

Agenda – Y Pwyllgor Cydraddoldeb, Llywodraeth Leol a Chymunedau

Lleoliad:	I gael rhagor o wybodaeth cysylltwch a:
Ystafell Bwyllgora 2 – y SeneddSenedd	Naomi Stocks
Dyddiad: Dydd Mercher, 29 Mawrth 2017	Clerc y Pwyllgor 0300 200 6565
Amser: 09.00	SeneddCymunedau@cynulliad.cymru
Rhag-gyfarfod (09.00 – 09.15)	

1 Cyflwyniad, ymddiheuriadau, dirprwyon a datgan buddiannau

2 Craffu ar waith Ysgrifennydd y Cabinet dros Gyllid a Llywodraeth Leol – diwygio Llywodraeth Leol

(09.15 – 10.30)

(Tudalennau 1 – 18)

Mark Drakeford AC, Ysgrifennydd y Cabinet dros Gyllid a Llywodraeth Leol

Claire Bennett, Dirprwy Gyfarwyddwr, Llywodraeth Leol: Trawsffurfio a Phartneriaethau

Lisa James, Dirprwy Gyfarwyddwr, Yr Is-adran Democratiaeth Llywodraeth Leol

[Papur Gwyn ar Ddiwygio Llywodraeth Leol: Cadernid ac Adnewyddiad](#)

3 Bil Diddymu'r Hawl i Brynu a Hawliau Cysylltiedig (Cymru) – Sesiwn dystiolaeth 1: Ysgrifennydd y Cabinet dros Gymunedau a Phlant

(10.30 – 12.00)

(Tudalennau 19 – 42)

Carl Sargeant AC, Ysgrifennydd y Cabinet dros Gymunedau a Phlant

John G Rees, Rheolwr Bil

Katie Wilson, Cyfreithiwr

[Bil Diddymu'r Hawl i Brynu a Hawliau Cysylltiedig \(Cymru\)](#)



Cynulliad
Cenedlaethol
Cymru

National
Assembly for
Wales

[Memorandwm Esboniadol](#)

4 Papurau i'w nodi

Gohebiaeth gan Ysgrifennydd y Cabinet dros Gymunedau a Phlant mewn perthynas â Bil Diddymu'r Hawl i Brynu a Hawliau Cysylltiedig (Cymru)

(Tudalennau 43 – 47)

Llythyr oddi wrth Ysgrifennydd y Cabinet dros Gyllid a Llywodraeth Leol at Gadeirydd y Pwyllgor Cyllid ynghylch Bil yr Undebau Llafur (Cymru)

(Tudalennau 48 – 49)

Gwybodaeth Ychwanegol gan y Comisiynydd Cenedlaethau'r Dyfodol yn dilyn y sesiwn dystiolaeth ar 2 Chwefror 2017

(Tudalennau 50 – 58)

Gwybodaeth Ychwanegol gan Bartneriaeth Mewnfudo Strategol Cymru mewn perthynas â ffoaduriaid a cheiswyr lloches yng Nghymru

(Tudalennau 59 – 60)

Adroddiad gan y Gwasanaeth Eiriolaeth Ieuenctid Cenedlaethol: Adroddiad Naratif bob chwe mis ar Wasanaethau Plant

(Tudalennau 61 – 67)

Gohebiaeth gan Ysgrifennydd y Cabinet dros yr Economi a'r Seilwaith mewn cysylltiad â thlodi yng Nghymru

(Tudalennau 68 – 74)

Gohebiaeth gan Ysgrifennydd y Cabinet dros Gymunedau a Phlant mewn cysylltiad â thlodi yng Nghymru

(Tudalennau 75 – 77)

Nodyn o drafodaethau'r grŵp ffocws mewn perthynas â Bil yr Undebau Llafur (Cymru)

(Tudalennau 78 – 84)

5 Cynnig o dan Reol Sefydlog 17.42 (vi) i benderfynu gwahardd y cyhoedd o weddill y cyfarfod

- 6 Bil Diddymu'r Hawl i Brynu a Hawliau Cysylltiedig (Cymru): trafod y dystiolaeth a ddaeth i law o dan eitem 3.**
(12.00 – 12.05)
- 7 Craffu ar waith Ysgrifennydd y Cabinet dros Gyllid a Llywodraeth Leol – diwygio Llywodraeth Leol: trafod y dystiolaeth a ddaeth i law o dan eitem 2**
(12.05 – 12.10)
- 8 Bil yr Undebau Llafur (Cymru) – Trafod yr adroddiad drafft**
(12.10 – 12.20) (Tudalennau 85 – 132)
- 9 Ymchwiliad i ffoaduriaid a cheiswyr lloches yng Nghymru – trafod yr adroddiad drafft**
(12.20 – 12.30) (Tudalennau 133 – 193)

Mae cyfyngiadau ar y ddogfen hon

Mae cyfyngiadau ar y ddogfen hon

Carl Sargeant AC/AM

Ysgrifennydd y Cabinet dros Gymunedau a Phlant
Cabinet Secretary for Communities and Children

Y Pwyllgor Cydraddoldeb, Llywodraeth Leol a Chymunedau
Equality, Local Government and Communities Committee
ELGC(5)-11-17 Papur 1 / Paper 1



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref: MA-L-CS-0123-17

John Griffiths AC

Cadeirydd y Pwyllgor Cydraddoldeb, Llywodraeth Leol a Chymunedau

13th Mawrth 2017

Annwyl John

BIL DIDDYMU'R HAWL I BRYNU A HAWLIAU CYSYLLTIEDIG (CYMRU)

I gefnogi gwaith craffu'r Pwyllgor ar Fil Diddymu'r Hawl i Brynu a Hawliau Cysylltiedig (Cymru), sef y Bil y cyflwynais i Gynulliad Cenedlaethol Cymru heddiw, amgaeaf Ddatganiad o Fwriad y Polisi. Mae'r ddogfen honno'n rhoi gwybodaeth am fwriad y polisi o ran y pwerau dirprwyedig yn y Bil, os byddant yn dod i rym.

Yn ogystal, rwy wedi cyhoeddi dau adroddiad ymchwil a chwe asesiad o effaith, fel deunyddiau ychwanegol sy'n berthnasol i'r Bil. Gallwch weld y dogfennau hynny ar wefan Llywodraeth Cymru:

<http://gov.wales/topics/housing-and-regeneration/legislation/abolition-of-right-to-buy-and-associated-rights/?lang=cy>

Rwy'n gobeithio y bydd y dogfennau hyn o ddefnydd i'r Aelodau, ac edrychaf ymlaen at gyflwyno tystiolaeth i'r Pwyllgor maes o law.

Mae copi o'r llythyr hwn, a'r atodiad y sonnir amdano, yn cael eu hanfon at Huw Irranca-Davies AC, Cadeirydd y Pwyllgor Materion Cyfansoddiadol a Deddfwriaethol.

Yn gywir

Carl Sargeant AC/AM

Ysgrifennydd y Cabinet dros Gymunedau a Phlant
Cabinet Secretary for Communities and Children

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

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

Tudalen y pecyn 43



Llywodraeth Cymru
Welsh Government

Bil Diddymu'r Hawl i Brynu a Hawliau Cysylltiedig (Cymru)

Bwriad y polisi mewn cysylltiad ag is-ddeddfwriaeth
sydd i'w gwneud o dan y Bil hwn

Mawrth 2017

BWRIAD Y POLISI MEWN CYSYLLTIAD AG IS-DEDDFWRIAETH BIL DIDDYMU'R HAWL I BRYNU A HAWLIAU CYSYLLTIEDIG (CYMRU)

Mae'r ddogfen hon yn rhoi syniad o fwriad y polisi presennol mewn cysylltiad â'r is-ddeddfwriaeth y mae gan Weinidogion Cymru yr awdurdod i'w rhoi ar waith neu y mae'n ofynnol iddynt ei gwneud o dan ddarpariaethau'r Bil Diddymu'r Hawl i Brynu a Hawliau Cysylltiedig (Cymru). Fe'i cyhoeddwyd er mwyn cynorthwyo'r Pwyllgor cyfrifol yn ystod y broses o graffu ar y Bil. Dylai gael ei darllen ar y cyd â Phennod 5 o'r Memorandwm Esboniadol a'r Nodiadau Esboniadol.

Bydd Bil Diddymu'r Hawl i Brynu a Hawliau Cysylltiedig (Cymru) yn cael gwared ar yr holl amrywiadau o'r *Hawl i Brynu* a'r *Hawl i Gaffael*. Bydd cyfnod hysbysu o flwyddyn o leiaf ar ôl i'r Bil gael y Cydsyniad Brenhinol cyn diddymu'r hawliau. Bydd yr hawliau mewn perthynas â thai cymdeithasol y cyflenwad newydd yn dod i ben ddau fis ar ôl i'r Bil gael y Cydsyniad Brenhinol.

Mae'r Bil hwn yn darparu ar gyfer:

- Cyfyngiad ar arfer yr Hawl i Brynu
- Eithriadau i'r cyfyngiad ar arfer yr Hawl i Brynu
- Cyfyngiad ar arfer yr Hawl i Gaffael
- Diddymu'r Hawl i Brynu a'r Hawl i Gaffael
- Gwybodaeth i denantiaid a darpar denantiaid
- Dileu'r pŵer i roi grantiau mewn cysylltiad â gostyngiadau
- Diwygiadau a diddymiadau canlyniadol

Mae adran 9 o'r Bil yn darparu y bydd adrannau 5, 8 a 10 yn dod i rym ar y diwrnod y bydd y Bil yn cael y Cydsyniad Brenhinol. Mae adrannau 1, 2 a 3 yn dod i rym ar ddiwedd y cyfnod o ddau fis ar ôl i'r Bil gael y Cydsyniad Brenhinol. Bydd gweddill y darpariaethau yn cychwyn drwy Orchymyn, ond ni all adrannau 4 a 6 ddod i rym cyn diwedd y cyfnod o 12 mis ar ôl i'r Bil gael y Cydsyniad Brenhinol.

Tabl 2 - Crynodeb o'r pwerau i wneud is-ddeddfwriaeth ar gyfer darpariaethau yn y Bil Diddymu'r Hawl i Brynu a Hawliau Cysylltiedig (Cymru)

Adran	Disgrifiad	Bwriad y Polisi
Adran 3(2) (Yn mewnosod adran 121ZB(4))	Caiff Gweinidogion Cymru wneud rheoliadau i ddiwygio adran 121ZB, drwy ychwanegu rhagor o ddisgrifiadau o achosion y gallai'r Hawl i Brynu gael ei harfer yng Nghymru.	Mae adran 121ZB yn rhestru'r eithriadau i'r cyfyngiadau ar arfer yr Hawl i Brynu. Mae'r pŵer yn adran 121ZB (4) yn galluogi Gweinidogion Cymru i ddiwygio'r rhestr o eithriadau drwy ychwanegu rhagor o amgylchiadau y gellir arfer yr Hawl i Brynu. Ni fyddai'r pŵer hwn ond yn cael ei ddefnyddio i amlygu newidiadau i'r polisi ac/neu i ymateb i newidiadau i amodau sy'n ymwneud â'r farchnad dai cymdeithasol.
Adran 5(2) (Yn mewnosod adran 16C(2))	Caiff Gweinidogion Cymru wneud rheoliadau i ddiwygio adran 16C drwy ychwanegu rhagor o amgylchiadau y gellir arfer yr Hawl i Brynu.	Mae adran 16C yn rhestru'r eithriadau i gyfyngiad yr Hawl i Gaffael. Mae'r pŵer yn adran 16C(2) yn galluogi Gweinidogion Cymru i ddiwygio'r rhestr o eithriadau drwy ychwanegu rhagor o amgylchiadau y gellir arfer yr Hawl i Gaffael. Ni fyddai'r pŵer hwn ond yn cael ei ddefnyddio i amlygu newidiadau i'r polisi ac/neu i ymateb i newidiadau i amodau sy'n ymwneud â'r farchnad dai cymdeithasol.
Adran 9	Mae adran 9 yn rhoi'r pŵer i Weinidogion Cymru wneud rheoliadau er mwyn gwneud unrhyw ddarpariaethau atodol, cysylltiedig, canlyniadol, darfodol neu arbed yr ystyrir eu bod yn angenrheidiol er mwyn i ddarpariaethau'r Bil gael yr effaith orau.	Ni fydd y pŵer hwn ond yn cael ei ddefnyddio i wneud newidiadau i ddeddfwriaeth arall sydd ei hangen fel canlyniad i ddarpariaethau'r Bil. Mae'r rhan fwyaf o newidiadau canlyniadol i ddeddfwriaeth sylfaenol wedi'u cynnwys ar wyneb y Bil. Caiff diwygiadau canlyniadol i Ran 5 o Ddeddf Tai 1985 eu gwneud drwy is-ddeddfwriaeth at ddibenion bod yn hyblyg o ran amseru unrhyw ddiwygiadau, yn sgil y cysylltiad rhwng gweithredu'r Bil hwn a Deddf Rhentu Cartrefi (Cymru) 2016. Bydd drafft o'r diwygiadau canlyniadol sydd eu hangen i Ran 5 o Ddeddf Tai 1985 yn cael ei roi i'r pwyllgor.

