

Agenda – Y Pwyllgor Deisebau

Lleoliad: I gael rhagor o wybodaeth cysylltwch a:
Ystafell Bwyllgora 1 – Y Senedd Graeme Francis – Clerc y Pwyllgor
Dyddiad: Dydd Mawrth, 25 Medi 2018 Kath Thomas – Dipwrwy Glerc
Amser: 09.00 0300 200 6565
SeneddDeisebau@cynulliad.cymru

1 Cyflwyniad, ymddiheuriadau, dirprwyon a datganiadau o fuddiant (Tudalennau 1 – 84)

2 Deisebau newydd

2.1 P-05-827 Y ffyrdd o amgylch Trago Mills / Parc Manwerthu Cyfarthfa
(Tudalennau 85 – 91)

2.2 P-05-829 Gwahardd Eitemau Plastig Untro yng Nghymru
(Tudalennau 92 – 100)

2.3 P-05-830 Ailagor Canolfan Feddygol Dewi Sant, Pentwyn, yn Amser Llawn
(Tudalennau 101 – 109)

2.4 P-05-831 Rhowch ddiwedd ar yr annhegwch a'r gwahaniaethu yn y cymorth
ariannol a roddir i ddioddefwyr sgandal gwaed wedi'i heintio yng Nghymru
(Tudalennau 110 – 118)

2.5 P-05-832 Diwygio'r Cod Derbyn i Ysgolion ynghylch Plant a Anwyd yn ystod
yr Haf
(Tudalennau 119 – 141)

2.6 P-05-828 Rhagdybiaeth o blaid Ysgolion Gwledig
(Tudalennau 142 – 156)

3 Y wybodaeth ddiweddaraf am ddeisebau blaenorol

3.1 P-05-794 Gostwng yr Oedran Pleidleisio i Un ar Bymtheg
(Tudalennau 157 – 161)



3.2 P-05-798 Gwasanaethau cymorth i ddynion sy'n ddioddefwyr trais yn y cartref i gael eu rhedeg a'u cyllido'n annibynnol

(Tudalennau 162 – 170)

Amgylchedd

Mae'r ddwy ddeiseb a ganlyn wedi'u grwpio ar gyfer eu hystyried gyda'i gilydd

3.3 P-04-399 Arferion lladd anifeiliaid

(Tudalen 171)

3.4 P-04-433 Teledu Cylch Cyfyng mewn Lladd-dai

(Tudalennau 172 – 176)

3.5 P-05-717 Sefydlu Hawliau Mynediad Cyhoeddus Statudol i Dir a Dŵr Mewndirol at Ddibenion Hamdden a Dibenion Eraill

(Tudalennau 177 – 183)

3.6 P-05-796 Galw ar Lywodraeth Cymru i wahardd yr arfer o ddefnyddio anifeiliaid gwyllt mewn syrcau yng Nghymru

(Tudalennau 184 – 191)

Mae'r ddwy ddeiseb a ganlyn wedi'u grwpio ar gyfer eu hystyried gyda'i gilydd

3.7 P-05-809 Is-ddeddfau Pysgota arfaethedig Newydd a methiannau Cyfoeth Naturiol Cymru

(Tudalennau 192 – 194)

3.8 P-05-810 Rhowch Gyfle i Glybiau Pysgota Cymru ac Eog a Brithyll y Môr

(Tudalennau 195 – 219)

3.9 P-05-813 Gwahardd y DEFNYDD O FAGLAU LARSEN (maglau dal sawl math o frân)

(Tudalennau 220 – 235)

3.10 P-05-815 Rheoli'r Diwydiant Dofednod Dwys Sy'n Ehangu'n Gyflym yng Nghymru

(Tudalennau 236 – 249)

Economi a Thrafnidiaeth

Mae'r tair deiseb a ganlyn wedi'u grwpio ar gyfer eu hystyried gyda'i gilydd

3.11 P-05-721 Deiseb Terfyn Cyflymder Penegoes

(Tudalen 250)

3.12 P-05-767 Cefnffordd yr A487 Trwy Dre Taliesin_Angen Brys am Fesurau Effeithiol i Arafu Traffig

(Tudalen 251)

3.13 P-05-792 Deiseb i ymestyn y terfyn cyflymder 40mya ym Mlaenporth

(Tudalennau 252 – 255)

3.14 P-05-820 Peidiwch â chymryd Castell-nedd oddi ar y brif reilffordd

(Tudalennau 256 – 259)

3.15 P-05-823 Gostwng y terfyn cyflymder ar yr A487 ym Mhenparcau

(Tudalennau 260 – 262)

Iechyd

3.16 P-05-732 Amseroedd Aros Annerbyniol ar gyfer Cleifion y GIG yn Adran Damweiniau ac Achosion Brys Wrecsam/ Ysbyty Wrecsam Maelor

(Tudalennau 263 – 269)

3.17 P-05-751 Cydnabod achosion o Ddieithrio Plentyn oddi wrth Riant

(Tudalennau 270 – 276)

3.18 P-05-784 Dibyniaeth ar gyffuriau presgripsiwn ac effeithiau diddyfnu – adnabyddiaeth a chefnogaeth

(Tudalennau 277 – 289)

3.19 P-05-795 Achos Niwsans neu Aflonyddwch ar safleoedd y GIG

(Tudalennau 290 – 291)

3.20 P-05-826 Mae sir Benfro yn dweud NA!! i gau adran damweiniau ac achosion brys Llwynhelyg!

(Tudalennau 292 – 294)

Addysg

3.21 P-05-783 Sicrhau Cydraddoldeb Cwricwlwm i Ysgolion Cyfrwng Cymraeg e.e. Seicoleg TGAU

(Tudalennau 295 – 304)

3.22 P-05-805 Rhoi chwarae teg i Athrawon Cyflenwi

(Tudalennau 305 – 311)

3.23 P-05-821 Ailgyflwyno cyllid cymorth addysgol i awdurdodau lleol ar gyfer y Gwasanaeth Cyflawniad Lleiafrifoedd Ethnig a'r Gwasanaeth Addysg i Deithwyr

(Tudalennau 312 – 319)

Cyllid

3.24 P-05-803 Mae ein byd naturiol yn cael ei wenwyno gan blastigau untro...mae'n bryd cyflwyno treth!

(Tudalennau 320 – 324)

3.25 P-05-822 Gwahardd gwellt plastig (wrth yfed llaeth) yn ein hysgolion

(Tudalennau 325 – 328)

4 Cynnig o dan Reol Sefydlog 17.42 i benderfynu gwahardd y cyhoedd o'r cyfarfod am weddill busnes heddiw:

5 Adroddiad Drafft – P-05-690 Resurfacing of the A40 Raglan–Abergavenny Road

(Tudalennau 329 – 338)

Mae cyfyngiadau ar y ddogfen hon

P-05-827 Y ffyrdd o amgylch Trago Mills/Parc Manwerthu Cyfarthfa

Cyflwynwyd y ddeiseb hon gan Rowan Powell, ar ôl casglu 141 o lofnodion.

Geiriad y ddeiseb

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i edrych ar y mater o draffig cynyddol ar yr A470 o gwmpas cyffiniau Trago Mills a Pharc Manwerthu Cyfarthfa, a rhoi system draffig newydd ar waith i liniaru'r swm o draffig a welir yn ystod yr oriau brig, a all wedyn ddatrys y problemau parhaus sy'n wynebu trigolion.

Agorodd Trago Mills ei ddrysau oddeutu pythefnos yn ôl i'r cyhoedd. Byth ers i Trago Mills agor, cafwyd problemau cyson o ran traffig cynyddol yng nghyffiniau Trago Mills a Pharc Manwerthu Cyfarthfa. Yn ogystal ag yn ystod y penwythnosau, mae hefyd yn digwydd yng nghanol yr wythnos.

Pan ddaethpwyd â'r mater hwn i sylw Ysgrifennydd y Cabinet dros yr Economi a Thrafnidiaeth yn wreiddiol beth amser yn ôl cyn i Trago Mills agor, dywedodd yn bersonol mewn llythyr y byddai'r A470 yn gallu cymryd pwysau'r traffig i mewn ac allan o'r ardal, ond yn anffodus nid dyma'r sefyllfa. Nid yw'r traffig sy'n cronni ar brif gylchfan yr A470 yn gallu atal y llwyth traffig sy'n mynd yn uniongyrchol i Barc Manwerthu Cyfarthfa a Trago Mills. Mae hyn yn anghyfleus i'r trigolion hynny sydd eisoes yn byw yn agos at yr ardal, ac mae hefyd yn effeithio ar fusnesau lleol yn yr ardal ac yn effeithio ar yr economi oherwydd bod ymwelwyr yn osgoi'r ardal.

A wnewch chi edrych ar y mater dan sylw eto gan fod angen gweithredu'n uniongyrchol i ddatrys y broblem hon.

Etholaeth a Rhanbarth y Cynulliad

- Merthyr Tudful a Rhymni
- Dwyrain De Cymru

Deiseb: Ffyrdd o amgylch Trago Mills / Parc Manwerthu Cyfarthfa

Y Pwyllgor Deisebau | 25 Medi 2018
Petitions Committee | 25 September 2018

Papur briffio gan y Gwasanaeth Ymchwil:

Rhif y ddeiseb: P-05-827

Teitl y ddeiseb: Ffyrdd o amgylch Trago Mills / Parc Manwerthu Cyfarthfa

Testun y ddeiseb:

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i edrych ar y mater o gynnydd mewn traffig ar yr A470 o amgylch cyffiniau Trago Mills a Pharc Manwerthu Cyfarthfa a rhoi system draffig newydd ar waith i liniaru'r swm o traffig a welir yn ystod yr oriau brig, a all, wedyn, ddatrys y problemau parhaus y mae trigolion yn eu hwynebu.

Agorodd Trago Mills ei drysau i'r cyhoedd oddeutu pythefnos yn ôl, ac ers i Trago Mills agor, bu problemau cyson o ran cynnydd yn y traffig yng nghyffiniau lleol Trago Mills a Pharc Manwerthu Cyfarthfa, nid yn unig y mae hyn yn digwydd ar benwythnosau ond mae hefyd yn digwydd ganol yr wythnos.

Pan ddaeth y mater hwn i sylw Ysgrifennydd y Cabinet dros yr Economi a Thrafnidiaeth yn wreiddiol beth amser yn ôl cyn agor Trago Mills, dywedodd yn bersonol mewn llythyr y byddai'r A470 yn gallu ymdopi â phwysau traffig i mewn i'r ardal, ac allan ohoni ond, yn anffodus, nid yw hyn yn wir. Nid yw'r cynnydd mewn traffig ar brif gylchfan yr A470 yn gallu ymdopi â'r llwyth traffig sy'n mynd yn uniongyrchol i Barc Manwerthu Cyfarthfa a Trago Mills. Nid yn unig mae hyn yn anghyfleustra i'r preswylwyr hynny sydd eisoes yn byw yn agos at yr ardal, ond mae hefyd yn effeithio ar fusnesau lleol yn yr ardal ac yn effeithio ar yr economi oherwydd bod ymwelwyr yn osgoi'r ardal.

A allwch chi ystyried y mater dan sylw eto gan fod angen gweithredu'n uniongyrchol i ddatrys y broblem hon.

Y cefndir

Rhwydwaith cefnffyrdd a thraffyrdd Cymru

Llywodraeth Cymru yw'r awdurdod priffyrdd ar gyfer rhwydwaith cefnffyrdd a thraffyrdd Cymru. Hi sy'n gyfrifol am gynnal a chadw a gwella'r rhwydwaith, gan gynnwys yr A470, a gaiff ei [disgrifio gan Lywodraeth Cymru](#) fel a ganlyn: "ein prif gefnffordd sy'n cysylltu gogledd a de Cymru." Mae map o rwydwaith cefnffyrdd Cymru [ar gael ar-lein](#).

Er mai Gweinidogion Cymru sydd â'r cyfrifoldeb statudol dros y rhwydwaith cefnffyrdd, dau asiant cefnffyrdd Cymru sydd â chyfrifoldeb dros eu gweithredu o ddydd i ddydd, cynnal a chadw a mân welliannau i'r rhwydwaith:

- [Asiant Cefnffyrdd Gogledd a Chanolbarth Cymru](#); ac
- [Asiant Cefnffyrdd De Cymru](#).

Lleoliad Parc Manwerthu Cyfarthfa a Trago Mills

Lleolir [Parc Manwerthu Cyfarthfa](#) a'r [siop Trago Mills](#) ym Merthyr Tudful gyda'r mynedfeydd i'r ddau safle o gylchfan Ffordd Abertawe ar yr A470.

Agorwyd Parc Manwerthu Cyfarthfa i'r cyhoedd yn wreiddiol yn 2005 ac agorodd Trago Mills yn 2018.

Parc Manwerthu Cyfarthfa

Rhoddwyd caniatâd cynllunio i Barc Manwerthu Cyfarthfa yn 2003 ar gyfer datblygu'r safle a agorodd yn 2005.

Yn 2012 cyflwynwyd cais i Gyngor Bwrdeistref Sirol Merthyr Tudful i ehangu'r parc manwerthu. [Cafodd adroddiad ei ystyried gan y Cyngor llawn yn 2013](#) (PDF, 3.91KB) a rhoddwyd caniatâd cynllunio.

Roedd Asesiad Trafnidiaeth a gyflwynwyd ynghyd â'r cais i ymestyn y safle, yn ystyried effaith bosibl traffig cynyddol a nodwyd:

byddai'r datblygiad arfaethedig ar agor yn 2015 ac mae'r dadansoddiad o alluoedd cyffordd yn ystyried effeithiau ar y briffordd tan 2030, er mwyn sicrhau bod digon o gapasiti i ddiwallu unrhyw dwf yn y llif traffig presennol. Cydnabyddir bod yr asesiad hwn yn ystyried datblygiad ymrwymedig arall, sef Trago Mills.

Roedd y cais cychwynnol i ymestyn y safle yn cynnwys gwaith priffyrdd i gylchfan A470 Ffordd Abertawe, a gafodd ei wrthod gan Lywodraeth Cymru, fel awdurdod priffyrdd y rhwydwaith cefnffyrdd. Fodd bynnag, [fel y nodwyd yn y cyfryngau](#), cyflwynwyd a chymeradwywyd cais diwygiedig. Fel y nodwyd yn adroddiad y Cyngor, yn dilyn cyflwyno cynlluniau ar gyfer y gwaith priffyrdd diwygiedig:

ystyriwyd unrhyw bryderon diogelwch ffyrdd neu effaith i'r cyffyrdd ar gylchfan yr A470(T) yn fanwl gan Lywodraeth Cymru. Cydnabyddir yn ymateb Adran Priffyrdd Llywodraeth Cymru i'r cais, ei bod yn

fodlon â'r cynllun arfaethedig ac nad yw wedi codi unrhyw wrthwynebiadau, yn ddarostyngedig i amodau priodol.

Cafodd y gwelliannau i'r gylchfan eu gweithredu wedyn yn 2014 ac roeddent yn cynnwys lonydd ychwanegol i gyrraedd y gylchfan, ynghyd ag arwyddion a llinellau ychwanegol i wella llif y traffig.

Trago Mills

Cafodd y tir lle mae safle Trago Mills ei gaffael gan y datblygwr yn y 1990au. Rhoddwyd caniatâd cynllunio amlinellol ym 1995 gan yr awdurdod cynllunio lleol (awdurdod cynllunio Morgannwg Ganol ar y pryd) a dechreuodd y gwaith daear ar y safle [yn 2005](#). Yn 2010, ystyriodd yr awdurdod cynllunio lleol (Cyngor Bwrdeistref Sirol Merthyr Tudful) [a chymeradwyodd gais i ymestyn yr adeilad](#) (PDF, 1.42MB) i gynnwys:

ardal storio a manwerthu ychwanegol, canolfan arddio, adeilad llwytho a thŷ planhigion ynghyd â mân newidiadau i fanylion y to a gwelliannau o ran hygrychedd.

Ymgynghorwyd ag Is-adran Drafnidiaeth Llywodraeth Cymru ar y cynlluniau i ymestyn y safle arfaethedig a chodwyd pryderon yn wreiddiol ynghylch yr Asesiad Trafnidiaeth a oedd yn cyd-fynd â'r cynlluniau. Ar ôl hynny, cynhaliodd Llywodraeth Cymru brofion ynghylch faint o draffig sydd ar y gylchfan a ddefnyddir i gael mynediad i'r safle ei hun a daeth i'r casgliad:

ni fyddai llif diogel a rhydd traffig y gefnffordd yn cael ei amharu. O ganlyniad [nid oes] dim gwrthwynebiad i'r estyniad arfaethedig i Trago Mills.

Dechreuodd y gwaith ar strwythur yr adeilad yn 2016 ac ym mis Ebrill 2018 cafodd y siop ei hagor i'r cyhoedd.

Fel yr [adroddwyd yn y cyfryngau](#), bu penwythnos agoriadol safle Trago Mills yn llawn tagfeydd wrth i bobl ymweld â'r siop newydd.

Camau a gymerwyd gan Lywodraeth Cymru a Chynulliad Cenedlaethol Cymru

Fel yr amlinellir, ymgynghorwyd ag Is-adran Drafnidiaeth Llywodraeth Cymru ar effeithiau trafndiaeth ehangu'r ddau safle fel rhan o'r ceisiadau cynllunio perthnasol.

Mae [Cynllun Cyllid Trafnidiaeth Cenedlaethol 2015](#) (y CCTC) Llywodraeth Cymru yn nodi sut y mae'n bwriadu cyflawni'r canlyniadau a nodir yn [Strategaeth Drafnidiaeth Cymru](#) rhwng mis Ebrill 2015 a mis Mawrth 2020 (y tymor byr) a thu hwnt (y tymor canolig). Mae'r cynllun yn darparu amserlenni ar gyfer ariannu a chyflawni cynlluniau a ymgwymerir gan Lywodraeth Cymru, ac mae'n nodi ffynonellau cyllido posibl ac yn rhestru'r prosiectau a fydd yn ceisio cyllid o dan Gronfa Datblygu Rhanbarthol Ewrop. Mae [diweddariad y Cynllun yn 2017](#) (PDF, 1.05MB) yn amlinellu rhaglen 'wasgfa'. sy'n cynnwys ystyried opsiynau ac atebion ar gyfer Gwelliannau i'r coridor rhwng Ffynnon Taf a Merthyr ar yr A470.

Yn dilyn agor safle Trago Mills, cafodd y broblem tagfeydd traffig yn yr ardal [ei chodi yn y Cyfarfod Llawn ar 1 Mai 2018](#). Dywedodd Arweinydd y Tŷ a'r Prif Chwip, Julie James AC, fod Llywodraeth Cymru yn cynnal astudiaethau mewn perthynas â thraffig ar y rhan hon o'r A470. Dywedwyd:

Mae'r darn o'r ffordd o gwmpas Trago Mills wrthi'n cael ei ymchwilio a'i arfarnu y unol â gofynion canllawiau arfarnu trafndiaeth Cymru, a adnabyddir fel WelTAG. Mae seibiant yn yr astudiaethau ar hyn o bryd tra bod y patrymau traffig a'r galw ansefydlog yn dychwelyd i'r amodau cyfartalog ar ôl agor siop Trago Mills, y gwyddom ei fod wedi cynyddu galw yn sylweddol.

Disgwylir i'r cyfnod ymsefydlu bara tua chwe mis, ac ar yr adeg honno bydd yr astudiaeth yn aildechrau trwy brofi tueddiadau a ragwelir gyda'r rhai sy'n hysbys ar ôl agor Trago Mills. Bydd y profion sensitifrwydd yn hysbysu'n well priodoldeb yr atebion tymor hwy a gynigir. Ar ôl i'r astudiaethau cyfnod 2 ar hyd y coridor gael eu cwblhau a'u harfarnu, bydd ymyraethau trafndiaeth i fynd i'r afael â thagfeydd yn cael sylw. Disgwylir i hynny gael ei gwblhau erbyn dechrau 2019, a cheir mesurau tymor canolog i fwrw ymlaen â nhw yn y cyfamser.

Mae llythyr Ken Skates, Ysgrifennydd y Cabinet dros yr Economi a Thrafnidiaeth, at Gadeirydd y Pwyllgor Deisebau hefyd yn amlinellu'r pwyntiau a wnaeth Arweinydd y Tŷ, bod Llywodraeth Cymru yn cynnal astudiaeth i ymchwilio i lefelau tagfeydd yn yr ardal. Mae'r llythyr yn datgan:

Byddwn yn gwybod pa gynlluniau trafndiaeth fydd yn cael eu defnyddio i ddatrys y broblem tagfeydd ar yr A470 ar 61 cynnal yr astudiaethau cam 2 ar hyd y coridor. Disgwylir i'r gwaith Cam 2 ddod i ben yn gynnar yn 2019.

O ran caniatâd cynllunio ar gyfer safle Trago Mills, cydnabu Arweinydd y Tŷ a'r Prif Chwip hefyd [yn y Cyfarfod Llawn](#):

gwnaed y penderfyniad ynghylch caniatâd cynllunio ym 1994 gan awdurdod cynllunio Morgannwg Ganol ac roedd yn cynnwys gwelliannau i'r briffordd a oedd yn briodol i raddfa'r datblygiad ar y pryd, ond, fel y mae'r Aelod wedi ei amlygu, mae'r sefyllfa honno wedi newid i raddau helaeth iawn. Felly, bydd yr astudiaethau yn llywio gwelliannau i'r ffordd ar ôl i'r traffig ymsefydlu unwaith eto.



Eich cyf/Your ref P-05-827
Ein cyf/Our ref KS/02309/18

David John Rowlands AC
Cadeirydd y Pwyllgor Deisebau.

government.committee.business@wales.gsi.gov.uk

25 Awst 2018

Annwyl *David,*

Diolch ichi am eich llythyr dyddiedig 25 Gorffennaf ynghylch P-05-827 Ffyrdd o gwmpas Trago Mills / Parc Adwerthu Cyfarthfa.

Mae Llywodraeth Cymru wrthi'n cynnal astudiaeth o lefelau'r tagfeydd ar yr A470 yng nghyffiniau Cylchfan Ffordd Abertawe. Bydd yr astudiaeth yn ystyried effaith siop newydd Trago Mills. Fel rhan o'r astudiaeth, byddwn yn cysylltu â rhanddeiliaid fel Cyngor Merthyr Tudful, sef yr Awdurdod Priffyrdd sy'n gyfrifol am y rhwydwaith ffyrdd lleol.

Bwrir ymlaen â'r atebion ffyrdd sydd wedi cael eu harfarnu, sy'n cynnig y gwerth gorau ac y barnwyd bod eu hangen, hynny yn unol â phrosesau Llywodraeth Cymru.

Fel rhan o'r gwaith cynllunio cyn agor siop Trago Mills ar 21 Ebrill, gofynnwyd am gyfraniad nifer o asiantaethau oherwydd nifer yr ymwelwyr a ragwelwyd. Rydym wedi gosod arwyddion negeseuon dros dro ac wedi defnyddio arwyddion negeseuon newidiol i roi gwybod i yrwyr am unrhyw oedi a ragwelir ar y darn hwn o'r A470. Rydym wedi cyhoeddi gwybodaeth am y traffig hefyd ar wefan Traffig Cymru a'r cyfryngau cymdeithasol i helpu gyrwyr i gynllunio'u teithiau. Rydym wedi estyn gwasanaeth y Swyddogion Traffig ac mae'r heddlu wedi bod yn bresennol yn yr ardal i helpu i reoli llif y traffig ar adegau prysur.

Gwaetha'r modd, ni chafwyd digon o amser i baratoi cynllun Parcio a Theithio cyn agor y siop ac rwy'n gwerthfawrogi'r pryderon a fynegwyd. Ond gallaf eich sicrhau bod fy swyddogion yn gweithio gyda'r awdurdod lleol i edrych ar atebion tymor byr a chanolig ymarferol.

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

Tudalen y pecyn 90
We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Rydym wrthi'n ymchwilio i'r darn o'r A470 sydd o gwmpas Trago Mills ac yn ei arfarnu yn unol â Chanllaw Arfarnu Trafnidiaeth Cymru (WelTAG). Gan fod patrymau a gofynion y traffig wedi'u hansefydlogi ers agor siop Trago Mills, rydym wedi atal yr astudiaeth am y tro nes bod amodau cyffredin yn dychwelyd. Disgwylir i'r cyfnod 'sefydlogi' hwn bara rhyw 6 mis. Bryd hynny, byddwn yn ailddechrau'r astudiaeth trwy gloriannu'r tueddiadau a ragwelir ar sail y ffigurau hysbys ers agor Trago Mills. Bydd canlyniadau'r profion hyn yn ein helpu i benderfynu pa atebion tymor hir fyddai fwyaf priodol.

Byddwn yn gwybod pa gynlluniau trafndiaeth fydd yn cael eu defnyddio i ddatrys y broblem tagfeydd ar yr A470 ar ôl cynnal yr astudiaethau cam 2 ar hyd y coridor. Disgwylir i'r gwaith Cam 2 ddod i ben yn gynnar yn 2019. Caiff mesurau tymor byr i ganolig eu cynnal yn y cyfamser.

Yn gywir



Ken Skates AC/AM

Ysgrifennydd y Cabinet dros yr Economi a Thrafnidiaeth
Cabinet Secretary for Economy and Transport

Eitem 2.2

P-05-829 Gwahardd Eitemau Plastig Untro yng Nghymru

Cyflwynwyd y ddeiseb hon gan Ban Plastic Straws Wales, ar ôl casglu 161 o lofnodion.

Geiriad y ddeiseb

Rydym yn galw ar Gynulliad Cymru i wahardd pob eitem blastig untro yng Nghymru. Amcangyfrifir bod y DU ac UDA yn unig yn taflu tua 550 miliwn o wellt plastig bob dydd. Er bod pob un ond yn cael ei ddefnyddio am gyfartaledd o 20 munud yn unig, maent yn cymryd canrifoedd i bydru. Yn ystod ymgyrch lanhau gan y Gymdeithas Cadwraeth Forol y llynedd, ar gyfartaledd, canfu 138 o ddarnau o wastraff yn gysylltiedig â bwyd a diod ar bob 100m o draethau'r Deyrnas Unedig.

Mae angen atal hyn ac mae angen i'r amgylchedd fod yn flaenoriaeth.

Etholaeth a Rhanbarth y Cynulliad

- Sir Drefaldwyn
- Canolbarth a Gorllewin Cymru

Gwahardd Eitemau Plastig Untro yng Nghymru

Y Pwyllgor Deisebau | 25 Medi 2018
Petitions Committee | 25 September 2018

Papur briffio gan y Gwasanaeth Ymchwil:

Rhif y ddeiseb: P-05-829

Teitl y ddeiseb: Gwahardd Eitemau Plastig Untro yng Nghymru

Testun y ddeiseb: Rydym yn galw ar Gynulliad Cymru i wahardd pob eitem blastig untro yng Nghymru. Amcangyfrifir bod y DU ac UDA yn unig yn taflu tua 550 miliwn o wellt plastig bob dydd. Er bod pob un ond yn cael ei ddefnyddio am gyfartaledd o 20 munud yn unig, maent yn cymryd canrifoedd i bydru. Yn ystod ymgyrch lanhau gan y Gymdeithas Cadwraeth Forol y llynedd, ar gyfartaledd, canfu 138 o ddarnau o wastraff yn gysylltiedig â bwyd a diod ar bob 100m o draethau'r Deyrnas Unedig.

Mae angen atal hyn ac mae angen i'r amgylchedd fod yn flaenoriaeth.

Y cefndir

Mae plastigion untro, neu blastigion a deflir i ffwrdd, wedi'u cynllunio i gael eu defnyddio unwaith, ac yna'u taflu, neu eu hailgylchu. Maent yn cynnwys eitemau fel poteli plastig, gwellt yfed, cwpanau coffi a deunydd pecynnu bwyd brys. Amlygodd y sylw diweddar ar y cyfryngau, yn arbennig gan y gyfres [Blue Planet II](#) y BBC, faint o weddillion plastig sydd yn ein cefnforoedd o ganlyniad i'n harfer o 'daflu' pethau i ffwrdd. Amlygir effaith plastig untro ar yr amgylchedd morol gan y ffaith ei fod mor gyffredin mewn canlyniadau arolygon sbwriel ar ein traethau. Dangosodd Adroddiad [Beachwatch y Gymdeithas Cadwraeth Forol](#) yn 2017 mai darnau bach o blastig oedd yr eitemau a ganfuwyd amlaf ar draethau ledled y DU.

Roedd adroddiad yn 2017, sef [Plastig Untro a'r Amgylchedd Morol](#) (Saesneg yn unig) gan [Eunomia](#) ar gyfer [Seas at Risk](#), yn cyfrif faint o wastraff plastig untro a oedd 'ar hyd y lle'. Mae prif ganfyddiadau'r gwaith ymchwil yn cynnwys y canlynol:

- nid oes angen i lawer o'r eitemau hyn gael eu gwneud o blastig (e.e. mae dewisiadau eraill, fel gwydr a phapur ar gael), tra bod eitemau eraill yn cael eu defnyddio'n ddiangen (e.e. gwellt yfed);
- mae cefnogaeth gref a brwd gan y cyhoedd i gamau i leihau'r defnydd o blastig, ac mae'r gefnogaeth yn cynyddu ar ôl cyflwyno camau;

- mae atebion ar gael ar gyfer defnyddio llai o blastigion untro, ac fe'u defnyddiwyd mewn llawer o fannau ledled y byd; a
- byddai lleihau'n fawr y defnydd o'r prif eitemau plastig untro, yn ei hanfod, yn dileu ffynhonnell sylweddol o lygredd morol yn holl foroedd Ewrop.

Roedd adroddiad gan Eunomia, a gomisiynwyd gan Lywodraeth Cymru yn 2018, sef [Dewisiadau ar gyfer Cyfrifoldeb Estynedig y Cynhyrchydd yng Nghymru](#), yn amcangyfrif bod "cyfanswm o 404 miliwn o wellt yn cael eu defnyddio bob blwyddyn" yng Nghymru, ac "mae hyn gyfwerth â sgil-gynhyrchion gwastraff o ryw 150 tunnell o ddeunydd". Aiff ymlaen i ddweud:

Mae'r rhan fwyaf o wellt yfed wedi'u gwneud o bolypropylen, sy'n ailgylchadwy, ond nid oes llawer o'r cynhyrchion hyn yn cael eu gwahanu ar gyfer ailgylchu. Heb ddata pellach, rydym wedi tybio bod y cyfraddau ailgylchu ar gyfer y cynhyrchion hyn yn debyg i'r rhai ar gyfer cwpanau untro, sef 5%, ac felly mae 7.5 tunnell o wellt yn cael eu hailgylchu bob blwyddyn yng Nghymru.

Mae'r adroddiad yn amcangyfrif costau diwedd oes ar gyfer nifer o eitemau untro yng Nghymru. Amcangyfrifir mai 'Cyfanswm Cost Gweddilliol Trefol' defnyddio gwellt plastig yng Nghymru yw £22,566, sef cost o 0.01c yr eitem. Dywed hefyd, fodd bynnag, oherwydd natur 'ar-hyd-y-llle' y gwellt, y caiff oddeutu 13 tunnell ohonynt eu taflu i finiau sbwriel bob blwyddyn. Amcangyfrifir bod hyn yn costio £29,430, sef cost o 0.08c yr eitem.

Treth plastig untro

Nod unrhyw dreth ar blastig untro fyddai annog pobl i ddefnyddio llai ohono. Mae polisi gwastraff (gan gynnwys ailgylchu) yn fater datganoledig. Felly, mae Llywodraeth y DU yn datblygu polisiau ar gyfer Lloegr a chyfrifoldeb y gweinyddiaethau datganoledig yw datblygu a gweithredu eu polisiau a'u dulliau eu hunain, o fewn fframwaith gofynion yr UE. Mae strategaeth [Tuag at Ddyfodol Diwastraff](#) (2010) Llywodraeth Cymru yn nodi ei pholisi yn y maes hwn.

Byddai codi treth ar blastig untro yn cyd-fynd â Strategaeth Tuag at Ddyfodol Diwastraff Llywodraeth Cymru drwy gyflawni blaenoriaethau Gweinidogion ar gyfer datblygu '[economi gylchol](#)', lle nad yw plastigion byth yn wastraff ac maent yn cyfrannu'n gadarnhaol at yr economi.

Codi tâl am fagiau siopa

Mae lleihau'r defnydd o blastig untro drwy drethu eisoes wedi'i gyflwyno yng Nghymru yn sgîl [Rheoliadau Codi Tâl am Fagiau Siopa Untro \(Cymru\) 2010](#). Ar 1 Hydref 2011, Cymru oedd y wlad gyntaf i gyflwyno gofyniad statudol i godi tâl am y rhan fwyaf o fagiau siopa untro. Ers hynny, mae'r Alban, Gogledd Iwerddon a Lloegr wedi cyflwyno dulliau tebyg o godi isafswm o 5c am bob bag plastig a ddefnyddir.

Yn wreiddiol, cyhoeddodd Llywodraeth Cymru gytundeb gwirfoddol a oedd yn annog manwerthwyr i roi eu derbyniadau net i achosion da. Fodd bynnag, mae [Deddf yr Amgylchedd](#)

[\(Cymru\) 2016](#) bellach yn ei gwneud yn ofynnol i fanwerthwyr roi eu derbyniadau net o werthiant bagiau siopa at ddibenion elusennol sy'n ymwneud â diogelu neu wella'r amgylchedd, ac sydd o fudd uniongyrchol neu anuniongyrchol i Gymru gyfan neu unrhyw ran o Gymru. Bwriedir i hyn liniaru effaith y defnydd o fagiau siopa plastig.

Datblygiadau yn Lloegr

Ar 11 Ionawr 2017, cyhoeddodd Llywodraeth y DU ei [Chynllun Amgylchedd 25-mlynedd ar gyfer Lloegr](#), a oedd yn amlinellu deg nod ar gyfer gwella'r amgylchedd gan ddefnyddio dull 'cyfalaf naturiol', gan gynnwys:

Work towards eliminating all avoidable waste by 2050 and all avoidable plastic waste by end of 2042.

Mae [blog](#) diweddar gan y Gwasanaeth Ymchwil yn rhoi trosolwg o'r cynllun, ac mae'n trafod sut y gallai effeithio ar Gymru.

Camau gweithredu Llywodraeth Cymru

Mewn [datganiad ysgrifenedig](#) ar 27 Medi 2017, dywedodd Lesley Griffiths AC, Ysgrifennydd y Cabinet dros yr Amgylchedd a Materion Gwledig ar y pryd, "fel Llywodraeth, rydym yn derbyn bod angen gwneud mwy i wella ein cyfradd ailgylchu ymhellach ac i fynd i'r afael â sbwriel a'r materion sy'n gysylltiedig â chymdeithas a diwylliant 'taflu'. Er mwyn mynd i'r afael â'r mater hwn, awgrymodd mai'r nod fyddai "atal sbwriel rhag mynd i mewn i'r amgylchedd yn y lle cyntaf", ac i "werthfawrogi'r adnoddau hynny rydym ni'n eu cymryd yn ganiataol". Cyflwynodd yr astudiaeth ar [Gyfrifoldeb Estynedig y Cynhyrchydd](#) (EPR) gan Eunomia, i asesu opsiynau posibl, gan ddweud:

... rwyf wedi comisiynu astudiaeth i asesu ymyriadau posibl i gynyddu gweithgarwch atal gwastraff, codi cyfraddau ailgylchu a lleihau sbwriel ar y tir a sbwriel morol. Bydd cynlluniau cyfrifoldeb cynhyrchwyr, megis y cynlluniau sydd ar waith yn y DU ar hyn o bryd, yn cael eu cynnwys yn yr ymchwil. Bydd Cynlluniau Dychwelyd Blaendal yn cael eu cynnwys hefyd. Bydd yr ymchwil hefyd yn asesu effeithiau amgylcheddol, economaidd a chymdeithasol posibl cynlluniau ymestyn cyfrifoldeb cynhyrchwyr (EPR), gan gynnwys unrhyw ganlyniadau anfwriadol posibl.

Cyhoeddodd Mark Drakeford AC, Ysgrifennydd y Cabinet dros Gyllid a Llywodraeth Leol mewn [datganiad yn y Cyfarfod Llawn](#) ar 13 Chwefror 2018 na fyddai'r dreth ar ddeunydd plastig untro yn cael ei chyflwyno gan fod 'treth tir gwag' wedi cael ei dewis yn lle hynny. Dywedodd:

Bydd Llywodraeth y DU yn dechrau casglu tystiolaeth ar sut y bydd yn ymdrin â phroblem plastig untro, gan gynnwys drwy ddefnyddio treth. Beth bynnag fo'i rinweddau, mae'r cyhoeddiad hwnnw, rwy'n credu, yn creu rhwystr ar lwybr unrhyw gynnig ar gyfer Cymru yn unig.

Mewn datganiad gan Lywodraeth Cymru, a gyflwynwyd yn y Cyfarfod Llawn ar [27 Chwefror 2018](#), trafododd Hannah Blythyn AC, Gweinidog yr Amgylchedd, gamau gweithredu Llywodraeth Cymru o ran plastigion untro:

Rydym ni wedi sicrhau y bu Cymru'n rhan o alwad Llywodraeth y DU am dystiolaeth ynglŷn â sut y bydd yn ymdrin â mater plastig untro, gan gynnwys drwy ddefnyddio treth.

Ochr yn ochr â hyn, byddwn yn parhau i weithio ar dreth plastig tafladwy annibynnol posibl ar gyfer Cymru.

Yn y Cyfarfod Llawn ar [8 Mai 2018](#) cyhoeddodd ganlyniadau'r astudiaeth Cyfrifoldeb Estynedig y Cynhyrchydd. Dywedodd:

Rwyf i'n ystyried diwygiadau i Reoliadau Rhwymedigaethau Cyfrifoldeb Cynhyrchwyr fel bod cynhyrchwyr a manwerthwyr yn talu cyfran fwy o gostau rheoli gwastraff.

... Rydym yn parhau i weithio gyda Thrysorlys EM ar dreth plastig untro i'r DU.

...Gallaf gyhoeddi bod Llywodraeth Cymru wedi llofnodi cytundeb Plastigau y DU WRAP.

Hefyd nododd y ffyrdd y mae Llywodraeth Cymru yn gweithio i "weithredu ar ein geiriau":

Rwyf i wedi ymrwmo i sicrhau nad oes plastig untro i'w weld yn swyddfeydd Llywodraeth Cymru erbyn diwedd tymor y Cynulliad hwn ...

Nid ydym yn defnyddio gwellt, trowyr na chyllyll a ffyrc plastig yn ein ffreuturau. Hefyd, bydd Llywodraeth Cymru yn parhau i ddylanwadu ar y sector cyhoeddus ehangach yng Nghymru, er enghraifft drwy ddarparu contractau caffael deunyddiau tafladwy yn holl adeiladau Llywodraeth Cymru, drwy weithio gyda Gwerth Cymru.

Yn y Cyfarfod Llawn ar [13 Mehefin 2018](#), mewn ymateb i gwestiwn gan David Melding AC, llefarydd y Blaid Geidwadol, dywedodd Gweinidog yr Amgylchedd fod Llywodraeth Cymru yn gweithio ochr yn ochr â'r Gwasanaeth Caffael Cenedlaethol i:

ddatblygu ystod o fesurau sy'n caniatáu i ni nodi tueddiadau a chamau gweithredu i helpu i leihau'r defnydd o blastigion, gan gynnwys pethau fel gwellt o fewn y sector cyhoeddus, ac yn enwedig mewn ysgolion.

Camau gweithredu Cynulliad Cenedlaethol Cymru

Ar 5 Ebrill 2017, arweiniodd Simon Thomas AC [ddadl ar Gynnig Deddfwriaethol gan Aelod ar Fil Lleihau Gwastraff ar gyfer Cymru](#). Roedd y cynnig yn canolbwyntio ar gynlluniau dychwelyd blaendal, ar waharddiad neu ardoll ar ddeunydd pecynnu polystyren (na ellir ei ailgylchu) ac ar osod gofynion newydd ar gynhyrchwyr bwyd a manwerthwyr i leihau deunydd pecynnu diangen.

Cafodd y cynnig gefnogaeth drawsbleidiol, a phasiwyd ef, gyda 34 o bobl o blaid, dim yn erbyn a 12 yn ymatal.

Trafododd y Pwyllgor Deisebau [ddeiseb flaenorol](#) ar gyfer gwahardd deunydd pacio polystyren. Yn dilyn ymateb Lesley Griffiths AC, Ysgrifennydd y Cabinet dros yr Amgylchedd a Materion Gwledig ar y pryd, cytunodd y Pwyllgor nad oedd llawer mwy y gallai ei wneud i fynd ymlaen â'r mater, a chytunwyd i gau'r ddeiseb.

Ar hyn o bryd mae'r Pwyllgor Deisebau yn ystyried y deisebau cysylltiedig a ganlyn:

[P-05-750 Ar gyfer eitemau untro: cyflwyno System Dychwelyd Ernes ar gyfer cynwysyddion diodydd a sicrhau y gellir compostio cynwysyddion bwyd cyflym a'r offer sy'n gysylltiedig â hwy.](#)

[P-05-803 Mae ein byd naturiol yn cael ei wenwyno gan blastigion untro...mae'n bryd cyflwyno treth!](#)

[P-05-822: Gwahardd gwellt plastig \(wrth yfed llaeth\) yn ein hysgolion](#)

Yn y Cyfarfod Llawn ar [23 Ionawr 2018](#), mewn ymateb i ddatganiad gan Lesley Griffiths AC, Ysgrifennydd y Cabinet dros Ynni, Cynllunio a Materion Gwledig ar y diwydiant bwyd a diod, tynnodd Joyce Watson AC sylw at yr ymgyrch 'Cael gwared ar y gwelltyn' (Ditch the Straw) (Saesneg yn unig). Ymatebodd Ysgrifennydd y Cabinet:

Mae'r fenter gwellt plastig mor syml, ond mae'n bwysig ...Felly, gallai pethau bach fel newid o blastig i bapur-oherwydd rydym ni'n gwybod fod pobl yn awyddus i ddefnyddio gwellt - gallai arbed cymaint.

Yn y Cyfarfod Llawn ar [12 Mehefin 2018](#), gofynnodd Joyce Watson AC "a fyddai Llywodraeth Cymru yn ystyried edrych ar atal, neu yn wir, leihau cyflenwad y mathau hynny o wellt drwy ei pholisi caffael cyhoeddus".

Mewn ymateb, atebodd Julie James AC, Arweinydd y Tŷ:

Mae gennym ni Gwerth Cymru a'r Gwasanaeth Caffael Cenedlaethol yn gweithio'n agos gyda swyddfa Comisiynydd Cenedlaethau'r Dyfodol Cymru a WRAP i ddatblygu a chyflawni sawl cynllun arbrofol ar y cyd ag awdurdodau lleol a phartneriaid ledled Cymru i ddangos dulliau newydd ym maes caffael sy'n llwyr ymgorffori Deddf Llesiant Cenedlaethau'r Dyfodol (Cymru) 2015, ac mae un o'r cynlluniau arbrofol hynny yn ymwneud â gwellt plastig. Mae swyddogion yn edrych i weld beth y gallwn ei wneud i ddatblygu amrywiaeth o ddulliau o nodi tueddiadau a gweithredu camau i leihau neu ddileu'r defnydd o blastigau, gan gynnwys deunydd pacio bwyd a gwellt, yn ein contractau yn y dyfodol.

Ar 30 Mehefin 2018, daeth y [Rheoliadau Diogelu'r Amgylchedd \(Microbelenni\) \(Cymru\) 2018](#) i rym yng Nghymru, yn gwahardd cynhyrchu a gwerthu cynhyrchion sy'n cynnwys microbelenni plastig. Mewn ymateb i osod y rheoliadau gerbron y [Cyfarfod Llawn](#) ar 6 Mehefin 2018, dywedodd David Melding AC:

Rwy'n credu bod hwn yn gam sylweddol i'w groesawu, ond dim ond y cam cyntaf ydyw. Mae angen newid mewn polisi cyhoeddus ynghylch defnydd cyfrifol o gynhyrchion plastig a gwahardd cynhyrchion plastig untro.

Mae'r [Pwyllgor Newid Hinsawdd, Amgylchedd a Materion Gwledig](#) yn cynnal [ymchwiliad](#) ar hyn o bryd i lygredd microblastigau yn afonydd Cymru.

Gwneir pob ymdrech i sicrhau bod y wybodaeth yn y papur briffio hwn yn gywir adeg ei gyhoeddi. Dylai darllenwyr fod yn ymwybodol nad yw'r papurau briffio hyn yn cael eu diweddarau o reidrydd na'u diwygio fel arall i adlewyrchu newidiadau dilynol.



Eich cyf/Your ref P-05-829
Ein cyf/Our ref HB/00756/18

David John Rowlands AM

government.committee.business@wales.gsi.gov.uk

24 August 2018

Dear David,

Thank you for your letter of 25 July regarding Petition P-05-829, which calls for a ban on all single use plastic items in Wales. The Welsh Government recognises the growing concern around single use plastic and welcomes the steps being taken by citizens, businesses and the public sector to address it. We recognise that to be successful, change must happen at the community level.

The Welsh Government is working to reduce the unnecessary use of plastic where alternatives exist. For example, the National Procurement Service (NPS) is collaborating with Waste and Resource Action Programme (WRAP) and the Future Generations Commissioner's office to develop a range of measures to allow us to identify trends and implement actions to help reduce the use of plastics (including straws) in the future. Pilot projects are currently underway with several councils to look at the issue of plastic waste reduction in relation to procurement. The Welsh Government and NPS are happy to work with councils and companies on ways to avoid it.

Plastic is ubiquitous in modern life and has many useful applications, for example in medical environments where it can provide safe and sterile, single-use equipment which guards against contamination. Much of what we use in our homes every day is made of, or packaged in, single use plastic and sometimes there are good reasons for this. Fresh food, for example, can have a much longer shelf life if it is wrapped in plastic. Food waste, which has a significantly higher carbon footprint than its packaging, is therefore reduced.

Whilst it is clear that we need to reduce unnecessary plastic consumption, the key to addressing this challenge is the development of new business models to retain plastic in economic use for as long as possible and avoid its escape into the environment. We need to make sure that we have the infrastructure needed to keep plastic recycle in Wales so that more Welsh manufacturers will use recycled materials. We also want to encourage designers to create products and packaging with waste minimisation and circularity in mind. The publication of WRAP Cymru's ['Towards a Route Map for Plastic Recycling'](#) demonstrates the scale of our ambition, and our commitment to making it a reality. To support this aim, I am focusing new capital funding in 2019/20 on businesses working towards a more circular plastics economy in Wales through our £6.5 million Circular Economy Investment Fund.

Bae Caerdydd • Cardiff Bay
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CF99 1NA

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

Gohebiaeth.Hannah.Blythyn@llyw.cymru
Correspondence.Hannah.Blythyn@gov.wales

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

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

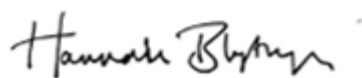
In Wales, we have long been taking steps to reduce plastics in our environment and improve the way we deal with plastic waste. In 2011, we were the first in the UK to introduce a charge for single use carrier bags, and we have continued to lead the way with ground-breaking legislation in the form of the Environment (Wales) Act 2016 and the Well-being of Future Generations (Wales) Act 2015.

We have identified plastic as a priority waste for action. Wales' recycling rate is already the best in the UK, second in Europe and third in the World and we are always looking at how we can do more. Our long-term goal is zero waste (100% recycling) by 2050, with an interim target of 70% by 2025. We have set out a wide range of actions to achieve this and I am keen to keep Wales at the forefront of efforts to reduce and recycle all types of waste. It is also my ambition for Wales to become the first 'Refill Nation' in the World. Within a year, we will deliver a drinking water refill scheme into every community along the Wales Coastal Path. We want to make it easy for people to get fresh drinking water in more places, whilst reducing plastic.

I am also considering the possibility of a UK-wide Deposit Return Scheme for drinks containers and I met my counterparts from the UK and Scottish Governments to discuss this issue in July. I am keen to ensure that any scheme delivers optimum benefits for Wales and that we take account of risks and benefits to existing provision and recycling levels here, including the possible effect on Local Authorities' statutory recycling targets. We are also seeking to work closely with the UK Government in relation to any action to ban specific single use plastic items.

In addition, the Cabinet Secretary for Finance is currently considering a potential disposable plastics tax. I am pleased that HM Treasury is also looking at this issue and we are working with them to help devise the best way forward over the coming months. We are also considering the possibility of a Welsh tax, levy, or charge on single-use drinks containers. Above all, the Cabinet Secretary for Finance has been clear that any potential tax in this area needs to be fair and proportionate, in line with the principles set out in the tax policy framework.

Yours Sincerely,



Hannah Blythyn AC/AM
Gweinidog yr Amgylchedd
Minister for Environment

P-05-830 Ailagor Canolfan Feddygol Dewi Sant, Pentwyn, yn Amser Llawn

Cyflwynwyd y ddeiseb hon gan Joe Carter, ar ôl casglu 380 o lofnodion.

Geiriad y ddeiseb

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Bwrdd Iechyd Prifysgol Caerdydd a'r Fro i ailagor Canolfan Feddygol Dewi Sant, Pentwyn, yn amser llawn a buddsoddi yn y ganolfan hon a ddefnyddir yn helaeth. Rydym yn galw ar y bwrdd iechyd i gynnal asesiad o anghenion cleifion yn Nwyrain Caerdydd yn sgîl y datblygiadau tai diweddar.

Etholaeth a Rhanbarth y Cynulliad

- Canol Caerdydd
- Canol De Cymru

Papur Briffio ar gyfer y Pwyllgor Deisebau

Y Pwyllgor Deisebau | 25 Medi 2018

Petitions Committee | 25 September 2018

Rhif y ddeiseb: P-05-830

Teitl y ddeiseb: Ailagor Canolfan Feddygol Dewi Sant, Pentwyn yn amser llawn

Testun y ddeiseb:

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Bwrdd Iechyd Prifysgol Caerdydd a'r Fro i ailagor Canolfan Feddygol Dewi Sant, Pentwyn, yn amser llawn a buddsoddi yn y ganolfan hon a ddefnyddir yn helaeth. Rydym yn galw ar y bwrdd iechyd i gynnal asesiad o anghenion cleifion yn Nwyrain Caerdydd yn sgil y datblygiadau tai diweddar.

Y cefndir

Agor am lai o oriau

Is-feddygfa Canolfan Feddygol Pontprennau yw Canolfan Feddygol Dewi Sant ym Mhentwyn, Caerdydd ac, yn ôl [erthygl newyddion](#) ar Wales Online ar 23 Mai 2018, bydd Canolfan Feddygol Dewi Sant, sydd â 10,000 o gleifion cofrestredig, yn agor yn y bore'n unig yn y dyfodol oherwydd problemau staffio sylweddol.

Mae'r erthygl yn tynnu sylw at y ffaith bod hyn yn cael ei gyhoeddi wrth i Gyngor Caerdydd gyhoeddi ei fwriad i sicrhau cynnydd o 13,000 ym mhoblogaeth gogledd Caerdydd dros y blynyddoedd nesaf, fel rhan o'i [Gynllun Datblygu Lleol](#). Yn yr erthygl, dywedodd y Cynghorydd Joseph Carter, sy'n aelod o'r Democratiaid Rhyddfrydol, y byddai'r penderfyniad i leihau'r oriau yn cael effaith niweidiol ar y rhai sy'n byw yn ei etholaeth ym Mhentwyn. Mewn llythyr at y Cynghorydd Carter, dywedodd pennaeth gwasanaethau contractwyr gofal sylfaenol y Bwrdd Iechyd fod cynlluniau ar waith i ddatblygu Canolfan Feddygol Pontprennau, sy'n ganolfan fwy modern, i ddarparu ar gyfer 8,000 o gleifion ychwanegol.

Ar ôl cael cymeradwyaeth gan Lywodraeth Cymru, deallir bod y Bwrdd Iechyd wedi neilltuo arian i ehangu safle Pontprennau i ddarparu ar gyfer y rhai a fydd yn symud i fyw yn y tai newydd sy'n cael eu codi.

Cau'r is-feddygfa

Ar ôl lleihau oriau agor yr is-feddygfa, gwelwyd y cyhoeddiad a ganlyn ar [wefan Canolfan Feddygol Pontprennau](#)¹:

Branch Surgery Update

We currently provide services for all our patients at 2 sites, the main surgery at Pontprennau Medical Centre and the branch surgery at St David's Medical Centre.

The Practice have a number of concerns over the continued running of the branch surgery, including but not limited to the condition of the building, leasing arrangements and accessibility issues.

Due to these concerns, we have made the difficult decision to apply to close the branch surgery at St David Medical Centre.

We would like to assure you that a full range of services will continue to be available, to ALL our patients, from the main surgery at Pontprennau Medical Centre and hope that you all continue to access services from us. There will also be no reduction in the number of appointments available.

We have engaged with the Cardiff and Vale University Health Board and Cardiff and Vale of Glamorgan Community Health Council, and they wish to hear YOUR VIEWS on this proposal.

If you would like to comment on this application, please contact your CHC using the details below. Comments are required before Friday 24th August 2018.

Yn ogystal â'r wybodaeth uchod, nododd gwefan Canolfan Feddygol Pontprennau y cynhelir cyfarfod i gleifion ar 18 Medi 2018 ac y bydd y tîm yn bresennol i drafod y sail resymegol dros gau Canolfan Feddygol Dewi Sant. Gwahoddir pob claf i ddod i'r cyfarfod a byddent yn cael cyfle i ofyn cwestiynau. Bydd y cyfarfod yn cael ei hwyluso gan gynrychiolwyr Cyngor Iechyd Cymuned Caerdydd a'r Fro.

Gohebiaeth yn ymwneud â'r ddeiseb

Mae gohebiaeth gan Ysgrifennydd y Cabinet dros Iechyd a Gwasanaethau Cymdeithasol, dyddiedig 21 Awst 2018, yn tynnu sylw at y ffaith na all ef na'i swyddogion ymyrryd mewn perthynas â chau Canolfan Feddygol Dewi Sant gan mai mater cytundebol rhwng Bwrdd Iechyd Prifysgol Caerdydd a'r Fro a Chanolfan Feddygol Pontprennau ydyw.

Dywed Ysgrifennydd y Cabinet fod y brif feddygfa wedi gwneud cais ffurfiol i'r Bwrdd Iechyd i gau'r is-feddygfa, a chredir mai'r rheswm dros y penderfyniad yw cyflwr gwael adeilad Canolfan Dewi Sant a'r ffaith bod y les presennol gyda'r landlord yn dod i ben. Mae Ysgrifennydd y Cabinet yn cyfeirio at y broses ffurfiol sydd ar waith i ystyried y cais i gau'r ganolfan ac y bydd cleifion yn cael cyfle i fynegi barn ar y cynllun arfaethedig mewn cyfarfod cyhoeddus sy'n cael ei drefnu gan y Cyngor Iechyd Cymunedol.

¹ Ni nodir dyddiadau ar gyfer diweddariadau ar y wefan.

Mae'r ohebiaeth yn nodi bod cyllid grant sylweddol wedi'i sicrhau i ddatblygu safle prif feddygfa Pontprennau er mwyn darparu gofal ar gyfer cleifion ychwanegol.

Mae Ysgrifennydd y Cabinet wedi ysgrifennu at Gadeirydd Bwrdd Iechyd Prifysgol Caerdydd a'r Fro yn gofyn iddi sicrhau bod y materion a nodir yn cael sylw a'i bod yn ymateb yn uniongyrchol i'r deisebydd.

Gwneir pob ymdrech i sicrhau bod y wybodaeth yn y papur briffio hwn yn gywir adeg ei gyhoeddi. Dylai darllenwyr fod yn ymwybodol nad yw'r papurau briffio hyn yn cael eu diweddarau o reidrwydd na'u diwygio fel arall i adlewyrchu newidiadau dilynol.



Ein cyf/Our ref VG/02614/18

David John Rowlands AC
Cadeirydd y Pwyllgor Deisebau
Cynulliad Cenedlaethol Cymru
Bae Caerdydd
CF99 1NA

government.committee.business@llyw.cymru

21 Awst 2018

Annwyl David,

Diolch ichi am eich llythyr dyddiedig 25 Gorffennaf ynghylch deiseb sy'n dymuno gweld Canolfan Feddygol Dewi Sant ym Mhentwyn yn ailagor.

Rwy'n sylweddoli bod pryderon gan y cleifion am ddarpariaeth gwasanaethau yn yr ardal hon o Gaerdydd yn y dyfodol. Fodd bynnag, rwy'n gobeithio y byddwch yn deall nad wyf i, na fy swyddogion, yn gallu ymyrryd yn y mater hwn. Mae'n rhaid i Fwrdd Iechyd Prifysgol Caerdydd a'r Fro a phractis meddygol Pontprennau ymdrin â'r materion contractiol hyn. Rwy'n deall bod practis meddygol Pontprennau yn y gorffennol wedi darparu gwasanaethau o'r brif feddygfa ym Mhontprennau a meddygfa gangen Dewi Sant. Mae'r practis wedi cyflwyno cais ffurfiol i'r bwrdd iechyd i gau'r feddygfa gangen. Rwy'n credu mai'r rheswm dros hynny yw oherwydd bod adeilad Dewi Sant mewn cyflwr gwael ac oherwydd bod y les bresennol wedi dod i ben. Mae proses ffurfiol yn bodoli ar gyfer ystyried cais i gau cangen a bydd cleifion yn cael cyfle i fynegi barn ar y cynllun arfaethedig mewn cyfarfod cyhoeddus a fydd yn cael ei drefnu gan y Cyngor Iechyd Cymuned.

Rwy'n deall bod swm sylweddol o gyllid grant gwella wedi ei sicrhau ar gyfer datblygu safle prif feddygfa Pontprennau er mwyn sicrhau bod mwy o gleifion yn gallu cael gofal yno.

Er fy mod yn siŵr bod y gwleidyddion lleol i gyd wedi cael yr holl wybodaeth gan y bwrdd iechyd, yn sgil eich pryderon rwyf wedi ysgrifennu at Maria Battle, Cadeirydd Bwrdd Iechyd Prifysgol Caerdydd a'r Fro, i ofyn iddi sicrhau bod sylw yn cael ei roi i'r materion a godwyd gennych ac i gysylltu'n uniongyrchol â chi. Byddwn yn disgwyl iddi roi ymateb boddhaol ichi sy'n ymdrin yn llawn â'r pryderon a godwyd gennych.

Gobeithio y bydd yr ymateb hwn yn ddefnyddiol ichi.

Yn gywir,

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

Vaughan Gething AC/AM

Ysgrifennydd y Cabinet dros Iechyd a Gwasanaethau Cymdeithasol
Cabinet Secretary for Health and Social Services

**MEMBERS ROOM
YSTAFELL YR AELODAU**

Our Ref: VG/02614/18

01 September 2018

**David John Rowlands AM
Chair – Petitions Committee
National Assembly for Wales
Cardiff Bay
CF99 1NA**



Dear Mr Rowlands,

St David's Medical Centre petition, Cardiff

Thank you for your email and for considering our petition. The decision to close a well-used medical centre in my community of Pentwyn was a huge shock and we felt the issue should be brought to the attention of Assembly Members through our petition.

We first became aware of a proposal to reduce the opening hours of St David's Medical Centre in April 2018. There was no public consultation and this led to us setting up this petition and first approaching the health board.

Background to the petition

Approximately 10,000 people live in Pentwyn in North East Cardiff, with most of these people being registered at St David's. A medical centre has existed in this community since the 1980s and the current building was opened in the mid-1990s owned by the partners. Starting in the 1990s, the new community of Pontprennau started to emerge and the partners established a branch surgery for that new expanding community.

Over the years, the area continued to expand, patterns of working changed, and some of the original partners retired. At some point the former branch surgery in Pontprennau became the main surgery and St David's Medical Centre was reclassified as the branch surgery. By 2014 the present partners owned the former branch surgery in Pontprennau, whilst the retired partners owned the St David's Medical Centre.

Over the last 5 months the proposals concerning St David's medical centre have changed twice and we have been told different rationales.

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Originally patients were told that the hours at St David's Medical Centre were being reduced due to staffing issues. This prompted our original letter to Cardiff and Vale University Health Board to find out what was happening.

In June 2018 we met with officials from the health board and were told that the situation had now changed. The partners had applied for an Improvement Grant to invest in the Pontprennau site and had decided to temporarily reopen St David's full time and move the Pontprennau patients there as well. This was communicated to all patients by letter. Local councillors had not been consulted or approached in anyway by the partners, but the Health Board and CHC had been told.

At the end July, the partners revealed their intentions to close St David's medical centre. They handed out leaflets to patients when they attended clinic, put a poster outside the practice, but did not write out to all patients. As local councillors we felt we had a duty to let our community know. We encouraged people to sign the petition and raise their objections with the Community Health Council.

What is the issue?

There are significant pockets of deprivation in Pentwyn the location of St David's medical centre was picked so that it could easily serve these patients. There are high numbers of people with chronic conditions such as asthma, COPD and diabetes, and they need access to a GP. Many of our residents can't drive, so whilst they could theoretically access the Pontprennau surgery, we know in reality many will simply call 999 and rely on higher cost hospital services.

Even before the changes in April, patients regularly complained to us that it was difficult to see a nurse or a GP. Both surgeries were designed to serve approximately 5,000 patients each and yet Pontprennau is now set to support 14,000 people as that community expands further. Their concern and ours, is that it will be even more difficult to see a health care professional.

