

## Agenda – Y Pwyllgor Deisebau

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Lleoliad: I gael rhagor o wybodaeth cysylltwch a:  
Ystafell Bwyllgora 1 – Y Senedd Graeme Francis – Clerc y Pwyllgor  
Dyddiad: Dydd Mawrth, 15 Ionawr 2019 Kath Thomas – Dipwrwy Glerc  
Amser: 09.15 0300 200 6565  
[SeneddDeisebau@cynulliad.cymru](mailto:SeneddDeisebau@cynulliad.cymru)

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### 1 Cyflwyniad, ymddiheuriadau, dirprwyon a datganiadau o fuddiant (Tudalennau 1 – 36)

### 2 Deisebau newydd

2.1 P-05-853 Na i gau Cyffordd 41 o gwbl  
(Tudalennau 37 – 43)

2.2 P-05-854 Gwneud hyfforddiant Anabledd Dysgu yn orfodol ar gyfer staff  
ysbytai  
(Tudalennau 44 – 52)

2.3 P-05-858 Taenellwyr Dŵr i arbed bywydau nid i wneud arian!  
(Tudalennau 53 – 59)

2.4 P-05-859 Dylid Darparu Tai Plant yng Nghymru i Blant sy'n Dioddef  
Camdriniaeth Rywiol  
(Tudalennau 60 – 73)

### 3 Y wybodaeth ddiweddaraf am ddeisebau blaenorol

### Addysg

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

3.1 P-04-576 Caniatáu i Blant yng Nghymru Gael Gwyliau Teuluol yn Ystod  
Tymor yr Ysgol

(Tudalen 74)



- 3.2 P-04-606 Sicrhau bod ysgolion yn defnyddio eu pwerau statudol o dan reoliad 7 o Reoliadau Addysg (Cofrestru Disgyblion) (Cymru) 2010 heb unrhyw ymyrraeth neu ragfarn.  
(Tudalennau 75 – 79)
- 3.3 P-05-828 Rhagdybiaeth o blaid Ysgolion Gwledig  
(Tudalennau 80 – 89)
- 3.4 P-05-805 Rhoi chwarae teg i Athrawon Cyflenwi  
(Tudalennau 90 – 98)
- 3.5 P-05-848 Rhowch gyfle i Fyfirwyr Cymru ddewis yr opsiwn astudio gorau ar eu cyfer hwy  
(Tudalennau 99 – 103)

## **Yr Amgylchedd**

- 3.6 P-04-648 Ceisiadau cynllunio nwy ac olew anghonfensiynol  
(Tudalennau 104 – 107)
- 3.7 P-05-743 Rhowch Derfyn ar Fasnachu Anifeiliaid Anwes Egsotig yng Nghymru  
(Tudalennau 108 – 111)
- 3.8 P-05-816 Dywedwch 'NA' i saethu ffesantod ar dir cyhoeddus Cymru  
(Tudalennau 112 – 117)
- 3.9 P-05-825 Diogelu ysgyfaint plant rhag llygredd niweidiol tra maent yn yr ysgol  
(Tudalennau 118 – 120)
- 3.10 P-05-852 Cyflwyno trwydded i reoli tir ar gyfer saethu adar hela mewn ymgais i roi terfyn ar erlid adar ysglyfaethus  
(Tudalennau 121 – 125)

## **Iechyd**

- 3.11 P-05-804 Mae angen cyllid Llywodraeth Cymru ar gyfer chwarae!!  
(Tudalennau 126 – 131)

3.12 P-05-846 Achub Ysbyty Tywysog Philip Llanelli

(Tudalennau 132 – 136)

## **Economi a Thrafnidiaeth**

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

3.13 P-05-775 Caewch y bwlch sy'n ymwneud â gweithio trawsffiniol ac is-gontractio yn y gyfraith trwyddedu tacsis.

(Tudalennau 137 – 142)

3.14 P-05-835 Caniatáu i Yrwy'r Tacsî Symud yn Rhydd i wneud Gwaith Hurio Preifat Unrhyw Le yng Nghymru

(Tudalennau 143 – 144)

## **Cydraddoldeb**

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

(Tudalennau 145 – 150)

Mae cyfyngiadau ar y ddogfen hon

## P-05-853 Na i gau Cyffordd 41 o gwbl

Cyflwynwyd y ddeiseb hon gan Carol Clement – Williams, ar ôl casglu 473 o lofnodion.

### **Geiriad y ddeiseb**

Yn galw ar Lywodraeth Cymru i wrthod unrhyw gynnig i cau cyffordd 41 yr M4.

Mae adroddiad gan WSP i Lywodraeth Cymru a gyhoeddwyd ym mis Medi 2018, sy'n ystyried mesurau ar gyfer lleihau nitrogen deuocsid ar rwydwaith traffyrdd a chefnffyrdd Llywodraeth Cymru, yn cynnwys cynnig i gau ffordd ymuno orllewinol cyffordd 41 fel modd o leihau allyriadau ochr y ffordd ar yr M4 rhwng cyffordd 41 a chyffordd 42. Yr unig effaith a gaiff hyn fydd cynyddu allyriadau nitrogen deuocsid ar ffyrdd lleol a chael mwy o effaith ar bobl leol, yn enwedig plant.

### **Etholaeth a Rhanbarth y Cynulliad**

- Aberafan
- Gorllewin De Cymru

## P-05-853 Na i gau cyffordd 41 o gwbl

Y Pwyllgor Deisebau | 15 Ionawr 2019  
Petitions Committee | 15 January 2019

### Papur briffio gan y Gwasanaeth Ymchwil:

Rhif y ddeiseb: P-05-853

Teitl y ddeiseb: Na i gau cyffordd 41 o gwbl

Testun y ddeiseb: Yn galw ar Lywodraeth Cymru i wrthod unrhyw gynnig i cau cyffordd 41 yr M4.

Mae adroddiad gan WSP i Lywodraeth Cymru, a gyhoeddwyd ym mis Medi 2018, sy'n ystyried mesurau ar gyfer lleihau nitrogen deuocsid ar rwydwaith traffyrdd a chefnffyrdd Llywodraeth Cymru, yn cynnwys cynnig i gau ffordd ymuno orllewinol cyffordd 41 fel modd o leihau allyriadau ochr y ffordd ar yr M4 rhwng cyffordd 41 a chyffordd 42. Yr unig effaith a gaiff hyn fydd cynyddu allyriadau nitrogen deuocsid ar ffyrdd lleol a chael mwy o effaith ar bobl leol, yn enwedig plant.

### Y cefndir

Llywodraeth Cymru yw'r awdurdod priffyrdd statudol ar gyfer y rhwydwaith cefnffyrdd a thraffyrdd yng Nghymru, gan gynnwys yr A487.

Yn 2014-15, aeth Llywodraeth Cymru ati i dreialu cau'r ffordd ymuno tua'r gorllewin yng Nghyffordd 41 yr M4 ym Mhort Talbot er mwyn ceisio lleihau tagfeydd. Daeth y cyfnod treialu i ben [ym mis Mai 2015](#). Fodd bynnag, roedd yr [opsiynau ar gyfer dyfodol y gyffordd](#) yn parhau i gael eu hystyried.

Ym mis Hydref 2016 dywedodd yr [Ysgrifennydd ar y pryd dros yr Economi a'r Seilwaith](#) ei fod "Wedi penderfynu peidio â mynd ymlaen i ystyried mwy ar gau y ffyrdd ymuno ym Mhort Talbot ar hyn o bryd".

Ym mis Chwefror 2018, mewn achos a gyflwynwyd gan grŵp amgylcheddol ClientEarth, dyfarnodd yr Uchel Lys fod Llywodraeth Cymru wedi methu â pharatoi cynlluniau digonol i gyrraedd targedau'r UE i leihau llygredd aer. Roedd y dyfarniad yn yr achos llys, a oedd hefyd yn cynnwys Llywodraeth y DU, yn rhoi rhwymedigaeth gyfreithiol ar Lywodraeth Cymru i

ddrafftio cynllun erbyn diwedd mis Ebrill, ac i fod â chynllun terfynol ar waith erbyn 31 Gorffennaf i wella ansawdd aer ledled Cymru yn unol â chyfraith yr UE. Ym mis Gorffennaf 2018, fodd bynnag, gwnaeth Llywodraeth Cymru gais i'r Uchel Lys am estyniad, ac fe'i caniatawyd. Roedd yn ofynnol i Lywodraeth Cymru gyhoeddi'r cynllun newydd erbyn 30 Tachwedd 2018.

Ar 24 Ebrill 2018, gwnaeth Hannah Blythyn AC, Gweinidog yr Amgylchedd, [ddatganiad yn y Cyfarfod Llawn am ansawdd aer](#). Roedd y rhain yn cynnwys cyflwyno terfynau cyflymder o 50mya ar bum darn o'r rhwydwaith priffyrdd a'r traffyrdd, gan gynnwys yr M4 rhwng cyffyrdd 41 a 42.

Bwriad y treialon oedd lleihau crynodiadau nitrogen deuocsid (NA<sub>2</sub>) a oedd uwchlaw'r gofynion a nodir yng Nghyfarwyddeb Ansawdd Aer yr Amgylchedd yr UE a [Rheoliadau Safonau Ansawdd Aer \(Cymru\) 2010](#). Cafodd y terfynau cyflymder o 50mya eu rhoi ar waith dros dro [o fis Mehefin 2018](#) ymlaen. Pan ymddangosodd yr Ysgrifennydd ar y pryd dros yr Economi a Thrafnidiaeth gerbron [y Pwyllgor Newid Hinsawdd, yr Amgylchedd a Materion Gwledig](#) ym mis Tachwedd 2018, fel rhan o waith craffu'r Pwyllgor hwnnw, dywedodd fod disgwyl i Lywodraeth Cymru gyflwyno adroddiad yn gynnar yn 2019 ar effeithiolrwydd y terfynau 50mya o ran gwella ansawdd yr aer.

Lansiodd Llywodraeth Cymru ymgynghoriad ynghylch [Mynd i'r afael â chrynodiadau nitrogen deuocsid yng Nghymru](#) ym mis Medi 2018. Yr Arweiniad ar Arfarnu Trafnidiaeth Cymru (WelTAG) [Aseiad cam 3 o Gyffordd 41-42 \(PDF 2MB\)](#), a gyhoeddwyd fel rhan o'r ymgynghoriad hwn, yw'r adroddiad gan WSP y cyfeiriodd y deisebwyr ato. Mae Cam 3 WelTAG yn achos busnes llawn ac fe'i defnyddir i wneud aseiad manwl o'r mesurau dewisol wrth ddod i benderfyniad gweithredu terfynol.

Nododd yr adroddiad saith "mesur caled"<sup>1</sup> i'w harfarnu yng nghan 3, gan gynnwys tri a oedd yn golygu cau'r gyffordd:

- Opsiwn A – cau'r gyffordd (ffordd ymuno tua'r dwyrain yng nghyffordd 41), ynghyd â therfyn cyflymder 50mya;
- Opsiwn B – cau'r gyffordd (ffordd ymuno tua'r gorllewin yng nghyffordd 41), ynghyd â therfyn cyflymder 50mya; ac
- Opsiwn C – cau'r gyffordd (ffyrdd ymuno tua'r dwyrain a'r gorllewin yng nghyffordd 41), ynghyd â therfyn cyflymder 50mya.

Ar 29 Tachwedd, [cyhoeddodd Llywodraeth Cymru ei dogfen ategol i gyd-fynd â chynllun y DU ar gyfer mynd i'r afael â chrynodiadau nitrogen deuocsid ar ymyl y ffordd yng Nghymru](#). Mae

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<sup>1</sup> Roedd y "mesurau caled" yn wahanol i "fesurau meddal" a ddisgrifir fel "y rheini sy'n lleihau lefelau NO<sub>2</sub> yn oddefol drwy godi ymwybyddiaeth o'r broblem a'u hannog i newid eu hymddygiad." Disgrifiwyd y rhain fel "manteision anuniongyrchol ymylol" a allai "gynnig buddion ym mhob un o'r pum lleoliad ar y rhwydwaith, a drwy Gymru gyfan, o bosib [Rhwydwaith Ffyrdd Strategol]."

hwn yn cyflwyno cynllun gweithredu sy'n cynnwys camau i'w cymryd yn y pum lleoliad ar y rhwydwaith cefnffyrdd lle mae'r lefelau'n uwch na'r terfyn cyfreithiol (Tabl 10, tudalen 56), yn ogystal â thabl o Fesurau Rhagofalus a Ddargedwir (PRM) (tabl 11, tudalen 57).

