

Agenda – Children, Young People and Education Committee

Meeting Venue:

Video Conference via Zoom

Meeting date: 16 June 2022

Meeting time: 09.15

For further information contact:

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Committee Clerk

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At its meeting on 25 May, the Committee agreed a motion under Standing Order 17.42(ix) to exclude the public from item 1 of today's meeting

Pre-meeting

(09.00)

1 Pupil absence – evidence session 1

(09.15 – 10.30)

(Pages 1 – 21)

Round table session with Education Welfare officers from across Wales and representatives from the Principal Youth Officers group

Attached Documents:

Research brief

Welsh Local Government Association and Association of Directors of Education in Wales – CYPE(6)-1 –22 – Paper 1

Break

(10.30 – 10.45)

2 Introductions, apologies, substitutions and declarations of interest

(10.45)



3 Pupil absence – evidence session 2

(10.45 – 11.40)

(Pages 22 – 25)

Laura Doel, Director, National Association of Head Teachers (NAHT) Cymru

Eithne Hughes, Director of the Association of School and College Leaders (ASCL) Cymru

Attached Documents:

Association of School and College Leaders (ASCL) Cymru – CYPE(6)–13–22 – Paper 2

Break

(11.40 – 11.45)

4 Pupil absence – evidence session 3

(11.45 – 12.35)

(Pages 26 – 37)

Rocio Cifuentes, Children’s Commissioner for Wales

Jane Houston, Policy Adviser, Children’s Commissioner for Wales

Attached Documents:

Children's Commissioner for Wales – CYPE(6)–13–22 – Paper 3

5 Papers to note

(12.35)

5.1 Peer on peer sexual harassment among learners

(Pages 38 – 40)

Attached Documents:

Joint letter from the Minister for Education and Welsh Language and the Deputy Minister for Climate Change – CYPE(6)–13–22 – Paper to note 1

5.2 Forward work programme

(Pages 41 – 44)

Attached Documents:

Letter from the Minister for Education and Welsh Language – CYPE(6)–13–22 – Paper to note 2

5.3 General scrutiny of the Minister for Education and Welsh Language

(Pages 45 – 46)

Attached Documents:

Letter from the Chair of the Children, Young People and Education Committee to the Minister for Education and Welsh Language – CYPE(6)–13–22 – Paper to note 3

5.4 Forward work programme

(Pages 47 – 51)

Attached Documents:

Letter from the Minister for Social Justice – CYPE(6)–13–22 – Paper to note 4

5.5 Forward work programme

(Pages 52 – 58)

Attached Documents:

Letter from the Deputy Minister for Social Services – CYPE(6)–13–22 – Paper to note 5

5.6 Peer on peer sexual harassment among learners

(Pages 59 – 60)

Attached Documents:

Letter from the Chair of the Children, Young People and Education Committee to the Chairs of the Legislation, Justice and Constitution Committee and the Culture, Communications, Welsh Language, Sport and International Relations Committee – CYPE(6)–13–22 – Paper to note 6

5.7 Forward work programme

(Pages 61 – 64)

Attached Documents:

Letter from the Deputy Minister for Mental Health and Wellbeing – CYPE(6)–13–22 – Paper to note 7

5.8 Forward work programme

(Pages 65 – 67)

Attached Documents:

Letter from the Minister for Education and Welsh Language

6 Motion under Standing Order 17.42(ix) to resolve to exclude the public from the remainder of this meeting

(12.35)

7 Pupil Absence – consideration of the evidence

(12.35 – 12.45)

Document is Restricted

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

Document is Restricted

Agenda Item 3

CYPE(6)-13-22 - Paper 2

Senedd Cymru

Welsh Parliament

Y Pwyllgor Plant, Pobl Ifanc ac Addysg ...

Children, Young People and Education...
Committee

Absenoldeb Disgyblion

Pupil absence

Ymateb gan The Association of School
and College Leaders Cymru

Evidence from The Association of School
and College Leaders Cymru

Record your views against the inquiry's terms of reference, which have been grouped into 5 themes.

1. Reasons

- Mental health issues exacerbated through the pandemic. Loneliness and a sense of isolation resulting in relationships not formed with peers or teachers making reintegration into school more difficult.
- Habits learnt within the pandemic that cannot be accommodated in schools and a lack of respect for schooling from the hardest to reach.
- The pandemic and the changes within the system have enabled those with a predisposition to poor attendance to move further in this direction than in previous years.
- There has been a significant drop in parental concern regarding the importance of attendance. Many consider as we place lesson resources routinely on Google Classroom then it is ok for their child to go on holiday, accompany parents whilst they work abroad etc.
- Within the student body, again, there is a perception that attendance is not important. If learners feel you are feeling a bit ill, they will sometimes work on line. We all know accessing resources is not the same as face to face teaching.
- Two years of lack of routine and structure has resulted in young people who simply cannot cope with the day to day routines within a school and who are struggling with their own resilience.

- Many parents will have struggled to manage youngsters through the pandemic, due in part to their own mental health issues which for many have escalated considerably.

Whether and, if so, why, non-covid related absenteeism is higher than prior to the COVID 19 pandemic

- This is clearly the case looking at the weekly data out-turns from Stats Wales. In 2018/19 primary school persistent absenteeism was 5.4% and at secondary level, 6.2%. National attendance rates for the end of May 2022 stand at 88.8% (p) but are not broken down by age. However, for secondary aged pupils only Y7 is above 90% and for primary the highest year group attendance is 91.9% for Ys 3 and 4. In total 134,190 pupils were absent for between 20.5 and 40.5+ days. These figures are clearly a serious concern.

- Fridays are a particular low point in weekly absence patterns.

- What we are now seeing are a group of students predominantly in years 7 – 9, from disadvantaged backgrounds who have significant gaps in their social and emotional intelligence. They are really struggling in schools as they are finding rules, boundaries, attending lessons a challenge following a long time when they had no boundaries set at home. Often these behaviours are evident

in the community out of school as well. When talking to these students they did not engage with any on line learning and state they 'went out' during lockdowns to play with their mates. Many also have spent long periods accessing violent/inappropriate social media/games. For those that are struggling with re-engaging in our school society they are very disaffected and then choose either not to come or truant. If relationships break down due to poor social skills, again some will stop coming to school.

- Pupils entitled to free school meals have been less likely to attend school, with the gap being an average of 5.3 percentage points between 16 to 20 May. This gap has been a recurring one.

- Loneliness and isolation is more prevalent with older aged learners (Children's Commissioner Coronavirus and Me Results) With 54% of secondary aged learners reporting that they were worried that that there were falling behind, this is its own right could dissuade learners from attending school and feeling that they were already failing. 52% of learners were worried about exam results post Covid and again, the potential effect may be disengagement.

- Those who already were persistent absentees are more difficult to reach now.

2. Risks and consequences

- The short term and longer-term risks and consequences for learners for example in terms of mental health and well-being- skill regression, emotional regression and maturity regression.
- Engaging in criminality and anti-social behaviour in the community. Increased youth violence. "Low academic achievement and aspirations and poor commitment and engagement with school is associated with violence."(Violence Prevention S. Wales)
- Unemployment
- Children who have suffered trauma remain disappeared and out of reach of help.

3. Impact

- Estimations on the effects of the pandemic on attainment are already well-rehearsed. Where learners continue to remain disengaged from schools or attend only in part, this will clearly compound an already difficult situation.
- The impact will be on pupils' learning and attainment with skill regression, emotional regression and maturity regression.
- The risk of criminal and sexual exploitation increase as the school loses the opportunity to impact on relationships.
- Increased mental health issues.
- Decreased resilience

4. Effectiveness of policies

- Extra funding is welcomed to provide engagement officers.
- Further funding is needed for a range of support workers to help reintegration and repair.
- Schools are currently swimming upstream against a tide of continued disruption in schools including staff absence; difficulty with funding settlements; the huge range of reforms piling onto an already tired workforce and being pulled in all directions.
- Schools which traditionally had high and stable attendance report a significant drop.

- The bar to trigger LA interventions into persistent non-attenders has in some cases been lowered as cited in one case, where learners need 10 or more consecutive days' absence before intervention. A learner under this radar, can attend just two days per week and have neither support nor consequence. A national approach is needed for the purposes of defining the point at which interventions should take place.
- The backlog for support services and being able to access mental health support means that schools are struggling to cope to support the young people - all in a mix of exhausted teachers and SLT, many still recovering from the after-effects of COVID.

5. Other

N/A

Agenda Item 4

CYPE(6)-13-22 - Paper 3



Ymateb i Ymgynghoriad / Consultation Response

Date / Dyddiad: 6th June 2022

Subject / Pwnc: Inquiry of the Children, Young People and Education Committee into absenteeism of pupils registered at maintained schools and pupil referral units

Background information about the Children's Commissioner for Wales

The Children's Commissioner for Wales' principal aim is to safeguard and promote the rights and welfare of children. In exercising their functions, the Commissioner must have regard to the United Nations Convention on the Rights of the Child (UNCRC). The Commissioner's remit covers all areas of the devolved powers of the Senedd that affect children's rights and welfare.

The UNCRC is an international human rights treaty that applies to all children and young people up to the age of 18. The Welsh Government has adopted the UNCRC as the basis of all policy making for children and young people and the Rights of Children and Young Persons (Wales) Measure 2011 places a duty on Welsh Ministers, in exercising their functions, to have 'due regard' to the UNCRC.

This response is not confidential.

Overview of response

In this response I make the following key points:

- Education is a human right for children, and, for most children attending school brings a wide and profound range of benefits, providing for their education, wellbeing and safety.
- It is clear that since the pandemic overall absence and persistent absence rates have risen significantly, but in secondary schools persistent absence was a problem before the pandemic too.
- Messages from settings, and nationally, about overall absence rates have by necessity changed during the pandemic, and this is likely to have impacted overall absence rates.
- The rise in persistent absenteeism suggests that the problems some children have in attending school consistently may have been directly triggered as a response to the pandemic, or have been exacerbated by the pandemic.