		Bwriedir i'r elfennau trosiannol, arbed a chanlyniadol fod yn addas ar gyfer y broses o ddiddymu'r Hawl i Brynu a'r Hawl i Gaffael yng Nghymru, fel bod y gyfraith newydd yn gweithredu yn y modd y bwriedir iddi wneud.
Adran 11(3)	<p>Caiff Gweinidogion Cymru wneud gorchymyn sy'n darparu bod darpariaethau'r Bil yn dod i rym ar ddiwrnod a bennir gan Weinidogion Cymru. Mewn perthynas ag adrannau 6 a 7 (diddymu'r hawl i brynu a hawliau cysylltiedig a dileu'r pŵer i roi grantiau mewn cysylltiad â gostyngiadau), ni chaiff Gweinidogion Cymru bennu diwrnod cyn y cyfnod o 12 mis sy'n cychwyn y diwrnod y mae'r Bil yn cael y Cydsyniad Brenhinol (adran 11(4)).</p> <p>Caiff Gweinidogion Cymru wneud darpariaeth ddarfodol, trosiannol neu arbed mewn cysylltiad ag unrhyw ddarpariaeth yn y Bil a fydd yn dod i rym (adran 11(5)).</p>	<p>Ni fydd y pŵer hwn ond yn cael ei ddefnyddio i ddod â darpariaethau'r Bil i rym.</p> <p>Bwriedir y bydd gorchymyn cychwyn yn cael ei wneud yn fuan ar ôl i'r Bil gael y Cydsyniad Brenhinol er mwyn pennu'r dyddiad y bydd adran 6 (ymhlith eraill) yn dod i rym - a fydd yn rhoi'r diddymiad ar waith. Bydd hynny'n rhoi cymaint o rybudd ag sy'n bosibl i denantiaid ac i landlordiaid cyn diddymu'r hawliau. Bydd y dyddiad perthnasol hefyd yn cael ei gynnwys yn yr wybodaeth a gynhrychir ac a anfonir at denantiaid o dan adran 8 o'r Bil.</p>

Eitem 4.2

Mark Drakeford AM/AC

Ysgrifennydd y Cabinet dros Gyllid a Llywodraeth Leol
Cabinet Secretary for Finance and Local Government

Y Pwyllgor Cydraddoldeb, Llywodraeth Leol a Chymunedau
Equality, Local Government and Communities Committee
ELGC(5)-11-17 Papur 2/ Paper 2

Ein cyf/Our ref: MA-L/MD/0176/17



Llywodraeth Cymru
Welsh Government

Simon Thomas AC
Cadeirydd
Y Pwyllgor Cyllid,
Tŷ Hywel,
Bae Caerdydd,
Caerdydd.
CF99 1NA

17 Mawrth 2017

Annwyl Simon,

Diolch am eich llythyr dyddiedig 3 Mawrth ynghylch Bil yr Undebau Llafur (Cymru).

Roedd nifer o heriau yn ein hwynebu wrth lunio'r Asesiad Effaith Rheoleiddiol ar gyfer Bil yr Undebau Llafur (Cymru). Cadw'r sefyllfa bresennol cyn belled ag y mae hynny'n ymwneud â gwasanaethau cyhoeddus datganoledig a chymhwysedd y Cynulliad, dyna yw'n bwriad yn y Bil hwn. Gellid dadlau, yn hyn o beth, mai niwtral yw effaith ariannol y Bil yn gyffredinol, sy'n mynd â ni yn ôl i'r sefyllfa a oedd yn bodoli cyn Deddf yr Undebau Llafur 2016 ac yn cadw'r sefyllfa fel y mae hi.

Hefyd, roedd ansicrwydd yn ein hwynebu o ran cyflwyno amseriad, o gofio nad oeddem yn sicr, pan gyflwynwyd yr Asesiad Effaith Rheoleiddiol, o amseriad cychwyn Deddf y DU. Yng ngoleuni'r anawsterau hyn, teimlais mai'r ffordd orau o gynorthwyo'r broses graffu oedd dangos maint y problemau drwy brofi y gellir dosrannu Asesiad Effaith Rheoleiddiol y DU yng Nghymru. Felly roeddem wedi cynnwys ffigwr, er enghraifft, ar gyfer y gost ychwanegol o weithredu streic a gynhyrchir trwy anghymwysu'r trothwy 40%, er gwaethaf y ffaith ein bod wastad wedi amau na fydd y gost honno'n digwydd yn ymarferol mewn gwirionedd.

Mae'r ffigwr a geir o ganlyniad, sef £85,000 yn ffigwr sydd wedi ei ddosrannu o'r ffigwr a geir yn Asesiad Effaith Rheoleiddiol y DU, sydd yn seiliedig ar ragdybiaeth a wnaed gan Lywodraeth y DU, o'r lleihad a fydd yn y dyddiau streicio a gollir o ganlyniad i'w deddfwriaeth. Rydym yn amau sail y rhagdybiaeth hon ac yn credu y byddai anghymwysu'r ddarpariaeth yn arwain at golli llai o ddyddiau yng Nghymru oherwydd bydd ein model o bartneriaeth gymdeithasol yn cael ei gynnal. Dyma honiad a gefnogir gan dystiolaeth y cyflogwyr a'r undebau llafur i'r Pwyllgor Cydraddoldeb a Llywodraeth Leol.

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

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

Tudalen y pecyn 48

O gofio nad yw gwir effaith Deddf y DU yn hysbys eto, rhaid aros i weld beth sy'n digwydd yn ymarferol tan y gellir setlo'r safbwyntiau gwahanol ar effaith y dulliau gwahanol a geir yng Nghymru a Lloegr, mewn termau ariannol.

Wedi dweud hynny, credaf fod gan Aelodau'r Cynulliad sail ar gyfer craffu ar y ddeddfwriaeth ddrafft sydd o fewn yr ystod rhwng £85,000 a dim. Roedd cychwyn y trothwy cymorth cyffredinol o 40% ar 1 Mawrth yn diffinio gwasanaethau cyhoeddus pwysig yn yr un ffordd ac a ragwelwyd gennym, ac nid yw wedi cael effaith ar unrhyw beth nad oeddem wedi ei ragweld. O ganlyniad, nid yw'n fwriad gennym i gyflwyno dadansoddiad pellach o'r costau sy'n gysylltiedig â'r anghymhwys.

Roedd costau eraill o fewn yr Asesiad Effaith Rheoleiddiol yn ymwneud ag ymgyswrtio. Bydd y Pwyllgor yn ymwybodol o'r llythyr a gefais gan Ben Gummer AS; ynddo sonnir am fwriad Llywodraeth y DU i beidio â chynnwys gwasanaethau cyhoeddus yng Nghymru yn y rheoliadau sy'n ymwneud ag amser cyfleuster a didynnu taliadau tanysgrifio i undebau drwy'r gyflogres. Mae'r pŵer i wneud rheoliadau wedi ei gychwyn ond, hyd yn hyn nid ydym wedi gweld y rheoliadau eu hunain. Rwyf felly yn cadw'n dawel ar y mater o sut y gallai'r rheoliadau hyn effeithio ar awdurdodau cyhoeddus yng Nghymru yn ymarferol.

Rwy'n disgwyl y bydd arbed awdurdodau cyhoeddus yng Nghymru rhag gorfod ymgyswrtio â darpariaethau Deddf y DU yn deillio o'r ffaith nad ydynt yn cael eu cymhwyso i Gymru yn hytrach na'n uniongyrchol o'n deddfwriaeth ni. Mae'r Asesiad Effaith Rheoleiddiol yn rhoi syniad da i'r Cynulliad Cenedlaethol o oblygiadau ein Bil ni, ac nid wyf yn rhagweld bod yr Asesiad Effaith Rheoleiddiol yn mynd i newid yn sylweddol. Er hynny, pe byddai'r rheoliadau a gyflwynir gan Weinidogion y DU yn cymhlethu'r amseru ymhellach, byddaf yn ystyried rhoi mwy o fanylion am y goblygiadau ariannol drwy adolygu'r Asesiad Effaith Rheoleiddiol.

Gobeithio bod yr wybodaeth yma o gymorth i chi.



Mark Drakeford AM/AC

Ysgrifennydd y Cabinet dros Gyllid a Llywodraeth Leol
Cabinet Secretary for Finance and Local Government



Dear Chair and members of the Equality, Local Government and Communities Committee,

Re: Additional Information requested by the committee

Please see further information in answer to the questions provided:

1. The five areas you believe the Welsh Government should prioritise and demonstrate more leadership on?

It is my view that Welsh Government needs to focus particularly on the five ways of working (the Sustainable Development principle set out in the Well-being of Future Generations (Wales) Act 2015) and demonstrate throughout their policies and actions that:

- they are understanding and planning for the long-term rather than short-term budget or political cycles
- that there is a shift to prevention across a range of areas but most significantly within health and social care
- that policy-making is integrated across government and that it is developed collaboratively with partners recognising the different perspectives and expertise that can be brought from a broad range of public private and third sector partners
- and that they are doing more to understand the perspective of citizens - how policies work for them and how new policies can be formed in a way which responds to what people want and need and what will work for them.

In terms of specific policy areas, I am in the process of identifying through involvement and collaboration the main challenges and issues facing future generations in Wales. Once we have identified the issues which have most impact on future generations, we will analyse the opportunities to best address them in Wales and this will inform directly how I focus my resources and concentrate my work. Given the breadth of my remit it is important that I undertake a robust process in setting out the areas which I think pose the biggest challenges for Future Generations (which will also undoubtedly be areas within which the Welsh Government would be expected to demonstrate leadership). I have set out four areas which I think represent the biggest challenges for Future Generations and am seeking views about these. The conversation on these challenges can be found [here](#)

2. When you intend to publish the framework for Public Service Boards?

The framework referred to in the committee session is in relation to our work with New Economics Foundation to develop a framework that we have used to inform our work on the M4 and to define how the Act can be best applied in public bodies' decision taking. We are continuing to test and develop this framework to explore how it could be adapted for other uses. We are in the process of testing this framework against other areas before publishing formally.