Yn achos Cyffordd 41–42, y mesur a nodir fel rhan o'r cynllun gweithredu yw cyflwyno "terfyn cyflymder o 50 mya o ddiwedd y terfyn cyflymder presennol o 50mya ger Cyffordd 41 (Baglan) i Gyffordd 42 (tua 5.0km)". Fodd bynnag, mae'r mesur i "gau'r ffordd ymuno yng nghyffordd 41 tua'r gorllewin, ynghyd a chyflwyno cyfyngiad cyflymder o 50mya" (opsiwn B uchod) yn cael ei ddargadw fel un o ddau PRM.

## Ymateb Llywodraeth Cymru

Mae'r llythyr at y Cadeirydd gan Ysgrifennydd y Cabinet ar y pryd dros yr Economi a Thrafnidiaeth yn cadarnhau'r sefyllfa a ddisgrifir uchod. Mae'n nodi:

Mae crynodiadau NO<sub>2</sub> ym mhob un o'r 5 lleoliad yn cael eu monitro ar hyn o bryd gan diwbiau lledaenu a'r bwriad yw monitro parhaus hefyd drwy ddefnyddio dadansoddwyr y dull cyfeirio erbyn y Flwyddyn Newydd. Fel rhan o'r ymarfer monitro, rydym yn edrych ar effaith y terfynau cyflymder ar ansawdd yr aer ac mae'r canlyniadau yn cael eu bwydo i'r archwiliadau a'r modelu er mwyn sefydlu a oes angen rhagor o fesurau i sicrhau bod cydymffurfio yn yr amser byrraf posibl. Dyma ble y bydd angen mesurau rhagofalus o bosibl.

Rwy'n cydnabod bod awydd cryf yn lleol i gadw Cyffordd 41 yr M4 ar agor. Fodd bynnag, mae'n rhaid i Weinidogion Cymru ystyried pob mesur allai leihau y cysylltiad ag NO<sub>2</sub> cyn gynted â phosibl, ac i gynnig opsiynau fel rhan o'r broses ymgynghori er mwyn cydymffurfio â Chyfarwyddeb Ansawdd Aer yr Amgylchedd (2008/50/EC) a Rheoliadau Safonau Ansawdd Aer (Cymru) 2010. Yr ymgynghoriad ar arfarniadau Cam 3 yr Arweiniad ar Arfarnu Trafnidiaeth Cymru oedd y cam diweddaraf yn y broses, ac roedd yr ymgynghoriad hwnnw yn gofyn barn ar y mesurau arfaethedig i leihau y cysylltiad ag NO<sub>2</sub> yn y pum lleoliad yng Nghymru, un ohonynt ym Mhort Talbot.

Er ein bod wedi ystyried y mesurau yn erbyn meini prawf ac amcanion pendant, mae'n rhaid inni ystyried bod dod i gysylltiad â llygredd uchel yn yr aer yn fygythiad i fywyd, ac ystyried nid yn unig bobl sy'n defnyddio'r ffyrdd, ond hefyd y bobl sy'n byw ac yn gweithio ger y rhwydwaith traffyrdd a chefnffyrdd a'r cyhoedd yn ehangach. Felly ni ellir peidio ag ystyried cau Cyffordd 41 yn y dyfodol ar hyn o bryd.

Os byddwn yn sefydlu bod datblygu 'Mesur Rhagofalus' perthnasol neu unrhyw fesurau eraill i leihau lefelau NO<sub>2</sub> ar y rhan hon o'r M4 yn angenrheidiol, yna byddwn yn cysylltu gyda phob un o'r rhanddeiliaid.

## Camau a gymerwyd gan Gynulliad Cenedlaethol Cymru

Trafodwyd y cynllun i dreialu cau cyffordd 41 yn helaeth yn ystod y Pedwerydd a'r Pumed Cynulliad. Codwyd amrywiaeth o faterion gan Aelodau o bob rhan o'r sbectrwm gwleidyddol. Roedd y rhain yn canolbwyntio ar effaith cau'r gyffordd ar draffig lleol, allyriadau ar ffyrdd lleol a'r effaith ehangach ar gymunedau a busnesau lleol yn yr ardal.







Eich Cyf: P-05-853  
Ein Cyf: KS/03420/18

David John Rowlands AC

[government.committee.business@wales.cymru](mailto:government.committee.business@wales.cymru)

10 Rhagfyr 2018

Annwyl David,

Diolch am eich llythyr dyddiedig 26 Tachwedd ynghylch Deiseb P-05-853 - Na i Gau Cyffordd 41 o gwbl.

Gweinidogion Cymru yw'r awdurdod priffyrdd ar gyfer y rhwydwaith cefnffyrdd, ffyrdd arbennig sy'n cael eu darparu ganddynt, priffyrdd y maent yn gyfrifol amdanynt o dan unrhyw weithredu, priffyrdd sy'n cael eu trosglwyddo iddynt a phriffyrdd sy'n cael eu hadeiladu ganddynt sydd heb gael eu trosglwyddo i unrhyw awdurdod priffyrdd yng Nghymru. Ble y mae rhannau o'r rhwydwaith priffyrdd a chefnffyrdd yn mynd dros derfynau crynodiadau nitrogen deuocsid (NO<sub>2</sub>) ar gyfer Cyfarwyddeb Ansawdd Aer yr Amgylchedd (2008/50/EC) a Rheoliadau Safonau Ansawdd Aer (Cymru) 2010, rydym wedi gweithredu'n bwrpasol i ddiogelu iechyd y cyhoedd drwy ddefnyddio'r terfynau cyflymder 50mya dros dro ar unwaith cyn gynted ag y bo ein harchwiliadau wedi dangos y byddai camau o'r fath yn gwella ansawdd yr aer ar unwaith.

Mae pum lleoliad ledled Cymru sy'n mynd dros y lefel uchaf yn y Gyfarwyddeb ar gyfer NO<sub>2</sub>. Mae'r rhain yn cynnwys yr M4 rhwng Cyffordd 41 a 42 (Port Talbot) ac mae gan Lywodraeth Cymru ddyletswydd gyfreithiol i sicrhau ei bod yn cydymffurfio â Chyfarwyddeb Ansawdd Aer yr Amgylchedd (2008/50/EC) a Rheoliadau Safonau Ansawdd yr Aer (Cymru) 2010.

Mae archwiliadau manwl, gan gynnwys modelu traffig ac ansawdd yr aer gan ddefnyddio'r dull a amlinellwyd yn yr Arweiniad ar Arfarnu Trafnidiaeth Cymru (WelTAG), wedi'u cwblhau yn ddiweddar i sefydlu'r mesurau fydd yn llwyddo i gydymffurfio ag uchafswm yr NO<sub>2</sub> a ganiateir cyn gynted â phosibl, mewn ffordd sy'n lleihau y cysylltiad ag NO<sub>2</sub> cyn gynted â phosibl, ac sy'n golygu ei bod yn debygol, nid dim ond yn bosibl, y bydd cydymffurfio â'r terfynau.

Bae Caerdydd • Cardiff Bay  
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[Correspondence.Ken.Skates@gov.wales](mailto:Correspondence.Ken.Skates@gov.wales)

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

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

Ar hyn o bryd, mae'r posibilrwydd o gau y Ffordd Ymuno tua'r Gorllewin ar Gyffordd 41 yr M4 yn 'Fesur Rhagofalus' sy'n codi o ganfyddiadau Ansawdd Aer arfarniadau Cam 3 yr Arweiniad ar Arfarnu Trafnidiaeth Cymru. Daeth yr ymgynghoriad cyhoeddus ar y gwaith i ben ar 2 Tachwedd 2018 ac mae copi o'r adroddiad sy'n rhoi crynodeb o'r ymatebion i'w gweld ar y dudalen ganlynol ar y we:

<https://beta.gov.wales/sites/default/files/consultations/2018-11/tackling-roadside-nitrogen-dioxide-concentrations-in-wales-welsh-stage-3-summary-of-responses.pdf>.

Hefyd, cyhoeddwyd ein cynllun atodol i gynllun y DU ar gyfer mynd i'r afael â chrynodebiadau nitrogen deuocsid ar ochr y ffordd yn 2017, sy'n cadarnhau y mesurau i fynd i'r afael ag ansawdd yr aer yn y pum lleoliad. Gellir gweld copi o'r cynllun ar: <https://gov.wales/docs/desh/policy/181129-final-supplemental-air-quality-plan-en.pdf>.

Mae crynodebiadau NO<sub>2</sub> ym mhob un o'r 5 lleoliad yn cael eu monitro ar hyn o bryd gan diwbiau lleadaenu a'r bwriad yw monitro parhaus hefyd drwy ddefnyddio dadansoddwyr y dull cyfeirio erbyn y Flwyddyn Newydd. Fel rhan o'r ymarfer monitro, rydym yn edrych ar effaith y terfynau cyflymder ar ansawdd yr aer ac mae'r canlyniadau yn cael eu bwydo i'r archwiliadau a'r modelu er mwyn sefydlu a oes angen rhagor o fesurau i sicrhau bod cydymffurfio yn yr amser byrraf posibl. Dyma ble y bydd angen mesurau rhagofalus o bosibl.

Rwy'n cydnabod bod awydd cryf yn lleol i gadw Cyffordd 41 yr M4 ar agor. Fodd bynnag, mae'n rhaid i Weinidogion Cymru ystyried pob mesur allai leihau y cysylltiad ag NO<sub>2</sub> cyn gynted â phosibl, ac i gynnig opsiynau fel rhan o'r broses ymgynghori er mwyn cydymffurfio â Chyfarwyddeb Ansawdd Aer yr Amgylchedd (2008/50/EC) a Rheoliadau Safonau Ansawdd Aer (Cymru) 2010. Yr ymgynghoriad ar arfarniadau Cam 3 yr Arweiniad ar Arfarnu Trafnidiaeth Cymru oedd y cam diweddaraf yn y broses, ac roedd yr ymgynghoriad hwnnw yn gofyn barn ar y mesurau arfaethedig i leihau y cysylltiad ag NO<sub>2</sub> yn y pum lleoliad yng Nghymru, un ohonynt ym Mhort Talbot.

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Os byddwn yn sefydlu bod datblygu 'Mesur Rhagofalus' perthnasol neu unrhyw fesurau eraill i leihau lefelau NO<sub>2</sub> ar y rhan hon o'r M4 yn angenrheidiol, yna byddwn yn cysylltu gyda phob un o'r rhanddeiliaid.

Yn gywir,



**Ken Skates AC/AM**

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

**P-05-853 No to any Closure of Junction 41 – Correspondence from the petitioner to the Committee, 07.01.19**

Thank you for the opportunity to provide additional comments that may be considered by the committee on 15<sup>th</sup> January. The correspondence from the Cabinet Secretary for Economy & Transport does provide some clarity as to the reasoning behind the actions of the Welsh Government but I note that it does not rule out implementing the precautionary measure as identified in the WelTag3 report of closing the west bound on-slip road at junction 41 as a means of reducing nitrogen dioxide emissions along the section of the M4 between junctions 41 & 42. Therefore it is clear that the petition still needs to be considered as this option is live. I also appreciate that fact that officials from the Welsh Government have met with my local Assembly Member, David Rees, to discuss the concerns raised by the public in Port Talbot (and especially within my own electoral ward of Baglan) of the possible closure. The details provided in those meetings and the feedback from David Rees has given a greater understanding of the

reasons behind the decision of the Welsh Government for undertaking this survey and the need to reduce nitrogen dioxide emissions from vehicular traffic. However, there is an urgent need for the Welsh Government to understand the consequences of increasing vehicle emissions along local roads if they apply the precautionary measure and closing the west bound on-slip of junction 41. The increased levels of nitrogen dioxide on these roads will have a greater impact upon the health of local people, including children who walk along those roads to get to the two new schools that have been built within meters of the A4161, thereby having a greater detrimental effect than leaving all of the junction open. I would urge the committee to seek information from the Welsh Government as to what assessment has been undertaken with regard to the impact of increasing vehicle emissions along local roads if this precautionary measure was to be implemented. There should be sufficient evidence available from the previous trial closure of the same element of junction 41 which the Welsh Government introduced earlier this decade.

Regards

Carol

## Eitem 2.2

**P-05-854 Gwneud hyfforddiant Anabledd Dysgu yn orfodol ar gyfer staff ysbytai**

Cyflwynwyd y ddeiseb hon gan The Paul Ridd Foundation, ar ôl casglu 5,654 o lofnodion.

