

Children, Young People and Education Committee

Meeting Venue:

Committee Room 1 – Senedd

Meeting date:

Thursday, 13 November 2014

Meeting time:

09.15

Cynulliad
Cenedlaethol
Cymru

National
Assembly for
Wales



For further information please contact:

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Agenda

Private pre-meeting – 09.15 – 09.30

1 Introductions, apologies and substitutions (09.30)

2 Higher Education (Wales) Bill – Stage 2: Consideration of Amendments (09.30 – 11.00) (Pages 1 – 15)

Papers: Marshalled List of Amendments
 Grouping of Amendments

In accordance with Standing Order 26.21 the Committee will dispose of amendments to the Higher Education (Wales) Bill in the order which the sections and schedules to which they relate, arise in the Bill.

3 Children's Commissioner for Wales Annual Report (11.00 – 12.00)

(Pages 16 – 31)

CYPE(4)–27–14 – Paper 1 – Annual Report

CYPE(4)–27–14 – Paper 2 – Commissioner's Briefing

Keith Towler, Children's Commissioner for Wales
Eleri Thomas, Chief Executive

4 Papers to note (12.00)

Letter from the Minister for Health and Social Services to the Chair of the Health and Social Care Committee (Pages 32 – 38)

CYPE(4)-27-14 – paper to note 3

5 Motion under Standing Order 17.42 to resolve to exclude the public from the meeting for the following business: (12.00)

Item 6

6 Inquiry into Child and Adolescent Mental Health Services – Consideration of draft report (12.00 – 12.30) (Pages 39 – 74)

CYPE(4)-27-14 – Private paper 4



RHESTR O WELLIANNAU WEDI'U DIDOLI MARSHALLED LIST OF AMENDMENTS

Bil Addysg Uwch (Cymru) Higher Education (Wales) Bill

Mae'r gwelliannau â * ar eu pwys yn rhai newydd neu'n rhai sydd wedi'u haddasu.
Amendments marked * are new or have been altered.

Caiff y Bil ei ystyried yn y drefn a ganlyn –
The Bill will be considered in the following order –

Section Nos. English	Rhifau adrannau Cymraeg
Sections 27- 57	Adrannau 27-57
Schedule	Atodlen

Simon Thomas

51

Section 27, page 13, line 32, leave out 'relating to the organisation and management of the financial affairs of regulated institutions (referred to in this Act as "the Code")' and insert –
'(referred to in this Act as "the Code") which –

- (a) relates to the organisation and management of the financial affairs of regulated institutions;
- (b) must only include provisions which are necessary to enable the governing body of a regulated institution to demonstrate –
 - (i) that it is exercising appropriate control and management of the financial affairs of a regulated institution; and
 - (ii) that it is safeguarding the financial viability of a regulated institution'.

Adran 27, tudalen 13, llinell 35, hepgorer 'sy'n ymwneud â threfnu a rheoli materion ariannol sefydliadau rheoleiddiedig (y cyfeirir ato yn y Ddeddf hon fel "y Cod")' a mewnosoder –
'(y cyfeirir ato yn y Ddeddf hon fel "y Cod") –

- (a) sy'n ymwneud â threfnu a rheoli materion ariannol sefydliadau rheoleiddiedig;
- (b) y mae'n rhaid iddo ond gynnwys darpariaethau sy'n angenrheidiol i alluogi corff llywodraethu sefydliad rheoleiddiedig i ddangos –
 - (i) ei fod yn trefnu ac yn rheoli materion ariannol sefydliad rheoleiddiedig yn briodol; a
 - (ii) ei fod yn diogelu hyfywedd ariannol sefydliad rheoleiddiedig'.

Simon Thomas

52

Section 28, page 14, line 26, after 'appropriate', insert 'and allow those persons a period of at least 12 weeks to submit comments on the proposed draft Code'.

Adran 28, tudalen 14, llinell 27, ar ôl 'ef', mewnosoder 'a rhoi cyfnod o 12 wythnos o leiaf i'r personau hynny i gyflwyno sylwadau ar y Cod drafft arfaethedig'.

Simon Thomas

57

Section 28, page 15, leave out line 1 and insert –

- '() the draft Code may not be published unless that draft has been laid before, and approved by resolution of, the National Assembly for Wales;'

Adran 28, tudalen 15, hepgorer llinellau 1 hyd at 2 a mewnosoder-

- '() ni chaniateir cyhoeddi'r Cod drafft oni bai bod y drafft hwnnw wedi'i osod gerbron Cynulliad Cenedlaethol Cymru, a'i gymeradwyo ganddo drwy benderfyniad;'

Suzy Davies

28

Section 28, page 15, line 1, leave out –

'the approved draft before the National Assembly for Wales;

- (b) HEFCW must publish the Code in the terms of the approved draft.'

and insert –

'a copy of the draft before the National Assembly for Wales.

- (7) If, before the end of the 40 day period, the National Assembly resolves not to approve the draft of the Code, HEFCW must not publish it in the form of that draft.
- (8) If no such resolution is made before the end of that period, HEFCW must issue the Code (or revised Code) in the form of the draft.
- (9) The 40 day period –
 - (a) begins on the day on which the draft is laid before the National Assembly, and
 - (b) does not include any time during which the National Assembly is dissolved or is in recess for more than four days.
- (10) Subsection (7) does not prevent a new draft of proposed Code or proposed revised Code from being laid before the National Assembly.'

Adran 28, tudalen 15, llinell 1, hepgorer –

‘y drafft a gymeradwywyd gerbron Cynulliad Cenedlaethol Cymru;

(b) rhaid i CCAUC gyhoeddi’r Cod yn nhelerau’r drafft a gymeradwywyd.’

a mewnosoder –

‘copi o’r drafft gerbron Cynulliad Cenedlaethol Cymru.

- (7) Os, cyn diwedd y cyfnod o 40 niwrnod, bydd y Cynulliad Cenedlaethol yn penderfynu peidio â chymeradwyo’r drafft o’r Cod, ni chaniateir i CCAUC ei gyhoeddi ar ffurf y drafft hwnnw.
- (8) Os na wneir penderfyniad o’r fath cyn diwedd y cyfnod hwnnw, rhaid i CCAUC ddyroddi’r Cod (neu’r Cod diwygiedig) ar ffurf y drafft.
- (9) O ran y cyfnod o 40 niwrnod –
 - (a) bydd yn dechrau ar y diwrnod y gosodir y drafft gerbron y Cynulliad Cenedlaethol, a
 - (b) nid yw’n cynnwys unrhyw bryd y mae’r Cynulliad Cenedlaethol wedi ei ddiddymu neu wedi cymryd saib am fwy na phedwar diwrnod.
- (10) Nid yw is-adran (7) yn atal drafft newydd o God arfaethedig neu God diwygiedig arfaethedig rhag cael ei osod gerbron y Cynulliad Cenedlaethol.’

