

Petitions Committee

Meeting Venue:

Committee Room 1 – Senedd

Meeting date:

7 October 2014

Meeting time:

09.00

Cynulliad
Cenedlaethol
Cymru

National
Assembly for
Wales



For further information please contact:

Steve George

Committee Clerk

029 2089 8421

Petition@wales.gov.uk

Kayleigh Driscoll

Deputy Committee Clerk

029 2089 8421

Petition@wales.gov.uk

Agenda

MeetingTitle

1 Introduction, apologies and substitutions

2 New petitions

2.1 P-04-600 Petition to Save General Practice (Pages 1 – 2)

2.2 P-04-601 Proposed Ban on the Use of e-cigarettes in Public Places (Pages 3 – 4)

3 Updates to previous petitions

3.1 P-04-541 Support for the Mentrau Iaith (Language Initiatives) (Pages 5 – 8)

Communities and Tackling Poverty

3.2 P-04-487 A Welsh Government deposit loan scheme for first time Welsh home buyers (Pages 9 – 11)

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

(Pages 12 – 17)

- 3.4 P-04-529 A Letting Agents Ombudsman for Wales (Pages 18 – 24)
- 3.5 P-04-573 Call on the Welsh Government to Investigate the Residential Leasehold System in Wales. (Pages 25 – 34)
- 3.6 P-04-597 Protect the future of Funky Dragon, the Children and Young People's Assembly for Wales (Pages 35 – 44)

Economy, Science and Transport

- 3.7 P-03-315 New Dyfi River Crossing Petition (Pages 45 – 46)
- 3.8 P-04-507 A Welsh bill of rights for women and girls: adhering to CEDAW (Pages 47 – 49)

Local Government and Government Business

- 3.9 P-04-397 Living Wage (Pages 50 – 51)

Natural Resources

- 3.10 P-04-445 Save our Welsh cats & dogs from death on the roads (Pages 52 – 54)
- 3.11 P-04-533 Environmental Planning for Small Scale Wind Turbine Sites (Pages 55 – 58)
- 3.12 P-04-537 Planting Trees to Reduce Flooding (Pages 59 – 61)
- 3.13 P-04-575 Call in All Opencast Mining Planning Applications (Pages 62 – 68)

Education

- 3.14 P-04-458 Keep Further Education in the Public Sector (Pages 69 – 71)
- 3.15 P-04-485 Abuse of casual contracts in Further Education (Pages 72 – 75)
- 3.16 P-04-518 Universal Free School Lunches (Pages 76 – 79)

Health

- 3.17** P-04-408 Child and Adolescent Eating Disorder Service (Pages 80 – 81)
- 3.18** P-04-452 Equal Rights for Tube-fed Youngsters (Pages 82 – 86)
- 3.19** P-04-466 Medical Emergency – Preventing the introduction of a poorer Health Service for North Wales (Pages 87 – 89)
- 3.20** P-04-479 Tywyn Memorial Hospital X-ray & Minor Injuries Unit Petition (Pages 90 – 93)
- 3.21** P-04-552 Child Protection (Pages 94 – 102)
- 3.22** P-04-564 Restoration of Inpatient Beds, Minor Injuries Cover and X-Ray Unit to the Ffestiniog Memorial Hospital (Pages 103 – 115)

Agriculture and Fisheries

- 3.23** P-04-500 Call For Regulation of Animal Welfare Establishments in Wales (Pages 116 – 119)

Public Services

- 3.24** P-04-535 Save our Fire Stations (Pages 120 – 122)

Finance and Government Business

- 3.25** P-04-554 An official Welsh Government policy that prohibits non transparent training organisations from working within public bodies (Pages 123 – 126)

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

5 Committee Procedures for Consideration of Petitions (Pages 127 – 129)

P-04-600 Petition to save general practice – Wales

Petition Wording

Despite carrying out 90% of all NHS patient contacts, general practice only receives 8.39% of the NHS budget in the UK — an historic low. By 2017, this is projected to plunge to just 7.29%

As a result, general practice is facing a growing crisis.

Due to the sheer volume of GP workloads, in this year alone, patients will have to wait longer than a week to see their GP on at least 27m occasions.

And, according to a poll carried out in March, more than three fifths of the public now believe that the number of patient consultations carried out by GPs — up to 60 per day — is threatening the level of patient care.

To protect high quality services for all patients, I call on the First Minister to increase the share of the NHS budget spent on general practice in Wales to 11% by 2017.

This shift in funding would enable general practice to deliver: Shorter waiting times for appointments and more flexible opening hours

Longer consultations, especially for people with long term conditions.

More opportunity for patients to see a GP who knows them

Better care co-ordination and planning, especially for the elderly and those with complex needs

Positive benefits for the NHS as a whole, reducing pressure on hospitals

GP surgeries sit at the heart of local communities. I demand that the Welsh Government acts now to ensure practices have the resources they need to continue to provide the high quality care patients deserve.

Petitioner: Royal College of General Practitioners.

Lead petitioner: Eurwen Petitti

First Consideration: 7 October 2014

Signatures: 15,000 paper signatures and over 500 electronic signatures collected on an alternative e-petition website.

P-04-601 Proposed Ban on the Use of E-Cigarettes in Public Places

Petition wording

We call upon the Welsh Government not to proceed with their proposed ban on the use of e-cigarettes in enclosed public spaces, substantially enclosed public places, and places of work in Wales. This proposal, if implemented, can only lead to fewer people using e-cigarettes and more people smoking cigarettes.

Additional Information:

Already 100,000 people in Wales are using e-cigarettes. These people are smoking fewer or no cigarettes; this should be a cause for celebration, not concern. A recent BBC poll found that 62% of the public opposed a ban on the use of e-cigarettes in public. In Spain where a ban on the use of e-cigarettes in public was introduced, there was a 70% decline in the use of e-cigarettes and a rise in the rate of smoking. We fear the same will happen in Wales if the Welsh Government implements their proposed ban. With a ban on the advertising and promotion of e-cigarettes soon to be introduced, following the passing of the Tobacco Products Directive, where are smokers to find out about e-cigarettes, particularly if they are banned in public places? Smokers need to see people using e-cigarettes in public, they need to be able to go up and speak to e-cigarette users so that they can find out further information and then hopefully make the switch to a safer alternative.

Petitioner: Simon Thurlow

First considered by the Committee: 7 October 2014

Number of Signatures: 1,196 electronic signatures

Survey on the use of e-cigarettes in public places

Members may wish to be aware of a survey launched by the National Assembly for Wales on the use of e-cigarettes in public places. The survey is accessible via the following link:

<http://www.yourassembly.org/new-poll-question-smoking-e-cigarettes-public-places-banned/>

Agenda Item 3.1

P-04-541 Support for the Mentrau Iaith (Language Initiatives)

Petition wording:

We call on the Assembly to ask the Welsh Government:

to congratulate the Mentrau Iaith for their innovative work in promoting the use of the Welsh language across Wales;

to confirm that the Mentrau are a key partner for the Government in the context of implementing its Welsh-language strategy;

to provide a prompt response to Cardiff University's survey of the Mentrau's work, ensuring that the funding that is given to them is a fair reflection of the scale of the task that they face – while accepting that the amount of money that is available to them needs to be increased substantially;

to accept that there is a need for consistency between the Mentrau in terms of funding and that the current inconsistency needs to be addressed;

to fund Mentrau Iaith Cymru fairly, ensuring that it can play a full role in co-ordinating the work of the Mentrau and providing them with assistance and guidance;

to ensure that the Welsh-language standards compel Welsh local authorities to support the work of the Mentrau and to ensure that the authorities work closely with the Mentrau;

to play a full role in providing strategic guidance in the context of community planning.

Petition raised by: Heini Gruffudd

Date Petition first considered by Committee: 29 April 2014

Number of signatures: 1346



Eich cyf/Your ref: P-04-541
Ein cyf/Our ref:FM -/01106/14

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

committeebusiness@Wales.gsi.gov.uk

24 September 2014

Dear William

I am writing in response to your letter of 1 September, asking for my views on points raised by the Chair of Mentrau Iaith Cymru.

I have previously noted my views on the importance of the mentrau iaith in the context of increasing the use of Welsh in response to the petition and in my policy 'Moving Forward'. There can be no doubt that the mentrau iaith are an integral part of this work.

I was pleased to be able to announce the investment of £1.2 million towards promoting the use of Welsh in the community over the next two years, including £750,000 to develop the work of the mentrau iaith. In a situation where budgets continue to be tight I believe that this investment is substantial in order to increase the effect and influence of the mentrau iaith.

As the response to the report on the work of the mentrau notes, bearing in mind the context set by the proposal to merge local authorities, our aim is to move to a position over the next three years where we will be funding fewer entities across Wales. We believe that moving towards clusters of mentrau will provide an opportunity to raise the status and influence of the leaders that exist among the mentrau, whilst at the same time retaining and strengthening the local element which is vital to the existence of the mentrau.

Yours sincerely

CARWYN JONES

Dear William Powell AM, Chairman of the National Assembly for Wales' Petitions Committee

I am writing in response to the latest correspondence between the Petitions Committee and the First Minister regarding the petition submitted by Dyfodol i'r laith.

We welcome the First Minister's comments regarding the importance of the Language Initiatives' work, and we agree wholeheartedly that the Initiatives have a key role to play to achieve the vision outlined in the latest policy statement, *Moving Forward*. We are also holding constructive discussions with Government officials regarding the new structures of local authorities, and the opportunities these present to the Development Initiatives.

We have already welcomed the extra funding of £750,000 that was earmarked recently to further develop the work of Language Initiatives. We fully recognise that we are facing challenging times in terms of the budget, but as we have already explained, transforming the future of the Welsh language as a community language is not a policy area that we can put on the back burner in anticipation of better times. Concerted and positive action on behalf of the Welsh language is needed now in order to build more robust foundations for the language in our communities, and we need to continue to increase investment in the language.

We would like to draw the Committee's attention to an important point raised in our previous letters, namely, the need to hold an independent assessment of the resources required by the language Initiatives to develop and operate to their full potential. Indeed, it is hard to believe that this has not been done previously. This

really needs to be done now, in light of the First Minister's statement on the importance of the initiatives, in order to enable the Government and the Initiatives to plan to develop the work more scientifically. We have yet to hear more about the Government and the Committee's views on this matter.

We feel that it is timely for Dyfodol i'r Iaith to meet you as a Committee to discuss its petition and to gain further support from the Committee to act positively on what people across Wales have supported by signing the petition. We would, of course, be very keen to come to meet with you.

Yours faithfully,
Meirion Ll Davies



On behalf of the Operational Committee of the Welsh Language Initiatives

P-04-487 A Welsh Government deposit loan scheme for first time Welsh home buyers

Petition wording:

We call on the Welsh Assembly to urge the Welsh Government to offer an annual deposit loan scheme for first time Welsh house buyers and/or renters.

It is proposed that Welsh mortgage companies would also need to take part in this scheme and agree to ask for no more than 5% of a deposit on any suitable property (as well as offer a low interest own what you pay for mortgage). This for example would all mean that up to 15,000 Welsh first time house buyers (first time buyers whose earnings are below a certain threshold and have lived or worked in Wales continuously for at least 10 years, or have full time business links to Wales) could be helped annually with a deposit loan of around £7,500 each for an averaged priced house, with the loan back payments deferred for at least one year. Once sellers and buyers agree to the scheme, the property in question would keep its eligible occupancy clause, as happens with similar schemes in the Peak District and North York Moors National parks.

Supporting information:

Although the Welsh Government can't interfere with private properties, owners including second homeowners could be encouraged to consider selling through the scheme if they decide to sell their property. First time renovators of derelict properties/farmhouses should also be eligible for the scheme. It's proposed that Welsh estate agents and the house sellers would be paid a monthly fee (paid for by the interest on the deposit loans) for taking part in the voluntary scheme by agreeing to only advertise, sell or rent within Wales and to eligible Welsh citizens for the first 6 months of a property being put on the market – after which time it would be open to anyone.

This scheme would help to give families and individuals a chance to live and work within their own areas and not be priced out of the market by

unreasonable average wage to property price ratios, whilst also ensuring more money stays within local economies, boosting a more sustainable and productive Welsh economy in general.

Petition raised by: Sovereign Wales

Date petition first considered by Committee: 18 June 2013

Number of signatures: 17

Carl Sargeant AC / AM
Y Gweinidog Tai ac Adfywio
Minister for Housing and Regeneration



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-04-487
Ein cyf/Our ref CS/01117/14

William Powell AM
Chair Petitions Committee

committeebusiness@Wales.gsi.gov.uk

3rd September 2014

Dear Bill

Thank you for your letter from the 31 July regarding your Petitioner's proposal for the introduction of a 'Finance Wales for houses' fund to cover the deposits of first time buyers.

I have looked at the suggested initiative and, whilst I agree with your petitioner that the affordability of homes in Wales is an issue that requires further consideration, I feel that this proposal may not be the best approach to addressing the problems that first time buyers face when looking to purchase a property.

Whilst access to affordable finance and securing a deposit are two factors that have acted as barriers to home ownership, the underlying issue is an under-supply of properties across the UK. For this reason, since I became the Minister for Housing and Regeneration last year, my overarching priority has been to look at ways to increase the level of building activity in Wales across all tenures.

At this moment in time, I have no immediate plans to explore the option put forward by your Petitioner in more detail; however I would be very keen to hear his views on housing supply and barriers to development in Wales.

Please pass my regards on to your Petitioner and thank him for his work.

Yours sincerely

Carl Sargeant AC / AM
Y Gweinidog Tai ac Adfywio
Minister for Housing and Regeneration

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1NA

English Enquiry Line 0845 010 3300
Llinell Ymholiadau Cymraeg 0845 010 4400
Correspondence.Carl.Sargeant@wales.gsi.gov.uk

Agenda Item 3.3

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

Petition wording:

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

Additional Information:

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

Petition raised by: Powys Youth Forum

Date petition first considered by Committee: 11 November 2013

Number of signatures: 39

Jeff Cuthbert AC / AM
Y Gweinidog Cymunedau a Threchu Tlodi
Minister for Communities and Tackling Poverty



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-04-511
Ein cyf/Our ref JC/00621/14

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

committeebusiness@Wales.gsi.gov.uk

19 August 2014

Dear William

Thank you for your recent letter about support for the National Standards for Children and Young People's Participation.

I recognise that the Standards are an important issue for children and young people, and as such, I am committed to exploring a way in which they can be supported.

I have recently announced the outcome of the new Children and Families Delivery Grant. A priority area within this grant was 'support for policy and strategic development and systemic opportunities for children and young people to participate in decisions that affect them and have their voices heard in the workings and developments of the Welsh Government'. Within this priority area potential bidders were encouraged to consider their role in relation to promoting and driving forward the National Participation Standards.

Children in Wales were successful in this priority area and officials are now in discussion with them on the detail of the project. Part of these discussions will be to consider how they will support the national promotion and management of the Standards including the kite-mark.

I will ensure that my officials share the suggestions put forward by Powys Youth Forum with Children in Wales.

Yours sincerely,

Jeff Cuthbert AC / AM
Y Gweinidog Cymunedau a Threchu Tlodi
Minister for Communities and Tackling Poverty

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff

Page 13

Wedi'i argraffu ar bapur wedi'i ailgylchu (100%)

English Enquiry Line 0845 010 3300
Llinell Ymholiadau Cymraeg 0845 010 4400
Correspondence.jeff.cuthbert@wales.gsi.gov.uk
Printed on 100% recycled paper

Eich cyf/Your ref P-04-511

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

17th September 2014

Dear William,

Thank you for your letter dated February 2014 (which I received electronically on 18th June 2014) and the petition you received from Powys Youth Forum about the National Children and Young People's Participation Standards for Wales, together with the response from the Minister for Communities and Tackling Poverty.

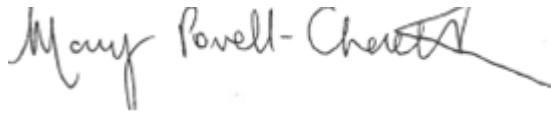
With regards to your specific enquiry regarding correspondence from Jeff Cuthbert, Minister for Communities and Tackling Poverty, I have made some enquires of staff that worked here at the time and have established the following:

- In 2008, Save the Children underwent a restructure which resulted in a decision that the Participation Unit would be transitioned out of Save the Children at the point that European Funding ceased.
- Whilst the Participation Unit was hosted by Save the Children, its work was steered by the Participation Consortium for Wales. A number of Children's Charities were on the Consortium including Children in Wales, Funky Dragon and Barnardos (a full list can be provided on request). Consortium meetings were also regularly attended by Welsh Government officials.

- The Consortium discussed an exit strategy for the Participation Unit from an early stage but as the funding came to an end, none of the organisations on the Consortium were in a position to lead the work although it was widely agreed that there did need to be national co-ordination of the work (Minutes of Consortium meetings can be provided).
- As well as the time bound ESF funding, the Participation Unit received additional funding from the Welsh Government for specific pieces of work.
- The Participation Unit were able to complete the programme of work that they had received funding for including convening meetings of the Participation Consortium and associated activities. A formal letter to this effect was sent in February 2012.
- As a result of no other Consortium member being in a position to continue the work at the time, the Participation Unit approached the Welsh Government in October 2012 about the possibility of funding them on a short fixed term basis to continue looking for a suitable transition option (an e-mail to this effect can be provided). Funding to support the transition of the work was ultimately not offered by Welsh Government.
- The Participation Unit put forward a number of recommendations (See Appendix 1) in its final report, Small Voice, Big Vision (2013) on ways the Welsh Government could continue to support this work. Save the Children currently still has some expertise in the organisation and would be happy to offer advice on the implementation of these recommendations if needed.

With regard to the call made in Powys Youth Forum petition, Save the Children would welcome support and leadership from the Welsh Government for the National Children and Young People's Participation Standards for Wales' self-assessment process.

Yours sincerely

A handwritten signature in black ink that reads "Mary Powell-Chandler". The signature is written in a cursive style with a long horizontal stroke extending to the right.

Mary Powell-Chandler

Head of Save the Children, Wales

**Save the Children Wales
Programme**
3rd Floor, Phoenix House
8 Cathedral Road
Cardiff
CF11 9LJ

Telephone: 029 2039 6838
Fax: 092 2022 7797

www.savethechildren.org.uk

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

Appendix 1

Recommendations from the Participation Unit Final Report, Small Voice Big Vision (March 2013)

There are three crucial steps that need to be taken by Welsh Government, working with partners, to progress participation in the future.

1. Develop a National Participation Strategy

In practice this would:

- Set out clearly what is meant by participation.
- Outline the structures to support participation – within a broader child-rights approach, this would include provision for a national overseeing structure and a National Youth Forum.
- Set out how Participation is to be promoted, implemented and evaluated at a national level.
- Show how National Government will work with NGOs, local authorities and other organisations to ensure that policies are joined up.
- Outline procedures for evaluating progress.
- Include references to useful documents and resources.

A Strategy would not need to be a lengthy document, and should be accessible to all, including children and young people. Some of the above is already contained in resources such as the Blast Off Guides to Participation and on websites.

2. Ensure there is national oversight of the National Strategy, in the form of a national structure.

In practice this structure would:

- Ensure there is clarity and transparency around how due regard will take into account the views of children and young people.
- Coordinate an advisory group to allow input of practitioners into strategic development.
- Raise awareness of the National Participation Standards across Wales and ensure embedded in all relevant inspection processes.
- Evaluate the implementation of participation and the child's right to have their voices heard.

