

Agenda – Petitions Committee

Meeting Venue:

Committee Room 1 – Senedd

Meeting date: 21 January 2020

Meeting time: 09.00

For further information contact:

Graeme Francis – Committee Clerk

Ross Davies – Deputy Clerk

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Cynulliad
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Cymru

National
Assembly for
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- 3.3 P-05-754 Lack of support for children with disabilities at crisis
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Document is Restricted

Agenda Item 2.1

P-05-924 Ensure that every school in Wales has Wellbeing Ambassadors

This petition was submitted by Dŵr Y Felin School Wellbeing Ambassadors having collected a total of 297 signatures on paper.

Text of Petition

We call on the National Assembly for Wales to ensure that every school in Wales introduces trained Wellbeing Ambassadors, so that every child has an opportunity to receive peer support from role model students who have been trained to be a buddy to pupils who are vulnerable at break and lunchtimes, who will report issues of bullying and just be there as a friend to pupils who maybe feel lonely at specific times throughout the day. We hope the Wellbeing Ambassadors' Roles will develop/evolve to run initiatives in schools, within county and nationally, to ensure that a clear message of zero tolerance to bullying is campaigned and that the well being of all pupils is placed at the highest of importance at each school, to further support the rights of the child. We hope that this initiative will go to further support reducing the amount of bullying witnessed in school across Wales, to ensure every child feels safe and happy at schools throughout Wales.

Additional Information

In 2016, we were chosen to represent Wales as part of the ENABLE project, a UK initiative to pilot lessons on anti-bullying. Part of the initiative involved training pupils to peer support others. However, we decided to take this a step further by training pupils to become anti-bullying ambassadors. After much discussion with our Senedd Ysgol, we evolved the ambassador scheme, changing its name to wellbeing ambassadors. We wanted to move away from using the word bullying too often as we felt pupils didn't understand the difference between conflict and bullying. We also wanted pupils to know that at the forefront, wellbeing is our priority. Pupils who are part of the scheme surf areas around the school, spotting pupils who are alone or if they see bullying happening they report to the closest adult that they find, from Headteacher to dinner supervisors.

We meet once a month as a group and every year we evolve the scheme further. Currently we are looking at buddy benches so pupils who do feel alone can take a seat and a wellbeing ambassador will be there to support

them. Many of our ambassadors also sit on the Junior Safeguarding Board as a result.

Assembly Constituency and Region

- Neath
- South Wales West

Well-being ambassadors in schools

Y Pwyllgor Deisebau | 21 January 2020
Petitions Committee | 21 Ionawr 2020

Reference: RS19/11038-7

Petition number: P-05-924

Petition title: Ensure that every school in Wales has Wellbeing Ambassadors

Text of petition: We call on the National Assembly for Wales to ensure that every school in Wales introduces trained Wellbeing Ambassadors, so that every child has an opportunity to receive peer support from role model students who have been trained to be a buddy to pupils who are vulnerable at break and lunchtimes, who will report issues of bullying and just be there as a friend to pupils who maybe feel lonely at specific times throughout the day. We hope the Well being Ambassadors' Roles will develop/evolve to run initiatives in schools, within county and nationally, to ensure that a clear message of zero tolerance to bullying is campaigned and that the well being of all pupils is placed at the highest of importance at each school, to further support the rights of the child. We hope that this initiative will go to further support reducing the amount of bullying witnessed in school across Wales, to ensure every child feels safe and happy at schools throughout Wales.

Additional Information: In 2016, we were chosen to represent Wales as part of the ENABLE project, a UK initiative to pilot lessons on anti-bullying. Part of the initiative involved training pupils to peer support others. However, we decided to take this a step further by training pupils to become anti-bullying ambassadors. After much discussion with our Senedd Ysgol, we evolved the ambassador scheme, changing its name to wellbeing ambassadors. We wanted to move away from using the word bullying too often as we felt pupils



didn't understand the difference between conflict and bullying. We also wanted pupils to know that at the forefront, wellbeing is our priority. Pupils who are part of the scheme surf areas around the school, spotting pupils who are alone or if they see bullying happening they report to the closest adult that they find, from Headteacher to dinner supervisors.

We meet once a month as a group and every year we evolve the scheme further. Currently we are looking at buddy benches so pupils who do feel alone can take a seat and a wellbeing ambassador will be there to support them. Many of our ambassadors also sit on the Junior Safeguarding Board as a result.

PRIORITY OF WELL-BEING IN WELSH SCHOOLS

Welsh Government strategy

The Welsh Government has sought to increase the level of priority given to pupil well-being in the education improvement agenda. This is one of the main differences between its education action plan, *Education in Wales: Our national mission 2017-2021*, published in September 2017, and its predecessor, *Qualified for Life*. One of the three enabling objectives of the action plan is 'Strong and inclusive schools committed to excellence, equity and well-being'. The plan states:

Children and young people who have **strong relationships and a positive sense of self** – and who can understand and **manage their own health and emotions** – are in a better position to reach their full potential in the future. [my emphasis]

The Minister for Education, Kirsty Williams AM, told an Association of Directors of Education in Wales' (ADEW) conference in January 2018 that '**we are at a turning point** in how we deal with the wellbeing of children and young people'. She said it must be part of the school ethos and implemented across the board as schools have a big role to play and teachers are well placed to notice changes in pupils' behaviour.

Estyn inspections

Well-being features more prominently than previously in the *Common Inspection Framework*, which Estyn has used since September 2017. One of the inspection areas of the framework is 'Well-being and attitudes to learning'. Evidence *Estyn submitted* to the Children, Young People and Education (CYPE) Committee in autumn 2017 stated it had '**strengthened [its] focus on emotional wellbeing in [their] new inspection arrangements**' and included extracts of relevant guidance to its inspectors.

A whole school approach to emotional and mental health

The Welsh Government is developing a 'whole-school approach' to supporting pupils' emotional and mental health. This follows an *inquiry undertaken by the CYPE Committee*, which reported in April 2018 and highlighted the **need for a 'step-change'** in how children and young people's needs in this area are met.

The Welsh Government established a *Ministerial Task and Finish Group*, co-chaired by the Minister for Education and the Minister for Health and Social Services to take forward the whole school approach to emotional well-being and mental health, as part of a whole system approach which also recognises the links between mental and physical well-being. As the Minister for Education's letter to this Committee regarding the petition notes, the Welsh Government is drafting **new guidance for schools** on embedding this whole school approach.

ANTI-BULLYING GUIDANCE

The Welsh Government has recently published *new anti-bullying guidance*, replacing initial guidance (*Respecting Others*, 2003) and supplementary materials (2011).

The **new guidance is statutory**, which has been welcomed by the Children's Commissioner for Wales who had previously criticised the proposed non-statutory, advisory status of the guidance. The Commissioner, Sally Holland, told the CYPE Committee on 6 November 2019:

... I'm absolutely thrilled because the Minister has announced today that the guidance will be statutory, which has been a key call from my office for a number of years, and that **schools will be required to record and monitor bullying incidents**. They will be required to monitor the effectiveness of their interventions to prevent bullying and to tackle bullying. They'll be required to look at the outcomes on bullying incidents. **Local authorities will also have statutory requirements** to look at the effectiveness of anti-bullying strategies across a local authority. (...)

... our response [to the consultation on the draft guidance] was ... that it wasn't good enough in the draft, because the draft was non-statutory. This is a really good example, I think, of a Minister actually—because the draft didn't even give the option on statutory—really listening to feedback and it being a really genuine consultation, because she's responded to that feedback and has announced today the advanced anti-bullying work that's going forward. So, I think it's got a much bigger chance now of being consistently effective.

The Children's Commissioner highlighted in her annual report 2018-19 that **bullying remains a key priority for children and young people**, as demonstrated by her all-Wales Beth Nawr consultation, which shows it was their second highest concern.

THE NEW CURRICULUM FOR WALES

The Welsh Government, together with 'Pioneer Schools', has developed a new 'Curriculum for Wales', following the Successful Futures review by Professor Graham Donaldson in 2015.

The new curriculum will be built around four purposes and six Areas of Learning and Experience (AoLE), one of which is Health and Well-being. The Welsh Government published the draft Curriculum for Wales in April 2019 and following a feedback exercise is now refining it ahead of its publication in January 2020.

The new Curriculum for Wales is due to be introduced from **September 2022** on a phased basis. It will initially be taught in primary school and Year 7 before rolling into Year 8 in 2023/24 and so on as these pupils progress through school until they reach Year 11 in 2026/27.

The Welsh Government has emphasised that the new Curriculum for Wales is **purpose-driven** rather than simply defined by its content. There are therefore no 'programmes of study' and there will be comparatively less prescription of what must be taught than in the current curriculum. The new curriculum will be based on a three-pronged approach of **Knowledge, Skills and Experience**.

Within each AoLE, are a series of 'What Matters' statements, which will provide the basis of what is taught. One of the five What Matters statements in the Health and Well-being AoLE is 'How we process and respond to our experiences affects our mental health and emotional well-being'.

The draft statutory guidance on the Health and Well-being AoLE states:

The Health and Well-being Area of Learning and Experience will help learners to understand how mental health and emotional well-being influence the way people think, feel and behave. It will also help learners explore the connections between life experiences and mental and emotional well-being.

Through understanding the conditions that promote and impact on mental health and emotional well-being, learners will be supported to manage the experiences that they encounter. They will also be supported to develop their ability to focus their attention and to be aware of how they are thinking and feeling during their experiences. In addition, they will explore how experiences are perceived. This will give learners the opportunities to build skills of self-awareness and empathy. Self-awareness allows learners to be receptive and reflective, which helps them to adapt their behaviour and actions to different situations. This in turn enables learners to act with empathy, compassion and kindness towards themselves and others.

Further information about curriculum reform can be found in the Assembly Research Service's blog articles of May 2019 and January 2019.

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



Eich cyf/Your ref P-05-924
Ein cyf/Our ref KW/07408/19

Janet Finch-Saunders AM

Chair, Petitions Committee
National Assembly for Wales
Ty Hywel
Cardiff Bay
Cardiff
CF99 1NA

01 November 2019

Dear Janet Finch-Saunders AM,

Thank you for your letter of 23 October enclosing details of the petition received from Dwr y Felin School which calls on the National Assembly for Wales to introduce suitably trained Wellbeing Ambassadors into every school in Wales

I note that Dwr Y Felin's petition arose from their work on the ENABLE project, a UK initiative to pilot lessons on anti-bullying, which initially led them to train and appoint pupils as anti-bullying ambassadors at the school. Addressing bullying within education remains a key priority for the Welsh Government. Our vision is to challenge bullying holistically, addressing the root causes of unacceptable behaviour and creating an inclusive and engaging environment where learners feel safe and are ready to learn. We all need to ensure respect, tolerance and kindness forms part of our school communities and cultures. This will help us create an inclusive, engaging environment where everyone's well-being is considered and everyone feels accepted.

All education settings in Wales have a legal duty to ensure that all learners have access to a safe learning environment, the Welsh Government expects these safeguarding responsibilities to be taken seriously. All schools must by law have a school behaviour policy. Effective anti-bullying strategies should be central to that behaviour policy and be developed and put into effect by everyone in the school including the staff and learners. It is for individual schools to determine the most effective way to address bullying and implement anti-bullying policies in their school setting. This includes which, if any, programmes they choose to employ to support this provision.

To support schools and their communities in addressing bullying in their settings, we are updating our anti-bullying guidance, which was published in 2011. This guidance is being

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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.

updated on the basis of a partnership approach, working collaboratively with partners and key stakeholders, including children and young people, to assess how we can ensure the guidance is user friendly and provides consistent guidelines and practical support to help schools and their communities prevent and challenge all forms of bullying. Information on the benefits of peer support initiatives is included within the revised guidance, which will be published very shortly.

More generally, the issue of ensuring pupils' wellbeing in school is a key focus of *Our National Mission*, in particular enabling objective 3 (Strong and inclusive schools committed to excellence, equity and well-being), which recognises that all learners must be supported to be emotionally and physically ready to learn in a safe and supportive environment. The new curriculum which will be introduced in 2022, places health and wellbeing at its heart and will ensure mental health is given equal priority as physical health and emotional wellbeing and attainment is nurtured on an equal basis.


The Welsh Government is also in the process of drafting new Framework guidance for schools on embedding a whole school approach to emotional wellbeing and mental health. The new Framework will emphasise the need for schools to improve their own mental health literacy and empowering the school community to make informed decisions about their mental health needs. This can be done through whole-group approaches, e.g. promoted through community campaigns, peer-support approaches or school based interventions. Schools should assess who they need to communicate with (pupils, parents/carers, staff) and look for innovative ways of making information available to each audience. For instance on the school website, developing older pupils to act as peer mentors, signposting by non-teaching staff such as canteen staff, school nurses, coaches etc.

Overall, the Framework will strongly encourage schools to promote an ethos of sharing good practice and empowering pupils to both act as their own advocates and to seek additional support when needed.

The actions which Dwr y Felin School has taken to train pupils to become wellbeing ambassadors in order to support their peers is very much in keeping with the advice in the new Framework and I applaud the stance they are taking on this vitally important issue. However, I appreciate that not every school will be in a position to train and appoint its own wellbeing ambassadors and would reiterate that the main purpose of our new whole school approach Framework guidance will be to help schools devise their own wellbeing solutions to address their own wellbeing issues in their particular community.

However I hope this reassures the Petitions Committee of the Welsh Government's (and indeed my own personal) commitment to continue to challenge bullying, and to promote a whole school approach to mental health and well-being, ensuring our schools and their communities are safe and happy places for all our learners.

Yours sincerely,



Kirsty Williams AC/AM
Y Gweinidog Addysg
Minister for Education



RESPONSE FROM DWR Y FELIN SCHOOL



Thank you for your response to our petition. I hope petitions committee members will decide to allow us to come in to give formal oral evidence on our petition before the committee in the near future. We would like to speak to our experiences of the success of the Wellbeing Ambassadors in our school, so that you can fully appreciate the positive change that it has made to our lives, and the school community.

All of the pupils involved in this petition have had personal experiences of being bullied and due to the work of the wellbeing ambassador scheme, have benefitted not just from the support they have received but the development of their own character and confidence. Many pupils have become ambassadors themselves, using their experience to support others. Two have applied to become senior prefects at school, something two years ago they would not have even considered due to a lack in confidence. Culminating further in the confidence to push this petition forward as they passionately believe that every pupil in Wales should have this support and opportunity. I am very proud of the pupils and it is testament to how the scheme does more than just support bullying but allows pupils to develop resilience, build confidence and support the positive building of pupils' character and culture which is our ethos at school.

- In response to your further questions:-
- What are your thoughts on the attached document?
- Does it adequately address the issues that you raised?
- Do you have further questions in response?
- Is there anything additional that you would like the Committee to know at this stage, either in response to this document or as an update to the Committee?

Pupil response:-

We appreciate the National Assembly for Wales highlighting the work at Dwr Y Felin regarding our vision in relation to challenging bullying and our work on the ENABLE project. Our pupil voice is dedicated to creating a tolerant, respectful environment for all learners and we value your acknowledgement of this.

After thoroughly reading your response, we appreciate that you have addressed our petition and the issues of bullying that we raised. Your letter outlines your objective 'strong and inclusive schools committed to excellence, equity and well-being' and that wellbeing is going to be important when the 2022 curriculum is introduced. However, we feel that while the Framework indicates that students are empowered to 'both act as their own advocates and to seek additional support when needed' we feel that this overlooks how daunting and challenging this may be for the younger pupils of the school when they have limited options. Younger pupils will struggle to speak up to staff and senior pupils, whereas an educated student who is only one or two years older than they are will appear more approachable. We believe that the introduction of the ambassadors will assist the promotion of 'empowering pupils' as it offers the more timid students a new option. We

also believe that there are positive aspects to the well-being ambassadors outside of anti-bullying that were not given enough attention to; the ambassadors are able to spot students who may be dealing with stress and are able to approach the more vulnerable members of the school. The focus of the committee is not to target the bullies, although reducing bullying in the school is a priority, but to nurture and to assist the victims of this and have an understanding that a senior pupil or staff member may be unable to relate to. Additionally, they promote overall well-being in the school and offer ways that other students can manage stress.

We have no further questions as we feel that we presented our question adequately at that start of this process.

We would like to bring to your attention that while in your letter of response you stated “it is for the individual schools to determine the most effective way to address bullying and implement anti-bullying policies in their school setting’ while there is evidence, specifically from Professor Judy Hutchings from Bangor University that this ‘should be replaced by a national strategy’ after her work with the Finland-funded KiVa anti-bullying programme. Additionally, The Children’s Commissioner for Wales, Prof Sally Holland, believes statutory recording of incidents would make schools more accountable. I believe that our proposition is the answer to this as it would both educate students on the impact bullying has on students and offer peer support. We also believe that while you state ‘not every school will be in a position to train and appoint its own wellbeing ambassadors’ that there are many services, such as the Anti-Bullying Alliance, that offer resources and outlines for free that are easy to adapt to each school to ensure that they can have a committee in place. An example of this may be giving this training to the current prefect and/or school council representatives as an alternative to appoint new pupils. Finally, we’d like to address how you ‘reiterate that the main purpose of our new whole school approach Framework guidance will be to help schools devise their own wellbeing solutions to address their own wellbeing issues’ the evidence indicates that a nation-wide system is more beneficial than each school taking it upon themselves to draw out their own outline.

To: Janet Finch
Saunders, AM

Chair of the Petitions
Committee

Via email only

15 January 2020

Dear Chair,

Re: P-05-924 Ensure that every school in Wales has Wellbeing Ambassadors

I write in relation to the above petition, to express my support for peer-led, peer-supported mental health initiatives in schools.

The evidence from my 2019 report on cyber-bullying tells us that the children and young people and teachers we spoke to rated peer-led, peer-supported initiatives as highly effective in tackling bullying. Young people also spoke about peer mentoring and support as one of their top solutions to bullying.

This reinforces evidence from the field of developmental science, which has highlighted that school based interventions often fail because they 'imply that adolescents require adult expertise and are unable to make the right choices on their own.'¹ Research suggests that promising approaches to preventing bullying and supporting wellbeing take into account young people's wish to feel respected and accorded status, which is linked with their neurobiological development.²

I particularly value this petition as it has stemmed directly from the involvement of children and young people, through their Senedd Ysgol, and reflects the importance that children and young people and their parents place on tackling bullying. This was also reflected in the results of our survey of over 10,000 children and young people, Beth Nawr, which showed that tackling bullying is a key priority for them.

¹ Dahl, R.E, Nicholas B. Allen, Linda Wilbrecht & Ahna Ballonoff Suleiman, *Importance of investing in adolescence from a developmental science perspective. Nature 25770 (2018)*

² ² Yeager, D. S., Dahl, R. E. & Dweck, C. S. *Why interventions to influence adolescent behavior often fail but could succeed. Perspect. Psychol. Sci. 13, 101—122 (2018)*



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The importance of peer support has been highlighted by the Senedd's Children, Young People and Education Committee in their Mind over Matter Report. Peer support and peer mentoring is also a feature of the whole-school approach draft framework.

Given that the value of peer-led, peer supported well-being initiatives are recognised by both the Welsh Government and the Assembly's Children, Young People and Education Committee, I hope that this petition can be brought to the attention of both as we approach the 2 year anniversary of the Committee's Mind over Matter Report.

Yours sincerely,



Sally

Sally Holland
Comisiynydd Plant Cymru
Children's Commissioner for Wales

Agenda Item 2.2

P-05-929 Encouraging the use of “Cymru” and “Cymry” when referring to ourselves in Welsh and English

This petition was submitted by Mair Edwards having collected a total of 127 signatures.

Text of Petition

We call on the National Assembly for Wales to urge the Welsh Government to refer to our country as Cymru, and the nation as Cymry, in Welsh and English in all official statements. The origins of the terms "Wales" and "Welsh" refer to us as foreigners and vassals in our own country. It is time for us to define ourselves rather than being defined by another nation – and a symbol of this would be to refer to ourselves as Cymry and our country as Cymru.

Assembly Constituency and Region

- Ynys Mon
- North Wales

Encouraging the use of “Cymru” and “Cymry” when referring to ourselves in Welsh and English

Y Pwyllgor Deisebau | 21 Ionawr 2020
Petitions Committee | 21 January 2020

Reference: RS19/11218-1

Petition Number P-05-929

Petition title: Encouraging the use of “Cymru” and “Cymry” when referring to ourselves in Welsh and English

Text of petition: We call on the National Assembly for Wales to urge the Welsh Government to refer to our country as Cymru, and the nation as Cymry, in Welsh and English in all official statements. The origins of the terms “Wales” and “Welsh” refer to us as foreigners and vassals in our own country. It is time for us to define ourselves rather than being defined by another nation – and a symbol of this would be to refer to ourselves as Cymry and our country as Cymru.

BACKGROUND

Cymru and Cymry

Cymry means the Welsh people, while **Cymru** means Wales.

A History of Wales, by Dr John Davies, stated that it is likely that the term Cymry was adopted around 580 AD, and was used to refer to people in Wales as well as in Northern England and Southern Scotland (known as ‘yr Hen Ogledd’ at the time). It evolved from the Brythonic word ‘Combrogî’, or fellow countrymen, and gradually supplanted the term ‘Brython’. Dr Davies stated that both Cymru and Cymry were spelt ‘Cymry’ or ‘Kymry’ until about 1560 AD. An early reference to Cymru spelt as ‘Kymry’ was contained in a praise poem to Cadwallon ap Cadfan, the King of Gwynedd at the time, probably written in approximately 633 AD in Dr Davies’ view.

Professor Gwyn Alf Williams stated in *When Was Wales?* (page 3) that by the 8th Century people in present-day Wales were:

...beginning to call what was left of the Britons *Cymry* or fellow-countrymen. Pretty soon there was nobody left to call *Cymry* except themselves. Their stronger kings started to hammer the whole bunch together and to make a country called Cymru.



According to Dr Davies, the terms Cymry and Cymru evolved into their present spellings in around 1560 AD.

Wales and Welsh

There has been academic debate around the origins of the terms ‘Wales’ and ‘Welsh’, and what they meant at the time. Some of the main contributions are outlined below.

In *When Was Wales?*, Professor Gwyn Alf Williams described the people of Wales in the 8th Century as (page 3):
...stuck in their peninsulas behind a great dyke and rampart raised by an alien people who called them foreigners – in that ancient language *weallas* – Welsh.

This description matches that of Professor Jeremy Black, who stated in *A New History of Wales* (page 21) that:
The conflict with the Anglo-Saxons defined Wales culturally, ethnically and politically; a frequent situation in post-Roman Europe, as peoples defined themselves following the collapse of the concept of unity under Roman rule. Wales was given identity by the conquerors in terms of otherness: the Saxons used *Walas* or *Wealas* to describe the Britons, and it meant both serfs and foreigners.

The historian David Ross also writes of the Anglo-Saxons defining ‘Welsh’ as foreigners in *Wales: History of a Nation*. He asserts that (page 66):

...intermittent warfare went on into the ninth century. No longer could the Welsh kingdoms consider themselves part of an interrelated set of peoples occupying almost the whole of the British landmass. The realisation of this probably fostered the development of the name ‘Cymry’, ‘comrades’, which came to be the Welsh people’s own name for themselves. However great their internal arguments and dissensions, they were aware of an essential unity. To the Anglo-Saxons, they were the Wallas, ‘foreigners’, a name which leads directly to present-day Welsh.

In *A History of Wales* (page 69) Dr John Davies provided a different historical context for the development of the word ‘Welsh’. He stated that the term ‘Welsh’ had a number of other historical meanings as well as ‘foreigner’, and that:
...it would appear that ‘Welsh’ meant not so much foreigners as peoples who had been Romanized: other versions of the word may be found around the borders of the Empire – the Walloons of Belgium, the Welsch of the Italian Tyrol and the Vlachs of Romania.

WELSH GOVERNMENT ACTION

The Minister for International Relations and the Welsh Language’s letter of 11 December to the Committee states that “promoting the Welsh language is clearly a major priority for the Welsh Government: we want Wales to be a confident, bilingual nation.” Looking specifically at the petition, she notes that:

I support the idea of encouraging the use of Cymru and Cymry in a way that enhances our message: but believe that it’s also important to remain flexible in our approach, and to ensure that we do so in a way that is appropriate to the context and audience of our work.

The Minister’s letter also discusses practical ways that the Welsh Government uses Cymru and Cymry. She notes that the Welsh Government’s brand marque or logo is always used bilingually, and that Cymru and Wales are both used in the government’s campaigns. The Minister gives the example of using ‘Cymru’ without translation in English language straplines to enhance messaging, such as using ‘This is Cymru’ as part of brand campaigns, and in Cardiff Airport materials. Her letter also states that the Welsh Government will continue to refer to the Welsh people as ‘Cymry’ where appropriate.

NATIONAL ASSEMBLY FOR WALES ACTION

During consideration of the *Senedd and Elections (Wales) Act 2019*, a number of amendments were passed by the Assembly which related to the future name of the Assembly and its Members.

The Act provides that the Assembly will be renamed ‘Senedd Cymru’ or ‘Welsh Parliament’, after an amendment proposing this was passed in *Stage 2 proceedings*. Originally, it was proposed the Assembly be renamed the Senedd in both the Welsh and English languages.

Once the Act comes into force, Assembly Acts will be renamed Acts of Senedd Cymru, or Deddfau Senedd Cymru, using Cymru and Senedd in both languages. Assembly Members will be renamed Members of the Senedd, or Aelodau o’r Senedd, and the Assembly Commission will be renamed the Senedd Commission or Comisiwn y Senedd.

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

Eluned Morgan AC/AM
Gweinidog y Gymraeg a Chysylltiadau Rhyngwladol
Minister for International Relations and the Welsh
Language




Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-05-929
Ein cyf/Our ref EM/05761/19

Janet Finch-Saunders AM
Petitions Committee
National Assembly for Wales
Ty Hywel
Cardiff Bay
Cardiff
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SeneddPetitions@assembly.wales

 December 2019

Amwy I Janet,

Petition P-05-929 – Encouraging the use of ‘Cymru’ and ‘Cymry’ when referring to ourselves in Welsh and English

Thank you for your letter of 21 November about the above Petition from Mair Edwards which is currently collecting signatures.

The Welsh Government undertakes marketing activity to promote Wales in the UK and internationally as a place to visit, work and invest we are committed to using the Welsh language as part of ‘Brand Wales’ to build a distinctive image for Wales; and to grow tourism and investment.

Our brand marque or logo is always used bilingually, and we use Cymru alongside Wales in our main campaigns. We also occasionally use the word Cymru without translation in English straplines too, to enhance our messaging. A good example of this is our use of ‘This is Cymru’ as part of our brand campaigns; and in materials at Cardiff Wales Airport. We will also continue to refer to the Welsh as “Cymry” where appropriate.

Promoting the Welsh language is clearly a major priority for The Welsh Government: we want Wales to be a confident, bilingual nation. I support the idea of encouraging the use of Cymru and Cymry in a way that enhances our message: but believe that it’s also important to remain

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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 80

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.

flexible in our approach, and to ensure that we do so in a way that is appropriate to the context and audience of our work.

I hope this is helpful.

Cofio Eiddoau + Naddoig Hanes
Eluned Morgan

Eluned Morgan AC/AM

Gweinidog y Gymraeg a Chysylltiadau Rhyngwladol

Minister for International Relations and the Welsh Language

P-05-929 Annog y defnydd o 'Cymru' a 'Cymry' wrth gyfeirio atom ein hunain yn y Gymraeg a'r Saesneg, Gohebiaeth – Deisebydd at y Pwyllgor, 13.01.20

Diolch am eich ebost. O ran sylwadau ychwanegol:

- Nid mater o "brandio" sydd dan sylw yma - nid gwerthu ffa pôb yw'r dasg - ond gofyn i'r Cynulliad annog Llywodraeth Cymru i ddefnyddio Cymru a Chymry mewn dogfennau swyddogol yn yr iaith Gymraeg ac yn y Saesneg er mwyn dangos yn glir ein bod yn genedl sydd yn diffinio ein hunain.
- Mae diffinio ein hunain fel cenedl ar adeg pan mae mudiadau unoliaethol a "Phrydeinig" (h.y. Saesnig) a'u bryd (mae'n ymddangos) i danseilio ein cenedligrwydd, ac yn wir dad-ymrymuso a hyd yn oed diddymu'r Cynulliad, yn eithriadol o bwysig o ran hybu meddylfryd seicolegol iach ein cenedl. Drwy arwain y ffordd gall y Llywodraeth ddangos yn glir ein bod yn genedl sy'n ymfalchio yn ein hunaniaith ac am gymryd ein lle priodol yn y byd.
- Rwy'n falch gweld bod Gweinidog y Gymraeg a Chysylltiadau Rhyngwladol yn nodi ei chefnogaeth i annog pobl i ddefnyddio "Cymru" a Cymry" mewn deunydd Saesneg.

Hoffwn ddiolch i'r Pwyllgor Deisebau am drafod y mater yma.

Yn gywir

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

Document is Restricted

Agenda Item 2.3

P-05-931 Sun cream in schools

This petition was submitted by Leigh O'Connor having collected a total of 120 signatures.

Text of Petition

All children are at risk when in school or on school trips of sun burn. This not only has short term health issues but also long term such as skin cancer. This could easily be avoidable by allowing schools to apply sun cream with parents' consent. There are many options for this that do not involve the teachers having to touch the children if this is an issue.

Assembly Constituency and Region

- Caerphilly
- South Wales East

Sun cream in schools

Y Pwyllgor Deisebau | 21 Ionawr 2020
Petitions Committee | 21 January 2020

Reference: RS19/11218

Petition Number: P-05-931

Petition title: Sun cream in schools

Text of petition: All children are at risk when in school or on school trips of sun burn. This not only has short term health issues but also long term such as skin cancer. This could easily be avoidable by allowing schools to apply sun cream with parents' consent. There are many options for this that do not involve the teachers having to touch the children if this is an issue.

BACKGROUND

The issue of sun protection in schools, in particular for young children, is one that frequently arises during the hottest months of the year. It can sometimes attracts media coverage, including coverage of this specific petition from the [BBC](#), [Mirror](#) and the [Metro](#).

There are several aspects to the issue being raised including public health, health and safety, education and child protection. Of relevance in an education setting is that the Foundation Phase curriculum for all three to seven-year olds in Wales encourages learning through play and a greater emphasis on using the outdoor environment as a resource for children's learning.



SUGGESTED GUIDELINES

Deciding on the policy for an individual schools is currently the responsibility of School Governors. However there are a number of options for suggested guidelines including these from [Caerphilly Local Public Health Team](#) and this [Cancer Research UK website](#) and its [SunSmart guidance for primary schools](#).

Public Health Wales run the Welsh Network of Healthy School Schemes. The [Indicators for its National Quality Award](#) make a number of references to sun safety. It says that a Safe School Policy should include sun safety and points to the Cancer UK SunSmart guidance.

There is also information on this [Sun Safe Schools website](#) and a suggested approach in its [accreditation scheme](#).

Section 25 of the [school governors guide to the law](#) explains health and safety responsibilities in schools, and matters which are relevant to pupil health but it does not mention sun safety specifically.

ASSEMBLY INQUIRY IN THE FOURTH ASSEMBLY**Terms of reference**

In 2011 the Assembly's Petitions Committee received a [petition](#) from the cancer charity Tenovus calling on the Welsh Government to provide free sunscreen for all children under the age of 11 in Wales. This petition was referred to the Children and Young People Committee for consideration, who held a short inquiry looking at

- whether current sun protection policies and guidelines for schools are effective in providing sufficient sun protection for children, and if not, where improvements are required;
- whether there is sufficient awareness of the current sun protection policies and guidelines, and, if not, how best to raise awareness;
- whether there are any barriers to the use of sun protection in schools, including sunscreen, suitable clothing, hats or shade, by children and young people, for example in terms of cost or the application of sunscreen by teachers or childminders, and if so, how these could be addressed.

Points raised in evidence

In written evidence to the inquiry in 2012 the [Welsh Local Government Association](#) said:

In terms of the application of sunscreen for younger children who were unable to apply their own, there could be child protection implications.

However, schools and childminders are subject to strict checks and safeguards can be put in place to ensure that the risks are minimised. This should be seen in the context of the overall child protection procedures within schools.

Public Health Wales said in 2012:

National guidelines recommend that schools should have a sun policy but they are not prescriptive or mandatory. Currently, the decision whether or not to deliver sun safety advice is left largely to the discretion of the individual teacher.

It also said:

There are sensitivities around whether it is appropriate for school staff to apply sun screen to children and young people and it is vital that primary schools place particular emphasis on encouraging changes in the habits of parents/carers as well as children and young people. Local authorities and school governing bodies should formulate their own policies on this.

Commenting on the position of school staff applying sun cream the National Association of Headteachers and the Association of School and College Leaders said in 2012 refer to children too young to apply the cream themselves, and the issue of who will do it for them.

Many schools demonstrate to children how to apply sun screen. This is reasonable and sensible. Schools often help the very youngest children to apply sun screen. While this might seem entirely sensible in individual cases we, as professional associations advise against doing so, for the equally sensible reason that physical contact can be misinterpreted with catastrophic consequences for members of staff.

Similar concerns apply in relation to particularly vulnerable pupils where significant child protection issues are involved. Introducing a duty on schools in this regard would encounter strong resistance from members of staff who might be instructed to apply it.

In its written response to the Committee in 2012 Undeb Cenedlaethol Athrawon Cymru (UCAC) referred to a number of considerations. Specific to the application of sun cream it said that increasingly teachers are increasingly advised to touch children as little as possible to avoid any allegations of abuse or inappropriate touching. It also referred to potential hygiene issues if teachers applied cream to multiple children.