- For some children, re-establishing school routines, and re-gaining the confidence and skills to attend school, socialise and learn in a classroom environment has been very difficult.
- Available data show that we need to understand persistent absence as a problem that can be related to poverty. Action to prevent and tackle child poverty needs to be a key driver in reducing absence from school.
- Attendance figures are significantly lower for children in those year groups who do not receive entitlements to free travel and action needs to be taken to extend entitlements to learner travel.
- Rigorous analysis of attendance data should be made available to education and other services to support individual, local and national approaches to preventing ongoing attendance.
- The use of punitive measures in relation to absence can lead to de-registration, and the underlying reasons for persistent absence can also lead to de-registration if they are not addressed. When a child is de-registered there can be challenges in ascertaining whether this child is in fact missing education.
- Policy measures to reduce absence at a national and local level should be accompanied by similar efforts to prevent and reduce exclusion: in 2017-18 (the most recent year for which figures are available) 79,750 days of learning were lost to exclusion.
- The redevelopment of 14-16 qualifications must ensure a qualifications offer in which every young person can progress and be awarded for their achievements, and there must be a shift away from a GCSE system in which too many young people are demotivated by feeling like they are failing.
- Data suggest that a sensible assumption would be to plan provision and services on the basis that at least ten percent of children and young people in education settings need more support than is currently available in order to consistently access education following the disruption of the last two years.
- Full implementation of the framework for the Whole School Approach to emotional and mental wellbeing is key to enabling a multi-agency approach. Schools need help from across the statutory and third sector to make sure children and families have all the support they need.
- Initiatives to support attendance at a setting level must be careful not to stigmatise children for absence.
- Punitive measures should only be on the table as an absolute last resort, when all other attempts at engagement has failed. They should never be used or suggested without an accompanying support package.
- Listening to children and young people will be essential to ensure effective individualised support.

Levels of persistent absenteeism and how these compare to pre-pandemic

Overall weekly attendance over the current academic year peaked at the start of September at 93.6% and was at its lowest in the week before the Christmas holiday, at 72.6%. In the last week for which data was available when compiling my evidence, the week until 20th May 2022, attendance was at 87.1%, a figure which appears fairly typical of attendance over the late spring and early summer terms.¹

To compare this national picture to pre-pandemic absenteeism it is necessary to look at the 2018-19 academic year, as this is the last full year unaffected by the pandemic. This is not straightforward as the

¹ <https://gov.wales/attendance-pupils-maintained-schools-6-september-2021-20-may-2022>

specific data that has been collected has changed. As stated in the Quality Report², *'Data [for 21-22 academic year] is also not comparable to the attendance data we have published in previous years... This historical data counts sessions attended rather than counting pupils physically present in school. Historically pupils away from the school premises on approved educational activity have been counted as attending school.*

However, with this caveat in mind, since the pandemic, it is clear that overall absence has risen. In 2018/19, overall absence in secondary schools stayed constant at 6.2%³, and in primary schools at 5.4%⁴, both of these figures are significantly lower than the likely overall absence for the 2021-2 academic year, which given the current data⁵ looks as if it may be double this figure.

Persistent absence is defined as being absent for more than 20% of overall sessions. In secondary schools the percentage of persistent absentees was at 4.6% in 2018/19; this was the then highest level since 2013/14. Therefore, prior to the pandemic more than one child in every secondary classroom was persistently absent, though it should be noted that older children are disproportionately more likely to be in this group rather than there being an even spread across age groups. So we know before the pandemic this was already a problem. In primary schools the percentage of persistent absentees was far lower, at 1.8%.⁶

Data around persistent absentees has not been published in relation to this academic year, but indicative data shared with my office suggests that persistent absentees may be more than double usual pre-pandemic levels, so we can correlate this very roughly to at least two children in every class of thirty. Of that group, some children have not returned to settings since the pandemic. Whilst the group that have not returned at all is not a large percentage, it is my understanding that across Wales this is the case for hundreds of children.

Why is non-covid related absenteeism higher than prior to the COVID 19 pandemic?

First, there is also an important distinction to make between persistent absence and the higher overall absence figures. It appears that there is a significant rise in both, but there might be quite different reasons underlying this.

In terms of general absence, before the pandemic there was very clear messaging from education settings about absence and a clear focus across schools to reduce and prevent absence. This has, through necessity, changed through the pandemic. As we transition from the pandemic there needs to be consideration of what messages families have around absence and the impact of absence. Our behaviours have changed

² <https://gov.wales/pupils-present-maintained-schools-quality-report-html#section-53409><https://gov.wales/pupils-present-maintained-schools-quality-report-html#section-53409>

³ <https://gov.wales/sites/default/files/statistics-and-research/2019-08/absenteeism-from-secondary-schools-september-2018-august-2019-318.pdf>

⁴ <https://gov.wales/sites/default/files/statistics-and-research/2019-12/absenteeism-primary-schools-september-2018-august-2019-975.pdf>

⁵ <https://gov.wales/attendance-pupils-maintained-schools-6-september-2021-20-may-2022>

⁶ <https://gov.wales/absenteeism-schools-pupil-characteristics-september-2018-august-2019>

over the pandemic: families may well now be questioning what they should do for minor illnesses, such as infections with mild symptoms, where their child is well enough to attend school. Given the public health messaging over the last two years, understandably families may now feel they should keep children at home. In addition, more families may feel willing to withdraw children from school for family engagements or holidays. This may be partly because schools have of course not been giving the same messages about reducing absences over the pandemic but also because families have had far fewer opportunities to do this over the last two years given the restrictions on socialising and travel.

Reasons for persistent absence can overlap with the above but can often be far more complex. We know that before the pandemic persistent absence was already a problem for around 5% of children in secondary settings. But the rise in absenteeism suggests that the problems some children have in attending school consistently may have been directly triggered as a response to the pandemic or have been exacerbated by the pandemic.

Consultations delivered by my office during the periods of lockdown showed a wide range of reactions from children and young people^{7 8}. While there was a strong element of children and young people being desperate to be back in school for both socialisation and learning, some children and young people were happier out of school. Some children were relieved to have a break from bullying or the social pressures of school. Some children and young people preferred being at home, away from a busy and noisy school environment. Some survey respondents explained that this was due to being neuro-divergent and finding the school environment challenging. An observably high number of children and young people described loving the freedom to direct their own learning and their own play, and enjoyed spending more time with their family and 'not rushing'⁹.

Older young people also reported losing confidence and motivation around education. Confidence levels with learning decreased with age, and in January 2021, 55% of 15 year olds did not feel confident about their learning¹⁰. Very many older young people reported that they had lost motivation with their school work: in January 2021 59% of young people between 12-18 reported that they did not feel motivated to learn at home. 11% of this age range said they were not learning at home at all.¹¹

These data show that the impact of the pandemic on learning confidence was not only widespread but that a significant proportion of children and young people spent long periods not engaging at all with learning. They also show that some children and young people have welcomed time at home and may be reluctant or anxious to return to school environments. For some children, re-establishing school routines, and re-gaining the confidence and skills to attend school, socialise and learn in a classroom environment has been very difficult.

⁷ www.childcomwales.org.uk/wp-content/uploads/2020/06/FINAL_formattedCVRep_EN.pdf

⁸ <https://www.childcomwales.org.uk/coronavirus-our-work/coronavirus-and-me-survey-results-2021/>

⁹ www.childcomwales.org.uk/wp-content/uploads/2020/06/FINAL_formattedCVRep_EN.pdf

¹⁰ <https://www.childcomwales.org.uk/coronavirus-our-work/coronavirus-and-me-survey-results-2021/>

¹¹ Ibid.

There can also be complex reasons underlying the difficulties some children experience, which may have been exacerbated by the disruption to routines and services during the pandemic, both for the child and on the wider family or community. Barriers to attendance can include specific difficulties relating to neuro-divergence or other additional learning needs; pre-pandemic national data show that persistent absenteeism and overall absence was more common among pupils with special educational needs.¹²

Other factors can include health needs for the child or family members, including mental health needs. The disruption of continuous support over the last years has had the potential to entrench problems that were already complex, and difficulties may be further intensified by the cost of living crisis and the ongoing and profound impacts of child poverty.

Long covid is another possible factor that may be contributing to an increase in persistent absence. This could be experienced by the child, or by members of their family and have resultant impacts on the child. I would suggest additional research would be helpful to understand the medical and social impact of post-viral chronic fatigue conditions on children.

Whether and if so, reasons why persistent absenteeism is more prevalent among particular groups of pupils (those with Additional Learning Needs, eligible for free school meals, boys and girls, specific age groups, ethnicity)

Nationally, weekly data is published, disaggregated by age (year group), entitlement to free school meals, gender and local authority.

Percentages of absence appear broadly consistent between local authorities, without any stark outlying data immediately apparent: in the week until the 20th May there were four percentage points difference between the local authority with highest attendance, and the authority with the lowest, and this is a typical range for most recent weeks.¹³ There are small differences between the genders, but (with the exception of the run up to Christmas) these do not equate to more than 1% on any given week. By year group, the average attendance in the year to date is lowest for those not of compulsory school age: nursery children show an attendance of 83% (N1) and 83.9% (N2). Post 16 attendance is 83.7% in Year 12 and 77% in Year 13. In primary schools average attendance is around 89-90% for most year groups. In secondary schools, attendance decreases steadily by year from 88.8% in Year 7 to 84.5% for Year 11.

Children that are eligible for free school meals have been considerably more likely to be absent over the last academic year than those who are not eligible. In the week ending 20th May 2022, 81.6% of children eligible for free school meals attended school compared to 88.7 % of children who are not eligible – a difference of over 7%. This picture is consistent across every week of the last year: there is not a single week when children eligible for free school meals are more likely than their peers to be in school. This is consistent with pre-pandemic national data which show consistently that persistent absenteeism and overall absence was more common among pupils entitled to free school meals.¹⁴

¹² <https://gov.wales/absenteeism-schools-pupil-characteristics-september-2018-august-2019>

¹³ <https://gov.wales/attendance-pupils-maintained-schools-6-september-2021-20-may-2022>

¹⁴ <https://gov.wales/absenteeism-schools-pupil-characteristics-september-2018-august-2019>

This highlights again the impact that poverty can have on children in Wales: on their day to day experiences, and their long term outcomes. These data suggest that we need to understand persistent absence as a problem that can be related to poverty. Action to prevent and tackle child poverty needs to be a key driver in reducing absence from school. At a school level too, every effort must be taken to ensure that poverty isn't a barrier to attendance. A 2019 report from my office on the impact of child poverty¹⁵ shared pupils and parent/carers' worries about numerous additional costs associated with school attendance, including paying for supplies such as books, technology, arts and craft supplies, stationery, school bags, the costs of attending special events at school, school trips, and fundraising initiatives. Children and young people and parents/ carers also discussed the costs of after-school clubs where the option of a free bus from school is not available. As one parent put it, "*Schools are far too expensive for people who can barely afford food.*" Resources produced by my office¹⁶ as part of that work in 2019 will support schools to check the cost of their school day, and keep uniform and other costs to a minimum. Welsh Government statutory guidance on school uniform is also clear that this should be the case¹⁷. However, my office is still aware of schools with expensive uniform requirements and where many children are excluded from school trips and events by their prohibitive costs.