- Lobby, campaign and strategically plan the development of participation policy and practice.
- Complete small-scale pilots and research projects with children and young people to aid with lobbying and contribute to good practice.
- Develop and maintain good practice resources and disseminate to practitioners.
- Develop and pilot new tools and models for organisations to utilise.
- Provide practical support and advice to practitioners.

3. Maintain the Participation Hub and Resources.

As has been highlighted throughout this report, there are a number of resources that have been developed and cases of good practice. It is vital that there is a central hub that hosts these resources and that it is promoted. Without such support, a vast amount of work will be wasted and resources lost.

**P-04-511 Support for children and young people participation standards –
Correspondence from the Petitioner to the Committee, 01.10.14**

Thank you for the most recent correspondence from the Minister and Save the children.

From the correspondence from the minister we have noted that he has said that Children in Wales will be involved in the promoting and driving forward the National Participation Standards. However, we have not seen anything published from Children in Wales which describes the work which Children in Wales will be carrying out under the Children and Families Delivery Grant. This lack of information gives us concerns about what steps are actually going to be taken to promote and deliver the participation standards and the Kitemark process.

Members of Powys Youth Forum would also like to reiterate to the committee the recommendations which were published in Small Voice Big Vision (March 2013) which Save the Children have attached as appendix 1. We believe that with these recommendations that participation in Wales can move forward and not go in reverse.

Agenda Item 3.4

P-04-529 A Letting Agents Ombudsman for Wales

Petition wording:

We call upon the National Assembly for Wales to urge the Welsh Government to give the people of Wales a 'Letting Agents Ombudsman' by including it within their Housing Bill.

An ombudsman will give people guidance, issued by the Welsh Government, of what their rights are as a tenant. It will tell them how to complain directly through the agents' complaints procedure and when all avenues are have been exhausted, they can ask the Ombudsman to step in and take action.

Additional Information:

We very much welcome the regulation of letting agents and landlords set out in the Bill – this has been urgently needed for years. Students and young professionals are being robbed time and time again with invented letting agent fees and even invented letting agents and these need to be held to account now. There is not enough being done to help tenants against landlords – regulation will help, but there will always be bad landlords and letting agents that slip through the cracks and their tenants need someone on their side.

We need a Letting Agents Ombudsman. Letting agents and landlords are exempt from many of the regulations that estate agents have to follow. And many young people renting are straight from home or university and are vulnerable to their methods. They end up paying fees because they had no idea they had an option not to.

England has the 'Housing Ombudsman Service' that has worked effectively and provides a defence and a right to complaint for tenants all over the country. Wales needs one too.

Petition raised by: Let Down in Cardiff

Date Petition first considered by Committee: 21 January 2014

Number of signatures: TBC

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



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-04-529
Ein cyf/Our ref LG/00878/14 (previously: CS/01164/14)

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

committeebusiness@Wales.gsi.gov.uk

24 September 2014

Dear Bill

Thank you for your letter of 1 September to the Minister for Housing and Regeneration, Carl Sargeant AM, relating to the recent petition calling for a Letting Agents Ombudsman for Wales. I am responding as Housing now falls within my Ministerial portfolio. You have asked for comment on further correspondence sent to you by the petitioner.

One of the letters you forwarded was the letter which was originally sent to Carl Sargeant. It was formally responded to on his behalf by an official. The petitioner's two reports, *Letting Agents: The Good, the Bad and the Ugly* and *Fixing the Private Rented Sector*, were both taken into account in the response, along with the letter sent to all Members.

I enclose a copy of the email sent to the petitioner. My officials have not received a response to the correspondence which I believe allays all of the petitioner's apprehensions about what the plans for the Private Rented Sector are seeking to achieve.

Regards
Lesley

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

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



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-04-529
Ein cyf/Our ref LG/00878/14 (flaenorol: CS/01164/14)

William Powell AC
Cadeirydd y Pwyllgor Deisebau
Tŷ Hywel
Bae Caerdydd
Caerdydd
CF99 1NA

committeebusiness@Wales.gsi.gov.uk

Medi 2014

Diolch am eich llythyr dyddiedig 1 Medi i'r Gweinidog Tai ac Adfywio, Carl Sargeant AC, ynglŷn â'r ddeiseb ddiweddar sy'n galw am Ombwdsmon Asiantaethau Gosod Tai ar gyfer Cymru. Rwy'n ymateb gan fod Tai bellach yn rhan o'm portffolio Gweinidogol. Rydych yn gofyn am sylwadau ar yr ohebiaeth bellach a anfonwyd atoch gan y deisebwr.

Un o'r llythyrau a gefais wrthyh oedd llythyr a anfonwyd yn wreiddiol at Carl Sargeant. Ymatebodd un o'i swyddogion i'r llythyr hwnnw ar ei ran. Wrth ymateb iddo, ystyriwyd dau adroddiad y deisebwr, sef *Letting Agents: The Good, the Bad and the Ugly* a *Fixing the Private Rented Sector*, ynghyd â'r llythyr a anfonwyd at bob Aelod.

Amgaeaf gopi o'r e-bost a anfonwyd at y deisebwr. Nid yw fy swyddogion wedi derbyn ymateb i'r ohebiaeth sydd, yn fy marn i, yn lleddfu holl bryderon y deisebwr ynglŷn â'r cynlluniau ar gyfer y Sector Rhentu Preifat.

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

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1NA

English Enquiry Line 0845 010 3300
Llinell Ymholiadau Cymraeg 0845 010 4400
Correspondence.Carl.Sargeant@wales.gsi.gov.uk

Wedi'i argraffu ar bapur wedi'i ailvychu (100%)
Pack Page 20

Printed on 100% recycled paper

P-04-529 A Letting Agents Ombudsman for Wales – Correspondence from the Petitioner of an email exchange with a Government official, 30.09.14

On Fri, Jul 11, 2014 at 10:13 AM, Baglow, Gareth (SF – Housing&Regen–Housing Policy) wrote:

Liz

Many thanks for your letter to the Minister for Housing and Regeneration. I have been asked to respond on his behalf.

I have read your recent reports *Letting Agents: The Good, the Bad and the Ugly* and *Fixing the Private Rented Sector*. We sympathise with the stories contained in your reports. It is evidence like this that led to the Government commitment to improve the standards in the private rented sector. It seems that you are actually campaigning for exactly what Part 1 of the Housing (Wales) Bill will be introducing.

The new regulations are not voluntary, they are mandatory. They will require each and every landlord in Wales to register the details of every property they own and let with the licensing authority. This will involve a registration fee. The property must then be managed by a licensed person. Licensing will involve a “Fit and Proper Person” test, which will ensure that nobody with any unspent relevant convictions can manage a letting. They will then have to attend a training course. Becoming licensed will also attract a fee. Maintaining a licence will be dependent on abiding by a Code of Practice. Landlords will have a choice of whether to become licensed themselves, or to appoint a licensed agent to carry out the letting of a property.

Although the Code of Practice is yet to be compiled, it is hoped that it will contain provisions for agents to maintain professional indemnity insurance, client money protection insurance and to have a clear complaints procedure with redress ultimately to an appropriate Ombudsman.

Breaches of any part of the requirements of the scheme will carry penalties, up to and including the removal of the person’s right to issue a Section 21

eviction notice, and revocation of a licence, which will remove the ability to manage any rental property in Wales.

Tenants / prospective tenants will be able to check on the licensing status of any landlords or agents through the licensing authority. They will also be able to establish whether a property is being let by a person licensed through the scheme. The licensing authority will be the place where a tenant can go should they have any problems with their landlord breaching the terms of their licence or the rules of the scheme. The plan is to provide tenant information packs which will explain exactly what a tenant's rights, roles and responsibilities are, and also provide details of how to raise complaints should the need arise.

So, in short, this scheme will provide councils with list of every single rented property in Wales, which they simply do not have now. We will also know who the landlord of each and every property is, again which we do not now know. It will also give us an assurance that each and every rented property is being managed by a person or agent who has complied with both a "Fit and Proper Person" test, and with both the training and code of practice requirements of the scheme. This goes much further than what is being proposed in England, and the existing registration arrangements in Scotland, which do not, contrary to claims otherwise, involve any licensing of landlords or agents.

Aside from the two main public consultations and the specific consultation on the PRS proposals, the scheme was developed with the involvement of a wide range of stakeholders, including tenant representation from Shelter Cymru, Welsh Tenants, Citizens Advice and NUS Wales. These organisations publicly supported the proposals in Part 1 of the Housing (Wales) Bill through the recent scrutiny sessions.

I do hope that this addresses your concerns in terms of what the provisions in the Housing (Wales) Bill are.

Regards
Gareth Baglow

Dear Gareth,

I'm sorry for the delay in replying – we wanted to circulate your response to other private renters to gather feedback and there are limited resources in a voluntary organisation.

I'm grateful for the information you outline. Let Down is supportive of the idea of a licensing scheme, but we simply don't think it goes far enough. We have concerns as to how it will be enforced and what the implications will be (if any) for landlords who do not seek licensing. Furthermore, there is not currently enough information available on how authorities will ensure that every landlord in their area is registered.

In order to more fully address our concerns, we have a few questions which we'd be grateful if you could answer:

- When is the Code of Practice expected to be compiled by?
- What will the penalties be for landlords who do not abide by the Code and will they be according to severity?
- Which Ombudsman do you envisage the complaints procedure ending up with? Is this to be a new Ombudsman or an existing one?
- How will the individual local authorities' licensing schemes be affected by Local Government reform?
- Presuming that many landlords may not live in the same authority as their property, which authority will govern them – the area with the property or the area with the landlord's home address? For example, how would like work with landlords based in England?
- How will tenants get hold of information packs and how will they be promoted?

- Will there be somewhere online for tenants to go for information and advice?
- Will any regular Welsh Government statistics be produced using the information that the licensing arrangements will gather?

We regret that the Housing (Wales) Act did not go as far as we'd like, but we do welcome moves towards holding rogue landlords to account and improving conditions for renters. The standardisation of contracts is also welcome, as proposed for the Renting Homes Bill, although ultimately we maintain that a new Ombudsman would be the best way forward as someone that can promote tenants' interests, provide reliable advice, and give tenants a form of clear recourse when needs be.

A further concern regards the prevalence of letting agents' extortionate fees – is the Welsh Government planning any action to tackle this? Finally, many renters are left with an even more limited set of properties to choose from when they are in receipt of housing benefit, with the vast majority of landlords and agents discriminating with an aggressive 'NO DSS' warning on their advertising. This is a particular issue within the context of UK welfare reform which the I know Welsh Government does not support.

We understand that this work is in progress, and there are limits on the Welsh Government's ability to act in some areas. However, if they are to deliver what they have stated they wish to achieve within the housing sector, these points should be addressed.

Kind regards,
Liz

P.S. I've also CC'd this into the Petitions Committee who are considering our campaign.

Agenda Item 3.5

P-04-573 – Call on the Welsh Government to Investigate the Residential Leasehold System in Wales.

Petition Wording

We the undersigned call on the National Assembly for Wales to urge the Welsh Government to instigate an investigation into the way in which the residential leasehold system is operating in Wales despite the changes made by the Leasehold Reform Act and to consider whether there should be a cap on increases to leasehold agreements in Wales.

Additional Information:

This petition has been submitted in light of the fear that residents on the Elba estate in Gowerton are currently experiencing, due to the demands of up to 5000% increases in annual ground rent that Swansea Council are demanding of these leaseholders.

Petition raised by: Residents of Elba Estate

Date Petition first considered by Committee: 15 July 2014

Number of signatures: 583

Carl Sargeant AC / AM
Y Gweinidog Tai ac Adfywio
Minister for Housing and Regeneration



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-04-573
Ein cyf/Our ref CS/01114/14

William Powell AM
Assembly Member for Mid & West Wales
Chair Petitions Committee

committeebusiness@Wales.gsi.gov.uk

3rd September 2014

Dear William

Thank you for your letter of the 14 August on behalf of the Petitions Committee regarding the petition from the residents of Elba Estate, which calls for the Welsh Government to investigate the Residential Leasehold System in Wales. The concerns of the petitioner particularly relates to:

- Possible increases of up to 5000% in annual ground rent at Elba Estate in Gowerton. And that the petitioner would like the Welsh Government to investigate an investigation into the way in which the residential leasehold system is operating in Wales despite the changes made by Leasehold Reform Act and to consider whether there should be a cap on increases to leasehold agreements in Wales.

In terms of the situation in Gowerton, it is my understanding that nothing has yet been finalised, no decision has yet been taken by Swansea Council, and that talks are ongoing between the Council and representatives of the leaseholders. I remain hopeful of a positive outcome for the residents.

Whilst the issues in the Gowerton area appear to be of concern, it would be premature to look at preventative measures. The Leasehold Advisory Service (LEASE) has also advised Welsh Government officials that they have found absolutely no evidence that this issue exists outside of this estate. Also, despite my requests to other Assembly members who have made representations on behalf of residents, to provide any evidence of this issue existing outside of the Elba estate, I am yet to hear of any other instances.

LEASE is currently gathering evidence across Wales with a view to providing a report with recommendations early next year. This report will form the basis of any possible leasehold reform, if that is indeed the correct thing to do. I will, of course, take the concerns of the residents of the Elba estate into consideration, as will LEASE in producing their report and subsequent recommendations.

I am sure that you will agree that very careful consideration must be made before deciding to make wholesale changes to legislation simply based on what appears to be an isolated case, indeed a case in which all involved are yet to receive a final decision, at this moment in time.

Yours sincerely

A handwritten signature in black ink, consisting of a stylized 'C' followed by a vertical line and a small flourish.

Carl Sargeant AC / AM
Y Gweinidog Tai ac Adfywio
Minister for Housing and Regeneration

Elba ground rent hike U-turn by Swansea Council

By EvansTheCrime | Posted: September 26, 2014

By Jason Evans / jason.evans@swwmedia.co.uk / @EvansTheCrime

Elba ground rent hike U-turn by Swansea Council

By [EvansTheCrime](#) | Posted: September 26, 2014

By Jason Evans / jason.evans@swwmedia.co.uk / [@EvansTheCrime](#)



Residents of Gowerton's Elba estate were facing ground rent hikes of 6,000 per cent

[Comments \(3\)](#)

SWANSEA Council has backed down on controversial plans to slap a group of residents with massive ground rent increases of up to 6,000 per cent.

People living in the Elba housing estate in Gowerton were facing huge increases in bills from around £50 a year to, in some cases, more than £3,000, after a local authority review.

The proposed increase provoked an outcry, and left residents feeling shocked and angry — and promising to fight the hike.

Swansea Council owns the freehold interest in the estate and the houses, and earlier this year announced that, following a review, ground rents were set to soar.

Related content

- ['Sorry, but your house is now worth £0' - what resident of Elba estate in Gowerton was told by mortgage lender following ground rent rise](#)
- [Elba estate residents plea to new Swansea Council leader in rent rises battle](#)
- [Elba estate couple left 'facing ruin' over planned 6,000% hike in ground rent](#)
- ['We have been told it's legal, but it is not morally right' - Gowerton residents facing 5,000 per cent hike in ground rent](#)

But now Rob Stewart, Swansea Council leader and cabinet member for finance, has announced a U-turn.

He said that while the council had followed correct procedures in reviewing the ground rents, the local authority had listened to residents.

He said: "We will now be offering an alternative annual amount that's both far more affordable for residents and meets our needs as the owner of the estate's freehold interest.

"We'll also be giving the estate's residents and leaseholders the chance to buy the freehold of their premises based on our revised assessments."

The council has not yet released details of what the "alternative" ground rents will be.

Jason Evans / jason.evans@swwmedia.co.uk / [@EvansTheCrime](#)

Read more at <http://www.southwales-eveningpost.co.uk/Elba-ground-rent-hike-U-turn-Swansea-Council/story-23005771-detail/story.html#1c4XXG30WwCUmsII.99>

Residents of Gowerton's Elba estate were facing ground rent hikes of 6,000 per cent

 Comments (3)

SWANSEA Council has backed down on controversial plans to slap a group of residents with massive ground rent increases of up to 6,000 per cent.

People living in the Elba housing estate in Gowerton were facing huge increases in bills from around £50 a year to, in some cases, more than £3,000, after a local authority review.

The proposed increase provoked an outcry, and left residents feeling shocked and angry — and promising to fight the hike.

Swansea Council owns the freehold interest in the estate and the houses, and earlier this year announced that, following a review, ground rents were set to soar.

Related content

['Sorry, but your house is now worth £0' - what resident of Elba estate in Gowerton was told by mortgage lender following ground rent rise](#)

[Elba estate residents plea to new Swansea Council leader in rent rises battle](#)

Elba estate couple left 'facing ruin' over planned 6,000% hike in ground rent

'We have been told it's legal, but it is not morally right' - Gowerton residents facing 5,000 per cent hike in ground rent

But now Rob Stewart, Swansea Council leader and cabinet member for finance, has announced a U-turn.

He said that while the council had followed correct procedures in reviewing the ground rents, the local authority had listened to residents.

He said: "We will now be offering an alternative annual amount that's both far more affordable for residents and meets our needs as the owner of the estate's freehold interest.

"We'll also be giving the estate's residents and leaseholders the chance to buy the freehold of their premises based on our revised assessments."

The council has not yet released details of what the "alternative" ground rents will be.

Jason Evans / jason.evans@swwmedia.co.uk / @EvansTheCrime

Read more at <http://www.southwales-eveningpost.co.uk/Elba-ground-rent-hike-U-turn-Swansea-Council/story-23005771-detail/story.html#1c4XXG30WwCUmsII.99>

P-04-573 Call on the Welsh Government to Investigate the Residential Leasehold System in Wales – Correspondence from the Petitioner to the Clerking Team, 01.10.14.

Dear Kayleigh,

Many thanks for your recent email with enclosures the content of which I note.

I would be grateful if you could forward the following comments to the Petitions Committee for consideration at their meeting on the 7th October.

With regard to the newspaper article it is important for the Committee to understand that as yet no revised proposals have been received from the City & County of Swansea. The recent press coverage claiming victory on behalf of the residents is therefore extremely premature.

Representatives of the Elba residents are meeting the CCS tonight (1st October) during which we understand those revised proposals will be made known. Until we have details of the revised proposals we have no way of knowing whether they will be acceptable. Even after the revised proposals are put to us we will still need to take legal advice regarding their merits and the long term implications.

Realistically this is just the start of the process not, as the press would perhaps have you believe, the end.

However, the CCS' willingness to revisit their original decision is encouraging and we are hopeful of a reasonable outcome, in due course, for the Elba residents.

Turning to the letter from Mr Carl Sargeant it is very difficult to comment without sight of the information provided to him by the Leasehold Advisory Service. I would concede that the clause in the Elba lease is relatively unusual but neither would it be the first case to come before the Upper Tribunal (Lands Tribunal) due to a swingeing increase in ground rent resulting from a draconian rent review clause. The scale of the problem is what sets it apart, as it is unusual for an entire estate to be affected, rather than individual leaseholders here and there under a private landlord.

There is an issue here and I would urge the Petitions Committee and Mr Sargeant to review the cases that have come before the Upper Tribunal (Lands Tribunal) on this point. It is hardly an isolated issue.

Moreover, depending upon the outcome of the Elba dispute the problem could become more prevalent. The dispute here has been widely reported and there is no doubt that at least the private landlords and their advisors are keeping a weather eye on developments. An outcome favouring CCS could encourage those landlords to include similar provisions in their future leases, in the hope of securing a windfall at a later date at the expense of their tenants.

