-----Pecyn dogfennau cyhoeddus ------Pecyn dogfennau cyhoeddus

Agenda - Y Pwyllgor Plant, Pobl Ifanc ac Addysg

Lleoliad: I gael rhagor o wybodaeth cysylltwch a:

Ystafell Bwyllgora 1 - y Senedd **Marc Wyn Jones**

Clerc y Pwyllgor Dyddiad: Dydd Mercher, 14 Rhagfyr

2016 0300 200 6565

SeneddPPIA@cynulliad.cymru Amser: 09.15

09.15 - 09.30 - Cyfarfod anffurfiol

- Cyflwyniad, ymddiheuriadau, dirprwyon a datgan buddiannau 1 (09.30)
- Ymchwiliad i ddarpariaeth eiriolaeth statudol sesiwn dystiolaeth 2 4

Carl Sargeant AC, Ysgrifennydd y Cabinet dros Gymunedau a Phlant Albert Heaney, Cyfarwyddwr y Gwasanaethau Cymdeithasol ac Integreiddio Alistair Davey, Dirprwy Gyfarwyddwr Galluogi Pobl

Dogfennau atodol:

Papur Ymchwil

CYPE(5)-15-16 - Papur | Paper 1

CYPE(5)-15-16 - Papur | Paper 2

3 Craffu ar Adroddiad Blynyddol Cymwysterau Cymru

$$(10.30 - 11.30)$$

(Tudalennau 34 - 60)

Philip Blaker, Prif Weithredwr

Ann Evans, Cadeirydd - Bwrdd Cymwysterau Cymru

Dogfennau atodol:

Papur Ymchwil

CYPE(5)-15-16 - Papur | Paper 3

4 Papurau i'w nodi

Llythyr gan Ysgrifennydd y Cabinet dros Addysg - gwybodaeth ychwanegol yn dilyn y cyfarfod ar 10 Tachwedd

(Tudalennau 61 - 63)

Dogfennau atodol:

CYPE(5)-15-16 - Papur | Paper 4 - i'w nodi | to note

- 5 Cynnig o dan Reol Sefydlog 17.42(ix) i benderfynu gwahardd y cyhoedd o weddill y cyfarfod.
- 6 Y Bil Anghenion Dysgu Ychwanegol a'r Tribiwnlys Addysgiadol (Cymru) - Trafod y dull gweithredu

$$(11.30 - 11.50)$$

(Tudalennau 64 - 76)

Dogfennau atodol:

CYPE(5)-15-16 - Papur | Paper 5 - preifat | private

7 Memorandwm Cydsyniad Deddfwriaethol: Y Bil Addysg Uwch ac Ymchwil - Trafod yr adroddiad drafft

Dogfennau atodol:

CYPE(5)-15-16 - Papur | Paper 6 - preifat | private

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Cynulliad Cenedlaethol Cymru | National Assembly for Wales Pwyllgor Plant, Pobl Ifanc ac Addysg | Children, Young People and Education Committee

CYPE(5)-15-16 - Papur | Paper 1

Ymateb gan : Llywodraeth Cymru Response from : Welsh Government

Cyflwyniad

- 1. Lluniwyd y papur hwn i lywio Ymchwiliad y Pwyllgor i Wasanaethau Eiriolaeth Statudol, drwy roi'r wybodaeth ddiweddaraf am y sefyllfa gyfredol mewn perthynas â'r Dull Cenedlaethol o ddarparu Gwasanaethau Eiriolaeth Statudol i Blant a Phobl Ifanc.
- 2. Mae Llywodraeth Cymru wedi gofyn i Lywodraeth Leol weithio mewn partneriaeth â darparwyr a phlant i gyflwyno cynigion i wella mynediad i wasanaethau eiriolaeth i blant sy'n derbyn gofal a phlant eraill sy'n agored i niwed ynghyd â gwella'r ddealltwriaeth o'r gwasanaethau hyn.
- 3. Mae datblygu Dull Cenedlaethol yn cwmpasu amrywiaeth o elfennau a fydd yn sicrhau cysondeb mewn perthynas â hawliau, comisiynu, darpariaeth ac ymwybyddiaeth mewn perthynas â gwasanaethau eiriolaeth statudol yng Nghymru. Rwy'n llwyr gefnogi datblygu Dull Cenedlaethol ar gyfer eiriolaeth gan y bydd yn sicrhau bod plant sydd â hawl statudol i wasanaeth eiriolaeth yn ei gael.
- 4. Rwy'n parhau i gymryd diddordeb personol mewn dilyn cynnydd datblygiad a gweithrediad y Dull Cenedlaethol, i sicrhau bod gwasanaethau eiriolaeth i blant a phobl ifanc yng Nghymru mor hygyrch ac effeithiol â phosibl.
- 5. Mae angen gwasanaeth eiriolaeth ar nifer o unigolion i alluogi i ganlyniadau personol gael eu cyfathrebu a'u cyflawni. Mae Llywodraeth Cymru wedi datgan yn glir y dylid darllen Rhan 10 o'r Cod Ymarfer ar Eiriolaeth, a gyflwynwyd o dan Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014, ochr yn ochr â'r codau ymarfer perthnasol a gyhoeddwyd o dan y Ddeddf i'w gwneud yn ofynnol i awdurdodau lleol ystyried anghenion pobl o ran eiriolaeth lle bo awdurdod lleol yn cyflawni swyddogaeth benodol mewn perthynas â'r person hwnnw.
- 6. Mae'r dystiolaeth hon yn amlinellu'r cynnydd a wnaed hyd yn hyn.

