

Agenda – Y Pwyllgor Deisebau

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|---------------------------------|--|
| Lleoliad: | I gael rhagor o wybodaeth cysylltwch a: |
| Ystafell Bwyllgora 1 – Y Senedd | Graeme Francis – Clerc y Pwyllgor |
| Dyddiad: Dydd Mawrth, 19 Mawrth | Kath Thomas – Dipwrwy Glerc |
| 2019 | 0300 200 6565 |
| Amser: 09.00 | SeneddDeisebau@cynulliad.cymru |

1 Cyflwyniad, ymddiheuriadau, dirprwyon a datganiadau o fuddiant

Briff Aelodau

2 Deisebau newydd

- 2.1 P-05-866 Ymgyrch Ymwybyddiaeth Gyhoeddus Sepsis – Cymru
(Tudalennau 33 – 43)
- 2.2 P-05-867 Gwneud Murlun 'Cofiwch Dryweryn' yn dirnod Cymreig dynodedig
(Tudalennau 44 – 49)

3 Y wybodaeth ddiweddaraf am ddeisebau blaenorol

Tai a Llywodraeth Leol

- 3.1 P-05-786 Arbedwch ein cefn gwlad – dylid adolygu TAN 1
(Tudalennau 50 – 52)
- 3.2 P-05-843 Mwy o hawliau trydydd parti mewn apeliadau cynllunio
(Tudalennau 53 – 63)
- 3.3 P-05-845 Rhowch Derfyn ar Wrthdaro Buddiant yng Nghyfansoddiad
Awdurdodau Lleol
(Tudalennau 64 – 70)



Addysg

- 3.4 P-05-789 Adolygu cymorth i geiswyr lloches sy'n ymgymryd ag addysg bellach

(Tudalennau 71 – 72)

- 3.5 P-05-808 Ni ddylai Cymraeg fod yn orfodol i blant â dyslecsia ac anghenion arbennig

(Tudalennau 73 – 78)

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

(Tudalennau 79 – 82)

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

(Tudalennau 83 – 131)

Bydd y ddwy eitem a ganlyn yn cael eu trafod ar y cyd

- 3.8 P-05-860 Dylid gwneud Gwersi Sgiliau Bywyd yn Orfodol ar y cwricwlwm

(Tudalen 132)

- 3.9 P-05-861 Gwneud addysg wleidyddol yn elfen orfodol o'r cwricwlwm cenedlaethol newydd

(Tudalennau 133 – 136)

Amgylchedd

- 3.10 P-04-477 Cefnogi'r Bil Rheoli Cŵn (Cymru)

(Tudalennau 137 – 140)

- 3.11 P-05-852 Cyflwyno trwydded i reoli tir ar gyfer saethu adar hela mewn ymgais i roi terfyn ar erlid adar ysglyfaethus

(Tudalennau 141 – 175)

- 3.12 P-05-856 Rhaid gwahardd gwerthu cŵn bach gan siopau anifeiliaid anwes a phob gwerthwr trydydd parti masnachol yng Nghymru (Cyfraith Lucy)

(Tudalennau 176 – 178)

Iechyd a Gwasanaethau Cymdeithasol

3.13 P-05-859 Dylid Darparu Tai Plant yng Nghymru i Blant sy'n Dioddef
Camdriniaeth Rywiol

(Tudalennau 179 – 187)

Cydraddoldeb

3.14 P-05-836 Adroddiadau ar y Bwlch Cyflog rhwng y Rhyweddu

(Tudalennau 188 – 191)

Mae cyfngiadau ar y ddogfen hon

P-05-866 Ymgyrch Ymwybyddiaeth Gyhoeddus Sepsis – Cymru

Cyflwynwyd y ddeiseb hon gan Siobhan Corria ar ran Michelle Christopher, ar ôl casglu 238 o lofnodion ar bapur.

Geiriad y ddeiseb:

Mae 44,000 o bobl yn y DU yn marw oherwydd sepsis bob blwyddyn. Bob 3.5 eiliad, mae rhywun yn y byd yn marw o sepsis.

Rydym yn galw ar Lywodraeth Cymru i gynnwys Ymgyrch Ymwybyddiaeth Gyhoeddus Sepsis i leihau marwolaethau diangen a gwella canlyniadau i'r goroeswyr a'r holl bobl y mae'n effeithio arnynt.

Er cof am Chloe Christopher a'r holl bobl y mae sepsis wedi effeithio arnynt yng Nghymru

Etholaeth a Rhanbarth y Cynulliad

- Gogledd Caerdydd
- Canol De Cymru

Papur Briffio ar gyfer y Pwyllgor Deisebau

Y Pwyllgor Deisebau | 19 Mawrth 2019

Petitions Committee | 19 March 2019

Rhif y ddeiseb: P-05-866

Teitl y ddeiseb: Ymgyrch Ymwybyddiaeth Gyhoeddus Sepsis – Cymru

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Y cefndir

Cyffredinrwydd sepsis

Disgrifiwyd Sepsis fel un o'r afiechydon mwyaf cyffredin ond lleiaf cydnabyddedig yn y byd datblygedig a'r byd sy'n datblygu. Mae'n gyflwr a all beryglu bywyd, sy'n codi pan fydd ymateb y corff i haint yn anafu ei feinweoedd a'i organau ei hun. Os na chaiff sepsis ei adnabod yn gynnar a'i drin yn brydlon, gall arwain at fethiant organau lluosog a marwolaeth. Mae ymyrraeth gyflym â gwrthfotigau a hylifau mewnwythiennol yn hanfodol er mwyn sicrhau'r siawns orau o oroesi.

Mae Llawlyfr Sepsis 2017-18 Ymddiriedolaeth Sepsis y DU yn nodi y byddai amcangyfrifon ceidwadol yn awgrymu bod o leiaf 250,000 o achosion o sepsis yn y DU bob blwyddyn, gydag o leiaf 46,000 o farwolaethau a chost uniongyrchol i'r GIG o o leiaf £1.5 biliwn. Ym mis Gorffennaf 2018, amcangyfrifodd Iechyd Cyhoeddus Cymru fod oddeutu 2,200 o farwolaethau'r flwyddyn yng Nghymru o ganlyniad i sepsis¹.

¹ Pwyllgor Iechyd, Gofal Cymdeithasol a Chwaraeon Cynulliad Cenedlaethol Cymru, 5 Gorffennaf 2018, para 134

Mae Sepsis yn hawlio mwy o fywydau na chanser y fron, y coluddyn a'r prostad gyda'i gilydd, ac mae'n un o brif achosion [marwolaethau mamol](#) yn ystod ac ar ôl beichiogrwydd.

Mae achosion o sepsis yn y DU yn debygol o gael eu hamcangyfrif yn rhy isel. Mewn [adroddiad](#) yn 2015 gan yr Ymchwiliad Cyfrinachol Cenedlaethol i Ganlyniadau a Marwolaethau Cleifion (NCEPOD) er enghraift, canfuwyd, os oedd cleifion â sepsis wedi marw, mai dim ond mewn 40 y cant o achosion y cofnodwyd hynny ar y dystysgrif marwolaeth. Mae'r achosion o sepsis a gofnodir yn cynyddu oddeutu [11.5 y cant](#) bob blwyddyn. Efallai bod hyn yn rhannol oherwydd mwy o ymwybyddiaeth a chofnodi mwy dibynadwy, ond mae'r boblogaeth sy'n heneiddio a mwy o ddefnydd o ymyriadau goresgynnol hefyd yn ffactorau arwyddocaol. Gall ymwrthedd i gyffuriau chwarae rhan hefyd.

Bu aelodau'r Pwyllgor Iechyd, Gofal Cymdeithasol a Chwaraeon yn trafod sepsis gydag Iechyd Cyhoeddus Cymru yn ystod sesiwn graffu gyffredinol ar [5 Gorffennaf 2018](#). Mewn [gohebiaeth](#) yn dilyn y sesiwn, dywedodd Iechyd Cyhoeddus Cymru wrth y Pwyllgor nad oes data ar gael ar hyn o bryd am nifer y bobl sydd wedi goroesi sepsis ond sy'n profi ansawdd bywyd salach o ganlyniad. Fodd bynnag, mae Iechyd Cyhoeddus Cymru yn ymgymryd â gwaith i ddatblygu cofrestrfa sepsis yng Nghymru, a dywed y dylai arwain at well dealltwriaeth o sepsis a gofal sepsis yng Nghymru.

Adnabod a rheoli sepsis

Y prif gyfrwng a fu ar gyfer newid yn [GIG Cymru](#) yw cyfranogiad gweithredol yr holl Fyrddau ac Ymddiriedolaethau Iechyd mewn rhwydwaith pwrpasol a elwir yn [RRAILS](#) – Set Ddysgu Ymateb Cyflym i Salwch Acíwt, dan arweiniad y rhaglen wella 1000 o Ffywydau. Ffurfiwyd grŵp llywio RRAILS yn 2011 gyda'r bwriad o gyflwyno'r Sgôr Rhybudd Cynnar Cenedlaethol (NEWS), sgrinio ar gyfer sepsis a gweithredu'r bwndel Gofal Sepsis 6.

Dywedodd Iechyd Cyhoeddus Cymru yn ystod y sesiwn graffu gyda'r Pwyllgor Iechyd, Gofal Cymdeithasol a Chwaraeon ym mis Gorffennaf 2018² fod 80 y cant o bobl sy'n mynd i'r ysbyty ac sy'n dod yn septig yn dod o ofal sylfaenol a chymunedol. Mae meddygon teulu a gwasanaethau cyn ysbyty eraill yn rhoi cyfleoedd allweddol i adnabod a thrin sepsis yn brydlon. Mae'r rhaglen [RRAILS](#) yn cael ei hehangu i ganolbwytio ar adnabod sepsis yn gynnar mewn lleoliadau y tu allan i ysbytai gan gynnwys meddygfeydd, gwasanaeth ambiwlans Cymru, ysbytai cymuned a chartrefi gofal. Yn ystod sesiwn graffu'r Pwyllgor Iechyd, Gofal Cymdeithasol a Chwaraeon, awgrymodd Iechyd Cyhoeddus Cymru fod lle i ddatblygu gwell dealltwriaeth o

Pwyllgor Iechyd, Gofal Cymdeithasol a Chwaraeon Cynulliad Cenedlaethol Cymru, [5 Gorffennaf 2018](#), para 138

arwyddion cynnar dirywiad o sepsis ymhliith nyrsys mewn cartrefi gofal, er enghraifft, a staff eraill mewn lleoliadau gofal sylfaenol / cymunedol.

Ymgyrch ymwybyddiaeth gyhoeddus sepsis

Yn ystod dadl fer yn y Cyfarfod Llawn ar 18 Ebrill 2018, cafwyd galwadau am ymgyrch ymwybyddiaeth gyhoeddus sepsis yng Nghymru. Gwrthwynebwyd hyn gan Ysgrifennydd y Cabinet dros Iechyd a Gwasanaethau Cymdeithasol, a ddywedodd fod diffyg tystiolaeth ar hyn o bryd i awgrymu y byddai hyn yn gwella canlyniadau i gleifion.

Yn ystod ei sesiwn graffu gyda'r Pwyllgor Iechyd, Gofal Cymdeithasol a Chwaraeon ar 5 Gorffennaf 2018, cyfeiriodd Iechyd Cyhoeddus Cymru at ymgyrch ymwybyddiaeth sepsis Lloegr 2016, ond awgrymodd fod tystiolaeth o effeithiolrwydd yr ymgyrch yn brin.

Gohebiaeth yn ymwneud â'r ddeiseb

Mae gohebiaeth gan y Gweinidog Iechyd a Gwasanaethau Cymdeithasol dyddiedig 15 Chwefror 2019 yn cyfeirio at y ffaith bod Cymru yn cael ei hystyried i fod yn arwain y ffordd yn y DU o ran sicrhau bod adnabod a thrin sepsis yn brif flaenoriaeth o fewn y GIG. Mae'r Gweinidog yn tynnu sylw at y ffaith bod GIG Cymru, ym mis Mai 2016, wedi cael cydnabyddiaeth am ei gyfraniad i ymwybyddiaeth o sepsis drwy ennill y Wobr Sepsis Fyd-eang yn y categori "Llywodraethau ac Awdurdodau Gofal Iechyd '

Mewn perthynas ag ymgyrchoedd ymwybyddiaeth cenedlaethol, dywed y Gweinidog fod y rhain yn gymhleth a'i bod yn anodd dangos tystiolaeth o effeithiolrwydd. Mae'r Gweinidog yn mynd yn ei flaen i ddweud:

I recognise the importance of raising public awareness of the dangers of sepsis but it is also important to strike the right balance with messages about the appropriate use of antibiotics and the risk of creating public anxiety.

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 diweddu o reidrwydd na'u diwygio fel arall i adlewyrchu newidiadau dilynol.



Eich cyf/Your ref P-05-866
Ein cyf/Our ref VG/05340/19

Llywodraeth Cymru
Welsh Government

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

Government.Committee.Business@llyw.cymru

15 Chwefror 2019

Annwyl David,

Diolch i chi am eich llythyr dyddiedig 28 Ionawr am y Ddeiseb P-05-866 ynglŷn â'r Ymgrych i Godi Ymwybyddiaeth y Cyhoedd o Sepsis - Cymru.

Mae Cymru yn cael ei gweld fel gwlad sy'n arwain y ffordd yn y DU o ran gwneud adnabod a thrin sepsis yn un o flaenoriaethau pennaf y GIG. Mae llawer iawn o waith wedi cael ei gyflawni er 2012, ers i Gymru fod y wlad gyntaf yn y byd i weithredu'r system Sgoriau Rhybudd Cynnar Cenedlaethol. Mae'r system hon yn sicrhau bod y driniaeth a roddir i gleifion sy'n gwaethyg yn cael ei dwysáu a'i huwchraddio'n gyflym, gan ddefnyddio iaith gyffredin ar draws GIG Cymru i gyfathrebu ynghylch sut mae claf yn gwaethyg a sepsis. Ym mis Mai 2016, cafodd GIG Cymru ei gydnabod am ei gyfraniad at y gwaith o godi ymwybyddiaeth o sepsis, pan ddyfarnwyd iddo'r Wobr Sepsis Byd-eang yn y categori 'Llywodraethau ac Awdurdodau Gofal Iechyd'.

Rydym wedi cefnogi Diwrnod Sepsis y Byd ers iddo gael ei gynnal gyntaf yn 2013, ac yn 2017 bues yn bresennol yn y digwyddiad Cymru gyfan a noddwyd gan y tîm 1000 0 Fwydau - Gwasanaeth Gwella, lle trafodwyd y gwaith sy'n cael ei wneud mewn perthynas â sepsis. Hefyd, mae gennym berthynas gadarnhaol gydag Ymddiriedolaeth Sepsis y DU, sy'n rhedeg yr ymgrych Just Ask: Could it be sepsis? ar y cyd â Public Health England.

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

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1NA

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

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynir 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 responding in Welsh will not lead to a delay in responding.

Mae ymgyrchoedd ymwybyddiaeth genedlaethol yn gymhleth, ac mae'n anodd cael tystiolaeth glir o ba mor effeithiol ydynt. Rwy'n cydnabod pwysigrwydd codi ymwybyddiaeth o beryglon sepsis ymhlið y cyhoedd, ond mae hefyd yn bwysig sicrhau cydbwysedd rhwng defnyddio gwrthfotigau'n briodol a'r perygl o greu pryder ymhlið y cyhoedd.

Yn gywir,



Vaughan Gething AC/AM

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

P-05-866 Sepsis Public Awareness Campaign – Wales, Correspondence – Petitioner to Chair, 13.03.19

Across Wales and the rest of the UK, despite the efforts of charities such as the UK Sepsis Trust and events such as World Sepsis Day, people are still dying or being left with life-changing physical and psychological damage from an illness they've either never heard of or are unaware of the need for a rapid diagnosis and treatment.

The need for awareness and the impact of slow recognition:

Case Study – Sepsis Survivor Helen Painting

'Following a major operation In December 2016 I was discharged from Cardiff Hospital and sent home to recover, however, 3 days later my condition was declining, and my husband took me to see my GP who immediately recognised referred me straight to my local hospital (Neville Hall, Abergavenny). – So far, so good.

*On arriving at the hospital, I provided a full history and was triaged. The nurse first informed us that they had no ability to admit me, following which she then eventually examined me and told me to wait for the Doctor. On his arrival the Doctor re-examined me and discharged me with anti-nausea medication. – **Failure one:** I was 96 hours post major Op and clearly showing symptoms of Sepsis, but was sent home. **Greater public awareness of Sepsis at this stage** would have enabled either myself or my husband to have raised the possibility.*

*Having received the diagnosis on the Monday, my husband left for work, in the belief that the medication prescribed by the Doctor should be beginning to take effect. However, soon afterwards I began to feel worse, my father came to see me, and I then put myself to bed. **A clear opportunity missed** – With myself and my husband so close to the situation, **had my father been made aware of the signs and symptoms, perhaps he would have either encouraged us to constructively challenge the Doctors diagnosis, or sought medical help at that point.***

*I awoke a few hours later and found myself struggling to breath. I felt as if I was dying, but somehow managed to dial 999. Despite being violently sick in front of the paramedic, he was reluctant to take me to hospital. **Failure two** - another opportunity missed. Again, my history and signs and symptoms should have been ringing alarm bells in the paramedics' mind and could have presented another opportunity for my family to raise a concern. Thankfully this failure was short lived, because although I have little recollection of the event my condition deteriorated again and I was admitted into Neville Hall Accident and Emergency.*

*Following admission, I remained in A & E for a number of hours whilst they ran some tests. It was at this point that my husband (who was a patrol medic in the military) challenged the medical staff and raised concerns about my oxygen levels, but he was politely offered an explanation and decided to defer to the medical Team. **Failure Four.** By this stage I had been triaged three times, had seen a minimum of 10 health care professionals, all of whom had **failed to identify the clear signs and symptoms of sepsis**, and the concerns raised by my husband had been dismissed.*

*It was at this point that my luck changed however, but not a result of an awareness of Sepsis. It was because a bed had now become available on a ward and although I was assessed to have no surgical issues I was admitted for observation. By now many of the hospital's lights had been dimmed, but on arrival at the ward the Doctor who had sent me home earlier in the week was on duty and as I was being moved on to a ward bed he intervened (by chance) and requested that I was placed in an examination room, - presumably so that he could take a few minutes to understand his patient's needs. – **This action saved my life.***

Under normal lighting it was obvious that my abdomen had become bloated and that my skin had begun to change colour. In fact, I had gone into kidney failure, and the Senior Consultants who were summoned and informed my husband that my other major organs were also

beginning to shut down, as a result of Sepsis. The emergency surgical team were immediately called and I went into theatre at approx. 2 am. I awoke a number of days later in ITU, having had life changing surgery (I now have a Stoma), but fortunately oblivious to everything that had happened, and at that point naive to what lay ahead.

Two years on I am still living with the consequences of the lack of awareness and a delayed correct diagnosis. Through the Sepsis Trust I regularly speak to people who have either survived or lost loved ones more recently than my experience which evidences a continued need for action. Given the significant numbers affected by Sepsis each year what could change that? To me and the other Sepsis survivors the answer is obvious – A public awareness campaign.

*Through my involvement with the Sepsis Trust I regularly volunteer to speak to groups of health care professionals about my experience, whilst also sharing my story with colleagues and acquaintances - I am proud to say that I've been informed of **three diagnosis** as a result of those people remembering my story. However, myself and my fellow survivors cannot speak to the entire population of Wales and remembering that Health professionals are also members of the public I believe that it's safe to say that if a campaign had increased awareness in the minds of the health professionals who treated me and my family and friends who supported me after my operation that a conversation would have been had before life changing surgery became the only option.*

The Burden of Sepsis

A public awareness campaign by Welsh Government will help people to understand what sepsis is and the need for early, rapid screening, diagnosis and treatment. The **annual cost** to the UK economy of sepsis care is currently estimated at between **£10.5 billion and £15.5 billion**. The costs and risk of adding to the workload of front-line clinicians will be more than offset by earlier treatment, which will prevent deterioration and the need for critical care, and ultimately reduce the burden of long-term health problems for survivors. This will reduce the need for support service and primary care health services for sepsis survivors, helping them to return to work and contribute to the economy.

Further details can be found here :

http://allcatsrgrey.org.uk/wp/download/health_economics/YHEC-Sepsis-Report-17.02.17-FINAL.pdf

Campaigns (1) – Do they work?

Case Study – Stroke: The FAST Campaign

On Friday 29 January 2016 Welsh Gov released a news report with the headline “More people in Wales surviving stroke shows new report”

In essence the report shows that more people are surviving and fewer people are now dying from stroke. The report also highlights how awareness campaigns and better prevention have helped to reduce the number of people having strokes, while faster interventions have increased people’s chances of surviving and returning to independence as quickly as possible. Amongst the key findings it is stated that:

- For strokes time matters.
- There is an improved awareness of the symptoms of stroke as a result of campaigns such as FAST or Lower Your Risk of Stroke. These are supporting people to recognise when they are having a stroke and take appropriate action quickly

Dr Andrew Goodall CEO NHS Wales

"I want to pay tribute to the NHS staff who have played a vital role in making continued and sustained improvements to services.

"Our annual report shows that by focusing on a number of areas and through prevention, awareness-raising and education; effective and timely treatment; research and supporting those living and dying from a stroke, we are delivering quality care for people. We will continue to build on this progress."

Like Stroke, Sepsis is also **time critical** illness with risk of mortality increasing by 8% for each hour that a septic patient does receive antibiotics. **Lack of sepsis awareness** in the communities often means sick individuals are **slow to access health care** which causes delays in diagnosis and treatment which can be fatal or result in life changing outcomes. It should be highlighted that, for all the brilliant work that NHS Wales and PHW have undertaken in the care setting, 70% of sepsis cases are community acquired.

For stroke an estimated 7,000 people will have a stroke each year in Wales and there are more than 65,000 stroke survivors living in Wales.

For Sepsis and estimated 8,000 people will have sepsis each year in Wales and there are more than 2,000 deaths.

The question isif an education and awareness campaign has been successful for stroke then why would it not be similarly successful for sepsis?

Full report on improvements in stroke can be found here:

<https://gov.wales/newsroom/health-and-social-services/2016/160129stroke-report/?lang=en>

Awareness in action

Case study – “That’s the poster which saved your life”

At a recent UK Sepsis Trust support group meeting, Angharad Harris told us how her partner James Brannagan owed his life to her swift action. Angharad is a mental health nurse whose job takes her to UHW and Royal Gwent. Her awareness of sepsis was purely gained from passing sepsis posters each day in her work place. This was later to become crucial when her partner James became ill with what they thought was a chest infection. James was deteriorating and developed sickness and a fever and confusion. James has no recollection of what happened next. Angharad took control rang an ambulance and insisted that her husband was seriously unwell. Based on the ‘just ask’ poster was convinced he had signs of sepsis and strongly stated this. Jayne was right. James was admitted with in septic shock. He was in hospital for a few weeks and was later told by his consultant that he was, in all likelihood, about 5 hours from death. Angharad is certain that but for seeing those posters she would have waited. If she had worked in a different building or, like most members of the public, worked in a non-health environment where she wasn’t exposed to sepsis awareness she wouldn’t have known the signs.. She would have waited. On leaving the hospital Angharad walked passed the posters again but this time with James and said ‘That’s the poster which saved your life’. Helen and James are the lucky ones. There are over 2000 people each year who are not so lucky like Rachel Day (aged 29), Chloe Christopher (17), Lucy Ellis (16) and Skyla Whiting (5).

Campaigns – Does WAG support campaigns?

We have covered the successful FAST campaign above and given that just yesterday (12/3/2019) Public Health Wales announced their #loveyourcervix campaign you would have

to conclude that they do. Like the Minister for Health and Social Services we also believe in building a healthier Wales. We also believe that prevention is at the heart of a healthy Wales but to be able to prevent anything happening you have to be aware of the possibility that it may happen in the first place. Otherwise, as a consequence, you do nothing and the worst thing you can do with sepsis is to do nothing at all.

'Prevention is at the heart of a healthy Wales' - Vaughan Gething (Building a Healthier Wales (12/3/2019)

We, as petitioners and in collaboration with the Sepsis Trust and WAG are very happy to work on the prevention of sepsis to protect unaware members of the public from its potentially catastrophic outcomes.

Better Support for Sepsis Survivors

Some individuals develop sepsis so severe that they can become desperately ill very quickly and might need treatment in an ITU / HDU. Up to 80% of patients survive sepsis. Many will return to a normal or a 'near normal' life within 18 months of being ill. However, some survivors will have long term problems, occasionally having life changing effects like amputations which might impact on both them and their family. These long-term problems can be divided into physical and psychological, and often start during the acute phase of your illness. Collectively, they are known as Post Sepsis Syndrome (PSS).

| PHYSICAL LONG-TERM PROBLEMS | PSYCHOLOGICAL LONG-TERM PROBLEMS |
|---|---|
| Poor mobility Breathlessness / chest pain Fatigue Loss of appetite Taste changes Dry skin Brittle nails and teeth Hair loss Oedema (excessive fluid in the tissues, which look swollen) Joint stiffness or pain Muscle wasting Changes of sensation in limbs (tingling, numbness, pain) Poor kidney function (which may need dialysis) Repeated infections | Anxiety Insomnia (difficulty sleeping which can also be a result of pain or breathlessness) Flashbacks, panic attacks and nightmares Depression PTSD (Post Traumatic Stress Disorder) Poor concentration Short term memory loss |

Formal support for survivors of sepsis and their families is non-existent. Many leave hospitals without an explanation of what they have suffered, potential impact or signposting. UK Sepsis Trust runs quarterly support groups in North and South Wales, however, these are dependent on fundraising income. There is no funding from WAG although the support groups and telephone support helpline are staffed with former consultant nurses. In Cardiff, volunteers also run monthly 'well-being' walks and participants have advised that meeting similar people has helped their recovery and understanding of Sepsis.