What the Committee said

The Committee's report, published in 2012, said that 'some concern was expressed about the application of sunscreen to children by school staff'.

Relevant to the issue of school staff applying sun cream, the report also refers to concerns raised in the written and oral evidence about any proposal to make the provision of sunscreen in schools compulsory, including hygiene, potential

allergies, time and resource implications, and potential child protection issues.

The report says:

The Committee took the view that if sunscreen were to be provided in school settings, regardless of whether it was provided by parents or schools, greater clarity would be needed on existing guidance in respect of teachers, childminders or nursery school staff having physical contact with children in order to apply sunscreen.

The Committee made six recommendations including one that:

As part of schools' broader health and safety policy, they should be required to have a document which sets out the school's approach to a range of environmental factors which might affect children during the school day, including sun protection and shade requirements, and wet or cold weather.

The Welsh Government's response detailed its views in 2012 on all the recommendations.

WELSH GOVERNMENT'S RESPONSE

In response to this Petition, on 27 November the Minister for Education made several points including:

- Health and safety is not devolved to the Welsh Government and the responsibilities in schools are derived from the Health and Safety at Work Act 1974 and the associated Management of Health and Safety at Work Regulations 1999.

- Statutory responsibility for the health and safety of pupils lies with the governing body of the school, either as the employer of school staff or because it controls school premises, in many cases both.
- Under the general law of negligence, school teachers are required to take care of children under the age of 18 as if they were the parent. They are under an obligation to treat and take care of a pupil as a careful parent would.

The response also refers to guidance from the Welsh Network of Healthy School Schemes, which suggests that schools should:

- Actively consider sun exposure risk when planning outdoor activities during the summer.
- Engage with parents to agree a local approach to the provision and application of sunscreen of at least Sun Protection Factor (SPF) 15.
- Actively encourage parents to provide hats, sunglasses and appropriate clothing during the summer and particularly when outdoor activities are planned.
- Ensure that the school grounds have access to shade for very hot days.
- Avoid prolonged outdoor activities during the hottest part of the day i.e. 11am – 3 pm between March and October.

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



Eich cyf/Your ref P-05-931
Ein cyf/Our ref KW/07583/19

Janet Finch-Saunders AM
Chair, Petitions Committee
National Assembly for Wales
Ty Hywel
Cardiff Bay
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27 November 2019

Dear Janet,

Thank you for your letter of 22 November regarding Petition P-05-931 Sun cream in schools from Leigh O'Connor.

Health and safety is not devolved to the Welsh Government and the responsibilities in schools are derived from the Health and Safety at Work Act 1974 and the associated Management of Health and Safety at Work Regulations 1999. Legislation requires employers (governing bodies/local authorities) to assess and manage risks. In the case of schools this is usually enforced by the Health and Safety Executive (HSE).

Statutory responsibility for the health and safety of pupils lies with the governing body of the school, either as the employer of school staff or because it controls school premises, in many cases both.

Under the general law of negligence, school teachers are required to take care of children under the age of 18 as if they were the parent. They are under an obligation to treat and take care of a pupil as a careful parent would.

The Welsh Network of Healthy School Schemes is led by Public Health Wales to promote responsibility for maintaining and promoting the health of school communities. This is achieved through formally teaching pupils about how to lead healthy lives and by enabling pupils and staff to take control over aspects of the school environment which influence their health. Sun safety would come under this theme. All schools are participants in the scheme and each local authority has a Healthy Schools co-ordinator to support schools.

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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.

Guidance on sun safety, including that provided by the Welsh Network of Healthy School Schemes suggests that schools should:

- Actively consider sun exposure risk when planning outdoor activities during the summer.
- Engage with parents to agree a local approach to the provision and application of sunscreen of at least SPF15.
- Actively encourage parents to provide hats, sunglasses and appropriate clothing during the summer and particularly when outdoor activities are planned.
- Ensure that the school grounds have access to shade for very hot days.
- Avoid prolonged outdoor activities during the hottest part of the day i.e. 11am – 3 pm between March and October.

The guidance given on sun safety by the Welsh Network of Healthy School Schemes is the responsibility of Public Health Wales (PHW), as they provide policy advice to the Welsh Government on sun safety and manage the Healthy Schools Framework.

Yours sincerely,

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

Kirsty Williams AC/AM

Y Gweinidog Addysg
Minister for Education

Agenda Item 2.4

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

This petition was submitted by Archie's Allergies having collected a total of 172 signatures.

Text of Petition

There is currently no law in place anywhere in the UK that offers education on food allergies in schools from primary age and up.

We want to change that! Offering educational sessions in schools will benefit children at risk of anaphylaxis. It will help others to understand food allergies, a medical condition that unless you know someone with this disease you wouldn't be aware of the side effects it carries.

We hope introducing educational sessions on food allergies will also break the stigma around them, eliminate bullying and offer more support to children living with this disease.

All it takes it one touch or one bite and without administering an epi pen you could be faced with a very tragic situation.

Introducing mandatory epi pen training will also eliminate the worry for families living with food allergies. Teachers and school staff will know the vital signs of an allergic reaction meaning anaphylaxis can be spotted sooner.

Archie's Allergies is a new charity offering support, advice and information on the importance of being allergy aware.

Assembly Constituency and Region

- Cardiff South and Penarth
- South Wales Central

Title: P-05-932 Education On Food Allergies In Schools & Mandatory EPI PEN Training

Y Pwyllgor Deisebau | 21 Ionawr 2020
Petitions Committee | 21 January 2020

Reference: RS19/11218-4

Petition Number: P-05-932

Petition title: Education On Food Allergies In Schools & Mandatory EPI PEN Training

Text of petition:

There is currently no law in place anywhere in the UK that offers education on food allergies in schools from primary age and up.

We want to change that! Offering educational sessions in schools will benefit children at risk of anaphylaxis. It will help others to understand food allergies, a medical condition that unless you know someone with this disease you wouldn't be aware of the side effects it carries.

We hope introducing educational sessions on food allergies will also break the stigma around them, eliminate bullying and offer more support to children living with this disease.

All it takes it one touch or one bite and without administering an epi pen you could be faced with a very tragic situation.

Introducing mandatory epi pen training will also eliminate the worry for families living with food allergies. Teachers and school staff will know the vital signs of an allergic reaction meaning anaphylaxis can be spotted sooner.

Archie's Allergies is a new charity offering support, advice and information on the importance of being allergy aware.

CURRENT PROVISION FOR LEARNERS' HEALTHCARE NEEDS

The letter from the Minister for Education sets out the measures already in place regarding education, awareness and provision regarding food allergies and the use of Adrenaline Auto-Injectors (AAIs), a common brand being an 'Epi-Pen'.

These include:

- **General duties on local authorities and schools** under the Education Act 1996 and Education Act 2002;



- **Statutory guidance on Supporting Learners with Healthcare Needs (2017);**
- **Guidance on the use of Emergency AAI in Schools in Wales (2017);**
- **The EU Food Information for Consumers Regulation requiring **information to be available on ingredients** of food and drink served in school.**

The Welsh Government is reviewing the Healthy Eating in Schools (Nutritional Standards and Requirements) (Wales) Regulations 2013 and revising the statutory guidance on this for schools, which was issued in 2014. The Welsh Government is also reviewing its approach to allergies and immunology from a health perspective and says it will be engaging with the Anaphylaxis Campaign and Allergy UK.

Supporting Learners with Healthcare Needs statutory guidance

The Supporting Learners with Healthcare Needs statutory guidance, issued in 2017, provides advice to local authorities and governing bodies on meeting their duties towards learners with healthcare needs. The previous version of the guidance (2010) was non-statutory and **placing the revised guidance on a statutory footing was seen as a significant step forwards**. This occurred during the Assembly's scrutiny of the Additional Learning Needs and Education Tribunal Bill with which the relationship with healthcare needs was discussed in some detail.

The guidance states that school staff should understand their role in supporting learners with healthcare needs and **appropriate training should be provided**. Individual staff may take on a role in assisting or supervising the administration of medicines, although this role is entirely voluntary. Staff members must receive sufficient and suitable training and achieve the necessary level of competence before they take on the responsibility.

Guidance on the use of Emergency AAI in Schools in Wales

A change in UK Parliament legislation in October 2017 means **that schools are able to purchase an AAI for use in emergencies**, without the need for a prescription. AAIs contain a single fixed dose of adrenaline (sometimes called epinephrine) and are the recommended first line treatment for anaphylaxis. Anaphylaxis is a severe and potentially life-threatening allergic reaction, often happening within minutes but sometimes after hours. It occurs because the body's immune system reacts inappropriately to a substance it wrongly perceives as a threat.

Adrenaline treats the symptoms and further release of chemicals causing anaphylaxis. AAIs are potentially life-saving devices and enable the administration of adrenaline by non-healthcare professionals e.g. staff, family, first aiders. Delays in giving adrenaline are a common finding in fatal reactions.

The Welsh Government's guidance states that 'holding a spare AAI for emergencies could potentially save a child or young person's life and provide parents with greater peace of mind'. The guidance also advises parents that an emergency AAI should never be relied upon instead of their child's own AAI, in case the nursery or school does not have an emergency AAI.

TEACHING ABOUT HEALTHCARE NEEDS

Current Personal and Social Education (PSE)

PSE is a statutory curriculum requirement and forms part of the basic curriculum for all registered pupils at maintained schools who are of compulsory school age. Decisions on the precise content and model of delivery of a school PSE programme lie with head teachers and their governors, working with local authorities and other local partners.

Schools use the non-statutory PSE framework (2008) to review and develop their PSE programmes. Teachers, headteachers and governing bodies of required maintained schools, colleges and other learning providers should base their personal and social education provision on this document.

To **‘equip learners to lead safe, healthy lives’** is one of the aims of PSE. The Minister’s letter says schools may invite organisations to present to their pupils on a range of issues including food allergies. She also says the Welsh Government acknowledge that life-saving skills and emergency first aid procedures are important for everyone to learn.

New Curriculum for Wales

The Welsh Government, together with ‘Pioneer Schools’, has developed a new ‘Curriculum for Wales’, following the Successful Futures review by Professor Graham Donaldson in 2015.

The new curriculum will be built around four purposes and six Areas of Learning and Experience (AoLE), one of which is Health and Well-being. The Welsh Government published the draft Curriculum for Wales in April 2019 and following a feedback exercise is now refining it ahead of its publication in January 2020. The Minister for Education is due to make a statement in Plenary on 28 January regarding the new curriculum.

The new Curriculum for Wales is due to be introduced from **September 2022** on a phased basis. It will initially be taught in primary school and Year 7 before rolling into Year 8 in 2023/24 and so on as these pupils progress through school until they reach Year 11 in 2026/27.

‘Health and Well-being’ is one of the six Areas of Learning and Experience (AoLE) in the new curriculum. The draft Health and Well-being AoLE is available on the Welsh Government’s website.

The Welsh Government has emphasised that the new Curriculum for Wales is **purpose-driven** rather than simply defined by its content. There are therefore no ‘programmes of study’ and there will be comparatively less prescription of what must be taught than in the current curriculum.

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



Eich cyf/Your ref P-05-932
Ein cyf/Our ref KW/07585/19

Janet Finch-Saunders AM
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04 December 2019

Dear Janet,

Thank you for your letter of 22 November regarding Petition P-05-932 'Education on food allergies in schools and mandatory epi-pen training' from Archie's Allergies. I recognise how important it is that parents/carers and learners with allergies feel confident with the support provided in school.

It is important that schools provide high quality support for learners with allergies, to help prevent exposure to allergens and to respond appropriately to any allergic reactions. Our approach, which combines legislation and statutory guidance, sets out a high expectation of schools whilst giving them the necessary flexibility in deciding how best to support their pupils with healthcare needs.

Local authorities and school governing bodies already have legal duties to provide suitable education and support for learners with healthcare needs:

- Under the Education Act 1996 local authorities must provide suitable education for all learners and school governing bodies must ensure arrangements are in place to support learners, and that staff consult the relevant professionals, learners and parents to ensure the needs of the learner are properly understood and effectively supported.
- Under Section 175 of the Education Act 2002 local authorities and school governing bodies must make arrangements to ensure their functions are exercised with a view to safeguarding and promoting the welfare of children in school or another place of

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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.

learning. This includes supporting children with healthcare needs. In meeting these duties local authorities and governing bodies must have regard to guidance issued by the Welsh Ministers.

- Section 21(5) of the Education Act 2002 places a duty on governing bodies to promote the well-being of learners at the school, including physical and mental health and emotional well-being, education, training and recreation, and social well-being.

To support local authorities and governing bodies with their legal duties, the Welsh Government published [Supporting Learners with Healthcare Needs](#) statutory guidance in 2017, in consultation with a diverse range of stakeholders, including allergy organisations.

This statutory guidance requires local authorities and education settings in Wales to have a healthcare needs policy in place that is readily available to staff and parents. The policy should seek to ensure that pupils with any medical condition, including allergies, are properly supported.

The key expectations are that:

- Learners with healthcare needs should be properly supported so that they have full access to education, including trips and physical education.
- Governing bodies must ensure that arrangements are in place to support learners with healthcare needs.
- Governing bodies should ensure that education setting staff consult the relevant professionals, learners and parents to ensure the needs of the learner with healthcare needs are properly understood and effectively supported.

The guidance also states that school staff should be trained to recognise the signs, symptoms and triggers of common life-threatening medical conditions and know what to do in an emergency. This includes training on how to administer an adrenaline auto-injector (AAI), sometimes referred to by the brand name Epi-Pen.

Following a change in UK legislation, since 1 October 2017, education settings can purchase AAls without the need of a prescription, for use in emergencies. We published [Guidance on the Use of Emergency Adrenaline Auto-Injectors in Schools in Wales](#), drafted in collaboration with a range of stakeholders, including health specialists and allergy organisations. This guidance provides advice on recognising and responding to an anaphylactic shock, use of an AAI, reducing risk of allergen exposure, the supply, storage, care and disposal of emergency AAls and links to information. Further training and support around allergies and the use of AAls is available to schools from school nursing services and allergy teams based in health boards.

The Welsh Government acknowledges that life-saving skills and emergency first aid procedures are important for all to learn and we are keen to raise awareness of these skills. As part of the Personal and Social Education (PSE) element of the curriculum, schools are able, at their discretion, to invite organisations to present to their pupils on a range of issues including food allergies. We are currently developing a new curriculum for Wales to raise standards and enable all learners to make progress in relation to the four purposes.

The Health and Well-being Area of Learning and Experience is being designed to support the development of the fundamentals of health and well-being in learners, while allowing professionals to shape specific content as appropriate to their learners. It will remain important for schools will still want to draw upon the expertise and support of specialist providers to enhance their provision.

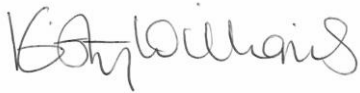
The EU Food Information for Consumers Regulation No. 1169/2011 requires school caterers in Wales to make available the allergen ingredients information for the food and drink they serve in school. My officials attend regular meetings with school caterers, local authorities and dieticians where issues around food allergies are discussed in depth.

We are also changing the Healthy Eating in Schools (Nutritional Standards and Requirements) (Wales) Regulations 2013, and revising the statutory guidance for schools. We will ensure stakeholders are involved in the revision and I would encourage all with an interest in allergies to share their views as part of the public consultation.

From a health perspective, we are currently reviewing our approach to allergies and immunology, and the Deputy Chief Medical Officer will host a meeting with relevant specialists in January 2020 to discuss a range of issues, including awareness raising of allergies. Further engagement will take place with our stakeholders on this matter, which is likely to include the Royal College of Paediatrics and Child Health (RCPCH), Anaphylaxis Campaign and Allergy UK.

I consider the existing legislation together with statutory guidance and the upcoming revision of the 'Healthy Eating in Schools' Regulations and statutory guidance to be sufficient, and do not feel it is necessary at this time to legislate further on schools' response to pupils with allergies. We will continue to work with and take into account the views of parents/carers and learners, allergy organisations and others on supporting learners with allergies in schools.

Yours sincerely,

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

Kirsty Williams AC/AM
Y Gweinidog Addysg
Minister for Education



To the committee thank you for the opportunity given to me to respond to the attached letter.

Firstly, I'd like to thank the Minister of Education for her response, this has made pointing out the very specific policies that are in place that fail children including my own on a daily basis.

I highlight 'the key expectations are that'

- Learners with healthcare needs should be properly supported so that they have full access to education, including trips and physical education
- Governing bodies must ensure that arrangements are in place to support learners with healthcare needs.
- Governing bodies should ensure that education setting staff consult the relevant professionals, learners and parents to ensure the needs of the learner with healthcare needs are properly understood and effectively supported.

My response:

- Children with food allergies including my own are excluded from educational activities as well as bake sales and specific celebrations encouraged by schools involving food.
- What is in 'place' does nothing to help aid schools along with curriculum that is and already has failed many children, these policies do not help support schools or help them support the child living with allergic disease.
- The appointed staff, such as the school nurses are not equipped or educated on food allergies and to the satisfactory level that is needed to keep children safe whilst under the care of the school.

Parents of children with food allergies are prepared, they prevent any risk of a chance for an allergic reaction, however schools do not, nor do their staff.

Following from my own experience with my sons school, schools hide the truth. Whether anyone wants to admit it, they can cover it up but when there is evidence to prove this, they brush it under the rug. Today 14th January 2020 I learnt that despite my sons head teacher profusely stating that all staff were Epi-Pen trained because of my own persistence and peace of mind, it come to light that not all staff or all teachers were trained, yet it was stated on multiple occasions that they were. What would have happened if I hadn't have gone on about it? Would they never have been trained?

Mandatory Epi-Pen training should be given when teachers start their training in university, it should be a subject that they have to be educated on themselves. The teachers and staff being trained today only know how to administer an epi-pen, they don't know what the top allergens are, they are not allergy aware, they don't know how to keep a child living with allergic disease safe. It is expected that the child is mainly responsible for their allergies.

Schools or at the moment the minister of education has to be held accountable for the lack of care and risk they put children with food allergies in. It may benefit 60 children but for that 1 child that can't participate what does this example of behaviour do to them? Introducing educational sessions on food allergies in school will help normalise the conversation and stigma that surrounds this particular medical issue. It will help minimise bullying.

If you tease a child that's allergic to nuts with a snickers you may as well be holding a knife to their throat, both will result in a tragic outcome.

I call on the welsh assembly to bring to light the disastrous failings of not one school but many, that because one head teacher doesn't believe in food allergies the children in their care suffer,



they are excluded from educational activities, something that they have every right in being a part of.

Schools don't want to act on the current policies because they don't need or have too, they don't have to invite third party organisations to teach children about food allergies because there is no one telling them that it's important enough, because if a child with food allergies has an allergic reaction the school and staff who is responsible for their care will only have themselves to blame for their lack of awareness.

The schools and teachers do not know the why or when to use an epi-pen, the vital signs that point to an anaphylactic reaction or at what point do they need administer an epi-pen because it isn't when my child is laying on the floor unconscious.

It is clear that the very practises that are in place are not keeping children safe, this has to change. Not after a tragedy, Not when an example has to be made but now, preventing the tragedy, be the example, do this for children and for the adults that wish it had been done for them.

My son is 7 years old and from the age of 4, his whole school life he has been excluded and made an example of by the teachers that I'm meant to have faith in to teach my child even just the every day stuff. The very governing body that is meant to support them, does nothing but say 'google it'. Why are children with food allergies being made to feel like the problem, just as seriously as schools take diabetes why are teachers comfortably allowing risk after risk to take place under their care and put it down too 'an over sight'.

'Hi, Archie's Mum, he's had another allergic reaction today, we've given him his medicine, we don't know how this has happened, there is no food where has been blah blah.' I've had this same conversation over 60 times since September 2019 alone, because teachers aren't telling 6 and 7 year olds to wash their hands after eating, the most easiest and simplest task, a task that we tell our children to do to avoid spreading germs or avoiding a stomach bug. Washing with soap and water or wet wipes stops cross contamination immediately.

I want, I need to know, I want, I need to see my child is safe in school, because I send him to his possible death everyday, and these policies are allowing this behaviour in our schools.

All this letter has done is saddened me, it's showed me that although the minister of education is confident enough to show me these policies, she is also confident enough that nothing will change, I will not wait for my son to die because of someone else negligence, which is exactly how every family that has been let down by their school feels.

I call for prevention and it starts in schools, with teachers that already educate us on maths, english, science, physical education.

I'd be more than happy to go into further detail of every catastrophic failure that my family has been through because of the simple lack of knowledge on food allergies, but it isn't just about us or just Archie, it's about every child like him and every family like us.

Can you imagine having a child who can die from food? The possibility of death for my child is everywhere ... everyday.

Thank you,

Charlotte, Archie's Mum and founder of Archie's Allergies Charity: 1186048.

Agenda Item 3.1

P-05-724 Rights to Primary Health Care in Welsh

This petition was submitted by Cymdeithas yr Iaith, having collected 766 paper signatures.

Text of the Petition

We call upon the Welsh Government to look again at the proposed Standards in the health field, to include primary health service providers such as surgeries and pharmacies, to ensure that people have full and robust rights in this all-important area.



Ein cyf/Our ref VG/08607/19

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

Government.Committee.Business@gov.wales

10 December 2019

Dear Janet,

Thank you for your letter of 19 November on behalf of the Petitions Committee about Petition P-05-724 Rights to Primary Health Care in Welsh.

The Welsh Government recognises that having services through the medium of Welsh is a key component of care. I appreciate the fact that the majority of people's first point of care with the NHS in Wales is with primary care and for vulnerable groups, for example, the elderly, patients with dementia and children, communicating in their first language is a matter of need rather than choice.

Unlike the majority of bodies that are required to comply with Welsh language standards, independent primary care providers have not previously been subject to Welsh language schemes. The six common duties placed on independent primary care providers in relation to the Welsh language are at a level that was currently considered appropriate and reasonable. I consider the duties in their current form to be an important first step on the journey towards greater provision of primary care services in Welsh.

We have been clear from the outset that we will need to keep the duties under review as they bed-in. We have no plans to weaken the duties and will be reviewing them with the aim of building on the starting point which the duties currently provide and within the context of providing better health and care services through the medium of Welsh as set out in the *More than just words* framework. This review will be undertaken during 2020/21.

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

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1NA

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

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

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

We have recently undertaken a survey with GP practices to collect baseline data on Welsh language services. The high-level results showed that 77% of practices would be interested in receiving further guidance and support on the 'active offer'. This demonstrates there is an impetus within the sector to improve Welsh language provision. The Welsh Government will be supporting practices to implement the duties and to further improve Welsh language services by developing a primary care toolkit to provide practical guidance and support. We are also undertaking Cymraeg Byd Busnes pilots with two primary care clusters to support the introduction of the duties.

The duties being placed on independent primary care contractors, just like the standards for the health sector, are all important pieces of the jigsaw of intervention and support which build on the firm foundations laid by *More than just words* within the health and care sector.

Yours sincerely,

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

Vaughan Gething AC/AM

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

P-05-724 P-05-724 Hawliau i ofal iechyd sylfaenol yn Gymraeg, Gohebiaeth – Deisebydd at y Pwyllgor, 07.10.19

Annwyl Glerc y Pwyllgor Deisebau

Rheoliadau'r Gwasanaeth Iechyd Gwladol (Y Gymraeg mewn Gwasanaethau Gofal Sylfaenol) (Diwygiadau Amrywiol) (Cymru) 2019

Diolch am eich gwahoddiad dyddiedig 2 Hydref 2019 i gynnig sylwadau ar ymateb y Gweinidog Iechyd a Gwasanaethau Cymdeithasol i adroddiad y Pwyllgor Diwylliant, y Gymraeg a chyfathrebu ar Rheoliadau'r Gwasanaeth Iechyd Gwladol (Y Gymraeg mewn Gwasanaethau Gofal Sylfaenol) (Diwygiadau Amrywiol) (Cymru) 2019.

Rydym yn cadarnhau bod y Gweinidog wedi trafod pob un o'r argymhellion yn ei ymateb.

Argymhelliad 1

Yn ei adroddiad, mae'r Pwyllgor yn nodi fod rhai aelodau o'r farn y dylai'r Llywodraeth ddiddymu'r Rheoliadau, ond nid oedd eraill o'r un farn. Er hynny, cytunodd yr holl aelodau y dylid diwygio'r Rheoliadau yn dilyn ymgynghoriad llawn; ac mae'r Gweinidog yn gosod addewid i weithredu camau o'r fath. Bwriad deiseb y Gymdeithas oedd galw am newid Safonau'r Gymraeg fel bod hawliau cyfreithadwy cadarn a chlir gan y cyhoedd i dderbyn gwasanaethau gofal sylfaenol yn Gymraeg. Am hynny, rydym yn galw am addewid pendant y bydd y Rheoliadau yn cael eu cryfhau erbyn 2020/21; ac y bydd camau penodol i sicrhau bod deddfwriaeth ac is-ddeddfwriaeth sydd yn yr arfaeth yn adlewyrchu'r angen i hybu'r Gymraeg mewn gwasanaethau gofal sylfaenol.

Argymhelliad 2

Yn ei ymateb i adroddiad y Pwyllgor, mae'r Gweinidog yn cyflwyno addewid i ganiatáu amser ar gyfer gwaith craffu rheoliadau am y defnydd o'r Gymraeg ym maes iechyd a gofal cymdeithasol i'r dyfodol, gan hysbysu ac ymgysylltu â'r pwyllgor penodol ar gyfer y pwnc dan sylw, ond hefyd â'r Pwyllgor Diwylliant, y Gymraeg a Chyfathrebu yn gynharach yn y broses. Tra rydym yn croesawu addewid o'r fath, mae'n rhaid tynnu eich sylw at y ffaith bod Gweinidog y Gymraeg a Chysylltiadau Rhyngwladol, eisoes wedi cynnig yr un addewid i'r Pwyllgor. Mae diffyg parodrwydd y Llywodraeth i wireddu addewidion yn peri gofid i ni fel Cymdeithas ac yn tanseilio'r broses ddemocrataidd.

Cwestiwn: Faint o amser a neuilltir ar gyfer y gwaith craffu o hyn ymlaen? Yn ystod pa gam o'r broses caiff y Pwyllgor Diwylliant, y Gymraeg a Chyfathrebu eu hysbysu?

Argymhelliad 3

Rydym yn croesawu'r addewid i gyflwyno Memorandwm Esboniadol dwyieithog o hyn ymlaen.

Argymhelliad 4

Rydym yn croesawu'r addewid y bydd Llywodraeth Cymru yn gweithio tuag at ddatblygu'r capasiti i ddarparu gwasanaethau Cymraeg ar draws y sector gyhoeddus. Ym maes ieched, mae dirfawr angen cynllunio gweithlu ar sail anghenion ieithyddol y boblogaeth er mwyn mynd ati i weithredu'r 'cynnig rhagweithiol' yn llwyddiannus. Am hynny, wrth gomisiynu'r addysg, mae angen gosod targedau clir ar gyfer recriwtio nifer digonol o siaradwyr Cymraeg ar gyfer gweithlu'r dyfodol; sicrhau fod rhaglenni proffesiynol ar gael trwy'r Gymraeg ar draws y disgyblaethau er mwyn sefydlu'r sgiliau iaith angenrheidiol ar gyfer ymarfer mewn sefyllfa ddwyieithog: a gwella sgiliau Cymraeg a hyder y gweithlu presennol.

Cwestiwn: A fydd y Gweinidog yn rhoi sylw manwl i'r anghenion hyn wrth adolygu Cymru Iachach: Strategaeth Gweithlu ar gyfer Iechyd a Gofal Cymdeithasol (Addysg a Gwella Iechyd Cymru / Gofal Cymdeithasol Cymru, 2019)?

Argymhelliad 5

Rydym yn croesawu'r addewid i gynnal ymgyrch i addysgu darparwyr gofal sylfaenol annibynnol am eu dyletswyddau newydd, gan gynnwys cynnal arolwg; paratoi pecyn cymorth ar gyfer gofal sylfaenol; a chynllun peilot Cymraeg byd busnes.

Cwestiwn: Beth yw'r amserlen ar gyfer y mentrau hyn?

Argymhelliad 7

Rydym yn croesawu'r bwriad i ysgrifennu at Gyfarwyddwyr Gofal Sylfaenol y Byrddau Iechyd i egluro cyfrifoldebau'r byrddau iechyd lleol o ran cwrdd â chostau darparwyr gofal sylfaenol annibynnol o ganlyniad i gydymffurfio â'r Rheoliadau.

Argymhelliad 8

Rydym yn croesawu'r bwriad i gynnal adolygiad ar weithredu ac effaith y dyletswyddau yn ystod haf 2020/21; a thrafod y dull gweithredu priodol gyda Chomisiynydd y Gymraeg. Er hynny, mae'n rhaid pwysleisio mai bwriad deiseb y Gymdeithas oedd galw am newid Safonau'r Gymraeg fel bod hawliau cyfreithadwy cadarn a chlr gan y cyhoedd i dderbyn gwasanaethau gofal sylfaenol yn Gymraeg. Am hynny, rydym yn galw am addewid pendant y bydd y Rheoliadau yn cael eu cryfhau erbyn 2020/21; ac y bydd camau penodol i sicrhau bod deddfwriaeth ac is-ddeddfwriaeth sydd yn yr arfaeth yn adlewyrchu'r angen i hybu'r Gymraeg mewn gwasanaethau gofal sylfaenol.

Yr eiddoch yn gywir

Gwerfyl Roberts
Cadeirydd
Is-grŵp Iechyd
Cymdeithas yr Iaith Gymraeg

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

Document is Restricted

Agenda Item 3.2

P-05-751 Recognition of Parental Alienation

This petition was submitted by Families Need Fathers Both Parents Matter Cymru and was first considered by the Committee in May 2017, having collected 2,058 signatures – 752 on paper and 1,306 online.

Text of the Petition

We call upon the Welsh Assembly to persuade the Welsh Government to protect children and young people in Wales by formally recognising 'Parental Alienation' as a form of emotional abuse of children. We further call upon the Welsh Government to take specific actions to reduce the impact of Parental Alienation on children and their families.

Additional Information

We propose the following action by Welsh Government

- Recognise 'Parental Alienation' as emotional abuse of children with a definition incorporating the one given by the Ministry of Justice (paragraph 1) here <https://petition.parliament.uk/petitions/164983>)
- Commission and fund mandatory training for professionals including but not Social Work and Cafcass Cymru staff, in recognising Parental Alienation including pathways to protect children from harm.
- Establish and fund a national campaign to inform children and families about Parental Alienation and the harm that it causes.
- Place a duty on Welsh Ministers to act to protect children from abuse and harm where Parental Alienation has been identified.

Parental Alienation has been defined by the Ministry of Justice as:

‘In cases where parents are separated, parental alienation refers to a situation in which one parent (usually the parent with whom the child lives) behaves in a way which creates anxiety in the child, so that it appears the child is opposed to living or spending time with the other parent.’

This definition is taken from the first paragraph of the Government’s response to Mr. Darren Towill’s petition. <https://petition.parliament.uk/petitions/164983>

CAFCASS in England have already recognised Parental Alienation as an abuse of children. CAFCASS CEO Anthony Douglas stated in an article in the Telegraph online

dated 12th Feb 2017 about Parental Alienation that "It's undoubtedly a form of neglect or child abuse in terms of the impact it can have".

<http://www.telegraph.co.uk/news/2017/02/12/divorced-parents-pit-children-against-former-partners-guilty/>

Assembly Constituency and Region.

- West Cardiff
- South Wales Central



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

5 December 2019

Dear Janet Finch-Saunders AM

Petition P-05-751 Recognition of Parental Alienation

Thank you for your letter dated 18 November 2019.

Following the publication and launch of the Cafcass Cymru practice guidance *Children's Resistance Or Refusal To Spend Time With A Parent*, Cafcass Cymru will monitor the impact and effect of the guidance through our supervision arrangements with our practitioners. Through an organisation-wide programme the guidance will embed into practice and be used by family court advisors to aid their assessment, analysis and advice to the court in respect of children and their families.

In order to ensure the practice guidance is kept fresh in the minds of our practitioners, we will be providing regular practice development sessions around its use and this work has already commenced. The guidance has been positively received by practitioners and feedback to date indicates it is being used in practice to support robust and evidence-based decision making for children. We will of course continue to monitor and review its implementation and effectiveness.

Yours sincerely

Nigel Brown
Chief Executive, Cafcass Cymru



**61 Cowbridge Rd East
CARDIFF
CF11 9AE
paul@fnf-bpm.org.uk**

14th January 2020

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

Dear Janet

Petition P-05-751 Recognition of Parental Alienation

Thank you for sharing with us the latest response dated 5th December 2019.

I would like to re-iterate our thanks to you and the Members of your Committee for the time and effort that you've devoted to our Petition. As previously stated we do not believe that Cafcass Cymru would have taken any action without the Committee's work.

It remains a disappointment that Cafcass Cymru refuse to use the term Parental Alienation in the guidance they have produced. This failure sends important messages about their commitment to protect children. <https://gov.wales/childrens-resistance-or-refusal-spend-time-parent-cafcass-cymru-practice-guidance> We continue to see wide variation in the responses from individual Family Court Advisers (FCAs) when the concept of Parental Alienation is raised in feedback from the hundred of service users who the charity supports in Wales. Some FCAs show a clear understanding of the dynamics of PA whilst others are reported as openly hostile or dismissive.

The extent to which the leadership of Cafcass Cymru accepts the concept of Parental Alienation and the impact on children is still unproven. Their decision to commission Cardiff University to produce a literature review in 2018 has been criticised by some as a cynical move to address the concerns raised by your Committee whilst casting doubt on this form of abuse. The fact that the guidance cannot even use the term Parental Alienation in the title indicates that at a senior level there may still be resistance to acknowledging the concept. That 'cultural' lead may influence individual practitioners to dismiss or downplay the use of the guidance.