Tystiolaeth/Cefndir

7. Rhoddodd gwahoddiad y Gweinidogion i Lywodraeth Leol gyflwyno model ar gyfer Dull Cenedlaethol o ddarparu gwasanaethau eiriolaeth statudol i blant sy'n derbyn gofal, plant mewn angen ac unigolion

- penodedig eraill yn ystod haf 2014 yr ysgogiad strategol angenrheidiol i gychwyn adolygiad cynhwysfawr o sut y caiff gwasanaethau eiriolaeth proffesiynol annibynnol eu comisiynu a'u darparu.
- 8. Sefydlwyd Grŵp Arweinyddiaeth Strategol (GAS) wedi'i gadeirio gan Gyfarwyddwr y Gyfarwyddiaeth Gwasanaethau Cymdeithasol ac Integreiddio sy'n cynnwys cynrychiolwyr o Gymdeithas Llywodraeth Leol Cymru (CLILC), Cymdeithas Cyfarwyddwyr Gwasanaethau Cymdeithasol Cymru, Swyddfa'r Comisiynydd Plant a Chadeirydd Grŵp Cynghori'r Gweinidog ar Eiriolaeth i nodi dull clir a chynaliadwy o sicrhau hawliau plant i eiriolaeth statudol.
- 9. Sefydlwyd Grŵp Gorchwyl a Gorffen ar eiriolaeth i ddatblygu'r gwaith hwn, ac mae'n cynnwys cynrychiolwyr o Gymdeithas Cyfarwyddwyr Gwasanaethau Cymdeithasol Cymru, gan gynnwys Cyfarwyddwr Gwasanaethau Cymdeithasol a nifer o Benaethiaid Gwasanaethau Plant, Swyddfa'r Comisiynydd Plant, Llywodraeth Cymru, Arolygiaeth Gofal a Gwasanaethau Cymdeithasol Cymru, CLILC a Darparwyr Gwasanaethau Eiriolaeth, ac fe'i cadeirir gan Gymdeithas Cyfarwyddwyr Gwasanaethau Cymdeithasol Cymru.
- 10. Cylch gwaith y Grŵp oedd edrych ar ddarparu Eiriolaeth Broffesiynol Annibynnol fel y'i comisiynwyd gan Awdurdodau Lleol ar gyfer Plant sy'n Derbyn Gofal, plant mewn angen ac unigolion eraill a nodir. Rhoddwyd y dasg iddo hefyd o nodi a datblygu elfennau allweddol o Ddull Cenedlaethol o ddarparu Gwasanaethau Eiriolaeth a'u darparu drwy awdurdodau arweiniol o fewn yr hyn a elwid yn flaenorol yn Grwpiau Cydweithredol Rhanbarthol Gwasanaethau Cymdeithasol, ond a elwir bellach yn Fyrddau Partneriaeth Rhanbarthol.
- 11. Egwyddor allweddol a oedd yn sail i'r grŵp oedd sicrhau cyfranogiad ac ymgysylltiad plant a phobl ifanc yn y camau allweddol yn ystod y gwaith o ddatblygu a chyflwyno'r Dull Cenedlaethol. Gwnaed hyn drwy ymgysylltiad yr aelodau â grwpiau plant a phobl ifanc ar lefelau lleol a rhanbarthol, a thrwy ymgynghori â nhw a chyfranogi ynddynt.
- 12. Cynigiodd y Grŵp y dylid darparu'r model Cenedlaethol drwy awdurdodau arweiniol o fewn y Byrddau Partneriaeth Rhanbarthol. Darparodd Llywodraeth Cymru yr adnodd ar ffurf secondiad, i ymgymryd â'r swydd rheolwr y prosiect.
 - Nododd a datblygodd y grŵp yr elfennau allweddol a ganlyn a gyflwynwyd mewn Cynllun Busnes;
 - Fframwaith Safonau a Chanlyniadau Cenedlaethol yn cynnwys dull gweithredu ar gyfer y 'cynnig rhagweithiol' o ran gwasanaethau eiriolaeth a nodwyd yn 'Lleisiau Coll' a mapio'r Fframwaith Safonau

- a Chanlyniadau Cenedlaethol i'r Datganiad Llesiant sy'n ategu'r Ddeddf.
- Dull Cenedlaethol Manyleb Gwasanaethau Rhanbarthol yn darparu manylebau cyson ar gyfer comisiynu gwasanaethau.
- Dull Cenedlaethol Templed Adrodd ar Berfformiad Rhanbarthol yn darparu'r dystiolaeth a'r ystadegau a nodwyd yn y Fframwaith Safonau a Chanlyniadau Cenedlaethol at ddibenion monitro safon a pherfformiad gwasanaethau.
- Dull Asesu Ystod a Lefel (Capasiti Gwasanaeth) sydd, pan gaiff ei ddefnyddio ar gyfer y boblogaeth sy'n gymwys yn lleol a rhanbarthol, yn cynorthwyo i fesur gofynion capasiti gwasanaethau a'r costau cysylltiedig.
- **Fframwaith Comisiynu** wedi'i gysoni â'r Fframwaith Safonau a Chanlyniadau.
- 13. Ym mis Mehefin eleni, ysgrifennodd Cymdeithas Cyfarwyddwyr Gwasanaethau Cymdeithasol Cymru a CLILC at Aelodau'r Cabinet a'r Cyfarwyddwr Gwasanaethau Cymdeithasol ym mhob awdurdod lleol i nodi'r goblygiadau ariannol posibl ar gyfer awdurdodau pe byddent yn mabwysiadu'r Dull Cenedlaethol. Gofynnwyd am eu barn ynghylch a oedd cefnogaeth i'r cynigion, fel y'u nodwyd yn yr achos busnes.
- 14. Cyfarfu Cymdeithas Cyfarwyddwyr Gwasanaethau Cymdeithasol Cymru a CLILC â Llywodraeth Cymru ar 3 Awst i drafod canlyniadau eu gohebiaeth. O ganlyniad, cytunodd Cymdeithas Cyfarwyddwyr Gwasanaethau Cymdeithasol Cymru a CLILC i gynhyrchu Cynllun Gweithredu i ddatblygu'r Dull Cenedlaethol.
- 15. Ar 26 Medi, ysgrifennais at CLILC i ofyn am gopi o'r Cynllun Gweithredu erbyn 30 Medi.
- 16. Roedd fy ymateb blaenorol i'r ymchwiliad hwn yn nodi fy ymrwymiad parhaus i'r Dull Cenedlaethol a'r ffaith fy mod yn edrych ymlaen at weld y cynllun gweithredu, a fydd yn llywio fy nghamau nesaf. Gofynnodd y Pwyllgor gwestiynau penodol ynghylch y Dull Cenedlaethol o ddarparu Gwasanaethau Eiriolaeth Statudol ar gyfer Plant a Phobl Ifanc, yn ogystal â pha effaith y bydd Rhan 10 o Ddeddf Gwasanaethau Cymdeithasol a Llesiant 2014 yn ei chael ar blant a phobl ifanc.
- 17. Ceir copi o fy ymateb yn Atodiad 2, a gyhoeddwyd ar wefan Cynulliad Cenedlaethol Cymru fel papur tystiolaeth rhif SAP 09, fel un o'r 14 o ymatebion i'r ymchwiliad, a ddaeth i ben ar 11 Tachwedd.
- 18. O'r dystiolaeth arall a gyflwynwyd, nodaf fod yr ymatebion yn cefnogi'r cyfle i wella'r ddarpariaeth o wasanaethau eiriolaeth i bob plentyn yng