### **Geiriad y ddeiseb**

Paul Ridd oedd ein brawd. Roedd ganddo anableddau dysgu difrifol a bu farw yn Ysbyty Treforys yn 2009. Dywedodd adroddiad yr Ombwdsmon Gwasanaethau Cyhoeddus fod yr amgylchiadau'n arwain at farwolaeth Paul, sef esgeulustod, diffyg hyfforddiant ac anwybodaeth yn ffactorau cyfrannol a arweiniodd at farwolaeth Paul. Rhaid i'r Llywodraeth sicrhau bod pob gweithiwr gofal iechyd proffesiynol yn cael hyfforddiant gorfodol i fynd i'r afael â'r anghydraddoldebau iechyd enfawr sy'n wynebu pobl ag awtistiaeth ac anabledd dysgu.

Nid yw 1 o bob 4 gweithiwr gofal iechyd proffesiynol erioed wedi cael hyfforddiant ar anabledd dysgu neu awtistiaeth. Mae hyn yn annerbyniol. Hoffai dwy ran o dair gael mwy o hyfforddiant, ac mae 1 o bob 3 yn credu bod diffyg arweinyddiaeth y llywodraeth yn cyfrannu at broblemau marwolaethau y gellir eu hosgoi (ystadegau o'r arolwg a gynhaliwyd gan YouGov ar gyfer Mencap: <https://www.mencap.org.uk/press-release/concerns-over-lack-clinical-training-causing-avoidable-learning-disability-deaths>).

### **Etholaeth a Rhanbarth y Cynulliad**

- Aberafan
- Gorllewin De Cymru

## P-05-854 Gwneud hyfforddiant Anabledd Dysgu yn orfodol ar gyfer staff ysbytai

Y Pwyllgor Deisebau | 15 Ionawr 2019  
Petitions Committee | 15 January 2019

### Papur briffio gan y Gwasanaeth Ymchwil:

#### P-05-854 Gwneud hyfforddiant Anabledd Dysgu yn orfodol ar gyfer staff ysbytai

Paul Ridd oedd ein brawd. Roedd ganddo anableddau dysgu difrifol a bu farw yn Ysbyty Treforys yn 2009. Dywedodd adroddiad yr Ombwdsmon Gwasanaethau Cyhoeddus fod yr amgylchiadau'n arwain at farwolaeth Paul, sef esgeulustod, diffyg hyfforddiant ac anwybodaeth yn ffactorau cyfrannol a arweiniodd at farwolaeth Paul.

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#### Y cefndir

Ym mis Ionawr 2014, fel rhan o'r Rhaglen Wella 1000 o Fywydau, cyhoeddodd Llywodraeth Cymru ganllawiau penodol i wella gofal a thriniaeth ar gyfer pobl ag anabledd dysgu yn yr ysbyty. Datblygwyd y ['Bwndel Gofal i Bobl ag Anabledd Dysgu mewn Ysbyty Cyffredinol Gosod'](#) yn sgil marwolaeth Paul Ridd. Fe'i cynlluniwyd i helpu staff ysbytai i sicrhau bod pobl ag anableddau dysgu yn cael gwasanaeth teg pan fyddant yn mynd i'r ysbyty. Hefyd, ym mis Mehefin 2018, cyhoeddodd Llywodraeth Cymru ['Anabledd dysgu - Rhaglen gwella bywydau'](#).

Mae Llywodraeth Cymru wrthi'n cynnal ymgynghoriad tan 18 Ionawr 2019 ar [Gweithredu ar anabledd: hawl i fyw'n annibynnol](#) - mae cwestiwn 7 yn nodi: " Rydym am i sector gofal

cymdeithasol a gwasanaethau iechyd Cymru gefnogi pobl i fyw bywydau annibynnol. Gan ystyried y Cynllun Gweithredu, sut gallwn gyflawni hyn yn well ar gyfer pobl anabl?"

Mae deddfwriaeth allweddol sy'n gofyn am i wasanaethau leihau anghydraddoldebau ataliadwy yn iechyd bobl ag anabledd dysgu yn cynnwys *Deddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014*, *Deddf Llesiant Cenedlaethau'r Dyfodol (Cymru) 2015*, a *Deddf Cydraddoldeb 2010*.

Mae'r ddeiseb yn galw ar i Lywodraeth Cymru wneud hyfforddiant anabledd dysgu yn orfodol ar gyfer staff ysbytai. Casglodd 5,312 o lofnodion. Pan fydd deisebau ar wefan y Cynulliad yn casglu mwy na 5,000 o lofnodion, cânt eu hystyried ar gyfer dadl yn y Senedd.

Cafodd deiseb debyg ei thrafod yn Senedd y DU ar 22 Hydref 2018. Roedd yn annog Llywodraeth y DU i atal marwolaethau y gellir eu hosgoi trwy wneud awtistiaeth a hyfforddiant anabledd dysgu yn orfodol ar gyfer gweithwyr gofal iechyd proffesiynol. Mewn ymateb i'r ddeiseb, dywedodd Llywodraeth y DU: "We want all staff to receive the support, training and professional development they need to support people with learning disabilities and autism, in line with employers' existing responsibilities".

Ym mis Medi 2018, mewn [datganiad ysgrifenedig](#) yn ymateb i'r adolygiad o farwolaethau pobl anabledd dysgu, ymrwymodd Caroline Dinenage, Gweinidog Gofal y Llywodraeth, i gwblhau ymgynghoriad cyhoeddus ar gynigion ar gyfer hyfforddiant anabledd dysgu gorfodol ar gyfer holl staff iechyd a gofal Lloegr. Nodir y bydd yr ymgynghoriad cyhoeddus ar gynigion ar gyfer hyfforddiant anabledd dysgu gorfodol i'r holl staff iechyd a gofal gael ei gwblhau erbyn mis Mawrth 2019.

Yn Lloegr, mae dyletswydd yn y canllawiau statudol yn *Neddf Awtistiaeth 2009* ar i bob aelod o staff iechyd a gofal gael hyfforddiant awtistiaeth priodol. Mae [Bil Awtistiaeth \(Cymru\)](#), sydd yng Nghyfnod 1, yn Fil Aelod Cynulliad sy'n cynnwys darpariaeth ar gyfer hyfforddi staff mewn awtistiaeth; fe'i cyflwynwyd gan Paul Davies AC. Cynhelir y ddadl yng Nghyfnod 1 a'r bleidlais ar 16 Ionawr 2019. Os bydd y Bil yn mynd i Gyfnod 2, bydd modd cyflwyno gwelliannau; bydd y gwaith craffu yng Nghyfnod 2 yn digwydd yn fuan wedi hynny.

Vaughan Gething AC/AM  
Ysgrifennydd y Cabinet dros Iechyd a Gwasanaethau  
Cymdeithasol  
Cabinet Secretary for Health and Social Services



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref P-05-854  
Ein cyf/Our ref VG/03897/18

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

[Government.Committee.Business@gov.wales](mailto:Government.Committee.Business@gov.wales)

17 Rhagfyr 2018

Annwyl David,

Diolch am eich llythyr dyddiedig 26 Tachwedd ynghylch Deiseb P-05-854 Gwneud  
hyfforddiant Anabledd Dysgu yn orfodol ar gyfer staff ysbytai, gan Sefydliad Paul Ridd.

Rydym wedi bod yn gweithio gyda'r teulu i ddatblygu canllawiau ar gyfer pobl ag anabledd  
dysgu sydd angen mynediad at ofal aciwt yn yr ysbyty. Mae Sefydliad Paul Ridd hefyd yn  
rhan o weithgor i wella iechyd pobl ag anableddau dysgu, ac yn mynd i gymryd rhan yn y  
gwaith o ddatblygu fframwaith addysgol ar gyfer staff iechyd a gofal cymdeithasol.

Nod y rhaglen drawslywodraethol ddwy flynedd, Rhaglen Gwella Bywydau yw gwella  
cyfleoedd bywyd, iechyd a llesiant pobl ag anableddau dysgu, ac mae'n rhoi sylw i gyflawni  
anghenion pobl ag anableddau dysgu pan fyddant yn yr ysbyty. Yn goruchwyllo'r gwaith  
hwn mae Grŵp Cynghori'r Gweinidog newydd, dan gyd-gadeiryddiaeth y cyn Weinidog  
Gwasanaethau Cymdeithasol, Mrs Gwenda Thomas, ac aelod o Rhoi Pobl yn Gyntaf  
Cymru.

Disgwylir i'r holl wasanaethau iechyd sy'n cael eu darparu yng Nghymru fod o'r safon uchaf  
a chydymffurfio â Safonau Gofal Iechyd i Gymru, safonau iechyd proffesiynol a chanllawiau  
y Sefydliad Cenedlaethol dros Ragoriaeth mewn Iechyd a Gofal (NICE). Mae canllawiau  
penodol i wella gofal a thriniaeth i bobl ag anabledd dysgu yn yr ysbyty wedi bod ar gael ers  
2014.

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

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

[Gohebiaeth.Vaughan.Gething@llyw.cymru](mailto:Gohebiaeth.Vaughan.Gething@llyw.cymru)  
[Correspondence.Vaughan.Gething@gov.wales](mailto:Correspondence.Vaughan.Gething@gov.wales)

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

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



Gobeithio y bydd hyn o gymorth ichi.

Yn gywir,

A handwritten signature in black ink that reads "Vaughan Gething". The signature is written in a cursive style with a large initial 'V'.

**Vaughan Gething AC/AM**

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

## **Paul Ridd Foundation – Notes to support Mandatory Training Petition**

First and foremost, people with Learning Disabilities (LD) are people. They are unique individuals with their own likes and dislikes, history and opinions and they have the same rights as anyone else (GAIN, June 2010).

'Learning disabilities (LD)' is an umbrella term for persons who have varying degrees of 'Impairment of intellectual and social functioning'. LD affects about 1.5 million people in the UK and are common, lifelong conditions which are neither illness nor disease. In Wales, there are some 15,000 adults with LD who are known to social services and in receipt of services. There are estimated to be at least a further 60,000 adults with milder learning disabilities who are not in receipt of services.

'Learning disability' commonly refers to a history of developmental delay, a delay in or failure to acquire a level of adaptive behaviour and/or social functioning expected for a certain age, and evidence of significant intellectual impairment. LD is nearly always present from birth, although some people do acquire a LD through trauma or infection. For them, their condition is the norm and it will always be there.

The nature of people's LD varies widely and will affect the kind of support that they may require. Many people with a learning disability will have a significantly reduced ability to cope independently in a variety of situations (including health services), to understand new or complex information, to learn new skills (whether practical things like tying shoelaces, or social skills such as holding a conversation or self-care), and they may have difficulty with generalising any learning to new situations. Some people with a LD may also have other physical and emotional conditions and this may lead to the person having more than one diagnosis

It is expected that by 2020 the number of people with LD in the UK will have grown by over 10 per cent as well as a growth in the complexities of LD (Michael, 2008). This is due to people with learning disabilities living longer and due to young people with complex disabilities surviving into adulthood.

Research evidence consistently suggests that people with a LD are at greater risk of physical and mental ill health than the general population. In 1998, Hollins et al reported that people with a LD are 58 times more likely to die aged under 50 than other people, and four times as many people with a LD die of preventable causes than do people in the general population. More recently, the Confidential Inquiry into Premature Deaths of People with LD (CIPOLD) Final Report (Heslop et al, 2013) found that, on average, men with LD die 13 years younger than the general male population and women with LD die 20 years younger than the general population. Many of these deaths are considered avoidable and/or premature.

Michael (2008) reported that the general standard of health of people with LD is lower than for the general population. They have a greater risk of poorer health because they experience greater variety, complexity and range of health problems compared with the general population.

People with LD can find it difficult to access services and often have a different experience of using services than do other patients, for a variety of reasons.

For example, if they have poor understanding, communication difficulties or sensory impairments, people will need to communicate with them in an appropriate and

accessible manner. However, professional barriers can inhibit this. **Professional barriers include:**

- Lack of awareness of LD.
- Lack of training in LD.
- Assumptions and biases about people with LD.
- Diagnostic overshadowing – attributing symptoms and behaviour associated with illness to the learning disability rather than any other cause, and consequently appropriate investigations and treatments may not be undertaken and illness can be overlooked.

In addition, organisational barriers can also impede effective communication.

**Organisational barriers include:**

- Rigid appointment systems.
- Reliance on written forms of communication.
- Poor signage, which people with low literacy skills and poor sensory abilities will find difficult to follow.
- Lack of awareness of the Mental Capacity Act, 2005.
- Inter-agency and inter-professional barriers.

