2.45 GHz EMR + melatonin. Groups B and C were exposed to 2.45 GHz EMR during 60 min/day for 30 days. End of the experiments, EEG records and the brain cortex and DRG samples were taken. Lipid peroxidation (LP), cell viability and cytosolic Ca^{2+} values in DRG neurons were higher in group B than in groups A1 and A2 although their concentrations were increased by melatonin, 2-aminoethylidiphenyl borinate (2-APB), diltiazem and verapamil supplementation. Spike numbers of EEG records in group C were lower than in group B. Brain cortex vitamin E concentration was higher in group C than in group B. In conclusion, Melatonin supplementation in DRG neurons and brain seems to have protective effects on the 2.45 GHz-induced increase Ca^{2+} influx, EEG records and cell viability of the hormone through TRPM2 and voltage gated Ca^{2+} channels.

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1. Introduction

In present times there is widespread use of 2.45 GHz irradiation-emitting devices in industrial, scientific, medical, military and domestic applications, with potential leakage of such radiation into the environment [1]. Several studies have suggested that biological systems might be sensitive to such form of radiation [2,3]. Today there is widespread use of 2.45 GHz radiation from common household devices like microwave ovens, wireless access points, and computers, which in some cases were shown to be carcinogenic [4].

Reactive oxygen substances (ROS) are produced by a free radical chain reaction, which can also be initiated by ROS [5]. ROS also cause

injury by reacting with biomolecules such as lipids, proteins and nucleic acids as well as by depleting enzymatic antioxidant such as glutathione peroxidase (GSH-Px) and/or nonenzymatic antioxidants such as reduced glutathione (GSH), vitamins A, C, E and β -carotene in the brain and neuronal cells [6]. Pain and brain diseases are impaired in individuals with brain and sensory neuron-related neurodegenerative diseases; this is believed to be, in part, the result of excessive production of ROS [7]. The brain and neurons consume the highest amount of oxygen in the human body [6] although most of the oxygen used in brain tissues is converted to CO_2 and water, small amounts of oxygen form ROS [5]. The existence of polyunsaturated fatty acids which are targets of the ROS in the brain makes this organ more sensitive to oxidative damage [8]. ROS may be involved in the action of cell phone-induced electromagnetic radiation (EMR) on biological systems [2,9–11].

Neuropathic pain states severely limit the quality of life. There are several types of sensory neurons in dorsal root ganglion (DRG) neurons with responsiveness to different kinds of external and internal stimuli. These stimuli such as nociceptive, thermal and mechanical activate different receptors and ion channels that are present in the nerve terminals at the sensory receptive fields. Their expression in selective subsets of DRG neurons determines the response profile of individual neurons to a given stimulus [12]. Ca^{2+} homeostasis is one of the most important factors of cellular physiological function. It

Abbreviations: 2-APB, 2-aminoethylidiphenyl borinate; DRG, dorsal root ganglion; EEG, electroencephalography; EMF, electromagnetic fields; EMR, electromagnetic radiation; FFA, flufenamic acid; GSH, glutathione; GSH-Px, glutathione peroxidase; LP, lipid peroxidation; ROS, reactive oxygen species; SAR, specific absorption rate.

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ORIGINAL ARTICLE

Protective effects of melatonin against oxidative injury in rat testis induced by wireless (2.45 GHz) devicesT. Oksay¹, M. Nazıroğlu², S. Doğan², A. Güzel¹, N. Gümral³ & P. A. Koşar⁴

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Summary

Wireless devices have become part of everyday life and mostly located near reproductive organs while they are in use. The present study was designed to determine the possible protective effects of melatonin on oxidative stress-dependent testis injury induced by 2.45-GHz electromagnetic radiation (EMR). Thirty-two rats were equally divided into four different groups, namely cage control (A1), sham control (A2), 2.45-GHz EMR (B) and 2.45-GHz EMR+melatonin (C). Group B and C were exposed to 2.45-GHz EMR during 60 min day⁻¹ for 30 days. Lipid peroxidation levels were higher in Group B than in Group A1 and A2. Melatonin treatment prevented the increase in the lipid peroxidation induced by EMR. Also reduced glutathione (GSH) and glutathione peroxidase (GSH-Px) levels in Group D were higher than that of exposure group. Vitamin A and E concentrations decreased in exposure group, and melatonin prevented the decrease in vitamin E levels. In conclusion, wireless (2.45 GHz) EMR caused oxidative damage in testis by increasing the levels of lipid peroxidation and decreasing in vitamin A and E levels. Melatonin supplementation prevented oxidative damage induced by EMR and also supported the antioxidant redox system in the testis.

Introduction

There is widespread use of 2.45-GHz irradiation emitting wireless devices in industrial, scientific, medical, military and domestic applications, in the recent century. Therefore, the leakage of irradiation into the environment is inevitable (Wang *et al.*, 2005; Crouzier *et al.*, 2007). Studies had already shown the effects of 2.45-GHz electromagnetic radiation on different body parts like nervous system, body weight, tissue morphology and histology, blood biochemical parameters, hormones, immune system and reproductive system (Aweda *et al.*, 2003; Hossmann & Hermann, 2003; Kim *et al.*, 2007; Nazıroğlu & Gümral, 2009; Kumar *et al.*, 2011a; Saygin *et al.*, 2011). There is a consequence that exposure to electromagnetic radiation (EMR) is with enhanced production of reactive oxygen species (ROS), including superoxide anion, hydrogen peroxide and hydroxyl radicals (Murphy *et al.*, 1993; Aweda *et al.*, 2003). These species and/or other free radicals may be involved in the interactions of EMR on biological systems, but the cellular and molecular mecha-

nisms involved in this process are not totally clear (Kim & Rhee, 2004; Gumral *et al.*, 2009; Nazıroğlu & Gümral, 2009). Some studies showed exposure to 2.45-GHz EMR may cause an increase in lipid peroxidation levels and a decrease in antioxidant enzymes that prevent or protect against lipid peroxidation (LPO) in reproductive tissues of male rats (Kumar *et al.*, 2011b).

Melatonin (N-acetyl-5-methoxy-tryptamine) is synthesised mainly by the pineal gland and has been considered a potent antioxidant, even more potent than vitamin E, which detoxifies a variety of ROS in many pathophysiological states (Pieri *et al.*, 1994; Ekmekcioglu, 2006). The direct effects of melatonin on the male reproductive system and testosterone synthesis from Leydig cells have also been examined in studies on animals. Because melatonin binding sites have been detected in the reproductive system of different species, it seems reasonable to assume that melatonin exerts its actions not only as an antioxidant but also through direct interaction with the steroidogenic cells of the reproductive organs (Oner-Iyidogan *et al.*, 2001; Armagan *et al.*, 2006).

EFFECTS OF WI-FI SIGNALS ON THE P300 COMPONENT OF EVENT-RELATED POTENTIALS DURING AN AUDITORY HAYLING TASK

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The P300 component of event-related potentials (ERPs) is believed to index attention and working memory (WM) operation of the brain. The present study focused on the possible gender-related effects of Wi-Fi (Wireless Fidelity) electromagnetic fields (EMF) on these processes. Fifteen male and fifteen female subjects, matched for age and education level, were investigated while performing a modified version of the Hayling Sentence Completion test adjusted to induce WM. ERPs were recorded at 30 scalp electrodes, both without and with the exposure to a Wi-Fi signal. P300 amplitude values at 18 electrodes were found to be significantly lower in the response inhibition condition than in the response initiation and baseline conditions. Independent of the above effect, within the response inhibition condition there was also a significant gender X radiation interaction effect manifested at 15 leads by decreased P300 amplitudes of males in comparison to female subjects only at the presence of EMF. In conclusion, the present findings suggest that Wi-Fi exposure may exert gender-related alterations on neural activity associated with the amount of attentional resources engaged during a linguistic test adjusted to induce WM.

Keywords: Wi-Fi; P300 ERP component; Hayling; gender; EMF.

1. Introduction

Concern of health effects due to EMF, specifically radiofrequency (RF) exposure is currently arising. Numerous studies have investigated the potential effects of EMF,

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2.45 GHz Microwave Irradiation-Induced Oxidative Stress Affects Implantation or Pregnancy in Mice, *Mus musculus*

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Abstract The present experiment was designed to study the 2.45 GHz low-level microwave (MW) irradiation-induced stress response and its effect on implantation or pregnancy in female mice. Twelve-week-old mice were exposed to MW radiation (continuous wave for 2 h/day for 45 days, frequency 2.45 GHz, power density=0.033549 mW/cm², and specific absorption rate=0.023023 W/kg). At the end of a total of 45 days of exposure, mice were sacrificed, implantation sites were monitored, blood was processed to study stress parameters (hemoglobin, RBC and WBC count, and neutrophil/lymphocyte (N/L) ratio), the brain was processed for comet assay, and plasma was used for nitric oxide (NO), progesterone and estradiol estimation. Reactive oxygen species (ROS) and the activities of ROS-scavenging

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enzymes— superoxide dismutase, catalase, and glutathione peroxidase—were determined in the liver, kidney and ovary. We observed that implantation sites were affected significantly in MW-irradiated mice as compared to control. Further, in addition to a significant increase in ROS, hemoglobin ($p<0.001$), RBC and WBC counts ($p<0.001$), N/L ratio ($p<0.01$), DNA damage ($p<0.001$) in brain cells, and plasma estradiol concentration ($p<0.05$), a significant decrease was observed in NO level ($p<0.05$) and antioxidant enzyme activities of MW-exposed mice. Our findings led us to conclude that a low level of MW irradiation-induced oxidative stress not only suppresses implantation, but it may also lead to deformity of the embryo in case pregnancy continues. We also suggest that MW radiation-induced oxidative stress by increasing ROS production in the body may lead to DNA strand breakage in the brain cells and implantation failure/resorption or abnormal pregnancy in mice.

Keywords Microwave radiation · Reactive oxygen species (ROS) · Nitric oxide · Antioxidant enzyme activity · Implantation failure

Introduction

Microwaves (MW) are non-ionizing electromagnetic radiation (EMR) (wavelength ranging from 1 mm to 1 m and frequency between 0.3 and 300 GHz), which unlike ionizing radiation, do not contain sufficient energy to break the bond or chemically change the substances by ionization. In general, non-ionizing radiations are associated with two major potential hazards, i.e., electrical and biological. In recent times, the level of EMR in our environment has increased manifold due to a large-scale expansion of communication networks such as mobile phones, base stations, WLAN, Wi-Fi, Wi-MAX, etc. Radiations emitted from these modern devices are reported to induce various types of biological effects which are of great concern to human health due to its increased use in daily life. MW radiation primarily increases the temperature of the biological system, i.e., thermal effects [1], but its nonthermal effects have also been noted and studied in detail [2–8]. Nonthermal effects occur when the intensity of the MW radiation is sufficiently low so that the amount of energy involved would not significantly increase the temperature of a cell, tissue, or an organism, but may induce some physical or biochemical changes [9]. Prolonged exposure to low intensity 2.45 GHz microwave radiation may affect the cholinergic activity in the rat [2], brain development in mice [10], DNA breakage in rat brain [11], and histone kinase activity in rat [12], which results in neurological problems and reproductive disorders [13–15], in addition to changes in hematopoiesis of pregnant mice [16] and micronucleated erythrocytes in rats [17]. The International Agency for Research on Cancer has also kept radiofrequency electromagnetic fields in the list of factors causing cancer to humans. Some studies performed in this context suggest that people heavily exposed to these radiations are more prone to nonmalignant tumors [18]. It has been reported that mobile phone or cell phone radiation (a type of MW radiation) causes changes in cognitive function [19]. A German study has indicated an increase in cancer around base stations. Mobile phones use electromagnetic radiation in a microwave range (2G—900/1,800 MHz, 3G—2,100 MHz frequency band) which some believe may be harmful to human health. People living close to 2G and mostly 3G mobile phone masts or base stations frequently report symptoms of electromagnetic hypersensitivity such as dizziness, headaches, skin conditions, allergies, and many other problems. Hardell and groups [20, 21] have reported the health implications of mobile phone exposure (800–2,200 MHz). They found that cell phone users had an increased risk of

Selenium and L-Carnitine Reduce Oxidative Stress in the Heart of Rat Induced by 2.45-GHz Radiation from Wireless Devices

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Abstract The aim of this study was to investigate the possible protective role of selenium and L-carnitine on oxidative stress induced by 2.45-GHz radiation in heart of rat. For this purpose, 30 male Wistar Albino rats were equally divided into five groups namely controls, sham controls, radiation-exposed rats, radiation-exposed rats treated with intraperitoneal injections of sodium selenite at a dose of 1.5 mg/kg/day, and radiation-exposed rats treated with intraperitoneal injections of L-carnitine at a dose of 1.5 mg/kg/day. Except for the controls and sham controls, the animals were exposed to 2.45-GHz radiation during 60 min/day for 28 days. The lipid peroxidation (LP) levels were higher in the radiation-exposed groups than in the control and sham control groups. The lipid peroxidation level in the irradiated animals treated with selenium and L-carnitine was lower than in those that were only exposed to 2.45-GHz radiation. The concentrations of vitamins A, C, and E were lower in the irradiated-only group relative to control and sham control groups, but their concentrations were increased in the groups treated with selenium- and L-carnitine. The activity of glutathione peroxidase was higher in the selenium-treated group than in the animals that were irradiated but received no treatment. The erythrocyte-reduced glutathione and β -carotene concentrations did not change in any of the groups. In conclusion, 2.45-GHz

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electromagnetic radiation caused oxidative stress in the heart of rats. There is an apparent protective effect of selenium and L-carnitine by inhibition of free radical formation and support of the antioxidant redox system.

Keywords 2.45-GHz electromagnetic radiation · Oxidative stress · Antioxidant enzymes · Antioxidant vitamins · L-Carnitine · Selenium

Introduction

Many devices that emit 2.45-GHz radiation are in use for industrial, scientific, medical, military, and domestic purposes present a potential health and environmental problem [1]. Several studies have suggested that biological systems could exhibit a specific sensitivity to 2.45-GHz electromagnetic radiation [2–4]. Other studies were extended to electromagnetic radiation (EMR) generated from common household devices like microwave ovens, wireless access points, and computers which were also shown to have negative health effects, and that antioxidants showed a protective effect on 900-MHz mobile phone emissions [5, 6].

These types of radiation positively correlate to generation of oxygen-derived radicals (ROS) such as superoxide radical ions. The heart is the organ that consumes the greatest amount of oxygen, which makes it at greatest risk of oxidative stress and, in consequence, most susceptible to oxidative damage [1, 6, 7]. Superoxide ion radicals and other free radical species may be involved in the interactions of EMR on biological systems, but the cellular and molecular mechanisms involved in this process are still poorly understood [8, 9].

Exposure to 2.45-GHz EMR caused an increase in lipid peroxidation levels and a decrease in the activity of enzymes and vitamins that prevent or protect against lipid peroxidation in blood [8] and brain [9].

The body has enzymatic and non-enzymatic antioxidant systems. Enzymatic antioxidants neutralize excessive ROS, preventing them from damaging the cellular structure. Among those are superoxide dismutase (SOD), catalase (CAT), and glutathione peroxidase (GSH-Px) [10, 11]. In particular, GSH-Px is a selenium (Se)-containing enzyme responsible for the reduction of hydro- and organic peroxides in the presence of reduced glutathione (GSH) [12]. Se is also required for the catalytic activity of another critical antioxidant enzyme, mammalian thioredoxin reductase (TR). Along with vitamins C and E, Se is widely recognized as an essential part of the antioxidant system [11–13].

L-Carnitine (L-Car) is a low molecular weight compound obtained from the diet or biosynthesized from lysine and methionine. It has been identified in a variety of mammalian tissues and has an essential role in the mitochondrial oxidation of long-chain fatty acids through the action of specialized acyltransferases. Other roles for carnitine include buffering of the acyl coenzyme A/coenzyme A ratio, branched-chain amino acid metabolism, removal of excess acyl groups, and peroxisomal fatty acid oxidation [14]. L-Car has also been found to attenuate free radical-induced oxidative stress in various pathological conditions of heart [15]. The growing body of evidence about carnitine function in heart has led to increased understanding and identification of heart disorders associated with altered carnitine metabolism. However, there is no report on L-Car and 2.45 GHz-induced antioxidant redox system in heart.