We are calling for a timescale for the Sepsis registry that the Health Minister announced on World Sepsis Day 2018 and a Wales wide strategy for survivors and families impacted by Sepsis.

Eitem 2.2

P-05-867 Gwneud Murlun 'Cofiwch Dryweryn' yn dirnod Cymreig dynodedig

Cyflwynwyd y ddeiseb hon gan Joe Williams, ar ôl casglu 1,016 o lofnodion ar-lein.

Geiriad y ddeiseb:

Mae'n wirion bod tirnod mor bwysig yn Hanes Cymru'r 20fed Ganrif yn cael ei fandaleiddio, tra bod gwaith diweddar gan Banksy yn cael ei ddiogelu.

Mae'n amser i'r tirnod hwn gael statws safle gwarchodedig swyddogol yng Nghymru.

Etholaeth a Rhanbarth y Cynulliad

- Merthyr Tudful a Rhymni
- Dwyrain De Cymru

Papur briffio

Y Pwyllgor Deisebau | 19 Mawrth 2018
Petitions Committee | 19 March 2018

Papur briffio gan y Gwasanaeth Ymchwil : Gwneud Murlun 'Cofiwch Dryweryn' yn dirnod Cymreig dynodedig

Rhif y ddeiseb: P-05-867

Teitl y ddeiseb: Gwneud murlun 'Cofiwch Dryweryn' yn dirnod Cymreig dynodedig

Pwnc y ddeiseb: Mae'n wirion bod tirnod mor bwysig yn Hanes Cymru'r 20fed Ganrif yn cael ei fandaleiddio, tra bod gwaith diweddar gan Banksy yn cael ei ddiogelu.

Mae'n amser i'r tirnod hwn gael statws safle gwarchodedig swyddogol yng Nghymru.

Cofiwch Dryweryn

Mae murlun 'Cofiwch Dryweryn' wedi'i baentio ar dalcen adfail hen fwthyn Troed-y-Rhiw, ar ymyl ffordd yr A487 rhwng Aberystwyth ac Aberaeron, yn Llanrhystud. Mae'r murlun yn ein hatgoffa o'r penderfyniad i foddi pentref Capel Celyn, yng nghwm Tryweryn, yn 1965 i gyflenwi dŵr i Lerpwl. Peintiwyd y murlun yn wreiddiol yn y 1960au, ac, yn ddiweddarach, hawliodd y diweddar ysgolhaig, Meic Stephens, gyfrifoldeb dros y weithred.

Cafodd y murlun ei fandaleiddio a'i ailbeintio sawl tro. Y tro diwethaf, sef mis Chwefror 2019, peintiwyd yr enw 'Elvis' dros 'Cofiwch Dryweryn'. Ers hynny, mae'r murlun wedi'i adfer unwaith eto.

Cadwraeth

Mae Cyngor Cymuned Llanrhystud wedi ymdrechu i ddiogelu'r wal, ond roedd anawsterau'n ei wynebu. Yn 2008, cynigiodd yr Ymddiriedolaeth Genedlaethol hwyluso trafodaethau gyda pherchennog y wal ynghyd ag ymgyrch codi arian er mwyn ysgwyddo'r cyfrifoldeb dros atgyweirio'r wal a pharhau i'w chynnal a'i chadw.

Trefnwyd cyfarfod rhwng Alun Ffred Jones, y Gweinidog Treftadaeth ar y pryd, a'r Ymddiriedolaeth Genedlaethol ym mis Medi 2008, a chytunwyd i ymrwymo 'mewn egwyddor' i Cadw gyfrannu £30,000, ond dim ond os oedd gweddill yr arian angenrheidiol yn cael ei godi'n annibynnol.

Ym mis Awst 2009, lansiwyd apêl gan Gyngor Cymuned Llanrhystud i godi £80,000 i warchod y murlun drwy brynu'r wal y mae'r murlun wedi'i baentio arni, ynghyd â'r tir cyfagos.

Ni lwyddodd yr ymgyrch hon i gyrraedd y targed o £80,000.

Henebion cofrestredig

Mae gan Lywodraeth Cymru ddyletswydd i greu a chynnal rhestr o henebion. Caiff henebion ar y rhestr eu diogelu'n statudol. Defnyddir amrywiaeth o ffactorau i asesu pwysigrwydd cenedlaethol heneb ac wrth ystyried a fyddai'n briodol ei rhestru, gan gynnwys:

- Cyfnod;
- Heneb brin;
- Dogfennaeth;
- Gwerth grŵp;
- Goroesiad / cyflwr;
- Cyflwr bregus;
- Amrywiaeth;
- Potensial.

Rhaid cael caniatâd Llywodraeth Cymru cyn ymgymryd ag unrhyw waith a fyddai'n effeithio'n uniongyrchol ar heneb restredig. Mae hyn yn ychwanegol at unrhyw ganiatâd cynllunio y bydd ei angen ar gyfer y datblygiad. Rhaid cyflwyno cais am ganiatâd heneb gofrestredig i Lywodraeth Cymru, drwy Cadw.

Prif bwrrpas rhestru henebion yw sicrhau eu bod yn cael eu diogelu ac mae rhagdybiaeth o blaid eu diogelu'n ffisegol wrth ystyried cais am ganiatâd heneb gofrestredig. Mae hyn yn golygu bod rhagdybiaeth yn erbyn cynigion a fyddai'n arwain at newid neu ddifrodi'r heneb yn sylweddol, neu gynigion a fyddai'n cael effaith sylweddol ar leoliad yr olion. Disgwylir i'r ymgeiswyr ddangos nad oes llwybr neu leoliad ymarferol, a fyddai'n osgoi'r heneb, ar gael, a bod yr angen i ymgymryd â'r gwaith yn drech na'r rhagdybiaeth o blaid diogelu'r heneb gofrestredig.

Mae'n drosedd dinistrio neu ddifrodi heneb gofrestredig, ymgymryd â gwaith heb ganiatâd heneb gofrestredig neu beidio â chydymffurfio â'i amodau.

Gall Gweinidogion Cymru ystyried y posibilrwydd o erlyn unrhyw un sy'n difrodi heneb restredig neu'n ymgymryd â gwaith, heb y caniatâd priodol, sy'n effeithio arni ac, yn ogystal â hyn, mae ganddynt y pŵer i gyflwyno hysbysiad gorfodi heneb gofrestredig. Gall yr hysbysiad gorfodi ei gwneud yn ofynnol i adfer yr heneb i'w gyflwr blaenorol neu, os nad yw hynny'n ymarferol bosibl, gall fynnu bod gwaith yn mynd rhagddo i liniaru effeithiau'r difrod neu'r gwaith a wnaed heb ganiatâd.

Adeiladau Rhestredig

Mae gan Llywodraeth Cymru ddyletswydd statudol i gadw rhestr o unrhyw adeiladau sydd, yn ei barn hi, yn bodloni'r mein prawf fel adeilad sydd o ddiddordeb pensaerniol a hanesyddol arbennig. Mae adeiladau'n cael eu hychwanegu at y rhestrau statudol naill ai o ganlyniad i arolwg systematig o ardaloedd penodol neu o fathau penodol o adeiladau, neu yn dilyn ceisiadau gan awdurdodau lleol, cymdeithasau amwynder, cyrff neu unigolion eraill, yn ymwneud ag adeiladau penodol (rhestru yn y fan a'r lle).

Os yw Llywodraeth Cymru yn bwriadu cynnwys adeilad ar y rhestr neu ddileu adeilad oddi ar y rhestr, rhaid iddi ymgynghori â pherchennog a meddiannydd yr adeilad a'r awdurdod cynllunio lleol perthnasol. Caiff yr adeilad ei ddiogelu dros dro o ddechrau'r cyfnod ymgynghori.

Mae gan awdurdodau cynllunio lleol y pŵer i gyflwyno hysbysiadau diogelu adeiladau os ydynt yn credu eu bod o ddiddordeb pensaerniol neu hanesyddol arbennig, a'u bod mewn perygl o ddymchwel neu newid mewn ffordd a fyddai'n effeithio ar eu cymeriad arbennig. Tra bod hysbysiad diogelu adeilad mewn grym, bydd yr adeilad yn cael ei drin fel adeilad rhestredig (er na fydd modd ei gaffael yn orfodol). Daw'r hysbysiad i rym cyn gynted ag y caiff ei gyflwyno, a bydd yn parhau mewn grym am hyd at chwe mis.

O dan *Ddeddf Cynllunio (Adeiladau Rhestredig ac Ardaloedd Cadwraeth) 1990* rhaid mynd drwy'r broses o sicrhau caniatâd adeilad rhestredig cyn mynd ati i ddymchwel, addasu a / neu ymestyn adeilad rhestredig os bydd y gwaith hwnnw'n debygol o effeithio ar gymeriad yr adeilad. Mae'n drosedd ymgymryd â gwaith o'r natur hwn heb ganiatâd, ac mae'r caniatâd hwnnw i'w gael gan yr awdurdod cynllunio lleol. Wrth ystyried unrhyw geisiadau am ganiatâd adeilad rhestredig, rhaid i'r awdurdod cynllunio lleol neu Weinidogion Cymru ystyried yn benodol pa mor ddymunol fyddai diogelu'r adeilad neu ei leoliad neu unrhyw nodweddion o ddiddordeb pensaerniol neu hanesyddol arbennig sy'n perthyn iddo.

Ymateb Llywodraeth Cymru

Yn ei hymateb i Gadeirydd y Pwyllgor Deisebau, dywedodd Llywodraeth Cymru fod Cadw wedi ystyried rhestru'r adeiledd yn y gorffennol, ond nid yw'n bodloni'r mein prawf penodol ar gyfer ei restru. Roedd yn amau hefyd ai rhestru'r adeiledd oedd y ffordd orau o'i ddiogelu. Dywedodd Llywodraeth Cymru y bydd swyddogion Cadw yn cwrdd â Chyngor Cymuned Llanrhystud a'r Ymddiriedolaeth Genedlaethol ym mis Mawrth i drafod dulliau mwy effeithiol o ddehongli a gofalu am y safle.

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 diweddu o reidrwydd na'u diwygio fel arall i adlewyrchu newidiadau dilynol.



Eich Cyf/Your ref: P-05-867
Ein cyf/Our ref: DET/05225/19

Llywodraeth Cymru
Welsh Government

David J Rowlands AC
Cadeirydd
Y Pwyllgor Deisebau
Cynulliad Cenedlaethol Cymru

7 Mawrth 2019

Annwyl David,

P-05-867 Gwneud Murlun 'Cofiwch Dryweryn' yn dirnod Cymreig dynodedig

Diolch am eich llythyr ar 7 Chwefror yn amgáu y ddeiseb gan Joe Williams.

Mae'n siomedig iawn bod y wal wedi cael ei difwyno unwaith eto. Nid dyma'r tro cyntaf ar hyd y blynnyddoedd i hyn ddigwydd.

Mae Cadw wedi ystyried rhestru'r strwythur, ond nid yw'r strwythur yn bodloni'r meinu prawf penodol gofynnol er mwyn iddo gael ei restru, ac mae amheuaeth yngylch p'un ai rhestru yw'r ffordd orau o'i warchod.

Bydd fy swyddogion yn Cadw yn cyfarfod â Chyngor Cymuned Llanrhystud a'r Ymddiriedolaeth Genedlaethol ym mis Mawrth i ymchwilio i ffyrdd mwy effeithiol o ddehongli a gofalu am y safle hwn.

Yn gywir,



Yr Arglwydd Elis-Thomas AC/AM
Y Dirprwy Weinidog Diwylliant, Chwaraeon a Thwristiaeth
Deputy Minister for Culture, Sport and Tourism

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1NA

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

Gohebiaeth.Dafydd.Elis-Thomas@llyw.cymru
Correspondence.Dafydd.Elis-Thomas@gov.wales

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynir 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 responding in Welsh will not lead to a delay in responding.

Eitem 3.1

P-05-786 Arbedwch ein cefn gwlad – dylid adolygu TAN 1

Cyflwynwyd y ddeiseb hon gan Cllr Mike Priestley ac ystyriwyd am y tro cyntaf gan y Pwyllgor yn ystod Tachwedd 2017, ar ôl casglu 706 o lofnodion ar-lein.

Geiriad y ddeiseb

Mae newidiadau i Nodyn Cyngor Technegol 1 (TAN1) yn 2015 wedi arwain at dargedau tai blynnyddol na ellir eu cyrraedd. Mae hyn wedi arwain at wahanu penderfyniadau cynllunio oddi wrth y broses gynllunio ddemocratiaidd lleol, ac wedi tanseilio Cynlluniau Datblygu Lleol mabwysiedig (CDLLau) ledled Cymru.

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i adfer y defnydd o "fethodoleg cyfraddau adeiladu yn y gorffennol" o fewn Nodyn Cyngor Technegol 1, ochr yn ochr â'r "fethodoleg weddilliol". Byddai hyn yn sicrhau bod Cyngorau yn gallu cynnal asesiadau anghenion cyflenwi tir deallus a chredadwy. Mae perfformiad o ran cyflenwi tai yn y gorffennol wedi adlewyrchu amodau economaidd a gallu a gwydnwch y diwydiant adeiladu lleol.

Er mwyn sicrhau cyflenwad o dir hygyrch a chyflawnadwy, ac i gydbwys o'r angen am dai gyda'r angen i ddiogelu ein hamgylchedd a'n treftadaeth, mae'n hanfodol bod amodau economaidd a chynhwysedd y diwydiant adeiladu lleol yn cael eu hystyried mewn cyfrifiadau blynnyddol o ran y Cyflenwad Tir Pum mlynedd ar gyfer Tai.

Mae newidiadau i TAN1 wedi gorfodi Cyngorau Lleol i ganiatáu datblygiadau tai sy'n fwy na'r hyn a ystyri'r yn alw lleol. Mae'r datblygiadau hyn yn aml ar raddfa fawr ac yn cael effaith andwyol ar y llain werdd a threftadaeth ein Sir, wrth i ardaloedd trefol a gwledig or-ehangu. Mae hyn, yn ei dro, yn rhoi galwadau ychwanegol ar wasanaethau sydd eisoes wedi'u hymestyn, fel Meddygon Teulu, Ysbytai, Gwasanaethau Cymdeithasol ac Ysgolion.

Mae tynnu methodoleg y cyfraddau adeiladu yn y gorffennol yn 2015 yn achosi i nifer cynyddol o Awdurdodau Lleol ddatgan diffyg Cyflenwad Tir am

bum mlynedd. Mae hyn, yn ei dro, yn gorfodi Cynghorau Lleol, yn erbyn eu hewylls a'u tueddiad naturiol, i gymeradwyo ceisiadau datblygu hapfasnachol ar dir maes glas sy'n sensitif yn lleol, tir heb ei ddyrannu yn eu CDLlau a, phan na roddir cymeradwyaeth leol i'r ceisiadau hapfasnachol hyn, mae penderfyniadau democrataidd lleol yn cael eu gwrthdroi ar apêl, yn benodol oherwydd diffyg Cyflenwad Tir 5 mlynedd ar gyfer Tai.

Gwybodaeth ychwanegol:

Yn 2014, roedd gan Gyngor Sir Conwy gyflenwad tir am fwy na saith mlynedd pan archwiliwyd ei Gynllun Datblygu Lleol gan yr Arolygydd Cynllunio, ac y cymeradwywyd ef. Lai na 12 mis yn ddiweddarach roedd y newidiadau i TAN 1 wedi lleihau cyflenwad tir Sir Conwy i lai na phum mlynedd. Mae hyn wedi lleihau ymhellach gyda chyfrifiadau blynnyddol o'r cyflenwad tir a fu ers hynny. Yn 2017, mae cyflenwad tir Conwy yn 3.1 blynedd erbyn hyn, o ganlyniad uniongyrchol i'r newidiadau i TAN1, ac mae'r Cyngor yn cael ceisiadau datblygu hapfasnachol ar gyfer tir nad yw wedi'i ddyrannu yn y CDL1, er bod tir a ddyrannwyd ar gael. Pe bai methodoleg y cyfraddau adeiladu yn y gorffennol yn cael ei ganiatáu o hyd, byddai gan Sir Conwy gyflenwad am 8.5 mlynedd heddiw.

Mae canllawiau Llywodraeth Cymru ar TAN1 yn dweud wrth Gynghorau Lleol sut i gyfrifo eu cyflenwad o dir tai. Dylai pob Cyngor feddu ar ddigon o dir i ddiwallu anghenion ar gyfer pum mlynedd o adeiladu tai. Yn y TAN1 blaenorol, roedd dau ddull o gyfrifo faint o dir yr oedd ei angen:

1. Y dull gweddilliol, sy'n seiliedig ar gyfanswm yr angen am dai o Gynllun mabwysiedig.
2. Y dull cyfraddau adeiladu yn y gorffennol, gan ddefnyddio'r cyfraddau adeiladu tai ar sail y 5 mlynedd ddiwethaf i ragweld y drefn am y 5 mlynedd nesaf.

Mae Deddf Llesiant Cenedlaethau'r Dyfodol (Cymru) 2015 yn ei gwneud yn ofynnol i ni gydbwys o ein penderfyniadau a'n gweithredoedd o ran effaith heddiw ac effaith yn y dyfodol. Yn sicr, oni ddylem ddefnyddio'r meddylfryd hwn i gynllunio tir a'r defnydd o dir? Mae polisi presennol Llywodraeth Cymru yn gorfodi i dir glas allweddol gael ei goncritio ac i ddod yn dir llwyd yn barhaol. Gwrthodwyd yn chwyrn y cam o osod a chyfyngu ar y defnydd o'r

"fethodoleg weddilliol" yn ystod y cyfnod ymgynghori a thu hwnt, ond anwybyddwyd lleisiau'r Cynghorau Lleol. Mae angen i Gynghorau Lleol allu:

- amddiffyn treftadaeth a'r amgylchedd, a'r defnydd o dir glas sensitif, ac ymarfer disgrifiwn, dyfarnu a rheolaeth leol o ran ble y mae angen datblygu a ble y'i caniateir.

Etholaeth a Rhanbarth y Cynulliad

- Aberconwy
- Gogledd Cymru

P-05-843 Mwy o hawliau trydydd parti mewn apeliadau cynllunio

Cyflwynwyd y ddeiseb hon gan Emma Eynon, ar ôl casglu 59 o lofnodion.

Geiriad y ddeiseb

Rydym ni sydd wedi llofnodi isod yn galw ar i Lywodraeth Cymru gyflwyno deddfwriaeth a fyddai'n rhoi mwy o hawliau i drydydd partïon apelio penderfyniadau cynllunio. Ar hyn o bryd, ystyrir bod hyd yn oed y rhai yr effeithir arnynt yn uniongyrchol yn drydydd partïon i geisiadau cynllunio a gymeradwyir ac nad oes ganddynt fawr o hawl, os o gwbl, i apelio na hyd yn oed cynnig mewnbwn i amodau cynllunio. Mae'r broses adolygu barnwrol wedi'i hanelu at ddatblygwyr ac nid yw'r terfyn amser o chwe wythnos ar gyfer cyflwyno cais o'r fath yn addas ar gyfer grwpiau gweithredu cymunedol. Dylai fod gan drydydd partïon yr un hawliau â datblygwr i apelio penderfyniadau cynllunio ac ni ddylai fod rhaid iddynt anfon pob cyfathrebiad drwy law'r aelod ward etholedig.

Etholaeth a Rhanbarth y Cynulliad

- Castell-nedd
- Gorllewin De Cymru



Blaengwrach Community Action Group

More Third party rights in planning appeals

Dear David,

Thank you for the opportunity to present my legal report prepared by the Cardiff Environmental Law Foundation Clinic on this petition. I trust that this serves to further highlight the need for the Welsh Government to revisit provisions made for Directly Affected Residents in the Planning (Wales) Act 2015, which currently only references the general public.

As a directly affected resident from the approval of a major scale development impacting my entire community, I feel I have no voice or real representation on the protection of my home environment or my routes of travel. Directly Affected Residents need to be identified as a separate party to the 'general public' in planning applications and given rights to appeal which we currently do not have.

We lack for appropriate notifications, involvement in consultation processes and legal advice and rights in major planning applications affecting our health and safety in our residential communities.

I urge you, the Welsh Government, to truly consider the perspective of Directly Affected Residents and to grant fair and objective legal avenues for us to be heard. Our Local Planning Authorities have total and complete powers, with no governance or indeed accountability to any higher authority to demonstrate a fair and objective decision making process in planning decisions. We are simply asking for a fair process that pays due diligence to serious aspects of decisions concerning health and safety, especially affecting vulnerable residents such as children or the elderly. It is not acceptable that our only recourse in the failure of such an event, is to either generate substantial amounts of money to pursue legal action through court, or to wait for a tragic accident to occur, to launch a public inquiry in order to examine decision making processes - after the fact.

In summary, I would like to emphasise that while there is a wealth of guidance and policies available on working with 'the public', there is no enforcement or indeed any accountability to follow the advice given. From the perspective of a Directly Affected Resident who feels let down by an in-balance of rights within the planning system, I would also question the public money effectively wasted in the production of such information which may be so easily ignored.

I would be more than willing to present my case in front of the petitions committee if so required, in order to highlight my own experiences with the planning system and why I believe so strongly in this petition.

I thank you for your time and consideration.

Yours sincerely

Emma Eynon

Blaengwrach Community Action Group

The Case for Third Party Planning Appeals in Wales

A paper prepared for petitioner Emma Eynon

by

Cardiff Environmental Law Foundation Clinic



Executive Summary

This is a report into the case for the reform of an aspect of Welsh planning law prepared for Emma Eynon, the petitioner, whose petition calling for the introduction of third party planning appeals was accepted by the Welsh Assembly Petitions Committee, at its meeting on 23 October 2018.

The case for and against the introduction of third party rights in this field has been debated extensively at a United Kingdom-wide level, and also within devolved nations. In its report in 2012 on the development of a distinctively Welsh planning regulatory regime, the Independent Advisory Group (IAG) rejected the case for third party appeals. The IAG considered that third party rights would create excessive administrative burdens, would slow the development control process, and would not benefit the sections of the community whose views are seldom heard. Thus, under the Planning (Wales) Act 2015, provision is made solely for first party rights of appeal, by an applicant who is refused planning permission, or granted it on terms to which they object.

The petitioner's case for reform is based, first, on the experience of the 2015 regime in operation, and second, recent changes in the broader legal architecture relating to Welsh planning and environmental law, which implement a values-based approach to decision making. The most pertinent value for purposes of the petitioner's case is access to justice in environmental matters.

The petitioner recognises that planning authorities are working within extremely challenging financial constraints. This report makes the case for third party appeals as a cost-effective way of improving regulation. The reform which we propose will, if implemented, enhance public understanding, respect, trust and acceptance of planning decisions, by treating the voice of objectors as equal to that of applicants. The reform will also have the wider benefit of building on the Well-Being of Future Generations (Wales) Act 2015 and the Environment (Wales) Act 2016. Third party planning appeals would reinforce Wales' growing reputation as leaders in values-based environmental policy and law.

The Petition

The Welsh Assembly Petitions Committee agreed, on 23 October 2018, to accept the petition in the name of Emma Eynon, calling for the introduction of third party rights of appeal against the grant of planning permission.

Members of the Committee expressed sympathy with the petitioner's concern that the Welsh planning regime (under the Planning (Wales) Act 2015) unduly favours the applicant at the expense of objectors, by confining rights of appeal to the applicant (the first party). Under the current law the applicant has a right of appeal against the refusal of permission by the planning authority, to the Welsh Minister, but objectors have only the procedure of judicial review, which is not a merits-based appeal, and it is *judicial* (making it often prohibitively expensive).

The Committee noted that the case for third party appeals was considered in the course of the enactment of the 2015 Act. In particular, the Independent Advisory Group (IAG), in its report 2012 (paragraph 3.45) stated that:

a significant change [to third party rights] risks overburdening the system and shifting resources away from decision and plan making...We do not consider that a third party appeal right would benefit those sections of the community who are traditionally seldom heard.

The 2015 Act implemented this.

The effect of the Petition Committee's decision is to re-open the issue for debate. This report is a contribution to that debate. The case in support of reform draws upon recent development in formal law in Wales and recent experience of its implementation. These developments, the authors argue, shift the balance in favour of reform.

Structure of the Report

As the case for reform cannot be divorced from understanding of the reasons why the system is as it is, the report begins with a summary of the reasons why third party rights are not currently conferred anywhere in the UK. The analysis thus starts with the case *against* third party rights. Attention is then given to the case that is advanced within the UK generally in favour of reform, without looking at specifically Welsh issues arising from Welsh law and practice. The report will end by tailoring the general case for reform in a way that is specific to Wales.

The Case against Third Party Rights of Appeal

Lesley Griffiths, Cabinet Secretary for Energy, Planning and Rural Affairs, stated in an open letter dated 25 September 2018 that 'no persuasive evidence has emerged to suggest the

introduction of a third party right of appeal would be a step forward or an improvement in the planning system.'