It is encouraging to hear Cafcass Cymru state that the '**guidance will embed into practice and be used by family court advisors to aid their assessment, analysis and advice to the court in respect of children and their families**' and that they will '**ensure the practice guidance is kept fresh in the minds of our practitioners...**'

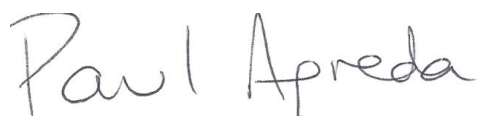
These are important commitments that the Welsh Government, through Cafcass Cymru, is giving to the Committee. We urge that you ask Cafcass Cymru to share with the Committee the results of the '**regular practice development sessions around its use....**' which they confirm have already commenced. In particular we suggest that a Results Based Accountability framework is adopted to report progress to the Committee. This would go a long way towards evidencing rather than asserting the value of the Guidance. We suggest the following indicators be proposed:

- Number and percentage of front line Family Court Advisers (FCAs) who have taken part in the 'regular practice development sessions' SPECIFICALLY on the 'Children's resistance or refusal to spend time with a parent' guidance.
- Qualitative Feedback from front line FCAs on their experience of the usefulness of the current guidance in their practice
- Feedback from parents and children / young people about the difference it has made for them in terms of the delivery of the service provided by Welsh Government through Cafcass Cymru. (*)

(*) a useful precedent for such feedback from service users may be the section on Family Court matters in the Welsh Government funded 'Are you listening and am I being heard?' report from Welsh Women's Aid in relation to the experience of Domestic Violence and Abuse.

Finally we must acknowledge that we are aware that Cafcass Cymru have invited the drama group who performed a theatrical interpretation on Parental Alienation for our charity in the Senedd in April 2019 to contribute a similar piece to their staff conference later this year. We hope that FCAs feedback on that performance may also be shared by Cafcass Cymru with the Committee.

Yours sincerely,

A handwritten signature in black ink that reads "Paul Apreda".

NATIONAL MANAGER, BOTH PARENTS MATTER / IDVA, AEGIS DV

Agenda Item 3.3

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

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

Text of the Petition

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

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

Assembly Constituency and Region

- Merthyr Tydfil and Rhymney
- South Wales East

Ms Janet Finch-Saunders AC/AM
Cadeirydd/Chair
Cynlluniad Cenedlaethol Cymru
Bae Caerdydd
Caerdydd
CF99 1NA

Dear Ms Finch-Saunders

Petition P-05-754 Lack of support for children with disabilities at crisis

Thank you for your letter dated 16th December 2019 regarding the above petition.

Further to your enquiry I can confirm that a meeting did take place with Mrs Weale on the 16th July 2018, chaired by [REDACTED], former Director of Nursing, and also present were [REDACTED] [REDACTED], Clinical Director for Children and Young People's services, [REDACTED], Consultant Psychiatrist in Learning Disability and [REDACTED], Directorate Manager.

At this meeting it was discussed that there is presently no inpatient Learning Disability provision in Wales, with this specialist service currently only commissioned from units in England, making emergency/ respite care very difficult. There was also a discussion around the role of the Specialist CAMHS Crisis teams and the fact that they could respond to a young person with Learning Disability in a mental health crisis as appropriate. As an outcome from the meeting it was agreed that the clinicians that had been involved previously would be asked to consider a pathway for young people in crisis and work has been undertaken to develop a draft, however further work is now required in order to implement this. I note that this is a complex piece of work, with numerous services involved, however I have asked that this is now urgently progressed.

I hope that this provides a useful update however if Mrs Weale would like to meet again to discuss this then could I please ask that she contact [REDACTED] via email at [REDACTED] so that he can arrange this.

Yours sincerely



Dr Sharon Hopkins
Prif Weithredwr/Chief Executive

Cyfeiriad Dychwelyd/ Return Address:

Bwrdd Iechyd Prifysgol Cwm Taf Morgannwg, Pencadlys, Parc Navigation, Abercynon, CF45 4SN
Cwm Taf Morgannwg University Health Board, Headquarters, Navigation Park, Abercynon, CF45 4SN

Cadeirydd/Chair: Professor Marcus Longley Prif Weithredwr/Chief Executive : Dr Sharon Hopkins

Bwrdd Iechyd Prifysgol Cwm Taf Morgannwg yw enw gweithredol Bwrdd Iechyd Lleol Prifysgol Cwm Taf Morgannwg
ICwm Taf Morgannwg University Health Board yw enw gweithredol o'r Cwm Taf Morgannwg University Local Health Board

P-05-754 Lack of support for children with disabilities at crisis (the is a crisis team but do not support children with disabilities), Correspondence – Petitioner to Committee, 21.01.20

I am extremely sorry for the last minute delay. [REDACTED] has once again been in crisis over the last 8 weeks and still on going. This crisis has been the worse yet.

I also apologise for the miss understanding with regards to a meeting. A meeting did take place, however as there has been communication from the committee to myself (none of which from Cwm Taff Health board) since that particular meeting, I thought that the meeting in question was the follow up meeting that I was promised as well as being invited to a chair meeting.

From that particular meeting I was told that there would be following discussions/meetings, even some sort of communication/outcome. I am however still awaiting on the above.

I was also asked permission to be filmed to express our circumstances - pain/struggles. I complied and was filmed. Again I have had no outcome/correspondence since.

Thank you,

Agenda Item 3.4

P-05-870 Let's Get Every Young Heart Screened (Age 10-35)

This petition was submitted by Sharon Owen having collected a total of 3,444 signatures.

Text of Petition

We call on the National Assembly for Wales to ask the Welsh Government to roll out a heart screening programme to all young people between 10 and 35 in Wales. Hundreds die each year in Wales from an undiagnosed heart condition and a simple ECG will identify most cardiac abnormalities so that conditions can be managed effectively.

Heart screening sessions involve a short 5-10-minute test which is quick and painless and able to detect most heart abnormalities and could save hundreds of lives in Wales. In the Veneto region of Italy, where heart screening programme has been undertaken for 25 years the number of young athletes, male and female, dying of sudden cardiac arrest fell from one in 28,000 each year to one in 250,000, according to a 2006 study published in the Journal of the American Medical Association.

Additional Information

Assembly Constituency and Region

- Cardiff West
- South Wales Central

UK NSC recommendation on screening for cardiac conditions associated with sudden cardiac death (SCD) in the young

Following a review of the evidence against strict criteria, the UK NSC does not currently recommend systematic population screening for cardiac conditions associated with SCD in the young.

SCD is the sudden and unexpected death of a person caused by a problem with their heart. The causes in people under the age of 39 are often a thickening of the heart muscle or an electrical problem with the heart. In older people, SCD is more likely to be caused by a narrowing of the blood vessels that supply the heart.

Screening might help by identifying heart conditions at an early stage before they cause symptoms. This in turn would allow treatment to start earlier.

Key findings supporting the UK NSC recommendation

The effects of SCD can have a devastating impact on the affected individual and beyond. Our public consultation received many responses from the families and friends of people who lost their lives to SCD. They also drew attention to its even wider impact on the communities in which the families and friends live and work.

The UK NSC has very carefully considered the recommendation on screening to prevent SCD. The result of the committee's consideration was that a screening programme in all young people under the age of 39 should not be offered in the UK for the following important reasons identified by this review.

The test

A screening test must reliably identify people at risk of the condition, or outcome, the screening programme aims to prevent. This is because incorrect test results can cause harm. People with the condition who are missed by screening can be given false reassurance. People without the condition who receive positive test results can be given unnecessary tests and treatments. In these ways, screening can cause unintended harm.

The review found that most of the research on the different tests for SCD is in professional athletes whose hearts have different characteristics from non-athletes/the general population. Research like this is important, but tests can work in different ways in different groups of people. So the research we have on the tests might not provide a good indication of what they would find if all young people under the age of 39 were tested.

The review also found that the research on the tests did not report good accuracy. A high percentage of those receiving positive tests did not have a condition that may cause SCD. The reliability of the test also depends on the number of people with the condition who would be missed by the screening test. The way the research was done means that it is not possible to estimate the percentage of people who would have conditions missed by the test.

Treatment

A screening programme must be able to offer a way of treating, preventing or managing a condition when it is identified, and this treatment should be based on good evidence. This is one of the requirements for establishing any new population screening programme.

Many heart conditions put an individual at risk of SCD. The review did not find any research on treatments or interventions to prevent conditions related to SCD found by screening. The review looked at guidelines developed for people at high risk of SCD. The guidelines provided advice on how to manage some of the heart conditions. Unfortunately this advice was not based on good evidence. There was no advice in the guidelines for other heart conditions related to SCD that may be found by screening.

The review did not find any examples to show the effectiveness of screening programmes in young people for the prevention of SCD. Previous UK NSC reviews have found examples of screening programmes, but these have mainly been for professional athletes. It is not known whether systematic population screening would work to reduce deaths.

Finally, the review was concerned about the effect of receiving an incorrect positive test on people that go for screening. We know very little about this, but there are concerns that people may stop engaging in physical activities if they receive an incorrect positive result.

Screening benefits and harms

Because of these findings, it was not possible for the review to estimate the balance of benefit and harm that may come from screening all young people under the age of 39. At the moment there is guidance on testing family members of people at risk of SCD. Effective implementation of this guidance may help prevent SCD in some groups of people who are at high risk. Effective implementation of this guidance through a targeted screening programme may help prevent SCD in some groups of people who are at high risk.

The UK NSC regularly reviews its recommendations on screening for different conditions in the light of new research evidence becoming available.

To find out more about the UK NSC's recommendation on screening for cardiac conditions associated with sudden cardiac death (SCD) in the young, please visit:

legacyscreening.phe.org.uk/suddencardiacdeath

The UK National Screening Committee (UK NSC) advises ministers and the NHS in the 4 UK countries about all aspects of screening and supports implementation of screening programmes.

Find out more about the UK National Screening Committee at www.gov.uk/uknsc. The UK NSC evidence review process is described at www.gov.uk/government/publications/uk-nsc-evidence-review-process and a list of all UK NSC recommendations can be found at legacyscreening.phe.org.uk/recommendations

The UK NSC secretariat is hosted by Public Health England (www.gov.uk/phe)

**P-05-870 Let's Get Every Young Heart Screened (Age 10-35), Correspondence –
Petitioner to Committee, 15.01.20**

Dear Sir/Madam,

The UK National Screening Committee has decided not to recommend systematic population screening for cardiac conditions associated with sudden cardiac death (SCD) in the young. This conclusion seems to stem mainly from the fact that most research in this important area has been conducted on professional athletes, rather than general population study groups. Welsh Hearts has been conducting cardiac screening sessions for several years and we have screened many hundred individuals and found a higher incidence of both life-limiting and life-affecting cardiac conditions than that published in the literature. This may be because there is a suggestion from the Wales Hypertrophic Cardiomyopathy genetic testing service that the genetic prevalence of susceptible genes in Wales is different from the data in published the literature. It is possible therefore that published international screening studies may not always be applicable to the Wales population, and the negative cost/benefit conclusions from some studies may not be relied upon. To directly address the lack of clear data in the Welsh population we call upon the Welsh Assembly to fund Welsh Hearts to continue screening and keep a systematic registry of all abnormalities detected. This will then inform future decisions about systematic population screening in Wales.

The greatest evidence for the benefit of screening for SCD in the young is from studies on professional athletes and this has formed the basis for the European Society of Cardiology and International Olympic Committee recommending cardiac screening for any young person taking part in competitive sport. We therefore call upon the Welsh Assembly to fund Welsh Hearts to work with Sport Wales and screen all young people taking part in competitive sport in our clubs and societies, even though they are not paid professionals. This approach would cut through the barrier of inequalities in access to health and seek to improve the cardiac health of all young people regardless of their sociodemographic background.

Kind Regards

Sharon

Agenda Item 3.5

P-05-892 Appoint a Learning Disability Commissioner for Wales

This petition was submitted by Cardiff People First having collected 145 signatures online and 423 on paper – a total of 568 signatures.

Text of Petition

We call on the National Assembly for Wales to appoint a Learning Disability Commissioner for Wales. This must be a person with a learning disability.

There are more reports of abuse of people with a learning disability in England again. Research also shows that people with a learning disability get unequal healthcare and die up to 20 years earlier than others. It's 50 years since the Ely Hospital report showed abuse and led to the closure of these institutions. As the organisation set up by people leaving Ely, we believe it is time that we had someone to champion our rights for us at a Welsh level.

Assembly Constituency and Region

- Cardiff West
- South Wales Central



Eich cyf/Your ref: P-05-892
Ein cyf/Our ref: JM/05787/19

Janet Finch-Saunders AM
Chair,
Petitions Committee

National Assembly for Wales
Ty Hywel
Cardiff Bay
Cardiff
CF99 1NA

Government.Committee.Business@gov.wales

11 December 2019

Dear Janet,

Thank you for your letter of 18 November outlining further comments received from the petitioners about the monitoring of duties under the Social Services and Well-being (Wales) Act 2014 (relating to Petition P-05-892 Appoint a Learning Disability Commissioner for Wales).

The Welsh Government has committed to an evaluation of the Social Services and Well-being (Wales) Act 2014 (the Act) to explore its implementation at a national, regional and local level. This will allow the sector to truly understand how the Act has been implemented; what is working well and what changes need to be made to improve. The evaluation will also consider the extent to which the Act has had an impact on those who receive care and support and carers who receive support directly and what has changed for them since implementation.

The evaluation commenced in November 2018 and the contract has been awarded to the University of South Wales. The evaluation will run for a minimum of three years and will include engagement with a wide range of stakeholders. Findings from the evaluation will be published and recommendations from the evaluation will be used to drive improvement within the sector. There will be regular reporting periods throughout the evaluation with the final report and recommendations being published in 2021.

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
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Caerdydd • Cardiff
CF99 1NA

Gohebiaeth.Julie.Morgan@llyw.cymru
Correspondence.Julie.Morgan@gov.wales

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

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

The Welsh Government is also committed to hearing from individuals with experiences of social care, including those with learning disabilities, to ensure we can drive improvement within the sector. Additional funding has been provided until October 2020 to support a project named Measuring the Mountain which focuses on people's experiences of social care. This project uses a community-based approach across the whole of Wales. It encourages all those who wish to do so, to share experiences of social care and explain what is working well for them and any issues they are facing. The stories collected from the project are analysed and provided to the Welsh Government in a formal report.

The Welsh Government has published the final report from phase one of the work and will be providing a formal response to the recommendations highlighted by the project team. All people who have experiences of social care and are happy to share them are encouraged to contact Katie Cooke, the project manager for Measuring the Mountain.

Katie can be contacted by telephone: 07964 407 739 or email:

katie.cooke@southwales.ac.uk .

More information on the project and how individuals and organisations can get involved can be found at: <http://www.mtm.wales/>

Yours sincerely,



Julie Morgan AC/AM

Y Dirprwy Weinidog Iechyd a Gwasanaethau Cymdeithasol
Deputy Minister for Health and Social Services

Agenda Item 3.6

P-05-750 For single use items: introduce a Deposit Return System for drink containers and make fast food containers and utensils compostable

This petition was submitted by Marine Conservation Society and was first considered by the Committee in May 2017, having collected 1,993 signatures.

Text of Petition

The Marine Conservation Society calls on the National Assembly for Wales to urge the Welsh Government to act upon the globally responsible Wales goal within the Well Being of Future Generations Act (Wales) 2015. Build on the excellent results achieved by the carrier bag charge, by implementing two further actions that would help Wales to achieve a zero waste, circular economy. Namely:

1. Introduce a deposit return system in Wales for all single use beverage containers such as glass and plastic bottles and aluminium cans.
2. Legislate that all fast food containers and utensils, as well as take-away cups and lids, if not reusable or refillable or collected for recycling in store, are fully compostable.

Deposit return systems are already in operation in over 40 countries around the world and have been proven to reduce litter, increase recycling by creating a more certain supply of affordable, high-quality materials, reduce costs for Local Authorities and create jobs.

Fast food wrappers and takeaway cups are a common litter item on our streets and making them refillable/reusable, easily recyclable or compostable would reduce litter.

Manufacturing new drinks containers and fast food containers and cups use up huge amounts of energy, which contribute to greenhouse gas emissions. The more we recycle, and the less we litter, the better for our environment and our economy.

Assembly Constituency and Region.

- Ross-on-Wye
- Herefordshire



Llywodraeth Cymru
Welsh Government

WRITTEN STATEMENT BY THE WELSH GOVERNMENT

TITLE **Plastic Waste**

DATE **16 July 2019**

BY **Hannah Blythyn AM, Deputy Minister for Housing and Local Government**

The increasing public concern in relation to plastic waste and particularly single use plastic underlines the importance of tackling this issue. As a Government we, therefore, welcome the recent report by the Climate Change, Environment and Rural Affairs Committee which identified a number of key areas where there is a need for action.

As Deputy Minister for this area, I wanted to set out the action that we are taking and how we plan to build on the progress we have already made in Wales on this issue.

Firstly, I want to address the fact that the recent BBC *War on Plastic* documentary found plastic waste from Wales on an illegal waste site in Asia. This is clearly unacceptable. I am pleased the relevant local authority has acted swiftly to ensure that waste is no longer exported beyond the European Union. I will also be writing to all our other local authorities to ask them to review their arrangements to ensure that no material from elsewhere in Wales will find its way to illegal waste sites.

The longer term solution to this issue is not just about tackling the amount of plastic that ends up in landfill or polluting the world's habitats; we must reduce the amount of resources we use and keep materials in use for as long as possible. This is why our aim is to move to a circular economy. We must work to collect materials in the best way so they can be recycled and fed back into our economy.

Recycling is vital and it is important the public in Wales have confidence the material they are recycling in their homes is not simply disposed of.

As part of our success in making a transformational shift over the last 20 years, from a nation which recycled less than 5%, to a country which recycles 63% of its local authority municipal waste, we have invested significantly in our infrastructure. This means around 95% of municipal waste from Wales is processed in the UK, with the majority processed here in Wales.

Later this year, we will be consulting on our proposals to go further. For business waste, we will implement the provisions in the Environment (Wales) Act to require the separate collection of materials for recycling, to ensure materials that can be recycled are not wasted. This will include provisions which ban the disposal of food waste to sewers by businesses and the public sector.

I also recognise that in order to tackle the issue of plastic waste, we must go beyond recycling. This is why we have already committed to bringing forward a ban or restriction on the sale of commonly littered single use plastic items; including straws, stirrers and cotton buds, single use plastic cutlery and expanded polystyrene food packaging and drinks containers. We are also considering measures to help either reduce the consumption of single use plastic items or, if they are used, to ensure they are correctly disposed of.

To address the fundamental issues associated with litter, we are developing a new Litter Programme which will culminate in a new pan Wales Litter Plan. To help develop and deliver this programme, I am establishing a new group which will draw upon the expertise and knowledge of a wide range of sectors to identify long lasting, sustainable solutions to littering.

As a Government, we recognise the need to collaborate with others to bring about wider change. This is why we jointly consulted with the UK Government and other Devolved Administrations on reforms to the packaging regime. In the UK, we generate 11.6m tonnes of packaging waste annually. These proposals, to introduce Extended Producer Responsibility for packaging and make producers responsible for their packaging at the end of its life, are key to addressing the issue of packaging waste. Our aim is to not only drive an increase in recyclable packaging, but to also reduce the amount of packaging used, thereby dramatically reducing the amount of waste.

In addition, our joint consultation on a Deposit Return Scheme proposes measures to increase the collection of high quality materials including plastics via a mechanism which has been successfully used in other parts of the world to reduce litter and avoid plastic waste. We are currently considering the responses to these consultations and I will provide an update to Members in the autumn. We are also working with the UK Government on the introduction of a tax on plastic packaging with less than 30% recycled content whilst keeping the option open to take specific separate action in Wales.

The production of plastic will however continue and in key areas it will play an important role. I am, therefore, prioritising support to businesses and citizens to use plastic more efficiently and to reuse it wherever possible. This is a key part of the £6.5m Circular Economy Investment Fund I recently launched, which will support and incentivise businesses in Wales to innovate in order to reuse plastic waste and support the transition towards a circular economy.

In parallel, we are also continuing to deliver initiatives to avoid the use of plastic where possible. Our *Refill Nation* initiative encourages people across Wales to refill their drinks containers by making drinking water accessible and free.

As the Minister with responsibility for this area, I am determined Wales will continue to be at the forefront of action on waste. Building on our considerable achievements to date, it is important our focus is now beyond waste management and our globally recognised achievements on recycling are the basis of our drive towards a more circular economy.

I welcome the public call for accelerated action and the Committee's call for a strategic approach. I will, therefore, be developing a revamped zero waste strategy for consultation later this year to deliver our collective ambition. Our ambition to become a zero waste nation by 2050 remains undiminished.

P-05-750 Consultation outcome: Introducing a Deposit Return Scheme (DRS) in England, Wales and Northern Ireland: Executive summary and next steps, 22.08.19

1. Introduction

1) Recent months have seen a rise in public consciousness when it comes to the need to tackle packaging waste. UK consumers go through an estimated 14 billion plastic drinks bottles, 9 billion drinks cans and 5 billion glass bottles a year¹ and, although plastic bottles are fully recyclable, recent packaging recycling rates demonstrate that there are significant improvements to be made in drinks container recycling.

Moreover, drinks container litter is a serious issue which needs targeted policy action to overcome, with disposable containers, or parts of them, regularly featuring among the most commonly found items on UK beaches². Coupled with the growing awareness of plastic waste in our oceans, the importance of encouraging behaviour change to stop littering at source and, ideally, promote the capture of valuable resources is clear.

2) In December 2018, the government published its Resources and Waste Strategy. The aim of the strategy is to make the UK a world leader in resource efficiency and resource productivity, to increase competitiveness and move away from a linear economy towards a circular economy. It outlines how the government will work towards our ambitions of doubling resource productivity and zero avoidable waste by 2050, maximise the value we extract from our resources, and minimise waste and the associated negative environmental impacts.

3) As part of the Resources and Waste Strategy, Defra launched three consultations on 18 February 2019: introducing a Deposit Return Scheme for drinks containers (DRS) in England, Wales and Northern Ireland; Consistency in Household and Business Recycling Collections in England; and reforming the UK packaging producer responsibility system. These measures will tackle confusion over household recycling, and ensure that producers pay the full net costs of collecting and managing packaging waste.

4) At the same time Her Majesty's Treasury (HMT) published the Plastic Packaging Tax consultation, aimed at introducing a new world-leading tax on the production and import of plastic packaging with less than 30% recycled content, helping to incentivise the production of more sustainable plastic packaging and increase the use of recycled plastic.

5) Defra launched the consultation on Introducing a DRS in England, in conjunction with the devolved administration in Wales and the Department of Agriculture, Environment and Rural Affairs (DAERA) in Northern Ireland. The aim of a DRS would be to reduce the amount of littering, boost recycling levels for relevant material, offer the enhanced possibility to collect high quality materials in greater quantities and promote recycling through clear labelling and consumer messaging. Additionally, introducing a DRS could help incentivise moves to push more material up the waste hierarchy and move towards a more circular economy.

6) The UK government is also committed to maintaining the same environmental standards following its exit from the EU as a minimum, and to match or where economically practicable exceed the ambitions of the EU's environmental agenda, including their Plastics Strategy. Our landmark Resources and Waste Strategy for England sets out how we will drive the shift towards a circular economy, and we intend to match the target to collect 77% of single-use plastic bottles placed on the market by weight by 2025, and 90% by 2029. We view the introduction of a DRS as a means by which industry can meet the high collection targets set out in the Single Use Plastics Directive³.

7) The consultation asked questions on the following areas:

- basic principles for a DRS
- scope of a DRS, including the materials and drinks that the scheme will cover
- scheme design, including options for the scheme delivery model
- operational management of the scheme, and the proposed establishment of a Deposit Management Organisation (DMO)
- finance and administration of the scheme, including a focus on set-up, operational costs and deposit level
- monitoring and regulation, including compliance and enforcement, tackling fraud and misuse of the scheme
- proposed scheme objectives, outcomes and impacts

8) The consultation was open for 12 weeks between 18 February and 13 May 2019. We would like to thank all those that responded to the consultation and those who took the time to meet with us. Responses were submitted through a variety of channels including the online consultation tool (citizen space), by email and by post. We received a total of 208,269 responses to the consultation; 1,180 of those were by email, post and citizen space, and 207,089 were via campaigns from Greenpeace, Marine Conservation Society, and 38 Degrees. The campaign responses did not cover

each question in the consultation, but targeted specific ones on scope. Where 'individuals' are mentioned, they refer to respondents who replied directly to the consultation. Where proposals are supported by campaign responses it is indicated in the text.

9) Given both the requirement to meet higher collection targets and the analysis of consultation responses, we are minded to introduce a DRS for drinks containers in England and Wales from 2023. DAERA are minded to continue with Defra's timetable; in the current absence of the Northern Ireland Assembly and Executive, officials in DAERA will continue to ensure that environmental governance in Northern Ireland can be safeguarded post-EU exit.

10) The introduction of a DRS is subject to receiving additional evidence and carrying out further analysis on the costs and benefits of such a scheme. In addition, we will carry out further analysis regarding the potential interface between a DRS and the current collections regime in Wales. Our ambition is to implement a scheme which ensures regulatory consistency across the UK, noting the Scottish Government has already brought forward proposals for a wide-ranging DRS. We will continue to work with the devolved administrations to accomplish a coherent UK-wide approach.

11) Our ambition would be to introduce a DRS earlier if feasible; however, we want a timetable that is bold but realistic, given our desire to develop and implement an effective, cost-efficient scheme that works coherently across the UK. A DRS would help us reduce litter, increase recycling rates and improve recycling quality of materials included in the scope of a DRS. We will take powers to introduce deposit return schemes in the Environment Bill.

12) As we develop the policy, we will consider which drinks containers are to be included. We anticipate this could be drinks containers up to 3L in volume, but the final upper limit will be subject to the outcome of additional evidence and further stakeholder engagement. The specific details of a DRS, including the material and drinks to be included in scope, will be developed further and will be presented in a second consultation in 2020. Following the second consultation, a DRS would be implemented from 2023.

13) Our next steps will be:

- to seek primary powers to implement deposit return schemes in the Environment Bill
- to hold a second consultation in 2020 on the regulatory framework for introducing a DRS through secondary legislation
- following the second consultation, we would introduce a DRS from 2023

14) Given the high level of public and stakeholder interest in introducing a DRS for drinks containers, we are publishing the summary of responses and next steps earlier than required to signal a clear direction of travel. This necessity means that specific details of policy design will be developed in the following months, informed by further analysis of the responses received to this consultation.

15) We will continue to engage with industry members including retailers, producers, manufacturers, local authorities, waste management companies and other organisations and business to develop the second consultation and secondary legislation for a DRS. We will also continue to work with the devolved administrations and other key stakeholders to ensure that a DRS functions coherently across the UK.

2. Executive summary

16) Most consultations are analysed sequentially question by question. However, both the structure and length of the DRS consultation lend themselves to a thematic analysis of findings. Presented below are the key findings from the summary of responses analysis, ordered by theme. For the detailed analysis, please see the full [summary of responses report](#).

2.1 DRS principles

17) The consultation proposed that a DRS, if implemented, could operate under the UK government and the devolved administrations of Wales and Northern Ireland. Environment ministers in England and Wales, and the Permanent Secretary of DAERA, along with Scottish Ministers, agreed eight principles for cooperation and to help with implementation, coordination and monitoring of the scheme. These eight principles detailed in the [consultation document](#) focus attention on changing the behaviours of producers and consumers by implementing a scheme that incentivises recycling and the reduction of single use plastics and other 'virgin' materials.

18) Respondents⁴ to the consultation overwhelmingly agreed (84%) with the proposed principles of a DRS. Several reasons were presented from respondents as to why implementing the scheme would have a positive impact, including that a DRS would incentivise consumers to recycle containers, leading to higher overall recycling rates and an associated reduction in littering and waste production.

19) In reviewing responses by organisation type, two thirds of local authorities⁵ agreed with the principles. However, 17% stated they did not know or did not have enough information and 11% neither agreed nor disagreed. Only 5% of local authorities disagreed with the principles, questioning whether there was a need for a DRS scheme given existing council collection services. Responses from individuals were in line with the survey average, with 92% agreeing.

20) Although the large majority of respondents agreed with the principles of DRS, there were some who felt that such a scheme was unnecessary. For example, a small number of local authority representatives considered that the DRS scheme, as currently proposed, would have a potentially detrimental impact on existing local authority kerbside collection schemes. Their views were that household waste collections are already recycling much of the material covered by the DRS, are convenient for consumers who do most of their recycling at home and represent an important income stream for councils. The impact on households who currently recycle at home (and might not redeem their deposit) will need to be considered.

21) Additionally, some respondents felt that introducing a DRS, which could include certain materials and containers while excluding others, could lead to consumer confusion and have the unintended consequence of dis-incentivising recycling through unnecessary complications.

22) A small number of respondents in Northern Ireland raised concerns about the unique geography of Northern Ireland and the fact that many organisations operate integrated supply chains across the island of Ireland, with production on both sides of the border for island of Ireland consumption. We note these concerns, and will continue to engage with producers in Northern Ireland and the island of Ireland to address them.

23) We note the support for the proposed principles of a DRS, from both individuals and the majority of local authorities who responded. We have considered the suggestions for additional principles. However, we do not intend to depart from the consultation document at this time, either because the suggestions are partially covered by the principles as they stand, or because the principles suggested fall within specific parts of our proposals.

24) We note the concerns from respondents regarding the introduction of a DRS alongside kerbside recycling, and the potential for consumer confusion and unnecessary complications. The UK government is keen to avoid unintended consequences; Defra has commissioned a social research project on consumer attitudes towards a DRS, which will be used to develop our Impact Assessment and assess any unintended consequences.

25) As proposed in the consultation document, the DMO would run communications campaigns to aid consumer understanding of the DRS. In addition, on the introduction of a DRS, there would be messaging from the UK government on the final proposals, including what items would be in scope and how a DRS would work with existing kerbside collections.

2.2 Scope of the DRS

Materials and drinks in scope

26) The consultation document described how a DRS could promote a step change in the behaviours of both producers and consumers, and contribute to higher recycling rates for in-scope materials. The consultation proposed that the materials included in a DRS could be:

- polyethylene terephthalate (PET) and High-Density polyethylene (HDPE) plastic bottles
- steel and aluminium cans
- glass bottles

27) The majority of respondents wanted all materials included in a DRS. The large majority of respondents consider that PET bottles (94%), HDPE containers (84%), aluminium (94%), steel cans (90%), and glass (86%) should be included in the DRS. All campaign responses from Greenpeace, Marine Conservation Society and 38 Degrees wanted all materials to be included in a DRS.

28) Where responses had been in support of including all materials, the majority referenced either the contribution they make to littering and detrimental environmental impacts or the need to include as many materials as possible to maximise recycling rates. The majority of respondents (73%) would like to see glass re-filled, rather than recycled, as part of a DRS.

29) The proportion of respondents that replied directly to the consultation, in favour of including Tetra Pak®, and pouches and sachets, were comparatively lower: 73% of respondents would like to see Tetra Pak® included, while 61% felt that pouches and sachets should also be included.

30) The consultation also included proposals regarding the type of drinks that could be included in a DRS:

- all soft drinks (including water and juices)
- alcoholic drinks
- drinks containing milk and plant-based drinks
- milk
- plant based drinks

31) Across all types of drink, the large majority of respondents would like to see them included within a DRS. Although still a majority, there was less support for including

milk and plant based drinks in a DRS. Campaign responses from Greenpeace, Marine Conservation Society and 38 Degrees were also in favour of including all drink types.

32) The highest cited reasons for inclusion of all these drinks types were: increase in recycling rates, reduce consumer confusion about what is and is not included and promote behavioural change among drinks producers. The key issue for respondents was not what the containers have in them, but the containers themselves.

33) We note the great support for all materials and all drink types covered in the consultation to be included in a DRS. We have also taken account of concerns both through responses to the consultation and from stakeholder engagement regarding the inclusion of some materials in a DRS.

34) We will use the evidence submitted to this consultation to further consider the scope of a DRS. Defra has commissioned research into how a DRS would affect secondary material markets, and will use that to further develop the Impact Assessment.

Model

35) Two options were presented in the consultation, relating to size of containers in a potential DRS: an 'all-in' DRS including containers of any size⁶ and an 'on-the-go' DRS that would include containers smaller than 750mls and drinks sold in single format containers to target those most often sold for consumption outside of the home. Based on the information contained in the consultation document and Impact Assessment, respondents were asked to state their preferred option between an 'all-in' and 'on-the-go' scheme.

36) The majority (69%) of the 672 respondents to this question preferred the 'all-in' option, compared with 15% who preferred an 'on-the-go' scheme. All campaign responses from Greenpeace, the Marine Conservation Society and 38 degrees were in support of an 'all-in' option.

37) Of those that gave a reason for their answer, a minority questioned whether there was a need for a DRS. The main reason stated was that local authority led kerbside schemes are already recycling much of the material covered within the scope of DRS. Many local authorities argued that the implementation of a DRS should be deferred until stakeholders better understand the long-term impacts of the extended producer responsibility scheme.

38) We acknowledge the overwhelming support from campaign responses and also the strong support through direct responses to the consultation for an 'all-in' model. As we develop the policy, we will consider which drinks containers are to be included. We anticipate this could be drinks containers up to 3L in volume but the final upper

limit will be subject to the outcome of additional evidence and further stakeholder engagement. The specific details of a DRS, including the material and drinks to be included in scope, will be developed using further evidence and through ongoing engagement with stakeholders.