The focus of our work with Public Services Boards has been on reviewing their well-being assessments. It has been a major undertaking to review all 19 assessments, to different deadlines. We have placed great importance on providing a robust and timely commentary to each of them in order to inform, challenge and support the work

of the PSBs, as they begin setting their local well-being objectives and setting out the steps they will take to meet them.

We have currently reviewed and provided feedback on two thirds of the PSB assessments. Once we have completed this exercise we will produce a summary report to draw out the key themes and disseminate the shared learning. We will also work with Cardiff University to hold a shared learning event which is likely to be in either May or June 2017.

2. Which Public Service Board is undertaking the estates mapping exercise?

Cwm Taf Public Services Board is undertaking the estates mapping exercise

4. To what extent will you engage with local planning decisions and in particular any Local Development Plans which you believe could be contrary to the sustainable development principle?

I am in the process of defining the priorities for my work. Planning and LDPs might or might not be among the priorities which will emerge through the wide conversation exercise I am undertaking. However, it is important to recognise that there are over 25,000 planning applications in Wales each year with on average 700 of those being large or strategically significant applications. Unlike other Commissioners, I do not have express statutory powers to instigate or undertake case work. I do not have express enforcement powers and the legislation does not provide for my office to be an extra layer to appeal to generally as well as within the planning context.

I cannot ask authorities to change decisions already made and my power to conduct reviews is designed to provide insight to me so that I can help public bodies to improve how they take into account the long-term impact of the things they do as explained in the statutory guidance.

Finally, I have also to be mindful of the very limited resources I have and of the breadth of my remit.

With this in mind, I have determined that my involvement is most effective at the strategic level, in particular working with the Welsh Government to consider how best we can support them as they design LDP guidance and the National Development Framework to ensure that they fully take into account the requirements of the Act and drive the radical change in the culture that is required in local authorities' approach to their planning decisions. We have met with the Welsh Government planning division to discuss this approach and we are encouraged by their commitment to include the Act fully in their work. We will also meet shortly with the Planning Inspectorate to discuss our respective roles.

5. What actions do you feel need to be taken to move towards a more preventative way of working, in particular in relation to those sectors for whom this is a specific challenge, such as the health and social care sector?

There are some significant challenges in the health and social care sector in meeting the requirements of the Act. The current planning process, which is based around the three-year Integrated Medium Term Plans, does not support the long-term planning requirements of the Act. It also poses some issues in rising to the challenge of prevention which, not always, but very often needs longer-term planning and investment. The myriad of performance indicators, strategies and plans which health boards are required to address also presents significant challenges in terms of being able to focus on key areas for improvement in line with the ways of working in the Act.

I have held a range of discussions, particularly on prevention, with those involved in driving change in the NHS including the Bevan Commission, Public Health Wales, the NHS Confederation and Chairs and Chief Executives of each of the Health Boards. I am supporting the work of the Bevan Commission through a one year partnership post specifically around involving people and patients in service re-design and reform through their 'Bevan Advocates' Programme. I am also partnering with Public Health Wales on the development of policy and practice to tackle Adverse Childhood Experiences

From April onwards a member of my staff will be working with a range of partners to develop an explanation of what good could look like in respect of meeting the goal of a healthier Wales. This will include a focus on all the ways of working but particularly focusing on prevention.

In the meantime, having engaged with a number of organisations and reviewed the evidence base on social prescribing, I believe I that there could be substantial gains to the NHS and to wider Well-being (which could address a number of the Well-being goals) through the adoption of a social prescribing model. My office has been working with the Welsh Government Primary Care lead who is developing a model and I have recently written to the Cabinet Secretary to request a meeting to discuss the Government's position in adopting the model in the next NHS strategy.

You have also requested information on:

1. Are you involved in the development of the Welsh Government's four crosscutting strategies and have you made any assessment as to whether they are being developed in line with the sustainable development principles?

We have been in regular contact with the Welsh Government and are awaiting more information on the process they are going through to write the strategies and how we can best contribute to this work. We have noted that the earlier we are involved in the process, the more likely it is that our challenge can be used constructively. We have been invited by the Welsh Government to attend a 'roundtable discussion with the Welsh Commissioners and associated policy colleagues' due to take place in April 2017.

We are also keen to explore how the Welsh Government intends to meaningfully involve stakeholders and the wider public in the shaping of the strategies and the ongoing development and delivery of the actions set out within them. One area we have recently been updated on is their initial planning for engagement.

2. Have you received any feedback from public bodies, Public Services Boards or community councils on the usefulness of the statutory guidance in helping them fulfil their obligations under the Act?

Ultimately the Act is designed to support better quality decision-making in the public sector, to focus the collective efforts of public bodies on improving the well-being of the current generations, whilst safeguarding the ability of future generations to meet their needs. The core guidance is generally well-regarded and viewed as clearly explaining the purpose and intention of the Act, whilst avoiding detailed prescription.

However, the continuing requirement in the Local Government (Wales) Measure 2009 for local authorities to set Improvement Objectives has caused confusion in relation to the requirement in the Well-being of Future Generations Act for public bodies, including local authorities, to set well-being objectives. There are similar complications in relation to reporting progress. The guidance for public bodies does not offer much help to public bodies on these issues. Similar issues have occurred in relation to the NHS performance management framework and reporting.

My Office has worked with officials from the Welsh Government, WLGA, NHS Confederation and WAO to draft additional advice that has been sent out to local authorities and NHS bodies. My Office will be discussing with the Welsh Government how this additional advice should feature in any future revisions of the statutory guidance.

2. How are public bodies progressing in developing their well-being objectives?

I was asked to support the formation of a network of national public bodies subject to the Act because no 'national body' network existed (whereas there are for example many local government or health networks). My office has facilitated this network of the national bodies (including for example Velindre NHS Trust; Public Health Wales; Arts Council; Sport Wales; Natural Resources Wales) coming together on two occasions to date with the main objective of shared learning and a focus on setting well-being objectives by the end of March 2017.

The second meeting in December 2016 was focused on how well the public bodies are using the five ways of working (set out in the Act) to set their well-being objectives and challenge business as usual, how they are/can work with the Public Service Boards and how well they are driving integration with their corporate planning processes. Each workshop has included insight from the public bodies on their experiences and issues to date and discussion. The organisations that have shared their experiences so far (National Resources Wales and Public Health Wales) have identified a tension as to what level to focus their objectives – whether they are "organisational focused" i.e. quite close to what the organisation does or "outcome focused" i.e. more aspirational and visionary.

Local authorities have signalled that they are facing difficulties in the timing of the local government elections and the timing of setting their well-being objectives. There is also a perceived risk of a potential lack of continuity after the appointment of a new administration which has impacted on some, if not all local authorities.

Aside from Welsh Government, the Well-being of Future Generations Act requires public bodies to publish their initial set of Well-being Objectives no later than 31st March 2017. Some authorities have already indicated that they will be publishing a Corporate Plan by the end of March 2017 which includes their well-being objectives. As Local Government elections fall after this date there is a possibility that local authorities may review their well-being objectives following these elections, as they draft their new Corporate Plans. Authorities may then wish to re-consider their well-being objectives following the local government elections, as per the Well-being of Future Generations (see Section 9 (5) and (6) '(5) A public body may at any other time review and revise its well-being objectives...Where a public body revises its well-being objectives...it must publish them as soon as is reasonably practicable..'). With any review of well-being objectives, a local authority must have acted in accordance with the sustainable development principle and applied the five ways of working.

4. How are Public Services Boards progressing in: 1) undertaking their wellbeing assessments; 2) setting well-being objectives; and 3) developing local well-being plans?

We are in the process of responding to all PSB well-being assessments in partnership with Cardiff University. The assessments seen so far (14 to date) are mixed in terms of approach, format and intention of usage. We are providing robust and detailed feedback to each PSB, focusing on how they can build on their work to date to improve their evidence base and to apply the five ways of working to the approach they take to well-being planning. As part of our commitment to involvement we are seeking views of other stakeholders representing interests across the well-being goals which will be reflected in an overview report on gaps and areas for learning for the PSBs.

In preparing a well-being plan, PSBs "must seek the advice of the Commissioner on how to take steps to meet the local objectives to be included in the plan in accordance with the sustainable development principle". We are currently engaging with PSBs and other partners on the most effective approach to doing this.

5. In addition to the police service, have any other organisations which are not "public bodies" expressed an interest in applying the principles of the Act?

A wide range of organisations are in contact with us to learn more about the Act. This includes: UK bodies such as the Equalities and Human Rights Commission, the National Offender Management Service; large enterprise such as Dwr Cymru and Boots the Chemist; think tanks and research groups; academic institutions; third sector organisations and umbrella groups. We are keen to work with all those who can affect change, so that change can happen and resources used to their fullest effect. Within Wales, the Welsh Ambulance Trust is not listed amongst the 44 public bodies in the Act, however they state that:

"We are becoming increasingly outward facing and are committed to working with partners to deliver a Welsh public service that we can all be proud of, can rely on and that continues to meet the evolving needs of our population. In this respect, we will be focusing on how we can play an integral role in delivering the ambitions set out by the Wellbeing of Future Generations (Wales) Act and looking at new and innovative ways of playing our part in the wider health and well-being system"[1].

[1] Welsh Ambulance Services NHS Trust Annual Report 2015/16, page 35

Bangor University has also committed to becoming known world-wide as the Sustainable University. Although universities are not included in the Act, the leadership of the university has decided to adopt the framework of the Act as a way of embedding sustainability in all aspects of the university's work as an institution.

I am encouraged by the breadth and level of commitment shown by those bodies not covered by the Act and I am keen to draw in their knowledge and expertise as part of my commitment to supporting and challenging public bodies.

6. Could you provide further information on the "Embedding Children's Rights for Future Generations" programme of work with the Children's Commissioner?

Following the five ways of working, the Children's Commissioner for Wales and the Future Generations Commissioner have set up a joint programme to support public bodies embed the UNCRC in their delivery of the Well-being of Future Generations Act. The Well-being of Future Generations Act upholds the spirit of the UNCRC Convention and brings a fresh impetus to building prosperous, resilient and inclusive societies.

Programme Aims:

Children and young people should remain prominent and visible throughout the Well-being of Future Generations work. Visibility should manifest itself in a number of ways, including being involved in planning and decision-making and the needs of the child population being given prominence in plans, budget and services. The programme, therefore, intends to:

1. Develop a clear statement about embedding a children's rights approach and an explanation of how it fits with the Wellbeing of Future Generations Act, and other legislative requirements such as the Equalities Act 2010;
2. Establish a baseline for take-up of adoption of the UNCRC in public services;
3. Work with public service boards to ensure that consideration of children's rights is central to their agenda as they develop their first plans;
4. Develop a web-based resource for public bodies, including PSBs, with exemplars of how public bodies have started to engage and apply the principles of the UNCRC;
5. Develop an evidence base on the benefits of a rights-based approach – focusing on effective use of resources, outcomes and cost-benefits;
6. Engage and listen to public bodies about their achievements and challenges in adopting a child rights based approach.

The programme aims to help public bodies prevent duplication and inconsistency in what is required of them in respect of the United Nations Convention on the Rights of the Child and the Well-being of Future Generations Act. Some practical tools will be developed to help public bodies think about how they embed children's rights and the Well-being of Future Generations Act in their work.