The case against can be summarized under six main headings.

Costs and delay

Increased third party rights will delay the speed of planning decisions and will increase costs

Adequate alternatives to Third Party Appeals

Internal review by the planning authority

Call in powers of the Secretary of State

Judicial review

Ombudsman in respect of maladministration

Presumption in favour of (sustainable) development

Third party rights would water down the presumption in favour of development- a fundamental principle of planning law for 80 years.

Representative democracy

Local and central planning authorities represent the public interest.

Third party rights weaken the representative nature of local (and central government) democracy and decision making by transferring power away from elected members of local (and central) government to the public. This weakens the legitimacy and quality of decisions and reduces accountability in the planning system.

Planning permission does not affect the property rights of neighbours

Third parties are not losing rights of development as land owners are. Third party rights are an affront on traditional property rights.

NIMBYism

The likely beneficiaries of increased third party rights are more likely to be the more affluent sectors of society with the knowledge and money to assert their rights. Potential to open the floodgates to frivolous or vexatious requests and unduly delay development to alleviate the social housing crisis. Potential to exacerbate social inequality.

Case for third party rights of appeal

Access to justice

Lack of justice and unfairness in the procedures for participation in planning - developers may appeal against refusal whereas third parties cannot appeal against approval. Objectors thus get inferior administrative justice than the developer.

Better administration

Third party rights of appeal would raise standards in planning authorities and redress the present imbalance, by making them as accountable for their approvals as they are for their refusals.

Some other countries with advanced democratic planning systems have third party rights of appeal which are reported as having led to better decisions. For instance, in Ireland, third party appeals ensure the good quality of the planning decisions. From the data in 2004, 60% of approximately 1,600 third party appeals formally decided by the Planning Board resulted in refusal of permission. The high percentage of third party appeals that result in a refusal of planning permission suggests that most appeals are made on very strong grounds for the original planning decision to be overturned. Third party appeals ensure the good quality of planning decisions in Ireland.

Third party appeals will not open the floodgates

The right should be concentrated on circumstances where the scope for perceived unfairness or inadequacy in the current arrangements is most obvious. Limiting the occasions on which a third party right of appeal is available is the single most significant means of constraining the overall volume of appeals.

In this way the role of local planning authorities would not be undermined by indiscriminately opening all their decisions to further review without good cause. There would be little or no undue delay for developments and little or no increase in the financial risk faced by investors, without good cause. The Planning Inspectorate would not suddenly be burdened with a flood of new case work.

The right to appeal could be limited in a number of ways, restricting the right :

- A. To those who have objected to the original planning application. Only original objectors should be permitted to appeal, with any exceptions at the discretion of the Inspectorate.

- B. Where a decision by a local planning authority is not in accordance with the views expressed by a statutory consultee (eg. Natural Resources Wales), that body should have a right of appeal on merits.
- C. When a development is approved contrary to the provisions of an adopted development plan. The introduction of a third party right of appeal specifically against approvals of departure applications would bring closer attention to the definition of 'departures' and the thresholds for triggering a right to appeal.
- D. Where local authorities have granted approval for their own developments or for those in which they have an interest (e.g. as landowner or investor). There is already strong case for 'removing temptation' by removing the power of local authorities to approve development in such cases, but, in the absence of such a change there is a strong case for third party rights of appeal .
- E. Where developments are distinctly 'major' in some way. These are cases by definition likely to have significant effects on the environment and thus merit special attention, with the need for EIAs decided not only by the scale of proposed development, but also according to the sensitivity of the development's local context.

Additionally, the Welsh Minister should make it clear that he/she will legislate if necessary to prevent abuse of the right to appeal by third parties who seek simply to delay development, to gain commercial advantage, to secure benefits from a developer to return for the withdrawal of an appeal, or to gain publicity.

Third party appeals do not increase cost

Many perceived costs could be significantly reduced, eg by the use of written representations. If the system is designed well, it will result in higher quality applications and greater levels of public participation at an earlier stage, with appeals only used as a last resort. Further, any costs are incurred in the first few weeks of evaluating a development, while the better quality of development arising from appeals is a benefit enjoyed over decades.

Third party appeals do not hinder economic development

Arguably, one of the major concern is that appeals can potentially hinder economic development. However, the average GDP of Ireland, Sweden, Australia and New Zealand, all countries that allow third party appeals, have, for the past nearly twenty years, been greater than that of the UK (World Bank, 2018). Evidence from regimes where third party appeal has been introduced shows that it has served mainly to improve the conditions attached to consents. What is worth mentioning, is that, in Ireland, almost 60% of appeals led to revised conditions in 1999 and 2000, enhancing their public benefit, but not blocking development.

Wales-specific Case for Reform

In *The State of the UK Environmental Legislation 2011: Is There a Case for Reform*, the United Kingdom Environmental Law Association commented on a ‘desire to create distinctive legislation’ in Wales.

This has found expression in the Well Being of Future Generations (Wales) Act 2015, and the Environment (Wales) Act 2016. Both are aimed at implementing a ‘values-based’ approach to environmental protection. The 2016 provides for the overarching value of Welsh environmental policy and law being the ‘sustainable management of natural resources’. This is different ‘sustainable development’ under paragraph 14 of the National Planning Policy Framework, in the sense that the emphasis is not on development, but management. Section 4 of the Environment Act sets out the ‘principles’ of sustainable management.

Aspects of section 4 to highlight are:

Section 4 (a), which refers to ‘planning, reviewing...and changing action’

Section 4(c), which refers to ‘collaboration and co-operation’

Section 4(d), which is ‘to make appropriate arrangements for public participation in decision making’

The Well Being of Future Generations (Wales) Act 2015 provides for ‘well-being goals’, defined in section 4. The petitioner’s advocated reforms would promote a number of them, in particular:

‘A more equal Wales’

‘A Wales of Cohesive Communities’

‘A Wales of Vibrant Culture’.

Emma Eynon’s concern is that planning regulation currently fails to deliver on these values, principles and goals. She is not alone. She is part of a local community which has organised itself into a community group to promote neighbourhood well-being (the Blaengwrach Community Action Group). She believes that the grant of planning permission in her area, on appeal, and against the wishes of the local authority which opposed the development, highlights that ‘the legal system is stacked in favour of the developers’. As a consequence she fears that her country is ‘losing heritage and culture, in favour of bigger, templated residential areas.’

Conclusion

The introduction of third party appeals would address the concerns outlined by Emma Eynon, which are felt increasingly around Wales, and to which the recent legal architecture is a

imaginative and pioneering response. Third party appeals, if introduced, would enable people directly affected by a development to put their case, on equal footing to the developer. Although allowing third party appeals would appear to risk slowing the planning process down, the benefits would be overall to improve decisions, and to create a decision making process that is just, fair, inclusive and equitable.

Appendix: About the Authors

The Cardiff Environmental Law Foundation Clinic is run by students working under the supervision of academic staff at Cardiff University, and the access to environmental justice charity the Environmental Law Foundation. For more details on the collaboration between the Cardiff Law School and the Environmental Law Foundation, see <https://elflaw.org/>.

The students who have contributed to this publication are:

Marina Soares (Clinic Director)
Bryana Daniels
Sophia Dowden
Edward Farrell
Dariia Konova
Lauren Lewis
Zoe Lyall
Zhi Soh
Phyllida Spackman

The staff contributors employed by Cardiff Law School are:

Professor Ben Pontin
Guy Linley Adams, Solicitor.

For further information, please contact Ben Pontin on pontinb@cardiff.ac.uk.

Eitem 3.3

P-05-845 Rhowch Derfyn ar Wrthdaro Buddiant yng Nghyfansoddiad Awdurdodau Lleol

Cyflwynwyd y ddeiseb hon gan Emma Eynon, ar ôl casglu 56 o lofnodion.

Geiriad y ddeiseb

Rydym ni sydd wedi llofnodi isod yn galw ar i Lywodraeth Cymru orfodi gwell bolisiâu cod ymddygiad i gyflogigion awdurdodau lleol. Ar hyn o bryd, mae swyddogion awdurdod cynllunio yn cael rhedeg cwmnïau ymgynghori cynllunio preifat a chyflawni eu rolau cyhoeddus ar yr un pryd. Nid oes adnodd ar gael y gellir ei fuddsoddi er mwyn plismona'r cwmnïau preifat hyn, lle y'u datgenir yn y ffurflenni angenrheidiol, er atal twyll a llygredd.

A chymryd swyddogion cynllunio fel enghraift, mae potensial y gallai rhedeg busnesau ymgynghori preifat 'yn ddistaw bach' hwyluso llygredd, gan fod llawer o fathau, yn gyffredinol yn ymwneud â chamdefnyddio swydd. Mae angen rhoi terfyn ar yr arfer hwn ar unwaith a rhaid diwygio'r cyfansoddiadau fel na cheir ymddwyn yn y modd hwn mwyach. Rydym yn galw am fwy o atebolrwydd a thryloywder gan ein hawdurdodau lleol, a rhaid pennu safonau ymddygiad mewn swyddogaethau cyhoeddus o'r fath a fyddai'n uwch na rhai'r sector preifat, lle mae hyn yn hynod annerbyniol.

Etholaeth a Rhanbarth y Cynulliad

- Castell-nedd
- Gorllewin De Cymru

Rhowch Derfyn ar Wrthdaro Buddiant yng Nahvfansoddiad Awdurdodau Lleol

Y Pwyllgor Deisebau | 19 Mawrth 2019
Petitions Committee | 19 March 2019

Papur briffio gan y Gwasanaeth Ymchwil:

Rhif y ddeiseb: Deiseb P-05-845

Teitl y ddeiseb: Rhowch Derfyn ar Wrthdaro Buddiant yng Nghyfansoddiad Awdurdodau Lleol

Testun y ddeiseb: Rydym ni sydd wedi llofnodi isod yn galw ar i Lywodraeth Cymru orfodi gwell bolisiâu cod ymddygiad i gyflogeion awdurdodau lleol. Ar hyn o bryd, mae swyddogion awdurdod cynllunio yn cael rhedeg cwmnïau ymgynghori cynllunio preifat a chyflawni eu rolau cyhoeddus ar yr un pryd. Nid oes adnodd ar gael y gellir ei fuddsoddi er mwyn plismona'r cwmnïau preifat hyn, lle y'u datgenir yn y ffurflenni angenrheidiol, er atal twyll a llygredd. A chymryd swyddogion cynllunio fel engraifft, mae potensial y gallai rhedeg busnesau ymgynghori preifat 'yn ddistaw bach' hwyluso llygredd, gan fod llawer o fathau, yn gyffredinol yn ymwneud â chamdefnyddio swydd. Mae angen rhoi terfyn ar yr arfer hwn ar unwaith a rhaid diwygio'r cyfansoddiadau fel na cheir ymddwyn yn modd hwn mwyach. Rydym yn galw am fwy o atebolrwydd a thryloywder gan ein hawdurdodau lleol, a rhaid pennu safonau ymddygiad mewn swyddogaethau cyhoeddus o'r fath a fyddai'n uwch na rhai'r sector preifat, lle mae hyn yn hynod annerbyniol.

Y cefndir

Fel rhan o drafodaeth o'r ddeiseb uchod yng nghyfarfod y Pwyllgor Deisebau ar 11 Rhagfyr 2018, gofynnodd Aelodau'r Pwyllgor am eglurhad pellach o'r canlynol:

- a yw'r cyfyngiadau y cyfeirir atynt gan y Sefydliad Cynllunio Trefol Brenhinol yn ymwneud ag ardal awdurdod lleol cyfan neu â phwyllgorau ardal penodol o fewn awdurdodau yn unig;

- a oes cyfyngiadau yn seiliedig ar statws;
- a oes gan bob awdurdod lleol ei reolau ei hun.

A yw'r cyfyngiadau y cyfeirir atynt gan y Sefydliad Cynllunio Trefol Brenhinol yn ymwneud ag ardal awdurdod lleol cyfan neu â phwyllgorau ardal penodol o fewn awdurdodau yn unig?

Yn ei ymateb i'r Pwyllgor dyddiedig 18 Ionawr 2019, mae'r Sefydliad Cynllunio Trefol Brenhinol (RTPI) n nodi'r canlynol:

We would advise members not to act in the circumstances described i.e. where there is subdivision into area committees. One of the challenges we pose to members is the perception of their action and would advise them to also take all steps to limit the perception of conflicts of interest.

Yn ei ymateb, nododd yr RTPI hefyd, o'r achosion a benderfynwyd yn y blynnyddoedd hynny, roedd dau achos posibl o wrthdaro buddiannau yn 2016 a dau achos posibl yn 2017, ond na chafwyd bod yr un ohonynt wedi torri'r cod.

Hefyd, dyma a nodwyd gan yr RTPI yn ei ohebiaeth flaenorol o ran y canllawiau i'w aelodau:

"Members must take all reasonable precautions to ensure that no conflict of duty arises between the interests of one employer, client or business associate and the interests of another." Our Practice advice clearly states: "You should not undertake any private planning work in the area where you are in the position to recommend the making of any decision materially affecting the development or use of land."

Mae nodyn cyngor yr RTPI i'r aelodau ynghylch Moeseg a Safonau Proffesiynol hefyd yn nodi'r isod (t.9) o ran ymgymryd â gwaith ymgynghori preifat:

RTPI Members undertaking any private consultancy work in addition to their primary (e.g. local authority) employment should obtain the **written agreement of their employer** before taking a commission. This also applies to staff working on a part time or contract basis. You **should not undertake any private planning work in the area where you are in the position to recommend the making of any decision materially affecting the development or use of land**. Exceptions to this include your own residence or where you are giving free planning advice to the public as part of your employment. [Fy mhwyslais]

Fel nodyn ychwanegol, ar ôl siarad â swyddogion o sampl o awdurdodau lleol yng Nghymru, ymddengys nad yw'r rhan fwyaf o awdurdodau yn gweithio ar sail 'Pwyllgor Ardal' bellach, a bod yr holl faterion cynllunio yn cael eu trafod mewn Pwyllgor Cynllunio unigol. Fodd bynnag, gall rhai awdurdodau rannu eu hardaloedd yn Dimau Ardal Gwasanaeth, megis yng Nghastell-nedd Port Talbot.

A oes cyfyngiadau yn seiliedig ar statws?

Nid oes dim cyfyngiadau yn seiliedig ar statws, oherwydd yn gyffredinol nid yw codau ymddygiad (awdurdod lleol na chorff proffesiynol) yn gwahaniaethu rhwng cyflogiyn yn seiliedig ar radd eu swydd.

Felly, er enghraift, mae Adran 9 (t.33) o God Ymddygiad Cyflogiion CBS Castell-nedd Port Talbot yn ymwneud â *Buddiannau/Cysylltiadau Personol ac Eraill*. Mae'n nodi pa fuddiannau y

tu allan i'r gweithle a allai fod yn wrthdaro buddiannau, gan gynnwys gwaith a wneir i unrhyw berson neu sefydliad heblaw fel un o gyflogion y Cyngor. Daw'r darn isod o'r adran hon:

If any employee has a personal interest in any matter which arises at any meeting where the employee is reporting or advising (or might be called upon to advise, or otherwise be able to influence) any Councillor(s) of the Council, or any third party, the employee must declare the interest, and take no part in the consideration or determination of the matter.

Mae Adran 10 o'r Cod Ymddygiad Cyflogion yn nodi'r paramedrau ar gyfer ymgymryd â *Chyflogaeth/Gwaith Ychwanegol*. Yn yr adran hon, nodir:

For all additional employment or private work, outside of the work done as an employee of the Council, employees must obtain the written permission of the Council. **Appendix C** can be used to make a relevant declaration.

Employees should be clear about their contractual obligations to the Council and must not undertake additional employment, or involvement, which may conflict with or detract from the interests of the Council.

Noda Adran 16 o'r Cod:

Any contravention of this Code of Conduct could result (or be taken into account) in disciplinary proceedings.

Should there be a need to undertake an investigation into an employee's standard of behaviour it will be necessary to examine the Registers, attached in **Appendix 'A', 'B' and 'C'**, and any evidence obtained from these sources may, together with any other information, be used to assist with the investigation.

In some instances, declarations or failure to declare, may need to be reported to the police

Mae Adran 17 o'r Cod yn nodi, er bod y Cod yn cynnwys safonau ymddygiad cyffredinol ar gyfer pob cyflogai, gall y bydd angen i rai Cyfarwyddiaethau wneud trefniadau ar gyfer amgylchiadau penodol. Fodd bynnag, mae ffurflenni safonol (Atodiadau B ac C) yn rhoi'r sail ar gyfer datgan unrhyw fuddiannau personol neu gyflogaeth ychwanegol. Yn y ffurflenni hyn, gofynnir yn glir i swyddogion ddatgan a ydynt yn rhagweld gwrthdaro buddiannau rhwng y gyflogaeth ychwanegol a'u rôl gyda'r cyngor.

Mae'n ofynnol i swyddogion sy'n dymuno ymgymryd â chyflogaeth ychwanegol y tu allan i'w rôl bresennol ofyn am ganiatâd gan y cyngor, a hynny trwy weithdrefnau penodol. Yn achos datganiadau o fuddiannau, yn cynnwys cyflogaeth ychwanegol, gofynnir am awdurdodiad gan uwch-swyddog yn y modd isod:

- Prif Weithredwr i gael awdurdodiad gan y cyfarwyddwr cyllid a gwasanaethau corfforaethol/y Swyddog Monitro. Ysgrifennydd y Prif Weithredwr i gynnal y ffeil.
- Cyfarwyddwyr i gael awdurdodiad gan y Prif Weithredwr. Eu hysgrifenyddion i gynnal y ffeiliau.
- Penaethiaid Gwasanaeth i gael awdurdodiad gan y Cyfarwyddwyr. Ysgrifenyddion y Cyfarwyddwyr i gynnal eu ffeiliau.

- Rheolwyr atebol i gael awdurdodiad gan Benaethiaid Gwasanaeth. Ysgrifenyddion y Cyfarwyddwyr i gynnal eu ffeiliau.
- Pob aelod arall o staff i gael awdurdodiad gan Benaethiaid Gwasanaeth. Ysgrifenyddion y Cyfarwyddwyr i gynnal eu ffeiliau.

A oes gan bob awdurdod lleol ei reolau ei hun.

Mae Adran 37 o [Ddeddf Llywodraeth Leol 2000](#) ei gwneud yn ofynnol i awdurdodau lleol yng Nghymru baratoi a diweddaru cyfansoddiad ysgrifenedig sy'n cynnwys unrhyw wybodaeth a gyfarwyddir gan Weinidogion Cymru, copi o reolau sefydlog yr awdurdod, copi o god ymddygiad yr awdurdod ar gyfer Aelodau a chyflogion, ac unrhyw wybodaeth arall y mae'r awdurdod yn ei hystyried yn briodol

Mae gan bob awdurdod lleol ei **gyfansoddiad unigol ei hun** yn unol ag amgylchiadau penodol yr awdurdod hwnnw. Bydd gan bob Cyngor hefyd wahaniaethau o ran y dogfennau y mae'n credu ei bod yn briodol eu cynnwys yn ei gyfansoddiad. Cyhoeddodd Llywodraeth Cymru [Ganllawiau i Gyngorau Sir a Chyngorau Bwrdeistref Sirol yng Nghymru ar Drefniadau Gweithrediaeth a Threfniadau Amgen 2006](#) ar gynnwys cyfansoddiad awdurdod a'r modd y'i gweithredir.

Ymddengys fod y rhan fwyaf o awdurdodau lleol yn cynnwys, fel rhan o'u cyfansoddiad, ddogfennau penodol ar faterion cynllunio. Mae Rhan 5.2 o gyfansoddiad Cyngor Sir Caerfyrddin, er enghraift, yn ymwneud â'r [Cod Ymddygiad i Gyngorwyr a Swyddogion mewn Materion Cynllunio](#). Mae Adran 2.10 yn nodi'r dyletswyddau a osodir ar swyddogion:

In considering applications and in advising Members and the public on planning policy, the determination of planning applications, enforcement and other planning matters, officers must:

- Act fairly and openly
- Avoid any actions, which would give rise to an impression of bias.
- Avoid inappropriate social contact with applicants and their agents, objectors and other interested parties

Mae Cyngor Bwrdeistref Sirol Castell-nedd Port Talbot hefyd yn cynnwys *Protocol Cynllunio* (t.57) yn ei [gyfansoddiad](#). Ym Mharagraff 11.3 o'r *Protocol Cynllunio*, nodir:

Councillors should recognise and respect the fact that officers involved in the processing and determination of planning matters must act in accordance with the Council's Code of Conduct for Officers and their professional codes of conduct, primarily the Royal Town Planning Institute's Code of Professional Conduct. As a result, planning officers' views, opinions and recommendations will be presented on the basis of their overriding

obligation of professional independence, which may on occasion be at odds with the views, opinions or decisions of the Committee or its Members.

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 diweddu o reidrwydd na'u diwygio fel arall i adlewyrchu newidiadau dilynol.



Blaengwrach Community Action Group

More Third party rights in planning appeals

Dear David,

Thank you for the opportunity to present my legal report prepared by the Cardiff Environmental Law Foundation Clinic on this petition. I trust that this serves to further highlight the need for the Welsh Government to revisit provisions made for Directly Affected Residents in the Planning (Wales) Act 2015, which currently only references the general public.

As a directly affected resident from the approval of a major scale development impacting my entire community, I feel I have no voice or real representation on the protection of my home environment or my routes of travel. Directly Affected Residents need to be identified as a separate party to the 'general public' in planning applications and given rights to appeal which we currently do not have.

We lack for appropriate notifications, involvement in consultation processes and legal advice and rights in major planning applications affecting our health and safety in our residential communities.

I urge you, the Welsh Government, to truly consider the perspective of Directly Affected Residents and to grant fair and objective legal avenues for us to be heard. Our Local Planning Authorities have total and complete powers, with no governance or indeed accountability to any higher authority to demonstrate a fair and objective decision making process in planning decisions. We are simply asking for a fair process that pays due diligence to serious aspects of decisions concerning health and safety, especially affecting vulnerable residents such as children or the elderly. It is not acceptable that our only recourse in the failure of such an event, is to either generate substantial amounts of money to pursue legal action through court, or to wait for a tragic accident to occur, to launch a public inquiry in order to examine decision making processes - after the fact.

In summary, I would like to emphasise that while there is a wealth of guidance and policies available on working with 'the public', there is no enforcement or indeed any accountability to follow the advice given. From the perspective of a Directly Affected Resident who feels let down by an in-balance of rights within the planning system, I would also question the public money effectively wasted in the production of such information which may be so easily ignored.

I would be more than willing to present my case in front of the petitions committee if so required, in order to highlight my own experiences with the planning system and why I believe so strongly in this petition.

I thank you for your time and consideration.

Yours sincerely

Emma Eynon

Blaengwrach Community Action Group

P-05-789 Adolygu cymorth i geiswyr lloches sy'n ymgymryd ag addysg bellach

Cyflwynwyd y ddeiseb hon gan Gulnar Sohail ac ystyriwyd am y tro cyntaf gan y Pwyllgor yn ystod Rhagfyr 2017, ar ôl casglu 78 o lofnodion ar-lein.

Geiriad y ddeiseb

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i adolygu'r Lwfans Cynhaliaeth Addysg (LCA), y Gronfa Ariannol Wrth Gefn (CAwG) a Grant Dysgu Llywodraeth Cymru (GDLIC) i ganiatáu i fwy o geiswyr lloches allu cymryd rhan mewn addysg bellach.

Gwybodaeth ychwanegol

Yn y cyfnod anodd hwn pan mae chwyddiant yn cynyddu ac mae eitemau bob dydd yn mynd yn fwyfwy drud i ddinasyyddion y DU hefyd, mae bron yn amhosibl i geiswyr lloches symud ymlaen ymhellach yn eu haddysg uwch/mynediad. Rydym ni (Ceiswyr Lloches) yn cael ychydig dros £5 y dydd yn unig gan y Swyddfa Gartref, ac o'r swm hwn mae'n rhaid prynu bwyd, dillad, costau cludiant dyddiol ac mae'r rhestr yn parhau. Hyd yn oed pe byddwn yn ceisio rhywsut (trwy dorri i lawr ar fwyd neu rywbeth arall pwysig) mae cost y cludiant ar gyfer y cwrs cyfan gan gynnwys unrhyw daliadau eraill fel cofrestru a gofal plant yn ormod i allu ymdopi â hwy. Fy mhwynt yw na ddylid gwahaniaethu rhwng ceisiwr lloches ac unrhyw berson arall sy'n byw yng Nghymru os yw'r ddau'n ceisio mynd i'r coleg ar gyfer cyrsiau addysg uwch/mynediad. Os yw person o Gymru yn cael CAwG a GDLIC yna dylai ceisiwr lloches hefyd dderbyn y ddau, neu unrhyw gymorth cysylltiedig arall a fydd yn ei alluogi i symud ymlaen yn ei fywyd. Oherwydd costau a grybwyllyd eisoes, rwyf wedi gweld cynifer o geiswyr lloches yn gwrthod eu cyfle i ymgymryd ag addysg uwch. Mae hefyd yn golygu na fyddant yn gwneud unrhyw beth cynhyrchiol gan nad yw gweithio'n cael ei ganiatáu, a bydd eistedd gartref yn eu gwneud yn fwy rhwystredig. Hoffwn hefyd sôn am enghraifft ddiweddar pan y gwnaeth person anghenus (y gwrthodwyd ei gais am loches ac y cafodd ei gymorth ariannol a'i dŷ ei dynnu'n ôl gan y Swyddfa Gartref) gyflawni hunanladdiad. Roedd yn byw yn y sefyllfa hon ers peth amser ac nid oedd yn gallu gwneud defnydd o'i fywyd. Rwy'n credu pe byddai wedi cael cyfle efallai na fyddai wedi mynd mor bell â hynny. Byddai galluogi mwy o geiswyr lloches i gael addysg nid yn unig yn rhoi rhywfaint o bwrrpas

iddynt mewn bywyd ond byddai hefyd yn cyfoethogi'r gymuned lle maent yn byw. Wedi'r cyfan, o dderbyn ein trwydded breswyl, byddem yn annibynnol ac yn rhydd i weithio a bydd yr addysg hon yn ein helpu mewn sawl ffordd i lunio ein teuluoedd a'n cymunedau mewn ffyrdd llawer gwell.