Finally it feels like the wishes of our community are being ignored and these proposals are being rushed through. Patients were not asked their opinion on options before the partners embarked on these plans, and the information they have received has only come late in the day.

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Response from the Cabinet Secretary

We are grateful to the Cabinet Secretary investigating the issue and responding to the committee. We know that primary care officials in the health board are aware of our concerns, but we are pleased that he has raised the issue with the chair of the health board. We look forward to his response.

We would like to respond to some of the comments.

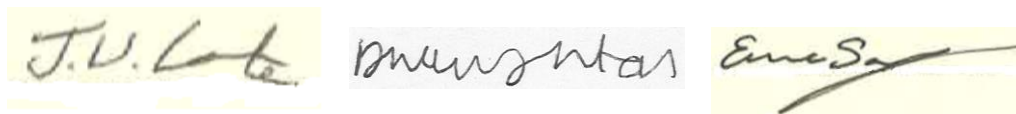
In the second paragraph he states that this is a contractual matter between the health board and the partners. I think this oversimplifies the situation as the community health council and Welsh Government have a role to play. If the single practice at Pontprennau is unable to serve the whole population, then the proposal to close St David's medical centre should be rejected, and I understand that at this point, Welsh Government would be involved.

In the third paragraph, Mr Gething talks about the Pontprennau surgery serving Pentwyn for a number of years. Whilst this is not inaccurate, it fails to take into account the fact that St David's Medical Centre was the larger main surgery until the partners recently changed the status.

In the fourth paragraph, Mr Gething raises the issue of the grant funding from the health board. As mentioned earlier this was only revealed to councillors in June at a time when the plan to close St David's Medical Centre hadn't been announced. We believe that the future plans to close the surgery should have been revealed by the partners when they applied to the health board for the improvement grant.

We hope that our letter provides some background and context around the St David's medical centre petition. If you or any member of your committee, would like any further information, please feel free to contact us.

Yours sincerely,



**COUNCILLORS JOE CARTER, DAN NAUGHTON & EMMA SANDREY
WELSH LIBERAL DEMOCRAT COUNCILLORS FOR PENTWYN AND
LLANEDEYRN**

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Eitem 2.4

P-05-831 Rhowch ddiwedd ar yr annhegwch a'r gwahaniaethu yn y cymorth ariannol a roddir i ddiodefwr sgandal gwaed wedi'i heintio yng Nghymru
Cyflwynwyd y ddeiseb hon gan Contaminated Whole Blood UK Group, ar ôl casglu 159 o lofnodion.

Geiriad y ddeiseb

Mae'r ddeiseb hon yn galw ar Gynulliad Cymru i roi diwedd ar yr annhegwch a'r gwahaniaethu yn y cymorth ariannol a roddir i ddiodefwr sgandal gwaed wedi'i heintio yng Nghymru, drwy newid y cynllun i o leiaf adlewyrchu'r darpariaethau ar gyfer y rheini a gaiff eu heintio yn Lloegr.

Mae sawl categori o ddiodefwr yng Nghymru sydd o bosibl ar eu colled o £20,000 neu fwy o dan y cynllun. Cafodd miloedd o bobl eu heintio o ganlyniad i dderbyn gwaed wedi'i heintio neu gynhyrchion gwaed wedi'u heintio a roddwyd iddynt gan y GIG tan fis Medi 1991 o leiaf. Mae dros ddwy fil o bobl eisoes wedi marw.

Yn dilyn datganoli pwerau, y Cynulliad sydd â'r cyfrifoldeb dros gefnogi diodefwr a'u teuluoedd y rhai sydd wedi'u heintio yng Nghymru. Caiff y cynlluniau cefnogaeth eu gweithredu gan wasanaeth Cefnogi Gwaed wedi'i Heintio yng Nghymru (WIBSS) a weinyddir gan Ymddiriedolaeth GIG Velindre a Chyd-bartneriaeth Gwasanaethau'r GIG (NWSSP) sydd, yn y pen draw, yn atebol i Gynulliad Cymru.

I'r rheini a gaiff eu heintio yn Lloegr, cynhelir y cynllun cyfatebol gan EIBSS, sydd yn y pen draw yn atebol i'r senedd yn Llundain. Er i'r diodefwr oll gael eu heintio gan y GIG cyn iddo gael ei ddatganoli, mae gan EIBSS ac WIBSS ddarpariaethau tra gwahanol o ran cymorth ariannol. Y ffactor sy'n pennu pa gynllun y byddwch chi'n ei gael yw lle cafodd y diodefwr ei heintio yn hytrach na lle mae'n byw. Mae dau gynllun na all y rheini sydd o dan WIBSS gael mynediad atynt. Gelwir y rhain yn 'Fecanwaith Categori Arbennig' a 'cynllun cyllid ychwanegol dewisol'. Effaith net hyn oll yw bod sawl categori o ddiodefwr heintiau yng Nghymru o bosibl ar eu colled o £20,000 o dan y cynllun, neu'n fwy os oes ganddynt blant, waeth ble y maent yn byw. Bydd dau berson sy'n byw yng Nghaerdydd er enghraifft, sydd wedi'u heintio gan y GIG, â'r un effaith, o bosibl yn cael gwahaniaeth o £20,000 mewn cymorth

ariannol dim ond gan fod un o'r ddau 'yn fwy lwcus' o gael ei heintio yn Lloegr.

Rydym yn galw ar Gynulliad Cymru i ymyrryd i roi diwedd ar yr anghyfiawnder hwn nawr

Gwybodaeth Ychwanegol

Pwy ydym ni: rydym yn grŵp cefnogi cyfoedion annibynnol sy'n cynnwys dioddefwyr sgandal gwaed wedi'i heintio ledled y DU

<https://www.facebook.com/groups/ContaminatedWholeBloodUK/>

Lle gellir canfod manylion cynlluniau cyfatebol ar gyfer y rheini a gaiff eu heintio yn Lloegr a'r rheini a gaiff eu heintio yng Nghymru: I bobl sydd wedi'u heintio yng Nghymru, <https://wibss.wales.nhs.uk/> I bobl sydd wedi'u heintio yn Lloegr, dyma'r cynllun cyfatebol

<https://www.nhsbsa.nhs.uk/england-infected-blood-support-scheme>

Beth sydd wedi digwydd hyd yn hyn:

Ar sawl achlysur, mae gwahanol sefydliadau wedi ceisio codi'r mater yn yr ymchwiliad sy'n cael ei arwain gan Syr Brian Langstaff a thrwy wneud y wasg yn ymwybodol o'r erthygl hon sy'n canolbwyntio ar y gwahaniaethau rhwng cynlluniau Cymru a'r Alban <https://www.bbc.co.uk/news/uk-wales-politics-43898899>

Etholaeth a Rhanbarth y Cynulliad

- Gorllewin Clwyd
- Gogledd Cymru

P-05-831 Rhowch ddiwedd ar yr annhegwch a'r gwahaniaethu yn y cymorth ariannol a roddir i ddiodefwrwr sgandal gwaed wedi'i heintio yng Nghymru

Y Pwyllgor Deisebau | 25 Medi 2018
Petitions Committee | 25 September 2018

Papur briffio gan y Gwasanaeth Ymchwil:

Rhif y ddeiseb: [P-05-831](#)

Teitl y ddeiseb: Rhowch ddiwedd ar yr annhegwch a'r gwahaniaethu yn y cymorth ariannol a roddir i ddiodefwrwr sgandal gwaed wedi'i heintio yng Nghymru

Geiriad y ddeiseb:

Mae'r ddeiseb hon yn galw ar Gynulliad Cymru i roi diwedd ar yr annhegwch a'r gwahaniaethu yn y cymorth ariannol a roddir i ddiodefwrwr sgandal gwaed wedi'i heintio yng Nghymru, drwy newid y cynllun i o leiaf adlewyrchu'r darpariaethau ar gyfer y rheini a gaiff eu heintio yn Lloegr.

Mae sawl categori o ddiodefwrwr yng Nghymru sydd o bosibl ar eu colled o £20,000 neu fwy o dan y cynllun. Cafodd miloedd o bobl eu heintio o ganlyniad i dderbyn gwaed wedi'i heintio neu gynhyrchion gwaed wedi'u heintio a roddwyd iddynt gan y GIG tan fis Medi 1991 o leiaf. Mae dros ddwy fil o bobl eisoes wedi marw.

Yn dilyn datganoli pwerau, y Cynulliad sydd â'r cyfrifoldeb dros gefnogi diodefwrwr heintiedig yng Nghymru a'u teuluoedd. Caiff y cynlluniau cymorth eu gweithredu gan Gynllun Cymorth Gwaed Heintiedig Cymru (WIBSS) a weinyddir gan Ymddiriedolaeth GIG Felindre a Phartneriaeth Cydwasanaethau GIG Cymru (NWSSP) sydd, yn y pen draw, yn atebol i Gynulliad Cymru.

I'r rheini a gaiff eu heintio yn Lloegr, cynhelir y cynllun cyfatebol gan EIBSS sydd, yn y pen draw, yn atebol i'r senedd yn Llundain. Er i'r diodefwrwr oll gael eu heintio gan y GIG cyn iddo gael ei ddatganoli, mae gan EIBSS a WIBSS ddarpariaethau tra gwahanol o ran cymorth

ariannol. Y ffactor sy'n pennu pa gynllun y byddwch chi'n ei gael yw lle cafodd y dioddefwr ei heintio yn hytrach na lle mae'n byw. Mae dau gynllun na all y rheini sydd o dan WIBSS gael mynediad atynt. Y rhain yw 'Mecanwaith Categori Arbennig' a hefyd y 'Cynllun cyllid ychwanegol dewisol'. Effaith net hyn oll yw bod sawl categori o ddiodefwyr heintiau yng Nghymru o bosibl ar eu colled o £20,000 o dan y cynllun, neu'n fwy os oes ganddynt blant, waeth ble y maent yn byw. Bydd dau berson sy'n byw yng Nghaerdydd er enghraifft, sydd wedi'u heintio gan y GIG, â'r un effaith, o bosibl yn cael gwahaniaeth o £20,000 mewn cymorth ariannol dim ond gan fod un o'r ddau 'yn fwy lwcus' o gael ei heintio yn Lloegr.

Rydym yn galw ar Gynulliad Cymru i ymyrryd i roi diwedd ar yr anghyfiawnder hwn nawr.

Y cefndir

Yn ystod y 1970au a dechrau'r 1980au, daliodd miloedd o gleifion y DU hepatitis C, HIV, neu'r ddau, o waed neu gynhyrchion gwaed halogedig. Y rhan fwyaf o'r rhai yr effeithiwyd arnynt oedd diodefwyr hemoffilia, y mae eu triniaeth yn dibynnu ar arllwysiadau mewnwythiennol mynych o ffactorau clotio gwaed a dynnwyd o blasma rhoddwyr. Ar y pryd, roedd sypiau o grynodiad ffactor clotio'n cael eu gweithgynhyrchu o roddion cyfun o waed, gan gymysgu cynhyrchion gwaed gan filoedd o roddwyr o bosibl. Creodd hyn alw mawr ar gyflenwadau gwaed a hefyd cynyddodd yn sylweddol y risg o halogi. Oherwydd prinder lleol crynodiad clotio, roedd y DU yn mewnfurio cyflenwadau o roddion gwaed y talwyd amdanynt yn yr Unol Daleithiau. Mewn rhai achosion, gallai'r rhain fod wedi dod o grwpiau â risg uchel o gario hepatitis C/HIV.

Mewn [dadl yn y Cyfarfod Llawn](#) ym mis Ionawr 2017, tynnwyd sylw bod 273 o gleifion yng Nghymru wedi cael HIV neu hepatitis C drwy waed/cynhyrchion gwaed halogedig, ac mae 70 o'r bobl hyn wedi marw o ganlyniad i hynny.

Cymorth Ariannol

Wrth ymateb i'r ddadl honno, pwysleisiodd Ysgrifennydd y Cabinet dros lechyd, Llesiant a Chwaraeon y gwaith sydd ar droed i ddiwygio'r system o gymorth ariannol a roddir gan Lywodraeth Cymru i'r rhai y mae hepatitis C a HIV drwy driniaeth â gwaed halogedig yn effeithio arnynt. Dywedodd:

Byddai wedi bod yn well gennym fod wedi gwneud hyn ar sail gyson ledled y DU, ond dyma ble rydym. Mae'r pum cynllun haint penodol a sefydlwyd ers 1988 wedi esblygu mewn modd ad hoc, a thros amser mae'r system wedi dod yn gymhleth.

Ym mis Mawrth 2017, cyhoeddodd Ysgrifennydd y Cabinet y [trefniadau cymorth newydd](#) i unigolion yr effeithir arnynt a'u teuluoedd, sef creu 'un cynllun symlach ar gyfer Cymru i'w weinyddu gan Ymddiriedolaeth GIG Felindre drwy Bartneriaeth Cydwasaethau GIG Cymru'.

Yn ei ymateb i'r Pwyllgor Deisebau (Awst 2018), dywedodd Ysgrifennydd y Cabinet:

Er ei bod yn dal yn ystyriaeth bwysig nad yw buddiolwyr yng Nghymru yn sylweddol ar eu colled yn ariannol yn fwy nag unman arall yn y DU, mae Cynllun Cymorth Gwaed Heintiedig Cymru (WIBSS), er hynny, yn cynnig pecyn mwy cytbwys o gymorth cyffredinol i'w fuddiolwyr o'i gymharu â'r hyn sydd ar gael trwy rai o gynlluniau eraill y DU.

Mae fy swyddogion wrthi'n ystyried nifer o ddewisiadau ar gyfer buddion cyffredinol y cynllun yn 2018-19 sy'n deg, yn dryloyw ac sy'n cynnig y pecyn cymorth gorau yn gyffredinol o fewn yr adnoddau sydd ar gael. Un o'r dewisiadau hyn o bosibl fyddai mabwysiadu dull gweithredu tebyg [i'r hyn sydd] yn Lloegr mewn perthynas â'r Mekanwaith Categori Arbennig ond tra bo'r gwaith hwn yn mynd rhagddo nid oes modd cynnig ateb clir ichi yn hyn o beth eto.

Ymchwiliad y DU i Waed Halogedig

Datblygiad allweddol i fod yn ymwybodol ohono yw'r ymchwiliad cyhoeddus annibynnol [i'r defnydd o waed halogedig](#), dan gadeiryddiaeth Syr Brian Langstaff, sydd bellach ar droed. Cynhelir gwrandawriadau rhagarweiniol tua diwedd mis Medi.

Mae [cylch gorchwyl](#) yr ymchwiliad yn cynnwys ystyried natur a digonolrwydd y driniaeth, y gofal a'r cymorth (gan gynnwys cymorth ariannol) a roddir i bobl a gafodd eu heintio ac yr effeithir arnynt, gan gynnwys **graddau unrhyw wahaniaeth yn y trefniadau a wneir ar gyfer cymorth ariannol rhwng Cymru, Lloegr, yr Alban a Gogledd Iwerddon.**

Mae [Hemoffilia Cymru](#), sy'n ymgyrchu dros hemoffiligion a heintiwyd â chynhyrchion gwaed halogedig, yn gyfranogwr craidd yn yr ymchwiliad.



Your ref/Eich cyf P-05-831
Ein cyf/Our ref VG/02615/18

David John Rowlands AC
Cadeirydd y Pwyllgor Deisebau
Cynulliad Cenedlaethol Cymru
Bae Caerdydd
CF99 1NA

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16 Awst 2018

Annwyl David,

Diolch i chi am eich llythyr 25 Gorffennaf ynghylch Deiseb P-05-831 ynghylch cymorth ariannol i bobl yng Nghymru sydd wedi'u heintio gan waed halogedig.

Mae pob un o bedair gwlad y DU wedi mabwysiadu gwahanol drefniadau ar gyfer darparu buddion i'w buddiolwyr o dan y cynllun gwaed heintiedig. Yn anffodus, bu'n anodd o ganlyniad sefydlu dull gweithredu cyson a theg yn y DU a model ar gyfer taliadau.

Rydym yn ymwybodol bod mabwysiadu'r Mecanwaith Categori Arbennig (SCM) fel rhan o'r cynllun yn Lloegr wedi arwain at ganfyddiad ymhlith rhai buddiolwyr ar draws gweddill y DU fod y trefniadau yn Lloegr yn fwy hyblyg a ffafriol. Mae hyn wedi dwysáu'r teimlad o annhegwch ac anghysondeb ynghylch rhai agweddau ar y cynllun.

Er ei bod yn dal yn ystyriaeth bwysig nad yw buddiolwyr yng Nghymru yn sylweddol ar eu colled yn ariannol yn fwy nag unman arall yn y DU, mae Cynllun Cymorth Gwaed Heintiedig Cymru (WIBSS), er hynny, yn cynnig pecyn mwy cytbwys o gymorth cyffredinol i'w fuddiolwyr o'i gymharu â'r hyn sydd ar gael trwy rai o gynlluniau eraill y DU.

Mae fy swyddogion wrthi'n ystyried nifer o ddewisiadau ar gyfer buddion cyffredinol y cynllun yn 2018-19 sy'n deg, yn dryloyw ac sy'n cynnig y pecyn cymorth gorau yn gyffredinol o fewn yr adnoddau sydd ar gael. Un o'r dewisiadau hyn o bosibl fyddai mabwysiadu dull gweithredu tebyg yn Lloegr mewn perthynas â'r Mecanwaith Categori Arbennig ond tra bo'r gwaith hwn yn mynd rhagddo nid oes modd cynnig ateb clir ichi yn hyn o beth eto.

Rwyf yn sylweddoli bod y mater hwn yn destun pryder i lawer o'n buddiolwyr ac rydym wedi ymrwmo i roi gwybod yn brydlon i bob un o fuddiolwyr y Cynllun am unrhyw newidiadau i WIBSS.

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1NA

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

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

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

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

Gobeithio y bydd hyn o gymorth ichi.

Yn gywir,

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

Vaughan Gething AC/AM

Ysgrifennydd y Cabinet dros Iechyd a Gwasanaethau Cymdeithasol
Cabinet Secretary for Health and Social Services

Dear Committee Members,

Re: P- 05-831 Infected Blood Scheme petition

Thank you for communication from Vaughan Gething for which we are very grateful. We would be grateful also to consider representations made in this document in considering any next steps.

The petition was developed and done for a group called Contaminated Whole Bloods UK (CWB).

Looking at the response from the Cabinet secretary, we want to ensure that the purpose and hoped outcomes are understood clearly. The petition:

- Is asking for those infected in Wales receive the same financial support as those infected in England as a MINIMUM. The ideal is that there is equality for all victims, in terms of financial support, across the United Kingdom
- The petition is not requesting that the Special Category Mechanism is simply adopted for those infected in Wales- but that that the scheme is amended to ameliorate the position for those infected in Wales

To illustrate the differential, here is a REAL position of 2 infected people to compare. Both parties would be happy to come and speak the committee or other group directly:

	A (infected in England)	B (infected in Wales)
Date of infection	1991	1980
Location of infection	England	Wales
Current Hep c status	SVR	Hep C virus still active
Support scheme level	Stage 1	Stage 1
Relevant blood support scheme	EIBSS	WIBSS
Treatment	2012 – virus cleared	Health means that not yet possible
Current living location	NW England	NW England
Current Hep C related Impact	Every day significant fatigue, brain fog, unable to live normal life	Every day significant fatigue, brain fog, unable to live normal life
Ability to work	Still able to work full time (with adjustments)	Unable to work due to health (as defined by DWP**) and determined that in the group that unlikely to be able to work even with help
Income from non-blood support schemes	Wages, working FT	Employment support allowance
Income from blood support schemes:		
1) Regular payments scheme pa	£18500	£4500
2) Discretionary schemes top up	£4000	£2000***
Total in Blood Support payments	£22500	£6500

*Sustained Virological response – term used to describe when the virus count is negligible because of ‘successful’ treatment

** Department of work and pensions work capability assessment

*** Person B receives this money from the ‘Caxton Fund’. The fund is historical and doesn’t appear to be available to newly discovered infected people <https://wibss.wales.nhs.uk/eligibility/>

Key points:

- As you can see from the comparison table person A is better off from blood support schemes **by £16,500 per year.**
- If Person B was a new registration not an existing beneficiary, there appears to be no scheme that a lay person can find to receive the £2k discretionary scheme payment. The differential in blood support payments would be **£18,500**
- Person A is arguable in better health because:
 - They have cleared the virus
 - They are still able to work full time
 - The virus was in their system for less time
 -
- Person A is in this advantageous position because of the EIBSS scheme offers far more all-round financial support than WIBSS for some groups of beneficiaries – this is particularly accentuated for those classed at stage 1 with ongoing problems
- Based on the data we have received from EIBSS, we believe that approximately 70 people infected in Wales are impacted in a similar unfair way. Based on this example – and taking the difference as an average, the cost of equalisation would be a mere £1.1m (or 0.01% of what I understand to be the Health budget for Wales (£7.2bn))

CWB UK works to support people across all the schemes in the UK. The ideal position is that all infected people across the UK are supported consistently and effectively.

I would be happy, if needed to meet (or correspond further) the committee or other decision-making body to help with potential options and solutions on behalf of CWB UK. It’s important the assembly hears from ALL voices of those infected in Wales not just the more recognised groups as is the suggestion here <http://record.assembly.wales/Plenary/4912?lang=en-GB#A42264>

Richard Wilkinson/Michelle Tolley

Contaminated Whole Bloods UK



P-05-832 Diwygio'r Cod Derbyn i Ysgolion ynghylch Plant a Anwyd yn ystod yr Haf

Cyflwynwyd y ddeiseb hon gan Flexible Admissions Wales Group, ar ôl casglu 241 o lofnodion.

Geiriad y ddeiseb

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i ystyried diwygio'r Cod Derbyn i Ysgolion lle y mae'n ymwneud â derbyn plant y tu allan i'r grŵp oedran arferol, mewn perthynas â phlant a anwyd yn ystod yr haf (1 Ebrill - 31 Awst).

Oherwydd amseriad cyfnodau dechrau mewn ysgolion, mae plant a anwyd yn ystod yr haf o dan anfantais sylweddol o gymharu â'u cyfoedion. Efallai y byddant yn dioddef effeithiau emosiynol ac addysgol niweidiol wrth iddynt ddechrau eu haddysg ffurfiol lawer yn iau. Gyda hynny mewn golwg, efallai y bydd rhieni yn dewis gohirio pryd y bydd plant a anwyd yn ystod yr haf yn dechrau yn yr ysgol hyd nes iddynt gyrraedd oedran ysgol gorfodol, yn unol â'u hawliau cyfreithiol. Fodd bynnag, mae'r rhan fwyaf yn canfod bod eu plant wedyn yn cael eu rhoi mewn dosbarth ym Mlwyddyn 1 yn syth, gan gollu'r flwyddyn Derbyn hanfodol, sef y flwyddyn bwysicaf mewn addysg yn ôl gwaith ymchwil.

Mae'n well gan y rhan fwyaf o rieni i'w plant fynd i'r flwyddyn Derbyn pan fyddant yn cyrraedd oedran ysgol gorfodol yn hytrach na Blwyddyn 1. O dan y Cod Derbyn i Ysgolion, mae hyn yn bosibl mewn theori. Mewn egwyddor, mae'r Cod yn rhoi'r gallu i rieni ofyn i'w plant a anwyd yn ystod yr haf gael eu haddysgu y tu allan i'w grŵp oedran arferol. Yn ymarferol, mae geiriad y Cod wedi achosi llawer o broblemau: mae astudiaethau achos wedi dangos nad yw Awdurdodau Addysg Lleol yn gweithredu'r ddarpariaeth yn gyson ac mai prin y caiff ceisiadau eu derbyn.

Dylai Llywodraeth Cymru ystyried y diwygiadau a ganlyn:

- (1) Fel yr opsiwn cyntaf, dylid cymeradwyo ceisiadau i ohirio dyddiad dechrau plant sydd â phen-blwyddi yn ystod misoedd yr haf yn awtomatig (fel sy'n digwydd yn yr Alban);
- (2) Fel arall, dylid diwygio geiriad y ddarpariaeth bresennol i gryfhau hawliau rhieni i ddewis pryd y bydd eu plant yn dechrau mewn dosbarth Derbyn, gan

bwysleisio hefyd y dylai Awdurdodau Addysg Lleol ystyried ceisiadau yn llawn a rhoi arweiniad Llywodraethol i'r perwyl hwn;

(3) Yn y naill achos neu'r llall, dylid sicrhau bod plant sy'n cael eu haddysgu y tu allan i'w grŵp oedran yn aros gyda'u grŵp newydd drwy gydol eu cyfnod yn yr ysgol.

Gwybodaeth Ychwanegol

Nod astudiaeth ddiweddar a gynhaliwyd gan yr Adran Addysg oedd dangos nad yw gohirio pryd y bydd plentyn yn dechrau yn yr ysgol gynradd yn cael fawr ddim effaith ar ei gyrhaeddiad. Dylai Llywodraeth Cymru fod yn ofalus wrth drafod yr astudiaeth hon. Roedd yr astudiaeth yn gyfyngedig iawn, gan fesur cyrhaeddiad academaidd YN UNIG, a hynny gan eithrio pob plentyn ag anghenion arbennig neu anghenion ychwanegol. Mae'n annhebygol iawn mai cyrhaeddiad academaidd fydd y prif reswm y mae rhieni'n dewis gohirio mynediad eu plentyn at addysg gynradd.

Nid gallu academaidd plentyn yw'r ystyriaeth bennaf wrth benderfynu ynghylch ei barodrwydd ar gyfer yr ysgol, ond ei aeddfedrwydd emosiynol a chymdeithasol. Y sgiliau hyn a fydd yn helpu plentyn i wneud ffrindiau, i ddelio â'i emosiynau, i ddilyn cyfarwyddiadau ac i ganolbwyntio a meithrin iechyd meddwl da. Ni ellir mesur a oes gan blentyn y sgiliau hyn drwy brawf ffoneg.

Ni fydd cwricwlwm y Cyfnod Sylfaen yng Nghymru yn diwallu anghenion pob plentyn yng Nghymru; ni all wneud hynny. Ni ddylai hynny fod yn rheswm dros wrthod ceisiadau o'r fath. Mae angen polisi derbyn mwy hyblyg er mwyn ystyried anghenion unigol plant a'r hyn sydd o fudd iddynt. Mae Confensiwn y Cenhedloedd Unedig ar Hawliau'r Plentyn yn pwysleisio y bydd addysg plentyn yn cael ei chyfeirio at ddatblygu personoliaeth, doniau a galluoedd corfforol y plentyn cymaint â phosibl (Erthygl 29(1)(a)). Drwy roi plant a anwyd yn ystod yr haf o dan anfantais, nid yw'r Cod Derbyn i Ysgolion presennol yn cyflawni hynny.

Mae gwledydd datganoledig eraill yn y DU eisoes wedi achub y blaen ar Gymru yn hyn o beth. Mae Nick Gibb, y Gweinidog Gwladol dros Safonau Ysgolion, wedi ymrwymo i ddiwygio'r Cod Derbyn i Ysgolion i adlewyrchu hawl rhieni i ddewis. Yn yr Alban, caiff ceisiadau gan rieni i blant o oedran

cyfatebol ohirio dechrau yn yr ysgol eu derbyn yn awtomatig, ac ni fydd y plant yn colli unrhyw flynyddoedd o addysg ysgol wrth wneud hynny.

Etholaeth a Rhanbarth y Cynulliad

- Gorllewin Clwyd
- Gogledd Cymru

Plant a anwyd yn ystod yr haf

Y Pwyllgor Deisebau | 25 Medi 2018
Petitions Committee | 25 September 2018

Papur briffio gan y Gwasanaeth Ymchwil:

Rhif y ddeiseb: P-05-832

Teitl y ddeiseb: Diwygio'r Cod Derbyn i Ysgolion o ran Plant a Anwyd yr Haf

Testun y ddeiseb: Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i ystyried diwygio'r Cod Derbyn i Ysgolion lle y mae'n ymwneud â derbyn plant y tu allan i'r grŵp oedran arferol, mewn perthynas â phlant a anwyd yn ystod yr haf (1 Ebrill - 31 Awst).

Oherwydd amseriad cyfnodau dechrau mewn ysgolion, mae plant a anwyd yn ystod yr haf o dan anfantais sylweddol o gymharu â'u cyfoedion. Efallai y byddant yn dioddef effeithiau emosiynol ac addysgol niweidiol wrth iddynt ddechrau eu haddysg ffurfiol lawer yn iau. Gyda hynny mewn golwg, efallai y bydd rhieni yn dewis gohirio pryd y bydd plant a anwyd yn ystod yr haf yn dechrau yn yr ysgol hyd nes iddynt gyrraedd oedran ysgol gorfodol, yn unol â'u hawliau cyfreithiol. Fodd bynnag, mae'r rhan fwyaf yn canfod bod eu plant wedyn yn cael eu rhoi mewn dosbarth ym Mlwyddyn 1 yn syth, gan gollu'r flwyddyn Derbyn hanfodol, sef y flwyddyn bwysicaf mewn addysg yn ôl gwaith ymchwil.

Mae'n well gan y rhan fwyaf o rieni i'w plant fynd i'r flwyddyn Derbyn pan fyddant yn cyrraedd oedran ysgol gorfodol yn hytrach na Blwyddyn 1. O dan y Cod Derbyn i Ysgolion, mae hyn yn bosibl mewn theori. Mewn egwyddor, mae'r Cod yn rhoi'r gallu i rieni ofyn i'w plant a anwyd yn ystod yr haf gael eu haddysgu y tu allan i'w grŵp oedran arferol. Yn ymarferol, mae geiriad y Cod wedi achosi llawer o broblemau: mae astudiaethau achos wedi dangos nad yw Awdurdodau Addysg Lleol yn gweithredu'r ddarpariaeth yn gyson ac mai prin y caiff ceisiadau eu derbyn.

Dylai Llywodraeth Cymru ystyried y diwygiadau a ganlyn:

- (1) Fel yr opsiwn cyntaf, dylid cymeradwyo ceisiadau i ohirio dyddiad dechrau plant sydd â phen-blwyddi yn ystod misoedd yr haf yn awtomatig (fel sy'n digwydd yn yr Alban);
- (2) Fel arall, dylid diwygio geiriad y ddarpariaeth bresennol i gryfhau hawliau rhieni i ddewis pryd y bydd eu plant yn dechrau mewn dosbarth Derbyn, gan bwysleisio hefyd y dylai

Awdurdodau Addysg Lleol ystyried ceisiadau yn llawn a rhoi arweiniad Llywodraethol i'r perwyl hwn;

(3) Yn y naill achos neu'r llall, dylid sicrhau bod plant sy'n cael eu haddysgu y tu allan i'w grŵp oedran yn aros gyda'u grŵp newydd drwy gydol eu cyfnod yn yr ysgol.

Y cefndir

Nid oes rhaid i blentyn fynd i'r ysgol tan ddechrau'r tymor ar ôl ei ben-blwydd yn bum mlwydd oed. O dan Adran 8 o [Ddeddf Addysg 1996](#) a [Gorchymyn Addysg \(Dechrau Oedran Ysgol Gorfodol\) 1998](#), mae plentyn yn cyrraedd oedran ysgol gorfodol yn ystod y tymor ar ôl ei ben-blwydd yn bum mlwydd oed. Nodir dyddiadau'r tymhorau fel 31 Awst, 31 Rhagfyr ac 31 Mawrth.

Bydd gan bob awdurdod lleol ei bolisi ei hun a fydd yn rhan o'i drefniadau derbyn ac yn unol â [Chod Derbyn i Ysgolion](#) Llywodraeth Cymru (Mehefin 2013).

Camau gweithredu Llywodraeth Cymru

Gohirio dechrau yn yr ysgol gynradd

Mae [Cod Derbyn i Ysgolion](#) Llywodraeth Cymru yn cynnwys canllawiau ymarferol ac yn gosod gofynion ar awdurdodau lleol ac awdurdodau derbyn, ynghylch ymgymryd â'u dyletswyddau o ran derbyn. Mae'r Cod yn nodi bod 'rhaid i'r holl gyrrff neu unigolion perthnasol "weithredu'n unol" â'r Cod'. O ran gohirio dechrau mewn ysgolion cynradd, mae'r Cod yn nodi'r canlynol:

Gohirio mynediad i ysgolion cynradd

2.61 Yn ôl y gyfraith, nid yw'n ofynnol i blentyn ddechrau yn yr ysgol tan ddechrau'r tymor ar ôl ei ben-blwydd yn bump oed. Lle bydd yr awdurdod derbyn ar gyfer ysgol gynradd yn cynnig lleoedd mewn dosbarthiadau derbyn i rieni cyn i'w plant gyrraedd yr oedran ysgol gorfodol, rhaid iddynt roi'r dewis i'r rhieni ohirio derbyn eu plentyn tan yn ddiweddarach yn yr un flwyddyn ysgol. Effaith hynny yw bod y lle'n cael ei gadw i'r plentyn hwnnw ac nad yw'r lle ar gael i'w gynnig i blentyn arall. Fodd bynnag, ni fyddai'r rhieni'n cael gohirio'r derbyn y tu hwnt i ddechrau'r tymor ar ôl pen-blwydd y plentyn yn bump oed, na'r tu hwnt i'r flwyddyn ysgol y derbyniwyd y cais gwreiddiol ar ei chyfer. Rhaid gwneud hyn yn glir yn nhrefniadau derbyn yr ysgol.

Mae Cod Derbyn i Ysgolion Llywodraeth Cymru yn darparu ar gyfer derbyn plant y tu allan i'w grŵp oedran arferol mewn rhai amgylchiadau, er nad yw hyn yn sôn yn benodol am ddisgyblion a anwyd yn ystod yr haf. Mae'r Cod yn nodi'r canlynol:

Derbyn y tu allan i'r grŵp oedran arferol

3.30 Er y caiff y rhan fwyaf o blant eu derbyn i ysgol o fewn eu grŵp oedran cronolegol eu hunain, o bryd i'w gilydd, bydd rhieni'n ceisio lle y tu allan i'w grŵp oedran arferol ar gyfer plant dawnus a thalentog, neu'r rheini sydd wedi cael problemau neu wedi colli rhan o'r flwyddyn, a hynny'n aml oherwydd afiechyd. Er na fyddai gan amlaf yn briodol i blentyn gael ei roi mewn grŵp blwyddyn nad yw'n cyd-fynd â'u hoedran cronolegol, dylai awdurdodau derbyn ystyried y ceisiadau hyn yn ofalus a

phenderfynu ar sail amgylchiadau pob achos a drwy ymgynghori â'r rhieni ac â'r ysgol, ac yn benodol, beth fyddai fwyaf buddiol i'r plentyn. Dylid ystyried adroddiad y Seicolegydd Addysg hefyd pan fydd ar gael, a rhesymau amlwg dros wneud penderfyniad o'r fath. [fy mhwyslais i]

3.31 Os penderfynir bod sail dros ystyried cais 'y tu allan i'r flwyddyn', mae gan rieni y gwrthodwyd lle i'w plant mewn ysgol hawl statudol i apelio. Fodd bynnag, nid oes hawl apelio os cynigiwyd lle ond nad yw yn y grŵp blwyddyn dymunol.

Camau gweithredu Cynulliad Cenedlaethol Cymru

Mewn tystiolaeth i'r [Pwyllgor Plant, Pobl Ifanc ac Addysg ar 28 Mehefin 2018](#), dywedodd Kirsty Williams, Ysgrifennydd y Cabinet dros Addysg y canlynol o ran plant a anwyd yn ystod yr haf a'r Cod Derbyn i Ysgolion:

My expectation, Chair, would be that local authorities should follow the guidance that already exists in the schools admissions code. So, the current status quo, the current position would be that the code is clear that admissions authorities should consider requests for admissions outside the normal age group very carefully, and make a decision on individual children's needs and what is best for those children. So, the code already allows for flexibility in this regard, and our expectation would be that local authorities would take what's written in the code seriously, and look to apply it consistently and fairly.

With regard to the evidence around changes to admissions, there's not a huge amount of evidence, I should say, that delayed admissions improve outcomes for summer-born children. I think sometimes we're conflating summer-born children with perhaps a child that has additional learning needs or other issues. So, we need to understand and unpick some of the anxieties that parents have, and clearly those are real concerns, those are real worries, and it's highly emotive, but sometimes I think we need to be clear about whether we're talking about worries about inadequate support for additional learning needs as opposed to necessarily schools admissions. **However, having said all of that, it is our intention to review the admissions code in the autumn term.**

Yn yr un cyfarfod, cafodd y Pwyllgor [bapur i'w nodi ar ran y Grŵp Derbyniadau Hyblyg, Cymru](#). Mae hyn yn nodi barn y grŵp am y materion sy'n ymwneud â derbyniadau i ysgolion a phlant a anwyd yn ystod yr haf.

Y sefyllfa yn Lloegr:

Ym mis Rhagfyr 2014, diwygiodd yr Adran Addysg (Lloegr) ei [School Admissions Code](#) fel bod yn rhaid i bob penderfyniad gael ei wneud er budd pennaf y plentyn ac, wrth wneud hynny, dylai awdurdodau derbyn ystyried barn y rhieni a gwybodaeth am ddatblygiad y plentyn. Mae'r Cod yn nodi'r canlynol:

2.17 Parents may seek a place for their child outside of their normal age group, for example, if the child is gifted and talented or has experienced problems such as ill health. In addition, the parents of a summer born child may choose not to send that child to school until the September following their fifth birthday and may request that they are admitted out of their normal age group – to reception rather than year 1. Admission authorities **must** make clear in their admission arrangements the process for requesting admission out of the normal age group.

2.17A Admission authorities **must** make decisions on the basis of the circumstances of each case and in the best interests of the child concerned. This will include taking account of the parent's views; information about the child's academic, social and emotional development; where relevant, their medical history and the views of a medical professional; whether they have previously been educated out of their normal age group; and whether they may naturally have fallen into a lower age group if it were not for being born prematurely. They **must** also take into account the views of the head teacher of the school concerned. When informing a parent of their decision on the year group the child should be admitted to, the admission authority **must** set out clearly the reasons for their decision.

Mae'r Adran Addysg wedi cyhoeddi **cyngor anstatudol** ar [dderbyn plant a anwyd yn ystod yr haf \(Saesneg yn unig\)](#) (Rhagfyr 2014). Y prif bwyntiau yw:

- Mae'n ofynnol i awdurdodau derbyn ysgolion ddarparu ar gyfer derbyn yr holl blant ym mis Medi ar ôl eu pen-blwydd yn bedair blwydd oed, ond mae hyblygrwydd i blant nad yw eu rhieni'n teimlo eu bod yn barod i ddechrau'r ysgol cyn iddynt gyrraedd oedran ysgol gorfodol.
- Os yw rhiant yn gofyn i blentyn gael ei dderbyn y tu allan i'w grŵp oedran arferol, awdurdod derbyn yr ysgol sy'n gyfrifol am benderfynnu i ba grŵp blwyddyn y dylai plentyn gael ei dderbyn. Mae'n ofynnol iddo wneud penderfyniad ar sail amgylchiadau'r achos ac er budd pennaf y plentyn dan sylw.
- Nid oes rhwystr statudol i dderbyn plant y tu allan i'w grŵp oedran arferol, ond nid oes gan rieni'r hawl i fynnu i'w plentyn gael ei dderbyn i grŵp oedran penodol.

Mae'r Adran Addysg wedi cyhoeddi adroddiad ymchwil, sef [Delayed school admissions for summer born pupils](#) (Mai 2018) sy'n cynnwys tystiolaeth ar bolisiau derbyn a gasglwyd gan awdurdodau lleol yn Lloegr. Ymysg ei ganfyddiadau oedd:

- Bu cynnydd sylweddol yn nifer y ceisiadau am ohirio dechrau yn yr ysgol dros y ddwy flynedd pan gynhaliwyd yr arolwg o'r awdurdodau lleol (2015–2017).
- Yn gyffredinol, ymddengys y ceir llai o geisiadau mewn ardaloedd awdurdodau lleol lle mai'r polisi yw derbyn ceisiadau dim ond lle mae tystiolaeth gref yn eu hategu.
- Mae dadansoddiad drwy astudio'r unig ddata sydd ar gael hyd yn hyn ar y disgyblion hyn (data ffoneg) yn canfod cynnydd mewn sgoriau ffoneg o 0.87 marc ar gyfer plant a anwyd yn ystod yr haf a wnaeth ohirio dechrau yn yr ysgol rhwng 2014/15 a 2015/16, ond nid yw hynny'n welliant arwyddocaol yn ystadegol. Mae hyn yn awgrymu nad oes effaith arwyddocaol o ohirio derbyn i'r dosbarth Derbyn ar berfformiad disgyblion yn yr Archwiliad Sgrinio Ffoneg.

Ar 8 Medi 2015, [cyhoeddodd](#) Nick Gibb, Gweinidog Ysgolion yn Lloegr, fwriad Llywodraeth y DU i roi'r hawl i blant a anwyd yn ystod yr haf ddechrau yn y dosbarth Derbyn yn 5 mlwydd oed. Ysgrifennodd [lythyr agored](#) i annog ysgolion ac awdurdodau lleol i gymryd camau ar unwaith, cyn y newidiadau arfaethedig.

Yn ateb i [Gwestiwn Seneddol Ysgrifenedig ar 4 Mehefin 2018](#), dywedodd Nick Gibb:

The Department remains committed to amending the School Admissions Code to ensure summer born children can be admitted to reception at age five where this is what their parents want.

Y sefyllfa yn yr Alban

Mae'r system ysgolion yn yr Alban yn gweithredu gydag amserlen wahanol i un Cymru, felly nid plant a anwyd yn ystod yr haf yw'r rhai yr effeithir arnynt. Fodd bynnag, mae darpariaethau tebyg mewn grym ar gyfer gohirio dechrau yn yr ysgol i'r plant a fyddai'n iau na'u cyfoedion grŵp blwyddyn ysgol.

Mae'r flwyddyn ysgol yn dechrau yng nghanol mis Awst. Mae pob grŵp blwyddyn ysgol yn cynnwys plant a anwyd rhwng dechrau mis Mawrth mewn un flwyddyn a diwedd mis Chwefror y flwyddyn ganlynol. Mae'r plant a anwyd rhwng mis Mawrth a mis Awst yn dechrau'r ysgol ym mis Awst neu ar ôl eu pen-blwydd yn bum mlwydd oed. Mae'r rhai a anwyd rhwng mis Medi a mis Chwefror yn dechrau'r ysgol ym mis Awst cyn eu pen-blwydd yn bum mlwydd oed. Fel y cyfryw, mae plant yn yr Alban fel arfer yn dechrau'r ysgol rhwng 4.5 a 5.5 mlwydd oed.

Fodd bynnag, caiff rhieni plant a anwyd rhwng mis Medi a mis Rhagfyr ofyn am ohirio pryd y mae eu plentyn yn dechrau yn yr ysgol i'r mis Awst dilynol. Nid yw'r gohiriadau hyn yn awtomatig ac maent yn ddarostyngedig i gymeradwyaeth gan yr awdurdod addysg lleol. Hefyd, caiff rhieni plant a anwyd ym mis Ionawr a mis Chwefror ddewis gohirio pryd y mae eu plentyn yn dechrau yn yr ysgol; caiff y ceisiadau hyn eu cymeradwyo'n awtomatig. Mae plant sydd â phen-blwydd ym mis Ionawr a mis Chwefror ac y maent yn dechrau yn yr ysgol yn hwyrach yn gymwys i gael blwyddyn arall o addysg cyn-ysgol a ariennir, ond nid yw plant sydd â phen-blwydd rhwng mis Medi a mis Rhagfyr sy'n dechrau yn yr ysgol yn hwyrach yn gymwys i gael hyn. Bydd plant sy'n dechrau yn yr ysgol yn hwyrach yn tueddu i fod rhwng 5.5 a 6 oed pan maent yn dechrau yn yr ysgol.

Gwneir pob ymdrech i sicrhau bod y wybodaeth yn y papur briffio hwn yn gywir adeg ei gyhoeddi. Dylai darllenwyr fod yn ymwybodol nad yw'r papurau briffio hyn yn cael eu diweddarau o reidrydd na'u diwygio fel arall i adlewyrchu newidiadau dilynol.

Kirsty Williams AC/AM
Ysgrifennydd y Cabinet dros Addysg
Cabinet Secretary for Education



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-05-832
Ein cyf/Our ref KW/01860/18

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6 Awst 2018

Annwyl David

Diolch am eich llythyr dyddiedig 25 Gorffennaf yn gofyn am fy marn ar y materion a godwyd yn y ddeiseb i ddiwygio'r [Cod derbyniadau ysgolion](#) sy'n ymwneud â phlant sydd wedi'u geni yn yr haf.

Yn ôl y gyfraith, mae'n rhaid i blant yng Nghymru fod yn yr ysgol yn llawn amser yn y tymor ar ôl eu pen-blwydd yn bump oed. Fodd bynnag, mae pob awdurdod lleol yng Nghymru yn cynnig lleoedd mewn dosbarthiadau derbyn i rieni cyn bod eu plant yn cyrraedd oedran ysgol gorfodol yn unol â'u trefniadau derbyn sydd wedi'u cyhoeddi. Mae plant yn cael cynnig darpariaeth addysg feithrin ran-amser am ddim hefyd yn y tymor ar ôl eu pen-blwydd yn dair oed os yw rhieni am fanteisio ar hyn.

Mae'r cyfrifoldeb am dderbyn i ysgolion cymunedol ac ysgolion gwirfoddol a reolir yn nwylo awdurdodau lleol; nhw sy'n gyfrifol am dderbyn i'r mwyafrif llethol o ysgolion yng Nghymru. Nid yw Gweinidogion Cymru yn ymyrryd mewn penderfyniadau derbyn i ysgolion unigol. Wrth gyflawni eu cyfrifoldebau statudol mewn perthynas â derbyn i ysgolion, mae'n rhaid i awdurdodau derbyn weithredu'n unol â'r *Cod derbyniadau ysgolion*.

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0300 0604400

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

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

Tudalen y pecyn 127

Yr opsiynau ar hyn o bryd ar gyfer rhieni yng Nghymru sydd am wneud cais am le mewn ysgol y tu allan i grŵp oedran eu plant yw gohirio mynediad neu wneud cais i'w hawdurdod derbyn am le y tu allan i'r grŵp blwyddyn arferol.

Ystyr mynediad wedi'i ohirio yw sefyllfa lle gall rhiant ofyn i'w plentyn fynd i'r ysgol yn rhan-amser neu oedi dechrau'r ysgol tan yn ddiweddarach yn y flwyddyn ysgol. Bydd yn rhaid i blentyn fynd i'r ysgol cyn diwedd tymor yr haf neu byddant yn colli eu lle yn y dosbarth a bydd yn rhaid i rieni wneud cais arall am le. Os nad yw rhiant yn derbyn lle a gynigir yn yr un flwyddyn ysgol, ni fyddai'r plentyn yn ymuno â'r dosbarth Derbyn nesaf fel arfer ond yn ymuno â'r dosbarth y cawsant gynnig lle ynddo yn y lle cyntaf. Nid fyddai'r rhiant yn gallu gohirio mynediad y tu hwnt i ddechrau'r tymor ar ôl pen-blwydd y plentyn yn bump oed, na thu hwnt i'r flwyddyn ysgol y gwnaed y cais gwreiddiol ar ei chyfer.

Er na fyddai'n briodol fel arfer i roi plentyn mewn grŵp blwyddyn nad yw'n cyd-fynd â'i oedran cronolegol, dylai awdurdodau derbyn ystyried ceisiadau ar gyfer derbyn y tu allan i'r grŵp oed arferol yn ofalus a gwneud penderfyniadau ar sail amgylchiadau pob achos ac mewn ymgynghoriad â'r rhieni a'r ysgol, ac yn benodol mewn perthynas â'r hyn sydd o'r budd mwyaf i'r plentyn. Dylid rhoi ystyriaeth briodol i adroddiad y Seicolegydd Addysgol os oes un ar gael, a rhoi rhesymau clir dros y penderfyniadau hynny. Mae Llywodraeth Cymru yn disgwyl i'w awdurdod derbyn gymhwyso'r gofyniad hwn yn gydwybodol.

Mae'r ddeiseb yn crybwyll gweinyddiaethau eraill yn y DU, ond mae'n anodd cymharu tebyg wrth debyg gan fod y systemau addysg yn darparu ar gyfer gwahanol amrediadau oedran a bydd plant yn dechrau elfennau mwy ffurfiol o addysg ar wahanol adegau o ddatblygiad plant.

Hyd yma, nid wyf wedi fy argyhoeddi ynghylch sail eu honiadau mewn perthynas â'r Cyfnod Sylfaen. Mae'r Cyfnod Sylfaen yng Nghymru yn cynnig profiad addysgol unigryw i'n plant 3 i 7 oed. Mae'n fframwaith blaengar sydd wedi'i gynllunio i ddiwallu anghenion amrywiol pob plentyn unigol, ym mha bynnag gyfnod datblygu y maent. Bwriedir i'r fframwaith hwn ar gyfer ein dysgwyr ieuengaf fod yn briodol 'w cyfnod dysgu yn hytrach na chanolbwyntio yn llwyr ar ganlyniadau cysylltiedig ag oedran i'w cyflawni.

Un o egwyddorion allweddol y Cyfnod Sylfaen yw bod plant yn symud ymlaen at y camau nesaf o'u dysgu pan fyddant wedi datblygu ddigon ac yn eu hamser eu hunain. Gall darpariaeth fel hyn helpu pob plentyn sy'n dechrau'r ysgol gydag amrywiaeth eang o anghenion o ran aeddfedrwydd a datblygu, dros gyfnod hirach cyn iddynt ddechrau ar gyfnod mwy ffurfiol o addysg ym mlwyddyn 3 (Cyfnod Allweddol 2). Mae'r Proffil Cyfnod Sylfaen yn fframwaith asesu sy'n cefnogi'r broses o nodi anghenion dysgu a datblygu plant – gan gynnwys datblygiad personol a chymdeithasol. Mae hyn yn cefnogi ymarferwyr i ddarparu cwricwlwm sy'n briodol i gyfnod datblygu pob plentyn.

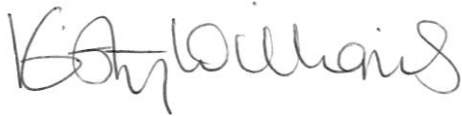
Rwy'n cydnabod bod y dulliau yn Lloegr a'r Alban yn wahanol, ond mae eu systemau addysg ar gyfer blynyddoedd cynnar yn wahanol hefyd. Nid yw'n golygu o reidrwydd y dylai Cymru ddefnyddio'r un dull. Rwyf am gael sicrwydd eu bod yn deall cyd-destun Cymru yn llawn, gan gynnwys y dull o ymdrin â'r blynyddoedd cynnar, y cwricwlwm ac atebolrwydd wrth ddod i'w casgliadau. Mae gen i ddiddordeb diffuant yn y dystiolaeth i gefnogi eu honiadau.

Rwyf wedi nodi'r tri phwynt yn y ddeiseb y maent wedi gofyn iddynt gael eu hystyried mewn perthynas â diwygio'r *Cod derbyniadau ysgolion* ar gyfer plant sy'n cael eu geni yn yr haf. Bydd y *Cod derbyniadau ysgolion* yn cael ei adolygu'n ddiweddarach eleni. Wrth gynnal yr adolygiad gallaf eich sicrhau y bydd ystyriaeth yn cael ei rhoi i'r cwestiwn o gryfhau'r Cod mewn perthynas â phlant sy'n cael eu geni yn yr haf. Bydd unrhyw newidiadau i'r Cod yn

amodol ar ymgynghoriad llawn lle gall pawb sydd â buddiant fynegi eu safbwyntiau ar unrhyw agwedd ar y Cod.

Hyderaf y bydd y wybodaeth hon yn ddefnyddiol i chi wrth i chi ystyried y ddeiseb.

Yn gywir

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

Kirsty Williams AC

Ysgrifennydd y Cabinet dros Addysg

P-05-832 To Amend the School Admissions Code Relating to Summer-Born Children – Correspondence – Petitioner to the Committee, 18.09.18

To the Members of the Committee,

We are grateful to you for considering our petition, and wish to submit the following supplementary information to highlight some of the key points.

1. Necessity of Flexible School Admissions

Currently in Wales, the age at which a child should legally be in formal education is the term after their fifth birthday. However, generally, children start formal education in Reception at age four. Reception has been argued to be the most important school year (Ofsted, 2017), where the basics of literacy, rules, new routines and socialising take place. If children enjoy this important transition into education and are given the opportunity to thrive, this sets them on a positive journey for the years to follow. If this is not the case, children can disengage with the learning process, which has long-term impacts for them.

Owing to the timing of school admissions, summer-born children are put at a significant disadvantage compared to their peers. When applying for a full-time Reception place, many parents must do so for children who are still only three years of age, some of which who will not, for various reasons, be ready for such a big transition, e.g. premature birth, developmental delays and late summer-born children. In such cases, delaying a child's start would allow their problem(s) to improve or be resolved over the additional year. Such children would then start Reception rather than Year 1 at compulsory school age. It is noted that there is no advantage to be gained from deferred entry to later in the 'expected' cohort year (Crawford, Dearden & Meghir 2010).

The debate on flexible school admissions for summer-born children thus far has been erroneously focussed on attainment, with Government responses centring on how the Early Year Foundation Phase (EYFP) is flexible enough for every child to achieve such attainment. However, parents' real concerns at this stage are their child's physical, cognitive, emotional, and social readiness for school: e.g. making friends, communicating needs, toileting, ability to be attentive, self-care, and their child's current and future mental wellbeing. A number of studies have shown that starting formal education at an older age is of great benefit to children, particularly in terms of inattention, hyperactivity and emotional wellbeing. The concern of attainment comes later, where many younger children will struggle in comparison

with their older peers (almost a year older), particularly in tests from Year 2 National Assessments to GCSEs and A-Levels.

2. Reasoning for Amending the Code

Although, as the Cabinet Secretary for Education identifies in her letter, the responsibility for admissions for the vast majority of schools in Wales sits with local authorities, they must act in accordance with the School Admissions Code (2013). Currently, the Code provides that (emphasis added),

3.30 Although most children will be admitted to a school with their own chronological age group, from time to time parents seek places outside their normal age group for gifted and talented children, or those who have experienced problems or missed part of a year, often due to ill health. While it would not normally be appropriate for a child to be placed in a year group that is not concurrent with their chronological age, admission authorities **should** consider these requests carefully and make decisions on the basis of the circumstances of each case and in consultation with the parents and the school, and specifically in relation to what is most beneficial to the child. Due regard should be given to the Educational Psychologist's report, where available, and clear reasons ascertainable for such a decision to be made.

Such wording has been interpreted very narrowly by local authorities. Stating that 'it would not normally be appropriate' for a child to be educated out of cohort suggests to an authority that it should be a rare occurrence. References to a psychologist's report and clear reasons for a decision also create a preconception that a delayed start should only be granted for extraordinary reasons, and so parents may not be able to successfully request delayed admission if they simply feel their summer-born child is not ready. Above all, it should be highlighted that the Code does *not* mention summer-born children. This provides that local authorities refer to their 'out of cohort' policies when dealing with such requests, designed to address completely different issues to those of the admission of young children at the *start* of their school journey. In most cases, this results in a blanket 'no' approach to summer-born requests, even discounting relevant medical and developmental information, and resulting in stressful conflict with the authority for parents or having to seek legal counsel. A sample of case studies are provided as an Appendix (1) to this note.

The key aspect of the Code is that the decision is made on the basis of what is most beneficial to the child; this should be at its core. It must be amended to ensure that requests for the delayed admission of summer-born children are met where the parent believes it is in the best interests of the child.

In a June 2018 Open Question session with the Chair of the CYPE, the Cabinet Secretary for Education referred to a recent study relating to the deceleration of summer-born children. This study was extremely limited and flawed. Here is the link to the report highlighting its failings:

<https://summerbornchildren.org/2018/05/18/dfes-new-report-on-summer-born-admissions-excludes-sen-benefits/#more-6924>

3. Comparison with Other Administrations

It is appreciated that other education systems within the UK are different, but it is a reality that Scotland and England are more understanding of the issues facing summer-born children and make express provision for this. So that the Committee may compare admissions procedures:

England (emphasis added where relevant)

2.17 Parents may seek a place for their child outside of their normal age group, for example, if the child is gifted and talented or has experienced problems such as ill health. *In addition, the parents of a **summer born child** may choose not to send that child to school until the September following their fifth birthday and may request that they are admitted out of their normal age group - to reception rather than year 1. Admission authorities **must** make clear in their admission arrangements the process for requesting admission out of the normal age group.*

2.17A Admission authorities **must** make decisions on the basis of the circumstances of each case and in the best interests of the child concerned. This will include taking account of the parent's views; information about the child's academic, social and emotional development; where relevant, their medical history and the views of a medical professional; whether they have previously been educated out of their normal age group; and whether they may naturally have fallen into a lower age group if it were not for being born prematurely. They **must** also take into account the views of the head teacher of the school concerned. *When informing a parent of their decision on the year group the child should be admitted to, the admission authority **must** set out clearly the reasons for their decision.*

Although somewhat better than the Welsh Code, it is still not ideal. However, this has been recognised by Schools Minister Nick Gibb, who has stated the government's intention to change the admissions rules so that summer-born children cannot be forced to go straight into Year 1 if they wait to start school until they turn five. He has written an open letter to encourage local authorities to take immediate action in advance of the proposed changes.

Scotland (summary taken from Scottish Borders Council; note variance in Scottish 'summer-born' dates)

In Scotland almost all children aged between 4 and a half and 5 years old enrol in primary school at the start of the autumn term. However you can delay entry if:

- your child's **5th birthday is in January or February** the same year as they would start school (you will be offered a free part time nursery place for an additional year.)
- your child's **5th birthday is between 1 September and 31 December** of the year before they would start school (a free nursery place is not automatic and is at the discretion of the local authority.)

4. The Early Years Foundation Phase as a Resolution to Summer-Born Concerns

In respect of the Cabinet Secretary's comments on the EYFP, it should be noted that whilst the curriculum may well be theoretically innovative and play-based, its practical application has been shown to be substantially different. The most recent Estyn Annual Report (2016/17) notes that 'where the [EYFP] is applied as intended, pupils make good progress', however, it is identified that only a *quarter* of schools deliver the EYFP well, with headteachers in *three-quarters* of schools *not* understanding the principles and pedagogy of good EYFP practice. Estyn also notes that three-quarters of schools have struggled to adapt their provision for pupils in Year 1 and 2, with many reverting to more formal approaches, particularly following the introduction of national testing for reading and numeracy. In many of these classes, Estyn found that teachers spend most of their time delivering focused teaching to groups of children, only occasionally interacting with children involved in child-initiated tasks. Summer-born children (especially those with developmental delays) would struggle in schools that adopt such a formal learning environment, and undoubtedly fall behind in large classes.

This has been the experience of many parents and teachers, who state that the pressures of formal learning in preparation for the Year 2 National Assessment are evident from Reception onwards. Until the EYFP can be delivered consistently in schools, it cannot be described as meeting the diverse needs of each individual child, and it cannot be viewed as a resolution to the concerns of parents of summer-born children.

5. Desired Outcomes

It is recognised that delayed entry will not be appropriate for every summer-born child, and not every parent will request it. However, the option must be available to children that would benefit from it.

Given this, we ask that the following amendments to the Code be considered:

- (1) As the first option, requests to defer children with birthdays in certain summer months should be automatically approved (following Scotland's example);
- (2) Alternatively, the wording of the existing provision should be amended to strengthen the rights of parents to delay the admission of their summer-born child, emphasising that local authorities must fully consider such requests on an individual basis. Governmental guidance should also be issued to ensure accurate interpretation of the code and the consistency of its application;
- (3) In either case, provision should be made for children educated outside their age group to remain with their adopted cohort throughout their school life (primary and secondary). Any testing should also be done with their adopted cohort, rather than by age.

Yours sincerely,

Flexible School Admissions Group Wales

Appendix 1

Snapshot of Case Studies Around Wales

Please note that no names of councils, schools or individuals are given

1. From one council – 3 experiences within the same academic year of applying for a Reception place at CSA

Child One – a great deal of background is necessary to highlight the issues of this case:

Summer-born by C- Section; difficulties during birth resulting in delays, epilepsy, deafness and feeding issues. Additionally, needed to withdraw from birth mother's alcohol and drugs habit. Placed for adoption at two weeks of age; difficult start to life.

After enjoying the small nursery environment, a house move resulted in a change of setting to a much busier nursery environment, which catered for forty children. It was at this point, Child One regressed. Hearing loss was also diagnosed, speech was limited to vowel sounds, from being fully toileted, the child became incontinent – this June-born child's school start was fast approaching (at four years of age). With all of these factors, Child One's mother sought to delay her child's entry into formal schooling until Compulsory School Age (CSA), believing that being allowed an extra year to develop physically, emotionally and socially would be a huge benefit to her son, but clearly, Child One would need to start school in the all-important Reception; this request was denied, despite the circumstances – the parent was informed that Child One would be fine because Wales's Early Years Foundation Phase caters for every child's individual needs. No additional support was offered, despite supporting medical reports. The mother declined the child's Reception place at four years of age; Child One was placed in a private nursery, the result being an improvement in behaviour, happiness and the child absolutely thrived in this smaller, supportive setting.