People with LD prove to be one of the most challenging to Health Professionals and hospital staff as they all present differently. Learning disabilities can be mild, moderate, severe or profound and every individual has their own challenges. From our experience, some individuals react to loud noises, busy places, children, confined spaces, bright lights, a clinical environment, even people wearing ties. These are just a short list of examples.

A person with LD is twice as likely to access secondary care as an emergency as their health needs are often not picked up early enough. There are 12,000 people with LD in the UK dying an avoidable death whilst in secondary care which is to be known to be a conservative figure and is clearly not acceptable.

Figures show that at least 2% of the population in hospital at any one time has a learning disability so for example a hospital the size of Morriston which has 800 beds will have at least 16 people with LD at any one time. A person with LD will most definitely visit several departments whilst being treated in hospital and staff need to be equipped and educated to deliver the standard of care required. From our (The Paul Ridd Foundation) many hospital walkabouts, discussions with staff on the ground and supporting families in time of need, it has become apparent that most issues that arise and the shortfall in care comes from staff having a lack of awareness and not received any formal training. This maybe a receptionist, porter, nurse, support worker, radiologist, speech & language therapist or a Medic.

Paul Ridd died in 2009 and there was no awareness, tools or training available for hospital staff and as a result Paul died of neglect.

As the family of Paul our purpose since his death has been that another family would not have to go through the same experience, as we paid the ultimate price for the lack of training, ignorance and complacency which was proved by the Coroner and Ombudsman's investigation.

Since 2012 The Paul Ridd Foundation (PRF) has worked closely with the Welsh Government and Health boards across Wales to develop guidelines and tools for staff to deliver better health care, and in 2014 a care bundle for improving general hospital care for patients who have LD was launched by the health minister at the time, Mark Drakeford. He made it clear that each of the seven health boards where expected to implement the guidelines set out in the 1000 lives document and use the tools that have been developed.

Shortly after the care bundle was launched we undertook hospital walkabouts in the four-main hospital in ABMU and visited all the health boards across Wales only to discover that

there was still little awareness and the care bundle was only being used in very small pockets. This quickly made us realise that we had a further mountain to climb being IMPLEMENTATION of the new system and supporting documents and tools.

The PRF is completely self-funded and has worked tirelessly to support each health board across Wales to promote the care bundle by offering training, developing and funding ward LOGO packs including the distribution to each health board delivered in person to key professionals. The LOGO now used across Wales was developed by PRF which is used as trigger for all staff to identify a person with LD and is proven to be effective when staff are aware of it and trained.

From the very outset, the Foundation set clear goals for all the health boards across Wales so there is a common standard and good practice is shared. The Goals set have never changed

- Care bundle resource file to be available on every ward and department
- Liaison Nurse service in each health board
- LOGO Pack to be available on every ward and department
- LD champions in every hospital
- IT Flagging System
- Mandatory Learning Disability Awareness Training for all Staff

Each health board is making slow progress on all the items on the above list other than the most important item Mandatory Awareness Training.

As a Family/ Foundation we have committed a significant amount of time to this campaign and are fearful that without Mandatory Training the care bundle, Logo Pack and supporting documents will not be implemented properly which will cause risk to the quality of the health care being delivered.

We strongly feel that creating a common standard is so important and the care provided will be consistent, so we proposed an All Wales group was formed which although in its infancy is the perfect vehicle to embed LD into the Health Service in Wales.

We lobbied for Liaison Nurse Services to be in operation as when a Liaison Nurse is involved in the health care of a person with LD on average they spend 45% less time in Hospital. The patient experience is less anxious, of a better quality and ultimately creates a more efficient service reducing bed time and saving on cost. Our support in champion training has created over 170 LD Champions in ABMU and most of the other health boards have started the process. Like the Liaison Service Champions make a huge difference on the ground and from personal feedback, for many it gives a considerable amount of Job satisfaction. But unfortunately, they don't reach everyone. The PRF also works closely with Swansea University and the University of South Wales, raising awareness of nurses just about to start their careers, but again it doesn't reach all.

As a charity, we also support other charities involved with LD, carers and families by giving advice on access to secondary care. Unfortunately, over the past few years we have learnt of many unacceptable incidents that have resulted in sub-standard care caused by a lack of staff training and some resulting in premature death in North Wales and three in Llandough Hospital all of which have been since Paul's death.

People with LD have the right to the same level of medical and nursing care as that provided to the general population. 'Reasonable adjustments' mean that services must anticipate and be responsive and flexible so that any diagnosis or treatment takes into full account the LD and needs of the person, so that the best possible

health outcome for that person can be achieved (NPHS, 2009). However, 'equality' for a patient with a learning disability does not necessarily mean receiving the same service as patients without LD, and may mean providing additional and alternative methods of support established with the patient and/or their families/carer to achieve a positive outcome (GAIN, June 2010).

Reasonable adjustments can be covered in Mandatory training by examples of good practise as they make the difference required. Individuals with LD have a lot of challenges in life and together we can make sure that the Health Service is not one of them.

LD is everyone's business and the feedback we have received from hospital staff is that they want to do a good job but need the awareness training and tools to do it. By not providing staff with Mandatory training we are letting them down.

From the great work produced since Paul's death we feel that Wales has a huge opportunity to lead the UK in Improving Lives of People with LD which is highlighted in the recently published document by the Welsh Government – Learning Disability Lives Programme June 2018.

Mandatory training is essential for an organisation to deliver safe and efficient services, designed to reduce organisational risks and comply with local or national policies and government guidelines. We passionately feel that Mandatory LD Training for Hospital Staff is essential and should act as a 'catch all' to cover both mandatory and statutory requirements, but most of all to deliver equal health care for people with a learning disability.

Wales has always led the way within the UK in terms of support for people with LD. The 1983 Mental Handicap Strategy was ground breaking and set a philosophy of more visibility and value placed on people with LD in their local communities. Wales was the first country to close all long stay hospitals and in 2006, the first country to introduce annual health checks. In 2014 we introduced the Care Pathways, the only country in the UK with a formal process for reasonable adjustments for patients with LD.

England now plans to introduce mandatory training for health professionals in LD. In 2013, Wales introduced a country wide training programme, delivered by Mencap Cymru to hospital staff which was evaluated by Bangor University and showed the importance of face to face training for health professionals and the impact on behaviour of understanding the dangers of Diagnostic Overshadowing - attributing symptoms and behaviour associated with illness to the learning disability rather than any other cause, and consequently appropriate investigations and treatments may not be undertaken and illness can be overlooked.

If the Welsh Government Support Mandatory training it will ensure that Learning Disability Awareness is embedded with our National Health Service and all the good work will continue to develop making the new service sustainable.

**P-05-858 Taenellwyr Dŵr i arbed bywydau nid i wneud arian!**

Cyflwynwyd y ddeiseb hon gan John Newman, ar ôl casglu 209 o lofnodion.

### **Geiriad y ddeiseb**

Galw ar Lywodraeth Cymru i ddiwygio paragraff 2.6 o Ddogfen Gymeradwy B mewn ffordd sydd yn ei gwneud yn orfodol bod dyluniad, gosodiad a chynnal a chadw systemau preswyl a domestig ar gyfer ataliad tân yn cael ei gynnal gan neb ond pobl sy'n aelodau o gynlluniau ardystio trydydd parti priodol. Bydd hyn yn sicrhau y caiff systemau arbed bywyd o'r fath eu dylunio, eu gosod a'u cynnal a'u cadw'n gywir gan bobl sydd â'r cymwyseddau addas. Yn anffodus, nid felly y mae ar hyn o bryd.

### **Etholaeth a Rhanbarth y Cynulliad**

- Caerffili
- Dwyrain De Cymru

## Deiseb: P-05-858 – Taenellwyr Dŵr i arbed bywydau nid i wneud arian!

Y Pwyllgor Deisebau | 15 Ionawr 2019  
Petitions Committee | 15 January 2019

### Papur briffio gan y Gwasanaeth Ymchwil:

Rhif y ddeiseb: P-05-858

Teitl y ddeiseb: Taenellwyr Dŵr i arbed bywydau nid i wneud arian!

Testun y ddeiseb:

Galw ar Lywodraeth Cymru i ddiwygio paragraff 2.6 o Ddogfen Gymeradwy B mewn ffordd sydd yn ei gwneud yn orfodol bod dyluniad, gosodiad a chynnal a chadw systemau preswyl a domestig ar gyfer ataliad tân yn cael ei gynnal gan neb ond pobl sy'n aelodau o gynlluniau ardystio trydydd parti priodol. Bydd hyn yn sicrhau y caiff systemau arbed bywyd o'r fath eu dylunio, eu gosod a'u cynnal a'u cadw'n gywir gan bobl sydd â'r cymwyseddau addas. Yn anffodus, nid felly y mae ar hyn o bryd.

### Y cefndir

#### Rheoliadau Adeiladu

Gwnaed *Rheoliadau Adeiladu 2010* (fel y'i diwygiwyd) o dan bwerau a ddarparwyd yn *Neddf Adeiladu 1984* (fel y'i diwygiwyd) ac maent yn cwmpasu adeiladu adeiladau newydd ac addasu neu ymestyn adeiladau presennol.

Mae Rheoliadau Adeiladu yn ymwneud â'r ffordd y mae adeilad wedi'i adeiladu, ei sefydlogrwydd strwythurol, y modd dianc ohono a rhagofalon tân, pa mor dda y mae'n gwrthsefyll y tywydd, ei gadwraeth ynni, i ba raddau y mae wedi'i inswleiddio'n dda, y mynediad ar gyfer pobl ag anableddau a chyfleusterau ar eu cyfer ynddo.

Darperir canllawiau technegol ar sut i gydymffurfio â'r Rheoliadau Adeiladu mewn cyfres o '[Ddogfennau Cymeradwy](#)'.

## Systemau atal tân awtomatig

Mae [Dogfen Gymeradwy Rhan B](#) ar gyfer Cymru yn darparu canllawiau technegol ar Reoliadau Adeiladu a diogelwch tân.

Cyhoeddir Dogfennau Cymeradwy o dan y Rheoliadau Adeiladu mewn ffurfiau ar wahân ar gyfer Cymru a Lloegr. Llywodraeth y DU sy'n cyhoeddi'r Dogfennau Cymeradwy ar gyfer Lloegr a Llywodraeth Cymru sy'n eu cyhoeddi ar gyfer Cymru. Mae'r Dogfennau Cymeradwy Rhan B ar gyfer Cymru a Lloegr wedi argymhell y dylid gosod taenellwyr tân, neu systemau atal tân eraill, mewn adeiladau preswyl newydd, fel arfer sydd â phedwar llawr neu ragor, yng Nghymru a Lloegr er 2007 (er bod y Ddogfen Gymeradwy Rhan B ar gyfer Cymru wedi'i diwygio ers hynny er mwyn ymdrin â'r gofyniad i osod taenellwyr tân, fel y disgrifir isod).

Gan weithredu o fewn maes datganoledig diogelwch tân, pasiodd y Cynulliad *Fesur Diogelwch Tân Domestig (Cymru) 2011*. Fe'i gweithredwyd gan y *Rheoliadau Adeiladu &c. (Diwygiad Rhif 3) a Rheoliadau Diogelwch Tân Domestig (Cymru) 2013*, a wnaeth systemau llethu tân awtomatig (h.y. taenellwyr tân) yn orfodol yng Nghymru ar gyfer cartrefi gofal ac ystafelloedd penodol at ddibenion preswyl ers 30 Ebrill 2014, ac ar gyfer anheddau newydd ers 1 Ionawr 2016.

Nid oes gofyniad i osod taenellwyr yn ôl-weithredol mewn tai a adeiladwyd cyn 1 Ionawr 2016.

## Cydymffurfio a gorfodi

Cyrff Rheoli Adeiladu sy'n gyfrifol am fonitro cydymffurfiaeth â Rheoliadau Adeiladu.

Mae dau fath o Gorff Rheoli Adeiladu, sef adrannau Rheoli Adeiladu awdurdodau lleol, ac Arolygwyr Cymeradwy y sector preifat. Mae gan ddatblygwr yr opsiwn o ddewis un o'r ddau fath o gorff Rheoli Adeiladu i sicrhau bod gwaith adeiladu yn cydymffurfio â'r Rheoliadau Adeiladu.