Etholaeth a Rhanbarth y Cynulliad

- Dwyrain Abertawe
- Gorllewin De Cymru

Eitem 3.5

P-05-808 Ni ddylai Cymraeg fod yn orfodol i blant â dyslecsia ac anghenion arbennig

Cyflwynwyd y ddeiseb hon gan Jessica Fox, ar ôl casglu XXX o lofnodion ar-lein.

Geiriad y ddeiseb

Fel llawer o blant eraill yn y Deyrnas Unedig, mae fy mab yn dioddef o dyslecsia. Mae ysgrifennu a darllen Saesneg yn her ddyddiol felly dychmygwch orfod dysgu darllen ac ysgrifennu iaith arall na fyddwch byth yn ei defnyddio. Dyma beth mae fy mab yn gorfod ei wneud bob dydd gan ein bod yn byw yng Nghymru. Rwyf wedi ceisio ei dynnu o'r gwersi Cymraeg fel y gall gael gwersi Saesneg ychwanegol ond mae'n rhwymedigaeth gyfreithiol i'r ysgol ddysgu Cymraeg yng Nghymru. Mae'n her ddyddiol i blant â dyslecsia sy'n byw yng Nghymru. Dylai Cymraeg fod yn ddewisol i blant â dyslecsia ac anghenion arbennig, ac nid yn orfodol.

Etholaeth a Rhanbarth y Cynulliad

- Dwyrain Casnewydd
- Dwyrain De Cymru

Mae cyfngiadau ar y ddogfen hon



Eich cyf/Your ref P-05-808
Ein cyf/Our ref EM/00174/18

Llywodraeth Cymru
Welsh Government

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

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



Ebrill 2018

Diolch am eich gohebiaeth dyddiedig 6 Mawrth parthed Deiseb P-05-808 *Ni ddylai'r Gymraeg fod yn orfodol i blant â dyslecsia ac anghenion arbennig*, a gyfeiriwyd at Ysgrifennydd y Cabinet dros Addysg. Mae'r cyfrifoldeb dros y Gymraeg yn rhan o'm cylch gorchwyl i.

Mae Llywodraeth Cymru wedi ymrwymo i greu system addysg gynhwysol i bob dysgwr, beth bynnag ei anghenion a'i gefndir, er mwyn sicrhau bod pob dysgwr yn cael addysg o'r safon uchaf ac yn gwreddu ei lawn botensial. Mae Deddf Addysg 1996 yn rhoi dyletswydd gyfreithiol ar bob awdurdod lleol i ddarparu addysg briodol i bob dysgwr, gan gynnwys disgyblion ag anghenion addysgol arbennig (AAA) megis dyslecsia.

Polisi Llywodraeth Cymru yw gosod sylfaen gadarn i'r Gymraeg yn y cwricwlwm ym mhob ysgol. Mae astudio'r Gymraeg yn ofyniad statudol i bob dysgwr tan ddiwedd Cyfnod Allweddol 4 a bydd hyn yn parhau pan gyflwynir y cwricwlwm newydd i ysgolion yn 2020. Dim ond un rhan o'r cwricwlwm ehangach yw dysgu'r Gymraeg a'n nod yw cyflwyno ymyriadau ag iddynt ffocws i ddysgwyr i'w cynorthwyo i gyflawni eu llawn botensial ar draws yr holl bynciau.

Nid ydym yn pennu amser penodedig ar gyfer astudio'r Gymraeg – mater i ysgolion unigol y hwn ac mae ganddynt ryddid i drefnu eu hamserlenni a'u dulliau cyflawni mewn modd sy'n addas i'w dysgwyr. Mae hyn yn cynnwys strategaethau ar lefel ysgolion i gefnogi dysgwyr a chanddynt anawsterau dysgu penodol.

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1NA

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

Gohebiaeth.Eluned.Morgan@llyw.cymru
Correspondence.Eluned.Morgan@gov.wales

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

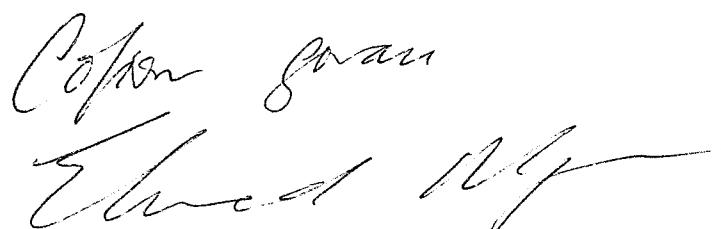
We welcome receiving correspondence in Welsh. Any question asked in Welsh will be answered in Welsh and responding in Welsh will not lead to a delay in responding.

O ran datgymhwysedd, yng Nghymru gellir datgymhwysedd rhan o'r Cwricwlwm Cenedlaethol neu'r cwricwlwm cyfan os yw'n anaddas i ddisgybl ar gyfer y cyfnod arbennig hwnnw. Er enghraifft, gellir eithrio disgylion dros dro o bynciau penodol os ydynt wedi dod o system addysg wahanol i system Cymru, a bod angen cyfnod arnynt i ymaddasu. Nid yw'n fwriad i ddatgymhwysedd dros dro ddatblygu i fod yn eithriad hirdymor o ddarpariaethau'r cwricwlwm cenedlaethol a dim ond mewn amgylchiadau prin y mae'n debygol y bydd angen defnyddio hyn.

Mae gan Benaethiaid ddisgresiwn i gyflwyno 'cyfarwyddyd' ysgrifenedig cyffredinol i egluro pa gamau sy'n cael eu cymryd, gan nodi'r rhesymau dros y trefniadau arbennig. Mae'n rhaid i'r cyfarwyddyd nodi pryd y bydd y trefniadau arbennig hyn yn cychwyn a gorffen, neu'r ffactorau a fydd yn penderfynu pryd y byddant yn gorffen. Ni chaiff cyfarwyddyd cychwynnol bara mwy na chwe mis calendr. Fodd bynnag, disgwylir i benaethiaid ddefnyddio eu pwerau cyfarwyddo yn sensitif a chynnill oherwydd dylid rhoi'r cyfle i bob disgybl fanteisio ar ystod lawn o bynciau'r Cwricwlwm Cenedlaethol.

Mae manteision ymarferol yn gysylltiedig â dysgu'r Gymraeg i'r sawl sy'n dymuno byw a gweithio yng Nghymru. Mae cwmniau'r sectorau cyhoeddus a phreifat yn annog datblygiad gweithluoedd dwyieithog a darparu gwasanaethau drwy gyfrwng y Gymraeg er mwyn diwallu anghenion cwsmeriaid.

Mae hwn yn arwydd clir o'r manteision economaidd sy'n deillio o feddu ar sgiliau Cymraeg, ac mae gennym ddyletswydd i sicrhau bod gan ein pobl ifanc y sgiliau angenheidol er mwyn manteisio ar y cyfleoedd hyn.



Eluned Morgan AC/AM
Gweinidog y Gymraeg a Dysgu Gydol Oes
Minister for Welsh Language and Lifelong Learning

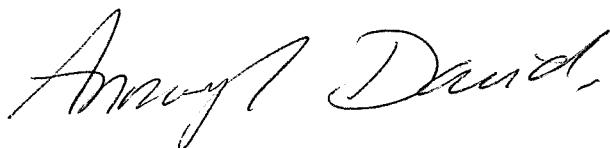


Eich cyf/Your ref P-05-808
Ein cyf/Our ref EM/00174/18

Llywodraeth Cymru
Welsh Government

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

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



April 2018

Thank you for your correspondence of 6 March concerning Petition P-05-808 *Welsh should not be compulsory for children with dyslexia and special needs*, addressed to the Cabinet Secretary for Education. Responsibility for Welsh language falls within my remit.

The Welsh Government is committed to creating an inclusive education system for all learners, regardless of their needs and background, to ensure all learners are able to access a high standard of education and reach their full potential. The Education Act 1996 places the legal duty on local authorities (LAs) to provide suitable education for all learners, including those who have special educational needs (SEN) such as dyslexia.

Welsh Government policy is for the Welsh language to have a firm place in the curriculum at all schools. The study of Welsh is a statutory requirement for all learners until the end of Key Stage 4 and this will continue to be the case in the new curriculum which will be rolled out to schools from 2020. Learning Welsh is just one part of a broad curriculum and our aim is for learners to receive focused interventions at school that help them reach their full potential across all subject areas.

We do not prescribe a set amount of time for the study of Welsh - this is a matter for individual schools and they have the freedom to organise their timetabling and delivery methods in ways that are appropriate for their learners. This includes school level strategies to support learners with SEN specific learning difficulties.

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1NA

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

Gohebiaeth.Eluned.Morgan@llyw.cymru
Correspondence.Eluned.Morgan@gov.wales

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynir 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 responding in Welsh will not lead to a delay in responding.

With regard to disapplication, in Wales some or all of the National Curriculum may be temporarily disapplied for a pupil if, for that particular time, it is inappropriate to him or her. For example, temporary exemption from particular subjects can be applied for pupils who have arrived from a different educational system to Wales and require a period of adjustment. Temporary disapplication is not intended to provide long-term exemption from the national curriculum provisions and is likely to be needed in rare circumstances only.

Head teachers have the discretion to issue a written general 'direction' explaining the action that is being taken and stating why exceptional arrangements are necessary. Any direction must specify when the exceptional arrangements will start and end, or the factors that will determine their ending. An initial direction may last no longer than six calendar months. However, it is expected that head teachers use their powers of direction sensitively and sparingly because all pupils should have the opportunity of benefiting from the full range of National Curriculum subjects.

There are practical advantages to learning Welsh for those who wish to live and work in Wales. Public and private sector companies are now actively encouraging the growth of bilingual workforces and the availability of Welsh-medium services to meet customer needs.

This is a clear indication of the economic benefits of Welsh language skills and we have a duty to ensure that all our young people are equipped with the skills they may need to take up such opportunities.

Yours Sincerely
Eluned Morgan

Eluned Morgan AC/AM
Gweinidog y Gymraeg a Dysgu Gydol Oes
Minister for Welsh Language and Lifelong Learning

Eitem 3.6

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 gwylt mewn perygl.

Etholaeth a Rhanbarth y Cynulliad

- Gogledd Caerdydd
- Canol De Cymru

Dyddiad /Date:
Gofynnwch am/Please ask for:
Llinell uniongyrchol/Direct line:
Ebost/Email:

28th February 2019
Tim Peppin
029 20 468669
tim.peppin@wlga.gov.uk

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



Dear Mr. Rowlands

Petition P-05-822 Ban plastic straws (when drinking milk) in our schools

Thank-you for your letter to our former Chief Executive, dated 27th July 2018, which was re-sent on 18th February by your Deputy Clerk, Ross Davies. Please accept apologies from WLGA that you did not receive a reply to the original letter. For some reason, of which we are not sure, no-one was assigned to pull together a response.

On a general note, WLGA is fully supportive of efforts to improve the environment for future generations and we were actively involved in promoting the Well-being Act to local authorities as it came into force. We have also encouraged local authorities to get involved in efforts to reduce marine litter, working with Keep Wales Tidy and the Marine Conservation Society.

In relation to the specific petition, milk is subsidised for schools by the UK Government, with payment administered by Welsh Government. The milk is packaged uniquely for schools in third of a pint containers. These used to be glass but now tend to be PET or in cartons (although glass is making something of a comeback). The unique packaging is available only through LA contractors and therefore 100% of milk is bought using LA contracts.

In terms of who orders the milk, though, it could be the schools themselves or the local authority depending on what is agreed. Alternatively, it could be a third party that organises the milk delivery as a value-added service to schools and reclaims administration costs from central government for a fee.

The straws in use for school milk may come attached to the containers. If the straws are purchased separately, again it could be the school, the LA, or possibly the third party that buys them. Consumables are low value, so will tend to be bought by whatever means is convenient at the time. It can therefore be very difficult for local authorities to control what is and isn't bought.

Dr Chris Llewelyn
Prif Weithredwr
Chief Executive

Cymdeithas Llywodraeth
Leol Cymru
Tŷ Llywodraeth Leol
Rhodfa Drake
CAERDYDD CF10 4LG
Ffôn: 029 2046 8600

Welsh Local Government
Association
Local Government House
Drake Walk
CARDIFF CF10 4LG
Tel: 029 2046 8600

wlga.cymru
wlga.wales

@WelshLGA

Having said that, many schools are actively involved in the Eco Schools initiative which encourages pupils to think positively about the environmental implications of the way their schools operate. It is good to see Ysgol y Wern County Primary School taking this matter seriously.

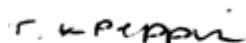
It is important to note that straws may be required for children with complex medical conditions. An outright ban on plastic straws could therefore have unintended consequences unless suitable alternatives are identified, available and affordable. Paper straws may be an option where glass bottles are used. However, for hygiene reasons these would have to be single use.

Several authorities have undertaken specific initiatives to try and eliminate plastic catering consumables. Examples include attempts to substitute plastics out of the catering disposables contract and to get single use plastic out of council main buildings. This has included working with suppliers to find alternatives. However, some of these initiatives have struggled to progress, given the limited availability of procurement resources.

The use and disposal of plastic products generally will continue to present a challenge. Efforts will continue to find ways of reducing use, encouraging recycling where appropriate and finding environmentally-friendly substitutes. WLGA will continue to offer advice and support to LAs wherever we can to help address the issue. The current Defra/Welsh Government consultations on Extended Producer Responsibility (see <https://beta.gov.wales/extended-producer-responsibility-packaging>) and plastic packaging (<https://www.gov.uk/government/consultations/plastic-packaging-tax>) may present new opportunities in this respect.

I hope this response is of some use to your committee in its ongoing consideration of the matter

Yours sincerely



Tim Peppin
Director of Regeneration and Sustainable Development



Ein cyf/Our ref MD/00547/18 David John Rowlands AM
Chair - Petitions committee.
National Assembly for Wales
Cardiff Bay
Cardiff Bay
CF99 1NA
Government.Committee.Business@gov.wales

Llywodraeth Cymru
Welsh Government

24 October 2018

Dear David,

Thank you for your response to my letter of 28 August. I provide below an update on how the pilot project in Pembrokeshire is progressing.

The pilot commenced in September and will run until December, at which point we will be able to provide more meaningful feedback on the outcomes. Seven schools have made the switch from plastic bottles to glass bottles and in some cases, using pergals to dispense milk. All seven participating schools have stopped using plastic straws for at least the duration of the pilot.

Upon completion of the pilot, my officials will undertake an evaluation of the effectiveness of the pilot, including the potential for wider implementation.

The evaluation will be supported by expertise from the Waste and Resources Action Programme (WRAP) Cymru and their delivery partners. It will include an assessment of impact of the eradication of plastic straws within the sample area, including the impact on the environment, costs and suppliers. This will be key in building our understanding of the implications of any potential ban and will provide an important contribution to the evidence base in this policy area.

I would like to say once again to how encouraged I am by the children of Ysgol y Wern for their active interest in this area.

Best wishes,

Mark

Mark Drakeford AM/AC
Ysgrifennydd y Cabinet dros Gyllid
Cabinet Secretary for Finance

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 Mlwyyddyn 1 yn syth, gan golli'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 ganolbwytio 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 o hirio 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

Mae cyfngiadau ar y ddogfen hon

**P-05-832 To Amend the School Admissions Code Relating to Summer-Born Children,
Correspondence – Petitioner to Chair, 13.03.19**

**Response to Petitions Committee (P-05-832)
Flexible School Admissions Wales Group**

SUMMARY OF RESPONSE:

- The School Admissions Code forces parents of summer-born children to choose between keeping their child out of formal schooling until age 5 (a legal right) or have the child miss the most important year of education.
- Section 3.30 of the Code is aimed at children already in formal education who may have to be held back a year, rather than the initial admission of children into reception. This is clearly reflected in local authorities' policies - the majority have no specific policy regarding the deferral of starting school, so instead apply policies for holding pupils back a year. This is wholly inappropriate.
- Given this, local authority policies show divergence in the way that the Code is implemented, creating a 'postcode lottery' at best, and a disregard of children's rights and parental wishes at worst. This is reflected in parents' experiences ([blue](#)).
- The Code is incompatible with the Education Act 1996, in the context of the admission of summer-born children.
- The Code is explicit that is no statutory right of appeal where admission has not been offered in the desired year group. Thus, if parents believe that the decision has not been made in the best interests of the child, there is no statutory right of redress.

1. Context

The law does not require a child to start school until the term following a child's 5th birthday, and given this, it is the parent's right to keep their child out of formal education until that time. The question that should therefore be considered by local authorities in respect of children turning 5 in the summer, is whether it is in the *best interests of the child* to start their education in reception or in year 1.

It would be difficult to argue that missing reception would be in the best interests of the child. Research has clearly identified the reception year as the most important school year and without firm foundations in areas taught in reception, a child's life chances can be severely restricted (Ofsted, 2017). However, parents of summer-born children, some of whom may have not reached social, emotional or academic maturity and readiness for school at age 4, are effectively forced to enrol their child an entire year earlier, or otherwise have their child's education entitlement reduced by one year, also missing the pivotal reception year.

Section 9 of the Education Act 1996 states that pupils are to be *educated in accordance with the wishes of the parents*, so far as that is compatible with the provision of efficient instruction and training and the avoidance of unreasonable public expenditure. Given that there should be no incompatibility with efficient instruction nor should there be *unreasonable* associated expenditure, the Welsh School Admissions Code does not respect this principle.

What is more, Section 3.30 of the Admissions Code largely refers to holding children back a year, rather than the deferral of entry into formal education; this is reflected in local authorities' policies. It is inappropriate to apply this provision of the Code and these policies to children entering education for the

first time, as the two issues will have very different considerations (see further **2.6 Gwynedd**). This has created an uncertain, inconsistent patchwork of policies across Wales, forcing some parents to turn to schools in England to secure education that is in the best interests of their child.

2. Local Authority Policies

We are grateful to Mr Rowlands AM and the Committee for contacting the local authorities. It is unfortunate that a number of local authorities opted not to respond to this request, particularly given that parents have reported recent, ongoing concerns, e.g.:

- A parent in Ceredigion reports that they have been given a ‘blanket no’, despite no discussion with the parents, school, or educational psychologist. The parent is awaiting a response to further inquiries after being told an ‘adequate’ education can be provided for the child. Under Article 29 of the UN CRC 1989, a child has the right to an education that develops their abilities to their fullest potential.
- A parent in Powys, having recently received a no (based upon the advice of professionals who had never met their child), is now seeking a school place for their child across the border in England. The English schools and authorities have been extremely helpful in discussing a deferred entry to reception. This child will now miss out on an education in Wales and in the Welsh language.
- In Caerphilly [1], a parent has recently received a ‘blanket no’. They have been waiting over 2 months for a response, while the authority is “waiting for further clarification from Welsh Government on the matter.”

Many parents also feel that the statistics provided will not be indicative of the real number of parents wanting flexible school admissions. Many parents report that they are told this is not an option or discouraged before formally applying for deferral, e.g.:

- A parent in Anglesey has recently been told by different people, (a) that such a thing does not exist, or (b) they would have to find out about it and let the parent know. The parent is still awaiting a reply since early January 2019.
- In Caerphilly [2], a headteacher was told by admissions that the authority would not allow a deferred entry into reception year. Worried of losing support for their child with ALN, the parent concerned did not formally apply for deferral. The child is now in *year 1*, has had extensive support, and is on par with children in the *reception* class. Much of the support would not have been required had a deferred start been possible.
 - Additionally, Caerphilly communicated that the parent would cause the child harm by forcing them to miss the reception year (had they waited to enrol until age 5). If authorities are aware that missing the year is detrimental, they are not considering the *best interests of the child* when deciding whether to admit summer-born children into reception or year 1.

In any case, the policies clearly evidence that change in in the Admissions Code is needed, and confirm:

- a) Divergence across Wales in how the Code is interpreted and implemented; uncertainty as to what will be considered sufficient by authorities in approving a deferred start.
- b) The Code provides for students already in education being held back a year, or moved up a year. Section 3.30 is not designed for the admission of children into reception year. The majority of authorities have no specific policy regarding deferral of starting school, so apply policies for holding pupils back a year.

Below is an overview of the local authorities’ responses; parental experience is highlighted in blue:

2.1 Anglesey

- Policy does not refer specifically to applications to delay admissions.

- Anglesey states that one application was made to delay school admission and that this was granted: the child attends reception year part-time with peers. However, this is not an example of a successful application to defer admission until the next year.

2.2 Bridgend

- No specific provisions in the admissions policy for summer-born children.
- Circumstances where a school place will need to be considered outside of a child's normal age range may include where a child has experienced problems or missed part of a year due to ill health. This evidently does not apply to the admission of children into formal schooling for the first time.

2.3 Cardiff

- No specific policy for summer-born children.
- The parent must evidence why the child should be placed outside of their chronological age and can submit written reports from medical, psychological or social worker professionals. Recommendations are made by authority representatives and sent to the Director of Education for approval.
- In Cardiff, one parent was forced to turn to legal counsel after the request for deferral was refused. The child is late summer-born and also has a medical issue. The parent was forced to place the child in an independent, private school at personal cost.
- Another parent has also had to turn to an independent school after refusal of the request, despite the child having significant delays, difficulties and health issues.

2.4 Carmarthen

- No specific policy regarding deferral of starting school, but do have definitive policies on holding pupils back a year.
- The single request to delay starting school entry, which the local authority considered an exceptional case based on premature birth, was successful.

2.5 Denbighshire

- Does not have a specific element within the admissions arrangements covering this area, and identifies that the Admissions Code does not cover summer-born children.
- Highlights that the authority 'should (not must)' consider these requests carefully.
- Operates a blanket policy: the authority will admit to the correct year and have advised schools that they should follow this same approach.
- Circumstances where schools have decided to teach outside the year group are 'very limited', and the authority does not have a mechanism for recording such requests.

2.6 Gwynedd

- Schools are advised that children should be taught, as a rule, within their chronological year group.
- The guidelines apply to pupils 'kept back for a year or more'.
- The guidelines refer to long-term detrimental effects for out of cohort pupils, however, the research upon which the policy relies upon relates to 'holding back' children or grade retention (keeping a child in the same school year for more than a year). This is not the same as summer-born children deferring a school start, where there is ample evidence that children benefit from more time to develop before their formal education begins (Whitebread, 2012; Layton,

2018) and that starting school too young can be harmful to children's mental health (Price et al, 2017). Applying this policy on held-back children to summer-born children is inappropriate.

2.7 Merthyr

- Parents have the right to defer their child's entry to school until the term following their fifth birthday - this is an existing legal right.

2.8 Monmouthshire

- Where a parent opts not to enrol their summer-born child in formal schooling until they are 5, the child would be admitted into year 1 and not reception.
- The local authority will only permit deferral in exceptional circumstances where there is a suitable evidence base (e.g. educational psychologist report).
- No requests to defer entry have been approved and the authority suggests that some requests are due to parents not getting a place at a preferred school.
- One child opted to attend a school in England where their request was granted. This child is now missing out on a Welsh medium education.

2.9 Newport

- Summer-born children entering school at 5 years old will be admitted into year 1.
- All requests for deferral in the past 3 years were refused.

2.10 Rhondda Cynon Taf

- No specific policy for deferring entry into school.
- Requires a multi-agency meeting involving the family and relevant professionals, approval will be given if there are strong grounds.

2.11 Swansea

- No separate policy for summer-born children.
- To be successful, evidence must be shown of significant delay and little progress.

2.12 Torfaen

- The authority states it does not operate a one size fits all policy, and would consider each case on its merit.
- Suggests that the Admissions Code states that it is not normally appropriate for [summer-born] children to be admitted to a non-cohort age group, however it is submitted that the provision in the Code applies to holding children back (or moving up) a year.

2.13 Wrexham

- Policy refers to deferred entry within the same school year, rather than deferred admission to reception year.

Arwyn Williams
Pennaeth Dysgu / Head of Learning

CYNGOR SIR YNYS MÔN
ISLE OF ANGLESEY COUNTY COUNCIL
Adran Dysgu Gydol Oes / Lifelong Learning Dept.
Swyddfeydd y Cyngor / Council Offices
LLANGEFNI
Ynys Môn - Anglesey
LL77 7TW

ffôn / tel: (01248) 752900 ffacs / fax: (01248) 724264

Gofynnwch am - Please ask for: Gwyneth Mon Hughes

ffôn / tel (01248) 752908 ffacs / fax (01248) 724264

E-Bost - E-mail: gmhed@anglesey.gov.uk
Ein Cyf - Our Ref. gmh/dgg
Eich Cyf - Your Ref.