We are at least fortunate that our landlord is a Local Authority. Were it a private landlord commerciality would trump all other interests and, given the potential amount at stake, could lead to protracted and lengthy litigation.

Also, the Elba dispute has arisen now because the 25 year review date fell in this year. Until that time the residents were blissfully unaware of the problem. It is quite possible that there are similar leases on other estates in Wales where the review date has not yet crystallised, leading to an underestimation of the scale of the problem.

The risk is that by doing nothing about the issue WAG will simply be sowing the wind, only to reap the whirlwind at a later date.

The primary legislation affecting this issue is the Leasehold Reform Act 1967, quite an old piece of legislation by modern standards and one that has given rise to uncertainty regarding the concept of 'modern ground rents' as evidenced by the above referenced cases which have come before the Upper Tribunal (Lands Tribunal).

As someone who has personally been affected by this issue as a resident of the Elba estate and on behalf of the hundreds of others I would urge the Petitions committee to look into the system of residential leasehold property in Wales to ensure transparency and protection for homeowners.

Yours sincerely,

Nicholas Llewelyn

Chair of the Elba Action Group

P-04-573 Call on the Welsh Government to Investigate the Residential Leasehold System in Wales – Correspondence from the Petitioner to the Clerking Team, 01.10.14.

Att: Ms Kayleigh Driscoll, Partitions Committee Deputy Clerk.

Dear Sirs / Madam

5000+% increase per year, for a small parcel of land, your humble property is standing on. This bombshell dropped through the doors, not to a towering mansion in leafy Mayfair or Knightsbridge, London, but a small rural village, in the heart of Wales. Multi millionaires you may well think, alas, no, just young families, a few pensioners and even a few disabled, your average Welsh community.

The Lease was the brain child of Lliw Valley Borough Council, designed on the principles of the commercial lease. It was not suitable or appropriate for residential communities. any street wise authority, would have understood immediately, that this type of lease was not fit for purpose, and binned it. Not Swansea council, their little greedy eyes lit up at the thought of pocketing even more money from their cash poor residents.

There was no warning of such an increase, no consultation, the ensuring trauma was immense across the estate, any heart attacks or strokes will be at this labour councils door. This lease is evil by content, because the perpetrators obviously knew the hardship this increase would bring to ordinary working folk, it follows they knew this would also make all their properties worthless and thus destroy the wealth and well being of all those families.

Did such thoughts bother them, no, they twitter on that it is legal; all that means, it has not violated any known laws, even though it is more than twice the amount charged, by loan sharks, in interest. "We must get the best value for our ratepayers", they wail. What do they think those people suffering this assault are, they are also their ratepayers..

Swansea council have failed miserably, in their Duty of Care to the effected residents of Gowerton, and should, in all decency, hang their heads in shame.

P-04-597 Protect the future of Funky Dragon, the Children and Young People's Assembly for Wales

Petition wording:

We, the undersigned, call on the National Assembly for Wales to urge the Welsh Government to protect the future of Funky Dragon, the Children and Young People's Assembly for Wales by restoring core funding. Wales must have an independent, youth led, publically funded, national platform for children and young people, democratically elected at a local level, to give voice to their views and opinions and to hold the Welsh Government to account. The national platform must be empowered to work with all elected members to further children and young people's issues and to report directly to the United Nations Committee on the Rights of the Child as Funky Dragon did so successfully in 2008.

Funky Dragon still believes that:

1. Young people, democratically elected at a local level, should have a National Platform to voice their views and opinions.
2. That platform should be called The Youth Assembly for Wales.
3. It should be able to work with all Elected Members including Assembly Members and Members of Parliament to further young peoples issues.
4. It should be supported to allow Welsh young people to report directly to the United Nations Committee on the Rights of the Child.

The UN Committee on the Rights of the Child, in commenting on the last UK State report stated: Concluding observation 33. That governments' 'Support forums for children's participation, such as the United Kingdom Youth Parliament, Funky Dragon in Wales and Youth Parliament in Scotland should be implemented.

Petitioner : Catherine Patricia Jones

First considered by the Committee: 23 September 2014

Number of Signatures: 1,212 electronic signatures and 429 paper signatures. Total 1,641

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

Your ref: P-04-597
Our ref: PO862/RB/NG

1 October 2014

Dear William

Thank you for your letter dated 23 September about the petition from Catherine Patricia Jones urging the Welsh Government to protect the future of Funky Dragon.

I am aware that Funky Dragon is making representations to Members regarding the future of the organisation. These funding arrangements are a matter for the Welsh Government, and I am sure that they will be scrutinised as Members feel appropriate.

My understanding is that a grant, worth £1.9 million over three years, has been awarded to Children in Wales to deliver services to ensure that children in Wales are heard in decisions that affect them. My officials are in contact with the Welsh Government and Children in Wales to monitor how the arrangements are developing.

You will be aware that the Assembly consulted with young people about ways to encourage and support them to get involved in what we do as a legislature. These responses told us that there is a huge appetite from young people across Wales to have their say on the issues that matter to them. Assembly staff and Members are ensuring that these issues are heard and valued at the heart of the Welsh democracy by participating in Assembly business.

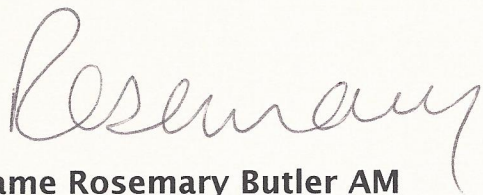
Croesewir gohebiaeth yn y Gymraeg a'r Saesneg/We welcome correspondence in both English and Welsh

Our approach to this has three key parts. First, **reaching out**. We will make sure that, wherever they are and whatever their background, young people in Wales can discover information about the work the Assembly is doing so they can decide how it is relevant to their passions and interests.

Second, **enabling debate**. We will provide a variety of ways for young people to take part in our work which are fun, inspiring and tailored.

And third, **feedback**. We will explain to young people how their contributions are making a difference so that they and others are inspired to engage further.

It is increasingly important, as our Welsh democracy matures, that young people understand and appreciate the role of the Assembly in their lives. The Assembly will play its part to ensure that we do everything we can to empower young people to have their say and be heard.



Dame Rosemary Butler AM
Presiding Officer

25 Windsor Place Cardiff CF10 3BZ / 25 Plas Windsor Caerdydd
CF10 3BZ Tel / Ffôn: 029 2034 2434 Fax / Ffacs: 029 2034 3134

Unit 2 Victoria Dock Balaclafa Road Caernarfon LL55 1TH / Uned 2 Doc
Victoria Ffordd Balaclafa Caernarfon LL55 1TH Tel / Ffôn: 01286 677570
Fax / Ffacs: 01286 676095

Email / Epost: info@childreninwales.org.uk
www.childreninwales.org.uk /
www.plantynghymru.org.uk



Children in Wales
Plant yng Nghymru

29th September 2014

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

Dear William

Thank you for your letter of 23 September 2014 about the petition from Catherine Patricia Jones regarding withdrawal of Welsh Government funding for Funky Dragon.

Children in Wales is the national umbrella organisation in Wales for organisations and individuals from all disciplines and sectors working to promote the rights and well-being of children and young people.

Since its creation in 1992, Children in Wales received core funding from the previous Welsh Government Children and Families Organisations Grant scheme. This grant scheme was abolished in 2014 by Welsh Government and a new open grant scheme was created called the Children and Families Delivery Grant scheme. This brand new scheme was described as a departure from funding organisations per se, but funding outcome activity. It was made clear by Welsh Government that they would be funding far fewer organisations and that only collaborative bids would be considered.

Based on the work and experience of Children in Wales and of its partners Tros Gynnal Plant and Voices From Care Cymru, as well as key partner member organisations and also the wider membership, Children in Wales submitted a bid entitled *'Tackling poverty and promoting children's rights – children & families policy, practice and strategic development programme'* under the last of the five themes available, namely :

Policy and Strategic Development: *Support for Policy and strategic development in relation to Children, Young People and Families. Systemic opportunities for Children and Young People to participate in decisions that affect them and have their **voices heard** are increased.*

Children in Wales was successful in being awarded funding under this new scheme for the following activities:

The aim of the project is to improve the well-being of children, young people and families living in poverty or deprivation in Wales by:

- ***informing and enabling children and young people to participate effectively and have their views heard by Ministers and policy makers***
 - developing a UNCRC and Participation communication and information strategy
 - events
 - meetings with Ministers and officials
 - engagement of diverse groups of children and young people.

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

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

- ***ensuring that the children and young people's workforce is informed of children's right to participate and for structures to be in place that facilitate the sharing of effective methods of participation***
 - learning /development events
 - information and knowledge hub
 - practice exchange
 - e media

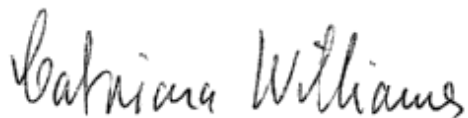
- ***supporting a better informed and engaged multi agency cross sector workforce including policy makers and practitioners to deliver Welsh Government Policy***
 - information production/dissemination
 - learning/training events
 - practice exchange

- ***effectively influencing and contributing to policy and practice development with an emphasis on early intervention, prevention and mitigation of poverty, underpinned by Welsh Government strategic priorities***
 - consultation and representing views of the children and families workforce
 - informing stakeholders of policy developments - their views will inform policy development

I hope that this information will give the Petitions Committee a flavour of what Children in Wales will be doing with the CFDG funding. It was never intended to create a national democratic peer lead youth assembly structure. The Children in Wales work is however a national model of participation for both children and young people and also for the children and young people's workforce, with a variety of activity strands (including development of the use of social media with young people with partners with particular expertise, namely Promo Cymru and Youth Friendly) and prioritising particular issues linked to the development of Welsh Government policy.

I hope that this is helpful to the Committee in its consideration of the petition in relation to withdrawal of funding for Funky Dragon.

Yours sincerely



Catriona Williams OBE
Chief Executive

Comisiynydd Plant Cymru Children's Commissioner for Wales

Keith Towler

Mr William Powell AC/AM
Cadeirydd/Chair
Bae Caerdydd/Cardiff Bay
Cardiff
CF99 1NA

2 October 2015

Your Ref: P-04-597

Dear William

Thank you for your letter dated 23rd September 2014 requesting my views on the above mentioned petition.

Throughout my tenure as Children's Commissioner for Wales I have consistently called for the participation of children and young people in decision-making to receive greater recognition and status within civic society¹. Under the United Nations Convention on the Rights of the Child (UNCRC), article 12 (The child's right to be heard) is a fundamental right that should be made available to all children and young people in Wales. It is my firm belief that enabling children and young people to participate in the planning, implementation and reviewing of actions that might affect them harbours significant benefits for individuals, organisations and services, and the wider community.

I welcomed the introduction of the Rights of Children and Young Persons (Wales) Measure 2011 which establishes the legal infrastructure for Welsh Ministers to pay due regard to the UNCRC within all functions of Government. In my view, the effective delivery of the due regard duty in the Measure requires a national participation mechanism for children young people which ensures their views and opinions are understood and assists decision makers to address their specific needs and vulnerabilities – an issue which I have spoken out on several times.

The removal of funding from Funky Dragon is as a result of changes made to the Children and Families Organisational Grant (now known as the Children and Families Delivery Grant) in 2013. This, on the face of it, is contradictory to the UN Committee on the Rights of the Child's 2008 Concluding Observations, recommending:

¹ <http://www.childcomwales.org.uk/uploads/publications/400.pdf>

“that the State party, in accordance with article 12 of the Convention, and taking into account the recommendations adopted by the Committee after the day of general discussion on the right of the child to be heard in 2006:

- a) Promote, facilitate and implement, in legislation as well as in practice, within the family, schools, and the community as well as in institutions and in administrative and judicial proceedings, the principle of respect for the views of the child;*
- b) Support forums for children's participation, such as the United Kingdom Youth Parliament, Funky Dragon in Wales and Youth Parliament in Scotland;*

Page 2

- c) Continue to collaborate with civil society organizations to increase opportunities for children's meaningful participation, including in the media.”²*

This position is supported by Wales' UNCRC Monitoring Group's position:

“Introduce legislation, long-term core funding and central support to secure national and local participation structures and mechanisms including Funky Dragon” (p.21)³

I also supported this position within the UK Children's Commissioner's Mid-Term⁴ and Final Report⁵ to the UN Committee on the Rights of the Child. In 2013 however, Wales' UNCRC Monitoring Group expressed significant concerns that they have seen a dismantling of the national infrastructure to support children and young people's participation; reporting the loss of the Children and Young People's Participation Unit and Consortium, and the loss of Welsh Government's strategic direction to support participation⁶.

² United Nations Committee on the Rights of the Child (2008) *Concluding Observations: United Kingdom of Great Britain and Northern Ireland* [.pdf] Available online at: <http://www2.ohchr.org/english/bodies/crc/docs/AdvanceVersions/CRC.C.GBR.CO.4.pdf> Accessed on: 30/09/2014

³ Save the Children (2007) *Stop, look, listen: the road to realising children's rights in Wales – Wales NGO alternative report* [.pdf] Available online at: <http://www.travellingahead.org.uk/userfiles/files/stop-look-listen%202007.pdf> Accessed on: 30/09/2014

⁴ Atkinson et al (2011) *UK Children's Commissioners' Mid-Term Report to the UK State Party on the Rights of the Child* [.pdf] Available online at:

⁵ Atkinson et al (2013)

⁶ Save the Children (2013) *Rights Here, Right Now: Are Children's Rights a Reality in Wales?* [.pdf] Available online at: <http://www.swansea.ac.uk/media/Final%20Rights%20here%20right%20now%20Report%20E.pdf> Accessed on: 30/09/2014

In trying to understand Welsh Government's rationale for change to the Children and Families Organisational Grant, I have requested a copy of the Children's Rights Impact Assessment and I am still waiting to receive this document.

As Children's Commissioner for Wales, it is not in my remit to challenge Welsh Government's funding procedures or to support an individual organisation in such processes. I have, however, raised my concerns with Jeff Cuthbert AM, former Minister for Communities and Tackling Poverty, on the basis of protecting and promoting children and young people's right to be heard and the concerns raised with me by children, young people and professionals about the potential loss of a national structure designed to enable them to participate in national decision-making.

I have subsequently met with Lesley Griffiths, the new Minister for Communities and Tackling Poverty, who confirmed with me that Wales remains very much committed to listening to the voices of children and young people and to ensuring that they have a robust national platform from which they can influence decision-making and policy development. She also expressed that Welsh Government was not best positioned to directly resource this and that, in light of their recent commitment to Youth Engagement, the National Assembly for Wales would be a primary stakeholder in this process, and committed to pursuing discussions with the Presiding Officer at the earliest possible stage. It is now clear to me through the Children and Families Delivery Grant, Children in Wales (and their partners) would also play an instrumental role.

Whilst I am unable to comment directly on the position of funding for Funky Dragon, I am in favour of the principles outlined in the petition's wording. Children and young people must have a peer-led national

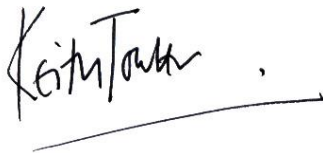
Page 3

mechanism from which they can influence decision-making, have their voices heard, and work with Assembly Members, Members of Parliament and the United Nations to further the national best interests of children and young people. Such a structure would need to be aligned with the local participation duties outlined in the Children and Families (Wales) Measure 2010 and provide a platform to which they can be democratically elected from their local areas.

It is important to acknowledge that the governance structures of Wales has changed since Funky Dragon was established and that a shared responsibility and funding agreement between the Welsh Government and the National Assembly for Wales will need to be reached to ensure that children and young people are still afforded the opportunities to influence decision making and take up their place in civic society.

Yesterday, I chaired a meeting which included officials from Welsh Government and Children in Wales to discuss achieving progress on this agenda. I was encouraged by everyone's commitment to ensuring Wales has a robust national platform to support children and young people's participation. I am determined that whatever form this might take, it will build upon the considerable achievements that the children and young people involved with Funky Dragon have secured in the past 12 years.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Keith Towler', with a horizontal line underneath it.

Keith Towler
Children's Commissioner for Wales

Agenda Item 3.7

P-03-315 New Dyfi River Crossing

Petition wording

We, the undersigned, are in favour of and support, any proposition to create a new crossing of the Dyfi River (or the re-routing of the A487) linking South Meirionnydd with Powys, Dyfed and Ceredigion, to accommodate and suite the demands of modern day traffic and urge prioritisation of funding and action. We call on the National Assembly for Wales to urge the Welsh Government to create this crossing as a matter of priority.

Petition raised by: South Meirionnydd Older People's Forum

Petition first considered by Committee: February 2011

Number of signatures: 3204

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



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-04-315
Ein cyf/Our ref EH/03465/14

William Powell AM
Chair Petitions Committee

stephen.george@wales.gov.uk

22 September 2014

Dear William

Thank you for your letter of 1 September regarding petition P-04-315 about the proposed new Dyfi River crossing.

As you will be aware, I have met previously with business and community representatives in November 2013 to discuss improvements to the Dyfi Bridge. Taking into account the comments received, our plans do not include a bypass of Machynlleth. However, the location of the proposed new scheme would not prevent a bypass being built in the future.

An employer's agent has now been appointed to manage the improvement scheme and we are progressing with the procurement of a design and build contractor. Once appointed, the contractor will develop options for a new crossing upstream of the existing bridge.

A handwritten signature in black ink, appearing to read 'Edwina Hart'.

Agenda Item 3.8

P-04-507 A Welsh bill of rights for women and girls: adhering to CEDAW

Petition wording:

We call upon the National Assembly for Wales to urge the Welsh Government to adhere to the principles of the international Convention for the Elimination of all forms of Discrimination Against Women (CEDAW). This would allow the Welsh Government to display a clear commitment to women's equality in Wales and ensure clear priorities for achieving this.

Additional information:

Why we want to start this petition

There are 30 articles in the convention which detail the rights of women and girls. The articles cover all issues affecting women's equality such as stereotyping, equal pay, violence against women and women in public life. We believe that in adhering to the principles of the convention women in Wales will be represented fully on an international level and enable us (WEN Wales), as an umbrella organisation to help to build a fairer society for women across Wales.

The action we want the NAW to take

In adhering to the principles of the convention the NAW will display a clear commitment to women's equality in Wales, forming the basis of decisions on the priorities and objectives of the Welsh Government and building into a set of core aims for all women across Wales.

Any action we have already taken (e.g. letters sent to or received from Welsh Government)

On 21st June, women from across Wales will come together to explore CEDAW and discuss the tools available to help women in Wales achieve gender equality at a conference organised by WEN Wales. A number of

prominent activists from equality organisations across the UK will address the conference and attendees will be able to share their views on what can be done in Wales to support women to live free and equal lives.

Board members have also contacted Bethan Jenkins AM and presented the Minister with a statement of opinion. We are awaiting details on the Minister's support of the adherence to the CEDAW convention.

Full account of petition

WENWales is a community of organisations and individuals working to advance the rights of women in all spheres of Welsh life. We want to create a fairer society in which women live free from sexism and gender discrimination and enjoy equality in all aspects of their daily lives. The role of WENWales is to facilitate communication between our members; to help them coordinate their work and work in partnership and to represent women's interests at all levels of government.

About the campaign

WEN Wales is calling on the Welsh Government to ratify the international Convention for the Elimination of all forms of Discrimination against women.

This would allow the Welsh Government to display a clear commitment to women's equality in Wales and ensure clear priorities for achieving this.