Mae gan adrannau Rheoli Adeiladu awdurdodau lleol ddyletswydd statudol i sicrhau bod gwaith adeiladu yn cydymffurfio â'r Rheoliadau Adeiladu, a byddant yn ceisio gwneud hynny drwy ddulliau anffurfiol pan fydd hynny'n bosibl. Os na fydd gorfodaeth anffurfiol yn effeithiol, mae gan yr awdurdod lleol bwerau gorfodi y gall eu defnyddio.

## Gosod systemau atal tân awtomatig

Mae paragraff 2.6 o Ddogfen Gymeradwy Rhan B ar gyfer Cymru yn nodi:

... It is essential that automatic fire suppression systems are properly designed, installed and maintained. Where an automatic fire suppression system is installed, an installation and commissioning certificate should be provided. Third party certification schemes for fire protection products and related services are an effective means of providing the fullest possible assurances, offering a level of quality, reliability and safety.



Cafodd y Pwyllgor lythyr oddi wrth Lesley Griffiths AC, Ysgrifennydd y Cabinet dros Ynni, Cynllunio a Materion Gwledig ar y pryd, mewn cysylltiad â'r ddeiseb hon ar 5 Rhagfyr 2018. Mae'r llythyr yn nodi:

As guidance [referring to Approved Document B] , it is possible for compliance with the requirements of the building regulations to be met in some other way, other than third party accreditation, such as proving competence of installing and commissioning fire suppression systems to the building control body (local authority building control or private approved inspector), even though not registered with a third party certification scheme.

## Adolygiad Hackitt

Yn dilyn tân Tŵr Grenfell comisiynodd Llywodraeth y DU [Adolygiad Annibynnol o Reoliadau Adeiladu a Diogelwch Tân](#) yn Lloegr. Y Fonesig Judith Hackitt a arweiniodd yr Adolygiad.

Cyhoeddwyd [adroddiad interim](#) ar 18 Rhagfyr 2017 a'r [adroddiad terfynol](#) ar 17 Mai 2018. Nododd yr adroddiad interim nad yw'r system bresennol o Reoliadau Adeiladu a diogelwch tân yn addas i'r diben a bod angen newid diwylliant i gefnogi darpariaeth adeiladau sy'n ddiogel, a hynny yn awr ac yn y dyfodol. Roedd yr adroddiad terfynol yn ehangu'r casgliad hwn ac yn cynnig fframwaith rheoleiddiol newydd i fynd i'r afael â'r gwendidau yn y system, i sicrhau bod ffocws cryfach ar greu a chynnal adeiladau diogel.

## Camau Llywodraeth Cymru

Er bod Adolygiad Hackitt wedi'i gomisiynu yng nghyd-destun systemau Rheoliadau Adeiladu a diogelwch tân yn Lloegr, mae'r systemau yng Nghymru yn debyg iawn. Ymatebodd Llywodraeth Cymru i argymhellion Dame Judith ac amlinellodd Rebecca Evans, y Gweinidog Tai ac Adfywio, ei hymateb cychwynnol mewn [datganiad ysgrifenedig](#) ar 23 Mai 2018. Cadeiriodd y Gweinidog grŵp arbenigol i ddatblygu'r argymhellion i ddod yn gyfraith, yn bolisiau ac yn newidiadau i arferion yng Nghymru. Disgwylir y bydd cynllun manwl ar gyfer gweithredu'r argymhellion ar waith yn y flwyddyn newydd.

Er bod argymhellion y Fonesig Judith yn cyfeirio at adeiladau deg neu ragor o loriau, mae Llywodraeth Cymru wedi nodi y bydd yn canolbwyntio ar adeiladau saith llawr neu ragor.

Yn ei llythyr at y Pwyllgor, nododd Ysgrifennydd y Cabinet ar y pryd y canlynol:

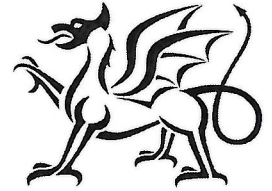
Fire suppression systems form a crucial part in the fire safety provisions within buildings, particularly in high rise buildings. We will therefore investigate, as part of this work [the Welsh Government's plan for implementing changes discussed above] , whether there is sufficient evidence to justify that those registered with third party certification schemes should be considered as the only method of meeting compliance with the requirements of the building regulations for the installation and commission of fire suppression systems.

## Camau Cynulliad Cenedlaethol Cymru

Bu llawer o drafod yn y Cynulliad ar fater systemau atal tân awtomatig, a diogelwch tân yn fwy cyffredinol, yn sgîl tân Tŵr Grenfell. Mae hyn yn cynnwys gwaith y Pwyllgor Cydraddoldeb, Llywodraeth Leol a Chymunedau a arweiniodd at gyhoeddi ei adroddiad, sef [Diogelwch tân mewn adeiladau \(preswyl\) uchel iawn \(sector preifat\)](#) ym mis Tachwedd 2018. Fodd bynnag, nid oes dim o'r trafodaethau hyn wedi canolbwyntio'n benodol ar p'un a ddylai ardystiad trydydd parti fod yn orfodol ar gyfer pobl sy'n gosod systemau atal tân ac yn eu comisiynu.

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

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



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref  
Ein cyf/Our ref LG/02370/18

David John Rowlands AM  
Chair - Petitions committee.  
National Assembly for Wales  
Cardiff Bay  
Cardiff Bay  
CF99 1NA  
Government.Committee.Business@gov.wales

5 December 2018

Dear David

Thank you for your letter of 26 November, regarding the petition received from John Newman in relation to fire sprinklers.

The matter the petitioner refers to relates to guidance for the installation and commissioning requirements for automatic fire suppression systems within Approved Document B (Fire Safety) of the Building Regulations 2010. The petitioners request is to make it mandatory that the design, installation and maintenance of residential and domestic fire suppression systems is conducted only by those that are members of appropriate third party certification schemes.

The current guidance states third party certification schemes for fire protection products and related services are an effective means of providing the fullest possible assurances, offering a level of quality, reliability and safety.

As guidance, it is possible for compliance with the requirements of the building regulations to be met in some other way, other than third party accreditation, such as proving competence of installing and commissioning fire suppression systems to the building control body (local authority building control or private approved inspector), even though not registered with a third party certification scheme.

Bae Caerdydd • Cardiff Bay  
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Canolfan Cyswllt Cyntaf / First Point of Contact Centre:  
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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

**Tudalen y pecyn 58**

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.

Work is currently underway on a review of the fire safety requirements of the building regulations following the independent enquiry undertaken by Dame Judith Hackitt following the Grenfell Tower fire in London.

Fire suppression systems form a crucial part in the fire safety provisions within buildings, particularly in high rise buildings. We will therefore investigate, as part of this work, whether there is sufficient evidence to justify that those registered with third party certification schemes should be considered as the only method of meeting compliance with the requirements of the building regulations for the installation and commissioning of fire suppression systems.

Regards  
Lesley

**Lesley Griffiths AC/AM**

Ysgrifennydd y Cabinet dros Ynni, Cynllunio a Materion Gwledig  
Cabinet Secretary for Energy, Planning and Rural Affairs

## Eitem 2.4

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

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

#### Geiriad y ddeiseb

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

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

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

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

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

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

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

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

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

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

### **Gwybodaeth ychwanegol**

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

Llofnodwch y ddeiseb hon a gwneud i bethau ddechrau symud!

### **Etholaeth a Rhanbarth y Cynulliad**

- Dwyrain Abertawe
- Gorllewin De Cymru

## Y Pwyllgor Deisebau

Y Pwyllgor Deisebau | 23 Ionawr 2018  
Petitions Committee | 23 January 2018

### Tai Plant

Teitl y ddeiseb: [P-05-859S](#)

Dylid darparu Tai Plant yng Nghymru i Blant sy'n Dioddef Camdriniaeth Rywiol, a rhoi llais i bobl ifanc wrth gomisiynu gwasanaethau lleol yng Nghymru.

#### Geiriad y ddeiseb:

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

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

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

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

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

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

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

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

Ymunwch â ni yn yr ymgyrch i fynd i'r afael â'r mater hwn, a phwyso ar i Lywodraeth Cymru

ddarparu Tŷ Diogel yng Nghymru - ni allwn ddisgwyl i blant fynd i Lundain, hyd yn oed lle maent yn gwybod am fodolaeth tai o'r fath.

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

## Tai Plant yn Llundain

Mae'r ddeiseb yn cyfeirio at ddau 'Dŷ Plant' a sefydlwyd yn Llundain yn 2016. Mae'r [datganiad i'r wasg](#) gan Faer Llundain yn cyfeirio at yr arian sydd ar gael ar eu cyfer ac mae'n dweud:

The UK's first two Child Houses, funded by £7.2m secured by the Mayor's Office for Policing And Crime (MOPAC) and NHS England (London) from the Home Office Innovation Fund, will offer medical, investigative and emotional support in one place, removing the need for young victims to go through the trauma of repeating their statement several times to different agencies.

Mae'r datganiad i'r wasg yn mynd yn ei flaen i ddweud:

The new Child Houses, which will open next year, will build on the work of the CYP Haven. While the Haven offers an urgent 24/7 response, a predominantly clinical service and short term care and support, the Child Houses will provide a multi-agency, long-term support and advocacy service under one roof. Criminal justice aspects of aftercare will be embedded in the service, with evidence gathering interviews led by child psychologists on behalf of the police and social workers, and court evidence provided through video links to aid swifter justice.

[...]Based on the original Icelandic Barnahus model, which promotes a multiagency, interdisciplinary approach under one roof, the Houses will gather more effective evidence from interviews and offer faster progress in investigations and court cases.

## Cyllid ar gyfer 'Tai Plant' Llundain

Gan gyfeirio at Swyddfa Plismona a Throsedd y Maer (MOPAC), mae gwybodaeth ar wefan [Cynulliad Llundain](#) yn nodi'r canlynol hefyd:

MOPAC and NHS England (London) successfully applied to the Home Office Police Innovation Fund and received a total of £7.2m over two years, matched with NHS England (London) funding, to implement the Child House model for victims of child sexual abuse and child sexual exploitation in London.

Mae hefyd yn nodi:

Previously £1m was allocated from the MoJ Victims Grant (DMPCD 2016 44) to support the development of the Child House model. As MOPAC has been successful in obtaining monies from the Home Office Innovations fund the £1m will be reallocated. A decision on how this will be spent will require further DMPC approval.



## Model 'Barnahus' Gwlad yr Iâ

Dywed y [datganiad i'r wasg](#) gan Faer Llundain bod y Tai Plant yn Llundain yn seiliedig ar fodel Barnahus Gwlad yr Iâ. Argymhellwyd mabwysiadu'r model hwn mewn adolygiad yn 2005 sef [NHS England Review of pathway following sexual assault for children and young people in London](#). Mae'n disgrifio model Barnahus fel hyn:

In Iceland for example, when a child discloses sexual assault, an appointment is made at the Barnahus. An interview is conducted by a specially trained forensic interviewer (with a background in child psychology) in a child-friendly room which is video-linked to an observation room. The interview is witnessed by the child's advocate, social worker, the defence and prosecution teams, with a Judge presiding. The Barnahus is effectively an outreach of the courtroom at that time and the recorded interviews usually suffice as the child's full testimony for court. The interviews are reportedly more successful in obtaining information with increases in the number of prosecutions and convictions for CSA. Because the interviews are usually completed within one to two weeks of the initial allegation being made, this allows the child to start therapy quickly, either at the Barnahus or locally. The recorded interviews are also used to plan therapy and medical examinations / aftercare can also be provided at the Barnahus.

Mae'r [datganiad i'r wasg](#) gan Faer Llundain yn mynd yn ei flaen i ddisgrifio Barnahus drwy ddweud:

The model recognises the vulnerability of the child victim and the harm caused to the child by multiple interviews. The Barnahus in Iceland provides one place in which the child can have forensic interviews and make court statements, have medical examination and access therapeutic services, which are also available for the victim's family. Since the Barnahus model was established in Iceland, the number of child victims of CSA coming forward for help has more than doubled per year, indictments have more than tripled, and convictions have more than doubled. The Barnahus model has since been exported to Norway, Greenland and Denmark, with pilots planned in Finland and Lithuania.

### Barn Comisiynydd Plant Lloegr:

Gan gyfeirio at yr arian ar gyfer y 'Tai Plant', dywed gwybodaeth ar wefan [Cynulliad Llundain](#):

The Children's Commissioner for England specifically recommended piloting the Barnahus (Child House) model and the use of child psychologists in Achieving Best Evidence (ABE) interviews in the UK.