Cynulliad Cenedlaethol Cymru
Y Pwyllgor Deisebau
Bae Caerdydd
Caerdydd
CF99 1NA

20/12/2018

Annwyl Mr Rowlands

DeisebP-05-832 Diwygio'r Cod Derbyn i dan ddeddf Safonau a Fframwaith Ysgolion 1998 Ysgolion ynghylch Plant a Anwyd yn ystod yr Haf.

Ar ôl derbyn eich ymholiad am fanylion polisiau derbyn lleol a'r ffordd caiff ceisiadau gan rieni i ohirio mynediad eu plentyn i ysgol llawn amser, cyfeiriaf at bolisi mynediad a llawlyfr blynnyddol 'Gwybodaeth i Rieni' i'ch sylw.

Mae'r ddogfen yn rhoi gwybodaeth i rieni am bolisiau a threfniadau addysgol Awdurdod Lleol Môn yn unol â'r gofyn sy'n sefydlu fframwaith cyfreithiol ar gyfer derbyniadau i ysgolion. Nid yw'r Polisi yn cyfeirio'n benodol am geisiadau i ohirio mynediad, ond nodir yn glir nad yw'r gyfraith yn mynnu bod plentyn yn dechrau'r ysgol yn llawn amser tan ddechrau'r tymor yn dilyn pumed pen-blwydd y plentyn:-

CYNRADD - ym y Medi yn dilyn pen-blwydd yn 4 oed. (Y Medi yn dilyn y 4ydd pen-blwydd ydi'r oedran perthnasol hyd yn oed yn yr ysgolion cynradd sy'n derbyn plant yn rhan amser yn y mis Medi yn dilyn y 3ydd pen-blwydd).

NODER: Nid yw'r gyfraith yn mynnu bod plentyn yn dechrau'r ysgol yn llawn amser tan ddechrau'r tymor yn dilyn pumed pen-blwydd y plentyn.

Yn arferol derbynir plant i ysgolion cynradd ym Môn unwaith y flwyddyn, yn y Medi yn dilyn eu pen-blwydd yn 4 oed. Yr unig eithriadau i fynediad yn y Medi yn dilyn pen-blwydd yn 4 oed fydd mewn achosion arbennig lle bydd yr Awdurdod o'r farn y byddai peidio caniatáu mynediad cynnar yn niweidiol i ddatblygiad addysgol a/neu gymdeithasol y plentyn yng nghyd-destun gofynion Deddf Plant1989 neu Restr Amddiffyn Plant.

Mae gan Cyngor Sir Ynys Môn Fforwm Mynediad ar gyfer ymgynghori a thrafod materion sy'n codi o'r trefniadau mynediad. Mae prifathrawon, llywodraethwyr, yr Awdurdod Lleol, asiantaethau sy'n cefnogi disgylion ag anghenion addysgol arbennig ac awdurdodau addysg esgobaethol yn cael eu cynrychioli ar y Fforwm. Mae'r Fforwm yn datblygu consensws lleol sydd hefyd yn sicrhau fod trefniadau mynediad yn cydwedd a'i **materion perthnasol** megis cynllunio lleoedd mewn

ysgolion, darparu ar gyfer plant ag anghenion arbennig, newid rhifau mynediad, dalgylchoedd a.y.b.

Yn ystod y tair blynedd diwethaf daeth un cais i law i ohirio mynediad i'r ysgol a hynny oherwydd bod y plentyn wedi ei eni yn yr haf ac ym marn y rhieni nid oedd yn barod i ddechrau ysgol amser llawn oherwydd ei dyddiad geni.

Caniatawyd y cynnig ac ar hyn o bryd mae'r plentyn hwnnw yn mynchu'r ysgol rhan amser gyda'i gyfoedion o fewn blwyddyn Derby.

Hyderaf fod y wybodaeth uchod o fudd i chi wrth symud ymlaen gyda'r gwaith .

Yn gywir,

Gwyneth Môn Hughes

Gwyneth Môn Hughes
Uwch Reolwr Safonau a Chynhwysiad

Croeso i chi ddelio gyda'r Cyngor yn Gymraeg neu'n Saesneg. Cewch yr un safon o wasanaeth yn y ddwy iaith. You are welcome to deal with the Council in Welsh or English. You will receive the same standard of service in both languages.

Mae cyfngiadau ar y ddogfen hon

P-05-832 To Amend the School Admissions Code Relating to Summer-Born Children, Correspondence – Bridgend County Borough Council to Chair, 01.03.19

Dear Mr Rowlands AM

Thank you your letter regarding Petition P-05-832 To Amend the School Admissions Code Relating to Summer-Born Children. Please accept my apologies for the delay in my response.

The local authority publishes its School Admissions Policy and Arrangements on an annual basis. There is no specific provision in this policy for summer-born pupils. However, the following section applies:

20. ADMISSION OUTSIDE THE NORMAL AGE GROUP

Occasionally the parents/carers of gifted or talented children will seek a school place for their child outside their normal age. The local authority will consider each case individually and make its decision in consultation with the school and parent/carer.

Other circumstances where a school place will need to be considered outside of a child's normal age range may include where a child has experienced problems or missed part of a year due to ill health.

Where the local authority considers that an out of year group application is appropriate but that application is refused due to no places being available at the school, the parent/carer will be offered a right of appeal. However, there is no right of appeal if a place has been offered, but not in the desired year group (ie where the place offered is in the correct chronological year group for the child's age).

Therefore, as the local authority does not identify summer born pupils as a special category of learner, a decision would be made on a case-by-case basis, taking into consideration 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. I can confirm there have been no requests made for deferred admissions in the last three years.

I trust this information will be of assistance to you.

Yr eiddoch yn gywir/Yours sincerely

Lindsay Iorwerth Harvey (Mr)

**Uned Cymorth Cyfarwyddiaeth Addysg a Chymorth i Deuluoedd (UCCACD)
Education and Family Support Directorate Support Unit (EDSU)**

**Cyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr
Bridgend County Borough Council**

My Ref: NB/HAE
Your Ref:

7th January, 2019



Neuadd y Sir
Caerdydd,
CF10 4UW
Ffôn: (029) 2087 2088
www.caerdydd.gov.uk
County Hall
Cardiff,
CF10 4UW
Tel: (029) 2087 2087
www.cardiff.gov.uk

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

Dear Mr Rowlands,

Petition P-05-832 to amend the School Admissions Code Relating to Summer-Born Children

Thank you for your questions in relation to Cardiff Council's management of deferred/delayed admissions and, specifically, to summer-born children.

Cardiff Council's Education Directorate holds a policy on Out of Chronological Age admissions. The policy explains that parents who are requesting their child be placed into a year group that is outside of their chronological age at the point of admission must request this to the Local Authority. The parent's request must evidence why their child should be placed outside of their chronological age. The parents can submit written reports from medical, psychological or social worker professionals. A meeting will be held with the parents and representatives from Cardiff Admissions and Inclusion teams. The purpose of the meeting will be to ascertain the individual needs of the child where all evidence is weighed to determine the best interests of the child. Recommendations are made by the Local Authority representatives and this is sent to the Director of Education for approval.

Cardiff Council does not hold a policy that is specific for summer-born children.

Please see the table below for data on Cardiff Council admissions outside of a child's chronological year group.

| | 16-17 | 17-18 | 18-19* |
|---|-------|-------|--------|
| Total requests received | 1 | 2 | 5 |
| Total requests granted | 1 | 0 | 3 |
| Total requests rejected | 0 | 2 | 2 |
| Summer-born children requests received | 1 | 2 | 3 |

PLEASE REPLY TO: Education and Lifelong Learning Service, Room 436, County Hall, Cardiff CF10 4UW Tel (029) 2087 2700

e-mail Nick.Batchelor@cardiff.gov.uk

GWEITHIO DROS GAERDYDD, GWEITHIO DROSOCH CHI

Mae'r Cyngor yn croesawu gohebiaeth yn Gymraeg, Saesneg neu'n ddwyieithog.
Byddwn yn cyfathrebu â chi yn ôl eich dewis, dim ond i chi roi gwybod i ni pa un
sydd well gennych. Ni fydd gohebu yn Gymraeg yn arwain at oedi.

WORKING FOR CARDIFF, WORKING FOR YOU

The Council welcomes correspondence in Welsh, English or bilingually. We will ensure that we communicate with you in the language of your choice, as long as you let us know which you prefer. Corresponding in Welsh will not lead to delay.

Tudalen y pecyn 99



UCHELGAIS
PRIFDDINAS
CAPITAL
AMBITION

| | | | |
|---|---|---|---|
| Summer-born children requests approved | 1 | 0 | 3 |
| Summer-born children requests rejected | 0 | 2 | 0 |
| Summer-born children admitted outside their year group | 1 | 0 | 3 |

*2 requests in academic year 18-19 were for twins

The data above shows that Cardiff Council receives very few requests for placements outside of a child's chronological year group. We receive even fewer requests based on children being summer-born. Some requests from parents of children who are summer-born were approved due to other circumstances not related to being summer-born. For example, one request approved in 18-19 was based on their language, home environment and capacity to excel within Welsh-medium education and not due to them being summer-born.

For your convenience and information, I have attached our policy on Out of Chronological Age admissions.

Please do not hesitate to get in contact should you have any further questions or queries on this matter.

Yours sincerely

Nick Batchelor
Director of Education and Lifelong Learning/
Cyfarwyddwr Addysg a Dysgu Gydol Oes

Eich cyf / Your ref:

Gofynnner am / Please ask for:

Mr. Gareth Morgans

Fy nghyf / My ref:

Llinell Uniongyrchol / Direct Line:

01267 246522

Dyddiad / Date:

24-12-18

E-bost Uniongyrchol / Direct E-mail:

EDGMorgans@sirgar.gov.uk

EDGMorgans@carmarthenshire.gov.uk

David J Rowlands, AM,
National assembly for Wales,
Cardiff Bay,
Cardiff,
CF99 1NA

Petition P-05-832

To Amend the School Admissions Code Relating to Summer-Born Children

Thank you for your letter dated December 5th in regard to the issues noted above.

As an Admissions Authority we have a clearly defined policy which is consulted upon annually. The current policy can be found via this link- [Carmarthenshire County Council's School Admissions Policy](#).

As an Admissions Authority we do not have a specific policy regarding deferral of starting school but we do have definitive Position Statements in regard to **Holding Pupils Back a Year** and **Moving them Up a Year** outside of their chronological school year group. These can be provided if you require them.

In the last three years we have only had one parental request to delay starting school entry and to enter a school year that is one year behind the chronological school year.

This was an exceptional case where the child was born extremely prematurely (14 weeks) with medical complications. The child should have been born in November if they had gone to term, but was born at the end of August. The Parents requested that the child be allowed to start in the school year that she should have been born into and presented supportive evidence from the neonatal consultant pediatrician and Bliss, a lobby group for prematurely born children, to be educated in the cohort based on their expected birth date. The Local Authority agreed to this as an exceptional case.

We consider each individual case and come to a decision based on the evidence provided.

Yours sincerely,



Gareth Morgans

GARETH MORGANS B Ed. M. Sc

Cyfarwyddwr Addysg a Gwasanaethau Plant
Adran Addysg a Phlant, Adeilad 2, Parc Dewi Sant,
Heol Ffynnon Job, Caerfyrddin, Sir Gaerfyrddin. SA31 3HB
Director of Education and Children's Services
Department for Education and Children,
Building 2, St. David's Park, Jobs Well Road,
Carmarthen, Carmarthenshire. SA31 3HB

*Mae Cyngor Sir Caerfyrddin yn croesawu
gohebiaeth yn Gymraeg neu yn Saesneg
Carmarthenshire County Council welcomes
members in Welsh or English*

Tudalen y pecyn 101



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P-5-832 To Amend the School Admissions Code Relating to Summer-Born Children, Correspondence – Ceredigion Council to Chair, 21/12/18

- **details of your authority's policy in relation to requests for a deferral of school admission**

See attached Ceredigion's School Admission Policy, point 4.2 and Ceredigion's SEN Strategy, Policy and Procedures, page 46.

- **any specific policy you operate in relation to requests for deferrals for summer-born children (those born between 1 April and 31 August)**

no specific policy

For each of the past 3 years:

- **the number of requests for deferral of school admission received**

2016 – 2 formal requests

2017 – 3 formal requests

2018 – 3 formal requests

- **the number of requests that were granted or rejected**

All requests were rejected for 2016, 2017 and 2018

- **the number of requests for deferral of school admission for the reason that a child was 'summer-born' (as defined above) or not ready to start fulltime school due to the date of their birth**

2016 – 2

2017 – 3

2018 – 3

- **the number of these requests that were granted or rejected**

All requests were rejected for 2016, 2017 and 2018

- **for any requests granted, whether those children were subsequently admitted within or outside of their normal age group**

None were granted.

P-05-832 To Amend the School Admissions Code Relating to Summer-Born Children, Correspondence – Denbighshire County Council to Chair, 12.12.18

Dear David Rowlands AM,

Petition P-05-832 To Amend the School Admissions Code Relating to Summer-Born Children

Thank you for your letter dated 4th December 2018.

I can confirm that Denbighshire does not have a specific element within our Admissions arrangements covering this area. The Schools Admissions Code (section 3.30) specifies that the Authority *should* (not *must*) '*consider these requests carefully and make decisions on the basis of the circumstances of each case*'; however, this section in the Code refers to '*gifted and talented children or those who have experienced problems or missed part of a year*'. Therefore the specific case of 'summer –born' children is not presently covered in the Code. Neither, under the Code, do parents/carers have the ability to appeal any decision for an alternate year group if they are in receipt of an offer for the desired school in the correct year.

In regard to Denbighshire's approach, the Authority will admit to the correct year, and have advised our schools that they should follow this same approach; recommending they teach children to their appropriate level within the relevant curriculum year group. There may be limited circumstances where schools have made a decision to teach a child outside of their expected year group; however, these circumstances will be very limited. Presently Denbighshire only has 11 children to whom this would apply; 9 in secondary education and 2 in primary. Of these 11 children only 2 are August summer-born; which is 0.01% of our total cohort (Nursery to Year 13). I note that in these limited circumstances, any decision to move school year will have been in consultation with the Authority and following extensive teacher observations, test data and advice (if applicable) from other relevant educational professionals.

In regard to the specific questions asked in your correspondence, we are unable to answer these. The Authority does not have a mechanism for recording such requests as this does not form part of our Admissions arrangements. However, we are aware that such requests are extremely infrequent and usually relate to more able and talented children; something which is managed within the school process mentioned above.

I trust this has been of assistance.

Yours sincerely

Judith Greenhalgh
Prif Weithredwr Cyngor Sir Ddinbych / Chief Executive of Denbighshire County Council

P-05-832 Diwygio'r Cod Derbyn i Ysgolion ynghylch Plant a Anwyd yn ystod yr Haf, Gohebiaeth – Cyngor Gwynedd at y Cadeirydd

Annwyl David J Rowlands

Ar ran Dilwyn O Williams (Prif Weithredwr Cyngor Gwynedd) fe gyflwynaf atebion Gwynedd i'ch ymholiad isod.

- Manylion polisi eich awdurdod mewn perthynas â cheisiadau am ohirio mynediad i'r ysgol;
- Unrhyw bolisi penodol rydych chi'n ei weithredu mewn perthynas â cheisiadau am ohiriadau ar gyfer plant a anwyd yn yr haf (y rhai a anwyd rhwng 1 Ebrill a 31 Awst);

Atodaf ein polisi ynglŷn â derbyn y tu allan i'r grŵp oedran arferol sydd yn cyd-fynd â Chod Derbyn Llywodraeth Cymru. Er na fyddai gan amlaf yn briodol i blentyn gael ei roi mewn grŵp blwyddyn nad yw'n cyd-fynd â'u hoedran cronolegol rydym yn ystyried pob cais yn ofalus a phenderfynu ar sail amgylchiadau pob achos a drwy ymgynghori â'r rhieni a'r ysgol, ac yn benodol, beth fyddai fwyaf buddiol i'r plentyn. Byddwn yn ystyried adroddiad gan Seicolegydd Addysg mewn pob achos.

Ar gyfer pob un o'r tair blynedd diwethaf:

- nifer y ceisiadau a ddaeth i law i ohirio mynediad i'r ysgol;
- nifer y ceisiadau a ganiatawyd neu a wrthodwyd;
- nifer y ceisiadau am ohirio mynediad i'r ysgol oherwydd bod plentyn wedi'i eni yn yr haf (fel y'i diffinnir uchod) neu oherwydd nad oedd yn barod i ddechrau ysgol amser llawn oherwydd ei ddyddiad geni;
- nifer y ceisiadau hyn a ganiatawyd neu a wrthodwyd; ac
- yn achos unrhyw geisiadau a ganiatawyd, a gafodd y plant hynny eu derbyn wedi hynny yn eu grŵp oedran arferol neu y tu allan iddo.

Nid yw'r Awdurdod Mynediad wedi derbyn unrhyw gais ffurfiol gan rieni i ddechrau yn flwyddyn Derbyn yn lle blwyddyn 1 yn ystod y 3 mlynedd diwethaf.

Yn gywir

Owen Owens

Uwch Reolwr Gwasanaeth Adnoddau Addysg

Senior Manager Education Resources Service

Swyddfa'r Cyngor

Caernarfon

GWYNEDD

LL55 1SH

Arweiniad ar gyfer ysgolion (a sefydliadau eraill yr awdurdodau lleol) ynghylch lleoli plant tu allan i'w grŵp cronolegol.

1. Caiff ysgolion eu cynghori y dylid addysgu plant, fel arfer, o fewn eu grŵp blwyddyn cronolegol.
2. Ceir tystiolaeth nad yw gosod plant mewn dosbarthiadau o blant iau, ar y gorau, yn amharu o gwbl ar eu canlyniadau yn y tymor hir, ac ar y gwaethaf, gall arwain at iechyd emosiynol mwy bregus, cyraeddiadau is a gwaeth rhagolygon o ran cyflogaeth.
3. Prin yw'r dystiolaeth bod plant yn elwa o fod mewn dosbarth gyda grŵp o oedran iau na hwy. Ceir peth tystiolaeth o welliannau byr dymor o ran cyflawniad, ond ceir dirywiad o ran cyflawniad, sy'n is na chyfoedion na chedwir yn ôl. Ymhlieth yr effeithiau hir dymor mae cynnydd mewn 'cyfraddau rhoi'r gorau i addysg a chyrhaeddiad academaidd is, diffyg hunan barch, a chyfraddau is o ran presenoldeb yn yr ysgol, o'i gymharu â chyfoedion na chedwir yn ôl.
4. Y cyfiawnhad arferol
Fel arfer, caiff un o'r canlynol eu cynnig fel cyfiawnhad dros osod disgyblion mewn grŵp blwyddyn nad yw'n grŵp a berthyn i'w hoedran cronolegol:
 5. i.) Bod y disgybl yn meddu ar sgiliau deallusol eithriadol, ei fod wedi ei ynysu fel dysgwr yn eu grŵp cyfoedion presennol, ac yn peri anawsterau mawr i athrawon o ran darparu estyniad priodol i'r cwricwlwm.
 6. ii.) Bod gan y disgybl oediad eithriadol o ran sgiliau deallusol, na all gymryd rhan mewn tasgau dysgu grŵp, a'i fod yn peri anawsterau mawr i athrawon o ran gwahaniaethu cwricwlwm.
 7. iii.) Yn aml mewn cydgysylltiad â (ii), mae gan y disgyblion hyn oediad emosiynol, ni allant ffurfio perthnasoedd digonol gyda'u cylch cyfoedion, ac maent mewn perygl o gael eu hynysu.
 8. iv.) Bu'r disgybl yn absennol am gyfran helaeth o'r flwyddyn oherwydd salwch neu am resymau eraill.
 9. v.) Oherwydd cyflwr corfforol neu lesgedd y disgyblion, ymddengys eu bod angen amgylchfyd llai peryglus nac sy'n bodoli mewn dosbarthiadau ar gyfer eu gwir grŵp oedran.
 10. vi.) Ceir plant sydd newydd gyrraedd y DU nad ydynt wedi cael blas o'r cwricwlwm Cenedlaethol dwyieithog ac sydd angen amser i addasu i fywyd ysgol yn y gwledydd hyn.

Y Goblygiadau i'r disgybl.

Disgyblion mewn grŵp oedran hŷn:

11. Mae'n bur bosibl bod disgyblion a osodir mewn grŵp blwyddyn ar y blaen i'w hoedran cronolegol, yn cael eu hysgogi neu'n teimlo'n llai rhwystredig mewn meysydd ble maent yn rhagori nag y buasent pe baent yn eu grŵp oedran cronolegol. Ar y llaw arall, gall y byddant yn wynebu heriau mewn meysydd ble efallai nad yw eu cryfderau a'u hadnoddau personol wedi datblygu cymaint. Yn neilltuol, gall disgyblion nad yw eu haeddfedrwydd corfforol, cymdeithasol ac emosiynol yn cyfateb i'w haeddfedrwydd deallusol eithriadol, ei chael yn anodd cymdeithasu yn yr ysgol. Gall hyn arwain at ganlyniadau emosiynol sylweddol, yn enwedig yn ystod llencyndod.
12. Fodd bynnag, ble mae aeddfedrwydd cyffredinol disgyblion yn fras yn unol ag aeddfedrwydd deallusol, gallant elwa o gael eu lleoli o flaen eu hoedran cronolegol. Ond dylid cadw mewn cof y gellir, o ddilyn yr un cwricwlwm wedi ei gyfoethogi a gyda'r un grŵp oedran cronolegol, sicrhau canlyniadau tebyg ac y bydd yn golygu llai o risg.
13. Unwaith mae disgyblion wedi trosglwyddo i grŵp blwyddyn CC uwch, mae'n anodd gwrth-droi'r newid, a bydd yn golygu ailadrodd blwyddyn CC. Mae'n felly'n bwysig ystyried canlyniadau symudiad o ran cerrig milltir addysgol pwysig bydd y disgybl yn cyrraedd blwyddyn neu ragor o flaen yr oedran arferol, yn trosglwyddo i'r cam nesaf, TGAU ac yn gadael yr ysgol. Mae'n werth nodi na all disgyblion derfynu eu haddysg yn 15 oed, ac felly, gall bydd yn ofynnol iddynt drosglwyddo'n gynnar i'r chweched dosbarth neu goleg addysg bellach.
14. Dylai athrawon, rhieni a disgyblion gwrdd â'r Gwasanaeth Seicoleg Addysgol a'r Gwasanaeth Ymgynghorol i drafod goblygiadau trosglwyddo i grŵp blwyddyn hŷn.

Lleoli mewn grŵp blwyddyn iau.

15. Mae ystyriaeth debyg, er ei fod i'r cyfeiriad arall, yn berthnasol i ddisgyblion a gedwir yn ôl flwyddyn neu ragor o flynyddoedd'. Anaml iawn y caiff cryfderau ac adnoddau disgybl eu cyfyngu'n gyson mewn pob maes, a gall naws o ddisgwyliadau cyffredinol isel fod yn broblemus. Mae hyn yn peryglu yn arbennig ddatblygiad sgiliau corfforol, emosiynol a chymdeithasol.
16. Dylai ysgolion a theuluoedd gymryd gofal ynghylch cadw plant a gânt eu geni yn ystod yr haf mewn blwyddyn is o ran CC. Gall bydd y disgyblion hyn yn meddu ar gyraeddiadau a sgiliau cymdeithasol is nac eraill yn eu blwyddyn CC, a hynny'n unig oherwydd iddynt gael llai o amser ar gyfer addysgu a dysgu. Dylai ysgolion gymryd camau priodol i ddelio â hyn yn nosbarth arferol y plentyn, trwy wahaniaethu'r cwricwlwm yn ôl yr arfer.
17. Unwaith eto, os yw disgyblion allan o'r flwyddyn CC gywir, mae'n anodd gwrthdroi'r newid a gall y byddant, o "drosneidio" yn ôl i'r flwyddyn CC

gywir, yn cael profiadau anodd ac annymunol. Os ydynt yn parhau â'u haddysg mewn blwyddyn CC is, byddant yn cyrraedd y cerrig milltir addysgol pwysig; bydd hawl ganddynt adael yr ysgol cyn cwblhau eu TGAU. Ac os ydynt yn neidio blwyddyn, neu'n aros mewn blwyddyn CC is, ac yn cwblhau eu haddysg o fewn oedran arferol ysgol, byddant yn colli'n gyfan gwbl y rhaglen waith am Flwyddyn Gwricwlwm Genedlaethol gyfan mae ganddynt hawl statudol i'w derbyn.

Goblygiadau i ysgolion

18. Dylai ysgolion fod yn ymwybodol o'r goblygiadau o symud disgyblion allan o'r flwyddyn CC gywir. Gall y penderfyniad i symud disgybl allan o flwyddyn effeithio ar fynediad pan mae gormod wedi ymgeisio am leoedd yn y 'flwyddyn dderbyn', a gall hynny fod yn drafferthus iawn yn CA1, ble na all unrhyw ddosbarth babanod sy'n cynnwys plant 5, 6 neu 7 oed, fod â chymhareb uwch na 30 o ddisgyblion i un athro/athrawes, mae angen cyflogi athro/athrawes ychwanegol os ceir disgybl ychwanegol uwchben y rhif hwn.
19. Ni ellir gwneud eithriad o ran disgyblion a osodir tu allan i oedran cronolegol. Gall disgyblion sy'n cael eu lleoli beri i'r ysgol orfod talu am athrawon ychwanegol. Gallant atal lleoedd ar gyfer disgyblion sydd i gael mynediad, a ble gall y lleoliad fod yn briodol neu'n angenrheidiol. Gall bydd "ysgolion sy'n derbyn" yn wynebu anawsterau tebyg, wrth drosglwyddo cyfnod ar ddiwedd cyfnodau allweddol.