There are no reports on the effects of wireless devices emitting 2.45 GHz radiation in the heart of experimental animals. The aim of the present study was to investigate the effects of

Wi-Fi technology – an uncontrolled global experiment on the health of mankind

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The twenty-first century is marked with exponentially increasing development of technologies that provide wireless communications. To the pollution of the atmosphere with radio and TV signals, not only satellite communications but also any varieties of the Wi-Fi networks are added. By 2010 in the USA, 285 million mobile phone subscribers have been registered (for a little bit more than 300 million inhabitants). The estimate for the world is more than 5 billion mobile phone users at approximately 7 billion people living on this planet. Approximately 2 years ago, the International Agency of Research on Cancer (IARC) classified the electromagnetic fields used in mobile communication as a possible cancerogene. This paper discusses the potential health hazard and lack of scientific assessment and regulatory actions in protection of the life on the planet.

Keywords: WiFi, pollution, hazard, Radiofrequency electromagnetic fields

The problem: Ionizing versus nonionizing radiation

Contemporary science is increasingly using and investigating two physical factors such as ionizing and nonionizing radiation, with an attempt to search for common mechanisms of action and evaluation of the public benefit and health hazard. What is common here is the word “radiation.” However, from the viewpoint of physics, these are two different factors that might be found in an environment. Importantly, they act simultaneously, but are discussed separately, entirely neglecting the existing background of the other factor.

It has been well established that ionizing radiation usually provokes effects based on energetic mechanisms and ionization of tissues. This action is characterized with threshold levels and could develop within short time after irradiation. Speaking on ionizing radiation, scientists and public health experts, based on decades of investigation, have come to know about a large variety of unfavorable, potentially harmful effects that developed hours (sometimes days) after irradiation. This was well confirmed in the evaluation of health effects and care for personnel and population after Chernobyl accident a quarter of century ago (Grigoriev, 2012a,b; Sage, 2012). Throughout the world, interest was also excited by the recent Fukushima disaster in March 2011.

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Review

Why children absorb more microwave radiation than adults: The consequences

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ABSTRACT

Computer simulation using MRI scans of children is the only possible way to determine the microwave radiation (MWR) absorbed in specific tissues in children. Children absorb more MWR than adults because their brain tissues are more absorbent, their skulls are thinner and their relative size is smaller. MWR from wireless devices has been declared a possible human carcinogen. Children are at greater risk than adults when exposed to any carcinogen. Because the average latency time between first exposure and diagnosis of a tumor can be decades, tumors induced in children may not be diagnosed until well into adulthood. The fetus is particularly vulnerable to MWR. MWR exposure can result in degeneration of the protective myelin sheath that surrounds brain neurons. MWR-emitting toys are being sold for use by young infants and toddlers. Digital dementia has been reported in school age children. A case study has shown when cellphones are placed in teenage girls' bras multiple primary breast cancer develop beneath where the phones are placed. MWR exposure limits have remained unchanged for 19 years. All manufacturers of smartphones have warnings which describe the minimum distance at which phone must be kept away from users in order to not exceed the present legal limits for exposure to MWR. The exposure limit for laptop computers and tablets is set when devices are tested 20 cm away from the body. Belgium, France, India and other technologically sophisticated governments are passing laws and/or issuing warnings about children's use of wireless devices.

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Abbreviations: MRI, magnetic resonance imaging; MWR, microwave radiation; CNS, central nervous system; FDTD, finite-difference, time-domain; GBM, glioblastoma multiforme (also called glioblastoma); cm, centimeter.

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1. Introduction

Here we discuss: how the amount of MWR can be calculated, children's greater absorption of MWR compared to adults' adsorption, MWR's listing as a Class 2B (possible) carcinogen, the existing legal limits for human exposure to MWR, and that the existing legal limits do not incorporate the greater exposure to children.

1.1. Computer simulation

The finite-difference, time-domain (FDTD) computer algorithm has been the best way to simulate the amount of absorbed MWR in tissues for many decades. In 1997 the U.S. Federal Communications Commission (FCC) stated, "Currently, the finite-difference time-domain (FDTD) algorithm is the most widely accepted computational method for SAR modeling. This method adapts very well to the tissue models that are usually derived from MRI or CT scans. FDTD method offers great flexibility in modeling the inhomogeneous structures of anatomical tissues and organs. The FDTD method has been used in many far-field electromagnetic applications during the last three decades. With recent advances in computer technology, it has become possible to apply this method to near-field applications for evaluating handsets" [1].

1.2. Children's greater absorption of MWR

There are multiple studies showing that children absorb more MWR than adults. In 1996 a study reported that the absorbed MWR penetrated proportionally deeper into the brain of children age 5 and 10 compared to adults' brains [2].

In 2008 Joe Wiart, a senior researcher for French telecom and Orange reported that the brain tissue of children absorbed about two times more MWR than adults' brain tissue [3].

A 2009 study reported the CNS absorption by children is "significantly larger ($\sim 2\times$) because the RF [MWR] source is closer and skin and bone layers are thinner", and "bone marrow exposure strongly varies with age and is significantly larger for children ($\sim 10\times$)" [4].

In 2010, Andreas Christ and team reported children's hippocampus and hypothalamus absorbs 1.6–3.1 times higher and the cerebellum absorbs 2.5 times higher MWR compared to adults'; children's bone marrow absorbs 10 times higher MWR radiation than in adults, and children's eyes absorb higher MWR than adults [5]. These calculations were based on porcine measurements taken from sacrificed animals.

1.3. Microwave radiation is a Class 2B (possible) carcinogen

After 30 experts from 14 countries reviewed the science, the World Health Organization's (WHO's) International Agency for Research on Cancer (IARC) declared that RF-EMF [MWR] is a Class 2B (possible) carcinogen [6]. It was a near unanimous declaration (one dissenter).

Including MWR, there are 285 agents listed by WHO's IARC as Class 2B carcinogens [7]. Exposures to almost all of these agents are regulated. Some of the commonly recognized agents are: carbon black, carbon tetrachloride, chloroform, DDT, lead, nickel, phenobarbital, styrene, diesel fuel, and gasoline.

Like these other Class 2B Carcinogens, should anyone, particularly children, be exposed to MWR?

1.3.1. Children are at increased risk when exposed to carcinogens

Children are at greater risk from exposure to carcinogens than adults, and the younger the child, the higher the risk [8–10].

1.4. Exposure limits

In 1996, the FCC adopted the IEEE 1991 [11] standard with some details from the 1986 NCRP Report [12] as exposure limits in the United States. Nineteen years after the FCC exposure limits were published, based on documents published 24 and 29 years previously, the legal exposure limit has remained unchanged. Yet during these decades an enormous body of scientific studies was published reporting risk well below the legal exposure limit.

The Institute of Electrical and Electronic Engineers (IEEE) is an industry professional organization, as is the National Council on Radiation Protection (NCRP). Neither organization had medical or public health expertise.

In European countries and a few other countries, the exposure limits are based on the 1998 “Guidelines” of the International Commission for Non-Ionizing Radiation Protection (ICNIRP) [13]. These “Guidelines” were based on publications from 1984, 1987, 1991, and 1993 [page 494]. That is the “Guidelines” were based on publications up to 31 years ago. Similar to the IEEE and NCRP, ICNIRP is an organization without medical or public health expertise. It is accountable to no government and its funding sources are not transparent.

1.4.1. The 19 year old IEEE and 17 year old ICNIRP exposure limits are based on a false premise

The exposure limits are premised on an assumption that the only biological effect from MWR exposure is acute (short-term) heating sufficient to cause tissue damage. There is no consideration of the effects from chronic (long-term) exposures. There are many scientific papers that report biological impacts tied with non-thermal (no measurable temperature change) effects. Indeed, the 480-page IARC Monograph 102 that documents the science that led to the declaration that MWR is a Class 2B (possible) carcinogen is a virtual compendium of such papers [14].

1.4.2. FCC compliance requirements do not comport with current testing systems

The FCC requires “For purposes of evaluating compliance with localized SAR guidelines, portable devices should be tested or evaluated based on normal operating positions or conditions” [15]. But phones are not tested in pants or shirt pockets. As a result every cellphone manual has warnings that the phone should be kept at various distances from the body otherwise the human exposure limits can be exceeded.

Here are two of many examples:

- (1) The BlackBerry Torch 9800 Smart Phone warns, “keep the BlackBerry device at least 0.98 in. (25 mm) from your body (including the abdomen of pregnant women and the lower abdomen of teenagers).” “Lower abdomen” is an oblique reference to testicles and “abdomen of pregnant women” is an oblique reference to the fetus.
- (2) The iPhone 5’s manual is embedded within the phone: Users must go to “Settings,” and scroll down to “General,” then scroll to the bottom to “About,” go to “Legal,” scroll down to “RF [MWR] Exposure” where it reads, “To

reduce exposure to RF energy, use a hands-free option, such as the built-in speakerphone, the supplied headphones, or other similar accessories. Carry iPhone at least 10 mm away from your body to ensure exposure levels remain at or below the as-tested [exposure limit] levels.”

1.4.3. There is a 20 cm distance rule for tablets and laptop computers

“For purposes of these requirements mobile¹ devices are defined by the FCC as transmitters designed to be used in other than fixed locations and to generally be used in such a way that a separation distance of at least 20 cm is normally maintained between radiating structures and the body of the user or nearby persons” [16].

Clearly, this 20 cm rule contradicts the “normal operating position” regulation in the description “a separation distance of at least 20 cm is normally maintained.” Indeed, “laptop” computer directly implies that it is to be placed on a lap which is not 20 cm distant from the user.

The growing use of tablets by young children in schools contradicts these normal tested conditions as well, as these children have shorter arms that do not allow them to hold devices 20 cm from their bodies.

2. Materials and methods

We have performed a review of the peer-reviewed cellphone exposure epidemiology from 2009 to 2014, and cellphone dosimetry since the 1970s from a previous paper [17], along with relevant governmental and other policy documents, manufacturers’ manuals and similar documents.

3. Results

3.1. Early development

Here we present evidence of harmful effects from exposure to MWR during early developmental stages both in animals and in humans.

3.1.1. Fetal exposures

A study from Yale University School of Medicine exposed mice in utero to MWR [18]. The study reported that these mice were hyperactive and had impaired memory “due to altered neuronal developmental programming. Exposed mice had dose-responsive impaired glutamatergic synaptic transmission onto layer V pyramidal neurons of the prefrontal cortex.” During pregnancy the mice were irradiated by a cellphone positioned above each cage positioned over the feeding bottle at a distance of 4.5–22.3 cm from each mouse depending on the location of the mouse within the cage. Controls were under the same condition but the phone was not active. The observed effects were

¹ The FCC defines laptop computers, tablets and similar devices as “mobile devices” in comparison to “portable devices” which are cell and cordless phones and similar devices; the former falls under the 20 cm rule, the latter has no such rule.

similar to attention deficit hyperactivity disorder (ADHD) in children.

A Turkish study reported on a 900 MHz in utero exposure of rats [19]. “The results showed that prenatal EMF exposure caused a decrease in the number of granule cells in the dentate gyrus of the rats ($p < 0.01$). This suggests that prenatal exposure to a 900 MHz EMF affects the development of the dentate gyrus granule cells in the rat hippocampus.”

A Chinese study investigated effects of MWR emitted by cellphones on rat CNS, in vitro (cortical neuronal cells) and in vivo (rat’s brain) [20]. Neuronal cells had a significantly higher death rate at power densities of 0.05 mW/cm² and above. In vivo results show increased apoptosis with DNA fragmentation.

3.1.2. Myelination

A myelin sheath covering neurons acts as an insulation of the electrical activity of neurons. In human embryos, the first layer develops from mid-gestation to 2 years of age and continues into adolescence [21]. Myelination of the brain is not complete until early adulthood.

There are two studies with reported degeneration of the myelin sheath after MWR exposure:

A 1972 study from Poland reported myelin degeneration and glial cell proliferation in guinea pigs and rabbits from a 3 GHz exposure [22].

In 1977 Switzer & Mitchell reported a 2.45 GHz exposure in rats increased myelin degeneration in rat brains at 6 weeks after exposure. They concluded “The results of our study and related investigations by others indicated that exposures to low-intensity MW irradiation can result both in transient and in long-term structural anomalies in CNS tissue and may result in various hematologic irregularities” [23].

3.2. Children and adolescents

Aydin et al. in a study of cellphone use by children and adolescents (median age 13 years), reported a significant risk of brain cancer and a significant exposure–response relationship for >2.8 years since first cellphone subscription, OR = 2.15, CI = 1.07–4.29, p -trend = 0.001 for increasing risk with increasing time since first subscription with operator recorded use data (billing records) [24]. Yet the study’s conclusion states, “The absence of an exposure–response relationship either in terms of the amount of mobile phone use . . . argues against a causal association.” It is unclear why the conclusion directly contradicts the published results. The study was funded in part by cellphone companies.

A Swedish study reported when first cellphone use began as a teenager or younger there was a significant ipsilateral risk of brain cancer, OR = 7.8, CI = 2.2–28, $p < 0.01$, and an almost identical ipsilateral risk from cordless phone use, OR = 7.9, CI = 2.5–25, $p < 0.001$ [9].

A Korean study found risks for ADHD in first grade (ages 7–8) children and followed them to ages 12–13 [25]. “The ADHD symptom risk associated with mobile phone use for voice calls but the association was limited to children exposed to relatively high [blood] lead [levels].” With an average time per cellphone call of ½ to <1 min, OR = 5.66,

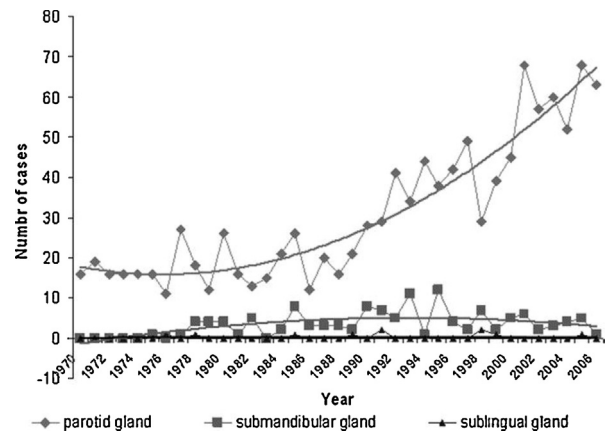


Fig. 1. Increase of parotid gland tumors relative to other salivary gland tumors in Israel.

CI = 1.31–24.51 and for 1+ minutes per call, OR = 7.20, CI = 1.37–37.91, p -trend = 0.02. For children playing games for 3+ minutes/day a significant risk for ADHD, OR = 1.94, CI = 1.30–2.89, $p < 0.001$, and p -trend < 0.001 in the lower blood lead level group.

Elsewhere it has been shown the low-level exposures to MWR increases the permeability of the blood–brain barrier [26–28]. This suggests children exposed to lead who use cellphone might have increased blood lead levels in the brain.

3.2.1. Breast cancers resulting from placement of cellphones in bras

A case study reported 4 women who placed cellphones in their bras. Two were diagnosed at age 21, with one who had begun placing her cellphone in her bra at age 15. This resulted in multiple primary breast cancers immediately beneath where the cellphone were placed [29].

3.2.2. Parotid gland tumors

The parotid gland is a large salivary gland in the cheek immediately next to where a cellphone is held to the ear.

A Chinese study reported statistically significant increased risks of 10- to 30-fold [30]. With more than 10 years since first use of a cellphone, the risk of epithelial parotid gland cancer, OR = 10.631, CI = 5.306–21.300, $p < 10^{-10}$; similarly the risk for mucoepidermoid carcinoma, OR = 20.72, CI = 9.379–45.821, $p < 10^{-13}$, and for average daily use of >3.5 h, OR = 30.255, CI = 10.799–90.456, $p < 10^{-10}$.

An Israeli Interphone study found significant risk of parotid gland tumors [31]. “For ipsilateral use, the odds ratios in the highest category of cumulative number of calls and call time without use of hands-free devices were 1.58 (95% confidence interval: 1.11, 2.24) and 1.49 (95% confidence interval: 1.05, 2.13), respectively.”

Another Israeli study showed that among the 3 salivary glands, the only increase was the parotid gland [32]. “The total number of parotid gland cancers in Israel increased 4-fold from 1970 to 2006. . . whereas two other salivary gland cancers remained stable.” Fig. 1 illustrates the enormous

increase in parotid gland tumors relative to other salivary gland tumors.

A newspaper in Israel reported “[S]alivary gland cancer, which researchers suspect to be linked to cellphone use, was disproportionately common among young patients. One fifth of those patients were under 20” [33].

3.2.3. Sperm damage

Perhaps more than any other adverse health effect from exposure to MWR, damage to sperm is the most documented including in vitro, in vivo and human epidemiological studies.