Meetings were held with public bodies to introduce the programme and to discuss how their work in relation to children can relate to the requirements contained in the Well-being of Future Generations Act. A Children Rights Roundtable Network also met twice to discuss this. A resource to support public bodies and PSBs to embed a

children's rights approach in their corporate governance functions and across the requirements of the Future Generations Act is being prepared. This will be accompanied by a children's rights self-assessment tool to capture good practice and support public bodies and PSBs to take appropriate action for further implementation of children's rights in their Future Generations work. This will act a diagnostic mechanism. Both are expected to be published in the summer 2017.

7. Given that the Commissioner's office has a duty to advise on climate change, for details of the work they have conducted to date in this area with public bodies, PSBs and Welsh Government.

Climate Change has been identified as one of the four main challenges facing future generations in Wales in the first phase of our conversation on my Office's priorities. I am therefore defining, in collaboration with and by involving a wide range of people, my priority areas for action which will be published in the summer.

My work on climate change so far includes raising awareness of climate change as a key issue and a challenge for future generations in keynote speeches at events (over 100 events to date), meetings with key decision makers and stakeholders. I have met with Matthew Bell, Chief Executive of UK Committee on Climate Change and I also gave a presentation to full Committee during their visit to Cardiff (8 July 2016). I have written to each of the public bodies to bring the Climate Change Risk Assessment Report to their attention and to advise them of the need to include this evidence as part of their Well-being assessments and I am reviewing how well this has been done through my analysis of their assessments and providing detailed feedback on this and a range of issues.

I have partnered with Constructing Excellence Wales to provide support through focused events with the construction industry and I have held several discussions with key stakeholders/partners such as Natural Resources Wales, World Wildlife Federation and others, to explore opportunities for collaboration e.g. advice provided to PSBs on climate change;

Over the last six months my office has had a number of discussions with the National Assembly staff who are leading the Assembly's work on climate change. We have attended two stakeholder events (one on climate change and one on the Inquiry into the future of Agriculture and Rural policy in Wales), and have fed into the development of the CCERA Climate Change Reference Group. Although my office will not be a member of this group, we will be invited to attend and provide updates to the group to avoid any duplication of effort.

Finally, I have been working with the Welsh Government Decarbonisation team to test how the five ways of working can be a key part of their Decarbonisation programme and support their work on carbon budgets.

8. Could you provide any examples of how public bodies have improved engagement with citizens since the implementation of the Act?

The 12 draft Well-being Assessments we have seen so far show a range of approaches to engagement, some of which are new and innovative. For example, the 'Blaenau Gwent we want, a conversation about our future' work strongly focuses on encouraging people to think about the future. This includes encouraging people to write a

future profile: a social media account profile such as Facebook or Twitter - thinking about what they will be doing in 20 years' time, what job they will have, what they will do for leisure? Or suggesting that people write a letter or email to their future self, outlining what they hope to achieve and how they want their area to change.

Many of the PSBs have also shown how they have used engagement as the starting point to the development of their well-being assessments. They have successfully tested the validity of their data with local communities to ensure that what the data was telling them was how local people and communities perceived wellbeing for them. Interestingly, this provided a greater depth of interpretation and challenged some of the narrow perceptions of deficit that can be held by public sector workers about well-being.

The challenge for PSBs' engagement as they move towards well-being planning is two-fold – firstly that they find new ways of engaging people and of asking different questions (if people feel they are being asked generic, high level questions time and time again they will get consultation fatigue) and secondly to demonstrate how they are responding to what people have said, so that people don't feel they are being consulted for consultation's sake.

I have also worked with Welsh Government to explore in more detail how some public bodies are approaching involvement in order to identify emerging good practice.

9. Following on from the Economy, [Infrastructure and Skills Committee recommendation](#), do you feel that the planned National Infrastructure Commission should be included as a public body under the Act?

I have responded to the consultation on the Commission and believe that it is critically important that the principles of the Wellbeing of a Future Generations Act are included within the terms of reference of the Commission. Dependant on what form the Commission takes, the Committee might want to consider how best to ensure that the Commission is required to comply with the principles of the Act - that it uses the five ways of working, contributes to the well-being goals, and in particular takes accounts of the full definition of the 'Prosperous Wales' goal as well as the others.

10. When do you expect the Welsh Government to publish its milestones (to accompany the national indicators);

We have been in regular contact with the Welsh Government and are awaiting information about the likely content and timescales for the production of the milestones.

11. Is there evidence of change at the Welsh Government level as a result of the implementation of the Act, including any examples you could provide?

Whilst we are at early stages of the implementation of the Act, and therefore it would be unrealistic to see major change by this point, there is some evidence that the Act is being used by officials to deliver the change required. The Welsh Government's decision to establish a small set of four cross-cutting strategies (Healthy and Active, Prosperous and Secure, United and Connected, Ambitious and Learning) that span traditional Departmental or

Ministerial portfolios is an example of the Welsh Government using the Well-being of Future Generations lens to challenge business as usual. A key test of the effectiveness of this approach will be the degree to which all five of the ways of working are applied to the setting of milestones and the ongoing implementation of these strategies. Work is also underway, by the Welsh Government, to explore the practical implications of applying the sustainable development principle to areas such as procurement, decarbonisation and SMART Cymru (which helps Welsh business to grow their investment in research, development and innovation). In most cases this work is at a very early stage, however, working with Bangor University's Sustainability Lab, the SMART suite of programmes that provide a suite of integrated programmes to Welsh Business and research organisations, have embraced the Act to challenge business as usual and have a number of examples of how this has changed what they do and how they do it.

The Environment and Sustainable Development Single revenue grant is also an example about how the Welsh Government is changing its support for local government in a way that reframes aspect of funding around the Well-being of Future Generations Act while this has not been without its critics.

Although at an early stage the work of the Valleys Taskforce is showing a lot of promise in terms of the way in which the ways of working in the Act are being applied. In particular, I have been pleased to see the approach that is being taken to involve communities, to seek to better integrate policies and public service delivery and to collaborate with a range of partners. We have held initial discussions with officials leading the Taskforce and will be providing some support on developing their understanding of the Act.

We will continue to support and challenge the Welsh Government as they go further on the journey of implementing the Act and recognise that whilst there are still many challenges ahead they need to play a leading role for the rest of the public bodies in Wales. Our attention will be particularly focussed on the areas which will become our priority areas i.e. those which will have the biggest impact in the Welsh context.

12. How do you view the role of the Assembly in tracking and scrutinising progress under the Act?

The Assembly is in a unique position to track and scrutinise the progress under the Act. The Act is all encompassing and each of the committees could ensure in their scrutiny of issues and Ministers that the Act is fully implemented. I sincerely hope that the Assembly will take every opportunity to track and scrutinise the progress of the Act including even through a full post-legislative scrutiny of the Act. I firmly believe this legislation has the potential to truly change the way we do things in Wales. However we must recognise that this is a long-term cultural change programme. The legislation provides the framework but it will require significant leadership, investment of time and resources, and all of us to work together to achieve the seven goals and safeguard the ability of both current and future generations to meet their needs.

Yours

Sophie Howe
Future Generations Commissioner for Wales

Regarding the 56 day period. This is something which has been discussed in the past as the 28 day move on period has always proved problematic but attempts to harmonise this with existing housing/homelessness legislation have not been fruitful. UKVI are considering this issue in the round while they are consulting with partners and developing their thinking around the new asylum accommodation and support contracts. We have this on the agenda for our next Dispersal Strategy Group meeting (April 6th) where we will discuss whether it is something we wish to ask the UKVI to consider.

Regarding the UASC Project. I used to run a Refugee Mentoring Project for SOVA, and we obtained funding to run a drop in centre for unaccompanied asylum seeking children called 'You are not alone'. The project has not been funded for some years now.

The project grew out of the adult refugee mentoring work. SOVA recruited and trained asylum seekers, refugees and host community people to become trained mentors to reduce isolation and promote access to services. It was identified that some UASC were totally isolated, having no family or friends, arriving in a new country, with a different culture and language. Sova, in partnership with Cardiff Children's Services, utilised a space at the Welsh Refugee Council, and set up a drop in centre to help integrate these young people into the local community so they could form friendships and gain peer support. The project provided peer mentors/befrienders from local ethnic minority groups and together they established a drop in centre with a welcoming, friendly atmosphere where the young people could feel safe and supported. The peer mentors came up with the name 'You are not alone'.

We made a film called 'A Place in Mind' -which is still used in training sessions for people working with UASC.

https://www.youtube.com/watch?v=6loIP9Vi_4I

The drop in was attended by around 30 UASC at any one time mostly from the Cardiff area (numbers of UASC were higher at that time), and also provided ESOL training, educational and cultural trips, guest speakers, cooking, provision of computers, etc.



NYAS

Children Services six monthly Narrative Report

1st August – 31st January 20017

Cardiff Advocacy Team

1. Overview of service this period

- NYAS worked with a total of 151 new referrals this period.
- NYAS provided advocacy representation in relation to 174 issues.
- 87 issues were carried over from previous months.
- A total of 261 issues were supported by the advocacy service this quarter.
- 153 cases were closed within this period.
- The majority of referrals were to work with children in the child protection. Service, followed closely by looked after children and young people. We have experienced an increase in referrals from unaccompanied asylum seeking young people for advocacy and/or appropriate adult representation in the age assessment process.

2. Promotion, development and training

We have continued to actively promote and develop the advocacy service within children's services as well as the private and voluntary sector this quarter.

- At the last contract monitoring meeting it was agreed that an operational group would be set up to address specific areas of development to ensure accessibility of nyas services to all children and young people. Two meetings have taken place within this period. It was agreed that meetings would take place bi-monthly. Initial key areas of development have been agreed which include taking forward the creation of advocacy champions within service areas, lunch and learn sessions for staff, a nyas awareness day, raising awareness of the participation service and devising and implementing a referral process and raising awareness of the independent visiting service and implementing an outcomes framework to evidence value of the service. It was also agreed that other wider issues (identified by the service through our direct work with children and young people) could be addressed through small task and finish groups which would result in improvement of services to children and young people within these specific areas.

- Training to children's services staff in Cardiff and the Vale took place in December. Twenty participants were booked on to training but only six actually attended which was disappointing. Despite the small number, the session went well and feedback was positive, one participant fed back that they would have liked more focus on children's rights, Nyas will discuss further with children's services the wider learning needs of their staff in relation to children's rights and how we may be able to assist in meeting these. We have a further training session scheduled for March, which will need to be promoted widely with children's services if we are to secure attendance of greater numbers of staff.

3. Participation, visiting Advocacy , wider Consultation and Research

Participation. Work included:

- Corporate Parenting Advisory Committee listening event. Nyas worked in partnership with children's services and housing to run a participation event for care leavers to provide them with the opportunity to give their views on the planning, delivery and evaluation of leaving care services. Nyas produced a report on the event which made several recommendations as to how leaving care services could be developed and improved, which was presented to the committee in June. The committee held a feedback session with young people in September whereby the report's recommendations were agreed in full or in part
- Bright Sparks Awards. Nyas worked jointly with Cardiff Children's Services to plan and deliver yet another successful awards ceremony which took place on December 9th 2016 at Cardiff City Hall. Several planning sessions with young people were held to organise the event, which was on a bigger scale than usual due to this being the awards 10th anniversary. It was indeed an inspiring and heart-warming event, which celebrated the many achievements of looked after young people and care leavers within several areas of their lives. The Children's Commissioner for Wales Sally Holland was in attendance and spoke at the event which was hosted by our participation workers and three young people from our participation group, the event also showcased the talents of children and young people across the city of Cardiff with singing from Rhymney Primary School choir and Sound in Motion dance group.
- Our participation group has continued to meet on a fortnightly basis at our Nyas office base in Cardiff. Group membership has remained stable but we wish to recruit newer members to the group, including young people from other service areas which are currently underrepresented such as care and support, in order to achieve this it is essential for us to work collaboratively with children's services to raise awareness of the group and encourage and support children and young people to get involved. We intend to take this forward at the next operational meeting. The group has also embarked on other work within this period, including consultation on young people's involvement and membership of the Corporate

Parenting Advisory Committee , finalising the design of the fostering handbook and working with Children in Wales on their views on health issues for looked after young people .