About the convention

The Convention on the Elimination of all forms of Discrimination against Women (CEDAW) is an international document which lists the rights of all girls and women. It is an important agreement about gender equality which says that all forms of discrimination against girls/women must end.

The convention:

- Lists the rights of **all** women and girls
- Was accepted by the UN in 1979
- Is ratified by 186 countries throughout the world
- Calls for action to ensure equal access, opportunities and results
- Requires Governments to make sure that nothing stops women and girls from enjoying their rights (including stereotypes)
- Covers direct and indirect discrimination
- Demands that a Government change laws and customs

There are 30 articles in the convention which detail the rights of women and girls. The articles cover all issues affecting women's equality such as stereotyping, equal pay, violence against women and women in public life.

CEDAW conference

On 21st June, women from across Wales will come together to explore CEDAW and discuss the tools available to help women in Wales achieve gender equality.

A number of prominent activists from equality organisations across the UK will address the conference and attendees will be able to share their views on what can be done in Wales to support women to live free and equal lives.

Petition raised by: Women's Equality Network Wales

Date petition first considered by Committee: 8 October 2013

Number of signatures: 152

Agenda Item 3.9

P-04-397 Living Wage

Petition wording:

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

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

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

Petition raised by: Save the Children

Date petition first considered by Committee: 19 June 2012

Number of signatures: 483

Lesley Griffiths AC / AM
Y Gweinidog Llywodraeth Leol a Busnes y Llywodraeth
Minister for Local Government and Government Business



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-04-397
Ein cyf/Our ref LG/00755/14

William Powell AM
Chair Petitions Committee

committeebusiness@Wales.gsi.gov.uk
Stephen.George@wales.gov.uk

3 August 2014

Dear Bill

Thank you for your enquiry seeking an update on the Living Wage in the public sector and the work of the Workforce Partnership Council (WPC).

The WPC due to be held in September has been cancelled. The next meeting is scheduled to take place in December. Items for the agenda will be considered in discussion with social partners closer to the meeting date.

Regards
Lesley

Lesley Griffiths AC / AM
Y Gweinidog Llywodraeth Leol a Busnes y Llywodraeth
Minister for Local Government and Government Business

Agenda Item 3.10

P-04-445 : Save our Welsh cats & dogs from death on the roads

Petition wording:

We, the undersigned, call on all Welsh Residents who own cats and dogs to support our petition to the Welsh Government to remove the ban on electronic collars linked with invisible boundary fencing/hidden fencing so that we can protect our companion pets from harm either from: a) Road Traffic b) Straying into Danger c) Causing accidents for which we owners of cats & dogs might legally be held liable.

Petition raised by: Monima O'Connor

Date petition first considered by Committee: 15 January 2013

Number of signatures: 10 – Associated petition collected approximately 500 signatures

Rebecca Evans AC / AM
Y Dirprwy Weinidog Amaeth a Physgodfeydd
Deputy Minister for Agriculture and Fisheries



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-04-445
Ein cyf/Our ref RE/00206/14

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

12 September 2014

Dear William,

Thank you for your letter related to petition P-04-445 Save our Welsh Cats and Dogs from Deaths on the Roads.

Animal welfare is a priority of the Welsh Government, in line with the Animal Health and Welfare Framework.

A review of the policy intent behind the Animal Welfare (Electronic Collars) (Wales) Regulations is planned for later this year if resources permit; 'invisible' fences will be considered as part of this process.

I am unable to accept the invitation to visit the petitioner's premises, however my officials could visit for evidence-gathering purposes as part of the planned review, if time allows. Any invitation should be sent to companionanimalwelfare@wales.gsi.gov.uk.

Ys.

Rebecca

Rebecca Evans AC / AM
Y Dirprwy Weinidog Amaeth a Physgodfeydd
Deputy Minister for Agriculture and Fisheries



Save Our Welsh Cats & Dogs From Death on the Roads

1st October 2014

1. I am pleased to be able to respond to the letter from Deputy Agricultural Minister, Rebecca Evans dated 12th September. I only wish it weren't so vague about the review taking place; "if resources permit" and "if time allows".

2. As everyone, including the RPSCA is now aware, this invisible fencing system unequivocally prevents domestic pets from getting killed on roads. Is there a better inducement for Animal Welfare to keep pets healthy and alive? The Review of this legislation "Animal Welfare (Electronic Collars) 2010 should be an absolute priority – as it will also create homes for healthy rescue pets that might otherwise be slaughtered by the RSPCA through the lack of available suitable homes as the Society will not re-home rescue pets in a property near a main road.

3. It is actually almost a year to the day when I contacted Mrs Evans as she is one of my Regional Assembly Members. I had been informed by some AMs that as a Labour AM, Rebecca was well known amongst her peers for having an open mind. So I emailed her with a request to discuss my campaign and she replied that "if it was to do with electronic collars, she was unable to help me". I persisted by sending the campaign video and she actually rang me personally within the week or so and we had a very encouraging discussion and she completely understood the distinction between the two types of collar. As with many AMs, she had initially believed that it was about the training collars for dogs (which should be outlawed) as the fencing collars had never been debated in the Assembly. Mrs Evans said that as she knew how to train her dogs to stay within the home confines, she would not be "supporting" my campaign but would be happy to "represent" me to then Minister, Alun Davies.

4. Earlier this year in March, a public consultation was launched "Achieving High Standards Together – A New Framework for Animal Health & Welfare in Wales" which I completed online and added that I would offer to bring a fully qualified professional trainer to the Minister and The Animal Welfare team to demonstrate the invisible fencing system at a date and time of their choosing, at no cost to the Government. Alas I heard nothing back.

5. So I reiterate here my offer to bring a professional to demonstrate the system to the Ministers and the Team at a day, time and location of its choice.

6. It is worth highlighting that there was a discussion between the then Minister Alun Davies, and Simon Thomas (AM) Plaid Cymru in July and here is the transcript:

Simon Thomas:AM "specifically, we know that plans in terms of dog breeding regulations are to come before the Assembly soon. One area that you have discussed with me in the past is electronic collars. Although it is positive legislation, there is an impact in certain circumstances when invisible fences are used to keep tame animals from going onto roads and getting killed and so on. Is this something you should consider during the next stage as an area for amending the law?"

Alun Davies AM Minister "I am very happy to consider that. I have already agreed with DEFRA that there will be a review of the research and data available in that field and I will be making a decision as to whether the current policy needs to be changed or revisited before the end of the year.

6. I met with my MP Mark Williams and his associate Cllr Elizabeth Evans earlier in the year to discuss progress made as it was Mark's suggestion almost 3 years ago to start a petition and get in touch with William Powell AM.

To my great surprise (and delight), Cllr Elizabeth Evans said that she knew the invisible fencing system and wanted one herself!

P-04-533 Environmental Planning for Small Scale Wind Turbine Sites

Petition wording:

We call upon the National Assembly for Wales to ask the Welsh Government to pass legislation to enable the following planning law. The laws would place conditions on all wind turbine applications, which do not form part of a commercial wind farm development. 1) We ask that such turbines shall not exceed 47metres to blade tip. 2) That the consent of 50% of residents, over the age of sixteen, living within 3Km.of the proposed site give signed approval of the plan. 3) That all turbines outside Wind Farm Developments are restricted to an operational period between 06.00 Hrs and 21.00Hrs to protect nocturnal birds and mammals. 4) That public consultation and written evidence is offered, and supplied to all residences within 4Km. of a proposed site to comply with the Aarhus convention. 5) All turbines should be constructed of materials which are 100% recyclable and all ground works removed at the end of operations.

Petition raised by: GALAR

Date Petition first considered by Committee: 4 February 2014

Number of signatures: 433

Attention Petition Committee

Monday, 08 September 2014

Dear Sirs,

Reference: Single wind turbine planning petition

This petition was raised because of concerns by the petitioners in respect of the inadequacy of planning legislation regarding single or small groups of wind turbines which are connected to the grid, and exclude those turbines which are for self supply.

The petitioners raised the following issues, on which they felt, the Welsh Assembly Government could legislate to provide:

1. A more open and democratic system of planning, in respect of these turbines.
2. A fairer distribution of costs of implementing the operation of these turbines.
3. A system of removal should the subsidies available to operators be withdrawn or reduced to a point which makes the turbine fiscally unviable.
4. Repair or removal of turbines damaged by extreme weather events.
5. Grid connections and night time operation of turbines.

Item 1 above is requested because of the inadequate public notice of planning applications, and the local citizen's right of consultation on a matter that may substantially affect their domestic or business amenity.

While the present system of allowing individuals or groups to register their opposition, or support, should continue. There should also be available a local time scaled referenda available at local post offices libraries etc. as well as online at local planning offices where an undisclosed opinion can be registered either for or against the application.

Anonymity is required because rural communities are being divided, with threats common from both sides and the farmer and landowner, once admired and at the centre of communities are now ostracised.

This 'vote', or more properly 'public consultation', would then be available to the county council planning department, and planning committees to be taken into account when an application is considered.

Item 2 above is requested because all costs of these turbines are paid for by the electrical consumer, rather than from general taxation. In all respects this is a poll tax demand on a sector of the public whose ability to pay is not taken into account. Fuel poverty in Wales, per capita, is by far the worst in the UK, probably among the worst in Europe.

The grid upgrade costs, as detailed in 5 below, and the subsidy on each energy unit should be met either by the Welsh Assembly Government or the County Councils of Wales. The limited energy generated from these turbines can only be described as for local consumption, if politically councils or the Welsh Assembly Government believe that these turbines are environmentally worthwhile, then they have recourse to tax raising to support their political conviction.

Item 3 above is requested should the Welsh Assembly Government feel that they are not fiscally responsible for Welsh Energy subsidies, and do not agree payment of the subsidies detailed in item 2. We request that should subsidy payment be in the gift of

Westminster government, and they withdraw it; then these turbines cannot simply be abandoned, for public safety they must be removed.

Wind Farms operated by Multinational Companies are required to promise removal as part of planning permission; and we request a similar bond is part of planning applications for single turbines.

Because neither an individual farmer, landowner, or agent making the application can be assumed to have the future funding for removing recycling and landfill payments for these turbines, then a charge should be set against the property they are built on.

All the available evidence shows that once the barrier of unacceptability is crossed, multi applications will be made in the same area There is also a great deal of evidence that both land owners and planning committees are allowing permission based on previous local applications.

This points to an unlimited number of turbines being granted permission and the removal costs becoming a significant threat to local finances.

If the removal of these turbines is a charge on the property on which they are built; it will cover removal costs should the owner, or his estate, sell the property or are unable to meet the removal commitment.

Item 4 above is requested because all the evidence of turbine accidents and failures show that single turbines are far more likely to fail than commercial wind farm turbines. This has been shown to be the result of poor installation because there is no adaption to meet severe weather events and local environmental conditions.

Both UK Meteorological Research and the IPCC both predict an increase in severe weather events for the immediate and long term future, and full insurance, both for the turbine and third party and collateral damage is required for each turbine.

We ask that turbine operation requires an annual license, administered by the local authority. Issue of that license should require a full insurance and a mechanical and environmental inspection. The administration costs to the local authority to be recouped from the license fee.

Item 5 above is requested because the sheer number of applications which are taking place, without regard to the local rural grids ability to handle intermittent loads is putting rural supplies at risk.

Westminster Government has tried to mitigate this by giving much enhanced subsidies for turbines which are downgraded. Downgrading means the mechanical potential of a turbine is choked back to produce less electricity for which the electrical consumer pays more.

While single turbines feed directly onto the grid, the amount of intermittent energy produced is unknown to the grid. By downgrading and paying more for less the logic is that the amount produced will never embarrass the grid, because the over or undersupply will never reach levels to threaten damage or supply restriction.

This assumes that two objectives are met: Objective 1 is that the number of applications granted will always produce electricity that the grid can absorb, without knowledge of what is currently being produced. Objective 2 is that the production the local grid is capable of handling can absorb the intermittent levels of supply.

This works well in England because local democracy is a far higher factor in planning decisions, than in Wales, so objective 1 is met. Also, even rural grids in England have a far higher capacity than the Welsh equivalent, so a reduced objective 1 easily meets objective 2.

In Wales the opposite is true and the greatest threat of unrestricted applications is during off peak periods. The Welsh rural grid has a very minimal off peak load, in comparison to its English counterpart; having smaller settlements, little public street lighting, no stores or Supermarkets and a reducing number of pubs and meeting places. To introduce extra capacity at this time means inevitably an unnecessary upgrading of the grid.

This can and should be addressed by limiting single turbines to peak energy only. That the energy is not required is self evident. The energy cost is not reduced for off peak supply, so the consumer is paying an extortionate price for energy they do not want. Energy that contributes nothing to the National grid.

Coincidentally the off peak operation also poses the greatest threat to nocturnal wildlife. Statistics show a decline in nocturnal species, many of which carry EU protection.

Almost all public buildings carry notices on energy saving, commercial enterprises have energy saving committees, our schools teach children to turn lights off when not needed, and the public are urged to not have electrical equipment on back up. Restricting these turbines to peak production is the Welsh Assembly Governments opportunity to metaphorically 'turn the lights off' when we go to bed.

The turbine operator will not suffer from this restriction, turbines, like any other mechanical device have an operational lifetime. So a turbine available to operate 24/7 and with a 20 year operational life has that lifetime extended to 30 years when operated 16/7.

Conclusion

The existing planning does not offer an adequate local community consultation and operation of these turbines fiscally penalises Welsh electrical consumers, and their interests are not considered within the present system. We would ask the Petitions Committee to put these specific points to the Minister. Also in respect to item 5 we would ask the Petitions Committee to take advice from the National Grid to determine if switching off the output from single turbines in off peak periods would threaten the continuity of supply in Wales.

Yours faithfully

GALAR Community Volunteer Group

P-04-537 Planting Trees to Reduce Flooding

Petition wording:

We call on the Welsh Assembly to urge the Welsh Government to reduce flood risk to thousands of homes across the country by supporting the planting of at least 10 million trees over the next 5 years, creating hedges, tree belts and wooded areas targeted where they will best help soak up rainfall and slow down water runoff. This tree planting will count towards the 100,000 hectare tree planting target the Welsh Government has already set, to soak up CO2 from the atmosphere.

Petition raised by: Coed Cadw

Date Petition first considered by Committee: 18 February 2014

Number of signatures: 2708

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



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-04-537
Ein cyf/Our ref CS/01209/14

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

23 September 2014

committeebusiness@Wales.gsi.gov.uk

Dear Bill

Thank you for your letter regarding further considerations given by the petitioner in response to my predecessor's reply on the subject of tree planting to reduce flooding.

Trees and hedgerow management remain a part of Welsh Government's approach to flood risk management. Improving the way we manage land and water within our catchments forms an important part of our natural flood risk management. However, we also need to appraise each scheme on its own merits and there is no one solution that can be applied in all cases. Certain solutions, such as tree planting, may not always be the most effective solution or provide the greatest benefit when compared to other flood risk management methods.

A critical factor in achieving the potential environmental benefits of tree and hedgerow planting is the strategic and well-informed choice of locations, species and management.

Flood alleviation schemes will usually benefit from a variety of methods to reduce risk; better land management, including the planting of trees, will continue to form an important part of flood risk management, for example in slowing down the rate of overland flow and reducing peak flows in our watercourses.

Whilst the Welsh Government cannot agree to always plant a certain number of trees in flood risk schemes, it will continue to be advocated where it is appropriate to the location and provides a cost effective solution to reducing flood risk.

The Welsh Government will continue support for tree planting under the Glastir scheme under the next Rural Development Plan programme subject to its approval by the EU.

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1NA

English Enquiry Line 0845 010 3300
Llinell Ymholiadau Cymraeg 0845 010 4400
Correspondence: Carl.Sargeant@wales.gsi.gov.uk
Printed on 100% recycled paper

A revised and updated woodland opportunities map will replace the “red, amber and green” map that was used under the previous programme.

I hope that is helpful.

Yours sincerely

A handwritten signature in black ink, consisting of a large, sweeping initial 'C' followed by a vertical line and a small flourish.

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

Agenda Item 3.13

P-04-575 Call in All Opencast Mining Planning Applications

Petition Wording

We call upon the National Assembly for Wales to urge the Welsh Government to call in all opencast mining planning applications over 10 years duration or over 350 hectares in size because the implications of these developments are far reaching and long standing with effects beyond the immediate locality.

Petition raised by: United Valleys Action Group

Date Petition first considered by Committee: 15 July 2014

Number of signatures: 130 – An associated petition relating to a specific planning application collected in excess of 6500 signatures

Carl Sargeant AC / AM
Y Gweinidog Tai ac Adfywio
Minister for Housing and Regeneration



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-04-575
Ein cyf/Our ref CS/01115/14

William Powell AM
Chair Petitions Committee

committeebusiness@Wales.gsi.gov.uk

7 September 2014

Dear Bill,

Thank you for your letter of 14 August, on behalf of the Petitions Committee, in which you seek my views on the petition from the United Valleys Action Group calling upon the National Assembly for Wales to urge the Welsh Government to call in all opencast mining planning applications over 10 years duration or over 350 hectares in size because the implications of these developments are far reaching and long standing with effects beyond the immediate locality.

The Welsh Ministers' power to call in applications for planning permission is a discretionary power and the Welsh Government's policy on the exercise of that power is that development proposals are generally best determined locally by planning authorities which know their area, its needs and sensitivities and that the Welsh Ministers do not interfere with local planning authorities' jurisdiction unless it is necessary to do so. The Welsh Ministers' power to call in planning applications is used selectively and each application is looked at individually. The decision on call-in must be made in the light of the facts and circumstances of the particular case and the Welsh Ministers must not fetter their discretion by the rigid application of any particular policy towards such cases.

Planning Policy Wales advises that call-in is generally only considered appropriate where an application raises planning issues of more than local importance and it provides six examples of situations in which call-in could be considered appropriate, namely where the proposals

- are in conflict with national planning policies;

- could have wide effects beyond their immediate locality;
- may give rise to substantial controversy beyond the immediate locality;
- are likely significantly to affect sites of scientific, nature conservation or historic interest or areas of landscape importance;
- raise issues of national security; or
- raise novel planning issues.

I acknowledge the petitioners have considered those situations by referring to the implications of the proposals they are concerned with being far reaching and long standing with effects beyond the immediate locality. For the reasons given above, however, the question of whether a proposed development is likely to have such effects is one that must be considered and answered on the facts and circumstances of each case.

It is also important to bear in mind that call-in is not concerned with the question of whether or not the proposed development should be granted planning permission but with the question of who should take that decision. In considering whether to call in a planning application the planning merits of the proposed development are not taken into account. Nevertheless, it is necessary to identify the nature and scope of the issues raised in the application in order to determine who the decision maker should be. This then enables the Welsh Ministers to consider whether the local planning authority has identified the national planning policies and legislation/directives relevant to those issues and, if so, whether it has assessed those issues in a reasonably robust way, using up to date methodology and knowledge.

If the local planning authority has not, then the Welsh Ministers may consider calling in the application so that the relevant issues may be considered by an independent Planning Inspector, who will provide a report for the Welsh Ministers detailing his/her consideration of those issues and a recommendation as to whether or not planning permission should be granted. If the local planning authority has, it is unlikely the Welsh Ministers would call in the application as the relevant issues had been addressed and the weight to be attached to those issues would more appropriately be a matter for the authority.