A 2005 study with data collection from November 2002 to March 2004 examined the motility of sperm. “The proportion of slow progressive motile sperm increased with increase of the duration of the daily transmission time $p < 0.01$ ” [34].

A study of cellphone usage among men who attended an infertility clinic concluded, “Use of cell phones decrease the semen quality in men by decreasing the sperm count, motility, viability, and normal morphology. The decrease in sperm parameters was dependent on the duration of daily exposure to cell phones and independent of the initial semen quality” [35].

A Japanese study reported “This study has indicated significant decrease in sperm count [$p = 0.004$] and motility [$p = 0.003$] . . . because of exposure to MP [Mobile Phone] emission, respectively” [36].

An Australian study investigated how sperm cells are damaged by cellphone MWR. Its conclusions stated “RF-EMR [Radio Frequency–Electro Magnetic Radiation] in both the power density and frequency range of mobile phones enhances mitochondrial reactive oxygen species generation by human spermatozoa, decreasing the motility and vitality of these cells while stimulating DNA base adduct formation and, ultimately DNA fragmentation. These findings have clear implications for the safety of extensive mobile phone use by males of reproductive age, potentially affecting both their fertility and the health and well-being of their offspring” [37].

Professor Stanton A. Glantz is a Professor of Medicine at the University of California, San Francisco Medical School. He is also author of a renowned graduate level statistics textbook, *Primer of Biostatistics, Seventh Edition* [38]. Referring to the above four studies on sperm damage from MWR he concludes:

“Taking all the information we have discussed on cell phones and sperm allows us to confidently conclude that exposure to cell phones adversely effects sperm.”

A study of temperature controlled human sperm placed 3 cm beneath a laptop computer connected to Wi-Fi for 4 h [39] reported, “Donor sperm samples, mostly normozoospermic [normal sperm], exposed ex vivo during 4 h to a wireless internet-connected laptop showed a significant decrease in progressive sperm motility and an increase in sperm DNA fragmentation.” The study concluded “Ex vivo exposure of human spermatozoa to a wireless internet-connected laptop decreased motility and induced DNA fragmentation by a nonthermal effect. We speculate that



Fig. 2. SAM Phantom. The red devices are clamps to hold the cellphone in a specified location. “CTIA” is the Cellular Telecommunications Industry Association. Source: Speag Phantom Product Flyer.

keeping a laptop connected wirelessly to the internet on the lap near the testes may result in decreased male fertility.”

3.3. Tumor latency times

The average time between exposure to a carcinogen and the diagnosis of a resultant solid tumor is 3 or more decades. Brain tumors, like lung cancer and many other solid tumors have, on average, long latency times [8,40]. Therefore, it may be several decades before tumors induced by current MWR exposures in children are diagnosed. For example, the Israeli study showing brain tumor risk was inverse with age had long latency times [8]. In contrast the Aydin et al. study had relatively short latency times [24].

4. Discussion

4.1. Wireless device exposure limit certification

The FCC has approved two processes to certify that a wireless device meets the required exposure limit:

- (1) The computer simulation process, and
- (2) The Specific Anthropomorphic Mannequin (SAM) process.

The computer simulation process is discussed above.

The SAM process is based on a plastic mannequin representing the top 10% largest U.S. military recruits in 1989. Any head smaller than SAM will absorb more MWR (~97% of the U.S. population) [17]. A liquid with the average adult absorption properties of the 40 tissues of the head is poured into a hole at the top of this head. A robotic arm with an electric field probe is positioned within the mannequin such that the location of the highest electric field is located within any one cubic centimeter volume. A cellphone to be certified is clamped to either side of SAM (see Fig. 2). The electric fields values are used to calculate the maximum spatial peak Specific Absorption Rate (SAR) for any 1 g of

Table 1

A comparison of the capability to measure SAR using the computer simulation certification process or the SAM certification process for various exposures.

Attribute	SAM process	FDTD process	Comments
Children's exposure	No	Yes	Multiple ages
Pregnant women's exposure	No	Yes	1, 3 and 9 months
Female exposure	No	Yes	
Specific tissue parameters	No	Yes	
3-D resolution	~1 cm ³	<1 mm ³	
Relative cost	Higher	Lower	
Medical implant exposure	No	Yes	
Testicle exposure	No	Yes	
Female breast exposure	No	Yes	With and without wire frame bra
Eye exposure	No	Yes	With and without wire frame eyeglasses
Thyroid gland exposure	No	Yes	With and without metal necklace
Parotid gland exposure	No	Yes	With and without dental braces

Adapted from Gandhi et al. [17].

tissue (equivalent to 1 cm³ volume). If the maximum SAR is at or below the U.S. exposure limit of 1.6 W/kg the phone is certified for sale without regard to the $\pm 30\%$ tolerance of the SAM certification process [41].

Table 1 compares the capabilities of the two cellphone certification processes.

As can be seen in Table 1 the SAM process is not capable of determining the MWR absorption as measured by SAR in every category except the relative cost and volume resolution. Nevertheless, the SAM process has been *exclusively used* to certify every cellphone to date.

4.2. Cellphone manual warnings and 20 cm distance rule

In spite of an FCC regulation “For purposes of evaluating compliance with localized SAR guidelines, portable devices should be tested or evaluated based on normal operating positions or conditions” [15], this regulation is ignored by the FCC. Holding a cellphone at a defined distance from your body is not “based on normal operating positions”!

For laptop computers, tablets and similar devices, an exposure limit that begins at a distance of 20 cm is not “based on normal operating positions.” Indeed the very term “laptop” computer defines the normal operating position, which when placed on the lap is not 20 cm distant.

4.3. Increasing brain cancer incidence

There are studies showing an increased risk of brain cancer from wireless phone use. It is a current problem. The worst brain cancer, glioblastoma, has increased in the United States, and Denmark. Brain cancer incidence has increased in Australia in recent years. These results are based on brain cancer incidence from each country's cancer registries.

A United States study examined 3 cancer registries (Los Angeles County, California and SEER 12²) [42]. It examined incidence rates between years 1992–2006 and reported the Average Percent Change (APC) during those years. “RESULTS: Increased AAIRs [Age-Adjusted Incidence Rates] of frontal (APC +2.4–3.0%, $p \leq 0.001$) and temporal (APC

+1.3–2.3%, $p \leq 0.027$) lobe glioblastoma multiforme (GBM) tumors were observed across all registries . . . The AAIR of cerebellar GBMs increased according to CCR (APC +11.9%, $p < 0.001$).”

The Danish Cancer Registry issued a press release that stated, “The number of men who are diagnosed with the most malignant form of brain cancer (glioblastoma), has almost doubled over the past ten years” [43].

The Australian study reported, “an overall significant increase in primary malignant brain tumors was observed over the study period from 2000 to 2008 (APC, 3.9; 95%CI, 2.4–5.4), particularly since 2004 (overall AAPC, 3.9; 95% CI, 2.6–5.2)” [44].

4.4. Selling toys for infants and toddlers

The iPad, tablets, laptop computers and cellphones are not children's toys. Within 20 cm of the device, the exposure limit can be exceeded with iPads and laptop computers. Figs. 3–5 are examples of toys for sale (there are many more similar toys).

4.5. Digital dementia

Digital dementia also referred to as FOMO (Fear Of Missing Out) is a real concern. A science publication's review



Fig. 3. An iPad placed within a rattle. Note the device is immediately over the boy's testicles.

² SEER 12 is cancer registry data maintained by the National Cancer Institute (NCI) using 12 States of the United States.



Fig. 4. 2-in-1 iPotty with Activity Seat for iPad.



Fig. 5. An iPad for entertaining a baby.

article describes the problem in great depth [45]. An empirical study of the problem was published in 2013 [46].

4.6. Governmental warnings

Many countries have issued warning about children's cellphone use. Some examples are:

Turkey 2013:

Governor Aksoy Huseyin, of the Samsun province announced he would launch a cellphone campaign to bring awareness of their hazards.

Belgium 2013:

The Public Health Minister bans cellphone sales for children under 7 years old. Advertisements are also banned during children's TV programs.

Australia 2013:

The federal government created a fact sheet providing citizens ways to reduce exposure from wireless devices. The agency advises parents to limit children's exposure to cellphones.

France, 2010

Laws make advertising cellphones to children under the age of 12 illegal.

5. Conclusions

The risk to children and adolescent from exposure to microwave radiating devices is considerable. Adults have a smaller but very real risk, as well.

- (1) Children absorb greater amount of microwave radiation (MWR) than adults;
- (2) MWR is a Class 2B (possible) carcinogen as is carbon black, carbon tetrachloride, chloroform, DDT, lead, nickel, phenobarbital, styrene, diesel fuel, and gasoline. It seems clear that we would not expose children to these other agents, so why would we expose children to microwave radiation?
- (3) Fetuses are even more vulnerable than children. Therefore pregnant women should avoid exposing their fetus to microwave radiation.
- (4) Adolescent girls and women should not place cellphones in their bras or in hijabs.
- (5) Cellphone manual warnings make clear an overexposure problem exists.
- (6) Wireless devices are radio transmitters, not toys. Selling toys that use them should be banned.
- (7) Government warnings have been issued but most of the public are unaware of such warnings.
- (8) Exposure limits are inadequate and should be revised such that they are adequate.

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P-04-564 The Restoration of Inpatient Beds, Minor Injuries Cover and X-Ray Unit to the Ffestiniog Memorial Hospital

Petition wording:

Until the Health Minister has had time to consider Prof Marcus Longley's recommendations on rural healthcare in Wales – a study that was commissioned by the Minister himself in January of this year – we, the undersigned, call on the National Assembly of Wales to urge the Welsh Labour Government to delay decision on Betsi Cadwaladr University Health Board's Business Case aimed at downgrading our Memorial Hospital to a mere 'Memorial Centre'.

Petition raised by: Geraint Vaughn Jones

Date Petition first considered by Committee: 17 June 2014

Number of signatures : 2,754



Ein cyf/Our ref MA-P/MD/1347/15

William Powell AM
Assembly Member for Mid & West Wales
Chair Petitions Committee
Ty Hywel
Cardiff Bay
Cardiff
CF99 1NA

16 December 2015

Dear William

Thank you for your letter on behalf of the Petitions Committee regarding petition P-04-564 Restoration of Inpatient Beds, Minor Injuries Cover and X-Ray Unit to the Ffestiniog Memorial Hospital.

I appreciate the Defence Committee does not support the changes that Betsi Cadwaladr University Health Board has made to services in the Blaenau Ffestiniog area. I have corresponded with the Hospital Defence Committee about their concerns on a number of occasions and my position remains that I will not reopen any matters which have been agreed locally.

The health board's decision to make these changes followed a formal public consultation and engagement process, and the decision to place the health board in special measures has no bearing on previous decisions relating to services in the Blaenau Ffestiniog area. It would therefore not be appropriate for me to meet with the Defence Committee to discuss this matter.

My officials have been in contact with the health board to discuss the Defence Committee's concerns with primary care and community services in the area, and have been assured that this is being addressed by expanding the range of services available locally. This includes the development of integrated services between medical, nursing, therapies and social care staff.

I understand that the health board has recruited an additional salaried GP who will take up post in the New Year to improve continuity of care for patients in this area.

The priority for the area continues to be the development of the new Blaenau Ffestiniog Primary Care Resource Centre, for which I will shortly be announcing capital funding of £3.94m. The scheme looks to develop the Memorial Hospital, and the new centre will deliver:

- An expanded range of local services provided from one site to include consultant led palliative care outpatients and specialist nurse clinics, consultant led respiratory outpatients clinics, and Child and Adolescent Mental Health Service family sessions;
- Improved children's services in a dedicated suite – more child and adolescent mental health services, provide a permanent midwifery base and antenatal clinics, increased paediatric speech and language sessions, consultant paediatrician and community paediatrician outpatient sessions, co-location of school nursing and health visiting services;
- The return of learning disability services to Blaenau with a regular consultant psychiatrist clinic;
- The introduction of Telemedicine to improve access to services, through the installation of a Technology Suite. This will enable a range of virtual outpatient clinics to be established across a number of specialties offering facility by video conference for remote prescribing, diagnosing and reviewing of patients. It will also facilitate teaching and tele-rehabilitation;
- A base for mental health and substance misuse with an increase in group sessions, and
- Community dental accommodation.

This is an exciting and positive development for the area which will benefit the local population, and I would encourage the Defence Committee to work with the health board going forward to ensure it comes to fruition as soon as possible.

I am aware that the Defence Committee met with the co-chairs of the Mid Wales Healthcare Collaborative and I would also encourage the Committee to remain engaged since the Collaborative is developing innovative ways to engage with local communities in jointly planning services for their areas.

Yours sincerely
Mark Drakeford

Mark Drakeford AC / AM

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

P-04-564 Restoration of In-patient Beds, Minor Injuries Cover and X-Ray Unit to the Ffestiniog Memorial Hospital. Correspondence – Petitioner to the Committee. 13.01.16

We would be obliged if you bring the attachments to the attention of the Petitions Committee.

Many thanks.

Geraint V Jones (Chair of Ffestiniog Memorial Hospital defence Committee)

Dear Members of Petitions Committee,

On 12.12.2015, we copied you with our email to the Minister, in which we yet again raised with him some very serious questions about the way that BCUHB set about discriminating against the people of the Welsh Uplands prior to the rushed closure of our Memorial Hospital in January 2013. I now attach the Minister's blunt response to that correspondence (also attached for your convenience), the brusque tone of which came as no surprise to us, given that he has repeatedly ignored all our arguments, choosing instead to favour the Health Board's endless platitudes.

I fear that Mr Drakeford's arguments are disingenuous. Despite all evidence to the contrary, he still maintains that BCUHB engaged the public in a meaningful consultation process back in September 2012 (well before he was appointed to his ministerial post). In other words, he insists on giving 100% support to decisions taken by a health board that has been publicly disgraced more than once and which he has personally now put into special measures! Not only that, but he also quotes the support of the CHC for such decisions, although he knows full well that the current Gwynedd and Conwy branches of the CHC have expressed grave concerns about what is happening in the Welsh Uplands, as indeed have Prof Marcus Longley, Sarah Rochira (the Commissioner for Older People) and the Welsh Language Commissioner Meri Huws.

The Mid Wales Collaborative, established some months back by the Minister himself to look into Healthcare in rural Wales, are also reviewing the situation and intend holding sessions in Ffestiniog on the 8th of next month. Mr Drakeford, however, has already expressed his intention to sanction the Betsi's Business Case, even before the Collaborative will have had time to present its report! Such a stance from a government minister defies belief and begs the question: Why is Mr Drakeford being so intransigent and so Ministerially blinkered? And why has he, time and time again, refused to meet with a deputation of the Memorial Hospital Defence Committee down in Cardiff? In his response to your Chairman, he claims to have corresponded with us on a number of occasions, but he has yet to give forthright and truthful answers to any of the questions posed to him (eg. those raised in our 12th December email). In fact, he has chosen to side-step every one of those questions and arguments in favour of his maxim 'I will not re-open matters that have been agreed locally'. We would challenge him not only to explain the extent of that so-called 'local' involvement but also to provide, if he dare, all the evidence of local opposition to BCUHB's plans. Let him also explain why it would 'not be appropriate' for him to meet with the Defence Committee to 'discuss this matter'!

The Minister maintains that his £3.94m investment in a new Primary Care Resource Centre will result in a range of new services for the area. Such a claim has little or no foundation and we have challenged him on it more than once by quoting, amongst other things, the services that were available here in 2012, before the Betsi decided to deprive us of what we then had (see attachment 'Services in 2012'). It is blatantly disingenuous of Mr Drakeford to argue otherwise.

We are very aware that, over the past months, we have burdened the Petitions Committee with endless counter-arguments to Minister Drakeford's and the Betsi hierarchy's claims. In his brief reply to my recent email the Minister says that he has asked Dr Peter Higson, as chair of BCUHB, to contact us to discuss our concerns in full. In fact, such a request, co-signed by the clerks of Ffestiniog Town Council, Dolwyddelan Community Council and secretary of the Memorial Hospital Defence Committee, was sent to the Chair and the Chief Exec of the health board three months ago (and thrice

repeated after that) without reponse. A reply finally came on 13.12.2015 (see attachment 'Dr Higson's response') but despite the promise it contains, the two sets of elected councillors and the Defence Committee are still waiting for such a meeting to materialize.

We again thank you for your continued interest in our Petition.