Simon Thomas

58

Section 28, page 15, line 2, leave out ‘approved draft’ and insert ‘draft approved by the National Assembly for Wales’.

Adran 28, tudalen 15, llinell 3, ar ôl ‘gymeradwywyd’, mewnosoder ‘gan Gynulliad Cenedlaethol Cymru’.

Simon Thomas

59

Section 29, page 15, leave out line 30 and insert –

‘(a) the draft Code may not be published unless that draft has been laid before, and approved by resolution of, the National Assembly for Wales;’.

Adran 29, tudalen 15, hepgorer llinellau 34 hyd at 35 a mewnosoder –

‘(a) ni chaniateir cyhoeddi’r Cod drafft oni bai bod y drafft hwnnw wedi’i osod gerbron Cynulliad Cenedlaethol Cymru, a’i gymeradwyo ganddo drwy benderfyniad;’.

Suzy Davies

29

Section 29, page 15, line 30, leave out –

‘the approved draft before the National Assembly for Wales;

(b) HEFCW must publish the Code in the terms of the approved draft.’

and insert –

‘a copy of the draft before the National Assembly for Wales.

- (9) If, before the end of the 40 day period, the National Assembly resolves not to approve the draft of the Code, HEFCW must not publish it in the form of that draft.
- (10) If no such resolution is made before the end of that period, HEFCW must issue the Code (or revised Code) in the form of the draft.
- (11) The 40 day period –
 - (a) begins on the day on which the draft is laid before the National Assembly, and
 - (b) does not include any time during which the National Assembly is dissolved or is in recess for more than four days.
- (12) Subsection (9) does not prevent a new draft of proposed Code or proposed revised Code from being laid before the National Assembly.’.

Adran 29, tudalen 15, line 34, hepgorer –

‘y drafft a gymeradwywyd gerbron Cynulliad Cenedlaethol Cymru;

(b) rhaid i CCAUC gyhoeddi’r Cod yn nhelerau’r drafft a gymeradwywyd.’

a mewnosoder –

‘copi o’r drafft gerbron Cynulliad Cenedlaethol Cymru.

- (9) Os, cyn diwedd y cyfnod o 40 niwrnod, bydd y Cynulliad Cenedlaethol yn penderfynu peidio â chymeradwyo’r drafft o’r Cod, ni chaniateir i CCAUC ei gyhoeddi ar ffurf y drafft hwnnw.
- (10) Os na wneir penderfyniad o’r fath cyn diwedd y cyfnod hwnnw, rhaid i CCAUC ddyroddi’r Cod (neu’r Cod diwygiedig) ar ffurf y drafft.
- (11) O ran y cyfnod o 40 niwrnod –
 - (a) bydd yn dechrau ar y diwrnod y gosodir y drafft gerbron y Cynulliad Cenedlaethol, a
 - (b) nid yw’n cynnwys unrhyw bryd y mae’r Cynulliad Cenedlaethol wedi ei ddiddymu neu wedi cymryd saib am fwy na phedwar diwrnod
- (12) Nid yw is-adran (9) yn atal drafft newydd o God arfaethedig neu God diwygiedig arfaethedig rhag cael ei osod gerbron y Cynulliad Cenedlaethol.’.

Simon Thomas

60

Section 29, page 15, line 31, leave out ‘approved draft’ and insert ‘draft approved by the National Assembly for Wales’.

Adran 29, tudalen 15, llinell 36, ar ôl ‘gymeradwywyd’, mewnosoder ‘gan Gynulliad Cenedlaethol Cymru’.

Suzy Davies

30

Section 29, page 15, line 32, leave out ‘(8)’ and insert ‘(12)’.

Adran 29, tudalen 15, llinell 37, hepgorer ‘(8)’ a mewnosoder ‘(12)’.

Huw Lewis 11

Nid oes angen diwygio'r fersiwn Saesneg. There is no need to amend the English version.

Adran 32, tudalen 16, llinell 12, hepgorer 'â' yn yr ail le y mae'n ymddangos a mewnosoder 'â'r'.

Huw Lewis 12

Section 36, page 18, line 12, leave out 'the general provisions' and insert 'a general requirement'.

Adran 36, tudalen 18, llinell 14, hepgorer 'darpariaethau cyffredinol cynllun' a mewnosoder 'gofyniad cyffredinol yng nghynllun'.

Huw Lewis 13

Section 36, page 18, line 17, leave out 'the general provisions' and insert 'a general requirement'.

Adran 36, tudalen 18, llinell 20, hepgorer 'darpariaethau cyffredinol' a mewnosoder 'gofyniad cyffredinol mewn'.

Huw Lewis 14

Section 36, page 18, line 18, leave out 'those provisions' and insert 'the requirement'.

Adran 36, tudalen 18, llinell 22, hepgorer 'darpariaethau hynny' a mewnosoder 'gofyniad'.

Suzy Davies 55

Section 36, page 18, line 27, leave out 'to give or withdraw notice under this section' and insert 'one or more of the conditions in section 36(3) has been met'.

Adran 36, tudalen 18, llinell 31, hepgorer 'pa un ai i roi hysbysiad o dan yr adran hon neu ei dynnu'n ôl' a mewnosoder 'a oes un neu ragor o'r amodau yn adran 36(3) wedi'i fodloni'.

Suzy Davies 56

Section 36, page 18, after line 28, insert –

() matters to be taken into account by HEFCW in deciding whether to withdraw a notice given in accordance with section 36(1);

Adran 36, tudalen 18, ar ôl llinell 32, mewnosoder –

() materion i'w hystyried gan CCAUC wrth benderfynu pa un ai i dynnu hysbysiad a roddwyd yn unol ag adran 36(1) yn ôl;

Huw Lewis 15

Section 38, page 19, line 21, leave out 'provisions' and insert 'requirements'.

Adran 38, tudalen 19, llinell 24, hepgorer 'darpariaethau' a mewnosoder 'gofynion'.

Huw Lewis

17

Section 38, page 19, after line 26, insert –

- g() A governing body is not to be treated for the purposes of subsection (2)(b) as having failed to comply with a general requirement of an approved plan if HEFCW are satisfied that the governing body has taken all reasonable steps to comply with the requirement.’.