Travel to education settings continues to be a barrier also, particularly for children and young people that are not compulsory school age, where there is no statutory duty to provide transport. Again, this has the potential to disproportionately affect children in poverty who may not have ready access to transport options (for example unable to afford bus fares, and without a private vehicle). Attendance figures, as shown above, are significantly lower for children in those year groups who do not receive entitlements to free travel. Learner travel has been a priority for my office for some years, with formal recommendations in my predecessor's 2015/16 and 2018/19 Annual Reports¹⁸. The interim review¹⁹ into the Learner Travel (Wales) Measure 2008 is clear that the Measure is not fit for purpose, and I am continuing the work of my predecessor to push for Government to take timely action to undertake the actions proposed in the review, which I strongly recommend are completed this Senedd term.

I also recommend that the attendance data for this year is rigorously analysed. Given the impact of the pandemic, the data on persistent and overall absence for this year may be very different from pre-pandemic data. The disproportionate impact of the pandemic on particular groups of children and young people has been well-documented, including in reports of my office into the experiences of disabled children²⁰ and children from Black, Asian and ethnic minority groups.²¹ Young carers have also been particularly affected by the pandemic, as disruption to health and social care services has often impacted

¹⁵ <https://www.childcomwales.org.uk/wp-content/uploads/2019/04/A-Charter-for-Change-Protecting-Welsh-Children-from-the-Impact-of-Poverty.pdf>

¹⁶ <https://www.childcomwales.org.uk/a-charter-for-change-resources/>

¹⁷ <https://gov.wales/sites/default/files/publications/2019-07/statutory-guidance-for-school-governing-bodies-on-school-uniform-and-appearance-policies.pdf>

¹⁸ <https://www.childcomwales.org.uk/categories/annual-reports/>

¹⁹ [Learner Travel \(Wales\) Measure \(2008\) review 2021 \[HTML\] | GOV.WALES](#)

²⁰ <https://www.childcomwales.org.uk/coronavirus-our-work/coronavirus-and-me-bame-children/>

²¹ <https://www.childcomwales.org.uk/coronavirus-our-work/experiences-of-disabled-children/>

their family life and caring responsibilities.²² Care experienced young people have also had specific impacts, with disruption to family contact arrangements.²³ Children living in or close to poverty have also been disproportionately impacted by the pandemic.²⁴

It is not possible to access publicly available data by all protected characteristics, nor by some of the other groups identified above. I do therefore recommend that at a national and local authority level the attendance data is disaggregated and shared with education settings and other public services at a local and regional level. I also recommend that this is done well in advance of the return to settings in September 2022. This will enable national and local services to plan according to the demographic characteristics indicated, and it will also enable approaches to be taken at a local level that are sensitive to the particular needs of certain groups: very different approaches are needed for young children compared with older young people.

The short term and longer-term risks and consequences for learners for example in terms of mental health and well-being, and learning and attainment.

All children and young people have a right to education; and the state has duty to ensure that all children experience an education. Missing education has immediate and long-term impacts for children, not only on their progression in learning but on their mental health and emotional wellbeing, and their social development. Education is a human right for children, and, for most children attending school brings a wide and profound range of benefits, providing for their education, wellbeing and safety.

Whether absenteeism has resulted in a higher level of pupil de-registration and any cross-over with elective home education

My office is aware that there have been large increases in the numbers of pupils de-registering from settings since the start of the pandemic. High levels of absence can be linked to de-registration because punitive absence measures such as fixed penalty notices or school attendance orders may cause some families to choose to de-register their child. However, this is highly unlikely to have been the root cause for an increase in deregistration over the pandemic as Government has strongly discouraged local authorities from the use of any punitive measures, and very few punitive measures have been issued over the last two years. It seems more likely that the rise over the pandemic has been due in part to concerns about covid, perhaps particularly so in families where there are clinical vulnerabilities. The survey results from my office also indicate that many children enjoyed the experience of home learning over the lockdowns and the rise in home education could indicate that they and their families wanted to continue this experience.

However, prior to the pandemic local authorities reported to my office that they were aware of instances when the issue of punitive measures in relation to absence have led to de-registration. Families may make this decision to avoid paying fines, or because they are unable to pay fines. Families may also make this decision because punitive measures contribute to a breakdown in the relationship between the family and

²² <https://senedd.wales/media/ixzpwqr5/cr-ld14286-e.pdf>

²³ Ibid.

²⁴ Ibid.

their local authority, or school, or because by the time these are issued relationships are already no longer constructive.

The underlying reasons for persistent absence can also lead to de-registration. Children and young people may be persistently absent due to bullying, including prejudice related bullying, racist abuse or sexual harassment. Children and young people may find learning or socialising in school too difficult because additional learning needs are not being met. Children may have caring responsibilities at home. There could be poor relationships between a child or a young person and their teachers, a child may not feel liked or welcome in school. In my office's Right Way Education Survey 2018 only 46% of secondary aged respondents stated that 'all young people feel welcome' in their place of education.²⁵ Where underlying reasons for absence are not explored and understood, and if steps are not put in place to try and resolve these and offer additional support, then the family may reach a point when school is no longer a place they feel their child can thrive, and they may feel they have no choice but to de-register.

Deregistration in these instances can be reactive and is not always the same as making a positive proactive choice to electively home educate. Home education can offer a very beneficial experience in which children learn, thrive, socialise and play. Home educated children and young people have described to my office the very positive experiences they have had, and also have described the dedication and skills of their families in supporting and enabling their experiences.

But when a family de-registers a child reactively because they feel they have no other choice, they may face real challenges in continuing to meet the educational needs of their child, who may have already had a difficult and at times traumatic experience whilst in school. Families that have de-registered will not necessarily receive any regular external support, for example from education professionals. Whilst families can still access universal health services and should also have support with Additional Learning Needs from their local authority, there will not be readily available access to services such as the wellbeing support available through the whole school approach to emotional and mental health, or to the independent school counselling service. There are also significant capacity and resource implications, not least in that home education can require a parent or carer to reduce working hours outside of the home, which has a resultant impact on family income. As a result of these difficulties, in some cases children who have been de-registered may be missing education.

As has been well documented by my predecessor, it can be challenging for local authorities to know whether this is the case or not: prior to the pandemic, less than half of home educated children were met by a professional in their local authority. A rise in numbers not receiving their education through a school setting is likely to create a further strain on limited resources in this area. This poses a barrier to the ability of authorities to understand needs, offer ongoing support, or to support a return to a school setting if this is in the best interest of the child.

Effectiveness of existing Welsh Government policies and guidance

I am dividing this section into policies and approaches that potentially undermine aims to reduce absence, and then focussing on the effectiveness of existing initiatives to prevent and respond to absence.

²⁵ <https://www.childcomwales.org.uk/wp-content/uploads/2018/10/Childrens-Rights-Survey.pdf>

Exclusion and attendance

There is an inherent logical contradiction in issuing fixed term exclusions with the one hand, and taking measures to reduce absence with the other. Research by my office into exclusion and isolation of young children showed that in the 2018/9 academic year there were 768 fixed term exclusions issued to children aged eight and under across 19 local authorities.²⁶ In a wider context, in the academic year 2017/18 (the most recent year for which numbers are publicly available) there were 18,125 exclusions issued across Wales, for an average exclusion length of 4.4 days.²⁷ That represents 79,750 days of enforced absence from educational settings.

I strongly recommend that that policy drivers and measures to reduce absence at a national and local level should be accompanied by similar efforts to prevent and reduce exclusion. Government's planned revision of the statutory guidance on exclusion is an important opportunity to address this nationally.

I also suggest that it is possible that individual children receiving exclusions may be more likely to have high levels of absence, and it would be valuable for further research to investigate this in order to understand whether exclusion is also a contributing factor in the absence levels of individual children.

14-16 qualifications

The 2019 nationwide consultation held by my predecessor²⁸ highlighted worries about school work and exams as the highest priority concern for young people. This is shown through the 45% of young people aged 11-18 selecting they were worried or very worried about exams and school work, and through the qualitative responses: "I'm worried mostly about GCSEs." (Boy, 11). Exam pressures may also be a factor in driving higher rates of absence for older young people in Year 11.

The casework service and programme of participation with young people delivered by my office have provided further information that suggests this concern is not only related to exam stress but also to the impact on self-esteem and motivation when young people are considered by themselves and others to be failing. Young people have described to officers the demoralising impact of receiving low GCSE indication grades (or target grades), and the lack of options available to them to pursue a different course or obtain different qualifications. Many young people have explained how they have disengaged from a qualifications route that describes their progress as failing, and in Wales a significant proportion of young people do fail their GCSE every year.

A narrow qualifications offer, in which significant numbers of young people do not achieve great success, undoubtedly demotivates young people and may contribute to the increasing rate of absence as young people progress toward summative assessments. Contacts with my office's independent case work service show that some young people, demotivated by their learning between 14-16, will also de-register from school, or refuse to attend school, before the end of compulsory school age. Many of these young people supported by my case work service will not ever have been offered another qualification route to the GCSE.

²⁶ <https://www.childcomwales.org.uk/publications/building-blocks/>

²⁷ <https://gov.wales/ad-hoc-statistical-requests-17-28-february-2020>

²⁸ <https://www.childcomwales.org.uk/wp-content/uploads/2019/04/What-Now-Report.pdf>

A re-development of the GCSES and of the wider 14-16 offer is currently underway by Qualifications Wales to align with the implementation of the new curriculum. This offers an opportunity to develop a suite of 14-16 qualifications in which every young person can progress and be awarded for their achievements. Importantly, these qualifications not only need to be developed, but they need to be made available to children in school *before* they disengage. Historically options on 14-19 pathways offered qualification routes that were valuable for many young people. Every young person should have a meaningful and rewarding course of study that they can access and achieve well in made available to them at the age of 14. A system in which a high number of young people are expected to fail is one in which absenteeism is not surprising.

Level and effectiveness of action and support from schools, local government and the Welsh Government

Additional funding has been provided by Welsh Government as part of pandemic recovery, particularly for Year 11s where £1.28million has been provided for year 11 learners to support them to progress and £8.5million of dedicated transition funding to colleges and school sixth forms to support young people into post-16 settings. Local settings have used some of this funding to address persistent absence. Local authorities have reported using the funding for multi-disciplinary panels to discuss the needs of the child and family and develop a broad support package. Other initiatives have included youth workers engaging with the young person to encourage them back into school and increased offers of individual support from more pastoral staff within schools. Local authorities also described some issues around recruitment over this academic year and it is possible that with the staff shortages seen across our public sector it can be difficult to deploy more staff to do the kind of individualised support that is the best way to tackle this, even with generous funding.

Levels of persistent absenteeism (as detailed previously in this response) suggest to me that a sensible assumption would be to plan provision and services on the basis that at least ten percent of children and young people in education settings need increased bespoke and targeted support to consistently access education following the disruption of the last two years. I note increased, because this planning assumption relates to those who are already persistently absent, and for whom additional measures, beyond what is currently available, are needed.