39) We will further develop the Impact Assessment using evidence submitted to this consultation, and through ongoing projects, including research into consumer preferences and the negative effects of litter on peoples' wellbeing. As we gather more evidence to develop proposals, we will continue to engage with stakeholders, including local authorities, to discuss how a DRS would work most effectively with existing kerbside collections. In addition, we will carry out further analysis regarding the potential interface between a DRS and the current collections regime in Wales in order to ensure the optimum solution maintain the significant progress on recycling.

2.3 Scheme design

Producers

40) In the consultation, the proposals included that all producers of materials and drinks that would fall within the scope of DRS, would be mandated to join the scheme via a 'producer fee'. Defra define 'producer' as 'those who are placing on the market drink beverage products in drinks containers within the scope of DRS. This would include those who import drink beverage products to put into the market in England, Wales and Northern Ireland '.

41) The majority of respondents (61%) agreed with the definition of a producer, although a large minority stated they did not know or did not have enough information to provide a response. All manufacturers, 96% of local authorities, and almost all trade organisations (96%) agreed with the definition.

42) Defra has considered the responses in support of the definition of a producer presented in the consultation document. We note that a large minority of respondents were not able to make a decision, however, the majority of respondents agreed with the definition of a producer, with many industry sectors providing overwhelming support of the definition proposed. Were a DRS to be introduced, Defra would continue with this definition of a producer when developing our proposals. We will continue to work closely with officials developing the reforms to the extended producer responsibility system to ensure we align with those proposals.

Provision of return points

43) In a well-functioning DRS, it would be easy for consumers to return drinks containers and obtain their refund. If the DRS is to have a discernible impact on

recycling rates and on changing consumer behaviour, it is important that consumers can readily access return points and receive their deposit returns.

44) Respondents were asked what provisions should be put in place to help consumers who may have difficulty in returning containers due to mobility issues or because they are living in rural/remote areas. There were mixed views to these questions, with no overall majority. The top two provisions suggested were:

- approximately a third stated: use shopping delivery services to return
- just over a quarter stated: community outreach projects

45) As stated in the consultation, we would want a DRS to be equally accessible for all, and for no consumers to experience difficulty in returning empty drinks containers to receive their deposit refund. We note the desire for return points to be in places of high footfall. We also acknowledge the mixture of opinions regarding how to ensure people who live in remote and rural areas, and/or have mobility issues can return their deposit refund. Defra will continue to engage with stakeholders as to how best to ensure return points are widely accessible.

46) Defra will use evidence submitted to this consultation to further develop our Impact Assessment to avoid any unintended consequences; we would not want consumers to increase their carbon emissions due to driving their drinks beverage containers to return points where they previously would not have done.

2.4 Management of a DRS

47) The consultation proposed the establishment of an independent, not-for-profit, industry/trade association-led organisation to manage the implementation and day-to-day running of the scheme. The consultation set out that the Deposit Management Organisation (DMO) is the central body who would be responsible for:

- financial and material flows
- operational logistics (making sure that collected materials reach the recycler)
- set up and maintenance of the physical infrastructure (reverse vending machines and return points)
- meeting high collection and recycling targets set by the government
- reporting on scheme performance to the government

48) A majority of respondents thought that the day-to-day running and management of the DRS should be entirely independent from central government, and that any engagement, after initial set up, should be restricted to reporting performance against key targets. However, the large majority (74%) of respondents agreed that

the government has a role to play in the initial set-up of the DMO body. This figure increased significantly to 95% of local authorities but decreased to only 48% of manufacturers.

49) The majority of respondents stated that the DMO should be responsible for meeting government targets (recycling and collection). Respondents agreed that the DMO should have regulatory oversight of the scheme, which would include monitoring the scheme's contribution to recycling rates and performance against other key measures. The majority of respondents stated that both the DMO and monitoring and regulatory body should be not-for-profit and entirely independent from central government.

50) Through further engagement with industry, we will continue to develop proposals regarding the management of a DRS, including the details of the DMO's roles and responsibilities, governance and financing.

2.5 Finance and administration of the DRS

51) Collectively, we endorse the principle of full-net cost recovery for packaging, meaning that producers cover the net cost (taking account of revenue from the sale of recyclable materials) of managing their packaging at end-of-life. This is a key principle of extended producer responsibility and the reform of the packaging producer responsibility system. Under the producer responsibility system for packaging the costs of managing packaging waste arising from the household waste stream will be recovered from producers.

52) The set-up of a DRS would be subject to the same principle in that the DRS would recover the costs from producers of certain types of drinks container packaging. That is, were a DRS to be introduced, producers would meet their full net cost obligation for in-scope drinks containers by being part of a DRS and paying the necessary DRS fees.

53) The consultation document outlines both the set-up costs to producers, most notably the provision of the RVMs and setting up counting/sorting centres as appropriate, and the operational costs, which include the collection, transport, sorting and treatment of packaging items in scope of a DRS. The majority of respondents stated that producers should cover the DMO set-up and operational costs, with only 7% thinking that others should be responsible for both types of costs. However, there was a mixture of support between organisation types.

54) The consultation also asked for views on the financial flows within a DRS and how the DMO should be financed. We will continue to consider how the DMO is financed, including set-up and operational costs, using the evidence submitted to the consultation and through further stakeholder engagement.

2.6 Achieving identified outcomes and alternative approaches

55) In the consultation, respondents were asked to consider alternative approaches to the proposed DRS model that could be used to achieve the same outcomes. There were mixed responses to this question; the top two response types were 1) unable to suggest an alternative model, 2) the impact of the extended Producer Responsibility scheme should be evaluated before the DRS or any other scheme is implemented.

56) Respondents were asked if the DRS, as proposed, would help to achieve the following outcomes ('the outcomes'):

- reducing litter, and in turn, the negative effects of litter on peoples' wellbeing
- more recycling of drinks containers in scope of a DRS, especially those disposed of 'on-the-go'
- higher quality recycling
- greater domestic reprocessing capacity through providing a stable and high-quality supply of recyclable waste materials

57) Respondents were very positive about the role a DRS can play in achieving the outcomes; a large majority thought that a DRS would help Defra to achieve those outcomes. A majority (68%) of respondents stated that a DRS (as set out in the consultation) would be necessary to achieve the outcomes. A minority (31%) of local authorities thought a DRS was necessary, with a similar proportion (30%) stating such a scheme was not required. This compares with 82% of individuals and 59% of manufacturers who thought a DRS was required.

58) Views were mixed about how effective an alternative approach could be at achieving the same objectives, with 28% of respondents stating they did not know or did not have enough information to provide a view. In addition, there were a variety of views as to whether an alternative approach would be more effective than a DRS at achieving the outcomes.

59) We note the strong support that a DRS is the most effective way to achieve the outcomes. We are therefore minded to introduce a DRS in England and Wales, to be implemented from 2023, subject to receiving additional evidence and carrying out further analysis on the costs and benefits of such a scheme. In addition, we will carry out further analysis regarding the potential interface between a DRS and the current collections regime in Wales. DAERA are minded to continue with Defra's timetable; in the current absence of the Northern Ireland Assembly and Executive, officials in DAERA will continue to ensure that environmental governance in Northern Ireland can be safeguarded post-EU exit.

3. Conclusions

60) We are very grateful for the overwhelming interest we have had in this consultation, and thank all those that responded and who took the time to meet with us. The 'next steps' section sets out how we will seek to take forward the proposals to introduce a DRS from 2023, subject to further evidence and analysis.

61) Based on the consultation responses received, and the strong support for the introduction of a DRS, we are minded to introduce a DRS for drinks containers in England and Wales, from 2023. In the current absence of the Northern Ireland Assembly and Executive, officials in DAERA will continue to ensure that environmental governance in Northern Ireland can be safeguarded post-EU exit. DAERA are minded to continue with Defra's timetable, and in the event that any decisions are required in advance of the return of Ministers, these would only be taken in accordance with the Northern Ireland (Executive Formation and Exercise of Functions) Act 2018 and the Guidance and procedures under it.

62) The introduction of a DRS is subject to receiving additional evidence and carrying out further analysis on the costs and benefits of such a scheme. In addition, we will carry out further analysis regarding the potential interface between a DRS and the current collections regime in Wales, to ensure the optimum solution which will support the progress already made on recycling in Wales.

63) We will look to introduce a DRS earlier if feasible; however, we want a timetable that is ambitious but realistic, given our desire to develop and implement an effective, cost-efficient scheme that works coherently across the UK. A DRS will help us reduce litter, increase recycling rates and improve recycling quality of materials included in the scope of a DRS.

64) A key focus will be to implement a scheme which ensures regulatory consistency across the UK, noting the Scottish Government has already brought forward proposals for a wide-ranging DRS. We will continue to work closely with the devolved administrations to ensure a consistent, coherent UK-wide approach in adopting a DRS.

65) As we develop the policy, we will consider which drinks containers are to be included. We anticipate this could be drinks containers up to 3L in volume, but the final upper limit will be subject to the outcome of additional evidence and further stakeholder engagement. The specific details of a DRS, including the material and drinks to be in scope, will be developed using further evidence and ongoing engagement with stakeholders. The proposed scope and model of a DRS will be presented in a second consultation in 2020. Following the second consultation, a DRS would be implemented from 2023.

4. Next steps

66) Following the publication of this Executive summary and next steps, we will seek general primary powers in the Environment Bill to introduce deposit return schemes.

67) We will consider the above analysis, and evidence from commissioned research projects in determining the exact scope and model of a DRS. Further evidence Defra will receive includes: the value of reductions in litter (in turn the value of reducing the negative effects of litter on peoples' wellbeing), consumer views on a DRS, and model preferences and assessment of the impact of a DRS on secondary material markets.

68) Were a DRS to be introduced, we would then hold a second consultation on the proposed regulatory framework for introducing a DRS through secondary legislation, including more detailed proposals for the nature of any such scheme. The development of the second consultation will be carried out during the remainder of 2019, with the expectation that we will consult on the specific details of a DRS in early 2020, building on further analysis. Following the second consultation, we would introduce a DRS from 2023.

69) We will continue to engage with industry members including retailers, producers, manufacturers, local authorities, waste management companies and other organisations and business to develop the secondary legislation for a DRS. Defra will continue to work with the devolved administrations and other key stakeholders to ensure that a DRS functions coherently across the UK, respecting the fact that waste and recycling is a devolved matter.

1. [Voluntary and Economic Incentives Working Group report 2018](#)
2. [Great British beach clean 2018 report](#)
3. [The Single-Use Plastics Directive requires EU member states to collect 77% of single-use plastic bottles placed on the market by weight by 2025, and 90% by 2029.](#)
4. [Figures shown are based on the numbers of respondents for each question, which differ between questions.](#)
5. [Local authorities in this document includes district councils in Northern Ireland](#)
6. [The consultation did propose some exemptions, such as beer kegs and bottles used in water coolers.](#)

P-05-750 - Pwyllgor Deisebau 19.11.19 / Petitions Committee 19.11.19

Petition text

The Marine Conservation Society calls on the National Assembly for Wales to urge the Welsh Government to act upon the globally responsible Wales goal within the Well Being of Future Generations Act (Wales) 2015. Build on the excellent results achieved by the carrier bag charge, by implementing two further actions that would help Wales to achieve a zero waste, circular economy. Namely:

- Introduce a deposit return system in Wales for all single use beverage containers such as glass and plastic bottles and aluminium cans.
- Legislate that all fast food containers and utensils, as well as take-away cups and lids, if not reusable or refillable or collected for recycling in store, are fully compostable.

Deposit return systems are already in operation in over 40 countries around the world and have been proven to reduce litter, increase recycling by creating a more certain supply of affordable, high-quality materials, reduce costs for Local Authorities and create jobs.

Fast food wrappers and takeaway cups are a common litter item on our streets and making them refillable/reusable, easily recyclable or compostable would reduce litter.

Manufacturing new drinks containers and fast food containers and cups use up huge amounts of energy, which contribute to greenhouse gas emissions. The more we recycle, and the less we litter, the better for our environment and our economy.

- What are your thoughts on these documents?
- Do they adequately address the issues that you raised?
- Do you have further questions in response?
- Is there anything additional that you would like the Committee to know at this stage, either in response to these documents or as an update to the Committee?

Marine Conservation Society (MCS) response to the Defra consultation response

Summary:

MCS are overall pleased with the outcome of this petition and its proposed actions. A deposit return scheme needs to deliver a model that will best achieve its aims as detailed in the Resources and Waste Strategy, including an emphasis on behaviour change to reduce littering on land, in rivers and the sea while improving recycling rates and reducing carbon footprint. The evidence is

clear that an 'all-in' deposit return scheme is the best system economically, will achieve the best return and recycling rates, is the clearest system for the public to use and also ensures opportunities for scaling it up to a refill system in the future. Furthermore, an 'all-in' deposit return scheme would ensure compatibility across the UK, setting out a system for Wales that would work in harmony with Scotland's plans for a deposit return scheme and facilitate a simple rollout to England and Northern Ireland.

MCS's key asks in regard to a deposit return system are:

- The DRS should be as ambitious as possible
- Containers of all sizes should be included
- Containers of all materials should be included
- There should be a harmonised system across the UK
- The deposit should match Scotland's system (20p)
- The DRS should be flexible and allow new products to be added as they come into the market
- The collection and recycling targets need to be sufficiently high to ensure that there is an incentive for the system to be most effective
- As a basic principle, all places that sell in scope drinks should take part and accept containers that they sell
- The DRS should include an option for online shoppers to take part in online returns
- Unredeemed deposits should be put back into the system for additional costs such as awareness campaigns and clean ups.
- The DRS should be used to support a shift to reusables across the UK by phasing out single use containers.

For a DRS to be truly successful in achieving a circular economy approach to waste it is imperative that a reusable model is adopted, with the aim of placing a ban on the most environmentally damaging materials. There is a lack of resources and infrastructure to deal with a shift from plastic to other single use materials such as 'compostable' and 'biodegradable' materials. Bio-based, 'biodegradable' or compostable plastics are not a solution to the plastic pollution crisis and will continue to pose risks to wildlife if they leak into the ocean or terrestrial environments. In line with the waste hierarchy, reduction should come as the first option rather than replacing conventional plastics with other single-use items and packaging. Such plastic can cause problems for conventional plastic recycling systems and could impact the success of the proposed deposit return system. We therefore recommend that measures should be taken to include these in DRS, depending on cost and environmental impact, or be subject to higher producer fees or bans where

appropriate.

MCS specific comments on the Defra Response:

1. MCS welcome the commitment from Defra within *Paragraph 10*:

The introduction of a DRS is subject to receiving additional evidence and carrying out further analysis on the costs and benefits of such a scheme.... Our ambition is to implement a scheme which ensures regulatory consistency across the UK, noting the Scottish Government has already brought forward proposals for a wide-ranging DRS. We will continue to work with the devolved administrations to accomplish a coherent UK-wide approach.

However, MCS are of the view that the UK government already have the information and facts they need to adopt DRS. The decision to hold another consultation has resulted in a delay in action which will result in increasing the cost, negatively impacting businesses and resulting in ongoing environmental impacts.

MCS recommends implementing a scheme that as a minimum, meets that of Scotland's DRS which would maximise high quality recycling and minimise littering, as well as minimising confusion particularly for those crossing borders. However, we would like to see the inclusion of milk containers in a Welsh DRS to maximise the amount of single use material captured in our system.

If a deposit system is limited to the most recyclable materials, some manufacturers may switch to a different material to avoid being part of the system. Cartons and other containers made up of multiple materials also feature in beach, urban and rural litter and we would ask that these are included in the scheme as soon as possible to avoid potential material switching by producers. This would further increase the effectiveness of the system, increasing recycling of these items and decreasing the amount that are littered and entering our oceans.

2. MCS have concerns over the timeframes suggested in *paragraph 13: Following the second consultation, a DRS would be implemented from 2023*

2023 seems unambitious for the earliest a DRS can be introduced. We are concerned about a delay and the environmental consequences, not just of pollution and littering but also the climate emergency. The Welsh Government should progress this as soon as possible, given that Scotland have already committed to this.

In additional DRS are already implemented in 40+ countries, Wales would therefore not have to

construct a system from scratch and can use successful schemes as best practice in implementing a scheme within Wales. In addition, many brands cater for a global market and will therefore be familiar to complying with DRS.

We understand there is limited legislative capacity within this Governments' term but as a minimum, we advocate that all measures are progressed and pre-consulted upon, to speed up any necessary regulation or legislation, allowing this to be progressed at the earliest opportunity.

3. We do not support *paragraph 12: We anticipate this could be drinks containers up to 3L in volume, but the final upper limit will be subject to the outcome of additional evidence and further stakeholder engagement.*

Limiting DRS by size can lead to a serious distortion of the market as producers seek to avoid their responsibilities by changing the size of the container. Countries where there have been limits on sizes have seen producers creating bottles outside of the system to evade their responsibilities e.g. creating a 3.1l bottle where the limit was 3l or a 499ml bottle where the lower size limit was 500ml. Such a system would allow for business as usual practice without enforcing important behaviour changes by producers.

4. We recommend that Welsh Government produce guidance to reassure local authorities over the perceived disadvantages a DRS system would have and direct them to the below research re *paragraph 20: a small number of local authority representatives considered that the DRS scheme, as currently proposed, would have a potentially detrimental impact on existing local authority kerbside collection schemes. Their views were that household waste collections are already recycling much of the material covered by the DRS, are convenient for consumers who do most of their recycling at home and represent an important income stream for councils. The impact on households who currently recycle at home (and might not redeem their deposit) will need to be considered.*

Research carried out by Scotland's Environment, Climate Change and Land Reform Committee¹ suggests that the benefits from collection efficiency and reduced costs for disposal of materials outweighs the cost of a DRS on local authorities, "Costs to local authorities (in Scotland) are estimated to be £46m over the 25 years, based on increased sorting costs for remaining recyclate and lost income from selling materials. However, the report estimates an £237 million benefit over the same period from collection efficiencies and reduced costs for disposal of materials." Several respondents noted Government estimates that councils will make a net saving as a result of DRS and some referenced experience in South Australia where DRS

made kerbside recycling more profitable.

Additionally, ReLoop² analysed 32 studies illustrating the positive impacts of DRS which included; the opportunities to reduce collections (reducing costs and CO2) and collect additional materials reducing residual waste. They also stated that DRS should not be seen as diverting from one system to another as it enables close-loop recycling while kerbside collections are often mixed and materials are as a result 'down-cycled' or sent to 'energy from waste' facilities".

5. MCS were pleased to note *paragraph 38: We acknowledge the overwhelming support from campaign responses and also the strong support through direct responses to the consultation for an 'all-in' model.*

MCS have been advocating an 'all-in' model and are pleased that this was supported by respondents. The evidence is clear that an 'all-in' deposit return scheme is the best system economically, will achieve the best return and recycling rates, is the clearest system for the public to use and also ensures opportunities for scaling it up to a refill system in the future.

6. MCS were pleased to note that *paragraph 57: 82% of individuals and 59% of manufacturers thought a DRS was required.*

We would draw this to the committee's attention that the majority of manufactures are in favour of DRS despite popular opinion to the contrary. Therefore, pre-consultation with manufactures and the possibility of a reduced consultation period are possibilities to expedite this process.

7. Re *paragraph 62: The introduction of a DRS is subject to receiving additional evidence and carrying out further analysis on the costs and benefits of such a scheme. In addition, we will carry out further analysis regarding the potential interface between a DRS and the current collections regime in Wales, to ensure the optimum solution which will support the progress already made on recycling in Wales."*

MCS are aware that the Welsh Government has already commission research by Eunomia Consulting Ltd entitled *Options for Extended Producer Responsibility in Wales*. Section E.2.1 of this report discusses the potential for increasing beverage container recycling in Wales and options for adopting a DRS.

In addition to the above, we would like clarification on what additional evidence and further

analysis is being carried out, publication dates and actions arising.

8. Paragraph 66: *Following the publication of this Executive summary and next steps, we will seek general primary powers in the Environment Bill to introduce deposit return schemes."*

We hope that the with swift progress planned on the Environment Bill and that this will pass in summer 2020. It is imperative now that the government sets out the powers for introducing a deposit return system and that it promises to deliver the model that will best achieve its aims as detailed in the Resources and Waste Strategy, such as changing behaviour to reduce littering on land, in rivers and the sea and improving recycling rates.

As DRS are not novel legislation, Welsh Government can draw upon best examples and practice from other countries to expedite this process. Examples of which successful implementation include:

Croatia – 2016: return rate of 96% (PET), 83% (glass), 85% (metal)

Denmark – 2016: one-way return – 90% collection rate, refillable returns – 102% collection rate

Estonia – 2017: return rate of 87.8% (plastic bottles), 88.7% (glass), 73.5% (cans)

Finland – 2017: return rate of 91% (PET), 87% (glass), 94% (cans)

Germany – 2016: return rate of 98% (plastic), 96% (cans)

Iceland – 2014: return rate 90%

Lithuania – 2017: return rate 92%

Netherlands – 95% (PET), 90% (reusable glass bottles) no date given

Norway – 97% no date given

Sweden – 2017: return rate of 84% (PET), 81% (aluminium cans)



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Marine Conservation Society (MCS) response to Welsh Governments statement

Written Statement: Plastic Waste, Hannah Blythyn AM, Deputy Minister for Housing and Local Government, First published: 16 July 2019³

We welcome the acknowledgement of the need for extended producer responsibility (EPR), the development of the Litter Prevention Plan, £6.5m Circular Economy Investment Fund and refill nation initiative.

As noted above, we would urge as swift as possible implementation of DRS and are concerned over that lack of targets and deadlines, within the Deputy Ministers statement. There is also no clarity over the type of DRS Welsh Government are proposing.

Welsh Government's own consumer research states that an 'all-in' scheme, where all containers carried the same deposit cost, regardless of size, was considered to be the most effective scheme as it keeps things simple in terms of ease of use and minimal time spent at return points. Additionally, between 77% and 83% of survey participants reported they would use a DRS on all or most occasions for all five types of containers explored in the survey for drinks consumed at home and away from home including plastic bottles, glass bottles and metal cans for all soft drinks (including water and juice), alcoholic drinks and milk-containing drinks.

Further to this, a report by Scotland's Environment, Climate Change and Land Reform Committee on the draft Deposit and Return Scheme for Scotland Regulations 2020 states that moving quickly to the broadest possible scope, including cartons and HDPE, would be the best way to mitigate the risk of material switching by producers.

Further considerations:

When submitting this petition, it was deemed aspiration for Welsh Government to consider DRS. However, post 'Blue planet', much more is now possible. We would urge Welsh Government to look at this within the context of circular economy: Extended Producer Responsibility, Single Use Plastic Directive, beverage cup charge, review of single use plastic carrier bag charge, the climate change emergency and the biodiversity emergency.

In order to adopt a circular economy, business as usual practice cannot continue as it currently exists. Even the most efficient system will still have losses throughout it and therefore we need to look at preserving resources and shift to a reusable system where these items are valued over single use options. We need to see a fundamental shift away from single use items rather than an



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emphasis on recycling or reducing littering. If this does not take place, we will not be able to address the climate emergency and achieve sustainability.

The development of the litter prevention plan is welcomed; however, it does not address the preservation of resources and resource efficiency from the beginning of the waste cycle and instead deals with the end of life issues associated with litter. There needs to be an emphasis on sustainability right from the start and preventing loss of materials.

The introduction of EPR will ensure that producers deal with the full cost of resource recovery.

Whilst we are supportive of the Deputy Ministers Written Statement, we have raised directly with her concerns over the timescales of implementation of actions to reduce the use of SUP. We would advocate that all necessary regulation and legislation are in place as soon as the Environment Bill has Royal consent.

We would like to see Wales to be reinstated in its place as a world leader in waste minimization and prevention and Welsh Government have Welsh peoples support to do this.

Gill Bell

Gill Bell

Head of Conservation Wales

Marine Conservation Society

Agenda Item 3.7

P-05-803 Our natural world is being poisoned by single use plastics...it's time to introduce a tax!

This petition was submitted by Friends of Barry Beaches and was first considered by the Committee in March 2018, having collected 102 signatures online.

Text of Petition

The evidence is there for those who want to see...our addiction to single use "throw away" plastic is poisoning our natural world.

Sea birds are eating plastics, fish are eating plastics, shell fish are eating plastics and we, therefore, are eating plastics.

The production of single use plastics are increasing year upon year, yet only 9% of plastics are recycled in the world.

Since large scale production of plastics began in the 1950's, we have produced 8.3 billion tonnes...equivalent to the weight of one billion African elephants! And that figure is expected to reach 34 billion tonnes by 2050!!

None of this plastic has biodegraded over this time, its just got smaller and smaller, making it nearly impossible to remove!

We urge the Welsh Government to introduce a tax on all single use plastics similar to the very successful 5p charge on single use carrier bags.

It's time to take action.

Additional Information

Friends of Barry Beaches are a voluntary group, set up seven years ago, who's aim is to remove litter, much of it plastic, from Barry's five main beaches. We strive to recycle as much as we can.

We need to design our packaging and single use containers so that they biodegrade easily within our environment.

Assembly Constituency and Region

- Vale of Glamorgan
- South Wales Central

P-05-803 Our natural world is being poisoned by single use plastics...it's time to introduce a tax!, Correspondence – Petitioner to Committee, 11.01.20

Dear Assembly Members,

Thank you for the opportunity to reply to the Deputy Ministers recent statement. It has been many years since we submitted our petition but during that time we have continued to organise our monthly clean ups of Barry's five beaches and alas during that time the amount of plastics being removed has simply increased! Plastic has revolutionised every aspect of our lives but it has come at a staggering cost...it is the commonest marine pollutant and by 2050 the sea will contain more plastic than fish!

The aim of our petition was to ensure that those who are producing these plastic products are made to pay for the damage damaging our environment and to allow less damaging alternatives to become more cost effective.

We also cannot believe that manufacturers are still allowed to produce products which are either difficult or impossible to recycle. Just when we win the battle to ban plastic straws or plastic ear buds, we allow new unrecyclable products to fill our bins such as plastic foil pet food pouches or crinkly crisp packets.

That said, we welcome the proposed ban on single use polystyrene food/drinks containers. They have polluted our waterways and seas for far too long.

We also urge the Welsh Government to introduce a number of deposit and return streams. We believe Wales should be leading and not following in this field.

The Deputy Minister has not mentioned the threat from the growth of microplastics - microscopic particles to bits the size of grains of sand, originating from our clothing or cleaners, which simply wash down rivers and seas. The creation of microplastics has increased 20 fold in the past 50 years and is expected to double again over the next 20!

Finally, we need to produce less plastic by introducing a tax, reuse what we have, and recycle what's left - rather than using it once and throwing it away!

Many thanks

Rob Curtis
Friends of Barry Beaches

Agenda Item 3.8

P-05-829 Ban Single Use Plastic Items in Wales

This petition was submitted by Ban Plastic Straws Wales having collected 161 signatures.

Text of Petition

We call on the Welsh Assembly to ban all single use plastic items within Wales; It is estimated that the UK and US alone throw away around 550 million plastic straws every day. Although each one is used for an average of just 20 minutes, they take centuries to break down. During a clean-up organised by the Marine Conservation Society last year, an average of 138 pieces of food and drink-related waste were found on every 100m of UK beaches.

This needs to stop and the environment needs to become a priority.

Assembly Constituency and Region

- Montgomeryshire
- Mid and West Wales



Ein cyf/Our ref HB/05720/19

Janet Finch-Saunders AM
Chair of the Petitions Committee
National Assembly for Wales
Ty Hywel
Cardiff Bay
Cardiff
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Government.Committee.Business@gov.wales

11 December 2019

Dear Janet,

Thank you for your letter of 19 November regarding Petition P-05-829 and the Petitions Committee request for further information on the progress of proposals to ban or restrict the sale of certain single use plastic items in Wales.

I can confirm the Welsh Government is currently undertaking research to assess the economic, social and environmental impacts of introducing bans or restricting the sale of 10 items that the European Commission has identified as being commonly littered in the coastal environment. I anticipate this research will be completed early next year and the subsequent Impact Assessments will be included as part of a comprehensive consultation process. After this consultation process has been completed and the feedback fully considered, we will then bring forward regulations using secondary legislation, potentially utilising powers available under section 140 of the Environment Protection Act 1990.

Whilst I acknowledge the calls in this petition for urgent action to address plastic pollution, I believe it is important that, as a Government, we ensure any action we take does not have any unintended consequences. For example, I am aware of concerns of over the potential for particular restrictions to disproportionately affect those with certain disabilities. We will, therefore, ensure that new restrictions on the sale of single use plastics are carefully designed and introduced. I also believe our proposals offer a more coherent legislative approach than those currently put forward by the UK Government and Scottish Government.

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

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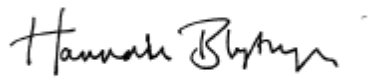
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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

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

I would like to reassure Committee members of my commitment to tackling this issue in Wales and to note that these proposals are just one part of a suite of policy and legislative measures aimed at developing a holistic approach to the problem in Wales.

Yours sincerely,

A handwritten signature in black ink, reading 'Hannah Blythyn'.

Hannah Blythyn AC/AM

Y Dirprwy Weinidog Tai a Llywodraeth Leol
Deputy Minister for Housing and Local Government

Agenda Item 3.9

P-05-822 Ban plastic straws (when drinking milk) in our schools

This petition was submitted by Ysgol y Wern having collected 1,034 signatures.

Text of Petition

We call on the National Assembly for Wales to [urge the Welsh Government to] consider banning the use of plastic straws which are used to drink milk in our schools. As a large school we receive around 285 milk bottles (in the Foundation Phase) daily including the same number of straws. Bearing in mind the global campaign to reduce plastic waste, we feel that plastic straws have a detrimental effect on our environment, especially as that they are used once and then thrown away. If this practice continues, it could lead to the possibility of there being more plastic than fish in our seas by 2050. The fact is that all these straws contribute significantly to the pollution of our seas and endangers wildlife.

Assembly Constituency and Region

- Cardiff North
- South Wales Central

**P-05-822 Ban plastic straws (when drinking milk) in our schools,
Correspondence – WRAP Cymru to Committee, 22.11.19**

WRAP introduced the UK Plastics Pact and is working with industry to eliminate problem plastics

Plastic straws fall into this category and I am pleased to say that the use of plastic straws will be eliminated in 2020

Please see http://www.wrap.org.uk/content/the-uk-plastics-pact?gclid=Cj0KCQiAq97uBRCwARIsADTziyaiqgAn1yT02SkO_jK6piRh6vMPmKRdRNf9dg3RUQbFr8q9nHah10aAvorEALw_wcB for more details

**P-05-822 Gwahardd gwellt plastig(wrth yfed llaeth) yn ein hysgolion,
Gohebiaeth – Deisebydd at y Pwyllgor, 14.01.20**

Sylwadau Senedd Ysgol y Wern

Mae Senedd Ysgol y Wern yn hynod o falch i glywed fod y defnydd o wellt plastig yn un o'r wyth argymhelliad gan 'WRAP' ar gyfer 2020. Hoffwn fel ysgol longyfarch y cwmnioedd sydd wedi ymrwymo i'r cytundeb ('Pact'). Nodwyd yn ein cyfarfod fod nifer o'r archfarnadoedd mawr/cwmnïau yn ein hardal leol yn ymddangos a diolch eto i WRAP am anfon y wybodaeth yma. Yn sgil hyn hoffwn fel Senedd ofyn y cwestiwn 'Pam nad yw'r safleoedd sy'n gwerthu coffi yn ymddangos ar y rhestr?' Oes rheswm posib am hyn? Ein gobaith ar gyfer y dyfodol yw y bydd pob cwmni yng Nghymru yn ymrwymo i'r cytundeb ac y byddwn yn gweld y defnydd o wellt plastig yn llwyr ddiflannu yn ein hysgolion.

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Agenda Item 3.10

P-05-801 Save the trees and ground in Roath Mill and Roath Brook Gardens before it's too late

This petition was submitted by Tamsin Davies and was first considered by the Committee in February 2018, having collected 8,700 signatures on paper and another petition website.

Text of Petition

As local residents, we believe that the planned flood works in Roath Mill Gardens and Roath Brook Gardens in Penylan, Cardiff are unnecessarily destructive.

We have seen the devastation of Waterloo Gardens and oppose Phase 3 of Natural Resources Wales' Roath Flood Scheme, which will widen the brook in Roath Mill and Roath Brook Gardens and see the felling of over 30 trees in an area where there has never been any flooding in the past.

We want to save the trees and ground in Roath Mill Gardens and Roath Brook Gardens in order to preserve the character of the area, minimise ecological damage and protect the habitats of our local wildlife.

We believe that Natural Resources Wales have not properly considered all options available, have misled the public with inaccurate figures during their consultation period and that it is, in fact unnecessary to bulldoze park grounds in order to widen the channel of the brook and remove mature trees in the process.

We call on the Welsh Government to urge National Resources Wales to stop work at Roath Mill and Roath Brook Gardens and consider the other viable options available to mitigate the perceived flood risk to this area.

Assembly Constituency and Region

- Cardiff Central
- South Wales Central



**Cyfoeth
Naturiol
Cymru
Natural
Resources
Wales**

Ein cyf/Our ref:
Eich cyf/Your ref: P-05-801

Ty Cambria / Cambria House
29 Heol Casnewydd / 29 Newport Road
Caerdydd / Cardiff
CF24 0TP

Ebost/Email:

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

By email: SeneddPetitions@Assembly.Wales

5 December 2019

Dear Ms Janet Finch-Saunders AM,

P-05-801 Save the trees and ground in Roath Mill and Roath Brook Gardens before it's too late

Thank you for your email on 21 November regarding the Roath Flood Scheme. We confirmed earlier this year that we would be assessing any further works in Roath Mill Gardens and Roath Brook Gardens as a stand-alone project (i.e. separate to the works already completed as part of the original Roath Flood Scheme). Therefore, a new project was set up in Spring 2019 to take this assessment forward.