Adran 38, tudalen 19, ar ôl llinell 29, mewnosoder –

- ‘() Nid yw corff llywodraethu i’w drin at ddibenion is-adran (2)(b) fel be bai wedi methu â chydymffurfio â gofyniad cyffredinol mewn cynllun a gymeradwywyd os yw CCAUC wedi ei fodloni bod y corff llywodraethu wedi cymryd pob cam rhesymol i gydymffurfio â’r gofyniad.’.

Aled Roberts

41

Section 45, page 22, after line 2, insert –

- ‘(c) must be limited to failures by a regulated institution of its obligations under this Act –
- (i) which HEFCW reasonably considers to be serious, and
 - (ii) where HEFCW reasonably considers that a direction is necessary to ensure compliance with such obligations;
- (d) must not require expenditure by a regulated institution other than from any sums derived from fees from qualifying students undertaking qualifying courses.’.

Adran 45, tudalen 22, ar ôl llinell 2, mewnosoder –

- ‘(c) rhaid iddo fod wedi’i gyfyngu i fethiannau gan sefydliad rheoleiddiedig o ran ei oblygiadau o dan y Ddeddf hon –
- (i) y mae CCAUC yn barnu’n rhesymol eu bod yn ddifrifol, a
 - (ii) pan fo CCAUC yn barnu’n rhesymol bod cyfarwyddyd yn angenrheidiol er mwyn sicrhau cydymffurfedd â goblygiadau o’r fath;
- (d) ni chaniateir iddo ei gwneud yn ofynnol i sefydliad rheoleiddiedig fynd i wariant ac eithrio gwariant o unrhyw symiau sy’n deillio o ffioedd gan fyfyrwyr cymhwysol sy’n ymgymryd â chyrtsiau cymhwysol.’.

Huw Lewis

2

To insert a new section –

‘() Compatibility with charity law and governing documents of institutions

- (1) Nothing in this Act confers power on HEFCW to require the governing body of an institution to do anything that is incompatible with –
- (a) any legal obligation or legal restriction that applies to the governing body by virtue of the institution being a charity, or
 - (b) the governing documents of the institution.
- (2) For the purposes of subsection (1)(b), the governing documents of an institution are –

- (a) in the case of an institution established by Royal charter –
 - (i) the institution's charter, and
 - (ii) any instrument relating to the conduct of the institution the making or amendment of which requires the approval of the Privy Council;
- (b) in the case of an institution conducted by a higher education corporation, the corporation's instrument of government and the institution's articles of government;
- (c) in the case of an institution conducted by a further education corporation, the corporation's instrument of government and articles of government;
- (d) in the case of an institution designated under section 129 of the Education Reform Act 1988 or section 28 of the Further and Higher Education Act 1992, the institution's instrument of government and articles of government;
- (e) in the case of an institution not falling within paragraphs (a) to (d) that is conducted by a company, the company's memorandum and articles of association.'

I fewnosod adran newydd –

'(1) Cydnawsedd â chyfraith elusennau a dogfennau llywodraethu sefydliadau

- (1) Nid oes dim byd yn y Ddeddf hon yn rhoi pŵer i CCAUC i'w gwneud yn ofynnol i gorff llywodraethu sefydliad wneud unrhyw beth sy'n anghydnaws –
 - (a) ag unrhyw rwymedigaeth gyfreithiol neu gyfyngiad cyfreithiol sy'n gymwys i'r corff llywodraethu yn rhinwedd bod y sefydliad yn elusen, neu
 - (b) â dogfennau llywodraethu'r sefydliad.
- (2) At ddibenion is-adran (1)(b), dogfennau llywodraethu sefydliad yw –
 - (a) yn achos sefydliad a sefydlwyd drwy siarter Frenhinol –
 - (i) siarter y sefydliad, a
 - (ii) unrhyw offeryn sy'n ymwneud â rhedeg y sefydliad, y mae'n ofynnol cael cymeradwyaeth y Cyfrin Gyngor er mwyn gwneud neu ddiwygio'r offeryn hwnnw;
 - (b) yn achos sefydliad sy'n cael ei redeg gan gorfforaeth addysg uwch, offeryn llywodraethu'r gorfforaeth ac erthyglau llywodraethu'r sefydliad;
 - (c) yn achos sefydliad sy'n cael ei redeg gan gorfforaeth addysg bellach, offeryn llywodraethu'r gorfforaeth a'i herthyglau llywodraethu;
 - (d) yn achos sefydliad a ddynodwyd o dan adran 129 o Ddeddf Diwygio Addysg 1988 neu adran 28 o Ddeddf Addysg Bellach ac Uwch 1992, offeryn llywodraethu'r sefydliad a'i erthyglau llywodraethu;
 - (e) yn achos sefydliad nad yw'n dod o fewn paragraffau (a) i (d) sy'n cael ei redeg gan gwmni, memorandwm y cwmni a'i erthyglau cymdeithasu.'

Huw Lewis

3

To insert a new section –

‘() Duty to take into account importance of protecting academic freedom

In exercising functions by virtue of this Act, HEFCW must take into account the importance of protecting academic freedom including, in particular, the freedom of institutions –

- (a) to determine the contents of particular courses and the manner in which they are taught, supervised or assessed,
- (b) to determine the criteria for the admission of students and to apply those criteria in particular cases, and
- (c) to determine the criteria for the selection and appointment of academic staff and to apply those criteria in particular cases.’.

I fewnosod adran newydd –

‘() Dyletswydd i ystyried pwysigrwydd diogelu rhyddid academiaidd

Wrth arfer swyddogaethau yn rhinwedd y Ddeddf hon, rhaid i CCAUC ystyried pwysigrwydd diogelu rhyddid academiaidd gan gynnwys, yn benodol, rhyddid sefydliadau –

- (a) i benderfynu ar gynnwys cyrsiau penodol a’r dull o’u haddysgu, eu goruchwylio neu eu hasesu,
- (b) i benderfynu ar y meini prawf ar gyfer derbyn myfyrwyr ac i gymhwyso’r meini prawf hynny mewn achosion penodol, ac
- (c) i benderfynu ar y meini prawf ar gyfer dethol a phenodi staff academiaidd ac i gymhwyso’r meini prawf hynny mewn achosion penodol.’.

Suzy Davies

31

Section 47, page 22, after line 25, insert –

- ‘(7) The Welsh Ministers must, within 14 days of receiving a report from HEFCW under subsection (1), lay that report before the National Assembly for Wales.’.