Yn 2016, cyhoeddodd Comisiynydd Plant Lloegr, Anne Longfield adroddiad sef [Report on Barnahus: improving the response to child sexual abuse in England](#). Ynddo, daeth i'r casgliad:

It is clear that the Barnahus represents a truly child-centred approach to child sexual abuse. Services are designed and administered in a manner consistent with the best possible criminal justice and therapeutic outcomes, and the results obtained are extremely impressive.

Experiences in Sweden, Norway and Denmark demonstrate that the model can be adapted and implemented within the legal framework of another country, without compromising the core

principles which deliver such impressive results. It is now time for commissioners in England to look at how the model can be piloted here and adapted to our own legal system so as to help improve rates of prosecution and, ultimately, outcomes for children.

## Safbwynt Llywodraeth Cymru

Ar 11 Rhagfyr 2018, ymatebodd y Gweinidog Plant, Pobl Hŷn a Gofal Cymdeithasol ar y pryd, Huw Irranca-Davies AC i ohebiaeth gan y Pwyllgor. Ynndo mae'n dweud bod casglu tystiolaeth i gefnogi'r broses erlyn yn golygu mai mater a gedwir yn ôl yw datblygu Tai Plant yn bennaf. Dywed y byddai'n ddoeth disgwyl am y gwerthusiad o Dai Plant yn Llundain. Mae ei ymateb i'r Pwyllgor yn cyfeirio hefyd at y trefniadau ariannu ar gyfer 'tai plant' a bod hynny'n debyg i'r trefniadau ariannu ar gyfer Canolfannau Atgyfeirio Ymosodiadau Rhywiol.<sup>1</sup>

### Canolfannau Atgyfeirio Ymosodiadau Rhywiol

Mae Canolfannau Atgyfeirio Ymosodiadau Rhywiol (SARC) yn wahanol i 'Dai Plant'. Maent yn gyfleusterau pob oedran lle mae nifer o weithwyr proffesiynol amrywiol, sydd wedi'u hyfforddi'n arbennig, wedi'u lleoli i gefnogi unigolion sydd wedi cael eu treisio neu wedi dioddef ymosodiad rhywiol. Diben y Canolfannau yw darparu lleoliad unigol, diogel lle gall dioddefwyr ymosodiad rhywiol dderbyn gofal meddygol a chwmsela, yn ogystal â chynorthwyo ymchwiliadau'r Heddlu i droseddau honedig. Dylent gynnwys cyfleusterau sy'n addas ar gyfer safon uchel o archwiliad fforensig.

### Barn Comisiynydd Plant Cymru

Mae'r Comisiynydd yn hwyluso ac yn cadeirio cyfarfod bord gron cenedlaethol am gamfanteisio'n rhywiol ar blant. Ym mis Tachwedd 2018, cyhoeddodd yr Athro Sally Holland [Adroddiad Blynyddol 2017-18](#) ac yn y [datganiad i'r cyfryngau](#) a gyhoeddwyd gyda'r adroddiad mae'n dweud:

Mae plant sydd wedi cael eu treisio neu sydd wedi dioddef ymosodiad rhywiol yn wynebu amserau aros annerbyniol cyn cael help a chymorth.

Mae prif bryderon y Pwyllgor yn ymwneud â dau faes:

- nid yw plant sydd wedi cael eu treisio neu wedi dioddef ymosodiad rhywiol yn cael mynediad i archwiliad meddygol fforensig yn ddigon cyflym ar ôl y digwyddiad trawmatig y maent wedi'i brofi, oherwydd prinder staff meddygol cymwys a phrofiadol addas, ac yn aml mae'n rhaid iddynt deithio pellter maith;
- nid yw mynediad at gwmsela arbenigol ar gyfer plant a phobl ifanc yr effeithir arnynt gan gam-drin rhywiol ar gael pan fo'i angen er mwyn i'r plant hynny ddechrau'r daith i adferiad.'

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<sup>1</sup> Dywed y Gweinidog 'er mai fi yw'r Geinidog sy'n gyfrifol am ddiogelu plant, gan gynnwys plant sy'n cael eu cam-drin yn rhywiol, nid fi yw'r arweinydd polisi ar gyfer Canolfannau Atgyfeirio Ymosodiadau Rhywiol'. Mae 'trais rhywiol' ymhlith cyfrifoldebau'r Prif Weinidog a restrir o dan ei Gyfrifoldebau Gweinidogol.

## Aeth y Comisiynydd Plant ymlaen i argymell:

[...] y dylai Llywodraeth Cymru sicrhau fod darpariaeth Canolfan Atgyfeirio Ymosodiadau Rhywiol ar gyfer ardal pob bwrdd iechyd yn cynnwys mynediad 24/7 i rota o bediatregwyr ac archwilwyr meddygol fforensig sydd wedi'u hyfforddi'n addas, fel nad oes rhaid i unrhyw blentyn aros am oriau lawer neu hyd yn oed ddyddiau am archwiliad, a bod gwasanaethau cwnsela ac adferiad digonol ar gael i ddioddefwyr ledled Cymru.

## Derbyniodd Llywodraeth Cymru yr argymhelliad hwn, gan nodi:

Mae Llywodraeth Cymru yn cytuno na ddylai unrhyw un, boed yn oedolyn neu'n blentyn, orfod aros am wasanaethau ar ôl unrhyw achos o drais rhywiol. Gofal ac anghenion y dioddefwr ddylai fod yr ystyriaeth bennaf ym mhob gwasanaeth.

Cafwyd problemau ynghylch darpariaeth gwasanaethau paediatrig yn y blynyddoedd diwethaf ac ar hyn o bryd mae'r GIG yn arwain gwaith i ddatblygu model cynaliadwy a phriodol o wasanaethau ymosodiadau rhywiol ledled de, gorllewin Cymru a Phowys. Mae'r gwaith hwn yn cael ei wneud mewn partneriaeth â'r Heddlu, asiantaethau diogelu, trydydd sector ac eraill ac yn cynnwys ystyried gwasanaethau plant. Bydd gwaith yn parhau gydol 2018 ac ymlaen i 2019. Yn y cyfamser, mae'r GIG yn gweithio gyda'i bartneriaid i sicrhau y gellir cynnig darpariaeth Archwilwyr Meddygol paediatrig a Fforensig ar gyfer plant yn amserol ac yn unol ag anghenion y person ifanc.

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



Eich cyf/Your ref P-05-859  
Ein cyf/Our ref HID/00917/18

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

Annwyl

11 Rhagfyr 2018

Rwy'n ymateb i'ch gohebiaeth ddyddiedig 26 Tachwedd. Mae eich gohebiaeth yn ymwneud â *Petition P-05-859 - Provide Child Houses in Wales for Victims of Child Sexual Abuse*.

Mae'r ddeiseb yn cyfeirio at fodel a ddatblygwyd yng Ngwlad yr Iâ. Rhan o brosiect peilot yw'r ddau Dŷ Plant sy'n gweithredu ar hyn o bryd yn Llundain, a nod y gwasanaeth hwn yw sicrhau bod mwy o erlyniadau llwyddiannus am ymosodiadau rhywiol ar blant/cam-drin plant yn rhywiol, a gwella profiad dioddefwyr o ran cael cymorth, gan gynnwys cymorth therapiwtig. Bydd y gwerthusiad o'r gwasanaethau hyn yn dechrau ym mis Tachwedd 2018, a bydd yn sefydlu strategaeth/pecyn dysgu i helpu gyda chydbwysu elfennau'r model Tai Plant yn y DU.

Er bod y Gwasanaethau Cymdeithasol yn cyfeirio plant at y gwasanaethau hyn sy'n rhan o ymateb amlasiantaeth, daw'r cyllid yn Lloegr o'r Swyddfa Gartref; a'r Heddlu a Gwasanaeth Iechyd Lloegr sy'n arwain y prosiect. Mae'r trefniadau hyn yn debyg i'r trefniadau cyllido sydd ar waith yng Nghymru ar gyfer y Canolfannau Cyfeirio Ymosodiadau Rhywiol. Er mai fi yw'r Gweinidog sydd â chyfrifoldeb arweiniol dros ddiogelu plant, gan gynnwys plant sy'n cael eu cam-drin yn rhywiol, nid y fi yw'r arweinydd polisi ar gyfer Canolfannau Cyfeirio Ymosodiadau Rhywiol.

Mae'r deisebw'r yn awgrymu bod Tai Plant yn darparu lle i blant fynd iddo i ddianc rhag camdriniaeth. Rwy'n gallu eich sicrhau nad felly mo'r sefyllfa. Mae plant y mae'r gwasanaethau yn eu hadnabod fel dioddefwyr posibl cam-drin rhywiol yn cael eu cyfeirio at Dai Plant, lle mae tystiolaeth feddygol fforensig yn cael ei chasglu, ac mae'r heddlu'n gweithio gyda'r plant i gasglu gwybodaeth i'w chyflwyno i Wasanaeth Erlyn y Goron. Yn ogystal â hyn, mae'r plant yn cael cymorth therapiwtig. Er mai fi yw'r Gweinidog sydd â'r cyfrifoldeb arweiniol dros ddiogelu plant, gan gynnwys plant sy'n cael eu cam-drin yn rhywiol, fel y gwyddoch, mater a gedwir yn ôl yn bennaf yw tystiolaeth mewn perthynas â'r broses erlyn.

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[Gohebiaeth.Huw.Irranca-Davies@llyw.cymru](mailto:Gohebiaeth.Huw.Irranca-Davies@llyw.cymru)  
[Correspondence.Huw.Irranca-Davies@gov.wales](mailto:Correspondence.Huw.Irranca-Davies@gov.wales)

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

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

Hoffwn gynnig sicrwydd i'r Pwyllgor Deisebau fod gennym drefniadau cadarn ar waith ar gyfer diogelu plant.

Mae Deddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014 wedi cryfhau'r trefniadau ar gyfer diogelu plant ac oedolion. Mae gan bob un o'r chwe Bwrdd Diogelu Plant yng Nghymru drefniadau ar waith i gefnogi ymarfer ac i weithredu gweithdrefnau ar gyfer diogelu plant rhag camdriniaeth neu gamfanteisio.

Hefyd, mae Llywodraeth Cymru wedi rhoi cyllid i Fwrdd Diogelu Caerdydd a'r Fro sy'n datblygu ac yn diweddarau Gweithdrefnau Diogelu Amlasiantaeth Cymru i blant (hyd at 18 oed) ac oedolion, ar ran y chwe Bwrdd Diogelu. Bydd nifer o Ganllawiau sy'n nodi arferion ar gyfer diogelu plant mewn amgylchiadau penodol yn cael eu cyhoeddi i gyd-fynd â Gweithdrefnau Diogelu Cymru.

Ar hyn o bryd, mae Llywodraeth Cymru yn diweddarau canllawiau statudol sy'n ymwneud ag atal camfanteisio'n rhywiol ar blant. Cyhoeddwyd y canllawiau hyn yn wreiddiol yn 2011. Mae grŵp amlasiantaeth yn cefnogi'r gwaith hwn, a bydd y canllawiau statudol diwygiedig yn cael eu cyhoeddi at ddibenion ymgynghori ddechrau 2019. Mae Llywodraeth Cymru yn ymrwymedig i ddatblygu Cynllun Gweithredu Cenedlaethol ar gyfer Atal Cam-drin Plant yn Rhywiol – gan gynnwys atal Camfanteisio'n Rhywiol ar Blant ac Ymddygiad Rhywiol Niweidiol – yn y gwanwyn 2019.

Mae Llywodraeth Cymru wedi comisiynu Stop it Now i ddatblygu adnoddau ar gyfer ymarferwyr a rhieini/gofalwyr i'w helpu i adnabod arwyddion bod plentyn yn cael ei gam-drin yn rhywiol, ac i'w helpu i gadw plant yn ddiogel ac i ymateb i blant sy'n datgelu eu bod yn cael eu cam-drin. Mae Llywodraeth Cymru hefyd wedi comisiynu'r NSPCC i ddatblygu adnoddau ar gyfer helpu ymarferwyr i ymdrin ag achosion lle mae plentyn yn datgelu ei fod yn cael ei gam-drin, ac i ddarparu sesiynau ar ddefnyddio'r adnoddau hyn.

Rydym yn gweithio gyda Gofal Cymdeithasol Cymru, sef corff a sefydlwyd drwy Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014, i ledaenu gwybodaeth a hyrwyddo dysgu sy'n helpu i gynnal arferion diogelu effeithiol.