Hidden in the attendance figures will also be the group of children who are at risk of being persistently absent, but who, thanks to the commitment and skill of their teachers, families and other support professionals are attending school. Many of this group may continue to need this support to continue. Therefore, support for those who are persistently absent must be delivered in addition to ongoing support for the children who are already attending. National and local government, and schools, should be planning with this in mind.

Whole school approach to emotional and mental wellbeing

Ensuring attendance cannot be solely a job for schools: local authorities have a role in coordinating a cross-sector package. Full implementation of the framework for the whole school approach to emotional and mental wellbeing will enable this multi-agency approach. Schools need help from across the statutory and third sector to make sure children and families have all the support they need.

Preventing and responding to bullying

2017 research²⁹ by my office indicated that children and young people themselves considered bullying to be a significant factor to absence. Recent awareness of the prevalence of peer sexual harassment, and a building data picture of the impact of racist abuse and bullying highlights the impact this can have on attendance. A number of reports have recommended that more robust action is needed to prevent and tackle identity based bullying, including research by Race Alliance Wales³⁰, EYST³¹ and Show Racism the Red Card³². I welcome Government's recent commitment to strengthening the statutory duties around prejudice based bullying set out in Rights, Respect and Equality. I recommend strongly that this review is informed by the experiences of children and young people themselves, and that it sets out clear guidance about how to both prevent and respond to prejudice-based incidences at a school level.

Third sector examples

There are also examples of approaches in the third sector that could be learnt from by statutory services and implemented more widely. The Rwydd Arall project in Gwynedd and Ynys Mon³³ has reported effective results from a person-centred approach working intensively with young people at risk of deregistration. At the heart of this approach is the meaningful participation of the young person and this is an essential step that should be central to all initiatives, with children of any age. Children and young people need to be involved in discussions so that their needs, concerns and priorities can be understood and the right support put in place. Children can also be part of the solution: they can help identify what will improve their attendance and help establish their own routines, targets and support needs.

Avoiding the penalising of children in settings

Prior to the pandemic there were concerns among parents and professionals that some of the incentives to reduce absence had the impact of penalising or stigmatising children through no fault of their own. For example, awarding certificates of attendance to individuals or classes can highlight and stigmatise children who have low attendance in front of their peers. This can disproportionately affect children with healthcare needs, young carers and as previous statistics show, it will also disproportionately affect children from less affluent families. I would hope that as efforts to increase attendance are brought into focus, there is a general principle to the approach that children should not be penalised or stigmatised by incentives.

How effectively parents are engaged and supported

Community schools are a key part of the Government's strategy for Educational Equity and the Government have recently provided £3.48 million for the employment of family engagement officers. A key part of their role is to establish positive relationships with parents so they can provide clear guidance and support around attendance. The strong research base for the community school approach suggests this has the potential to make a real difference to children and young people, particularly in disadvantaged communities. This approach is not a quick fix, and will require steadfast commitment nationally and across

²⁹ <https://www.childcomwales.org.uk/our-work/commissioners-blog/sams-story/>

³⁰ <https://racealliance.wales/wp-content/uploads/2021/04/Show-Us-You-Care-Full-Report-1.pdf>

³¹ <https://eyst.org.uk/assets/experiences-of-racism-and-race-in-schools-in-wales.pdf?fbclid=IwAR0OfKn36lvBK2RFMRnNNfZSt1m97svQTWMEuu3gtemcpvNMi3dfRAKtpfk>

³² Show Racism the Red Card (2020). Racism in Wales? Exploring Prejudice in the Welsh Education System

³³ <sylfaen-cymunedol-rhwyd-arall.pdf> (sylfaencymunedol.org)

the profession, and an asset-based approach to the meaningful participation of the community, including of children and young people. Developing a community school approach takes considerable time, and to succeed it needs to be led by schools and communities themselves.

I caution against the use of punitive measures. Punitive measures should only be on the table as an absolute last resort and when all other attempts at engagement have failed. Local authorities have explained to my office that on occasion, when parents are not communicating with the authority, then the use of punitive measures can be the only effective way to ensure that families respond to the efforts and engage with any support. However, the issue of fixed penalty notices or school attendance orders should never be used in isolation. They must be accompanied by a support package, and key to that support package will be talking to the family and child, taking the time to understand the reasons for absence, and putting in place the right support for that particular child.

Listening to children and young people

My focus this year will be on listening to children and their families about their life experiences including reasons behind persistent absences. My nationwide consultation, *Ambitions for Wales*³⁴, will enable me to develop my understanding of children's experiences, and to develop my strategic plan in line with the priorities and needs of children and young people. I urge that other professionals and organisations also enable participation of the child in their work, particularly in efforts to reduce absence. At an individual level this is essential: a child cannot be supported to return to a setting without understanding first what it is that is keeping them away. At a setting level too, children need to be involved in developing initiatives to support attendance in their school: children need collective opportunities to consider what would increase attendance and to help settings develop positive strategies across the whole school.

Submitted by:



Rocio Cifuentes
Children's Commissioner for Wales

³⁴ <https://www.childcomwales.org.uk/our-work/ambitions-for-wales/>

Agenda Item 5.1

CYPE(6)-13-22 - Paper to note 1

Lee Waters AS/MS
Y Dirprwy Weinidog Newid Hinsawdd
Deputy Minister for Climate Change

Jeremy Miles AS/MS
Gweinidog y Gymraeg ac Addysg
Minister for Education and Welsh Language



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref – Online Safety Bill

Jayne Bryant MS
Chair of the Children, Young People and Education Committee
Welsh Parliament
Cardiff Bay
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23 May 2022

Dear Jayne,

Thank you for your letter of 22 April regarding the UK Government's Online Safety Bill.

The internet is now an integral part of children and young people's lives and offers many benefits, however it is critical that we ensure their safety in the online world. We share the concerns of the committee around the impact of social media and inappropriate online content. As a government, we are firmly committed to taking action that will keep children and young people safe online.

We welcome the interest from the committee in the UK Government's Online Safety Bill and have sought to respond to the questions you have raised below.

Principle clauses in the Bill

We welcome the UK Government's intention of the Online Safety Bill to make the UK the safest place in the world to be online while also ensuring that people can enjoy their right to freedom of expression.

While 'internet services' are a reserved matter for the UK Government, the safety and wellbeing of children and young people online is a key priority for the Welsh Government. We are pleased that the Bill recognises the need for enhanced protection for children and young people from harmful content online. We firmly believe that safeguarding is a shared responsibility and welcome the duties placed upon online providers to take action to remove harmful content and strengthen protection against activities that threaten the safety of children and young people.

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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.

Back Page 38

There are exemptions within the Bill which directly impact Wales. These relate to Education and Childcare and Welsh Government officials have worked closely with the Department for Digital, Culture, Media and Sport (DCMS) to ensure that the exemptions for institutions and providers are appropriate for Wales.

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

Engagement with the UK Government

Welsh Government officials have had regular engagement with counterparts in DCMS both prior to, and following, the introduction of the Bill. This engagement has involved discussions in relation to the development of the Bill as well as consultation around priority offences for inclusion. Discussions have also been held with Ofcom as the regulator and will continue to work closely with Ofcom in Wales as they develop the codes of practice.

Following publication of the draft Bill in May 2021, Welsh Government officials have been actively engaged with DCMS on the exemption for Welsh Education and Childcare providers at paragraph 10 and Part 2 of Schedule 1 of the Bill.

We look forward to continued engagement with the UK Government during the Bill's passage through Parliament.

Amendments to the Online Safety Bill

We anticipate that with a complex Bill such as this there are likely to be amendments tabled as it continues its passage through Parliament. We will continue to work closely with the UK Government in monitoring any proposed amendments.

Welsh Government's Digital Resilience in Education Action Plan

With regards to your question on our intentions to update the Welsh Government's Digital Resilience in education action plan, we are committed to providing an annual update that reports our progress in this fundamental area.

Originally published as the 'Online safety action plan for children and young people in Wales' in July 2018, the action plan sets out the Welsh Government's commitment to working with a range of partner organisations across Wales to enhance online safety provision, policy and practice across Wales. In 2020, we further expanded this work recognising the important role cyber resilience and data security has in ensuring children and young people are safe and secure online. The [Enhancing digital resilience in education: An action plan to protect children and young people online](#) continues to provide the focus for our important work in online safety and supports our mission to increase the digital resilience of our children and young people.

We published this year's update in May outlining the progress during 2021/22. Our continued collaboration with key partners has resulted in the development of new areas of work that will provide a future focus and seek to ensure the safety and security of our children and young people in Wales.

Taking collaborative action in online safety

We recognise the need for cross sectoral collaborative action in tackling online safety and welcome all action which helps to safeguard children and young people in the online world.

As part of the Welsh Government's cross governmental approach to online safety, we continue to actively engage with the NSPCC and we are firmly committed to work with education, digital, communities and health and social services to further develop our digital resilience in education action plan.

We also understand the importance of working with expert partners and as part of our actions work with organisations including the National Crime Agency, Internet Watch Foundation, UK Council for Internet Safety (UKCIS), Tarian (police), Internet Matters and Childnet. This engagement is essential to us delivering a multi-disciplinary approach to enhance digital resilience provision, policy and practice in Wales.

We will continue this engagement as we develop our multi-agency action plan to tackle peer-on-peer sexual harassment. The plan, which we aim to publish in autumn, will outline the commitments the Welsh Government will take forward, and critically, it will address how we are going to tackle the role social media plays in these behaviours.

Key to the ambitions of our collaborative actions in online safety is ensuring that the voice of children and young people is central, and as part of the work being taken forward this year, we will be establishing a children and young people's advisory panel for digital resilience. Panel members will be invited to share their online experiences and provide opinions and insight that will shape and inform the direction of our work in this critical area.

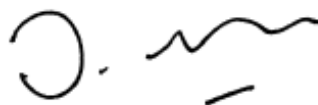
We trust that this letter provides the information requested and gives the Committee confidence that Welsh Government is committed to improving the safety of children and young people when online.

Yours sincerely,



Lee Waters AS/MS

Y Dirprwy Weinidog Newid Hinsawdd
Deputy Minister for Climate Change



Jeremy Miles MS

Gweinidog y Gymraeg ac Addysg
Minister for Education and Welsh
Language

CYPE(6)-13-22 - Paper to note 2

Jeremy Miles AS/MS
Gweinidog y Gymraeg ac Addysg
Minister for Education and Welsh Language



Ein cyf/Our ref MA/JMEWL/1800/22

Llywodraeth Cymru
Welsh Government

Jayne Bryant MS
Chair
Children, Young People and Education Committee
SeneddChildren@senedd.wales

24 May 2022

Dear Jayne,

Thank you for your letter of 22 April about Welsh Government support for Service children in Wales. You raised a number of questions to which I respond as follows.