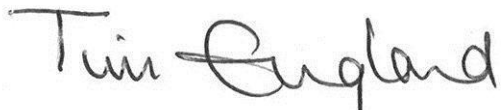
Construction and landscaping works within Waterloo Gardens and Railway Gardens were completed in Autumn 2018 as part of the original Roath Flood Scheme, and have been establishing well, with maintenance of the new planting and landscaping now handed to Cardiff Council (as landowner of the park gardens). NRW will continue to monitor establishment of the planting over the coming years and highlight any concerns or issues to Cardiff Council for rectification.

The original scheme was modelled and designed as a whole to provide a consistent standard of protection to the whole community. Therefore, it has been necessary to undertake new hydraulic modelling of the current situation with parts of the originally proposed works now constructed and parts not. This hydraulic modelling of the current "as-built" situation has taken longer than originally anticipated as there were model instabilities and other technical issues experienced while updating the original version of the model. This updated modelling has shown that over 350 properties are now no longer at risk of flooding during a 1 in 75 annual chance fluvial flood event due to works already completed.

However, the new modelling has also shown there is still unacceptable flood risk to a number of properties. Therefore, we plan to present a paper to the NRW Board in early 2020 with consideration and recommendations on how to manage flood risk in the area going forward.

We will be engaging with the local community, as well as key stakeholders such as Cardiff Council (in particular over possible works they may undertake at Roath Park Lake) over the coming months, following the discussion with our Board, and once we have further information to share.

Yours sincerely,

A handwritten signature in black ink that reads "Tim England". The signature is written in a cursive style with a large, stylized 'T' and 'E'.

Tim England
Operation Manager – Flood and Water Management
Natural Resources Wales

Agenda Item 3.11

P-05-815 Control Rapidly Expanding Intensive Poultry Industry in Wales

This petition was submitted by the Brecon and Radnor Branch of the Campaign for the Protection of Rural Wales having collected 2,469 signatures online and 2,098 on paper, a total of 4,567 signatures.

Text of Petition

We the undersigned call on the Welsh Assembly to urge the Welsh Government to take long-term strategic action to ensure that the poultry product industry is environmentally sustainable through effective delivery of the Environment (Wales) Act, Conservation of Habitats and Species Regulations 2017, the Well-Being of Future Generations Act and the Water Framework Directive (WFD).

Powerful agricultural drivers reinforced by BREXIT are increasing intensive egg & poultry production. The WG is ignoring the devastating environmental consequences for biodiversity, soil and water quality and avian and human disease. The public is vocal about poultry welfare but largely ignorant of the environmental impact of intensive poultry farming units (IPUs). "Free-range" egg units with concentrations of up to 2,500 birds/Ha are a particular risk (NRW report 218: Powys Poultry Pilot Study & INI nitrogen alerts 6/17).

Steep-sided valleys, high rainfall causing heavy nutrient run-off and populations of rare natural species make much of rural Wales wholly unsuitable for the current explosion of IPUs. After a decline from 1990, ammonia emissions have been increasing since 2010 (NAEI 2017 report for DEFRA). Critical loads of ammonia and nitrogen deposition (estimated thresholds for unacceptable damage to plant diversity) are far exceeded at some European & UK protected sites, Local Nature Reserves and Ancient Woodland. Excess phosphates threaten our watercourses (Wye & Usk Foundation 2017).

In failing to act on the evidence, WG, Natural Resources Wales (NRW) and Powys County Council (PCC) are neglecting the duty to "*maintain and enhance biodiversity*" (Environment Act Sec 6).

The WG must use its powers to control the industry:

1. *Provide proper resources for NRW to do urgent research, regulate and monitor IPU's and give better planning help to Local Planning Authorities (LPAs).*
2. *Issue planning policy and guidance to LPAs to improve decisions, ensure cumulative impacts are considered and monitor and enforce planning conditions.*
3. *Make the industry contribute towards the costs of regulation and monitoring and hold it to account for breach of environmental responsibility.*
4. *Publish transparent public reports on progress.*

Additional information

Our evidence is from Powys but our petition applies to all Wales.

Chair Diane McCrea confirms that NRW is shamefully under-resourced (BBC 14/12/17). NRW assesses impacts of IPU applications on European and UK nature sites and issues permits for IPU's over 40,000 birds. Improved NRW guidance (April 2017) covers cumulative impacts but assessment methods fail to prevent development where existing critical loads are exceeded.

The LPA assesses proper description of outdoor ranges and impacts on water quality, air quality, Local Nature Reserves, Ancient Woodland, landscape, residential amenity and local traffic.

LPAs lack the skills and resources for these responsibilities. PCC does not consider the cumulative impact of applications, together with all neighbouring IPU's, on the natural environment, landscape or rural residents. Schedule 2 Environmental Impact Assessment should ensure assessment of cumulative impacts but fails in practice. PCC is reluctant to award EIA status because the WG can overturn the decision (see P/2016/0608 & P/2017/0007).

CPRW has data on intensive poultry planning applications in Powys since 2011. In the last 30 months, there have been 99 APPLICATIONS involving over 3 MILLION BIRDS, of which 72 are for free-range eggs. Of the 99, only 10 have EIA status: 65 applications have been approved and ONLY ONE HAS BEEN REFUSED.

We have evidence of developments approved without contour or outdoor range mapping, close to nature reserves (71m), vulnerable ancient woodlands (adjacent) watercourses (10m) and residents (50m). Residents suffer health risks from flies, airborne ammonia, poultry dust, traffic-generated particulates and offensive smells. Environmental stakeholder and public objections are ignored, rare plant species are dying, disease risks are increasing and watercourses are failing WFD standards.

ENOUGH IS ENOUGH: A unique set of POWYS IPU DATA including applications, interactive map, hot-spot map and animated chronological IPU growth display can be viewed at <http://www.brecon-and-radnor-cprw.wales>.

Assembly Constituency and Region

- Brecon and Radnorshire
- Mid and West Wales



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-05-815
Ein cyf/Our ref LG/07398/19

Janet Finch-Saunders AM
Chair of the Petitions Committee

Government.Committee.Business@gov.wales

Dear Janet

19 November 2019

Thank you for your letters of 31 July and 6 November, regarding petition P-05-815 Control Rapidly Expanding Intensive Poultry Industry in Wales.

The Town and Country Planning Intensive Agriculture Working Group has been established with the objective of identifying the various roles and responsibilities of all bodies involved in the planning process relevant to intensive agriculture and examine technical advice and scientific evidence in relation to planning permission. The work will include looking at the impacts of intensive agriculture, biodiversity and climate change. The preparation of a Technical Advice Note (TAN) will be the key output of the Working Group to help improve the quality of planning decisions benefiting from the industry and local communities.

Poultry farms are covered by the same planning regulations as other developments. Determining planning applications in accordance with their Local Development Plan provides Local Planning Authorities (LPAs) with the opportunity to comprehensively consider the cumulative effects of existing poultry units which includes noise, smells, pollution and health. Last year, the Chief Planner issued a letter to LPAs reminding them to take into account the cumulative impacts resulting from similar developments nearby. It advised about the need to exercise particular care when considering planning applications which bring livestock units and residential or sensitive environmental areas close together.

Poultry farms are also regulated under the Environmental Permitting Regulations by Natural Resources Wales (NRW) to make sure they do not affect the environment.

In November 2018, I issued a statement outlining my intention to introduce regulations across Wales to tackle pollution from agriculture. I have been working closely with the Wales Land Management (WLMF) Sub-group to establish the right balance of regulatory measures, voluntary initiatives and investment to enable the industry to address pollution issues. I will continue to work with all stakeholders to develop a suite of measures necessary to address agricultural pollution.

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1NA

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400
Gohebiaeth.Lesley.Griffiths@llyw.cymru
Correspondence.Lesley.Griffiths@gov.wales

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

Pack Page 169

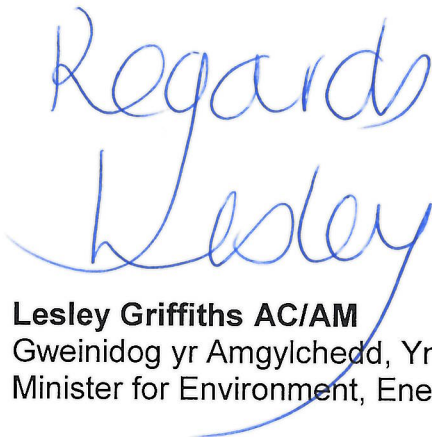
We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

The proposed regulations have been developed to reduce losses of nutrients to the environment from agriculture and to protect water and air quality. Baseline regulations applying to all agricultural holdings across Wales will ensure a better understanding of the requirements, prevent moving the problem elsewhere when compared to a spatially targeted approach and will improve the ability of the regulator to undertake enforcement action.

Under Prosperity for All, the Welsh Government is committed to building healthier communities and better environments. Clean air has a central role in creating the right conditions for better health, well-being and greater physical activity in Wales. This is reflected through a commitment to reducing emissions and delivering vital improvements in air quality through planning, infrastructure, regulation, and health communication measures.

Welsh Government will be consulting on the draft Clean Air Plan in December this year, with a view to publishing the final Plan in spring 2020. The Plan will highlight the challenges and bring together existing commitments and new actions across Government to achieve air quality improvements through policy, regulation and new legislation. This Plan will also be our first step to a Clean Air Act for Wales and I would welcome your views on our cross-Government Plan.

My vision is for a prosperous, resilient poultry industry promoting Wales' present and future well-being which will only be achieved by protecting animal welfare and its impact on the environment.



Lesley Griffiths AC/AM

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



Eich cyf/Your ref P-05-815
Ein cyf/Our ref JJ/07034/19

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

Government.Committee.Business@gov.wales

20 December 2019

Dear Janet

Thank you for your letter of 6 December regarding petition P-05-815 - Control Rapidly Expanding Intensive Poultry Industry in Wales, and the outcomes of your meeting with the petitioners on 19 November.

I understand that the petitioners are concerned that the timeframes initially identified for the development of a Technical Advice Note (TAN) to guide the development of intensive agriculture have been delayed.

Given the complexity of the issues to be considered, and the need to include a wide range of stakeholders in the Town and Country Planning Intensive Agriculture Working Group, it has taken longer than initially anticipated to fully explore the subject. I can, however, confirm that since your meeting officials have circulated papers for review and discussion on the roles and responsibilities of relevant agencies and the material considerations for planning applications.

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

Bae Caerdydd • Cardiff Bay
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CF99 1NA

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

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

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

A third meeting of the Working Group has been organised and will take place in Llandrindod Wells on Wednesday 22nd January and a representative of the petitioners has confirmed attendance. A review of the timeframes and an agreement on a revised schedule will be discussed at this meeting. It is still very much my intention to finalise and publish the TAN for consultation in the first half of 2020.

Yours sincerely,



Julie James AC/AM

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



P-05-815 Control Rapidly Expanding Intensive Poultry Industry in Wales

Welsh Assembly Petitions Committee Meeting 21/1/20: Response to Letters from Ministers.

Since 5/6/18, when our petition first came before the Committee, nearly 2 million (1,916,000) further bird places have been applied for in Powys.

The largest application is for 200,000 birds.

Two thirds of the 36 applications are under the permitting threshold of 40,000 birds.

We are exceedingly disappointed in this round of responses to the Petitions Committee and do not believe our Ministers have demonstrated any willingness to understand the impacts of the poorly controlled “*vibrant poultry industry*” on particular areas of Wales. Our Welsh Government has declared a biodiversity emergency and NRW’s Simon Bareham describes the agricultural ammonia threat as “*one of the biggest threats to biodiversity I have come across in my working career of 30 years*” but our Ministers are refusing to face up to the impacts of intensive poultry units on our natural species and our river quality. At the 9/7/19 meeting, the Petition Committee was clearly shocked by the statistics we produced, expressing their concern about the cumulative impacts of the “*phenomenal*” growth demonstrated in our data (see official transcript). While this growth continues apace, the impression is of official heel-dragging and business as usual.

We do not know either the dates or contents of the letters sent by the Committee Chair to the Ministers and so we cannot fully assess the scope of the responses. **May we suggest that it would help Petitioners if they could see these letters?**

It was not clear, from the transcript of the last Petitions Committee Meeting, whether both the Minister for H&G and the Minister for EERA would be asked for responses. In any case, there have been no answers about ammonia and phosphates, cumulative impacts, prospects of reinforcing PPW, the ability of Technical Advice Note to set policy as opposed to simply explaining it, or the principle of ‘polluter pays’. The Committee had already asked about some of these issues after the 9/11/19 meeting.

In spite of the Petition Committee’s sympathy, we are stuck in a cycle of pointless repetition.

Lesley Griffiths’ letter of 19/11/19 is in response to requests dated 31/7/19 and 6/11/19 and therefore does not address either our last submission (sent on 13/11/19) for the meeting on 19/11/19 or any request arising from that meeting.

Julie James’ three letters to you repeat information about the TCIAWG and its Terms of Reference, the latest making excuses for the extremely slow progress. The draft Terms of Reference, which do not match the breadth of the Minister’s description, have not yet been signed off even though Winter 2019/20 was meant to be devoted to the draft TAN consultation.

Lesley Griffiths’ 19/11/19 letter mentions the TCIAWG, the CPO letter about cumulative development and neighbours, the draft Clean Air Plan and the forthcoming agricultural pollution regulations to protect water quality. Disappointingly, she has not delivered these. Apart from the draft Clean Air Plan, which is seriously weak on action to reduce ammonia emissions, all these issues are recycled from previous responses.

The 19/11/19 letter insists that Poultry farms are regulated by Environmental Permitting regulations 'to make sure they do not affect the environment' whereas both the Minister and NRW are well aware (and we have repeatedly pointed out) that **the majority of units are below the Permit threshold of 40,000 birds**. Both these, and the permitted units over 40,000, have a considerable impact on the environment. According to the only piece of NRW research we are aware of, the smaller free-range egg units were having a worse impact on ammonia levels than the larger broiler ones (NRW Powys Poultry Pilot Study 2015), although there are often greater impacts of these large broiler units on landscape as well as manure-storing and spreading issues, shorter cycles with more traffic and frequent shed-clearing nuisance.

The minister wrote to you on 13/12/18.

*"My Officials continue to work with NRW to keep the issue of Environmental Permit thresholds under review. Until further evidence suggests lowering the EP threshold is the most efficient way of improving environmental outcomes for poultry units, I do not intend to propose any amendments."***

In view of the lack of progress and continuing expansion of industry in areas which are already 'saturated' we have opted to repeat points we have already made.

We request that the Committee looks back over our last submission and ask **the Ministers to answer our questions**.

We would also like to see **NRW brought back into the debate** since forth coming **Area Statements** could be a tool for controlling development and protecting rivers in areas which are already suffering unacceptable impacts. NRW has not provided any clear answers about whether Area Statements can or will address the issue of impacts of IPU's on biodiversity.

1. **Ask the WG to co-operate with NRW in providing a strengthened PPW and NRW guidance about ammonia/phosphate impacts on habitats both for "top-tier" tier designations and for "lower tier designations" and other important habitats, including ancient woodland and veteran trees.**
2. **Ask NRW/WG to set out who is responsible for assessing cumulative impacts, given that:**
 - **development ammonia consultants are saying they cannot do this**
 - **NRW say it is for LPAs to make the analysis of in-combination impacts**
 - **LPAs expect to rely on NRW advice and cannot produce adequate accounts of the clusters of units in question and their emissions**
3. **Ask the Minister for EERA and NRW to outline the evidence they have been working together to consider about lowering Environmental Permitting thresholds.(see above**)**
4. **Ask the Minister to ensure incorporation of the "polluter pays" principle into WG regulation of agricultural pollution and apply this to all IPU operators (whether or not they opt into extra environmental services for enhanced payments).**
5. **Ask the WG to reconsider its unsustainable blanket support for intensive poultry farming and to require and fund proper mapping of intensive livestock units across Wales matched to updated background ammonia/nitrogen levels in order to define areas where a threshold has been reached and no more units are acceptable.**
6. **Ask NRW whether they will address the problem in Area Statements, particularly for Mid-Wales.**

We invite you and our Ministers once more to read the attached Plantlife publication:

"We need to talk about Nitrogen" Jan. 2017

This is exactly two years old now – but is our Government listening?

P-05-825 Protect children's lungs from harmful pollution whilst at school

This petition was submitted by British Lung Foundation Cymru, having collected 159 signatures.

Text of Petition

People in towns and cities across Wales are breathing in levels of air pollution that are illegal and harmful for their health. Children are among those most vulnerable to air pollution. Their lungs are still growing, and polluted air can stunt the growth of their lungs and increase the likelihood of asthma and other health problems later on in life.

A freedom of information request by the BLF to local authorities in 2017 found that 68% of respondents (15 out of 22) were not monitoring air pollution within 10 metres of any of their schools.

We, the undersigned, call on the Welsh Government to require all Local Authorities to monitor the quality of the air children breathe whilst at school so decision-makers have the information they need to take action on air pollution.

Assembly Constituency and Region

- Cardiff South and Penarth
- South Wales Central

Deputy Clerk
Petitions Committee
National Assembly for Wales
Cardiff
CF99 1NA



THE ASTHMA UK AND
BRITISH LUNG FOUNDATION
PARTNERSHIP

15 January 2020

Dear Sirs,

We write in reply to the request submitted by the committee for further comments and thoughts on the draft Clean Air Plan for Wales in relation to the petition 'Protecting Children's Lungs from Harmful Pollution whilst at School'.

First, we would like to thank you for the opportunity to provide further comments. Since submission of our petition, recent evidence has emerged highlighting the growing concern that air pollution is having a negative impact on developing lungs.

For children growing up around severe air pollution, they are five times more likely to have poor lung development with a recent [Kings College London](#) report highlighting that in places of the worst levels of air pollution the development of children's lungs can be stunted by as much 13 - 14%. The same report suggests that for those who live within 50 meters of a major road the risk of developing lung cancer increases by up to 10%. Such findings don't only confirm what the concerns that the petition raised but increase the need for action as soon as possible help mitigate if not reduce completely the levels of pollution that our future generations are experiencing today.

Secondly, we broadly welcome the introduction of the new Clean Air Plan for Wales as this now sets the path to urgently address the levels of air pollution and improve overall air quality in Wales.

Air pollution is one of the biggest threats to public health, second only to smoking. At a cost £1bn per year, air pollution is draining our resources, straining our health system and claiming over 2000 lives a year in Wales. Poor air quality has been linked to increases in childhood asthma, dementia, lung and heart disease, mental health and obesity.

The proposed plan commits to several asks raised by the British Lung Foundation (Now Asthma UK and British Lung Foundation Partnership (AUK-BLF)) through the Healthy Air Cymru Group and seeks to enshrine them in a new Clean Air Act, we welcome:

- Enshrining in law new WHO air quality guidelines,
- Reviewing and updating legislative instruments to review air quality strategies every five years,
- Increasing local monitoring by providing statutory duty on local authorities to assess air pollution
- Introducing a White Paper on a new Clean Air Act for Wales.

The plan also has highlighted the need for a public health awareness campaign to promote positive behaviours and a modal shift from the current overreliance on the car to that of local and active transport. With a focus on reviewing legislative instruments around domestic burning and increase regulation to reduce pollution emitted from high polluting sources of fuel such as wet wood and coal.

We highly welcome the proposals set by the plan however we do have some concerns.

Funding at Local Authority Level

We welcome the reforms at a local authority (LA) level which allow LA's to develop and incorporate their plans to new frameworks and reformed timelines. However, with a large focus on reforming laws which govern laws at the local level, there is fears that already financially stretched authorities may not have the sufficient funding to implement the new frameworks to tackle air pollution.

The Public Health Campaign

The plan addresses the need for public health awareness campaigns and that a review of guidance should be completed by 2021. The plan highlights campaign work which is already underway such as Clean Air Day and work being done to promote LA's in their awareness campaigns. However, the pressure and focus is placed at the LA level with only a review of possible future campaign through Public Health Wales and NHS Wales in the immediate future with funding for such campaigns again a concern.

Reducing speed limits to 50mph in the five locations in Wales to reduce NO2 levels is a positive step in reducing the level of emissions emitted at the roadside, however it doesn't deliver on the public health message. Only later after several concerns raised by members of the Assembly, organisations like those who are members of Healthy Air Cymru and members of the public did the Government introduce road signs stating that 'Air pollution kills'.

Whilst the Government states that legislative time may not be permitting to introduce a new Clean Air Act now, to promote the modal shift that has been echoed by this plan, campaign work should begin at a much earlier stage in the plan to deliver behavioural change and begin to reduce the levels of pollution through positive action in Welsh communities.

Exclusion Zones

We welcome the plan's comments in the need to review laws around car idling which pollutes our streets unnecessarily as the car remains idle. However, there is no comments in the plan around School Exclusion Zones.

This would be a zone around a school where parents are encouraged not to drive their car to school and promote instead active travel. This could also be done with a 'park and stride' model ([Living Streets has a toolkit here](#)). Where parents are recommended to park at another location and walk with their children or a group of children in supervision of an adult walk to school instead of driving to the school gates.

Children growing up around severe air pollution are 5 times more likely to have poor lung development. Increases of air pollution from vehicles has been linked to worsening of symptoms of conditions such as asthma, which is common in children.

Recent figures of ONS data have recorded an increase in asthma deaths and diagnosis. 1,400 people have died from an asthma attack in 2018, an 8% increase from 2017 and an increase of 33% compared to a decade ago. With a third more children diagnosed with asthma during the same period.

Sustrans in partnership with 'playing out' are working with local authorities and schools in implementing exclusion zones around schools in Wales. The plan could incorporate such a method to reduce air pollution around schools and legislate to strengthen such indicatives.

WHO Guidelines, will there be another timetable?

The plan sets out the ambition of not only setting WHO guidelines into statutory instruments but for Wales to eventually reduce the air pollution limits below that of the current WHO guidance. This ambitious target is welcomed, however the details are unclear as to when the new Clean Air Act for Wales will bring in compliance to WHO levels.

Will the new Act upon enactment bring about the new WHO compliance from day one of commencement or will there be another phased in timeline of when the guidelines will become Wales' new limits? This is not clear and we would like a more concrete commitment made by Welsh Government and suggest that instead of a White Paper at the end of the legislative term that a Bill is introduced and debated in the Assembly.

The Clean Air White Paper

Our initial concerns are the lack of apparent detail of what will be included in the White Paper which aims to set out the new Clean Air Act for Wales. Because of the nature of the proposed instrument used to introduce the new Act, there is no clear funding plans to accompany the aims and ambitions of this plan.

We would like to instead see a Bill proposed and debated in this legislative term to allow the proper scrutiny of the plans set out in the Clean Air Plan and address our concerns below.

We understand the legislative implications of the current political climate but expresses the need for action quicker rather than later. With the plan highlighting that air pollution contributes to around 20 – 27 people a week dying from poor air quality and the cost to our national health service estimated to be around a billion pounds per year legislative action is needed now.

The plan highlights several avenues and policies to tackle air pollution and the need to work alongside stakeholders. AUK-BLF highlights the need for cross party support with other political matters absorbing legislative time at the Assembly, a Climate Emergency declared, and a public health crisis, now is the time to act.

The Assembly has been recalled early before to debate matters of national importance, we support the proposal for an extra sitting day a week during what is remaining of the legislative term to bring forward and policies and statutory reform set out in this Clean Air Plan.

Concluding Remarks

We need to begin improving air quality for Wales to improve the air that we breathe and to begin to reduce the number of people affected by air pollution. We do not know the long-term implications that air pollution will have to our children's developing lungs, what we do know is that action now can at least limit further damage and prevent future generations' from breathing in poor low-quality air.

Many means to improve air quality are already available to local authorities, what is needed is clear direction and funding. We call upon this Assembly and Government to make such tools and funding available now.

There is no question as to whether air pollution is damaging to our health and we understand that there needs to be an update on several legislative instruments in order to improve air quality in Wales. However, there are questions as to when this plan is going to be fully implemented, of when the funding will be provided, when the new Clean Air Act will be introduced to the Senedd and why there isn't already a public health campaign on air pollution to promote the behavioural change at the local level.

Regards,



Joseph Carter
Head of Devolved Nations
Asthma UK & British Lung Foundation Partnership

Agenda Item 3.13

P-05-911 Protect Wales' Ancient Yew Trees

This petition was submitted by Janis Fry having collected a total of 77 paper signatures.

Text of Petition

Please sign my petition call for ancient Yew trees to be protected by law.

Currently there is no legal protection for these beautiful trees. It's urgent that we protect this vital part of our heritage with specific legal protection before we lose any more. These Yew trees have been a part of Britain for thousands of years. They are our ancient living monuments, our ancient living witnesses to the history of our ancestors and our civilisation. We must protect them as a matter of urgency before any more are lost.

Assembly Constituency and Region

- Carmarthen East and Dinefwr
- Mid and West Wales



Eich cyf/Your ref P-05-911
Ein cyf/Our ref JJ/07008/19

Janet Finch-Saunders AM
Chair of the Petitions Committee
National Assembly for Wales
Ty Hywel
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Government.Committee.Business@gov.wales

18 December 2019

Dear Janet,

Thank you for your letter of 02 December concerning the recommendations made by the Task and Finish Group on Ancient, Veteran and Heritage trees and how these have been taken forward by the Welsh Government.

The Task and Finish Group on Ancient, Veteran and Heritage Trees was convened in 2014 and Reported in 2017; four recommendations were made to Welsh Government.

A broad focus of the recommendations made concerned monitoring and the need to fully understand the practical management frameworks for ancient, veteran and heritage trees. Within this context, Wales' Natural Resources Policy (published in 2017) sets out a commitment to carefully manage trees and woodland that have high environmental values, including ancient woodland sites, and ancient, veteran and heritage trees, which are an irreplaceable resource that provide a wide range of ecosystem services.

The monitoring of the condition of the management of ancient, veteran and heritage trees, and the need to promote information on their management has been highlighted as an area that needs addressing through the refresh of the Nature Recovery Action Plan. This refresh is due to be completed by the end of December 2019 for further action in 2020.

Welsh Government Officials are working with Natural Resources Wales in order to consider ways in which a number of amendments could be made to the Forestry Act 1967, including changes to the felling licence regime. However, it should be noted that these changes may be delayed due to priority given to wider regulatory changes that will be necessary as a result of Brexit.

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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.

Finally, Planning Policy Wales 10 (published in 2018) introduced for the first time a specific reference to ancient, veteran and heritage trees within the trees and woodland policy. Paragraph 6.4.26 sets out, *“ancient woodland and semi-natural woodlands and individual ancient, veteran and heritage trees are irreplaceable natural resources, and have significant landscape, biodiversity and cultural value. Such trees and woodlands should be afforded protection from development which would result in their loss or deteriorations unless there are significant and clearly defined public benefits; this protection should prevent potentially damaging operations and their unnecessary loss.”*

Yours sincerely,



Julie James AC/AM

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

P-05-911 Protect Wales' Ancient Yew Trees, Correspondence – Petitioner to Chair, 08.12.19

Dear Janet Finch-Saunders,

Thankyou very much for your letter concerning my Campaign for Legal Protection for Ancient Yews. I am so sorry it has taken a while to reply but I have had a lot of practical problems to deal with recently, including no internet.

You ask what measure I would like to see the Welsh government take in the way of protection. I do not have all the answers but as you will see if you look at the most recent update on <https://www.change.org/p/save-britain-s-ancient-yew-trees-before-we-lose-any-more> , English Heritage have taken a significant step in making the Ankerwycke Yew at Runnymede a Scheduled Monument which carries penalties of the highest possible kind for damaging it. As a result I am now working with the Tree Council to push this advantage in order to attain that status for a total of 12 ancient yews. This will move things on considerable if we are able to achieve this and open the door for protection for other ancient yews. I'm afraid I do not know who is the equivalent NGO in Wales to English Heritage but obviously as a devolved government Wales will need to do things separately here but this I believe could be an advantage. I wonder if you could find out who is in charge of awarding this status in Wales? I will also try to find out. My point is that as a devolved government, surely this should enable Wales to introduce its own similar status and protection? It would be useful if we had a lawyer who can work with laws in Wales. The Campaign has a Barrister, Paul Powlesland who works for us voluntarily and got us a hearing in the House of Lords but in Wales we would need someone else. We also need to find out what body is equivalent to English Heritage in Wales and able to award such status as a Scheduled Monument or Ancient Scheduled Monument?

In the past there were laws such as those under Hywel Dda to protect sacred yews (Tauxus Sanctus) I attach a paper I wrote on this. These were old laws which have nevr been revoked and I have often wondered if a case could be built up on this basis, given the right Lawyer. We have the largest number of ancient yews on earth in Wales. As the oldest living trees this is incredibly important to the Welsh nation, both nationally and internationally. Wales is truly the Land of the Yews and needs to be flagged up as such. This would increase both Wales's standing in the world and its tourism with people coming from all over the world, as is happening at Defynnog, people coming specifically to see the ancient yew.

I am sure that with the new zeal for trees being promoted, as a result of Climate Change now being seen as the most important issue of our times, that the time is ripe for gaining the protection these ancient trees need. If you scroll down the page in this link you will find a list of ancient yews in Wales - http://www.janisfryart.co.uk/ancient_yew_tours.htm

These ancient yews (trees of over 2,000 years old) are our most important heritage and must be protected for the future.

Yours sincerely,
Janis Fry

Old laws protecting Yews.

(Last updated 8th Dec 2019)

Copyright Janis Fry

Most people are unaware that there were old laws concerning the protection of yews. There is now an urgent need to bring these up to date and reinvoke them as they have gone into abeyance and with every year that passes, Britain is the poorer for the loss of more of these heritage trees. We would it seems, need a test case to do that and a good layer. There are thousands of ancient yews in Britain and it seems unlikely we will ever get protection for them all and therefore I felt it more prudent to concentrate on getting the most ancient and historical yews protected.

To begin with we need to look at the historical context and establish the fact that the sanctity of the yew in Britain and therefore the idea that it should be protected against harm, most likely originated with the Silures, the Welsh Celtic yew tribe, conquered by the Second Augustan Legion from Caerleon, in the first century. The yew as we know was also sacred in Bronze Age Britain and earlier. Carvings of the yew as the Tree of Life are to be found all over the northern hemisphere and date back to an earliest date of 52,000 BC when a carving was found in a cave in Cadiz. They planted and adopted were of course in churchyards, an environment separated from the mundane and considered to be a safe sanctuary.

The earliest law for the protection of trees on sacred sites is the letter from Pope Gregory dated to 597-601AD instructing Abbot Mellitus to tell Augustine not to destroy the *fana*, (meaning the sacred trees), only the idols placed in them, so that people would still come to these sites. Another similar term used to '*fana*' was '*frondibus contexta*', meaning 'interwoven branches'. These terms were translated as 'temples' because the first church was just that:- a temple made from interwoven branches of trees found on site, most likely yew branches, part of the sacred grove or Nemeton. The very earliest shrines or temples were simply hollow trees with an image of the presiding deity in them. Before Christianity, the first temple of Artemis was an aged cedar tree containing an image of this goddess. William Smith's Dictionary of 1875 defines an early temple as a hollow tree in which there was an image or statue. In fact it was the tree itself which was the deity.

Jacob Grimm in 'Teutonic Mythology' 1880 says, 'It is said of a hollow tree....there are saints in there, that hear all people's prayers'. His information came from the early Saxon period, when he stated 'The hut ('bower' is more accurate) in which we are to picture ourselves under the term '*fanum*' or Anglo Saxon bower, was most likely constructed of logs and twigs around the sacred tree'. 'Sacrosanct' means sacred sanctuary, holy of holies and not to be touched for fear of reprisals. The Saxon word was 'hallowed' as in hallowed ground. This was consecrated ground. 'Hallowed' means Temple. Hallowed or consecrated ground expressly meant land that had a sacred tree growing on it. At Pepper Harrow, in Surrey ('harrow', also an agricultural term, is from the same source as 'hallow') a sacred site of the Saxons, there is a Yew of around 1400 years old, which was probably planted by Saxons. All Hallows in Dorset is also Saxon and has a 30 ft, girth tree. The Saxons usually planted their yews on the south and south west of the burial mound. Although Saxon law may never have been written down, it was obviously old tribal law and just as binding.

In Latin writings about the 'booths' (another word used for these early green temples), the word '*fanum*' or '*fana*' seems to mean hollow trees, used as shrines or cells. Homer in 'The Iliad' (8th century BC I 39) implies that the earliest temple was a booth of branches which would have been an extension of the monk's cell. The Roman Pliny describes the first temples as hollow trees or trees with interwoven branches (*Nemorensis Templum*) and the first church in Britain, raised by St. Garmon at Llanarmon Dyffryn Ceiriog, North Wales, would have been of this kind, made from branches, still attached to the tree (in this case from 2 yew trees), woven together to give some shelter to the congregation. The term '*Frondebis contexta*', is something also referred to by Constance Delyon circa 470 AD in 'Germain' as a shelter put together to celebrate the Christian Day of Resurrection, because as the yew symbolises resurrection, it was fitting to use the yew branches for the purpose.

An example of the type of shrine inside a hollow tree which survives, to the present day, is at La Haye de la Routot, Normandy. Pope Gregory affirmed that 'At festivals the people shall be allowed to build their booths of green leaves' and from Leviticus 23: 33-43, we see that the custom of building green booths was wide spread in many parts of the world 'that the wood for the booths be selected from leafy trees, trees of interwoven foliage'.