Adran 47, tudalen 22, ar ôl llinell 26, mewnosoder –

- ‘(7) Rhaid i Weinidogion Cymru, o fewn 14 niwrnod i gael adroddiad gan CCAUC o dan is-adran (1), osod yr adroddiad hwnnw gerbron Cynulliad Cenedlaethol Cymru.’.

Huw Lewis

19

Section 48, page 22, after line 28, insert –

- ‘() compliance with section 10(1) by institutions within section 10(2) generally or by a particular institution;’.

Adran 48, tudalen 22, ar ôl llinell 29, mewnosoder –

() cydymffurfedd ag adran 10(1) gan sefydliadau o fewn adran 10(2) yn gyffredinol neu gan sefydliad penodol;’.

Huw Lewis

20

Section 48, page 22, line 29, leave out ‘provisions’ and insert ‘general requirements’.

Adran 48, tudalen 22, llinell 30, hepgorer ‘darpariaethau’ a mewnosoder ‘gofynion cyffredinol’.

Huw Lewis

21

Section 48, page 22, line 30, leave out ‘provisions’ and insert ‘general requirements’.

Adran 48, tudalen 22, llinell 31, hepgorer ‘darpariaethau’ a mewnosoder ‘gofynion cyffredinol’.

Suzy Davies

32

Section 52, page 24, after line 34, insert –

() the first regulations to be made under section 2(4);’.

Adran 52, tudalen 24, ar ôl llinell 35, mewnosoder –

() the first regulations to be made under section 2(4);’.

Suzy Davies

33

Section 52, page 24, after line 34, insert –

() regulations under section 3(4);’.

Adran 52, tudalen 24, ar ôl llinell 35, mewnosoder –

() rheoliadau o dan adran 3(4);’.

Suzy Davies

34

Section 52, page 24, after line 34, insert –

() regulations under section 4(4);’.

Adran 52, tudalen 24, ar ôl llinell 35, mewnosoder –

() rheoliadau o dan adran 4(4);’.

Suzy Davies

35

Section 52, page 24, after line 34, insert –

() the first regulations to be made under subsections (2), (3) and (5) of section 5;’.

Adran 52, tudalen 24, ar ôl llinell 35, mewnosoder –

() y rheoliadau cyntaf sydd i’w gwneud o dan is-adrannau (2), (3) a (5) o adran 5;’.

Suzy Davies 36

Section 52, page 24, after line 34, insert –

‘() regulations under section 6(1);’.

Adran 52, tudalen 24, ar ôl llinell 35, mewnosoder –

‘() rheoliadau o dan adran 6(1);’.

Suzy Davies 37

Section 52, page 24, after line 34, insert –

‘() regulations under section 7(3);’.

Adran 52, tudalen 24, ar ôl llinell 35, mewnosoder –

‘() rheoliadau o dan adran 7(3);’.

Huw Lewis 23

Section 52, page 24, leave out line 35.

Adran 52, tudalen 24, hepgorer llinell 36.

Suzy Davies 38

Section 52, page 25, line 5, after ‘Act’, insert ‘, or an order under section 56(2) that contains provisions within section 56(3)(b);’.

Adran 52, tudalen 25, llinell 5, ar ôl ‘hon’, mewnosoder ‘, neu orchymyn o dan adran 56(2) sy’n cynnwys darpariaethau o fewn adran 56(3)(b);’.

Aled Roberts 42

To insert a new section –

‘() Limitation on powers and functions of Welsh Ministers and HEFCW

- (1) The Welsh Ministers shall not exercise any powers or functions in this Act, or in regulations made under this Act, in respect of activities carried on by any particular institution or institutions.
- (2) Nothing in this Act, or any regulations made under this Act, shall enable the Welsh Ministers or HEFCW to require the governing body of a regulated institution:
 - (a) to apply any sums derived other than from fees payable by qualifying persons undertaking qualifying courses;
 - (b) to do anything which would limit an institution’s academic freedom, including in particular, the freedom of institutions –
 - (i) to determine the contents of particular courses of study or programmes of research and the manner in which they are taught, supervised or assessed;
 - (ii) to determine the criteria for the admission of students and to apply those criteria in particular cases;

- (iii) to determine the criteria for the selection and appointment of academic staff and to apply those criteria in particular cases.
- (3) In exercising functions under this Act, or in any regulations made under this Act, the Welsh Ministers and HEFCW shall have regard to the desirability of –
 - (a) not discouraging any regulated institution from maintaining or developing its funding from other sources;
 - (b) maintaining an appropriate balance as between institutions which are of a denominational character and other institutions;
 - (c) maintaining any distinctive characteristics of any institution within the higher education sector.
- (4) For the purposes of subsection (3) above an institution is an institution of a denominational character if it appears to HEFCW that either –
 - (a) at least one quarter of the members of the governing body of the institution are persons appointed to represent the interests of a religion or religious denomination;
 - (b) any of the property held for the purposes of the institution is held upon trusts which provide that, in the event of the discontinuance of the institution, the property concerned shall be held for, or sold and the proceeds of sale applied for, the benefit of a religion or religious denomination, or
 - (c) any of the property held for the purposes of the institution is held on trust for or in connection with –
 - (i) the provision of education, or
 - (ii) the conduct of an educational institution,in accordance with the tenets of a religion or religious denomination.’.

I fewnosod adran newydd –

‘(1) Cyfyngu pwerau a swyddogaethau Gweinidogion Cymru a CCAUC

- (1) Ni chaniateir i Weinidogion Cymru arfer unrhyw bwerau na swyddogaethau yn y Ddeddf hon, neu mewn rheoliadau a wneir o dan y Ddeddf hon, mewn perthynas â gweithgareddau sy’n cael eu cynnal gan unrhyw sefydliad neu sefydliadau penodol.
- (2) Ni fydd unrhyw beth yn y Ddeddf hon, neu unrhyw reoliadau a wneir o dan y Ddeddf hon, yn galluogi Gweinidogion Cymru neu CCAUC i’w gwneud yn ofynnol i gorff llywodraethu sefydliad rheoleiddiedig wneud fel a ganlyn:
 - (a) cymhwyso unrhyw symiau sy’n deillio o ffynonellau ac eithrio ffioedd sy’n daladwy gan bersonau cymhwysol sy’n ymgymryd â chysiau cymhwysol;
 - (b) gwneud unrhyw beth a fyddai’n cyfyngu ar ryddid academaidd sefydliad, gan gynnwys yn benodol, rhyddid sefydliadau –
 - (i) i benderfynu ar gynnwys cyrsiau neu raglenni ymchwil penodol a’r dull o’u haddysgu, eu goruchwylio neu eu hasesu;
 - (ii) i benderfynu ar y meini prawf ar gyfer derbyn myfyrwyr ac i gymhwyso’r meini prawf hynny mewn achosion penodol;