- Nghymru er mwyn bodloni gofynion Confensiwn y Cenhedloedd Unedig ar Hawliau'r Plentyn.
- 19. Ar hyn o bryd, mae Llywodraeth Cymru yn ariannu MEIC, y gwasanaeth gwybodaeth, cyngor ac eiriolaeth i blant a phobl ifanc. Adroddodd gwerthusiad annibynnol o MEIC a gomisiynwyd gan Lywodraeth Cymru fod MEIC yn wasanaeth a werthfawrogir, sy'n effeithiol a hyfedrus ac y dylid ei barhau, ond myfyriodd hefyd ar y cyfleoedd i gysoni MEIC â'r dirwedd ehangach o wasanaethau eiriolaeth.
- 20. Bydd cyflwyno Deddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014, datblygu dull cenedlaethol a DEWIS (y porth ar-lein i ddinasyddion gael gofal a chefnogaeth) yn dylanwadu ar natur, cwmpas a lleoliad y gwasanaeth MEIC yn y dyfodol. Mae swyddogion yn ystyried yr opsiynau ar gyfer cysoni o fewn y dirwedd hon sy'n datblygu.
- 21. Yn ogystal, er mwyn cefnogi gweithredu gwasanaethau eiriolaeth, mae Llywodraeth Cymru wedi comisiynu dau brosiect o dan y Grant Trydydd Sector Gwasanaethau Cymdeithasol Cynaliadwy.
- 22. Mae Prosiect Edau Euraidd Age Cymru yn 3 blynedd o hyd ac mae'n anelu at:
 - a. wella llesiant oedolion drwy eiriolaeth er mwyn rhoi llais cryfach iddynt
 - b. gwella argaeledd gwasanaethau eiriolaeth i oedolion; a
 - c. gweithio gydag awdurdodau lleol a darparwyr gwasanaethau i gefnogi datblygiad gwasanaethau eiriolaeth i oedolion a'r gwaith o'u comisiynu.
- 23. Bydd prosiect *Eiriolaeth Plant a Phobl Ifanc Canlyniadau Cenedlaethol o Ddull Cenedlaethol* Tros Gynnal yn rhoi cymorth i blant a phobl ifanc hyd at 24 oed drwy Gymru sy'n gymwys ar gyfer gwasanaethau eiriolaeth statudol yn unol â gofynion Deddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014 ac yn cefnogi gweithredu'r Dull Cenedlaethol.
- 24. Mae Tros Gynnal Plant eisoes wedi cynnal gweithdy ar eiriolaeth yn cynnwys pobl a phobl ifanc mewn digwyddiad ar y cyd rhwng y Cyngor Gofal a'r Rhwydwaith Plant sy'n Derbyn Gofal ym Mhrifysgol Glyndŵr ar gyfer gweithwyr gofal plant preswyl a gofalwyr maeth ar 15 Medi.

- 25. Mae'r Cyngor Gofal yn datblygu cynllun hyfforddi cenedlaethol i gefnogi gweithrediad Deddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014, gyda'r diben cyffredinol o roi cymorth i'r gweithlu feithrin y wybodaeth a'r sgiliau sydd eu hangen arno i weithredu'r ddeddfwriaeth newydd.
- 26. Mae eiriolaeth yn elfen graidd o'r deunyddiau hyfforddi hyn.
 Gwahoddodd y Cyngor Gofal sefydliadau'r trydydd sector i wneud cais am arian o dan grant cyd-gynhyrchu i ddatblygu deunydd penodol ar eiriolaeth, fel y nodir yn Rhan 10 o'r Ddeddf. Roedd Age Cymru a Tros Gynnal Plant yn llwyddiannus.

Casgliadau

- 27. Rydym yn parhau i weithio gyda phartneriaid ar sicrhau dull gweithredu ar y cyd. Ar 24 Tachwedd, cefais gyfarfod gyda Chymdeithas Cyfarwyddwyr Gwasanaethau Cymdeithasol Cymru, CLILC a'r grŵp arweinyddiaeth strategol ehangach dros eiriolaeth i drafod y cynnydd a wnaed a'r cynigion ar gyfer gweithredu'r Dull Cenedlaethol.
- 28. Byddaf yn rhoi'r wybodaeth ddiweddaraf i'r Pwyllgor Plant, Pobl Ifanc ac Addysg ynghylch y cyfarfod hwnnw pan fyddaf yn mynd i'w gyfarfod ar 14 Rhagfyr.
- 29. Bwriedir rhoi'r Dull Cenedlaethol o ddarparu Gwasanaethau Eiriolaeth Statudol yn gynnar y flwyddyn nesaf a nodir rhagor o wybodaeth yn y Cynllun Gweithredu diweddar gan lywodraeth leol.

Ysgrifennydd y Cabinet dros Gymunedau a Phlant Tachwedd 2016





National Approach to Statutory Advocacy for Children and Young People – Local Government Implementation Plan 2016/17

Advocacy under Part 10 of the Social Services and Well-being (Wales) Act

- 1. One of the principles embedded in the Act is that people are at the heart of the new system and have an equal say in deciding the care and support they receive. It emphasises voice and control putting the individual and their needs at the centre of their care and giving them a voice in, and control over reaching the outcomes that help them achieve well-being.
- 2. The child or young person's views, wishes and feelings, and (where appropriate) those of their parents, are crucial in determining what their personal outcomes are and how they can best be met. The extent to which a child or young person can contribute to, and participate in, defining and achieving those outcomes will depend upon their age and understanding, and they should be supported in this by a range of professionals and other people involved with them, including (as appropriate) their parents, family and friends, social workers, independent reviewing officers, independent visitors and advocates. In implementing the Act, local authorities have placed considerable emphasis on 'Better Conversations' and 'Inspirational Conversations' training. This is intended to increase levels of competence among staff across relevant organisations in delivering 'What matters?' conversations right from the point of initial discussions with the people who make contact because they may need care and support.