According to 'The Antiquities of the Cymry', (Williams vol. I) 'Bede' (book 1, chap. 20), about the year 565, 'the practise of constructing churches of stone was unusual amongst the Britons'. The natural progression through time of the construction of a church, would have been from live leafy branches still attached to the tree, to cut leafy branches as a temporary construction, to cut and dried timber and eventually timber and stone, a similar process to the evolution of the henges from the nemeton, the central living tree and surrounding circular grove, to wooden posts and finally standing stone pillars. Both nemeton and fanum refer to the sacred tree and the circle. The circular grove and sacred tree are one and the same thing. An example of this is found at Llangernwy, which means enclosure of the sacred yew.

Later on in 10th century Wales, **the laws of Hywel Dda** protected yews and referred to the 6th century Saints Dubricius and Teilo and their sacred trees. 'The Laws of Hywel Dda', a Welsh King AD 915-48, records a difference between saint's or consecrated yews ('Ywen sant'), yews either adopted or planted by a saint, worth one pound and secular yews ('ywen goat') worth fifteen pence. These were the fines for cutting them down. In the Latin it is said '*Leges Walliae 262 (Sancti) sancto nempe alicui didcata, Dubritio v. gr. vel Teliao, quales apud wallos in Cemerteriis etiam-num (frequenter visisntur*', translated as reading 'the yew trees in the churchyards dedicated to Teilo and Dubricius were sacred (*Taxus sancti*). Sacred Yews (*Taxus sancti*) or saints yews, (*ywen sant*) were considered to be of higher value than all other trees and here it stated that the sacred yews of Saint Dubricius (Dyfrig – spiritual father of 5th and 6th century saints) and Saint Teilo, which stood in the Welsh cemeteries, were protected by law. Elsewhere it is said that Hywel Dda endorsed a huge fine of 60 sheep on those who cut down yews 'dedicated to saints'. It should be noted that this proves these yews were substantial yews over a thousand years ago. Several of them are still alive today, another thousand years on.

The 12th century book of Llandaff records from earlier records, that the space between the yew tree and the church was a sanctuary in the 5th century and earlier, as inviolable a space as the interior of the church itself.

One of the early laws to note, which protected yews, was that noted in the **Book of Llandaff**, otherwise properly known as *Liber Landavensis*, *Llyfr Teilo*: Ancient register of the Cathedral of Llan-daff, under the heading 'The Village of Miluc'. All scholars believe this was a church and yew tree by the River Ely but 'Miluc' does not exist. The site whose exact location, Meredith and Fry are trying to establish, is on the route to Llandaff and is most likely to be St. Brides Super Ely, which has an enormous yew. The text tells us that Iestyn sent his 'household' containing the wicked Twrwerd and Iestyn's grandson Eineon, 'filled with an evil spirit' to Llandaff. Ignoring the protection of the holy cross and the asylum given by the Llandaff saints of Saint Dubricius, Saint Teilo and St. Oudoceus, the sinners 'took away a virgin who had fled under the protection of the church and from between the yew tree and the church'. The girl, Eurddilad, daughter of Cynwal was 'violated' and the perpetrator became deranged. The bishop cursed Iestyn and his criminals for such an outrage but it must be noted that the punishment was for the **violation of the protected 'refuge' and** not for the rape of the girl! and that the criminal came to his senses when **restitution was made to the church** (not the girl). Although not actually stating that the yew was acting as a 'protector' in its own right, there would appear to be an inference that the area between the church and the yew tree was a sacred space or 'special refuge' and known as hallowed ground. This refuge or asylum was begun by Teilo and Dubricious. What also seems apparent is the acceptance of the yew as an integral part of the site or 'llan'.

At the time of Edward 1st in 1272-1307, we find attitudes to Yews becoming utilitarian and it being promoted that yew trees were planted in churchyards for the purpose of protecting the fabric of the building from high storms and also to shelter the congregation before entering the building! Thus in AD 1307 we have the notable **statute 35 'Ne rector prosternat arbores in cemiterio'** (i.e. the rector must not cut down trees in the churchyard, save as the act proceeds to specify, for the repair of the chancel). This Statute was actually a reiteration of the **Synod of Exeter of 1287 AD.**, which forbade the felling of churchyard trees and expressly stated that they are often planted to prevent injury to the building during storms! The whole of the Latin reads as follows ' Ne Rector prosternet arbores in Cemeteris, Arbores ipse proper ventorum impetus ne Ecclesiis noceant seps plantatur. Prohibernus, ne Ecclesiatum Rectores ipsas presumant prosper nere indistiicte, nisi cum Cancellos Ecclesiae necessaria indigent reflecctione. Nec in alios usus aliquialiter convertantur'.

This from:-

(Sir R.Phillimore, *Eccles. Law* 2nd edition 1895 p.1407. Brand , *Pop. Antiq.*, 11.p.3256. G.White, *Selbourne*, p. 421. *Statutes of the realm,1810, 1 Antiq.*, 11. p.221. *The date of the Act said to be uncertain*)

It is pertinent to remark that **the law is still binding** as stated by Walter Johnson in 'British Archaeology. It is also worth noting that the yew would be the principal, if not the only kind of tree, which grew in the churchyard and needed preservation. The yew is the only European tree associated with death,

Further to this, **in 1781 it is interesting to note that there was a Parliamentary debate** on the Edward 1st Statute '*Ne rector...*', which was as we have seen, was a reiteration of the law made by the Synod of Exeter's in 1287. This was in response to Yews at Gyffin in North Wales being cut down to a stump. Following the destruction of these yews which were remarkable for the fact that their 14 feet girths had hardly changed in size in 100 years, they had storms which did damage to the tower, so they then thought that the trees were there to protect the buildings and were already by this time it seems, unconcerned about the sacredness of the Yews. The fact that the old law was being brought up in Parliament means that although it was still known it was not generally understood or considered important by the clergy or at least some of them.

From The Parliamentary Register : Or, History of the Proceedings and Debates of ...By Great Britain, House of Commons, Parliamentary Debates 1781 (2) we have the following:-

'Mr. Courtenay then said, that on reading a very ingenious book, which threw great light on the spirit, manners and characters of our ancestors, in the book he alluded to, (Observations on the Statutes, chiefly the more ancient ones), there was an act of the 35th of Ed, 1, A 1307, entitled, '*Ne Rector arbores in Cemeretis prosernet.*' But as the season of the prohibitory state was not well understood, several of the country clergy, carried away by the modern taste for improvement, chose to lawn their churchyards and cut away the noxious yew trees: but after the supposed improvement was made, the wisdom of the act and the utility of the trees were uncovered, as several churches, especially the church of Gyffin, near Conway, in Wales,(for this spirit of improvement had travelled far,) were materially injured, by being exposed to the storm, deprived of all shelter and protection. Let us improve on the hint and not let rash and sacrilegious hands, prune away, the thick and sheltering foliage of prerogative, lest we thereby injure the temple of Liberty',

It is surely clear from this history of the protection of the Yew that in the interests of gaining legal protection for our ancient yews, a Lawyer with an interest in these matters, should be found to make these old laws legally binding within present day British law. In these times of the demise of the Church in Britain where lands and buildings are being sold off, the consequences of leaving our ancient yews vulnerable to 'development' of their environment are too dreadful to not do so.

REFERENCES

- Vaughan Cornish 1946 'The Yew and immortality'*
Lore and legend of the English Church, p. 54.
C.G. Prideaux, Practical Guide to the Duties of Churchwardens , ed.
F.C.Mackarness,1895, p.331.
H.W.Cripps, Laws relating to the church and Clergy, 1886 pp.433-4
Hubert Howe Bancroft 'The Book of Wealth, a study of the achievements of architecture', 2015 (says that a temple was merely a hollow tree.)

Agenda Item 3.14

P-05-783 Ensuring Equality of Curriculum for Welsh Medium Schools e.g. GCSE Psychology

This petition was submitted by Chris Evans and was first considered by the Committee in November 2017, having collected 652 signatures online.

Text of Petition

I call upon the National Assembly for Wales to urge the Welsh Government to prevent Qualifications Wales (QW) from continuing to discriminate against Welsh-medium learners, and ensure linguistic equality in terms of school curriculum.

In 2015, the WJEC decided to drop GCSE Psychology because candidate numbers were relatively small (37 centres – 5 of which were Welsh medium with 144 Welsh medium applicants each year). Because of this, an invitation was extended by Qualifications Wales to the English Awarding Bodies; AQA, OCR, Pearson-Edexcel, to offer this subject, and others e.g. Economics, in Wales.

Unfortunately, and astoundingly, there was no pressure to offer these subjects in Welsh. Qualifications Wales' response to this is to say that the English Boards would refuse to offer subjects in Wales altogether if they were forced to offer a Welsh language option, and that they seek to ensure 'the widest choice of subjects to learners in Wales' (QW Newsletter, December 2016).

'The widest choice of subjects to learners in Wales' unless you are following a Welsh medium education! In September, there will be no year 10 Psychology GCSE course running in my school for the first time since 2009, while the English-medium school a few miles away, start a new GCSE Psychology course in English through AQA. The only reason that I can't offer this subject is because we teach through Welsh. There are four other Welsh centres in the same position.

Psychologists need to be able discuss their subject in Welsh. By depriving Welsh medium pupils of the opportunity to study Psychology GCSE through Welsh, we will lose 144 students per year who would have had the potential of contributing to Psychology – as a teacher, lecturer, therapist, researcher etc. in Welsh with confidence because the relevant terminology familiar to them.

Additional information:

144 candidates sat the unit 2 Psychology WJEC GCSE paper in Welsh to finish the course in 2015, with 5 centres teaching it, so there is the potential for significant numbers, not just a handful. I have arranged that three experienced Psychology examiners are available to work for any English Board, so that translation of candidate's scripts (solutions) would not be needed, just the translation of the paper itself.

The only English Board that even considered the application to provide a Welsh paper (from myself, not QW), was Pearson, but in the end they refused, saying it 'would require Welsh speakers at every level of the production of the papers'. This is nonsense because that doesn't even happen in the WJEC, where the Chief Examiner and the Subject Officer don't speak Welsh!

I don't blame the English Boards, because why should they go to the trouble when they don't have to? Qualifications Wales is to blame for their limp policy, which does not protect the rights of Welsh-medium learners. Surely it would have been possible to create an element of competition between the English Boards by giving priority to those open to the idea of offering a Welsh option, but they did not attempt to do this at all.

This is totally unacceptable in the modern Wales. If English Awarding Bodies are allowed to offer subjects in Wales, it must be made clear that they need to offer a Welsh paper when there is a reasonable request to do so.

Assembly Constituency and Region

- Wrexham
- North Wales

**November 2019 to
February 2020**

Consultation on:

- Principles for qualifications taken at 16 that are eligible for public funding
- Keeping the GCSE name as part of the qualification offer
- Redesigning the Skills Challenge Certificate as a free-standing qualification

2020

Next steps:

- Summary of responses to the consultation and resulting decisions
- Advice to the Minister for Education

Consultation on:

- Which subject areas will form part of the public offer
- Qualifications to support the continuum for Welsh language learning
- Design principles for future GCSE qualifications (if retained)
- More detailed proposals on standalone qualifications to assess “wider skills” (if retained)

2021

Next steps:

- Summary of responses to the consultations and resulting decisions
- Confirmation of timeline for developing new and updated qualifications
- Consider the regulatory requirements needed to put the vision and principles into practice

Consultations on individual qualifications:

- Detailed design features and content of new or updated qualifications

Next steps:

- Consider the responses to the consultations and report on the outcomes
- Publish approval criteria for individual subjects

From 2021

- Awarding bodies develop new and updated qualifications to meet regulatory requirements
- Requirements for essential teaching and learning resources to support qualifications identified and fed into strategic commissioning model

P-05-805 Fair Deal For Supply Teachers

This petition was submitted by Sheila Jones and was first considered by the Committee in May 2018, having collected 1,425 signatures (997 online and 428 on paper).

Text of Petition

We, the undersigned, request that all supply teachers be paid fairly and have full access to training opportunities and other terms and conditions. There should be a qualified teacher in every classroom and taxpayers' money should be going directly into education and not into the pockets of private agencies.

Supply teachers are being exploited and teachers are leaving the profession as they cannot afford to be supply teachers.

Agencies reduce teachers' pay by forty to sixty percent and teachers lose their pensions, this is public money going into the private sector for profit. Lessons are being covered by unqualified staff.

Assembly Constituency and Region

- Caerphilly
- South Wales East



Eich cyf/Your ref P-05-805
Ein cyf/Our ref KW/07643/19

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

09 December 2019

Dear Janet,

Thank you for your letter of 2 December, in relation to P-05-085 Fair Deal for Supply Teachers, and your consideration of the petition regarding supply teaching in Wales - the National Procurement Service's (NPS) Framework and the school-based supply cluster pilot.

The new NPS framework went live in September 2019 and the NPS have been actively promoting it to local authorities through their procurement networks. The NPS have held two meetings with the local authorities since the framework was awarded to provide clarity and communications on the changes made to the agreement and how they can implement it with schools. Welsh Government have also been actively promoting the use of the framework to schools through Dysg, Hwb and via social media routes.

Spend through the new agreement has increased significantly in comparison to the previous framework with New Directions from approximately £1.75m to £4.5m (comparing the comparative spend for September 2018 against spend for September 2019). The NPS will be able to conduct an on/off framework spend comparison when the data is available early in the New Year but initial figures show the majority of agency spend in Wales is now going through the framework, thus allowing the NPS to have more visibility and control over the market.

Initial figures also show that over 300 workers have received training through framework agencies. In addition, 24 out of the 27 appointed agencies have signed up to the Welsh Government's code of practice for ethical employment in supply chains and 27 jobs have been created in Wales to support the delivery of the framework.

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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 NPS have been carrying out monitoring of pay rates, which has included acting on feedback from supply teachers, reviewing job adverts/websites and subsequently following up with agencies to address any issues of non-compliance. In instances where there has been an issue with an agency, it has been rectified immediately.

The NPS have recently met with New Directions, the largest agency on the framework, as part of their contract management work and they have reported that approximately 88% of their bookings for supply teachers in September have been at the minimum pay rate. The remaining 12% of bookings were not paid at the minimum level at the request of the school.

The trend of the correspondence now being received by the NPS is that where the minimum pay rate is not being met, it is the schools that are making this decision. Where the NPS are made aware of this either through an agency or supply teacher, it has been reported back to individual local authorities to address with the school in question.

As the NPS Framework has only been operational since September, there are no immediate plans to introduce statutory changes. It is important that we allow some time for the arrangements to bed in, to rectify the issues, and to monitor improvements. The NPS will provide an update to me early in the New Year, once the first full term has finished. However, its initial findings have been positive, with reported improvements in agency compliance and spend through the agreement having increased significantly.

Arad research published its initial report on the School-based supply cluster project on 12 November. The research highlights a range of benefits for the schools that took part in the pilot ranging from clear positive outcomes across teaching and learning, pupil behaviour, professional development, wider school improvement, support for supply teachers and consistency of teaching and learning. The final report from Arad research will follow in August 2020, which will take into account the sustainability of the project following the third and final year. Consideration will now be given to the feasibility of supporting a second phase of the project and I will provide an update on this in due course.

Yours sincerely,

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

Kirsty Williams AC/AM
Y Gweinidog Addysg
Minister for Education

**P-05-805 Fair Deal for Supply Teachers, Correspondence – Petitioner to Chair,
15.01.20**

Dear Mrs Finch Saunders

We thank the Cabinet Secretary for Education for her recent correspondence.

NPS have been very helpful and we received our own update from them in December. We note the increased spend from September 2018 to September 2019. We await the information on the on/ off framework spend. One of the off framework agencies has told me that they only pay the minimum rate for assignments of more than 12 weeks. It is a real shame that these agencies are in operation as has been said previously they are undermining the Framework rate and other terms. It is good that predominately schools are using framework agencies as as well as the long awaited minimum pay rates the other aspects of the framework should be adhered to.

One of these is provision of CPD. Mrs Williams states that 300 workers have received training through agencies. This is a very small amount compared to the number of supply teachers employed by agencies. In the light of the need of supply teachers to be up to date with new initiatives especially in respect of the new curriculum it is very concerning.

The Mick Waters' report Teaching A valued profession states in Recommendation 20

“Supply teachers should be expected to be able to demonstrate their growth against the professional standards for teaching each year. As part of that process, they should be expected to demonstrate the impact of professional learning. Supply teachers should spend seven days engaged in professional learning in each school year, regardless of the extent of their supply work. Their agency should organise and manage four of these and three of the days should be managed by the individual. Where supply teachers are not registered by an agency, it should be their responsibility to find appropriate professional learning opportunities with schools or other providers. “

It is disappointing that there are 3 out of the 27 agencies that have not signed up to the Code of Practice for Ethical Employment as this has not been mandatory. The adherence to the Code will need to be carefully monitored .

The 12% of bookings mentioned that were not paid at the correct rate owing to schools saying they are unable to pay means for all the hard work of NPS there are supply teachers who are using that agency who have signed up to the terms are not getting the correct rate . Adequate funding is essential so that all schools using framework are able to stick to the same terms .

But as you know we want all supply teachers to be paid according to their qualifications and experience directly in a fair system for example directly by schools as in the Northern Ireland model or as in Scotland by local authorities. This is a workers ' rights issues and if not put right Wales will not be able to be Fair Work Wales.

Supply teachers have been exploited for far too long . We have had the Wales Audit Office report in 2013 , Welsh Government Inquiry into Supply Teaching 2015 , Taskforce Report

Feb 2016 , numerous meetings of the Supply Working group to discuss the recommendations of the Taskforce Report and now we are waiting on the final evaluation of the supply cluster that only benefitted 50 supply teachers.

An enormous amount of time and money has been spent on this issue. Agencies have signed up to the Framework Agreement for FOUR years. That does not suggest any urgency to find a fair solution for all supply teachers that will put their pay and conditions in line with Scotland and Northern Ireland. We reiterate the need for supply teachers to be able to access Teachers Pension Scheme like their permanent counterparts and that this is only able to happen with direct payment. The impact on supply teachers in later life facing hardship could be a very real one as agency pension scheme is poor . There seems to be considerable benefits to the supply cluster scheme as there will be direct payment but it could take a long time to roll out.

As you will know our concerns are for the bigger picture of getting the best education there can be for our learners in Wales. We have stressed over and over how important it is to have a qualified teacher in every class. The increased use of unqualified staff should be looked at closely in terms of the impact on outcomes and wellbeing of our learners. Behaviour has been noted as particularly bad by supply teachers who have been placed in schools to work as cover supervisors as no active learning takes place just supervision.

We thank the Petitions Committee for all the work they have done on what is a workers' rights issue and even more importantly the future of our learners in Wales. We welcome your report on this .

Kind Regards

Sheila Jones

Agenda Item 3.16

P-05-828 Presumption in favour of rural schools

This petition was submitted by the Parents and Teachers Association of Ysgol Gymunedol Bodffordd and was first considered in September 2018 having collected 5,215 signatures

Text of Petition

We call on the Government to take steps to ensure that local authorities follow the guidelines within the current School Organisation Code and the new version of the Code (when it comes into force), including that they operate in accordance with the presumption in favour of rural schools. We accept that this does not mean that a rural school will never close, but the recent decision by Anglesey Council's Executive Committee to close Ysgol Bodffordd demonstrates that local authorities are free to ignore the new Code (that they are supposed to act in accordance with its spirit) and close even full and popular schools.

Assembly Constituency and Region

- Ynys Mon
- North Wales

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



Dear Ms Finch-Saunders,

Petition P-05-828 Presumption in Favour of Rural Schools

Many thanks for your inquiry regarding Presumption in Favour of Rural Schools and apologies for the time taken to respond. As you know, the WLGA does not hold information on this issue centrally but we have liaised with local authorities in Wales and sought their views. Consequently, you may take this as a joint response from the WLGA and ADEW.

The process of school reorganisation is regulated under the School Standards and Organisation (Wales) Act 2013 and Code. The process is underpinned by full public consultation and democratic decision making. Democratic processes are subject to challenge by elected members and a call-in if necessary. Furthermore, we now have 219 schools under the revised School Organisation Code subject to the 'presumption against the closure of rural schools'.

The process can be challenged by a judicial review. The current process has served us well over a significant length of time and has guided sound decision making. There is no need to add a further appeals' mechanism in my view. An appeals' process could be seen to be acting against local democracy if it is facilitated by a body external to the local authority.

1. the general principle of introducing an appeals process in relation to any proposal to close a school in Wales; There is no evidence to suggest that an appeals process is necessary. Community views are captured through consultation, they are represented by elected members and, furthermore, a proposal to close a school in Wales can be challenged by judicial review.

2. how current processes relating to school closure proposals have operated since the School Standards and Organisation (Wales) Act 2013; Processes have operated in accordance with the School Standards and Organisation (Wales) Act 2013, where local authorities

Dr Chris Llewelyn
Prif Weithredwr
Chief Executive

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have acted in non-accordance with the Code, they have been challenged through judicial review.

3. the sufficiency of opportunities for groups or individuals affected by a proposed closure, such as school governing bodies, to express their views or contribute to decisions during current processes; these are fully facilitated by the consultation process outlined in the School Standards and Organisation (Wales) Act 2013.

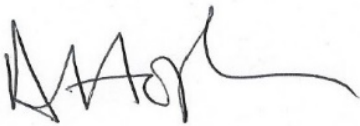
4. how any appeals process could or should operate; see response 1.

5. whether any appeals process would unduly fetter the principle of local decision making; Yes. WG has, fairly recently, consulted on its Organisation Code and included the notion of an external appeals' process. This was not pursued.

6. the advantages and disadvantages that could arise as a result of any appeals process. No advantages. Disadvantages would be to unnecessarily prolong an already lengthy process leading to increased anxiety and uncertainty for pupils, staff etc; to undermine local democracy; add significant bureaucracy and cost without justification.

I hope that these views will assist the Committee in its deliberations.

Yn gywir / Yours sincerely



Pennaeth Addysg dros dro
Interim Head of Education

P-05-828 Rhagdybiaeth o blaid Ysgolion Gwledig, Gohebiaeth – Deisebydd at y Pwyllgor, 09.01.20

Mae yn rhaid gwneud pethau yn rhwyddach I pobol suth ddim yn gweubod tref y proses apelio. Dylsa bob cyngor rhoid gwaith papur Sut I apelio gyda bob achos cau ysgolion.

Ers dileu hawl apelio at y Gweinidog Addysg, yr unig ddull sy'n agored i rieni a llywodraethwyr sydd wedi cael cam yw cwyn aty Gweinidog Addysg fod Awdurdod Lleol wedi methu yn ei ddyletswydd addysgol. Mae hwn yn gam difrifol iawn i'w gymryd. Cynigiwn enghraifft penderfyniad Cyngor Ynys Môn i gau Ysgol Bodffordd, sef yr hyn a symbylodd y ddeiseb yn y lle cyntaf. Yr oeddem yn sicr nad oedd y Cyngor Sir wedi cadw at holl ofynion y Côt Trefniadaeth Ysgolion wrth benderfynu cau'r ysgol, ond doedden ni ddim yn honni fod yr Awdurdod Lleol yn "methu yn ei (holl) ddyletswyddau addysgol. Ond gorfodywd ni i gyflwyno cwyn ffurfiol at y Gweinidog Addysg fod yr Awdurdod yn methu yn ei ddyletswydd gan mai dyna'r unig gam a oedd yn agored i ni. Penderfynodd y Gweinidog ymchwilio a chyfaddefodd y Cyngor nad oedd wedi glynu wrth holl ofynion y Côt. Ond yr oeddem ni wedi derbyn cyngor cyfreithiol cychwynnol cyn hynny y buasai cais am Arolwg Barnwrol yn ddrud ofnadwy a bod y meini prawf yn uchel iawn. Petaen ni wedi gorfod dibynnu felly ar Arolwg Barnwrol mae'n debyg na buasem wedi cael datrysiaid cyfiawn. Mae'n amlwg fod angen hawl syml i apelio ar sail proses, neu ddiffyg proses, yn unig a gall fod yn ymchwiliad cyflym iawn gan swyddogion Adran Addysg y llywodraeth.

Hoffem dynnu sylw'r Pwyllgor at y ffaith fod Cyngor Ynys Môn wedi ailddechrau'r broses y mis hwn o fygwth cau ein hysgol, ond gan fynd trwy "motions" ghofynion y Côt Trefniadaeth Ysgolion y tro hwn. Ac eto mae eu holl adroddiad wedi ei anelu at geisio profi fod angen cau ein hysgol. Felly mae'r Awdurdod wedi torri holl sail y Côt Trefniadaeth Ysgolion newydd - sef eu bod i gychwyn y broses gyda rhagdyb o blaid cadw ysgol wledig. Ond yn ôl y ddedf bresennol, ni allwn gyflwyno cwyn ffurfiol i'r Gweinidog Addysg nes bod yr holl broses wedi gorffen a bod cwyn fewnol wedi bod - sy'n golygu misoedd o ansicrwydd a phoen eto. Dylai fod hawl, ar unrhyw adeg yny broses, cyflwyno apêl at y Gweinidog Addysg os nad yw Awdurdod yn cadw at ofynion y Côt.

Document is Restricted

Agenda Item 3.17

P-05-884 Amendment to Education (Student Support) (Wales) Regulations 2018 to include UK institutions with operations overseas

This petition was submitted by Alanna Jones having collected having collected 158 signatures online and 141 on paper, a total of 299 signatures.

Text of Petition

We call on the National Assembly for Wales to urge the Welsh Government to amend the current wording of the Education (Student Support) (Wales) Regulations 2018 ("the Regulations"). We call on the National Assembly to make the amendments to the Regulations to address the current limitation of Regulation 6, Condition 5 which prevents Welsh students accessing student finance to study at UK higher education institutions where the location of study is at their overseas campus which we consider could be achieved in one of either two ways, by either:

widening the criteria in Condition 5 to include courses which are provided by UK higher education institutions at either their UK or overseas campuses; or amending Condition 5 to include courses which are provided by higher education institutions offering designated courses and to include the University of London Institute in Paris on the list of institutions offering designated courses, using your discretion under Regulation 8.

Proposed Amendment:

Option 1

"Condition 5

At least half of the teaching and supervision which comprise the course is provided in the United Kingdom or at any campus of a United Kingdom higher education institution located outside of the United Kingdom".

Option 2

"Condition 5

At least half of the teaching and supervision which comprise the course is provided in the United Kingdom. This condition shall apply, unless the course has been deemed to be treated as a designated course pursuant to Regulation 8(1) or 8(2)."

We call on the National Assembly for Wales to adopt the proposed amendments so that Welsh students applying for courses at institutions such as the University of London Institute in Paris, can be considered as "eligible students" for the purposes of receiving student support. The University of London Institute in Paris offers higher education courses in modern languages, where the teaching and supervision is carried out primarily in Paris. Nonetheless, students are taught by employees of the University of London and its collaborative partner, Queen Mary, University of London.

Unless an amendment is made to the current wording of the Regulations, Welsh students will continue to suffer an unjust disadvantage when applying for courses at specific UK institutions. We call on the National Assembly for Wales to make this change as there is no equivalent limitation across other parts of the UK. If no action is taken, the Regulations may continue to act as a deterrent for students hoping to apply for courses at the University of London, Institute in Paris.

Additional Information

Between September 2018 and February 2019 we received inconsistent messages relating to the University of London Institute in Paris' position and both current and prospective students received contradictory information on their eligibility. The University of London Institute in Paris took the following steps to address this:

Contacted the Students Loan Company

Contacted Student Finance for Wales

Contacted the 'Designation' department of the Welsh Government.

Copies of the relevant correspondence are available on request.

When the position was eventually clarified in February, Welsh applicants were informed by the University of London Institute in Paris of their ineligibility for student finance for these programmes which caused significant distress, so

we call on the National Assembly for Wales to please consider our concerns as a matter of priority.

Assembly Constituency and Region

- Carmarthen East and Dinefwr
- Mid and West Wales



Eich cyf/Your ref P-05-884
Ein cyf/Our ref KW/07639/19

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

SeneddPetitions@assembly.wales

11 December 2019

Dear Janet Finch-Saunders AM,

P-05-884 Amendment to Education (Student Support) (Wales) Regulations 2018 to include UK institutions with operations overseas

Thank you for your letter of 2 December regarding a petition made to the National Assembly for Wales.

In my previous correspondence on this issue, I advised that I was not minded to amend the general regulatory requirements regarding the location of provision but would ask my officials to review the situation.

My officials are actively reviewing the policy position on this issue but, as it currently stands, the position in the regulations remains unchanged and is likely to remain so until at least the 2021/22 academic year. The statutory student support system in Wales is designed to provide support to eligible students who undertake a designated higher education course in the UK. At least half of the teaching and supervision which comprise the course must be provided in the UK.

I would like to reiterate my support of overseas study. You will be aware that I have made funding available to establish the Global Wales Discover programme (run by the British Council), which provides funding short-term mobility opportunities for Welsh undergraduate students to work, study or volunteer in another country.

I trust the above is helpful.

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

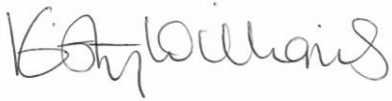
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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

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.

Yours sincerely,

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

Kirsty Williams AC/AM
Y Gweinidog Addysg
Minister for Education

P-05-884 Amendment to Education (Student Support) (Wales) Regulations 2018 to include UK institutions with operations overseas, Correspondence – Petitioner to Chair, 14.01.20

Dear Ms Finch-Saunders,

Following the Minister for Education's letter addressed to yourself on 11th December 2019, a copy of which I recently received, I would like to take this opportunity to make some comments on Ms Williams' correspondence. To begin, obviously the letter was very disappointing to read as I truly thought a solution to this issue, which is detrimental to and disadvantages the young people of Wales, would have been found by now.

In response to Ms Williams' comments on the time frame of the current regulations remaining as they are until at least the 2021/22 academic year, I find this very concerning and unfair especially in light of the recent events surrounding the future of the Erasmus scheme and the uncertainty for British students in the coming months and years with Brexit negotiations. Also, with respect, I don't imagine it would be that difficult to amend the regulations as current Welsh students (who started in or before September 2018) are currently receiving funding to study at the University of London Institute in Paris (ULIP).

I also found it quite unnecessary for Ms Williams' to mention the Global Wales Discover programme in her letter. I am quite confused as to how this programme will substitute obtaining a French Studies degree at ULIP, which is totally taught in French and after three years of study in Paris, students tend to leave this unique university fluent in French. The Global Wales Discover scheme is a short term opportunity which lasts a maximum of eight weeks and is in no way comparable to a three year degree. Furthermore, this scheme is run by the British Council. You and the committee may find it useful to be made aware of the fact that ULIP actually shares a building with the British Council in Paris and the Student Union has worked successfully with them in the past. For example, during the last academic year, there was a mentoring scheme in place between British Council staff and ULIP students. My personal opinion is that it seems as if Ms Williams' is trying to alienate ULIP and provide alternatives, such as British Council schemes, which seems quite bizarre when strong links between the two British institutions already exist.

I sincerely hope that yourself and the committee are able to find a solution to this unacceptable situation, which would ensure Welsh students are given the same opportunities as other British students and are able to study at ULIP, regardless of their and their family's financial situation. I fear that once again, for Welsh students, university is becoming something exclusive, accessible only to students from seemingly privileged backgrounds.

Yours sincerely

Alanna Jones

Agenda Item 3.18

P-05-888 Make GCSE Welsh Language compulsory in all schools in Wales

This petition was submitted by Gwion Rhisiart having collected a total of 175 signatures.

Text of Petition

Currently, Welsh Language is compulsory as either first or second language in all state schools in Wales. However, this does not apply to private schools, who do not have to follow the national curriculum. In many cases, pupils leave private schools not being able to speak a word of Welsh. If we are to progress with our language, and want to reach the government's target of 1 million Welsh speakers by 2050, we must give every child in Wales the chance to learn. We call on the Welsh Government to: –Make Welsh Second Language GCSE compulsory in all schools in Wales by law for the new curriculum in 2022.

Assembly Constituency and Region

- Cardiff Central
- South Wales Central

**P-05-888 Make GCSE Welsh Language compulsory in all schools in Wales,
Correspondence - Welsh Independent Schools Council to Chair, 29.10.19**

Dear Mrs Finch-Saunders

**RE: Petition P-05-888 Make GCSE Welsh Language compulsory in all schools
in Wales**

Thank you for your letter of the 2nd October 2019, the contents of which are noted.

Following your letter of 5th July 2019 Welsh Independent Schools Council undertook a straw poll of WISC member schools that undertook Welsh. (Please note that we now represent and support the vast majority of mainstream independent schools in Wales and just under two thirds of the country's independent special schools, namely 53 out of 75 independent schools in Wales). 21% of schools in WISC membership offer their pupils the opportunity to learn Welsh at Key Stage 3 and optional Welsh GCSE at Key Stage 4 and Key Stage 5 A Level. **Please note that this figure may be higher as not all schools responded to this poll.** Also, this figure does not include those schools that teach incidental Welsh. And of course, this figure fluctuates if parents wish their children to be taught Welsh.

I reiterate the contents of my initial response in my letter of the 18th July that most member schools agree with most of what you are saying in the text of your petition that every child should have 'the chance to learn Welsh'. Schools realise the importance of and see the value of the Welsh Language and are aware of certain professions which require GCSE Welsh for our students remaining in Wales.