Er bod y materion a godir yn y ddeiseb yn rhai hynod bwysig, rwyf o'r farn nad yw'r deisebwr wedi deall yn llawn rôl a diben Tai Plant. Ar ben hynny, newydd ddechrau y mae'r gwaith o gynnal gwerthusiad o'r Tai Plant yn Llundain, a byddai'n ddoeth aros i weld y dystiolaeth sy'n dod i law ynghylch y modd y mae'r gwasanaethau peilot hyn yn gweithredu. Hefyd, gan fod cysylltiad amlwg rhwng gweithredu Tai Plant a chasglu tystiolaeth i gefnogi'r broses erlyn, mater a gedwir yn ôl yn bennaf yw'r gwaith o ddatblygu Tai Plant.

Yn gywir,



**Huw Irranca-Davies AC/AM**

Y Gweinidog Plant, Pobl Hŷn a Gofal Cymdeithasol  
Minister for Children, Older People and Social Care

**P-05-859 Provide Child Houses in Wales for Victims of Child Sexual Abuse – Correspondence from the petitioner to the Committee, 18.12.18**

Comments in light of the correspondence from Huw Irranca-Davies AC/AM

Reference one:

I would like to refer to the following information, that was reported at:

<https://www.london.gov.uk/press-releases/mayoral/uks-first-child-houses-to-launch>

Date: *13 September 2016*

“Open since April this year, it offers a calm environment for medical examinations, counselling and therapy, with soft coloured chairs and brightly coloured rugs providing a soothing alternative to plastic clinical furniture, and artwork and a 3D technology system providing distraction. Funded by NHS England (London), it expands the services offered to adult sexual abuse victims at the three London Havens.

The new Child Houses, which will open next year, will build on the work of the CYP Haven. While the Haven offers an urgent 24/7 response, a predominantly clinical service and short term care and support, the Child Houses will provide a multi-agency, long-term support and advocacy service under one roof. Criminal justice aspects of aftercare will be embedded in the service, with evidence gathering interviews led by child psychologists on behalf of the police and social workers, and court evidence provided through video links to aid swifter justice”

And: <https://www.england.nhs.uk/london/wp-content/uploads/sites/8/2017/04/Child-Sexual-Abuse-Hub-Toolkit-March-2017.pdf>

The toolkit for the CSA Hub which identified:

“The North London CSA hub pilot was evaluated after eight months and found improvements in the case management for children and young people, better access to early emotional support where needed and positive qualitative feedback from families and staff. Over 50% of children, young people and families attending the CSA hub were supported by the advocate and/or the CAMHS practitioners.

The CSA hub was reported to be a restorative experience for children and families and removed barriers to them accessing advocacy and CAMHS support by them being present in the first appointment. There was improved multi-agency and professional co-operation and better communication with children’s services

through advice and liaison. Awareness of the hub following the launch led to a fourfold increase in referrals at one of the CSA hub sites”

The CSA hub model is a one stop shop for medical, advocacy and early emotional support for children and their families, as well as offering advice and liaison to police and children’s social care services. The CSA Transformation Programme enabled the establishment of CSA hubs in North Central and South West London, funded by the Department of Health and local CCGs respectively. The Child House model is a multiagency service model for children and young people following sexual abuse or exploitation (CSA/CSE). The model was further recommended in 2015 by the Children’s Commissioner for England and is supported by the Home Secretary and Mayor of London. The Home Office has funded a national proof of concept of the Child House in London and Durham based on the international ‘Barnahus’ model”

Therefore in light of the above reported information, I would like to consider the already evaluated information for the Child House concept and how it can improve the therapeutic relationship to dealing with Child Sexual Abuse.

The concern is, that 5 Child Houses are planned to be rolled out in London, however there have been no suggestions put forward for Wales. The evaluations have already been crucial, in light of the above linked document, which continues to mention that within the 8 months of opening, 144 children and young people were seen at the Hub. The numbers speak for themselves, in how crucial implementing the Child House is, in all areas of the United Kingdom. Are proposals being put forward for Wales?

In regards to the comment:

‘Provide a place for children to run too’. I appreciate that the Child House is formed as a multi-agency hub identified by services, however I would like to kindly suggest consideration to the following:

We have a very large number of refuges for Domestic Violence and they have proven crucial for women fleeing violence in abusive relationships. Children would not flee to a Domestic Violence refuge, however if there could be consideration for forming something similar along the lines of a refuge but for children / young people suffering child sexual abuse or exploitation.

Having spoken with a number of survivors of child sexual abuse, many have agreed that had there been a place to ‘run too’, they would have.

As a Child Sexual Abuse survivor, on many occasions I 'ran away' from my home. Only to be returned by the police back to the same home, that was the place the abuse was happening.

I cannot speak in hindsight, but I do wonder if I was aware there was a place I could go to, that was child friendly, and welcoming, would I have run there to find solace, would I have disclosed the child sexual abuse I encountered from age 4 to the time of my father's arrest in 2011?

I guess that is a question unanswerable, but is it something we can consider for the future of our children, with statistics so high for child sexual abuse. I know that many I have spoken too, have shared this same idea.

I fully appreciate the role and purpose of the Child House and that they are more 'agency' based, however I would also like the committee to consider the following:

Services are doing amazing work, I am sure that funding is being allocated and robust measures are taking place for safeguarding with social services and organisations, however:

It is a given statistical fact that children do not report to the 'professionals' - we are taught from a very early age that Social Services will remove us and it is a bad thing, that is part of the grooming process, this is why children disclose in other ways other than walking up to a professional or police officer and saying 'I am being sexually abused'. Children are groomed by fear, but also their already role models are the ones abusing them.

The fact that we know child sexual abuse is undisclosed, means we have to review the current ways we are working with children, we have to see it from a child's eye. I feel that children would more likely 'run to' a place of comfort with their indirect disclosures and if we could provide that safety unit, are we saving a child. I believe it is to be considered.

I raised the petition in light of the above information from the CSA Hub toolkit, when I established there were no proposals for Wales, however this petition can also be reviewed and amended to consider my concerns of having a place for children to 'run to'.

On that note, I would like to provide a link and copy of the Blog Post I wrote in light of children disclosing, I hope this can bring some further reflection and open



mindedness to the petition proposal: <https://shecanconsultancy.com/why-didnt-you-report-why-didnt-you-protect-me/>

What was I reporting?

A man who was my abuser or the man who was my protector?

See that's the complexities of a child abuse victim they don't know what the difference is, their whole concept of normal is a disillusioned version.

The brain a mush, not knowing what to remember or should I even remember because what's the point nothing was done when I was a child. So what am I reporting?

I needed him... I relied on him... he was the man who had brainwashed me to love him and protect him. He was my father!

So you ask me why didn't I report...

You came too late, and that day left me confused and challenged. I have to now hate him? Maybe I do, maybe I don't.

Maybe I'm just the confused little girl that wants her daddy?

Why did I deserve so less?

He helped me, he was the only one there for me, he paid for things. He was evil by far but that was amidst the character of Jekyll and Hyde, I knew no different and now you want me too.

I'm scared, I'm lonely, I'm confused.

From 2011 to 2018 who was I now?

Who was I supposed to be, the little girl or the Survivor now?

I crave love and attention...

I need to help others without helping myself, because I deserve no less.

Do you understand now how confusing it is for a child when they were stripped of an innocence, their mind torn from birth to not know the difference between a good person and a bad person, because they form as one.

He was there for so long and then he was gone.

The days when I wondered what he was doing in prison, how did he cope, or am I still so groomed that I am stupid to believe he is anything other, now I wonder what he's doing out of prison, has his world changed as much as mine?

Do I owe him these thoughts and continued protection?

My life will never be free from what he did to me!

So don't ask me why I didn't report, ask yourself why you didn't protect me?

I disclosed with my anorexia, I disclosed with my body-focused repetitive behaviour disorders, I disclosed with my tears, I disclosed when I run away, I disclosed when you heard he was scarily possessive, I disclosed when I was in school disassociated and getting into trouble, I disclosed when I was angry and always fighting, I disclosed... I disclosed... what did you do? Nothing.

Why did you let him come in the night? Why did you let him hurt me so bad? Why did you let him make me scared? Why did you let him touch me there? Why did you let him make me so sad? Why did you let him drug me and rape me? Why did you let him take everything away from me? Why did you let him do the things you can't comprehend? Why did you let him leave me with no end?

And now tell me how you want me to behave, how you want me to continue this confusion and pain, tell me how you expect any child to just walk up to you and report?!

WRITTEN BY MAYAMEEN MEFTAHI - FOUNDER & SURVIVOR - She Can Consultancy LTD

PETITIONER: P-05-859 - Pwyllgor Deisebau 15.01.19 / Petitions Committee  
15.01.19

# Eitem 3.1

## **P-04-576 Caniatáu i Blant yng Nghymru Gael Gwyliau Teuluol yn Ystod Tymor yr Ysgol**

Cyflwynwyd y ddeiseb hon gan Bethany Walpole-Wroe ac ystyriwyd am y tro cyntaf gan y Pwyllgor yn ystod Gorffennaf 2014, ar ôl casglu 1008 o lofnodion ar bapur (casglodd ddeiseb gysylltiedig dros 10,300 o lofnodion).

### **Geiriad y ddeiseb**

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i adolygu'r canllawiau i Awdurdodau Lleol o ran penaethiaid ysgolion yn gallu awdurdodi absenoldeb ar gyfer gwyliau teuluol yn ystod y tymor. Mae llawer o deuluoedd o gefndiroedd tlawd, na allant fforddio mynd ar wyliau yn ystod y tymor, oherwydd bod gwyliau tua 60% yn ddrutach yn ystod y cyfnod gwyliau. Hefyd, mae llawer o deuluoedd lle mae'r rhieni yn gweithio yn methu cymryd amser i ffwrdd yn ystod gwyliau'r ysgol. Gall gwyliau fod yn hynod o addysgiadol, a rhoi ymwybyddiaeth i'r plant o'r byd y maent yn byw ynddo.

### **Etholaeth a Rhanbarth y Cynulliad**

- Ceredigion
- Canolbarth a Gorllewin Cymru

**P-04-606** Sicrhau bod ysgolion yn defnyddio eu pwerau statudol o dan reoliad 7 o Reoliadau Addysg (Cofrestru Disgyblion) (Cymru) 2010 heb unrhyw ymyrraeth neu ragfarn.

Cyflwynwyd y ddeiseb hon gan *Rhieni Pembs eisiau cael dweud* ac ystyriwyd am y tro cyntaf gan y Pwyllgor yn ystod Rhagfyr 2014, ar ôl casglu 812 o lofnodion ar lein.

### Geiriad y ddeiseb

Gofynnwn i Gynulliad Cenedlaethol Cymru sicrhau bod ysgolion yn rhydd i ddefnyddio eu pwerau statudol o dan reoliad 7 o Reoliadau Addysg (Cofrestru Disgyblion) (Cymru) 2010 heb ymyrraeth gan gyrrff fel awdurdodau lleol a chonsortia addysg rhanbarthol, a heb fygythiad o gael eu cosbi drwy'r prosesau arolygu ysgolion, dyfarniadau perfformiad a bandio.

Mae'r awdurdodau lleol yng Nghymru a'u consortia yn argymhell na ddylai ysgolion ddefnyddio eu pwerau statudol o dan y ddeddfwriaeth uchod, gan adael mwy o deuluoedd yn agored i'r bygythiad o hysbysiadau cosb o dan Reoliadau Addysg (Hysbysiadau Cosb) (Cymru) 2013 nag a fyddai wedi bod fel arall. Gwneir yr argymhellion hyn ar y sail eu bod yn gallu gwella cyrhaeddiad er gwaethaf y diffyg tystiolaeth bod absenoldeb o'r math a ganiateir o dan reoliad 7 o Reoliadau Addysg (Cofrestru Disgyblion) (Cymru) 2010 yn arwain at gyrhaeddiad gwaeth.

Ar hyn o bryd gellir cosbi ysgolion yng Nghymru trwy'r prosesau arolygu, dyfarniadau perfformiad a bandio ysgolion am awdurdodi absenoldebau cyfreithlon fel salwch, gwyliau teuluol neu ddigwyddiadau ac achosion eraill sy'n galluogi teuluoedd i gymryd rhan lawn mewn bywyd teuluol preifat arferol.