- 3. It is important then to be aware that advocacy can and should be undertaken by a wide range of people and professionals. Anybody exercising functions under the Act must have regard to the importance of providing appropriate support to enable the individual to participate in decisions which affect him or her, to the extent which is appropriate in the circumstances. Also, the National Outcomes Framework for Social Services sets out well-being outcomes for people who need care and support and carers who need support. The framework states that people must speak for themselves and contribute to the decisions affecting their lives, or have someone who can do it for them. The extent to which this is achieved must be measured.
- 4. As set out in the United Nations Convention on the Rights of the Child (UNCRC), children and young people have a right to be heard in matters affecting their futures. Wales has ratified the UNCRC as a basis for taking forward children's rights. Under the Rights of Children and Young Person's (Wales) Measure 2011, Welsh Ministers have a duty to pay due regard to the UNCRC in all of their functions. The Social Services and Well-being (Wales) Act requires any persons to have due regard to the UNCRC. Detail on exercising this duty has been provided in the Code of Practice in relation to Part 2 of the Act.
- 5. Throughout the Act and under Part 10 specifically, there is a clear and strong emphasis placed on the role of advocacy. It is vital that people are supported appropriately in order to ensure that an individual is enabled to represent their interests, exercise their rights, express their views, explore and make informed choices. A local authority's duty to provide advocacy services (or assistance by way of representation) in relation to its social services functions is re-stated under Sections 171-178 of the Act.
- 6. Local authorities, when exercising their social services functions, must act in accordance with the requirements contained in this code. The overarching duty is to have regard to the importance of providing appropriate support to enable the individual to participate in decisions that affect him or her to the extent that is appropriate in the circumstances, particularly where the individual's ability to communicate is limited for any reason (section 6(2)(d)). Paragraph 35 sets out the roles of family, friends, carers, wider support networks or independent advocates in providing appropriate support to ensure individuals are actively involved in their care and support.

- 7. Detailed guidance is set out in the code of practice on Advocacy under Part 10 and other related Parts of the Act.

 Commissioners of advocacy service and advocacy service providers should be able to establish the quality as well as the quantity of their work, providing assurance that they are making a positive difference to children and young people's lives.

 The Part 10 Code of Practice (Advocacy) applies.
- 8. In relation to children, this will depend on their age and understanding and they should be supported in this by a range of practitioners and other people involved with them including their family and friends. Any persons providing care and support to a child under the age of 16 must ascertain the views of persons providing parental responsibility for the child. This will be crucial in determining how personal outcomes can be achieved. The code of practice sets out the functions when a local authority, in partnership with the individual, must reach a judgement on how advocacy could support the determination and delivery of an individual's personal outcomes; together with the circumstances when a local authority must arrange an independent professional advocate. Professionals and individuals must ensure that judgements about the needs for advocacy are integral to the relevant duties under the code. Options include peer advocacy, informal advocacy, formal advocacy and independent professional advocacy.
- 9. It is positive that Part 10 recognises that advocacy can take many forms and that it is not confined to arrangements of an independent advocate by a local authority. For example, the role of a trusted adult already known to a child can be vital. There is an important role for local authorities and also for third sector organisations and the NHS to support all types of advocacy and advocates. Ultimately, resources will have an impact on what advocacy services are commissioned and the current financial climate means that we have to be realistic about the expectations being placed on local authorities, without additional funding being provided. This is especially the case given the intention to regulate advocacy services under the Regulation and Inspection of Social Care (Wales) Act.

- 10. At the heart of professional advocacy is the concept of independence. An independent professional advocacy service is designed to provide additional safeguards for children and young people. Consequently, it is imperative that the advocates are free to support them, without any conflicts of interest, and to appropriately challenge service providers on behalf of the children and young people. The subject of such challenge may be very broad and can include:
 - decisions made about a child or young person's care
 - upholding a child or young person's legal rights;
 - the quality of care being provided.
- 11. The role of the advocate is to support a child or young person in making an informed decision, with their views and wishes as the sole focus. An advocate will help a child or young person to understand his or her rights and the choices available.

 Ultimately, any decisions taken by the child or young person will be their own, subject to any legal constraints. Detailed guidance is set out in the code of practice on Advocacy under Part 10 and other related Parts.
- 12. The role of the advocate is to support a child or young person to make an informed decision with the young person's views and wishes being their sole focus. An advocate will help a child or young person to understand his or her rights and the choices of action that are available. It is vital that commissioners of advocacy services and advocacy service providers can measure the quality as well as the quantity of their work, to seek assurance that they are making a positive difference to the lives of children and young people.

The National Approach to Statutory Advocacy for Children and Young People

13. On behalf of Welsh Government, Dr Mike Shooter undertook a strategic review of the evidence in relation to the provision of statutory independent professional advocacy services (SIPAS) for children and young people. Ministers were presented with the first report in January 2014. The Report showed that, while there were examples of good practice, commissioning and provision of statutory advocacy services in Wales were patchy and inconsistent.

- 14. Following this review, in 2014 Ministers invited local government (via ADSS Cymru), to bring forward a model for securing a national approach to SIPAS for looked after children and specified groups of children in need.
- 15. An advocacy Task and Finish Group (T&FG) was established to take this work forward, chaired by ADSS Cymru. The T&FG took responsibility for developing the key components of a National Approach to advocacy, aligned to a Standards and Outcomes Framework. The group was asked to explore:
 - the recommendation from 'Missing Voices: Right to be Heard' (the report by the Children's Commissioner on independent advocacy services for children and young people in the care system) in respect of an 'active offer'; and
 - how to deliver the National Approach model at a regional level through lead authorities within the existing Social Services Regional Improvement Collaboratives (since replaced by Regional Partnership Boards).
- 16. The work of the T&FG led to the development of a business case produced towards the end of 2015. It set out in detail the following key components of a national approach:
 - A National Standards and Outcomes framework
 - A Regional Service Specification
 - A Range and Level Mechanism
 - A local/regional performance reporting template.