- (iii) i benderfynu ar y meini prawf ar gyfer dethol a phenodi staff academaidd ac i gymhwysu'r meini prawf hynny mewn achosion penodol.
- (3) Wrth arfer swyddogaethau o dan y Ddeddf hon, neu unrhyw reoliadau a wneir o dan y Ddeddf hon, rhaid i Weinidogion Cymru a CCAUC roi sylw i ddymunoldeb –
 - (a) peidio ag annog unrhyw sefydliad rheoleiddiedig i beidio â chynnal neu ddatblygu ei gyllid o ffynonellau eraill;
 - (b) cynnal cydbwysedd priodol rhwng sefydliadau o natur enwadol a sefydliadau eraill;
 - (c) cynnal unrhyw nodweddion arbennig sydd gan unrhyw sefydliad yn y sector addysg uwch.
- (4) At ddibenion is-adran (3) uchod mae sefydliad yn sefydliad o natur enwadol os bydd CCAUC o'r farn bod naill ai –
 - (a) o leiaf chwarter o aelodau corff llywodraethu'r sefydliad yn bersonau sydd wedi'u penodi i gynrychioli buddiannau crefydd neu enwad crefyddol;
 - (b) unrhyw eiddo a ddelir at ddibenion y sefydliad yn cael ei ddal ar ymddiriedolaethau sy'n darparu, os bydd y sefydliad yn cael ei ddirwyn i ben, y caiff yr eiddo o dan sylw ei ddal, neu ei werthu ac y caiff yr enillion o'r gwerthiant eu defnyddio, er lles crefydd neu enwad crefyddol, neu
 - (c) unrhyw eiddo a ddelir at ddibenion y sefydliad yn cael ei ddal ar ymddiriedolaeth er mwyn neu mewn perthynas â –
 - (i) darparu addysg, neu
 - (ii) rhedeg sefydliad addysgol,yn unol â daliadau crefydd neu enwad crefyddol.'.

Simon Thomas

53

To insert a new section –

'() Status of information, advice and guidance

- (1) Nothing in this Act, or any regulations made under this Act, shall require the governing body of a regulated institution –
 - (a) to comply with information, advice or guidance which is specified as applicable to every regulated institution (or to every class or description of regulated institution specified in the information, advice or guidance) unless –
 - (i) it is in writing;
 - (ii) it is clearly specified as mandatory to be taken into account by virtue of this Act;
 - (iii) there has been prior consultation with the governing body of every regulated institution about the information, advice or guidance; and
 - (iv) the governing body of a regulated institution considers that it is appropriate to comply with the information, advice or guidance in all the circumstances;

- (b) to comply with information, advice or guidance which is specified as applicable to a particular regulated institution unless –
 - (i) it is in writing;
 - (ii) it is clearly specified as mandatory to be taken into account by virtue of this Act; and
 - (iii) the governing body of the regulated institution considers that it is appropriate to comply with the information, advice or guidance in all the circumstances.’.

I fewnosod adran newydd –

‘(1) Statws gwybodaeth, cyngor a chanllawiau

- (1) Ni fydd unrhyw beth yn y Ddeddf hon, neu unrhyw reoliadau a wneir o dan y Ddeddf hon, yn ei gwneud yn ofynnol i gorff llywodraethu sefydliad rheoleiddiedig wneud fel a ganlyn –
 - (a) cydymffurfio â gwybodaeth, cyngor neu ganllawiau y nodir eu bod yn gymwys i bob sefydliad rheoleiddiedig (neu i bob dosbarth neu ddisgrifiad o sefydliad rheoleiddiedig a nodir yn y wybodaeth, y cyngor neu’r canllawiau) oni bai –
 - (i) bod y wybodaeth, y cyngor neu’r canllawiau yn ysgrifenedig;
 - (ii) ei fod wedi’i nodi’n glir ei bod yn orfodol rhoi ystyriaeth i’r wybodaeth, y cyngor neu’r canllawiau drwy rinwedd y Ddeddf hon;
 - (iii) bod ymgynghoiad wedi’i gynnal ymlaen llaw â chorff llywodraethu pob sefydliad rheoleiddiedig ynghylch y wybodaeth, y cyngor neu’r canllawiau; a
 - (iv) bod corff llywodraethu sefydliad rheoleiddiedig o’r farn ei bod yn briodol cydymffurfio â’r wybodaeth, y cyngor neu’r canllawiau o dan yr holl amgylchiadau;
 - (b) cydymffurfio â gwybodaeth, cyngor neu ganllawiau y nodir eu bod yn gymwys i sefydliad rheoleiddiedig penodol oni bai –
 - (i) bod y wybodaeth, y cyngor neu’r canllawiau yn ysgrifenedig;
 - (ii) ei fod wedi’i nodi’n glir ei bod yn orfodol rhoi ystyriaeth i’r wybodaeth, y cyngor neu’r canllawiau drwy rinwedd y Ddeddf hon;
 - (iii) bod corff llywodraethu sefydliad rheoleiddiedig o’r farn ei bod yn briodol cydymffurfio â’r wybodaeth, y cyngor neu’r canllawiau o dan yr holl amgylchiadau.’.

Huw Lewis

24

Section 54, page 26, line 10, leave out ‘provisions’ (“*darpariaethau*” and insert ‘requirements’ (“*gofynion*”).

Adran 54, tudalen 26, llinell 4, hepgorer ‘darpariaethau cyffredinol’ (“general provisions’ a mewnosoder ‘gofynion cyffredinol’ (“*general requirements*”).



GRWPIO GWELLIANNAU GROUPINGS OF AMENDMENTS

Bil Addysg Uwch (Cymru)
Higher Education (Wales) Bill

Cyfnod 2 ar 13 Tachwedd 2014
Stage 2 on 13 November 2014

Mae'r ddogfen hon yn nodi ym mha drefn y caiff y gwelliannau eu trafod ac unrhyw wybodaeth berthnasol yn ymwneud â'r gweithdrefnau sy'n berthnasol i bob grŵp. Nid yw'r rhestr hon yn disodli'r rhestr o welliannau wedi'u didoli, sy'n nodi'r gwelliannau yn y drefn y cânt eu gwaredu. Dylai'r rhestr hon gael ei darllen ar y cyd â'r rhestr o welliannau wedi'u didoli.

This document provides the order in which amendments will be debated and any relevant procedural information relevant to each group. This list does not replace the marshalled list, which sets out the amendments in the order in which they will be disposed of. This list should be read in conjunction with the marshalled list.