Child One's parent started researching options for schooling at CSA. A local head teacher stated that the child could be supported in Reception at age four and if needs be, could repeat Reception. Such was the reassurance, the mother decided to send Child One on a part time basis, three mornings per week. Again, being in a busy setting, Child One found this difficult and behaviour deteriorated. Speech difficulties

made it very difficult socially. At this point, the parent sought support from social services to assist with the difficult behaviour. CAHMS believed that Child One was struggling / reacting due to frustrations and a lack of support at school. The parent was being pressurised to send Child One to school on a full-time basis, this, despite not being of CSA. In light of the difficulties, the parent sought a different school for Child One's entry into school at CSA. The council upheld its view that Child One would not be offered a Reception place at CSA, therefore, the mother became resigned to a Year One start to formal full-time school. A school was found and it offered warmth, recognising the difficulties, but as was the council's ruling, a Year One place.

The current situation is that Child One is half way through term three of Year One. The school is helping the child as much as is practically possible, but there is an obvious gulf between Child One and the other Year One children; Child One has received no meaningful Reception in-put – along with developmental struggles, Child One has been forced to play 'catch up' from day one and the gap between this young child and peers, grows ever greater.

The mother feels strongly that her child has been let down, from before birth; with all of the issues, highlighted earlier in this case study, but most of all from being summer-born and struggling to catch up with children, older, stronger, more physically and socially developed. It is the mother's belief that a delayed start would have afforded Child One the much-needed extra time to mature and grow stronger, to be supported with speech and language, a Radio Aid could have been issued in a less pressurised environment and become a normal 'tool' to support the child's hearing.

It must also be noted that the manner in which the parent was treated by the LEA was referred to the Ombudsman, who investigated the process. This resulted in a payment of £250 because it was deemed that the council failed to follow the appropriate processes including the Appeals Process. The Ombudsman told the council to re-write the policy, as it was unclear. The mother believes that at this point in time, the policy remains the same.

Child Two:

Very late summer-born. Mother requested delayed start for her child, to Reception at CSA; no obvious delays, merely the feeling that the child would benefit from extra time to grow, develop and mature, before the demands of full-time school.

Over several months, the mother met with council officers, had the support of her local Councillor and Assembly Member, both of whom contacted the council and Education Minister on her behalf. Until the final hour – the first week of September, 2016, when child would be expected to start school at, just turned age four, the request for a delayed start was denied. Out of the blue, Child Two's mother received a letter, granting permission for Child Two to start Reception at CSA, citing the reason being related to the Welsh Language; the council believed that because the child was from a non Welsh speaking family, in the event that Child Two started her school journey in Year One, it would be necessary for her to attend an Immersion Unit, which it was believed would be too disruptive for the child. This was a welcome, but shock turnaround, after rejecting the mother's request so vehemently, up until this point. Child Two commenced state Reception at CSA in September, 2017 and is doing very well.

Child Three:

Very late August born and three weeks early. Child Three suffered from a developmental bowel condition and was in nappies / pull-ups until two weeks before fifth birthday and remained under the care of a hospital paediatric team until December 2017. At the point where Child Three had just turned four, (September 2016), the bowel issue was still acute, problematic and distressing. In light of the Intimate Care Policy and the birth date of Child Three, the parents considered that a delay of a year would allow their child more time to overcome the developmental problem, seamlessly and without any added pressure, as was the advice from Wales' Senior Paediatric Gastroenterologist. The child continued to attend a private nursery over three days, where the nappy issue was dealt with, seamlessly.

Appeals for the council to support the parents' request were made over many months by Child Three's local councillor and local Assembly Member and cabinet minister. As the council appeared to be applying a blanket approach, and on advice of the council barrister, legal counsel from an education-specialist lawyer was sought and Child Three was granted a Legal Aid certificate. Weeks of misinformation from the council ensued with a complete failure to provide the lawyer and parents with full and detailed reasoning, why granting a Reception place, at CSA was not in Child Three's best interests, despite the head teacher and governors of the chosen school being supportive of such an application. Despite never meeting Child Three or speaking with the child's nursery and despite medical support for a delay, the council stuck to the line that an out of cohort place would not be in Child Three's best interest and

actually, the reasons for such an application failed to meet the council's criteria for out of cohort applications (this statement was later amended when the lawyer pointed out that this was proof of the council applying a blanket policy, despite being required to look at each case on individual merits). The council felt that missing a whole year of Reception would not be problematic, but offered no support to assist Child Three to catch up on the work that had been missed, merely an Early Years Team, covering a huge area, would keep a check on the child.

Child Three's parents approached a neighbouring council, who applied a similar blanket policy, more appropriate for an out of cohort application, much later in a child's education and wholly inappropriate for early years.

In desperation, Child Three's parents sought availability at three local independent schools. All three agreed to offer Child Three a much-needed Reception place at CSA and were dismayed at the stance held by the council. Child Three's grandfather is paying half of the fees for the infant years, in order to assist his grandchild. The child is now doing well in Reception but it is utterly clear from the teaching staff that both emotionally and academically, the council's stance, to force Child Three straight into Year One would have been hugely problematic, difficult and likely to have been damaging.

Council X

Family currently battling with LEA for child born very prematurely (three months early), at the end of August. On approach to the LEA, regarding the possibility of deceleration of their child to a Reception start at CSA, they were at best, unaware of the summer-born issue, at worst, not at all concerned with the evidence. The family has been advised to provide a developmental report on their child and they are being advised by an education-specialist lawyer.

*Recently granted a Reception place at CSA

Council X

Late August-born child (born three months early) moved to Wales from England aged Four and a half, where a Reception start at CSA had already been agreed. With paediatric consultant support for allowing the child to start full-time formal schooling in the year above, what would be the child's so-called cohort. The LEA declined to make a decision, thus in breach of the Code. The parents approached a local school

directly, who turned down their request. The child's needs were only met when the parents approached a Voluntary Aided school, where the child has now attended for a couple of years and is doing well. The child requires some support with certain aspects of learning. The child's parents are dreading the application to high school. The situation in Wales, as it currently stands means that although CSA is five and parents have a legal right to decelerate their child to the term after their child's fifth birthday, the Wales Admissions Code does not address the situation, where some councils / schools allow an out of cohort application at age five merely, resulting in the likelihood of a battle for out of cohort high school places, depending on the will of the LEA / headteacher at that time, meaning that parents and more importantly, such children, are at the mercy of these people. It cannot be right to expect children to skip a year of learning, in order to be placed with their so-called 'natural cohort' and it most certainly is not in the child's best interests.

The parent of this child has made it known that an Occupational Therapist has stated that premature born children in Wales are not given the same flexibility of school admissions, as their England counterparts and evidence of such children, despite being diagnosed with resultant developmental delays, being forced into school too soon. Often, such children would not need support, given extra time to develop, mature, catch up and grow.

Council X

Despite a very inclusive admissions policy, mentioning summer-born children, the parent of summer-born child, wishing to start child X in Reception at CSA. Outright rejection from the council, citing reasons of such a strategy being "highly intrusive". The same council sent the same letter out to another parent, proving a blanket approach to this issue. In a telephone conversation between the parent and council (which I have been assured can be verified), the council informed the parent that a Reception place at CSA would never be granted, because every other parent of a summer-born child would want it - unprofessional comments and factually incorrect.

The parent of this child has also approached schools regarding the issue of a Reception start at CSA and the possibility of sending the child part-time, from age 4. Again, the parent has been treated with disdain and given factually incorrect information.

Within this council, the group is aware of at least two children who have been granted Reception places, as a last resort by Voluntary Aided schools and are doing well, within their so-called adopted cohort.

Council X

Primary school teacher in Wales of more than ten years. Wishes their summer-born child to start Reception at CSA. This person's experience of summer-born's struggles have been seen first-hand; the general struggles experienced by many summer-born children means that by the end of the Early Years Foundation Phase, such children find the transition to Year 3, more formal learning, the longer days, fewer breaks and higher academic expectations of work and maturity. Whilst teachers differentiate individually, assessments and levelling statements do not. This primary school professional believes that by the end of KS2, many summer-born children are conscious that they are behind the other children, taken out for 'extra activities' which has an impact on their confidence and engagement in learning. This individual also makes the point that when Estyn Inspectors visit schools, one of the requests they make is to see data and evidence of work of the summer-born children.

Council X

Despite a very inclusive admissions policy, this council has expressed an extremely strong stance against Reception at CSA for a child, with some developmental delays. Whilst it has recognised the parent's right to delay the child to CSA, the council stated it would not allow a Reception start, despite a belief that a delay to Reception at CSA would most certainly benefit the child, from experts who know child X, it was clear from all contacts that the council would not support this. Child X was offered special needs support at a specialist unit with the aim of the child moving to Year One after a year in this unit. The parent believes that the child, even at this stage, after several months within the unit, will struggle to cope with Year One from September 2018. The parent is dismayed, but feels powerless and daunted at a challenge with the Council, she feels sure that she will lose.

Council X

Will not allow Reception at CSA, despite medical / developmental reasons. Is allowing at least two children to attend on a part-time basis, from age 4.

Council X

Has taken on board the medical reasons for a child born prematurely, to start Reception at CSA and it has been granted, without any issues.

On a general note, we know that some parents have simply decided to home school their child / children, others on the North Wales border have opted to school their child/ren in West Cheshire Council, for a more supportive approach to meet their child's needs. Others are considering flexi-schooling, which appears to be slowly growing. Others simply give up and reluctantly send their child into the system, one they feel unable to beat!

As a group, we do not feel that an amendment to the Admissions Code would 'open the flood gates', in terms of applications to decelerate, this is mainly due to the socio-economic composition of Wales. However, offering the parents of summer-born children the choice and flexibility would mean giving these children, many of whom are developmentally struggling in some way, a kinder, positive and more supportive start to their school journey, impacting positively on their mental health. It would also mean parents / guardians not having to face months of stressful, time-consuming and deeply unpleasant battles. We recognise that many will argue that there has to be a youngest in every class, of course, we recognise this, but at such a young age, development is so variable, these extra months absolutely do make all the difference to many children, in every aspect of their development and their ability to cope with the physical, mental, emotional and cognitive demands placed upon them by compulsory full-time learning.

Eitem 2.6

P-05-828 Rhagdybiaeth o blaid Ysgolion Gwledig

Cyflwynwyd y ddeiseb hon gan Cymdeithas Rhieni ac Athrawon Ysgol Gymunedol Bodffordd, ar ôl casglu 945 o lofnodion.

Geiriad y ddeiseb

Galwn ar y Llywodraeth i gymryd camau i sicrhau y bydd awdurdodau lleol yn dilyn canllawiau'r cod trefniadaeth ysgolion presennol a'r cod newydd (pan ddaw i rym) gan gynnwys gweithredu'n unol â'r rhagdybiaeth o blaid ysgolion gwledig. Derbyniwn nad yw hyn yn golygu na chaiff ysgol wledig byth ei chau, ond mae penderfyniad diweddar Pwyllgor Gwaith Cyngor Ynys Môn i gau ysgol Bodffordd yn dangos bod rhwydd hynt i awdurdodau lleol anwybyddu'r cod newydd (y maent i fod i weithredu yn unol â'i ysbryd) a chau hyd yn oed ysgolion poblogaidd a llawn.

Etholaeth a Rhanbarth y Cynulliad

- Ynys Mon
- Gogledd Cymru

Papur Briffio ar gyfer y Pwyllgor Deisebau

Y Pwyllgor Deisebau | 25 Medi 2018
Petitions Committee | 25 September 2018

Briff Ymchwil: Rhagdybiaeth o blaid ysgolion gwledig

Rhif y ddeiseb: [P-05-828](#)

Teitl y ddeiseb: Rhagdybiaeth o blaid ysgolion gwledig

Testun y ddeiseb:

Galwn ar y Llywodraeth i gymryd camau i sicrhau y bydd awdurdodau lleol yn dilyn canllawiau'r cod trefniadaeth ysgolion presennol a'r cod newydd (pan ddaw i rym), gan gynnwys gweithredu'n unol â'r rhagdybiaeth o blaid ysgolion gwledig. Derbyniwn nad yw hyn yn golygu na chaiff ysgol wledig byth ei chau, ond mae penderfyniad diweddar Pwyllgor Gwaith Cyngor Ynys Môn i gau Ysgol Bodffordd yn dangos bod rhwydd hynt i awdurdodau lleol anwybyddu'r cod newydd (y maent i fod i weithredu yn unol â'i ysbryd) a chau hyd yn oed ysgolion poblogaidd a llawn.

1. Crynodeb

- Mae Ysgrifennydd y Cabinet dros Addysg wedi rhoi blaenoriaeth i greu **rhagdybiaeth yn erbyn cau ysgolion gwledig**. Nid yw hyn **mewn grym eto** a dim ond y Cod Trefniadaeth Ysgolion presennol, a gyhoeddwyd yn 2013 y mae'n ofynnol i awdurdodau lleol ei ddilyn.
- Mae **Cod Trefniadaeth Ysgolion newydd arfaethedig** yn dynodi oddeutu **200 o ysgolion (gan gynnwys Ysgol Bodffordd)** yn 'ysgolion gwledig' a fyddai'n cael eu cynnwys gan ragdybiaeth yn erbyn cau. Nid yw hyn yn golygu'n bendant na fydd yr ysgolion hyn yn cau, ond byddai'n rhaid cael achos cryfach dros wneud hynny, gan gynnwys ystyried yr holl opsiynau hyfyw eraill.
- **Gosododd** Llywodraeth Cymru y **Cod newydd** gerbron y Cynulliad ar 17 Medi 2018. Mae'r Cod newydd ar hyn o bryd yn mynd drwy weithdrefn Negyddol y Cynulliad ar gyfer is-ddeddfwriaeth. Yn amodol ar hynny, bydd yn **dod i rym ar 1 Tachwedd 2018**.
- Yn y cyfamser, mae Ysgrifennydd y Cabinet dros Addysg wedi **gofyn i awdurdodau lleol ystyried 'ysbryd'** y Cod drafft. Fodd bynnag, nid ydynt o dan **unrhyw rwymedigaeth i gydymffurfio** â'r cod ac nid oes **unrhyw rwystr statudol** i Gyngor Sir Ynys Môn fwrw ymlaen â'r cynnig y cyfeirir ato yn y ddeiseb, cyn belled â'i fod wedi cydymffurfio â'r Cod 2013

presennol. Ni fydd y Cod newydd yn gymwys i gynigion sydd eisoes wedi mynd drwy ymgynghoriad fel yn achos y cynnig hwn. Rhaid i gynigion o'r fath felly gael eu hystyried o dan y Cod 2013 presennol.

- Ar 17 Medi 2018, lansiodd Cyngor Sir Ynys Môn ymgynghoriad cyn cyflwyno cais cynllunio ynglŷn â'r cynnig. Fodd bynnag, ar adeg ysgrifennu (18 Medi) nid yw wedi cyflwyno'r rhybudd statudol i fynd â'r cynnig i'r cam nesaf. Bydd angen i'r awdurdod lleol wneud hynny erbyn 2 Hydref 2018 neu fel arall, bydd yn rhaid iddo ddechrau ymarfer ymgynghori newydd.

2. Blaenoriaeth i Ysgrifennydd y Cabinet dros Addysg

Un o'r [deg blaenoriaeth addysg y cytunwyd arnynt gan Kirsty Williams a'r Prif Weinidogr](#) pan gafodd ei phenodi'n Ysgrifennydd y Cabinet dros Addysg ym mis Mehefin 2016 oedd:

- Adolygu'r polisi cyfredol ar leoedd gwag mewn ysgolion, gyda phwyslais ar ysgolion gwledig, a rhoi mwy o ystyriaeth i dueddiadau twf y dyfodol.

Yn ystod haf 2017, [ymgynghorodd Llywodraeth Cymru](#) ar gyflwyno rhagdybiaeth yn erbyn cau ysgolion gwledig drwy adolygu'r Cod Trefniadaeth Ysgolion. Mae'r Cod yn darparu canllawiau statudol i awdurdodau lleol ar sut i arfer eu swyddogaethau o dan [Ddeddf Safonau a Threfniadaeth Ysgolion \(Cymru\) 2013](#), o ran cau ac uno ysgolion.

Yn y [ddogfen ymgynghori](#), dywedodd Ysgrifennydd y Cabinet dros Addysg:

Rwy'n gwybod, ac mae rhieni ar draws cymunedau gwledig yn gwybod, bod ysgolion bach a gwledig yn gwneud cyfraniad pwysig at godi safonau ac ymestyn cyfleoedd i bawb. Yn wir, maent yn hollbwysig o ran ymgysylltu â disgyblion a theuluoedd o'r cefndiroedd mwyaf difreintiedig mewn ardaloedd gwledig a chodi dyheadau disgyblion. Rwy'n gwybod hefyd y gall cynnal darpariaeth ysgol hygyrch mewn rhai cymunedau gwledig, bach wneud **cyfraniad sylweddol at gynaliadwyedd tymor hir y gymuned leol**.¹

3. Y Cod Trefniadaeth Ysgolion presennol

Mae'r [Cod Trefniadaeth Ysgolion \(2013\)](#) yn nodi'r broses y mae'n rhaid i awdurdodau lleol ei dilyn wrth ystyried uno neu gau ysgolion ac mae'n is-ddeddfwriaeth a wnaed o dan [Ddeddf Safonau a Threfniadaeth Ysgolion \(Cymru\) 2013](#). Cyhoeddodd y Gwasanaeth Ymchwil [Ganllaw Cyflym i Gynigion ynghylch Trefniadaeth Ysgolion](#) yn 2015, sy'n nodi'r sefyllfa bresennol.

Mae Cod 2013 yn parhau i fod mewn grym nes y bydd unrhyw God newydd yn pasio trwy broses ddeddfwriaethol y Cynulliad. Mae'n ofynnol i gyrff perthnasol (awdurdodau lleol yn bennaf) gydymffurfio â'r Cod 2013 presennol ac nid ydynt o dan **unrhyw rwymedigaeth i gydymffurfio ag unrhyw god olynol arfaethedig** cyn hyn.

¹ Ysgrifennydd y Cabinet dros Addysg, Kirsty Williams, Rhagair i [Ddogfen Ymgynghori 'Cod Trefniadaeth Ysgolion'](#), Mehefin 2017

Roedd y fframwaith cyfreithiol newydd a gyflwynwyd gan Ddeddf 2013, ac y manylir arni yng Nghod 2013, yn cynrychioli symudiad o'r system flaenorol, lle'r arweiniodd unrhyw wrthwynebiad cofrestredig ffurfiol i gynnig trefniadaeth ysgol iddo gael ei gyfeirio at Weinidogion Cymru i'w benderfynu. O dan y system ôl-2013, gall y corff perthnasol (awdurdodau lleol fel arfer) benderfynu ar gynigion, heblaw am yn yr eithriadau a nodir a chyn belled â bod cyrff perthnasol yn cydymffurfio â phroses benodol.

Yr eithriadau lle mae cynigion i gau ysgolion i gael eu penderfynu gan Weinidogion Cymru yw:

- Os yw'r cynigion yn effeithio ar addysg chweched dosbarth;
- Os gwnaed y cynigion gan gorff heblaw'r awdurdod lleol perthnasol a bod yr awdurdod lleol hwnnw'n gwrthwynebu'r cynnig;
- Os yw penderfyniad a wnaed gan yr awdurdod lleol ar gynnig yn cael ei gyfeirio at Weinidogion Cymru gan un o'r personau cymwys canlynol:
 - Awdurdod lleol arall yr effeithir arno gan y cynnigion;
 - Os yw'r ysgol yn ysgol ffydd, y corff crefyddol priodol;
 - Os yw'r ysgol yn ysgol wirfoddol neu ysgol sefydledig, y corff llywodraethu neu ymddiriedolaeth sy'n dal eiddo ar ran yr ysgol;
 - Sefydliad addysg bellach yr effeithir arno gan y cynnigion.

3.1 Y Cynnig yn Ynys Môn

Ar 30 Ebrill 2018, [penderfynodd Pwyllgor Gwaith Cyngor Sir Ynys Môn](#) gau dwy ysgol gynradd gymunedol, sef Ysgol Bodffordd ac Ysgol Corn Hir, ac adeiladu ysgol newydd. Dyma'r cynnig y mae'r ddeiseb yn cyfeirio ato ac yr adroddwyd amdano ar [BBC Cymru](#).

Bydd yr ysgol newydd naill ai ar un safle i gymryd lle Ysgol Bodffordd ac Ysgol Corn Hir, neu ar ddau safle ar ôl uno ag Ysgol Henblas er bod hyn yn dibynnu ar asesiad yn y dyfodol i weld a yw'r safonau wedi gwella yn Ysgol Henblas.

Nid yw'n ymddangos bod y cynnig yn dod o dan unrhyw un o'r eithriadau i'w cyfeirio at Weinidogion Cymru a nodir yng Nghod Trefniadaeth Ysgolion (2013) ac a nodir uchod. Gall yr awdurdod lleol benderfynu arno felly heb ei gyfeirio at Weinidogion Cymru. Fel y dywed llythyr yr Ysgrifennydd Cabinet, mae'n ofynnol i Gyngor Sir Ynys Môn **gyhoeddi'r hysbysiad statudol** gan fwrw ymlaen â'r penderfyniad a wnaed ganddo ar 30 Ebrill 2018 o fewn 26 wythnos (**erbyn 2 Hydref 2018**). Fel arall, bydd yn rhaid i'r awdurdod lleol gynnal proses ymgynghori newydd, ac mae manylion amdani wedi'u nodi yn y Cod.

Ar 17 Medi 2018, lansiodd Cyngor Sir Ynys Môn [ymgyngoriad cyn-cyflwyno cais cynllunio](#) ynghylch adeiladu Ysgol Gynradd Newydd yn Llangefni i gymryd lle Ysgol Corn Hir ac Ysgol Bodffordd. Ar adeg ysgrifennu (18 Medi 2018), nid yw'r awdurdod lleol **eto wedi cyflwyno rhybudd statudol** i fwrw ymlaen â phenderfyniad ei Bwyllgor Gwaith ar 30 Ebrill 2018.

O dan y Cod presennol (pennod 4), mae'n rhaid i'r rhybudd statudol ddarparu ar gyfer cyfnod o **28 diwrnod i bobl gofrestru gwrthwynebiadau**. Os ceir unrhyw wrthwynebiadau, mae'n rhaid i'r awdurdod lleol gyhoeddi Adroddiad Gwrthwynebu yn crynhoi'r gwrthwynebiadau statudol a'i ymateb i'r gwrthwynebiadau hynny. Mae'n rhaid cyhoeddi hwn o fewn saith diwrnod i ddyddiad y penderfyniad.

Ar ôl i awdurdod lleol **benderfynu ar ei gynnig** a chyhoeddi adroddiad gwrthwynebu (**na ddylai ddigwydd cyn pen 28 diwrnod ar ôl cyhoeddi'r rhybudd statudol**), ni all yr awdurdod lleol ond oedi neu ddod â dyddiad gweithredu'r cynnig ymlaen o'r dyddiad a nodwyd yn y rhybudd statudol, neu roi'r gorau i'r cynnig, gyda chytundeb Gweinidogion Cymru.

4. Cod Trefniadaeth Ysgolion newydd arfaethedig

Ymgynghorodd Llywodraeth Cymru [yn ystod haf 2017](#) ar gynigion i adolygu'r Cod Trefniadaeth Ysgolion a chyflwyno rhagdybiaeth yn erbyn cau ysgolion gwledig. Gofynnodd yr ymgynghoriad am farn ar nifer o newidiadau arfaethedig i'r Cod yn dilyn tair blynedd o weithredu yn seiliedig ar adborth a dysgu yn ystod y cyfnod hwnnw. Yr unig newidiadau sylweddol a gynigiwyd oedd i 'gryfhau' y Cod o ran **rhagdybiaeth yn erbyn cau ysgolion gwledig** a dull o **lunio rhestr o'r hyn sy'n gwneud 'ysgol wledig'**.

4.1 Rhagdybiaeth yn erbyn cau ysgolion gwledig

Bydd y Cod newydd arfaethedig yn cyflwyno rhagdybiaeth benodol yn erbyn cau ysgolion gwledig. Bydd hyn yn ei gwneud yn ofynnol i gynigwyr ddilyn **set fwy manwl o weithdrefnau a gofynion wrth lunio cynnig i gau ysgol wledig** ac wrth ymgynghori a phenderfynu a ddylid gweithredu ar gynnig i gau ysgol wledig. Fel y dywedodd Ysgrifennydd y Cabinet dros Addysg yn ei Rhagair i'r [ddogfen ymgynghori](#):

Nid yw rhagdybiaeth yn erbyn cau ysgolion gwledig **yn golygu na fydd ysgolion gwledig byth yn cau**. Fodd bynnag, mae'n golygu bod **rhaid i'r achos dros gau'r ysgol fod yn un cryf**, ac na ddylai'r **penderfyniad gael ei wneud hyd nes y bydd pob opsiwn** arall wedi'u hystyried, gan gynnwys ffedereiddio. [Ein pwyslais ni]

Mae paragraff 1.8 o'r [Cod Trefniadaeth Ysgolion drafft yr ymgynghorwyd arno yn ystod haf 2017](#) yn darparu'r manylion ar gyfer sut y byddai'n rhaid i awdurdodau lleol gymhwyso'r rhagdybiaeth yn erbyn cau ysgolion gwledig, gan gynnwys camau pellach penodol y byddai'n rhaid iddynt eu cymryd pe byddent yn llunio cynnig o'r fath.

4.2 Dynodi ysgolion gwledig

Y prif gynnig arall yn y ddogfen ymgynghori oedd cyflwyno dull o ddynodi ysgolion gwledig. Mae Llywodraeth Cymru yn cynnig dull sy'n defnyddio diffiniad cyffredinol o ardaloedd gwledig fel y byddai unrhyw ysgol o fewn yr ardaloedd hynny yn cael ei dynodi'n wledig yn awtomatig at ddibenion cynigion trefniadaeth ysgolion.

Cafodd rhestr arfaethedig o 191 o ysgolion gwledig ei chynnwys yn Atodiad F y fersiwn ddrafft o'r Cod Trefniadaeth Ysgolion a oedd yn destun ymgynghoriad. Mae'r ddogfen ymgynghori'n nodi mai hwn fyddai lleiafswm yr ysgolion y dylid eu dynodi'n wledig.

Mae'r rhestr o 191 o ysgolion yr ymgynghorwyd arnynt yn ystod haf 2017 i'w dynodi'n ysgolion gwledig ac sydd felly'n cael eu cynnwys gan y rhagdybiaeth yn erbyn cau, **yn cynnwys Ysgol Bodffordd ac Ysgol Henblas**. Pe bai'r Cod newydd arfaethedig ar waith cyn i gynnig Cyngor Sir Ynys Môn gael ei gwblhau, byddai'n rhaid i'r awdurdod lleol ddangos achos digon cryf i oresgyn y rhagdybiaeth yn erbyn cau, er na fyddai o reidrwydd yn atal yr ysgol rhag cau.

Cyhoeddodd Llywodraeth Cymru [grynodedb o'r ymatebion i ymgynghoriad 2017](#) ar 2 Gorffennaf 2018. Dywedodd Ysgrifennydd y Cabinet dros Addysg wrth y Pwyllgor Plant, Pobl Ifanc ac Addysg yn ystod [sesiwn graffu gyffredinol ar 28 Mehefin 2018](#) (paragraffau 60–76) fod yr ymgynghoriad wedi arwain at alwadau am ehangu'r diffiniad o ysgol wledig, a fyddai'n cynnwys **28 o ysgolion eraill, gan ddod â'r cyfanswm i 219**. Mae Llywodraeth Cymru wedi ymgynghori â'r awdurdodau lleol ychwanegol hynny a fyddai'n cael eu heffeithio, a dywed fod hyn wedi achosi oedi o ran cyflwyno'r Cod newydd.

4.3 Gosod y Cod newydd a'r Amserlen ar gyfer dod i rym

Dywedodd Ysgrifennydd y Cabinet wrth y Pwyllgor Plant, Pobl Ifanc ac Addysg hefyd ym mis Mehefin 2018 nad oedd digon o amser i osod y Cod Trefniadaeth Ysgolion newydd gerbron y Cynulliad cyn toriad yr haf ac y byddai'n cael ei **osod mor gyflym ag y gallwn yn nhymor newydd [yr hydref]**.

Ar **17 Medi 2018**, [cyhoeddodd Ysgrifennydd y Cabinet ddatganiad](#) yn cyhoeddi [gosod y Cod Trefniadaeth Ysgolion drafft](#). O dan **weithdrefn Negyddol** y Cynulliad ar gyfer is-ddeddfwriaeth, mae gan Aelodau'r Cynulliad 40 diwrnod (ac eithrio unrhyw gyfnod toriad o fwy na 4 diwrnod) i ddirymu'r ddeddfwriaeth. Fel arall gall y Cod Trefniadaeth Ysgolion newydd ddod i rym. Yn amodol ar hyn, dywed datganiad Ysgrifennydd y Cabinet y disgwylir i'r Cod newydd ddod i rym ar **1 Tachwedd 2018**.

Fodd bynnag, ni fydd y Cod Newydd yn gymwys i gynigion sydd eisoes wedi bod drwy ymgynghoriad statudol o dan y Cod 2013 presennol. Dywed tudalen 3 o'r Cod Newydd

Os yw cynigydd wedi dechrau ymgynghori cyn 1 Tachwedd 2018 bydd rhaid i'r cynnig â gyhoeddwyd ei benderfynu yn unol â fersiwn gyntaf y Cod. Ystyrir y bydd ymgynghoriad wedi dechrau pan fydd dogfen ymgynghori, fel sy'n ofynnol gan adran 3.2 o'r fersiwn gyntaf o'r cod, wedi'i chyhoeddi.

5. Beth sy'n digwydd yn y cyfamser?

Pan ofynnwyd beth fyddai'n digwydd i ysgolion (fel yn achos Ysgol Bodffordd) y byddai eu statws yn cael ei warchod i raddau helaethach o dan y Cod newydd ond sy'n wynebu cael eu cau yn y cyfamser o dan y Cod presennol, dywedodd Ysgrifennydd y Cabinet yn [Cyfarfod Llawn ar 25 Ebrill 2018](#) (paragraffau 18–23):

Buaswn yn dweud wrth awdurdodau lleol sy'n ystyried y mater hwn ar hyn o bryd fy mod wedi bod yn glir iawn ynghylch fy nghyfeiriad teithio a'm bwriad polisi, a **buaswn yn eu hannog i ystyried yr ysbryd hwnnw** rhwng nawr ac unrhyw gyhoeddiad ffurfiol mewn perthynas â'r cod trefniadaeth newydd. [Ein pwyslais ni]

Ysgrifennodd y Pwyllgor Plant, Pobl Ifanc ac Addysg [at Ysgrifennydd y Cabinet ar 6 Mehefin 2018](#) yn mynegi pryder ynglŷn â'r ansicrwydd parhaus y mae hyn yn ei achosi i ysgolion sy'n wynebu'r posibilrwydd o gau. Gofynnodd y Pwyllgor Plant, Pobl Ifanc ac Addysg sut y mae Llywodraeth Cymru yn sicrhau bod awdurdodau lleol yn ystyried 'ysbryd' polisi'r dyfodol a beth sy'n cael ei wneud i **amddiffyn ysgolion rhag i benderfyniadau tymor hir** gael eu gwneud tra nad yw'r Cod wedi'i gwblhau.

Ymatebodd Ysgrifennydd y Cabinet [i'r Pwyllgor Plant, Pobl Ifanc ac Addysg ar 29 mehefin 2018](#) 2018, (PDF 354KB) gan ddweud:

Rydw i wedi bod yn eglur iawn o ran trywydd y polisi hwn **ac fy mod yn disgwyl i awdurdodau lleol weithredu mewn ffordd sy'n gyson ag ysbryd** y newidiadau arfaethedig. Fodd bynnag, rydw i wedi dweud ar sawl achlysur **nad yw'r Cod yn ôl-weithredol**, ac na fydd unrhyw newidiadau i'r Cod presennol yn weithredol hyd nes bod ail fersiwn y Cod yn dod i rym. Gan gofio hynny, er fy mod wedi ei gwneud yn glir beth yw fy nisgwyliadau, **nid oes unrhyw ofyniad statudol** ar awdurdodau lleol a chynigwyr eraill **i gydymffurfio â darpariaethau sydd yn ail fersiwn y Cod hyd nes y daw hwnnw i rym.** [ein pwyslais ni]

O ran achos penodol y deisebwyr, nid oes **unrhyw rwystrau statudol** i Gyngor Sir Ynys Môn fynd ymlaen â'i benderfyniad i gau'r ysgolion, cyn belled nad yw wedi torri'r Cod Trefniadaeth Ysgolion (2013) presennol. Gallai achwynwyr drefnu adolygiad barnwrol o'r penderfyniad (sy'n ddewis drud) neu gwyno am gamweinyddu i'r Ombwdsmon Gwasanaethau Cyhoeddus er bod hyn yn ymwneud â'r broses a ddilynwyd, nid rhinweddau'r penderfyniad.

Nid oes unrhyw ofyniad ar yr awdurdod lleol i gydymffurfio ag unrhyw fwriad polisi a nodir gan Lywodraeth Cymru na darpar God ar ffurf ddrafft. Hefyd, fel y nodwyd uchod, **ni fydd y Cod newydd yn gymwys i gynigion sydd eisoes wedi mynd drwy ymgynghoriad cyn i'r Cod newydd ddod i rym.** Felly, ni fydd y ffaith nad yw Cyngor Sir Ynys Môn efallai wedi penderfynu ar y cynnig cyn 1 Tachwedd 2018 ynddo'i hun yn ei atal rhag mynd ymlaen â'r cynnig. Fodd bynnag, bydd angen i'r awdurdod lleol gyhoeddi rhybudd statudol erbyn 2 Hydref 2018. Fel arall, bydd angen iddo gynnal ymarfer ymgynghori newydd oherwydd bydd 26 wythnos wedi mynd heibio ers diwedd y cyfnod ymgynghori blaenorol.

Fodd bynnag, efallai yr hoffai'r Pwyllgor nodi bod adroddiad Cyngor Sir Ynys Môn sy'n [cyd-fynd â phenderfyniad ei Bwyllgor Gwaith ar 30 Ebrill 2018](#) yn nodi bod **ariannu'r adeilad (au) ysgol newydd yn dibynnu ar gyllid Llywodraeth Cymru** (gweler adran 11 yr adroddiad).

Gwneir pob ymdrech i sicrhau bod y wybodaeth yn y papur briffio hwn yn gywir adeg ei gyhoeddi. Dylai darllenwyr fod yn ymwybodol nad yw'r papurau briffio hyn yn cael eu diweddarau o reidrwydd na'u diwygio fel arall i adlewyrchu newidiadau dilynol.

Kirsty Williams AC/AM
Ysgrifennydd y Cabinet dros Addysg
Cabinet Secretary for Education



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-05-828
Ein cyf/Our ref KW/01859/18

David John Rowlands AC
Cadeirydd y Pwyllgor Deisebau
Cynulliad Cenedlaethol Cymru
Bae Caerdydd
CF99 1NA

government.committee.business@llyw.cymru

6 Awst 2018

Annwyl David

Diolch yn fawr am eich llythyr dyddiedig 25 Gorffennaf yn gofyn am fy marn ar ddeiseb Cymdeithas Rhieni ac Athrawon Ysgol Gymunedol Bodffordd yn galw ar Lywodraeth Cymru i sicrhau bod awdurdodau lleol yn dilyn y canllawiau yn y Cod Trefniadaeth Ysgolion, gan gynnwys y rhagdybiaeth yn erbyn cau ysgolion gwledig.

Ymrwymais mewn Datganiad Llafar yn y Cyfarfod Llawn ar 15 Tachwedd 2016 i ymgynghori ar gryfhau'r Cod Trefniadaeth Ysgolion mewn perthynas â rhagdybiaeth yn erbyn cau ysgolion gwledig ac i gymryd nifer o gamau eraill i gefnogi ysgolion gwledig.

Hoffwn egluro'n fyr y gweithdrefnau sy'n rhaid eu dilyn cyn bod modd i'r rhagdybiaeth yn erbyn cau ysgolion gwledig ddod i rym. Mae'r Cod yn berthnasol i gynigion trefniadaeth ysgolion ers 1 Hydref 2013 ac ystyriwyd ei adolygu. Ar ôl tair blynedd o weithredu, lluniwyd Cod drafft ar sail yr adborth a gafwyd dros y cyfnod hwnnw. Cynigiwyd nifer o newidiadau gan gynnwys cyflwyno gweithdrefnau ar gyfer rhagdybiaeth yn erbyn cau ysgolion gwledig. Cyhoeddwyd y Cod drafft a chynhaliwyd ymgynghoriad rhwng 30 Mehefin 2017 a 30 Medi 2017.

Cafodd crynodeb o'r ymatebion i'r ymgynghoriad a rhestr o'r ysgolion a ddynodwyd yn ysgolion gwledig at ddibenion y rhagdybiaeth yn erbyn cau ysgolion gwledig eu cyhoeddi yn gynharach y mis hwn. Mae'r Cod drafft wedi'i ddiwygio i adlewyrchu'r ymatebion i'r ymgynghoriad.

Bae Caerdydd • Cardiff Bay
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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

Tudalen y pecyn 150
We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Rhaid cyflwyno'r Cod gerbron Cynulliad Cenedlaethol Cymru am 40 diwrnod cyn ei roi mewn grym, oni bai bod y Cynulliad yn penderfynu peidio â'i gymeradwyo. Rwy'n disgwyl i'r Cod gael ei gyflwyno ym mis Medi yn ystod yr wythnos y mae Aelodau'r Cynulliad yn dychwelyd ar ôl toriad yr haf, ac rwy'n disgwyl iddo ddod i rym cyn diwedd y flwyddyn oni bai bod y Cynulliad yn penderfynu peidio â'i gymeradwyo.

Ni fydd unrhyw ddiwygiadau i argraffiad cyntaf y Cod, gan gynnwys y rhagdybiaeth yn erbyn cau ysgolion gwledig, yn weithredol nes bod ail argraffiad y Cod yn dod i rym. Mae hefyd yn bwysig nodi nad yw'r Cod yn ôl-weithredol.

Fel y nodwyd yn y ddeiseb, nid yw rhagdybiaeth yn erbyn cau ysgolion gwledig yn golygu na fydd ysgolion gwledig byth yn cau. Mae'n golygu yn hytrach bod yn rhaid i'r achos dros gau ysgol wledig fod yn un cryf, ac ni fydd y penderfyniad i'w chau yn cael ei gymryd hyd nes y bydd pob dewis amgen ymarferol arall wedi'i ystyried, gan gynnwys ffedereiddio.

Rwy'n ymwybodol bod Cyngor Sir Ynys Môn wedi cynnal ymgynghoriad rhwng 30 Chwefror a 3 Ebrill ar gynnig i gau Ysgol Bodffordd ac Ysgol Corn Hir ac agor ysgol newydd. Ar 30 Ebrill, penderfynodd Gweithrediaeth Cyngor Ynys Môn i symud ymlaen â'r cynnig a chyhoeddi hysbysiad statudol. Yn ôl y Cod, oni bai bod cynigwyr wedi gwneud cais am estyniad amser a'i fod wedi'i roi gan Weinidogion Cymru, rhaid cyhoeddi cynigion (drwy hysbysiad statudol) cyn pen 26 wythnos o ddiwedd y cyfnod a ganiateir ar gyfer ymatebion i'r ymgynghoriad, neu bydd y cynigion yn methu a rhaid cyhoeddi dogfen ymgynghori newydd er mwyn eu hatgyfodi. Yn yr achos hwn, rhaid cyhoeddi'r cynnig erbyn 2 Hydref.

Rhaid i'r hysbysiad statudol nodi manylion y cynnig a gwahodd unrhyw un sy'n dymuno ei wrthwynebu i wneud hynny'n ysgrifenedig cyn pen 28 diwrnod. Rhaid i unrhyw faterion a godwyd fel gwrthwynebiadau yng nghyfnod gwrthwynebu'r hysbysiad statudol gael eu trafod mewn adroddiad gwrthwynebu a fydd yn cael ei ystyried cyn penderfynu'n derfynol ar y cynnig.

O dan y Ddeddf Safonau a Threfniadaeth Ysgolion (Cymru) 2013, yr awdurdodau lleol sy'n penderfynu ar y rhan fwyaf o'r cynigion sy'n derbyn gwrthwynebiadau. Fodd bynnag, gall cynnig sy'n cael ei gymeradwyo neu ei wrthod gan awdurdod lleol gael ei gyfeirio at Weinidogion Cymru i'w ystyried, os bydd partïon cyfyngedig penodol yn penderfynu cymryd y cam hwn cyn pen 28 diwrnod o ddyddiad penderfyniad yr awdurdod lleol.

O gofio rôl bosibl Gweinidogion Cymru yn y broses statudol, nid wyf yn gallu gwneud sylwadau ar deilyngdod neu annheilyngdod unrhyw gynigion y gall fod yn ofynnol i mi benderfynu arnynt yn nes ymlaen.

Yn gywir



Kirsty Williams AC/AM
Ysgrifennydd y Cabinet dros Addysg
Cabinet Secretary for Education

P-05-828 Presumption in favour of rural schools – Correspondence from the Petitioner to the Committee, 17.09.18

Hear on anglesey every community/ villages are worried about our schools especially their are schools that are community schools where we will lose our school and our community halls. My children go to ysgol gymuned bodffordd where the school caters for 85 children and every morning the Mudiad cylch meithrin uses the school hall/community hall to hold their nusery. This nusery has been known one of wales best we strongly believe children come on leaps an bounds at a young age if the get the best education and this is what happens in this building. They move forward to their school years where they are familiar with everyone as the school works with the nursery. In the school they are taught good education and taught how to help one another they are a family they really are its an amazing school I have never known children to respect one another like they do and they all play to gether big kids with the youngest an the youngest with the oldest. All we as parents want for ysgol gymuned bodffordd is to keep the doors open and use federation have the first school on anglesey working side by side but on two different sites.

On a personal note my boys love the school my eldest loves learning he Evan thanked god in thanks giving for Bodffordd School. I have no doubt that he has the ability to survive in a bigger school. But my youngest so which has only turned 4 last month has started full time school yes he goes each day with the same morning routine the same snack and the same lunch. He loves his routines and we are going through the process of trying to get him assessed for quiet different things. I 100% believe big schools of 120-150+ is for everyone when you have a child with special needs you worry every minute of the day you look at the clock thinking are they ok or are they having a melt down. I know every parent have their worries but if they child need extra bit of attention they are petter in a small school. Bodffordd school have 15% of children with special needs ask your self why in such a small school because their families are comfortable and happy with how their children are progressing in the school. I'm on my hands an knees make anglesey county council use ysgol gymuned bodffordd and ysgol con hir and ysgol henblas to work together an try federation with our schools they have not tried this way before. Please please federation we need on anglesey if the schools have more than 60

thank you for your time
Llinos roberts

P-05-828 Rhagdybiaeth o blaid Ysgolion Gwledig – Gohebiaeth – Deisebydd at y Pwyllgor – 17.09.18

Dyma beth ddwedais o flaen y senedd yn caerdydd wrth gyflwyno yr deiseb I rhun ap iorweth.

Dw i yma heddiw i gyflwyno'r ddeiseb hon ar ran Cymdeithas Rhieni ac Athrawon Ysgol Gymuned Bodffordd.

Mae Cyngor Sir Ynys Môn wedi penderfynu cau Ysgol Gymuned Bodffordd, yn groes i ddymuniad y rhieni, ac yn groes i farn y bobl leol. Mae'r ysgol yn llawn gyda dros wyth deg o blant. Mae hi'n ysgol deuluol, gartrefol a gofalgar, ac mae ymdeimlad cryf o berthyn iddi. Bwriad y cyngor ydy ymuno'r ysgol wledig hon i greu ysgol drefol o dros dri chant a hanner o blant.

Ond ar ôl dros ddwy flynedd o ymgynghori a chyfarfodydd gyda'r cyngor, ma na dal gwestiynau heb eu hateb. Beth fydd yn digwydd i'r Ganolfan, sy'n gartref i lawer o gymdeithasau lleol? Beth fydd yn digwydd i'r Cylch Meithrin rhagorol sy'n bwydo'r ysgol? Pam nad ydy'r Cyngor wedi ystyried ffederaleiddio gydag ysgolion eraill, neu roi estyniad ac addasu'r ysgol bresennol?

Da ni'n derbyn fod yr ysgol drefol angen adeilad newydd gan eu bod yn llawn. Da ni'n cytuno'n llwyr efo symud efo'r oes. Da ni'n hefyd am sicrhau'r addysg orau i'n plant. Ond does dim rhaid cau ysgol wledig ac anghofio am y gorffennol. Mae gan gymuned Bodffordd hanes a diwylliant cyfoethog, a thrwy gau yr ysgol, bydd y pentref yn colli ei galon. A beth fydd effaith hyn ar yr Iaith Gymraeg yn y pentref?

Mae angen cyfuno'r hen a'r newydd drwy foderneiddio beth sydd gan bob ysgol wledig yn barod, a ffederaleiddio gydag ysgolion eraill er mwyn cynnal a chodi safonau. Dydy Cyngor Sir Ynys Môn ddim wedi ystyried yr holl bosibiliadau, ac mae hyn yn mynd yn groes i ysbryd Côt newydd Kirsty Williams. Dyna pam rydan ni'n cyflwyno'r ddeiseb yma heddiw..

Diolch yn fawr

Llinos roberts

Mae cyfyngiadau ar y ddogfen hon

P-05-828 Presumption in favour of rural schools – Correspondence from the Chair of Governors, Ysgol Gymuned Bodffordd, 18.09.18

As Chair of Governors for the above school I write to fully support the above petition.

As a County Councillor for the Canolbarth Mon ward I support the County Council's Schools Modernisation Programme. However, every case has to be treated on its merits and I am strongly of the opinion that the the case to close Ysgol Gymuned Bodffordd does not hold water.

To date the main driver on Anglesey resulting in school closures has been the high number of surplus places in a number of rural schools. However this is not the case in this instance. Ysgol Gymuned Bodffordd only has 1.6% of surplus places and there is no indication that future numbers are likely to fall. The primary reason for closing the school is because Ysgol Corn Hir, Llangefni is full to overflowing and therefore it is proposed that a new school should be built to accommodate the pupils of Ysgol Corn Hir and Ysgol Gymuned Bodffordd.

In the report presented to the Executive reference was made to other less compelling reasons for closing Ysgol Gymuned Bodffordd such as increased repairs and maintenance costs which I accept. However it was also stated that moving to a new school would also help to raise pupil performance, a view that is strongly refuted by the school governors.

The current School Organisation Code 2013 refers in section 1:7 of specific factors to be taken into account in the consideration of school closures:

"...in some areas, a school may also be the main focal point for community activity, and its closure could have implications beyond the issue of the provision of education. This may be a particular feature in rural schools if school buildings are used as a place to provide services to the local community".

This is certainly the case with Ysgol Gymuned Bodffordd as there is no community hall anywhere in the village other than the school hall ("Y Ganolfan") which is regularly used for various community activities. The Council has acknowledged that if the school closes there would be a need to collaborate with the community in order to identify a solution that would allow community activities to continue. However, it is not clear how that will be accomplished, especially given the fact that any business case would need to include proceeds from the sale of the site.

The aim of the Well-Being of Future Generations Act 2015 is to improve the economic, social, environmental and cultural well-being of Wales and a key goal to fulfil this aim is to build "cohesive communities". Ysgol Gymuned Bodfordd is the glue that binds the local community together and the fact that so many people have signed this petition is evidence of that fact. Yes we need a new primary school in Llangefni (and the Welsh Government should provide the necessary funds in full), but that should not mean closing this invaluable rural school.

Diolch/Thank-you.

Councillor Dylan Rees
Chair of Governors, Ysgol Gymuned Bodfordd

P-05-794 Gostwng yr Oedran Pleidleisio i Un ar Bymtheg

Cyflwynwyd y ddeiseb hon gan Sgiliau, ar ôl casglu 87 o lofnodion ar-lein.

Geiriad y ddeiseb:

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i ostwng yr oedran pleidleisio i un ar bymtheg ar gyfer yr etholiadau hynny lle y mae ganddo'r pwerau i wneud hynny.

Gwybodaeth ychwanegol:

Rydym yn byw mewn cymdeithas ddemocrataidd a dylai pob aelod ohoni feddu ar y gallu i fod yn gyfrifol am eu dewisiadau yn ein gwlad. Yn un ar bymtheg gallwch briodi, cael babi, a thalu trethi. Yn un ar bymtheg gallwch gyfrannu at economi'r wlad, ond ni allwch eto benderfynu sut y caiff arian cyhoeddus ei wario.

Etholaeth a Rhanbarth y Cynulliad

- Islwyn
- Dwyrain De Cymru

DATGANIAD YSGRIFENEDIG

Teitl: Blaenoriaethau'r Comisiwn o ran Diwygio'r Cynulliad yn dilyn canlyniad yr ymgynghoriad cyhoeddus "Creu Senedd i Gymru"

Dyddiad: 18 Gorffennaf 2018

Gan: Elin Jones AC, Llywydd, fel Cadeirydd Comisiwn y Cynulliad

Rhoddodd Deddf Cymru 2017 y pŵer i'r Cynulliad Cenedlaethol wneud penderfyniadau mewn cysylltiad â'n maint, ein henw a'n trefniadau etholiadol.

Mae gennym bellach gyfle i wneud ein senedd yn ddeddfwrfa sy'n fwy effeithiol, hygyrch ac amrywiol; i greu'r senedd genedlaethol y mae pobl Cymru yn ei haeddu i hybu eu buddiannau ac i ddwyn Llywodraeth Cymru i gyfrif.

Yr wythnos diwethaf, cynhaliodd Comisiwn y Cynulliad gyfarfod a **thrafodwyd canfyddiadau ei ymgynghoriad cyhoeddus ar ddiwygio etholiadol, sef "Creu Senedd i Gymru"**, a chytunwyd ar gamau nesaf y rhaglen waith hon.

Cynhaliodd y Comisiwn ymgynghoriad yn flaenorol ar enw'r sefydliad ac mae'r Aelodau eisoes yn ymwybodol o'r bwriad i ddeddfu i newid enw'r Cynulliad i Senedd Cymru / Welsh Parliament.

Rhoddodd Aelodau'r Cynulliad fandad i'r Comisiwn i gynnal ymgynghoriad cyhoeddus ar faterion sy'n ymwneud â chynyddu maint y Cynulliad a threfniadau gweithredol ac etholiadol cysylltiedig. Cynhaliwyd yr ymgynghoriad rhwng 12 Chwefror a 6 Ebrill 2018. Wrth wraidd yr ymgynghoriad roedd argymhellion y Panel Arbenigol ar Ddiwygio Etholiadol y Cynulliad, a roddodd inni gyngor cadarn, diduedd ynghylch nifer yr Aelodau y mae eu hangen ar y Cynulliad, systemau etholiadol addas, a'r oedran pleidleisio isaf ar gyfer etholiadau'r Cynulliad.

Roedd neges y Panel yn glir ynghylch capasiti'r sefydliad hwn i weithio er lles pobl Cymru, a daethpwyd i'r casgliad, â 6o Aelod yn unig, fod y Cynulliad yn rhy fach i gyflawni ei swyddogaethau yn effeithiol. Roedd adroddiad y Panel yn cynnig systemau pleidleisio addas y dylid eu hystyried er mwyn creu sefydliad mwy, sy'n fwy amrywiol, ac argymhellwyd y dylid lleihau'r oedran pleidleisio isaf i 16 oed.

Fe wnaeth yr ymgynghoriad cyhoeddus esgor ar drafodaeth â phobl a chymunedau yng Nghymru ynghylch sut y dylent gael eu cynrychioli a'u gwasanaethu yn y senedd hon yn y dyfodol. Roedd cryn ymdrech i wneud i'r broses ymgynghori honno fod mor hygyrch â phosibl. Yn ogystal â hyrwyddo ar-lein a mesurau hyrwyddo mwy traddodiadol, fe wnaethom gynnal cyfres o gyfarfodydd cyhoeddus ledled Cymru a roddodd gyfle i drafod a herio mewn modd adeiladol. Rwy'n ddiolchgar i bawb a gyfrannodd ac i'r rheini a gynorthwyodd i gynnal y cyfarfodydd hyn. Fe wnaethom hefyd drafod yn uniongyrchol â mwy na 400 o blant a phobl ifanc.

Cafwyd cyfanswm o 3,200 o ymatebion i'n hymgyngoriad, gan gynnwys 37 o ymatebion gan sefydliadau. Rwy'n ddiolchgar i bawb a ymatebodd am roi o'u hamser i ystyried effeithiolrwydd, cydnherthedd a chynaliadwyedd y sefydliad hwn a'r cyfle i ddiwygio etholiadau'r Cynulliad.



Byddwn yn cyhoeddi adroddiad manwl o ganlyniadau'r ymgynghoriad yn yr hydref pan fydd cyfle hefyd i'r Aelodau gynnig eu sylwadau yn y Siambr.

Yn y cyfamser, heddiw, rydym yn cyhoeddi **crynodeb o'r prif ganfyddiadau** sy'n dangos y cafwyd dros 1,800 o ymatebion i'r cwestiynau ynghylch maint y Cynulliad Cenedlaethol, ac roedd mwyafrif yn credu bod ar y sefydliad angen rhagor o Aelodau i ymgymryd â'i rôl yn effeithiol.

Roedd yn glir mai system y Bleidlais Sengl Drosglwyddadwy fyddai orau gan y rheini a ymatebodd i'r cwestiynau ynghylch sut y dylid ethol Aelodau'r Cynulliad. Roedd 54 y cant o'r rheini a ymatebodd i'r cwestiynau ynghylch y systemau a argymhellwyd gan y Panel Arbenigol yn cefnogi'r system honno, o gymharu ag 17 y cant o blaid Cynrychiolaeth Gyfrannol ar sail Rhestr Hyblyg ac 16 y cant o blaid y system bresennol, sef Cynrychiolaeth Gyfrannol Aelodau Cymysg. Roedd 13 y cant o'r ymatebion nad oeddent yn cefnogi yr un o'r tri system a gynigiwyd gan y Panel Arbenigol.

Roedd 59 y cant o'r ymatebion mewn cysylltiad â'r oedran pleidleisio isaf ar gyfer etholiadau'r Cynulliad yn nodi mai 16 oed y dylai fod, o gymharu â 39 y cant a ddywedodd mai 18 oed y dylai fod.

Roedd y mwyafrif helaeth o'r bobl a ymatebodd i gwestiwn ynghylch a ddylai'r un bobl gael bleidleisio yn etholiadau'r Cynulliad Cenedlaethol ac etholiadau llywodraeth leol yng Nghymru naill ai'n cytuno neu'n cytuno'n gryf.

Ymhlith y sawl a ymatebodd i gwestiwn ynghylch amrywiaeth, roedd cefnogaeth glir o blaid defnyddio'r cynnig i newid y system etholiadol er mwyn annog ethol Cynulliad sy'n gwir gynrychioli natur amrywiol y gymdeithas yng Nghymru. Roedd 52 y cant o'r ymatebion i'r cwestiwn ar wahân ar rannu swyddi Aelodau nad oeddent yn cytuno y dylai pobl allu sefyll i gael eu hethol ar y sail hon.

Yn ystod y broses hon, trafodwyd â phleidiau gwleidyddol yn barhaus. Hoffwn gydnabod y ffordd adeiladol y maent wedi cyfrannu at y trafodaethau hyn. Mae'n destun clod i'r pleidiau gwleidyddol eu bod wedi rhoi amser ac ymdrech i weithio drwy rai o'r materion pwysig hyn a chynnig eu syniadau ynghylch sut y gellir mynd i'r afael â'r materion hyn ac ennyn cefnogaeth o leiaf ddwy ran o dair o Aelodau'r Cynulliad Cenedlaethol.

Hoffwn ddiolch hefyd i bob un o'n rhanddeiliaid allweddol eraill—y gymuned etholiadol, prifysgolion, sefydliadau gwirfoddol, busnesau ac eraill—sydd nid yn unig wedi cyfrannu'n frwdfrydig at y broses ond sydd hefyd wedi helpu i annog trafodaeth ehangach ynghylch y materion hyn.

Mae'n hanfodol ein bod yn sicrhau lefel gyffredinol o gefnogaeth i bob un o'r meysydd diwygio cyn i ni, fel Comisiwn y Cynulliad, ofyn am fandad i ddeddfu ar y materion hyn. Â hyn oll mewn golwg, mae Comisiwn y Cynulliad wedi cytuno i ddull dau gam ar gyfer Diwygio'r Cynulliad.

O ran y maes allweddol cyntaf i'w ddiwygio—sef maint y Cynulliad, sut y dylid ethol Aelodau a pha ddull y dylid ei ddefnyddio er mwyn gwella amrywiaeth, er enghraifft trwy osod cwota rhywedd—mae'n glir bod angen caniatáu rhagor o amser i drafod hyn. Er imi fod yn hyderus, o'r trafodaethau a gafwyd hyd yma, ac o'r ymateb i'r ymgynghoriad cyhoeddus, bod cefnogaeth ddigonol o blaid cynyddu nifer Aelodau'r Cynulliad, nid oes consensws eto o ran y system bleidleisio y dylid ei defnyddio i ethol Aelodau i'r sefydliad mwy o faint.

Gan na allwn wneud penderfyniad ynghylch ethol rhagor o Aelodau heb benderfynu ar yr un pryd sut y cânt eu hethol, rhaid inni ganiatáu amser i'r trafodaethau hynny barhau dros y misoedd nesaf. Â'r pwysau cynyddol ar y senedd hon, yn ogystal â chyfrifoldebau ychwanegol, rwyf o'r farn bod angen inni fwrw ymlaen cyn gynted â phosibl. Fel y dywed Cadeirydd y Panel Arbenigol yn yr adroddiad, ni all y Cynulliad barhau fel ag y mae heb amharu ar ei allu i gyflawni er lles y bobl a'r cymunedau y mae'n eu gwasanaethu.



Felly, byddaf yn parhau â'm trafodaethau â'r pleidiau ynghylch y materion hyn, a byddaf yn rhoi diweddariadau pellach i'r Aelodau wrth i'r gwaith hwn ddod yn ei flaen.

Mae gennym gyfle gwych i greu'r newid sydd ei angen ar y Cynulliad hwn. Rwy'n annog yr holl bleidiau i wneud pob ymdrech i sicrhau bod hyn yn digwydd nawr. Yr unig ddewis arall yw derbyn y bydd senedd Cymru yn wynebu bron i ddegawd arall heb ddigon o bŵer.

Yr ail faes allweddol i'w ddiwygio yw pwy a gaiff bleidleisio yn etholiadau'r Cynulliad. Mae adroddiad y Panel Arbenigol yn ei gwneud yn glir y byddai lleihau'r oedran pleidleisio isaf ar gyfer etholiadau'r Cynulliad i 16 oed "yn ddull grymus o gynyddu ymwybyddiaeth wleidyddol a chyfranogiad mewn gwleidyddiaeth ymysg pobl ifanc". Rwy'n weddol hyderus ar yr adeg hon y byddai deddfwriaeth i weithredu argymhelliad y Panel yn ennyn cefnogaeth gan fwyafrif cyfforddus o Aelodau'r Cynulliad.

Mae hefyd yn glir o'r ymgynghoriad cyhoeddus bod y cyhoedd yn dymuno cael yr un drefn ar gyfer etholiadau'r Cynulliad Cenedlaethol ac etholiadau llywodraeth leol.

Bydd yr Aelodau'n ymwybodol ei bod yn fwriad gan Lywodraeth Cymru i leihau'r oedran pleidleisio isaf i 16 oed ar gyfer etholiadau nesaf awdurdodau lleol yn 2022. Mae'r Comisiwn yn credu er mwyn sicrhau'r lefel uchaf bosibl o ran cyfranogiad, y dylid gweithredu hyn ar gyfer etholiadau ein senedd genedlaethol i ddechrau. Mae hyn yn adlewyrchu casgliadau'r Panel Arbenigol ei bod yn "ddymunol, pe byddai'r etholfraint yn cael ei hymestyn yng Nghymru, ei bod yn cael ei defnyddio gyntaf yn etholiad y Cynulliad, gan fod hwnnw'n denu mwy o sylw" yn 2021.

Er mwyn sicrhau bod pobl ifanc yn cael eu hannog a'u cefnogi i ddefnyddio eu hawl i bleidleisio, byddai'n rhaid i ostwng yr oedran pleidleisio i 16 oed ddod law yn llaw ag addysg briodol mewn perthynas â gwleidyddiaeth a dinasyddiaeth a byddai'n rhaid codi ymwybyddiaeth. Byddwn yn cydweithio â Llywodraeth Cymru, y Senedd leuenctid a phartneriaid eraill i benderfynu sut orau i fodloni'r angen hwn.

Felly, gallaf gyhoeddi heddiw ein bwriad i ddeddfu i leihau'r oedran pleidleisio isaf, i newid enw'r Cynulliad Cenedlaethol i Senedd Cymru, i fynd i'r afael â materion o ran anghymhwysu a gwneud diwygiadau eraill i'r sefydliad. Yn yr hydref, bydd y Comisiwn yn gwneud penderfyniad ynghylch cwmpas y Bil gyda'r bwriad o ddeddfu i weithredu'r newidiadau hyn cyn etholiad 2021.

Yn y cyfamser, bydd y Comisiwn yn parhau i gydweithio â rhanddeiliaid a Llywodraeth Cymru er mwyn creu fframwaith cydlynol i Gymru o ran yr etholfraint ar gyfer etholiadau. Rwy'n ddiolchgar i Ysgrifennydd y Cabinet dros Lywodraeth Leol a Gwasanaethau Cyhoeddus a'r Prif Weinidog am eu parodrwydd i gydweithio â ni ar y mater hwn.