Datganiad o AAA

20. Gall bydd lleoli disgyblion ar ddatganiadau tu allan i'r flwyddyn CC yn arwain at gostau ychwanegol. Os, ar ôl iddynt ail-adrodd blwyddyn CC yn gynharach yn yr ysgol, mae disgyblion ar ddatganiadau yn aros blwyddyn ychwanegol i gwblhau eu haddysg; byddant angen blwyddyn ychwanegol o gyllid ar gyfer y ddarpariaeth testun datganiad.
21. Ceir hefyd oblygiadau i ddisgyblion sy'n destun datganiad AAA ac sy'n trosglwyddo i flwyddyn CC o flaen eu hoedran gronolegol, ac yna'n trosglwyddo o'r ysgol i'r coleg flwyddyn yn gynnar. Mae'r AALL yn gyfrifol am ddisgyblion ar ddatganiad o AAA nes maent yn 19 oed, ond aiff y datganiad yn ddi-rym os yw disgybl yn mynychu coleg cyn cyrraedd 19 oed. Efallai bydd ar rai disgyblion angen gwneud trefniadau arbennig i fynychu'r chweched dosbarth neu'r Coleg Addysg Bellach.

Canllawiau Arfer Dda

22. Mae hawl gan bob plentyn gael ei addysgu gyda'i gyfoedion ef neu hi. Mae'r ysgol yn gyfrifol am ddelio ag anghenion unigol trwy gwricwlwm wedi ei bersonoli ac sydd yn wahaniaethol neu wedi ei gyfoethogi.
23. O dan amgylchiadau eithriadol yn unig y dylai ysgolion ystyried symud disgyblion allan o'r flwyddyn CC. Dylid ystyried y lleoliad yn flynnyddol, a

chyd-benderfynu prun ai i gadw plentyn allan o'u grŵp blwyddyn arferol neu eu lleoli yn ôl gyda'u cyfoedion.

24. I gyfiawnhau gorfodi disgylb i aros i lawr flwyddyn, mae'n ofynnol bod sgiliau addysgol y disgylb ar draws y rhan fwyaf o bynciau ymhell islaw'r safon sy'n arferol yn eu blwyddyn CC briodol; ac y ceir tystiolaeth bod ymdrechion rhesymol yr ysgol i addasu a'i hymdrechion priodol i bersonoli'r cwricwlwm wedi bod yn aflwyddiannus.
25. O ganlyniad, dylai'r disgylb dderbyn datganiad AAA, a dyliid paratoi Cynllun Addysg Unigol ar ei gyfer ef hi sy'n cynnwys yn benodol waith ar yr hyn sydd ei angen ar gyfer eu blwyddyn CC briodol. Dylai unrhyw gynnig i drosglwyddo'r disgylb o'r grŵp oedran cronolegol fod wedi cael ei gadarnhau yn ystod y cyfarfod adolygu diweddar a fynychwyd gan rieni a'r disgylb.
26. Ni ddylai disgylbion aros eu blwyddyn CC briodol am gyfnod amhenodol. Dylent ddychwelyd i'w blwyddyn CC briodol cyn gynted a bo modd ac fel arfer erbyn diwedd y flwyddyn CC.
27. Yn ystod y cyfnod pan mae'r disgylb allan o'i flwyddyn, dylai'r cwricwlwm fod yn wahanol yn ei hanfod o ran targedau, trosglwyddo a chefnogaeth er mwyn galluogi cynnydd mwy cyflym yn y meysydd hynny sy'n hanfodol ac er mwyn sicrhau bod y disgylb yn dychwelyd yn llwyddiannus i'r grŵp blwyddyn cywir. Y nod ddylai sicrhau bod y plentyn yn gwneud cynnydd cyflym ac y gellir cynnal y cynnydd hwnnw hyd yn oed ar ôl i'r cyfnod o leoli disgylb tu allan i flwyddyn, ddod i ben.

Ni ddaethpwyd ar draws papurau cyhoeddodedig ble ceir canlyniadau positif yn sgil ailadrodd blwyddyn yn yr ysgol, neu oedd yn arfarnu effaith gosod plentyn gyda grŵp blwyddyn hŷn.

Llyfryddiaeth

1. Byrnes, D.A. & Yamamoto, K (1985) Academic retention of elementary pupils: An inside look. *Education*, 106, 2, 208-214.
2. Cadieux, A. (2003) A 3-year longitudinal study of self-concept and classroom behaviour of Grade 1 retained pupils. *Perceptual, and Motor Skills*, 93, 2, 371-378.
3. Clatworthy, V (2005) The Perceptions of Parents, Pupils and Teachers on Grade Retention. MSc Dissertation (unpublished), University of Bristol.
4. Eide, E.R and Showalter, M.H. (2001) The effect of grade retention on educational and labour market outcomes. *Economics of Education Review*, 20, 563-576.

5. Ferguson, P.C. (1991) Longitudinal outcome differences among promoted and transitional at-risk kindergarten students. *Psychology in the Schools*, 28, 2, 139-146.
6. Honffy, M. & Bachlechner, M. (1977) Children whose education is delayed: An initial evaluation of the study. *Praxis der Kinderpsychologie und Kinderpsychiatrie*, 26, 5, 176-184.
7. Hong, G & Raudenbush, S.W. (2005) Effects of Kindergarten Retention Policy on Children's Cognitive Growth in Reading and Mathematics. *Educational Evaluation and Policy Analysis*, 27, 3, 205-224.
8. Jimerson, S., Carlson E., Rotert, M., Egeland, B., & Sroufe, L.A. (1997) A prospective, longitudinal study of the correlates and consequences of early grade retention. *Journal of School Psychology*, 35, 1, 3-25.
9. Mantzicopoulos, P. (1997) Do certain groups of children profit from early retention? A follow-up study of kindergarteners with attention problems. *Psychology in the Schools*, 34, 2, 115-127.
10. Mantzicopoulos, P. & Morrison, D. (1992) Kindergarten retention: Academic and behavioural outcomes through the end of the second grade. *American Educational Research Journal*, 29, 1, 182-118.
11. Peterson, S.E., DeGracie, J. S. & Ayabe, C. R. (1987) A longitudinal study of the effects of retention/promotion on academic achievement. *American Educational Research Journal*, 24, 1, 107-118.
12. Westbury, M. (1994) The effect of elementary grade retention on subsequent school achievement and ability. *Canadian Journal of Education*, 19, 3, 241-250.
13. John Hattie – The major issues in the retention debate.
<http://www.arts.auckland.ac.nz/FileGet.cfm?ID=4a924c93-057d-4c0e-8f32-36c11af6113c> Retrieved 18th July 2006.
14. National Association of School Psychologists – Position Statement on Student Grade Retention and Social Promotion.
www.nasponline.org/information_pospaper_graderetent.html. Retrieved 18th July 2006
15. United Nations Educational, Scientific and Cultural Organisation – The Salamanca Statement and Framework for Action on Special Needs Education.
<http://unesdoc.unesco.org/images/009/000984/098427eo.pdf> Retrieved 18th July 2006

Diolch i:

Awdurdodau lleol Birmingham City, Cheshire, Derby City, Salford, South Gloucestershire, West Lothian, Staffordshire a Dinbych am ddarparu polisiau fel esiampl.

Mae cyfngiadau ar y ddogfen hon

Mae cyfyngiadau ar y ddogfen hon

P-05-832 To Amend the School Admissions Code Relating to Summer-Born Children, Correspondence – Merthyr Tydfil CBC Council to Chair, 13.02.19

With apologies for the lateness of return,

This particular subject is referenced within the LA's Admission Policy, as per WG recommendation within the Statutory School Admissions Code 2013, that a statement should be included advising parents of their right to defer entry.

There is also reference made to deferment in our 'A Guide to Policy and Admission Arrangements 2019-20' booklet.

'Attendance between the age of 3 to the date of the child's fifth birthday is optional and parents have the right to defer their child's entry to school until the term following their fifth birthday.'

We have had no requests for deferred entry over the past 3 years. I have attached our admissions booklet for your information.

Sue Walker

SUE WALKER

Prif Swyddog (Dysg)/Prif Swyddog Addysg
Chief Officer (Learning)/Chief Education Officer

P-05-832: To Amend the School Admissions Code Relating to Summer-Born Children. Correspondence from Monmouthshire County Council, 11.02.19

Dear colleague

Please find below a response from Monmouthshire to your questions regarding Summer Born children. Please accept my sincere apologies for the delay.

1) Details of your authority's policy in relation to requests for a deferral of school admission;

The Council is drawn to two areas of its admissions policy when considering the above. Firstly, a request from a parent to defer admission until later in the same school academic year. Secondly, a request from a parent to defer admission for an entire school year and therefore requesting that their child enter a year group below chronological age. Our policy relating to both types of requests is detailed below:

Deferred Entry

The Local Authority will admit a child to a maintained primary/infant school at the start of the academic year in which he/she will turn 5 years old. However, the legal requirements confirm that parents are able to delay the admission of their child until the term following their 5th birthday. The Local Authority is obliged to ensure that any offer of a school place is held for parents who wish for their child's admission into Reception to be deferred until later in the academic year.

Summer term births

In the case of a child born during the summer term, they too are not legally required to attend School until the term following their fifth birthday / the September after the normal year of entry for a Reception age child. However, in such circumstances the Local Authority will continue to ensure that children continue to follow their chronological year group and therefore the child would be admitted into year 1 and not Reception.

It is only in exceptional circumstances that the Local Authority will authorise the admission of a summer term birth into a year group that is outside the normal year of entry. In such circumstances, there will need to be a suitable evidence base (e.g. report from an Educational Psychologist) that suggests the chronological year group is not suitably able to meet the needs of the child concerned.

The above gives a summary of the council's position in respect of both types of application requests. However, we also have a policy that considers requests for admission outside of chronological year group, which would apply to both of the above categories should parents wish to delay admission until a different academic year. In brief, the general position of the council is that children are admitted into their chronological year group. However, parents are able to request an out of year group admission and each case will be considered individually by the council, taking

account of the parental reasons for the request as well as any supporting documentation.

- 2) any specific policy you operate in relation to requests for deferrals for summer-born children (those born between 1 April and 31 August);

Please see above.

- 3) the number of requests for deferral of school admission received

The Council has received two requests for a deferred start but within the same academic year i.e. to start the term following the child's 5th birthday

The Council has received two formal requests for Reception aged children to be admitted into the academic year following the year that they are eligible to attend.

- 4) the number of requests that were granted or rejected;

All requests that have been made for a Reception child to defer entry until later in the academic year have been approved where the requested start date is the start of the term following the child's 5th birthday.

There have been no requests approved for Reception aged children to delay their admission until the follow academic year.

- 5) the number of requests for deferral of school admission for the reason that a child was 'summer-born' (as defined above) or not ready to start fulltime school due to the date of their birth;

For the requests for Reception children to defer admission into the following academic year, both have been summer born children whose parents have felt that their child is not ready to start school

- 6) the number of these requests that were granted or rejected;

Both application requests were declined, however, the Local Authority has not received sufficient evidence to support the concerns expressed by parents. In some instances, the request has been made following the application for the preferred school being unsuccessful.

- 7) for any requests granted, whether those children were subsequently admitted within or outside of their normal age group.**

All requests for delayed admission but into the same year group have been approved. For those Reception children requesting admission into a year group outside of normal age, 1 child was admitted into the normal age group and the other opted to attend a school in England where their request was approved.

Kind Regards

Matt

Matthew Jones

Access Unit Manager

School and Student Access Unit / Yr Uned Fynediad ar gyfer Ysgolion a Myfyrwyr
Directorate for Children & Young People / Y Gyfarwyddiaeth Plant a Phobl Ifanc
Monmouthshire County Council

P-05-832 To Amend the School Admissions Code Relating to Summer-Born Children, Correspondence –Newport City Council to Chair, 11.01.19

Dear Colleague

In relation to the request dated 4th December 2018 in relation to the petition to amend the School Admissions Code relating to Summer-born children, the response from Newport City Council is as follows:

Narrative from the Council's School Admissions Policy for the 2018/19 academic year

Paragraph 2 Primary Admission

2.1 Children can start school in the September following their fourth birthday. Attending a nursery class does not guarantee a place at any primary or infant school as a separate application is required, and priority is not given to those children attending any specific nursery setting.

2.2 The legal requirements confirm that parents are able to delay the admission of their child (**defer entry**) until the term following their fifth birthday, and such a request will not prejudice an application in any way. It is the council's expectation however that on starting school the child will continue to follow their chronological year group unless exceptional circumstances apply (see paragraph 7 Admission outside the normal age group).

2.3 Where a parent exercises their right to defer their child's entry into Reception until later in the same school year, the effect is that the place is held for the child and is not available to be offered to another child within the same academic year. The parents would not however be able to defer entry beyond the beginning of the term after the child's fifth birthday, nor beyond the school year for which the application was made.

2.4 For example:

| Term in which child turns 5 | Start date can be deferred until beginning of which term? | Can the place be held open for the child? | Year Group into which the child will be admitted |
|------------------------------------|--|--|---|
| Autumn | Spring | Yes | Reception |
| Spring | Summer | Yes | Reception |
| Summer | Autumn | No | Year 1 |

2.5 Before deciding whether to defer their child's entry to school, parents should contact their preferred school(s) to clarify how they cater for the youngest children in Reception and how the needs of these children are met as they move up through the school.

Paragraph 7 - Admission outside the normal age group

It is the council's expectation that children are taught in their chronological year group, unless exceptional circumstances apply. Generally these exceptional circumstances relate to children with additional learning needs or those who have experienced problems or missed part of a year, often due to ill health. Where there are exceptional circumstances, consideration will be given to a parent's request for admission outside the normal age group. However please note that there is no right of appeal if a place has been offered but not in the desired year group.

For information, the determined policy in respect of the 2019/20 academic year is unchanged in this respect, and the Council has no other specific policy in operation in relation to summer-born children.

Requests received in relation to mainstream pupils

A breakdown of the requests received in relation to mainstream pupils over the past three years is detailed below:

| Year | Requests for deferral | Reason | Granted | Refused | Where granted, child admitted within or outside NAG? |
|------|-----------------------|---|---------|---------|--|
| 2018 | 1* | Summer-born child | | 1 | |
| 2017 | 1 | Summer-born child with previous medical circumstances | | 1 | |
| 2016 | 1** | Summer-born child with hypermobility | | 1 | |

* The request was to be admitted to Reception in 2019

** The request was to be admitted to Reception in 2017

The Council has published guidance on the admission of pupils outside the chronological year group:
<http://www.newport.gov.uk/documents/Schools-and-Education/Placement-of-pupils-out-of-their-chronological-year-group-guidance-for-schools.pdf>

Cofion gorau / Kind regards

Deborah Weston

Deborah Weston
 Rheolwr y Gwasanaethau Addysg / Education Service Manager
 Addysg / Education
 Cyngor Dinas Casnewydd / Newport City Council

To: David J Rowlands AM
Chair
The Petitions Committee
National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA

Gofynnwch Am: Gaynor Davies
Please Ask For:
Rhif Est: 01443 744001
Telephone N°:
Ffacs:
Fax:
E-Bost:
E-Mail:
Cylchlythyr:
Circular:

Fy nghyf:
My Ref:

GD/CE/TM

Eich Cyf:
Your Ref:

Dyddiad:
Date:

10th December 2018

Dear Sir,

Petition P-05-832
To Amend the School Admission Code Relating to Summer Born Children

Rhondda Cynon Taf Council's policy, in relation to deferred entry to primary schools complies with section 2.61 of the Schools Admissions Code 005/2013.

Our Starting School book states that attendance between the ages of 3 years to the date of the child's fifth birthday is optional, but all children must be in full-time education by the commencement of the term following their fifth birthday.

The Council does not operate any specific policy in relation to requests for deferrals for summer-born children but does state that if any additional information or advice about admissions or any other educational matter is required, that the staff at the Education Department can be contacted.

For the past 3 years we have not received any requests for deferral of school admissions, but a school has recently been asked for advice on a 2 year old child who was born prematurely in August but was not due until October. The mother of the child concerned has made a request for a child to be initially taught with children in the academic year below i.e. in the academic year the child was due to be born.

Tŷ Trevithick
Abercynon, Aberpennar, CF45 4UQ
Abercynon, Mountain Ash, CF45 4UQ

Ffôn/Tel: 01443 744000
Ffacs/Fax: 01443 744024

Gaynor Davies
Cyfarwyddwr Addysg a Gwasanaethau Cynhwysiant | Director of Education and Inclusion Services

Dewiswch iaith a diwyg eich dogfen | Available in alternative formats and languages

Croesawn ohebu yn Gymraeg a fydd gohebu yn y Gymraeg ddim yn arwain at oedi. Rhwch wybod inni beth yw'ch dewis iaith e.e Cymraeg neu'n ddwyieithog.
We welcome correspondence in Welsh and responding with us in Welsh will not lead to a delay. Let us know your language choice if Welsh or bilingual.

The Local Authority does have a protocol which outlines the process for making a request for a child to be taught in a year group outside of their chronological age. This requires a multi-agency meeting involving the family and relevant professionals. Supporting documentation is then forwarded to the Director of Education and Inclusion Services for consideration. If there are strong grounds, then approval will be given. Requests are however few and far between.

I hope this answers your query.

Yours sincerely,

A handwritten signature in black ink that reads "Gwynor Davies".

Director of Education and Inclusion Services

P-05-832 To Amend the School Admissions Code Relating to Summer-Born Children, Correspondence – Swansea Council to Chair, 13.02.19

Dear Mr Rowlands,

Apologies for the delay in sending our reply to your letter dated 4 December 2018. Please find below a response to the questions raised:

The ethos of Swansea Council's is to provide an inclusive education for all children. Although date of birth is used to allocate children to a year group education provision within Swansea schools is designed to accommodate individual children's differentiated needs rather than matching provision to a chronological age. Many Swansea schools have mixed age classes accommodating more than one year group effectively. Curriculum provision is carefully planned and differentiated to provide appropriate opportunities for all children within a class. This does not prevent parents / carers requesting a deferred entry to reception or for placement below their chronological age in any other year group. The process for considering such requests was recently reviewed by the Education Department and, as of April 2018, is as follows:

For a learners to be educated in a year group one below their normal age group, decision makers should satisfy themselves that they have gathered sufficient evidence to show that:

- *the learner shows significant delay, and little progress in their personal and emotional development, and social skills appropriate for a younger peer group;*
- *the learner shows significant delay and little progress, in intellectual development/educational skills across the subject areas, to an extent that it is not reasonable to expect curriculum differentiation within their normal age group to be successful;*
- *the learner's physical maturity does and is likely, in the future, to make them developmentally different from their proposed peer group in such a way as to impact negatively on their self-esteem/self awareness (including consideration of puberty). In either case, schools should satisfy themselves that:*
 - *this is the wish of all those with Parental Responsibility for the child and that they have been adequately advised of the implications of placement outside the normal age;*
 - *there is a clear understanding about why and how the child's needs will be met more effectively out of their normal age group, than would be possible within;*
 - *the child's parents, the school and all involved professionals agree that this is the best provision for the child;*
 - *where appropriate, according to their age and capability, this is also the wish of the child;*
 - *where the learner is approaching transition into Key Stage 3, likely secondary schools have been consulted (or junior schools if relevant for transition into Key Stage 2);*
 - *any implications have been fully discussed with parents;*
 - *full consideration has been given to the likely/possible impact of relevant regulations and local practice as the learner progress outside their normal age group;*
 - *where an EHC Plan or Statement of Special Educational Needs (SEN) is in place, all relevant factors have been considered with all relevant parties consulted,*

at the Annual Review. The final decision about out of age group placement for these learners lies with the local authority (LA) and will be recorded in the EHC Plan/Statement.

On receipt of a request by a school to educate a pupil outside their chronological age a meeting should be convened by the school concerned.

Attendees should include:

- *the parents/carers;*
- *the headteacher of the school/s concerned;*
- *all professionals involved with the child – eg Education Psychologist, Behaviour Support Teacher etc;*
- *a LA representative*

At the meeting Full Notes of the meeting should be made and agreed by all parties. Minutes of the meeting should include a clear statement as to whether any agreement by the admission authority to place a child out of their normal age group is being made with or without the support of the LA. After the meeting notes of the meeting, together with any written reports considered at the meeting, should be placed permanently on the learner's file and transferred to any new school at each transition. (Date of issue: April 2018)

As this policy applies to all pupils across the statutory age range we do not operate a separate policy in relation to requests for deferrals for summer-born children (those born between 1 April and 31 August). Requests for deferred entry would be considered using the process as outlined. It should also be noted that if it is agreed that entry should be made out of chronological age then usual admission processes apply.

The LA do not hold records of requests separately from other admissions rather, records are held on the pupil's file if entry out of chronological age is agreed. Admission applications are retained with all others in line with the LA retention schedule. For that reason we are unable to provide data in relation to the specific number of requests and refusals however we can provide the following information:

In 2016 and in 2017 across Swansea Council area 21 pupils were educated out of their chronological age group. In 2018 there were 22. These figures are from Year 1 to Year 11. There are more Year 11 age out of year group than any other years.

We do not hold separate data for summer born children for the reasons already outlined.

Cofion / Regards



Uned Gwasanaethau Addysg
Education Services Unit

☎ 01792 636094

✉ education@swansea.gov.uk

P-05-832 To Amend the School Admissions Code Relating to Summer-Born Children, Correspondence – Torfaen County Borough Council to Chair, 19.12.18

Dear Mr Rowlands

Further to the attached, I trust the following information is helpful.

As per the Admissions Code, we do not have a one size fits all specific policy in relation to the deferral of Summer born children. Our main admissions booklet (Parents/Carers Information 2019, page 21 – [view by clicking here](#)) includes the following statement:

‘...if parents whose children have a summer term birthday, the admission code indicates that it is not normally appropriate for such children to be admitted to a non-cohort age group. However, the code emphasises the need to consider each case on its merit and the admissions authority would adopt this approach should any cases arise.’

I can confirm that we have not had any parental requests to defer entry in the last three years.

Please do not hesitate to get in touch if you require any further information.

Regards

John Tushingham
Head of Access & Engagement / Pennaeth Ennyn Diddordeb & Mynediad
Education Service / Gwasanaeth Addysg
Torfaen County Borough Council / Cyngor Bwrdeistref Sirol Torfaen

P-05-832 To Amend the School Admissions Code Relating to Summer-Born Children

**Thank you for your correspondence in relation to school admissions,
Correspondence – Vale of Glamorgan Council to Committee, 26.02.19**

The Vale of Glamorgan Council admissions team rarely receives requests for a deferral of school admission directly. When received, they are dealt with on a case by case basis. Please find below the relevant extract form the Councils Admission Policy.

"The Council's policy allows all children who have attained their fourth birthday on or before the 31st August to attend full time school that September. This, however, is not a legal requirement. Some parents may choose not to send their children to school until later in the year or when they reach five years old and are of statutory school age. This will be a matter for parental decision however when considering this, please ensure that you are aware of the significant implications of this decision. The School Access Team would be able to provide you with advice as will individual schools if you are considering this course of action.

For information purposes, compulsory school age is defined as the start of the term following a child's fifth birthday. If your child is five on or before:

- *1 September*
- *1 January or*
- *1 April*

then they must be enrolled at school at the beginning of that term. For example, a child who became five on 31 August would be of compulsory school age for the September term; a child who became five on 1 September would not be of compulsory school age until the start of the January term."

On average, one request per year is received for Reception or Secondary intakes. If requests are received, they are forwarded to the Achievement For All team rather than managed as part of the admissions process as they usually relate to the child's additional learning needs. This allows for decisions on deferral due to additional learning needs to be managed by the appropriate team. On occasion, parents request a delayed start to reception for reasons other than additional learning needs, including for "summer born" children. This is usually managed at a school level based on the parents and Headteachers judgement of the circumstances of the case. In these circumstances, the place is allocated for the child via the admissions process and a delayed start date is agreed between the parent and the school. The place is kept available for the child (as required by the School Admissions Code 2013) until the beginning of the term after the child's fifth birthday when the child

becomes statutory school age. Specific advice based on the circumstances of the case is provided to parents in this event, in particular the need to reapply for a school place if the place is not taken up at all during the academic year the place was allocated for.

Please find below the additional data you requested. Please note that this does not include decisions made between schools and parents to delay the start date for children not yet of statutory school age as outlined above.

| School Year | Number of requests for deferral received by admissions | Granted/rejected | Number where date of birth (including "summer born") given as reason | Granted/rejected | Outcome. |
|-------------|--|------------------|--|------------------|--|
| 2018/19 | 1 | granted | 0 | 0 | child offset and will be admitted to Reception 2019 when chronologically a year above, child had additional learning needs |
| 2017/18 | 1 | granted | | | Additional Learning Needs |
| 2016/17 | 0 | | | | |

I trust that this information is of use to you, please do not hesitate to contact me if you require additional information.