Yours very sincerely,

Geraint V. Jones (Chair of Ffestiniog Memorial Hospital Defence Committee)

12.12.2015

Annwyl Mr Drakeford,

This to acknowledge receipt of your response to my email of 18th November but I have to point out that you once again make no effort whatsoever to address the issues which were raised but prefer, instead, to re-iteratate, word for word, the claims and the platitudes of a fully discredited health board. Why would you choose to do that, Minister?

You say you are 'assured' on all these issues by BCUHB. In other words, you are prepared to accept their assurances without question whilst at the same time choosing to turn a blind eye to the genuine grievances of a socially deprived area. (See BCUHB's own 'Health Profile for Blaenau Ffestiniog 28th June 2012' if proof were needed:-

- ° MSOA Gwynedd 009: Bowydd & Rhiw, Diffwys & Maenofferen and Teigl all lie in the most deprived 30-50% of LSOAs in Wales (i.e. all the electoral wards in Blaenau and Llan Ffestiniog)
- ° MSOA Gwynedd 009: Hospital admission rate for <75s higher than Gwynedd, North Wales and Wales; as are the emergency and elective hospital admission rates.
- ° 'In general, Blaenau Ffestiniog is a relatively deprived part of Wales with a younger population profile than the Welsh average. Self-reported health and disease experience seems better than Wales, but mortality rates

for circulatory disease and cancer, the two biggest killers in Wales, seem worse.’)

As Minister for Health and Social Welfare are you prepared to totally disregard such concerns and to argue that end-of-life care is well-catered for in the Welsh Uplands?

PREVIOUS CORRESPONDENCE

You say that ‘we have corresponded on this issue on a number of occasions’. How very true! But the correspondence is protracted simply because you, like the health board hierarchy, choose to avoid responding to the specific issues being raised time and time again in all our correspondence. Why is that, if not to avoid matters that are an embarrassment to you as Minister and to health board officials?

For instance, the following issues were raised in my last email:-

(i) The chair and chief exec. of the Betsi have ignored two formal requests from the Ffestiniog Town Council, the Dolwyddelan Community Council and the Defence Committee to meet with them.

Your silence suggests that you condone the health board’s decision to disregard the wishes of democratically elected town and community councillors. But we shouldn’t be surprised, I suppose, given that you yourself, over the past 18 months, have rejected as many as 5 requests for you to receive a deputation from the Ffestiniog Memorial Hospital Defence Committee. In other words, we were prepared to make a 7 hour and 300 mile round journey down to Cardiff but you, on the other hand, were unwilling even to open your office door to us! With due respect, Minister, were you to respond in like fashion to your own Cardiff West constituents then you would very soon be out of a job.

(ii) BCUHB’s Chief Executive – a man drawing a salary of c. £250,000 – claims that NHS decisions have nothing to do with democracy.

Your failure to respond to his claim implies that you agree with him, despite promises from you, time and time again, to listen to the voice of the people!

This is another sad reflection on Welsh Labour, the so-called party of the working classes.

(iii) You make much of 'public consultation and engagement process' and that you will 'not be reopening matters which have been agreed locally'. What do you actually know of that process, Minister? Had you taken notice of previous correspondence, you would know that:-

(a) Three sessions of public consultation were held in the Blaenau Ffestiniog Community Centre on 06.09.2012, with a maximum 60 permitted to attend each one. In other words, a total of 180 out of the area's 7,000+ population.

Nevertheless, every single voice from the audience, that day, spoke up against the proposed threat to our memorial hospital and other critical services. Health Board Executive Geoff Lang's response at each of those sessions was a verbal promise that all concerns were being noted and would be considered by the Board, a promise that, in retrospect, can only be regarded as a bare-faced lie, since the BCUHB were soon voting to close our Memorial Hospital without any of those concerns being addressed.

Are we to assume that you condone such underhand methods?

(b) You can also but be aware that public meetings and rallies held in the Ffestiniog area over the years have been supported by the vast majority of the population, as have several petitions, and for you again to claim that 'matters have been agreed locally' proves that you have either been seriously misled in this instance or that you choose to turn a blind eye to what local opinion actually is.

(c) Two referendums held last February by the Ffestiniog Town Council and Dolwyddelan Community Council resulted in a 99.9%+ call for services (i.e. hospital beds, minor injuries cover and X-ray facilities) to be reinstated. And BCUHB Chair's response at the time was to make light of the result by claiming that 'People don't understand what they are voting for.!'!

We ask again, Minister, whether you subscribe to that view as well?

Voices in Tywyn have been listened to, and are still being listened to, as you very well know, so we can but assume that this is a further example of discrimination against the Welsh-speaking Uplands.

There are several other points in my last email that you chose to disregard. For instance, my request for a copy of Simon Dean's letter to me, one that you say you've received but which I certainly haven't!

OUR CLAIM OF DISCRIMINATION

What of our claim of BCUHB's discrimination against the Welsh-speaking Welsh Uplands? Does that not concern you either?

Simon Dean rebutted our claim of discrimination with this statement on 24.09.2015:-

'With regard to the perception of discrimination in comparison to Tywyn (the new development and MIU), it is noted that Tywyn as a community is viewed as being more remote than Blaenau Ffestiniog. In terms of accessibility, the Welsh Index of Deprivation scores Blaenau fairly well as it benefits from a train line, bus routes and good roads. This was an important factor when approving the Tywyn business case and also by the Health Board in its discussions with the CHC culminating in its decision to retain the MIU in Tywyn.'

And our response to him (28.09.2015) was as follows:-

'What you are both saying, therefore, is that neither the Welsh Government nor the BCUHB know that Tywyn also has a train line and station! And that it benefits from a service that provides a direct link between Pwllheli and London Euston!

To be told that we have government ministers and highly paid health board officials who are prepared to take important decisions based on such ignorance is truly astounding!

On the other hand, if the WG and the Betsi did know of the trainline's existence, but chose an untruth to strengthen Tywyn's case for inpatient

beds, MIU etc, then that is certain proof of showing favouritism and discrimination.

Your letter also claims that Tywyn has a less reliable bus service than Ffestiniog and that it has no 'good roads'. This again is highly debatable and strengthens the argument that someone or other, either in the WG or in BCUHB, chose to build a false case against Ffestiniog retaining its Memorial Hospital. If that is so, then there is certainly room for legal challenge and to seriously question the source of the information that was given to the Welsh Index of Deprivation.'

Mr Dean's reply , a week later (05.11.2015), was this brief apology:-

Dear Geraint, apologies if I've not briefed myself fully. I will look at the previous correspondence again and respond further once I've done so.

Best wishes

Simon

Simon Dean

Prif Weithredwr Dros Dro/ Interim Chief Executive

Six weeks have since elapsed and we are still waiting for the promised response! So can I ask you the same question Minister, since it has such serious implications:- Who has been supplying this mis-information in support of the Health Board's agenda?

OTHER POINTS TO BE ANSWERED

And finally, Mr Drakeford, these points:

- Firstly, your latest response makes no mention whatsoever of the well-documented views and concerns of Prof Marcus Longley or those of Sarah Rochira, the Older Person's Commissioner, on the state of healthcare in the Welsh Uplands. As a 77 year old pensioner myself, I feel that that, too, has to be a matter of grave concern in this area.

- Secondly, you will know that a deputation of us attended the Dolfor Conference on March 12th this year and listened to your opening statement. That, and the ensuing speeches from experts in rural healthcare, gave us renewed hope and we have since sought to work with the newly-formed Mid Wales Collaborative, fully believing that you would be taking its conclusions seriously. We have met with joint-chairs Jack Evershed and Ruth Hall and also with Dr Sue Fish and have been present in the public gallery at all meetings of the Collaborative. However, the press statement that you released yesterday (albeit worded mainly by the BCUHB) indicates that you intend implementing the BCUHB business case as soon as possible, thus implying that you have no intention of waiting for the Collaborative's findings and final report. If that is not surprising then what is?

Incidentally, there was nothing new in your statement. It was merely a regurgitation of what was drawn up over two years ago by the BCUHB's Integrated Health and Social Care Programme Board.

There are other points in your statement that we could challenge. For instance, you talk of 'Improved GP services with the ability to expand and improve Recruitment.' What on earth does that mean, bearing in mind that we had a very efficient GP practice until 18th January 2013 when the health board intervened and made a complete mess of things. Now the Practice is run by BCUHB Mk3 and depends on a very costly locum input.

You also make this disingenuous claim, Minister:-

'This £3.9m investment shows our commitment to creating community based health facilities closer to patients moving from hospital locations.'

You will have letters on file, Mr Drakeford, where the Health board has tried to relieve bed-blocking at Ysbyty Gwynedd by attempting to move older patients against their will to care homes, simply because they have no family to look after them at home. If that is an example of the commitment behind this £3.9m Investment, then heaven help us!

There are other issues that we could raise but a meaningful response to the above would be very much appreciated.

Yours sincerely, as always,

Geraint V Jones (Chair of Ffestiniog Memorial Hospital Defence Committee)

Mr G Lang

Acting Chief Executive

Executive's Office

Ysbyty Gwynedd

Bangor

LL57 2PW

12 March 2012

Dear Mr Lang

Review of Blaenau Ffestiniog Hospital

We would like to respond as the Medical Practice of Blaenau Ffestiniog to the recent independent review of Blaenau Ffestiniog Hospital by Dr Edward Roberts.

We welcome the review and commend Dr Roberts on his work and the bringing together of some important information regarding the future of the hospital.

We as a Practice feel his work is thorough but there are some important omissions and inaccuracies that need to be highlighted so that the Health Board are able to make an informed decision.

As a Practice we along with the entire Primary Care Team, the Hospital staff and over 5,000 people in this community strongly recommend and support Option 1 but with improvements.

To quote Dr Roberts, "This is a deprived community which requires services added to it and not taken away".

Options 2 and 3 will certainly take away services whereas Option 1 with improvements will add services.

Regarding inaccuracies and omissions

A Section 5: Hospital / Service Profile and Visit Summary

The list of facilities at Blaenau Ffestiniog.

In his review this list is incorrect and incomplete. The facilities presently provided should read:

Option 1 Current Activity 20/2/12

1. 12 inpatient beds (1 chronic illness + 11 beds)
2. Minor Injury Unit: nurse lead 8:00 to 16:00 (medical cover)
3. Nurse lead clinics: dressing/injury follow-up
4. X-ray diagnosis and treatment / pop of fractures
5. Physiotherapy
6. Community District Nursing
7. Occupational therapy
8. Intermediate care services
9. Falls prevention group
10. Phlebotomy
11. Out Patient Clinics:

- Paediatrics
- Rheumatology
- Diabetes
- Ophthalmology
- Substance misuse
- Family Planning
- Chiropody
- Counselling
- Midwife / antenatal

12. Dental Services

13. Medical Practice: single level, purpose built Health Centre with Dental department, Out Patient consulting rooms and x-ray department.

B. Section 5: Blaenau Ffestiniog Health Centre

Dr Robert's impression was that it was an aging building and the accommodation was limited.

This impression is not correct, in reality the Health Centre in Blaenau Ffestiniog is a relatively new building.

It is a purpose-built Health Centre, all on the same level with Dental department, Out Patient consulting rooms and x-ray department. The accommodation is perfectly adequate for the medical practice and we do not need to move from the building.

Mark Drakeford AC / AM
Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol
Minister for Health and Social Services



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref MD/03660/15

Geraint V Jones
Chair
Ffestiniog Memorial Hospital Defence Committee

gv717@btinternet.com

11 January 2016

Dear Mr Jones,

Thank you for your latest correspondence of 17 December regarding healthcare in the Welsh uplands.

I have noted the contents of your letter carefully but my position remains as outlined in my previous responses. I will not reopen any matters which have been agreed between Betsi Cadwaladr University Health Board and the community health council. I appreciate the defence committee has outstanding concerns but these must be resolved locally.

In view of the longstanding nature of these concerns, I have written to the chair of Betsi Cadwaladr University Health Board Dr Peter Higson asking him to look into the matters you raise in your letter, asking him to contact you to discuss the committee's concerns in full.

Yours sincerely,

Mark Drakeford AC / AM
Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol
Minister for Health and Social Services

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1NA

English Enquiry Line 0300 0603300
Llinell Ymholiadau Cymraeg 0300 0604400
Correspondence.Mark.Drakeford@wales.gsi.gov.uk

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.



GIG
CYMRU
NHS
WALES

Bwrdd Iechyd Prifysgol
Betsi Cadwaladr
University Health Board

Mr Evan G Williams
Secretary
Blaenau Ffestiniog Memorial Hospital
Defence Committee
Bryn Marian
Heol Manod
BLAENAU FFESTINIOG
Gwynedd
LL41 4AH

Ein cyf / Our ref: PJPH/LMR

Eich cyf / Your ref:

☎: 01352 803267

Gofynnwch am / Ask for: Llinos Roberts

Ffacs / Fax:

E-bost / Email:

Llinos.roberts3@wales.nhs.uk

Dyddiad / Date: 13th December 2015

Dear Mr Williams

Thank you for your letter dated 7 December 2015. We apologise that you have not received responses to your letters.

We have previously not had sight of your letters and, having made investigations yesterday, it would appear that your correspondence has been e-mailed to the mail box of Linda Hughes, who was formerly the PA to the Chief Executive, until her retirement last summer. You should have received an Out of Office Message asking that you contact Fleur Evans.

Simon and I would be delighted to accept your invitation to come to Blaenau Ffestiniog to answer questions from the local Councillors and Defence Committee. Given the time of year it is probably best that this be arranged for early in the New Year and I will ask my PA to make contact with you to make the necessary arrangements.

Again please accept our sincere apologies for this breakdown in communication. We look forward to meeting you in the New Year.

Can we take this opportunity to wish and your loved ones the very best for the Christmas and New Year.

Kind regards

Yours sincerely

Dr Peter Higson
Chairman

Mr Simon Dean
Interim Chief Executive

cc Professor Mark Drakeford, AM, Minister for Health and Social Services
Mr Geoff Ryall-Harvey, Chief Officer, North Wales Community Health Council

P-04- 587 A Dedicated Support Team for Myalgic Encephalomyelitis (M.E.), Chronic Fatigue Syndrome & Fibromyalgia Sufferers in South East Wales

Petition Wording

We call upon the National Assembly for Wales to urge the Welsh Government to ensure that a dedicated Consultant/Clinic and medical support team for Myalgic Encephalomyelitis (M.E.), Chronic Fatigue Syndrome & Fibromyalgia sufferers is set up in South East Wales. I request that this petition be treated as an official voice of M.E. sufferers, their families, carers and interested parties.

Currently, sufferers of the above ailments are not being supported, with a few exceptions, by the medical profession. They are unable to work but the government bodies assessing them do not appear to understand their problems. This is the basis for this petition.

Petition raised by: M.E.S.I.G. (M.E Support in Glamorgan)

Date Petition first considered by Committee: 23 September 2014

Number of signatures: 368 electronic signatures and 826 paper signatures.
1,196

Mark Drakeford AC / AM
Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol
Minister for Health and Social Services



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-04-587
Ein cyf/Our ref MD/03435/15

William Powell AM
Chair - Petitions Committee
Ty Hywel
Cardiff Bay
Cardiff
CF99 1NA

committeebusiness@wales.gsi.gov.uk

18 December 2015

Dear William,

Thank you for your letter of 26 November on behalf of the Petitions Committee in relation to Petition P-04-587 - A dedicated support team for ME/CFS and Fibromyalgia sufferers in South East Wales.

Following the report on myalgic encephalopathy/chronic fatigue syndrome and fibromyalgia (CFS/ME and FM) published last year, an all-Wales implementation group has been established and is taking forward the report's recommendations. Membership comprises of health board clinical leads and patient representatives from Fibromyalgia Wales and Working for ME in Wales (WAMES).

All health boards in Wales have nominated an executive board member and clinical lead to oversee and take forward the recommendations of the report. Health boards are progressing with the establishment of local multi-disciplinary stakeholder groups to develop effective care pathways, raise awareness of the condition, increase timely diagnosis and share good practice within the NHS in Wales. Health boards are currently preparing three-year action plans setting out how they deliver services, which meet the needs of their population.

Another recommendation is to raise awareness of ME/CFS and FM in primary care settings to support timely diagnosis and effective management of the condition. The implementation group considers this a key recommendation and is discussing ways in which it can support primary care teams to manage service delivery locally.

Bae Caerdydd • Cardiff Bay
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CF99 1NA

English Enquiry Line 0300 0603300
Llinell Ymholiadau Cymraeg 0300 0604400
Correspondence.Mark.Drakeford@wales.gsi.gov.uk

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 understand the ME Support in South Glamorgan (MESIIG) representatives have recently met with the chair of the ME/CFS/FM implementation group and my officials to discuss service provision in South East Wales. MESIG is welcome to stay in contact with officials about the progress of this work.