The petitioners have referred to applications for planning permission for opencast mining but the Welsh Ministers already have in place a system which enables them to have planning applications for this, and other, particular types of development referred to them, thereby providing them with the opportunity to consider whether or not they should exercise their discretionary powers and call in those applications. Under the provisions of the Town and Country Planning (Notification) (Wales) Direction 2012, applications for planning permission for minerals development, which, for the purposes of the Notification Direction means development which

- (a) consists of or includes the winning and working of minerals;
- (b) is to be carried out at a new site or an extension to an existing site; and
- (c) does not accord with the provisions of the development plan in force in the area where the application site is situated,

and which the local planning authority does not propose to refuse, must be notified to the Welsh Ministers. In considering whether to call in an application referred to them under the Notification Direction the Welsh Ministers will apply the same principles identified above, namely whether the local planning authority has identified the national planning policies and legislation/directives relevant to those issues and, if so, whether it has assessed those issues in a reasonably robust way, using up to date methodology and knowledge.

Yours sincerely

A handwritten signature in black ink, consisting of a stylized cursive 'C' followed by a vertical line.

Carl Sargeant AC / AM
Y Gweinidog Tai ac Adfywio
Minister for Housing and Regeneration

United Valleys Action Group (UVAG)
c/o Terry Evans
30/9/2014

Steve George
Clerk to Petitions Committee
Welsh Assembly Petitions Committee
Welsh Assembly
Cardiff Bay
Cardiff
CF99 1NA

**Re-United Valleys Action Group (UVAG) Views to
Petition Committee on Ministers response to
P-04-575 Call in on all Opencast Mining Applications over
10 years Duration or 350 Hectares in Size.**

Petitions Committee

UVAG's initial view to the response of the Minister is that again it is not the Minister's response to this petition, but the Minister's official's response, where they are just stating the conditions required for a 'call in'.

A responsible Government should consider all opencast applications of over 10 years or 350 hectares in size because

The long term economic viability of opencast mining is very uncertain. Is there likely to be a market for coal in 10 years time? The need for coal is diminishing rapidly, so the demand for coal beyond 10 years will be greatly reduced and cannot be predicted with accuracy. Emission controls alone could kill off the coal industry by making its use not financially viable

Climate change is now accepted by nearly all countries in the world that CO2 emissions must be reduced drastically, burning of fossil fuels is one of the biggest contributors to climate change and is being reduced by all countries

drastically, the Welsh Government must decide on all opencast over 10 years because they should take into account climate change and what the rest of the world's policy is on fossil fuels will be, this is to ensure there is a market for coal, local authorities do not have the necessary knowledge or responsibility to make this very important decision only the Government.

Following on from this, is the 'failure to restore opencast sites', Welsh Government needs to look at what has happened in Scotland, the Welsh government as done research on this and produced a report and therefore should understand the importance of this. The report is at

- 1) <http://wales.gov.uk/topics/planning/planningresearch/publishedresearch/failure-to-restore-opencast-coal-sites-in-south-wales/?lang=en>

Again for this reason the Welsh Government should 'call in' all opencast mining applications over 10 years' duration or 350 hectares in size, because they could be left with a Scottish scenario of un restored sites.

All restoration bonds should be set by the Welsh Government as they are crucial to safeguarding the public purse

Local Authorities do not have the resources, skills or knowledge to handle applications of this size, with regards to Ecology, Hydrology, Biodiversity, Health and European Law; they rely on the applicant's evidence which is unacceptable behaviour

Normally with applications of opencast mines of over 10 years duration or over 350 hectares in size, there will be massive financial incentives under the name of community benefits which will be offered to the local authorities. In this time of austerity and government cutbacks these financial benefits can be of such a magnitude that the local authority's decision will be blinkered or clouded. The Welsh government should determine these planning applications so that the correct decision is made.

Finally there is a very strong risk that local authorities would be legally challenged on their decision, further adding to the costs of handling the application.

UVAG would like to see this petition progressed with the view of having a very important plenary debate on it to urge the Welsh Government to implement the petition.

Terry Evans
Chair, United Valleys Action Group (UVAG)

P-04-458 Keep Further Education in the Public Sector

Petition wording:

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

1. Further education, along with publicly funded assets, is retained within the public sector.
2. Colleges continue to be bound by the national agreements in FE, such as the national pay scales.
3. The introduction of an all-Wales contract for FE lecturers.
4. Welsh Ministers do not dissolve colleges and give colleges the ability to transfer the property, rights and liabilities to another body.

Petition raised by: UCU Crosskeys Branch

Date petition first considered by Committee: 19 February 2013

Number of signatures: 246

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

12 September 2014

By email

Dear William

Re: Petition – P-04-458

Thank you for your letter dated 31 July 2014 to my predecessor, John Graystone, which has been passed to me.

Colleges are an integral part of the Welsh public service and operate as charities promoting education and skills to the benefit of their communities. The passage of the Further and Higher Education (Governance and Information) Act 2014 was designed, in part, to enable the colleges to restore their place as charities in the Third Sector that they held between 1993 and 2010. It was at this point that colleges were reclassified as central government bodies by the Office for National Statistics (ONS). This reclassification was a result of changes to European accounting rules rather than a change in Welsh Government policy. We await a decision from the ONS on what the future classification of colleges in Wales will be.

As has been widely publicised, colleges in Wales are implementing a national contract for lecturers and other categories of staff from the beginning of this academic year. All the relevant general FE colleges are implementing the national contract.

Colleges in Wales have a long track record as responsible custodians of public investment. In the event of a future merger/dissolution of a college any transfer of assets and liabilities would be subject to clear legal and charitable requirements that would protect the public interest. Earlier this month *The Dissolution of Further Education Corporations (Publication of Proposals and Prescribed Bodies) (Wales) Regulations 2014* came into force. The purpose of this regulation is to ensure that, in the event of

Uned 7 Cae Gwyrdd, Greenmeadow Springs, Tongwynlais, Caerdydd CF15 7AB

www.colegacymru.ac.uk helo@colegacymru.ac.uk Ff: 029 2052 2500
Cwmni Cofrestredig Rhif 2832103 Elusen Gofrestredig Rhif 1060182

Unit 7 Cae Gwyrdd, Greenmeadow Springs, Tongwynlais, Cardiff CF15 7AB
www.collegeswales.ac.uk helo@collegeswales.ac.uk T: 029 2052 2500
Registered Company No 2832103 Registered Charity Number: 1060182

the dissolution of a college, its property and assets may only be transferred to another publicly funded organisation involved in education, and will be retained for educational purposes.

I hope this response will assist you in your consideration of the petition.

Yours sincerely

A handwritten signature in black ink that reads "Greg Walker". The signature is written in a cursive style with a large initial 'G' and a long, sweeping underline.

Dr Greg Walker

Prif Weithredwr / Chief Executive

Agenda Item 3.15

P-04-485 Abuse of casual contracts in Further Education

Petition wording:

We call upon the National Assembly for Wales to urge the Welsh Government to use its influence to ensure that the use of hourly paid (zero hour) and fixed term contracts are not abused in the Further Education sector and only used when there is a genuine objective justification for a short term contract with flexibility.

Petition raised by: Briony Knibbs

Date petition first considered by Committee: 4 June 2013

Number of signatures: TBC

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

Your ref: P-04-485

14 September 2014

Dear William,

Re: Petition-P-04-485 Abuse of Casual Contracts in Further Education

Thank you for your letter regarding further information on the above issue and the information received from your Research Service.

I am in a position to update you of the situation at Gower College but cannot speak for other colleges in Wales. Since I submitted the petition last year, some progress has been made at Gower on the matter. In April, after negotiations with the relevant trade unions, management agreed a process for the transference of casual lecturers from hourly paid contracts to more secure fractional / full time contracts. This is certainly a step in the right direction, however certain criteria have to be met before a fractional / full time contract is awarded.

According to the new nationally agreed contract in FE, a full time lecturer can be asked to work a maximum of 835 annual hours and a maximum of 24 weekly hours. It was agreed that those who have worked 835 annual hours or the part time equivalent (e.g. 418 hours for a 0.5 contract) for four consecutive years can apply to be transferred to a full time / fractional contract. UCU as a union welcome this move forward but still feel that four years on hourly pay (at least) is an awfully long time to wait for a secure contract. You can imagine that some lecturers have worked more hours some years than others, but given that it is four consecutive years, they could have worked significant numbers of hours for many years e.g. 500 in year 1, 390 in year 2, 700 in year 3, 800 in year 4 but this lecturer would have to work another 2 years at 418 hours plus before they can obtain anything other than an hourly paid contract.

Hourly paid contracts can be temporary (fixed term with an end date – usually June or July) or permanent (guaranteeing usually 109–420 hours). Even though the contract is permanent, this contract gives little security, only 109 hours over a whole academic year. I know of lecturers on these contracts working 20 hour a week timetables, 700 plus annual hours, but as the above example shows they could be doing this for six years before they can get a more secure contract. The result of this is that they cannot apply for a mortgage and often have to take a second job in evenings or weekends to make up the shortfall of lack of pay in the summer months. These lecturers feel as if their life is on hold yet they are teaching close to a full timetable and have all the pressure and responsibilities of a fractional lecturer. We have a situation where people are doing the same role yet there is a huge disparity in the way they are paid and how much they are paid. These lecturers often work in the same department so you can imagine how this can lead to animosity rather than stable working relationships.

The other issue with the new agreement for consolidation is that an A Level lecturer who wants to apply for a full time contract would need to work 26 hours a week over 32 weeks to apply for a full time contract, as there are only 32 weeks of A Level teaching. This means that hourly paid lecturers need to overload themselves or miss losing out the contract that many of their colleagues hold and only have to teach 24 hours a week for.

I hope you can see that things are improving but are still problematic. Management have agreed to review the new consolidation process in April 2015 with a view to improving the criteria to enable lecturers with 3 consecutive years of annual hours above 418 to apply for a fractional / full time contract. This would obviously be more favourable but at this point in time we only have a verbal agreement that they will do this.

I would be interested to know what you think of the situation and whether you could do anything to help. As your research showed, use of zero hours contracts is decreasing, but use of hourly paid and fixed term contracts is still widespread. We want to ensure that fixed term contracts are used not to save money but only where there is objective justification for them (i.e. maternity / long term sickness cover). Some lecturers at Gower were given fractional contracts this year as a result of savings made from voluntary redundancies. Again this is a positive step, but abuses of contracts still occur e.g. someone doing 22 hours a week being given a 0.5 contract (when a full time lecturer does 24 hours a week). I believe that research into part time contracts and the number of hours done by lecturers would be useful i.e. are

lecturers working their contracted hours or are they doing extra paid at hourly rate? There are instances of both at Gower. I often think that HR departments are not even aware of the number of hours lecturers are actually doing. They issue a contract based on the predicted number of hours available but this often changes as enrolment may be higher than expected and then the lecturer is offered extra hours, but as I showed they could be doing these hours for six years for example, while someone who was originally offered a contract of a higher fraction ends up doing the same hours with much more security and pay behind them.

I do not see this as a fair situation and that is why I feel casual / part time contracts are often abused in Further Education perhaps consciously or unconsciously by employers, which means that lecturers who help students get the grades they need for University or develop essential skills for working life feel undervalued. There does not seem to be a comparable problem in Secondary Education which could lead to the conclusion that the sector as a whole is often overlooked and underfunded.

I look forward to hearing your response.

Yours sincerely

Briony Knibbs.

Part Time Rep (for UCU)
Gower College Swansea

Agenda Item 3.16

P-04-518 Universal Free School Lunches

Petition wording:

We the undersigned call on the Welsh Government to introduce a free hot lunch scheme for all children in reception, year 1 and year 2.

Additional Information:

A number of studies have shown that hunger affects concentration, and that children who are well nourished perform better at school. Extending free school meals will also help families meet the cost of living as it has been estimated that the average school meal costs parents £437 per year for each child. The UK Government has announced that all five-to-seven year-old pupils in English state schools will receive free school meals. We believe the Welsh Government should do likewise.

Petition raised by: Jane Dodds

Date petition first considered by Committee: 26 November 2013

Number of signatures: 14



Eich cyf/Your ref P-04-518
Ein cyf/Our ref HL/01799/14

William Powell AM
Chair Petitions Committee

committeebusiness@Wales.gsi.gov.uk

16 September 2014

Dear William

Thank you for your letter of September 2014, which enclosed a letter of response from a petitioner on the provision of free school meals (FSM) (petition ref: P-04-518).

We are strongly committed to ensuring that FSM are available to those learners who need them most. Provisions in the Healthy Eating in Schools (Wales) Measure 2009, which were commenced last September, place a duty on local authorities and governing bodies to take reasonable steps to ensure that every learner who is entitled to receive FSM does receive them, and to protect the identity of pupils who receive FSM. According to the Pupil Level Annual School Census (PLASC), the uptake of FSM by primary school learners, as at census day 2013/14, was 80.4%; this is a 2.8% increase from 2012/13.

In response to concerns that stigma may discourage learners from taking up their entitlement for FSM, the Welsh Government worked in partnership with the Welsh Local Government Association (WLGA) to produce a case study report considering the range of factors affecting uptake of FSM. Although cashless systems have often been viewed as a way to reduce stigma, the findings of pupil questionnaires indicated that FSM-entitled pupils in the sample were not particularly concerned about payment systems. The main concern for FSM-entitled pupils was queues. Other key concerns were: the type of food provided; cost (presumably the local authority 'allowance' for their meals); and, for FSM pupils not taking up their entitlement, what their friends did. These findings are supported by the data gathered from the WLGA review of payment systems, which indicated that cashless systems do not always result in higher levels of uptake of FSM.

A copy of the *Free school meals case study report* can be accessed via the following link:
<http://learning.wales.gov.uk/resources/free-school-meals-case-studies-report/?lang=en>

In order to provide FSM to all learners in reception, year one and year two in England, Whitehall departments had their budgets top-sliced. The implication for Wales was that we could not match the policy announcement made by the Chancellor for England without also replicating this top-slice; the Cabinet agreed not to do so across Welsh Government departmental budgets.

The Finance Minister released a Written Statement on this matter on 27 January:

<http://wales.gov.uk/about/cabinet/cabinetstatements/2014/autumnstatement/?lang=en>

The education budget is being used to meet priorities for Welsh schools in line with Welsh Government commitments. This includes School Challenge Cymru: a package of targeted support to boost the performance of up to 40 secondary schools that are both in challenging circumstances and challenged in terms of delivery. These schools are receiving additional resources and expertise to undertake a programme of swift, sustainable improvement.

The petitioner's letter suggests that replicating the UK Government's policy on FSM in Wales would reach practically every child, however the policy only applies to primary school learners in reception, year one and year two. Our Free Breakfast in Primary School Scheme provides the opportunity for a free breakfast to all primary school learners whose governing body has requested free breakfast provision. According to the 2013/14 PLASC data, 82.6% of maintained primary schools in Wales offer the service, and we will work to increase the uptake of this scheme by raising awareness with parents and governing bodies.

In addition, as mentioned in my letter of 2 January 2014, we have amended legislation which allows local authorities the freedom to price their meals more competitively.

Yours sincerely



Huw Lewis AC / AM

Y Gweinidog Addysg a Sgiliau

Minister for Education and Skills

**P-04-518 Universal Free School Lunches – Correspondence from the
Petitioner to the Clerking Team 28.09.14**

Annwyl Kayleigh/Dear Kayleigh,

Thank you for your email

I strongly support this petition for universal free school meals in Wales for Years 1 and 2. The monies for this scheme have been made available to the Welsh Government, and it was decided to spend the money on only 40 secondary schools through the Challenge School Wales programme.

This is absolutely the opposite to the aim of free school meals; they are designed to be for everyone, and yet the Challenge School Wales fund is narrow and meeting the needs of only a few pupils. Additionally, none of the schools in the constituency I live in – Montgomeryshire – receive any of the monies from this fund.

My petition therefore is that the fund for free school meals is restored and that this is introduced in Wales, as it has been in England.

Jane Dodds

Agenda Item 3.17

P-04-408 : Child and Adolescent Eating Disorder Service

Petition wording:

We call on the National Assembly for Wales to urge the Welsh Government to fund the Child and Adolescent Eating Disorder Service in Wales to the same degree as the Adult Eating Disorder Service in Wales.

It has come to my attention that there is a disparity in funding between Adult Services and Child and Adolescent Services as regards funding for Eating Disorder Treatment. At the present time Adult Eating Disorder Services receive £1 million per year from the Welsh Assembly, as well as 4 specialist trained provider groups.

Sadly research points to the fact that Eating Disorders, especially Anorexia Nervosa, are predominantly first experienced around puberty. Historically puberty was around 12-15, however, puberty is becoming younger and therefore statistics are beginning to show the prevalence of Anorexia Nervosa starting at younger ages is apparent. Bulimia Nervosa is generally a disease with an onset age of 18-25, however as with Anorexia this may differ from person to person. The fact that in both disorders, and indeed all diagnosable Eating Disorders, early intervention is the key to a quick recovery, therefore preventing long term financial implications for the WAG, makes this plea more pertinent.

I therefore implore the Assembly to consider this a priority for debate and to mend this disparity by giving equal finances and services to the Child and Adolescent Eating Disorder service in Wales as already given to Adult EDS.'

Petition raised by: Helen Missen

Date petition first considered by Committee: 17 July 2012

Number of signatures: 246

**Y Pwyllgor Plant, Pobl Ifanc ac Addysg
Children, Young People and Education Committee**

Cynulliad
Cenedlaethol
Cymru
National
Assembly for
Wales



Bae Caerdydd / Cardiff Bay
Caerdydd / Cardiff
CF99 1NA

William Powell AM
Chair
Petitions Committee
National Assembly for Wales

24 September 2014

Dear William

Petition: PO-04-408 Child and Adolescent Eating Disorder Service

Thank you for your letter bringing this Petition to the Committee's attention. You requested that it be considered as part of the Committee's current inquiry into Child and Adolescent Mental Health Services.

The Committee has concluded taking evidence for this inquiry and is currently considering the draft report with a view to publishing in the next few weeks. Therefore we are not in a position to consider it within this inquiry.

However the Committee is aware of the issues highlighted in the Petition and it will be raised when the Committee next considers their forward work programme.

Yours Sincerely

Ann Jones AC / AM
Cadeirydd / Chair

Croesewir gohebiaeth yn y Gymraeg a'r Saesneg / We welcome correspondence in both English and Welsh
Y Pwyllgor Plant, Pobl Ifanc ac Addysg / Children, Young People and Education Committee
Gwasanaeth y Pwyllgorau / Committee Service
Ffôn / Tel : 029 2089 8429
Ebost / Email : CYPCommittee@wales.gov.uk

Agenda Item 3.18

P-04-452 : Equal Rights for Tube-fed Youngsters.

Petition wording:

We call on the National Assembly for Wales to urge the Welsh Government to ensure that funding is made available to ensure that the vital equipment and services required by tube-fed children and young people are made available to them.

For example, equal rights for tube-fed youngsters in the Caerphilly County Borough Council currently fall between 2 defined categories of need. The Aneurin Bevan Health Board say as they are not Continuing Health Care (CHC) children – 'only tube-fed' – they cannot fund the vital equipment and services we need. Caerphilly Social Services also say they cannot help as these children 'have significant health needs'. These definitions exclude and therefore discriminate against Tube-fed Youngsters and we demand an investigation into this practice in Caerphilly. Whilst our Youngsters do not 'qualify' for help from either Health or Social Services in the Caerphilly Borough we still have a Youngster with 24/7 care needs – the same as a newborn – often with disabilities due to a life-threatening illness.