- A number of care experienced young people from Cardiff have been recruited as peer advocates and peer mentors/mentees with nyas. They have recently undertaken accredited training with us and are currently completing their induction before being matched up with a peer mentor/mentee or being placed within local agencies and organisation to gain work experience as peer advocates.
- Nyas have been a co-opted member of the Corporate Parenting Committee since May 2015. The committee is currently reviewing its membership and attendance and with this it has been recommended that nyas step down from their position due to the recruitment of two young people and the forthcoming recommissioning of the advocacy service. Nyas are concerned about the impact of such a decision on the wider voice of children and young people and feel that the committee will lose an important children's rights perspective from a professional independent body. We have put together a paper highlighting our concerns and made the request that these representations be heard by committee members before any decision is made.
- Nyas in Cardiff are offering a social work placement for the second year running. Our student was placed with us in the September of this reporting period and she finishes placement in March this year. We wish to extend our involvement with social work training this year and input further on the social work degree courses within South Wales.
- We have continued to visit Crosslands Residential Unit on a monthly basis. The advocate has engaged well with the children and young people. 1 referral was received via visiting advocacy this quarter.
- NYAS has continued to have a strategic presence in Wales through regular attendance on the Advocacy Providers Group and through attending the task and finish group within the Welsh Government that will look to take forward the national approach to statutory advocacy in Wales. Nyas welcomed the opportunity to present evidence to the Welsh Government as part of their enquiry into the commissioning of advocacy.

4. Themes / Issues/recommendations this period.

- Nyas has been undertaking the appropriate adult role within the age assessment process since May 2016, the role of the appropriate adult is to ensure that unaccompanied asylum seeking young people have an independent person to ensure that their rights are upheld, their welfare safeguarded and a fair process is adhered to. We are concerned about the

often substantial delay some young people are experiencing in being age assessed, these young people have had to wait several weeks from when they are first referred to children's services for an age assessment, many of these young people are left under the support of National Asylum Support and living in accommodation with older adults. There also appears to be an inconsistency in practice in relation to whether young people are accommodated by social services whilst the assessment is ongoing and a decision on age is pending. Some of these young people are then later assessed as children, and have not been in receipt of looked after services whilst other unaccompanied asylum seeking young people are accommodated pending assessment and get the full ambit of services, such a practice also raises safeguarding issues for this vulnerable group of young people who find themselves placed in adult accommodation.

We wish to ascertain whether the local authority have an internal policy which clarifies working practices in relation to the age assessment of unaccompanied asylum seeking children and young people, and would welcome the opportunity to work with the local authority to improve systems and processes for this client group, which could be achieved through our operational meetings.

- Niyas are also aware of the need to improve upon the referral process to the appropriate adult service so we have the necessary information needed to effectively act in this role, which again can be taken forward within our operational meetings.
- Wider issues have also become apparent through our advocacy casework with unaccompanied asylum seeking young people. We have made representations on behalf of one young person who has felt unsupported by children's services in relation to support with his asylum claim. We have received feedback from the service that there is a capacity issue in supporting young people with aspects of their claim such as attending solicitors appointments, support in court when exercising rights to appeal as well as support if detained in an immigration and removal centre. Whilst we recognise that children's services have limited resources they have a duty of care for this extremely vulnerable group who urgently require robust intervention and support at this difficult and traumatic point in their lives.
- The service has experienced ongoing issues with the complaints process this period, which has been highlighted in previous reports and within Corporate Parenting Committee. Children and young people have continued to experience substantial delay in having their complaints dealt with within the prescribed timescales within regulations, we have also raised issues in respect of team managers being tasked with the investigation of complaints where they have been involved in the decision making that the actual complaint relates to, resulting in a lack of impartiality within the process. We welcomed the opportunity to highlight these and other issues within the local

authorities internal review of their complaints process which has been led by someone independent from social services. Concerns have also been discussed at operational level whereby we felt feedback was taken on board and assurances given that these issues are being addressed, we will continue to monitor and make representations on behalf of children and young people and work with the local authority in a bid to improve the complaints process.

5. Is anyone better off?

Nyas aim to achieve 100% feedback from children and young people at the point of case closure. This quarter NYAS Cardiff closed 61 cases and received feedback from children and young people by way of feedback forms, feedback 1-5 scale and verbal feedback from children and young people.

The following feedback has been received from children and young people, carer's, parents and professionals.

Direct feedback from Young people

CYP 1 – “Thank you for helping me”

CYP 2 – “Nice to be listened to”

CYP 3 – “All good”

CYP 4 – “I feel good, I'm happy with things”

CYP 5 – “I like you. You helped me”

CYP 6 – “Really good”

CYP 7 – “Feel ok, a bit better about things

CYP8 – “I want you to always be my advocate, I am still happy and sad but happy more”

CYP9 – “Thank you , if it wasn't for you I wouldn't have been paid the money by social services”

CYP10 – “Thank you x, I feel better having you there when I speak with social services, thank you have really helped me and been there for me”

Feedback scale 1-5

A total of 49 young people were asked on a scale of 1-5 how they felt about the issue affecting them at the outset of the advocacy intervention and then again at the end of the advocacy intervention, to ascertain distance travelled. 59% of children and young people had said that their situation had improved and 41% reported that it had stayed the same.

6. IV Service Outcomes

Active IV Cases

At time of writing nine young people are currently in receipt of an IV service from nyas in Cardiff. A total of thirty five recorded visits were made to children and young people within this period. Two new IV relationships commenced and appear to be going well

Two matches came to an end within this period. Both have been long term matches , one young person was an older care leaver and the relationship came to a natural end whilst the other young person and independent visitor have agreed that they will maintain contact with one another although the official IV relationship has come to an end

Two referrals were closed this quarter due to the young people deciding they no longer felt a need for the service.

Waiting and New referrals

We currently have five young people waiting to be matched:

Male/female	area	referral status
Female	Cardiff	matching questionnaire to be completed
Female	Cardiff	matching questionnaire to be completed
Female	Cardiff	matching questionnaire to be completed
Female	Cardiff	matching questionnaire to be completed
Male	Cardiff	matching questionnaire to be completed
Male	North England	Matching questionnaire completed. Targeted recruitment taking place.

Six new referrals were received within this period, one referral was received for an unaccompanied asylum seeking young person but was then closed due to him being reunited with his birth father in England. We have received very few applications from people wishing to become IVs with the service and the service coordinator is currently undertaking a recruitment drive to attract volunteers to the service. One young person waiting to be matched has profound disabilities and will therefore require an Iv who has the necessary experience/skills to form a befriending relationship.

We have continued to promote the service amongst child care practitioners within the local authority, and are currently devising an outcomes reporting framework which will be able to feed into the looked after reviewing process and evidence the value of the service. The operational group is currently addressing both this issue of awareness raising of the service as well as well as improving interface between Children's services and nyas. Nyas has also being actively involved in the All Wales Independent Visitor Network , a professional forum which meets three times a year to for IV Coordinators to share common issues and best practice in order to improve standards and consistency of IV services. The overall aim is to improve standards and reach of IV services for children in care.



Llywodraeth Cymru
Welsh Government

Ein cyf / Our ref: MA-P/KS/0098/17

John Griffiths AC
Cadeirydd
Y Pwyllgor Cydraddoldeb, Llywodraeth Leol a Chymunedau

24 Mawrth 2017

Annwyl John,

Yn ystod y Pwyllgor Cymunedau, Cydraddoldeb a Llywodraeth Leol ar 8 Chwefro, cytunais i roi eglurhad i'r aelodau ar nifer o faterion. Roedd eich llythyr ar 3 Mawrth hefyd yn gofyn am ragor o wybodaeth.

Mae'r wybodaeth y gwnaethoch gais amdano i'w gael yn Atodiad A.

Rwy'n deall eich bod wedi ysgrifennu ar wahân at Ysgrifennydd y Cabinet dros Gymunedau a Phlant i ofyn am wybodaeth am y prosiect sy'n darparu gwasanaethau cynghori mewn canolfannau Meddygon Teulu, gan gynnwys gwybodaeth am y lefel o fudd-daliadau nad ydynt yn cael eu hawlio. Gwnaethoch gais hefyd am wybodaeth am y gwaith y mae Llywodraeth Cymru yn ei wneud i gefnogi a hyrwyddo yr undebau credyd. Bydd yr wybodaeth hon yn cael ei hanfon atoch ar wahân.

Yn gywir,

Ken Skates AC/AM

Ysgrifennydd y Cabinet dros yr Economi a'r Seilwaith
Cabinet Secretary for Economy and Infrastructure

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

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

Y Cod Ymarfer ar Gyflogaeth Foesebol o fewn Cadwyni Cyflenwi

Yn ei Datganiad Llafar ar 1 Rhagfyr 2015 cyhoeddodd y Gweinidog Cyllid y byddai Gwerth Cymru yn arwain ar ddatblygu Cod Ymarfer ar Gyflogaeth Foesebol o fewn Cadwyni Cyflenwi.

Lansiodd Ysgrifennydd y Cabinet dros Gyllid a Llywodraeth Leol y Cod ar 9fed Mawrth mewn cyfarfod o Gyngor Partneriaeth y Gweithlu sydd wedi cydweithio'n agos â Gwerth Cymru i lunio'r Cod. Bu ymgynghoriad gydag ystod eang o randdeiliaid, gan gynnwys y Cyngor Adnewyddu Economaidd, y Bwrdd Caffael (arweinwyr ar draws y sector cyhoeddus yng Nghymru), Grŵp Cyflawni a Datblygu y Polisi Caffael (gweithwyr caffael y sector cyhoeddus), Uned Partneriaid Cymdeithasol Cymru, y Grŵp Arwain Atal Gaethwasiaeth a sefydliadau allanol arbneigol megis UNICEF. Hefyd, anfonwyd arolwg at 5000+ o gyflenwyr sydd wedi cofrestru ar wefan GwerthwchiGymru.

Lluniwyd y Cod i sicrhau fod pawb sy'n cael ei gyflogi yng nghadwyni cyflenwi y sector cyhoeddus yn cael eu cyflogi yn foesebol, yn unol â llythyren ac ysbryd cyfreithiau Prydain, cyfreithiau rhyngwladol a chyfreithiau gwledydd eraill. Caethwasiaeth yw'r pegwn eithaf o ran arferion anghyfreithiol ac anfoesol, ond mae problemau eraill yn cynnwys cosbrestru, hunangyflogaeth ffug, defnyddio cynlluniau mantell yn annheg a chontractau dim oriau. Mae'r Cod yn cynnwys y Cyflog Byw hefyd.

Mae'r Cod yn cynnwys 12 ymrwymiad a gynlluniwyd i ddileu caethwasiaeth fodern a chefnogi arferion cyflogi moesebol. Caiff ei gefnogi gan 4 dogfen ganllaw i helpu sefydliadau y sectorau cyhoeddus, preifat a'r trydydd sector:

- Canllaw i drechu caethwasiaeth fodern ac achosion o dorri hawliau dynol
- Canllaw i fynd i'r afael â Chosbrestru
- Canllaw i drechu arferion cyflogaeth anfoesebol
- Canllaw i gymhwyso'r Cyflog Byw wrth gaffael

Bydd disgwyl i bob sefydliad yn y sector cyhoeddus yng Nghymru, busnesau a sefydliadau'r trydydd sector sy'n derbyn cyllid y sector cyhoeddus yng Nghymru, ddefnyddio'r cod. Mae sefydliadau a busnesau eraill o Gymru yn cael eu hannog i ddefnyddio'r cod.