Best wishes,

A handwritten signature in grey ink that reads "Mark".

Mark Drakeford AC / AM

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

MESiG

MESiG would like to ask the Committee to consider, in addition to their previous submission, the following comments made by the petitioner's committee.

MESiG are not happy with the fact that ME is not being called what it is. In 1969 it was categorised as a neurological condition. While we understand the reasons given for this, we don't see how a condition can be given the right services by not calling it what it is. Thereby people will still continue to suffer from the ignorance and lack of belief and understanding.

Not only are people who have ME at a disadvantage in finding treatment but they may be deprived financially as they cannot produce Medical Evidence required to support their claim for Benefits.

If fortunate, a person with ME may be diagnosed by their GP, if they have the knowledge required. Beyond the GP there is no Specialist to whom the ME patient may be referred.

When applying for PIP or for ESA great emphasis is placed by the DWP on **MEDICAL EVIDENCE**. ME Patients are expected to include written Medical Reports, they already have, to:

- a) confirm that they have ME.
- b) show how they are affected by the condition.

ME patients in Wales are increasingly finding that they have **no written medical reports** to include since:

- a) there is no Specialist to write a Medical Report.
- b) GPs in Wales are instructed not to write letters of support in connection with Benefits, either via the NHS or paid for by the patient.
- c) the DWP apparently does not consider GP letters as Medical Evidence.
- d) the ME patient's claim for Benefits may be denied with the written reason: '**no Medical Evidence**'

Therefore patients with ME, who are severely ill, also have the added

burden of poverty because:

a) their condition is medically misunderstood, unless clearly medically reported and treated as the Neurological condition that it is.

b) without an appropriate Specialist they fail to obtain the required Medical Evidence in order to obtain Benefits.

MESiG continues to be frustrated, on behalf of ME/CFS/FM sufferers, by the time that is being taken to bring the recognition of their conditions to a satisfactory conclusion.

For and behalf of *MESiG* (ME Support In Glamorgan)

Dennis H Jones

Agenda Item 3.17

P-04-608 Inquiry into the Welsh NHS

Petition wording

We call upon the National Assembly for Wales to urge the Welsh Government to hold a full and comprehensive inquiry into the Welsh NHS. This diagnostic inquiry will ensure that all matters of concern are identified and addressed, and that standards in the Welsh health service are continually improved for the sake of NHS staff, patients and the people of Wales

Petitioner : PJ Vanston

First considered by the Committee: 9 December 2014

Number of Signatures: 146

Mark Drakeford AC / AM
Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol
Minister for Health and Social Services



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-04-608
Ein cyf/Our ref MD/03442/15

William Powell AM
Chair - Petitions Committee
Ty Hywel
Cardiff Bay
Cardiff
CF99 1NA

committeebusiness@Wales.gsi.gov.uk

1 December 2015

Dear William,

Thank you for your letter on 23 April and follow-up email on 18 November.

I looked at the correspondence of 23 April at the time and have since reviewed it again.

I feel that given the issues raised have been covered in my earlier replies and have been discussed extensively in the debating chamber over recent years, there is nothing further to add.

Best wishes,

A handwritten signature in black ink that reads "Mark".

Mark Drakeford AC / AM
Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol
Minister for Health and Social Services

Bae Caerdydd • Cardiff Bay
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English Enquiry Line 0300 0603300
Llinell Ymholiadau Cymraeg 0300 0604400
Correspondence.Mark.Drakeford@wales.gsi.gov.uk

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 3.18

P-04-638 Emergency Services – Power of Entry

Petition wording:

To seek the provision of a legislative power of entry for the Ambulance Service, which would allow its employees, when acting in the lawful execution of their duty, to force entry to property for the purpose of saving life and limb.

Additional Information

Under current legislation, the Fire Service may force entry to property under section 44 Fire and Rescue Services Act and the Police likewise under Section 17 Police & Criminal Evidence Act. The Ambulance Service does not have the protection of such legislation and, for example, may attend an emergency call only to find a casualty lying on the floor of a secure premise. The Ambulance Service must then request Police attendance to exercise its power of entry under Section 17 PACE. This position extends the time before assistance can be offered to the casualty and is a injudicious use of public resources.

Petition raised by: Mr Fran Richley

Date petition first considered by Committee: 16 June 2015

Number of signatures: 67 Online signatures



Ymddiriedolaeth GIG
Gwasanaethau Ambiwllans Cymru
Welsh Ambulance Services
NHS Trust



Pencadlys Rhanbarthol Ambiwllans a Chanolfan Cyfathrebu Clinigol
Regional Ambulance Headquarters and Clinical Contact Centre
Tŷ Vantage Point / Vantage Point House, Tŷ Coch Way, Cwmbran NP44 7HF
Tel/Ffôn 01633 626262 Fax/Ffacs 01633 626299
www.ambulance.wales.nhs.uk

CHAIR AND CHIEF EXECUTIVE'S OFFICE

Your Ref: P-04-638
Our Ref: TM180/BL/jtf

8 December 2015

William Powell AM
Chair – Petitions Committee
Ty Hywel
Cardiff Bay
Cardiff
CF99 1NA

Dear Mr Powell

Power of Entry for Ambulance Staff

Thank you for your letter of 5 August 2015 regarding the request for the Petitions Committee to consider power of entry for ambulance service staff. I apologise for the delay in responding which arose from the requirement to have confirmation of the legal position.

Ambulance staff can force entry in life-threatening situations, which is when we would expect our staff to exercise their powers. This entitlement is included in the basic training manual and staff are aware of this requirement. We would support our staff to use their professional judgement in this type of circumstance. Therefore, the matter has not been raised with Welsh Government, as confirmed by the Deputy Minister for Health in his letter of 2 June 2015.

Yours sincerely

**Tracy Myhill
Chief Executive**

Cadeirydd/Chair: Mick Giannasi
Prif Weithredwr/Chief Executive: Tracy Myhill
Mae'r Ymddiriedolaeth yn croesawu gohebiaeth yn y Gymraeg neu'r Saesneg
The Trust welcomes correspondence in Welsh or English



Agenda Item 3.19

P-04-511 Support for children and young people participation standards

Petition wording:

We call upon the National Assembly for Wales to urge the Welsh Government to provide support for the National Children and Young People's Participation Standards for Wales self-assessment process.

Additional Information:

The Participation standards were launched in 2007 after being developed by the Participation Unit. There are seven participation standards which are Information, It's your choice, No Discrimination, Respect, You get something out of it, Feedback and Improving how we work. The participation unit then developed a national standards kite – mark scheme based around the standards. The aim of the kite–mark was that the organisations would complete a self assessment and once it was complete a team of young inspectors would come and inspect the evidence the organisation had to see if they were up to the national standards. If they were seen as achieving they would be awarded the National Participation Standards Kit–mark. However the participation unit now no longer exists which means that's any organisation which does a self assessment now can only achieve a county level kite–mark which means that there is no national recognition and also there is no team co–coordinating the young inspectors.

Petition raised by: Powys Youth Forum

Date petition first considered by Committee: 11 November 2013

Number of signatures: 39

Lesley Griffiths AC / AM
Y Gweinidog Cymunedau a Threchu Tlodi
Minister for Communities and Tackling Poverty



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref: P-04-511
Ein cyf/Our ref LG/1399/15

William Powell AM
Chair of Petitions Committee
National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA

8

December 2015

Dear Bill

Thank you for your letter of 26 November, regarding support for the Children and Young People's Participation Standards.

I understand you have also written to Children in Wales asking them to respond to the petitioners' comments. As they are funded by the Welsh Government to drive forward the National Participation Standards, they are best placed to respond to the issues raised by Powys Youth Forum.

However, I have recently been updated on progress relating to the Standards. I am pleased Children in Wales have employed an experienced youth worker, who was involved with the original development of the Standards, to take the work forward. He has met with each Local Authority individually to discuss how they are currently delivering the Standards and what changes and developments could support their work further and also met with Powys Youth Forum during their residential weekend in October.

I understand discussions around proposals and next steps were discussed at the All-Wales Participation Workers Meeting on 1 December with a view to re-launching the revised Standards in the New Year.

Regards
Lesley

Lesley Griffiths AC / AM
Y Gweinidog Cymunedau a Threchu Tlodi
Minister for Communities and Tackling Poverty

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1NA

English Enquiry Line 0300 0603300
Llinell Ymholiadau Cymraeg 0300 0604400
Correspondence.Lesley.Griffiths@wales.gsi.gov.uk

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 183

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.

25 Windsor Place Cardiff CF10 3BZ / 25 Plas Windsor Caerdydd CF10
3BZ Tel / Ffôn: 029 2034 2434 Fax / Ffacs: 029 2034 3134
Unit 2 Victoria Dock Balaclafa Road Caernarfon LL55 1TH / Uned 2 Doc Fictoria
Ffordd Balaclafa Caernarfon LL55 1TH Tel / Ffôn: 01286 677570 Fax / Ffacs:
01286 676095
Email / Ebost: info@childreninwales.org.uk
www.childreninwales.org.uk/
www.plantynghymru.org.uk



Children in Wales
Plant yng Nghymru

8 December 2015

William Powell AM
Committee Chair
Petitions Committee
National Assembly for Wales
Cardiff Bay
CF99 1NA

Dear William,

Re: letter of 26 November 2015.

Petition P-04-511 Support for Children and Young People's Participation Standards.

Thank you for your letter of 26 November 2015 regarding support for children and young people's participation standards.

Further to my letter to you of 29 September 2015 which outlines the role of Children in Wales and the work undertaken on the Children and Young People's Participation Standards to that date, I would like to draw your attention to the following points which relate to activity since then.

Originally the CYP's Participation Standards were developed by the Participation Unit which was independent of government. We are pleased that since Children in Wales has been refreshing the standards we have been working with Welsh Government and they have indicated that they fully support them and will be actively promoting them to Local Authorities and other organisations in Wales. This in our view indicates a significant step forward in terms of national leadership.

At the last All Wales Participation Worker's meeting on 1 December in Llandrindod Wells, an options paper was presented by the Children in Wales' consultant (who as mentioned in my previous letter had chaired the work on the original CYP Participation Standards and has lengthy experience in delivering them). This paper reflected the variations across Wales (including the fact that only 5 authorities have young inspector's teams) and three possible practical ways forward.

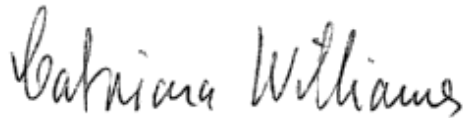
Working for children, young people and their families in partnership with the National Children's Bureau and Children in Scotland Gweithio dros blant, pobl ifanc a'u teuluoedd mewn partneriaeth gyda Biwrô Cenedlaethol y Plant a Clann an Alba

Registered Charity Number: 1020313 A company limited by guarantee registered in Wales: 2805996 / Elusen Gofrestredig Rhif: 1020313 Cwmni cyfyngedig trwy warant a gofrestrwyd yng Nghymru: 2805996

Further to consideration of this paper at the meeting and subsequent discussions with Welsh Government, a final version is now being prepared and staff will meet local authority participation workers and young people to share the final version. There will also be a launch to promote the standards.

Children in Wales remains committed to ensuring that the CYP Participation Standards are effective in improving children and young people's participation and is working hard to ensure that an effective model is the result that suits all parts of Wales and is deliverable.

Yours sincerely

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

Catriona Williams OBE
Chief Executive

**P-04-511 – Support for Children and Young People Participation Standards.
Correspondence – Petitioner to the Chair. 13.01.16**

Dear William Powell AM,

Thank you very much for the documents which we were sent regarding the support for the Children and Young People Participation Standards petition. As a group we understand that they are currently developing the proposal for the standards however we are still concerned across two areas as we feel that this topic has now become one public concern and interest along with other youth participation topics.

Our members have raised a number of key questions regarding the current movement and changes being implemented.

1. As the minister has already noted that Children in Wales have been funded by the Welsh Government to 'drive forward the National Participation Standards', we are interested about how they are currently supporting what is already there as we feel even if there is a change of process that the teams require some form of central support.
2. How the Youth Workers who the paper was first presented to felt about these recommendations and if they were fit for purpose?
3. In what ways have the Youth Workers comments been used to shape the new suggested model?

Yours sincerely

Powys Youth Forum

P-04-643 Save Croeserw Flying Start

Petition wording:

The undersigned residents object to any planned removal or reduction in services for the Flying Start programme in the Croeserw community. Any changes to this service will have an adverse effect on our children's education

Petition raised by: Donna Taylor

Date petition first considered by Committee: 30 June 2015

Number of signatures: 169 Online signatures

Agenda Item 3.21

P-04-645 Save Glyncorrwg Flying Start

Petition wording:

This petition has been started to save Glyncorrwg Flying Start.

Parents of children who are in Flying start, or have children coming to the age they are able to attend Flying start have received letters stating Flying start will be taken away from our community in July 2015.

Why should our children miss out? Flying Start is a stepping stone for young children, to get them on the learning ladder and ready to start school. It is meant to be provided to those who are in 'deprived areas', which we are, and yet they are taking it away. It's wrong.

Petition raised by: Sophie-Kate Reacord

Date petition first considered by Committee: 30 June 2015

Number of signatures: 148 Online signatures and 343 paper signatures.

Total 491 signautes

4th December 2015

William Powell AM
Chair
Petitions Committee
National Assembly for Wales
Cardiff Bay
CF99 1NA
(By e-mail)

Llys Dewi Sant / St David's Court
68a Heol y Bontfaen / 68a Cowbridge Road East
Caerdydd / Cardiff
CF11 9DN

Ffôn / Telephone: 029 2022 2127

Ffacs / Fax: 029 2022 9952

www.actionforchildren.org.uk

Dear Mr Powell,

Thank you for your e-mail dated 13th November 2015 attaching the letter from Steven Phillips, Chief Executive Neath Port Talbot County Borough Council.

We appreciate the opportunity to respond to this letter. Nevertheless, I will only respond to the points that are pertinent to Action for Children - Gweithredu dros Blant and not in relation to the Flying Start programme as a whole. The following relates to paragraph 1 on page 2 of the letter from Mr Phillips. More specifically, it relates to Mr Phillip's statement that third party tenders for a service should deliver the said service without reverting to the local council for additional funding.

We agree with this statement in part. However, we have never actually tendered for this service. The service was originally set up over 17 years ago and evolved over the years in a partnership between Action for Children and Neath Port Talbot County Borough Council. We were initially asked to take on these nurseries from the local authority and staff were subject to TUPE on their existing terms and conditions. We are extremely proud to have served the children and families in these communities for that time. However, in the current economic climate, it is no longer financially viable for the charity to operate these services. In 2004, with the introduction of Flying Start, the funding for the service was moved to a grant and we were issued with annual contracts, but we have never formally tendered for the service.

By 2009, it was clear to us that the funding available for the nurseries was unsustainable and we gave due notice to quit, this resulted in the services going out for tender, and we did not apply but were satisfied for the services to be handed to a new provider, with the existing staff being subject to TUPE. However, no organisation submitted a tender application, we assumed that this was a consequence of the price limitations and the TUPE implications. From our perspective, we did not want the families and children to lose out on the services we had provided and so, we agreed to continue the service until a solution could be reached as agreed with the local authority. At this time we delivered other services in Llansawel and with the full understanding of the commissioner were able to pool our resources to cover the funding shortfall in - Croeserw and Glyncorrwg nurseries and also used Llansawel staff to cover for sickness and training absence in the nurseries.

In 2014 we were informed that our funding for Llansawel was ending and so, our ability to support the funding of Croeserw and Glyncorrwg was uncertain. We refute Mr Phillip's claim that we gave notice to Neath Port Talbot County Borough Council to end these services during this period. In fact, we actively explored options for continuing the delivery of this service, but we were unable to secure a solution.

Noddwr: ei Mawrhydi y Frenhines • Gweithredu dros blant, neu'r Sefydlwyd NCH, fely'i gelwid gynt, ym 1869
Rhifau elusen gofrestrdig. 1097940/SC038092 • Rhif Cwmni 4764232 • Cwmni cyfyngedig a gofrestrwyd yng Nghymru a Lloegr.
Swyddfa Gofrestrdig: 3 The Boulevard, Ascot Road, Watford WD18 8AG • Telephone: 01923 361500



Throughout this time, we continued to provide an excellent service to the children and their families in the area, as is evidenced in our CSSIW inspection reports.