Additional Information:

Our Youngsters need a 'label' in order to be able to automatically access funding for vital equipment and services. At present inter-departmental financial wrangling takes place on request for anything for a Tube-fed Youngster and this should not involve Parents / Carers. We just need the help for our Youngsters as quickly as possible. We ask that a quick, common-sense, long-term solution be achieved for our Youngsters and for the sake of the health and wellbeing of their Parents / Carers.

Petition raised by: Dr Tymandra Blewett-Silcock

Date petition first considered by Committee: 29 January 2013

Number of signatures: 142

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



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-04-452
Ein cyf/Our ref MD/01510/14

William Powell AM
Chair
Petitions Committee
National Assembly for Wales
Ty Hywel
Cardiff Bay
Cardiff CF99 1NA
committeebusiness@Wales.gsi.gov.uk

30 April 2014

Dear William,

Petition – P-04-452 Equal Rights for Tube-fed Youngsters

Thank you for your recent letter following the Committee's meeting of 18 February at which you considered my earlier letter to you of 16 January. That letter outlined our approach to the enhanced provision of direct payments through the Social Services and Well-being (Wales) Bill and how we are addressing the relationship between direct payments and continuing NHS healthcare (CHC) through the revised Framework for CHC which is currently in development. This was in relation to the petition that Dr Blewett-Silcock had raised in connection with her daughter, Poppy.

Your latest letter asks how the regulations and code of practice on direct payments being developed as a consequence of the passing of the Social Services and Well-being (Wales) Bill will improve the situation for those such as Dr Blewett-Silcock. As I explained previously the provisions of the Bill will allow us to enhance the provision of direct payments in Wales. This is to make it easier for people to be aware of this possibility of meeting their social care and support needs and to be able to make informed choices about direct payments. Hence they will help those in the position which Dr Blewett-Silcock originally found herself. They are, however, and have never been about the extension of direct payments to healthcare where a person's care and support needs change from a social care need to a healthcare need, as I understand subsequently occurred in the case of Dr Blewett-Silcock's daughter. That issue will be considered through the revised National Framework for CHC to which I also referred in my earlier letter.

The Committee will be interested to know that the consultation on the revised Framework ended earlier this year with over 50 responses being received on a range of issues, one of which was the interface between CHC and direct payments. With a view to issuing the final revised Framework early this summer. In this way we aim to address the complex policy and practice issues which arise at the interface of health and social care and which have been apparent in the case of Dr Blewett-Silcock's daughter Poppy.

Best wishes

Mark

Mark Drakeford AC / AM

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

P-04-452 Equal Rights for Tube-fed Youngsters - Correspondence from the Petitioner to the Clerking Team, 26.09.14.

Hi there,

Thank you for this information.

I have read the letter 3 times and I still think that Mark Drakeford has misunderstood our position ?

We are looking to get more joined-up thinking for families who fall between Social Services and CHC definitions - ie children that are 'only tube-fed'.

His reply hints at us now needing CHC and this is not the case - we have always found it difficult because we (and many other families) do not fit either criteria to get the help we need.

This has been solved on a Direct Payment level for us as we now receive these - after a nearly 4 year battle in the CCBC and only when we involved the Press. Our Direct Payments have been underway for 6 months now and they are a wonderful solution to the help we needed !

The next time we need any equipment etc we will still be in exactly the same position as before - without Policy reform - Social Services saying Health should pay for it and vice versa with no solution having to fight to get something (vital equipment) we wish we could afford so we didn't have to ask - that is what this Petition is all about - to solve this 'lack of categorisation' for tube-fed children. I hope I am understanding his letter correctly ?

Regards, Tymandra

Dr Tymandra Blewett-Silcock

Director, POPSYP (Parents of Partially Sighted and Blind Youngsters)

P-04-466 Medical Emergency – Preventing the introduction of a poorer Health Service for North Wales

Petition wording:

We the undersigned call on the National Assembly for Wales to urge the Welsh Government to ensure that the proposals contained within the Betsi Cadwalader University Health Board consultation– Health Care in North Wales is Changing does not result in poorer health provision and unnecessary deaths and suffering.

The proposals will have a detrimental effect on most areas of health provision and emergency services and in no way can the proposals be an improvement as is intimated. Already experiencing meltdown, the Health Service in Wales will head towards collapse, if these proposals are implemented in their present form

The current BCUHB consultation proposals in relation to Health Care in North Wales appear to be detrimental to general health provision and the safety of our communities. Accessibility, X-ray provision, Minor Injuries ,Mental Health, the Ambulance Services, the Out of Hours service and the ability of GP' s to deliver an integrated service are going to be particularly hard hit by the proposals – as they are diametrically at odds with the Welsh Govt's vision in relation to the documents Together for Health, Setting the Direction, and Delivering Emergency Care Services – it appears also to be at odds with the Compact announced by the Health Minister on the 25th of September 2012.

Petition raised by: Mike Parry

Petition first considered by Committee: 19 March 2013

Number of signatures: 306



GIG
CYMRU
NHS
WALES

Bwrdd Iechyd Prifysgol
Betsi Cadwaladr
University Health Board

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

Ein cyf / Our ref: TP/SB/1713/012

Eich cyf / Your ref: P-04-466/P-04-479

☎: 01248 384910

Gofynnwch am / Ask for: Trevor Purt

E-bost / Email: trevor.purt@wales.nhs.uk

Dyddiad / Date: 1 July 2014

Dear Mr Powell

- **P-04-466, Medical Emergency – Preventing the Introduction of a Poorer Health Service for North Wales**
- **P-04-479, Tywyn Memorial Hospital X-ray & Minor Injuries Unit Petition**

Thank you for your letter requesting further information following correspondence from the lead petitioners for the above.

Firstly, the Committee asks for clarification of the situation regarding minor injuries provision in Tywyn.

I can confirm that the Minor Injuries Unit (MIU) in Tywyn is open from 10.00 am to 6.00 pm, Monday to Friday during winter months and 7 days a week during summer months.

I can also confirm, as stated previously, that the Health Board holds an enhanced service agreement with the GP practice in Tywyn for the provision of minor injuries.

The GP practice works very closely with the MIU and there is cross-cover for certain aspects of service between the two. It is possible that this has led to the misunderstanding held by your petitioner.

I understand, and we have previously acknowledged, that there are strong feelings concerning the loss of the overnight service. I can only reiterate, as previously said, that the service was deemed to be unsustainable in view of the low level of demand and the difficulty in staffing it overnight for this low level of activity.

We do continue to review the position and I have asked my staff to update me on any issues in the area before confirming this response. I understand that there has not been any noticeable increase in patients attending Dolgellau Hospital, the locality “hub” and staff have not raised any further significant issues.

With regard to the examples quoted in the correspondence, the appropriate response from the NHS would depend on the seriousness of the issue in each case, and I am afraid that without details I am unable to comment specifically. A child experiencing



GIG
CYMRU
NHS
WALES

Bwrdd Iechyd Prifysgol
Betsi Cadwaladr
University Health Board

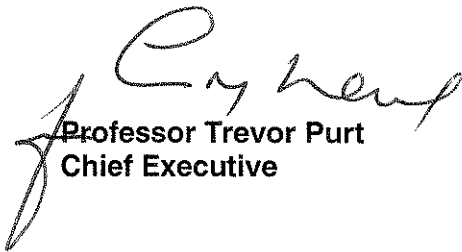
breathing difficulties can indeed be a concerning situation; however if serious, then an ambulance should be called for attendance at a major hospital Emergency Department. Similarly, depending on the severity of the injury, a head injury should also be treated at an Emergency Department.

I acknowledge that there remains concern that the health needs of the community in Tywyn are not being addressed equitably. I note that your correspondent has welcomed the development of the hospital. We also see this as a positive opportunity to improve both facilities and also joint working between health care professionals in the area, and, we hope, social services professionals. The new development will bring the GP practice and the hospital together.

We are also keen to hear the outcome of the review of healthcare in mid Wales being led by WIHSC. We hope that this may help identify further ways of improving access to services and joint working between the Health Boards supporting the mid Wales area.

I hope this response is of help.

Yours sincerely



Professor Trevor Purt
Chief Executive

Agenda Item 3.20

P-04-479 Tywyn Memorial Hospital X-ray & Minor Injuries Unit Petition

Petition wording:

We call upon the National Assembly for Wales to urge the Welsh Government to stop the withdrawal of X-ray facilities & the reduction in provision of services by the Minor Injuries Unit as a matter of urgency.

Petition raised by: Tywyn & District Health Care Action Group

Date petition first considered by Committee: 14 May 2013

Number of signatures: 4486



GIG
CYMRU
NHS
WALES

Bwrdd Iechyd Prifysgol
Betsi Cadwaladr
University Health Board

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

Ein cyf / Our ref: TP/SB/1713/012

Eich cyf / Your ref: P-04-466/P-04-479

☎: 01248 384910

Gofynnwch am / Ask for: Trevor Purt

E-bost / Email: trevor.purt@wales.nhs.uk

Dyddiad / Date: 1 July 2014

Dear Mr Powell

- **P-04-466, Medical Emergency – Preventing the Introduction of a Poorer Health Service for North Wales**
- **P-04-479, Tywyn Memorial Hospital X-ray & Minor Injuries Unit Petition**

Thank you for your letter requesting further information following correspondence from the lead petitioners for the above.

Firstly, the Committee asks for clarification of the situation regarding minor injuries provision in Tywyn.

I can confirm that the Minor Injuries Unit (MIU) in Tywyn is open from 10.00 am to 6.00 pm, Monday to Friday during winter months and 7 days a week during summer months.

I can also confirm, as stated previously, that the Health Board holds an enhanced service agreement with the GP practice in Tywyn for the provision of minor injuries.

The GP practice works very closely with the MIU and there is cross-cover for certain aspects of service between the two. It is possible that this has led to the misunderstanding held by your petitioner.

I understand, and we have previously acknowledged, that there are strong feelings concerning the loss of the overnight service. I can only reiterate, as previously said, that the service was deemed to be unsustainable in view of the low level of demand and the difficulty in staffing it overnight for this low level of activity.

We do continue to review the position and I have asked my staff to update me on any issues in the area before confirming this response. I understand that there has not been any noticeable increase in patients attending Dolgellau Hospital, the locality “hub” and staff have not raised any further significant issues.

With regard to the examples quoted in the correspondence, the appropriate response from the NHS would depend on the seriousness of the issue in each case, and I am afraid that without details I am unable to comment specifically. A child experiencing



GIG
CYMRU
NHS
WALES

Bwrdd Iechyd Prifysgol
Betsi Cadwaladr
University Health Board

breathing difficulties can indeed be a concerning situation; however if serious, then an ambulance should be called for attendance at a major hospital Emergency Department. Similarly, depending on the severity of the injury, a head injury should also be treated at an Emergency Department.

I acknowledge that there remains concern that the health needs of the community in Tywyn are not being addressed equitably. I note that your correspondent has welcomed the development of the hospital. We also see this as a positive opportunity to improve both facilities and also joint working between health care professionals in the area, and, we hope, social services professionals. The new development will bring the GP practice and the hospital together.

We are also keen to hear the outcome of the review of healthcare in mid Wales being led by WIHSC. We hope that this may help identify further ways of improving access to services and joint working between the Health Boards supporting the mid Wales area.

I hope this response is of help.

Yours sincerely

Professor Trevor Purt
Chief Executive

**P-04-479 Tywyn Memorial Hospital X-ray & Minor Injuries Unit Petition –
Correspondence from the petitioner to the Clerking Team, 01.10.14.**

Hello Kayleigh, I am sorry that I have a late response to the letter that you sent to Brian Mintoft in regard to this petition which was written by Trevor Purt to Mr William Powell on the 1st of July. This has only just come to my attention as Brian Mintoft has now left the area and moved to Plymouth and I have only just opened my e.mail which was sent from Brian on the 29th of this month. My name is Jennifer Windsor and I did accompany Brian to the Petition Committee meeting which was held in Prestatyn. Although I understand that there was a deadline of midday today for you to receive comments and input for the forthcoming session of the 7th of October I feel that I have a very simple and important fact to present that appears to have been overlooked in this case. Mr Purt has gone to great lengths to confirm that procedure has been put into place by the Health Board which consists of an enhanced service agreement with the G.P's practice in Tywyn and also by, what is suggested to be, a close working relationship in the supply of cross-cover for certain aspects of service between the practice and the hospital for the provision of Minor injuries services to Tywyn. The G.P's practice is open for four and a half days per week and the minor injuries unit at the hospital is open for seven days of the week during the summer months (which is actually 6 months of the year) and five days for the remaining half of the year. The times of availability of both of these services vary slightly which is where the cross-cover may come into effect. The important fact of the matter and what we were petitioning about is that when the Minor Injuries Service is unavailable, for six months, during the Winter and during the weekends the G.P's practice is also closed and unavailable. Consequently no matter what provisions it appears may have been put into place Tywyn is still left without a Minor Injuries Service, with no alternative service, for two days per week for six months of the year when, due to difficulties of weather and type of terrain, it is far less easy to access services in outlying areas. We would just like some acknowledgement of this particular fact. To my particular knowledge we have not displayed strong feelings during this petition over the loss of the overnight service. That point which was raised by Mr Purt is superfluous and distracts from the real point that we have made about inequality of service provision in Tywyn for six months of the year compared to other areas. Although it is difficult to predict what provision will be made when the G.P's practice becomes part of the new hospital refurbishment, the G.p's will still then only have a limited time of availability in practice and will doubtfully be supplying weekend cross-cover in place of the Minor Injuries Unit. With kind regards, Jennifer Windsor.

Agenda Item 3.21

P-04-552 Child Protection

Petition wording:

We call on the National Assembly for Wales to urge the Welsh Government to review and strengthen child protection criteria and consider establishing a regulatory body for Wales. This should aim to ensure that those who have charge of children, whether that's in schools, youth clubs, charities where children are the main focus, or people coming into contact or being invited in as patrons, governors, ambassadors, public servants or anybody appointed by children's charities are assessed as to their suitability to work with and around children.

Additional information: As it stands, local and county councillors and people appointed as ambassadors or Chairs of children's charities do not undergo DBS checks. Most of these people get open door access to children because of their position. In the light of the Jimmy Saville affair and the Ian Watkins affair, will the Welsh Assembly now recognise that we can no longer blindly accept people on the basis of their celebrity or social position and allow them access to children.

Petition raised by: Montessori Centre Wales

Date Petition first considered by Committee: 13 May 2014

Number of signatures: 40

Gwenda Thomas AC / AM
Y Dirprwy Weinidog Gwasanaethau Cymdeithasol
Deputy Minister for Social Services



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-04-552
Ein cyf/Our ref GT/00514/14

William Powell AM
Chair, Cadeirydd
Petitions Committee
National Assembly for Wales
Ty Hywel
Cardiff Bay
Cardiff
CF99 1NA

21 August 2014

Stephen.George@wales.gov.uk
Committee Clerk

Dear William,

The Minister for Health and Social Services has asked that I respond to your recent letter on behalf of the Petitions Committee in which you enclosed a copy of Petition (P-04-552) submitted by the Montessori Centre Wales. The Petitioners seek support for the establishment of a regulatory body for Wales to strengthen child protection criteria, particularly in respect of further reinforcing the appointment arrangements of individuals to work with children in light of a number of historic allegations of abuse that have featured in the media.

As the Committee will know, the Disclosure and Barring Service (DBS) operates on an England and Wales basis to provide conviction and non-conviction information to prospective employers where an individual is seeking to work in a regulated activity. The recording, retention and sharing of such information is governed by UK Government legislation as is individuals' eligibility to apply for a check with the DBS.

Nonetheless, the Welsh Government is fully committed to exercising our legislative competence to ensure that children are protected from abuse and those that perpetrate that abuse are subject to the full force of the law. This commitment is given effect through our Social Services and Well-being (Wales) Act 2014 which introduces and strengthens safeguarding policy and practice including a duty to report children and adults at risk, adult protection and support orders and the establishment of a National Independent Safeguarding Board.

Key functions of this National Board will be to support and advise regional safeguarding boards; to report on the adequacy and effectiveness of arrangements to safeguard children and adults in Wales; and to make recommendations to the Welsh Ministers as to how those safeguarding arrangements could be improved.

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1NA

English Enquiry Line 0845 010 3300
Llinell Ymholiadau Cymraeg 0845 010 4400
Correspondence: Gwenda.Thomas@wales.gsi.gov.uk

One of the over-riding principles of implementing effective safeguarding arrangements is that safeguarding is everyone's responsibility. For services to be effective, each professional and organisation should play their full part. The DBS is only one part of an effective recruitment and appointment process and should not take greater prominence over the range of measures prospective employers should take in determining whether candidates are suitable to work with children or other vulnerable groups.

In addition to the formal interview process, prospective employers should satisfy themselves about an individual's identity and qualifications; take up professional and character references; obtain assurances about any gaps in an individual's employment history as well as registration with relevant professional bodies. For example the Nursing and Midwifery Council (NMC) provides the opportunity to access the registration details of their employee or prospective employees from the NMC website. Similarly, the General Medical Council (GMC) also holds a UK register and from December 2012, all doctors holding a licence practice are required to demonstrate on a regular basis that they are up to date and fit to practice.

We continue to take action to strengthen safeguards and prohibit unsuitable individuals from entering or remaining in the workforce. The Education (Wales) Act 2014 reconfigures and renames the General Teaching Council for Wales (GTCW), to create the Education Workforce Council (EWC). As part of this reconfiguration, the requirement for registration as a condition of employment in Wales, will be extended to Further Education Teachers, School Learning Support Workers and Further Education Learning Support Workers; in addition to the continuation of the current requirement for School Teachers.

A key aim of the EWC will be to continue to uphold and safeguard the interests of learners, parents and the general public. As such, registrants will be subject to DBS checks; and will be required to conform to a "Code of Professional Conduct and Practice". The Code will form part of the disciplinary procedures that will be consulted upon in the Autumn; and includes requirements to follow policies and procedures in relation to child protection; physical contact; appropriate communication (including in relation to social media); to conduct relationships with learners in an appropriate and professional manner, both in and out of the workplace; and to take all reasonable steps to ensure the safety and well-being of all learners under their supervision.

The EWC will continue to receive police notifications of any convictions or cautions for a criminal offence whilst an individual is registered to ensure that any person working in these education professions is suitable to do so.

I am conscious that a number of Cabinet colleagues share responsibilities for the Welsh workforce. I have therefore copied this letter to each of them for information or to take the opportunity of writing separately to you about the issues you have raised.

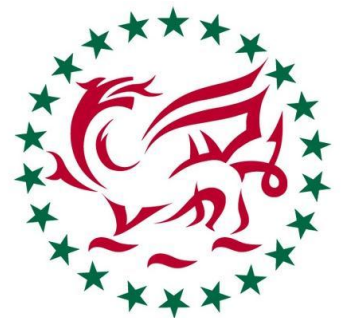
Yours sincerely,



Gwenda Thomas AC / AM
Y Dirprwy Weinidog Gwasanaethau Cymdeithasol
Deputy Minister for Social Services



Petition P-04-552 Diogelu
Plant / Child Protection
August 2014



WLGA • CLILC

Introduction

1. The Welsh Local Government Association (WLGA) represents the 22 local authorities in Wales. The three fire and rescue authorities and the three national park authorities are associate members.
2. It seeks to provide representation to local authorities within an emerging policy framework that satisfies the key priorities of our members and delivers a broad range of services that add value to Welsh Local Government and the communities they serve.