Data collection

The Welsh Government does not currently collect any education-related data on Service children, however, the previous Minister for Education in the last Senedd term gave an undertaking to look into the possibility of collecting this data, one possible method being via the Pupil Level Annual School Census (PLASC).

If PLASC were the chosen method, then changes would need to be made to the Regulations governing the collection of data from schools. Sections [537](#) and [537A](#) of the Education Act 1996 provide powers for the Welsh Ministers to prescribe the information that schools must provide to local authorities and the Welsh Ministers. The current Regulations governing this are the [Education \(Information About Individual Pupils\) \(Wales\) Regulations 2007](#) and the [School Performance Information \(Wales\) Regulations 2011](#).

Work had begun to include the necessary regulatory changes to be made in the 2019 legislative programme. However, as a result of the UK's Exit of the EU and the Covid pandemic, the potential work on data collection was postponed. I, with my officials, am now considering the possible methods which would enable this data to be collected. I will provide a further update as this work progresses.

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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.

Service children numbers

As noted above the Welsh Government does not currently collect the level of information you have requested. The most recent census data (2011), identified that there are Service families with children up to the age of 16 across all 22 local authorities in Wales. The 2011 census data indicates that there are a minimum of 2,486 children in Wales where the HRP (household reference person) indicated that they were in the Armed Forces. This does not include information where the non-HRP(s) is/are in the Armed Forces, or information on veterans or Reservists, or where families with Service children do not live at the same address. The data for the 2021 census will be available later this year.

As an interim measure, the Supporting Service Children in Education (SSCE) Cymru programme has been working with local authorities and schools in Wales to collect data on the number of Service children in Welsh schools, along with the Regional Schools Liaison Officers (RSLOs). SSCE Cymru has identified that in March 2022 a total of 2,677 Service children in 589 schools across Wales. The SSCE Cymru data provides learner numbers by [local authority](#).

Armed Forces Covenant Fund engagement

The Ministry of Defence's Armed Forces Covenant Fund Trust, worth £10m per year, supports the Armed Forces Covenant by delivering funding programmes that make a positive difference to Armed Forces communities across the UK. Officials from the Welsh Government are represented on the Regional Funding Panel for Wales. Since its inception in May 2015, Wales has successfully bid for funding of £6,060,078 from the Trust, to date.

Regional Schools Liaison Officers (RSLOs)

The WLGA, in collaboration with 160th (Welsh) Brigade, secured funding from the Armed Forces Covenant Fund Trust to appoint four RSLOs for a two-year project starting in September 2020.

The RSLOs work collaboratively with the SSCE Cymru Programme Manager to deliver support to local authorities and schools directly, providing training, advice and support. Their programme of work is invaluable and includes:

School Visits

Structured school visits which include support with:

- working towards achieving [Armed Forces Friendly Schools Cymru](#) status;
- using SSCE Cymru [School toolkit](#) and [tools](#);
- Service children discussion groups;
- engaging with the Armed Forces; and
- accessing funding.

Continuous Professional Development (CPD) Training

Two-hour training sessions, delivered virtually for schools. To date, RSLOs have delivered CPD sessions to 169 participants from 74 schools.

Schemes and experiences for Service children

- **Armed Forces Friendly Schools Cymru** – launched in April 2022, this award is given to schools that:
 - embed good practice for supporting Service children;
 - create a positive environment for Service children to share their experiences; and
 - encourage schools to become more engaged with their Armed Forces community.
- **Month of the Military Child (April)** – support schools to highlight the important role Service children play in the Armed Forces community.
- **Little Troopers virtual workshop** - gives service children the opportunity to come together with others. Through a series of activities, they will explore some of the unique challenges they experience as members of the British Armed Forces community and to celebrate what it means to be a 'Little Trooper'.
- **2022 Autumn rugby international: Wales vs Fiji** – In partnership with the Welsh Rugby Union, on Remembrance Sunday, the RSLOs provided nine Service families from across Wales with tickets to the Wales vs Fiji rugby match in Cardiff.
- **Service children residential experience** – 15 Service children from East Wales attended a health and well-being activity residential experience held at the Amelia Trust Farm over three days, ran by Forces Fitness and SSCE Cymru.

Funding to extend the RSLO project to March 2023 has been secured via the MoD's Education Support fund. No decisions have yet been made on securing funding post-March 2023.

Views on the work of SSCE Cymru

The SSCE Cymru programme provides invaluable support to Service children in Wales. The programme provides universal support to all who are involved in the education of Service children, and provides resources, advice and support for schools, local authorities and families. The activities of SSCE Cymru include:

- coordinating the work of the RSLOs and an SSCE Cymru Participation Lead Officer;
- producing and maintaining resources on its website including tools to support schools, local authorities and Armed Forces families;

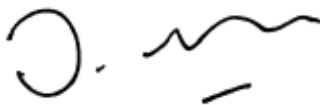
- maintaining networks of key stakeholders and attending events and national meetings to ensure Wales is involved in research and other opportunities to spread understanding of the needs and experience of Service children. This provides a vital link between UK organisations and Wales; and
- coordinating the distribution of £200,000 Welsh Government targeted funding to local authorities and schools to directly support children locally.

In recognition of the importance of this programme, I have agreed that Welsh Government funding of £270,000 is secured once again for 2022-23 to support Service children in Wales. Going forward, an indicative budget of £270,000 for 2023-24 and 2024-25 has also been agreed.

Pupil Development Grant (PDG) extension – Service Pupil Premium

All learners, including Service children, are entitled to support via the Pupil Development Grant so long as they meet the eligibility criteria. There are no current plans to introduce a Service Pupil Premium for Service children, as in England. The Welsh Government recognises that our provision in Wales is different to elsewhere in the UK. The way that we support our Service children is more tailored via the direct links between SSCE Cymru and RSLOs, and our local authorities, schools and the children and young people themselves.

Yours sincerely,

A handwritten signature in black ink, consisting of a large 'J' followed by a series of wavy lines and a short horizontal stroke at the end.

Jeremy Miles AS/MS

Gweinidog y Gymraeg ac Addysg
Minister for Education and Welsh Language

CYPE(6)-13-22 - Paper to note 3

Y Pwyllgor Plant, Pobl Ifanc ac Addysg

Children, Young People and Education Committee

Jeremy Miles MS
Minister for Education and Welsh Language

24 May 2022

Racist bullying in schools

Dear Jeremy,

Like people across the country, I was appalled at the awful incidence of alleged racist bullying in Blaenau Gwent, resulting in such a serious injury on a young person. I welcome your statement made yesterday (23 May). I appreciate the incident is being investigated, and I am not seeking comments on the specifics of the individual case.

Building on your statement, please can you provide the Committee with some further information on:

- how the Welsh Government and local authorities can / does support individual schools to specifically address issues of racially motivated bullying in schools;
- what support will be put in place to support schools in implementing the updated statutory anti-bullying guidance which will be in place for the new school year in September;
- how the Welsh Government is encouraging schools, practitioners and governors to access the anti-bullying training mentioned in the statement; and
- what data is collected at either a local or national level on incidences of racially motivated bullying.

I would be grateful for this information no later than Friday 10 June.

Yours sincerely,



Jayne Bryant MS

Chair of the Children, Young People and Education Committee

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Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.



CYPE(6)-13-22 - Paper to note 4

Jane Hutt AS/MS
Y Gweinidog Cyfiawnder Cymdeithasol
Minister for Social Justice



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref: MA/JH-/1628/22

Jayne Bryant MS
Chair,
Children, Young People and Education Committee

26 May 2022

Dear Jayne,

Thank you for your letter of 22 April regarding the paper on the legal powers and remit of the Children's Commissioner for Wales' (CCfW) Office, shared with you by the former Children's Commissioner, Professor Sally Holland.

The paper raises three areas which would require further legislation to address:

- Revised legal powers, scope and remit of the CCfW;
- Full incorporation of the United Nations Convention on the Rights of the Child (UNCRC); and
- Transferring the appointment process of the CCfW from the Welsh Government to the Senedd.

On 17 March 2022, I replied to the former CCfW's paper and I attach a copy of my response. My response addressed each of these issues and I am pleased to have this opportunity to update the Committee on the Welsh Government's position on each of the issues raised.

Revised legal powers, scope, and remit of the CCfW

As you will be aware, in 2021 the former CCfW exercised the power in section 72B of the Care Standards Act 2000 to review the exercise of Welsh Ministers' functions in relation to elective home education, and the regulation of independent schools. In her paper, the former CCfW outlined difficulties she felt she encountered when carrying out her review, some of which the Commissioner attributed to anomalies or gaps in the existing legislation.

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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.

Finding time in the current Senedd term to conduct a full-scale review into the powers and legal remit will be difficult, particularly given such a review is not a commitment within the Programme for Government. In the interim however, my officials will discuss with the CCfW's office possible next steps in respect of:

- the remit of the CCfW to include certain groups of young people up to 25 years old; and
- the range of organisations the Commissioner has the right to enquire or investigate, particularly children's homes.

Full incorporation of the United Nations Convention on the Rights of the Child (UNCRC)

The Welsh Government is supportive of the principle of full incorporation of the UNCRC, however there is much work to be done before this ambition can be made a reality in Wales. I am clear a long-term approach is required to progress the human rights agenda in Wales, and our approach to full incorporation will be considered as we take forward the Strengthening and Advancing Equality and Human Rights (SAEHR) in Wales [research report](#).

A draft response to this report was discussed at a meeting of the SAEHR Steering Group on 25 April which I chaired and which the Counsel General attended. At this meeting we confirmed our intention to explore options for incorporation of a range of UN rights conventions, including a holistic approach such as a Welsh Human Rights Bill. This work will continue to be overseen by the Steering Group, which will henceforth be known as the Human Rights Advisory Group, supported by working groups to enable it to undertake detailed work rapidly and bring in additional expertise where appropriate. Our response to the research report will be finalised and published shortly. I will ensure the Committee is notified when our final response to the Strengthening and Advancing Equality and Human Rights in Wales research report is published.

Another factor that will need to be considered is the implications of the Supreme Court judgement on the legislative competence of the Scottish Government, and the impact this may have on Wales. While our work to explore options for incorporation is underway, we will also continue to progress the children's rights agenda through the Children and Young People's plan, the Raising Awareness Plan, and the revised Children's Rights Scheme.

Transferring the appointment process of the CCfW from the Welsh Government to the Senedd

I am aware of the views of the CCfW on this topic and I completely understand and value her views on improving the process. However, I remain of the view the current arrangements for appointing a CCfW are working well. The Welsh Government fully respects the independence of the CCfW, and I do not believe this independence has been undermined by the Welsh Government being part of the recruitment process.