The work of the T&FG identified that the additional cost for local authorities in implementing a national approach with all of these elements would be in the region of £1m.

17. Through the ADSS Cymru Executive Council and WLGA's Social Services Policy Group (made up of Elected Members with a responsibility for Social Services), the implications of adopting a national approach as set out in the business case were considered. It was agreed that, in principle, both were content to examine further how local authorities could take forward a national approach. However, in recognition of the additional costs identified, it was accepted that individual local authorities and regions would need to receive further information on the national approach and, in particular, the potential financial

implications for their individual authorities. This would enable them to come to an informed view and to engage with other authorities in their region.

- 18. Having received this information earlier, local authorities indicated broad support for developing a national approach, with agreement on the overall principles that have been adopted. Some authorities identified that the draft National Approach Specification has already been used to influence current contracting arrangements. However, there were concerns raised about some of the implications, especially about how to meet the additional costs identified at a time when budgets are being reduced. Concerns included:
 - Some of the additional costs are a result of new requirements placed on local authorities in an already challenging financial climate; this is especially the case in delivering the 'active offer'.
 - The Business Case uses historical information from 2013/14 as its baseline. For a number of authorities, spend on advocacy has changed since this information was provided; for example, costs in the North Wales region have decreased as a result of regional commissioning. It is likely that the actual costs to some local authorities will be higher than those cited in the business case.
 - A number of local authorities were concerned about the need to protect the rights of children and young people to opt for other forms of advocacy at the outset, as opposed to a narrow choice regarding a uniform 'active offer' from one provider.
- 19. Since this time, Welsh Government has confirmed its commitment to providing new funding to contribute to and support the provision of independent professional advocacy, including the costs of the active offer in full (as this is a new responsibility) and a contribution towards the resources required to meet a quality service as set out using the range and level tool. This will help local authorities to meet some of the additional costs that will accrue over time.
- 20. On this basis, it was agreed that a local government technical group would be set up by ADSS Cymru and the WLGA to look at how best to take the work forward and support local authorities. The group met in September to scope out the current

position and to plan the actions required to take forward the national approach. Representatives from each of the Regional Partnership Board areas were part of the group.

- 21. The group recognised that the financial implications identified for local authorities in the business case used information from 2014 and so the true costs of implementing a national approach may now be different for a number of them. For example, some authorities have seen significant increases in their looked after and child protection figures. If funding were to be provided on the basis of information currently held, some authorities may not be adequately supported to meet the new requirements. Therefore, one of the key actions required was to update this information to ensure that there is an accurate picture of the financial implications for local authorities. This is work that will be undertaken through the technical group.
- 22. Each local authority already has contract arrangements in place to provide statutory advocacy to children and young people. Some areas have already moved to regional approaches to commission this service, specifically Mid and West Wales, North Wales and Cwm Taf. Caerphilly, Torfaen and Blaenau Gwent also have joint arrangements in place and have agreed to create a Gwent-wide service when existing contracts expire. Similarly, Cardiff and the Vale have agreed that they will be looking to commission advocacy services on a regional basis when existing arrangements come to an end early in the next financial year. Western Bay local authorities are developing a joint tender next year. Each of the regions has appointed a lead local authority for commissioning purposes. On this basis, it is anticipated that regional approaches could be in place across Wales in the first quarter of the new financial year, once local authorities individually commit to this change. The national approach will need to be supported by the partnership framework that is underpinned by the Social Services and Wellbeing Act 2014, namely Regional Partnership Boards.
- 23. The draft specification developed as part of the National Approach has already been included as part of the tendering process recently undertaken in Mid and West Wales. The other regions have indicated support for jointly using the specification to recommission their services. The commissioning approach taken by Mid and West Wales included a separate lot for the provision of the 'active offer'. Subject to a number of conditions being met (full funding being made available from Welsh Government, the current provider having capacity and agreement from the local authorities), this part of the contract is ready to be

instigated and the active offer can be rolled out across Mid and West Wales in this financial year. North Wales is in the second year of a regional contract and the active offer is being piloted in Flintshire. The other regions can learn from these pioneers in terms of the approach to tendering, how the active offer element is included and how this could be built into future regional commissioning arrangements.

- 24. The Executive Council of ADSS Cymru has received an update on the work of the Local Government Technical Group.

 Directors have resolved that:
 - the Executive Council would ask Directors of Social Services to agree that they will adopt the national approach;
 - each Regional Partnership Board area would undertake to provide a date by which it will have used the national approach to commission an advocacy service.
- 25. ADSS and WLGA have worked with regional leads to develop an implementation plan identifying how each region has, or how they intend to use the key components of the National Approach to commission a service for the region, once they have access to Welsh Government funding for the active offer and its contribution towards the resources required to provide a quality service as set out in the range and level tool.

National Approach to Statutory Advocacy for Children and Young People Local Government Implementation Plan 2016/2017

Purpose: In order to achieve the best possible outcomes for all children in care and those with care and support needs, to commission and deliver across Wales consistent statutory independent professional advocacy services on a regional basis, in line with legislation and guidance and ensuring provision of the active offer.

No	Action	Desired Outcome	Lead	Timescale	Update	Status
1.	Secure agreement in principle from the WLGA and ADSS Cymru to implementing the key components of the national approach set out in the Task and Finish Group business case (i.e. a National Standards and Outcomes framework; a Regional Service Specification; a Range and Level Mechanism to assist commissioners in calculating the capacity requirements for their local/regional independent advocacy service; and a local/regional performance reporting template).	To ensure that local government is committed to adopting the national approach	ADSS Cymru	April 2016	Achieved - Both the WLGA's Social Services Policy Group (made up of Elected Members with a portfolio responsibility for Social Services) and the ADSS Cymru Executive Council (comprising all Directors of Social Services and Chairs of Heads of Services groups) endorsed the direction of travel. In recognition of the additional costs identified, it was accepted that individual local authorities and regions would need to receive further information on the national approach and, in particular, the potential financial implications for them.	