Lisa Lewis
 Operational Manager, Strategy and Resources / Rheolydd Gweithredol, Strategaeth ac Adnoddau
 Learning and Skills / Swyddfa'r Cyfarwyddwr – Dysgu a Sgiliau
 Vale of Glamorgan Council / Cyngor Bro Morgannwg

P-05-832 To Amend the School Admissions Code Relating to Summer-Born Children, Correspondence –Wrexham Council to Chair, 21.12.18

In reference to your recent request for information I can confirm that Wrexham is fully compliant with the Admissions Code 2013

***Extract from Admissions Code
Deferred entry to primary schools***

2.61 The law does not require a child to start school until the start of the term following the child's fifth birthday. Where the admission authority for a primary school offers places in reception classes to parents before their children are of compulsory school age, they must allow parents the option of deferring their child's entry until later in the same school year. The effect is that the place is held for that child and is not available to be offered to another child. The parent would not however be able to defer entry beyond the beginning of the term after the child's fifth birthday, nor beyond the school year for which the original application was accepted. This must be made clear in the admission arrangements for the school.

With reference to a parents right to defer entry we publish this information each year within our Parents Guide.

https://www.wrexham.gov.uk/assets/pdfs/education/admissions/parents_guide.pdf

Extract below:

Maintained Primary School Admission – Admission to Reception

Admissions to reception classes are the responsibility of the relevant admission authority. The 'admission authority', is in this instance the local authority in the case of community schools and the governing body in voluntary or aided schools. The admission authority will admit a child to a primary school in the September following their 4th birthday.

Once a reception place has been offered and accepted, some parents may wish to defer their child's entry until the start of the term following the child's fifth birthday. Parents would not however be able to defer entry beyond this point, nor beyond the academic year for which the original application was accepted. It should also be noted that the statutory Foundation Phase 'Framework for Children's Learning for 3 to 7 year olds in Wales' is a continuous teaching and learning framework which commences the term following a child's third birthday. Deferment would lead to a gap in this provision causing a lack of continuity in a child's early education.

We have not received any formal requests to defer entry in the last three years.

Please do not hesitate to contact me should you require any further information.

Kind regards

Paula

**Paula Parry
Access and School Places Manager**

Eitem 3.8

P-05-860 Dylid gwneud Gwersi Sgiliau Bywyd yn Orfodol ar y cwricwlwm

Cyflwynwyd y ddeiseb hon gan Emily Jones, wedi iddi gasglu 121 o lofnodion ar-lein a 165 ar bapur, sef cyfanswm o 286 o lofnodion.

Geiriad y ddeiseb

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i sicrhau bod gwersi sgiliau bywyd yn orfodol ar y cwricwlwm mewn ysgolion uwchradd drwy Gymru ac y caiff y cynnwys ei adolygu bob blwyddyn gan fwrdd o bobl ifanc etholedig.

Gwybodaeth ychwanegol

Byddai cwricwlwm sgiliau bywyd yn cynnwys pynciau fel: cyllid, rhyw a pherthnasoedd, gwleidyddiaeth a sgiliau byw sylfaenol. Mae Erthygl 28 o Gonfensiwn y Cenhedloedd Unedig ar Hawliau Plant yn dweud bod gan blant yr hawl i addysg. Mae'r cwricwlwm cenedlaethol, fodd bynnag, yn methu â darparu'r sgiliau bywyd y mae eu hangen arnom.

Etholaeth a Rhanbarth y Cynulliad

- Pontypridd
- Canol De Cymru

P-05-861 Gwneud addysg wleidyddol yn elfen orfodol o'r cwricwlwm cenedlaethol newydd

Cyflwynwyd y ddeiseb hon gan Kaiesha Ceryn Page, ar ôl casglu 117 o lofnodion.

Geiriad y ddeiseb

Dylai addysg roi'r sgiliau a'r offer i bobl ifanc a fydd yn sicrhau eu bod yn dod yn ddinasyddion gwerthfawr sy'n ymgysylltu â'r wlad.

Er gwaethaf y datblygiadau mawr sydd wedi digwydd yn sgil y cyfryngau cymdeithasol a chylchoedd newyddion cyflym, mae pobl ifanc yn aml yn ystyried gwleidyddiaeth yn bwnc tabŵ, gan ei weld fel mater nad ydyw i'w tebyg hwy.

Rydym yn credu y dylai pobl ifanc adael addysg gyda dealltwriaeth gynhwysfawr o sefydliadau gwleidyddol yn y Deyrnas Unedig. Argymhellodd adroddiad y Gymdeithas Diwygio Etholiadol y dylid addysgu pedair agwedd allweddol mewn ysgolion - y pleidiau, democratiaeth, rôl sefydliadau ac ymgyrchu.

Ar hyn o bryd, mae gan Lywodraeth Cymru gyfle unigryw i arwain y ffordd ar y mater hwn gan ei bod wrthi'n datblygu ei chwricwlwm cenedlaethol cyntaf. Fel un o'i bedwar cysyniad allweddol, nod y cwricwlwm newydd yw creu dinasyddion "moesegol a gwybodus". Felly mae rheswm yn dweud y dylai addysg wleidyddol fod yn rhan hanfodol o hyn.

Mae datblygiad y cwricwlwm hwn yn gyfle unigryw i Lywodraeth Cymru chwyldroi'r ffordd y mae'n addysgu ei phobl ifanc, gan greu'r dinasyddion a fydd yn arweinwyr y dyfodol.

Etholaeth a Rhanbarth y Cynulliad

- Rhondda
- Canol De Cymru



Eich cyf/Your ref: P-05-860 - P-05-861
Ein cyf/Our ref: KW/05436/19

Llywodraeth Cymru
Welsh Government

David John Rowlands AC
Cadeirydd y Pwyllgor Deisebau
Cynulliad Cenedlaethol Cymru
Bae Caerdydd
CF99 1NA
Senedd.Deisebau@cynulliad.cymru

4 Mawrth 2019

Annwyl David,

Diolch am eich llythyr, dyddiedig 21 Chwefror, yn dilyn gohebiaeth flaenorol ynghylch ystyriaethau'r Pwyllgor Deisebau o ddeisebau ynghylch gwneud gwersi sgiliau bywyd yn orfodol ar y cwricwlwm (P-05-860); a gwneud addysg wleidyddol yn elfen orfodol o'r cwricwlwm newydd (P-05-861).

Rwyf am ymateb i bob cwestiwn yr ydych wedi'u codi yn eu tro:

- P'un a yw'n bosibl dechrau gwella dulliau addysgu sgiliau bywyd i ddisgyblion mewn ysgolion, cyn i'r cwricwlwm newydd gael ei weithredu'n llawn erbyn 2022***

Bydd y cwricwlwm newydd drafft ar gael i ysgolion o fis Ebrill er mwyn iddynt gael rhoi adborth. Bydd fersiwn derfynol ar gael ym mis Ionawr 2020 a chaiff ei defnyddio mewn ysgolion ledled Cymru erbyn 2022. Wrth gwrs, gall ysgolion wneud defnydd o'r cwricwlwm newydd pan gaiff ei ryddhau am y tro cyntaf, a bydd ganddynt yr hyblygrwydd i ddatblygu dulliau addysgu a dysgu sgiliau bywyd, ac yn wir holl feisydd y cwricwlwm, cyn i'r cwricwlwm newydd gael ei gyflwyno yn 2022.

- Sut, yng nghyd-destun sicrhau hyblygrwydd i weithwyr proffesiynol, mae Llywodraeth Cymru yn bwriadu sicrhau bod pob disgybl yn cael eu gwreiddio'n ddigonol ac yn gyson mewn sgiliau bywyd yn ystod eu haddysg?***

Bydd pob Maes Dysgu a Phrofiad yn y cwricwlwm newydd yn seiliedig ar nifer o ddatganiadau 'Yr Hyn sy'n Bwysig', a dyna fydd prif fecanwaith cynllunio a chymorth y cwricwlwm. Bydd datganiadau 'Yr Hyn sy'n Bwysig' yn cwmpasu pob rhan o'r

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

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1NA

Gohebiaeth.Kirsty.Williams@llyw.cymru
Correspondence.Kirsty.Williams@gov.wales

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

Tudalen y pecyn 134

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

Meysydd Dysgu a Phrofiad ac yn tynnu ar wybodaeth, sgiliau a phrofiadau disgyblaethol. Cânt eu defnyddio fel man cychwyn, ynghyd â'r Pedwar Diben, i ddatblygu cwricwlwm ysgolion a byddant yn help i osgoi amrywio yn y ffordd y caiff cwricwlwm ysgolion eu cynllunio, gan ganiatáu hyblygrwydd lleol ar yr un pryd. Bydd Meysydd Dysgu a Phrofiad hefyd yn cynnwys cymorth cynllunio, gan gyfeirio at brofiadau, gwybodaeth a sgiliau penodol yn ogystal â chysylltiadau â rhannau eraill o'r cwricwlwm. Bydd y cwricwlwm newydd, felly, yn darparu fframwaith cyffredin i ymarferwyr gynllunio cwricwla eu hysgolion, ac yn rhoi canllawiau clir ar sut y dylai dysgwyr symud yn eu blaenau i sicrhau'r Deilliannau Cyflawniad sy'n gysylltiedig â datganiadau 'Yr Hyn sy'n Bwysig'. Fodd bynnag, ni all y cwricwlwm newydd gynnig rhestr gynhwysfawr o fanylion y cynnwys, a fyddai'n mynd yn gymhleth ac yn ormodol yn gyflym iawn. Rhaid iddo ganiatáu i weithwyr proffesiynol fod yn hyblyg i ddewis cynnwys penodol sy'n bodloni anghenion eu dysgwyr yn eu cyd-destun penodol nhw.

Dyma rai enghreifftiau penodol:

Mae datganiadau drafft 'Yr Hyn sy'n Bwysig' ar gyfer Maes Dysgu a Phrofiad lechyd a Lles yn nodi

Mae deall beth sy'n dylanwadu ar y broses gwneud penderfyniadau (gan gynnwys gwybodaeth, dealltwriaeth, agweddu, gwerthoedd a chredoau) yn helpu dysgwyr i wneud penderfyniadau cadarnhaol, ystyriol a gwybodus. Mae angen i ddysgwyr hefyd ddatblygu'r sgiliau angenheidiol i wneud penderfyniadau penodol yn bosibl. Mae dysgwyr yn dysgu hefyd sut mae grwpiau yn gwneud penderfyniadau gyda'i gilydd, gan ddatblygu eu hymwybyddiaeth o'r rôl a phwysigrwydd penderfyniadau a wneir ar y cyd. Mae hyn yn cynnwys dysgu am benderfyniadau ariannol a phenderfyniadau am yrfaedd ar draws y camau cynnydd.

Mae datganiadau drafft 'Yr Hyn sy'n Bwysig' ar gyfer Maes Dysgu a Phrofiad y Dyniaethau yn nodi:

Dylai dysgwyr ddatblygu safbwytiau gwybodus am heriau gwleidyddol sy'n wynebu'r ddynoliaeth. Drwy fynd i'r afael â chwestiynau sylfaenol ym maes y Dyniaethau, mae dysgwyr yn cael yr wybodaeth a'r sgiliau sydd eu hangen arnynt i lunio'u safbwytiau eu hunain a chyflawnhau'r safbwytiau hynny. Bydd dysgwyr yn datblygu empathi, cydnertheedd a pharch wrth ddod ar draws gwerthoedd, credoau a safbwytiau gwahanol.

- ***Ystyried gweithredu'n gyflymach i sicrhau bod gwelliannau i'r addysg wleidyddol a ddarperir o fewn ysgolion yn cael eu rhoi ar waith cyn gweithredu'r bwriad i ymestyn hawliau pleidleisio pobl ifanc 16 ac 17 oed ar gyfer etholiadau'r Cynulliad yn 2021.***

Mae ysgolion eisoes yn cael eu hannog i ddarparu addysg eang, gan gynnwys ymwybyddiaeth wleidyddol, ac mae cyfleoedd i ddysgwyr ymchwilio i wleidyddiaeth o fewn y cwricwlwm presennol drwy Fagloriaeth Cymru ac Addysg Bersonol a Chymdeithasol. Mae'r thema 'Dinasyddiaeth Weithgar' o fewn Addysg Bersonol a Chymdeithasol yn caniatáu i ddysgwyr ddatblygu eu gwybodaeth o wleidyddiaeth a'u hawliau mewn cymdeithas ddemocratiaidd, sy'n adlewyrchu Confensiwn y

Cenhedloedd Unedig ar Hawliau'r Plentyn. Maent hefyd yn meithrin gwybodaeth ymarferol o'u hawliau a'r cyswllt rhwng penderfyniadau gwleidyddol a'u bywydau eu hunain.

Rydym yn cydnabod hefyd bwysigrwydd cefnogi dysgwyr i ddatblygu eu diddordeb mewn materion gwleidyddol ac rydym, er enghraifft, wedi cyhoeddi adnoddau ar Hwb yn ddiweddar i annog dysgwyr i ymchwilio i gwestiwn gostwng yr oedran pleidleisio i 16 ar gyfer etholiadau'r Cynulliad; mae'r rhain ar gael yn:

<http://hwb.gov.wales/news/article/48d817a6-42c6-4ce9-9bfd-67b357b2dff>

Rwy'n gobeithio bod hyn yn egluro'r sefyllfa mewn perthynas â phob un o'ch cwestiynau.

Yn gywir



Kirsty Williams AC
Y Gweinidog Addysg

P-04-477 Cefnogi'r Bil Rheoli Cŵn (Cymru)

Cyflwynwyd y ddeiseb hon gan Cllr. Dilwar Ali ac ystyriwyd gan y Pwyllgor am y tro cyntaf yn ystod Ebrill 2013, ar ôl casglu 1,119 o lofnodion ar-lein.

Geiriad y ddeiseb

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i fwrw ymlaen â'r Bil Rheoli Cŵn Cymru.

Rydym ni, sydd wedi llofnodi isod, ac sy'n byw yng Nghymru, yn galw ar Lywodraeth Cymru i fwrw ymlaen â'r Bil Rheoli Cŵn (Cymru) i fynd i'r afael â phroblemau'n ymwneud â chŵn peryglus a bygythiol, ac i beidio â dibynnu ar gynigion tameidiog Llywodraeth y DU sydd wedi'u gosod allan yn ei Bil Ymddygiad Gwrthgymdeithasol drafft. Cafwyd esboniad cychwynnol o'r Bil hwn yn y Papur Gwyn "Putting Victims First, More Effective Responses to Anti-social Behaviour".

Cytunwn â Llywodraeth Cymru sy'n dweud yn ei datganiad fod Hysbysiad Rheoli Cŵn yn amlwg yn well na'r holl ddeddfwriaeth bresennol gan nad oes angen mynd ag achosion gerbron y llys ac, felly, mae llai o bwysau ar y pwrs cyhoeddus. Credwn hefyd fod cynigion Llywodraeth y DU, sy'n cynnwys pedwar dull gorfodi gwahanol, sef-

- gwaharddebau i atal niwsans annoyance;
- gorchmynion ymddygiad troseddol
- pwerau gwasgaru
- hysbysiadau amddiffyn cymunedol

yn llawer rhy gymhleth, trws gl a biwrocrataidd ac y byddant yn arwain at oedi. Rhaid gwneud cais i'r llys cyn rhoi dau ohonynt ar waith – gwaharddebau a gorchmynion ymddygiad troseddol.

Credwn fod yr un Hysbysiad Rheoli Cŵn cynhwysfawr a gynigir i Gymru yn ddull llawer iawn gwell ac rydym yn annog Llywodraeth Cymru i lunio deddf sy'n seiliedig ar y cysniad hwn yn unol â'r bwriad gwreiddiol. Rydym yn tynnu sylw Llywodraeth Cymru at y canlynol: (i) casgliadau hynod feirniadol

Pwyllgor Dethol Tŷ'r Cyffredin ynghylch adroddiad Pwyllgor yr Amgylchedd, Bwyd a Materion Gwledig, sef 'Rheoli Cŵn a Lles' sy'n dweud bod cynigion Llywodraeth y DU yn 'rhy syml' ac yn 'resynus o annigonol'. Mae'r Pwyllgor hefyd yn argymhell bod DEFRA a'r Swyddfa Gartref yn cyflwyno Hysbysiadau Rheoli Cŵn a (ii) y ffaith bod y cyrff sydd wedi uno yn yr ymgyrch, sef undebau, elusennau anifeiliaid, yr heddlu a milfeddygon hefyd yn anfodlon ar y cynigion.

Lesley Griffiths AC/AM

Gweinidog yr Amgylchedd, Ynni a Materion Gwledig
Minister for Environment, Energy and Rural Affairs



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-04-477
Ein cyf/Our ref LG/05413/19

David John Rowlands AM
Chair - Petitions committee.

Government.Committee.Business@gov.wales

6

March 2019

Dear David

Thank you for your letter of 19 February regarding support for the Control of Dogs (Wales) Bill.

I met with Cllr Dilwar Ali, Julie Morgan AM and David Joyce, Communications Workers Union, on 20 March and 6 November 2018 to discuss this subject as well as other responsible ownership concerns.

There has been some significant developments since the Autumn of last year regarding dog welfare. The updated Code of Practice for the Welfare of Dogs was published on the 12 November and our consultation on the Third Party Sales of Puppies and Kittens launched on 19 February and will close on 17 May. It is absolutely essential we address the root cause of any welfare concerns in changes to legislation regarding third party sales. Information on the supply chain of puppies is of particular significance in this process.

Following the introduction of the UK Governments Anti-social Behaviour, Crime and Policing Act 2014 a report from the House of Commons Environment, Food and Rural Affairs Committee on the enforcement of the Act has advised that the patchwork of legislation should be consolidated into a single Dog Control Act and dedicated Dog Control Notices should be introduced to facilitate early intervention in dog incidents.

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1NA

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:

0300 0604400

Gohebiaeth.Lesley.Griffiths@llyw.cymru
Correspondence.Lesley.Griffiths@gov.wales

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

Tudalen y pecyn 139

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

Officials are continuing to analyse the findings of this report to determine what aspects are relevant to Wales and this is currently ongoing.

Officials have discussed the issues associated with dog control measures with their counterparts in Defra. Defra hold the research budget on behalf of England, Scotland and Wales and have commissioned research to obtain a better evidence base. The research which will look at:

- The effectiveness of current dog control measures including the use of the powers provided to police and local authorities in 2014.
- Identify and examine the factors and situations that may cause dog attacks, including whether any particular types of situation or domestic setting influence dog aggression and dog attacks; how behavioural problems among dogs might best be addressed; and how policy might need to develop to deal with dog behavioural problems.
- How to promote responsible dog ownership and, in particular, identify the help and information needed for dog owners who have experienced dog control issues or who are vulnerable to these (this includes evaluation of risk factors).

The research is currently in the literature research phase and the results are due later in the year (autumn).

We have received initial legal advice and dangerous dogs and dogs dangerously out of control is a reserved matter for the UK Parliament to legislate on, as is the subject-matter of Part 4 of the Anti-Social Behaviour, Crime and Policing Act 2014, which is the part making provision for Community Protection Notices.

I am planning on attending the next Caring4K9s event on 6 March. Caring4K9s is a campaign started by Cllr Dilwar Alli and Julie Morgan AM to help promote responsible dog ownership.

I will update you on further developments in due course.

Regards
Lesley

Lesley Griffiths AC/AM

Gweinidog yr Amgylchedd, Ynni a Materion Gwledig
Minister for Environment, Energy and Rural Affairs

P-05-852 Cyflwyno trwydded i reoli tir ar gyfer saethu adar hela mewn ymgais i roi terfyn ar erlid adar ysglyfaethus

Cyflwynwyd y ddeiseb hon gan Anthony Britner, ar ôl casglu 119 o lofnodion.

Geiriad y ddeiseb

Rydym yn galw ar Lywodraeth Cymru i gyflwyno cynllun trwyddedu ar gyfer saethu adar hela er mwyn atal erlid adar ysglyfaethus a gysylltir yn aml â'r gweithgaredd hwn.

Mae adroddiadau trosedd adar yr RSPB yn dangos mai ciperiaid sy'n gyfrifol am nifer eithriadol o uchel o ddigwyddiadau erlid adar ysglyfaethus. Fodd bynnag, er gwaethaf y wybodaeth hon, anaml iawn y caiff trefnwr digwyddiadau erlid ei erlyn yn llwyddiannus oherwydd anawsterau wrth gael digon o dystiolaeth i gyhuddo unigolyn penodol. Hyd yn oed yn yr Alban, lle mae atebolrwydd dirprwyol, prin yw'r erlyniadau.

Oherwydd hyn, credwn mai'r cam gweithredu mwyaf priodol yw cyflwyno cynllun trwyddedu. Dylai'r drwydded hon fod yn drwydded i weithredu digwyddiad saethu adar hela

Dylai'r drwydded wneud y canlynol o leiaf:

1. Bod yn berthnasol i ardal ddaearyddol a ddiffinnir yn y cais am drwydded.
2. Bod yn ofynnol er mwyn i ystâd gynnal unrhyw weithgaredd sy'n gysylltiedig â saethu adar hela, gan gynnwys, ond heb fod yn gyfyngedig o reidrwydd i'r canlynol:
 - 2.a. Gweithgareddau sy'n gysylltiedig â magu adar hela.
 - 2.b. Gweithgareddau sy'n gysylltiedig â rheolaeth gyfreithiol o ysglyfaethwyr (rhaid i ystadau gael trwydded weithredu cyn y cânt wneud cais am drwyddedau cyffredinol neu benodol sy'n gysylltiedig â gweithgareddau rheoli plâu).
 - 2.c. Caniatáu i aelodau'r digwyddiad saethu gymryd rhan wrth saethu adar hela y tu allan i'r cyfnod gwaharddedig.
 - 2.d. Caniatáu i drefnwr y digwyddiad saethu werthu diwrnodau saethu i'r cyhoedd.

Os cynhelir digwyddiad erlid ar dir ystâd neu'n agos ato, bydd modd i'r awdurdod priodol atal gallu'r ystâd i gynnal yr holl weithgareddau neu unrhyw un ohonynt a restrir o dan bwynt 2 am gyfnod.

Dylai digwyddiadau erlid difrifol neu fynych arwain at ddiddymu trwydded weithredu'r ystâd.

Etholaeth a Rhanbarth y Cynulliad

- Wrecsam
- Gogledd Cymru



Eich cyf/Your ref P-05-852
Ein cyf/Our ref LG/05267/19

David John Rowlands AM
Chair - Petitions Committee
National Assembly for Wales

Government.Committee.Business@gov.wales

13

February 2019

Dear David

Thank you for your letter of 1 February, regarding Petition P-05-852 - Introduce a Licence to Manage Land for Game Bird Shooting in an Attempt to End Raptor Persecution.

In response to the points raised by the petitioner, officials have looked closely at the figures recorded for raptor fatalities as part of the Wildlife Incident Investigation Scheme (WIIS) for the years highlighted in the Raptor Persecution Maps.

| Year | Number of incidents | Number & species of dead raptors (confirmed pesticide poisoning) | Total birds |
|------|---------------------|--|-------------|
| 2012 | 4 | 3 red kites, 1 peregrine, 2 buzzards | 6 |
| 2013 | 2 | 6 red kites, 8 buzzards | 14 |
| 2014 | 1 | 1 red kite, 1 buzzard | 2 |
| 2015 | 0 | N/A | 0 |
| 2016 | 1 | 1 buzzard | 1 |
| 2017 | 0 | N/A | 0 |

Figures differ slightly from the Raptor Persecution Maps as those maps include poison baits and also other mammals and birds. The figures above are confirmed raptor poisonings in Wales for the years 2012-2017 inclusive. Of the 8 incidents above, 6 of them occurred on land either managed by shoots or very close to the land. On two occasions, joint action between police and the Welsh Government led to searches of property and the questioning of individuals. No cases proceeded to court.

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1NA

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:

0300 0604400

Gohebiaeth.Lesley.Griffiths@llyw.cymru
Correspondence.Lesley.Griffiths@gov.wales

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

Tudalen y pecyn 143

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

No specific legislation regulates the breeding and rearing of birds for sporting purposes, however, all gamebird breeders and rearers must comply with the relevant laws relating to their operation. The Code of Practice for the Welfare of Gamebirds Reared for Sporting Purposes (2011) was produced in consultation with the shooting industry and welfare organisations. The purpose of the Code is to provide practical guidance in relation to Section 9 of the Animal Welfare Act 2006, by which the welfare of gamebirds is protected. Work to review and update the Code of Practice is underway. It is important the Code continues to reflect the latest husbandry and management techniques, and standards of care the law requires.

My officials continue to play an active role in the re-launched Raptor Persecution Priority Delivery Group. Raptor persecution is a priority in Wales as well as the UK as a whole. One of the shared aims of both the Welsh and UK Groups is 'to protect raptors from persecution by developing and sharing best practice methodologies to safeguard birds, their eggs and their nests'.

Please also find attached (as requested) the Review of the Prevention and Investigation of Wildlife Crime in Wales 2017 produced by the National Wildlife Crime Unit on behalf of Welsh Government. Appendix D has not been included as approval has not been given to release personal information. This Review was originally commissioned to inform and aid a workshop of enforcement officers and as such the resultant document and appendices were for internal use only. Therefore, I ask the Petitions Committee not to share it more widely at this time. However, in light of increased interest in wildlife crime, I am now considering publishing a suitably redacted copy of the review document and appendices on the Welsh Government website.