1 - Gofynion cyffredinol cynlluniau / General requirements of plans

12, 13, 14, 15, 20, 21, 23, 24.

2 - Annibyniaeth sefydliadau a rhyddid academiaidd / Institutional autonomy and academic freedom

2, 3.

3 - Cynnwys cynlluniau ffioedd a mynediad / Content of fee and access plans

Gwaredwyd yr holl welliannau / All amendments disposed of.

4 - Mesurau i ddiogelu sefydliadau / Institutional safeguards

55, 56, 17, 41, 42, 53.

5 - Amrywio cynlluniau a gymeradwywyd / Variations to approved plans

Gwaredwyd yr holl welliannau / All amendments disposed of.

6 - Asesu ansawdd / Quality assessment

Gwaredwyd yr holl welliannau / All amendments disposed of.

7 - Cod rheolaeth ariannol / Financial management code

51, 52, 57, 28, 58, 59, 29, 60, 30.

8 - Cywiro testun Cymraeg / Correction of Welsh text

11.

9 - Gofynion adrodd / Reporting requirements

31, 19.

10 - Offerynnau Statudol: gweithdrefn y Cynulliad / Statutory Instruments: Assembly procedure

32, 33, 34, 35, 36, 37, 38.

Agenda Item 3

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

Document is Restricted

Children's Commissioner for Wales Annual Report

CYPE(4)-27-14 – Paper 1 – Annual Report

<http://www.childcomwales.org.uk/en/publications-list/>

Comisiynydd Plant Cymru Children's Commissioner for Wales

Keith Towler

Briefing for the National Assembly for Wales' Children, Young People and Education Committee

Children's Commissioner for Wales' Annual Report 2013-2014 (please note this report covers the period 1 April 2013 to 31 March 2014).

The Children's Commissioner for Wales officially launched his annual report for 2013/14 on Thursday 13 October 2014. This is Keith Towler's final annual report as Children's Commissioner for Wales, with his 7 year tenure coming to an end in February 2015.

As in previous years, the Commissioner's annual report provides an analysis of the state of children's rights in Wales including highlighting areas that he is concerned about, with calls upon Welsh Government to address these concerns and reposition children and young people as the nation's priority.

As well as highlighting areas of concern to the Children's Commissioner, the annual report and accounts covers other main areas of work undertaken by the Children's Commissioner's office over the last 12 months to champion and support children and young people across Wales, including:

- how the office has worked with over 6000 children and young people over the last twelve months;
- how we hosted 5 webinars, with over 900 pupils tuning into the one hosted in Pembrokeshire;
- awareness levels of the Commissioner at an all-time high amongst children, young people and adults, and;
- £1.186m media coverage secured for the Commissioner's office this year.

The report also contains details of the Commissioner's independent advice and support service, which has dealt with over 500 cases this year - 33% in relation to social services and 28% in relation to education.

Issues facing children and young people in Wales

In this year's annual report, the Commissioner is concerned that the Welsh Government seems too comfortable with its status as an international children's rights trailblazer, and is failing to deliver on securing children's rights.

The Commissioner believes that vital services aimed at protecting vulnerable children and young people are in danger of being lost, due to the lack of vision and leadership from the Welsh Government. He believes that children and young people's services need to be protected against the backdrop of further cuts as actual spend may be significantly reduced or indeed lost as local authorities attempt to balance their books. Strong leadership is needed from Welsh Government to re-position children and young people as the true national priority for Wales, where outcomes for the most vulnerable children and young people meet that vision.

Why is the Children's Commissioner concerned?

During the past year, the Commissioner's office has been made aware of real threats to the protection of vulnerable children and young people in Wales, threats such as:

- loss of respite provision for children and young people with disabilities;
- looked after children having to move placements due to financial reasons, and;
- threats to vital front line services for children and young people, including children services, statutory youth support services and play services, along with;
- the lack of transparency in public expenditure on children and young people making it difficult to hold Welsh Government to account on its priority to delivery for children and young people.

What is the Children's Commissioner calling for in his annual report?

The Children's Commissioner wants to see clear leadership at all levels that establishes children and young people as a true national priority for Wales where outcomes for our most vulnerable meet that vision. In the absence of a Minister for Children, the Commissioner is concerned that the Welsh Government should seek to maintain and improve its' cross government strategic vision for children and young people and that action should be integrated with coherence across portfolios and departments.

The Children's Commissioner wants the Welsh Government to re-state its vision for children and young people. In doing so we would like to see that vision articulate a rights-based approach, rather than a token reference to the UNCRC, with a focus on practice that secures positive outcomes for all children and young people in Wales. It would signal very clearly that the due regard duty on Ministers, as outlines in the Rights of Children and Young Persons (Wales) Measure 2011, is a demonstration of leadership binding all functions to a common purpose.

Other calls within this year's annual report include:

- Welsh Government to develop separate age-specific Regulations and Guidance under provisions contained in the Social Services and Well-being Act, including an age-specific eligibility criteria and code of practice;
- Welsh Government to ensure that the regulations and guidance for the Social Services and Well-being (Wales) Act 2014 meet the needs of children and young people who act as carers;
- Welsh Government to incorporate pupil wellbeing into its improving schools plan and ensure it is reflected in national policy drivers and performance;
- Welsh Government and the Welsh Local Government Association to encourage local authorities to address children's rights in carrying out their equality impact assessments to understand how proposed changes to services will affect children and young people's wellbeing;
- Welsh Government to set out how it will improve children and young people's access to appropriate, child-focussed CAMHS that respond to their individual needs, and provide regular reports on progress;
- Welsh Government to address the issues facing wheelchair-using children and young people in accessing education;
- Welsh Government to provide the necessary strategic leadership to ensure that independent advocacy provision for all relevant children and young people becomes a reality;
- Welsh Government to ensure that its child poverty strategy is revised to ensure it takes a rights-based approach to tackling child poverty in Wales.

Further Information

If you would like further information about any of the issues raised within this briefing, please contact:

Rebecca Griffiths (Public Affairs Officer)

Agenda Item 4.1

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



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref: SF/MD/3154/14

David Rees AM
Chair of the Health and Social Care Committee
National Assembly for Wales
Ty Hywel
Cardiff Bay
Cardiff
CF99 1NA

4 November 2014

Deu David

I refer to your letter of 25th October, outlining the key issues you identified during your scrutiny of the Welsh Government's 2015-16 draft budget. You have commented on a number of important issues and have asked for further information in a number of cases.