<http://gov.wales/newsroom/finance1/2017/58948814/?skip=1&lang=cy>

<http://gov.wales/newsroom/finance1/2017/58948814/?skip=1&lang=en>

Gwerthuso rhaglenni Esgyn a Cymunedau am Waith

Wrth werthuso rhaglenni Esgyn a Cymunedau am Waith, mae'r Rhaglen Esgyn yn cael ei gwerthuso'n annibynnol gan Wavehill Ltd, gydag ail gam yr adroddiad yn cael ei gyhoeddi ar 20 Rhagfyr 2016. Mae'r adroddiad yn cynnwys y canfyddiadau canlynol:

- Mae mynd i'r afael â thlodi yn un o flaenoriaethau pennaf Llywodraeth Cymru ac o ystyried y dystiolaeth sylweddol sy'n cysylltu diweithdra â thlodi mae digon o gyfiawnhad dros ymyrraeth polisi o'r math yma.

- Mae model cyflenwi'r rhaglen wedi'i gynllunio i fod yn hyblyg iawn ac mae hyn yn golygu y gall addasu i amgylchiadau lleol a sicrhau dull o weithio sy'n canolbwyntio ar y person.
- Mae'r cyfranogwyr yn bositif ar y cyfan am y cymorth a gawsant drwy'r Rhaglen.
- Mae cyfran uchel o'r cyfranogwyr wedi bod yn ddiwaith tymor hir neu erioed wedi gweithio, a dim ond rhai ohonynt fu yn rhan o fentrau eraill i'w cynorthwyo i gael gwaith; gan awgrymu bod Esgyn yn effeithiol wrth gysylltu â'r rhai hynny sy'n anodd eu cyrraedd.
- Pan fo cyfranogwyr wedi cymeryd rhan mewn Rhaglenni cymorth yn y gorffennol, roedd yn well gan dros dri chwarter ohonynt y dull a ddefnyddiwyd gan Esgyn.

Mae rhagor o wybodaeth a chopi o adroddiad Cam 2 i'w gael ar

<http://gov.wales/statistics-and-research/evaluation-lift-programme/?skip=1&lang=cy>

Mae'r rhaglen Cymunedau am Waith yn adeiladu ar dystiolaeth ac yn dysgu o raglen Esgyn. Mae'r rhaglen yn cael ei gwerthuso yn annibynnol eleni gan Old Bell 3 Ltd a bydd cam cyntaf y gwerthusiad yn cael ei gyhoeddi yn ystod y gwanwyn eleni.

Bond Llesiant Cymru

Mae Symud Cymru Ymlaen yn cynnwys ymrwymiad i gyflwyno Bond Llesiant newydd yng Nghymru sydd wedi'i anelu at wella llesiant meddyliol a chorfforol a lleihau nifer y bobl â bywydau segur, maetheg gwael ac sy'n yfed gormod o alcohol. Mae'r camau sy'n gysylltiedig â'r Bond Llesiant hefyd yn cael eu cynnwys yn y cynllun cyflenwi ar gyfer lechyd Meddwl i ddatblygu a threialu'r Bond Llesiant erbyn Rhagfyr 2017.

Mae swyddogion yn cwmpasu gwahanol fodelau ar hyn o bryd ar gyfer y Bond Llesiant ac yn cysylltu â'r trydydd sector cyn i'r cynllun ddechrau.

Datblygiadau i fynd i'r afael â thlodi plant

Yn ystod y sesiwn tystiolaeth, cynhaliwyd trafodaethau ynghylch y data sy'n dangos ein cynnydd o ran mynd i'r afael â thlodi plant.

Roedd y Mesur Plant a Theuluoedd (Cymru) 2010 yn gosod dyletswydd ar Weinidogion Cymru i ddatblygu Strategaeth Tlodi Plant ar gyfer Cymru ac i adrodd ar y cynnydd o fynd i'r afael â thlodi plant pob tair blynedd. Cafodd yr adroddiad cynnydd diwethaf ei osod gerbron Cynulliad Cenedlaethol Cymru a'i gyhoeddi ar wefan Llywodraeth Cymru ar 13 Rhagfyr 2016. Cafodd ei gyflwyno i aelodau gan Ysgrifennydd y Cabinet dros Gymunedau a Phlant trwy ddatganiad llafar.

Mae doler i'r adroddiad isod:

<http://gov.wales/topics/people-and-communities/people/children-and-young-people/child-poverty/?skip=1&lang=cy>

Absenoldeb Salwch a Chaffael Moesegol

Gan ddefnyddio caffael cyhoeddus, mae gennym swyddogaeth o hyrwyddo arferion cyflogi moesegol trwy ein cadwyni cyflenwi. Fel a ddisgrifiwyd uchod, mae Ysgrifennydd y Cabinet dros Gyllid a Llywodraeth Leol wedi lansio cod ymarfer yn ddiweddar ar gyfer cyflogaeth foesegol mewn cadwyni cyflenwi.

Ni fyddai defnyddio ein contract yn y sector cyhoeddus i orfodi gofynion sy'n gysylltiedig â rheolau salwch mewn cwmnïau yn bosibl. Fodd bynnag, mae Llywodraeth Cymru wedi cymeryd camau trwy'r polisi busnesau cyfrifol i annog gweithwyr i fabwysiadu a hyrwyddo arferion gweithio da sy'n creu gweithleoedd positif. Mae'r gwasanaeth Busnes Cymru yn hyrwyddo ymwybyddiaeth o'r polisi ac yn helpu busnesau drwy'r broses trwy roi cyngor a chanllawiau ar gydraddoldeb ac amrywiaeth.

Mae Busnes Cymru yn rhedeg porthol ar y we ar gyfer busnesau cyfrifol sy'n annog busnesau i ystyried effaith eu harferion ar eu gweithlu, eu busnes a'r amgylchedd yn ehangach.

<https://businesswales.gov.wales/cy/zones/responsible-business>

Dangosfwrdd Ystadegau Economaidd

Copi o'r Dangosfwrdd Ystadegau Economaidd isod.

DANGOSFWRDD YSTADEGAU ECONOMAIDD – WYTHNOS I DDECHRAU 05/12/2016

Mesur	Gwerth	Cyfnod
ALLBWN/INCWM		
Incwm Gros Aelwyd Ddomestig (GDHI)	£15,302	2014
Gwerth Ychwanegol Gros (GVA) y pen	£17,573	2014
Gwerth Ychwanegol Gros (GVA) yr awr a weithiwyd	£25.91	2014
Mynegai Cynhyrchu	107.7	Q2 2016
Mynegai Adeiladu	111.1	Q2 2016
Mynegai Gwasanaethau'r Farchnad	107.9	Q2 2016
Y FARCHNAD LAFUR		
Cyflogaeth (lefel)	1,440,000	Hyd - Rhag 2016
Cyflogaeth (cyfradd)	72.7%	Hyd - Rhag 2016
Diweithdra (lefel)	67,000	Hyd - Rhag 2016
Diweithdra (cyfradd)	4.4%	Hyd - Rhag 2016
Segurdod Economaidd (lefel)	454,000	Hyd - Rhag 2016
Segurdod Economaidd (cyfradd)	23.8%	Hyd - Rhag 2016
Nifer y bobl sy'n hawlio budd-daliadau (lefel)	38,700	Ion 2017
Nifer y bobl sy'n hawlio budd-daliadau (cyfradd)	2.6%	Ion 2017
Cyfartaledd (Canolrif) Enillion Llawn Amser	£492.4	2016
Swyddi'r gweithlu	1,405,600	2015

BUSNESAU		
Busnesau sydd â phencadlys yng Nghymru	99,860	2016
Busnesau sy'n gweithredu yng Nghymru	250,100	2016
Cyfradd Genedigaethau Busnes	12.1%	2015
Cyfradd Marwolaethau Busnes	9.1%	2015
Ymchwil a Datblygu Mentrau Busnes	£362 miliwn	2015

Canran y busnesau sy'n arloesol	51%	2015
Sectorau sy'n flaenoriaeth – nifer y mentrau	63,500	2015
Sectorau sy'n flaenoriaeth – cyflogaeth	606,500	2015
Sectorau sy'n flaenoriaeth – allbwn	£30,067 miliwn	2014

MASNACH A BUDDOSDDI UNIONGYRCHOL O DRAMOR (FDI)		
Gwerth nwyddau wedi eu hallforio ¹	£11.8bn	Blwyddyn i Q3 2016
FDI (Prosiectau)	18	2015/16 tan heddiw
FDI (Swyddi)	1,044	2015/16 tan heddiw
TWRISTIAETH		
Ymwelwyr â Chymru o Dramor	450,000 o ymweliadau	Ion-Meh 2016
Ymwelwyr Dydd â Chymru	95.2 miliwn o ymweliadau dydd gan dwristiaid	Blwyddyn tan Medi -2016
ARALL		
Cyfoeth aelwyd cyfan ar gyfartaledd	£214,200	2012-14
Cyfradd tlodi	23%	2012-13 tan 2014-15
Bodddhad cyffredinol presennol gyda'u swydd bresennol (/10)	7.5	2013-14
Canran sy'n nodi eu bod yn fodlon iawn â'u bywydau yn gyffredinol	29.71%	Ebr 2015 tan Maw 2016

Mae'n bosib y byddai gan yr aelodau ddiddordeb hefyd i weld dangosfwrdd Economi Cymru mewn Rhifau sy'n dangos prif ddangosyddion yr Economi yng Nghymru.

Ceir dolen at y dangosfwrdd isod.

<http://gov.wales/statistics-and-research/economic-indicators/?skip=1&lang=cy>

Prosiect 'Yr hyn sy'n Gweithio o ran mynd i'r afael â thlodi' Sefydliad Polisi Cyhoeddus i Gymru

Mae dull Llywodraeth Cymru o fynd i'r afael â thlodi a gwella canlyniadau cartrefi incwm isel yn parhau i gael ei lywio gan amrywiol dystiolaeth a dadansoddiadau.

Mae adroddiad y Sefydliad Polisi Cyhoeddus i Gymru *Alternative Approaches to Reducing Poverty and Inequality: Existing Evidence and Evidence Needs* yn adleisio canfyddiadau Pwyllgorau blaenorol y Cynulliad, gan dynnu sylw at yr angen i adnabod y grwpiau hynny sydd â'r perygl mwyaf o ddiodef o dlodi. Mae Llywodraeth Cymru wedi cynnal dadansoddiad o nifer o ffynonellau data allweddol, gan gynnwys data Aelwydydd sydd ag Incwm Is na'r Cyfartaledd yng Nghymru, a gyhoeddwyd ar 13 Rhagfyr 2016, yn ogystal â

¹ **Methodological change** - HMRC have revised the methodology used to calculate Regional Trade Statistics. Business trade is now allocated to a region based on the proportion of employees in that region rather than where the location of the Head Office of the business is.

data ar amddifadedd sy'n cael ei gasglu bellach drwy Arolwg Cenedlaethol Cymru. Mae'r ffynonellau tystiolaeth hyn yn helpu inni ddeall yn well nodweddion y rhai hynny sy'n byw mewn tlodi. Hefyd, galwyd am fwy o drafodaeth gan Sefydliad Polisi Cyhoeddus i Gymru gyda phobl sy'n byw mewn tlodi. Mae Gweithlu Gweinidogol y Cymoedd, a sefydlwyd ym mis Gorffennaf y llynedd, wedi blaenoriaethu trafodaethau gyda chymunedau lleol sy'n bwriadu grymuso unigolion i nodi blaenoriaethau lleol o ran gwasanaethau i adlewyrchu anghenion lleol.