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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 hope this response reassures the Committee on these issues.

Yours sincerely,



Jane Hutt AS/MS

Y Gweinidog Cyfiawnder Cymdeithasol

Minister for Social Justice

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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.



Ein cyf/Our ref:

Professor Sally Holland
Children's Commissioner for Wales

Ceirios.Williams@childcomwales.org.uk

17 March 2022

Dear Sally,

Thank you for your letter of 11 November and your accompanying paper on the Children's Commissioner for Wales (CCfW)'s legal powers and remit. The paper is extremely helpful and is timely as we reflect on the role of the Children's Commissioner more than 20 years since the office was established.

Your letter raises three areas which would require further legislation:

- Revised legal powers, scope and remit of the CCfW;
- Full incorporation of the United Nations Convention on the Rights of the Child (UNCRC); and
- Transferring the appointment process of the CCfW from the Welsh Government to the Senedd.

I will respond to each issue in turn.

CCfW legal powers, scope and remit

Your paper raised three main areas relating to your legal powers, scope and remit:

- Review the CCfW Regulations aligned to the exercise of the S.72B power to create a process for sharing documentation in a transparent and legal way;
- Widening the categories of services and organisations in Wales over which the Commissioner has remit under Schedules 2A and 2B (under the Care Standards Act 2000); and
- Extending the remit of the CCfW

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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 believe it is important to review the scope and purpose of the legislation and there are one or two points of detail around children's homes and care leavers which our officials would like to explore with you. However, a full scale review is not in the Programme for Government, and finding legislative time will be very difficult during this Senedd term.

As you are aware, we are considering our approach to *Strengthening and advancing equality and human rights in Wales*. Within the next 18 months, I will ensure that these findings are considered as we develop our approach. This timescale will also provide an opportunity for the new Commissioner to share her thoughts.

Full incorporation on the UNCRC

As you are aware, we are supportive of the principle of full incorporation of the UNCRC. However, I recognise, following the recent Supreme Court judgement on the legislative competence of the Scottish Government, we will need to carefully consider the implications for Wales and what the impact of incorporation would be.

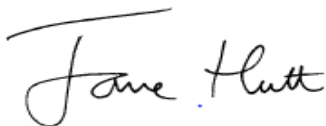
I am clear that a holistic approach is required to support the human rights agenda. This issue, together with the Programme for Government commitments to incorporate the UNCRPD and the CEDAW, will be considered as we take forward *the Strengthening and advancing equality and human rights in Wales* research report and I am also working with the Counsel General, Mick Antoniw, on this.

Appointment of the CCfW by the Senedd

I understand your concern on this issue. However, I remain of the view that the independence of the CCfW is not undermined by the Welsh Government being involved in the recruitment of the CCfW. I believe the current arrangements for all Commissioners are working well including the pre-appointment hearings by Senedd Committees which are an important part of this process.

May I thank you once again for setting out your thoughts. This government is committed to children's rights and will continue to progress this agenda through the 2021 Children's Rights Scheme, the Raising Awareness Plan and the new Children and Young Person's Plan.

Yours sincerely



Jane Hutt AS/MS

Y Gweinidog Cyfiawnder Cymdeithasol
Minister for Social Justice

cc. The Deputy Minister for Social Services

Agenda Item 5.5

CYPE(6)-13-22 - Paper to note 5

Julie Morgan AS/MS
Y Dirprwy Weinidog Gwasanaethau Cymdeithasol
Deputy Minister for Social Services



Llywodraeth Cymru
Welsh Government

Jayne Bryant, MS
Chair, Children, Young People and Education Committee
Senedd Cymru
Cardiff Bay
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25 May 2022

Dear Jayne,

Thank you for your letter of 22 April regarding the Children, Young People and Education Committee's consideration of the issue of child sexual abuse, including a request from the NSPCC for the Committee to launch an inquiry into child sexual abuse in Wales.

I have already set out the Welsh Government commitment to promote a position where children in Wales feel listened to, benefit from child-centred practice and can realise their right to be safe. We must work together to do everything we can to prevent child sexual abuse, to protect children at risk and to support children to recover from the significant harm that sexual abuse causes.

You have asked for information in a number of specific issues in your letter and each of these issues are addressed in this response as set out below.

1. **How the Welsh Government responds to the evidence from the NSPCC that “lockdowns in response to COVID-19 and subsequent isolation from support heightened the risk of CSA for some children”.**

I wrote to the Children, Young People and Education Committee's in the fifth term, on 8 June 2020, in response to the Committee's Inquiry into the impact of the Covid-19 outbreak on children and young people in Wales. My letter set out the arrangements we had put in place, working with partners to safeguard children during the pandemic.¹

I agreed to a 6-month extension on the reporting period for the 'National Action Plan on preventing and responding to child sexual abuse'² extended from 31 December 2020 to 30 June 2021 in light of the pandemic. However, the Welsh Government and Safeguarding Boards continued to deliver actions under the Plan throughout the pandemic.

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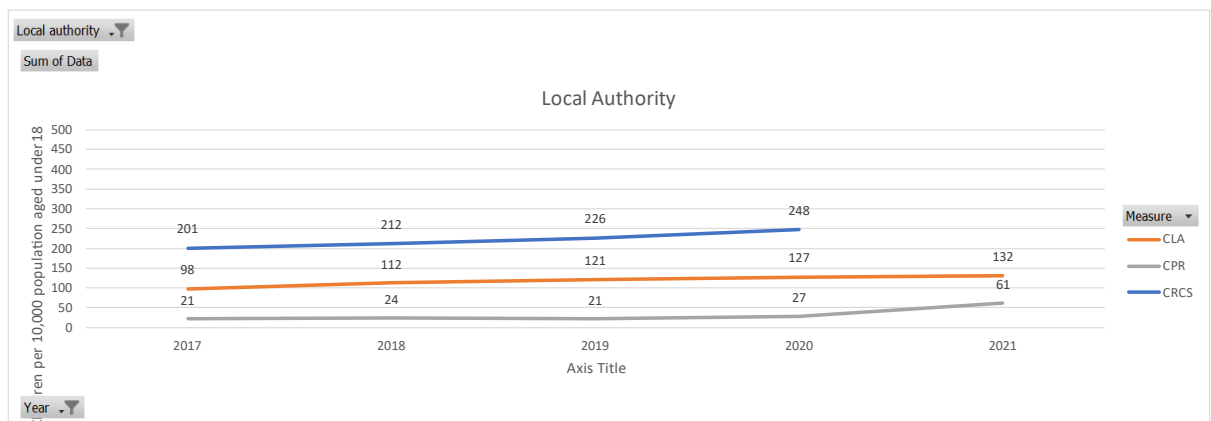
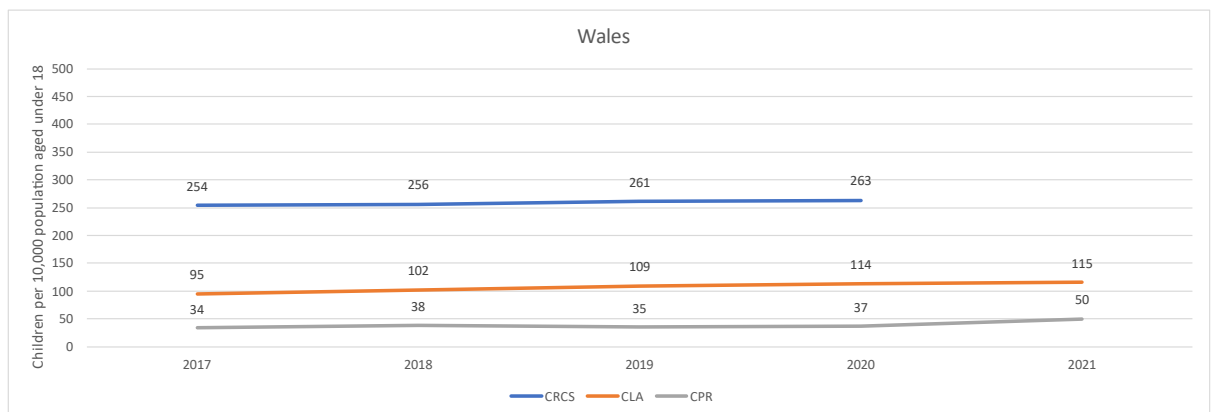
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We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

2. Any trends the Welsh Government has identified in the numbers of children on the child protection register, taken into care, and in need of care and support by the local authority during the 2019-20, 2020-21, and 2021-22 financial years?



3. What steps the Welsh Government has taken - and will take - to ensure that the relevant authorities have the capacity and expertise to respond appropriately to all cases of child sexual abuse?

A Written Statement was issued on 15 July 2019, launching the National Action Plan on preventing and responding to child sexual abuse and setting out the commitment of the Welsh Government to tackle abuse as an on-going priority.³

The National Action Plan sets out work to prevent child sexual abuse (including Child Sexual Exploitation and Harmful Sexual Behaviour), to identify and protect children at risk of child sexual abuse and to support abused children into recovery.

The National Action Plan includes clear actions for the Welsh Government and for relevant partners of the six Safeguarding Children Boards. Child sexual abuse is a particularly hidden form of abuse for complex and obvious reasons. The actions set out in the plan are focussed on breaking the silence on child sexual abuse.

This requires work to raise awareness, share information and knowledge and provide support to parents and carers and children and young people themselves.

A major public awareness campaign was commissioned from Stop in Now /The Lucy Faithfull Foundation and has been promoted by the Safeguarding Children Boards across Wales, 'It's Time we Talked about it'.⁴

A range of practice advice on identifying and responding to child sexual abuse has been commissioned through the Plan and widely promoted by the Safeguarding

Children Boards in Wales. The latest of these resources, for example, is a series of 12 films, commissioned from the Centre of Expertise on Child Sexual Abuse.⁵

A range of advice for parents and carers has been developed and promoted, for example advice for parents on keeping children safe and supporting them if they are sexually abused has been commissioned from Stop it Now Cymru. This includes information for the parent/carers of LGBTQ+ children and young people, parents/carers with learning disabled children and parents with learning disabilities and Black, Asian and minority ethnic parent/carers, available in 12 languages.⁶

Information for children and young people reassuring them that they will be believed if they seek help and on how to get help was commissioned from the NSPCC/Childline.⁷ An animation reassuring young people at risk of child sexual exploitation that they will get the help they need was commissioned from Cardiff University.⁸

The National Independent Safeguarding Board has published the Welsh Government full list of resources⁹ developed under the Plan up to July 2021. A refreshed list will be published in July 2022.