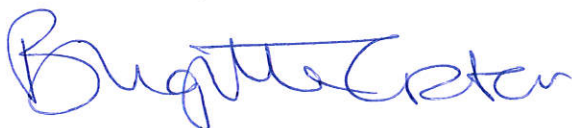
By March 2015, we had still not reached a solution with the local authority and we had no choice but to give 90 days' notice, as it was stated in the contract. In the letter, we acknowledged that the notice would formally end on the 10th June 2015, but we agreed to continue to provide the service until 31st August 2015. This was to enable the service to continue for the remainder of the school year for the benefit of the children and close the service when the children had formally finished. We also refute the claim that "AfC has packed up and left". We reluctantly withdrew from Croeserw and Glyncoerwg due to the level of funding available to deliver the nurseries. We have however continued to run these services at a loss to Action for Children since 2014.

We continue to have good relationships with officers in Neath Port Talbot County Borough Council and provide other services to a high standard within the Neath Port Talbot area some of which are registered with CSSIW and have excellent inspection reports and others which we have been awarded via a tendering process.

Our concern, at all times, is to consider the children, young people and their families who need us most, which is why I am saddened by the implications made in the letter from Mr Phillips. I hope this gives you a more balanced perspective.

If I can be of any further assistance please do not hesitate to contact me.

Yours sincerely



Brigitte Gater
Director of Children's Services

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

Petition Wording

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.

Petition raised by: Bethany Walpole-Wroe

Date Petition first considered by Committee: 15 July 2014

Number of signatures: 1008 – An associated e-petition has collected over 10,300 signatures.

Agenda Item 3.23

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

Petition wording

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.

Petitioner: Pembs Parents Want a Say / Rhieni Pembs eisiau cael dweud

First considered by the Committee: 9 December 2014

Number of Signatures: 812 electronic signatures



Eich cyf/Your ref P-04-576 and P-04-606
Ein cyf/Our ref HL/02362/15

William Powell AM
Chair - Petitions Committee
Ty Hywel
Cardiff Bay
Cardiff
CF99 1NA

15 December 2015

Dear William,

Thank you for your letter, dated 3 December, following your review of evidence at Petitions Committee on holidays in term time in Wales.

I am pleased to see that we are in agreement on the principles, and the interpretation of the law, in respect of parents taking their children on holiday in term time.

As you will know, I have been very clear about my position on the implementation of the Regulations and am concerned at the additional information that you have now provided. Based on the examples you have provided, there appear to be continuing issues around interpretation of the Regulations which needs to be addressed, as you suggest, with some urgency. I have therefore written to all Directors of Education in Wales – and regional education consortia – asking for their personal assurance that the arrangements are being implemented fairly and to provide my officials with evidence to support that. We will undertake an analysis of the information as soon as it is received from local authorities.

I will also be writing to all head teachers and Chairs of Governors in Wales, supported by guidance through Frequently Asked Questions, early in the New Year to ensure that schools are clear about how the arrangements need to operate.

Your letter also raised the potential impact that these arrangements might have on parents receiving fines due to the misapplication of the regulations. As you appreciate, it is for local authorities and their legal teams to ensure they are compliant with the regulations. Similarly, it is for the judicial system to decide whether parents have been dealt with fairly and lawfully.

The 'guidance on penalty notices for regular non-attendance at school' advises that all school attendance policies include information on issuing penalties and that it is brought to the attention of parents. In doing so parents should be aware of their right to challenge.

I have attached a copy of the letter that has issued to local authorities and regional consortia for your information.

Yours sincerely

A handwritten signature in cursive script, appearing to read 'Huw Lewis'.

Huw Lewis AC / AM

Y Gweinidog Addysg a Sgiliau
Minister for Education and Skills

Huw Lewis
Minister for Education and Skills
Welsh Government
Tŷ Hywel
Cardiff Bay CF99 1NA

3 December 2015

Dear *Huw*

Petitions about allowing children leave of absence from school during term time (Petitions P-04-576 and P-04-606)

Thank you for attending the Petitions Committee meeting on 10 November and for answering our questions about the issues underlying the above petitions.

The Committee has reviewed your oral evidence and the evidence given by the lead petitioners, Bethany Walpole-Wroe and Jane Douglas and Helen Weedon of *Pembs Parents Want a Say*.

The Committee welcomed your assurances that the legal position in Wales is different to England and that head teachers here have clear discretion to allow pupils up to ten days leave of absence from school for holidays. The Committee noted that the requirement that holidays only be allowed in 'exceptional circumstances' relates to absences of more than ten school days.

You indicated that you want the current discretion in the *Education (Pupil Registration) (Wales) Regulations 2010* to continue and that you were against blanket bans or permissions; the Committee shares your view. You went on to say that you were not aware of any blanket bans that would not be compliant with the 2010 regulations. You also explained that government officials monitor compliance with the regulations and intervene if there is cause for concern. You said that you would be prepared to consider evidence from the Committee that demonstrated concerns about the way the regulations were being applied.

In the light of this, the Committee received a summary of the information publically available from each local authority relating to their position on authorising term time holidays. This information is not complete because in a number of cases the information is not easy to find. Where the information was





difficult to find, the Committee has considered information contained within other documents or on school websites etc. The fact that this information is not always easily accessible to the public is itself a possible cause for concern, particularly given the legal requirement for every local authority to produce a code of conduct under the *Education (Penalty Notices) (Wales) Regulations 2013*.

However, the information we have seen tends to show that there is a great deal of confusion within local authorities about the legal position, with many advising schools and parents that some sort of 'exceptional' or 'special' circumstances must apply in order for a request for leave to be authorised. As you know, this is not correct.

Blaenau Gwent, Caerphilly, Conwy, Denbighshire, Monmouthshire, Rhondda Cynon Taff, Torfaen and Vale of Glamorgan refer to schools being able to authorise term time holidays only in 'exceptional circumstances', while the Isle of Anglesey and Pembrokeshire refer to schools only being able to authorise in 'special circumstances'. Cardiff ask head teachers not to authorise at all. Ceredigion refer to head teachers having been advised by the ERW consortium not to authorise holidays taken in term time. The model attendance policy of the EAS consortium, (whose area covers Blaenau Gwent, Caerphilly, Monmouthshire, Newport and Torfaen) also makes reference to authorising term-time holidays only in exceptional circumstances.

The attached document sets out this information in more detail. The Committee are particularly concerned that some local authorities are misstating the legal position. By way of example, in a letter to parents from Conwy's Chief Education Officer, Richard Ellis Owen, which appears on the website of a school within Conwy CBC it states:

"Welsh Government regulations state that Headteachers may, in exceptional circumstances agree up to 10 days absence during an academic year outside statutory school holiday dates".

On the website of Torfaen County Borough Council, under the heading "*the Law*", it states:

"The law says that parents do not have the right to take their child out of school for holidays during the term-time. In exceptional circumstances, however, schools can allow parents to take their child out of class for up to ten days in a school year".

In the light of this, the Committee agreed that I should write to you to express its concern at the information we have received and to ask that your officials investigate the situation as a matter of urgency. Should you agree that there is widespread misunderstanding or misstatement of the legal position, the Committee asks that you take whatever steps are appropriate to ensure that local authorities and consortia rectify the position as a matter of urgency.



We are particularly concerned that parents may have, received or paid Fixed Penalty Notices based on a misunderstanding or misapplication of the regulations by head teachers which has at least in part been contributed to by advice or in some cases instructions given to them by local authorities or the relevant education consortium.

The situation in Cardiff Council and Rhondda Cynon Taf CBC is of considerable concern. We understand, from the response to a Freedom of Information request in August this year, that 529 parents in Cardiff received fixed penalty notices for taking their children out of school for a holiday in term time and that 4 of these parents had been prosecuted. Media reports in May this year indicated that Rhondda Cynon Taf Council had issued 196 fixed penalty notices for the same reason. Many more parents may have been affected since then.

Whilst the Committee appreciates that Fixed Penalty Notices are issued for all types of unauthorised absence, given the published statements on these authorities' websites, which is set out in the enclosed document, we have real concerns that many parents may have been dealt with unfairly and unlawfully where the reason for the unauthorised absence is a holiday during term-time. Although the parents concerned would have recourse through the courts, if they were unwilling to pay any fine, it is conceivable that many of those affected will not have been able or willing to pursue this given the possible cost, inconvenience and uncertainty involved. Indeed, presumably many parents would be unaware of their right to challenge.

I am copying this to the petitioners and to Ann Jones AM, the Chair of the Children and Young People's Committee, for information.

I look forward to an early response.

Yours sincerely

William Powell AC/AM
Cadeirydd/ Chair



Ein cyf/Our ref
All Directors of Education in Wales

cc: Managing Directors of Regional Education Consortia

11 December 2015

The [Pupil Registration \(Wales\) Regulations 2010](#) provide head teachers with a discretionary power to authorise leave for a family holiday during term time where parents seek permission. Save in exceptional circumstances, no more than 10 days leave should be granted for this purpose.

The [Education \(Penalty Notice\) \(Wales\) Regulations 2013](#) came into force in September 2013. The Regulations were accompanied by guidance (guidance document no: [116/2013](#)), also issued in September 2013.

I have been made aware that the arrangements put in place in some areas across Wales do not reflect the intention of the Regulations. In particular I am concerned that some local authority or consortia guidance indicates that head teachers should *not* exercise their discretion and should instead refuse all requests for term time absence as a matter of course regardless of the particular circumstances leading to such a request. This is contrary to the Regulations which allow a margin of discretion for the school in such matters so that each request can be considered fairly and on its merits. The public law requires that such discretion is exercised fairly and that decision makers do not adopt a closed mind (i.e. a blanket policy regardless of particular circumstances).

You might also have identified from recent media reports the link being made between requests for term time holidays and 'automatic' issuing of fixed penalty notices. Again this does not reflect the spirit of the Penalty Notices Regulations nor the policy intent; FPNs are intended as a possible tool in helping to tackle regular non attendance.

I have been very clear about how the arrangements for holidays in term time should operate across Wales. The Regulations in Wales provide for head teachers to exercise their discretion in relation to authorising absence. The term 'exceptional circumstances' relates only to requests for absences of *more than ten school days*. I am concerned at the growing number of examples that are being drawn to my attention which suggest that the Regulations are not being implemented as outlined above.

I am aware of a number of local authority websites where the approach taken may not currently comply with the law for the reasons outlined and equally where the information around the arrangements is not easily identifiable. Local authorities imposing 'blanket bans' or 'zero tolerance', misuse of 'exceptional' circumstances and FPN Codes of Conduct not available on websites are just a few examples of issues that have brought to my attention. This is not acceptable and I should be grateful if you could give this matter your urgent attention.

In view of the seriousness of these circumstances, I am seeking your personal assurance that your authority is:

- ensuring consistent and accurate implementation of the Regulations, which has been approved by your legal teams, and
- providing clear information for parents and schools that is compliant with the law.

I shall also be writing to head teachers in the New Year to make my position clear.

To avoid any further ambiguity could you please ensure the above actions are in place and confirm this is the case. In responding could you also provide a link to the information that is available on your website so that I might reassure myself that the information is accurate and clear.

I would appreciate your assurances by Friday 18 December. Please forward your response to wellbeingshare@wales.gsi.gov.uk.



Huw Lewis AC / AM
Y Gweinidog Addysg a Sgiliau
Minister for Education and Skills



Ein cyf/Our ref
All Head Teachers in Wales

January 2016

The Welsh Government, and I as Minister for Education and Skills, take absences from school very seriously. My focus is on ensuring all children attend school at every possible opportunity. I want to minimise any adverse impact on their education, ensure they are supported in reaching their full potential and that they achieve the very best from their experiences in school. I am confident you will feel the same.

The [Pupil Registration \(Wales\) Regulations 2010](#) provide head teachers with a discretionary power to authorise leave for a family holiday during term time where parents seek permission. Save in exceptional circumstances, no more than 10 days leave should be granted for this purpose.

I have been made aware that the arrangements implemented in some areas of Wales may not reflect the intention of the Regulations. In particular, I am concerned that some local authority or consortia guidance appears to indicate that head teachers should *not* exercise their discretion and should instead refuse all requests for term time absence as a matter of course regardless of the particular circumstances leading to such a request. In some instances head teachers have also adopted this approach.

This is contrary to the Regulations which allow a margin of discretion for the school in such matters so that each request is considered fairly and on its merits. The public law requires that such discretion is exercised fairly and that decision makers do not adopt a closed mind (i.e. a blanket policy regardless of particular circumstances). Whilst it is entirely appropriate for schools to develop a policy as to how it will deal with such matters that policy should not preclude individual cases being considered on their merits.

In December 2015, I wrote to all Directors of Education in Wales to emphasise the importance of implementing the Regulations fairly and have requested evidence to support that.

I have been very clear about how the arrangements for holidays in term time should operate. The Regulations in Wales provide for you, as head teachers, to exercise your discretion in relation to authorising absence. The term 'exceptional circumstances' relates only to requests for absences of *more than ten school days*.

There may well be circumstances that warrant a pupil taking time off in term time. You will no doubt consider the time of year of the proposed trip, length and purpose of the holiday, impact on continuity of learning, circumstances of the family and the wishes of parents as well as the overall attendance pattern of the child. You will know the pupil and family best and this is why you are best placed to make that decision. The Regulations also allow you to adopt a consistent approach within your school and ensure equity for all pupils. You have my full support on this matter.

Huw Lewis AC / AM

Y Gweinidog Addysg a Sgiliau
Minister for Education and Skills



Frequently Asked Questions: Holidays in term time in Wales

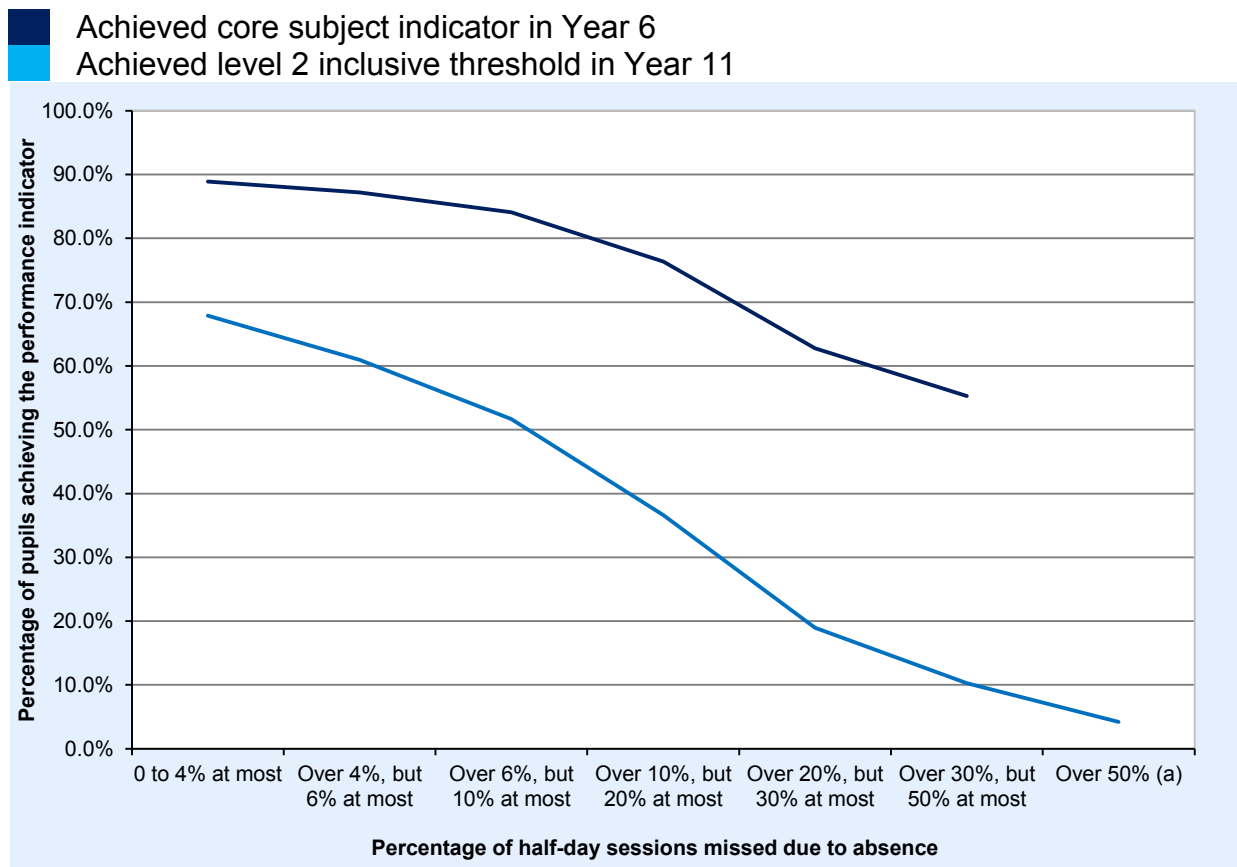
Information to parents and carers who are considering booking a holiday during term time

There are many experiences outside school that children can learn from that will enrich their lives. However, learners are only in school for a limited amount of time and we must ensure that we can make the most of this time for your child. If you do decide that you must book a holiday during term-time, please take into consideration that if your child misses school he/she can fall behind with school work and do less well in exams.