No	Action	Desired Outcome	Lead	Timescale	Update	Status
2.	Ask Welsh Government to confirm in principle a commitment to providing new funding that will contribute to and support the provision of independent professional advocacy.	To help local authorities meet some of the additional costs that will accrue over time.	Welsh Government	August 2016	Achieved - The Task and Finish Group business case identified that, for local authorities, the additional cost of implementing a national approach with all the components would be in the region of £1m. Welsh Government is willing to meet the costs of the active offer in full (as this is a new responsibility) and to make a contribution towards the resources required to provide a quality service as set out through using the range and level tool.	
3.	Establish a local government technical group.	To plan the actions required to take forward the national approach and to support local authorities in implementation.	ADSS Cymru and the WLGA	September 2016	Achieved - Having received information about the potential financial implications, local authorities indicated broad support for adopting the national approach and agreed to set up a local government technical group to take the work forward. Led by ADSS Cymru and the WLGA, the group started to meet in September. Representatives from each of the Regional Partnership	

No	Action	Desired Outcome	Lead	Timescale	Update	Status
					Board areas are part of the group.	
4.	Identify Lead Authorities for each Regional Partnership Board and lead regional project managers to take forward the task of commissioning of advocacy services for Children and Young People in accordance with the key components of the national approach as set out in the Task and Finish Group business case.	To deliver a regional approach to commissioning advocacy services, to provide consistency and to have a named person responsible for delivery of each regional project.	ADSS Cymru	October 2016	Achieved - The national approach will need to be supported by the partnership framework which is underpinned by the Social Services and Wellbeing Act 2014, namely Regional Partnership Boards. All Regions have identified the Local Authority that will take the lead in their region for commissioning statutory advocacy for children and young people. The relevant Head of Service will act as the senior responsible officer for implementation.	Green
5.	Update the current position relating to the provision of advocacy services for Children and Young People at local and regional levels.	To gain a better understanding of the current position and the capacity of the independent sector to deliver a new service.	Local government technical group	November 2016	Achieved - All regions have provided an update to the Task and Finish Group on their current position relating to advocacy services and future plans.	Green

No	Action	Desired Outcome	Lead	Timescale	Update	Status
6.	Those regions which have just started to implement the national approach on a collective basis develop an indicative implementation plan for commissioning a regional service (subject to corporate requirements).	To establish a realistic date for implementing the national approach in each region, including corporate and political approval.	Heads of Service for the lead local authorities	November 2016	In progress – updates to be considered by the local government technical group in November. Currently, potential implementation dates range from January to June 2017, depending on availability of funding from Welsh Government and the termination dates for current contracts.	Amber
7.	Provide an updated position on actual spend in 2015/16 on advocacy services for children and young people at Local Authority and regional levels.	To updated financial information about the funding available for the provision of independent advocacy services and to identify gaps in funding.	Local government implementation group – Rhondda Cynon Taf lead	December 2016	In progress - Local Authorities are currently gathering the relevant information on spend for 2015/16.	Amber

No	Action	Desired Outcome	Lead	Timescale	Update	Status
8.	Apply the 2015/16 figures for relevant children to the range and level assessment tool to determine capacity required in each region.	To provide an up to date position on the additional capacity required to deliver the active offer and to assist with the calculation of additional funding requirements, including delivery of the active offer.	Local government implementation group - Rhondda Cynon Taf lead	December 2016	In progress - Figures have been requested from local authorities. Since the business case was put together, some of them have seen significant increases in their figures for children who are looked after or in need of protection. Up to date information is also being obtained from Stats Wales. Once the information becomes available, Cordis Bright and the Local Government Data Unit will be asked to put updated information about potential need through the database used in compiling the Business Case (incorporating the range and level assessment tool) to determine capacity requirements.	Amber

No	Action	Desired Outcome	Lead	Timescale	Update	Status
9.	Calculate the additional funding required to deliver the 'Active Offer' as defined in the Business Case.	To provide an up to date figure for the additional funding requirement from Welsh Government to meet these additional costs.	Local government implementation group -	December 2016	In progress - As the financial implications identified for Local Authorities in the business case used information from 2014, the true costs of implementing a national approach may be different for some of them. Calculations based on 2014/15 information estimated that £1,002,663 was needed to implement the national approach (including the active offer). This figure will be updated once the data for 2015/16 is available.	Amber
10.	Calculate the additional funding required to deliver the on-going advocacy services for which Local Authorities are responsible.	To provide up to date figure for the additional funding Local Authorities need to provide to meet the additional costs of delivering advocacy services in line with the national approach.	Local government implementation group - Rhondda Cynon Taf lead	November 2016	In progress – Local Authorities will need to confirm allocation of funding to meet the additional need identified through this process. Welsh Government is looking to provide between £500k and £550k to meet the costs of the active offer in full and contribute	Amber

No	Action	Desired Outcome	Lead	Timescale	Update	Status
					towards the resources required to provide a quality service as set out by using the range and level tool.	
11.	Each region to confirm formal agreement by the Local Authorities in their area to use the key components of the National Approach to Statutory Advocacy for Children and Young People when commissioning this service and to inform their Regional Partnership Board.	To use existing governance arrangements to obtain high level commitment and buy in from each Region to the national approach.	All Regional Partnership Boards	December 2016	In progress – Some regions are well advanced in securing this commitment and others have plans in place to do so	Amber
12.	Appoint a senior manager on a temporary basis (initially six 6 months) to oversee and coordinate introduction of the national approach.	To implement this plan within required timescales.	ADSS Cymru	December 2016	In progress - The Implementation Manager will assist the lead local authorities to adopt best practice in commissioning regional advocacy services across Wales and work with Welsh Government on work to underpin the national approach. Welsh Government has agreed to provide a grant for this purpose. A job description	Amber

No	Action	Desired Outcome	Lead	Timescale	Update	Status
					and person specification are being developed to enable recruitment to this post. We are exploring mechanisms for identifying and appointing a suitably qualified person to ensure no loss of momentum.	
13.	Develop a National Independent Advocacy Standards and Outcomes Framework for Children and Young People in Wales which includes an approach to the 'active offer' of advocacy.	To demonstrate how local authorities can evidence the way children and young people are supported to achieve their well-being outcomes by accessing advocacy.	Welsh Government and the Implementation Manager	TBC	Welsh Government to confirm progress with this action.	TBC
14.	Consult with stakeholders on the outcome statements contained in the National Independent Advocacy Standards and Outcomes Framework and develop a final draft of the Framework taking into account this consultation.	To meet the needs of the people using this service and deliver the required outcomes for children and young people.	Welsh Government and the Implementation Manager	TBC	Welsh Government to confirm progress with this action.	TBC
15.	Publish the National Independent Advocacy Standards and Outcomes	To manage expectations and deliver the required outcomes of children and	Welsh Government	TBC	Welsh Government to confirm progress with this action.	TBC