The six Safeguarding Children Boards in Wales have promoted these resources throughout the regions. The Safeguarding Children Boards have also engaged with Centre of Expertise on Child Sexual Abuse, Stop it Now Cymru/the Lucy Faithfull Foundation and Cardiff University to provide training sessions for practitioners working across agencies.

The Welsh Government held an online event during National Safeguarding Week, November 2021 to share learning and promote the resources developed under the Plan. This involved presentations from adult survivors of child sexual abuse and exploitation and from the specialist organisations who have developed resources. Over 400 practitioners from across agencies registered for the event.

The Welsh Government awarded two Sustainable Social Services Third Sector Grants to Stop it Now/the Lucy Faithfull Foundation in 2020, these grants support two projects aimed at preventing child sexual abuse, identifying abuse and responding to it and early intervention with families where there are concerns children may be vulnerable to child sexual abuse. These two grants are now agreed to continue up to 31 March 2025.

Between the period from 1 April 2020 to 31 March 2022, these projects have delivered child sexual abuse awareness education sessions to 1,574 parent/carers and practitioners. Multi-agency child sexual abuse training has been delivered to 463 practitioners. In addition, twelve Train the Trainer sessions have been delivered to 48 beneficiaries. One-to-one interventions have been completed with 68 families, where there are concerns about vulnerability of children to child sexual abuse.

There has been a 50 % increase in Welsh users have visiting the Stop It Now! website pages, up to 22,175. There has been an 80% increase in global traffic to the bespoke campaign webpages. There was a significant increase of 6,500, following a reminder campaign which ran from 21st February – 18th March 2022.

Since 2019, through the delivery of the National Action Plan and the Sustainable Social Services Third Sector Grants there has been a clear focus on equipping practitioners across agencies to be able to identify child sexual abuse, to handle disclosures of child sexual abuse and to understand how to respond to children and

young people at risk of or abused through child sexual abuse. At the same time public awareness raising and information for parent/carers and children and young people has been shared with the aim of breaking the silence around child sexual abuse.

4. An update on the Welsh Government's review of evidence on the impact of its National Action Plan: Preventing and Responding to Child Sexual Abuse, scheduled to begin from 31 January 2022, and its plans to engage with Safeguarding Boards and other stakeholders on any next steps.

The current National Action Plan on preventing and responding to child sexual abuse ends on 30 June 2022. The six Safeguarding Children Boards will provide evidence of the implementation of actions for Safeguarding Board partners on 30 June 2022. My officials met with the Business Managers of the Boards on 24 March to discuss reporting requirements.

The Welsh Government will produce a report in September 2022 reporting evidence from Safeguarding Children Boards and from Welsh Government on the delivery of actions under the Plan.

The publication date of the final report and recommendations Independent Inquiry into Child Sexual Abuse is not yet confirmed. Once this report is published, we will consider the recommendations alongside evidence of the implementation of the Welsh Government National Action Plan, preventing and responding to child sexual abuse.

The Welsh Government will then hold a series of consultation meetings with statutory safeguarding partners, the Safeguarding Children Boards and the third sector to consider areas of focus for future work. This process will also be used to identify whether it is appropriate to seek further evidence from adult survivors of child sexual abuse and children and young people.

Each of the Safeguarding Children Boards have regional arrangements in place to provide oversight of the planning and delivery of work under the National Action Plan. The Welsh Government has asked the Safeguarding Children Boards to maintain these arrangements after 30 June 2022, this will maintain a focus on the continuation of the work already in place to prevent and respond to child sexual abuse. The Centre of Expertise on Child Sexual Abuse has already visited each of the Safeguarding Children Boards to discuss further work on preventing and responding to child sexual abuse in the regions. My officials attend the Steering Group of the Centre of Expertise on Child Sexual Abuse and maintain on-going engagement with the Centre.

My officials also attend and report to the Children's Commissioner for Wales Child Sexual Abuse and Exploitation Roundtable that meets bi-annually. As Chair, you will also be aware that my officials also regularly attend and provide updates to the Cross-Party Group on Preventing Child Sexual Abuse.

5. **The Welsh Government’s view on calls from the NSPCC for “a Welsh Government Online Safety Plan exclusively focussed on children and young people that connects all partners in a pan-Wales protection and prevention approach”.**

Our [Enhancing digital resilience in education: An action plan to protect children and young people online](#) provides a focus for our work in online safety and supports our mission to increase the digital resilience of our children and young people.

The Welsh Government is committed to taking a cross-sector, multi-disciplinary approach to enhancing digital resilience provision, policy and practice. In addition to joined up working between health, social services, education, and digital within the Welsh Government, the Digital Resilience in Education team actively engages and collaborates with a growing range of expert partners such as the NSPCC, National Crime Agency, Internet Watch Foundation, UK Council for Internet Safety (UKCIS), Tarian (police), Internet Matters, Childnet and a range of third sector stakeholders.

This year we will also establish a children and young people’s advisory panel for digital resilience to ensure the learner voice is represented. Panel members will give feedback about existing content, highlight any online issues currently affecting them and make recommendations to inform future content and policy direction.

6. **The Welsh Government’s views on: ▪ the findings of the Child Sexual Abuse Independent Inquiry’s work in relation to Wales to date generally including its investigation and research reports; ▪ how the findings of this UK wide inquiry feed into Welsh policy and practice. ▪ the performance of public authorities outlined in the February 2022 report into organised networks within the City and County of Swansea Council; and ▪ the UK Home Secretary’s response to that report., including the commissioning of a national inspection into police response to child sexual abuse.**

The Independent Inquiry into Child Sexual Abuse (IICSA) is a statutory inquiry for England and Wales, established in 2015 under the Inquiries Act 2005.

The Welsh Government has fully engaged in the work of the Inquiry through formal written evidence and through the formal evidence sessions of the Inquiry, attended by the Chief Social Care Officer for Wales and other senior officials where appropriate. The Inquiry takes decisions on the publication of evidence submitted by the Welsh Government and others.

The Welsh Government also engages with the inquiry through the IICSA Wales Reference Group, which is attended by the Chief Social Care Officer for Wales and other relevant officials as well as representatives of the Children’s Commissioner for Wales, local authority, health and police partners, Police and Crime Commissioners, academics and third sector.

The Welsh Government has to provide formal responses to the IICSA recommendations including into their inquiry on Child Sexual Exploitation by organised networks by July 2022. It is not appropriate to comment here in advance of the submission of this formal response to the Inquiry.

The Welsh Government has considered the emerging evidence of the Inquiry. One outcome of this for example is the publication of ‘Working Together to Safeguard People: Code of Safeguarding Practice for individuals, groups and organisations

offering activities or services to children and adults in Wales'.¹⁰ My officials have also engaged directly with representatives of the IICSA Victims and Survivors Consultative Panel in the development of resources under the National Action Plan on preventing and responding to child sexual abuse.

I have already said that the Welsh Government will consider the final report and recommendations of IICSA in making decisions about future work on child sexual abuse. The statutory nature of the Inquiry will require the Welsh Government to provide a formal response to the recommendations of the Inquiry and due process will have to be followed in relation to this.

I hope that the Committee finds this response helpful. I would like to offer my assurance that the Welsh Government fully recognises the need to sustain and continue work to prevent and respond to child sexual abuse in Wales.

Yours sincerely,



Julie Morgan AS/MS

Y Dirprwy Weinidog Gwasanaethau Cymdeithasol
Deputy Minister for Social Services

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- 1 [Eich cyf \(senedd.wales\)](http://eich.cyf/senedd.wales).
 - 2 [Preventing and responding to child sexual abuse: national action plan | GOV.WALES](http://gov.wales/preventing-and-responding-to-child-sexual-abuse-national-action-plan)
[Atal ac ymateb i gam-drin plant yn rhywiol: cynllun gweithredu cenedlaethol LLYW.CYMRU](http://llyw.cymru/atal-ac-ymateb-i-gam-drin-plant-yn-rhywiol-cynllun-gweithredu-cenedlaethol)
 - 3 [Written Statement: Launch of National Action Plan on tackling child sexual abuse and consultation on safeguarding children from child sexual exploitation \(15 July 2019\) | GOV.WALES](http://gov.wales/written-statement-launch-of-national-action-plan-on-tackling-child-sexual-abuse-and-consultation-on-safeguarding-children-from-child-sexual-exploitation-15-july-2019)
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 - 4 [2020WG Poster Campaign ENG.pdf \(stopitnow.org.uk\)](http://stopitnow.org.uk/2020WG-Poster-Campaign-ENG.pdf)
[2020WG Poster Campaign CYMRU 11FEB20.pdf \(stopitnow.org.uk\)](http://stopitnow.org.uk/2020WG-Poster-Campaign-CYMRU-11FEB20.pdf)
 - 5 [Supporting practice in tackling child sexual abuse: A film series for professionals, by professionals - YouTube](http://youtube.com/watch?v=...) [Cefnogi ymarfer wrth fynd i'r afael â cham-drin plant yn rhywiol: Ein cyfres ffilm 12 rhan newydd - YouTube](http://youtube.com/watch?v=...)
 - 6 [Stop It Now - Leaflets and resources to keep children safe in Wales](http://stopitnow.org.uk/stop-it-now-leaflets-and-resources-to-keep-children-safe-in-wales)

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- 7 [you-have-the-right-to-be-safe---english---u12.pdf \(childline.org.uk\)](#)
[you-have-the-right-to-be-safe---english---o12.pdf \(childline.org.uk\)](#)
[you-have-the-right-to-be-safe---welsh---u12.pdf \(childline.org.uk\)](#)
[you-have-the-right-to-be-safe---welsh---o12.pdf \(childline.org.uk\)](#)
[Getting Help To Keep Safe \(u12\) | Childline](#)
[Cael help i gadw'n ddiogel \(dan 12 oed\)](#)
[Getting help to keep safe | Childline \(over 12\)](#)
[Cael help i gadw'n ddiogel \(dros 12 oed\)](#)
- 8 [Keeping Safe? short film for young people - YouTube](#)
- 9 ['National Action Plan preventing and responding to child sexual abuse' resources - Safeguarding Board Wales](#)
[Adnoddau'r 'Cynllun Gweithredu Cenedlaethol Atal ac Ymateb i Gam-drin Plant yn Rhywiol' - Bwrdd Ddiogelu \(bwrdddiogelu.cymru\)](#)
- 10 [Working together to safeguard people: Code of safeguarding practice | GOV.WALES](#)
[Gweithio gyda'n gilydd i ddiogelu pobl: Cod ymarfer diogelu | LLYW.CYMRU](#)

CYPE(6)-13-22 - Paper to note 6

**Y Pwyllgor Plant, Pobl Ifanc
ac Addysg**

**Children, Young People
and Education Committee**

Huw Irranca-Davies MS
Chair of the Legislation, Justice and Constitution Committee

Delyth Jewell MS
Chair of the Culture, Communications, Welsh Language,
Sport and International Relations Committee

31 May 2022

Letter to the UK Government re. Online Safety Bill

Dear Huw and Delyth,

I note that the Business Committee has invited your committees to consider and report on the Welsh Government's Legislative Consent Memorandum on the UK Government's Online Safety Bill.