General Comments

3. Given the recent media coverage of high profile cases related to sexual abuse of children and young people by those in positions of authority or with celebrity status, it is inevitable that concerns will be raised about the robustness of safeguarding arrangements that are currently in place. It is important to recognise that a number of the cases highlighted in the media involving those with celebrity status are historic cases. Awareness of and application of safeguarding processes have improved considerably over time and the situation now bears little resemblance to that of two or three decades ago. For example, the All-Wales Child Protection Procedures were written in 2002, and substantially revised in 2008. They are kept up-to-date by the All-Wales Child Protection Review Group (AWCPPRG). The group has a mandate and representation from all of Wales' Local and Regional Safeguarding Children Boards and partner agencies. The group also produces supplementary protocols and practice guides, on an All-Wales basis, and provide a platform for sharing good practice across Wales.
4. In addition under the Education Act 2002 a legal duty was created for all local authorities, schools and further education institutions in Wales to exercise their functions in a way that takes into account the need to safeguard and promote the welfare of children. Guidance was issued under this Act to support local authorities and governing bodies in fulfilling this role and this has recently been updated and consulted upon by the Welsh Government. The guidance recognises that whilst people who may visit schools to attend meetings, to deliver goods or carry out maintenance tasks do not routinely need to be vetted before being allowed on to school premises, they do need to be managed by school staff. They should be:

- signed in and out of the school by school staff;
 - if appropriate, be given restricted access to only specific areas of the school;
 - where possible, they should be escorted around the school premises by a member of staff;
 - if left unattended, they should be clearly identified with visitor/contractor passes; their access to pupils restricted to the purpose of their visit; and
 - if carrying out building, maintenance or repair tasks their work area should be cordoned off from pupils for health and safety reasons.
5. The guidance also states that whilst school governors are no longer required to have an Enhanced Disclosure Certificate as a condition of their appointment schools still have an option to request an EDC check without a barred list check, and any governor giving cause for concern should also be asked to obtain an Enhanced Disclosure. All others should be asked to sign a declaration confirming their suitability to fulfil the role. Governors in positions that include regular work in the presence of children, or who care for, train, supervise or are in sole charge of children should be asked to obtain an Enhanced Disclosure (in line with other volunteers).
6. These arrangements underline the fact that common practice now means that the positions and roles referred to in the petition should never have unsupervised access to children and young people simply by virtue of their position and / or position of trust. The reality is that any direct contact with children and young people by Councillors, Champions, Governors, etc is organised, managed and supervised by Officers who are fully aware of their safeguarding responsibilities. Councillors and Governors receive safeguarding training and both groups are key when the LA/LEA are inspected by CSSIW or Estyn.
7. Good practice has also been shared across local authorities regarding safeguarding practices. For example, the Vale of Glamorgan have developed a Safe Recruitment policy which has been shared across Wales. This policy was developed following a CSSIW and Estyn report into the handling and management of allegations of professional abuse and the arrangements for safeguarding and protecting children in education services in Pembrokeshire County Council. The report raised a number of serious issues including reminding councils of their responsibilities for carrying out thorough safeguarding pre-employment checks on staff working with children (in particular that the appropriate level of CRB/DBS disclosure and written references are obtained). The Safer Recruitment policy helps councils and its schools strengthen safeguarding arrangements, providing a more comprehensive and consistent approach, building on the existing arrangements and taking account of the legislative

changes to provide a consistent and robust process on checking the suitability of applicants who will have access to children and / or vulnerable people.

8. It is also important to recognise the checks that can be undertaken as part of safeguarding measures. The Disclosure & Barring Service (DBS) is in place across England and Wales and there is national legislation through the Police Act 1997 and Rehabilitation of Offender Act 1975 which dictates for whom a registered body (employer) can request a DBS check, formerly, a Criminal Records Bureau (CRB) check. Most volunteers working with children would qualify for DBS check. The petition statement references the Jimmy Savile case which in many cases pre-dates this legislation and work undertaken by volunteers in schools, hospitals, etc. would now be covered. The Ian Watkins affair is different in that he did not work as a volunteer and so there would have been no reason to undergo a DBS check.
9. The legislation is there to ensure that a blanket approach where everyone has a DBS check regardless of the propensity to come into contact with children and / or vulnerable adults is not taken. The DBS system works on intelligence and therefore a DBS check is only as good as the intelligence behind it. The check is just a snapshot at that time, if there is no information, or the information changes, then the check will not show anything. This would not have prevented the Ian Watkins situation as he did not hold any position to warrant a check – he just had celebrity status.
10. There have been previous efforts to widen out the registration scheme for people who wished to work or volunteer in certain specified roles with children or vulnerable adults, most notably through the Vetting and Barring Scheme (VBS). The VBS would also have introduced a secondary type of activity (which could be either paid employment or volunteering), called 'Controlled Activity,' where individuals working in ancillary posts or who had access to sensitive information relating to children or vulnerable adults would also have had to be checked. This would have covered, for example, receptionists in outpatient clinics, catering staff and caretakers in further education colleges and hospital records clerks. Originally, 11 million individuals would have been required to register with the VBS, as their work would have fallen within the definition of Regulated Activity with children or vulnerable adults.
11. The Coalition Government, however, believed that the VBS was a disproportionate response to the risk posed by a small minority of people who wished to commit harm to vulnerable people, creating a complex and cumbersome central bureaucracy which brought far too many people within its scope, and argued that the VBS had the counter-productive effect of deterring well-meaning adults from working with children

and vulnerable adults. It believed that the VBS shifted the responsibility for ensuring safe recruitment too much away from the employer and towards the state, and that this encouraged risk-averse rather than responsible behaviour from employers by giving the impression that this central Scheme could manage all risk out of the system used for pre-employment checking. Instead the new DBS arrangements came into force in September 2012. They retain some of the features of the VBS including the duty to make referrals and the prohibition of engaging a barred person in regulated activity. However, the new disclosure and barring arrangements no longer requires registration or monitoring and only covers those who may have regular or close contact with vulnerable groups, defined as "Regulated Activity" in legislation – repealing the "Controlled Activity" activity category. However, for those individuals who do not work in regulated activity but nevertheless work, paid or unpaid, with vulnerable people, employers can, but will not be required to, obtain criminal records checks.

12. Other changes to disclosure and barring arrangements were introduced in June 2013, including certificates being issued only to applicants rather than registered bodies, and the launch of the DBS 'Update Service'. This subscription service enables individuals to apply to have their criminal record check kept up to date so they can take their DBS certificates with them when they move from role to role. Employers can then carry out free, instant online Status Checks of an individual's certificate to see if any new information has come to light since the DBS certificate's issue.
13. Whilst safeguarding arrangements have clearly improved in recent times we are always able to learn lessons and as a result we continue to review procedures and improve practice. There is an on-going inquiry into whether Ian Watkins' celebrity status prevented him from being brought to justice as a child sex abuser earlier. There have also been calls for a public inquiry into how Jimmy Savile evaded justice for so long and the reports into his activities in relation to hospitals / hospice premises have been published by the relevant hospital trusts. An inquiry into abuse by Jimmy Savile on BBC premises is also due to report in September. It will be important to take any learning out of these inquiries and see how practice can be improved as a result.

Conclusion

14. It is understandable that due to the recent high profile abuse cases that have received media coverage that questions are raised around the safeguarding arrangements in place. It is important to note that many of these cases are historic and that in fact significant improvements have been, and continue to be made in relation to

safeguarding arrangements across local government. Local government, with partners, have developed and put in place both national and local policies and procedures to support them in their safeguarding role, e.g. *All Wales Child Protection Policy and Procedures* and *Safer Recruitment Policies*. Local arrangements support the fact that in the main any direct contact with children and young people by Councillors, Champions, Governors, etc, is organised, managed and supervised by Officers who are fully aware of their safeguarding responsibilities. In addition Councillors and Governors receive safeguarding training to support them and help them to understand their roles and responsibilities.

15. The new Disclosure and Barring Service (DBS) was introduced in 2012 and this scaled back some of the original intentions in the Vetting and Barring Scheme (VBS), though the reasons for doing so are understandable, i.e. it was too complex and bureaucratic. The reality is that any DBS checks undertaken are not full-proof, they are just a snapshot at that time, we therefore need to be careful about extending the need to carry out DBS checks further and examine the merits of doing so.
16. There is a need to learn from any findings that come out of the inquiries being undertaken and a need to continue to review all elements of safeguarding, including the still fairly new DBS scheme. We need to be mindful, however, not to take any local or regional responses that may undermine the national DBS approach. Therefore at this time it is the WLGA's view that we do not currently need to seek any changes to current arrangements as set out in the petition.

For further information please contact:

Stewart Blythe, Policy Officer Social Services & Health
Stewart.blythe@wlga.gov.uk

Welsh Local Government Association
Local Government House
Drake walk
Cardiff
CF10 4LG

Tel: 029 2046 8600

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

Petition wording:

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

Petition raised by: Geraint Vaughn Jones

Date Petition first considered by Committee: 17 June 2014

Number of signatures : 2,754

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



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-04-564
Ein cyf/Our ref MD/02908/14

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

Stephen.george@wales.gov.uk

27 July 2014

Dear William,

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

Firstly, I would like to assure the Committee that I do understand how strongly people feel about their local health services. However, the changes that are happening to health services in the Blaenau Ffestiniog area were agreed between the Health Board and local Community Health Council, following a formal engagement and consultation process.

This was in accordance with the requirements of the '*Guidance for Engagement and Consultation on Changes to Health Services*', which advises Health Boards on the conduct of engagement and consultation with citizens, on changes to health services.

I was not asked to consider the Health Board's proposals and am clear that I will not reopen any matters which have been agreed locally. The design and implementation of the plans for the new Centre are therefore a matter for local determination, although I have asked my officials to do all they can to ensure this new and much needed facility comes to fruition for the people of Blaenau Ffestiniog as soon as possible.

Best wishes,

Mark

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

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1NA

English Enquiry Line 0845 010 3300
Llinell Ymholiadau Cymraeg 0845 010 4400
Correspondence: Mark.Drakeford@wales.gsi.gov.uk
Printed on 100% recycled paper

Wedi'i argraffu ar bapur wedi'i ailgylchu (100%)
Pack Page 104



Bwrdd Iechyd Prifysgol
Betsi Cadwaladr
University Health Board

Mr William Powell AC/AM
Chair
Petitions Committee
Cardiff Bay
Cardiff
CF99 1NA

Ein cyf / Our ref: TP/SB/2459/097

Eich cyf / Your ref:

☎: 01248 384910

Gofynnwch am / Ask for: Trevor Purt

E-bost / Email: trevor.purt@wales.nhs.uk

Dyddiad / Date: 26 September 2014

Dear Mr Powell

Thank you for your letter of 21 August 2014 enclosing details of a petition submitted to the Committee which proposes a delay to changes to healthcare services in Blaenau Ffestiniog until such time as the report of the Mid Wales Healthcare Study is published.

I would like, first of all, to assure you that the Board is very aware of the strength of feeling expressed by a large number of residents of Blaenau Ffestiniog about the changes to healthcare services in the town. The Board has corresponded with you previously regarding this matter and the Committee will therefore be aware that the decision to close inpatient beds at Ffestiniog Memorial Hospital and provide this care at Ysbyty Alltwen was not a decision that was taken lightly. The Board was appraised fully of all the correspondence received from the Defence Committee and other sources, and received a petition submitted prior to the formal Consultation. The Board nevertheless decided that on balance, the need to ensure that services were consistent and reliable, and able to be sustained into the future, the services needed to change.

Since that time, as the Committee will also be aware, there has been a significant amount of good work on developing the new model for community services within Blaenau Ffestiniog with involvement of representatives of the local community. A business case for the proposed primary healthcare centre was approved by the Health Board in March of this year, and following clarification of some issues, is awaiting approval from Welsh Government.

The development of the new healthcare centre offers a good opportunity to ensure there is a modern, fit for purpose centre for delivery of an extended range of community based services, to support people closer to home, and closer working with the whole primary care team. The new enhanced care service, which was put in place following the transfer of inpatient care, is providing care in people's own homes and avoiding the need for admission to hospital in those cases. Where a person cannot be safely cared for at home then they will of course still be cared for at Ysbyty Alltwen.

The Health Board is committed to learning from the findings of the Mid Wales Healthcare Study when it is published. We are not certain of the extent to which the findings will reach beyond the mid Wales area to the Gwynedd heartlands and Blaenau Ffestiniog area but will look to apply any learning from the study to all of our rural populations. The Board does not believe it is appropriate, however, to delay the



Bwrdd Iechyd Prifysgol
Betsi Cadwaladr
University Health Board

development of the primary Healthcare Centre in Blaenau Ffestiniog, as this development was itself supported by the Minister as a priority, and is part of the Health Board's commitment to the local population to improve primary and community services.

I trust this information is of help to the Committee in their considerations.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'T. Purt', written over a horizontal line.

Prof Trevor Purt
Chief Executive

P-04-564 Restoration of Inpatient Beds, Minor Injuries Cover and X-Ray Unit to the Ffestiniog Memorial Hospital – Correspondence from the Petitioner to the Committee, 28.09.14

SUMMARY

The Letter From Professor Drakeford

We would respectfully suggest that the Committee should consider Prof Drakeford's comments from two perspectives. First that his letter was sent over two months ago in July before he could have been aware of the subsequent developments that we outline below. Second that it is the duty of the Assembly members to hold the Ministerial team to account and we consider that this duty extends to the Petitions Committee equally with other Assembly committees.

Below we have laid out the evidence to demonstrate that what was predicted by GPs, when the plans to withdraw services from Ffestiniog were first proposed in the Spring of 2012, has now happened: Very shortly the residents of the Welsh Uplands will be virtually without healthcare services. Prof Drakeford could not have known this when he wrote to you and no doubt his officials still believed when they sent the letter that Betsi Cadwaladr University Health Board would find some way to 'save the situation'. However, the new Chief Executive of Betsi Cadwaladr University Health Board (BCUHB) publically informed his Board on September 2nd that the strategy for primary and community care introduced by the predecessor Board is unsatisfactory and he is to bring a "modern new plan for primary and community care" to the January 2015 meeting of the BCUHB Board. This also could not have been known by Prof Drakeford when he wrote to you.

We also lay out argument below that we would ask you to consider as part of your scrutiny role. The Minister commissioned an external team, led by a noted expert Prof Longley, to examine the provision of healthcare services in rural Mid & West Wales and make recommendations on their improvement. It would not be professional of either the Minister or his advisors if he were to authorise BCUHB to approve the business case for Ffestiniog Memorial Hospital and consequently for BCUHB to contract thereafter for the demolition of estate, and for the permanent withdrawal of healthcare services, when Prof Longley's recommendations might identify a preferred alternative strategy.

Letter From Prof Trevor Purt

Prof Purt took up his post at BCUHB as recently as July of this year. His personal knowledge of the situation in Ffestiniog and the Welsh Uplands is therefore limited. We lay out argument to challenge some of the information that his staff appear to have conveyed to him and which he has repeated and make the case that his objectives would be best served by awaiting Prof Longley's report.

Request

At risk is the potential of the waste of a substantial amount of public money, and more importantly a prolonged period of inadequate healthcare for the rural uplands population.

Hence we ask you to support the petition and ask the Minister to put the Business Case for the Memorial Hospital to be converted into a Memorial Centre on hold until he has received Prof Longley's advice and his officials have had the opportunity to consider the business case in the light of the up to date situation and Prof Longley's advice.

AN UPDATE ON PRIMARY AND COMMUNITY CARE IN FFESTINIOG AND THE WELSH UPLANDS

In mid 2012, BCUHB commenced consultation on a new strategy for healthcare services in North Wales called Healthcare in North Wales is Changing (HiNWiC). Central to this consultation was a proposal to downgrade NHS services in rural centres, including that based in Ffestiniog. GPs issued formal warnings to the BCUHB Board regarding the impact on the ability to deliver healthcare that would follow if the proposals were adopted.

The North Wales GPs Local Management Committee sent a strong letter of objection to the Board regarding HiNWiC and ensured that each Board member received a personal copy of it. It included:

“We reject any of the current proposals that involve closure of Community Hospital beds in North Wales, without prior thought regarding the impact of such change. There has been no convincing argument put forward that such closures will improve patient care, it seems to be being proposed as purely a cost cutting exercise. This area needs vision and strategy for the whole of North Wales on how best to site community hospitals dependent on patient need and rurality”.

The compendium of submissions in response to HiNWiC assembled by ORS for the Board included a summary of the response of the local Ffestiniog GP practice. A letter from the four local GPs commenting on the profile and options for the Memorial Hospital was submitted. It was summarised by ORS as,

“BLAENAU FFESTINIOG MEMORIAL HOSPITAL – Meddygon y Blaenau are opposed to closure of Blaenau Ffestiniog Memorial Hospital. The X-Ray Department is critical to practice good medicine in the Community. Distance and poor transport links to Ysbyty Gwynedd makes the hospital closure unacceptable. The proposals will/already are having detrimental effect on the practice.”

The BC_ CHC in its submission to BCUHB of 9th January 2013 stated in relation to Ffestiniog:

“ We remain concerned about the co-ordination of care between the health board and general practice staff. We understand that the enhanced care service will be provided under contract. We are concerned, however, that

without the active support of general practitioners for your proposals, services to local people may break down”.

All of these submission were rejected by BCUHB without any explanation being given. Subsequently, in June 2013, several of the senior BCUHB Board management and members who promoted the unwise decision to withdraw healthcare services from Ffestiniog and the Welsh Uplands were publically criticised when their lack of governance was exposed in the HIW/NAO report. That report states:

“Most significantly we have concerns that the Health Board’s governance arrangements and organisational structure are compromising its ability to adequately identify problems that may arise with the quality and safety of patient care.”

The Board now has a new Chair, Vice Chair, Chief Executive, Finance Director, Medical Director, and Director of Nursing.

As predicted by General Practitioners and others the quality and safety of patient care in Ffestiniog plummeted.

At the end of December there will be no General Practice in Blaenau Ffestiniog as the last 2 GPs have handed in their resignations. (The first outcome of the withdrawal of hospital services was that two GPs left the practice). This means that many of the Board's plans such as Enhanced Care at Home will be impossible to implement as no doctors will be available to oversee this service. In addition 3 or 4 of the local District Nurses (out of a total of 5) are also retiring or resigning. It is well known to the Board that recruitment of replacement doctors and nurses are almost impossible proven by the fact that the current practice GPs have been unable to do so for over a year, in spite of continuous advertisements seeking new partners.

BCUHB intend to run a locum based service from the practice premises but with no hospital backup, no MIU, no Xray, no base for out of hours’ services and no re-establishment of rural branch surgery service.

The CHC is also revisiting some of their decisions in light of the consequences of their acceptance of assurances given by the previous Board for its plans for this area. The CHC has noted the reduction in GP numbers from 4, initially, to 0 as it will be by the end of January 2015; closure of the branch surgery in Llan Ffestiniog and reduction to 1 surgery weekly in Dolwyddelan; loss of inpatient beds and Minor Injuries Unit at the hospital, and closure of our X-ray department. This amounts to

decimation of local health provision and gross discrimination against this deprived locality.

On September 15th, the Gwynedd Local Committee of the CHC discussed for one hour the “crisis” that now faced the NHS in Ffestiniog and the Welsh Uplands. It resolved to ask its Council to discuss the “unacceptable situation” that has been created with the BCUHB Board in its late October joint BCUHB – CHC meeting.

Prof Drakeford could not have been appraised of the serious outcomes that had arisen from the old BCUHB Board’s decisions to remove healthcare services from Ffestiniog when he wrote to you. He now needs to be encouraged to re-evaluate the situation.