Research suggests that there may be a link between a child's regular attendance at school and how well they perform in exams. The graph on the next page shows that in general, pupils with higher rates of absence are less likely to achieve five A*-C grades (including English or Welsh) at GCSE.

The dark blue line shows how many children were achieving the expected level in both Maths and Science, and either English or Welsh first language (Core Subject Indicator), at Year 6. The light blue line shows how many pupils aged 15 got five A*-C GCSEs including English or Welsh (Level 2 Inclusive). In both cases, the chart suggests that in general, pupils with higher absence rates achieve lower results.

Table 1 – Achievement of learners in Years 6 and 11, by overall absence rate, 2013



Below are frequently asked questions which will help to inform your decision and what could happen if you take your child out of school during term time for a holiday.

1: Does the school have the authority to allow term time absence for holidays?

A: **Yes.** However, parents do not have an automatic right to withdraw pupils from school for a holiday and you must apply for permission in advance. Schools have a discretionary power to authorise up to 10 days absence during a school year for family holidays during term time if it is felt necessary.

2: Why is this decision made by the school?

A: Head teachers have access to all the necessary information to make an informed decision. A head teacher is able to consider individual circumstances on a case-by-case basis. A number of things will be taken into account, including the time of year, length of the holiday, the reason

for the holiday, impact on learning, timing of exams or tests, family circumstances and the wishes of parents, as well as the overall attendance and attainment of the child.

3: What happens if the head teacher refuses to give permission?

A: If a head teacher decides to refuse a parent's request for a holiday in term time, and the parent takes the child on holiday anyway, it would be marked as an 'unauthorised absence'. Only schools, not parents, can authorise absence.

4: If the absence is unauthorised, will I be automatically issued a penalty notice?

A: No, it would depend on the pupil's previous absence record. Penalty notices are issued for failing to regularly attend school: in other words, regular unauthorised absence. Each local authority will have details on issuing penalty notices which will be set out in their individual Codes of Conduct. Please take the time to read the code before you make a decision. Please contact your local authority for further information.

5: What happens if people have booked a holiday for next year before the penalty notice legislation came into force?

A: It is at the discretion of the head teacher to deal with these matters on a case-by-case basis.

William Powell AM
Chair- Petitions Committee
Ty Hywel
Cardiff Bay
Cardiff
CF99 1NA

12th January 2016

Your ref: P-04-576 and P-04-606

Dear William,

Thank you for forwarding the letter dated 15th December from Huw Lewis. We are reassured to hear that Mr Lewis has taken action to write to the Regional Consortia and Local Councils. However, we are concerned that those Consortia and Councils are still be clever with wording.

I received the attached correspondence from ERW concerning the situation in Carmarthenshire. This states that head teachers have the discretion, but generally will not be allowing any time out for family holidays or routine appointments. The part we don't have visibility on is the correspondence to head teachers applying pressure to ensure they are not allowing any absence, regardless of circumstances.

I would also be extremely keen to see the responses received by the Minister from the Regional Consortia and Local Councils. Also, the Minister mentioned he will be writing to the Head Teachers across Wales and I would be keen to know when this will happen and what the content of that letter will be.

Kind Regards,

Bethany Walpole-Wroe and Helen Weedon
Let Children in Wales Have a Family Holiday During Term Time

Gofynner am / Please ask for: Gareth Morgans
 Llinell Uniongyrchol / Direct Line: 01267 246450
 E-bost Uniongyrchol / Direct E-mail: EDGMorgans@sirgar.gov.uk
 Dyddiad / Date: 4-11-15

Dear Parent/Carer,

SCHOOL ATTENDANCE

I write to thank you for supporting our efforts to improve school attendance in Carmarthenshire and to ask for your cooperation in continuing to improve attendance in the interest of our children and young people.

School attendance is a priority for us in Carmarthenshire and the ERW region¹ and a common approach to improve school attendance is being used. However, you can be assured that any changes and decisions made are in the best interests of the child.

Having looked at school attendance in Carmarthenshire for 2014/15 we have seen significant improvement.

	2013/2014 Attendance	2014/2015 Attendance
Primary Schools	95%	95.2%
Secondary Schools	93.9%	94.2%

All of us continue to work hard to improve standards and outcomes for our children and young people and I know you're aware that there is a clear and direct relationship between regular school attendance and pupil achievement. We have seen improvements in standards across the region this year, from the Foundation Phase to Key Stage 4, and I know that some of this is due to improved school attendance.

Although there has been substantial progress this year we need to continue to address this issue in the interests of our children and young people. To ensure further improvement I would like to remind you of the following.

- *The Welsh Government and ERW expect all pupils to attend school at least 95% of the time.*
- *Missing school jeopardises the learner's chances of fulfilling his/her potential as regular attendance improves the chances of being successful at school.*

¹ ERW is the regional education consortium comprising Carmarthenshire, Ceredigion, Neath Port Talbot, Pembrokeshire, Powys and Swansea.

- *It should be noted that, although headteachers have the discretion to grant leave of absence during term time, schools **will not normally authorise family holidays or routine appointments**² taken during term time.*
- ***If your child has unauthorised absence or your child is consistently late, your school may request that the local authority issues you with a penalty notice.***

Again I would like to thank you for your continued support to ensure that your child's attendance is the best it can be.

You can do this by making sure your child is in school on time and by not arranging family holidays or routine appointments during term times. However, if you are having difficulties with your child's attendance, please talk to your school who can arrange support for you.

I am confident that we can work together to further improve school attendance and ensure that Carmarthenshire pupils reach their full potential.

Yours sincerely,



Gareth Morgans, Chief Education Officer

² By routine appointments we refer to periodic assessments such as dental check-ups, occasional optical examinations, non-urgent doctor consultations, etc, where parents/ guardians are able to influence the timing of appointments.

Dear Helen Weedon,

I write to respond to your e-mail sent to ERW Admin on the 17th December, 2015.

Improving school attendance has been a priority in Carmarthenshire since our 2012 Inspection by ESTYN which cited it as a recommendation- ***R2 improve attendance in primary and secondary schools.***

Since 2012 we have worked with parents and schools to ensure that we reduce absences and increase attendance levels to enable our learners to have the best chance to succeed. This has included-

- Remodelling and extending our Education Welfare Service
- Introducing a Team Around the Family approach to support parents with improving school attendance
- Setting Local Authority and school level targets and requesting Action Plans from all schools.
- Issuing guidance in respect to improving attendance and authorising absences
- Working as a region on this agenda.

The improvements, through collaboration between schools, parents and Local Authority, have been significant-

Sector	Absence level 2011/12	Absence level 2014/15
PRIMARY	6.3%	4.8%
SECONDARY	8.9%	5.9%

Earlier this year I asked schools to circulate a letter to thank parents for their continued support with this key agenda and to reiterate the importance of good school attendance- I attach a copy.

There is clarity in respect to where the responsibility for agreeing to absences lie i.e. the school's Headteacher. The guidance issued by each LA/ERW did challenge schools on its processes and procedures in authorising absences and we have seen improved and more rigorous systems being developed when considering requests for absence. This is evidenced by the data included above.

All schools are engaged with improvement attendance as during ESTYN inspections school attendance is a key indicator which affects the school's performance. We have recently seen such comments as those noted below which have affected a school's overall performance-

- *Attendance levels over the last four years have been lower than the average for the family of schools. This has placed the school in the lower 50% of similar schools during this period and in the bottom 25% in three of the last four years.*
- *Pupils' attendance levels are lower than those at other schools. This has placed the*

pupils' attendance levels are lower than those at other schools. This has placed the school among the bottom 25% of similar schools over the last three years.

- However, pupils' attendance rate has been consistently lower than the median over the last three years in comparison with levels in similar schools.*

All schools therefore are considering school attendance and working towards further improvements and this will include sharing effective practice, celebrating improved attendance and challenging absences.

If you require any further information please contact Mrs Bethan T James, Service Manager (copied into this e-mail).

Yours sincerely,

Gareth Morgans, B.Ed., M.Sc.



**Prif Swyddog Addysg,
Adran Addysg a Phlant,**

Adeilad 2, Parc Dewi Sant, Heol Ffynnon Job, Caerfyrddin, Sir Gaerfyrddin, SA31 3HB

Chief Education Officer

Department for Education & Children,

Building 2, St David's Park, Jobs Well Road, Carmarthen, Carmarthenshire SA31 3HB

Hi Gareth,

Diolch am yr ateb. My children attend school in Carmarthenshire.

Kind Regards,

Helen

On 5 Jan 2016, at 12:09, Gareth Morgans
<EDGMorgans@carmarthenshire.gov.uk> wrote:

Dear Helen Weedon,

Your e-mail below addressed to ERW has been forwarded for my attention as Chair of the Support for Learning Board which oversees the work of ERW's

Attendance Group.

I believe that the respective Local authority should reply to your e-mail- can you please advise me of the Local Authority where your child/children attend school?

Diolch,

Gareth Morgans, B.Ed., M.Sc.

**Prif Swyddog Addysg,
Adran Addysg a Phlant,**

Adeilad 2, Parc Dewi Sant, Heol Ffynnon Job, Caerfyrddin, Sir Gaerfyrddin, SA31 3HB

Chief Education Officer

Department for Education & Children,

Building 2, St David's Park, Jobs Well Road, Carmarthen, Carmarthenshire SA31 3HB

From: webmaster@carmarthenshire.gov.uk [<mailto:webmaster@carmarthenshire.gov.uk>]

Sent: 17 December 2015 13:37

To: ERW Admin

Subject: ERW website - contact form

Name: Helen Weedon

Email: [REDACTED]

Message:

Hi, Recently at an evidence session at the Welsh Assembly, the Minister for Education and Skills, Huw Lewis said that only the head teachers have the discretion to allow or deny a request for absence from school. He also stated: "Local authorities that give the impression they can override that are wrong or that they can provide some sort of barrier between a head teacher who is reluctant to make a decision and the parent, in other words, take the buck, are also wrong." However, ERW has advised all councils within its jurisdiction not to allow any absence at all that clearly goes against the Minister's intentions. Please could you tell me whether this will be rectified and whether head teachers will indeed be allowed to authorise absence during term time if they deem it to be appropriate.

Many thanks, Helen Weedon

[REDACTED]

Mae'r e-bost hwn ac unrhyw atodiadau yn gyfrinachol ac wedi'u bwriadu at ddefnydd yr unigolyn y'u cyfeiriwyd ato/ati yn unig. Os derbyniwch y neges hon trwy gamgymeriad, rhowch wybod i'r sawl a'i hanfonodd ar unwaith, dilwch y neges o'ch cyfrifiadur a dinistriwch unrhyw gopïau papur ohoni. Ni ddylech ddangos yr e-bost i neb arall, na gweithredu ar sail y cynnwys. Eiddo'r awdur yw unrhyw farn neu safbwyntiau a fynegir, ac nid ydynt o reidrwydd yn cynrychioli safbwynt y Cyngor. Dylech wirio am firysau eich hunan cyn agor unrhyw atodiad. Nid ydym yn derbyn unrhyw atebolrwydd am golled neu niwed a all fod wedi'i achosi gan firysau meddalwedd neu drwy ryng-gipio'r neges hon neu ymyrryd hi.

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P-04-606 Ensure Schools Exercise Their Statutory Powers Under Regulation 7 of The Education (Pupil Registration) (Wales) Regulations 2010 Without Interference or Bias. Correspondence: Petitioner to the Committee 11.01.16

Dear Petitions Committee,

Many thanks for your correspondence of 23rd December and the copies of letters from the Minister for Education and Skills relating to these petitions. As requested, please find attached our response to this correspondence.

Warm regards,
Jane Douglas
Pembrokeshire Parents Want A say

PEMBROKESHIRE PARENTS WANT A SAY
pembpswas@gmail.com

William Powell AM
Chair - Petitions Committee
Ty Hywel
Cardiff Bay
Cardiff
CF99 1NA

11th January 2016

Dear William,

Many thanks to you, and to the Petitions Committee, for raising the concerns of our petitioners with the Minister for Education and Skills.

We welcome the Minister's letter of 11th December 2015 to Directors of Education and Educational Consortia which confirms the position in Wales regarding family holidays in term time. However, this letter and his

subsequent letter to you on 15th December have not fully addressed the concerns of our petitioners.

1) THE IMPLEMENTATION OF RESTRICTIONS ON TERM TIME HOLIDAYS BY LEAS

The Education Regulations concerning holidays in term time¹ and the Regulations concerning fixed penalty notices for regular non-attendance at school² are two separate pieces of legislation dealing with two separate issues.

There is NO reference to family holidays in the Penalty Notice Regulations yet from 2013–2016 Educational Consortia across Wales used the implementation of Penalty Notice Regulations as an opportunity to advise schools against authorising absences for family holidays. These attempts to limit the statutory powers of head teachers and the Penalty Notices issued to many families in Wales as a result are potentially unlawful.

2) TERMINOLOGY “REGULAR NON-ATTENDANCE AT SCHOOL”

The Minister confirms that fines issued under the Penalty Notice Regulations “are intended ...to tackle regular non-attendance”, however the lack of a common definition of “regular non-attendance” has led to inequities across Wales.

The DfE defined the threshold for “persistent absence” as absence of 20% or above until July 2011 when it reduced this threshold to 15% and then reduced it again in September 2015 to 10%. In Wales, Penalty Notice Legislation refers to “regular non-attendance” but fails to define this clearly. This results in a situation where local authorities decide the threshold for themselves with one local authority now proposing to issue penalty notices for absences of only 3% in a year (6 days of absence in one 12 week period)³. This is clearly beyond any recognised definition of “persistent absence” or “regular non-attendance”, it is inconsistent with the spirit of the Penalty Notice Regulations but yet it is occurring.

¹ The Education (Pupil Registration) (Wales) Regulations 2010.

² Education (Penalty Notices) (Wales) Regulations 2013

³

http://www.pembrokeshire.gov.uk/content.asp?nav=101,988&parent_directory_id=646&id=32083&Language=

ACTION 1: In the interest of equity could the Minister please ensure that LEAs in Wales have a clear and common definition for “regular non-attendance” for the purposes of issuing FPNs and that for this purpose, attendance percentages are calculated over a rolling 12 month period.

3) TERMINOLOGY “SPECIAL CIRCUMSTANCES”

We welcome the Minister’s clarification that “exceptional circumstances” only apply to absences for family holidays of 10 days or more. However some local authorities have also been using the terminology “special circumstances” with regard to authorising family holidays of fewer than 10 days (City and County of Swansea Council, Pembrokeshire County Council). This terminology has no basis in the relevant Regulations but has arisen due to a reference on p.22 of the Guidance on School Attendance Codes June 2010⁴ which states “Schools can only agree to absence for a family holiday if they believe there are **special circumstances** which warrant it.” (**my emphasis**).

ACTION 2: Could the Minister please confirm that there is no requirement that “special circumstances” must apply to authorisation of family holiday absences.

ACTION 3: Could the Minister please ensure that the Guidance on School Attendance Codes is amended to reflect the Regulations regarding family holidays.

4) SUPPORTING SCHOOLS

The Minister has asked LEAs to “provide clear information for parents and schools which is compliant with the law”, however local guidance and policies also may need changing.

ACTION 4: Could the Minister require all Head Teachers to ensure that their Attendance Policies are fully compliant with the Regulations and Guidance and do not include wording which implies any restriction or recommendation against the exercise of the statutory powers set out in the Education Regulations. It might be helpful if examples were provided to Head Teachers

⁴ <http://dera.ioe.ac.uk/565/1/100628attendancecodes4ien.pdf>

to help make application of their discretion more clear. We attach some potential examples.