As a sector independent schools are keen to give parents and pupils a choice in education. Independent schools are businesses and are market driven by parents and pupils and thus parental choice is key. The independent sector is good at adapting to what the learners and parents want and is market driven.

I would like to remind the Petitions Committee that independent schools are governed in Wales by the Independent School Standards (Wales) Regulations 2003 and by virtue of their independence schools can follow a curriculum of their choosing and it is a dangerous precedent to impose subjects on the independent sector.

For those schools who do not offer GCSE Welsh, there are several reasons for this which I will outline below: -

- **The literacy needs of students** – not all students especially students in special school's study GCSE's and the focus is in a functional level in English only. Pupils have significant language and communication difficulties; the teaching of Welsh would complicate things further. Many of these learners have had very disrupted educations and have significant gaps in their learning so the whole focus is ensuring that they have improved literacy and numeracy skills in readiness for the world of work/college.
- Many special schools do not teach the Welsh language as a lot of their **learners are placed by English Local Authorities**, for these learners as they return to England at the end of placement they would never need a Welsh GCSE as Welsh is in no way appropriate to their culture, their experiences or their SEN profiles.
- For some schools a large percentage of students are **international students, where English is their second language**. As an international school, most of the students having no intention of ultimately living or working in Wales.
- Some independent schools are boarding schools and whilst many pupils are international, **there are more English students boarding than Welsh and they will return to England after their education.**
- Some **independent schools do not offer GCSE's** for example some schools offer the International Baccalaureate, the English Baccalaureate or the International Certificate of Steiner Education.
- Parental surveys have revealed that some **parents would prefer their children in independent schools in Wales to study a modern foreign language** as an alternative to Welsh. **Our Muslim schools' parents would prefer their children to study Arabic and Urdu as an alternative to Welsh.**

As CEO of WISC and having spoken to our WISC Chair, Stuart Hay we agree with the vast majority of the petition however the Welsh Independent Schools Council is strongly opposed to the final sentence of this petition 'Make Welsh Second Language GSCE compulsory in all school in Wales by law' for the reasons outlined above. We are very happy to speak to member schools of the benefits of doing Welsh and we are more than happy to promote and forward any Welsh Language literature and posters to our schools. We are also more

than happy for a spokesperson to speak at our conference. However, any threat to a schools' independence will be vehemently opposed. A schools' decision to teach Welsh should be the decision of the individual schools needs and not mandatory. Compulsory GCSE Welsh would not benefit all learners especially those with complex needs or international schools where English is a second language. There are also the cost implications - to a small school these would be large as more staff and training would be needed and as an independent school this would have to be paid for privately as they have no access to Local Authority training and funds.

Please acknowledge safe receipt.

Should you have any further queries, please do not hesitate to contact me.

Very best wishes

Emma Verrier
Chief Executive Officer
Welsh Independent Schools Council

Agenda Item 3.19

P-05-891 National Reading and Numeracy Tests for children from as young as age 6 need to be discontinued with immediate effect

This petition was submitted by Tanya Beer having collected a total of 256 signatures.

Text of Petition

National Numeracy and Reading Tests for children as young as 6 are not fit for purpose and should be discontinued as soon as possible. Young children who have been encouraged to learn through play are not best assessed through sitting for up to 40 minutes to complete a test.

Although Welsh Government recommends that no preparation is required, schools inevitably take time out of normal learning to familiarise children with the format of the tests and frequently children struggle to understand what is expected of them. This results in loss of confidence and enjoyment of learning at such a young age which could be detrimental to their ongoing learning.

The Donaldson Review (Successful Futures, 2015) recommended that any assessments should be 'as light-touch as possible', 'avoid unnecessary bureaucracy', include 'holistic assessments of achievement' and use 'both self-assessment and peer assessment' to 'encourage children and young people to take greater responsibility for their own learning'. Four years have passed since this review and still these tests are ongoing, as a result the current format of structured assessment needs to be discontinued with immediate effect.

Assembly Constituency and Region

- Torfaen
- South Wales East



Eich cyf/Your ref P-05-891
Ein cyf/Our ref KW/07571/19

Janet Finch-Saunders AM
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12 December 2019

Dear Janet,

Thank you for your letter of 20 November following the Petitions Committee meeting on 5 November regarding the petition for national tests to be discontinued for children as young as age 6. I note that committee members are seeking feedback on the justification for using personalised online assessments with learners in the Foundation Phase.

In my letter of 18 October, I outlined the phased move from paper-based tests to personalised online assessments. I confirmed that 2020 would be the last year of paper-based tests in schools, and only one test would remain in that year: Numeracy (reasoning). This means that paper-based national testing is being discontinued in favour of an innovative, adaptive approach to assessment for reading and numeracy.

I remain wholly committed to the Foundation Phase ethos and its approach to teaching and learning. The Foundation Phase in Wales is about making learning relevant and enjoyable while at the same time ensuring that children develop the vital skills that underpin future learning.

The Committee may be aware that an independent Stocktake of the Foundation Phase was carried out by Professor Iram Siraj in 2014, and the published findings noted that tests at the end of the phase would not unduly interfere with the pedagogy and practice within the Foundation Phase providing clear guidance was given and the Foundation Phase was being implemented successfully.

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
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Gohebiaeth.Kirsty.Williams@llyw.cymru
Correspondence.Kirsty.Williams@gov.wales

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

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

The purpose of the online personalised assessments is to provide information on learners' skills so that teachers can support their learners to make progress. Developing skills in reading and numeracy helps to open the doors to learning across the curriculum. Therefore it is important that assessment of these skills starts early so that teachers have information on individual learners in order to support them to make good progress.

The new assessments have been developed to reflect the skills set out in the Literacy and Numeracy Framework, starting with skills statements for Year 2. Children have access to questions within a large question bank, allowing children of all ages to respond to questions that match and challenge their level of learning and ability. The move to online assessment will ensure that each learner will receive a tailored and personalised assessment based on their level of learning and needs.

These assessments are much more flexible to use and far less formal than the paper-based tests. Teachers can use them when they feel they will acquire the best formative information from them.

The assessments can be administered in small groups if required and there is no set time limit for each assessment. Teachers can use their professional judgement to pause and stop any assessment to allow younger children a break if required.

These assessments are not 'high stakes' and are not to be used to measure school performance. I have been very clear that the purpose of the assessments is to provide teachers with useful, timely feedback on their learners' skills, and that they can form part of an overall suite of information available to each teacher to inform their teaching and classroom planning.

Yours sincerely,

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

Kirsty Williams AC/AM
Y Gweinidog Addysg
Minister for Education

P-05-891 National Reading and Numeracy Tests for children from as young as age 6 need to be discontinued with immediate effect, Correspondence – Petitioner to Committee, 13.01.20

I have nothing new to comment, the education minister is clear that the tests are to support the teachers' understanding of the pupils' level so I think there is fundamental disagreement with the way a teacher assesses a young child's ability. At such a young age the teachers clearly know their pupil's (for example) literacy level through the time they spend sitting reading and discussing with the child and not through a test (paper based or online).

If the tests are purely for the teachers benefit, it would be very useful to have an anonymous survey of primary school teachers in order to determine whether they find the data useful for their individual pupils' needs. The informal feedback I have had from teachers is that the data is not helpful and feedback from parents states that the tests cause undue stress and can damage the child's confidence.

Kind regards,

Agenda Item 3.20

P-05-909 Promoting the use of Makaton sign language in all Welsh schools

This petition was submitted by Isabella Evans having collected 4,914 signatures online and 110 on paper, a total of 5,024 signatures.

Text of Petition

We call on the Welsh Government to consider the use of Makaton sign language in all Welsh schools.

I am the 13 year old sister of a little boy with Downs Syndrome who's primary use of communication is Makaton sign language. I have taught myself Makaton sign language for the purpose of communicating with my brother and as a result have set up social media platforms to help other people in similar situations learn. I was surprised how much demand there is for people who want to be taught Makaton in order to communicate with friends and family who have learning difficulties.

I believe it should be included in all schools in Wales alongside the everyday teaching to give every child the ability to learn to communicate via this method.

I am passionate to achieve this and believe it is the fundamental right for all children in Wales to be taught Makaton in order to break down barriers, misconceptions and achieve true inclusion within Wales.

Additional Information

A vast amount of research has been conducted to test the effectiveness of using symbols and signs to help people develop language and literacy skills.

Current research findings support the use of sign language with adults and children who have intellectual and communication handicaps.

There is also a study exploring the extent of learning sign language alongside a foreign language in modern foreign languages lessons support oral vocabulary retention in foreign languages.

Many research papers have been published supporting the use of Makaton including:-

- Birket, E.M. (1984)
- Colema, A. (2014)
- Cornforth, A.R.T., Johnson, K. Walker, M. (1974)
- Ford, J. (2006)
- Francis. (2000)
- Grove, N. (1980)
- Powell, G. (1999)
- Reed, A. (2014)
- Sheehy, K. Duffy, H. (2009)
- Volpato, D. ,Orton, D. and Blackburn, D. (1986)
- Walker, M. Armfield, A. (1981)

Assembly Constituency and Region

- Bridgend
- South Wales West



Eich cyf/Your ref P-05-909
Ein cyf/Our ref KW/07638/19

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

SeneddPetitions@assembly.wales

10 December 2019

Dear Janet Finch-Saunders AM,

Thank you for your follow-up letter of 2 December, on behalf of the Petitions Committee, regarding Petition P-05-909 - Promoting the use of Makaton sign language in all Welsh schools.

Our new curriculum will enable all schools to choose to teach languages that are most appropriate to their school, learners and resources. Schools will need to have due regard to the proposed statutory guidance for Languages, Literacy and Communication (LLC) Area of Learning and Experience which will include progression in International Language/s for all learners from primary school until the end of Year 9. The term 'international languages' is being used to enable schools to include not only the modern languages traditionally taught in our schools but also British Sign Language (BSL), community languages or classical Languages. Provision of international languages will not be optional but there will be scope for schools to determine the right provision for their learners.

The statutory guidance will set out what they and local authorities must do to comply with the law and provide further guidance on how to realise the purposes of the curriculum. International Languages are part of the statements of What Matters and therefore at the heart of the Area of Learning and Experience and they encapsulate the key concepts for learning and all of them should be reflected in school-level curricula.

In the current National Curriculum, the only place British Sign Language (BSL) fits is through PSE or the Welsh Baccalaureate. Given BSL is recognised by Welsh Government as a language in its own right, and a medium of education/first language for deaf children, it is crucial that it is reflected in our new curriculum. The LLC Area of Learning and Experience

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

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Correspondence.Kirsty.Williams@gov.wales

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

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

development group, worked alongside special education needs specialists and with support from the National Deaf Children's Society included BSL in its definition of International Languages, allowing schools to choose to teach BSL to their pupils.

The fact that the new curriculum will allow schools and clusters to choose which language(s) are taught, in addition to Welsh and English, is similar to the current curriculum. What is different is the expectation that all learners will learn International Languages at primary school. This offers more equity of provision than the current non-statutory Framework for MFL at KS2 which means that currently some schools offer another language at primary school and others do not.

At the same time, the Welsh Government is introducing a new Additional Learning Needs (ALN) system to replace the existing Special Educational Needs (SEN) system in Wales. The Additional Learning Needs and Education Tribunal (Wales) Act 2018 Act will create a unified legislative framework to support learners from 0 to 25 years who have ALN. Its focus is on ensuring that all children and young people who require additional support to access the curriculum, like Makaton, have that support properly planned for and protected.

To support all partners to successfully implement and deliver the new system, we have committed £20m for the ALN Transformation Programme over the course of this Assembly. A significant proportion of this funding will be used to support activity to upskill the workforce to better meet the needs of learners with ALN. Work is currently underway to develop a professional learning offer for teachers that will support them in being able to meet the needs of all of their learners. Alongside a professional learning offer for all teachers we are developing a specific professional learning offer for Additional Learning Needs Co-ordinators (ALNCos) who will provide a strategic leadership role and be the first port of call for professional advice and guidance.

With regard to your second point, concerning support given by the Government to provide other opportunities to learn Makaton, the focus of Welsh Government support within adult learning is on the provision of British Sign Language (BSL). In order to gain a clearer understanding of the availability and demand for BSL for adults in Wales, I recently commissioned the People and Work Unit to review the provision delivered by the post 16 sector. This review is now complete and the report will be published shortly. Following publication, I will determine what next steps will be taken to develop our policy around the provision of BSL for adults in Wales.

I hope that the content of this reply is helpful.

Yours sincerely,

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

Kirsty Williams AC/AM
Y Gweinidog Addysg
Minister for Education

**P-05-909 Promoting the use of Makaton sign language in all Welsh schools,
Correspondence – Petitioner to Committee, 15.01.20**

Dear Petitions Committee,

I'd like to start by thanking you for your correspondence and giving Isabella the opportunity to input her opinions on the petition she raised as it goes through the debating process.

Kellie, Isabella's mother and myself have discussed the petition up to this stage at some length with Isabella to get her thoughts on the progression of her petition. Having read the letter submitted to Janet Finch Saunders A.M. Chair of the Committee from Kirsty Williams, Minister For Education we have some opinions to give. We are aware that it's hard to accommodate everyone all scenarios as far as education goes but we do believe that it is important for all children to have the opportunity to learn a form of Sign language not just if the school decides to choose the option of BSL as a second language in the LCC programme. Although it's important to progress all pupils in international languages especially in the age we live in, it has been shown in many studies that Sign language taught alongside another international language promotes the learning of the two. This could literally be one sign each day at registration time for instance, if this was started from the time a child starts to the they finish they would have a good vocabulary in Sign.

Going back to the letter from Kirsty Williams where it discusses the ALN system which supports learners with additional needs 0-25 to access for example Makaton which is supported with a £20 million investment. This is excellent news being the case that Isabella has two disabled brothers who both use Makaton and Sign in general which is the reason Isabella taught herself Makaton in the first place, became so passionate about promoting it and decided to Petition for change. However Isabella has found this disappointing in the sense that although these learners with additional needs will benefit from being able to learn Makaton for instance it will be a bit lost because these learners can only communicate with other people who also know Makaton. If Sign in general was taught to all learners, everyone could communicate with one another, hence, a lot more inclusion within society.

Isabella knows this is a big ask and already what we are seeing from the petition being debated in very encouraging and a big step in the right direction.

Thank you for your time and allowing Isabella's thoughts to be heard and we look forward to following the petition as it progresses.

Kindest regards Dominic Evans (Isabella's Father).

Agenda Item 3.21

P-05-818 Introducing a Register of Lobbyists in Wales

This petition was submitted by Centre for Welsh Studies – Think Tank, having collected 55 signatures.

Text of Petition

We call on the National Assembly for Wales to to introduce a Statutory Register for Lobbyist in Wales.

This Petition follows a trend in both Scotland and Ireland towards increased openness around political lobbying.

Lobbying is a legitimate and valuable activity. It is a crucial part of a healthy democracy. The words lobbying and lobbyist can have negative connotations, implying deals done behind closed doors. The reality is that the more voices that inform the Government and the Assembly's thinking in Wales, the more informed politicians are to legislate, to develop new policy and to scrutinise. For this reason, and on the basis that the Assembly is founded on principles of openness and accessibility, lobbying should be actively encouraged. It is positive how open and accessible and willing to engage the Assembly and Government already are. No action should be taken that will change this or indeed put people off approaching politicians on any issue.

Assembly Constituency and Region

- Neath
- South Wales West

P-05-853 No to any Closure of Junction 41

This petition was submitted by Carol Clement – Williams, having collected 473 signatures.

Text of Petition

Calls on the Welsh Government to reject any proposal to close junction 41 of the M4.

A report by WSP to Welsh Government published in September 2018 which considers measures on the Welsh Government motorway and trunk road network for Nitrogen Dioxide reduction includes a proposal to close Junction 41 westbound on slip as a measure to reduce roadside emissions on the M4 between junction 41 and junction 42. This will only increase emissions of Nitrogen Dioxide on local roads and have a greater impact upon local people particularly children.

Assembly Constituency and Region

- Aberavon
- South Wales West



Eich cyf/Your ref P-05-853
Ein cyf/Our ref KS/08520/19

Janet Finch-Saunders AM
Chair Petitions Committee

Government.Committee.Business@gov.wales

11 December 2019

Dear Janet

Thank you for your letter of 21 November regarding Petition P-05-853 No to any Closure of Junction 41.

On 7 October we published our interim report that contained nitrogen dioxide (NO₂) and speed data recorded at the 5 locations where NO₂ levels exceeded legal limits, including the M4 between Junction 41 and Junction 42, Port Talbot.

In the case of the M4 at Port Talbot, the data has indicated that since initial implementation of the 50mph speed limit in June 2018, NO₂ levels have reduced to 45g/m³ in comparison with the 6 month average of 52.2µg/m³ prior to implementation. However, the situation remains complicated as air quality is sensitive to a number of issues including the weather/seasonal effects, traffic flows (including volume), speeds and fleet mix. Consequently, further monitoring is being undertaken and our next report will be published in March 2020 containing the full set of data for NO₂ concentrations for the 2019 calendar year.

Although the reduction in NO₂ concentrations is positive news, as highlighted in our supplemental NO₂ plan, we are continuing with the goal of achieving compliance in the shortest time possible. This includes the continued development and the stakeholder engagement on the Precautionary Retained Measures. Development of the Junction 41 on-slip road closure and variable diversion measures on the M4 at Port Talbot have commenced and we will be looking to arrange a meeting with local Assembly Members and Neath Port Talbot Council in the coming weeks.

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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.

I appreciate that there are strong views regarding the potential closure of slip roads on the M4 at Port Talbot following the trial that was undertaken in 2015. However, the High Court ruling was to the effect, that the only lawful consideration was to identify and implement the package of measures that will achieve compliance with the NO2 limit values as soon as possible and will mean that achieving compliance is not just possible but likely. It was made clear in the ruling that the cost and the unpopularity of any given measure could not be lawfully taken into account.

We will provide further updates on the development of the Precautionary Retained Measures including the outcomes of dialogue with stakeholders within the report we will be publishing in March, 2020.

Yours ever,


Ken Skates AC/AM

Gweinidog yr Economi a Thrafnidiaeth
Minister for Economy and Transport

P-05-853 No to any Closure of Junction 41, Correspondence – Petitioner to Committee, 15.01.20

I have already sent my comprehensive list of my reasons for raising this petition last year. The response from the minister is disappointing due to the fact that junction closures are still possible. The chaos and disruption it caused in Port Talbot town centre and my ward of Baglan was horrendous during the last trial as mentioned in my previous correspondence. I would ask that if there are ongoing monitoring and closing the junction is still on the cards that full IIA's are completed on the impact on the town, it's commerce and effects on individuals and the same for the surrounding communities of Baglan, Port Talbot, Sandfields, Aberavon and the Afan Valley communities who have a very long way to travel to get to the onslip to attend work, school and medical appointments without extending their journeys further. It seems that someone is hell bent on closing this junction. The perception in the communities is that the WAG tried to close J41 using the excuse of delaying traffic the last time the issue came up and as this didn't work they are now trying it with a different excuse of air quality. Whether this is the case or not you will have a hard time trying to persuade our residents otherwise. The previous First Minister was always saying the the WAG needed to improve travel times to West Wales.

I would implore the committee to consider the upheaval and disruption to our communities in Port Talbot.e.g. traffic jams, earlier closure of shops because everyone goes home early to avoid the local traffic chaos. Loss of income to our town centre retail sector which will lead to loss of jobs and shop closures. The result of this will be to add to the already high deprivation that we have in our County Borough.

I would also ask that before any future closure of J41 is carried out that full and extensive monitoring is done on all of the surrounding roads to measure how the air quality is before and at the time of closure due to the increased exhaust emissions from the cars in the resulting congestion from traffic jams. J41 is on the elevated section of the M4 where emissions would rise and dissipate upwards. Moving traffic through the town passed a number of schools and densely populated areas which are all at a lower elevation and nearer to where people are walking and inhaling it directly into their lungs without the protection of a car limiting how much is directly inhaled. Also if you are travelling in a car you are not only protected by the car but are only travelling through it briefly. It doesn't sound like a win to me for residents of Port Talbot, just who is this scheme trying to protect?

I implore the committee and WAG to consider the whole picture here and with us also having to live with the emissions coming from the steel works you will be directly adding to the pollution in the areas where people living here will be inhaling the increased fumes on local roads. Please carry out a health impact assessment on the effects that closing J41 will have on the increased inhalation of fumes that will result that the local traffic jams will cause.

Regards

Carol

Cllr Carol Clement-Williams

Cabinet Member For Finance NPTCBC

Agenda Item 3.23

P-05-863 Call on the Welsh Government to provide free sanitary products to all women in low income households

This petition was submitted by Malpas Women's Institute having collected 141 signatures.

Text of Petition

Malpas WI demands free sanitary products to all women in low income households. The Women's Institute was set up in 1915 and campaigns on issues which matter to women and their communities. Our aim is to empower and inspire women of all ages. We believe that no-one should be forced to go without sanitary products because of cost. With ever more women needing foodbanks to keep themselves alive, it has become clear that sanitary products are a luxury women on low incomes cannot afford.

Across the UK there are girls too poor to buy sanitary protection. They are having to miss school. Their dignity is being undermined. For too long women's needs have been neglected. Unlike property transactions, sanitary products are still not exempt from VAT. Periods are not a luxury, they are a necessity. Women do not choose to menstruate. We call on the Welsh Government to follow Scotland's lead and provide free sanitary products to all women in low income households.

Assembly Constituency and Region

- Newport West
- South Wales East

Jane Hutt AC/AM
Y Dirprwy Weinidog a'r Prif Chwip
Deputy Minister and Chief Whip



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref: JH/05678/19

Janet Finch-Saunders AM
Chair of the Petitions Committee
National Assembly for Wales
Ty Hywel
Cardiff Bay
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CF99 1NA
Government.Committee.Business@gov.wales

3 December 2019

Dear Janet,

Thank you for your letter of 18 November seeking further information on the funding we provide to local authorities to help tackle period poverty.

In my previous correspondence dated 16 January I explained that we had allocated over £1million over three years up to 2020 in grant funding to local authorities to help tackle period poverty and ensure period dignity.

I would like to begin by providing more detail about this funding before explaining about the subsequent action and additional funding we have allocated to address this very important issue.

Revenue funding of £440,000 was allocated to local authorities to enable them to provide period products (tampons, sanitary towels, or sustainable alternatives) to women and girls from low income households who could not afford them in each local authority area. The funding was split between the 2018/19 and 2019/20 financial years.

Local authorities were given the freedom to decide on the most appropriate action to take which fitted the needs of their communities. This included partnerships with third sector organisations, food banks, community hubs or in schools and other educational establishments.

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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.

Feedback from the first year of this funding revealed a range of positive ways in which local authorities utilised this revenue. A number of local authorities worked with school bodies and other young people's groups. These included youth clubs, school councils and Educated Other than at School (EOTAS) establishments as well as Youth Services and local education departments.

Some local authorities worked with external partners such as Red Box, Always, Urdd, Health4Kids and Guides to identify the needs of young people. A number of local authorities provided products to third sector organisations such as women's refuges, food banks and homeless shelters. Some engaged with community groups to identify need. These included the Trussell Trust, Solas, Llamau and Victim Support. Some also worked with organisations to support provision to women with mental health issues, drug and alcohol problems and with a Syrian refugee Support Group. A few local authorities used some of the funding to purchase reusable products for community groups.

Capital funding of £700,000 was provided to support local authority purchasing of feminine hygiene hardware and toilet facilities for schools. Local authorities informed us that they had used this funding for a range of purposes including the purchase or rental of additional sanitary disposal bins, purchase or rental of additional period product vending machines, changes to cubicle layouts to integrate wash basins with toilets, shelving and cupboards to accommodate baskets or boxes of period products for young people to help themselves, and additional signage to indicate where period products and disposal bins can be found.

In addition to the funding outlined above, there were two further announcements made in April this year relating to tackling period poverty and addressing period dignity. These were supported by over £3.1million of additional funding.

£2.3 million has been allocated to local authorities for the Period Dignity Grant for Schools in 2019/20 which will provide over 141,000 girls in Welsh primary and secondary schools with a range of period products. As well as being free-of-charge, products will be made accessible in the most practical and appropriate way possible. Schools will also be encouraged to support reusable, environmentally sustainable products to allow maximum choice for learners.

Providing the option of using reusable products can help address period poverty and the impact that disposable products are having on our environment and support the action we are taking to reduce the volume of single use plastics that we use. Encouraging a move away from disposable options towards reusable and plastic free options is a relatively small measure which could have an important environmental impact.

In addition, £845,000 of revenue funding was provided to Further Education Institutions to make period products available free of charge to learners.

In March, the Minister for Health announced that free period products will be available to all women in Welsh hospitals.

Welsh Government is working with Eco Schools to provide resources for schools which will promote open discussion with young people and help break down the social stigma and taboos around periods and period products. The resources will educate students about sustainable alternatives to single use period products and the impact these can have on the environment. The resources will be posted on Hwb, the Digital Learning for Wales website.

Our 21st Century Schools programme has also been engaged in talks about toilet design in schools and Further Education colleges to ensure period dignity is a key consideration in any redesign of toilet facilities, particularly where washrooms are gender neutral.

I have recently formed a Roundtable group comprising of stakeholders from across Wales. The aim of the group is to provide expert advice to the Welsh Government on the development of policy and strategy. The group first met in October and the next meeting will take place in February.

We are currently seeking feedback from local authorities regarding the existing funding arrangements and to inform any future initiatives. A Cross Government group has been formed to look at how the funding has been allocated and spent, and where any improvements need to be made, as well as options for sustainable provision of products. The work of this group will link with the work of the Roundtable.

Our approach to tackling period poverty and supporting period dignity has been multi-faceted. It extends beyond simply providing funding and free products, although clearly this is an important and necessary element. We want to ensure that our actions are targeted in the right areas to make a difference to the women and girls most in need in Wales.

Yours sincerely,
Jane

Jane Hutt AC/AM

Y Dirprwy Weinidog a'r Prif Chwip
Deputy Minister and Chief Whip



T: [REDACTED]
E: scottish.ministers@gov.scot

Janet Finch-Saunders AM
Chair
Petitions Committee
National Assembly for Wales

By email to: SeneddPetitions@assembly.wales

11th December 2019

Dear Ms Finch-Saunders,

Thank you for your letter of 18 November about Petition P-05-863 Call on the Welsh Government to provide free sanitary products to all women in low income households.

The information you requested is set out at Annex A of this letter. I hope this provides the Petitions Committee with sufficient clarity of the Scottish Government's delivery of access to free period products in education settings and targeted support for low income households. Should you require further information on these matters, please do not hesitate to either contact me again or make direct contact with policy officials by emailing [REDACTED] at [REDACTED] [t](#) or by telephone on [REDACTED]

AILEEN CAMPBELL



ACCESS TO FREE PERIOD PRODUCTS IN SCOTLAND

Access in education settings

Overview

The Scottish Government has taken world leading action to fund access to free period products for those attending schools, colleges and universities. We have invested £5.2 million in financial year 2018/19, and up to £5.5 million in 2019/20, to provide access to period products for almost 400,000 school pupils and students.

Background

In our Programme for Government 2017/18, the Scottish Government committed to *“introduce a scheme to fund access to free sanitary products in schools, colleges and universities and consider action to support those on low incomes, but not in education”*.

We have delegated responsibility to local authorities and educational establishments to shape delivery in line with local need. However, prior to implementation, we agreed a set of Guiding Principles to underpin delivery with our Access to Free Sanitary Products Working Group (attached at Annex B).

Schools

This has led to a variety of models being implemented in schools, both across different local authority areas and, in some cases where local authorities have delegated delivery to individual schools, within the same local authority area. There are a range of models including:

- Boxes and baskets of products available in school toilets
- Bags of products hanging inside toilet cubicles
- Introduction of free dispensers both in communal toilets and in individual toilets
- Free Period boxes in a range of classrooms around the school
- Peer distribution

The most effective and innovative delivery models are those that have been developed in close consultation with pupils and/or are pupil-led. From the outset we have cautioned against requiring pupils to access products from a member of staff as this does not meet our Guiding Principles. While this may be a more appropriate route for delivery in primary schools, we know from anecdotal evidence that secondary pupils are likely to feel embarrassment at having to ask staff for products and this may negatively impact on uptake. As feedback suggests that this is still happening in a small number of places, the Scottish Government will work to spread good practice and increase standards.

Colleges and universities

Within further and higher education institutions, where products are being made available to students on campus, the majority of institutions are providing free period products in student

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toilets accessible from storage containers, lockers or free vending machines. Other delivery routes include:

- Free period products at various pick-up points on campus, including from a 'shop front' collection point, student shop, student association offices, and campus reception desks.
- Ordering systems, e.g. one college was operating an ordering system where each student living on campus was given an order form as part of their welcome pack offering them free period products that would be replenished on a weekly basis when rooms were serviced by housekeeping.
- Free period products being placed in their student crisis food parcels.

A number of colleges and universities have put in place special arrangements to provide access to free period products for part-time students or distance learners. Arrangements for part-time students involved reminding students where they could access free products on campus, the distribution of products to outreach centres, the availability of a grant to distance learners upon application to student services, allowing distance learners to request a bulk supply of products, and preparing packs for collection on campus.

Holiday provision

The policy in education settings also encourages local authorities, colleges and universities to provide access to free products during non-term time. Some local authorities are making products available for pupils in non-school settings during school holidays and weekends such as in libraries, youth centres and community centres. As with delivery models, one local authority has a range of holiday provision in place, and a variety of methods were used to promote wide uptake e.g. assemblies, text messaging, PSE lessons, social media updates, special meetings and posters:

- Some schools buildings are open during school holidays and so they're able to ensure continued availability of products
- Schools made up packs of products for pupils to take away
- Schools promoted the opportunity for pupils to help themselves to stock of products beyond what they needed at a particular time

Among the further and higher education institutions providing access to sanitary products outside of term-time, the majority reported that students could access free sanitary products in campus buildings during the holidays. Other arrangements included preparing packs for students in advance of the holidays, encouraging students to "stock up" to cover requirements during the holidays, and operating systems to allow students to request products in bulk in advance of the holidays or place online orders during the holidays.

Impact

We are currently evaluating this policy after a full year of delivery and will publish a report of our findings in Spring 2020. Young Scot has also conducted a follow-up survey to one it carried out in December 2017/January 2018. The findings of the original survey can be accessed at: <https://tinyurl.com/w5ksd7d>. The publication of the results of the second survey is currently scheduled for late January 2020. However, the emerging findings indicate that the policy is having a positive impact, and this is borne out by the case studies we have captured to date.

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An S6 pupil from Argyll and Bute said *'Having pads and tampons available in the toilets is really positive, I've overheard lots of girls talking about how handy it is. I think it normalises periods, which is really important; people aren't as embarrassed about them and it's taken away the stress and anxiety from not being able to get the products that they need. I know a few people who weren't coming in when they had their period because they didn't have stuff at home and now they can get it here they are coming in more.'*

We are also seeing behaviour and culture change as a result.

'It is important for boys to learn about periods too. It is about respect. There was a girl who had a problem with her period, some of the boys were laughing but another one gave her his hoodie and went with her to guidance to help. Boys understand more since we have had free period products in school, we have had assemblies for boys as well as girls to talk about periods. The more boys understand the more respectful they will be' (Pupil, S2, Dundee)

Targeted support to low income households

Background

Building on a successful pilot in Aberdeen in 2017 which recruited 1,070 people, we expanded access to period products to low income families through third sector partners via the food redistribution charity FareShare, and are providing around £1 million across 2018-20 to FareShare to deliver this.

As part of our wider work to increase access to products, we sought an approach that would reach the greatest numbers of those most in need. From existing work with them to help tackle food insecurity, we were aware that FareShare have a unique network of third sector organisations across Scotland that are trusted within their respective communities, as well as the infrastructure required to transport goods across Scotland, making them the ideal partner for this work.

Delivery

FareShare has distributed a range of free period products to those on low incomes through its network of community organisations. FareShare has partnered with Boots and the Scottish companies Hey Girls and Unicorn Cups to increase the variety and range of products provided as well as make a range of reusable environmentally friendly products available. Products are available in a variety of settings people on low incomes are comfortable accessing, including community cafes, community centres, food banks, refuges, and youth centres.

A community development worker in each of its four redistribution centres coordinate the service and provide education and training to community groups. The community development workers have worked in partnership with Hey Girls to learn together and plan their approach to training for community organisations. Organisations that receive products have been encouraged to run period workshops for their service users to open up conversations about menstruation, breaking down some of the stigma around periods. The workshops also make reusable period products available to participants.

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Impact

FareShare reported in April 2019 that it had reached approximately 600 charities and over 35,000 people – almost double their initial target. By comparing the post codes of the organisations it is supplying products to through standard measures of deprivation, FareShare reports that 36% of these organisations are within the top 20% of deprived areas.

The community development workers describe significant positive outcomes as a result of this initiative. Free period products have helped reduce household costs, allowing low income families to put money towards other essential items such as food, clothing and toiletries. Free products have also helped tackle social isolation among some service users, giving them confidence to go about their lives as normal while on their periods, and anxiety and stress associated with not being able to access adequate period protection has been reduced, improving the wellbeing of beneficiaries. There are also environmental benefits from people opting to switch to using reusable products.

People benefitting from the initiative have said:

“I have a heavy period and go through a lot of sanitary pads. This costs quite a bit of money and reduces what i can spend on food that week for me and my kids. Getting free products has been a godsend and a weight off financially when we are already struggling on benefits.”

“It’s been great to get this stuff for free, I have a teenage daughter also to buy for and we don’t have a lot of income, especially with our money being cut, its helped take a bit of financial stress of our monthly shopping bill not having to buy sanitary products for two.”