No	Action	Desired Outcome	Lead	Timescale	Update	Status
	Framework	young people.				
16.	Develop a service specification outlining the description and requirements of the advocacy service to be provided.	To assist regions with commissioning the statutory advocacy service that works to deliver a consistent model of independent professional advocacy.	Task and Finish Group	October 2016	Achieved – A service specification has been developed.	Green
17	Co-ordinate use of the national documentation, including the service specification, to commission independent advocacy services.	To ensure that the service specification is fit for purpose and lessons learned are shared with other regions and to adopt best practice in commissioning advocacy services across Wales.	Implementation Manager	From December 2016-June 2017	Mid and West Wales and North Wales have started to share with other commissioning leads their experience of using the national approach.	
18.	Commission independent advocacy services in each Region in line with the national approach to statutory advocacy for children and young people, taking into account the 'lessons learned' report.	To enable children and young people in Wales to have access to independent professional advocacy services.	All Regions	June 2017	This work is dependent on the ability of regions to implement their plans on time, on good outcomes from using the national specification and on the capacity of service providers.	Red
19.	Develop a performance management reporting template for use by professional advocacy	To monitor service providers and ensure that high quality services are delivering the	Local government implementation group	November 2016	Achieved - A reporting template has been developed for use by independent professional	Green

No	Action	Desired Outcome	Lead	Timescale	Update	Status
	services, so that information is captured in a consistent format.	outcomes required by children and young people.			advocacy services enabling them to capture consistently data required for reporting on performance and quality monitoring. This data will be collected on local, regional and national levels. The information generated will bring to light any problems in securing a consistent and effective approach across Wales.	
20	Include a regional update on progress in adopting the national approach in the Annual Report produced by each Regional Partnership Board.	To provide robust monitoring on progress.	Regional Partnership Boards	April 2017	The Statutory Guidance (Partnership Arrangements) under Part 9 of the Social Services and Well- being (Wales) Act 2014 require Regional Partnership Boards to prepare a report on the extent to which the Board's objectives have been achieved. The first report must be prepared and submitted by 1 April 2017. There is an opportunity to include in this report an	Amber

No	Action	Desired Outcome	Lead	Timescale	Update	Status
					account of progress made in adopting the national approach to advocacy.	
21.	Liaise with Local Health Boards and Education regarding the provision of advocacy for children and young people accessing these services.	To encourage awareness of the national approach.	Regional Partnership Boards	December 2016	Mid and West Wales have included the requirements for Health and Education services when commissioning its service.	Amber
22.	Liaise with local authorities in ensuring that they use their corporate parenting arrangements to oversee delivery of the advocacy service and respond to issues.	To engage with lead members, Corporate Parenting Panels and Scrutiny Committees to deliver the requirements of the National Standards and Outcome Framework.	Welsh Government, WLGA and ADSS Cymru	TBC	TBC	TBC
23.	Fully implement the national approach across Wales	To secure a national approach to statutory advocacy for children and young people and deliver an outcome focused service.	Local government implementation group	June 2017	Ongoing work in progress. It will be important to engage with CSSIW as this is a regulated service.	Amber
24	Conduct an independent review on progress at the end of the first year of implementation.	To report on improvements made and benefits achieved and to identify any adjustments required.	Welsh Government	March 2018	TBC	

Eitem 3

Cynulliad Cenedlaethol Cymru | National Assembly for Wales Pwyllgor Plant, Pobl Ifanc ac Addysg | Children, Young People and Education Committee

CYPE(5)-15-16 - Papur | Paper 3

Ymateb gan : Cymwysterau Cymru Response from : Qualifications Wales

Linc i adroddiad blynyddol Cymwysterau Cymru

CYPE(5)-15-16 - Papur | Paper 4 - i'w nodi | to note Kirsty Williams AC/AM Ysgrifennydd y Cabinet dros Addysg Cabinet Secretary for Education



Ein cyf/Our ref: MA-P/KW/7636/16

Lynne Neagle AC Y Pwyllgor Plant, Pobl Ifanc ac Addysg Cynulliad Cenedlaethol Cymru Bae Caerdydd CF99 1NA

6 Rhagfyr 2016

Annwyl Lynne

Yn dilyn fy llythyr dyddiedig 30 Tachwedd a oedd yn cwmpasu ymatebion i lythyr y Pwyllgor yn dilyn y sesiwn graffu ar y gyllideb ar 10 Tachwedd, fel y gofynnwyd, rwyf wedi nodi isod fanylion pellach am y broses o gynllunio strategaeth ymadael ar gyfer y rhaglen Her Ysgolion Cymru. O ystyried bod gan bob ysgol Llwybrau Llwyddiant gynllun gwella pwrpasol, gyda strategaethau ymadael unigol yn eu lle, rwyf wedi canolbwyntio ar y broses gyffredinol a fabwysiadwyd wrth baratoi ar gyfer trydedd flwyddyn y gweithgaredd.

Rwyf wedi cadarnhau o'r blaen fod Her Ysgolion Cymru wedi'i datblygu fel ymyriad ag iddo amser cyfyngedig er mwyn cyflymu'r gwelliant yn yr ysgolion sy'n wynebu'r heriau mwyaf a bod cyllid i gefnogi trydedd flwyddyn y rhaglen wedi'i glustnodi hyd at fis Mawrth 2017. Felly datblygwyd cynllun y rhaglen ar gyfer y flwyddyn academaidd 2016/17 yn y cyd-destun hwn, gyda gwaith cynllunio ac yna waith gweithredu dilynol yn digwydd ar sawl lefel.