Regards
Lesley

Lesley Griffiths AC/AM

Gweinidog yr Amgylchedd, Ynni a Materion Gwledig
Minister for Environment, Energy and Rural Affairs

Mae cyfyngiadau ar y ddogfen hon

Eitem 3.12

P-05-856 Rhaid gwahardd gwerthu cŵn bach gan siopau anifeiliaid anwes a phob gwerthwr trydydd parti masnachol yng Nghymru (Cyfraith Lucy)

Cyflwynwyd y ddeiseb hon gan C.A.R.I.A.D., ar ôl casglu 11,195 o lofnodion.

Geiriad y ddeiseb

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i weithredu gwaharddiad ar werthu cŵn bach gan siopau anifeiliaid anwes a phob gwerthwr trydydd parti masnachol.

Mae gwaharddiad ar werthu cŵn bach gan drydydd partïon am elw wedi'i enwi'n 'Gyfraith Lucy' ac fe'i cyhoeddwyd yn ddiweddar yn Lloegr. Mae cefnogaeth enfawr gan y cyhoedd, y cyfryngau ac ar draws y pleidiau i Gyfraith Lucy, ac rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i gyflwyno Cyfraith Lucy yng Nghymru fel mater o frys.

Mae tynnu cŵn bach oddi ar eu mamau i'w gwerthu yn aml yn creu cŵn sâl, trist, wedi'u trawmateiddio, sy'n camweithredu. Dylid gallu gweld cŵn bach gyda'u mam yn y lle y cawsant eu geni. Mae eu cludo i le gwahanol ar gyfer eu gwerthu yn niweidiol o ran eu lles. Nid yw rheoleiddio gwerthu cŵn bach yn fasnachol gan drydydd partïon yn effeithiol i atal niwed iddynt, ac felly mae gwaharddiad yn angenrheidiol er lles cŵn bach.

Caiff cŵn bridio a gedwir mewn ffermydd cŵn bach eu cuddio o olwg y cyhoedd ac yn aml maent yn dioddef trawma corfforol a seicolegol am flynyddoedd. Mae rheoleiddio gwerthu cŵn bach yn fasnachol gan drydydd partïon yn aneffeithiol o ran atal niwed i gŵn bridio ac mae gwaharddiad ar drydydd partïon ar werthu cŵn felly yn angenrheidiol er eu lles.

Byddai gwaharddiad ar werthu cŵn bach gan drydydd partïon yn cael effaith gadarnhaol ar gŵn bridio, ac yn sicrhau eu bod yn weladwy, a byddai'n galluogi'r cyhoedd i weithredu ar gyngor arfer gorau i weld ci bach gyda'r fam ble y'i ganwyd.

Hefyd, ar hyn o bryd mae rhai pobl sy'n ffermio cŵn bach heb drwydded, a smyglwyr cŵn bach, yn defnyddio trydydd partïon trwyddedig i werthu eu cŵn bach, ac mae hyn yn ei gwneud yn bosibl iddynt weithredu heb gael eu dal, a heb i awdurdodau lleol fonitro iechyd a lles cŵn bridio a chŵn bach. Mae rheoleiddio gwerthu cŵn bach yn fasnachol gan drydydd parti yn

aneffeithiol wrth atal ffermio cŵn bach yn anghyfreithlon a smyglwyr cŵn bach, ac felly mae angen gwaharddiad ar drydydd partïon o ran gwerthu cŵn, i ddiogelu cŵn, cŵn bach a'r cyhoedd, yn ogystal ag i atal gweithgarwch troseddol.

Nid oes dim manteision lles o werthu cŵn bach drwy werthwyr masnachol. Mae'r arfer hwn dim ond yn golygu bod cŵn bridio yn cael eu cadw o lygad y cyhoedd. Yn ogystal â phryderon am les anifeiliaid, mae gwerthiant gan drydydd partïon yn creu risgiau ychwanegol i iechyd a diogelwch y cyhoedd.

Mae gwerthiant cŵn bach yn uniongyrchol gan fridwyr neu ganolfannau achub cŵn adnabyddus yn amddiffyn pob parti, yn sgîl rhagor o dryloywder ac atebolrwydd. Gallai gwaharddiad ar fargeinio am gŵn bach er elw godi safonau iechyd a lles ar gyfer cŵn bridio a chŵn bach, yn ogystal â darparu diogelwch y mae mawr ei angen ar gyfer y cyhoedd.

Mae gweithredu Cyfraith Lucy yng Nghymru hefyd yn hanfodol i fynd i'r afael â'r difrod a wnaed i enw da Cymru, sy'n parhau i gael ei gydnabod fel canolbwyt o ran ffermio cŵn bach yn y Deyrnas Unedig.

Etholaeth a Rhanbarth y Cynulliad

- Pen-y-bont ar Ogwr
- Gorllewin De Cymru

Lesley Griffiths AC/AM
Gweinidog yr Amgylchedd, Ynni a Materion Gwledig
Minister for Environment, Energy and Rural Affairs



Eich cyf/Your ref P-05-856
Ein cyf/Our ref LG/05446/19

Llywodraeth Cymru
Welsh Government

David John Rowlands AM
Chair - Petitions committee.

Government.Committee.Business@gov.wales

5

March 2019

Dear David

Thank you for your letter of 21 February regarding the banning of third party sales.

It is absolutely essential we address the root cause of any welfare concerns in changes to legislation. Information on the supply chain of puppies is of particular significance in this process and, as I announced in December 2018, I launched a consultation on the 19 February.

Following the deadline of the 17 May officials will analyse the responses and I will make an announcement on next steps after the summer recess.

Regards

Kesley

Lesley Griffiths AC/AM

Gweinidog yr Amgylchedd, Ynni a Materion Gwledig
Minister for Environment, Energy and Rural Affairs

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1NA

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:

0300 0604400

Gohebiaeth.Lesley.Griffiths@llyw.cymru
Correspondence.Lesley.Griffiths@gov.wales

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

Tudalen y pecyn 178

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

P-05-859 Dylid Darparu Tai Plant yng Nghymru i Blant sy'n Dioddef Camdriniaeth Rywiol

Cyflwynwyd y ddeiseb hon gan Mayameen Meftahi, ar ôl casglu 227 o lofnodion.

Geiriad y ddeiseb

Mae'r syniad y tu ôl i dai plant yn seiliedig ar yr arferion gorau a welir yn yr UDA a Sgandinafia. Gan gydnabod bregusrwydd plant sy'n ddioddefwyr, a'r niwed y mae cyfweliadau niferus yn ei achosi iddynt, mae tai plant yn ymateb sy'n ystyriol o blant wrth ymdrin ag achosion lle y cam-driniwyd plentyn yn rhywiol.

Yn y DU, mae dau dŷ plant yn ninas Llundain, ond nid oes yr un yng Nghymru.

Nid yw plant yn gwybod at bwy nac i ble y gallent droi, nid ydynt yn gwybod bod cymorth ar gael, ond trwy gynnig Tai Plant ledled y DU, gallwn achub plant.

Parhau â llochesi i ddioddefwyr tra is domestig, ond dylai fod Tai Plant ar gyfer plant sy'n dioddef camdriniaeth rywiol.

Gwyddom y bydd llawer o blant sy'n cael eu cam-drin yn ceisio dianc rywbryd; byddant am ddod yn rhydd o'u sefyllfa, ond nid oes ganddynt rywle i droi. Cânt eu dychwelyd adref, yn ôl i afael y sawl sy'n eu cam-drin.

Gallai darparu tŷ diogel sy'n ystyriol o blant agor y ffordd at ddatgelu a diogelu.

Yng Ngwlad yr Iâ, mae model 'Barnahús' ar waith er 1998, sef lle ar gyfer cynnal cyfweliadau fforensig, gwneud datganiadau llys, cynnal archwiliadau meddygol a chael mynediad at wasanaethau therapiwtig, i gyd o dan un to. Dylem roi hyn ar gael, fel y gwnawn o ran llochesi i ddioddefwyr tra is domestig. Ers i Wlad yr Iâ sefydlu'r model Barnahús, mae nifer y plant sy'n gofyn am gymorth ar ôl dioddef camdriniaeth rywiol wedi mwy na dyblu bob blwyddyn, mae nifer y cyhuddiadau wedi treblu, ac mae nifer yr euogfarnau

wedi dyblu. Mae hyn yn ddigon o dystiolaeth i ddangos bod y tai hyn yn hanfodol.

Dylid darparu tai plant, ac ar ben hynny dylid dysgu i blant fod yr opsiynau hyn ar gael.

Ymunwch â ni yn yr ymgyrch i fynd i'r afael â'r mater hwn, a phwysor i Lywodraeth Cymru ddarparu Tŷ Diogel yng Nghymru – ni allwn ddisgwyl i blant fynd i Lundain, hyd yn oed lle maent yn gwybod am fodolaeth tai o'r fath.

Gwybodaeth ychwanegol

Mae ar ein plant angen rhywle iddynt fynd iddo, mae angen iddynt fod yn ddiogel, ac mae angen iddynt allu cyrraedd y cymorth cywir i achub y plant hyn rhag oes o ddioddef oherwydd Camdriniaeth Rywiol.

Llofnodwch y ddeiseb hon a gwneud i bethau ddechrau symud!

Etholaeth a Rhanbarth y Cynulliad

- Dwyrain Abertawe
- Gorllewin De Cymru



Ein cyf/Our ref VG/05494/19

Llywodraeth Cymru
Welsh Government

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

Government.Committee.Business@gov.wales

1 March 2019

Dear David,

Thank you for your letter of 8 February regarding Petition P-05-859 requesting additional information about current measures in place for the safeguarding of children reporting and needing protection from sexual abuse.

The Social Services and Well-being (Wales) Act 2014 and supporting guidance provides for a strengthened safeguarding framework to ensure that children are protected about sexual exploitation and sexual abuse.

<https://gov.wales/topics/health/socialcare/act/code-of-practice/?lang=en>

The Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015 aims to improve the public sector response in Wales to such abuse and violence. The Act improves arrangements to promote awareness of, and prevent gender-based violence, domestic abuse and sexual violence; and to protect and support victims and survivors. It introduced a needs-based approach to developing strategies which will ensure strong strategic direction and strengthened accountability. The appointment of a National Adviser to advise Welsh Ministers will ensure strategic ownership.

The attached link provides an overview of the purposes of the Act and key documents to take forward this work.

<https://gov.wales/topics/people-and-communities/communities/safety/domesticabuse/?lang=en>

Under the Act, Health Boards and local authorities are required to publish joint local strategies for tackling violence against women, domestic abuse and sexual violence. The Welsh Government has published statutory guidance to support them to discharge this duty. A [National Strategy](#) on Violence against Women, Domestic Abuse and Sexual Violence Cross Government Delivery Framework 2018-2021 sets out the overarching objectives that the Welsh Government will deliver in partnership with stakeholders to progress the purpose of the Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015.

We have consulted on guidance on regional commissioning of needs-led services for violence against women, domestic abuse and sexual violence. This has been laid before the Assembly and subject to negative resolution will become statutory in April 2019. The guidance will improve joint working amongst agencies across this sector, support improvements in consistency and, quality and join-up of service provision across Wales.

The Welsh Government issued [statutory guidance](#) on safeguarding children from sexual exploitation in 2011 and this is currently being updated and will be issued in Autumn 2019.

A [National Action Plan on Tackling Child Sexual Exploitation \(Wales\)](#) was issued by the Welsh Government in 2016 and the six regional Safeguarding Children Boards in Wales and their statutory partners report against the plan. This is being updated and will be issued by the Welsh Government as a National Action Plan on Preventing and Responding to Child Sexual Abuse (including Child Sexual Exploitation and Harmful Sexual Behaviour) by the Summer of 2019.

The Social Services and Well-being (Wales) Act 2014 strengthened and built on existing safeguarding practice in Wales to ensure that people are able to live their lives to the full. The Act has an overarching duty to promote the well-being of people who need care and support. In the Act well-being is defined with eight common aspects, one of which is protection from abuse and neglect. In relation to a child, well-being also includes their physical, intellectual, emotional, social and behavioural development; and their welfare (ensuring they are kept safe from harm).

[Working Together to Safeguard People: Volume 1- Introduction and Overview](#) sets out the duties and roles of statutory partners in safeguarding children.

Any agency involved with the child has a Duty to Report Children at Risk (Section 130) under [Part 7](#) of the Social Services and Well-being (Wales) Act. Section 130(4) defines a "child at risk" as a child who:

- a) is experiencing or is at risk of abuse, neglect or other kinds of harm; and
- b) has needs for care and support (whether or not the Local authority is meeting any of those needs).

This duty applies in relation to where there are grounds to believe a child is at risk of child sexual abuse or child sexual exploitation. When a child has been reported under section 130, the local authority must consider whether there are grounds for carrying out an investigation under section 47 of the Children Act 1989.

[Working Together to Safeguard People- Volume 5- Handling Individual Cases of Children at Risk](#) sets out the duties owed towards children at risk and the procedures for protecting children from abuse.

Cardiff and the Vale Safeguarding Boards are currently developing updated multi agency Wales Safeguarding Procedures for children (up to the age of 18) and adults at risk on behalf of regional Safeguarding Boards in Wales.

Part 6 of the Social Services and Well-being (Wales) Act provides for looked after and accommodated children and care leavers. When a child who is the subject of a child protection plan (following a section 47) investigation under the Children Act 1989) becomes a looked after child, it will usually no longer be necessary to maintain the child protection plan for that child. However, in some cases there will continue to be safeguarding issues and the looked after child will also need to have a child protection plan.

The NHS is currently leading work, in partnership with the police, safeguarding and the third sector to improve and to develop a sustainable model of sexual assault services in Wales.

I hope this information is helpful.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Vaughan Gething".

Vaughan Gething AC/AM

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

David J Rowlands AM –
Chair, Petitions
Committee
Via email only

22 February 2019

Dear Chair,

Re: Petition P-05-859 Provide Child Houses in Wales for victims of child sexual abuse

Thank you for your letter on behalf of the Petitions Committee dated 8th February 2019.

Firstly I would like to acknowledge Matameen Meftahi's courage for talking about her own personal experiences as part of this petition.

I note that the specific action proposed in the current petition is for Welsh Government to:

"Provide Child Houses in Wales for Victims of Child Sexual Abuse"

Matameen Meftahi specifically refers to the Child House in London and the 'Barnahus' model on which it is based. I also note that since submitting the petition she has sent further correspondence to the Committee which acknowledges that this model and the new service in London service do not provide a place for children 'to run to' or stay following abuse but that she advocates that consideration is given to this in Wales.¹

For the purpose of clarity I will respond to the above two points in turn.

Child Houses in Wales

Children have a right to be protected from abuse (Article 19 UNCRC). The state has a responsibility to provide support for children who have been victim of abuse and neglect (Article 39) and specifically identifies that this should "take place in an environment which fosters the health, self-respect and dignity of the child."²

The research from Iceland suggests that the Barnahus model assists with several aspects of support for children who are victims of sexual abuse including reducing re-traumatisation through avoiding multiple interviewing processes, achieving best evidence and access to timely therapeutic support. All these services are provided in

¹ [18.12.18 Correspondence - Matameen Meftahi to the Committee](#)

² [The United Nations Convention on the Rights of the Child, 1989.](#)



Ty^ Ystumllwynarth/Oystermouth
House
Llys Siarter/Charter Court, Phoenix Way
Abertawe/Swansea SA7 9FS
01792 765600

Tudalen y pecyn 184
post@comisiynyddplant.cymru
post@childrenscommissioner.wales

comisiynyddplant.cymru
childrenscommissioner.wales

an environment which is designed with children in mind and supported by those with relevant expertise.

I have recently stated in a BBC interview that I think it is appropriate to wait for the results of a pilot to consider how the model could be adapted in the UK including here in Wales. Commitment to a model is a considerable investment. This view appeared to be generally shared during a discussion with senior representatives from local and national government, the health service and police that sit on my Child Sexual Abuse Roundtable which met in January 2019. It was also shared by my fellow Commissioner in England, Anne Longfield, who produced a [report](#) in respect of the model in 2017. This report identified that countries have appeared to have successfully adapted the model "without compromising the core principles which deliver such impressive results"³ but that adaptions are needed for a number of reasons including different legal systems.

The Committee may also wish to note the following recommendation from the Independent Inquiry into Child Sexual Abuse Interim Report which I understand has been accepted by the Welsh Government:

"The Chair and Panel recommend that the Welsh Government and the relevant UK government departments work together to establish current levels of public expenditure, and the effectiveness of that expenditure on services for child victims and adult survivors of child sexual abuse in Wales."⁴

Despite my above view in respect of a pilot this does not mean that the Welsh Government and public services should not take steps in the meantime to change provision here in Wales which will positively affect children and young people.

The Committee has been made aware⁵ that some of the services provided as part of the Barnahus model are currently provided by all-age Sexual Abuse Referral Centres (SARC). One element of service is non-devolved in respect of forensic medical examinations. However, as raised in my 2017/2018 annual report,⁶ I continue to be concerned about this and other elements of SARC provision specifically for child victims including those in South and East Wales. My concerns centre around the availability of trained and experienced medical practitioners to provide timely examinations, and the availability of suitable therapeutic services to enable survivors of abuse to recover.

Whilst I have seen renewed commitment to addressing the calls made in my report, by both the Welsh NHS and Police and Crime Commissioners, as of yet I do not believe children's experiences in these parts of Wales have changed. Interim measures are in the process of being implemented and long term arrangements are being explored and I am monitoring this issue closely. As part of this I have been seeking to establish how

³ Children's Commissioner for England. 2017. [Barnahus: Improving the Response to child sexual abuse in England](#).

⁴ Independent Inquiry into Child Sexual Abuse. 2018. [Interim Report: A Summary Independent Inquiry into Child Sexual Abuse - April 2018](#).

⁵ National Assembly for Wales. 2019. [Research Brief, item 2](#) and [11.12.18 Correspondence - Minister for Children, Older People and Social Care to the Chair](#).

⁶ [Annual Report and Accounts – 2017/2018](#).



this work fits with the former First Minister's announcement in November 2019, in respect of a review of refuges and SARCs.

The Committee may also wish to establish the parameters of the above commitment by the Welsh Government and whether the child house model and the CSA hub work referred to as part of Matameen Meftahi's correspondence with committee would be considered as part of this work.

My annual report also recommends that Welsh Government require Regional Partnership Boards (RBPs) to integrated children's social care and mental health services into multidisciplinary teams. I would expect that RBPs would consider how such teams would help address the emotional and/or mental health needs of children and young people who have been sexually abused. Joined up planning in respect of all services for children and young people who have been sexually abused is essential on a local, regional and national level considering available evidence.

Regarding service development as a whole, I have seen the real benefits for all concerned when children and young people are involved in the review or development of a service. Yet I do not believe this is common place in Wales. Children and young people should be empowered to give their views and provided with suitable opportunities to participate in decisions that affect them. These are two of the five principles of my children's rights approach and since 2017 I have urged all public bodies to adopt this approach in Wales. A copy of *The Right Way: A Children's rights Approach in Wales* can be found on the publications section of my website, www.childcomwales.org.uk.

A safe place for children following an allegation of abuse

Protecting children from current or future risk of harm, including where they stay in the short and long term, is covered in detail by a number of pieces of legislation, for England and Wales in the Children Act 1989 for example and in Wales under the Social Services and Well-being (Wales) act 2014. Social Services have a lead role although other public bodies have a significant part to play including Regional Safeguarding Boards. The All Wales Child Protection Procedures support and advise any practitioners in dealing with child protection matters, and I am aware that these are currently being revised with multi agency involvement.

In Wales it is also clear that professionals involved in these processes are required to seek and consider the views, wishes and feelings of children and young people. I expect there to be no exceptions to this. Decisions should be made in children's best interests considering all available information, views and thorough assessment. Such assessments will often be considered in Court and it is paramount that a child's views are included for consideration. Without seeking and taking into account children's views, wishes and feelings I believe the decisions which are made under current or future arrangements are less likely to provide the protection and support that a child or young person needs. Were the Welsh Government to embark on consideration of whether the current arrangements in Wales provide sufficient options in respect of safe places following an allegation of sexual abuse I would be happy to engage in discussions.



Comisiynydd
Plant Cymru

Children's
Commissioner
for Wales

Yours sincerely,



Sally

Sally Holland
Comisiynydd Plant Cymru
Children's Commissioner for Wales



Eitem 3.14

P-05-836 Adroddiadau ar y Bwlch Cyflog rhwng y Rhyweddu

Cyflwynwyd y ddeiseb hon gan Estelle Hart, ar ôl casglu 56 o lofnodion.

Geiriad y ddeiseb

Nid yw Rheoliadau Cydraddoldeb 2010 (Dyletswyddau Penodol ac Awdurdodau Cyhoeddus) 2017 wedi cael eu cymhwysio i Gymru, gan olygu nad oes gofyniad ar gyrrf cyhoeddus datganoledig i gyhoeddi adroddiadau ar eu bwlch cyflog rhwng y rhyweddu mewn man canolog.

Rydym yn credu y dylai cyrff sy'n derbyn arian cyhoeddus gyhoeddi'r wybodaeth hon, ac i sicrhau tryloywder arian cyhoeddus, dylai'r wybodaeth hon fod ar gael mewn man canolog ac yn yr un fformat, gan ddilyn canllawiau a ddatblygwyd ar gyrrf sector cyhoeddus yn Lloegr.

Etholaeth a Rhanbarth y Cynulliad

- Gŵyr
- Gorllewin De Cymru

P-05-836 Gender Pay Gap Reporting, Correspondence – Petitioner to Committee, 13.03.19

I would like to thank the committee for their continued examination of this issue in light a reticence from the Welsh Government to provide any concrete plans in their response.

In response to the letter from the Deputy Minister I am really disappointed that again the Welsh Government has spent more time in their reply talking about how committed to gender equality they are than actually laying out any concrete actions to ensure gender pay gap data is not only in the public domain but accessible.

Despite the reassurances that this is a priority piece of work the timings and plans offered are vague at best and the letter, as was the case with previous correspondence, seems more focused on political positioning than implementing change.

Regarding the core issue of the petition the publication of gender pay gap data in an accessible format I am still completely unclear in the Welsh Government even has an understanding of what data openness means. It does not simply mean the data is in the public sphere but that people are supported to access it. The current system allows organisations to obfuscate whereas the system used in England asks employers to publish this data in a clear manner, allowing for comparison between similar employers. I am still unclear as to why this system has not been introduced in Wales even as a stop gap measure, particular when a large organisation such as Cardiff University has voluntarily published their data in this manner.

As the Deputy Minister mentions the unprecedented change we are facing as a society, and at a point where the distrust of public institutions is at a high I believe any action to make or public sector more transparent would be welcomed.

Yours

Estelle Hart



Ein cyf/Our ref: JJ/01096/18

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

Government.Committee.Business@gov.wales

16 January 2019

Dear David,

Thank you for your letter of 29 November requesting an update regarding the petition concerning gender pay gap reporting (P-05-836) to the Leader of the House.

I have made a clear and public commitment to publish gender pay gap data in a more open, user-friendly and accessible format. In my previous letter, I explained that any changes to gender pay gap reporting would be made in the context of strengthening the Public Sector Equality Duty (PSED) regulations generally and work has begun to determine how best to take this forward.

We will be working with the EHRC to consider the results of their monitoring exercise which has been undertaken over recent months with public bodies in Wales, as outlined previously. The outcomes of this exercise should be known in the new year. This will inform our work around the most appropriate ways to strengthen the PSED in Wales, including the gender pay gap reporting arrangements.

As detailed previously, we are already adopting the 'open data' approach through our work on public sector employment data and are working to expand it to cover the PSED information. A timescale for this project will be established in the new year based on the outcomes of the EHRC monitoring exercise.

It is clear from the ongoing work of the Gender Equality Review and discussions with stakeholders that strengthening gender pay gap reporting is a part of a much wider call to safeguard and enhance equality and human rights in Wales, particularly in the context of the UK's impending exit from the EU.

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1NA

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

Gohebiaeth.Jane.Hutt@llyw.cymru
Correspondence.Jane.Hutt@gov.wales

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

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

In light of this, I have asked my officials to commission research to assist our consideration of these issues. This will help us assess the benefits of a variety of possible actions, including strengthening existing regulation, enactment of the socio-economic duty and legislative provision relating to relevant international treaties.

This work will be linked closely to Phase 2 of the Gender Equality Review. To move it forward, we will convene a seminar early in the new year, to engage with key stakeholders and scope the work that will be needed in more detail.

The work on reviewing and strengthening the Welsh PSED and the reporting arrangements will also be considered as a part of this research to ensure that the changes we make are effective, appropriate and complement existing legislation.

The aim of the Gender Equality Review is to ensure the Welsh Government is a feminist government which truly puts gender at the centre of our policies, ensuring no-one is left behind and everyone has the opportunity to be the best they can be. Gender pay gap reporting is an area which the Review is looking at, where change is needed and where we can make changes. It remains a priority and is an area in which I expect rapid progress to be made.

In the face of unprecedented change we must and will be proactive, ambitious, forward thinking and continue to do whatever is within our powers to ensure that Wales remains a modern, inclusive place to live and work. The work we are doing to tackle gender inequality, including the gender pay gap, is an important step in making this happen.

Yours ever,
Jane

Jane Hutt AC/AM
Y Dirprwy Weinidog a'r Prif Chwip
Deputy Minister and Chief Whip