5) ACCOUNTABILITY OF LEAS AND EDUCATIONAL CONSORTIA

With regard to the families who may have been fined due to misapplication of the Regulations, the Minister states in his letter to you that “it is for the judicial system to decide whether parents have been dealt with fairly and lawfully”. However, the Minister fails to acknowledge that the costly nature of legal proceedings will exclude the vast majority of Welsh families from seeking redress through our judicial system.

The evidence of widespread misapplication of the Regulations in Wales by LEAs and Educational Consortia over the past two years also suggests that their systems for ensuring that they are compliant with the law and accountable to those who are affected by their policies are not robust.

ACTION 5: We ask the Minister to commission an independent review to examine how Educational Regulations have been so widely misapplied across Wales and to identify and address the flaws in systems which have allowed this to happen unchecked over the years 2013–2016.

ACTION 6: We ask the Minister to provide a route for families to be reimbursed for fines issued due to misapplication of the Regulations which does not require the families to incur legal costs. We would consider the reimbursement of all fines, in areas where recommendations against the authorisation of absence for family holidays were in place, to be an appropriate and prudent action.

Yours sincerely,

Jane Douglas
Pembrokeshire Parents Want A Say

HEADTEACHERS DISCRETIONARY POWERS TO AUTHORISE ABSENCE FOR FAMILY HOLIDAYS – SOME EXAMPLES

Linda Screen

Pembrokeshire Parents Want A Say

January 2016

EXAMPLE 1:

Rhiannon is 9. Her parents have requested 6 days authorised absence from school at the end of term time for a family holiday. She has a regular attendance record at other times apart from 5 days of sickness absence when she had chicken pox after which she made-up the work missed helped by her parents. The HT decides to authorise the absence and ensures that school provides information on the topics that will be missed.

No of Days requested = 6

Absence is authorised as this lies wholly within HT discretionary powers.

EXAMPLE 2:

Seren is 15. Her attendance is below 90% after 5 days authorised absence for a holiday in January, a period of sickness, and a few late mornings. Seren's parents have requested a further 10 days leave for a family holiday in June. The HT speaks with class teachers about Seren's attendance and with this in mind and the unexceptional nature of the request the absence is refused.

No of Days requested = 15

HT has discretionary powers ONLY if there are exceptional circumstances. In this instance the HT did not find exceptional circumstances so did not authorise.

EXAMPLE 3:

Tomos is 12. His younger brother has an ongoing health problem and has been offered a new treatment abroad. Tomos' parents have requested leave of 3 weeks so the family can travel with both of their children to access the treatment and whilst overseas also take time for a family holiday. There are

no other family members staying at home to care for Tomos during the absence and his brother's illness has prevented them from holidaying together previously. The HT decides that this is exceptional circumstances and authorises an absence of 15 days but asks that Tomos take school work with him and make up the work he will miss.

No of Days requested = 15

HT has discretionary powers ONLY if there are exceptional circumstances. In this instance the HT finds that there are exceptional circumstances and authorises.

Agenda Item 3.24

P-04-651 To Work to Protect Local Government When Determining the Budgets this Autumn

Petition wording:

We petition the Welsh Government to work to protect local government when determining the budgets this Autumn.

Help protect the services we all rely on so much, services we need when we are struggling the most. Help protect our jobs that we are so proud to do to within our communities.

The Welsh Government **MUST** find other options to consider, options that would have considerably less impact on our local communities.

Additional Information

Further budget cuts will devastate our communities. The services that local government provide are vital to us all.

Further local government budget cuts will devastate local jobs, services and communities.

As an example:- Neath Port Talbot County Borough Council is an authority that faces some of the highest levels of deprivation in the UK. To manage the recent £102 million budget cuts it has worked hard in a strong partnership with the trade unions to avoid compulsory redundancies and outsourcing of services. The cuts have had an effect on the services provided and the workforce.

Further cuts could mean job losses, including those of front line services, and the transfer of council services to the private sector. NPT UNISON has demonstrated that outsourcing of services does not work in the long term. When private sector companies are used, it results in disruptive, costly and sub-standard service provision, with the loss of jobs and employees terms and conditions.

Petition raised by: NPT UNISON

Date petition first considered by Committee: 22 September 2015

Number of signatures: 125 Online signatures

Jane Hutt AC / AM
Y Gweinidog Cyllid a Busnes y Llywodraeth
Minister for Finance and Government Business



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-04-651
Ein cyf/Our ref JH/00582/15

William Powell AM
Chair of the Petitions Committee
Ty Hywel
Cardiff
CF99 1NA

1st December 2015

Dear William,

Thank you for your follow-up letter of 13 November, seeking my views on further comments from your petitioners, NPT Unison, about local government funding and the forthcoming Welsh Government budget.

I would agree with many of the points that your petitioner has made. Public services are essential to people in our communities, particularly the most vulnerable, and we will seek to mitigate the impact of the UK Government's reductions on public services as far as possible.

Following the Spending Review on 25 November, which set out the UK Government's spending plans for the next five years, our focus now is on managing our priorities within our settlement. While there were some small cash increases to the Welsh Budget, the reality is that we will still see a 4.5% real terms reduction in our revenue budget by 2019-20. This level of reductions is broadly the same as those in the last Spending Review.

We fully recognise the challenges facing local government and other public services as a result of the successive reductions to the Welsh Budget as a result of the UK Government's austerity plans. The Welsh Government remains firmly committed to working with local government to redesign the delivery of services, and we held a joint seminar with the WLGA on 19 November on future financial challenges.

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1NA

English Enquiry Line 0300 0603300
Llinell Ymholiadau Cymraeg 0300 0604400
Correspondence.Jane.Hutt@wales.gsi.gov.uk

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 222

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

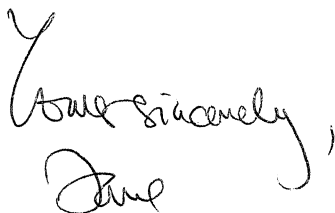
We been clear that Authorities should be preparing for reductions to the Local Government Settlement and investing in the transformation needed. Throughout this Assembly term, we have provided a degree of protection for the funding for local government in Wales, as well as the flexibility for local authorities to set their own spending priorities. Whilst the Local Government Settlement provides the largest single contribution to local government funding, it is not the only source. Local authorities will need to consider all aspects of their income and service provision in planning ahead, to put them in the best position when the provisional settlement is announced by my colleague, the Minister for Public Services, on 9 December.

Like your petitioner, I believe health and local government should not be looked at in isolation from each other, and I find it disappointing that the UK Government continues to look at NHS services in isolation. We are taking a wider approach, focused on preventative spend and the link between health and social services. The Social Services and Well Being (Wales) Act 2014 is an area of Government intervention that will have positive aspects for the integration of Health and Social Care.

The latest figures published by HM Treasury show spending per head on health in Wales was 1 per cent higher than in England in 2014-15 and grew faster in Wales in that year than in any of the other UK countries. The figures show that combined spending per head on health and social services was £172, or 7%, higher than in England. We also spent 4% more per head spend on Education than England. This is a testament to the value we place on the key public services that matter most to the people of Wales and shows we are committed to delivering a truly integrated health and social care service.

Once we have published our Draft Budget on 8 December, it will undergo substantial scrutiny by the National Assembly, and stakeholders will have further opportunities to input into our plans. As I stated in my previous letter, I would urge your petitioners to use that opportunity to further the concerns raised in this petition.

I am copying this letter to the Minister for Public Services.

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

Jane Hutt AC / AM

Y Gweinidog Cyllid a Busnes y Llywodraeth
Minister for Finance and Government Business

**P-04-651 To Work to Protect Local Government When Determining the Budgets this Autumn. Correspondence - Petitioner to the Clerking Team.
11.01.16**

Thank you Jessica, please see below comments for the committee.

Back in September 2014 UNISON Neath Port Talbot Branch called for the Welsh Government to reconsider the proposed budget cuts of up to -4.5% to Local Government funding via the petitions committee. We would like to commend the Minister for Public Services for listening to our campaign and the settlement that followed for Neath Port Talbot Council and other Local Authorities.

However, we wish for the local government settlement to remain the same moving forward to next year and we would not want any Neath Port Talbot settlement being top sliced and we ask the Welsh Government to do more (much more) by including grants into the settlement - as the Scottish Government did over 7 years ago.

Regards

Mark Fisher

Branch Chair

UNISON Neath Port Talbot Branch

P-04-656 Establishing a Conscientious Objectors' Day in Wales

This petition was submitted by CO's Day Cymru/Wales, having collected approximately 400 paper signatures.

Petition wording:

We, the Undersigned, strongly urge the Welsh Assembly to establish an officially recognised Conscientious Objectors' Day in Wales. This would be a fitting memorial to all those who suffered during that conflict and especially to those who stood in the Welsh tradition of peace-making at great personal cost. Wales would be the first country to have done this and may, thereby, prompt others to consider acting similarly.

Assembly Constituency and Region

- N/A
- N/A



William Powell AM
Chair
Petitions Committee
National Assembly for Wales
Cardiff Bay
CF99 1NA

Your ref:
Our ref: PO1144/RB/GH

11 December 2015

Dear William

Thank you for your letter dated 4 December 2015.

The Assembly does not currently mark Conscientious Objectors Day in May and there are no plans to do so in the future. If an Assembly Member chooses to sponsor an event on the estate to mark the day this would, of course, be considered along with all event requests we receive from Members.

Although the Assembly doesn't officially mark Conscientious Objectors Day, the organisation is committed to appropriately commemorating all elements of the great wars, evidenced by the range of stories and issues we intend to highlight as part of our four year commemorative programme. Paying tribute to and learning and understanding more about conscientious objectors has played a part in this programme. You may be interested to know that it was a matter of particular keen interest for attendees of our annual commemorative youth conference delivered in partnership with the Welsh Centre for International Affairs hosted this year in Coleg Cambria in Wrexham.

E-bost newydd: Swyddfa.Breifat@cynulliad.cymru / Rhif ffôn newydd: 0300 200 6232

New e-mail: Private.Office@assembly.wales / New telephone number: 0300 200 6232

Croesewir gohebiaeth yn y Gymraeg a'r Saesneg/We welcome correspondence in both English and Welsh



Llywydd
Presiding Officer



You may also be interested to know that this year's Centenary Annual Lecture was delivered by Sir Deian Hopkin, Chair of the Wales Remembers Committee, whose subject matter was Keir Hardie, perhaps the First World War's most famous conscientious objector.

If you would like any more information on our commemorative programme, please do not hesitate to get in touch with Dr Non Gwilym, the Head of Assembly Communications.

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

Dame Rosemary Butler AM
Presiding Officer



Eich cyf/Your ref: P-04-656
Ein cyf/Our ref: FM -/01113/15

William Powell AM
Chair - Petitions Committee
Ty Hywel
Cardiff Bay
Cardiff
CF99 1NA

committeebusiness@Wales.gsi.gov.uk

4 January 2016

Dear William

I am writing in response to your letter of 4 December regarding Conscientious Objectors Day in Wales.

While I appreciate the view of the petitioners, there is an established Conscientious Objectors Day held on 15 May each year, around which a range of activity takes place, driven by appropriate organisations and groups. For example, in 2016, the Welsh Government will be supporting Wales Centre for International Affairs and the Quakers in bringing the *Faith and Action* exhibition to Wales.

It is perhaps fitting to continue this approach, as it relates to an issue that is driven so much by the beliefs and tenets of individuals. I am sure Welsh Government Ministers would wish to be involved in events that are planned on 15 May, but I would suggest that an organised official response would not be appropriate in this instance.

Yours sincerely

CARWYN JONES

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

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

P-04-656 Establishing a Conscientious Objectors Day in Wales.**Correspondence: Petitioner to the Chair 11.01.16**

William Powell AM
Chair
Petitions Committee
National Assembly for Wales
Cardiff Bay
CF99 1AA

Dear Mr Powell

Marking Conscientious Objector's Day in Wales

On behalf of the 'Conscientious Objectors Day Cymru / Wales' Committee I would first of all like to thank the Petitions Committee for its work on this matter thus far.

My response below contains points raised in response to recent correspondence by several members of the committee, including comments from UNA Cardiff, Cymdeithas y Cymod (Fellowship of Reconciliation in Wales), the National Justice and Peace Network and Quakers.

We are grateful for the instances mentioned by the Presiding Officer and the First Minister of recent and planned activities and events which have raised awareness and interest around the stories of conscientious objectors related to the commemoration of World War I. We are aware of these activities and are particularly grateful for the sponsoring by the Division of Museums, Libraries and Archives of the 'Faith in Action' exhibition as part of the 'Cymru'n Cofio' programme in 2016. We would however like to point out that these are all activities being planned and implemented by the Cymru

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dros Heddwch / Wales for Peace Project, based in the Welsh Centre for International Affairs, who are a partner in the 'Cymru'n Cofio' programme. What the petitioners were requesting was for the National Assembly itself to officially mark Conscientious Objectors' Day (i.e. 15th May) as part of its annual calendar and on a regular basis, in the same way as Remembrance Day is marked each year on 11th November. Our reasons for requesting that this should happen are outlined below.

There is mention in both the letter of the Presiding Officer and the First Minister to 'appropriate' commemoration. The names of 35,000 men and women of Welsh descent or who served in Welsh regiments and who perished in the First World War are commemorated in our Book of Remembrance, and it is fitting that we remember the supreme sacrifice made by them. In the same way, however, Aled Eirug who is currently completing his PhD on conscientious objectors in Wales has uncovered the stories of around 8,000 Welsh men and women who objected to war on grounds of conscience. This is a **significant number, including prominent national figures** such as the poet Gwenallt (who was imprisoned in Wormwood Scrubs), the Christian Pacifist George M Ll Davies (who has two benches to his honour in the crypt of the Temple of Peace where the Book of Remembrance is housed) and Emrys Hughes, Abercynon (who was later to become Keir Hardie's son-in-law). These individuals **represent important aspects of our Welsh heritage**, including the Nonconformist chapels and the Independent Labour Party. Others are of more humble origin, as flagged up by Michael Freeman's booklet about Conscientious Objectors in Ceredigion, but should nonetheless not be forgotten. Nor were Conscientious Objectors in any way a homogeneous group. It is important to remember that those who joined the Friends Ambulance Unit or the Army Medical Corps, for instance, did important and dangerous work tending the sick and the wounded in the field of war.

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It is appropriate to remember conscientious objectors also because **they represent men and women who have been willing to suffer defending the right to make a stance based on genuinely held beliefs and principles**, whether these be of a religious, moral or political nature. One can only imagine how brave one had to be to resist the tremendous pressure to enlist during World War One, and the social opprobrium this brought with it, as well as imprisonment and harsh treatment. Honouring the memory of these men and women is **fitting for an open democratic government such as the National Assembly**, which respects and supports a range of views and healthy debate in politics and public life. It is also appropriate that an **outward-facing government** should commemorate our own conscientious objectors in the light of those in other countries throughout the world who still suffer imprisonment and mistreatment because of their objection to armed combat on grounds of conscience – as is the case in countries such as South Korea, Colombia, Finland and Israel. As referenced in particular by the Presiding Officer, **young people in particular appreciate hearing a range of views and stories, and being able to debate and question on the basis of these**. This was certainly the case at the Schools' Conference in Wrexham in November last year.

We are heartened by the First Minister's comment that it would be fitting to continue to raise awareness of conscientious objectors as an element of our commemoration of the impact of wars on Welsh society. We look forward to being able to involve Welsh Government Ministers in events on and around 15 May in 2016 and in the future.

The question remains as to what sort of events and activities would be appropriate. These could include talks / lectures on figures of national importance or on aspects of research. At least one event is already planned

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for 2016, i.e. the launch by Jen Llywelyn of her new biography of George M Ll Davies on 2nd March. It would be good if this event could be supported / sponsored by a Welsh Government Minister (if that is not happening already). Other activities could include a short commemoration service at the site of the stone to Conscientious Objectors in the Garden of Peace behind the Temple of Peace (conveniently opposite the Welsh Government offices in Cathays Park). It is also of interest to note that the Urdd's Message of Peace and Goodwill this year will focus on 'conscience and choice', reflecting the interest of young people in this issue. The exact form of annual commemoration should, however, vary from year to year, depending on circumstances and other planned events.

We look forward to working with Welsh Ministers in the future to raise awareness of conscientious objectors on or around 15th May each year. We believe that doing so would enable us to reflect a rounded and balanced view of Welsh history and heritage and promote healthy debate and discussion around a range of responses to war and peace in contemporary society, reflecting the National Assembly's role as an open and democratic government.

Yours sincerely

Jane Harries
(Secretary
Conscientious Objectors' Day Cymru / Wales)

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