Mae tri maes arall a oedd wedi'u cynnwys yn yr ymgynghoriad, a gallaf amlinellu'r penderfyniad a wnaed gan y Comisiwn yn eu cylch.

Yn gyntaf oll, mae'r cwestiwn ynghylch ein rhwymedigaethau hawliau dynol o dan gyfraith ryngwladol mewn cysylltiad â chaniatáu i garcharorion bleidleisio. Mae'r materion cyfreithiol, moesegol, democrataidd ac ymarferol, a'r materion o ran hawliau dynol, sy'n gysylltiedig â rhoi'r bleidlais i garcharorion yn gofyn am ystyriaeth fanwl a phenderfyniad gwleidyddol. Rydym yn credu bod angen gwneud mwy o waith yn y maes hwn i ystyried tystiolaeth bellach, ac mae angen rhagor o amser nag sydd gennym i allu rhoi ystyriaeth iawn i'r dystiolaeth honno a'i chynnwys yn neddfwriaeth y Comisiwn. Fel deddfwrfa, rhaid inni gymryd ein rhwymedigaethau o ddifrif. Gan hynny, mae'r Comisiwn yn credu mai'r



dull cywir i ddechrau yw gwahodd y Pwyllgor Cydraddoldeb, Llywodraeth Leol a Chymunedau i ystyried cynnal ymchwiliad i archwilio'r mater a ddylai carcharorion o Gymru gael pleidleisio yn etholiadau'r Cynulliad Cenedlaethol.

Mae'r mater nesaf mewn perthynas â hawliau pleidleisio dinasyddion yr UE. Mae etholfraint y Cynulliad ar hyn o bryd yn rhoi'r bleidlais i ddinasyddion y Gymanwlad, dinasyddion Gweriniaeth Iwerddon neu ddinesydd perthnasol o'r Undeb Ewropeaidd. Er nad oes eglurder eto o ran manylion bargaen Brexit mewn perthynas â hawliau pleidleisio dinasyddion yr UE, mae Deddf yr Undeb Ewropeaidd (Ymadael) 2018 yn gwarchod hawl dinasyddion yr UE i bleidleisio yn etholiadau'r Cynulliad ac etholiadau llywodraeth leol ar ôl y diwrnod gadael. Felly, mae Comisiwn y Cynulliad yn fodlon nad oes angen dim camau pellach ar hyn o bryd i warchod hawl dinasyddion yr UE i bleidleisio yn etholiadau'r Cynulliad, ond fe fyddwn yn monitro'r sefyllfa o hyd. Yn flaenorol, mae Llywodraeth Cymru wedi nodi ei bod hefyd yn ystyried a ddylai'r hawl i bleidleisio mewn etholiadau lleol gael ei hymestyn i holl breswylwyr cyfreithlon Cymru, ni waeth beth fo eu dinasyddiaeth neu genedligrwydd, gan wireddu hynny o 2022 ymlaen. Mae'r rhain yn faterion cymhleth sy'n ymwneud ag egwyddorion cyfansoddiadol sylfaenol ynghylch yr hyn y mae'n ei olygu i fod yn ddinesydd, ac mae angen rhoi ystyriaeth fanwl i'r trefniadau gweinyddol y byddai eu hangen i roi effaith i ddiwygiad o'r fath. Ar y sail honno, mae Comisiwn y Cynulliad wedi penderfynu i beidio â deddfu am y tro i weithredu trefniadau tebyg ar gyfer etholiadau'r Cynulliad, ond bydd gennym ddiddordeb i weld cynigion Llywodraeth Cymru yn cael eu datblygu.

Yn olaf, y mater arall y mae Comisiwn y Cynulliad yn teimlo na ddylai ddeddfu yn ei gyloch ar hyn o bryd yw argymhelliad y Panel Arbenigol y dylid caniatáu i unigolion sefyll ar gyfer etholiad ar sail rhannu swydd. Nid oedd hwn yn benderfyniad hawdd i'w wneud ac rydym yn derbyn bod nifer o ffactorau sy'n gwneud hwn yn syniad deniadol—gan gynnwys y potensial sydd ganddo o ran ennyn amrywiaeth yn ein senedd. Rydym yn teimlo bod sawl rheswm pam na allwn fynd ati i gynnwys y cynnig hwn mewn deddfwriaeth. Rydym yn credu nad oes digon o gefnogaeth i'r syniad hwn ar hyn o bryd o fewn y Cynulliad ac ymhlith y cyhoedd, a bod angen rhagor o amser ar y rhai sydd o blaid rhannu swyddi i wneud eu hachos. Mae hwn yn faes polisi cymhleth sy'n gofyn am gryn dipyn o waith pellach er mwyn sicrhau y gellir ei weithredu'n effeithiol. Yn ogystal, mae'r cyngor cyfreithiol yr wyf wedi'i dderbyn yn bwrw amheuaeth ar gymhwysedd y Cynulliad hwn i wneud y newidiadau sydd eu hangen i weithredu'r polisi hwn, yn enwedig o ran caniatáu i Aelod sy'n rhannu swydd ddod yn Weinidog neu'n Ysgrifennydd Cabinet. Byddai gennyf amheun cryf ynghylch cyflwyno system a oedd yn creu dwy haen o Aelodau'r Cynulliad.

I gloi, hoffwn unwaith eto ddiolch i bawb sydd wedi trafod mor adeiladol a chadarnhaol â ni ynghylch y materion hyn, gan gydnabod bod ymgysylltiad pobl â'n sefydliad a thrwy hynny gryfhau'r gwaith craffu a chynrychiolaeth, er budd pawb y mae'r Cynulliad Cenedlaethol yn eu cynrychioli. Wrth ddatblygu'r strategaeth ddiwygio hon, rwy'n hyderus y gallwn barhau i ennyn cefnogaeth a hyder yn ein senedd, wrth inni gyflawni ein cyfrifoldebau i bobl Cymru.



Eitem 3.2

P-05-798 Gwasanaethau cymorth i ddynion sy'n ddioddefwyr trais yn y cartref i gael eu rhedeg a'u cyllido'n annibynnol

Cyflwynwyd y ddeiseb hon gan FNF Both Parents Matter Cymru ac ystyriwyd am y tro cyntaf gan y Pwyllgor yn ystod Chwefror 2018, ar ôl casglu 138 o lofnodion ar-lein.

Geiriad y ddeiseb

Gwasanaethau cymorth i ddynion sy'n ddioddefwyr trais yn y cartref i gael eu rhedeg a'u hariannu yn annibynnol ar Gymorth i Fenywod Cymru a'r holl fudiadau cysylltiedig.

Y diffiniad traws-lywodraethol o drais a cham-drin yn y cartref yw: "Unrhyw ddigwyddiad neu batrwm o achosion o ymddygiad, trais neu gamdriniaeth sy'n rheoli, yn gorfodi, yn bygwth, rhwng pobl 16 oed neu hŷn sydd, neu sydd wedi bod, yn bartneriaid agos neu'n aelodau o'r teulu, waeth beth fo'u rhyw neu rywioldeb."

Gall Cam-drin yn y Cartref effeithio ar unrhyw un. Mae mwy o ddioddefwyr/goroeswyr gwrywaidd yn chwilio am help, cyngor, cymorth a diogelwch nag erioed o'r blaen. Mae'n bwysig bod dioddefwyr gwrywaidd yn haeddu cymorth a chyllid annibynnol gan grwpiau penodol o ran rhywedd fel Cymorth i Fenywod Cymru a grwpiau cysylltiedig.

Mae dioddefwyr/goroeswyr gwrywaidd yn haeddu cymorth/help sy'n benodol i'w hanghenion, tra'n parhau i gynnal eu hurddas, a rhoi diogelwch iddynt hwy a'u plant sy'n gyfartal ac yn debyg i'r hyn y mae menywod yn ei dderbyn ar hyn o bryd.

Gwybodaeth ychwanegol

Mae'r ystadegau Cam-drin yn y Cartref cyfredol ledled Cymru a Lloegr yn nodi y bydd Cam-drin yn y Cartref yn effeithio ar 1 o bob 4 menyw ac 1 o bob 6 dyn yn ystod eu hoes.

Mae Cam-drin/Trais yn y Cartref yn broblem a all effeithio ar unrhyw un, felly oni ddylem fod yn:

"Rhoi pobl a'u plant yn gyntaf."

Nid oes mwy o fwlch o ran argaeledd gwasanaethau a chymorth yn seiliedig ar ryw person yn unig ar draws Cymru a'r DU.

Mae angen i agweddau newid oherwydd ni ddylai neb (a'u plant) barhau heb ddiogelwch a chymorth mewn modd mor gyhoeddus a chywilyddus oherwydd eu rhyw yng Nghymru, yn yr oes sydd ohoni.

Cefnogwch hyn i helpu i gefnogi eraill.

Etholaeth a Rhanbarth y Cynulliad

- Pen-y-Bont ar Ogwr
- Dwyrain De Cymru

Julie James AC/AM
Arweinydd y Tŷ a'r Prif Chwip
Leader of the House and Chief Whip



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-05-798
Ein cyf/Our ref JJ/00748/18

David John Rowlands AM
Chair - Petitions committee.
National Assembly for Wales
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7 August 2018

Dear David

Thank you for your letter of 23 July regarding the Petitions Committee - P-05-798 Male domestic violence victim support services to be independently run and funded.

A task and finish group of key stakeholders was set up to develop the commissioning guidance. Stakeholders on the group included Survivors Trust, which represents both male and female survivors of rape and sexual violence; and the umbrella organisation, Women's Aid. Women's Aid includes amongst its members Project Dyn, which supports male victims of domestic abuse. All members of the Task and Finish Group were encouraged to respond to the consultation on the commissioning guidance and Welsh Women's Aid actively encouraged all its members to respond, either collectively through Welsh Women's Aid or individually.

The consultation was also published online to encourage a wider response. My officials directly invited the male advocacy organisation, Families Need Fathers, to respond to this and another consultation on survivor engagement and this invitation was taken up.

The consultation, which ended on 22 June 2018, sought views for opportunities to improve arrangements for the prevention of violence against women, domestic abuse and sexual violence (VAWDASV); protection of victims of VAWDAV; and support for victims of VAWDASV. My Officials are currently analysing the responses, and will publish this analysis, which will inform a revision of the Regional Commissioning Guidance.

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Correspondence.Julie.James@gov.Wales

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

Tudalen y pecyn 164
We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

I remain committed to supporting all victims of domestic abuse, regardless of their gender or sexuality as set out in the Act.

Yours sincerely

A handwritten signature in blue ink that reads "Julie James". The signature is written in a cursive, flowing style.

Julie James AC/AM

Arweinydd y Tŷ a'r Prif Chwip
Leader of the House and Chief Whip



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18th September 2018

David Rowlands AM
Chair- Petitions Committee
National Assembly for Wales
Cardiff Bay
CF99 1NA

Dear David

Petition P-05-798 – Male domestic violence services

We are grateful to the Committee for allowing our charity to take over this petition. We are also grateful to Tom Embling who has now become a volunteer for our charity for agreeing to work with us on this important issue.

We have read the letter from the Leader of the House to the Committee dated 7th August 2018. We are grateful for her acknowledgement of our charity's role as a 'male advocacy organisation' in contributing to the development of a holistic strategy to counter VAWDASV

ABOUT US – Our charity has developed as a specialist DV support service for men over the past 18 months. We have initially focused on supporting men who face child contact difficulties as an aspect of the abuse they are suffering – helping more than 120 men to acquire Legal Aid to access the Family Court effectively.

WHAT WE'VE DONE – We have undertaken two consultation events with male victims in Carmarthen as part of the development of the Mid & West Wales VAWDASV strategy under the leadership of Rhian Bowen-Davies. We have also undertaken a wide ranging online consultation entitled 'Understanding Men' which received 728 responses from across the UK. Our referral forms completed by individuals accessing our support services across 10 locations in Wales from Carmarthen to Mold and Bangor to Newport enable individuals to identify whether they believe they

are suffering domestic abuse. Currently more than 60% of our male service users identify as 'victims' in this way.

In partnership with Swansea Council and the People's Postcode Trust we have launched a drop-in service for male victims in the Council offices – which we are delighted to say has been supported by the Leader of the House indicating that she will attend the official launch.

We have – through these channels – identified the following elements that we believe are central to ensuring appropriate and effective support for male victims of abuse and which inform and underpin the principles of this petition.

A focus on protecting women may have a negative impact on support for men

There is an almost total lack of information and understanding of the needs and experiences of men as victims of domestic violence and abuse in Wales. The Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015 has – perhaps understandably – had the effect of focusing work on domestic violence towards the experience of women.

The National Strategy produced in November 2016 identifies several priority groups – including women serving prison sentences, BME women and others. It fails to acknowledge the specific needs of men and may have inadvertently contributed to the problems.

Regional VAWDASV strategies seem to have almost completely ignored the needs of male victims of DV despite evidence produced by those bodies that identify a significant need and a very low rate of support for men (see later section on N.Wales and Gwent data)

Lack of engagement with male victims to inform service provision

Welsh Government funded 2 major pieces of work on understanding the experience of survivors – an important first step.

In 2016 Welsh Women's Aid were commissioned to undertake a major piece of work to understand the experience of survivors – entitled 'Are you listening and am I being heard?' This engaged with 66 survivors in focus groups and individual interviews across Wales. Just one of the individuals engaged was male – and he only took part by way of interview.

In 2017 Welsh Government made available funding to a range of local organisations to facilitate engagement with survivors. In this work 60 survivors were engaged – none of whom was male.

Lack of appropriate support services for men proportionate to their needs

Our charity sought to engage with as many of the regional collaborations to produce VAWDASV strategies as required by the VAWDASV (Wales) Act 2015. Data about the prevalence and experience of male victims was sketchy and inconsistent

North Wales (2015/16 data)

9177 women (77%)– 2694 men (23%)

were identified as victims of DV by North Wales Police

2401 women (98.7%) – 32 men (1.3%)

were supported by services in the area

SOURCE – North Wales VAWDASV Strategy 2017–2022 – Early 1st draft – Rhiannon Edwards

Gwent (2015/16 data)

14,500 women (64%)– 8,000 men (36%)

recorded by Gwent Police as victims

2478 women (97.3%) – 69 men (2.7%)

were supported by services in the area

SOURCE – Gwent VAWDASV strategy Needs Assessment – Nov. 2017

This data demonstrates that male victims are a significant proportion of the total who have reported AND been recorded by the Police yet they represent a tiny proportion of those supported. This seems to highlight a colossal gap in provision which doesn't appear to have been focused on in the final regional strategies.

Services for male victims must be grounded in their experience and safely separated from services for women.

The National Strategy –Objective 6 – states '**Provide victims with equal access to holistic, appropriately resourced, high quality, needs led, strength based, gender responsive services across Wales'**

We warmly welcome the aspiration set out in this Objective – specifically

highlighting the importance of gender responsive services. We have engaged with Welsh Government officials, a number of Local Authorities and with Third Sector organisations who currently provide DV support services and who are grounded in the experience of women and are members of Welsh Women's Aid.

Data from Live Fear Free helpline – run by Welsh Women's Aid on behalf of Welsh Government shared with our charity at the Male Victims Workshop in Bridgend on 25th April showed that men were just 4% of the total calling the service

2014/15 – 234 male callers

2015/16 – 214 male callers

2016/17 – 216 male callers

This would seem to indicate that Welsh Women's Aid have not been successful in reaching men in proportionate numbers, and may indicate that services that attempt to provide a gender neutral approach are unlikely to be effective.

We respectfully suggest that 'Women's Aid' organisations are not best placed to be a credible representative provider of support for male victims. This is because of the gendered nature of Domestic Violence and Abuse which has been almost universally accepted by academics, organisations and service providers. We remain concerned that commissioning such organisations to provide support to men fails to take account of the needs and wishes of male survivors and has the unintended consequence of preventing services grounded in men's experience from developing. We are also concerned that allowing 'feminist' organisations to use public funds for work with male victims may represent an inappropriate use of public funds and also undermine their focus and credibility with female survivors who still represent the majority of those experiencing abuse.

Our 'Understanding Men' survey (n728) asked the question of male survivors *'How important is it that services for male victims should be grounded in the experience of men and separated from services primarily designed for women?'* This question was answered by 559 individuals.

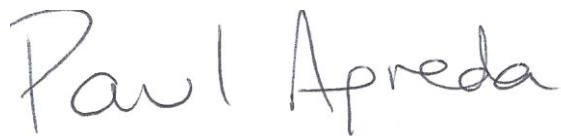
82.3% (n.460) stated that this was Essential or Very Important

11.8% (n.66) stated that they Don't Mind

5.9% (n.33) stated it was Not Important

We believe that the Petitions Committee can significantly contribute to ensuring that gender specific services are developed and funded for male victims that also recognise the value of the excellent work currently being undertaken by organisations who are members of Welsh Women's Aid or contribute to a feminist perspective of domestic violence and abuse when supporting, helping and advocating for the interests of female survivors. We would welcome their contribution to the debate on this Petition in terms of why some of them feel that they are best placed to also support male victims. We also wish to acknowledge the initiatives from Cardiff, Vale of Glamorgan and Bridgend to commission dedicated services for male victims of abuse.

We would be happy to work with the Committee and provide any further information Members require.

A handwritten signature in black ink that reads "Paul Apreda". The signature is written in a cursive, slightly slanted style.

Paul Apreda

National Manager

FNF Both Parents Matter

P-04-399 Arferion lladd anifeiliaid

Cyflwynwyd y ddeiseb hon gan Royce Clifford ac ystyriwyd am y tro cyntaf gan y Pwyllgor yn ystod Mehefin 2012, ar ôl casglu 400 o lofnodion ar bapur.

Geiriad y ddeiseb

Galwn ar y Cynulliad Cenedlaethol i annog Llywodraeth Cymru i wahardd yr arfer o ladd anifeiliaid heb eu llonyddu i ddechrau.

Eitem 3.4

P-04-433 Teledu Cylch Cyfyng mewn Lladd-dai

Cyflwynwyd y ddeiseb hon gan Animal Aid ac ystyriwyd am y tro cyntaf gan y Pwyllgor yn ystod Tachwedd 2012, ar ôl casglu 1066 o lofnodion.

Geiriad y ddeiseb

Rydym yn galw ar y Cynulliad Cenedlaethol i annog Llywodraeth Cymru i'w gwneud yn orfodol i osod teledu cylch cyfyng mewn lladd-dai er mwyn helpu milfeddygon i reoli a monitro yn well, darparu deunydd ffilm er budd hyfforddiant ac ail-hyfforddi, atal cam-drin anifeiliaid, fel y ffilmiwyd gan Animal Aid, ac fel tystiolaeth ar gyfer erlyniad mewn achosion o gam-drin.

Lesley Griffiths AC/AM
Ysgrifennydd y Cabinet dros Ynni, Cynllunio a Materion Gwledig
Cabinet Secretary for Energy, Planning and Rural Affairs



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-04-399
Ein cyf/Our ref LG/01473/18

David John Rowlands AM
Chair - Petitions committee.
National Assembly for Wales
Cardiff Bay
Cardiff Bay
CF99 1NA

government.committee.business@wales.gsi.gov.uk

18

August 2018

Dear David

Thank you for your letter of 30 July, regarding petitions on the installation of CCTV in Welsh slaughterhouses. I appreciated the opportunity to attend the committee on 3 July, to discuss the petitions and answer the questions presented to me.

I can confirm that I am happy to reference the good practice guidance on installing CCTV in Welsh abattoirs produced by the Food Standards Agency in future correspondence and it will be associated with the Food Business Investment Scheme and used by the business partners working to support that scheme.

In March I issued a letter to all Food Business Operators of small and medium sized slaughterhouses, informing them of the Food Business Investment Scheme and the support that will be made available for the installation of CCTV. Abattoirs that do not apply for grant funding will continue to be monitored closely through the controls already in place which ensure animal welfare standards remain high in Welsh slaughterhouses.

Regards
Lesley

Lesley Griffiths AC/AM
Ysgrifennydd y Cabinet dros Ynni, Cynllunio a Materion Gwledig
Cabinet Secretary for Energy, Planning and Rural Affairs

Bae Caerdydd • Cardiff Bay
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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

Tudalen y pecyn 173

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



September 18th 2018

Dear Petitions Committee,

Thank you for your continued interest in the campaign for CCTV in Welsh slaughterhouses.

Since we were last in touch, Animal Aid has placed fly-on-the-wall cameras inside another (English) slaughterhouse – PJ Hayman in Devon. This is a small, low-throughput abattoir which was found to have considerable welfare problems, including:

- failure to secure the heads of cows in the stun box, which increases the risk of the captive bolt missing its target and the animals needing to be shot more than once
- a worker hitting a cow with a pipe and trapping the head of another in a doorway to try and prevent her from entering the box
- workers checking for signs of consciousness only when the vet is present

We have reported these issues and handed over our footage to the Food Standards Agency (FSA). At this time, we understand that the FSA are investigating with a view to a potential prosecution.

These problems came to light only as a result of Animal Aid's cameras, which are – to all intents and purposes – independently monitored CCTV cameras. This is further proof of their value in driving up standards and driving out cruelty.

That the Minister in her most recent letter to the Committee is encouraging small and medium-sized slaughterhouses to install cameras is most welcome. Over the years, we have been assured by regulators that welfare is generally better in small slaughterhouses but evidence obtained by Animal Aid's fifteen undercover investigations does not bear this out. And while we thank the Minister for her actions to promote voluntary uptake for CCTV, we should remind her that the voluntary system did not work in England, which is why Defra finally acted to make cameras mandatory.

And finally, there is an inherent contradiction in the Minister's letter. She wrote that: 'Abattoirs that don't apply for grant funding will continue to be monitored closely through the controls already in place.' Our investigations have revealed that without independently monitored cameras, close monitoring of behaviours and processes is simply not possible.

Animal Aid will continue to press for mandatory cameras in all Welsh slaughterhouses, with independent monitoring of the footage.

Kind regards,
Kate Fowler

P-04-433 CCTV in Slaughterhouses – Correspondence from David Grimsell to the Chair, 05.09.18

Mr David Rowlands
Chair
Petitions Committee
Welsh Assembly

By email 5th September 2018

Dear Mr Rowlands

re Petition concerning mandatory CCTV in slaughterhouses (Petition P-04-433)

At the Petitions Committee meeting of 3rd July 2018 the Committee discussed the above petition. In attendance were Lesley Griffiths, Cabinet Secretary, and Christianne Glossop, Chief Veterinary Officer, and I believe the session was referred to as an ‘evidence’ session. However, there was little evidence presented by either in my view to support the Government’s current position of not requiring mandatory installation of CCTV in Welsh slaughterhouses.

The Cabinet Secretary implied that the majority of slaughterhouses in Wales have CCTV. It is important to note that this far from guarantees that such CCTV is effectively and comprehensively located to detect welfare problems, or that footage obtained is accessible to relevant officials.

Ms Griffiths also sought to imply that only a minority of animals are slaughtered in premises without CCTV. Even were CCTV to be effectively sited and used where it is held, this is hardly an argument not to require installation of CCTV in all, as the ‘minority’ still constitutes many tens of thousands of animals even within Wales – and each deserves protection.

The Cabinet Secretary has also sought to imply that she has no evidence of welfare at slaughter issues. She referred at the meeting to there only being ‘some speculation’, yet this is very disingenuous indeed. In England thorough undercover investigations revealed that in 13 out of 14 slaughterhouses investigated there were serious and widespread breaches of welfare regulations and, in many cases, overt cruelty. This evidence was supplied to the Food Standards Agency and prosecutions have followed from it. While it is true that similar undercover investigations have not been undertaken in Wales, it is overwhelmingly likely that similar problems exist here too. After all Welsh slaughterhouses process very large numbers of animals,

they do so using plants that operate as those in England do, they have the same purported 'controls' administered by the Food Standards Agency, and they are even often run by the same companies.

Lesley Griffiths has presumed to date to ignore this evidence (as has the Welsh abattoir industry which simply disregards it), as well as the collective views of the Food Standards Agency, Official Veterinarians working in slaughterhouses, the British Veterinary Association and the RSPCA that CCTV is a very useful tool to prevent welfare abuses in slaughterhouses and should be a requirement.

It is not acceptable that animals in Wales at the time of slaughter are not offered the maximum protection. It is also not acceptable that the Cabinet Secretary should presume to collude with industry interests alone – ignoring public concern and that of the agencies above, at the expense of animal welfare.

The Committee will be aware that compulsory CCTV is now a requirement in England, and is very likely to become so in Scotland too once their consultation is finalised.

Some funding to be used or not to facilitate CCTV, without requirements relating to siting and usage, without requirements relating to access and monitoring of footage and on a voluntary basis avoids the issue and fails to comprehensively protect the welfare of animals at slaughter in Wales.

I urge the Committee not to close this petition, and to remain alert to the need to apply pressure for Wales to actually adopt high animal welfare standards rather than simply to claim this. Wales is already well behind England and Scotland in this regard.

Thank you for your attention.

David Grimsell
Welsh citizen

P-05-717 Establish Statutory Public Rights of Access to Land and Water for Recreational and Other Purposes.

This petition was submitted by Waters of Wales – WoW, having collected 3,045 paper signatures and 433 paper signatures – Total = 3,478

Text of the Petition

We call on the National Assembly for Wales to urge the Welsh Government to implement a Bill to establish statutory public rights of access to land and water for recreational and other purposes. The bill should enshrine access rights and responsibilities for the public in the same way that the 2003 Land Reform (Scotland) Act encourages co-operative use of the outdoors for healthy, low impact recreation. This Bill must enshrine public rights of navigation for inland water, and permit access to and along water. It must remove the lack of legal clarity and restrictions which act as a barrier to sport and recreation and the promotion of Wales as a welcoming place for healthy recreation, tourism and adventurous activity at all levels of participation and enjoyment.

Additional information

The Countryside and Rights of Way (CRoW) Act 2000 (i) was intended to deliver much-needed public access to the countryside. Before CRoW was enacted, however, it had already been stripped of many of its intended public benefits. For example, it sought to exclude the public from inland water. CRoW was complicated, expensive, and fails to deliver the access to land and water needed by the wider public. The CRoW mapping exercise alone cost nearly £8m, to address the needs of the small percentage of the public who want to access upland areas. Welsh Government took ownership of this issue in 2009 (ii), yet at the end of 2015, recreational access to land fails to meet the needs of the wider public, and the issue of access to water has not progressed. To the contrary, costly initiatives endorsed and supported by Welsh Government have led in some cases to reduced access to inland water. Two successive Welsh Governments have acknowledged the need for change, but instead chose a process which serves only to maintain the status quo. Welsh Government's 3-year process costing at least £2.4m has, by their own admission, not delivered. Rather, it has demonstrably reduced access opportunities, for example to inland

water. Scotland implemented a permanent solution through land reform legislation (iv) for the legislative cost of £200,000, with a final cost of approx. £3m including the cost of television campaigning and public education (v).

(i) Countryside and Rights of Way Act(2000)

<http://www.legislation.gov.uk/ukpga/2000/37/contents/enacted>

(ii) Report of the Petitions Committee's Short Inquiry into Access along Inland Water, March 2009 (iii)

https://dl.dropboxusercontent.com/u/62377602/Welsh_Government_Letter_RefTOJG0126513_16Oct2013.pdf (iv) Land Reform (Scotland) Act 2003

<http://www.legislation.gov.uk/asp/2003/2/contents/enacted>

(v) LAND REFORM (SCOTLAND) BILL–EXPLANATORY NOTES (AND OTHER ACCOMPANYING DOCUMENTS)

http://www.scottish.parliament.uk/S1_Bills/Land%20Reform%20%28Scotland%29%20Bill/b44s

Hannah Blythyn AC/AM
Gweinidog yr Amgylchedd
Minister for Environment



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-05-717
Ein cyf/Our ref HB/00752/18

David John Rowlands AM

government.committee.business@wales.gsi.gov.uk

24 August 2018

Dear David,

Thank you for your letter dated 27 July regarding the Petition P-05-717 Establish Statutory Public Rights of Access to Land and Water for Recreational and Other Purposes.

The proposals on access within the Sustainable Management of Natural Resources consultation generated a lot of interest and initiated wider debates across different sectors.

Rural areas and interests are facing significant changes and uncertainty as a result of the UK's decision to withdraw from the European Union. I do not intend to add further uncertainty and complexity to what may be a difficult transition for all concerned which is why I have said now is not the right time for substantive access reform. The consultation has been an extremely valuable exercise to inform the direction I want to take with regard to access, both through legislation and other means. I will provide further detail on the reform and the approach I believe is necessary when I formally respond to the consultation later this year.

My officials will continue their engagement on the access proposals through established groups such as the National Access Forum. The nature of future engagement will be shaped by my response to the consultation. However, I expect the need to draw on the valuable knowledge and experience of the National Access Forum to shape the best ways of utilising and also protecting our countryside will continue.

Yours Sincerely,

Hannah Blythyn AC/AM
Gweinidog yr Amgylchedd
Minister for Environment

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

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



18th September 2018

Dear Petitions Committee Members

We welcome the opportunity to respond to the letter from Hannah Blythyn AM, Minister for Environment, dated 24 August 2018, in which the Minister states: **“Rural areas and interests are facing significant changes and uncertainty as a result of the UK’s decision to withdraw from the European Union. I do not intend to add further uncertainty and complexity to what may be a difficult transition for all concerned which is why I have said now is not the right time for substantive access reform.”**

This is strangely discordant with the statement made earlier this year by Carwyn Jones AM and Lesley Griffiths AM: **“Leaving the EU presents significant challenges, but we have a unique opportunity to put in place bespoke Welsh policy which delivers for our economy, society and natural environment. We must take it.”**ⁱ

By failing to recognise the part that legislation to open up access to the countryside has to play in the bigger picture of the relationship between agriculture, wider society and government as we approach Brexit, Welsh Government is in danger of missing a generational opportunity to comprehensively and sustainably meet the needs of the public, the environment and land managers. Far from adding complexity and uncertainty, the legislation called for in our petition will remove the complexity and uncertainty which has, to date, prevented progress in addressing the needs of society, and hampered land managers in their work.

Comprehensive, future-proof, access legislation, will complement the aspirations expressed by Carwyn Jones AM and Lesley Griffiths: **“There is an overwhelming case for supporting land managers and this paper puts forward our proposals for ambitious reform”**¹.

...contd/

Waters of Wales (WoW) is a community of independent campaigners for legislation enshrining public rights of responsible access to inland water in Wales.

Mae DC (Dyfroedd Cymru) yn gymuned o ymgyrchwyr annibynnol ar gyfer deddfwriaeth sy'n corffori hawliau cyhoeddus i yfed iad cymru i ddyrffyrdd mewndirol yng Nghymru.



admin@watersofwales.org.uk

/contd...

The potential contribution of the legislation called for in our petition goes beyond supporting land managers, in terms of “delivering Wales’ unique legislative framework in the Well-being of Future Generations (Wales) Act 2015ⁱⁱ and the Environment (Wales) Act 2016ⁱⁱⁱ”. The ‘Bluespace Antidote’ to the stresses and pressures of modern life is well documented. Almost everyone enjoys and derives benefit from being in, on or near water. The potential economic importance of outdoor/activity/adventure tourism is equally well documented. The appendix to this letter summarises the potential of access reform to enhance and strengthen current and future initiatives towards compliance with Wales’ Future Generations and Environment legislation.

Finally, the Minister’s letter goes on to say: ***“The consultation has been an extremely valuable exercise to inform the direction I want to take with regard to access, both through legislation and other means. I will provide further detail on the reform and the approach I believe is necessary when I formally respond to the consultation later this year.”***

In response to this element, we can only re-iterate that the Minister’s written statement dated 19 June 2018, totally fails to take on board the needs of the petition, or to address any aspect of access to and along inland water. Furthermore, there is nothing in the Minister’s June statement or subsequently, which gives any cause for confidence that access to inland water will be addressed in the foreseeable future.

It is our view that the petition has yet to be addressed in any meaningful way.

Yours sincerely

Pam Bell, Bob Mackay, Andy Quick
for Waters of Wales – WoW.

Waters of Wales (WoW) is a community of independent campaigners for legislation enshrining public rights of responsible access to inland water in Wales.

Mae DC (Dyfroedd Cymru) yn gymuned o ymgyrchwyr annibynnol ar gyfer deddfwriaeth sy’n corffori hawliau cyhoeddus i fynedol cyffwrdd dyfyniwrdd mewndirol yng Nghymru.

Tudalen y pecyn 181



Appendix – The relationship between access legislation and Brexit legislation

Recognising that “It may not be possible for every farm business to be economically resilient in every post-Brexit trade scenario”¹, Welsh Government are proposing the creation of a new income stream through the **Public Goods Scheme**.

Welsh Government says it will consider supporting six public goods, one of which is ‘Heritage and Recreation’. The consultation document also illustrates the high proportion of GVA generated in Wales by tourism¹, and the role of physical activities in generating employment and reducing long-term health costs¹. Surprisingly, the consultation document has little to say on Heritage and Recreation, compared to the other five public goods.

Public access, *per se*, is a public good. Furthermore the health and well-being benefits of recreation near, on and along water are acknowledged and well documented.

Addressing the need for public access to water and waterside **equally** alongside other public goods will:

- Enable the public equitably to enjoy the health and well-being benefits of recreation in, on or beside water;
- Maximise the potential for recreational access to drive public engagement in the protection and preservation of our natural environment;
- Empower Welsh Government to create, enhance and increase opportunity for rural business to develop new income-streams, based on provision of public goods such as are associated with access to water;
 - Increased opportunities for diversification, enabling landowners and/or tenants to benefit directly from initiatives to provide facilities for recreational access users e.g. parking or camping.
 - Considerable potential for opportunities arising from public access, including accommodation, food provision, boost to local retailers and development of facilities and amenities which can be enjoyed by local residents as well as tourists.
 - Creation of opportunities for production of public goods, in terms of health, well-being and environmental benefits of public recreation, ownership and stewardship of land and water.

Progress to date has been hampered by conflict, challenges and ‘red tape’ arising from the complexity, constraints, and lack of clarity in the law relating to access to inland water. For optimum provision of public goods relating to outdoor recreation, Welsh Government needs to address the uncertainty, lack of clarity, and resultant potential for conflict.

Waters of Wales (WoW) is a community of independent campaigners for legislation enshrining public rights of responsible access to inland water in Wales.

Mae DC (Dyfroedd Cymru) yn gymuned o ymgyrchwyr annibynnol ar gyfer deddfwriaeth sy'n corffori hawliau cyhoeddus i yrru cerbydau i ddyffwrdd mewndirol yng Nghymru.



Waters of Wales – WoW formally asked Welsh Government, in 2015, to obtain a definitive statement of the legal position, and they replied that they are unable to do so^{iv}. While continuing to state that the law is unclear, Welsh Government predicates its strategy on one interpretation; namely, that there is no general public right of navigation on inland water, while ignoring the alternative view, based on a wealth of historical evidence, that there is, at common law, a public right of navigation on all rivers which are physically capable of navigation^v.

The stalemate makes a fair and equitable solution impossible to achieve.

The Welsh Assembly Petitions Committee acknowledged in 2009^{vi} that comprehensive legislation for open access, could provide a solution for Wales. Given that so much time has been lost already, within the timescale of the Brexit legislation, Welsh Government could now take the following interim steps to redress the inequality and maximise the ‘Public Goods’ attached to open access.

- (i) make an unequivocal policy statement that Wales’ waters need to be shared on an open and equal basis;
and
- (ii) require that all publicly-funded arrangements relating to access to water are made on the assumption of a general public right of navigation.

The above would empower Welsh Government to make available ‘Public Goods’ funding to land managers who facilitate access to/egress from the water.

“Land managers can adapt but it is government’s role to support change”

WG Consultation: Brexit and our land: Securing the future of Welsh farming

ⁱ Welsh Government 2018 consultation document ‘Brexit and our land: Securing the future of Welsh farming.

ⁱⁱ <https://futuregenerations.wales/about-us/future-generations-act>

ⁱⁱⁱ <http://www.legislation.gov.uk/anaw/2016/3/contents/enacted>

^{iv} A petition urging the Welsh Assembly Government to obtain a definitive legal declaration in relation to the existence of the Public’s Rights to Navigate the inland waters of Wales, was submitted but not accepted.

^v The Common Law Public Right of Navigation: <https://1drv.ms/b/s!AvvhfAJqO9K8go5dUpYVQGxLVn-4cA>

^{vi} Access Along Inland Water. https://1drv.ms/b/s!AvvhfAJqO9K8gdNGVhyWxU6_ppkwcg

Waters of Wales (WoW) is a community of independent campaigners for legislation enshrining public rights of responsible access to inland water in Wales.

Mae DC (Dyfroedd Cymru) yn gymuned o ymgyrchwyr annibynnol ar gyfer deddfwriaeth sy’n corffori hawliau cyhoeddus i fynedol cyffwrdd dyfyniwydd mewn dirol yng Nghymru.

Eitem 3.6

P-05-796 Galw ar Lywodraeth Cymru i wahardd yr arfer o ddefnyddio anifeiliaid gwyllt mewn syrzasau yng Nghymru

Cyflwynwyd y ddeiseb hon gan Linda Evelyn Joyce Jones ac ystyriwyd am y tro cyntaf gan y Pwyllgor yn ystod Ionawr 2018, ar ôl casglu 6,398 o lofnodion.

Geiriad y ddeiseb

Rydym yn galw ar Gynulliad Cymru i ofyn i Lywodraeth Cymru wahardd defnyddio anifeiliaid gwyllt mewn syrzasau yng Nghymru. Mae Lles Anifeiliaid (ac eithrio hela ac arbrofi ar anifeiliaid) yn fater datganoledig yng Nghymru.

Ym mis Rhagfyr 2015, dywedodd Rebecca Evans AC (y Dirprwy Weinidog Ffermio a Bwyd ar y pryd), "Mae Llywodraeth Cymru o'r farn nad oes unrhyw le i anifeiliaid gwyllt mewn syrzasau".

O dan ei chyfarwyddyd hi, comisiynodd Llywodraeth Cymru adroddiad annibynnol a chafwyd tystiolaeth gan dros 600 o arbenigwyr yn y maes. Cyhoeddwyd yr adroddiad hwn ym mis Gorffennaf 2016, ac roedd y casgliadau'n glir.

Yn ôl yr adroddiad, mae'r dystiolaeth wyddonol yn dangos nad yw syrzasau teithiol sy'n defnyddio anifeiliaid gwyllt yn bodloni'r gofynion lles a nodir o dan Ddeddf Lles Anifeiliaid 2006.

Mae'r adroddiad hefyd yn datgan "Nid yw bywyd anifeiliaid gwyllt mewn syrzasau a swau teithiol yn "fywyd da" nac yn "fywyd sy'n werth ei fyw". Ym mis Rhagfyr 2016, dywedodd Lesley Griffiths AC (Ysgrifennydd y Cabinet dros yr Amgylchedd a Materion Gwledig) fod Llywodraeth Cymru yn gweithio tuag at sefydlu system drwyddedu, debyg i honno sy'n cael ei rhedeg gan DEFRA yn Lloegr ar hyn o bryd. Dylid nodi bod Llywodraeth y DU wedi rhoi'r system hon ar waith yn 2011 fel mesur dros dro hyd nes y gellid gwaharddiad yr arfer.

Mae'r dogfennau trwyddedu sydd ar gael i'r cyhoedd eu gweld yn dangos yn glir fod y system drwyddedu hon yn methu yn ei hymdrech i ddiogelu

anifeiliaid. Mae'r ddwy syrcau anifeiliaid sydd wedi'u trwyddedu o dan DEFRA ar hyn o bryd wedi torri amodau eu trwyddedau droeon, ac mae eu trwyddedau wedi'u hatal ar ryw adeg neu'i gilydd.

Mewn arolwg a gynhaliwyd gan RSPCA Cymru, roedd 74% o bobl Cymru yn awyddus i'r arfer hwn gael ei wahardd. Cyflwynodd y corff hwn hefyd ddeiseb i Bwyllgor Deisebau Cynulliad Cymru yn 2015.

Etholaeth a Rhanbarth y Cynulliad

- Arfon
- Gogledd Cymru

STATEMENT BY THE WELSH GOVERNMENT

TITLE **The Legislative Programme**
DATE **17 July 2018**
BY **Rt. Hon. Carwyn Jones, the First Minister**

Llywydd, it is with pleasure that I can today announce the Bills which this government will bring forward over the next 12 months.

The year ahead will be one of the busiest in legislative terms since Wales gained primary law-making powers. As the UK prepares to leave the European Union, there will be a significant amount of work for this Assembly to undertake between now and March if we are to have a fully-functioning statute book at the point of exit.

This will be a challenging time and the legislative workload associated with leaving the EU should not be underestimated.

The Assembly will need to deal with a substantial programme of correcting regulations under the EU (Withdrawal) Act between October and March. We will continue to keep under review the need for Brexit-related Bills over the coming 12 months and it is likely that a number of UK Brexit Bills will require the consent of this Assembly.

As far as possible, we must not allow this Brexit workload to limit our legislative ambitions. But we must be flexible and be ready to adapt our legislative programme, should the need arise.

Llywydd, the Welsh Government has taken the lead in protecting children's rights. We have enshrined the United Nations Convention on the Rights of the Child in the landmark Rights of Children and Young Persons Measure.

We will continue to act to protect children and children's rights and will introduce a Bill to remove the defence of reasonable punishment.

This legislation will support children's rights by prohibiting the use of physical punishment. We have consulted widely and the responses from the public, parents and young people will help to shape our proposals.

Llywydd, this government believes that Welsh law should be clear and accessible; not just now but in the long term. We have started a programme to consolidate and codify Welsh law but this will be a long journey.

Achieving a clear, available and well-organised statute book will take many years – we must ensure we make steady and enduring progress.

We will therefore bring forward a Bill that commits the government to improve the accessibility of Welsh law and make provision about how Welsh legislation is to be interpreted.

Llywydd, I announced last year that we would bring forward a local government Bill. This Bill will be introduced in the coming year and will include the reform of local authority electoral arrangements, including extending the franchise to 16 and 17-year-olds.

It will also include legislation related to the outcome of our recent local government Green Paper consultation. The Cabinet Secretary for Local Government and Public Services will make a detailed statement about this and the Bill later this afternoon.

Llywydd, this government wants to ensure that quality is at the heart of our NHS. In the rare event that something goes wrong – and unfortunately in a system which relies on people working under intense pressure occasionally things will go wrong – we want a health service which is open and transparent and able to learn from its mistakes.

We will therefore bring forward legislation to establish a duty of quality for the NHS in Wales and a duty of candour for health and social care.

A duty of candour would place statutory obligations on all health organisations in Wales to be open and transparent, set out a process which must be followed when things go wrong and people suffer harm.

This Bill will also establish a new independent body to represent the citizens' voice, ensuring people have a stronger, voice that reflects their experiences of health and social care services. It will also include proposals to require NHS trust boards to appoint a vice chair.

Finally Llywydd, we will bring forward a Bill to ban the use of wild animals in travelling circuses.

Animal welfare is a priority for this government and the way we treat animals is an important reflection of the values of our society. Circuses are legitimate businesses and it is not our intention to outlaw all forms of circus entertainment in Wales.

But the use of wild animals in this context is outdated and ethically unacceptable. We will prohibit their use in travelling circuses in Wales.

Llywydd, I delivered my first legislative statement as First Minister a little over eight years ago. This statement will be my last. I trust you will allow me to reflect on what this government has achieved in that time.

Housing has been – and continues to be – a priority for the Welsh Government. We have taken measures to protect tenants and prevent homelessness. We have ended the right to buy in Wales, protecting our stock of social and council housing.

The Renting Homes (Fees) Bill, which is currently being scrutinised by the Assembly, will, if passed, ban letting agents from charging fees to tenants, removing barriers to entering and moving within the private rented sector.

We have undertaken major reforms of the social care system in Wales. We have legislated to drive up hygiene standards by making it compulsory for food businesses to display their scores on their doors, and the Active Travel Act will reform how we plan and build infrastructure for walking and cycling in Wales.

Wales has a long and proud tradition of radical action in public health – this institution was the first in the UK to vote to ban smoking in public places and we were the first to ban smoking in cars when children are present.

Llywydd, I'm proud of what we have achieved by working together in this Assembly to protect public health in Wales – improvements in the provision of public toilets; a licensing regime for tattooing and piercing; a ban on intimate piercing for under 18s; a ban on unmanned sunbeds and a minimum unit price for alcohol.

The Human Transplantation Act was truly groundbreaking and is saving lives. It's another example of how Wales has led the way in the UK, changing the system of consent for organ donation to increase the number of organs available for transplantation.

But this is not the only new ground we have broken. The Violence against Women, Domestic Abuse and Sexual Violence Act is improving protection and support for victims.

And the Wellbeing of Future Generations Act is driving public bodies, including government, to plan and deliver in a sustainable way to improve the social, economic, environmental and cultural wellbeing of Wales.

Llywydd, when necessary we have used our legislative powers to protect devolution.

Through the Agricultural Sector Act, the Trade Union Act, and most recently the Law Derived from the European Union Act – this government has ensured that when the interests of Wales are threatened by the actions of the UK Government, we have deployed the tools at our disposal to stand up for Wales.

During my time as First Minister our devolution settlement has not stood still. Using our legislative programme, we have we have delivered our new Welsh taxes – the first for almost 800 years – and the Welsh Revenue Authority.

Llywydd, there are many more Acts that I could mention, but what is clear is how much has been achieved in that time. All the Acts I have mentioned may have been proposed and introduced by government but they have been shaped by stakeholders and improved by the scrutiny of this Assembly.

We have always worked across this Chamber to ensure our legislation is the best it can be and to ensure it improves the lives of the people of Wales. We will continue to do that on the government Bills currently before the Assembly, and those I have announced today.

This may be my last legislative statement but a full legislative programme delivering on this government's commitments, including a Bill in relation to the Welsh language, will be announced next year,

Llywydd, I commend this legislative programme to the National Assembly.

P-05-796 Calling on the Welsh Government to Ban The Use of Wild Animals in Circuses in Wales – Correspondence from the petitioner to the Committee, 17.09.18

To the Members of the Petition' s Committee of the Welsh Assembly.

My petition calling on the Welsh Government to ban the use of wild animals in circuses in Wales.

Firstly may I thank you for having my petition as an agenda item this morning. I am sure you are all aware of the statement the First Minister Carwyn Jones AM made on the 17th July 2018 in the context of announcing what legislation the Welsh Government was intending to bring forward.

"Finally Llywydd, we will bring forward a Bill to ban the use of wild animals in traveling circuses.

Animal welfare is a priority for this government and the way we treat animals is an important reflection of the values of our society. Circuses are legitimate businesses and it is not our intention to outlaw all forms of circus entertainment in Wales.

But the use of wild animals in circuses in this context is outraged and ethically unacceptable. We will prohibit their use in traveling circuses in Wales."

I greatly welcome this statement, in fact I think it's fair to say I was utterly delighted by our First Minister's words! I know many "ordinary" people who worked alongside me with my campaign where too. Including Lynne Hughes-Williams, Kirsty John and Jayne Dendle.

My Assembly Member Sian Gwenllian , MP Hywel Williams, together with their team here in Arfon also welcomed this statement.

When Lesley Griffiths AM Cabinet Secretary for Environment Planning and Rural Affairs responded to the debate in March that my petition triggered. It wasn't clear how the Welsh Government would bring legislation forward. As this is quite a complex matter (as can be seen by the routes other countries have taken) I would therefore like to know:

1. How exactly the Welsh Government intend to bring this legalisation forward. Will it be via the Animal Welfare Act of 2007 or by primary legislation ? I favour the second option.

2. A firm timescale for when legislation will be introduced in Cymru.

I have emailed the Cabinet Secretary's office many times, asking if she will discuss this issue with me, as has my AM Sian Gwenllian. Sadly without any success. I feel that my extensive knowledge on this subject will aid the Welsh Government in bringing forward the most appropriate robust legislation forward.

The whole system as I understand it is to ensure the small voices of the ordinary people of Wales are heard in relation to issues that concern them. I always sought to ensure those who had no voices of their own (the wild animals) were listened to. This hasn't always been easy especially in the light of this being a very high profile subject. However the fact that a gray haired ordinary lady from Gwynedd with few resources achieved what she did. Is great testament to your system, and those who listened and supported her along the way.

In conclusions may I just place on record my heartfelt thanks to the Chair of the committee David J Rowlands AM, together with all it's members. For all the support they have given me and the careful and diligent manner in which they have dealt with my petition. This extends to the team of Clark's who work with you. Diolch o galon.

Linda Joyce-Jones Caernarfon.

17/9/18 .

Eitem 3.7

P-05-809 Is-ddeddfau Pysgota arfaethedig Newydd a methiannau Cyfoeth Naturiol Cymru

Cyflwynwyd y ddeiseb hon gan Sian Godbert, ar ôl casglu 1,070 o lofnodion ar-lein.

Geiriad y ddeiseb

Fel mater o frys, gofynnwn i Weinidog y Cabinet ymchwilio i ymddygiad Gweithrediaeth Cyfoeth Naturiol Cymru yn ystod y broses ymgynghori a'r argymhelliad i wneud newidiadau i is-ddeddfau pysgota gwialen a llinell yng Nghyfarfod y Bwrdd (Cyfoeth Naturiol Cymru) a gynhaliwyd ym Mhrifysgol Bangor ar 18 Ionawr 2018, cyn derbyn unrhyw gynigion i newid is-ddeddfau pysgota presennol.

1. Methodd Gweithrediaeth Cyfoeth Naturiol Cymru â dilyn y drefn ddemocrataidd drwy wrthod caniatáu i aelodau Bwrdd Cyfoeth Naturiol Cymru bleidleisio ar gynigion newydd o ran Is-ddeddfau pysgota newydd gan bysgotwyr gwialen a llinell. Mabwysiadodd Gweithrediaeth Cyfoeth Naturiol Cymru safiad didrugaredd, ac anwybyddodd bryderon y rhanddeiliaid yn ystod y broses ymgynghori ac aelodau Bwrdd llawn Cyfoeth Naturiol Cymru yn y cyfarfod.
2. Argymhellodd Gweithrediaeth Cyfoeth Naturiol Cymru newidiadau i'r Is-ddeddfau i Gynulliad Cymru ac yntau wedi ardystio yng nghyfarfod y Bwrdd na fyddai'r cynigion yn effeithio llawer, neu ddim o gwbl, ar leihau stociau eogiaid a brithyllod môr o fewn dalgylchoedd afonydd mewndirol ledled Cymru.
3. Gyda Swyddogion Gweithredol Cyfoeth Naturiol Cymru wedi cydnabod bod "materion eraill" sy'n cyfrannu at leihau'r stociau eog a brithyllod môr, methasant â blaenoriaethu a gweithredu ar y "materion eraill" hyn, ac maent wedi gwneud hynny dros nifer o ddegawdau, heb gynllunio ar gyfer y dyfodol. Felly, mae Bwrdd Cyfoeth Naturiol Cymru yn torri gofynion Adran 6 (6) o Ddeddf yr Amgylchedd (Cymru) 2016 ac yn methu â chyflawni ei

hamcan o leihau'r risg i lefelau stoc eog a brithyllod môr yn afonydd Cymru, yn enwedig o ran:

(a) Atal, monitro, gorfodi ac erlyn yn effeithiol o ran llygredd.

(b) Monitro ysglyfaethu bywyd gwylt ac argymell rheolaethau cymesur.

Gwybodaeth ychwanegol

4. Derbyniodd Swyddogion Gweithredol Cyfoeth Naturiol Cymru yn agored yng nghyfarfod y Bwrdd eu bod wedi methu â chyfathrebu'n effeithiol a mabwysiadu polisi o weithredu cytundebau gyda rhanddeiliaid, y disgwylir iddynt fonitro ac adrodd ar ran Cyfoeth Naturiol Cymru a gorfodi'n wirfoddol y newidiadau arfaethedig i is-ddeddfau, y mae llawer yn anghytuno â nhw.

5. Methwyd â mabwysiadu strategaeth, a gydnabyddir fel arfer gorau mewn gwledydd eraill, i fonitro ac asesu risg pob afon yn gywir, nac argymell dim sancsiynau fesul afon unigol, gyda rhanddeiliaid perthnasol.

6. Mae Bwrdd a Gweithrediaeth Cyfoeth Naturiol Cymru wedi methu â bodloni gofynion gofal a diwydrwydd dyladwy yn ystod y broses ymgynghori, a arweiniodd at fethiant i gydnabod pa mor bwysig yw sut y bydd eu his-ddeddfau newydd yn effeithio'n andwyol ar:

(a) Gyfleodd pysgota hamdden, budd economaidd i gymunedau gwledig ac arfordirol, a hefyd maent yn mynd yn groes i Ddeddf Llesiant Cenedlaethau'r Dyfodol 2015.

(b) Ewyllys da rhanddeiliaid sydd wedi monitro a gwarchod yr amgylchedd naturiol yn effeithiol heb Cyfoeth Naturiol Cymru ers dros ddegawd, a pheryglwyd yr ewyllys da barhaus honno ar gyfer cenedlaethau'r dyfodol.

Etholaeth a Rhanbarth y Cynulliad

- Aberconwy
- Gogledd Cymru

P-05-810 Rhowch Gyfle i Glybiau Pysgota Cymru ac Eog a Brithyll y Môr

Cyflwynwyd y ddeiseb hon gan Reuben Woodford, ar ôl casglu 1,710 o lofnodion ar-lein.

Geiriad y ddeiseb

Rhwystro'r gormodedd o ddal a chadw Eogiaid drwy weithredu cyfyngiadau ar fagiau dal a chadw ar bob afon yng Nghymru am y 4 blynedd nesaf ar sail data penodol i dalgylch mewn ymgynghoriad agos â chlybiau pysgota.

Gweithredu rhaglen stocio gynhwysfawr o bysgod brodorol ar bob afon.

Tynhau a gweithredu deddfwriaeth bresennol er mwyn dileu'r bygythiad o lygredd ffermio a llygredd diwydiant.

Rhwystro pob math o bysgota rhwydi masnachol ar raddfa fawr a gweithrediadau llongau ffactri o amgylch arfordir Cymru am gyfnod o 10 mlynedd.

Blaenoriaethu dyrannu adnoddau i gynorthwyo i reoli materion sy'n benodol i dalgylchoedd sy'n gysylltiedig â chyfraddau ysglyfaethu naturiol gormodol a rhwystrau rhag ymfudiad pysgod.

Etholaeth a Rhanbarth y Cynulliad

- Arfon
- Gogledd Cymru



**Cyfoeth
Naturiol
Cymru
Natural
Resources
Wales**

Ein cyf/Our ref: CX18-018

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0300 065 4453

Mr D J Rowlands AC/AM
Chair of NAW Petitions Committee
National Assembly for Wales
Cardiff Bay
Cardiff CF99 1NA

Email: SeneddPetitions@Assembly.Wales

04 September 2018

Dear Mr Rowlands

Petition P-05-809 Proposed New Fishing Bylaws and Failings of NRW

Petition P-05-810 Give Welsh Fishing Clubs and Salmon and Seatrout a Chance

Thank you for your correspondence, dated and received on 26 July, on the subject of the two petitions referred to above. I apologise for the delay in responding which is related to the absence on leave of key staff.

I note your decision to treat the petitions alongside each other, but that you are seeking a response from NRW regarding the statement from petitioner P-05-810.

First, I'd like to provide some context to the proposals for new fishing byelaws to protect salmon and some sea trout stocks across Wales which I hope you will find helpful in your ongoing considerations. NRW has been discussing options leading to these proposals with stakeholders for the last three years, most recently in a three-month statutory consultation process that concluded in the autumn of 2017.

The salmon and sea trout stocks in our Welsh rivers are important components of our natural resources. NRW, on behalf of Welsh Government and the Welsh people including anglers and nets-men, seeks to protect them to ensure that we maintain our migratory salmonid populations in these times of great pressures on stocks from a variety of sources. We seek to manage stocks sustainably, and thereby to ensure that there is no contribution to any decline in our biodiversity.

Some of the pressures on fish stocks, notably the survival of salmon during the marine part of their life cycle, are extremely difficult to influence. This is because it appears that large-scale phenomena probably related to climate change and its impact on the north Atlantic

environment are at play. The marine survival of our salmon, and all other Atlantic salmon stocks in Europe and North America, is the lowest on record and the Atlantic Salmon Trust are of the view that there has never been fewer maturing salmon at sea than there are today. In particular, the 1 sea-winter (grilse) stock component, which has historically predominated across most of Wales, is now performing extremely poorly and there are now far fewer of such fish in our rivers. Currently the older stock component of 2 sea-winter salmon predominates and is currently faring comparatively better, however over the past two decades this component also performed poorly. It was this that triggered the 20-year period of statutory catch-and-release fishing that is still in place today, but which expires this December when we hope that new measures will replace it. This stock component remains vulnerable.

Further pressure on our stocks was identified when we detected widescale evidence of a failure in the annual spawning of salmon in the winter of 2015/16. Monitored populations were, on average across Wales, the lowest on record by a considerable margin with very substantial declines in some rivers. This will contribute to a potentially very serious deficit in adult salmon numbers from 2019 to 2021. We believe this event to be related to the period of record high flows and, crucially, record high temperatures in many spawning locations which lead to the failure of fish to spawn successfully that year. This event also seems to have affected some trout populations.

These pressures threaten the wellbeing of our fish stocks and it is our view that urgent action is essential to avoid further decline in populations. I believe robust protection is needed for our reserves of spawning salmon and sea trout to protect the resource for the future.

It is also essential we take all required other actions to ensure that our rivers are in optimum physical and chemical condition. In this way we can ensure maximum survival of fish from spawning to the stage at which they leave our rivers to go to sea.

There are many factors involved, from water quality to the physical condition of our rivers, and NRW is active across all of these. Notably recently our work with the Wales Land Management Forum sub-group on agriculture, chaired by NRW Board member, Zoe Henderson, and our new commitment to river restoration plans across Wales.

Moving now to the document - **P-05-810 Give Welsh Fishing Clubs and Salmon and Seatrout a Chance – Correspondence from the petitioner to the Committee, 27.06.18** – NRW makes the following observations.

1. This paper by Mr Woodford sets out issues that have previously been raised by him, and others, which we've tried to address over the past 6 months in correspondence with stakeholders directly.

I agree with the overall goal to work constructively together, with Welsh Government and partner organisations, on a way towards restoring the sustainability of our fish stocks. For us this means ensuring no further deterioration in stocks, seeking to ensure no further decline in biodiversity, and working towards sustainability under

which fish stocks might once again be sufficiently resilient to support catch-and-kill fisheries – a sustainable harvest.

I'd like to highlight that our proposals maintain an acceptable take for fish stocks where they are sustainable, such as the Dee and Dyfi sea trout stocks, but seeks to ensure that non-sustainable exploitation of our salmon and some sea trout stocks does not take place to allow for stocks to recover. This is the role of NRW and represents our response to the requirements placed upon us by Welsh Government, for example in assuring the sustainable management of natural resources.

2. Mr Woodford suggests that NRW's proposals are not based upon sound evidence. Our technical evidence base which supported the proposals to WG for new controls can be found here. <https://cdn.naturalresources.wales/media/684367/technical-case-structure-final.pdf?mode=pad&rnd=131654078130000000>

You may also be interested to know that, at the request of WG, NRW submitted our technical case to Cefas (Centre for Environment, Fisheries and Aquaculture Science - an executive agency of the UK Government Department for Environment, Food and Rural Affairs) for review. Cefas responded as follows:

“The technical case makes a compelling case for further urgent conservation action to help arrest the decline in the status of salmon stocks, and to a slightly lesser extent sea trout, and to help restore stocks to healthier and more sustainable levels. The report recognises that both species are facing a wide range of environmental factors and stressors which are constraining productivity and stock status (and details some of the ongoing actions being made to address these). For salmon, the ongoing issues associated with poor survival at sea are a key concern and highlight the continued importance of ensuring that conditions in freshwater are optimised.”

We agree with Mr Woodford's sentiments that angling groups and organisations are important stakeholders with whom we wish to work closely. We currently have regular liaison with the Local Fisheries Groups across Wales and to complement this we are, this autumn, putting in place a Wales Fisheries Group so that we have even stronger links with key stakeholders and partners in Wales.

3. Mr Woodford notes some matters discussed at an “Angling Advisory Group” meeting held on 19th June. This meeting was held to discuss ways to increase the uptake and success of voluntary catch-and-release fishing. Neither Mr Woodford nor I were present, although close colleagues of Mr Woodford were. He observes that:
 - (i) in England it is likely that only ‘At Risk’ rivers will be proposed for statutory catch-and-release fishing, and not those that are ‘Probably at Risk’.

NRW understands that this is likely to be the outcome in England, but we observe that the status of salmon stocks in Wales is worse than that in England. In Wales 8 of the 23 principal salmon rivers are projected to be 'At Risk' whilst another 9 (3 of which are designated under the Habitats Directive, partly for the presence of salmon) are 'Probably at Risk' and in ongoing decline. Of the remaining 6, 3 are also 'Probably at Risk' but are currently not declining further whilst 3 are 'Probably Not at Risk' (the latter are the Severn, on which the Environment Agency takes the management lead; the Wye, where existing statutory catch-and-release measures are in place; and the Usk where significant concerns for juvenile salmon populations warrant inclusion of this river in our current statutory proposals).

NRW is also very clear that other legislative requirements in Wales relating to the Environment (Wales) Act and the Wellbeing of Future Generations (Wales) Act must also be considered in our proposals.