Datblygu cynlluniau gwella blwyddyn 3 Ysgolion Llwyddiant

O ran datblygu cynigion ysgolion Llwybrau Llwyddiant ar gyfer y drydedd flwyddyn, dechreuodd y gwaith hwn yn ffurfiol ym mis Chwefror 2016. Rhoddwyd canllawiau a thempledi cynllunio i bob ysgol er mwyn eu cynorthwyo i ddatblygu cynigion a oedd yn canolbwyntio'n bennaf ar strategaethau cynaliadwy ar gyfer gwella:

- ansawdd yr arweinyddiaeth ar bob lefel; ac
- ansawdd yr addysgu a'r dysgu.

Bae Caerdydd • Cardiff Bay Caerdydd • Cardiff CF99 1NA Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400
Gohebiaeth.Kirsty.Williams@llyw.cymru
Correspondence.Kirsty.Williams@gov.wales

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

We welcome receiving correspondence in Welsh. Tander epondence of Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Roedd hyn gyda'r amod caeth y byddai'r cyllid i gefnogi gweithgaredd gwella Her Ysgolion Cymru ond ar gael hyd 31 Mawrth 2017, ac y dylid ymgorffori strategaethau ymadael ar ôl i'r cyllid ddod i ben yn eu cynigion.

Yna cafwyd cyfnod cynllunio 11 wythnos ar gyfer ysgolion, ac yn ystod yr amser hwn roeddent yn gweithio gyda'u Cynghorydd Her Ysgolion Cymru i ddatblygu eu strategaethau gwella ysgol. Ar yr un pryd, roedd eu Cynghorydd yn gweithio gyda Grŵp Pencampwyr Her Ysgolion Cymru a gynorthwyodd gyda'r gwaith o gysylltu ag awdurdodau lleol, consortia addysg rhanbarthol a Llywodraeth Cymru fel y bo'n briodol. Roedd hyn er mwyn sicrhau bod y cynlluniau ar gyfer gwella yn gwneud y defnydd gorau o'r arian, yr adnoddau a'r arbenigedd sydd ar gael.

Yn olaf, trafodwyd cynigion pob ysgol a'u cytuno yn eu cyfarfodydd Bwrdd Gwella Carlam, y mae ei aelodaeth yn cynnwys y Pennaeth, Cadeirydd y Llywodraethwyr, cynrychiolydd o'r Awdurdod Lleol, un o Benaethiaid clwstwr cynradd, a'r Cynghorydd Her Ysgolion Cymru.

Gwaith craffu ychwanegol ar gynlluniau gwella blwyddyn 3 Ysgolion Llwybrau Llwyddiant

Ar ôl cael sicrwydd bod y broses briodol wedi'i dilyn, a bod rhanddeiliaid allweddol wedi bod yn ymwneud â datblygu cynlluniau gwella, cynhaliodd swyddogion Llywodraeth Cymru broses graffu ychwanegol ar gynigion fesul ysgol. Roedd hyn yn cynnwys eu herio'n gadarn i gadarnhau bod strategaethau ymadael ar waith lle y gwnaed cais am gyllid Her Ysgolion Cymru, yn enwedig lle y defnyddiwyd y cyllid hwn i gefnogi cyflogi staff ychwanegol. Ni chafodd cynigion nad oeddent yn cynnwys amlinelliad clir o strategaethau ymadael, gan gynnwys sut y byddai gweithgaredd yn cyfrannu tuag at welliant cynaliadwy yn y tymor hwy, eu hystyried.

Cadarnhawyd cymeradwyaeth derfynol o gyllid i ysgolion Llwybrau Llwyddiant yn nhymor yr haf 2016 ac roedd yn cynnwys y cafeat mai dim ond i gefnogi gweithgaredd hyd at fis Mawrth 2017 y gellid defnyddio cyllid Her Ysgolion Cymru.

Gweithredu cynlluniau gwella a chynllunio ar gyfer pontio

Mae pob Bwrdd Gwella Carlam ysgolion Llwybrau Llwyddiant yn parhau i gyfarfod yn fisol, a'r prif orchwyl yw sicrhau bod cynlluniau gwella a strategaethau ymadael yn cael eu gweithredu'n effeithiol. Yn ogystal â hyn, mae gwaith i gefnogi gwelliant parhaus ysgolion Llwybrau Llwyddiant ar ôl i Her Ysgolion Cymru ddod i ben wedi parhau ac mae'n cynnwys:

- trafodaethau rheolaidd rhwng Llywodraeth Cymru, Pencampwyr Ysgolion Her Cymru a chonsortia addysg rhanbarthol, er mwyn sicrhau pontio llyfn o'r rhaglen;
- cynnal cyfarfodydd Pencampwr a Chynghorwyr Her Ysgolion Cymru yn rheolaidd mewn swyddfeydd consortia addysg rhanbarthol er mwyn rhannu arferion gorau a gwersi a ddysgwyd;
- trafodaethau ar ysgolion Llwybrau Llwyddiant penodol gydag awdurdodau lleol unigol a'u consortia.

Yn ogystal â'r gwaith hwn, rwyf hefyd wedi bod yn trafod gydag Ysgrifennydd y Cabinet dros Gyllid a Llywodraeth Leol ynglŷn â'r cyllid sydd ar gael yn dilyn Datganiad yr Hydref. Mae hyn gyda'r nod o ystyried ymhellach gyllid ag iddo amser cyfyngedig gan adeiladu ar wersi a ddysgwyd o'r rhaglen a sut y gallwn barhau i gefnogi ysgolion mewn amgylchiadau heriol. Fel y nodwyd yn fy ngohebiaeth flaenorol gydag aelodau o'r Pwyllgor, byddaf yn rhoi'r wybodaeth ddiweddaraf ichi am unrhyw ddatblygiadau wrth iddynt ddod i'r amlwg.

Addewais hefyd roi canlyniadau TGAU ysgolion Llwybrau Llwyddiant i chi ac fe wnaf hynny maes o law ar ôl iddynt gael eu cyhoeddi. Byddaf hefyd yn hysbysu'r Pwyllgor pan fydd ail adroddiad y gwerthusiad rhaglen yn cael ei gyhoeddi y flwyddyn nesaf.

Yn gywir

Kirsty Williams AC / AM

Ysgrifennydd y Cabinet dros Gymunedau a Phlant Cabinet Secretary for Education

Eitem 6

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