I also note that you attached a letter from the Chair of the Children, Young People and Education Committee, which refers to issues raised by them and you have also asked for a response to the questions they have raised.

I am happy to provide the further information you have sought and have also included below my responses to the questions raised by the Children, Young People and Education Committee.

1. Additional revenue allocation for NHS services in 2015-16

The Committee would welcome further information from the Welsh Government on how it will monitor and ensure that the additional revenue funding for the 2014-15 and 2015-16 financial years delivers meaningful reform to services and positive outcomes for patients rather than being used by health boards to address end of year deficits resulting from unchanged models of care.

As emphasised within the Nuffield report the majority of the new funding is primarily required to maintain current service levels and the continuation of the provision of high quality safe services. However it is acknowledged that even with additional funding we cannot continue to provide the services in the same way as we have historically. We will need to be more innovative and continue to identify new models of service delivery.

The planning process will be key to identifying how we will deliver this change and the funding will be targeted to meet the challenges outlined in the integrated medium term service plans. Through the continued development of the NHS's integrated service plans we will ensure we achieve the right service models and the right patient outcomes.

We monitor progress against the integrated plans and oversee the performance of the NHS through a number of vehicles, including: Monthly Chief Executive meetings, monthly quality and delivery meeting, detailed submission of monthly financial monitoring returns, joint executive team meetings etc. We also have a recognised escalation and intervention process which has been developed in conjunction with HIW and the WAO. This involves sharing and reporting on the performance and progress on NHS organisations between each other.

2. Resource allocation formula and distribution of additional funding.

The Committee would welcome further detail on the distribution of this additional funding once made, to include information about how the integrated medium term plans of health boards have influenced decisions.

I will provide the Committee with an update on the total revenue allocation made to each health board for 2015-16 once final decisions are made.

3. Intermediate Care Fund

In the short term the Committee would welcome further information from the Minister on how he will monitor and ensure that the positive steps made as a consequence of the funds existence will be maintained once its funding stops at the end of 2014-15.

Although the intermediate care fund was funded initially on a one year basis, we hope to be able to build on some of the key successes it has helped to develop either by mainstreaming some of this work within the primary care and community focus; through the joint working and collaboration we are building and funding through the three year planning approach or by calibrating an element of the additional revenue resources that are being provided to Health and Social Care in 2015/16. We are considering how the additional funding for health can be used to drive forward and mainstream the beneficial impacts made by the Fund.

Furthermore an additional £10 million has been made available to social services, some of which can be used to invest in and reform services to focus on prevention and early intervention which are key elements of the Intermediate Care Fund.

Where additional capital may be required we are also reviewing our capital priorities to develop additional community initiatives and we are looking at how this could be funded through innovative finance solutions built on partnerships across public, private sector and third sector arrangements

In terms of monitoring, each region is required to provide a formal quarterly update on progress in relation to the work being taken forward and officials are also meeting with regions on a quarterly basis to review progress. There is also a requirement for formal evaluation by each region. This will enable us to identify the good practice and interventions which deliver the greatest impact and benefits and which should be sustained and mainstreamed longer term.

4. Capital

The Committee is concerned by the overall reduction in capital funding and would welcome further information about how the new capital prioritisation exercise will work in practice.

The Welsh Government shares the Committee's concerns at the reduction in capital funding for public services in Wales.

The capital prioritisation exercise in my department has focused on identifying capital schemes that will meet and deliver objectives around investment to support service change with clear benefits, including revenue savings and the provision of sustainable services. An expert panel has been set up from within the Welsh Government to undertake this work. The panel includes senior representation from across the organisation including, medical, workforce, planning, finance and information technology leads.

Local Health Boards were asked to prioritise and submit proposals to the panel, based on key investment criteria, linked to health gain, affordability, clinical and skills sustainability, equity and value for money. All schemes within the forward Programme from 2015-16 onwards, including those that have already commenced the business case process but have not yet received Full Business Case approval were included.

The expert panel is in the process of evaluating and further prioritising the submissions received. As part of its remit, it is considering the affordability envelope and the potential impacts on the forward work programmes linked to the pipeline identified. The findings and recommendations of the group will be submitted to me in due course.

5. Mental health services and the ring fence

The Committee would welcome further detail about the allocation of funds to mental health as information appears to have been presented in a different format in this year's draft budget documentation. Furthermore, the Committee would welcome clarification of whether the ring-fenced allocation for mental health services has grown with inflation since its inception.

The evidence paper provided to the Committee refers to £529m which relates to the primary element of Mental Health funding that is identified within the NHS protected and ring-fenced allocation for 2014-15. In addition to this there are also elements within prescribing and general medical services allocations which form part of the overall total of protected funded for Mental Health of £587m.

The mental health ring fence represents a floor below which expenditure on core Mental Health Services should not fall. The LHBs have consistently exceeded the ring fenced level of expenditure as demand has increased for Mental Health services. Since 2010-11 there has been additional funding added into the ring fence for specific areas like the Mental Health Measure, CAMHS and Advocacy.

The ring fence level is currently under review and consideration will be given to adjusting it for the 2015-16 NHS budget allocation process.

For clarity the evidence paper provided to the Committee also refers to expenditure on Mental Health of £618m. This is included within the Programme Budgeting chart relating to the 2012-13 financial year. For the Committee's information this figure represents a retrospective analysis of fully absorbed reference costs allocated to the Mental Health Programme Budget Category. This would include all of the following:

- The ring fenced funding mentioned above;
- Any further funding directed by each HB from their Discretionary budget; and,
- Overhead costs that are apportioned across the specialties and points of delivery as part of the process that the Health Boards go through when compiling their annual reference costs, which are then mapped to their programme budgeting returns.

6. Litigation and the Risk Pool

The Committee looks forward to receiving further analysis relating to the quantity and level of in-year settlements made against the risk pool in recent years, as requested during the meeting.

In addition to providing the further analysis requested by the Committee, it may also be helpful briefly to explain the accounting conventions associated with the administration of the Risk Pool.

The Welsh Risk Pool reimburses losses over £25,000 incurred by Welsh NHS bodies arising out of negligence and other eligible claims and is funded through the NHS Wales healthcare budget. The annual funding for the Welsh Risk Pool consists of:

- Annually Managed Expenditure resource for movements in the balance sheet provision held in respect of future liabilities and settlements.
- Revenue Departmental Expenditure Limit (RDEL) resource for payments made in a financial year to reimburse Local Health Boards and NHS Trusts for claims settlements made.

In accordance with statutory accounts requirements, a provision is maintained for the future liabilities of the Welsh Risk Pool. This provision is shown in the consolidated Welsh Government statutory accounts annually.