- (ii) Mr Woodford suggests that there is a "... rejection of any form of voluntary solution...". NRW and its predecessors have promoted a voluntary approach to full catch-and-release fishing for more than 10 years in the hope that we would have seen an improvement in the status of these species. Although there was an early and very laudable response by most anglers, there remains a minority who continue to kill fish.
- (iii) Mr Woodford's view is that fishing is important for the future health and prosperity of some local communities. Our view is that health and prosperity into the future relies on sustainability of the natural resource and that whilst they are clearly unsustainable, all efforts must be to protect the depleted spawning reserves whilst taking action to restore the environmental health of our rivers.
- (iv) Mr Woodford refers to a statement attributed to a member of my staff about there being no further debate on the proposed byelaws. I've included below the link to the press release we issued following a pragmatic decision to delay implementation of any decision by WG until 2019, so you can see what we said and understand the full context.

<https://naturalresources.wales/about-us/news-and-events/news/proposed-salmon-byelaws-to-be-postponed-until-2019/?lang=en>

We were trying to be very clear that whilst we had already submitted our evidence-based proposals to WG for affirmation we were mindful of the impact the uncertainty during the period of decision by WG could cause, so agreed to

delay any implementation of the decision until 2019 so that licence holders wouldn't be facing a change in requirements mid-season.

4. We agree with Mr Woodford's points that much work is required to restore "resilient environments" in our rivers. We have been delivering on this for many years, with many kilometres of river habitats once more accessible due to new fish passes, removal of barriers to fish migration and in better quality due to habitat improvements. This has been possible due to close partnership working with rivers trusts and securing of funding from various sources to implement such works. There has been no denial of opportunity for potential partner bodies to work in partnership to deliver these outcomes although, as always, some organisations have been more active and successful than others in securing investment funds.

Effective communication is always key to achieving strong partnership working in areas such as fish habitat improvement. There has been a variable performance around Wales, and NRW acknowledges that more can be done. With this objective NRW is committed to:

- Maintaining our existing network of nine Local Fisheries Groups covering the whole of Wales;
- Commissioning a new All-Wales Fisheries Group. NGOs (non-Government Organisations) and other partners have been approached and have agreed to contribute to this group that we hope will raise, at a strategic level, the issues that need to be addressed to secure sustainable fisheries in Wales;
- Continuing our work on River Restoration plans and implementing agreed options to improve river condition;
- Commissioning a "task and finish" group to review the issues around fish-eating birds in Wales. The first meeting with all relevant NGOs was well-received, and further work is scheduled for the autumn;
- Initiating a new 'Angling Promotion' group. We have recently met with key bodies including Visit Wales, Sport Wales, Afonydd Cymru, Angling Cymru, the Angling Trust and others to explore how we might help angling groups to promote their fishing opportunities to new visitors (while not compromising the underlying need for careful conservation of salmon and sea trout stocks). We will be taking this forward in partnership shortly.

I hope that this is clear evidence of our commitment to continue working with partners and to demonstrate the wide range of work underway to restore fish habitats and wellbeing. In our view a fundamental part of this is that we ensure that we maximise our spawning reserves at these critical times for our iconic salmon and sea trout in Wales.

I sympathise with some points made by Mr Woodford on behalf of his petition signatories, however it is our view that difficult decisions need to be made at this critical juncture to improve our salmon and sea trout populations. I would refer the committee to the outcome on the River Wye where, against the will of many stakeholders, NRW's predecessor body

consulted on and introduced a 10-year period of statutory catch-and-release fishing alongside other exploitation controls and habitat improvements. Today, there are more salmon anglers and the prospects for the stocks have greatly improved. The Wye salmon stock is projected to be 'Probably Not at Risk' by 2022. I appreciate that the Wye is somewhat different to other rivers due to its size and the past robust achievements on fish habitats, nevertheless it is a good case for what can be achieved if difficult decisions are taken at the appropriate time and collaborative approaches are undertaken.

Finally, you may have noted that the Cabinet Secretary has taken the decision to refer this matter to a Local Inquiry. I do not yet know the precise arrangements for this, however NRW is happy to set out its evidence and proposals to the Inquiry.

NRW remains committed to helping your committee in its work. If I can do more to support you, please do let me know.

Yours sincerely,



Clare Pillman
Prif Weithredwr, Cyfoeth Naturiol Cymru
Chief Executive, Natural Resources Wales



The Planning Inspectorate
Yr Arolygiaeth Gynllunio

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To consultation respondent
(by email)

www.gov.wales/topics/planning

Eich Cyf/Your Ref:
Ein Cyf/Our Ref: ENV/3209811

Date 5th September 2018

Dear Sir/Madam,

The Wales Rod and Line (Salmon and Sea Trout) Byelaws 2017

I am writing to you as you made a representation relating to Natural Resources Wales' (NRW) consultation on the Wales Rod and Line (Salmon and Sea Trout) Byelaws 2017.

As there are outstanding objections to the Byelaws the Cabinet Secretary for Energy, Planning and Rural Affairs has appointed the Planning Inspectorate to hold a public local inquiry to hear the evidence on this matter in accordance with paragraph 2(1) of Schedule 26 of the Water Resources Act 1991. The Planning Inspectorate will appoint an Inspector to conduct the inquiry who will submit their recommendation in the form of a report to the Welsh Ministers. The Welsh Ministers will make the final decision on whether or not to confirm the Byelaws.

The Planning Inspectorate has received a copy of all written representations provided to both NRW and the Cabinet Secretary.

The inquiry is open to the public and as someone who made a representation you are welcome to attend. If you wish to submit further evidence to the Inspector then you are also welcome to speak at the inquiry. The purpose of the inquiry is to hear the evidence from all parties that they wish to put forward. The appointed Inspector will take all evidence from both the written representations and the inquiry, into consideration before submitting their report to the Welsh Ministers.

You need only speak at the inquiry if you wish to add to your previous written representation.

Given the large number of representations received, we would ask that;

- a) if you are aware of other individuals who have made a representation or
- b) if you are a member of an organisation, association or society etc.

You consider liaising with them to nominate a person(s) to speak on behalf of the group. This will help to avoid repetition and ensure the effective and efficient running of the inquiry. The nominated person(s) need only contact us, confirming their intention to speak, and who they are representing. All future correspondence from the Planning Inspectorate will then only be sent to the nominated person.

Therefore, please can you confirm one of the following:

- 1) I have nothing further to submit and do not wish to attend the inquiry.
- 2) I wish to attend the inquiry, but do not wish to speak.
- 3) I wish to attend the inquiry and present evidence to the Inspector.

Please can I have your response, in writing, **by Wednesday 19th September 2018**. If I do not hear from you by this date I will assume that you are content with your written representation and do not wish to attend or speak at the inquiry.

If you wish to attend the inquiry the Planning Inspectorate will write to you in due course with the arrangements.

Finally, please find enclosed our language preference form. I would be most grateful if you could complete the form and return to us when replying to this letter. The Planning Inspectorate encourages the use of electronic communication and where an email address has been provided we will use this as the method of contact unless you inform us otherwise.

Yours sincerely

G Harvey

Gareth Harvey
Team Leader – Quality and Specialist Casework



The Planning Inspectorate
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To Consultation respoñdee
(by email)

www.gov.wales/topics/planning

Eich Cyf/Your Ref:
Ein Cyf/Our Ref: ENV/3209811

Date 11th September, 2018

Dear Sir/Madam,

The Wales Rod and Line (Salmon and Sea Trout) Byelaws 2017
The Wales Net Fishing (Salmon and Sea Trout) Byelaws 2017

Further to my letter dated 05/09/2018 about the "Wales Rod and Line (Salmon and Sea Trout) Byelaws 2017" it has been brought to our attention that the proposals include the "Wales Net Fishing (Salmon and Sea Trout) Byelaws 2017". Therefore I am writing to confirm that the Inspector will consider both proposals at the inquiry.

If you wish to add anything further to your representation in respect of the net fishing byelaws, please do so by Wednesday 19th September.

Yours sincerely

Pp. *N Turner*

On behalf of
Gareth Harvey
Team Leader – Quality and Specilaist Casework

P-05-810 Give Welsh Fishing Clubs and Salmon and Seatrout a Chance - Correspondence from the petitioner to Committee, 18.09.18

Dear Sirs,

Thank you for the opportunity to respond to Clare Pillman's letter of the 4th September 2018 on behalf of over 1700 petitioners.

Petition P-05-810 Give Welsh Fishing Clubs and Salmon and Seatrout a Chance

I must firstly personally apologise that due to a technical issue with my email account and inability to attach documents to emails, I am currently forced to include my response document within the body of the email. I hope this does not cause you administrative problems and I will in due course attempt to send you a word document containing the same text.

.....
Whilst we acknowledge a refreshing change for the good in the rhetoric used by the new Chief Executive Officer of NRW in comparison to her predecessor (we have been given visibility of a number of her responses to byelaw related communiques), it is hard to ignore that NRW, lead by the senior Fisheries managers cling to their defence of the byelaws and the process of byelaw formulation with unfailing resolve.

Given we have now been granted a 'Local Inquiry' before the Planning Inspectorate, our current efforts are very much in line with seeking a fair stage to present our case, however for a number of reasons, which I am aware colleagues have communicated to you - we remain cautious in our belief in this process, given all that has come before. In this vain we would be appreciative of the Petition Committees view of this opportunity and whether there are still parallel opportunities for 'inquiry' that should be sought.

With reference to Clare Pillman's letter, may I reinforce the context of the current situation. NRW have been in consultation with the angling community for the last 3 years. NRW have for 3 years, in an undemocratic, unfair and unprofessional manner bulldozed their own preconceived byelaw measures - one option - forwards with only a token gesture of adaption in line with consultees views and evidence. To state that they have given fair and objective consideration of alternative, valid options is simply not factual.

Word of law stands to make bold statements; to act as deterrent and to stimulate enforcement action for the common good. If anyone is in any doubt as to the inadequacies of law we only need consider the current problem of plastics in our environment (underpinned by legislation to prevent it). NRW's fisheries stock control byelaws seem by now a propagandist's soundbite and plastic policies that deny society a solution to a fisheries challenge that demands the requisite foundations for progressive and partnered progress are not the invention we deserve or desire.

NRW speak of a parallel strategy to restore habitats; to ensure fish migrate unimpeded; where water quality issues are resolved and where excessive natural predation rates are given ample consideration. We acknowledge NRW has valid evidence to illustrate 'activity' within these key areas, however the itinerary of progressive inactivity in relation to critical projects to improve river environments for fish, within most of Wales river catchments, makes a strong case for an organisation failing to substantiate its statutory duties.

1.

Claire Pilmann (CP) states in her letter that NRW 'seek to manage stocks sustainably, and thereby to ensure that there is no contribution to any decline in our biodiversity'; and yet, whilst we have no doubt, this is a true reflection of NRW's aspirations, the reality of the current situation is inconsistent catchment specific actions and a progressive malaise to act in tune with institutional resource demise.

With reference to CP's comment in relation to two sea winter salmon; the imposition of the pre June 16th C&R byelaw 20 years ago, curbed the active salmon season for many fishermen and has led to very low participation rates on most rivers during early season. Given on most rivers we are reliant on catch return data submitted by active fishermen to assess monthly stock levels, in reality, catchment specific data is extremely weak for the pre June 16th period forcing EAW and then NRW to be reliant on index rivers with automated fish counters, such as the Welsh Dee to extrapolate early season data. This leaves the variability of individual rivers unaccounted for. It is also important to note that in the absence of local data sets for this period, EAW, NRW's legacy body without consultation, extended these byelaws by an additional 10 years – a period which CP rightly states ends in December of this year. On the face of the data that is available to assess early season stocks, mandatory 100% C&R has proven ineffective in stimulating any recovery in the numbers of these fish. Angling clubs receive no recognition of their tolerance of an ineffective management response in this respect, that not only seems self-perpetuating as a policy under NRW's remit, but restricts the fishing pursuit and data acquisition. Fishermen have been exceptionally tolerant of this 'damp squib', however, ultimately that tolerance has provided the evidence that C&R is not a

solution to improving fish numbers and acts as a deterrent to angling participation and little more.

The angling fraternity acknowledge it is evident climatic variables imposed additional pressures upon spawning salmon and juvenile salmon survival in the winter of 2015/16. We also note that some catchments fared better than others raising the importance of local variables in considering both local resilience and vulnerability to changes in climate. What NRW have been hesitant to report is that reported adult salmon stock numbers, particularly 2 sea winter fish were good in 2017 resulting in improved juvenile numbers in 2018. There is no hesitance on the part of the angling community to play a significant part in instigating and stimulating behaviours within fishing practices that ensure conservation aims are achieved. It goes without saying, that all clubs now operate an agenda whereby the sustainability of their fisheries is of primary concern and precautionary principles are accepted; C&R is practiced by the majority of anglers and method restrictions are applied proportionally in line with the unique characteristics of individual rivers and historical adaptations to the challenges faced within those environments. There is method and wisdom in what we do. The balance between conservation and amenity however has to struck to ensure our survival as an angling community.

CP refers to 'robust action', however, NRW have streamlined their approach to target anglers above and beyond the need for they themselves to take essential action to tackle catchment specific problems. In Wales, these failings have become points of neglect within a regulatory environment stifled by resource deficit and an ingrained acceptance of often being powerless to act without third party will and assistance.

If CP agrees with our aspiration to work constructively together, with Welsh Government and partner organisations, on a way forwards, we question why NRW have been so rigid in their pursuance of draconian policy that they know to be a) incapable of restoring fish stocks b) of high risk to the socio-economic benefits of fishing in Wales c) un-enforceable policies without the assistance of the very social group they have alienated d) Only willing to up their game on tackling the causes of stock variability when scrutiny of their ineffective strategy is publicised as part of this process.

It was stated very clearly at NRW's Board meeting in January 2018, by a Board Member, that that there was a 'giant chasm' between the views of NRW Fisheries personnel and their primary stakeholders, Angling Representatives. A divergence of opinion that other Board members confirmed could not serve either party well in the pursuance of a system of management to support sustainable principles. NRW's neglect to operate in a democratic manner and abhorrent refusal to compromise on

their preconceived measures resulted in the fisheries stock control byelaws being presented unfit for purpose. We must be clear that these measures are being sold as a false promise to instigate positive change when primarily they have the potential to instigate multiple levels of risk and hardship to environment and social groups involved in fisheries and stimulate an operational environment where criminality can thrive. The byelaws represent a disproportional response to a situation that is far from clear cut and one which will become increasingly based on institutional beliefs and taste if NRW choose to ignore the criticality of the relationship with partners. The byelaw measures and the consequences linked to them stand as the core component of NRW's failure to partner with stakeholders in this process.

NRW fail to recognise that the subsidiary forums for which they now seek recognition and cooperation fail to bridge the 'chasm' referred to in January's Board meeting. As long as the byelaw proposals remain set in stone, an irreversible blight has been knowingly instigated by NRW and the consequence to current and future generations hangs in the balance.

2.

We understand that valid evidence must underpin our shared approach to management of Wales fisheries and that management measures need to be proportionate to the evidence and to residual consequence of those management measures.

In Wales we have commissioned independent statisticians to review the river classification model (assigns level of risk to individual river salmon stocks). The resulting report concluded the model utilised an incorrect methodology in addition to missing variable corrections to spawning stocks. We have provided the petitions committee with a copy of the report in previous communications and kindly refer the committee to this evidence in response to CP's statement.

The very foundation of the current system sits on rocky ground and yet, the management response from NRW is to defend its integrity and to prioritise mandatory control of fishermen over taking urgent action within catchments to ensure access and suitability of the receiving environment is optimal for spawning and migrating fish. We note CP stipulates the "continued importance of ensuring that conditions in freshwater are optimised", and yet it is clear to us all that these conditions are far from optimal. Fundamental concerns remain that NRW have based their management objectives on spurious data whilst the EA in England have received parallel criticism of their approach in a more positive light and made some adaptations.

Whilst we acknowledge Local Fishery Group provision across Wales has been a useful means of engaging with NRW and its legacy organisations, during the byelaw consultation process, this conduit was essentially utilised by NRW Fisheries Managers to dictate their terms. The failure of senior Fisheries Managers to listen and act on our views places the benefit of this mechanism in doubt. Whilst there is reason to also welcome the initiation of the 'Wales Fisheries Group' to which NRW state key stakeholders have been invited, LFG representation remains conspicuous in its absence, given this seems the opportune means of ensuring continuity between the aspirations of regional and national angling stakeholders. We (LFG members) have sought permission for representation on this group, however our understanding is that this has been denied. Never the less, we do appreciate that anglers will gain some representation through this forum.

3.

With NRW's refusal to consider the flaws in their stock assessment we must stipulate that their position in comparison with the situation in England lacks credence. We are of the understanding that in addition the EA recognise the futile nature of attempting to enforce method restrictions and propose to promote adoption of conservation biased methods through voluntary means.

Prior to the EA's revisions, NRW utilised its counterparts position to substantiate the legitimacy of their draconian proposals. NRW now stand in isolation, defending their non-adaptive and anti-fishing community stance.

In terms of the legislative requirements of the Wellbeing of Future Generations (Wales) Act 2015 (WoFGA) it is not clear how these requirements have been considered in NRW's proposals. It is our suspicion that NRW have primarily focussed their attentions on a future scenario without due attention to the present and transitional considerations which is a requirement of the Act. NRW have also applied unrealistic confidence in their ability to manage measures knowing their resource allocation is restricted and residual consequences of the resultant mismanagement likely to impact upon 'wellbeing goals' as stipulated under the WoFGA. In doing this, they have failed to acknowledge and quantify the impact of their proposals on Wales communities today and the consequential impact upon future generations and thus appear delinquent in their duties. It is evident NRW have considered their role in a myopic way, with adherence only to their interpretation that sustainability considerations apply to their management of the fish stock rather than the community environment within which this issue resides. Both the Environment (Wales) Act and the Wellbeing of Future Generations (Wales) Act place communities at the heart of their considerations. We perceive there is a severe deficit in NRW's consideration of the following elements as listed within the WoFGA.

Ineffectual consideration of requirements to establish future sustainability:

- Failure to recognise the long term risks to Salmon Angling; angling clubs and to the socio-economic benefits to communities.
- Failure to acknowledge and manage the immediate risks to Angling; Angling clubs and to the socioeconomic benefits of angling.
- Failure to quantify the consequential (residual) risks to fish stocks as a result of unenforced byelaw measures.
- Failure to instigate effectual partnership collaboration in formulating the byelaws and establishing stakeholder empowerment and resource allocation to sustain measures.
- Failure to incorporate legitimate mechanisms within policy development process to establish meaningful decision making.
- As a consequence of the above, we believe the following wellbeing goals have been neglected:
- Prosperous Wales (Scenario: Net export angling tourism; Lost community revenue)
- Resilient Wales (Scenario: Angling Clubs at risk; Fish stocks vulnerable to increased poaching)
- More Equal Wales (Scenario: Loss of community fishing clubs; Loss of amenity; loss of method choice for specific social groups)
- A Healthier Wales (Scenario: Loss of participants; Lowered participation; Criminalisation of inert behaviours; Over regulation of pursuit; forced supplementation (Salmon/Sea Trout) Anti-social hours; Regulatory avoidance of alternative measures (intentionally antagonistic).
- Cohesive Communities (Scenario: amenity value threatened; community clubs at risk; reliance on self policing of mandatory measures; disempowerment of community)
- A Wales of vibrant Culture and thriving Welsh Language. (Scenario: Innate elements of angling threatened; Traditional methods at risk; Welsh speaking clubs and committees; risk of disparate syndicate takeover of local waters)

We note NRW's reference here to C&R being a solution to stock recovery. Firstly may we re-iterate that salmon exploitation by anglers is not the cause of stock decline, nor has it been shown that mandatory 100% C&R leads to recovery of fish stocks. Please see our earlier comment on this. This runs counter to NRW's own stance elsewhere in CP's letter, referring to C&R as a precautionary measure to ease pressure on stocks. NRW have also stated on numerous occasions that angling and anglers is/are not the source of the problem. As we have already stated, we are all happy to play our part in practicing proportionate conservation measures and most

anglers at present return all or most of their fish on a voluntary basis and an optimal response is still being pursued. NRW's demands on this front have been a rapidly moving target, primarily on the basis of stand alone objective setting on the basis of institutional preference and yet we have accommodated a step change in promoting widespread conservation practices. The fact remains, NRW's record of success in tackling the causal factors of stock decline remains poor. We are faced with the paradox of an organisation pointing a finger of blame at anglers when its own resources and willingness to tackle even long standing barriers to habitat and river restoration optimisation remain pitifully low. The primary pressure on Salmon stocks is created by the combined impact of lower sea survival rates; disease due to exposure to coastal fish farm ecosystems; river habitats suffering from a legacy of mis-management; water quality issues; barriers to fish migration and ineffectual fish passes; prioritisation of small scale hydroelectric projects and the regulators legacy position that natural predation of fish stocks is sacrosanct, even when predator populations are proven to be excessive and causing a high risk to salmon. This is not a level playing field and NRW adheres to a variable moral compass. Not only does NRW attempt to place itself in a position beyond scrutiny, it places the fishing community at the forefront of its own judgement system. Chastised and at worst victimised by NRW, stimulating positivity and an all encompassing environment of co-operation and partnership working in the future is going to be impossible unless NRW change their tact.

Illegal fishing and selling of poached fish continues to fly under the radar and clubs remain effectively powerless to prevent such practices given NRW's stretched enforcement resource which seem near to incapacity. Laws already exist to tackle criminality linked to fishing. Overburdening the fishing environment with more is not the means to create the effective partnerships we all desire and to ensure the sustainability of fish stocks. We must get this right and not be influenced by NRW's misleading rhetoric on this.

We draw attention to CPs statement that suggests our aspirations are divergent. This epitomises the challenge our communities face in this situation. NRW have throughout this process nurtured an environment of 'us and them' and fail to acknowledge that our primary intent is to ensure we all develop the requisite operating environment in which to stand the best chance of establishing progressive sustainable fisheries. We do not hold a myopic viewpoint as CP suggests, our desire is for sustained wellbeing of community angling institutions and interests and the sustainability of fish stocks. We have never wavered from this joint aim. NRW's failure to recognise the risk posed to environment and societal wellbeing through misplaced reliance on these draconian byelaws leaves fisheries potentially inadvertently hung by the haste of a short term rescue operation (which it is clear it is not) that denies the existence of 'real world' consequence.

NRW cannot deny they refuse to debate any further in relation to the byelaws. For those of us from the angling community with our varied professional backgrounds in environment management, who have been involved in this process intensely from the start, the greatest disappointment is that in the time period NRW have spent defending their draconian stance, we could have created a productive and progressive way forwards that is fit for purpose. Yet, here we stand wasting time, effort and money because of NRW's myopic approach.

4.

We acknowledge NRW's establishment of recent initiatives to promote sustained co-operative partnerships into the future and welcome these; however the positivity of such action pales into relative insignificance when we consider NRW's failure to act in a timely manner, actions that would have demonstrated their real commitment to restoring fish stocks. An inexcusable amount of fisheries staff time in NRW has been utilised considering how to regulate anglers which could and should have been spent restoring fisheries. NRW's inability to recognise the destructive nature of their byelaw proposals leaves us all in a vulnerable position and future management of our fisheries at risk.

As CP states, 'the Wye is somewhat different to other rivers' particularly in relation to the robust and holistic focus it has received to stimulate some recovery in stocks. That recovery is primarily due to the level of investment placed in habitat restoration and accounts for a large portion of that provided under the specific initiative in Wales. It is not the 'difficult nature of decisions' that has created the perceived outcomes in this instance, but the fact that critical wide ranging action has been taken to re-establish river habitat that is conducive in character to the requirements of adult and juvenile fish.

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We recognise that a number of individuals and groups have presented evidence to the Petitions Committee in preparation for the forthcoming meeting. We remain exceptionally appreciative of the committee's kind attention to this information and our shared challenge.

Best Wishes,

Reuben Woodford
(On behalf of all petitioners – Petition P-05-810)

P-05-810 Give Welsh Fishing Clubs and Salmon and Seatrout a Chance – Correspondence from Andy Nicholson to the Committee, 22.07.18

THE FUTURE OF WELSH GAME ANGLING

FACTS, FINDINGS, CONCLUSIONS AND SOLUTIONS

The following derived from the NRW proposals and technical case, interview with heads of NRW fishery team and the consequent request and received, evoking of the appertaining freedom of information act from NRW and CEFAS.

The Facts & Findings:

The promotion of the proposals' and consultation period was seriously flawed, no proof, has come forward, despite various requests,, that all anglers buying a licence, could not have been fully informed of the process, via the post when receiving their licences', despite Mr [name removed] stating there was proof, this could not been done.

The objecting respondents to the proposals', were and are seriously miscalculated, I.e. despite one angling club representing thousands of anglers and this was replicated countless times, each club and association were only counted as just one respondent. This was a serious and deliberate misrepresentation by the NRW, when putting the proposals' in front of the NRW board, this was a breach of trust, not only misrepresentation to the board, but also to the Welsh Government, on the decision making process.

The recorded interview, that took place on the 15th of Feb 2018, between A. Nicholson, John Eardely and the heads of NRW fishery's team, revealed countless, inaccuracies', falsehoods and a huge catalogue of contradictions and misinformation.

Despite at the start of the interview, Mr [name removed] stated that the NRW had nothing to hide, he however demanded, after 20 minutes, that the interview was terminated, as he did not like the searching questions posed, after a heated discussion, the interview was resumed.

Mr [name removed] refused to answer why hatcheries were closed, including privately funded ones and many questions, he either would not answer, nor could

answer, however stated they would be answered in the very near future, many months down the line we are still waiting for those answers.

It was conclusively proved that the NRW, management targets and conservation limits were up to 85% incorrect, along with the NRW freely admitting and accepting that catch returns were up to 65% incorrect.

The NRW team would not admit, nor accept that the net and coracle fees, appertaining to their catch returns, did not correlate, equate nor add up, in the way of massive lack of profitability for commercial fishing, in relation to the licence fees they were paying, taking all commercial fishing into loss making. It was obvious and pointed out, that the only way they could operate under these circumstances, that they were understating catch returns.

When the fishery team were asked, what did they do to protect the juveniles' in our Welsh river systems, against avian predation, they freely admitted that they do nothing and had no intention of doing so, now or at any time in the future. They further added that they did not see avian predation as a problem at all and they stated that avian predation as far as they were concerned was reducing (there are too few juveniles for them to eat).

These statements were made despite, John and I conclusively proving, via information from the web site Cormorant Watch, the Angling Trust initiative and various other proved statistics from around the country and other web site recording initiatives and scientific reports, showing conclusively millions of juvenile salmonids are slaughtered each year on our Welsh rivers, by these predatory birds, while the NRW sit back and do absolutely nothing to protect these stocks.

Furthermore we demonstrated that in the previous year, that NRW have, despite the proof of harm from avian predation, actually, reduced the numbers of fish eating birds on licence applications that were allowed to be control, they also freely admitted that the control of these predatory birds, was the total responsibility of angling stakeholders and that no other bodies, applied for licences' and that if a licence application was applied for late, they automatically reduced the numbers they could control.

We demonstrated that if predation by fish eating birds was brought under control, this one issue would go a long way in solving the entire problem and dramatically

increase the in-river survival of juveniles potentially resulting in more returning Salmon and sea trout stocks and there would be no need for the draconian incorrect measures NRW are proposing.

During the interview on several occasions, when the Fishery team were asked specific questions, they continually referred us to advice gained from CEFAS, without answering the questions. It has to be made abundantly clear, that on reading the CEFAS report (obtained from a freedom of information request), CEFAS quite categorically state that the NRW technical case was taken and read at "face value" THIS IS NOT ADVICE! Furthermore CEFAS stated that they believed the proposals will have little or no effect on improving stocks.

Despite what NRW fishery officers, state there is nowhere, in their technical report, nor in the CEFAS report, that shows any proof, nor any research or any scientific evidence to support, the angling ban methods, such as no worm fishing for Salmon (the NRW opinion is based on broodstock from the Taff which had been caught on worm but did not survive at the Cynrig hatchery) and the use of single worm for sea trout, along with hook restrictions use, as opposed to the methods operation now.

Therefore the angling restrictions they are proposing are purely and simply, their thoughts and personal opinions based on their observations of broodstock collection on the Taff. The NRW claims are totally unsubstantiated and should be discounted as broodstock caught on bait from other rivers (Mawddach, Dee and Conwy) not only survived to spawn but were returned to their rivers as kelts.

Despite the NRW claims, there is no provision in any of the reports for the 2010 equality's act, nor any reference and consideration for the aged and the disabled, along with indirect discrimination, these aspects have not been considered and the officers freely admit, there is no financial provision for any future subsequent disability discrimination compensation claims.

During the interview we requested that the decision was deferred, not only due to the imminent start of the season, but enabling further dialogue and consultation with stakeholders and WG. Mr [name removed] clearly and emphatically stated that no deferment could now take place and it was completely out of his hands now and the decision lay solely and entirely with WG. Mr [name removed] could do nothing.

We now have had the press release from Mr [name removed], stating “He” has deferred the decision until the season of 2019; this is consistent with the massive contradictions that come forth from NRW fishery team and even compounded more by the fact that WG sent a communiqué, stating they had made the deferment, there is no doubt now that Mr [name removed], was instructed to defer, even on this point there is a lack of openness and honesty coming forth from NRW team.

During the interview the officers added and freely admitted that the stakeholders know their rivers, best and better than anyone.

The officers also admitted that that they had nothing to do with Enforcement, nor could they tell us who was in charge of enforcement officers, another question they promised to answer, but have failed to do so, they however did admit that there were only 16 enforcement officers covering the entire country of Wales and had to concede Wales is massively undermanned on this point.

John and I pointed out that the vast majority of the angling community, stakeholders, angling bodies, the angling trusts, leading fishery scientists, prominent angling figures, several assembly members, totally disagreed with the NRW technical case, calling them draconian proposals and destructive to the Welsh economy and jobs within Wales. Despite this the fishery team insisted and maintained they were right and the collective above was wrong.

We went on to demonstrate that many rivers in Wales were actually increasing their runs of Salmon and Sea Trout, year on year and the NRW were using out of date figures to push through their proposals, this gave an incorrect picture of the present situation and was misleading.

We pointed out that the approach the EA was making, was to assess each river individually, on their merits and problems and act accordingly with by-laws appertaining to that specific rivers needs and introduce by-laws accordingly.

This approach was discounted by NRW, preferring to go for a wholesale approach and dictate and impose their personal preferences’ on all Welsh rivers claiming their approach was correct. Therefore they are totally disagreeing with the EA approach and their fishery scientist, we pointed out that this was lazy and bad science and methodology.

We highlighted the negative effect their proposals would have on the Welsh Economy and game angling in general and that the aged and disabled would no longer be able to fish for Salmon and that there would be a large reduction in members joining clubs and associations, along with a huge increase in poaching and this indeed was the effect, until the deferment was announced.

We pointed out that licence revenue would suffer, further depleting the little funds available to NRW, they freely admitted they anticipated that this would occur, but were still determined to push through the proposals, we stated that this was persecution of anglers, for little or no gain in stocks, they disagreed.

I finally asked Mr [name removed]; in hindsight what would he have done differently, regarding the proposals. He stated that he would have had a far greater and open dialog with stakeholders. This very statement sums up incredibly well, the vast contradictions that are endemic within the fishery team. As now in the Mr [name removed], deferment press release he firmly states that there will be no further dialogue with the angling community, this is a disgraceful indictment.

IN CONCLUSION

The facts and evidence make stark and disturbing reading, it is abundantly clear the NRW team have not listened, will not listen, nor have any intention to listen to the real concerns and have not read the professional objections, placed before them. They have not taken into account, sound advice and fact from leading fishery scientists and other official angling bodies and organisations.

The proposals are based on assumptions, presumptions, out of date and incorrect facts, figures and more importantly, their own personal opinions', thoughts and feelings that have already been disproved and discredited.

The NRW fishery team have mislead, misinformed, along with an attitude of total inflexibility, the inability to listen and have been totally dictatorial in their approach, process and lack of evidence, in creating these draconian proposals.

The NRW team have been without doubt disingenuous with the truth and therefore it is correct to state that the authors and architects of these proposals are not fit for purpose and their positions are untenable, as total confidence in any ability they have to run and control fishing in Wales has been completely lost.

The NRW fishery team has made it perfectly clear, now and as in the past there will be no further dialogue, with stakeholders. The only correct and right way forward now is, for there to be changes in the Fishery management team and structure to enable meaningful discussions with stakeholders to occur.

The Solution

The answer lies with the stake holders, as Mr [name removed] states they know their own river systems the best and are best placed, to implement, any restrictions, necessary appertaining to that particular rivers needs and requirements, rather than a complete Welsh blanket, wholesale ban and approach.

Welsh Government needs to provide legislation, funding and powers, to stake holders, in conjunction with the Angling Trust and help in creating angling trusts, for various river systems, for the tasks that NRW have failed to provide, denied and taken away, such as the policing of our rivers, this is already being undertaken by stakeholders as mentioned, there is no presence of enforcement officers who following reorganisation within NRW and new contracts of employment only work 8am to 5pm – poachers operate at night. Enforcement on our game angling rivers was poor before the reorganisation and is now totally ineffective.

The NRW have woefully failed in ensuring water quality is maintained, to the point they are being taken to the European courts, powers and funding need to be issued, allowing and ensuring culprits of pollution are taken to task and prosecuted.

Control for avian predation, appertaining to each river system, handed to the stake holders, this one act will protect and preserve far more juveniles than any measures the NRW have proposed.

Through the Angling Trust, local angling trusts, groups and stakeholders along with the NRW acting as technical advisors, permission must be granted for habitat improvements, on a far bigger scale than has been seen before, working hand in hand with the custodians of our Welsh rivers, that know them the best.

The culmination of the above, will result in improved water quality, better habitat, far greater and improved runs and stocks of Salmon and Sea trout, more effective control of avian predation and far better policing of our Game angling rivers, potentially eradicating poaching, along with improving the habitat and ensuring the future of our Welsh game angling rivers, for the present and future generations and

protecting the vital tourism and social economic value Game angling brings to Wales.

There is a real need and call for collective dialogue with Welsh Government

The time for change is now upon us and we can make a big difference.

Author Andy Nicholson, Independent Angling Consultant, member of the Welsh Game Anglers Action Group and the Anglers Writers Association.

The full NRW interview is available on drop box and by request, along with the freedom of information for CEFAS AND NRW

Coverage and Distribution, full media and press circulation, all AM,s all NRW board members, all members of the petitions committee and all official angling bodies.

Eitem 3.9

P-05-813 Gwahardd y DEFNYDD O FAGLAU LARSEN (maglau dal sawl math o frân)

Cyflwynwyd y ddeiseb hon gan Action Against Wildlife Persecution, ar ôl casglu 1,943 o lofnodion.

Geiriad y ddeiseb

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i wahardd cynhyrchu, gwerthu a defnyddio maglau Larsen (maglau dal mwy nag un frân).

Cawell a rennir yn sawl rhan yw magl Larsen; cedwir aderyn gwyllt byw (yr aderyn denu) yn gaeth mewn un rhan ohoni er mwyn denu adar eraill. Pan fydd aderyn arall yn glanio ar y fagl, mae'n disgyn i mewn trwy gât unffordd neu lawr ffug, lle y bydd yn aros ei dynged.

Dyfeisiwyd maglau Larsen yn Nenmarc, ond fe'u gwaharddwyd yn y wlad honno gan eu bod bellach yn cael eu hystyried yn bethau creulon iawn.

Ciperiaid a thyddynwyr sy'n defnyddio maglau Larsen yn bennaf, a hynny er mwyn dal pïod, brain ac aelodau eraill o deulu'r frân. Mae'n brofiad erchyll i'r aderyn gan iddo gael ei ddal ddydd a nos heb fwyd, dŵr na chysgod rhag y tywydd, ac mae hynny'n peri gofid eithafol.

Oherwydd eu bod yn defnyddio aderyn gwyllt caeth (sy'n mynd yn groes, yn dechnegol, i Ddeddf Bywyd Gwyllt a Chefn Gwlad 1981) rhaid defnyddio'r maglau hyn o dan delerau "Trwydded Gyffredinol", a geir gan Gyfoeth Naturiol Cymru, sy'n caniatáu dal pïod, brain, sgrechod y coed, corfrain, ac ydfrain.

Mae'n brofiad pur ofnadwy i'r "adar denu" gwyllt gan fod eu cyfyngu yn y modd hwn yn gamdriniaeth ac yn rhwystredigaeth o ran hanfodion eu hymddygiad. A hwythau'n agos i'r ddaear, mae ysglyfaethwyr yn codi braw arnynt a rhaid iddynt wylio wrth i adar eraill gael eu lladd mewn ffordd

ddienaid o flaen eu llygaid. Mae sawl un yn marw trwy esgeulustod. O dan y gyfraith, dylai fod gan aderyn denu caeth fwyd, dŵr, cysgod a chlwyd, a dylid archwilio'r maglau o leiaf bob 24 awr, ond nid dyna sy'n digwydd. Rydym wedi gweld brain a adawyd i farw heb fwyd na dŵr, ac rydym wedi dod o hyd i gyrff adar denu yn pydru, a'r adar hynny wedi clymu'n barhaol â gwifrau hyd nes eu bod yn marw drwy newyn neu straen. Rydym wedi gweld adar sydd wedi torri eu pigau ac wedi anafu eu pennau trwy geisio dianc. Gwelsom greulondeb, llurgunio a chlwyfo lle mae'r cipar wedi torri plu hedfan yr aderyn denu i'w gadw rhag dianc.

Gwybodaeth ychwanegol

Mae'r maglu yn digwydd trwy fisoedd yr haf ac, o'r herwydd, mae miloedd o gywion yn newynu i farwolaeth yn y nyth am fod y rhieni'n cael eu dal.

Nid yw maglau Larsen yn gwahaniaethu; gallant ddal adar o bob math a mamaliaid. Weithiau, er ei bod yn anghyfreithlon, defnyddir colomennod er mwyn denu ac yna lladd adar ysglyfaethus.

Mae dal adar gwyllt mewn maglau adar byw a defnyddio adar denu byw yn peri dioddefaint ofnadwy i'r adar anffodus.

Rydym yn cymell rhoi stop ar y ffordd hon o erlid bywyd gwyllt.

Etholaeth a Rhanbarth y Cynulliad

- Gorllewin Caerdydd
- Canol De Cymru

Larsen Traps in Wales

Wednesday 20 June 2018

Background

- Larsen traps are a live-catch trap used to capture and contain magpies and crows.
- Magpies and crows are subject to control under the terms of the General Licences, which are issued every year by Natural Resources Wales. The General Licences are relied upon by farmers, gamekeepers and other conservationists to allow them to undertake legal pest control.

Countryside Alliance Position:

- Crows and magpies are agricultural pests. Crows in particular can cause extremely distressing injury and even death to lambs.
- Crows and magpies in high densities near vulnerable populations of ground nesting birds or farmland songbirds can cause declines to birds of high conservation value, due to nest predation.
- Larsen traps are an invaluable tool in controlling magpie and crow populations. They are effective and they are humane. Because they are live-catch traps they are also extremely selective.
- It is vital that land managers can continue to use Larsen traps in accordance with the conditions laid out in the General Licence.

Why Control Crows and Magpies?

- There is no 'natural balance' between crows and magpies on the one hand and the birds on which they prey on the other. This is because crows and magpies also feed to a great extent on waste food produced by man, which greatly inflates their populations leading to intolerable levels of predation on ground nesting birds, songbirds and farm livestock.
- Although seldom recorded, Welsh sheep farmers report crows attack, maim and kill ewes and their lambs. This pressure is lessened on estates undertaking legal crow control¹.
- Crow and magpie predation has been implicated in declines in birds of high conservation value. In the uplands birds such as black grouse, curlew and lapwing only thrive in areas subject to predator control, while in the lowlands predator pressure has been shown to limit grey partridge recovery and crow and magpie predation has been shown to impact on thrushes and some farmland songbirds².
- A nine-year study undertaken in Northumberland showed that reducing numbers of carrion crows, alongside fox control, significantly improved breeding success of lapwing, curlew and golden plover³. The RSPB says the UK is arguably the most important country in the world for curlew conservation⁴, and this study showed that populations of these globally-threatened waders declined when there was no predator control.

¹ <https://www.dailypost.co.uk/news/local-news/crows-vs-farmers-age-old-battle-9310144>

² <https://www.gwct.org.uk/policy/position-statements/predation-control-and-conservation/>

³ <https://www.gwct.org.uk/policy/policy-reports/waders-on-the-fringe>

⁴ <https://www.rspb.org.uk/our-work/conservation/projects/curlew-recovery-programme/>

- Conservation charities recognise the need to control crows. In 2012/ 2013 153 carrion and hooded crows were killed to protect ground nesting birds on 4 different RSPB reserves⁵
- Predation control of crows and magpies using Larsen traps can improve the breeding success of farmland hedgerow-nesting songbirds⁶. In one study covering 4 years and 32 paired farmland sites, crows and magpies were removed at half the sites during the breeding season using Larsen traps; no removal took place at the other sites. The key finding was that overall nest success of the hedgerow-nesting songbird community was down by 10 per cent on the sites without Larsen trapping. Excluding 2012 data because of exceptionally high spring rainfall that year, in the other three years nest success was down 16% on the sites without Larsen trapping.
- The impact of crows and magpies on songbirds is important. The JNCC Farmland Bird Index, which includes many of the songbird species affected by crow and magpie predation, is down by 56% since 1970⁷. In the same timeframe, the crow population has doubled and continues to grow⁸.

Larsen Traps

- Larsen traps are extremely selective. It is very rare to catch anything other than the target species, and on the rare occasions non-target species are caught they can be released unharmed. In a survey of over 10,000 birds captured in Larsen traps, only 1% were non-target species⁹.
- The value of Larsen traps is in catching crows and magpies when they set up their breeding territories. Because Larsen traps are small, they can easily be moved around different breeding territories. Traps can be moved to deal with specific pairs of crows or magpies, and a few traps can therefore cover quite a large area.
- Larsen traps selectively trap the most damaging individuals. They use a captive bird to aggravate the territorial instinct of breeding birds in a particular area. It is breeding birds that are likely to be scouring that area for food, finding and destroying the nests of other bird species. Flocking birds that are not breeding are likely to be passing through and are both less likely to be causing damage and less likely to be caught in a Larsen trap.
- The trap mechanism involves a spring door to each catching compartment which is held open by a split perch. To enter the trap, birds the size of a magpie or crow inevitably drop onto the perch. The perch gives way, and the bird's momentum takes it past the bottom of the door, which flips up and traps the bird in the compartment. No harm is caused to the caught bird.

Larsen Traps and Welfare

- It is noteworthy that the RSPB are not opposed to legal, site-specific control of magpies, nor to the legal use of Larsen or other cage traps, as long as the general licence conditions are strictly adhered to¹⁰.
- The captive bird used to draw breeding crows and magpies to enter the trap is called a call-bird. The General Licence imposes a legal obligation to visit each call-bird at least once a day at intervals of not more than 24 hours, and specifies that food,

⁵ <https://ww2.rspb.org.uk/community/ourwork/b/martinharper/archive/2014/04/16/managing-predation.aspx>

⁶ Sage, R. B. and Aebischer, N. J. 2017. Does best practice crow *Corvus corone* and magpie *Pica pica* control on UK farmland improve nest success in hedgerow-nesting songbirds? A field experiment. – Wildlife Biology 2107

⁷ <https://www.bto.org/science/monitoring/developing-bird-indicators>

⁸ <https://www.bto.org/birdtrends2010/wcraocr.shtml#population>

⁹ <https://www.gwct.org.uk/media/372992/Larsen-use-guidelines-2014.pdf>

¹⁰ <https://www.rspb.org.uk/birds-and-wildlife/wildlife-guides/bird-a-z/magpie/legal-magpie-control-methods/>

water, shelter and an appropriate perch must be available to the call-bird at all times¹¹.

- Any birds killed in accordance with the General Licence must be killed in a quick and humane manner as soon as reasonably practicable after discovery. Any bird held captive prior to being killed must be killed out of sight of other captive birds.

For more information please contact:

Rachel Evans

Director for Wales

rachel-evans@countryside-alliance.org

¹¹ <https://cdn.naturalresources.wales/media/683657/general-licence-004-english.pdf?mode=pad&rnd=131583195870000000>



Cymdeithas Frenhinol er Atal Creulondeb i Anifeiliaid Royal Society for the Prevention of Cruelty to Animals

David Rowlands AM
Chair of the Petitions Committee
National Assembly for Wales
Cardiff Bay
CF99 1NA

4 July 2018

Dear Chair,

Petition P-05-813: Ban the use of Larsen traps (Multi Corvid Traps)

Thank you for your letter regarding petition P-05-813 on banning the use of Larsen traps in Wales. RSPCA policies are created and supported by our team of scientists, who are experts in their fields, and ensure that we are at the forefront of animal welfare thinking. In addition to this letter, we were pleased to supply a briefing to the National Assembly for Wales' Members' Research Service.

As many of your committee members will know, the RSPCA is the oldest animal welfare organisation in the world and has a unique perspective on animal welfare issues with our role in taking private prosecutions against those that commit animal offences.

Every year the RSPCA in Wales receives approximately eight calls from the public concerned about the use of Larsen traps to capture wild birds. The Larsen trap, as the petition briefing explains, is a variation of cage trap and can be made of wood or metal and contain two or three compartments to allow the use of a live decoy bird (or be baited with food). It is specifically designed to catch birds (often corvids like crows and magpies) alive.

Over the last four years we have received 32 calls relating to Larsen traps, including calls around homemade Larsen traps, traps being used to capture wild birds for captivity and for pest control. A number of incidents were reported by members of public but on further investigation no decoy birds were seen in use. Concern has been raised at the method of destruction of trapped birds in some cases which has been the use of a hammer to the birds head.

RSPCA Cymru has concerns with the use of Larsen traps as it does with many other forms of trapping. The RSPCA acknowledges that there is a legal structure in place that regulates the use of these traps, but that these regulations are poorly enforced. For example, we have attended a case in the past when a Larsen trap had been baited with meat and this had attracted, and caught, a red kite. If it was not for a member of the public calling this in to us, this breach of the legislation may not have been discovered.

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Noddwr Ei Mawrhydi
Y Frenhines
Patron HM The Queen



Cymdeithas Frenhinol er Atal Creulondeb i Anifeiliaid Royal Society for the Prevention of Cruelty to Animals

The RSPCA believes that taking action against species listed in a general licence is an easy course of action for land managers to take and that the management of any wild animal needs to be considered carefully, following seven ethical principles; modify human practices; justify with evidence; have achievable objectives; prioritise animal welfare; be socially acceptable; be subject to systematic planning - and any decision to act should be guided by a specific problem, not by a label¹.

Our main concern is that - though the general licence conditions include a statement that the authorised individual has to have demonstrated that non lethal alternatives do not work - there is no requirement to demonstrate this to Natural Resources Wales or other regulatory body before operating under the licence. This is a problem of compliance and it is difficult to obtain evidence that authorised persons have complied with this condition.

Welfare of the decoy bird

The RSPCA has always questioned the use of decoy birds in Larsen traps due to the potential for them to suffer while in the trap. We would prefer that such methods were not used, but if they are to be retained, then there should be a maximum time limit for both, when one bears in mind that some avian experts take the view that a wild bird rendered into captivity will always suffer. However, we are not aware of any specific data on time limits and recommend that research be commissioned to address this.

How long a bird is continuously kept as a decoy in the trap and how soon it can be returned to the trap is dependent on the size of the trap and other provisions therein e.g. perches, cover, enrichment, etc, as different traps will impact the welfare of the bird differently and different birds will react differently to being held captive. However, there should be a maximum time limit for keeping a bird as a decoy.

We are not aware of any research relating to the use of decoy birds regarding how long they should be retained in the trap and how long a bird should be kept. We understand that one school of thought recommends the use of call birds that are used for an extended period of time, while others suggest that decoy birds should be replaced at regular intervals. If decoy birds are to be kept for extended periods then they should be kept in larger aviaries when not in the trap. It is likely that this would require a number of birds to be kept so that they could be used in rotation, and would necessitate more birds to be taken from the wild. We recommend that research be conducted to provide data as to which practice would be the most humane and effective.

The RSPCA would urge the committee to recommend to the Cabinet Secretary for Energy, Planning and Rural Affairs that amendments to the legislation which seek to improve the enforcement and education around the use of these traps be made. We understand that Scotland's system requires that such traps be registered with the local police and this is something that, if introduced in Wales, would help traceability.

As an organisation that undertakes prosecutions under the Wildlife and Countryside Act 1981, we are occasionally asked to investigate potential offences relating to Larsen traps and having a system where the owner could be traced easily would make such investigations easier. We also support the Law Commission's² proposal that failure to comply with the conditions of a licence should be an offence.

¹ Dubois S., et al., (2017) International consensus principles for ethical wildlife control. Conservation Biology DOI. 10.1111/cobi.12896

² Law Commission (2015) Wildlife Law Volume 1 - Report Law Com No 362



Cymdeithas Frenhinol er Atal Creulondeb i Anifeiliaid Royal Society for the Prevention of Cruelty to Animals

Larsen traps, like other traps, are readily available to members of the public, but there is usually no information regarding their use. Although many users will be trained in the use of the traps and trained in methods of killing any trapped animals quickly and humanely, the traps may also be used by people who are unaware of the legal conditions imposed upon the user. Furthermore, these people may also lack the necessary skills, knowledge and confidence to kill any trapped animals humanely.

Guidance is available on the use of these traps from organisations like British Association of Shooting and Conservation³. While this guidance is useful at highlighting the legal implications of using such traps, we feel that more information is needed to make potential users aware of the consequences of using these traps.

Yours sincerely,

A handwritten signature in black ink that reads 'Claire Lawson'.

³ <https://basc.org.uk/shooting/pest-and-predator-control/>



The Maltings,
East Tyndall Street
Cardiff CF24 5EZ

David J Rowlands AM Chair
The Petitions Committee of the National Assembly for Wales
Cardiff Bay
Cardiff CF99 1NA

10th July 2018

Dear Mr Rowlands

Petition P-05-813 Ban the use of Larsen Traps – A Response from GWCT Cymru

The Game and Wildlife Conservation Trust Cymru welcomes the opportunity to respond to this petition. We believe that control of members of the crow family (corvids) is crucially important to the conservation of many wildlife species within Wales, and that the use of Larsen traps is a vital component of this control. A recent study in Scotland commissioned by SNH (Commissioned Report No 931¹) showed that there were several distinct groups of people who considered it important to control corvid birds under the General Licences. Of the two lawful options (trapping and shooting) trapping is the more efficient means of control, and for conservation issues the most seasonally focussed. The SNH study was extremely thorough, and the Welsh Government would be well advised to consider its evidence carefully.

Selectivity of corvid trapping

Corvid trapping in general was found by the SNH study (Part 2²) to be highly target-specific, with less than 3% of captures being non-target birds or mammals. Of the non-target birds, the most frequent captures were pheasants (1% of 4,500 captures) and buzzards (0.5%), and these were caught by a small minority of trappers (respectively 3% and 4%). Domestic cats and foxes formed 0.3% of captures. Larsen traps were the most commonly-used trap.

Larsen traps

Larsen traps are designed specifically to use a live call bird rather than food bait and are used primarily to target crows and magpies. They rely on the territorial behaviour of these two species for their effectiveness. The live call bird appears as an intruder to territory-holding birds, which try to evict it, getting themselves caught in the process. The Larsen trap was introduced to the UK by

¹ Reynolds, J.C. 2016. Assessing the nature and use of corvid cage traps in Scotland: Part 1 of 4 – Questionnaire survey of corvid trap users in Scotland. Scottish Natural Heritage Commissioned Report No. 931
<https://www.nature.scot/snh-commissioned-report-931-932-933-934-assessing-nature-and-use-corvid-cage-traps-scotland-part-1>

² Hartley, F.G., Campbell, S.T. & Jamieson, S. 2016. Assessing the nature and use of corvid cage traps in Scotland: Part 2 of 4 – Field survey of trap use in Scotland 2014-15. Scottish Natural Heritage Commissioned Report No. 932.

GWCT from Denmark in the 1980s and our early research showed that live call birds are critical to success. Live callers increase the catch rate by twelve to fifteen times; without them catch rates to traps with bait alone are so low as to be largely ineffectual. These trials produced a non-target catch rate of only 1% during the capture of over 10,000 crows and magpies³. Thus the use of a decoy bird, combined with the easy transportability and relatively low cost of the Larsen trap, create a highly selective technique which can be deployed quickly in Spring to prevent breeding by territory-holding corvids.

Reasons for controlling corvid birds in a conservation context

Teasing out the impact of individual predators in a complex system is very difficult, and there have been very few studies of the effect of crows or magpies alone. However, GWCT has carried out comprehensive studies of the impact of predation control by gamekeepers on a range of prey species. During the 1980s, GWCT ran a predator removal experiment on Salisbury Plain which included the control of crows and magpies. This showed a dramatic impact on the wild grey partridges, resulting in an average 3.5 fold increase in autumn population over three years, and a 2.5 fold increase in breeding pairs over the same period⁴.

More recently, the GWCT's Upland Predation Experiment, carried out between 2000 and 2008 showed a trebling of breeding success by moorland breeding wading birds (curlew, lapwing, golden plover), where a gamekeeper was actively controlling predators, including crows⁵. This study also showed a doubling of breeding success by red grouse, and a six times increase by black grouse. These moorland species are all seriously threatened in Wales, and the GWCT is of the view that crow and magpie control using Larsen traps is crucial to their conservation and recovery.

Animal welfare

Petition P-05-813 makes much of the supposed suffering of birds through being trapped day and night for long periods without food, water and shelter. Yet, as the petitioners also acknowledge, the terms of the General Licences allowing Larsen traps require the provision of adequate food, water at all times, appropriate shelter and a perch for decoy birds. As pointed out in the licences, users must also comply with all relevant provisions of the Animal Welfare Act 2006. This means that any action, or failure to act, causing unnecessary suffering would be a prosecutable offence. The Animal Welfare Act also extends to humane killing of trapped birds.

If crows have been "left to die without food and water" as the petitioners suggest, then the police should be involved, and the culprits should be prosecuted. Concerned about accusations of this type, and other issues related to the use of corvid cage trap use, Scottish Natural Heritage commissioned an investigation and report⁶. This showed that the large majority of decoy birds examined in a field

³ Reynolds, J.C. (1990). Crow and magpie control: the use of call birds in cage traps. *The Game Conservancy Review* 21: 48-49.

Tapper, S.C., Swan, M.C. & Reynolds, J.C. (1991). Larsen traps: a survey of members' results. *The Game Conservancy Review* 22: 82-86

⁴ Tapper, S.C., Potts, G.R., & Brockless, M.H. (1996). The effect of an experimental reduction in predation pressure on the breeding success and population density of grey partridges (*Perdix perdix*). *Journal of Applied Ecology*, 33, 965-978.

⁵ Fletcher, K., Aebischer, N. J., Baines, D., Foster, R., & Hoodless, A. N. (2010). Changes in breeding success and abundance of ground-nesting moorland birds in relation to the experimental deployment of legal predator control. *Journal of Applied Ecology*, 47(2), 263-272.

⁶ Campbell, S.T., Hartley, F.G. & Fang, Z. 2016. Assessing the nature and use of corvid cage traps in Scotland: Part 3 of 4 – Trap operation and welfare. Scottish Natural Heritage Commissioned Report No. 933.

survey were in good or very good condition, indicating that trap users in Scotland take the welfare of their decoy birds seriously. Aside from any moral and legal obligation to decoys, trap users have the incentive that a fit, active and well-kept decoy is far more likely to do its job well.

Petition P-05-813 (Additional information) also claims that trapping continues throughout the summer, and that in consequence “thousands of chicks starve”. GWCT believes that this issue is being exaggerated. In practice, Larsen trapping is more a spring than a summertime activity, and most users will set their traps when the crows and magpies become territorial in spring, well before the first crow and magpie eggs are laid. The trapping then continues through the nesting season, as this is key time for successfully reducing predation on nesting birds. However, it is important to note that the new colonists that move into territories where crows or magpies have been trapped will mostly be non-breeders that are looking for a territory. Having no territory, these birds will not have started a breeding attempt before they arrive, and will usually be caught in a matter of days, long before they have had time to start to nest. Meanwhile, territory holders with dependant young in neighbouring areas will not attempt to colonise vacant territories of which they have no need.

Misuse and abuse

Petition P-05-813 includes illegal use in its call for a ban on Larsen traps, citing baiting with live pigeons to trap birds of prey. GWCT is aware of some instances of illegal use, and there has been at least one successful prosecution for targeting birds of prey. Making this doubly illegal by banning Larsen traps is hardly likely to make any difference: those intent on breaking the law over bird of prey protection will not take heed of a ban on the use of Larsen traps. This would simply make the lawful control of crows and magpies much more difficult for law-abiding citizens, and at the same time force the use of methods, such as baited cage traps, which would be less target-specific.

Other observations

The 1,943 petition signatories can be broken down by location as follows:

Wales	37%
England, Scotland and Northern Ireland	60%
Other European countries	1%
Other parts of the world	2%

The petition clearly cannot be considered even largely Welsh, nor to indicate a view that is widely held in Wales. We question whether the 63% of signatories from other countries can have any direct knowledge of how Larsen traps are used in Wales, or of the reasons for corvid control in Wales; or any rightful say in Welsh affairs.

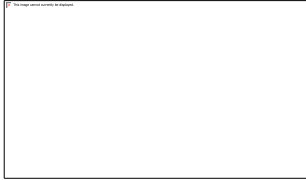
We would ask that the Welsh Assembly carry out research into the genuine responses of the Welsh public who have adequate information about the reason why Larsen traps are used and how this is done under strict legal conditions and within a Code of Good Practice. Our experience would suggest that these 1,943 signatories from all over the world are a very small idealistic group that is not at all representative of the Welsh public.

In our collaborative work with the Powys Moorland Project we invite groups of 60 or 70 members of the public to a workshop on management activities on the moors. We find that their opinions of predation control change through the two hour meeting. Many people arrive at our meetings with strong pre-conceived ideas opposing any form of predation control through trapping or killing of predators. Once we explain the purpose and outcomes of predation control and how it is carried out within the Code of Good Practice there is a great shift in their opinion towards supporting this

action into the future. This is particularly the case when speaking about the use of Larsen traps as part of suite of management measures in saving threatened species such as the Curlew.

Please do not hesitate to contact us should you require any further information or if we can help in any way in the future.

Yours sincerely



Sue Evans
Director Wales

David Rowlands AM
Petitions Committee
National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA

12 July 2018

Dear Chair,

Re: Petition P-05-813 - Ban the USE of LARSEN TRAPS

Thank you for seeking the RSPB's views in respect of this petition. We note that the primary thrust of the petition stems from the petitioner's concern regarding animal welfare issues arising from the use of Larsen traps. Although RSPB Cymru is an organisation focussed primarily on wildlife conservation and with no particular expertise on animal welfare, we do strongly support high welfare standards.

We are aware that misuse or abuse of Larsen traps can have negative welfare impacts. The risk of these impacts should be mitigated by correct adherence to the terms and conditions that authorise the traps' use. Where poor implementation of welfare terms and conditions occurs, this needs to be addressed by effective enforcement and by having underlying general licences that are fit for purpose. (As the Minister noted in her letter to the Committee of 23 April, the general licences, which in Wales are issued by NRW under the Wildlife and Countryside Act 1981 as amended, allow authorised persons to kill or take certain 'pest' species for specified purposes).

We do not oppose the use of Larsen traps in principle when this is done in strict accordance with the relevant legislation and, ideally, by operators prepared to go voluntarily beyond the

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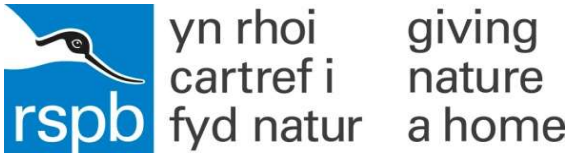


Mae'r RSPB yn aelod o BirdLife International, partneriaeth o gyrrff cadwraeth sy'n gweithio i sicrhau cartref i fyd natur o amgylch y byd.

The RSPB is a member of BirdLife International, a partnership of conservation organisations working to give nature a home around the world.

Noddwr/Patron: Ei Mawrhydi y Frenhines/Her Majesty the Queen **Cadeirydd y Cyngor /Chairman of Council:** Kevin Cox **Llywydd/President:** Miranda Krestovnikoff **Cadeirydd Pwyllgor Cymru/Chairman, Committee for Wales:** Professor Sir Adrian Webb **Cyfarwyddwr, RSPB Cymru/Director, RSPB Cymru:** Katie-Jo Luxton

Mae'r Gymdeithas Frenhinol er Gwarchod Adar (yr RSPB) yn elusen gofrestrredig: Lloegr a Chymru rhif 207076, yr Alban rhif SC037654. The Royal Society for the Protection of Birds (RSPB) is a registered charity: England and Wales no. 207076, Scotland no. SC037654.



minimum standards required by the legislation. However, we do have a number of serious concerns both about the inappropriate deployment of Larsen traps and about the purposes for which the general licences themselves are used, in some circumstances.

The very lightly regulated nature of Larsen trap use lends itself to deliberate misuse. For example, we are aware of cases where they have been used to carry out bird of prey persecution masquerading as legitimate corvid control. This has to some extent been mitigated by improvements in terms and conditions (e.g., the removal of pigeon species as authorised decoys; pigeons are in effect bait rather than decoys and are used to attract and kill protected birds of prey) but the concern remains and we continue to record instances of such abuse.