“I wasn’t leaving the house on the week I had my heavy period because I couldn’t afford the amount of sanitary products I required so had to stay in. This is a lifesaver for me getting out.”

General support for low income families

In January 2019, we announced funding of a further £4 million for local authorities to significantly increase the number and range of places where free period products are available for those who need them. Similar to the initiative in schools, it is for individual local authorities to decide what works best in their area, delivering to respond to local need and circumstances. The main intent of this commitment is tackling poverty. However local authorities have been asked to consider wider need, to address the overarching gender equality and dignity issues that affect all of those who menstruate, regardless of income.

Working with their Community Planning Partners, local authorities across Scotland are making free products generally available in locations such as council buildings, museums and libraries, sports and leisure centres, places of worship, community centres, town halls, and GP practices and health centres.

For those for whom affordability of period products is an issue, some local authorities are undertaking targeted distribution through organisations that work closely with those in particular need and who are less likely to be able to access universal provisions, including those engaging with the criminal justice system, care experienced young people, victims of gender violence, young mums, and vulnerable families.

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ACCESS TO FREE PERIOD PRODUCTS IN SCOTLAND

ORIGINAL GUIDING PRINCIPLES¹ AND Q&A

Statement of Purpose

The Scottish Government has committed to providing access to free sanitary products to students in schools, colleges and universities to support equality, dignity and rights for those who menstruate and to ensure that lack of access to products does not impact on an individual's ability to fully participate in education at all levels.

Guiding Principles

The delivery model should be based on:

- **Protecting students' dignity**, avoiding anxiety, embarrassment and stigma
- Making a range of products and different qualities available, giving students **choice** about the products they want to use;
- A response that is **reflective of students' views and experiences**;
- An efficient and dignified approach which demonstrates **value for money**;
- An **offer** for all eligible students throughout the year regardless of whether it is term time or holidays
- Ensuring sanitary products are easily accessible to **meet individual needs**;
- Individuals being able to get sufficient products to **meet their needs**;
- **Gender equality**, ensuring anyone who menstruates can access products, including transgender men/non-binary individuals, and that language is gender neutral. The roll out of gender neutral toilets should also be taken account of.
- **Awareness raising and education** to both promote the 'offer' and change cultural norms

Eligibility

Students in publicly-funded secondary schools², colleges and universities³ and in secondary years in independent schools

Q and A

1. Should provision be made for non-domiciled students if they return to their home country during the holidays?

Yes, however the response for such students should be proportionate and deliver value for money. For example, mailing products monthly outwith the UK would not be value for

¹ Note these have been adapted for non-education settings

² For the purpose of calculating budgets a pro-rata allowance for girls in primary schools will be included and the expectation is that proportionate local solutions should be found for delivery in primary schools

³ Individuals (including non-domiciled students) considered by a publicly funded college or university to be a registered student (full or part-time) and primarily based in Scotland for their programme of study - *including* those based in Scotland on distance learning programmes but *excluding* those where the programme of study is primarily or wholly outside of Scotland

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money, however putting in place provision for 'holiday packs' for students to take away with them would be a potential solution.

2. Are home schooled students eligible?

The commitment in Programme for Government extends to students in schools, however we expect Local Authorities to take account of their home schooled population in considering delivery models. For example they should ensure that the provision which is put in place for access at weekends and during the holidays is also accessible to home schooled children.

3. Are reusable products included in the definition of 'free sanitary products'?

Scottish Government support the principle of reusable sanitary products on both value for money and environmental grounds. We expect that as partners are developing local delivery plans that they consider how they intend to make reusable products available for those who wish to use them. This should be considered as part of wider delivery and may vary from sector to sector.

4. Are apprentices within the eligible population?

The PfG commitment is for students at schools, colleges and universities therefore apprentices registered as students at publicly funded colleges are within the eligible population.



P-05-863 Call on the Welsh Government to provide free sanitary products to all women in low income households, Welsh Government press release: [The Welsh Government has committed more than £3.3m to tackle period poverty in communities and promoting period dignity in schools and colleges across Wales](#), 03.01.2020

Young campaigners, who welcomed the renewed funding for 2020, said: “It’s just ensuring a girl’s period isn’t a barrier to her succeeding in life.”

Every college, primary and secondary school across the country will benefit from a £3.1m fund, enabling them to provide free sanitary products for every learner who may need them.

And each local authority will be allocated part of a £220,000 fund to help them provide free period products to women and girls who may otherwise be unable to afford them, making them available in community-based locations such as libraries and hubs.

Period poverty refers to a lack of access to period products due to financial constraints. Period dignity is about addressing period poverty whilst also ensuring products are free and accessible to all women and girls in the most practical and dignified way.

Amber Treharne, 16, and Rebecca Lewis, 15, are two members of Carmarthenshire’s Youth Council who are raising awareness of period dignity in their county and finding the best ways to support young women and girls.

Amber said:

“It started back in 2018 when the member of the UK Youth Council from our county, Tom, carried out the Make Your Mark ballot paper. It came out that period poverty was a very prominent issue. It shocked all of us really when we learnt young girls within the county were missing out on education and that one in 10 girls aged 14 to 21 in the UK couldn’t afford sanitary products, so as a youth council we decided to set up a period poverty campaign.

“In every school we’ve been delivering boxes which have free packs of tampons and sanitary towels which young girls can then access at any time in the school day.

“Our work is all about raising awareness and promoting the message that it’s not okay that you have to miss out on your education or you have to miss out on work because you don’t have adequate sanitary products. It’s just ensuring a girl’s period isn’t a barrier to her succeeding in life.”

The Youth Council has joined forces with the Body Shop in Carmarthen to ensure women and girls have access to free period products every day, not just when they’re in school.

Rebecca said:

“It’s really sad that there’s stigma and young girls may feel embarrassed to go ask for help so by us putting this into place in the schools, youth groups and in the Body Shop, young girls can go access the products and don’t have to have the stigma anymore.”

Deputy Minister and Chief Whip Jane Hutt said:

“We’ve made considerable progress in tackling period poverty in 2019 and the £3.3m for 2020-21 will mean we can continue to ensure period dignity for every woman and girl in Wales by providing appropriate products and facilities.

“It’s heartening to see young people taking on this issue and working within their schools and communities to combat the stigma and taboos which unfortunately still exist today.”

Agenda Item 3.24

P-05-882 Transforming the response for older people experiencing domestic abuse – a call for action

This petition was submitted by Sarah Wydall having collected a total of 125 signatures.

Text of Petition

We call on the National Assembly to urge the Welsh Government to:

- raise awareness among the public, third sector organisations and statutory agencies of the number of older women & men in Wales who experience domestic abuse by family members, and
- ensure that essential levels of support and protection are available to older people experiencing such abuse.

Domestic abuse in later life: 'Ignored, invisible & overlooked'

The UK wide definition of domestic abuse, irrespective of age, is as follows: Any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over, who are or have been intimate partners or family members regardless of gender or sexuality. This can encompass but is not limited to the following types of abuse – psychological, physical, sexual, financial, emotional and as a result of neglect'.

It is estimated that the total number of older people in Wales experiencing domestic abuse is a staggering 40,000. Domestic abuse of people aged 60 years or over, living in their own homes, is often a misunderstood, overlooked and under-recognised phenomenon that has wide ranging effects on their lives. Images of older people are often not used in public campaigns about domestic abuse. It is difficult for older men and women to identify themselves as potential victims of domestic abuse.

The issue has been neglected in policy and practice when compared with other age groups.

- The Crime Survey for England & Wales did not include domestic abuse statistics for those over the age of 59 years, until April 2017, when the age limit for those who participate in the survey was increased to 74 years of age (ONS, 2017).
- Older people with dementia are at a higher risk of abuse due to their impaired ability to seek help, advocate for themselves or remove themselves from potentially abusive situations.
- Disability is also known to increase the likelihood of a person experiencing abuse.

Additional Information

Do older people seek help?

Research shows that older people are less likely to report abuse than younger age groups; they do not access third sector specialist services and they also want help for the abuser.

On an individual level there may be many reasons why older people do not seek help:

- A misguided feeling that they are somehow responsible for the abuse;
- Fear of repercussion from the perpetrator;
- A greater level of emotional, financial and physical dependence on their perpetrator than their younger counterparts;
- They do not want to criminalise the abuser, who may well be a child or grandchild.

On a more organisational level, barriers to seeking help include:

- Generational factors including notions of privacy surrounding the home and intimate relationships may act as a barrier to seeking help. (Zink et al, 2004, 2005).
- Our research shows that existing services are not suitable for older victims. Services are often tailored towards safely removing the victim-survivor from the harmer through relocation from the family home and the community.
- In many cases older victim-survivors wish to maintain a relationship with the abusive person, particularly if the abuse is perpetrated by an adult child or grandchild. (Research by SafeLives in 2016 and Sprangler & Brandl, 2007).
- Decision-makers frequently view older people as a homogenous vulnerable group of adults that are unable to make their own decisions. (Harbison, 2012).

Assembly Constituency and Region

- Ceredigion
- Mid and West Wales



Ein cyf/Our ref JH-/05681/19

Janet Finch-Saunders AM
Chair of the Petitions Committee
National Assembly for Wales
Ty Hywel
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3 December 2019

Dear Janet,

Thank you for your latest letter and your request for additional information relating to petition P-05-882 Transforming the response for older people experiencing domestic abuse – a call for action. I have outlined my views and plans for how we will continue to tackle all forms of Violence against Women, Domestic Abuse and Sexual Violence (VAWDASV) and I am confident our priorities will inevitably support the ongoing work of the older people commissioner.

We committed in our National Strategy to ensure that relevant professionals are trained to provide effective, timely and appropriate responses to all victims and survivors including older victims. To date over 167,000 professionals in Wales have accessed training in line with statutory requirements outlined within the National Training Framework.

Our good practice guidance on Domestic Abuse: Safeguarding Older People in Wales, 2017 evidences the need for professionals to be aware of the indicators of abuse of older people. As we work towards enhancing and strengthening the role of our public services in preventing these issues, it is crucial that those working with older people are able to recognise signs of abuse and are able to offer appropriate advice. "Ask and Act" guidance prioritises groups of professionals, such as those in primary care and social care, that older people feel more confident and able to access. Ask and Act will have been fully rolled out across Wales by 2021 and we will continue to work with relevant authorities to ensure that older people's services are addressed in their VAWDASV training plans. We want to ensure that our specialist services are equipped with appropriate skills, knowledge and confidence to respond to older victims of domestic abuse and are exploring options to provide enhanced training to the VAWDASV specialist sector on this.

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

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

The Wales Safeguarding Procedures were launched during Safeguarding Week this year. The procedures set out for anyone working with children or adults what to do if they suspect an individual is experiencing, or at risk of, abuse, neglect or other kinds of harm. This builds upon the Social Services and Well-being (Wales) Act 2014 and on the statutory guidance 'Working Together to Safeguard People' and reaffirms -our commitment to promoting the right for both children and adults at risk in Wales to be safe.

Welsh Government is committed to promoting and advancing equality in Wales. Equality is central to all of our work in the Welsh Government and our vision for Wales, as set out in Prosperity for All. A more equal society benefits us all. We all want to live in a country where there are equal opportunities for everyone where people can live harmoniously together and where discrimination is not tolerated.

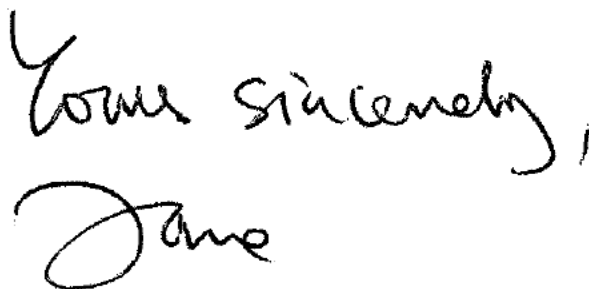
Our Strategic Equality Plan recognises the importance of putting the needs of service users at the heart of delivery in key public services. We have identified detailed actions across the Government that will help us work towards this objective. We are currently working to develop a new Strategic Equality Action Plan for 2020-2024, which will include supporting actions across all protected characteristics, including age.

We support the work of the commissioner in the need for age appropriate data collection. The Welsh Government has written to Directors of Social Services in Wales asking them to disaggregate, where it is possible, all data on adult safeguarding measures by age. We will also be modifying the annual adult safeguarding return so it has more detailed age bands. This will be available from 2020-21. Furthermore, we will develop the Adults Receiving Care and Support Census in the next financial year so that it will be possible to break down additional components by age.

The Welsh Government will continue to work to address the barriers faced by disabled people when accessing services by ensuring our information is accessible to everyone and that our policies fully take into account accessibility issues. Consultation documents will be provided in a range of formats such as large print, easy read British Sign Language and video. Engagement activities and events will be held in accessible venues and locations and delivered in a way that is inclusive of people with a range of impairments.

Our VAWDASV communications campaigns are informed by our stakeholder communications group. We work with our communication group and providers to ensure our campaigns use inclusive imagery and will continue to disseminate the concern of the commissioner and voices of older people within our communication network.

We will be reviewing membership of this group in the New Year, together with our Communication Framework and would welcome engagement with the Commissioner's office in this process. The VAWDASV team can be contacted at VAWDASV@gov.wales

A handwritten signature in black ink, reading 'Yours sincerely, Jane'. The signature is written in a cursive, flowing style.

Jane Hutt AC/AM

Y Dirprwy Weinidog a'r Prif Chwip
Deputy Minister and Chief Whip

P-05-882 Transforming the response for older people experiencing domestic abuse – a call for action, Correspondence – Petitioner to Committee, 15.10.20

Thank you for Jane Hutt's AC/AM latest letter responding to our community-led petition, **P-05-882 Transforming the response for older people experiencing domestic abuse – a call for action**. It was useful to hear about Jane Hutt's plans on how she will be tackling all forms of Violence against Women, Domestic Abuse and Sexual Violence (VAWDASV).

We are pleased to hear that older victim-survivors of VAWDASV are beginning to get the attention they deserve. We would like to raise a few additional comments to ensure that 1) practitioners receive appropriate guidance and training that is inclusive of the needs of older victim-survivors, and 2) to ensure older people get equality of service provision, whilst their basic human right to access justice is upheld.

1) Practitioners receive appropriate guidance and training that is inclusive of the needs of older victim-survivors

We are pleased to learn that options are being explored to provide enhanced training to the VAWDASV specialist sector. Especially given that people aged 60 years and over may have additional needs than younger cohorts. Whilst we welcome the efforts made to include older people in training plans and guidance, we feel that the training needs to move beyond the existing approach, as currently the range of needs of older people aged 60 years and over are not adequately addressed. Typically, guidance and research are based on white, middle class, heterosexual, female victim-survivors under 70 years of age, who experience intimate partner violence. References to older people are presented as a homogenous group with shared needs and values, without consideration of the different generational norms and values that exist within and across three generations of older people. There is a lack of representation of older men and women, particularly those who experience multiple forms of oppression such as, BAME, LGBTQ+, class and disability. We call for a more inclusive approach to training that encompasses the diversity of people aged 60 years and over.

Drawing on the Ask and Act guidance, we illustrate an example of a missed opportunity to highlight older victims of VAWDASV. Although across the guidance it does not give an upper age limit for victimisation, there is no specific reference given to older people. Instead, older people are assumed to be encapsulated within the general approach to ask and act. Whilst specific reference is made to training 'maternal health services' and 'hospital-based specialists' where it is noted that younger victims are being identified. The absence of specific reference to older people is surprising given that some research has found higher levels of victimisation in later life (Fisher, 2006; Bonomi, 2007). It is important to recognise that the subtlety of language that omits to mention services commonly occupied by older people, reinforces the view that VAWDASV is a younger person's problem. We recommend that particular reference should be made within the guidance that makes a direct link to older victim-survivors, for example reference to falls clinics.

We agree that guidance should be developed in consultation with specialist service providers to represent the views of their service users. However, we know from research that older people do not access specialist domestic abuse services and therefore, practitioners lack the knowledge of older people's lived experiences. In these cases, practitioners can only provide their own thoughts on what they think are the issues faced by older people within a domestic abuse context. Given the widespread ageism in Western society, it is likely practitioners' views will align with paternalist and ageist assumptions of being a victim in later life. We strongly recommend involving older people in the

development of guidance documents. Whilst we appreciate efforts were made to include older people in the National Survivor Engagement Framework, there was little uptake from older people. Greater consideration is needed to how involvement in such activities can better reach older people. Our work in Wales with over 300 older people, highlighted that people aged 60 years and over wanted to actively participate in matters concerning them and wanted to made more aware of how they could do this.

Too often misplaced paternalism encourages practitioners to make decisions on behalf of older people, which often involves diverting older people away from accessing formal justice options, including civil and criminal (Clarke et al., 2012, 2015). Instead, older people receive a welfarised approach whilst being denied their basic human right to access justice, and facing discrimination on account of age. We call for efforts to support a culture change in how later life is perceived in society.

2) to ensure older people get equality of service provision and their basic human right to access justice is upheld.

Older victims represent a large age cohort with a range of complex needs that are not met within existing service provision. Our longitudinal research exploring the lived experiences of older people who experience domestic abuse, has identified the need for a dedicated service for older victims. To date, the Dewis Choice project is the only dedicated service in Wales that supports older men and women. Funding for the project is due to end in July 2020 and we are concerned that little has been put in place to ensure older people are able to access service provision that is appropriate to their needs and comparable to what is available for younger age groups.

We know from research that older people are more likely to experience abuse from a family member than an intimate partner, and more likely to continue the relationship with the perpetrator after seeking help (SafeLives, 2015-2016). Yet most domestic abuse services are targeted towards intimate partner violence and aimed at safely separating the victim from the perpetrator. Although this is considered the ideal response for practitioners, it does not necessarily reflect all victim-survivors needs and prioritises in later life. The lack of suitability of service provision is reflected in the low number of older people accessing specialist domestic abuse services.

Due to of the lack of dedicated services, older victim-survivors are falling between the gaps in current legislation; the VAWDASV Act 2015 and the Social Services and Wellbeing (Wales) Act 2014. This creates a significant well-being and human rights deficit involving protection, private life and justice. We call for service responses to be designed that are inclusive to all victim-survivors needs and wishes, including cases where there is a co-existence with dementia or the abuse is perpetrated by an adult family member.

13th January 2020

Yours sincerely,

Dewis Choice (Sarah Wydall, John Williams, Alan Clarke, Rebecca Zerk and Elize Freeman).

Links to research referenced in response:

Clarke, A., Williams, J., Wydall, S. and Boaler, R (2012) 'An Evaluation of the Access to Justice Pilot Project', Welsh Government: <https://gov.wales/evaluation-access-justice-pilot-project-0>

Wydall, S. Clarke, A. Williams, J. Zerk, R. (2018) [Domestic Abuse and Elder Abuse in Wales: A Tale of Two Initiatives](https://doi.org/10.1093/bjsw/bcy056), *British Journal of Social Work*, Volume 48, Issue 4, 1 June 2018, Pages 962–981 <https://doi.org/10.1093/bjsw/bcy056>

Agenda Item 3.25

P-05-871 Make baby and toddler changing available in both male/female toilets

This petition was submitted by Antony Esposti having collected – a total of 125 signatures.

Text of Petition

Within Wales there are many businesses, hospitals and council run parks/sites that don't have baby changing available for use by both men and women. Normally the facilities are only available in female toilets.

This means that men are often forced to hunt out facilities that they can use, or on many occasions, use makeshift measures like changing their child on the floor, on top of wheelie bin lids in toilets, balancing on their laps and on benches outside.

We would ask the Assembly to ensure that all future renovations and new builds within areas open to the public have an area that provides a safe and clean space to change babies/allow toddlers to go to the toilet safely and as a short term measure make a standalone or drop down changing unit available.

Additional Information

Assembly Constituency and Region

- Cardiff Central
- South Wales Central



Ein cyf/Our ref: JH-/05679/19

Janet Finch-Saunders AM
Chair of the Petitions Committee
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3 December 2019

Dear Janet,

Thank you for your letter of 18 November requesting clarification and further information regarding the petition concerning making baby and toddler changing available in both male and female toilets (P-05-871).

The Public Health (Wales) Act 2017 provides that each Local Toilet Strategy must include an assessment of the community's need for toilets, including changing facilities for babies and changing places facilities for disabled persons. The strategy must also provide details of how the local authority proposes to meet the identified need. There is no requirement for the strategies to be presented to the Welsh Government for approval as these strategies will be subject to local authorities' existing scrutiny structures.

Local authorities are democratically accountable for their performance and it is the role of scrutiny in local government to provide effective independent challenge to the executive and drive accountability including monitoring compliance. I expect the scrutiny committees in each authority have a key role in holding their executive to account, as will their local electorate.

Local Toilet Strategies published for the first time will be the starting point rather than the finish point. We hope to see improvement over time in access to toilets, including changing facilities for babies and changing places facilities for disabled persons. The needs of local communities will also evolve over time. This ongoing process is captured in the Act through the requirement for local authorities to produce interim progress reports as well as the periodic production of updated strategies, which will give their internal scrutiny committees and their local electorates a number of opportunities to consider whether strategies are being delivered.

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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.

Welsh Government has provided statutory guidance to support local authorities in the development of their Local Toilet Strategies and local authorities must have regard to it. As well as reiterating the requirements as set out in the Act, the statutory guidance provides a range of other suggestions and advice. Officials will continue to provide ongoing support to local authorities.

To clarify the position regarding the Building Regulations 2010, Part M covers access to and use of buildings. Requirement M1 (Access and use) says reasonable provision shall be made for people to gain access to; and use the building and its facilities.

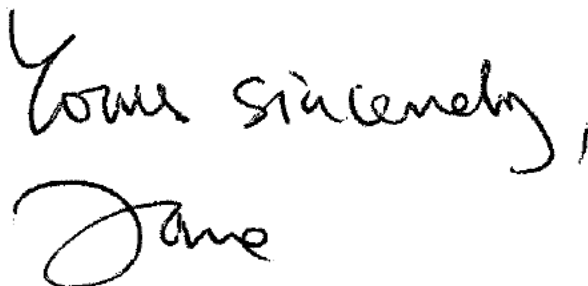
Guidance on compliance with Part M, published in Approved Document M by the Welsh Ministers, states that:

- Suitable sanitary accommodation should be available to everybody, including people of either sex with babies and small children.
- Toilet accommodation needs to be suitable, not only for disabled people, but for all people who use the building. However, wheelchair-accessible unisex toilets should not be used for baby changing.
- Separate-sex toilet washrooms above a certain size should include an enlarged WC cubicle for use by people who need extra space, e.g. parents with children and babies. Consideration should be given to installing a fold-down table, e.g. for baby changing.
- In large building developments, separate facilities for baby changing are desirable.

Approved Documents provide guidance for some of the more common building situations, however, there may well be alternative ways of achieving compliance with the requirements in the Building Regulations. Thus there is no obligation to adopt any particular solution contained in an Approved Document if it is preferred to meet the relevant requirement in some other way.

The function of determining whether building proposals meet the relevant requirements of the Building Regulations is carried out by public and private sector bodies (i.e. Local Authorities and Approved Inspectors).

Welsh Government does not specifically monitor these building control bodies' in their application of, or their requiring of compliance with, statutory guidance in Approved Documents.

A handwritten signature in black ink, appearing to read 'Yours sincerely, Jane'.

Jane Hutt AC/AM

Y Dirprwy Weinidog a'r Prif Chwip
Deputy Minister and Chief Whip

P-05-871 Make baby and toddler changing available in both male/female toilets, Correspondence – Petitioner to Committee, 08.01.20

One of the Deputy Whip's points is:

Toilet accommodation needs to be suitable, not only for disabled people, but for all people who use the building. However, wheelchair-accessible unisex toilets should not be used for baby changing.

Which suggests that baby changing facilities shouldn't be placed in disabled toilets, but this is the normal positioning on the baby changing facilities currently? Does this mean that due to the new legislation no further baby changing facilities will be placed in these areas and that, in essence, Moving forward business shouldn't place them in there. This sounds like there will be less regulation around businesses without large WC areas not more.

The more 'clarification' that is provided around this legislation the more murky and opaque it seems to become.

I look forward to seeing the petition committees conversation, please pass on my thanks that they're taking this seriously, I'm very much enjoying Ms Finch-Saunders, Ms Wood, and Mr McEvoy's discussions within the chamber.

Thanks

Tony

P-05-865 Guarantee fully plant-based options on every public sector menu to protect the rights of vegans and for our health, the environment and animals

This petition was submitted by Louise Davies having collected 1,109 signatures.

Text of Petition

More people of all ages are making the decision to live vegan, with the number in the UK doubling twice in the last 4 years. More people are also choosing plant-based food for health, environmental and ethical reasons.

Vegans have the same legal protections as people with religious beliefs, because our moral conviction that it is wrong to use and kill non-human animals unnecessarily is protected under law. Service providers have an obligation to provide for vegans and to avoid any discrimination on the grounds of veganism. Sadly, despite this, provision for vegans in the public sector is often lacking, with hospital patients, prisoners and school children often going hungry. The Welsh Government is responsible for ensuring that the Welsh public sector provides for vegans and the proposed legislation would assist in fulfilling that obligation.

Plant-based food can be enjoyed by everyone. The British Dietetic Association recognises that well-planned totally plant-based diets are suitable for every age and life stage. A substantial body of research has linked plant-based diets with lower blood pressure, lower cholesterol, lower rates of heart disease, type 2 diabetes and some types of cancer.

Plant-based diets are better for the environment and can reduce our food related carbon emissions by up to 50%. The UN has urged a global move towards a meat and dairy free diet for the benefit of our planet, and Wales has the opportunity to lead the way.

We would like to see all Welsh public sector institutions providing at least one plant-based food option on every daily menu to ensure vegans' rights are met and to maximise the ethical, environmental and health benefits of vegan diets.

Additional Information

Veganism is defined as a way of living which seeks to exclude, as far as is possible and practicable, all forms of exploitation of, and cruelty to, animals for food, clothing or any other purpose.

The Vegan Society's 'Catering For Everyone' campaign has been encouraging public sector institutions (schools, hospitals, councils and prisons), to increase their plant-based options.

The campaign has been well received with many public sector institutions recognising that improvements can be made and agreeing to increase their provision for vegans.

An English county council, universities in Manchester and London, and a Welsh health board are among the many public sector institutions making positive changes to their menus due to this campaign.

Both the British Dietetic Association and the American Academy of Nutrition and Dietetics recognise that totally plant-based diets are suitable for every age and life stage.

To get the most out of a plant-based diet, it should include plenty of whole grains, fruit, nuts, seeds and vegetables, which are packed full of beneficial fibre, vitamins and minerals.

It's easy to produce tasty options that include these foods, which are rich in fibre and low in saturated fat. The Vegan Society have lots of resources and recipes on their website, which can help organisations ensure they are offering healthy, balanced and tasty plant-based food.

<https://www.vegansociety.com/resources/nutrition-and-health>

Portugal have introduced legislation compelling all public sector canteens to provide a strict vegetarian (vegan) option on their daily menus. This followed a campaign and petition promoted by the Portuguese Vegetarian Society, see: <https://www.vegansociety.com/whats-new/news/new-law-makes-vegan-option-compulsory-portuguese-public-canteens-%E2%80%93-britain-next>

Assembly Constituency and Region

- Brecon and Radnorshire
- Mid and West Wales



Eich cyf/Your ref P-05-865
Ein cyf/Our ref KW/07552/19

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

26 November 2019

Dear Janet,

Thank you for your letter of 18 November asking whether there are any current plans for the Welsh Government to review the *Healthy eating in maintained schools* statutory guidance¹ in regards to the requirements concerning the provision of menu choices appropriate for a vegan diet.

The current guidance already provides practical advice on the types of food vegan children should consume to ensure they have an adequate intake of protein and calcium. It also includes a number of naturally vegan options which schools can include on their breakfast and lunch menus such as cereals, beans, vegetables, fruit and bread and recommends plant protein is included on the school menu.

The Welsh Government has made a commitment to review the current Healthy Eating in Schools (Nutritional Standards and Requirements) (Wales) Regulations 2013² in light of changes to nutritional recommendations since they were introduced six years ago. We will be considering the latest research and information concerning nutritional standards when undertaking this task, including whether additional guidance needs to be provided for vegan diets.

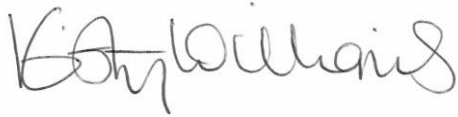
¹ <https://gov.wales/sites/default/files/publications/2018-12/healthy-eating-in-maintained-schools-statutory-guidance-for-local-authorities-and-governing-bodies.pdf>

² <http://www.legislation.gov.uk/wsi/2013/1984/made>

We will, in the meantime, continue to work with Health officials in Welsh Government, the Welsh Local Government Association, local authorities and school catering managers to ensure food and drink provided in our schools makes an important healthy contribution to the diet of our children and young people.

I hope this information is helpful.

Yours sincerely,

A handwritten signature in black ink, reading 'Kirsty Williams'.

Kirsty Williams AC/AM

Y Gweinidog Addysg

Minister for Education



Ein cyf/Our ref RE/05475/19

Janet Finch-Saunders AM
Chair, Petitions Committee
National Assembly for Wales
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3 December 2019

Dear Janet,

Thank you for your letter on the subject of how the current National Procurement Service food and drink framework agreements enable and promote the provision of daily vegan options on public sector menus.

As I described in my letter of 22nd August, public sector organisations are responsible for making decisions in relation to the food and drink that is available at their establishments and should take account of consumer preferences in what they offer.

All public sector organisations in Wales can opt to utilise the National Procurement Service food and drink framework agreements, which enable plant based products to be purchased.

The National Procurement Service takes every opportunity to promote healthy eating initiatives to its public sector customers. Recently the Soil Association was invited to present details of their Food for Life Served Here standards at a meeting of Welsh public sector food procurement stakeholders.

Yours sincerely,

Rebecca Evans AC/AM
Y Gweinidog Cyllid a'r Trefnydd
Minister for Finance and Trefnydd

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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-05-865 Guarantee fully plant-based options on every public sector menu to protect the rights of vegans and for our health, the environment and animals, Correspondence – Petitioner to Committee, 15.01.20

We thank the Minister for Education and the Minister for Finance & Trefnydd for their responses to the letter provided by the Committee.

In noting the content from both letters, it appears that the Ministers fail to acknowledge that whilst regulatory guidance notes foods which are suitable for vegans, it does not actually promote the uptake of these products. This therefore leaves many vegans finding themselves without suitable catering and therefore facing indirect discrimination. The aim of our petition seeks to counter this by mandating at least one vegan option on all public sector menus for the following reasons:

1) Vegan rights

Following a landmark employment tribunal case in January 2020, veganism has been ruled as having satisfied the legal tests for it to be recognised as a non-religious philosophical belief and is therefore protected under the 2010 Equality Act. As a result, it is now imperative that the public sector take appropriate action on this issue, as there is a legal obligation upon public sector authorities to ensure that vegans are not – directly or indirectly – discriminated against.

Whilst the National Procurement Service Food and Drinks framework agreements note that there are plant-based products available for public sector procurement, there is little else that is done to ensure the provision of vegan options on public sector menus, and therefore, purchase of these products are often low. As a result, vegans often find that they cannot be provided for and are reliant on arranging their own food. This not only promotes division, but also suggests that vegan rights are not given the same due diligence as other beliefs – mandating a vegan option on all standard menus would help to prevent this.

Similarly, whilst we appreciate that the *Healthy Eating in Maintained Schools* guidance allows for plant-based products to be provided within schools, there is nothing within the guidance which reinforces the need to have vegan options available to pupils, and therefore, procurement of foods with animal products generally get favoured over vegan-friendly options. This often leads to indirect discrimination as vegan children can be left with very basic options which do not constitute a nutritious meal - such as dry toast or a piece of fruit - and miss out on key nutrients within their meals. Our petition seeks to counter this by ensuring that at least one vegan option is mandated on all menus, which by default will be suitable for children of all backgrounds and beliefs.

2) Nutrition

The Minister for Education states within her letter that the nutritional recommendations made within the Healthy Eating in Schools (Nutritional Standards and Requirements) Regulations 2013 were introduced six years ago and are therefore in need of review.

It should therefore be noted that well balanced vegan meals are typically high in fruits and vegetables and would therefore meet the nutritional standards laid out in the *Healthy Eating* guidelines. Research has linked plant-based diets with lower blood pressure and cholesterol, as well as lower rates of heart disease, type 2 diabetes and some types of cancer. Mandating a vegan option on all public sector menus would help build familiarity with plant-based food and help address some of the many diet-related public health crises affecting the UK and putting strain on the NHS.

In the same way that all other diets require careful planning to ensure they are nutritionally complete, vegan diets are no different. The Vegan Society employs a registered dietitian and works closely with the British Dietetic Association (BDA), and is happy to support any discussions relating to the review of the regulatory guidance.

3) Government intervention on climate issues

The Committee on Climate Change have suggested the 'public sector take a strong lead by providing plant-based options in schools and hospitals', with Chatham House research stating that the public want government intervention on climate change issues. Mandating a vegan option on all public sector menus would encourage a transition towards more sustainable diets in the wider population and would show that the Welsh Government take the public demand for government intervention seriously.

The UK vegan population continues to soar, having doubled twice in the last five years, as people become more aware of the benefits of a plant-based diet, and yet an ever increasing number of people find themselves unable to be suitably catered for within the public sector.

Wales has the opportunity to lead the way in the UK, in terms of protecting the rights of its ever-growing vegan population, whilst taking meaningful action to address climate change and diet-related public health crises. We believe that these issues are of the utmost importance and so the public sector should be leading by example and taking appropriate action now.