O drafod rhaglenni cyflogi, mae Llywodraeth Cymru yn gweithio mewn partneriaeth â Bargen Ddinesig Caerdydd i gynllunio y Rhaglen Gwaith a Iechyd ar y cyd â'r adran Gwaith a Phensiynau. Rydym wedi ystyried adroddiad Sefydliad Polisi Cyhoeddus i Gymru *'Rethinking the work programme in Wales'* a bu'n ddefnyddiol i ddatblygu ein dull presennol o feddwl. Bydd y rhaglen newydd yn dechrau yng Nghymru tuag at ddiwedd 2017.

Mae'r gwaith ymchwil a gynhaliwyd gan Sefydliad Polisi Cyhoeddus i Gymru ar y prosiect *'What Works in Tackling Poverty'*, gan gynnwys canfyddiadau *'Improving the Economic Performance of Wales: Existing Evidence and Evidence Needs'* a *'New Directions in Employment Policy'* yn cael eu defnyddio i lywio datblygiad ein pedair strategaeth trawsbynciol. Mae'r casgliadau a'r prif negeseuon sydd yn yr adroddiadau hyn yn gipolwg ychwanegol defnyddiol o'r ymyrraethau strategol sydd wedi'u targedu sydd eu hangen i gyflawni ein huchelgais o sicrhau llewyrch i bawb.

Grwpiau Cyngori

Bydd Llywodraeth Cymru yn parhau i holi barn y prif arbenigwyr a sefydliadau wrth ddatblygu ein dull o greu cymunedau cadarn a sicrhau llewyrch i bawb.

Rwy'n cynnal yr adolygiad o'r grwpiau ar draws fy mhortffolio fy hun gyda'r bwriad o nodi bylchau ac achosion o ddyblygu. Rwyf hefyd wedi gofyn i Ysgrifenyddion y Cabinet a Gweinidogion eraill am fanylion o grwpiau o fewn eu portffolios sy'n trafod ac yn rhoi cyngor ar faterion sy'n gysylltiedig â tlodi. Bydd hyn yn helpu i benderfynu a yw Llywodraeth Cymru yn trafod digon gyda rhanddeiliaid ac arbenigwyr ar yr agenda hon.

Fel rhan o'r broses hon rwyf wedi bod yn trafod gyda Cadeiryddion Ardaloedd Menter a Paneli Sectorau sy'n rhoi safbwyntiau eu haelodau. Cynhelir cyfarfodydd parhaus fel rhan o'r broses hon. Rwyf hefyd wedi holi barn rhanddeiliaid amlwg gan gynnwys sefydliadau busnes ac undebau llafur.

Fy mwriad yw edrych ar y strwythur cyngori presennol o ganlyniad i'r adolygiad hwn, i sicrhau ei fod yn cyd-fynd â'n strategaethau o Gymru Ddiogel sy'n Ffynnu a Chymru Unedig Cysylltiedig. Bydd yr aelodau'n derbyn y newyddion diweddaraf ar y gwaith hwn wrth iddo ddatblygu.

Cynhelir trafodaethau hefyd gyda grwpiau perthnasol i benderfynu a ydynt yn barod i ganolbwyntio mwy ar dlodi, o ystyried ein hymrywmiad i sicrhau ffyniant i bawb. Bydd hyn yn cynnwys grwpiau megis y Cyngor Adnewyddu'r Economi a Bwrdd y Cynllun Cydraddoldeb Strategol.

Lledaenu llewyrch economaidd

Yn ystod fy sesiwn o gyflwyno tystiolaeth, trafodwyd swyddogaeth y strategaeth 'Ffynnu a Diogel' ac 'Unedig a Chysylltiedig' er mwyn lledaenu llewyrch economaidd.

Mae'r gwaith yn parhau ar ddatblygu ein pedair strategaeth trawsbynciol, ac rwy'n disgwyl i'r rhain fynd i'r afael â swyddogaethau y llywodraeth a phartneriaid cyflawni o ran dulliau o weithio i sicrhau llewyrch i bawb.

Rydym yn croesawu diddordeb y Pwyllgor a byddwn yn rhoi'r newyddion diweddaraf iddynt pan fyddwn wedi datblygu ein syniadau ymhellach.

Carl Sargeant AC/AM

**Ysgrifennydd y Cabinet dros Gymunedau a Phlant
Cabinet Secretary for Communities and Children**



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref MA/CS/0968/17

John Griffiths AC

Cadeirydd Y Pwyllgor Cydraddoldeb, Llywodraeth Leol a Chymunedau

21 Mawrth 2017

Annwyl John,

Diolch yn fawr am eich llythyr dyddiedig 28 Chwefror sy'n gofyn am wybodaeth ynghylch diffyg hawlio budd-daliadau a'r gwaith y mae Llywodraeth Cymru'n ei wneud i gefnogi a hyrwyddo undebau credyd yn dilyn cyfarfod y Pwyllgor Cydraddoldeb, Llywodraeth Leol a Chymunedau ar 8 Chwefror.

Budd-daliadau heb eu hawlio

Cyngor Da, Byw'n Well

Mae pobl ar draws Cymru'n wynebu nifer o heriau yn sgil yr amrywiaeth eang o ddiwygiadau lles sydd wedi effeithio ar bobl sy'n ennill incwm isel, teuluoedd, a'r rheini sydd fwyaf mewn angen. Mae'r gwasanaeth a ddarperir gan y Ganolfan Cyngor ar Bopeth drwy'r prosiect Cyngor Da, Byw'n Well yn enghraifft wych o'r cymorth sy'n cael ei gynnig i'r bobl sydd ei angen fwyaf. Un o nodau'r prosiect yw sicrhau'r incwm mwyaf posibl i bobl sy'n byw mewn ardaloedd difreintiedig ac sy'n debygol o ddioddef oherwydd yr effaith a gaiff tlodi ar eu hiechyd.

Mae'r prosiect Cyngor Da, Byw'n Well yn bwysig iawn. Yn ogystal â sicrhau'r incwm mwyaf posibl i deuluoedd, gan gynnwys y rheini sydd â phlant anabl, mae'n ceisio cyrraedd pobl drwy leoliadau gofal iechyd er mwyn darparu gwasanaeth mwy holistaidd i helpu'r rheini sy'n llai tebygol o ofyn am gyngor. Caiff ei ddarparu drwy 150 o leoliadau gofal iechyd sylfaenol ac eilaidd, gan gynnwys meddygfeydd a chlinigau cymunedol, ar draws pob un o'r 22 o awdurdodau lleol yng Nghymru.

Dyfarfwyd £2.2 miliwn i Gyngor ar Bopeth Cymru bob blwyddyn ers 2012 i weithredu'r prosiect hwn, gan ddarparu gwasanaethau cyngor wyneb yn wyneb mewn amrywiaeth o leoliadau iechyd. Mae'r presenoldeb lleol yn galluogi'r Ganolfan Cyngor ar Bopeth i gydweithio'n agos â sefydliadau anabledd ac awdurdodau lleol i sicrhau bod cyngor arbenigol priodol ar gael i deuluoedd sydd â phlant anabl. Mae hefyd yn annog pobl i hawlio budd-daliadau'r dreth gyngor a thai, yn ogystal â budd-daliadau eraill, yn enwedig y bobl a'r grwpiau hynny sy'n llai tebygol o'u hawlio.

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

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

Ers dechrau'r prosiect yn 2012 tan fis Rhagfyr 2016, mae wedi helpu dros 88,000 o bobl gan gronni dros £92 miliwn o enillion a gadarnhawyd. Cytunwyd ar gyllid ar gyfer Cyngor ar Bopeth Cymru i barhau i ddarparu'r prosiect yn 2017/18.

Mae cyngor da yn rhan hanfodol o'r broses o wella profiad pobl sy'n byw yng Nghymru ac yn cyfrannu at nodau Strategaeth Tlodi Plant Llywodraeth Cymru, gan gynnwys atal profiadau niweidiol yn ystod plentyndod, y Strategaeth Cynhwysiant Ariannol ac Amcanion Cydraddoldeb 2016-2020 a nodau Deddf Llesiant Cenedlaethau'r Dyfodol 2015, sy'n bosibl drwy'r pum ffordd o weithio.

Budd-daliadau heb eu hawlio

Nid yw Llywodraeth Cymru yn cadw gwybodaeth sy'n gyfatebol i'r hyn y mae'r Adran Gwaith a Phensiynau yn ei gyhoeddi ar y nifer sy'n hawlio budd-daliadau cysylltiedig ag incwm. Roedd yr Adran Gwaith a Phensiynau yn arfer cyhoeddi'r data hynny ar lefel Cymru gyfan. Fodd bynnag, ers Chwefror 2012, nid yw'r dadansoddiad daearyddol hwnnw wedi'i gyhoeddi fel rhan o'r set ddata honno. Mae'r amcangyfrifon diweddaraf a gyhoeddwyd o'r nifer sy'n hawlio budd-daliadau cysylltiedig ag incwm ar lefel Cymru gyfan yn ymwneud â blwyddyn ariannol 2009-10. Er bod yr amcangyfrifon hyn wedi dyddio erbyn hyn, maent yn dangos - ar gyfer Cymhorthdal Incwm, Lwfans Cyflogaeth a Chymorth (cysylltiedig ag incwm), Budd-dal Tai a Budd-dal y Dreth Gyngor - bod y gyfran o'r rheini cymwys sy'n hawlio'r budd-daliadau hynny bron yr un fath yng Nghymru ag ydyw mewn mannau eraill yn y Deyrnas Unedig (DU). Ar gyfer Lwfans Ceisio Gwaith (seiliedig ar incwm), mae'r gyfran sy'n hawlio yn uwch nag ydyw mewn mannau eraill yn y DU, ond ar gyfer Credyd Pensiwn, mae'r gyfran o'r rheini cymwys sy'n hawlio yn is nag ydyw mewn mannau eraill yn y DU.

Mae Cyllid a Thollau Ei Mawrhydi wedi cyhoeddi data diweddarach (2014-15) ar y nifer sy'n hawlio credydau treth yng Nghymru. Mae'r amcangyfrif canolog ar gyfer 2014-15 yn dangos cyfradd o 90% ar gyfer y llwyth o achosion sy'n hawlio budd-daliadau yng Nghymru, sydd ychydig yn uwch na'r gyfradd yn y DU (86%). O ran cyfradd y nifer sy'n hawlio credydau treth, yr amcangyfrifon canolog yw 96% ar gyfer Cymru a 92% ar gyfer y DU.

Cynhwysiant Ariannol

Mae'r Undebau Credyd yn bartneriaid allweddol er mwyn cyflawni nodau'r Strategaeth Cynhwysiant Ariannol a gafodd ei chyhoeddi ym mis Mawrth 2016. Rydym yn parhau i gydweithio'n agos â'r Undebau Credyd wrth weithredu'r Strategaeth a'r Cynllun Cyflawni ar gyfer Cynhwysiant Ariannol. Caiff y sector ei gynrychioli ar y Grŵp Llywio Cynhwysiant Ariannol ac mae'n cymryd rhan lawn yn y broses hon.

Mae'r Undebau Credyd yn ganolog i'n hymdrechion i hyrwyddo cynhwysiant ariannol. O'r cyllid presennol gan Lywodraeth Cymru a roddwyd i'r Undebau Credyd, roedd ychydig dros £20.4 miliwn wedi'u darparu ar ffurf benthyciadau i dros 25,000 o aelodau a oedd wedi'u hallgáu'n ariannol rhwng Ebrill 2014 a Medi 2016. Mae hynny'n helpu i ddangos y rôl y mae'r Undebau Credyd yn ei chwarae.