ARGUMENT FOR CONSIDERATION DURING YOUR SCRUTINY PROCESS.

In January 2014, the Minister for Health and Social Care, Prof Mark Drakeford, announced that he had commissioned the Welsh Institute for Health and Social Care (WiHSC) to carry out an independent study of the issues and opportunities for providing accessible, high quality, safe and sustainable health services, which are best suited to the specific needs of people living in Mid Wales. After examining the terms of reference for the study, Prof Longley wrote to the Minister on the topic of defining mid Wales in which he included “There were other communities that should be included in the study and which the Terms of Reference should also reflect – for example North Meirionnydd (and in particular the catchment of the Ffestiniog Memorial Hospital and the surrounding Welsh Uplands hinterland)”.

As part of his statement when announcing the WiHSC study, Prof Drakeford said

“I will expect Hywel Dda, Powys and Betsi Cadwaladr Health Boards, which are responsible for meeting the health needs of people living in Mid Wales, to respond to its findings through the refresh of Medium Term Plans undertaken by all Health Boards in the Autumn. The NHS Wales Planning Framework, recently issued, made explicit the requirement for these plans to respond to the needs of local populations and reinforces the specific requirement to take account of delivering health care services to rural communities.”

Given his commissioning of the Prof Longley review and his instructions to health boards to “refresh their medium term plans to take account of delivering health care services to rural communities”, it would reflect poor governance by the Welsh

Government to push ahead with a major decision regarding services to the Welsh Uplands without waiting for the advice from the study which it, itself, had commissioned.

When the Minister states in his letter to you that “I was not asked to consider the Health Board’s proposals” he refers solely to the Community Health Council. He was asked by a wide variety of professional and patient organisations to consider the changed circumstances but chose to refuse all requests to meet with them.

The BCUHB Letter to the Petitions Committee

Considerable latitude must be extended to Prof Purt since he has only been in post since July and we do not believe that he has yet visited Ffestiniog to acquaint himself with the situation. Hence much of the detail in his letter will have been drafted by others.

Prof Purt’s letter makes five points on which we comment below.

1. *The decision to close inpatient beds at Ffestiniog Memorial Hospital and provide this care at Ysbyty Alltwen was not a decision that was taken lightly. The Board nevertheless decided that on balance, the need to ensure that services were consistent and reliable, and able to be sustained into the future, the services needed to change.*

This statement is pure semantics. The Board was never able to publish any reasons why the residents of North Meirionnydd were to be outsourced to an out of ‘Locality’ hospital in a different locality. The action of BCUHB in doing so was pure discrimination against the residents of the Welsh Uplands

2. *Developing the new model for community services within Blaenau Ffestiniog*
Community services in Ffestiniog and the Welsh Uplands have collapsed as a result of the changes made by the former Board. A new model is needed and hopefully will emerge from Prof Purt’s new plan.

3. *Delivery of an extended range of community based services, to support people closer to home, and closer working with the whole primary care team. The new enhanced care service, which was put in place following the transfer of inpatient care, is providing care in people’s own homes and avoiding the need for admission to hospital in those cases. Where a person cannot be safely cared for at home then they will of course still be cared for at Ysbyty Alltwen.*

Only a handful of patients from the Welsh Uplands have been treated in the “new enhanced care service”. No systemic review of that service in the Welsh

Uplands has been undertaken. However, the stresses of that service, and of treating those who were not admitted to the “new enhance care service”, has been a contributory factor in both primary care and district nursing services in the Welsh Uplands reaching staffing melt down.

4. *We are not certain of the extent to which the findings will reach beyond the mid Wales area to the Gwynedd heartlands and Blaenau Ffestiniog area*

It is to be hoped that the competence of BCUHB management is not judged from this statement, since BCUHB has no excuse for not being aware of Prof Longley’s brief.

On 15 January 2014 One of the Petitions Committee members, Mrs Joyce Watson AM (for Mid and West Wales, in whose area Meirionnydd sits) raised the issue in plenary that Meirionnydd and the Welsh Uplands be included in Prof Longley’s terms of reference and this was subsequently confirmed. Prof Longley met twice in Aberystwyth with representatives of Ffestiniog. He further visited BCUHB in Bangor on 31st July 2014 in the morning and subsequently, later that same day, had meetings with the Ffestiniog Town Council and with the public of Ffestiniog. Mr Guto Bebb MP chaired the public meeting which was attended by some 140 residents of various villages in the Welsh Uplands.

It beggars belief that BCUHB have doubts as to whether Prof Longley’s study applies to Meirionnydd.

5. *Development was itself supported by the Minister as a priority,*

It surprises us that the Minister would consider an activity to withdraw healthcare services from a rural area “a priority” especially as other members of the Ministerial team have put much effort into rejuvenating the locality with extreme sports and other activities for which healthcare cover is essential.

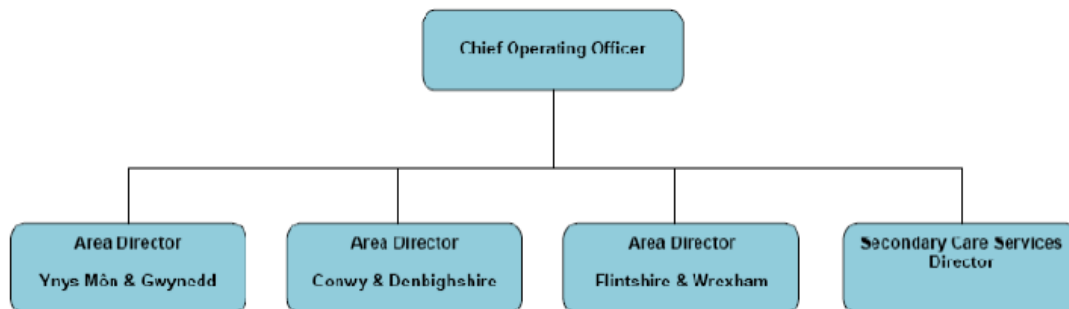
Prof Purt, the new Chief Executive of BCUHB, told the Board on September 2nd that the strategy for primary and community care introduced by the predecessor Board is unsatisfactory and he is to bring a “modern new plan for primary and community care” to January 2015 meeting of the Board. This plan, schematic attached as annex, is a fundamental change of direction for primary and community care in North Wales. It does not make sense to authorise a business case in Ffestiniog which starts with demolishing a perfectly good Xray room to make additional car parking spaces if providing Xray services in Ffestiniog is part of the new ‘modern’ plan.

It should be clear to all that BCUHB is in need of the advice which Prof Longley will undoubtedly include in his report and that BCUHB will need the time to digest and take advantage of that advice. Hence it is important that the current plans to dismantle the existing infrastructure are put on hold.

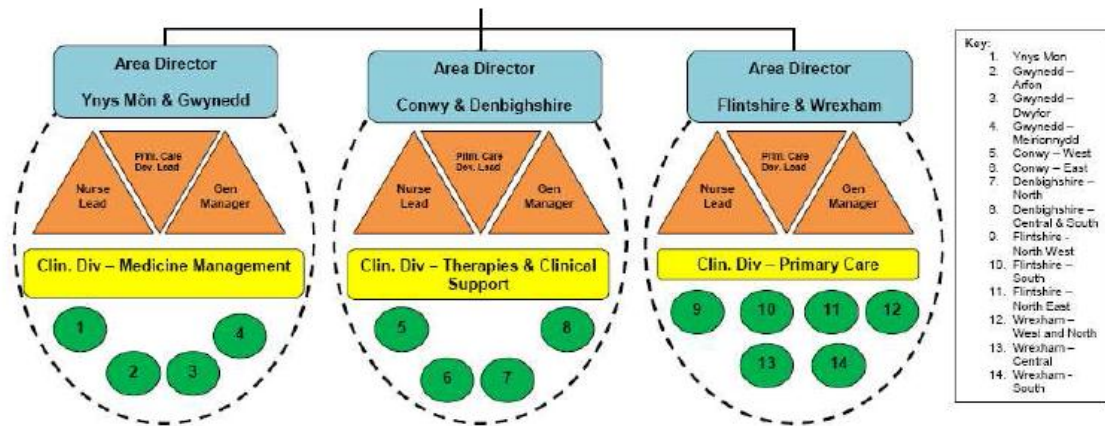
ANNEX

Prof Trevor Purt has obtained Board approval to restructure primary and community care in BCUHB to rectify its past failings. Extracts from his paper to the Board are below

The four posts of Area Directors and Secondary Care Services Director have no parallels within existing structures. These posts will be advertised UK wide. BCUHB employees will be encouraged to apply.



The Area Teams will be responsible for delivering local community based healthcare. They will do this by enhancing integrated working relationships across the whole care pathway. Starting with prevention and early intervention they will ensure in terms of delivery of care models that local services start in the community, facilitating resilience and self care and accessing local primary care and social services, supported when needed by services across the secondary care setting. Utilising community and partnership assets, they will build on what is already established and seek to improve health and tackle inequalities in health.



Agenda Item 3.23

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

Petition wording:

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

Additional Info:

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

Petition raised by: Lisa Winnett

Date petition first considered by Committee: 24 September 2013

Number of signatures: 265

Rebecca Evans AC / AM
Y Dirprwy Weinidog Amaeth a Physgodfeydd
Deputy Minister for Agriculture and Fisheries



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-04-500
Ein cyf/Our ref RE/00185/14

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

22 September 2014

Dear William,

Thank you for your letter about Petition P-04-500 Call for Regulating of Animal Welfare Establishments in Wales.

I understand that officials have considered the report, but, to date there has been no response published. This will be rectified by my officials immediately.

With regard to my views on the report, I will respond to this question separately once I have had an opportunity to consider its contents.

Yn eiddo,
Rebecca

Rebecca

Rebecca Evans AC / AM
Y Dirprwy Weinidog Amaeth a Physgodfeydd
Deputy Minister for Agriculture and Fisheries

Rebecca Evans AC / AM
Y Dirprwy Weinidog Amaeth a Physgodfeydd
Deputy Minister for Agriculture and Fisheries



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-04-500
Ein cyf/Our ref RE/00185/14

William Powell AC
Aelod Cynulliad y Canolbarth a'r Gorllewin
Cadeirydd y Pwyllgor Deisebiadau
Tŷ Hywel
Bae Caerdydd
Caerdydd
CF99 1NA

22 Medi 2014

Annyl William,

Diolch am eich llythyr ynghylch Deiseb P-04-500 Galwad i Reoleiddio Sefydliadau Lles Anifeiliaid yng Nghymru.

Rwy'n deall bod swyddogion wedi ystyried yr adroddiad ond, hyd yma, ni chafodd unrhyw ymateb ei gyhoeddi. Bydd hyn yn cael ei gywiro gan fy swyddogion ar unwaith.

O ran fy safbwynt ar yr adroddiad, byddaf yn ymateb i'r cwestiwn hwn ar wahân unwaith y byddaf wedi cael cyfle i ystyried ei gynnwys.

*Yn gywir,
Rebecca*

Rebecca Evans AC
Y Dirprwy Weinidog Amaeth a Physgodfeydd

**P-04-500 Call For Regulation of Animal Welfare Establishments in Wales –
Correspondence from the Petitioner to the Clerking Team, 29.09.14**

Hi Kayleigh,

I am disappointed by the delay in response regarding this item from the Assembly Minister to the Petitions committee, as this petition was originally submitted over a year ago, and we are still awaiting a response into this matter.

I would like to thank the diligence of the petitions committee in address this matter, and hopefully we will receive the response very soon, so that this issue can be taken forward.

I look forward and welcome seeing the response from the minister on this significant animal welfare matter.

Yours Sincerely

Cllr Lisa Winnett

Agenda Item 3.24

P-04-535 Save our Fire Stations

Petition wording:

We call upon the Welsh Government to ensure fire services throughout the country are protected from severe budget cuts which inevitably impact upon the service and response times.

Additional information: Due to severe budget cuts from the Welsh Government to local government, fire authorities are facing significant financial pressures and are being forced to reduce their budgets. We believe this will directly impact upon response times and potentially put people's lives at risk. As the Welsh Government has ultimate responsibility for the fire service, we believe the Welsh Government should make a financial intervention in the same way it has done for the NHS to protect the fire service from budget cuts.

Petition raised by: Jonathan Edwards

Date Petition first considered by Committee: 18 February 2014

Number of signatures: 698

Lesley Griffiths AC / AM
Y Gweinidog Llywodraeth Leol a Busnes y Llywodraeth
Minister for Local Government and Government Business



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-04-535
Ein cyf/Our ref LG/00478/14

William Powell AM
Chair Petitions committee

committeebusiness@Wales.gsi.gov.uk
Stephen.George@wales.gov.uk

3 June 2014

Dear Bill

Thank you for your letter of 30 April with regard to a petition received from Jonathan Edwards to protect Fire and Rescue Authorities (FRAs) from severe budget cuts in Wales.

Collectively, public services in Wales face significant challenges in relation to future funding outlook, following the Comprehensive Spending Review and recent UK Budget spending cuts. This requires FRAs to engage in decisive and radical financial and service planning, so as to align public services quickly to the lower levels of resources likely to be available.

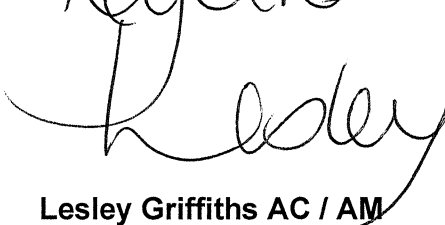
The Welsh Government continues to provide a considerable amount of central grant funding to FRAs, in addition to the core funding they receive from Local Authorities.

In 2013-14 the amount made available by Welsh Government totalled £26 million and included:

- Over £3.5 million to support community fire safety
- £4 million to support national resilience – (New Dimension and the Firelink radio communication system)
- £18.5 million “top up” grant to cover employers contributions to fire-fighter pensions.

Overall budgets for the FRAs in Wales, have not fallen significantly until 2013-14. Information in respect of 2014-15 will be published in mid-June 2014. FRAs also receive funding for capital investment purposes and are encouraged to use such funds to improve services for the future.

The majority of funding for FRAs in Wales is raised through a levy on the constituent Local Authorities in each area. It is, therefore, a matter for FRAs and Local Authorities to work together during the annual budget-setting process, to agree an appropriate funding level which supports local priorities for community safety and response capability.

Regards


Lesley Griffiths AC / AM

Y Gweinidog Llywodraeth Leol a Busnes y Llywodraeth
Minister for Local Government and Government Business

P-04-554 An official Welsh Government policy that prohibits non transparent training organisations from working within public bodies

Petition wording:

We call on the National Assembly for Wales to urge the Welsh Government to form an official policy that prohibits non transparent training organisations, consultancies and charities from operating within the Welsh Government, civil service, local Government and within public funded bodies in Wales in general; in the form of in house training or otherwise. Unaccountable training organisations, consultancies and charities using public money should be refrained from any such activity without being fully transparent and providing full disclosure of what their courses entails and what the cost is to the tax payer and to the public in general. A full list of such training programmes should include ones that cater for career and personal development and advancement as well as ones not directly related to the persons employment. This full disclosure policy for public bodies in Wales would reinforce the Welsh Governments commitment to transparency and openness.

Petition raised by: Cymru Sofren / Sovereign Wales

Date Petition first considered by Committee: 13 May 2014

Number of signatures: 10

P-04-554 An official Welsh Government policy that prohibits non transparent training organisations from working within public bodies – Correspondence from the Petitioner to the Clerking Team, 22.09.14

Annwyl Kayleigh,

Please accept this as my reply to Mr William Powell and the petition panel's request for further information for the petition titled

"An official Welsh Government policy that prohibits non transparent training organisations from working within public bodies"

Text below:

Dear Mr Powell and the petition panel,

Further to the Sovereign Wales petition titled "An official Welsh Government policy that prohibits non transparent training organisations from working within public bodies", as requested I'm sending you further information which will hopefully be of use.

According to FOI requests and the Welsh Government's disclosure log, £115,346.50 has been spent on training courses for staff by the Common Purpose training organisation alone.

There are other organisations that are also relevant such as Eleisha training for which spending figures haven't yet been made available. By definition of courses I mean career and personal development, leadership or advancement and any that are not directly related to the person's employment. I apologise for including a number of links but I feel it is important to include all of them as they speak for themselves on this issue.

Below can be seen a link to a Welsh Government answer to an FOI regarding the above figures:

<http://wales.gov.uk/about/foi/responses/dl2013/aprjun/gov1/dlgov496/?lang=en>

The full original disclosure log 2086 for this FOI above can be seen as archived by the Welsh Government here:

<http://webarchive.nationalarchives.gov.uk/20120406044341/http://wales.gov.uk/publications/accessinfo/disclosurelogs/premay10disclosures/disclosures2000-2099/disclog2086/?lang=en>

In this Welsh Government FOI response it is stated that a company called Eleisha training is the in house training of the Welsh Government although Eleisha is a private limited company who's vision statement reads "Eliesha is a Europe-wide provider of bespoke training and consultancy services" (<http://www.eliesha.com/>)

<http://wales.gov.uk/about/foi/responses/dr2012/julsep/gov1/dlgov354/?lang=en>

More detailed responses by from the Welsh Government disclosure log regarding FOI on training courses can be seen here (Disclosure log 2116):

<http://www.webarchive.org.uk/wayback/archive/20140618053619/http://wales.gov.uk/about/foi/responses/premay10disclosures/dl2100-2199/disclog2116/?skip=1&lang=en>

In this below response (Disclosure log 2318) the Welsh Government refuses a request from a member of the public asking for the names of elected Welsh Assembly members, Welsh Government members or their employees who have attended Common Purpose courses, stating in their response that "our view is that the disclosure of the personal data requested would be unfair"

<http://www.webarchive.org.uk/wayback/archive/20140618043226/http://wales.gov.uk/about/foi/responses/premay10disclosures/dl2300/disclog2318/?skip=1&lang=en> This in itself raises very serious questions about lack of transparency and the use of the public's money.

Two more refusals to divulge similar information on Welsh Government training courses which are in the public interest can be seen below:

Gov 171

<http://webarchive.nationalarchives.gov.uk/20140404005258/http://wales.gov.uk/about/foi/responses/dr2011/gov/5874675/?lang=en>

Gov268

<http://webarchive.nationalarchives.gov.uk/20140404005258/http://wales.gov.uk/about/foi/responses/dr2012/janmar/gov/5872146/?lang=en>

In conclusion, the Welsh Government states that it follows the principles of openness and transparency in government. However that certainly isn't the case in this instance. I hope that you will agree that this is of significant public and democratic interest. The public are being denied their rights to know how exactly their money is being spent, what these courses entail and which of our political representatives and public employees have attended and are attending these courses. As it stands this situation is the opposite of transparency.

Training for general technical and IT skills is understandable but these courses go beyond that remit. As stated above I am of the strong view that it's therefore crucial that any training provided is utterly transparent and that we the public know exactly what these training courses entail and how our public servants use our public money to these ends.

It must also be asked why our politicians and staff need to be trained for 'personal development and leadership' by anyone at all, never mind non democratically accountable sources. Our political representatives and civil service should not need to be 'trained' or influenced in any way in these unnecessary areas given that they are accountable to us the people and our politicians are voted in based on their individual characters and beliefs

I hope this response will help to demonstrate my view that the suggestions made in the petition are not only necessary but very important to public trust and the accountability of governance in Wales.

Diolch yn fawr ,

Gruffydd Meredith

Document is Restricted