On 19 May, I wrote to the Secretary of State for Digital, Culture, Media and Sport, the Rt Hon Nadine Dorries MP. The letter sets out concerns raised to us by a group of students about the role of social media, gaming websites, and other social networking websites and applications in peer on peer sexual harassment in schools and colleges. What the students told us reinforced our own longstanding concerns about the impact of social media on the mental health and wellbeing of children and young people.

I have asked the UK Government to set out whether, and to what extent, the Bill addresses the students' concerns, and for a technical briefing from UK Government officials about the impact of the Bill on children and young people. I would be happy to open the briefing to members of your committees if the UK Government responds favourably to my request.

I will keep you informed about any response we receive from the UK Government.

Senedd Cymru

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Welsh Parliament

Cardiff Bay, Cardiff, CF99 1SN
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senedd.wales/SeneddChildren
0300 200 6565

Yours sincerely,

Jayne Bryant

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.



CYPE(6)-13-22 - Paper to note 7

Lynne Neagle AS/MS
Y Dirprwy Weinidog Iechyd Meddwl a Llesiant
Deputy Minister for Mental Health and Wellbeing



Llywodraeth Cymru
Welsh Government

Jayne Bryant MS,
Chair, Children, Young People, and Education Committee
Welsh Parliament
Cardiff Bay
Cardiff
CF99 1SN

June 2022

Dear Jayne

Today I am launching two consultations on the Healthy Food Environment and on ending the sale of energy drinks to children. These mark an important step towards delivering our ambitious plans set out within our ten year strategy, Healthy Weight: Healthy Wales.

Obesity is one of our most significant generational challenges as a population and is one of the key risk factors for many non-communicable diseases and is one of the greatest causes of years lived in disability. Overweight and obesity affects over 60% of adults and more than one in three children at reception age. We know that to drive change we have to take a multi-component approach. This includes shifting our food environment to one which encourages us to make positive choices for our health.

The Healthy Environment consultation includes three themes including healthier shopping baskets, healthier eating out of the home and healthier local food environments. The proposals we will explore include restricting the promotion of certain food and drink, mandating the display of calories in restaurants and food outlets, and utilising existing planning and licensing powers to consider the density of hot food takeaways. The proposals are intending to utilise a range of secondary powers and policy approaches to help develop change across Wales. The second consultation aims to utilise secondary powers to end the sale of energy drinks to children.

These are potentially a first suite of measures which will be monitored for impact over time, alongside a number of approaches and actions set out in our national strategy. Attached is the link to the consultations for your information. We intend to undertake a range of engagement specifically with parents, carers, children and young people across the 12 week period of the consultation to ensure that there is a strong representation within the response to consider our final approach.

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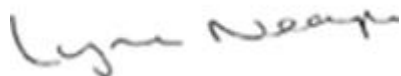
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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

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 welcome the views and further input and engagement with the Committee on these important consultations. I have also sent a letter to the Chair of the Health and Social Care Committee.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Lynne Neagle', written in a cursive style.

Lynne Neagle AS/MS

Y Dirprwy Weinidog Iechyd Meddwl a Llesiant
Deputy Minister for Mental Health and Wellbeing



Llywodraeth Cymru
Welsh Government

WRITTEN STATEMENT BY THE WELSH GOVERNMENT

TITLE **Healthy Food Environment Consultations**

DATE **Thursday 9 June**

BY **Lynne Neagle MS, Deputy Minister for Mental Health and Wellbeing**

Today, I am launching two consultations about healthy food environments and ending the sale of energy drinks to children and young people under 16. These mark an important step towards delivering our ambitious plans set out in our 10-year strategy *Healthy Weight: Healthy Wales*.

Obesity is one of the most significant challenges we face as a population and is one of the key risk factors in many non-communicable diseases and is one of the greatest causes of the number of years lived in disability.

Overweight and obesity affects more than 60% of adults and more than one in three children at reception age. Early results from studies conducted in a number of countries suggest the prevalence of overweight and obesity has increased in children and adolescents during the pandemic.

To drive positive change we have to take a multi-pronged approach. This includes changing our wider food environment to one which both encourages and makes it easier for us to make positive choices for our health. A regional report on obesity by the World Health Organisation, which was launched this month, makes it clear that “efforts to prevent obesity need to consider the wider determinants of the disease, and policy options should move away from approaches that focus on individuals and address the structural drivers of obesity”.

We want to create an environment across Wales where the healthy choice is the easy choice.

The healthy food environment consultation focuses on three themes – healthier shopping baskets; healthier eating out-of-the-home and healthier local food environments. The proposals we are asking people to consider, include restricting the promotion of certain foods and drink; mandating the display of calories in restaurants and food outlets and using existing planning and licensing powers to consider the density of hot food takeaways in a particular area.

We want to use our existing powers and policy approaches to develop change across Wales.

The second consultation aims to use existing powers to end the sale of energy drinks to children and young people under 16.

My officials will engage with a range of stakeholders to discuss the proposals and capture in-depth insight and feedback. This will include gathering opinions from the public and from specific focus groups to ensure we hear from and gather differing views. We will also hold specific industry and stakeholder engagement events and will put in place approaches to ensure we hear directly from children and young people from across Wales.

Attached is the link to the consultations:

[Healthy Food Environment Consultation](#)

[Energy Drinks Consultation](#)



Ein cyf/Our ref MA/JMEWL/2026/22

Jayne Bryant MS
Chair – Children, Young People and Education Committee

SeneddChildren@senedd.wales

13 June 2022

Dear Jayne,

Thank you for your letter of 24 May regarding racist bullying in schools. You raised a number of questions, to which I respond as follows.

Support for schools to address issues of racially motivated bullying

Every one of our education settings in Wales should be an inclusive, engaging environment where everyone's well-being is considered and everyone feels accepted, safe and ready to learn.

The Welsh Government's suite of guidance '[Rights, respect, equality](#)' provides statutory guidance for both governing bodies of maintained schools, and local authorities to help address and prevent bullying and harassment in education settings in Wales. This includes racially motivated bullying and harassment. We also provide information and factsheets on racism and racist bullying and harassment on Hwb.

The Welsh Government funds training for school leaders, practitioners and governors focussed on anti-bullying, and which implements our anti-bullying guidance. Currently, this is delivered by two leading anti-bullying charities – the Anti-Bullying Alliance and Kidscape. Accessing this training is voluntary, and I have been clear to urge all schools to engage with this training and learning.

Local Authorities play an important role in supporting schools to address racism and racially motivated bullying in schools. Many access training and resources via organisations such as Show Racism the Red Card, as well as providing their own anti-bullying guidance for schools.

The Welsh Government also funds Victim Support Cymru to run the Wales Hate Support Centre, which provides support to all victims of hate in Wales, including children and young people, as well as providing training and awareness raising on this issue.

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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.

Support for schools to implement the updated anti-bullying guidance

The Welsh Government's Anti-racist Wales Action Plan, published on 7 June, sets out a number of goals and actions to embed an anti-racist culture in schools to make 'meaningful and measurable changes' to the lives of Black, Asian and Minority Ethnic people. The plan also brings together work across education, including updating statutory anti-bullying guidance, to reflect our vision for a truly anti-racist Wales.

While we will deliver on our commitment to update our anti-bullying guidance by the beginning of the next academic year, we will build on this guidance further by working with the Children's Commissioner for Wales over the next few months, to engage with children and young people, as well as our teachers and education practitioners.

The current training delivered by the Anti-Bullying Alliance and Kidscape is due to end in July 2022. While new provision was originally planned for September 2022, my officials are now in the process of considering how this future provision would best fit with our longer-term work, in light of further communication with the Children's Commissioner for Wales.

Therefore, I expect the current training provision we have in place to continue until March 2023, which will of course implement the current revisions to the guidance. Future training for practitioners will then be developed, in line with our future guidance and resources focused on anti-bullying and anti-racism. We will ensure that this provision will be suited to the needs of teachers and practitioners, and work alongside the Diversity and Anti-Racism Professional Learning (DARPL) programme.

Encouragement to access the anti-bullying training

The Welsh Government's anti-bullying training for school leaders, delivered by Kidscape, has been in place since November 2020. Since July 2021, the training for school leaders has been accompanied by anti-bullying training for school governors, delivered by both the Anti-Bullying Alliance and Kidscape.

Since November 2020, representatives of 129 schools in Wales have attended the workshops for school leaders. Since July 2021, representatives of 82 schools in Wales have attended the training for school governors.

In addition, in 2020 and 2021, the Welsh Government provided the Anti-Bullying Alliance with funding to deliver Anti-Bullying Week across Wales, which takes place in November. In 2021, 91% of schools in Wales participated in Anti-Bullying Week, and there were over 4000 downloads of the primary and secondary school packs – a 600% increase on 2020 (641 downloads).

Practitioners, school leaders and governors are encouraged to access and attend the current anti-bullying training via a range of different avenues.

The Welsh Government regularly publicises training opportunities via our educational newsletter, Dysg. My officials also regularly publicise the workshops to our network of school governors and leads within local authorities.

As part of the development of further resources, guidance and new training for schools, my officials will consider how we can strengthen our communication to encourage every school in Wales to undertake this important training.

Data collection

Currently, the Welsh Government does not collect data on incidences of bullying and harassment, including racially motivated bullying, at a national level. Our anti-bullying guidance does not mandate schools and local authorities to collect data, however it does set out our clear expectation that maintained education settings should collect this data, and that it should be broken down by type of incident.

In practice, Welsh local authorities do collect data on bullying and harassment, and this is broken down by type of incident. However, the recording of incidents is very inconsistent, both in terms of level of detail when reporting and collecting data, as well as the systems being used by schools and local authorities.

Our Anti-Racist Wales Action Plan includes the following action:

Require reporting of racist incidents and harassment in schools and colleges through strengthened data collection, how they were dealt with, action taken in response and whether the incident was resolved successfully for the victim.

Therefore, we are now considering a Wales-wide system of reporting and data collection which will specifically collect data in relation to bullying and harassment, including on the basis of protected characteristics. This new system will help us bridge the current gap in data and gain a deeper understanding of the lived experiences of Black, Asian and Minority Ethnic learners.

Yours sincerely,



Jeremy Miles AS/MS

Gweinidog y Gymraeg ac Addysg
Minister for Education and Welsh Language