Across the licencing regimes in Great Britain, Larsen traps are used as a measure to support a number of land management activities to varying degrees. For example, Larsen traps also frequently appear to be used as one means to enable the creation of large surplus populations of quarry species for game shooting. This activity can be expressed as 'conservation' of the quarry species concerned – and thus ostensibly legitimate under the law. However, the artificially high numbers of individuals produced are not necessary for effective conservation of those species, and the purpose of the activity appears to be the creation of shootable surpluses. This is not a legitimate purpose under either the Birds Directive or the domestic legislation that implements the directive. The true extent of this activity is hard to ascertain (this point applies to other activities under the general licences and not just to Larsen traps).

There is no system for formally recording the numbers of birds killed in Larsen traps, i.e. no requirement to provide returns on usage and therefore no means of understanding either the extent of trap use or the resulting impact on target species. Again, this inherent lack of monitoring is a wider issue with the general licences, and is not limited to Larsen traps.

The lack of monitoring by licensing authorities also means there is no record of the incidental by-catch of non-target fully protected species and of the fates of individual trapped birds of protected species.

On a more technical point, we note that other GB administrations have chosen to restrict the decoy species that may be used in Larsen traps to the territorial corvid species for which these traps are best suited, rather than allow the use of all the corvids to which the general licence applies, as the Welsh licences still do. Specifically in Scotland, only carrion crows, hooded

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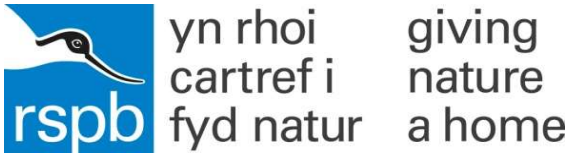


Mae'r RSPB yn aelod o BirdLife International, partneriaeth o gyffwrdd cadwraeth sy'n gweithio i sicrhau cartref i fydd natur o amgylch y byd.

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Nodwr/Patron: Ei Mawrhydi y Frenhines/Her Majesty the Queen **Cadeirydd y Cyngor /Chairman of Council:** Kevin Cox **Llywydd/President:** Miranda Krestovnikoff **Cadeirydd Pwyllgor Cymru/Chairman, Committee for Wales:** Professor Sir Adrian Webb **Cyfarwyddwr, RSPB Cymru/Director, RSPB Cymru:** Katie-Jo Luxton

Mae'r Gymdeithas Frenhinol er Gwarchod Adar (yr RSPB) yn elusen gofrestrdedig: Lloegr a Chymru rhif 207076, yr Alban rhif SC037654. The Royal Society for the Protection of Birds (RSPB) is a registered charity: England and Wales no. 207076, Scotland no. SC037654.



crows and magpies may now be used as decoys in Larsen traps. Other ('social') crow species included within the general licences are not permitted. We consider that the general licences should seek to limit what they permit strictly to what is technically competent and absolutely necessary to achieve their purpose. Thus we advocate limiting permitted Larsen decoy species to carrion crow and magpie in Wales (noting that hooded crow does not usually occur in the wild in Wales).

Beyond the present topic of Larsen traps, we have broader concerns about the general licences. We are not convinced that the various species listed within the general licences always pose sufficient serious threat in each of the various circumstances in which they are permitted to be killed to justify permitting their unlimited killing in such thinly regulated circumstances.

Yours sincerely,

Annie Smith
Sustainable Development Manager, RSPB Cymru

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Mae'r RSPB yn aelod o BirdLife International, partneriaeth o gyrrff cadwraeth sy'n gweithio i sicrhau cartref i fyd natur o amgylch y byd.

The RSPB is a member of BirdLife International, a partnership of conservation organisations working to give nature a home around the world.

Noddwr/Patron: Ei Mawrhydi y Frenhines/Her Majesty the Queen **Cadeirydd y Cyngor /Chairman of Council:** Kevin Cox **Llywydd/President:** Miranda Krestovnikoff **Cadeirydd Pwyllgor Cymru/Chairman, Committee for Wales:** Professor Sir Adrian Webb **Cyfarwyddwr, RSPB Cymru/Director, RSPB Cymru:** Katie-Jo Luxton

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**P-05-813 Ban the USE of LARSEN TRAPS (Multi Corvid Traps) -
Correspondence from RSPB to the Clerk, 23.08.18**

Dear Clerk,

Following our letter of response to the Committee relating to the position of the RSPB in relation to Larsen traps I enclose a number of recent blogs by our Conservation Director which contain further information relating to our position on this topic:

- Blog explaining RSPB vertebrate control undertaken by RSPB and our contractors:
<http://ww2.rspb.org.uk/community/ourwork/b/martinharper/archive/2018/06/28/the-conservationist-39-s-dilemma-an-update-on-the-science-policy-and-practice-of-the-impact-of-predators-on-wild-birds-5.aspx>
- Two blogs which also relate to this issue:
<http://ww2.rspb.org.uk/community/ourwork/b/martinharper/archive/2018/07/31/making-tough-decisions.aspx>

Follow up blog:

<http://ww2.rspb.org.uk/community/ourwork/b/martinharper/archive/2018/08/02/tough-choices-a-follow-up-comment-about-values-and-motivations.aspx>

Kind regards,
Laura

Eitem 3.10

P-05-815 Rheoli'r Diwydiant Dofednod Dwys Sy'n Ehangu'n Gyflym yng Nghymru

Cyflwynwyd y ddeiseb hon gan Gangen Brycheiniog a Sir Faesyfed o Ymgyrch Diogelu Cymru Wledig, wedi iddi gasglu 2,469 o lofnodion ar-lein a 2,098 ar bapur, sef cyfanswm o 4,567 o lofnodion.

Geiriad y ddeiseb

Rydym ni sydd wedi llofnodi isod yn galw ar Gynulliad Cymru i annog Llywodraeth Cymru i gymryd camau strategol hirdymor i sicrhau bod y diwydiant cynnyrch dofednod yn gynaliadwy yn amgylcheddol drwy gyflwyno Deddf yr Amgylchedd (Cymru), Rheoliadau Cadwraeth Cynefinoedd a Rhywogaethau 2017, Deddf Llesiant Cenedlaethau'r Dyfodol a'r Gyfarwyddeb Fframwaith Dŵr (WFD) yn effeithiol.

Mae gyrwyr amaethyddol pwerus sy'n cael eu hatgyfnerthu gan BREXIT yn cynyddu cynhyrchiad dwys o ran wyau a dofednod. Mae Llywodraeth Cymru yn anwybyddu'r canlyniadau amgylcheddol difrifol o ran bioamrywiaeth, pridd ac ansawdd dŵr ac afiechydon adar a dynol. Mae'r cyhoedd yn codi llais ynghylch lles dofednod ond yn anwybodus, ar y cyfan, am effaith amgylcheddol unedau ffermio dofednod dwys. Mae unedau wyau "maes" gyda chrynhoad o hyd at 2,500 o adar i bob hectar yn risg arbennig (adroddiad Cyfoeth Naturiol Cymru 218: Astudiaeth Peilot Dofednod Powys a rhybuddion nitrogen INI 6/17).

Mae cymoedd serth, glawiad uchel sy'n achosi difrod maethol trwm a phoblogaethau o rywogaethau naturiol prin yn gwneud llawer o Gymru wledig yn hollol anaddas ar gyfer y ffrwydrad presennol o unedau ffermio dofednod dwys. Ar ôl gostyngiad yn 1990, mae allyriadau amonia wedi bod yn cynyddu ers 2010 (adroddiad Rhestr Allyriadau Atmosfferig Cenedlaethol 2017 ar gyfer DEFRA). Mae llwythau critigol o ddyddodiadau amonia a nitrogen (trothwyon amcangyfrifedig o ran niwed annerbyniol i amrywiaeth planhigion) yn llawer uwch mewn rhai safleoedd gwarchoddedig Ewropeidd a'r DU, Gwarchodfeydd Natur Lleol a Choetiroedd Hynafol. Mae ffosffadau gormodol yn bygwth ein cyrsiau dŵr (Sefydliad Gwy a Wysg 2017).

Wrth fethu â gweithredu ar y dystiolaeth, mae Llywodraeth Cymru, Cyfoeth Naturiol Cymru a Chyngor Sir Powys yn esgeuluso'r ddyletswydd i "*gynnal a gwella bioamrywiaeth*" (Deddf yr Amgylchedd Adran 6).

Rhaid i Lywodraeth Cymru ddefnyddio ei phwerau i reoli'r diwydiant:

- 1) Darparu adnoddau priodol ar gyfer Cyfoeth Naturiol Cymru i wneud ymchwil brys, rheoleiddio a monitro unedau dwys a rhoi gwell cymorth cynllunio i Awdurdodau Cynllunio Lleol (ACLI).*
- 2) Cyhoeddi polisi cynllunio ac arweiniad i ACLI i wella penderfyniadau, sicrhau bod effeithiau cronus yn cael eu hystyried a monitro a gorfodi amodau cynllunio.*
- 3) Gwneud i'r diwydiant gyfrannu tuag at gostau rheoleiddio a monitro a'i ddwyn i gyfrif am dorri cyfrifoldeb amgylcheddol.*
- 4) Cyhoeddi adroddiadau cyhoeddus tryloyw ar gynnydd.*

Gwybodaeth Ychwanegol

O Bowys y daw ein tystiolaeth, ond mae ein deiseb yn berthnasol i Gymru gyfan.

Mae'r Cadeirydd, Diane McCrea, yn cadarnhau nad oes gan Gyfoeth Naturiol Cymru ddigon o adnoddau (BBC 14/12/17). Mae Cyfoeth Naturiol Cymru yn asesu effeithiau ceisiadau Unedau Dofednod ar safleoedd natur Ewropeaidd a'r DU ac yn cyhoeddi trwyddedau ar gyfer unedau o dros 40,000 o adar. Mae canllawiau gwell Cyfoeth Naturiol Cymru (Ebrill 2017) yn cwmpasu effeithiau cronol ond mae dulliau asesu yn methu â rhwystro datblygiad lle mae llwythi yn uwch na'r llwyth critigol presennol.

Mae'r Awdurdod Cynllunio Lleol yn asesu disgrifiad priodol o wasgariad ac effeithiau ar ansawdd dŵr, ansawdd aer, Gwarchodfeydd Natur Lleol, Coetiroedd Hynafol, tirwedd, amwynderau preswyl a thraffig lleol.

Nid oes gan Awdurdodau Cynllunio Lleol y sgiliau a'r adnoddau ar gyfer y cyfrifoldebau hyn. Nid yw Cyngor Sir Powys yn ystyried effaith gronus ceisiadau, ynghyd â'r holl Unedau cyfagos, ar yr amgylchedd naturiol, tirwedd neu drigolion gwledig. Dylai Atodlen 2 Asesiad Effaith

Amgylcheddol sicrhau bod yr effeithiau cronus yn cael eu hasesu ond mae hyn yn methu yn ymarferol. Mae Cyngor Sir Powys yn amharod i ddyfarnu statws AEA oherwydd y gall Llywodraeth Cymru wyrddroi'r penderfyniad (gweler P/2016/0608 a P/2017/0007).

Mae gan Ymgyrch Diogelu Cymru Wledig ddata ar geisiadau cynllunio dofednod dwys ym Mhowys ers 2011. Yn ystod y 30 mis diwethaf, bu 99 o GEISIADAU yn cynnwys dros DAIR MILIWN O ADAR, gyda 72 ohonynt ar gyfer wyau maes. O'r 99, dim ond 10 sydd â statws AEA: Mae 65 o geisiadau wedi'u cymeradwyo a DIM OND UN A WRTHODWYD.

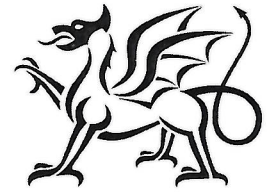
Mae gennym dystiolaeth o ddatblygiadau a gymeradwywyd heb fapio gwasgariad cyfuchlinellau neu wasgariad awyr agored, yn agos at warchodfeydd natur (71m), coetiroedd hynafol bregus (cyfagos) cyrisau dŵr (10m) a thrigolion (50m). Mae trigolion yn dioddef risgiau iechyd o bryfed, amonia yn yr awyr, llwch dofednod, gronynnau a gynhyrchir gan draffig ac arogleuon tramgwyddus. Anwybyddir gwrthwynebiadau rhanddeiliaid amgylcheddol a chyhoeddus, mae rhywogaethau planhigion prin yn marw, mae risgiau o glefydau yn cynyddu ac mae cyrsiau dŵr yn methu safonau'r Gyfarwyddeb Fframwaith Dŵr.

DIGON YW DIGON: Gellir gweld cyfres unigryw o DDATA UNEDAU DOFEDNOD DWYS POWYS gan gynnwys ceisiadau, map rhyngweithiol, map o fannau trafferthus ac arddangosfa animeiddiedig o dwf cronolegol yr Unedau Dofednod Dwys yn http://www.brecon-and-radnor-cprw.wales/?page_id=13.

Etholaeth a Rhanbarth y Cynulliad

- Brycheiniog a Sir Faesyfed
- Canolbarth a Gorllewin Cymru

Lesley Griffiths AC/AM
Ysgrifennydd y Cabinet dros Ynni, Cynllunio a Materion Gwledig
Cabinet Secretary for Energy, Planning and Rural Affairs



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref: P-05-815
Ein cyf/Our ref: LG/01234/18

David John Rowlands AM
Chair - Petitions committee
National Assembly for Wales
Cardiff Bay
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government.committee.business@wales.gsi.gov.uk

3 July 2018

Dear David

Thank you for your letter of 21 June, regarding the control of intensive poultry in Wales.

Natural Resources Wales (NRW) already considers cumulative impacts in the environmental permitting process. The emissions from proposed new intensive poultry installations are assessed by NRW in the context of existing background levels of ammonia and nitrogen. These background levels will reflect the contributions made by various sources, not only those subject to environmental permitting. NRW then makes a comparison against established safe limits for sensitive habitats and will only issue an environmental permit where the environment will be protected. NRW's guidance on this subject has been made available to Local Planning Authorities (LPAs) to assist them in making their own assessments of impact in the context of planning applications.

Determining planning applications in accordance with their Local Development Plan provides LPAs with the opportunity to comprehensively consider in-combination or cumulative effects of existing poultry units. This includes any in-combination or cumulative effects of noise, smells, pollution and health. The Chief Planner recently issued a letter to LPAs reminding them to take into account the cumulative impacts resulting from similar developments nearby. It advised about the need to exercise particular care when considering planning applications which bring livestock units and residential or sensitive environmental areas close together. The letter also provided an opportunity to local authorities to contribute to work looking at how cumulative analysis of nitrate and ammonia emissions can be better assessed.

Bae Caerdydd • Cardiff Bay
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Correspondence.Lesley.Griffiths@gov.wales

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

Tudalen y pecyn 239

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

Officials are currently exploring the opportunities for reducing emissions across a range of sectors, including agriculture, within the broader context of the Welsh Government's plans to improve air quality in Wales and the UK's targets to reduce overall emissions of certain pollutants under the provisions of the National Emission Ceilings Directive.

Regards
Lesley

Lesley Griffiths AC/AM

Ysgrifennydd y Cabinet dros Ynni, Cynllunio a Materion Gwledig
Cabinet Secretary for Energy, Planning and Rural Affairs



**Cyfoeth
Naturiol
Cymru**
**Natural
Resources
Wales**

Ein cyf/Our ref: CH - 031
Eich cyf/Your ref: P-05-815

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Mr David J Rowlands AM
Chair of Petitions Committee
National Assembly for Wales
Cardiff Bay
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By email: SeneddPetitions@Assembly.Wales

17 August 2018

Dear Mr Rowlands

Thank you for your letter of 21 June 2018 about the expanding poultry industry within Wales and its impact on the environment, and please accept our apologies for the delay in response.

Natural Resources Wales (NRW) agrees that the intensification of agriculture along with some farming practice can result in environmental degradation of biodiversity, soil, air and water quality.

It is important to clarify that NRW's role as a regulator in relation to Intensive Poultry Units (IPUs) is through the Environmental Permitting (England and Wales) Regulations 2016 (EPR), and is only for those that have more than 40,000 bird places. The emissions from these units can be tightly regulated through an environmental permit, but those units that are below this threshold are currently outside the environmental regulatory framework. Instead, these small units fall to the Local Planning System where our role is limited to being a statutory consultee within the planning process.

We recognise that the thresholds within the EPR are set through European derived legislation, but there may be an opportunity for Welsh Government (WG) to consider in the future whether these continue to be appropriate, given recent expansion of units and particularly with regard to the proliferation of units below the 40,000 bird places threshold.

Evidence shows that atmospheric releases of ammonia is having an impact on a number of protected sites in Wales. In addition, wastes arising from livestock also pose a significant risk to water quality in Wales. Manures and slurries, where these are directly applied to land,

are currently not sufficiently covered by the environmental regulatory framework or via the planning system. WG may also wish to consider whether there are further opportunities to include improved clarity and protection in legislation to ensure that with proper regulation, control and adherence to good farming practice, any potential environmental impact could be significantly reduced or eliminated.

In response to the specific points raised in the petition letter, we make the following comments:

1. *For WG to provide proper resources for NRW to do urgent research, regulate and monitor IPUs and give better planning help to Local Planning Authorities (LPAs).*

For the IPUs that we are regulate (that have more than 40,000 bird places) there are just under 100 farms in Wales. We are able to recover our costs for our permitting and regulatory work for these units via our Fees and Charges scheme. There are a far larger number of farms that are below this threshold that would be outside of any environmental regulatory cost recovery system.

A previous report by NRW has demonstrated that the smaller unregulated units can pose a greater threat from atmospheric releases than the larger NRW regulated units (NRW Evidence Report no 218: *Powys Poultry Pilot Study: An assessment of cumulative atmospheric releases*). However, our pilot study was based on a very limited geographical area in Powys. To assess whether there is merit in changing the regulatory thresholds in the future to cover units below 40,000 bird places (either through permitting or the application of general binding rules), then firstly WG would need to consider the current impacts that may be occurring across Wales, which have not yet been quantified.

As already indicated, some of the impact of IPUs relates to the application of manure to land at inappropriate times and/or where the land does not have the capacity to absorb the nutrients it contains. This results in nutrients being washed into watercourses during periods of rain and causing pollution. For those units that we regulate, the land-spreading of manure is not currently included in legislation as part of the regulated activity of the IPUs, so we are not able to control it beyond providing advice on good practice. In response to the recent WG Sustainable Management of Natural Resources Consultation, we advocated the development of 'basic measures' to provide us the tools to minimise the impact. A legal requirement to carry out an assessment of land prior to any land-spreading of manure would also help. There would need to be thought prior to any legislative change as to the potential consequence of large amounts of manure without a disposal route, although this could be the impetus for innovation and different ways for dealing with this issue. Therefore, any changes to the current legislation would require detailed evaluation to assess its overall impact, and given appropriate additional resource NRW would be able to contribute to this research. This improved understanding could inform and provide additional support to the Local Planning Authorities.

2. For WG to issue planning policy and guidance to LPAs to improve decisions, ensure cumulative impacts are considered and monitor and enforce planning conditions.

In April 2017, after extensive consideration of new evidence, NRW introduced tighter air quality thresholds to support our regulatory role. We have supported this with new guidance (**Guidance Note 20: Assessing the impact of ammonia and nitrogen on designated sites from new and expanding intensive livestock units**), and training for appropriate NRW staff and individuals from some Welsh local authorities.

This guidance is aimed at supporting local authority planners and NRW permitting officers in their assessment of planning and environmental permit applications respectively. The guidance requires that new units are assessed in terms of background and cumulative impacts so that any permissions issued can include appropriate conditions to ensure no adverse environmental consequences result. These new thresholds are also being adopted by some English planning authorities, for example Shropshire.

The development of a strategic approach, with guidance from WG could further help protect human health and the natural environment. NRW would be willing to support WG in producing such guidance to help the industry develop in a sustainable fashion to support agricultural development post Brexit.

3. WG to make the industry contribute towards the costs of regulation and monitoring and hold it to account for breach of environmental responsibility.

As already indicated, all operators that require an Environmental Permit pay for the cost of regulation through application fees and annual subsistence fees. We updated our Charging Scheme in 2017 to reflect the costs of regulation of IUPs, significantly increasing the cost of applications and expansions to ensure we have the resources to assess the impact of the proposed development. This ensures that any permit we issue is protective of the environment.

Any non-compliance with permit conditions is investigated, and appropriate corrective actions required from the site. Appropriate enforcement action will also be taken for pollution incidents with costs being recovered from the polluter.

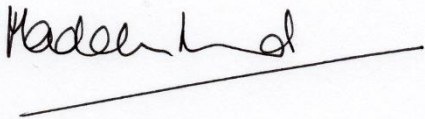
4. Publish transparent public reports on progress.

For those installations that require an environmental permit, all inspection records and monitoring submissions are publicly available on request. Our evidence reports are also available, including the Powys Pilot Study referred to above.

Finally, you raise whether NRW could be further empowered to look at the cumulative effects of multiple developments within an area, which might otherwise fall outside of the current regulatory regime. We would like to work with the Local Authorities to look at such cumulative effects to aid in improving future planning decisions, however, we would require additional resources and to recover our costs for this work.

I hope the above information is helpful in your consideration of the petition raised with your Committee.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Madeleine Havard', is written above a solid black horizontal line.

Dr Madeleine Havard
Cadeirydd Dros Dro
Acting Chair



**BRECON AND RADNOR
BRANCH**

**Comments on responses requested by Welsh Assembly Petitions Committee
from:**

Welsh Minister for Energy, Planning and Rural Affairs

Natural Resources Wales

Please address any correspondence to:

Dr Christine Hugh-Jones

Secretary,

Brecon and Radnor Branch,

Campaign for the Protection of Rural Wales.

<mailto:secretary@brecon-and-radnor-cprw.wales>

18th September 2018

1. THE LESLIE GRIFFITHS AND NRW RESPONSES to BRB-CPRW Petition to the Welsh Assembly

1.1 Our short response focuses on the WG and NRW replies. Much of the information we have submitted already is pertinent to these issues. Our petition calls for action on a pan-Wales basis. Our experience is in Powys. We know of no quantitative data similar to ours for the rest of Wales.

1.2. We warmly welcome CPO letter (12/6/18) from the Chief Planner to LPAs mentioned in Leslie Griffiths' response to our Petition. The Minister says that LPAs are reminded to take cumulative impacts of similar nearby developments into account. However, we see no measures in place to "**ensure**" LPAs heed the advice in the CPO letter. We have seen no evidence that either the spirit or the letter of the advice is being heeded in Powys in IPU planning application outcomes. In order to assess cumulative impacts on natural assets and neighbours, LPAs need to provide all interested parties with transparent guidelines, methodology and thresholds. These do not exist in PPW 9 or Powys LDP. There is still the opportunity to improve PPW 10 in this respect and encourage LPA SPG.

1.3. We warmly welcome the NRW guidance (GN20) but we note that the NRW regulatory role is limited to IPUs over 40,000 birds and, even for these larger units, ammonia and nitrogen assessment is limited to impacts on internationally and nationally designated sites.

2. DIVERGENCE BETWEEN THE WG RESPONSE AND NRW RESPONSE

2.1 This is highly significant since the Minister does not seem to be aware of the current situation as set out in the NRW response.

2.2 The NRW permitting regime applies to under 100 farms (poultry and other livestock) throughout Wales. CPRW evidence shows that in Powys alone, there have been 116 new intensive poultry applications since July 2015 and only 20 have been for units with over 40,000 birds.¹ Therefore this regulatory regime covers a very small proportion of the problem.

2.3 The NRW role in planning is that of statutory consultee and responses concerning ammonia and nitrogen are limited to impacts on internationally and nationally designated sites only. Impacts on undesignated '*sensitive habitats*' and the wider environment (WG response) are not assessed by NRW. LPAs are the responsible authority for planning applications. NRW responses do not address risks to local nature assets such as Nature Reserves or priority habitats, including ancient woodland, or priority species. Ancient woodland is a particular issue – see 3.2 below.

2.4 NRW states "*land-spreading of manure is not currently included in legislation as part of the regulatory activities of IPUs*" and "**manures and slurries, where these are directly applied to land are currently not sufficiently covered by the environmental regulatory framework or via the planning system**". Therefore the risks of nitrogen excess and pollution of soils and watercourses from poultry waste are **not** controlled by existing regulation of IPUs. Proper regulation of IPU manure spreading and IPU waste (including anaerobic digestate) is urgently required.

3. CURRENT PLANNING DECISION OUTCOMES

3.1 NRW says that the recently-strengthened NRW guidance in GN20, besides supporting the NRW regulatory role, is aimed at supporting LPA planners in determining planning applications. This guidance has been applicable for 16 months (since 1/4/17) but, so far, has not resulted in any planning refusals in Powys. The only IPU refusal since this date was on grounds of "*insufficient information*" rather than identified risk to natural assets (P/2018/0393 Tynyrwtra, Caersws). It seems that Powys lacks both the will and sufficient in-house expertise to carry out environmental assessments, including cumulative assessments of emissions, as required by the WG Chief Planner.

3.2 Similarly, NRW, in its role as statutory consultee, has not made any response sufficient to persuade Powys LPA to refuse any IPU application since 1/4/17. There are various reasons for this:

- NRW allowed "preapplication consultations", which would exempt the subsequent application from the tighter guidelines, to be made before 1/4/17 when these guidelines would come into

force. The result was a rush of pre-application consultations so that (September 2018) there are still very few cases in which NRW has been applying the new guidance in its statutory responses to Powys.

- NRW staff compiling statutory responses work within a culture of “making development possible” and may overlook considerable environmental risk because they are afraid of contributing to any planning refusals.
- Powys continues to act as if NRW is the authority for determining the environmental impacts of IPU planning applications, in spite of repeated NRW advice to the contrary, and employs no clear criteria for addressing impact on local natural assets or on local residents.
- Ancient Woodland is an exemplary case of disregard for local natural assets since developers insist that a proposed IPU only has to demonstrate that the unit contribution will result in less than 100% of the critical level (ammonia emissions) or critical load (nitrogen deposition). This assessment method, which has not been contested by LPAs (or NRW), does not take background levels or contributions from other IPUs into consideration. This means that LPAs have approved applications which result in many of our Welsh ancient woodlands receiving ammonia/nitrogen far in excess of the quantities known to cause direct harm to lower plants such as bryophytes or lichens.

4. INTERIM SHROPSHIRE GUIDANCEⁱⁱ

4.1 Shropshire LPA is liaising closely with NRW and has produced interim guidance for intensive livestock units to meet the English Government requirement to seek biodiversity net gain and to address a number of concerns. Among these concerns are the high number of permitted livestock units in Shropshire compared with other English Counties, the increase in applications, and clusters in proximity to wildlife sites. The Shropshire LPA guidance draws on NRW guidance on assessment of ammonia emissions and nitrogen deposition on internationally and nationally designated sites.

4.2 This LPA guidance is innovatory in extending the NRW assessment method to Natural Assets, listed as “*Local Nature Reserves, Local Wildlife Sites, Ancient Woodland or other irreplaceable habitats, priority habitats, priority species, important woodlands and ecological networks*”.

4.3. We note that Shropshire had “*over 100 intensive livestock units in 2017*” whereas, by mid-2018, Powys had double this: an estimated 200 intensive poultry units (and an unknown number of other intensive livestock units). This pressure on the environment was considered sufficient for Shropshire to enhance protection for Natural Assets outside internationally and nationally designated sites.

4.4 In Wales, there is a disastrous “planning gap” for the protection of natural assets outside internationally and nationally designated sites. This is particularly regrettable because NRW’s pioneering new guidance on internationally and nationally designated sites was clearly the inspiration for the Shropshire initiative. Neither NRW, nor the Welsh Government, nor (to our knowledge) any Welsh LPAs have considered better protection for natural assets outside internationally or nationally designated sites. We would welcome such a move by Welsh LPAs and believe that, with the political will to implement the Environment (Wales) Act, the Welsh Government and NRW could collaborate to achieve this through PPW10, targeted CPO advice and training of LPA planning and ecology officers.

5. RESEARCH AND FUNDING

5.1 Ceri Davies, NRW Director for Evidence, Policy and Permitting, has advised us that NRW has “*limited resources to develop our own evidence base and to fund relevant research*” and that there is “*a joint Welsh Government/NRW Strategic Evidence Group that reviews and coordinates shared evidence activities across policy and operational areas*” (14/6/18: letter to BRB-CPRW Secretary).

5.2 The NRW response to our petition explains that the current impacts of IPUs that may be occurring across Wales **have not yet been quantified** and therefore we conclude that the Joint Strategic Evidence Group has not researched or considered this crucial issue. NRW says they could contribute

to research to improve the understanding of manure disposal alternatives but that this would require appropriate additional resource. NRW also says they would welcome empowerment to look at the cumulative effect of multiple developments within an area together with LPAs to improve future planning decisions but they would need more resources and a system of cost recovery.

5.3 CPRW is concerned about the ammonia emission and nitrogen deposition data-bases. Wales is one tenth of the UK area and yet has only 4 national ammonia monitoring sites of the 85 UK total. It seems that site-relevant Critical Load tools (nitrogen deposition) are now based on a 3-year mean for 2011-2013.ⁱⁱⁱ We question whether the system is able to accurately profile today's local hot-spots.

5.4 CPRW is concerned about the mounting evidence (much of it from the Netherlands) that living within 1km of an ILU increases the risk of respiratory diseases, particularly community-acquired pneumonia.^{iv} ILUs are regularly approved very close to non-involved residents and, irrationally, the need to consider proximity to existing ILUs in siting new development (TAN 6 6.6.3) does not apply reciprocally when new ILUs are sited near to existing residential development, schools etc.

5.4. CPRW also considers the effectiveness of commonly proposed mitigation measures, such as planting tree belts, needs to be evaluated and incorporated into guidelines so that NRW staff and LPAs can assess whether proposed mitigation actually does reduce emissions below critical thresholds. At present, such decisions are apparently arbitrary and not transparently evidence-based.

5.3 It is clear from their response that NRW, in accord with a vast international body of environmental experts, considers that ILUs pose a serious risk to the environment. NRW asserts that the damage currently occurring has not been evaluated. Their own current role is limited and does not address the greater part of the risk. However any legislative or regulatory change should be evidence-based and would require appropriate funding and resources.

6. CONCLUSION

Our petition requested that, in order to ensure a sustainable industry complying with EU and Welsh environmental legislation, ***the WG must use its powers to control the industry:***

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

We consider that the Minister's response does recognise the need for environmental protection but our Powys example shows that there is no proper control through the planning process.

The NRW response supports our position, confirming that current NRW permitting does not address

- the majority of the industry, including the most polluting units
- the impacts of manure disposal on water and soils
- the protection of natural assets outside internationally and nationally designated sites.

It also confirms that neither the extent and distribution of the industry in Wales nor the environmental damage currently occurring from ILUs has been researched or assessed. NRW recognises the need for research, improved evidence-led legislation and planning control and is keen to contribute if suitably resourced.

The Welsh Government is, perhaps unwittingly, allowing the IP industry to cause irreversible environmental destruction, despite warnings by many environmental organisations^v, and now, by NRW. We call upon the Welsh Government to exercise the precautionary principle and use its powers to curb further expansion while the facts and risks are established and better control is designed and implemented with the assistance of NRW and other environmental experts. Action is urgently needed.

ⁱ Brecon and Radnor CPRW website

http://www.brecon-and-radnor-cprw.wales/?page_id=872

ⁱⁱ Shropshire Council Interim Guidance Note GN2

<mailto:https://shropshire.gov.uk/media/9752/interim-guidance-note-on-ammonia-emitting-developments-v1april2018-web-version.pdf>

ⁱⁱⁱ UKEAP National Ammonia Monitoring Network

<https://uk-air.defra.gov.uk/networks/network-info?view=nh3>

^{iv} Increased risk of pneumonia in residents living near poultry farms (open access article)

<https://pneumonia.biomedcentral.com/articles/10.1186/s41479-017-0027-0>

^v Wales Environment Link_ restoring_our_freshwaters_-_pollution_final_30_april.pdf

http://www.waleslink.org/sites/default/files/restoring_our_freshwaters_-_pollution_final_30_april.pdf

Eitem 3.11

P-05-721 – Deiseb Terfyn Cyflymder Penegoes

Cyflwynwyd y ddeiseb hon gan Isabel Bottoms ac ystyriwyd am y tro cyntaf gan y Pwyllgor yn ystod Rhagfyr 2016, Peter Bottoms and Sarah Holgate ar ôl casglu 298 llofnod bapur.

Geiriad y ddeiseb

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i gyflwyno terfyn cyflymder 30 milltir yr awr drwy bentref Penegoes (o arwydd pentref Penegoes o gyfeiriad Machynlleth, i ochr arall mynedfa newydd arfaethedig Maes Carafannau Maesperthi) ar yr A489 tuag at y Drenewydd; a therfyn cyflymder 40 milltir yr awr o Fachynlleth i Benegoes.

Etholaeth a Rhanbarth y Cynulliad

- Sir Drefaldwyn
- Canolbarth a Gorllewin Cymru

P-05-767 Cefnffordd yr A487 Trwy Dre Taliesin: Angen Brys am Fesurau Effeithiol i Arafu Traffig

Cyflwynwyd y ddeiseb hon gan Antony Foulkes ac ystyriwyd am y tro cyntaf gan y Pwyllgor yn ystod Ebrill 2017, ar ôl casglu 52 o lofnodion ar-lein.

Geiriad y ddeiseb

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i gyflwyno mesurau effeithiol i arafu traffig ar hyd cefnffordd yr A487 sy'n dirwyn yn uniongyrchol drwy ganol pentrefi cyfagos Tre Taliesin a Thre'r Ddôl, ac i ymgynghori â'r trigolion sy'n byw yn y pentrefi hyn a cheisio'u barn.

Gwybodaeth Ychwanegol

Yr A487 yw'r brif gefnffordd rhwng y gogledd a'r de ac mae'n dirwyn ar hyd arfordir gorllewin Cymru. Mae nifer fawr a chynyddol o gerbydau sy'n goryrru a thraffig nwyddau trwm yn teithio ar hyd y gefnffordd hon drwy ganol pentrefi cul Tre Taliesin a Thre'r Ddôl yng Ngheredigion. Ddiwedd 2016, ffurfiwyd Grŵp Gweithredu Taliesin A487 gan y pentrefwyr. Mae'r grŵp gweithredu lleol wedi cyfarfod a chyfathrebu'n agos â Chyngor Cymuned Llangynfelyn, Heddlu Dyfed Powys, Cyngor Sir Ceredigion a'r Aelod Seneddol lleol i gynnal dadansoddiad o'r problemau a'r atebion posibl. Mae'r grŵp hefyd wedi mynegi'i bryderon wrth Asiantaeth Cefnffyrdd Gogledd-orllewin Cymru, ac wedi cynnig cyfarfod â hi i gyfleu eu safbwyntiau, ond ni dderbyniwyd y gwahoddiad hyd yma.

Mae'n bwysig bod llais pentrefwyr sy'n byw o ddydd i ddydd gyda thraffig sy'n goryrru yn cael ei glywed a bod Llywodraeth Cymru yn ystyried eu safbwyntiau'n llawn, er mwyn i fesurau arafu traffig effeithiol, sy'n diogelu pentrefwyr a defnyddwyr y ffordd, gael eu cynllunio a'u rhoi ar waith.

Etholaeth a Rhanbarth y Cynulliad

- Ceredigion
- Canolbarth a Gorllewin Cymru

Eitem 3.13

P-05-792 Deiseb i ymestyn y terfyn cyflymder 40mya ym Mlaenporth.

Cyflwynwyd y ddeiseb hon gan Rosemarie Chaffers-Jones ac ystyriwyd gan y pwyllgor am y tro cyntaf yn ystod Ionawr 2018, ar ôl casglu 74 o lofnodion ar bapur ac 1 llofnod ar-lein.

Geiriad y ddeiseb

Rydym ni sydd wedi llofnodi isod yn cyflwyno'r ddeiseb hon i Gynulliad Cymru er mwyn ymestyn y terfyn cyflymder 40mya ar yr A487 i ffin y plwyf ble mae'r terfyn 50 mya yn dechrau.

Ar hyn o bryd mae'r terfyn 40mya yn dod i ben cyn ble'r oedd yr ysgol leol gynt, ar ffordd Lon-yr-Ysgol. Mae'r ysgol bellach wedi cau, ond mae'r plant yn dal yma, ac maent bellach yn cael eu codi yn arosfan bws Lon-yr-Ysgol ble y byddant yn aros, ar brydiau gyda rhieni gyda phlant bach, am y bws ysgol. Yn y prynhawn, pan fyddant yn cael eu gollwng ar ddiwedd y dydd, mae'n sefyllfa wahanol, gan bod yn rhaid i'r plant groesi'r A487 o ochr arall y ffordd.

Y cyfyngiad cyflymder yn y man lle y mae'r plant yn gorfod croesi'r ffordd yw 60mya ac mae'r traffig, sydd wedi'i ryddhau o gyfyngiadau'r parth 40mya, yn cyflymu ac yn aml yn goddiweddyd ar y rhan syth hon o'r ffordd. Draw yr ochr bellaf i'r ffordd nid oes arwydd 'Araf - Plant yn croesi', dim arwydd arosfan bws na lloches arosfan bws i roi rhybudd i fodurwyr y gallai cerddwyr fod yn croesi.

Dyma hefyd y man ble y mae'r ramp mynediad i'r anabl wedi'i leoli ar ddwy ochr y ffordd, a defnyddir hwn gan rieni â chadeiriau gwthio a'r henoed gyda fframiau cerdded yn ogystal â chan bobl gydag anabled ac ati.

Bu un farwolaeth eisoes ar y rhan hon o'r ffordd a'r wythnos diwethaf cafodd cerbyd mawr arall ddamwain a mynd oddi ar y ffordd a thrwy'r gwrych, gan falurio rhan fawr o ffens.

Credaf mai mater o amser yn unig yw nes y bydd plentyn yn colli ei fywyd. Ers i'r terfyn cyflymder gael ei osod ar y ffordd, adeiladwyd fferm solar gyda mynediad i'r rhan hon o'r ffordd a thraffig ychwanegol. Hefyd mae hen adeiladau'r ysgol wedi dod yn barc busnes, gyda siop sglodion, busnes ceiropractydd, warws carpedi, man golchi ceir, ac mae rhagor i ddod.

Mae hyn oll wedi arwain at gynnydd o ran traffig trwm sy'n troi i mewn i Lon-yr-Ysgol ac yn ceisio ei gadael.

Mae'r ddeiseb hon yn gofyn i Gynulliad Cymru roi blaenoriaeth i ddiogelwch ein plant, ac ymestyn y parth 40mya i gynnwys y rhan gyfan o'r A487 o fewn ffin y plwyf.

Etholaeth a Rhanbarth y Cynulliad

- Ceredigion
- Canolbarth a Gorllewin Cymru



Eich cyf/Your ref P-05-721, P-05-767 & P-05-792
Ein cyf/Our ref KS/01664/18

David John Rowlands AC
Cadeirydd y Pwyllgor Deisebau.

government.committee.business@wales.gsi.gov.uk

19 Gorffennaf 2018

Diolch am eich llythyr ar 4 Mehefin ynghylch Deiseb P-05-721 Terfyn Cyflymder ym Mhenegoes, Deiseb P-05-767 Cefnffordd yr A487 Trwy Dre-Taliesin a Deiseb P-05-792 i estyn y terfyn cyflymder 40mya ym Mlaenporth. Rwy'n ymddiheuro am fod mor hir yn eich ateb.

Mae Adolygu Terfyn Cyflymder yn broses hir a manwl. Ar gyfer pob darn o'r gyffordd, rhaid inni edrych yn gyntaf ar ganlyniadau'r adolygiad blaenorol, gan gynnwys hanes unrhyw gynlluniau sydd wedi'u cynnal yn sgil yr adolygiad hwnnw, yn ogystal ag ar sylwadau a phryderon sydd wedi dod i law oddi wrth randdeiliaid a'r gymuned leol. Bydd yr wybodaeth yn ein helpu i benderfynu ble a phryd y dylem gasglu rhagor o dystiolaeth o symudiadau traffig yn ogystal â chasglu data mwy cyffredinol am gyflymder ar adegau gwahanol o'r dydd. Byddwn wedyn yn dadansoddi'r data a gasglwyd.

Os bydd y canlyniadau yn unrhyw ardal yn dangos bod problemau diogelwch, bydd fy swyddogion yn ystyried opsiynau ar gyfer lleihau'r peryglon hynny. Gallai hynny, ymhlith pethau eraill, olygu gwella'r arwyddion a'r marciau ffordd neu ostwng neu orfodi'r terfyn cyflymder. Bydd yn rhaid rhoi'r holl waith a gynigir ledled Cymru yn nhrefn blaenoriaeth dros 3-4 blynedd, a'i gynnal fel y bydd arian yn caniatáu.

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1NA

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

Gohebiaeth.Ken.Skates@llyw.cymru
Correspondence.Ken.Skates@gov.wales

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

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

Er y gall ymddangos nad oes fawr yn cael ei wneud, gallaf eich sicrhau bod fy swyddogion yn gweithio'n ddiflino i ystyried yr opsiynau ar gyfer sawl man yng Nghymru. Er y byddai'n rhy gynnar eto rhoi enghreifftiau i'r Pwyllgor o ganlyniadau unrhyw asesiadau sydd wedi'u cynnal o dan yr adolygiad hwn, byddwn yn cyhoeddi gwybodaeth ar-lein pan fydd ar gael. Yn y cyfamser, efallai y carai'r Pwyllgor ystyried y wefan bresennol sy'n dangos canlyniad yr adolygiad diwethaf: <http://www.traffic-wales.com/Trunkroadsafetyreview.aspx?lang=cy-GB>.

Handwritten signature in black ink, appearing to read 'Yr Gymin' on the top line and 'Ken' on the bottom line.

Ken Skates AC/AM

Ysgrifennydd y Cabinet dros yr Economi a Thrafnidiaeth
Cabinet Secretary for Economy and Transport

Eitem 3.14

P-05-820 Peidiwch â chymryd Castell-nedd oddi ar y brif reilffordd

Cyflwynwyd y ddeiseb hon gan Bethan Phillips ar ôl casglu 10,472 o lofnodion.

Geiriad y ddeiseb

Annwyl Weinidog(ion) y Llywodraeth,

Rwyf am dynnu eich sylw at y newyddion diweddar sy'n awgrymu y bydd Castell-nedd yn cael ei dynnu oddi ar y brif reilffordd o Abertawe i Paddington Llundain.

Nid wyf o blaid y penderfyniad hwn oherwydd credaf y byddai cymryd Castell-nedd oddi ar y brif reilffordd yn cael effaith andwyol ar economi ein tref, ac ar yr ymgais i'w hadfywio. Mae'r orsaf eisoes wedi mynd â'i phen i waered ac mae bellach yn ganolbwynt ymddygiad gwrthgymdeithasol. Byddai tynnu Castell-nedd oddi ar y brif linell yn gwneud dim ond gwaethygu'r problemau hyn.

Byddai hefyd yn cael effaith negyddol ar y rhai sy'n cymudo ar y brif linell i fynd i'r gwaith, a fyddai'n golygu y byddai'n rhaid iddynt ddal trê'n ychwanegol i gysylltu ag Abertawe, Baglan neu Bort Talbot yn gyntaf.

Mae ffigurau diweddar a ddatgelwyd yn sgîl gwaith ymchwil gan Jamie Evans, Cynghorydd Plaid Cymru dros Dde Castell-nedd wedi canfod:

Roedd tua 830,000 o deithwyr yn defnyddio gorsaf drenau Castell-nedd bob blwyddyn, gan ei gwneud yr ail orsaf brysuraf ar ôl Abertawe, yn sir hanesyddol Gorllewin Morgannwg, a'r brysuraf o blith y pum gorsaf yng Nghastell-nedd Port Talbot. Byddai'r cynlluniau i gael gwared â Chastell-nedd o'r brif linell yn golygu y byddai'n rhaid i gymudwyr sy'n teithio i Gaerdydd o Gastell-nedd ddal trê'n i Abertawe, Baglan neu Bort Talbot yn gyntaf, sy'n golygu cynnydd o ran y gost a'r amser a gymerir iddynt fynd nôl a blaen i'r gwaith.

Ni fyddai pobl o Gastell-nedd, Pontardawe, Sgiwen, Glyn-nedd na Chwm Dulais yn cael unrhyw fudd o gwbl o'r "10 munud" o amser a arbedir ar deithiau rhwng Abertawe a Chaerdydd.

Gofynnaf yn garedig i chi ail-ystyried y penderfyniad hwn.

Etholaeth a Rhanbarth y Cynulliad

- Castell-nedd
- Gorllewin De Cymru



Ein cyf/Our ref KS/02272/18

David John Rowlands AM
Cadeirydd y Pwyllgor Deisebau

government.committee.business@llyw.cymru

31 Awst 2018

Annwyl David,

Diolch ichi am eich llythyr dyddiedig 18 Gorffennaf ynghylch Deiseb P-05-820 Peidiwch â Chymryd Castell-nedd oddi ar y brif reilffordd.

Mae cyfrifoldeb dros seilwaith y rheilffyrdd yn cael ei gadw gan Lywodraeth y DU ac felly yr Adran Drafnidiaeth sy'n penderfynu sut y mae arian yn cael ei fuddsoddi yn y rhwydwaith rheilffyrdd.

Fodd bynnag, hoffwn ddweud yn glir, fel yr wyf wedi ei wneud droeon yng Nghynulliad Cenedlaethol Cymru pan ofynnwyd imi am y mater hwn dros y misoedd diwethaf, nad yw Llywodraeth Cymru eriodd wedi awgrymu na chefnogi unrhyw gynnydd i gau gorsaf Castell-nedd na lleihau nifer y gwasanaethau i'r dref ac o'r dref. Hoffwn i ddweud yn glir hefyd na fyddem yn cefnogi cynnydd o'r fath yn y dyfodol – rydym am weld gwelliannau i orsaf Castell-nedd a'i gwasanaethau, nid dirywiad.

Wrth i'r Ysgrifennydd Gwladol gyhoeddi ym mis Gorffennaf y llynedd ei fod yn canslo'r cynllun i drydaneiddio'r rheilffordd rhwng Caerdydd ac Abertawe, dywedodd ei fod wedi gofyn i Network Rail ddatblygu opsiynau i wella teithiau i deithwyr yng Nghymru. Cafodd cynlluniau posibl i gyflymu amseroedd teithio rhwng Bryste ac Abertawe ac i wella cyfleusterau'r gorsafoedd yn Abertawe eu crybwyll yn benodol.

Mae Trafnidiaeth Cymru wedi'i gomisiynu i ddatblygu Achosion Amlinellol Strategol y Rhaglen i gyfiawnhau'r buddsoddiad yr ydym yn gofyn i Lywodraeth y DU ei wneud yn ein seilwaith rheilffyrdd ledled Cymru, gan gynnwys gwelliannau yn Abertawe ac o'i chwmpas.

Mae datblygu'r Achos Busnes yn ymwneud â nodi rhestr hir o opsiynau ar gyfer gwella amseroedd teithio ar y rheilffyrdd i gymudwyr a theithwyr pellter hir yn ne Cymru a byddwn yn cydweithio â rhanddeiliaid i nodi pa rai o'r gwelliannau hyn y dylid eu hystyried ymhellach.

Bydd y rhain yn cynnwys archwilio sut y gellir gwella'r seilwaith i sicrhau gallu a pherfformiad gorau y trenau Inter-City Express newydd. Er enghraifft, oherwydd gallu'r trac, anaml y cyrhaeddir cyflymder uchaf y trê'n a ganiateir ar y daith rhwng Llundain a de Cymru, a byth yng Nghymru. Rhaid i'r ffocws fod ar sicrhau y gall pob teithiwr, gan gynnwys defnyddwyr gorsaf Castell-nedd, elwa ar gysylltiadau gwell ac amserau teithio cyflymach.

Mae'n bwysig inni edrych ar yr holl opsiynau a chyfleoedd ar gyfer gwella amllder a lleihau amseroedd teithio i gymudwyr a theithwyr pellter hir a datblygu'r rheini sy'n gallu cyflawni ein hamcanion orau fel y gallwn, â chefnogaeth ein rhanddeiliaid, gyflwyno'r achos gorau posibl i Lywodraeth y DU ariannu'r gwelliannau mawr eu hangen yng Nghastell-nedd a'r rhanbarth ehangach.

Yn gywir,

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

Ken Skates AC/AM

Ysgrifennydd y Cabinet dros yr Economi a Thrafnidiaeth
Cabinet Secretary for Economy and Transport

Eitem 3.15

P-05-823 Gostwng y terfyn cyflymder ar yr A487 ym Mhenparcau

Cyflwynwyd y ddeiseb hon gan Rhian Lewis ar ôl casglu 262 o lofnodion.

Geiriad y ddeiseb

Rydym ni, fel trigolion ac ymwelwyr Penparcau, yn deisebu Pwyllgor Priffyrdd Cyngor Ceredigion i ostwng cyflymder y traffig ffordd, o 30mya i 20mya, ar yr A487 rhwng y groesfan belican ar Ffordd Penparcau a'r groesfan sebra ar First Avenue, a hynny er mwyn lleihau'r perygl o anaf a marwolaeth i gerddwyr ar y darn peryglus hwn o ffordd.

Etholaeth a Rhanbarth y Cynulliad

- Ceredigion
- Canolbarth a Gorllewin Cymru

Ken Skates AC/AM
Ysgrifennydd y Cabinet dros yr Economi a Thrafnidiaeth
Cabinet Secretary for Economy and Transport



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref KS/02333/18

David John Rowlands AC
Cadeirydd y Pwyllgor Deisebau

government.committee.business@llyw.cymru

25 Awst 2018

Annwyl

Diolch ichi am eich llythyr dyddiedig 27 Gorffennaf ynghylch Deiseb P-05-823: Gostwng y Terfyn Cyflymder ar yr A487 ym Mhenparcau.

Nid oes gennym fwriad i israddio'r rhan hon o'r A487. Mae pob cyfeiriad at israddio neu uwchraddio ffyrdd wedi'i dynnu o'r Cynllun Cyllid Trafnidiaeth Cenedlaethol diwygiedig. Gweler y ddolen ynghlwm am rhagor o wybodaeth: <https://beta.llyw.cymru/diweddariad-2017-or-cynllun-cyllid-trafnidiaeth-cenedlaethol>

Bydd Llywodraeth Cymru yn parhau i fod yn gyfrifol am faterion yn ymwneud â chyflymder a bydd yn eu hystyried drwy'r Adolygiad o Derfynau Cyflymder, fel y dywedais yn fy llythyr blaenorol.

Yn gywir

Ken Skates AC/AM

Ysgrifennydd y Cabinet dros yr Economi a Thrafnidiaeth
Cabinet Secretary for Economy and Transport

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0300 0604400

Gohebiaeth.Ken.Skates@llyw.cymru
Correspondence.Ken.Skates@gov.wales

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

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

Tudalen y pecyn 261

**P-05-823 Reduce the speed limit on the A487 in Penparcau –
Correspondence from the Petitioner to the Committee, 07.09.18**

FOR THE ATTENTION OF:

The Petitions Committee

National Assembly for Wales

Dear Sir or Madam,

As you should be aware, you received a petition in May of this year, that I raised with the support of the residents, and local shop owners of Penparcau Aberystwyth, in connection with our quest for a reduction of traffic speed on the A487, through a busy stretch of Penparcau, from 30mph to 20mph. The Petition was directed, initially, to the Ceredigion Council Highways Committee, but I subsequently contacted Assembly Minister Elin Jones, who met with me in March of this year in Penparcau, where we discussed the issue in the location that we, the residents are concerned about. Elin Jones offered her support, and passed on our concerns to Ken Skates, Cabinet Secretary for Economy and Transport.

I have also entered into correspondence with local MP Mr Ben Lake, who is offering his support.

As can be evidenced, the petition has over 280 signatures from residents and visitors who all support a reduction in speed in this very busy section of road in Penparcau, where the shops are situated, and where children pass through, and cross the road to access the local school, some 200 metres further along.

Penparcau would be classed as a relatively small village allied to Aberystwyth, therefore 280 signatures, which in effect, represents 280 families, clearly demonstrates the strength of feeling of the residents.

I did write to Ken Skates regarding this matter, but he chose to ignore me and did not respond, effectively ignoring 280 families concerned with this safety issue.

In conclusion, I trust you will look favourably on this petition, and do all you can for the residents of Penparcau, in order to prevent serious injury or loss of life on this busy section of road in our village,

Kind regards

Rhian Lewis

P-05-732- Amseroedd Aros Annerbyniol ar gyfer Cleifion y GIG yn Adran Damweiniau ac Achosion Brys Wrecsam/Ysbyty Wrecsam Maelor

Cyflwynwyd y ddeiseb hon gan Charles Dodman ar ôl casglu 14 llofnod.

Geiriad y ddeiseb

Rwy'n galw ar Gynulliad Cymru i drafod a gweithredu mesurau i fynd i'r afael ag amseroedd aros annerbyniol ar gyfer pobl Cymru yn Adran Damweiniau ac Achosion Brys Wrecsam/Ysbyty Wrecsam Maelor. Mae pobl Cymru yn ymddangos yn ddigalon ac wedi'u tanseilio oherwydd y sefyllfa annerbyniol hon.

Etholaeth a Rhanbarth y Cynulliad

- Wrecsam
- Gogledd Cymru

P-05-732 Unacceptable Waiting Times for NHS patients in A & E Wrexham Maelor Hospital - Correspondence from North Wales Community Health Council to the Committee, 11.07.18

From 1 April 2017 to date 4 July 2018

11 complaints

Date of first contact	Sub-Specialty/Service Area (Subjects)	Subjects	Sub-subject	Professional Group (Subjects)	Site (Subjects)	Description
14/08/2017	Accident and Emergency	Waiting Times	A&E	Doctor Secondary	Glan Clwyd Hospital 01745 583910	<p>1. Patient admitted to ED with a nose bleed she could not stem. After triage she waited 2 hours to be seen. Then after doctor took bloods she was sent back to the waiting area for several more hours.</p> <p>2. Man arrived at ED reception asking for patient. He was a hospital driver instructed to take her to another hospital to be seen by ENT Consultant. No one had made patient aware of this arrangement.</p> <p>3. On arrival at hospital no staff informed her of expected transfer. Sent to ENT dept some distance and patient had to walk feeling unwell and husband with limited mobility due to heart failure.</p>

Tudalen y pecyn 264

13/09/2017	Accident and Emergency	Waiting Times	A&E	Managerial Staff	Glan Clwyd Hospital 01745 583910	Multi-faceted complaint regarding care of patient with metastatic prostate cancer. Patient had surgery to remove prostate, bladder and lymph nodes but later scans suggested the bladder wasn't actually removed-contrary to surgeon's operation notes. Following surgery the patient lost the ability to swallow but the cause was never identified. Nursing care on ward was poor at times-buzzers not answered, lack of support with nutrition. After discharge patient was brought back to A&E by ambulance with cold sepsis but had to wait 5 hours to be seen by a doctor.
01/11/2017	Accident and Emergency	Waiting Times	A&E	Doctor Secondary	Ysbyty Gwynedd 01248 384384	<ol style="list-style-type: none"> 1. Attended A&E with locked left knee. Waited 6 hours before seen by doctor to be admitted to ward. Further 3 hours before bed allocated. 2. Seen by a consultant who was abrupt and rude and made patient feel he was a nuisance, as told he had taken bed of another patient whose surgery would be cancelled. Told only needed physiotherapy. 3. No treatment provided and patient discharged home with knee still locked. Contacted patient's consultant who drained knee and gave steroid injection. Lack of follow up appointment provided by ward and blamed, when treatment could have been delivered in A&E.
24/01/2018	Accident and Emergency	Waiting Times	A&E	Managerial Staff	Glan Clwyd Hospital 01745 583910	Patient was unable to be admitted to A&E as it was full

31/01/2018	Accident and Emergency	Waiting Times	A&E	Managerial Staff	Glan Clwyd Hospital 01745 583910	Patient admitted via A&E following cardiac arrest at home. Patient had been resuscitated twice by ambulance crew and was unconscious on arrival at ED. Had to wait several hours before a decision was made/communicated about how to care for patient. Taken to ICU. Was on life support for 3 days then decided to switch off. Patient's daughter had a very distressing experience while patient was dying. No one has explained what caused the strange phenomena she witnessed in her mother.
05/02/2018	Accident and Emergency	Waiting Times	A&E	Managerial Staff	Glan Clwyd Hospital 01745 583910	Multi-faceted complaint regarding care provided to bladder cancer patient. 9 hour wait in A&E before being admitted to ward. Concerns about cleanliness of ward. Staff seemed to want to rush to discharge. There was a lack of communication with family re. patient's diagnosis and treatment. Patient developed sepsis and died on the ward. Family were told patient had died but he was still breathing and making faces for 5 hours afterwards-at one point sat up foaming at the mouth.
06/03/2018	Accident and Emergency	Waiting Times	A&E	Managerial Staff	Glan Clwyd Hospital 01745 583910	Complaint regarding long wait in A&E when patient presented with severe abdo pain. Concerned about attitude of staff. Patient was almost given a medication to which he has a severe allergy. Only prevented because patient questioned what he was being given.
24/04/2018	Accident and Emergency	Waiting Times	A&E	Doctor Secondary	Wrexham Maelor Hospital 01978 291100	Patient was left waiting in an ambulance for 4 hours before being taken into the A&E department and then was left for a further 10 hours before receiving a CT scan which showed a fractured C1 vertebrae

16/05/2018	Accident and Emergency	Waiting Times	A&E	Doctor Secondary	Wrexham Maelor Hospital 01978 291100	Waiting times in A&E
24/05/2018	Accident and Emergency	Waiting Times	A&E	Managerial Staff	Glan Clwyd Hospital 01745 583910	Multi-faceted complaint regarding various aspects of care provided to cancer patient admitted via A&E with pneumonia. Patient had to wait all night in relative's room before being given a bed on a ward. Patient was then discharged prematurely and had to be readmitted a few days later. On second admission there were concerns about cleanliness, infection control and fundamentals of care.
13/06/2018	Accident and Emergency	Waiting Times	A&E	Information Not Provided	Wrexham Maelor Hospital 01978 291100	Complaint about waiting time at A&E Department. Patient waited so long she eventually left without being treated (she had suffered a head injury) and went to see her GP.

P-05-732 Unacceptable Waiting Times for NHS patients in A & E Wrexham Maelor Hospital - Petitioner to the Committee, 04.09.18

Further Evidence of the Problems Regarding A and E.
 Yours sincerely,
 Charles Dodman

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'Rise demonstrates staff are being pushed to breaking point'

HOSPITAL ALMOST AT 'PERMANENT CRISIS' LEVELS

Level 1	Steady State
Level 2 Amber Low	Moderate Pressure
Level 3 Amber High	Severe Pressure
Level 4	Extreme Pressure

BY LIAM RANDALL
 Local Democracy reporting services

NORTH Wales hospitals have been under the most severe level of pressure more than 2,000 times since 2015, according to 'frightening' new figures. Statistics released under the Freedom of Information (FOI) Act show Wrexham Maelor Hospital, Ysbyty Glan Clwyd and Ysbyty Gwynedd have been at level four, described as 'extreme pressure', on 2,185 occasions up to August this year. Glan Clwyd in Bodelwyddan faced the biggest strain, accounting for almost half (1,032) of instances, compared to 906 at the Maelor and 563 at Bangor's hospital. The situation has grown significantly worse since 2015 when hospitals only reached the top level 120 times, in contrast to 977 in 2017. The Maelor has already arrived at the trigger point more times as of August (182) than in the whole of 2017 (174). ■ FULL STORY PAGE 4

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'Extreme pressure' levels at hospitals

Liam Randall
Local Democracy Reporting Service

NORTH Wales hospitals have been under the most severe level of pressure more than 2,000 times since 2015, according to 'frightening' new figures.

Statistics released under the Freedom of Information (FOI) Act show Wrexham Maelor Hospital, Ysbyty Glan Clwyd and Ysbyty Gwynedd have been at level four, described as 'extreme pressure', on 2,185 occasions up to August this year.

Glan Clwyd in Bodelwyddan faced the biggest strain, accounting for almost half (1,032) of instances, compared to 505 at the Maelor and 563 at Bangor's hospital.

The situation has grown significantly worse since 2015 when hospitals only reached the top level 120 times, in contrast to 977 in 2017.

Last year Glan Clwyd hit level four more than once

a day (468), but while its situation has improved in 2018, the Maelor has already arrived at the trigger point more times as of August (182) than in the whole of 2017 (174).

North Wales Assembly Member Llyr Gruffydd said the data showed the three district general hospitals are operating at 'almost permanent' crisis levels.

He said: "The dramatic rise from 120 incidents in 2015 to almost 1,000 by 2017 demonstrates that staff are being pushed to breaking point."

"While 2018 has seen a decrease overall it's hugely worrying to see that Wrexham hospital has levels of Level 4 escalation that are already higher this year than last year, and we're only in August."

"Betsi Cadwaladr health board has been under direct Welsh Government control over the last three years and we've seen this happen."

"What will it take for this Labour Government to accept its part in the

mismanagement of our NHS?"

The four levels demonstrate how much pressure emergency departments in Wales are under and how hospitals should respond.

According to an official document, level four is met when admissions are significantly above the expected number and available capacity, and patients are left waiting more than four hours to be seen.

Triggers include if emergency departments are unable to cope with demand and ambulance patients have waited more than an hour to be handed over to hospital staff.