O ran cyllid ar gyfer y dyfodol o Ebrill 2017 ymlaen, rwy wedi bod yn glir bod yn rhaid i'r cymorth a roddir i'r Undebau Credyd barhau i fynd i'r afael ag allgáu ariannol. Ym mis Ionawr, roeddwn wedi cymeradwyo cyllid o £422,334 ar gyfer cynllun grant seiliedig ar wneud cais ar gyfer Undebau Credyd sy'n ceisio cymorth gan Lywodraeth Cymru yn ystod 2017-18. Bydd y cynigion a gaiff eu hariannu o 1 Ebrill 2017 yn helpu Undebau Credyd i barhau i gefnogi aelodau sydd wedi'u hallgáu'n ariannol, a chyflawni camau penodol a amlinellir yn y Cynllun Cyflawni Cynhwysiant Ariannol. Gallai'r prosiectau llwyddiannus gyfrannu at gynyddu cynaliadwyedd yr Undebau Credyd hefyd drwy gynyddu nifer yr aelodau, gan gefnogi'r amcanion a nodwyd yn Strategaeth Undebau Credyd Cymru. Rwy'n awyddus i annog gweithio ar y cyd, ac felly bydd prosiectau cydweithredol yn cael eu blaenoriaethu.

Dros y misoedd diwethaf rwy wedi ysgrifennu i gwmnïau yn y sector preifat, gyda'r bwriad o annog didyniad cyflog ar gyfer y gweithlu. Mae hynny'n ffordd bwysig o gael aelodau newydd, ac yn helpu'r Undebau Credyd i fod yn fwy cynaliadwy yn yr hir dymor. Byddaf yn parhau i gydweithio â'r Undebau Credyd, er mwyn codi eu proffil ar draws y sector cyhoeddus, y sector preifat a'r trydydd sector.

Mae sector yr Undebau Credyd yng Nghymru wedi'i drawsnewid dros y 15 mlynedd ddiwethaf. Ers y flwyddyn 2000, mae nifer o aelodau Undebau Credyd wedi cynyddu o 10,000 i dros 75,000 erbyn hyn. Yn ystod y cyfnod hwnnw, mae Undebau Credyd Cymru wedi cryfhau ac wedi proffesiynoli eu gwasanaethau'n syfrdanol. Yr uchelgais nawr yw datblygu'r gwaith da sydd eisoes wedi'i wneud.

Yn gywir



Carl Sargeant AC/AM

Ysgrifennydd y Cabinet dros Gymunedau a Phlant
Cabinet Secretary for Communities and Children

Item 4.8

Equality, Local Government and Communities Committee

Focus Groups - Trade Union (Wales) Bill

As part of the Equality, Local Government and Communities Committee consultation on the Trade Union (Wales) Bill, the National Assembly for Wales's Outreach Team facilitated two focus groups with members of a community health council and a PTA group respectively.

The purpose of these focus groups were to understand their views on the following aspects of the Bill, namely:

- Check-off;
- 40% ballot threshold; and
- Facility time.

It also proved an opportunity to discuss the implications of both the UK Government's Trade Union Act and the Trade Union (Wales) Bill.



Focus Group: Community Health Council

Location: Arfon

Participants: 4

Theme: Check-off

What's happening now?	What are the proposed changes?
<p>The UK Government's Trade Union Act limits the ways people can pay for their trade union membership. Normally it can be deducted straight from the wages of workers in the public sector. This is known as check-off.</p> <p>Under the UK Government's Trade Union Act, trade unions must now offer workers more than one option to make payments.</p> <p>The UK TU Act means that workers will no longer be able to automatically expect that subscription payments to a trade union will be made via wages, but will be given a number of options to make payments, for example via direct debit or card payments.</p>	<p>The Trade Union (Wales) Bill will remove the restrictions placed on check-off.</p> <p>In disapplying the provisions on check-off, employers are not under any duty to provide check-off facilities, nor are they prevented from seeking reimbursement for costs where they do.</p>

Question 1: What impact could this restriction on being able to pay your trade union subscription have on subscribers? Why?

Some of the participants felt that some people didn't want things taken straight out of their bank accounts. However, many of the participants felt that taking the onus away from the employer will see trade unions becoming "*closed shops and they'll suffer from poor take-up of subscriptions*".

Participants explained that they dealt with many workers who earn low incomes, and also explained that some don't have bank accounts. The restriction on check-off would then make it difficult to make alternative payments.

Some participants felt that people would leave the unions if check-off wasn't deducted automatically. If onus changed, people would be less likely to subscribe to membership. It would also be difficult for some people to manage their financial affairs.



Question 2: How might the restriction on check-off impact on you?

The participants felt that they wouldn't be directly impacted by the restriction on check-off, but did acknowledge the potential implications for those on low incomes.

Participants discussed the ease with which people could bank 10 years ago, and the difficulty many people face trying to access face to face banking (particularly in rural areas). Many people face the same problems with the Post Office. There is an added cost implication for bills paid through the Post Office (payment of which incurs a mandatory charge). This may have a knock on effect on low wage workers who are faced with a restriction on check-off.

Question 3: What impact does having a number of options to pay subscription fees affect subscribers?

The participants were concerned about how the changes to having a number of options to pay were being communicated to employees. Many felt that increasing the number of options brought with it an added element of risk.

One participant disagreed, and felt that impact would be minimal if options were promoted, regulated and monitored properly, thereby having minimal effect on subscribers.

Some of the participants felt that subscribers may become confused by the number of options, and would have sole responsibility of setting up the alternative payments correctly. There is a danger that if people are faced with too much choice, they will opt out.

One participant explained how there was a wide gap in the workforce in terms of digital / financial literacy and the more modern methods of subscribing – communication would be key in this instance and there shouldn't be an assumption that everyone e-banks.

Another participant wondered about how issues would be resolved, if a subscriber mistakenly believed they were in fact subscribed when they hadn't.

Some participants in the group questioned the cost benefit of introducing such a change to the system: *"It isn't broken."*

Question 4: What impact do you think this change to check off facility have on the relationship between unions and employers?

Participants reiterated the original point they raised, namely that the impact may lead to withdrawal of membership and a closed shop for trade unions.



Theme: 40% Ballot Threshold

What's happening now?	What are the proposed changes?
<p>The UK Government's Trade Union Act makes provision that at least 50% of all union members entitled to vote must vote, and of those who voted, a majority need to vote in favour.</p> <p>Therefore, if there are 1,000 members, at least 500 must vote in the ballot, and at least 251 must vote in favour.</p> <p>The UK Trade Union Act includes additional ballot thresholds for those working in what are considered to be 'important public services' (Health, Schools and Fire and Rescue). For those working in these sectors, in order for strike action to happen, they must not only ensure a simple majority of members vote in favour of industrial action, but they must ensure that 40% of members vote in favour rather than a simple majority.</p> <p>So, for example, if the union had 1,000 members eligible to vote, 40% must vote in favour of industrial action (400). So, if 500 members voted, 400 must vote in favour, not simply the 251 required for other services.</p>	<p>Trade Union (Wales) Bill would not change part of the UK Act that says at least 50% of all members entitled to vote must exercise their right to vote.</p> <p>The Trade Union (Wales) Bill would remove the need for 40% ballot threshold for 'important public services'.</p>

Question 1: Should doctors in a hospital setting for example, expect to be able to take industrial action based on a simple majority of members voting?

Participants felt strongly that anyone who works in a position of public service shouldn't expect to be able to take industrial action based on a simple majority of members voting. This was, they felt, because it endangered the public: *"How can you not have a risk to people during strike action?"*

Participants felt that by the very nature of public service work, employees must uphold their duty of care, and situations should never escalate to strike action. *"Fair and meaningful discussions"* should take place to avoid strike action at all cost.

One participant explained that those in the health sector shouldn't have to strike if issues were properly managed. In the instance of strike action, employers shouldn't put employees in a situation where they have to strike.



Question 2: If the law makes it harder for doctors to take industrial action, what would that mean for the relationships between employers and employees in your view?

Some participants felt that if the law would be changed in this way, the new law should outline a meaningful proposition, namely that the rights of the employee are recognised by the employer.

Participants felt that every employee should have the right meaningful dialogue with their employer. If this isn't achieved, one participant felt that the Welsh Government should arbitrate. However, following a discussion between each other, the group then decided that any arbitration should be facilitated by an independent body.

However, some participants felt that there needed to be a change in culture: there is a prevalence of people's perceived "*individual right to strike. It's a complex argument*".

One participant felt that there shouldn't be poor relations between employers and employees in any event: "*...with good management in place you get better outcomes and it's not autocratic*".

Question 3: What would it mean for NHS users like yourselves / patients?

Participants felt that it would be a better outcome for patients and NHS users like themselves.

Question 4: Is the 40% threshold a good or bad thing in your opinion for important public services?

One participant agreed with the position put forward by the Welsh Government and felt that the "*Westminster position was over-prescriptive*".

The remaining three participants agreed with the Westminster position.



Theme: Facility time

What's happening now?	What are the proposed changes?
<p>The UK Government's Trade Union Act gives the UK Government power, to require that public sector employers publish information about the amount of time people trade union officials spend on carrying out trade union duties at work.</p> <p>The Act would also give the UK Government the ability to cap the percentage of the employers' total pay bill spent on paying union official for facility time and to restrict the right of union officials to facility time.</p>	<p>The Trade Union (Wales) Bill seeks remove the need to publicise information about facility time.</p> <p>It will also dis-apply the regulation about information on facility time, and capping spend on, or limiting facility time allowed by devolved Welsh authorities.</p>

Question 1: Should Trade Union officials be entitled to take on union duties during work hours if the union and employer have agreed to this?

Participants reiterated a point they raised earlier in the session. Namely, meaningful discussions must take place to avoid strike action at all costs.

For the benefit of transparency, the participants felt that union duties during work hours should be published and time shown – but not to restrict time in anyway.

Question 2: To what extent would patients for example, expect to know how many hours any person has spent on union duties?

Participants felt that patients wouldn't be interested in knowing how many hours any person has spent on union duties, but they did feel that facility time wasn't the ultimate issue but its wider impact – "*patients just want to be treated*".

Some participants discussed the impact of "*paid disturbance allowance*". Union business does often take place during working hours and many officials would need to travel across the country to meetings. Facilitating for this can cost a lot of money, and consideration by the trade unions should be given to the employer. Some officials play the system.



Question 4: What impact do you think it would have on the health service if a trade union official could not carry out his or her union duties for members in a local hospital during working hours?

In order to facilitate fair and meaningful discussions to avoid strike action, the participants agreed that it was essential for a trade union official within the sector to undertake union duties for members during working hours. This shouldn't be a problem if all hours were published in order to maintain transparency.

Question 5: Do you have any experiences, if at all, with a union official carrying out union duties for membership your workplace during working hours?

Participants did not have any experiences with a union official carrying out union duties for membership during working hours.

Question 6: What impact would it have on the work of the union official? Positive / negative?

Participants felt that having to conduct work outside of working hours would be onerous on the official, and would perhaps be onerous on employees too, in reporting issues in the first instance.

Other comments

Some of the participants felt that party political use of membership fees was a problem. Trade union subscription don't give potential subscribers the option to opt-out their fees being used to fight elections: *"Many people don't realise that their fees are given to one party and aren't given the option to opt out"*.



Mae cyfyngiadau ar y ddogfen hon

Mae cyfyngiadau ar y ddogfen hon