The provision consists of two major elements:

- provision for the future reimbursement by the Welsh Risk Pool to NHS Wales Local Health Boards and NHS Trusts, for approved Clinical Negligence and Personal Injury claims greater than the agreed excess (currently £25,000) and considered to have a probable outcome (greater than 50% likelihood) in favour of the claimant; and,
- provision for periodical payment orders awarded to claimants, managed by the Welsh Risk Pool on behalf of the relevant NHS Wales Local Health Boards and NHS Trusts. (Periodical payment orders are an arrangement whereby a claimant agrees to resolve a claim by receiving periodic payments on an agreed schedule rather than as a lump sum).

The provision in the Welsh Government Accounts for the last two financial years is as follows:

	31 March 2013	31 March 2014
Welsh Risk Pool Provision	£521m	£594m
Periodical Payment Order	£183m	£214m

element of the above		
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The movement in this provision annually is funded from the Annually Managed Expenditure budget.

The Revenue DEL resource utilised for in year claim settlements in the the last three financial years is as follows:

	2012-13	2013-14	Forecast 2014-15
Welsh Risk Pool claims settlements	£60.8m	£69.1m	£75.0m

Comment on the general trend of claims

In recent years and in common with other nations NHS Wales has experienced a growth in the number of legal claims, for example in 2013/14 the NHS Litigation Authority in England reported a 17.9% increase in clinical negligence claims from 2012/13 and a growth in their total claims provision of 13.7% compared to the 14% increase in the Welsh Risk Pool provision. Individual claims can take several years before a full settlement is reached, and the timing of such claim settlements is determined by the legal and court processes.

The reasons for the increase in claims are multifactorial and it is not possible to say with any certainty what the primary driver for the increase is. There has been a general upward trend in claims over recent years both in terms of number and value. Recent changes to funding rules for legal claims which came into effect on 1st April 2013 are considered to have had an impact on the registration of claims before this date, and therefore upon the subsequent submitted case volumes being experienced in 2013/14. It is also considered that increased public awareness of clinical redress options is contributing to claim volumes.

The cost of claims has also increased, especially for settlements involving long term care packages. The reason for this increase is that care needs are becoming more complex and it is necessary to ensure that any care packages are fully compliant with applicable legislation such as Health and Safety and Working Time Directives.

NHS Wales takes a pro-active approach to learning from claims to reduce the risk of recurrence. Before reimbursement is made by the Welsh Risk Pool, Health Boards and Trusts are required to outline the key weaknesses which gave rise to the claim and outline the steps taken to reduce the risk of recurrence. Claims are reviewed internally within the Welsh Risk Pool for efficacy of action and then considered by an All Wales Executive Level multidisciplinary group with representation from Medical Directors, Directors of Nursing, Chief Executives, Directors of Finance, Chair of a Health Board, Directors of Governance and the Welsh Government. Where there is evidence of risks which may be relevant to other NHS bodies, or evidence of good practice, a more detailed claim review can be requested.

Where all Wales issues are evident from claims, the Welsh Risk Pool undertakes themed work. This involves the clinical assessment of high risk areas including those of maternity, emergency departments and the surgical pathway. The findings of the

reviews are shared with the individual Health Boards with a composite report being shared with the Welsh Government and Chief Executives.

Children, Young People and Education Committee

7. Additional £10 million for Social Services

What mechanism has the Welsh Government put in place to ensure that an appropriate proportion is spent on Children

The Government has worked hard to find extra resources for Social Services and schools in the draft Budget. This means local authorities in Wales no longer on average face the 4.5% reduction we feared earlier this year.

An additional £10 million has been added to the settlement in recognition of the importance of strong local social services to the long-term success of the health service in Wales, and we will continue to protect school funding in line with our commitment to provide an increase in resources at 1% above the overall change in the Welsh Budget.

The local government settlement is unhypothecated to provide flexibility for Authorities to determine local spending priorities. It is for local authorities to set their budget priorities and ensure they meet their statutory responsibilities. This includes the safeguarding and provision of services for children, and the legal duty to take account of the rights of the child in developing and delivering services.

8. Transfer of £4.6 million for the Integrated Family Support Services to RSG

What safeguards have been put in place to ensure local authorities make a continued investment in this new programme over time.

The vast majority of social services are delivered and funded by local government. Where the Welsh Government invests in these areas it is primarily for development and start up costs. Our main focus is on the outcomes achieved across social services, but we will be tracking activity and expenditure in these areas through regular meetings with statutory directors of social services.

For the Integrated Family Support Services (IFSS), there are regulations in place setting out the requirements for provision and delivery of these services by local authorities and their partners. This includes the requirement for an IFSS Board, which receives and reviews quarterly monitoring reports from the IFSS team. The reports include information on activity and outcomes, workforce and finance (income and expenditure). The Board must notify the local authority and the local health board of any financial or other resource issues which are likely to affect the ability to fulfil its functions.

There is also a requirement for the Board to submit an Annual Report to Welsh Government. This will be used to ensure that the Integrated Family Support Services are being delivered in line with the requirements set out in regulations and statutory guidance.

9. £3 million for Social Services Act implementation:

What mechanism has the Welsh Government put in place to ensure the appropriate proportion is spent on the legislation as it affects children and young people.

Our financial support for the implementation of the Social Services and Well-being (Wales) Act is not hypothecated for particular groups of service users, but it supports local authorities and partner organisations in preparing and delivering their own regional implementation plans. The Act, very deliberately, an all-age 'people's Act'. The Act introduces a requirement for local authorities and local health boards to develop population needs assessments, which will include the needs of children that will be used to shape and prioritise their services.

10. Funding arrangements for LHBs:

Given that funding arrangements are at the discretion of the LHB and have no age related hypothecation: How does the Welsh Government assess the impact of LHB spending decisions on children's health and wellbeing; What assessment has the Welsh Government undertaken of the potential impact on children's health arising from the LHB resource review.

Local Health Boards are responsible for the provision of healthcare to all of their resident populations and it is for health boards to determine the best use of this funding across all their areas of responsibility, informed by an assessment of the health and wellbeing needs of their local populations. A range of national policies exist which focus on the need for effective investment in services for children and young people.

The Welsh Government has a number of mechanisms in place to monitor and review the performance of the NHS against their service plans and the impact of spending decisions against the policies associated with the healthcare needs of children and young people is reviewed through this process.

The committee will be aware that the basis of revenue resource allocation is being updated to include the impact of the latest data sets which will include, for example, the age profile of the population.

Best wishes,



Mark Drakeford AC / AM

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

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