It can also occur when there is a lack of capacity in the coronary and intensive care units.

The document states that the situation should be brought to the attention of the health board's chief executive and Welsh Government.

In response to the figures, Betsi Cadwaladr said

Level 1	Steady State	Ensure all standard operating processes are functioning as efficiently as possible in order to maintain flow
Level 2 Amber Low	Moderate Pressure	Respond quickly to manage and resolve emerging pressures that have the potential to inhibit flow. Initiate contingencies. De-escalate when applicable
Level 3 Amber High	Severe Pressure	Prioritise available capacity in order to meet immediate pressures. Put contingencies into action to bring pressures back within organisational control. De-escalate when applicable
Level 4	Extreme Pressure	Ensure all contingencies are fully operational to recover the situation. Executive command and control of the situation. De-escalate when applicable

escalation levels can change throughout the day.

Executive director for nursing and midwifery Gill Harris said: "We have been open about the challenges we face in improving flow, which are the same as those experienced in most hospitals across the UK."

"Escalation levels are not a performance measure. They are an internal management tool to aid the management of patients through the hospital system and the levels change throughout the day."

"We remain extremely

grateful to our staff for their professionalism and dedication to caring for our patients."

Earlier this month, Health Secretary Vaughan Gething announced a cash injection of almost £7 million for the beleaguered health board, which has been in special measures since June 2015 in the wake of the Tawel Fan mental health ward scandal.

He said the funding would be used to strengthen planned and unscheduled care services and deliver further improvements to

mental health and learning disability services.

A Welsh Government spokesman said: "Progress has been made in a number of areas under special measures but we have told the board we expect to see immediate improvements in other areas, in particular waiting times."

"We have, and continue to place more intensive support to deliver transformational change and improvements needed in planned and unscheduled care and a new chair has been appointed to drive this forward."

Welsh Rugby League International to be played at the Racecourse



The Racecourse Ground

WREXHAM AFC has confirmed a Wales Rugby League international is to be played at the Racecourse Ground.

Wales will face Ireland in the European Championship at the Racecourse on Sunday, November 11 (3pm kick-off) as they bid to qualify for the 2021 World Cup.

Scotland 18-12 and went on to lift the European Championship. The town also hosted two 2013 World Cup fixtures.

Before Wales' clash with Ireland, John Kear's men will travel to France and Galashiels to take on Scotland in the European Championship.

"We'll be working closely with both Wrexham Football Club and Wrexham Council to promote the match over the next couple of months."

"I know that John, his backroom staff and the players are all eager to put on a good

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Eitem 3.17

P-05-751 Cydnabod achosion o Ddieithrio Plentyn oddi wrth Riant

Cyflwynwyd y ddeiseb hon gan Families Need Fathers Both Parents Matter Cymru ac ystyriwyd am y tro cyntaf gan y Pwyllgot yn ystod Mai 2017, ar ôl casglu 2,058 llofnod – 752 ar bapur a 1,306 ar-lein.

Geiriad y ddeiseb

Rydym yn galw ar Gynulliad Cymru i berswadio Llywodraeth Cymru i ddiogelu plant a phobl ifanc Cymru drwy gydnabod yn ffurfiol fod unrhyw un sy'n 'Dieithrio Plentyn oddi wrth Riant' yn cam-drin plentyn yn emosiynol. Rydym yn galw ymhellach ar Lywodraeth Cymru i gymryd camau penodol i leihau'r effaith a gaiff achosion o Ddieithrio Plentyn oddi wrth Riant ar blant a'u teuluoedd.

Gwybodaeth Ychwanegol

Rydym yn cynnig bod Llywodraeth Cymru yn cymryd y camau a ganlyn:

- Cydnabod bod unrhyw un sy'n 'Dieithrio Plentyn oddi wrth Riant' yn cam-drin plentyn yn emosiynol ac, wrth ddiffinio'r term, dylid cynnwys y diffiniad a gafwyd gan y Weinyddiaeth Gyfiawnder (paragraff 1) yma <https://petition.parliament.uk/petitions/164983>)
- Comisiynu ac ariannu hyfforddiant gorfodol i weithwyr proffesiynol gan gynnwys staff y Gwasanaethau Cymdeithasol a Cafcass Cymru (ond nid dim ond y rhain), i'w helpu i adnabod achosion o Ddieithrio Plentyn oddi wrth Riant ac i sicrhau eu bod yn gwybod am y trefniadau sydd ar waith i ddiogelu plant rhag niwed.
- Sefydlu ac ariannu ymgyrch genedlaethol i roi gwybodaeth i blant a'u teuluoedd a'u dysgu am y cysyniad o Ddieithrio Plentyn oddi wrth Riant a'r niwed y mae'n ei achosi.
- Rhoi dyletswydd ar Weinidogion Cymru i gymryd camau i ddiogelu plant rhag cael eu cam-drin a'u niweidio drwy eu Dieithrio oddi wrth Riant.

Dyma sut y diffiniwyd 'Dieithrio Plentyn oddi wrth Riant' gan y Weinyddiaeth Gyfiawnder:

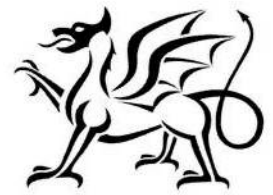
'In cases where parents are separated, parental alienation refers to a situation in which one parent (usually the parent with whom the child lives) behaves in a way

which creates anxiety in the child, so that it appears the child is opposed to living or spending time with the other parent.'

Daw'r diffiniad hwn o'r paragraff cyntaf yn ymateb y Llywodraeth i ddeiseb Mr. Darren Towill sydd i'w gweld yn: <https://petition.parliament.uk/petitions/164983>
Mae CAF/CASS Lloegr eisoes wedi cydnabod bod unrhyw un sy'n dieithrio plentyn oddi wrth riant yn euog o gam-drin y plentyn hwnnw. Mewn erthygl yn y Telegraph ar-lein, dyddiedig 12 Chwefror, 2017, dywedodd Anthony Douglas, Prif Weithredwr CAF/CASS, fod Dieithrio Plentyn oddi wrth Riant yn sicr gyfystyr ag esgeuluso neu gam-drin plentyn, o ran ei effaith bosibl. <http://www.telegraph.co.uk/news/2017/02/12/divorced-parents-pit-children-against-former-partners-guilty/>

Etholaeth a Rhanbarth y Cynulliad

- Gorllewin Caerdydd
- Canol De Cymru



Ein cyf/Our ref HID/00492/18

David Rowlands AM
Chair - Petitions committee.
National Assembly for Wales

government.committee.business@wales.gsi.gov.uk

11 July 2018

Dear

David,

Petition P-05-0751 – Recognition of Parental Alienation

Thank you for your letter of 21 June asking for further information of interest to Committee members concerning the Parental Alienation petition.

In respect of pathways, Cafcass Cymru's approach to private law work is currently being reviewed and new practice guidance, *Best Practice Approach in Private Law: Child in Focus*, will be completed by the end of 2018 with the intention that it will be operational as from early 2019.

The review is actively considering the work being undertaken by Cafcass England in respect of alienating behaviours and a representative from Cafcass England has been invited to support this work. The new practice guidance will build on the work of academics including the report Cafcass Cymru commissioned from Cardiff University to review the academic literature and case law on the subject of parental alienation.

Cafcass Cymru is engaging with practitioner staff to consider their training and professional development needs in light of the revised approach to private law work including identifying, assessing and responding to alienating behaviours. A range of training and practice development opportunities to support the implementation of Cafcass Cymru's new practice guidance will be made available to practitioners that will include identifying and responding to alienating behaviours. The timing of this will complement the operational roll out of the new practice guidance.

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1NA

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400
Gohebiaeth.Huw.Irranca-Davies@llyw.cymru
Correspondence.Huw.Irranca-Davies@gov.wales

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

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

I hope this additional information is helpful to Committee members.

Yours sincerely,

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

Huw Irranca-Davies AC/AM

Y Gweinidog Plant, Pobl Hŷn a Gofal Cymdeithasol
Minister for Children, Older People and Social Care

David J Rowlands AC
Cadeirydd y Pwyllgor Deisebau
Drwy e-bost

5 Gorffennaf 2018

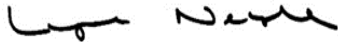
Annwyl David

Deiseb P-05-751 Cydnabod achosion o Ddieithrio Plentyn oddi wrth Riant

Diolch am eich llythyr ynglŷn â'r ddeiseb uchod, a nodwyd gan y Pwyllgor yn ei gyfarfod ar 28 Mehefin.

Gallaf gadarnhau, hyd yma, nid yw'r Pwyllgor wedi ystyried y mater hwn nac unrhyw beth sy'n ymwneud â hi yn y Cynulliad hwn. Hefyd yn ddiweddar, cytunodd y Pwyllgor ar ei flaenraglen waith, ac nid oes dim cynlluniau i ystyried y mater hwn yn y dyfodol agos.

Yn gywir



Lynne Neagle AC
Cadeirydd





FNF BOTH PARENTS MATTER CYMRU
61 COWBRIDGE RD EAST
CARDIFF
CF11 9AE

paul@fnf-bpm.org.uk

18th September 2018

David Rowlands AM
Chair- Petitions Committee
National Assembly for Wales
Cardiff Bay
CF99 1NA

Dear David

Petition P-05-751 – Recognition of Parental Alienation

We have considered the various items of correspondence from the Minister as well as from the Chair of the Education Committee.

We are profoundly concerned that Cafcass Cymru are continuing to fail to properly recognise and address the issue of Parental Alienation in a way that will protect children in Wales from harm.

During questioning of the Chief Executive of Cafcass Cymru, Nigel Brown, by members of the Committee at the evidence session on 1st May we believe that a commitment was made to follow the approach of Cafcass in England – in which we have a high level of confidence. Information shared with me at the meeting of the Cafcass Cymru Advisory Committee in June of this year has now cast significant doubt on that.

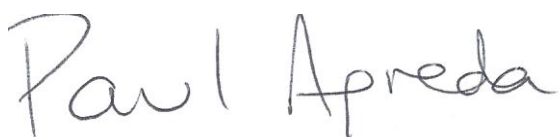
Cafcass Cymru are planning an approach under a High Conflict pathway that includes a number of elements including the controversial CAWAC assessment tool that Members of the Welsh Assembly have been denied the opportunity to scrutinise. The document shared with the Advisory Committee entitled ‘Best Practice Approaches to Private Law – Child in Focus’ is referred to obliquely by the Minister in his response. Having read that brief document it gives us grave concerns for the way in which Cafcass Cymru are proposing to proceed with work in this area.

Firstly, there remains a deep and worrying resistance to use the term Parental Alienation. Instead the Cafcass Cymru document continues to use the term Alienating Behaviours. The first part of the draft refers to high conflict, but seems to include alienation – this is unclear and confusing. We believe that there needs to be a much more focussed explanation on the range of cases this pathway hopes to encompass.

It is fundamental for Cafcass Cymru to understand that conflict – high or otherwise – is not always a feature in cases of alienation particularly where you have one parent with personality traits of manipulateness and deceitfulness and another, passive parent, who actively seeks to avoid conflict. We believe that this creates a differential approach to the work being undertaken by Cafcass in England. They have undertaken a wide ranging consultation and collaboration with organisations which have a particular interest in and understanding of Parental Alienation and have listened and amended their initial approach. It appears that Cafcass Cymru are basing their approach on an outdated version of some of the earlier drafts of the work now being progressed by Cafcass – which again appears very concerning.

We would strongly recommend that the Petitions Committee invite Nigel Brown and Beth Altman – who is leading on the Best Practice Approach – to give evidence to the Committee – sharing with you their most up to date thinking and procedures around Parental Alienation, explaining why they believe their approach is better than that being adopted by Cafcass in England. We believe that a separate request to Cafcass in England to provide oral evidence would enable the Committee to gain a better understanding of the ways that they are significantly ahead of their Welsh colleagues and encourage a greater flow of ideas between the organisations.

regards



Paul Apreda

National Manager

FNF Both Parents Matter

P-05-784 Dibyniaeth ar gyffuriau presgripsiwn ac effeithiau diddyfnu – adnabyddiaeth a chefnogaeth

Cyflwynwyd y ddeiseb hon gan Stevie Lewis ac ystyriwyd am y tro cyntaf gan y Pwyllgor yn ystod Mai 2017, ar ôl casglu 213 o lofnodion ar-lein.

Geiriad y ddeiseb

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i gymryd camau i adnabod yn briodol a chefnogi'n effeithiol yr unigolion hynny yr effeithir arnynt ac a niweidir gan ddibyniaeth ar gyffuriau presgripsiwn a'r adwaith wrth diddyfnu oddi wrthynt.

Sefydlwyd y ddeiseb hon i godi ymwybyddiaeth o sefyllfa unigolion yng Nghymru yr effeithir arnynt gan ddibyniaeth ar gyffuriau gwrth-iselder a bensodiasepinau ar bresgripsiwn a'r adwaith wrth geisio diddyfnu oddi wrthynt. Yn benodol gofynnwn i Lywodraeth Cymru gefnogi galwad Cymdeithas Feddygol Prydain ledled y DU am gamau i ddarparu cymorth amserol a phriodol ar gyfer unigolion yr effeithir arnynt.

Mae'r term "dibyniaeth ar gyffuriau presgripsiwn" yn cyfeirio'n benodol at y sefyllfa lle mae cleifion, ar ôl cymryd eu meddyginiaeth gwrth-iselder neu bensodiasepin yn union fel a ragnodwyd gan eu meddyg, yn gweld na allant roi'r gorau oherwydd yr effeithiau diddyfnu difrifol. Mae'n bwysig nodi yma bod caethiwed a dibyniaeth yn gysylltiedig â'i gilydd, ond yn faterion gwahanol. Mae defnyddio'r term 'bod yn gaeth' yn awgrymu bod yr unigolyn yn ymddwyn mewn ffordd benodol er mwyn ceisio pleser. Mae adroddiadau am ddibyniaeth ar gyffuriau presgripsiwn yn y cyfryngau yn parhau i gyfeirio at "camddefnyddio" a "bod yn gaeth" fel pe bai'r claf yn gyfrifol mewn rhyw ffordd am ei niwed ei hun. Mae hyn ymhell o'r gwir. Ni cheir unrhyw bleser o gwbl o sylweddoli eich bod yn dioddef amrywiaeth eang o symptomau corfforol ac emosiynol wrth geisio rhoi'r gorau i'ch meddyginiaeth gwrth-iselder neu cymryd llai ohoni. Mewn rhai achosion, gall y symptomau gyfyngu ar fywyd pobl ac, yn drasig, gallant fod yn angheuol hyd yn oed. Mae ar gleifion angen cydnabyddiaeth ffurfiol, cymorth ac arweiniad i'w helpu drwy eu taith o roi'r gorau i'r feddyginiaeth ac nid yw hynny'n bodoli ar hyn o bryd.

Gwybodaeth ychwanegol

Yn ddiweddar, mae Cymdeithas Feddygol Prydain wedi tynnu sylw at broblem dibyniaeth ar gyffuriau presgripsiwn. Ym mis Mai 2017 ysgrifennodd: "Prescribing of psychoactive drugs is a major clinical activity and a key therapeutic tool for influencing the health of patients. But often their use can lead to a patient becoming dependent or suffering withdrawal symptoms. In the absence of robust data, we do not know the true scale and extent of the problem across the UK. However, the evidence and insight presented to us by many charity and support groups shows that it is substantial. It shows us that the 'lived experience' of patients using these medications is too often associated with devastating health and social harms. This represents a significant public health issue, one that is central to doctors' clinical role, and one that the medical profession has a clear responsibility to help address." Oherwydd nad yw sgil effeithiau, effeithiau goddefiad ac effeithiau diddyfnu'r meddyginiaethau hyn yn cael eu hadnabod yn feddygol am yr hyn ydynt, pan fydd cleifion yn datblygu'r effeithiau/symptomau cysylltiedig hyn maent yn aml yn cael presgripsiwn ar gyfer meddyginiaethau eraill ac yna mae'r gymysgedd o nifer o feddyginiaethau yn cymhlethu'r problemau ymhellach.

Mae cleifion yr effeithir arnynt yn eu cael eu hunain â diagnosis amwys, e.e.'symptomau heb esboniad meddygol' neu 'anhwylderau'r system anorganaid / corfforol'. Yn y bôn, diagnosis seiciatrïg yw pob un o'r rhain, yn priodoli amrywiol symptomau corfforol sy'n gwanychu a llesgáu'r claf i'w bryder a'i gredoau ac ati ei hun. Effaith hyn yw diystyru, diraddio a digalonni rhagor ar y cleifion hyn. Os na ellir cydnabod bod modd i gleifion ddiodef niwed a chamweithrediad anorganaid parhaus ar y system nerfol o ganlyniad i gymryd meddyginiaethau 'yn unol â'r presgripsiwn' (weithiau dros lawer o flynyddoedd), bydd dysg a gwelliant meddygol systemig yn cael eu llesteirio a bydd cleifion yn parhau i gael eu niweidio ymhellach. Yn y cyfamser ni sylweddolir o hyd faint y risgiau wrth roi'r presgripsiwn cychwynnol, ac mae'r canllawiau camarweiniol a'r cyngor 'arfer gorau' ar gyfer rhoi meddyginiaethau o'r fath ar bresgripsiwn yn parhau yr un fath.

Etholaeth a Rhanbarth y Cynulliad

- Mynwy
- Dwyrain De Cymru

Vaughan Gething AC/AM
Ysgrifennydd y Cabinet dros Iechyd a Gwasanaethau
Cymdeithasol
Cabinet Secretary for Health and Social Services



Llywodraeth Cymru
Welsh Government

Our ref VG/01997/18

David John Rowlands AM
Chair - Petitions Committee.
National Assembly for Wales
Cardiff Bay
CF99 1NA
SeneddPetitions@Assembly.Wales

27 June 2018

Dear David,

Thank you for your letter of 11 June on behalf of the Petitions Committee concerning Petition P-05-784: Prescription drug dependence and withdrawal - recognition and support.

I shall respond to the specific points you have highlighted:

- ***How the Committee, and the evidence gathered to date on this subject, could support the development of the Substance Misuse Treatment Framework***

The purpose of the Substance Misuse Treatment Frameworks is to assist in the commissioning, development and delivery of treatment services based upon robust evidence and need. As you note, a specific action in our Substance Misuse Delivery Plan 2016-18 is to develop a Substance Misuse Treatment Framework (SMTF) focusing specifically on prescription only medicines and over the counter medicines. In order to do this, my officials have commissioned research with the University of South Wales to collate the necessary evidence. This research is about to commence as ethical approval has now been received. We expect this research to be completed in the Autumn and will be used to inform the development of the Framework. We welcome the evidence provided by the Committee and will ensure that it is considered in the development of the Framework.

- ***Whether there will be an opportunity for people affected by these issues to help inform the Framework***

Ultimately, it is the Welsh Ministers who are legally responsible for the provision of health care, including substance misuse treatments in Wales under sections 1 and 2 of the National Health Service (Wales) Act 2006. However, substance misuse service users should be involved at every level of the development, delivery and review of substance misuse services in order to:

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1NA

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

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

Tudalen y pecyn 279

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

1. Comply with section 183 of the National Health Service (Wales) Act 2006 and the statutory duty placed on Local Health Boards to involve patients in planning and decision making processes;
2. Ensure that substance misuse services are developed to meet the needs of service users;
3. Ensure that substance misuse services provided are of a good quality; and
4. Ensure the delivery of positive treatment outcomes for the individuals.

In relation to the Framework, people will have the opportunity to inform it in a number of ways. The purpose of carrying out qualitative research prior to developing the Framework is to gain insight from those who are affected by these issues. As part of the research with the University of South Wales, semi structured interviews will be carried out across Wales within the criminal justice sector and in community settings to enable a wide range of views to be collated and evaluated. Furthermore, the Framework will be subject to consultation so people will be able to give their views through that process.

- ***Your response to the suggestion that some health boards would benefit from further discussion with, or information from, other boards and the Welsh Government over what can be done to improve the way issues relating to prescription medication dependence and withdrawal are addressed***

The seven Area Planning Boards (APBs) covering Wales have the responsibility for commissioning services to meet local needs within their regions. Each board includes senior representatives from a range of organisations including, Local Health Boards, Public Health, Police and Local Authorities who co-ordinate services within the region. In addition, the Welsh Government facilitates regular meetings between all seven areas to monitor progress against the Substance Misuse strategy, share good practice and performance.

APBs also have working arrangements in place with Local Mental Health Partnership Boards (LMHPBs) which would be able to facilitate collaborative working. They are free to have these conversations with other boards and Welsh Government as they see fit.

- ***Whether you support, or will consider further, the possibilities for developing:***
 - a. ***Specialist support services for prescribed drug dependence accessible across Wales;***

Our seven Substance Misuse Area Planning Boards (APBs) are responsible for commissioning and delivering all local substance misuse services across Wales and this includes supporting those who are dependent on a range of drugs. APBs will commission services based on the identified need in their areas. Although the service may vary slightly throughout Wales, there is access to advice and support and I expect health boards to ensure that these services are fit for purpose wherever a patient may reside.

- b. ***A national 24 hour helpline and online portal for people experiencing dependence on, or withdrawal from, prescription medications;***

Our national drug and alcohol helpline, DAN 24/7, is equipped to provide advice, information and local points of contact for further support to anyone who feels they need further support or guidance. In addition, we are soon to launch a new harm reduction website in Wales. This website will have information on a wide range of subjects, of which this will be one.

c. Updated guidance for health boards, professionals and patients;

When developed, the Substance Misuse Treatment Framework will provide advice and guidance. In addition, following the research my officials will be working with Public Health Wales to discuss the possible development of an e learning module to be placed on the learning portal within the new harm reduction website. There are also clear guidelines in place from the National Institute for Health and Care Excellence (NICE) for the prescribing of antidepressant drugs and the treatment of depression.

The Clinical Guidelines on Drug Misuse and Dependence Update (2017) states that local commissioners and providers need to work together to ensure drug treatment systems are available to meet the changing needs of local drug-misusing populations. Many drug misusers have a myriad of health and social problems, which require interventions from a range of providers. Therefore, joint working across health and social care and between hospital, prison, primary care and community drug services is a key feature of effective treatment partnerships. It is seldom the case that one clinician or provider will be able to meet these needs in isolation.

In addition, comprehensive guidance on the prescribing and monitoring of hypnotics and anxiolytics, including benzodiazepines, were published by the All Wales Medicines Strategy Group in 2011 and updated in 2016.

d. A national prescribing indicator to support clinical decision-making;

My officials will investigate the scope and need for any further guidance over and above that already published by NICE and the degree to which a national prescribing indicator might support clinical decision-making.

e. Focused education and training about this issue for healthcare professionals.

Our new harm reduction website will contain an accredited training portal where professionals and lay people can access e-learning on a range of subjects to ensure continual professional development. As highlighted earlier my officials will be working with Public Health Wales to discuss the possible development of an e learning module on this subject.

- ***The Welsh Government's view on whether antidepressants have the same potential for dependency and harm as other prescription drugs already recognised in this regard***

The misuse of prescription-only and over the counter medicines causes serious health problems for some. Misuse can include situations where there may have been poor prescribing practices that may have led to dependency or other problems, as well as use for which the medication was not originally intended.

- ***How the Welsh Government could support the collection of robust data on the scale of problems relating to dependence on, and withdrawal from, prescription medications***

My officials are currently looking at the data we collect through our Welsh National Database for Substance Misuse and consideration will be given as to what could be collected in this area.

- ***As referred to above, an update on investigations into the need for further guidance in this area, and whether a national prescribing indicator might support clinical decision-making***

Please see the responses above.

I hope this is helpful to the Committee.

Yours sincerely,

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

Vaughan Gething AC/AM

Ysgrifennydd y Cabinet dros Iechyd a Gwasanaethau Cymdeithasol
Cabinet Secretary for Health and Social Services

PETITION 1235 – PRESCRIPTION DRUG RECOGNITION AND SUPPORT BY STEVIE LEWIS SEPTEMBER 2018

1. OVERALL IMPRESSION OF LETTER DATED 27 JUNE 2018 FROM CABINET SECRETARY FOR HEALTH TO COMMITTEE (letter unpublished as at 18 Sept 2018)

I would like to thank the Committee members for their letter of 17 June 2018 to the Cabinet Secretary, which I felt acknowledged the problems experienced by people who provided evidence of how their lives have been adversely affected by prescription drugs. The response from the Cabinet Secretary, however, does not do that in any shape or form. Due to the fact that your letter refers specifically to the Substance Misuse Treatment Framework (I understand why; there is currently no other umbrella term under which prescribed drug dependence (PDD) and withdrawal falls) the response is entirely framed around the provision of services for people who have misused. I have concluded from reading it that the Cabinet Secretary has gained no understanding as to the subject and purpose of my petition, which is **to get recognition and support for patients who have followed their doctor's advice and have not misused.**

The prevailing attitude to PDD held at medical expert and government level is encapsulated in the Cabinet Secretary's response to the Chair's request for the Welsh government's view on whether antidepressants have the same potential for dependency and harm as other prescription drugs already recognised in this regard. He sidesteps the question by stating:

"The misuse of prescription-only and over the counter medicines causes serious health problems for some. Misuse can include situations where there may have been poor prescribing practices that may have led to dependency or other problems, as well as use for which the medication was not originally intended."

The beliefs underpinning this position are:

1. Antidepressants do not cause dependence and withdrawal
2. People who are harmed are "addicted" and become so due to their own misusing of the drug (eg: buying over the internet)
3. Rogue doctors contribute to this problem by prescribing off-label or inappropriately.

These opinions are insulting to both patients and doctors. In the next three weeks the All Party Parliamentary Group for Prescribed Drug Dependence (Westminster) will be publishing three reports which demonstrate that antidepressants do cause dependence and withdrawal, that doctors follow the guidelines and patients follow their doctor's advice. Please see section 3 "Forthcoming Reports" below.

2. COMMENTS ON SPECIFIC POINTS MADE IN THE LETTER

I had intended here to comment on specific paragraphs. However, as space is limited, I would rather use it to provide additional evidence to the Committee of the harms that antidepressants can do to patients. There is nothing in the letter which demonstrates that the forthcoming Substance Misuse Framework will deliver the needs of the people on whose behalf I am campaigning. Those needs involve firstly the **recognition** that antidepressants cause physical dependence and withdrawal; they should be targeted for reduction in prescribing and the guidelines should be re-written in support of that policy of reduction. Secondly, a **Wales-wide unified support service** is required to help those already harmed by PDD and those in the process of being harmed. Rising numbers of patients harmed are inevitable due to the high prescribing rates of antidepressants in Wales. In sections 3 and 4 I will provide additional evidence, including in section 4 a summary of a report written about the Personal Experiences submitted to the Welsh and Scottish petitions, of which I am a co-author.

3. FORTHCOMING REPORTS FROM THE APPG-PDD

Background

A letter by Profs Burn (RCP President) and Baldwin (Chair of its Psychopharmacology Committee) was published in The Times on 24 February¹, (responding to a letter by James Davies et al², which said *"the statement that coming off antidepressants has disabling withdrawal effects in many patients which often last for many years" is incorrect. We know that in the vast majority of patients, any unpleasant symptoms experienced on discontinuing antidepressants have resolved within two weeks of stopping treatment.*"

This was supported by a press campaign³ declaring "The drugs do work – antidepressants are effective", and that "millions more should be prescribed them" These claims were made across the board in tabloids and broadsheets, insisting antidepressants are safe and effective.

PETITION 1235 – PRESCRIPTION DRUG RECOGNITION AND SUPPORT BY STEVIE LEWIS SEPTEMBER 2018

For those of us attempting to remove the blinkers surrounding evidence of dependence and withdrawal caused by antidepressants, this campaign is beyond misleading, it is frightening. It has prompted the writing of three reports, which will be published by the APPG-PDD next month. The purpose of the reports is to provide evidence to the PHE review of PDD. I am the co-author of one of them and have been given permission to share the meat of the report with the Committee in advance of publication.

Here is a short summary of two of the reports and, in section 4, a more detailed summary of the one I co-authored.

First report due for publication on 01 October 2018: **Davies, J., Read, J (2018) A Systematic Review into the Incidence, Severity and Duration of Antidepressant Withdrawal Effects: Are Guidelines Evidence-Based?**

“Methods

A systematic literature review was undertaken to ascertain the incidence, severity and duration of antidepressant withdrawal reactions. We identified 23 relevant studies, with diverse methodologies and sample sizes.

Results

Withdrawal incidence rates from 14 studies ranged from 27% to 86% with a weighted average of 56%. Four large studies of severity produced a weighted average of 46% of those experiencing antidepressant withdrawal effects endorsing the most extreme severity rating on offer. Seven of the ten very diverse studies providing data on duration contradict the UK and USA withdraw Guidelines in that they found that a significant proportion of people who experience withdrawal do so for more than two weeks, and that it is not uncommon for people to experience withdrawal for several months. The findings of the only four studies calculating mean duration were, for quite heterogeneous populations, 5 days, 10 days, 43 days and 79 weeks.

Conclusions

We recommend that U.K. and U.S.A. guidelines on antidepressant withdrawal be urgently updated as they are clearly at variance with the evidence on the incidence, severity and duration of antidepressant withdrawal, and are probably leading to the widespread misdiagnosing of withdrawal, the consequent lengthening of antidepressant use, much unnecessary antidepressant prescribing and higher rates of antidepressant prescriptions overall. We also recommend that prescribers fully inform patients about the possibility of withdrawal effects.”

Second report due for publication 08 October 2018: **Antidepressant Withdrawal: a Survey of Patients’ Experience by the All-Party Parliamentary Group for Prescribed Drug Dependence. Authors Davies J, Montague L.**

In Sep 2017 the All-Party Parliamentary Group for Prescribed Drug Dependence, in conjunction with researchers at the University of Roehampton, undertook one of the largest direct-to-consumer international surveys of its kind into withdrawal from psychiatric drugs (antidepressants, antipsychotics and benzodiazepines). There were approximately 1700 respondents, 319 of whom were antidepressant users living in the U.K. This report summarises both the quantitative and qualitative data on the U.K. antidepressant users (319) who reported their withdrawal experience.

I will quote some key points from the quantitative data:

- 66.5% of people taking only an antidepressant claimed not to have received any information from their doctors on the potential risks/side effects of the AD they were prescribed
- 44% of people taking only an antidepressant were advised to reduce the dose over a few weeks or less, with 8.6% told to withdraw cold turkey.
- On a scale of 0-10 (10 being the most severe withdrawal) the mean average was 8.61.
- Nearly all who had accessed NHS Choice or NHS111 for withdrawal support found the service unhelpful or extremely unhelpful.

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4. SUMMARY FOR WELSH PETITIONS COMMITTEE “ THE PATIENT VOICE”

Third report due for publication on 08 October 2018: **All-Party Parliamentary Group: Prescribed Drug Dependence. Aug 2018 “ The Patient Voice” An analysis of personal accounts of prescribed drug dependence and withdrawal submitted to petitions in Scotland and Wales.**

This report was researched and written by Dr Anne Guy, Marion Brown (Scottish Petitioner) and **Stevie Lewis (Welsh Petitioner)**, with additional support from: Susan Reid, and Karen Espley; for response analysis, David Cope, and Catherine Maryon. This report has been made possible by all those who responded to the two petitions and the Petitions Clerks who published them.

The report collates and analyses 158 personal accounts of people impacted by prescribed drug dependence and withdrawal (specifically for antidepressants and benzodiazepines) that were submitted in response **to two petitions lodged with parliamentary Petitions Committees in Scotland⁴ and Wales⁵ in 2017/8.**

The report blends qualitative data in the form of verbatim quotes with quantitative data derived from a formal thematic analysis structured using a ‘lean thinking’ approach to process improvement. The analysis identifies eight systemic ‘failure points’ (FPs);

1. *Prescriptions were offered as an apparent first course of action*
2. *No-one said they were warned about possible side-effects or dependence and associated withdrawal effects so there was no possibility of informed consent*
3. *Treatment was sometimes continued despite drugs not helping and/or severe side effects*
4. *People experienced a lack of access to effective management / informed medical oversight of withdrawal process*
5. *Doctors did not recognise new symptoms as withdrawal and discounted patient experience*
6. *Locating the problem of new symptoms occurring at withdrawal with the individual, not the drug, leads to unnecessary action*
7. *There are no dedicated nationwide NHS services to access for help and*
8. *No effective avenues for patient feedback on their experience*

The aim of the report is a) to consider the question ‘what went wrong?’ in these peoples’ interactions with a healthcare system intended to improve, not worsen, their wellbeing; and b) to enable their collective voice to be heard as evidence in the consideration of the scale, harms and response needed for prescribed drug dependence in the UK.

The analysis of the submissions is represented in systems analysis Flow Chart **Patient Journey Map A: ‘Initial Prescription and Outcomes’** and **Patient Journey Map B: ‘Withdrawal and Outcomes’** with an additional page of ‘**Overall Impact**’ patient quotes (appended). All quotes can be referred back to the original full patient petition submission via the respective reference lettering/number given (W=Welsh).

The systems ‘Failure Points’ identified (see maps A and B appended) are **reflected in the NICE guidelines which are used UK-wide by GPs:**

FP1: GPs are encouraged to ‘treat’ symptoms of stress (anxiety, depression, insomnia etc.) – and medication is advised treatment even for mild to moderate depression (NICE GG90)⁶

FP2: The same guidance for GPs encourages them to:

Advise patients that antidepressants ‘may take a while to become effective’, ‘keep on taking’, ‘may need to adjust dose and/or try another’, ‘are not addictive’

FP3: GPs are guided about ‘relapse prevention’ (NICE CG90) ... (‘keep on taking’...)

FP4: NICE Guidance for GPs about tapering and ending antidepressant treatment⁷ is unrealistic for patients, too swift, and withdrawal effects attributed (by doctors) to ‘relapse’.

FP5: Patients are not believed. Withdrawal symptoms (many of which are of a physical nature) are not recognised: instead the doctors are misdiagnosing as ‘medically unexplained’.

FP6: Problem located with patient ‘medically unexplained symptoms’ (MUS) – and suggested that person’s ‘underlying condition’ and/or unreasonable ‘anxiety’ is the problem.

FP7: There is no support – as withdrawal is not recognised

FP8: There is no way that patients can ‘feed back’ what is happening to them – and if they attempt to do so they are disbelieved and seen as ‘difficult’ patients.

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Suggested preventative actions are identified including; increasing the availability of alternative responses to medication; educating the public about what psychoactive drugs actually do; amending and updating guidelines and training for doctors to enable truly informed consent, the provision of a service based on more current evidence about the prevalence, duration and symptomatology of withdrawal and how it is best managed.

To alleviate the suffering of those currently experiencing withdrawal the BMA's 2015 key policy recommendations⁸ need to be implemented urgently; to create a national helpline for prescribed drug dependence and to create dedicated support services. (This was reiterated in the response to the committee from BMA Wales on 06 February 2018⁹). The suffering described in the petition responses requires systemic rather than individual solutions.

Ultimately this (APPG-PDD) report summarises the experience of only 158 people who submitted their accounts to these two petitions but who might be said to represent all those:

- who have not yet tried to come off their medications,
- do not realise there is an alternative narrative to the one they are hearing from their doctors,
- are too ill to tell their story or
- have not survived to tell it.

“I hope you make change, not only for the thousands of us that are suffering now, but for the hundreds of thousands that are currently on prescriptions, ignorant and unaware. This issue is as big as the current opioid crisis and the time for change has come” (W4)

Appended: 3 report pages - Patient Journey Map A; Map B; Overall Impact.

5. FURTHER ACTION

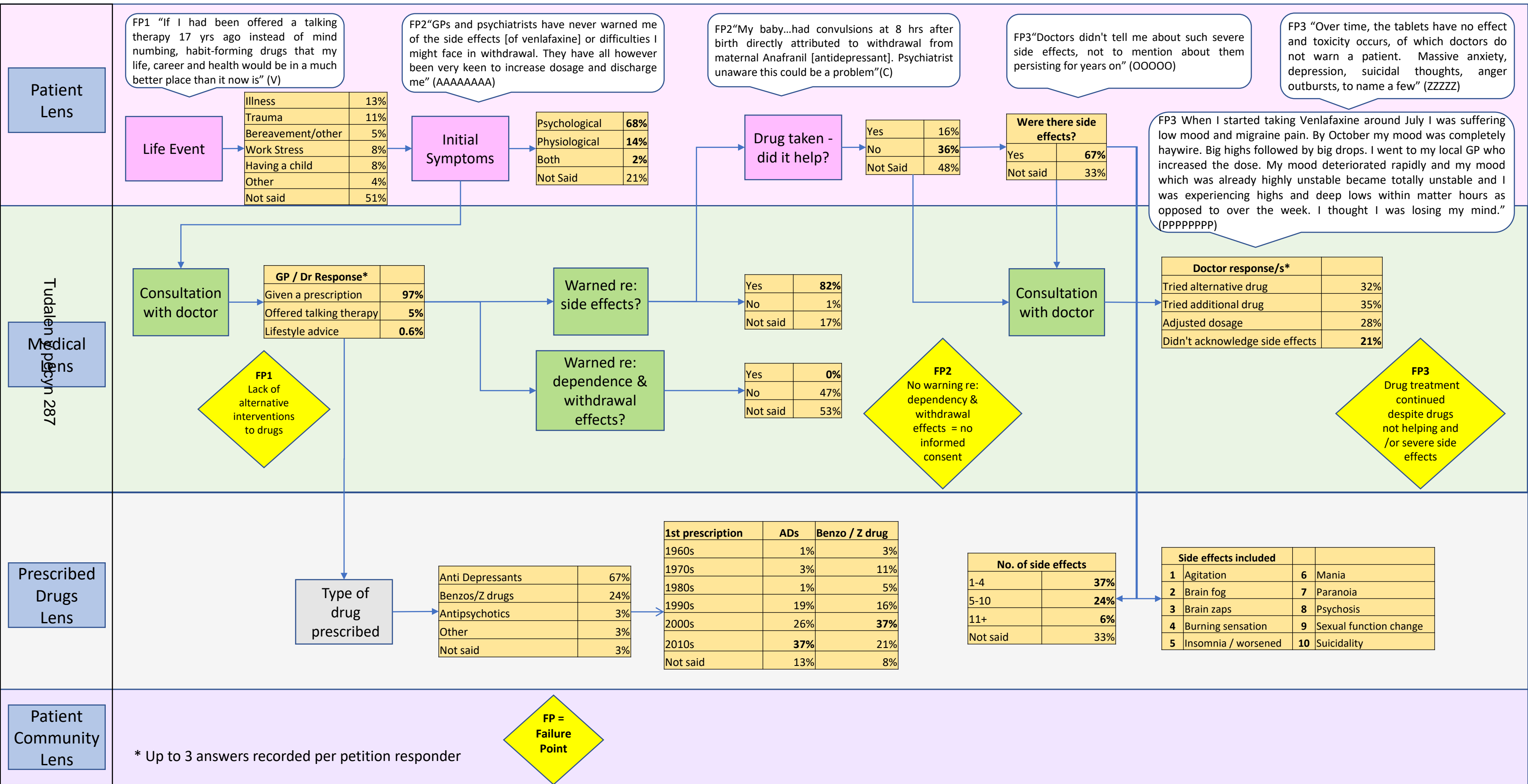
From the evidence submitted by the 7 Area Health Boards it is clear that there is not a unified health service across Wales. But from my research it seems that the Substance Misuse Framework is meant to be adopted countrywide. I would like to formally request that the Petitions Committee considers bringing together further experts to provide evidence on how we might formulate a Wales-wide Prescribed Drug Dependence Framework to implement the findings of these reports across the 7 AHBs. I recommend this group includes Dr David Healy, psychiatrist and expert on SSRIs and PDD, Bangor University; Professor John Read, author of “*A Systematic Review into the Incidence, Severity and Duration of Antidepressant Withdrawal Effects: Are Guidelines Evidence-Based?*” plus other published works about PDD; Ms June Lovell, manager of the NHS funded Prescribed Medication Counselling Service¹⁰ in Mold (the only service of its kind in the UK); Ms Josie Smith, National Lead for Substance Misuse Also present should be people with lived experience of PDD – James Moore, Caldicot; Baylissa Frederick, Cardiff; Shane Cooke, Mostyn, all of whom wrote in with their stories to this petition; and Aled Jones, Cardiff, also with lived experience, who has set up PAST¹¹ (Prescription Awareness Support Team).

References

1. Letter to TIMES 24 February 2018 ‘Pills for depression’ by Profs Burn and Baldwin
2. Letter to TIMES 23 February 2018 ‘Stigma and efficacy of taking antidepressants’ by James Davies et al
3. <https://www.theguardian.com/science/2018/feb/21/the-drugs-do-work-antidepressants-are-effective-study-shows>
4. Scottish Petition PE01651: <http://www.parliament.scot/GettingInvolved/Petitions/PE01651>
5. Welsh Petition PE-05-784: <http://www.senedd.assembly.wales/mglIssueHistoryHome.aspx?lId=19952>
6. <https://www.nice.org.uk/guidance/cg90/chapter/1-Guidance>
7. <https://cks.nice.org.uk/depression#!prescribinginfosub:31>
8. <https://www.bma.org.uk/collective-voice/policy-and-research/public-and-population-health/prescribed-drugs-dependence-and-withdrawal>
9. <http://www.senedd.assembly.wales/ielIssueDetails.aspx?lId=19952&PlanId=0&Opt=3#A141808>
10. <http://www.nhsdirect.wales.nhs.uk/localservices/ViewLocalService.aspx?id=2556&s=Health>
11. <https://past.wales/>

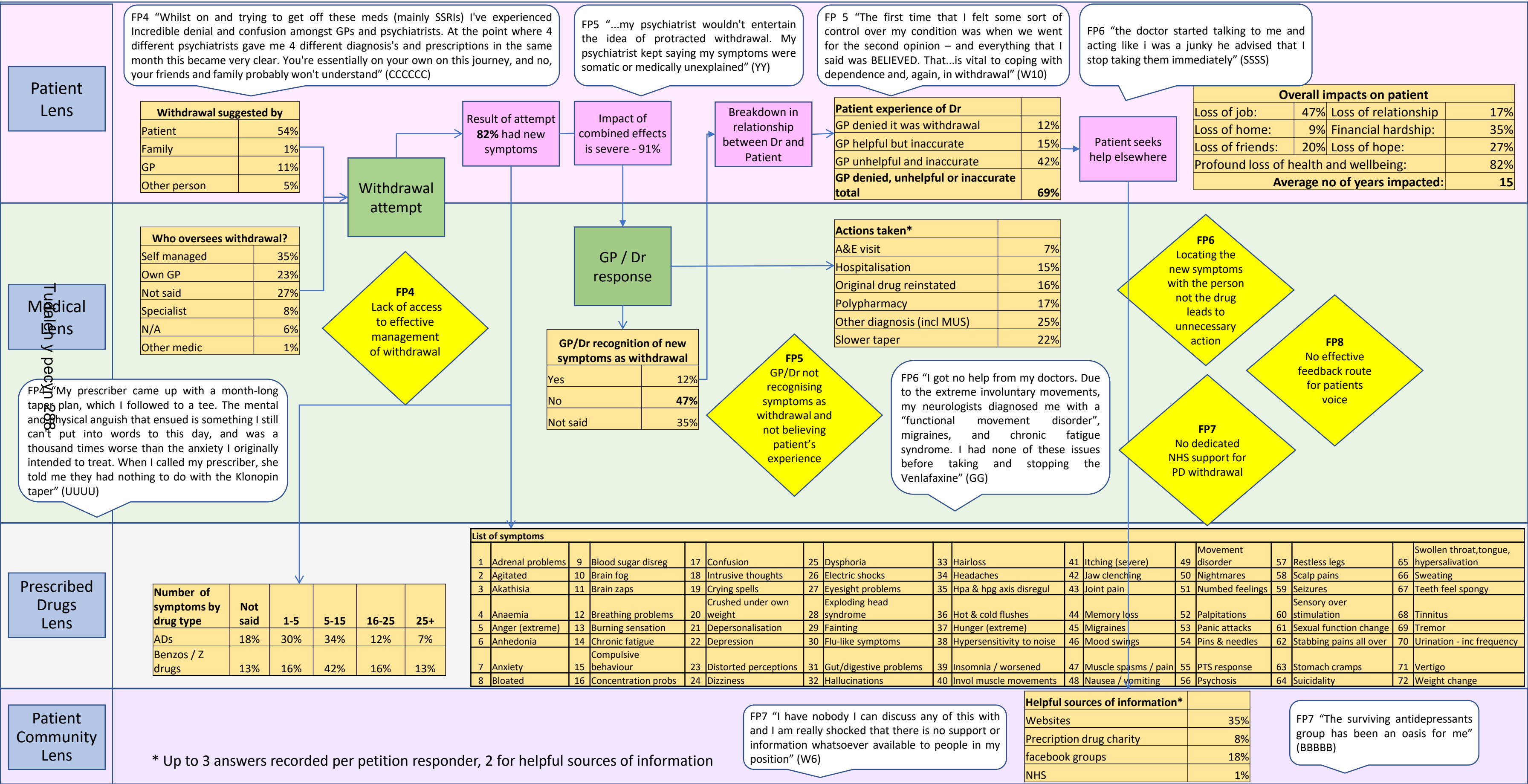


Patient Experiences of Prescribed Drug Dependence - Patient Journey Map A: Initial Prescription and Outcomes





Patient Experiences of Prescribed Drug Dependence – Patient Journey Map B: Withdrawal and Outcomes



C: Overall impact on patients

"I was once a qualified primary schoolteacher... now I am suffering intolerable symptoms through Benzo Withdrawal Syndrome. I can't do anything with my 8yr-old. My partner goes out to work and leaves me bedridden with plates of food ..." (CCCC)

"I was an avid gym-goer, dedicated to my fitness. I have never suffered physical illness in my life, prior to Citalopram. Now I have been so crippled with debilitating symptoms .." (DDDDD)

"As a consequence of all of this my wife's health has deteriorated rapidly over the years. She has gone from a normal functioning person, working and studying to being completely incapacitated. She has always taken care of her self through diet and exercise and does not drink or smoke, but yet a legally prescribed pill has left her this way" (AAAAAA)

"I was fully functioning working full time as accountant several staff under me, driving socialising dating - fully normal life. All taken away from me, driving included" (YYY)

"Words cannot describe the utter hell , torment and terror that I have lived thru and continue to battle thru every single day and not one ounce of help, empathy or sympathy from any doctor" (YYYYYY)

"I don't believe I will ever again be the productive, happy, sociable person I used to be because of one 10 minute appointment where a GP decided it was appropriate to prescribe me SSRIs with no warning of possible side effects." (W6)

Overall impacts on patient			
Loss of job:	47%	Loss of relationship	17%
Loss of home:	9%	Financial hardship:	35%
Loss of friends:	20%	Loss of hope:	27%
Profound loss of health and wellbeing:			82%
Average no of years impacted:			15

"Before I was put in this situation I was a 'normal' person doing things like most people are doing, have always supported myself, working full time. I have lost all savings, small investment and close to losing my home" (YYYYYYY)

"They took away my meds
They hung me out to dry
My world began to crumble
And all I did was cry
The paramedics came around
They rushed me to A & E
They said, carry on as normal
It's only anxiety
My body shook n shuddered
My mood was mean and low
I pushed away my loved ones
I wanted to die, just go" (VVVV)

"I am unable to work and housebound. Withdrawal is the single most gruelling and challenging experience of my life and I know that I am far from alone. I understand what is happening to me, many don't and are frightened by it" (W5)

"I continue to fight to get my life back , I could write a novel on the amount of suffering I have endured thanks to SSRI use. It has effected every part of my life , I can't work , I am not able to be active and even worse I can't get help because the prescribers are in the dark about the true harms of the drugs they prescribe" (XXXX)

"I regressed from an amateur international athlete to a very ill, depressed and withdrawn individual. At low points I considered suicide" (XXX)

Eitem 3.19

P-05-795 Achos Niwsans neu Aflonyddwch ar safleoedd y GIG

Cyflwynwyd y ddeiseb hon gan Claire Thomas, ar ôl casglu 74 o lofnodion ar-lein.

Geiriad y ddeiseb:

Creodd A119 o'r Ddeddf Cyfiawnder Troseddol a Mewnfudo 2008 bwerau i ddelio â phobl sy'n achosi niwsans neu aflonyddwch ar safleoedd y GIG. Ni chafodd hyn ei ddeddfu yng Nghymru, ac nid oes unrhyw ddarpariaethau i ddelio â phobl sy'n creu problemau ar gyfer y GIG yn y modd hwn.

Mae yna nifer o unigolion sy'n achosi problemau tra ar safleoedd y GIG, ac mae'r heddlu yn derbyn llawer o alwadau i ddelio ag ymddygiad o'r fath, ond nid oes unrhyw ffordd o ymdrin â'r mater hwn yn effeithiol gan nad oes trosedd benodol y gall yr heddlu ei defnyddio i atal pobl, heb fod ganddynt esgus rhesymol, sydd naill ai'n achosi aflonyddwch neu niwsans, yn gwrthod gadael yr adeilad pan ofynnir iddynt, neu nad ydynt ar y safle at ddiben cael cyngor, triniaeth neu ofal meddygol.

Gwybodaeth ychwanegol:

Mae'r gost i wasanaethau iechyd a'r heddlu wrth ddelio â phobl sy'n achosi niwsans ar safleoedd y GIG yn sylweddol. Mae nifer o'r unigolion hyn yn ymddangos dro ar ôl tro, ac nid oes unrhyw bwerau i ddelio â hyn. Mae eu presenoldeb hefyd yn achosi gofid i eraill sy'n mynd at y GIG am resymau dilys. Mae A119 o Ddeddf Cyfiawnder Troseddol a Mewnfudo 2008 wedi cael ei defnyddio'n llwyddiannus gan yr heddlu ac iechyd yn Lloegr i fynd i'r afael â'r mater ers i'r adran benodol ddod i rym yn 2009, ac eto nid oes unrhyw bŵer i wneud hynny yng Nghymru, ac er bod Llywodraeth Cymru wedi awgrymu y byddai pwerau tebyg i fynd i'r afael â'r mater hwn yn cael eu datblygu yng Nghymru, nid yw hyn wedi digwydd.

Etholaeth a Rhanbarth y Cynulliad

- Canol Caerdydd
- Canol De Cymru

Vaughan Gething AC/AM
Ysgrifennydd y Cabinet dros Iechyd a Gwasanaethau
Cymdeithasol
Cabinet Secretary for Health and Social Services



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref VG/02080/18

David John Rowlands AC
Cadeirydd y Pwyllgor Deisebau
Cynulliad Cenedlaethol Cymru
Bae Caerdydd
CF99 1NA

government.committee.business@gov.wales

12 Gorffennaf 2018

Annwyl David,

Diolch am eich e-bost dyddiedig 15 Mehefin yn gofyn am ddiweddariad ynghylch Deiseb P-05-795 Achosi Niwsans neu Aflonyddwch ar safleoedd y GIG.

Rwy'n ymddiheuro am beidio ag ymateb ichi'n gynt ynglŷn â'r mater hwn. Mae fy swyddogion wrthi'n gweithio gyda'r Gwasanaethau Cyfreithiol ac rwy'n gobeithio cael cyngor cyn gynted â phosibl ynghylch gwneud Adrannau 119 i 121 o Ddeddf Cyfiawnder Troseddol a Mewnfudo 2008.

Byddaf yn ysgrifennu atoch eto ar ôl imi ystyried y cyngor.

Yn gywir,

Vaughan Gething AC/AM

Ysgrifennydd y Cabinet dros Iechyd a Gwasanaethau Cymdeithasol
Cabinet Secretary for Health and Social Services

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1NA

Canolfan Cyswllt Cyntaf / First Point of Contact Centre
0300 0604400
Correspondence.Vaughan.Gething@gov.wales

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

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

Eitem 3.20

P-05-826 Mae sir Benfro yn dweud NA!! i gau adran damweiniau ac achosion brys Llwynhelyg!

Cyflwynwyd y ddeiseb hon gan Myles Bamford-Lewis, ar ôl casglu 40,045 o lofnodion.

Geiriad y ddeiseb

Rydym ni sydd wedi llofnodi isod yn galw ar Lywodraeth Cymru a Bwrdd Iechyd Hywel Dda i wrthdroi eu penderfyniad i israddio ein hysbyty sirol a chael gwared ar ein hadran damweiniau ac achosion brys.

Mae Bwrdd Iechyd Hywel Dda wedi cynnig newidiadau sylweddol i'r ffordd y caiff gwasanaethau eu darparu mewn ysbytai yng ngorllewin Cymru. Maent yn cynnig israddio ysbyty cyffredinol Llwynhelyg yn ein sir ni ac ysbyty cyffredinol Glangwili yn sir Gâr, y ddau i safon ysbytai cymuned, ac adeiladu ysbyty cyffredinol newydd yn ardal Hendy-gwyn ar Daf. Fodd bynnag, mae hyn hefyd yn golygu na fydd gennym bellach adran damweiniau ac achosion brys sy'n gweithredu'n llawn yn ein sir oherwydd y bydd yr adran hon wedi'i disodli gan uned mân anafiadau ar safle Llwynhelyg. O ganlyniad, bydd cleifion y mae angen gofal brys arnynt yn ein sir yn wynebu teithio am hyd at awr, neu efallai hyd yn oed yn fwy os ydynt yn byw yn ardaloedd mwy gwledig ein sir, i gael gofal brys a all achub bywyd mewn ysbyty a fydd y tu allan i'r sir. Byddai'r oedi hwn yn golygu bod bywydau yn sir Benfro mewn perygl, heb ystyried yr oedi ychwanegol wrth orfod aros am ambiwlans i gyrraedd y claf, sefydlogi'r claf, wedyn cludo'r claf i ysbyty sydd y tu hwnt i ffiniau ein sir. Mae hyn yn golygu colli munudau hanfodol mewn sefyllfa lle nad oes amser i'w golli.

Mae bod heb adran damweiniau ac achosion brys yn ein sir yn hollol annerbyniol, a'r rheswm am y cynnig yw torri costau ac, yn bwysicach oll, torri corneli. Wel, byddwn ni'n sefyll cornel sir Benfro ac ni fyddwn yn caniatáu iddynt ein torri ni o'r map!

Llofnodwch a rhannwch y ddeiseb hon. Ni allwn adael i Lywodraeth Cymru a Bwrdd Iechyd Hywel Dda gymryd ased pennaf ein sir oddi wrthym. Maen nhw eisoes wedi mynd â'r uned gofal arbennig babanod, yr uned famolaeth dan arweiniad meddyg ymgynghorol a'r gwasanaeth gofal pediatrig 24 awr oddi wrthym, gan roi ein babanod, ein plant a'n mamau mewn perygl mawr! Nawr

maent yn dod i orffen y gwaith gyda gweddill gwasanaethau ysbyty ein sir.
Peidiwch â gadael i hynny ddigwydd!

Gyda'n gilydd, byddwn yn anfon neges at Steve Moore a Vaughan Gething y gallant feddwl eto os ydynt yn credu y bydd sir Benfro yn ildio heb frwydro'n ôl wrth iddynt fynd â'n gwasanaethau ysbyty oddi wrthym!

Achub adran damweiniau ac achosion brys Llwynhelyg! Achub Ysbyty Llwynhelyg!

Etholaeth a Rhanbarth y Cynulliad

- Preseli Sir Benfro
- Canolbarth a Gorllewin Cymru



GIG
CYMRU
NHS
WALES

Bwrdd Iechyd Prifysgol
Hywel Dda
University Health Board

Eich cyf / Your ref:

Ein cyf/Our ref:

CEO.1484.0718

Gofynnwch am/Please ask for:

Sian-Marie James

Rhif Ffôn /Telephone:

01267 239581

Ffacs/Facsimile:

Dyddiad/Date:

30 July 2018

Swyddfeydd Corfforaethol, Adeilad Ystwyth
Hafan Derwen, Parc Dewi Sant, Heol Ffynnon Job
Caerfyrddin, Sir Gaerfyrddin, SA31 3BB

Corporate Offices, Ystwyth Building
Hafan Derwen, St Davids Park, Job's Well Road,
Carmarthen, Carmarthenshire, SA31 3BB

David J Rowlands AC/AM
Chair
National Assembly for Wales
Petitions Committee
Cardiff Bay
Cardiff
CF99 1NA

Email: SeneddPetitions@assembly.wales

Dear *David*

Re: P-05-784 Pembrokeshire says NO!! To the closure of Withybush A&E!

Thank you for your letter of 27 July 2018.

The consultation period for 'Our Big NHS Change' closed on Thursday 12 July 2018 and the Health Board has commissioned an independent company to gather all feedback received, including Petitions, and present a report by Monday 13 August 2018. We will then enter a period of Conscientious Consideration where we will examine the findings of the consultation before presenting a Consultation Closing Report to the Public Board meeting scheduled on Thursday 27 September 2018.

Yours sincerely

Steve Moore
Chief Executive

Swyddfeydd Corfforaethol, Adeilad Ystwyth,
Hafan Derwen, Parc Dewi Sant, Heol Ffynnon Job,
Caerfyrddin, Sir Gaerfyrddin, SA31 3BB

Corporate Offices, Ystwyth Building,
Hafan Derwen, St Davids Park, Job's Well Road,
Carmarthen, Carmarthenshire, SA31 3BB

Cadeirydd / Chair
Mrs Bernardine Rees OBE

Prif Weithredwr/Chief Executive
Mr Steve Moore

Bwrdd Iechyd Prifysgol Hywel Dda yw enw gweithredol Bwrdd Iechyd Lleol Prifysgol Hywel Dda
Hywel Dda University Health Board is the operational name of Hywel Dda University Local Health Board

Mae Bwrdd Iechyd Prifysgol Hywel Dda yn amgylchedd di-fwg Hywel Dda University Health Board operates a smoke free environment

P-05-783 Sicrhau Cydraddoldeb Cwricwlwm i Ysgolion Cyfrwng Cymraeg e.e. Seicoleg TGAU

Cyflwynwyd y ddeiseb hon gan Chris Evans ac ystyriwyd am y tro cyntaf gan y Pwyllgor yn ystod Tachwedd 2017, ar ôl casglu 652 o lofnodion ar-lein.

Geiriad y ddeiseb

Rwyf yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i atal Cymwysterau Cymru rhag parhau i wahaniaethu yn erbyn dysgwyr cyfrwng Cymraeg, a sicrhau cydraddoldeb ieithyddol o ran cwricwlwm ysgol. Yn 2015, penderfynodd CBAC ollwng Seicoleg TGAU oherwydd niferoedd ymgeiswyr cymharol fach (37 canolfan – 5 yn rhai cyfrwng Cymraeg gyda 144 ymgeisydd cyfrwng Cymraeg bob blwyddyn). Oherwydd hyn, rhoddwyd gwahoddiad gan Gymwysterau Cymru (CC) i'r Cyrff Dyfarnu Saesneg; AQA, OCR, Pearson-Edexcell, gynnig y pwnc hwn, a rhai eraill e.e. Economeg, yng Nghymru.

Yn anffodus, ac yn anghrediniol, ni roddwyd unrhyw bwysau arnynt i gynnig y pynciau yma yn y Gymraeg. Ymateb Gymwysterau Cymru i hyn yw dweud y byddai'r Cyrff Saesneg yn gwrthod cynnig pynciau yng Nghymru yn gyfan gwbl pe tase nhw yn cael eu gorfodi i gynnig opsiwn Cymraeg, a bod CC yn ceisio sicrhau 'y dewis ehangaf o bynciau i ddysgwyr Cymru' (Cylchlythyr CC, Rhagfyr 2016).

'Y dewis ehangaf o bynciau i ddysgwyr Cymru'....heblaw eich bod yn dilyn addysg Gymraeg! Ym mis Medi, ni fydd cwrs Seicoleg TGAU blwyddyn 10 yn rhedeg yn fy ysgol am y tro cyntaf ers 2009, tra bod yr ysgol cyfrwng Saesneg ychydig filltiroedd i ffwrdd, yn cychwyn ar gwrs Seicoleg TGAU newydd yn Saesneg trwy AQA. Yr unig reswm pam nad wyf gallu cynnig y pwnc yw oherwydd ein bod yn dysgu drwy'r Gymraeg. Mae pedair canolfan Gymraeg arall yn yr un sefyllfa.

Mae angen Seicolegwyr sy'n gallu trafod eu pwnc drwy'r Gymraeg. Wrth amddifadu disgyblion cyfrwng Cymraeg rhag y cyfle i astudio Seicoleg TGAU drwy'r Gymraeg, dyna golli 144 myfyriwr y flwyddyn fyddai efo'r potensial o gyfrannu at Seicoleg – fel athro, darlithydd, therapydd, ymchwilydd a.y.b

drwy'r Gymraeg yn hyderus oherwydd bod y derminoleg berthnasol yn gyfarwydd iddynt.

Gwybodaeth ychwanegol

Safodd 144 ymgeisydd bapur Uned 2 TGAU Seicoleg CBAC drwy'r Gymraeg i orffen y cwrs yn 2015, a 5 canolfan yn ei gyflwyno, felly mae potensial o niferoedd sylweddol, nid llond llaw. Rwyf wedi trefnu y byddai tri arholwr Seicoleg profiadol ar gael i weithio i unrhyw Fwrdd Saesneg fel na fyddai angen cyfieithu unrhyw sgriptiau (atebion) ymgeiswyr, ond y papur ei hun. Yr unig Fwrdd Saesneg wnaeth hyd yn oed ystyried y cais (gen i, nid CC), oedd Pearson, ond gwrthod wnaethon nhw yn y diwedd gan ddweud 'y byddai angen Cymry Cymraeg ar bob lefel o gynhyrchu'r papurau'. Mae hynny'n nonsens llwyr oherwydd dydy hynny ddim yn digwydd hyd yn oed yn CBAC ble mae'r Prif Arholwr a'r Swyddog Pwnc yn ddi-Gymraeg!

Nid wyf yn beio'r Byrddau, oherwydd pam dyle nhw fynd i'r drafferth os nad oes rhaid iddyn nhw? Ar Gymwysterau Cymru y mae'r bai am eu polisi llipa, nad yw'n amddiffyn hawliau dysgwyr cyfrwng Cymraeg. Byddai hi wedi bod yn bosibl creu elfen o gystadleuaeth rhwng y Byrddau Saesneg trwy roi blaenoriaeth i rai a fyddai'n agored i'r syniad o gynnig opsiwn Cymraeg, ond doedd dim ymdrech i wneud hyn o gwbl.

Mae hyn yn hollol annerbyniol yn y Gymru Fodern. Os ydy Cyrff Dyfarnu Saesneg yn cael cynnig pynciau yng Nghymru, rhaid gwneud yn glir iddyn nhw bod angen cynnig papur Cymraeg ble mae cais rhesymol dros wneud hyn.

Etholaeth a Rhanbarth y Cynulliad

- Wrecsam
- Gogledd Cymru

Kirsty Williams AC/AM
Ysgrifennydd y Cabinet dros Addysg
Cabinet Secretary for Education



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-05-783
Ein cyf/Our ref KW/01582/18

David John Rowlands AM
Chair - Petitions committee.
National Assembly for Wales
Cardiff Bay
Cardiff Bay
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2 July 2018

Dear David

Thank you for your letter of 20 June about the petition calling for action to ensure the equality of curriculum for Welsh Medium Schools; as you note in your letter we have corresponded previously on this matter.

May I begin by saying that I do appreciate the frustration felt by teachers and learners at being unable to study for certain qualifications in the language of their choice. Looking to the future, equal rights for both languages is central to the planning for the new curriculum for Wales. Let me reassure you that the specific needs of Welsh medium teaching and learning are being fully considered as the arrangements for the new curriculum structure, including assessment arrangements, are developed.

Turning to your specific questions, the Welsh Government's expectations of Qualifications Wales are set out in the Qualifications Wales Act 2015. The Act gives Qualifications Wales two principal aims and the organisation must act in a way it considers appropriate for the purpose of achieving them (Qualifications Wales Act 2015 s.3).

These aims are about ensuring that qualifications and the qualifications system are effective for meeting the reasonable needs of learners in Wales and promoting public confidence in qualifications and the qualifications system. Qualifications Wales must, when considering what is appropriate for the purpose of achieving these aims, have regard to various matters. These matters include the "the desirability of promoting and facilitating the use of the Welsh language, including through the availability of assessment arrangements that provide for assessment through the medium of Welsh language, and of qualifications that otherwise promote or facilitate the use of the Welsh language" (Qualifications Wales Act 2015 s.3(2)(b)).

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


Tudalen y pecyn 297

Qualifications Wales advise me that it works with awarding bodies to encourage them to offer Welsh medium and bilingual provision. For example, Qualifications Wales has established an awarding body group in order to work together to identify some of the challenges awarding bodies face and identify ways of supporting them in the development and quality assurance of Welsh-medium and bilingual qualifications and assessment.

Qualifications Wales, via the grant allocation it receives from the Welsh Government, provides financial support for awarding bodies to provide Welsh medium qualification specifications and assessment through its competitive grant process. In financial year 2017/18 £158K was claimed against this grant of which £121K was claimed by awarding bodies based outside of Wales.

The Welsh Government invests around £2.6m annually on resources to support the teaching and learning of Welsh as a subject and other subjects and qualifications through the medium of Welsh. These are resources which are not available commercially as the market is not financially viable. Resources are commissioned following consulting with practitioners and other stakeholders to identify their needs and the gap in current provision.

Yours sincerely

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

Kirsty Williams AC/AM

Ysgrifennydd y Cabinet dros Addysg
Cabinet Secretary for Education



Mr D Rowlands
Cadeirydd
Y Pwyllgor Deisebau
Cynulliad Cenedlaethol Cymru
Bae Caerdydd
Caerdydd, CF99 1NA

18 Gorffennaf 2018

Annwyl Mr Rowlands

Deiseb P-05-783 Sicrhau Cydraddoldeb Cwricwlwm i Ysgolion Cyfrwng Cymraeg e.e. TGAU Seicoleg

Diolch am eich llythyr dyddiedig 20 Mehefin ynghylch y ddeiseb uchod. Gwnaethoch ofyn i ni ymateb gyda'r canlynol:

- y wybodaeth ddiweddaraf am y sefyllfa bresennol;
- gwybodaeth am nifer y pynciau TGAU a Safon Uwch na ellir eu hastudio drwy gyfrwng y Gymraeg;
- gwybodaeth am y cymorth sydd ar gael i fyrddau arholi i'w hannog i ddarparu papurau arholiad a deunyddiau ategol drwy gyfrwng y Gymraeg.

Mae ein hateb isod yn ymdrin â phob un o'r pwyntiau hyn yn ei dro.

Y wybodaeth ddiweddaraf am y sefyllfa bresennol

Mae Cymwysterau Cymru (ni) wedi ymrwmo i'r Gymraeg ac addysg cyfrwng Cymraeg. Fel y nodir yn Neddf Cymwysterau Cymru 2015¹, wrth gyflawni ein swyddogaethau, mae'n rhaid i ni weithredu mewn ffordd sy'n sicrhau bod cymwysterau, a'r system gymwysterau yng Nghymru, yn effeithiol o ran diwallu anghenion rhesymol dysgwyr yng Nghymru. Mae hyn yn cynnwys hyrwyddo a hwyluso'r defnydd o'r Gymraeg, sy'n cynnwys sicrhau bod asesiadau ar

¹ Mae Deddf Cymwysterau Cymru 2015 ar gael [yma](#).

gael drwy gyfrwng y Gymraeg. Mae ein Strategaeth Cymwysterau Cyffredinol a'n Strategaeth Cymwysterau Galwedigaethol yn nodi'n glir ein nodau i sicrhau bod mwy o asesiadau Cymraeg a dwyieithog ar gael ac yn cael eu defnyddio².

Mae ein polisi³ ar gymwysterau cyfrwng Cymraeg a dwyieithog yn nodi ein gofynion a'r hyn rydym yn ei ddisgwyl gan gyrrff dyfarnu. Rydym yn esbonio'n glir bod angen i gymwysterau TGAU a Safon Uwch a gynlluniwyd i Gymru fod ar gael yn Gymraeg ac yn Saesneg. Dyma'r achos ar gyfer yr holl gymwysterau TGAU a Safon Uwch a gynigir gan CBAC ac a gymeradwyir gennym ni.

Ein nod yw sicrhau bod ystod mor eang â phosibl o gymwysterau TGAU a Safon Uwch ar gael i ddysgwyr yng Nghymru. Fodd bynnag, mae rhai pynciau lle mae nifer y dysgwyr yng Nghymru yn rhy isel i'w gwneud yn ymarferol i unrhyw gorff dyfarnu ddatblygu cymhwyster i'w ddyfarnu yng Nghymru'n unig. Mae cymwysterau TGAU a Safon Uwch mewn rhai o'r pynciau hyn wedi'u diwygio yn Lloegr. Felly, gwnaethom benderfynu 'dynodi'r'⁴ cymwysterau hyn i'w defnyddio ar raglenni dysgu a ariennir gan arian cyhoeddus yng Nghymru. Mae rhai cymwysterau TGAU a Safon Uwch dynodedig ar gael yn ddwyieithog tra bod eraill ar gael yn Saesneg yn unig. Mae rhestr lawn o gymwysterau TGAU a Safon Uwch dynodedig ar gael ar ein gwefan⁵.

Er mwyn helpu myfyrwyr, ysgolion a cholegau i wneud penderfyniadau gwybodus ynghylch cymwysterau, rydym wedi gofyn i gyrrff dyfarnu gyhoeddi eu polisi ymlaen llaw ar y cymwysterau TGAU a Safon Uwch dynodedig sydd ar gael drwy gyfrwng y Gymraeg. Rydym wedi cyhoeddi'r wybodaeth hon ar ein gwefan⁶ hefyd.

Wrth ddatblygu ein polisi, gwnaethom ystyried yr opsiwn i fynnu bod pob cymhwyster dynodedig ar gael yn Gymraeg. Fodd bynnag, daeth yn glir y byddai dull gweithredu o'r fath wedi arwain at ostyngiad sylweddol yn yr amrywiaeth o gymwysterau a fyddai ar gael i ddysgwyr yng Nghymru. Gwnaethom hefyd adolygu nifer y dysgwyr sydd wedi astudio pynciau drwy gyfrwng y Gymraeg yn flaenorol. Awgrymodd ein gwaith dadansoddi y byddai'r holl bynciau a astudiwyd drwy gyfrwng y Gymraeg yn hanesyddol yn parhau i gael eu cynnig yn ddwyieithog.

Yn achos TGAU Seicoleg, penderfynodd CBAC beidio â datblygu cymhwyster diwygiedig i Gymru na Lloegr. I ddechrau, roeddem yn disgwyl y byddai un o'r cyrrff dyfarnu eraill a oedd yn datblygu cymwysterau diwygiedig i Loegr yn bodloni'r gofynion o ran asesu TGAU Seicoleg drwy gyfrwng y Gymraeg. Pan ddaeth yn amlwg nad oedd hyn yn debygol, gwnaethom drafod gyda chyrrff dyfarnu pa gamau y gellid eu cymryd i gynnig y pwnc drwy gyfrwng y Gymraeg. Fodd bynnag, ni lwyddwyd i ddod o hyd i ateb ymarferol bosibl. Gwnaethom anfon llythyr i ysgolion ar 12 Mawrth 2018 i esbonio'r penderfyniad⁷.

² Mae ein Strategaeth Cymwysterau Cyffredinol ar gael ar ein gwefan [yma](#).

Mae ein Strategaeth Cymwysterau Galwedigaethol ar gael ar ein gwefan [yma](#).

³ Mae ein Polisi Cymwysterau Rheoleiddiol Cymraeg a Dwyieithog ar gael ar ein gwefan [yma](#).

⁴ **Mae dynodi yn golygu bod cymhwyster yn gymwys i gael arian cyhoeddus yng Nghymru. Dim ond cyrrff dyfarnu a gydnabyddir gan Cymwysterau Cymru a all wneud cais i ddynodi cymwysterau.**

⁵ Mae rhestr o'r holl gymwysterau TGAU a Safon Uwch a ddynodwyd ar gael ar ein gwefan [yma](#).

⁶ Mae rhestr o'r holl gymwysterau TGAU a Safon Uwch a ddynodwyd ar gael ar ein gwefan [yma](#).

⁷ Mae'r llythyr y gwnaethom ei anfon i ysgolion ar gael ar ein gwefan [yma](#).

Wrth gyflawni ein swyddogaethau rheoleiddio, mae Deddf Cymwysterau Cymru 2015 yn ei gwneud yn ofynnol i ni gynnal ein gweithgareddau mewn ffordd sy'n dryloyw, cymesur a rhesymol. Yn unol â'r Ddeddf, gwnaethom ystyried yr unig ddau opsiwn arall a oedd ar gael i ni i sicrhau y gellir astudio ar gyfer yr un cymwysterau drwy gyfrwng y Gymraeg a'r Saesneg.

- 1) Cael gwared ar y broses ddynodi (h.y. cael gwared ar y gallu i fod yn gymwys i gael arian cyhoeddus). O ganlyniad i hyn, ni fyddai TGAU Seicoleg, nac unrhyw bynciau eraill sy'n cael eu hastudio gan nifer isel o ddisgyblion (gweler y rhestr o bynciau ar dudalen 3) ar gael mwyach i unrhyw ddysgwyr ar raglenni a ariennir gan arian cyhoeddus yng Nghymru;
- 2) Ei gwneud yn ofynnol i bob corff dyfarnu gynnig pob un o'i gymwysterau TGAU a Safon Uwch drwy gyfrwng y Gymraeg. O'r dystiolaeth a gasglwyd, gallai hyn beri i gyrff dyfarnu benderfynu peidio â chynnig unrhyw un o'u cymwysterau yng Nghymru.

Ar ôl ystyried y ddau opsiwn yn fanwl, gwnaethom benderfynu peidio â bwrw ymlaen ag unrhyw un ohonynt gan nad ydym o'r farn eu bod yn gymesur nac yn rhesymol. Byddent yn lleihau'r amrywiaeth o bynciau TGAU a Safon Uwch sydd ar gael yng Nghymru, na fyddai er budd dysgwyr yng Nghymru.

Mae'n werth nodi, wrth wneud unrhyw newidiadau i gymwysterau yn y dyfodol (er enghraifft, i gefnogi'r cwricwlwm newydd i Gymru), y byddwn yn cynllunio i sicrhau y gellir astudio ar gyfer yr un cymwysterau drwy gyfrwng y Gymraeg a'r Saesneg o'r cychwyn cyntaf. Yn y cyfamser, rydym yn parhau i chwilio am gyfleoedd i gynyddu nifer y cymwysterau sydd ar gael yn y ddwy iaith lle bo modd. Rydym hefyd wrthi'n adolygu ein polisi yn ystod 2018-19 ac wedi cael trafodaethau rhagarweiniol gydag ysgolion, colegau, cyrff dyfarnu a sawl sefydliad sy'n ymwneud ag addysg cyfrwng Cymraeg er mwyn llywio'n dull gweithredu.

Gwybodaeth am nifer y pynciau TGAU a Safon Uwch na ellir eu hastudio drwy gyfrwng y Gymraeg

Mae CBAC yn cynnig ei holl gymwysterau TGAU a Safon Uwch drwy gyfrwng y Gymraeg, gan gynnwys y rhai a ddatblygwyd i Loegr fel rhan o ddarpariaeth Eduqas⁸.

Mae'r tablau isod yn rhestru'r cymwysterau TGAU a Safon Uwch rydym wedi'u dynodi fel rhai sy'n gymwys i'w defnyddio ar raglenni dysgu a ariennir gan arian cyhoeddus yng Nghymru ac sydd ar gael yn Saesneg yn unig. Maent hefyd yn nodi nifer y dysgwyr a gafodd eu cofrestru ar gyfer y pynciau hyn yn 2017⁹.

Ers 2013, dim ond ar gyfer TGAU Seicoleg y cafwyd galw am asesiadau cyfrwng Cymraeg o blith y cymwysterau TGAU a Safon Uwch hyn (gweler tudalennau 1 a 2 i gael gwybodaeth am y pwnc hwn).

⁸ Mae Eduqas yn rhan o CBAC ac yn cynnig cymwysterau TGAU, Safon UG a Safon Uwch a ddiwygiwyd gan Ofqual i ysgolion uwchradd a cholegau yn Lloegr. Mae'r cymwysterau hyn wedi'u dynodi gan Cymwysterau Cymru i'w defnyddio yng Nghymru.

⁹ Mae'r niferoedd wedi'u talgrynnu i'r 5 agosaf. Rhoddir * yn lle ffigurau sy'n llai na 5 ond sy'n fwy na 0.

Cymwysterau TGAU dynodedig	Addysgwyd gyntaf o	Nifer y dysgwyr yng Nghymru a gofrestrwyd yn 2017
Groeg Clasurol	2016	10
Astudiaethau Dinasyddiaeth	2016	10
Dawns	2016	25
Hanes yr Henfyd	2017	*
Arabeg	2017	175
Seryddiaeth	2017	45
Bengali	2017	25
Tseinëeg	2017	90
Gwareiddiad Clasurol	2017	60
Economeg	2017	80
Peirianeg	2017	190
Eidaleg	2017	80
Japaneeg	2017	5
Groeg Modern	2017	5
Seicoleg	2017	595
Hebraeg	2017	0
Pwyleg	2017	185
Punjabeg	2017	10
Rwseg	2017	20
Ystadegau	2017	195
Wrdw	2017	15

Cymwysterau Safon UG dynodedig	Addysgwyd gyntaf o	Nifer y dysgwyr yng Nghymru a gofrestrwyd yn 2017
Groeg Clasurol	2016	0
Dawns	2016	*
Lladin	2016	10
Cyfrifyddu	2017	125
Hanes yr Henfyd	2017	35
Tseinëeg	2017	60
Gwareiddiad Clasurol	2017	55
Gwyddor Amgylcheddol	2017	*
Eidaleg	2017	10
Athronyddiaeth	2017	5
Rwseg	2017	*
Ystadegau	2017	0

Cymwysterau Safon Uwch dynodedig	Addysgwyd gyntaf o	Nifer y dysgwyr yng Nghymru a gofrestrwyd yn 2017
Groeg Clasurol	2016	*
Dawns	2016	15
Lladin	2016	10
Cyfrifyddu	2017	60
Tsieiñeg	2017	130
Gwareiddiad Clasurol	2017	45
Gwyddor Amgylcheddol	2017	*
Hanes Celf	2017	*
Eidaleg	2017	5
Athronyddiaeth	2017	20
Rwseg	2017	15
Ystadegau	2017	0

Gwybodaeth am y cymorth sydd ar gael i fyrddau arholi i'w hannog i ddarparu papurau arholiad a deunyddiau ategol drwy gyfrwng y Gymraeg

Ein prif rôl yw rheoleiddio cyrff dyfarnu a'u cymwysterau. Y manylebau a'r deunyddiau asesu enghreifftiol yw'r prif adnoddau rydym yn eu hystyried wrth gymeradwyo cymwysterau. Dyma'r adnoddau sy'n sicrhau bod athrawon a myfyrwyr yn gwybod beth a ddisgwylir pan fyddant yn sefyll eu harholiadau. Ar hyn o bryd, rydym yn trefnu bod grantiau ar gael i gyrrff dyfarnu i'w helpu i dalu'r costau sy'n gysylltiedig â chynnig cymwysterau'n ddwyieithog. Er enghraifft, dim ond eleni, rydym wedi helpu CBAC i gynnis 30 o gymwysterau Safon Uwch a 50 o gymwysterau TGAU, sydd wedi cynnwys cyfieithu ac argraffu papurau arholiad.

Cyhoeddwyd masnachol yn bennaf sy'n trefnu bod deunyddiau ategol ar gael, ac nid ydynt yn dod o dan ein pwerau rheoleiddio; felly, nid oes gennym reolaeth uniongyrchol dros yr hyn sydd ar gael at ddibenion addysgu a dysgu drwy gyfrwng y Gymraeg a'r Saesneg. Er hynny, mae gennym ddiddordeb brwd yn y maes hwn gan ei fod yn bwysig er mwyn sicrhau hyder yn system gymwysterau ac addysg. Er enghraifft, ar gyfer y cymwysterau TGAU a Safon Uwch newydd a gymeradwywyd gennym ni, gwnaethom ddod â CBAC, Llywodraeth Cymru, y consortia addysg rhanbarthol ac Estyn ynghyd er mwyn cytuno pa adnoddau ychwanegol a fyddai'n angenrheidiol i gefnogi pob manyleb newydd a phwy fyddai yn y sefyllfa orau i gynhyrchu'r manylebau hyn.

Gwnaethom ddefnyddio ein cyllid grant i gomisiynu neu gyflymu'r broses o gynhyrchu'r adnoddau sy'n ymwneud ag agweddau penodol ar fanylebau newydd ac i lenwi'r bylchau na fyddai fel arall yn cael sylw mewn pryd. Er enghraifft, ar gyfer ieithoedd tramor modern ar lefel Safon UG a Safon Uwch, gwnaethom gefnogi'r broses o gynhyrchu'r adnoddau a oedd yn angenrheidiol ar gyfer y testunau a'r ffilmiau gosod newydd. Ar gyfer astudiaethau cyfryngau ar lefel TGAU, Safon UG a Safon Uwch, gwnaethom gefnogi'r broses o gynhyrchu'r adnoddau a oedd yn angenrheidiol ar gyfer yr amrywiaeth ehangach o gyfryngau y mae'n rhaid eu hastudio bellach, gan gynnwys ffilmiau, cylchgronau a newyddion. Mae trosolwg o'r

deunyddiau ategol a gynhyrchwyd yn ddwyieithog i helpu athrawon i gyflwyno'r cymwysterau TGAU a Safon Uwch newydd ar gael ar ein gwefan¹⁰.

Fel rhan o'n gwaith i gynyddu nifer y cymwysterau sydd ar gael drwy gyfrwng y Gymraeg yng Nghymru, rydym wedi sefydlu grŵp cyrff dyfarnu i'n helpu i nodi rhwystrau posibl i gynnig mwy o gymwysterau o ansawdd da yn Gymraeg ac yn ddwyieithog. Er enghraifft, am fod cyrff dyfarnu wedi dweud wrthym eu bod yn ei chael hi'n anodd dod o hyd i unigolion sydd â'r sgiliau asesu, y sgiliau yn y pwnc a'r sgiliau yn y Gymraeg sy'n angenrheidiol, rydym wedi sefydlu grŵp ar LinkedIn er mwyn iddynt allu defnyddio a rhannu'r gronfa o adnoddau cyfyngedig hyn.

Rydym hefyd yn cysylltu â rhanddeiliaid allweddol megis ysgolion, colegau, CDAG, UCAC, ColegauCymru a'r Coleg Cymraeg Cenedlaethol er mwyn ein helpu ni a chyrff dyfarnu i nodi meysydd lle mae galw ar hyn o bryd a lle y bydd galw yn y dyfodol. Byddwn hefyd yn defnyddio'r wybodaeth hon i wella'r ffordd rydym yn targedu ac yn blaenoriaethu ein grantiau yn y blynyddoedd sydd i ddod.

Mae diwygio cymwysterau yn rhoi'r cyfle i ddod o hyd i atebion i'r broblem hon ar gyfer y dyfodol. Un o'n blaenoriaethau wrth ddiwygio unrhyw gymwysterau yn y dyfodol yw sicrhau bod yr un cymwysterau ar gael drwy gyfrwng y Gymraeg a'r Saesneg o'r cychwyn cyntaf. Wrth ddiwygio cymwysterau yn y dyfodol, mae angen i ni gydweithio drwy'r sector cyfan er mwyn penderfynu o'r cychwyn cyntaf pa adnoddau sydd eu hangen erbyn pryd a phwy fydd yn eu cynhyrchu. Mae angen i Lywodraeth Cymru, ni, cyrff dyfarnu, consortia rhanbarthol a chyhoeddwr weithio mewn ffordd gydgyssylltiedig er mwyn datblygu strategaeth a fydd yn sicrhau bod adnoddau dwyieithog o ansawdd uchel ar gael mewn pryd. Byddwn yn parhau i ofyn am adborth ac yn cymryd unrhyw gamau rhesymol er mwyn sicrhau bod y ddarpariaeth sy'n benodol i Gymru, yn Gymraeg ac yn Saesneg, yn diwallu anghenion dysgwyr yng Nghymru.

Yn ddiffuant



Philip Blaker
Prif Weithredwr

¹⁰ Mae trosolwg o'r adnoddau a ddatblygwyd i helpu i gyflwyno'r cymwysterau newydd ar gael ar ein gwefan [yma](#).

P-05-805 Rhoi chwarae teg i Athrawon Cyflenwi

Cyflwynwyd y ddeiseb hon gan Sheila Jones ac ystyriwyd gan y Pwyllgor am y tro cyntaf yn ystod Mai 2018, ar ôl casglu 997 o lofnodion ar-lein a 428 o lofnodion ar bapur, cyfanswm o 1,425 o lofnodion.

Geiriad y ddeiseb

Rydym ni, sydd wedi llofnodi isod, yn galw am i athrawon cyflenwi gael eu talu'n deg a chael mynediad llawn at gyfleoedd hyfforddi a thelerau ac amodau eraill. Dylai fod athro cymwys ym mhob ystafell ddosbarth a dylai arian trethdalwyr fod yn cael ei wario'n uniongyrchol ar addysg, heb fynd i bocedi asiantaethau preifat.

Mae athrawon cyflenwi'n cael cam ac mae athrawon yn gadael y proffesiwn oherwydd na allant fforddio bod yn athrawon cyflenwi.

Mae asiantaethau'n lleihau cyflog athrawon cyflenwi 40 i 60 y cant ac mae athrawon yn colli eu pensiynau. Mae'r sefyllfa'n enghraifft o ddefnyddio arian cyhoeddus i greu elw i'r sector preifat. Mae gwersi'n cael eu darparu gan staff anghymwys.

Etholaeth a Rhanbarth y Cynulliad

- Caerffili
- Dwyrain De Cymru

Kirsty Williams AC/AM
Ysgrifennydd y Cabinet dros Addysg
Cabinet Secretary for Education



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-05-805
Ein cyf/Our ref KW/01592/18

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2 July 2018

Dear David

Thank you for your letter of 21 June enclosing one received from the Fair Deal for Supply Group in support of its petition.

In response to the points raised by the petitioners it is important to note that it is the governing bodies of maintained schools and local authorities that have the statutory responsibility to determine how they employ and deploy their workforce and how they manage staff costs within their delegated budget. Schools are able to use this discretion to employ supply staff directly should they wish and many already employ staff in this way. We are continuing to encourage and support schools to consider this direct employment approach and the added benefits involved.

The £2.7m direct employment school based supply pilot I announced last October is being implemented within 15 local authority areas across Wales. The trial arrangement provides funding to local authorities to support clusters of schools to employ recently qualified teachers on a supernumerary basis to provide cover for unplanned and/or planned teacher absence. It supports a more sustainable, collaborative model of working to support the professional learning of our newly qualified teachers. The pilot evidences our commitment to ensure that a number of our teachers who might otherwise find themselves in supply roles are supported at the beginning of their career. We will evaluate the pilot to see if direct employment of supply teachers offers a viable alternative model for schools and will identify best practice and exemplar case studies to be shared with the sector. We will continue to encourage local authorities and schools to consider adopting this approach as a viable alternative and sustainable model to meet their staff cover needs. Teachers employed directly in this way are being paid via the School Teachers' Pay and Conditions Document and are able to access the Teachers' Pension Scheme.

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Gohebiaeth.Kirsty.Williams@llyw.cymru
Correspondence.Kirsty.Williams@gov.wales

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

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

Tudalen y pecyn 306

I am pleased to note that the group have included an excerpt from the guidance on *Effective Management of School Workforce Attendance* which my department issued last December. This document clearly sets out the roles and responsibilities of all involved in deploying and employing temporary staff including the various safeguarding checks required and the benefits of a direct employment approach.

Powers to determine teachers' pay and conditions will be formally transferred to Welsh Ministers in September 2018. Decisions around teachers' pay and conditions for academic year 2018/19 will already have been determined for all teachers in Wales and England by the Department for Education. Work is already underway to consider how we might set teachers' pay to underpin our aspirations for the wider education system, to raise standards and support and develop the teaching profession including those who work flexibly. The Fair Deal for Supply Group has been sent all links to the relevant consultation and calls for views to provide comment. Practicably, and to ensure changes implemented are duly considered this means the earliest that any changes specific to teachers' pay here in Wales will take effect will be from the 2019/20 academic year.

In September 2017 officials met with their counterparts in the Department for Education in Northern Ireland and with officers from the Education Authority in Northern Ireland (since April 2015 all local education boards including Belfast became one authority) to discuss their centralised matching and pay system. As the direct employers of teachers and holders of a centralised payroll (teachers' pay and conditions has been devolved to Northern Ireland for sometime) the systems and governance structures operating there make it possible for a matching pay system of this type to operate.

Commercial supply agencies are private businesses. The Department for Business Energy and Industrial strategy are responsible for managing the *Agency Worker Regulations 2010* and associated employment legislation including that related to the Conduct of Employment of Agencies and Employment Businesses legislation and off-payroll working in the public sector legislation. Following the Taylor review into modern working practices published last summer the Westminster government has consulted on proposed changes to legislation which if implemented will directly affect the way in which agencies operate. Officials have ensured that the Fair Deal for Supply Group was made aware of the public consultations underway in order for them to provide comments directly to the Whitehall Department responsible for legislation in this area.

You asked for a view on the potential for regional education consortia to take a role in organising the provision of supply teaching. The regional consortia does not have a direct employer function, however, they work to improve schools by providing support and challenging performance to drive up standards. They could consider the impact of supply cover on learning and improvement and create opportunities to support the professional learning of our supply teachers. There is nothing to prevent local authorities and schools as the employer of teachers working with local consortia officers to better support supply provision.

The Supply Working Group has held discussions with a number of organisations and groups with an interest in supply, including the Fair Deal for Supply Group. Within the statutory powers available to us we are actively exploring how implementing quality assurance standards might support and improve provision. We are working with the Supply Working Group to consider draft proposals. If implemented, any commercial agency wishing to supply temporary teachers to a maintained school in Wales would need to meet the quality standards. If introduced, these standards would support schools, supply teachers and improve the quality of teaching and learning. This work is currently at an early stage in

terms of policy development, but if implemented would add an additional layer of quality assurance to all involved in the process. This work would also support the developmental work currently being undertaken by the National Procurement Service (NPS) in reviewing the current managed service framework. The NPS, together with its local authority client group, has extended the current arrangement to August 2019 while it revises the tender specification requirements to ensure that it is current and fit for purpose. I understand that a revised contract will be let by the NPS next April with a view to it going live from August 2019. The revised specification would include requirements for ensuring supply teachers employed by agencies received appropriate professional learning opportunities.

Only qualified teachers and others in certain limited circumstances can undertake the full range of specified work (teaching) as set out in the Education Workforce Council Function Regulations. Officials issue termly reminders to commercial supply agencies operating in Wales and to the school sector to ensure their statutory employer obligations are met. A copy of the guidance (last issued to commercial agencies on 15 June) is attached here for reference. <http://learning.gov.wales/docs/learningwales/publications/171023-employing-and-supporting-supply-teachers-in-a-school-environment-en.pdf>

Finally, as set out in my earlier letter to you in March I would like to assure you and Committee members that the Welsh Government will continue to work with and support employers to explore all options available to develop flexible working arrangements and promote fairness across the teaching workforce.

Yours sincerely

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

Kirsty Williams AC/AM

Ysgrifennydd y Cabinet dros Addysg
Cabinet Secretary for Education

P-05-805 Fair Deal For Supply Teachers – Correspondence from the petitioner to the Committee, 06.09.18

Dear Petitions Committee

With reference to the correspondence from the Cabinet Secretary we would like to raise the following points :

Schools in some authorities are unable to employ direct even if they so wish. These include Blaenau Gwent , Swansea, Newport, Neath Port Talbot and Wrexham. (We are awaiting the results of recent FOIs to see if there are other LAs.)They have no supply lists and do not have a payroll facility in place so no arrangements to pay supply teachers are available . Just because schools are free to choose how they employ supply teachers is repeatedly stated or is in a document does not make it true. Heads in Newport tell teachers that they are not allowed to employ short term supply teachers directly. The choice is not there! We should all be treated equally .

The pilot

We were told by Gail Deane at a meeting in April this year that only 37 out of the 50 places in the pilot scheme costing £2.7 m have been taken up. We don't fully understand how attaching a teacher / teachers to a cluster of schools could work but that figure does not bode well for the success of the scheme. We believe it is to be reviewed in October, a year after it was put in motion. It has only been of benefit to those teachers and for the rest of the supply teachers employed by agencies there has been no improvement at all.

Improvements

We understand improvements are to be put in the framework agreement given by NPS for 2019- 20 . Whilst we are pleased to see there is a recognition that improvements need to be made these are not far reaching enough. We have been told that when devolved powers come in then better pay and conditions would ensue. Indeed Carwyn Jones told Leanne Wood this in the Senedd in answer to her question about Wales not having private money in education. Is setting a minimum pay rate at M1 with agencies for 2019-20 all that can be achieved ?

Scotland have always paid their supply teachers directly and on the teachers pay scale, unless they were only in the school 2 days. Since January, those daily supply teachers have also returned to being paid to scale according to their experience. None of taxpayers money is going to an agency! Scotland also has local management of schools yet supply teachers are paid through LAs. Why are Wales lagging behind their counterparts in Scotland and Northern Ireland ?

Quality Assurance

'We are working with the Supply Working Group to explore how implementing quality assurance standards might improve provision. If implemented

What are the barriers to quality assurance standards being implemented? We welcome those standards particularly in regard to safeguarding . We have discussed the need for safeguarding training with NPS. We would hope the training could be done with a provider rather than online. It is shocking to think there are 64 agencies in existence that have been largely unregulated and only some will 'choose' to be in 2019-20.

The revised specification would include requirements for ensuring supply teachers received proper learning opportunities.'

We need proper learning opportunities . We have asked for them for some time as we need and want to be kept up to date with new initiatives and we welcome this revision.

However, we also need proper pay. It is proper PAY that pays bills and enables people to be supply teachers. It is proper pay that raises standards first and foremost . It enables retention of the supply teacher workforce.

Welsh government could get so much more out of their supply teaching workforce, but at present has still been unable to formulate a plan to pay fairly and unfortunately, for Wales, it is NOT only supply teachers who are losing out, but a generation of children taught by this demoralised supply teacher workforce.

We are pleased that the Cabinet Secretary has acknowledged the anger and upset felt by supply teachers and that she does not want to see any of us exploited. However another year will pass with the "missed opportunity " of any improvement into the existing framework agreement. Anything you can do to expedite our situation is appreciated. We have been losing out on fair pay , access to Teachers' Pension Scheme and access to CPD for some time as you know . We have also seen the use of unqualified staff become more prevalent. We want the learners of Wales to have the best supply teachers they can have. The improvement of learner outcomes is paramount . Thank you for your work in considering our petition.

Kind Regards

Sheila Jones

Eitem 3.23

P-05-821 Ailgyflwyno cyllid cymorth addysgol i awdurdodau lleol ar gyfer y Gwasanaeth Cyflawniad Lleiafrifoedd Ethnig a'r Gwasanaeth Addysg i Deithwyr

Cyflwynwyd y ddeiseb hon gan UNISON Neath Port Talbot, ar ôl casglu 262 o lofnodion.

Geiriad y ddeiseb

Mae cangen Castell-nedd Port Talbot o UNSAIN yn galw ar i Lywodraeth Cymru wrthdroi'r penderfyniad i dorri cyllid cymorth addysgol ar gyfer y Gwasanaeth Cyflawniad Lleiafrifoedd Ethnig (MEAS) a'r Gwasanaeth Addysg i Deithwyr (TES).

Yn y bôn, mae Ysgrifennydd y Cabinet dros Addysg wedi tynnu cyllid ar gyfer y grwpiau hyn yn ôl o dan y grant gwella addysg. Mae ymchwil yn dangos mai plant Roma a Theithwyr sydd â'r cyfraddau cyrhaeddiad isaf o unrhyw grŵp ethnig yng Nghymru, a diben y grant gwella addysg yw cefnogi eu dysgu a gwella cyrhaeddiad.

Yng Nghastell-nedd Port Talbot mae canran o'r disgyblion yn ein hysgolion yn deithwyr ac yn grwpiau ethnig lleiafrifol sy'n dibynnu ar yr arian hwn; mae Margam a Llansawel yn enghreifftiau o hyn. Mae gan y cyngor dystiolaeth bod gweithwyr cymorth yn darparu gwasanaeth gwych o ran ymgysylltu â'r dysgwyr 'anodd eu cyrraedd' hyn. Rydym am i bob person ifanc allu cyrraedd ei botensial ac mae gweithwyr cymorth yn gallu hyrwyddo anghenion pob dysgwr, yn enwedig y rhai sy'n agored i niwed neu sydd o dan anfantais. Maent yn meithrin perthnasoedd cryf â theuluoedd, ysgolion a'r cymunedau maent yn eu gwasanaethu. Bydd y gostyngiad yn eu cyllid yn niweidiol ac mae torri swyddi eisoes yn cael ei drafod â'r undebau llafur. Bydd angen talu unrhyw gostau diswyddo o gyllideb sydd eisoes dan bwysau. Rydym yn annog i Lywodraeth Cymru ymgynghori ag UNSAIN ac awdurdodau lleol. Rhaid i Lywodraeth Cymru gwblhau Aseiad o'r Effaith ar Gydraddoldeb i sicrhau bod arian yn cael ei ddyrannu i'r rhai sydd mewn angen.

Etholaeth a Rhanbarth y Cynulliad

- Aberafan
- Gorllewin De Cymru

Kirsty Williams AC/AM
Ysgrifennydd y Cabinet dros Addysg
Cabinet Secretary for Education



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-05-821
Ein cyf/Our ref KW/01878/18

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6 August 2018

Dear David

Thank you for your letter of 27 July, requesting further information about the petition received from UNISON Neath Port Talbot, regarding funding for ethnic minority, Gypsy, Roma and Traveller learners.

My letter to you of 12 June emphasised my commitment to reducing inequalities and ensuring all learners are able to achieve their potential and thrive in a learning environment which supports their needs. The Welsh Government provides significant levels of grant funding for school improvement and raising standards through our Education budgets, but the vast majority of the funding we provide for schools is directed to local government through the Local Government Settlement and we have taken action to maximise this funding through our budget approach.

Formula allocation

The former Minority Ethnic and Gypsy Traveller grants were identified as part of a suite of grants with similar outcomes which could be rationalised, leading to the establishment of the Education Improvement Grant for Schools (EIG) in April 2015. The combined grant arrangements were intended to provide greater flexibility for schools, local authorities and regional consortia to more effectively direct grant funding to deliver our shared priorities. This formed part of our response to the concerns raised by the WLGA on behalf of local government over the need for greater flexibility to manage the financial challenges they were facing. It also served our aims to reduce bureaucracy (including the cost of administering grants), simplify arrangements and enable more funding to be directed to the front line.

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

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

Tudalen y pecyn 313

Within the EIG there is no requirement on schools, consortia or local authorities to allocate a specific amount of grant funding against a service or programme. We believe, schools, regional consortia, and local authorities are best placed to know the needs of their learners and to respond to local needs. In the evidence provided by Estyn to the CYPE Committee as part of the Committee's inquiry into this area of support, Estyn outlined that they had not seen significant change in delivery of minority ethnic, Gypsy, Roma, Traveller services in the transition from the previous specific grants to the combined grant arrangements under the EIG.

Consultation and engagement

We have been mindful during this budget process of the requirements on Welsh Ministers under the Well-being of Future Generations (Wales) Act 2015 and to have due regard to the UN Convention on the Rights of the Child. The Welsh Government has taken an integrated approach to our impact assessment and a Strategic Integrated Impact Assessment of the high-level spending decisions was undertaken and published as part of the outline draft budget 2018-19.

The Welsh Government's policy statement in 2014 highlighted that the then funding arrangements for minority ethnic achievement and the education of Gypsy, Roma and Traveller learners were not sustainable and authorities needed to increase collaboration and partnership working in order to deliver services against growing need and pressured budgets in future.

In setting our budget for 2018-19 and 2019-20 we have prioritised funding to local government for schools and I have received assurances from the WLGA that local government will continue to prioritise support for vulnerable learners from an early age, including minority ethnic, Gypsy Roma and Traveller learners. I welcome these assurances and fully expect local government to stand by them. Minority ethnic and Gypsy Roma Traveller services are now represented on the Association of Directors in Wales (ADEW) Inclusion group and able to raise concerns with their authorities.

These are challenging times and I, in common with all Cabinet Secretaries, have had to make some difficult decisions. However, I have continued to listen to the concerns raised by various stakeholders about the impact of the changes to funding arrangements to support these groups of learners. As a consequence and, in recognition that transitioning services to new arrangements takes time, I have agreed a total of £8.7million in the 2018-19 financial year to support local authorities.

Transitional Arrangements

The expectation of the additional funding I have made available through the Local Authority Education Grant 2018-19 is to enable authorities to provide support for Minority Ethnic and Gypsy, Roma and Traveller learners in line with previous expectations and assurances. The grant also includes a requirement to make progress, during 2018-19, to transition services to a sustainable model. Funding for 2019-2020 will be dependent on progress made during this financial year to transition the service. I have asked my officials to work closely with Cardiff, Newport, Swansea and Wrexham local authorities (as the largest urban authorities in their regions) to support a move towards a sustainable model within their regions from April 2020,

Monitoring

Local Authorities are responsible for schools funding as is set out in law and they must ensure appropriate education provision is available for all learners. That is why after 10 years of additional grant funding to try and to test systems and approaches, minority ethnic, Gypsy, Roma and Traveller learner support is now a core provision.

Each year we collect and publish information on the educational performance of these groups of learners, many of whom outperform the Wales averages; we will continue to do this to facilitate open and informed discussion on learner progress. I am confident the checks and balances are in the system and that we can continue to monitor progress moving forwards.

The financial position for 2019-20 will be reviewed as part of setting our firm plans in the autumn. It is however my intention to provide a further £8.7million to all 22 Local Authorities in 2019-20, to support the continuing development of a sustainable model from April 2020.

As I have indicated, this funding will be conditional on evidence of working progress towards more sustainable models of delivery. My officials wrote to all Chief Executives on Friday 18 May 2018 with their funding allocations for 2018-19.

In publishing *Education in Wales: Our national mission*, and as outlined above, I am confident working in partnership with schools, regional consortia, Local Authorities and the WLGA, we can continue to monitor the progress of these groups of learners.

Yours sincerely

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

Kirsty Williams AC/AM

Ysgrifennydd y Cabinet dros Addysg
Cabinet Secretary for Education

P-05-821 Reintroduce educational support funding to MEAS and the TES to local authorities – Correspondence from the Petitioner to the Committee, 06.8.18

Neath Port Talbot Minority Ethnic Support (MEAS) Team Response to Kirsty Williams' letter to Welsh Government's Petition Committee dated 6.8.18

In reference to the Welsh Government's "commitment to reducing inequalities and ensuring all learners are able to achieve their potential and thrive in a learning environment which supports their needs. The Welsh Government provides significant levels of grant funding for school improvement and raising standards through our Education budgets, but the vast majority of the funding we provide for schools is directed to local government through the Local Government Settlement and we have taken action to maximise this funding through our budget approach"

I have spent the last two years working with Consortium colleagues representing Neath Port Talbot Talbot Ethnic Minority/English as an Additional Language (EM/EAL learners) as suggested by Kirsty's letter, in the hope of creating a "more sustainable way" of supporting learners. This consortium approach has consisted of many meetings and many "workshops" in Carmarthen, taking us away from our jobs (including settling 32 Syrian children into our schools/nurseries and supporting their parents/siblings), trying to establish an agreed policy and procedures for supporting EM/EAL learners across the consortium. This working group was told by the Consortium administration that it could no longer officially meet as a recognised group over a year ago and all work previously undertaken was abandoned, whilst colleagues went off to try to maintain some support for their pupils in the wake of first the withdrawal of any grant funding for EM/EAL learners and then a drastic reduction in funding, which resulted in all NPTCBC specialist EM/EAL staff being put at risk of redundancy. It felt like the Consortium working had been a huge waste of everyone's time. Whilst we worked as a working party, the practicalities of the sheer distance travelled between authorities and within authorities and difference in our approaches to supporting our pupils were insurmountable, causing greater division rather than unity during that time. As specialist staff in our consortium authorities have left or been made redundant, there is little EM/EAL specialist capacity left for a consortium approach.

Our Local Authority approach to supporting EM/EAL learners in NPT is broad and diverse, to match the needs of over 1300 EM/EAL learners, over 500 new EM/EAL learners arriving in NPTCBC in the last 10 years. Our approach incorporates the best EM/EAL practice, based on research and experience and working with other Welsh authorities such as Newport and Denbighshire. We have a long and successful history of working with Newport, Cardiff, Denbighshire, Bridgend and Vale specialist colleagues in particular, on training and development of Good Practice, long before we were expected to develop working with consortium colleagues. We have had to be creative and resourceful as we have always received one of the lowest grants for our pupils, around £120k. We have remained sustainable because as a specialist service, we bid for grants from other funding sources outside of the council to provide the Bilingual support so desperately needed by our pupils to succeed and integrate. We even attract union funding for our own staff training (including stress management and wellbeing). Only 4 (3.4 FTE) specialist EM/EAL staff who were funded from the original MEAG grant remain since the start of this term. We have been successful as support team, because we work in partnership with Head teachers, school staff and families to ensure we meet the needs of our EM/EAL learners. Vacancies for specialist EM/EAL staff (as a consequence of being put at risk of redundancy), who can speak the same home languages as many of our learners may not be filled due to lack of funding. We put the children and schools' needs first, it is not just about our jobs. Kirsty is welcome to come and visit us any time as many others have and been overwhelmed by how much we do for so little WG funding. We are one of the few authorities to focus on the underachievement of black pupils also, especially boys, which the MEAG grant was supposed to be used for, not just EAL support, after the death of Stephen Lawrence and the recommendations of the McPherson Report. We also support our post 16 learners in transition to college ensuring they are on appropriate learning and career pathways (including university applications). At least 10 of our previously supported learners are at University or are graduating from University with degrees this Summer. We know these pupils by name, because we supported them over a number of years.

One of the main points in Kirsty's letter was a reference made to EM/EAL learners and mono-lingual children within the education system now doing as well as each other, and interventions having no real impact. The letter appears to presume that EM/EAL learners are able to attain this level of attainment and qualifications without

interventions. However, we can only test this presumption if the interventions were removed and then the learners tested. It is impossible to make such an assumption whilst interventions are still in place. If specialist EM/EAL support is removed and EM/EAL attainment declines, then the re-establishment of these services will be virtually impossible. There is no specialist EM/EAL training available in any Welsh University now. The Team Leader and Teacher Development Officers in NPT CBC have MEd and MA qualifications in teaching English as an Additional Language. Is this the risk our government wants to take on the next generation of EM/EAL learners? If we remove support/drastically reduce Local Authority support for these children, then we are in danger of losing the expertise and skills of those staff, and future generations of children will lose out, as is already the case in England.

From our experience many children from EM/EAL background do achieve outcomes which are better than their monolingual counterparts, but many of these learners have had intervention strategies put in place to achieve their successful outcomes in a much shorter time than it would take otherwise and at less cost to our Education system. For example NPTCBC have had great success with First Language GCSE, AS and A levels. **This Summer alone excellent MEAS support has ensured fantastic examination results for EM/EAL pupils such as a pupil achieving A* in Mandarin and A* Russian GCSE and a Polish pupil who came to us in Year 8 with no English, achieving an A in English Literature, A* in Welsh, and A–A* in many other GCSE subjects. Our new Syrian learners have already achieved 5 A–A* grades at GCSE last year and two are already studying for A levels in Sciences and Mathematics. Similar results have been sustained for our MEAS supported EM/EAL learners over several years.**

Has the WG consulted with the families and children from Ethnic Minority communities about the reduction of funding/support and made a full and thorough impact assessment? Pupils who have received specialist EM/EAL provision would be best placed to judge the value and long term benefit of the support they have received and whether it greatly improved their academic success. As educators, we should be concerned with other aspects of achievement such as increased well-being, confidence, morale, self-belief and self-value, which are vastly improved whilst these interventions are in place.

Many learners entering the Welsh education system do not speak any English or are at risk of underachieving or becoming NEET. With our specialist intervention, we have evidence to suggest that they will be misplaced within our schools and not provided with good academic and social role models. A real danger is that we will see an increase in the number of EM/EAL pupils diagnosed with Additional Needs or becoming NEET.

Many teachers are not taught specialisms such as language development, or the skills and understanding to teach and support EM/EAL learners in their teacher training. They are often unaware of the resources to use and how to communicate and assess EM/EAL learners as a specialist would. Some Ethnic Minority Parent/Carers will not attend schools due to the fear of not being understood, therefore closing down the family-school links which are seen as such important factors, when their children are admitted into schools. Without EM/EAL specialist support and services, schools may fail many of these children. Our EM/EAL learners are often very bright and intelligent with English Language or academic language/concepts being the only barrier to their learning and achievement and yet they are often subjected to the same assessment tests as their monolingual peers, putting them at a distinct disadvantage. If EM/EAL learners are not adequately supported by excellent EM/EAL policy and practice, they will become demoralised, losing concentration and resulting in them not wishing to attend schools. They may exhibit behaviour issues in future. All of this can be prevented with maintaining practical specialist provision that we as teachers, know is the best possible chance for EM/EAL learners to succeed/attain and have equality in schools, further education, the work place and wider world. Please do not take this provision away. We are already living and working in a local authority that has considerable deprivation and must make some hard decisions about which support to prioritise over others for very vulnerable young people and their families. Please speak to the EM/EAL pupils themselves, parents and teachers, before it is too late. Wales has had EM/EAL provision to be proud of and where EM/EAL learners are proud to call themselves Welsh. We are already losing this provision but it is not too late to rethink. Thank you. **Jan Hoggan and the MEAS team, NPT CBC, on behalf of the EM/EAL learners and their families in NPTCBC**

Eitem 3.24

P-05-803 Mae ein byd naturiol yn cael ei wenwyno gan blastigau untro...mae'n bryd cyflwyno treth!

Cyflwynwyd y ddeiseb hon gan Friends of Barry Beaches ac ystyriwyd am y tro cyntaf gan y Pwyllgor yn ystod Mawrth 2018, ar ôl casglu 102 o lofnodion ar-lein.

Geiriad y ddeiseb

Mae'r dystiolaeth ar gael i'r rhai sydd am ei gweld ... mae ein dibyniaeth ar blastig untro a daflir i ffwrdd yn gwenwyno ein byd naturiol.

Mae adar y môr yn bwyta plastigau, mae pysgod yn bwyta plastigau, mae pysgod cregyn yn bwyta plastigau ac rydym ni, felly, yn bwyta plastigau.

Mae cynhyrchu plastigau untro yn cynyddu bob blwyddyn, ond dim ond 9 y cant o blastigau sy'n cael eu hailgylchu yn y byd.

Ers i gynhyrchu plastigau ar raddfa fawr ddechrau yn y 1950au, rydym wedi cynhyrchu 8.3 biliwn o dunelli ... yn gyfwerth â phwysau un biliwn o eliffantod Affricanaidd! A disgwylir i'r ffigur hwnnw gyrraedd 34 biliwn o dunelli erbyn 2050!!

Nid oes dim o'r plastig hwn wedi bioddiraddio yn ystod y cyfnod hwn, ond yn hytrach mae wedi parhau i leihau, gan ei wneud bron yn amhosibl i'w ddileu!

Rydym yn annog Llywodraeth Cymru i gyflwyno treth ar yr holl blastigau untro sy'n debyg i'r taliad 5p llwyddiannus iawn ar fagiau siopa untro.

Mae'n bryd gweithredu.

Gwybodaeth ychwanegol:

Grŵp gwirfoddol yw Cyfeillion Traethau'r Barri, a sefydlwyd saith mlynedd yn ôl, y mae ei nod yw cael gwared â sbwriel, llawer ohono yn blastig, o bum prif draeth y Barri. Rydym yn ymdrechu i ailgylchu cymaint ohono ag y gallwn.

Mae angen inni ddylunio ein pecynnau a'n cynwysyddion untro fel eu bod yn boddiddio'n hawdd yn ein hamgylchedd.

Etholaeth a Rhanbarth y Cynulliad

- Bro Morgannwg
- Canol De Cymru

Mark Drakeford AC/AM
Ysgrifennydd y Cabinet dros Gyllid
Cabinet Secretary for Finance



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-05-803
Ein cyf/Our ref MD/00302/18

David John Rowlands AM
Chair - Petitions committee
National Assembly for Wales
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7 July 2018

Dear David,

Thank you for your letter of 4 June, regarding the petition P-05-803 related to taxing single-use plastics. I last wrote to you in February, and welcome the opportunity to provide you with the latest position. I welcome the continued interest in and support for a tax on disposable plastic in Wales and I recognise the high level of public interest in this matter

Since my last letter to you, we have continued to explore potential taxation options for Wales while working with UK Government on its call for evidence which examined how charges or changes to the tax system could tackle the problems associated with single-use plastic waste. This work has highlighted the opportunity, if this is suitably tailored to Wales' needs, for considering the potential for a UK-wide tax. Our goals for tackling avoidable plastic waste and the environmental problems it creates might be more effectively addressed through a joint taxation measure, so I am keen to explore this opportunity further with the UK Government and other devolved administrations.

I recognise the importance of aligning our approach with wider plans for introducing a deposit return scheme, additionally to the ongoing reform of existing legislation on packaging waste, to place more responsibility for the cost of end-of-life waste management on the producers of packaging.

The UK Government's call for evidence concluded on 18 May. The Welsh Government publicised the call for evidence in Wales to help ensure community and business interests were taken into account in the outcome. We are now working with HMT to assess the responses to the consultation to inform our approach - a significant number of responses were received which is very encouraging.

In parallel, we are assessing the merits of introducing a stand-alone Welsh tax, levy or charge on single-use beverage drinks containers to reduce their use, encourage re-use, and reduce the litter they can create, as recommended in the Eonomia report (published on 8 May). This work will be informed by the findings of the HMT call for evidence.

The Minister of Environment and I have agreed that we should continue to work with the UK Government at this stage and I will be meeting the Exchequer Secretary to the Treasury in the near future to discuss progress and the way ahead.

I hope that this information proves helpful and I welcome your contribution to the process.

Yours sincerely,
Mark Drakeford

Mark Drakeford AM/AC

Ysgrifennydd y Cabinet dros Gyllid
Cabinet Secretary for Finance

P-05-803 Our natural world is being poisoned by single use plastics...it's time to introduce a tax! – Correspondence from the petitioner to the Committee, 17.09.18

Dear Assembly Member,

The members of Friends of Barry Beaches are extremely concerned about the delays in introducing effective taxation on single use plastics. Month in month out the tide of single use plastics seems to be relentless. There seems to be plenty of talk from politicians from Westminster and the Welsh Government but very little action.

Wales could be a leader in these progressive single use plastic taxes which will help our environment but instead we seem content in following Michael Gove and his rush to do nothing!

Following the shock of the Blue Planet images, the Welsh people have been calling for action to resolve this tide of plastic...enough of talking—it is time now to do!

Rob Curtis

Friends of Barry Beaches

P-05-822 Gwahardd gwellt plastig (wrth yfed llaeth) yn ein hysgolion

Cyflwynwyd y ddeiseb hon gan Ysgol y Wern ar ôl casglu 1,034 o lofnodion.

Geiriad y ddeiseb

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i [annog Llywodraeth Cymru i] ystyried gwahardd y defnydd o wellt plastig sy'n cael eu defnyddio wrth yfed llaeth yn ein hysgolion. Fel ysgol fawr derbyniwn tua 285 o boteli llaeth (ar gyfer y Cyfnod Sylfaen) yn ddyddiol gan gynnwys yr un nifer o wellt. Yn sgil yr ymgyrch byd-eang i leihau gwastraff plastig teimlwn fod gwellt plastig yn cael effaith andwyol ar ein hamgylchedd yn enwedig wrth ystyried eu bod yn cael eu defnyddio unwaith ac yna eu taflu. Pe bawn yn parhau gyda'r arfer yma byddai hyn yn arwain at y posibilrwydd fe fydd mwy o blastig yn ein moroedd na physgod erbyn 2050. Y ffaith amdani yw fod yr holl wellt yma yn cyfrannu'n sylweddol at lygru ein moroedd ac mae bywyd gwyllt mewn perygl.

Etholaeth a Rhanbarth y Cynulliad

- Gogledd Caerdydd
- Canol De Cymru

Mark Drakeford AC/AM
Ysgrifennydd y Cabinet dros Gyllid
Cabinet Secretary for Finance



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-05-822
Ein cyf/Our ref MD/00428/18

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28 Awst 2018

Annog Dewi,

Rwy'n ysgrifennu atoch mewn ymateb i'ch llythyr dyddiedig 27 Gorffennaf at Weinidog yr Amgylchedd ynghylch Deiseb P-05-822, mewn perthynas â gwellt plastig. Gofynnwyd i mi ymateb i'r llythyr gan fod y materion y gwnaethoch dynnu sylw atynt yn rhan o'm mhortffolio.

Rwy'n falch o weld fod gan ddisgyblion Ysgol y Wern gymaint o ddiddordeb mewn materion amgylcheddol a'u bod wedi mynd ati i lunio deiseb.

Rwyf wedi ymateb i bob un pwynt yn unigol.

- Caiff cyrff cyhoeddus yng Nghymru eu hannog i osgoi defnyddio cynhyrchion plastig untro lle y bo'n bosibl, a hynny er mwyn lleihau gwastraff a'n helpu i gyflawni ein nod o ddefnyddio adnoddau un blaned yn unig erbyn 2050. Mae nodau cenedlaethol a ffyrdd o weithio Deddf Llesiant Cenedlaethau'r Dyfodol yn rhan annatod o'n hystyriaethau caffael. Mae fy swyddogion yn gweithio gydag awdurdodau lleol a chyflenwyr i edrych ar y materion sy'n gysylltiedig â gwellt plastig a cheisio dod o hyd i ddewisiadau eraill ymarferol. Drwy'r gwaith hwn, byddwn yn gweld pa gartonnau llaeth / gwellt mae ysgolion yn eu prynu a pha ddewisiadau eraill sydd ar gael, a'r costau cysylltiedig. Wrth i'r gwaith fynd rhagddo, rhoddir ystyriaeth ofalus i osgoi unrhyw ganlyniadau anfwriadol a allai gael effaith negyddol mewn maes arall, ac i sicrhau ein bod yn gweithio gyda busnesau Cymru i baratoi ar gyfer unrhyw newidiadau o ran gofynion. Dechreuodd fy swyddogion edrych ymhellach ar hyn yn ddiweddar drwy drafod â Rhaglen Weithredu'r Cynllun Gwastraff ac Adnoddau, Cangen Strategaeth Wastraff Llywodraeth Cymru a swyddfa Comisiynydd Cenedlaethau'r Dyfodol, ac rydym yn gweithio ar yr amserlen ar gyfer hyn.

- Mae Gwerth Cymru wrthi'n cydweithio â sawl awdurdod lleol ar brosiectau peilot sy'n ceisio dangos sut y mae modd gweithredu Deddf Llesiant Cenedlaethau'r Dyfodol yn ymarferol o fewn gwaith caffael. Mae Cyngor Sir Penfro wrthi'n arbrofi â defnyddio poteli llaeth gwydr a deunyddiau eraill yn lle rhai plastig mewn saith ysgol o fewn eu hawdurdod. Rhagwelir y bydd hyn yn lleihau'r defnydd o wellt plastig. Bydd canlyniad y prosiect peilot hwn, a fydd yn dod i ben ym mis Rhagfyr 2018, ar gael i gyrrff cyhoeddus eraill ei rannu.
- Mae'r Gwasanaeth Caffael Cenedlaethol wedi bod yn ymgynghori â chyflenwyr ar y Dangosydd Perfformiad Allweddol newydd, a fydd yn galluogi chyflenwyr i fesur a monitro eu hól troed carbon. Cynhaliwyd gweithdy ar 23 Gorffennaf gyda deg o gyflenwyr, a disgwylir cynnal ymgynghoriad pellach ym mis Medi.
- Mae'r Gwasanaeth Caffael Cenedlaethol wrthi'n cydweithio â'i gyflenwyr ar fframweithiau ac ag awdurdodau lleol yng Nghymru er mwyn ceisio lleihau/gwaredu y defnydd o blastigau - gan gynnwys gwellt - yn y dyfodol. Mae'r Gwasanaeth Caffael Cenedlaethol wedi ymrwmo i sefydlu cynaliadwyedd o fewn ei fframweithiau ac mae wedi llofnodi Ymrwymiad Courtauld 2025, sef cytundeb gwirfoddol sy'n dwyn ynghyd gynhyrchwyr a defnyddwyr er mwyn sicrhau bod y defnydd o fwyd a diod a'r gwaith o'u cynhyrchu yn fwy cynaliadwy.

Ar hyn o bryd mae Llywodraeth y DU yn edrych i weld sut y gallai codi tâl neu newid y system dreth helpu i roi sylw i'r problemau sy'n gysylltiedig â phlastig untro. Byddwn yn cydweithio'n agos â nhw ar unrhyw gamau i wahardd eitemau plastig untro penodol, gan gyfrannu sylwadau o Gymru. Mae diddordeb plant Ysgol y Wern yn gyfraniad defnyddiol iawn i'r gwaith hwn.

In gywir,

Mark

Mark Drakeford AC / AM
Ysgrifennydd y Cabinet dros Gyllid
Cabinet Secretary for Finance

P-05-822 Ban plastic straws (when drinking milk) in our schools – Welsh Local Government Association to the Chair, 27.07.18

Dear Mr Rowlands

Thank you for your letter dated 27th July detailing Petition P-05-822 which seeks to ban plastic straws (when drinking milk) in our schools. You ask for our views on the petition and what lead the Association has taken in working with local authorities and schools to help or eliminate the use of plastic straws.

The honest answer to your letter is that this is ultimately a matter for individual LEAs to determine in consultation with their schools. We are aware for example that in Scotland, Glasgow City Council stopped the use of plastic straws from the end of February 2018. This decision arose from a petition which came from schoolchildren, similar to the admirable proposal received from Ysgol y Wern County Primary School.

In Wales, Monmouthshire county council voted unanimously in June 2018 to work towards becoming a plastic-free county. Other authorities across Wales are looking at this in terms of cost and logistics.

The best way forward on this matter is for WLGA to raise this with the 22 education Cabinet members. In terms of timing, they actually came together last week but they will meet up again within WLGA in the early autumn where we will place this on the agenda. We will then report back the outcome of this discussion.

I trust this assists in your deliberations.

Yours sincerely
Steve Thomas

Mae cyfyngiadau ar y ddogfen hon