Mae'r argymhellion a'r prosesau hyn yn gogwyddo ysgolion yn erbyn awdurdodi absenoldeb cyfreithlon, ac yn gwneud ysgolion yn amharod i arfer eu pwerau statudol o dan reoliad 7 o Reoliadau Addysg (Cofrestru

Disgyblion) (Cymru) 2010. Gall hyn niweidio'r berthynas rhwng y cartref a'r ysgol a lles plant. Lle bydd teulu yn anghytuno â'r penderfyniad i wrthod awdurdodi absenoldeb ar sail cydraddoldeb, hawliau dynol neu les plant does dim llwybr apêl annibynnol. Lle mae teulu yn anwybyddu'r penderfyniad i wrthod awdurdodi absenoldeb gall hynny arwain at hysbysiad cosb a throeddoli posibl. Ceir effaith economaidd ar y diwydiant twristiaeth a hamdden yng Nghymru sy'n darparu cyflogaeth ac incwm i lawer o'n teuluoedd.

### **Gwybodaeth Ychwanegol**

Mae Rheoliad 7 o Reoliadau Addysg (Cofrestru Disgyblion) (Cymru) 2010 yn rhoi pŵer disgrisiynol i ysgolion i awdurdodi hyd at 10 diwrnod o absenoldeb yn ystod y flwyddyn ysgol ar gyfer gwyliau teuluol a mwy na 10 diwrnod o absenoldeb mewn amgylchiadau eithriadol.

Cynghorir ysgolion yn erbyn defnyddio'r pŵer hwn gan eu hawdurdodau lleol. Maent yn teimlo dan bwysau i wella ffigurau presenoldeb ysgolion gan Estyn, arolygiaeth addysg a hyfforddiant Cymru, a all eu cosbi os yw presenoldeb yn is na lefel benodol.

Mae'r ymgyrch i wella presenoldeb yn seiliedig ar y dybiaeth y bydd yn gwella cyrhaeddiad addysgol. Mae hyn yn gor-symleiddio mater cymhleth iawn. Mae presenoldeb a chyrhaeddiad yn gysylltiedig ond ni phrofwyd bod cysylltiad achosol. Mae ymchwil yn dangos nad yw absenoldeb ar gyfer gwyliau teuluol yn effeithio ar gyrhaeddiad ar lefel ysgol gynradd, a bod rhywfaint o absenoldeb yn annhebygol o gael unrhyw effaith ar lefel ysgol uwchradd. ("Proffil o Absenoldeb Disgyblion, 2011, DfE").

Gall penderfyniad ysgol i wrthod awdurdodi absenoldeb a ganiateir o dan y gyfraith niweidio o ddifrif y berthynas rhwng y cartref a'r ysgol, yn enwedig os bydd y teulu yn credu bod yr absenoldeb yn bwysig i les eu plentyn, ac yn cymryd eu plentyn o'r ysgol beth bynnag. Gall y teulu gael hysbysiad cosb (dirwy) neu gael eu troseddoli.

Mae llawer o resymau dilys pam bod plant a theuluoedd angen yr hyblygrwydd i fod yn absennol o'r ysgol yn ystod amser tymor. Mae hynny'n cynnwys anhawster i gael gwyliau blynyddol yn ystod gwyliau'r ysgol, digwyddiadau teuluol pwysig, yn byw'n bell o rieni dibreswyl, neiniau a theidiau, a theulu estynedig. Mae teuluoedd sy'n cael eu cyflogi yn y diwydiant twristiaeth a hamdden yng Nghymru wedi teimlo effaith economaidd sylweddol o'r gwaharddiad ar wyliau amser tymor yn Lloegr eleni. Nododd Adroddiad Plentynod Da 2014 bod yr ysgol yn ddim ond un o'r deg agwedd ar fywyd sy'n cael y dylanwad mwyaf ar les plant. Y lleill oedd y teulu, y cartref, sefyllfa ariannol, ffrindiau, iechyd a dewis.

### **Etholaeth a Rhanbarth y Cynulliad**

- Preseli Sir Benfro
- Canolbarth a Gorllewin Cymru

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



Llywodraeth Cymru  
Welsh Government

Ein cyf/Our ref KW/02744/18

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

[Government.Committee.Business@gov.wales](mailto:Government.Committee.Business@gov.wales)

12 December 2018

Dear David

**P-04-576 Allow Children in Wales to Have a Family Holiday During Term Time /  
P-04-606 Ensure schools exercise their statutory powers under regulation 7 of The  
Education (Pupil Registration) (Wales) Regulations 2010**

Thank you for your email of 10 December requesting an update on developments relating to the above petition.

My officials are continuing to undertake an extensive review of school attendance policy in Wales. This has included working with key stakeholders to understand the practical implications and challenges of the existing arrangements and to identify what changes are required to ensure arrangements continue to provide effective, fair and consistent support to parents, learners, schools and local authorities.

Our initial but extensive engagement work has now completed and my officials are using the evidence and feedback to revise the school attendance framework. Part of the evidence informing the revision of the framework is the evaluation of fixed penalty notices for non-attendance. The intention is to publish the revised framework for public consultation during the autumn term of 2019.

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

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

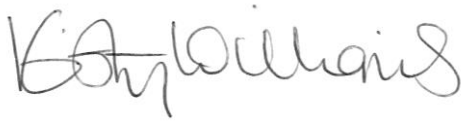
[Gohebiaeth.Kirsty.Williams@llyw.cymru](mailto:Gohebiaeth.Kirsty.Williams@llyw.cymru)  
[Correspondence.Kirsty.Williams@gov.wales](mailto:Correspondence.Kirsty.Williams@gov.wales)

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

Tudalen y pecyn 78  
We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

I hope this information is helpful.

Yours sincerely

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

**Kirsty Williams AC/AM**

Ysgrifennydd y Cabinet dros Addysg  
Cabinet Secretary for Education



## Eitem 3.3

### P-05-828 Rhagdybiaeth o blaid Ysgolion Gwledig

Cyflwynwyd y ddeiseb hon gan Cymdeithas Rhieni ac Athrawon Ysgol Gymunedol Bodffordd, ar ôl casglu 5,125 o lofnodion.

#### Geiriad y ddeiseb

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

#### Etholaeth a Rhanbarth y Cynulliad

- Ynys Mon
- Gogledd Cymru

Yn rhinwedd paragraff(au) vi o Reol Sefydlog 17.42

Mae cyfyngiadau ar y ddogfen hon

**P-05-828 Rhagdybiaeth o blaid Ysgolion Gwledig – Gohebiaeth Cymdeithas yr Iaith Gymraeg at y Cadeirydd, 6.12.18**

Annwyl Bwyllgor Deisebau,

Buon ni fel aelodau Cymdeithas yr Iaith yn cydweithio gyda rhieni Ysgol Bodffordd i gasglu enwau ar y ddeiseb. Bu'r drafodaeth yn y siambr yn gyffredinol iawn am ysgolion gwledig, ond roedd nod y ddeiseb yn benodol iawn – sef pa gamau y gallai'r llywodraeth ganolog eu cymryd i sicrhau fod Awdurdodau Lleol yn cadw at ofynion statudol a chanllawiau'r Côt Trefniadaeth Ysgolion y cyhoeddwyd ail fersiwn ohono ar Dachwedd 1af eleni. Defnyddiwyd enghraifft ymgynghoriad Ynys Môn am ddyfodol Ysgol Bodffordd i ddangos nad oedd yr Awdurdod Lleol yn cadw at ofynion argraffiad cyntaf (2013) Côt Trefniadaeth Ysgolion. Gofynnir felly beth yw diben cyhoeddi côd newydd – gyda rhagdyb o blaid cadw a datblygu ysgolion gwledig – os nad oes camau i sicrhau nad yw Awdurdodau Lleol yn anwybyddu gofynion y côd.

Yn yr ymgynghoriad ar Ysgol Bodffordd, torrodd Cyngor Ynys Môn ofynion statudol yr hen gôd mewn nifer o ffyrdd (heb sôn am beidio â "chadw at ysbryd y côd newydd" fel y gofynwyd iddynt gan yr Ysgrifennydd Addysg)

**CÔD TREFNIADAETH YSGOLION CYFREDOL – 006/2013**

\* Mae'r Côt yn deillio o Ddeddf Safonau a Threfniadaeth Ysgolion (Cymru) 2013, ac yn cynnwys cymalau y mae'n rhaid i Awdurdodau Lleol eu dilyn wrth lunio ac ymgynghori ar gynnig i gau ysgol fel yr eglurir ar dudalen cyntaf y côd. Ni ellir gorbwysleisio'r ffaith fod sail ddedfwriaethol i'r Côt. Mae'n amlwg nad bwriad aelodau cynulliad wrth bleidleisio dros y Ddeddf oedd cynnig i Awdurdodau Lleol côd y gallent dderbyn neu wrthod ei gymalau yn ôl eu mympwy.

\* Mae cymal 1.7 yn disgrifio'r camau y mae'n rhaid i Awdurdod Lleol eu cymryd cyn ac wrth gynnig cau ysgol. Dywedir yn glir fod angen llunio Asesiad o'r Effaith ar y Gymuned o gau'r ysgol yn y ddogfen ymgynghorol. Ond ychwanegodd Cyngor Ynys Môn eu Hasesiad amrwd ar gyfer ystyriaeth gan y Pwyllgor Gwaith. Ni bu o flaen pobl yn y ddogfen ymgynghorol er mwyn denu sylwadau. Dywedir fod angen "dangos sut y gellid cynnal unrhyw gyfleusterau cymunedol a ddarperir gan yr ysgol ar hyn o bryd. Ni bu unrhyw

ymdrech i wneud hyn ; i'r gwrthwyneb, mae'r Ganolfan Gymunedol yn rhan integral o adeilad yr ysgol. Cred yr awdurdod eu bod wedi bodloni gofynion y côd trwy benderfynu cynnal trafodaeth gyda'r gymuned leol am ddyfodol y ganolfan. Nid yw hyn yn gyfystyr â gwneud asesiad o'r effaith ar y gymuned o gau'r ysgol.

\* Mae'r un cymal 1.7 yn egluro "wrth ystyried a yw'n briodol cau ysgol" (hynny yw, cyn ffurfio cynnig ac yn sicr yny ddogfen ymgynghorol) fod angen rhoi sylw arbennig i'r canlynol –

a) "a ellid ystyried sefydlu ysgolion â mwy nag un safle fel ffordd o gadw adeiladau, neu'r rhesymau dros beidio â dewis yr opsiwn hwn". Ni bu unrhyw sylw o gwbl i bosibiliad greu ysgol 2 neu 3 safle'n cwmpasu adeilad newydd yn Llangefni, Bodffordd ac o bosibl Henblas.

b) "a ellid ystyried posibiladau amgen heblaw cau'r ysgol, megis clystyru, cydweithredu neu ffedereiddio ag ysgolion eraill (gan ystyried y posibilrwydd o ddefnyddio cysylltiadau TGCh rhwng safleoedd ysgolion), neu'r rhesymau dros beidio ag ystyried y rhain fel opsiwn amgen yn lle cau'r ysgol". Ni wnaed hyn o gwbl, Yn wir un cymal o gyfeiriad oedd at ffedereiddio trwy'r ddogfen a hynny mewn cyd-destun gwahanol.

c) "Dylai Awdurdodau Lleol ystyried a fyddai'n ddichonadwy ac yn ddarbodus cyd-leoli gwasanaethau lleol yn yr ysgol i wrthbwysu costau cynnal yr ysgol". Ni bu unrhyw ymdrech i wneud hyn.

ch) "effaith gyffredinol cau'r ysgol ar y gymuned leol (gan gynnwys colli cyfleusterau yn yr ysgol a ddefnyddir gan y gymuned leol), yn enwedig mewn ardaloedd gwledig." Fel yr esboniwyd eisoes, ni wnaed hyn, ac mae'r cymal hwn yn y côd yn pwysleisio fod y côd presennol (cyn dod at y côd newydd) yn gweld fopd ysgol wledig mewn sefyllfa arbennig.

\* Wrth symud at adran 3 o'r Côd, mae cymal 3.1 yn egluro fod yna "gyfraith achosion" y dylid cyfeirio ati, a bod yn "rhaid i gynigwyr (cau ysgol) gofio'r pedair egwyddor sylfaenol". Y bedwaredd egwyddor yw "sicrhau y caiff yr hyn sy'n deillio o'r ymgynghoriad ei ystyried mewn ffordd gydwybodol pan wneir y penderfyniad yn y pen draw." Mae'n amlwg na wnaeth swyddogion Cyngor Ynys Môn gydymffurfio â'r egwyddor hon. Fel enghraifft bu ymateb manwl (cannoedd lawer o eiriau) gan Gymdeithas yr Iaith i'r ymgynghoriad. Gwnaeth y swyddogion adroddiad brysiog ac arwynebol o'r ymatebion i'r ddogfen ymgynghorol ar gyfer y Pwyllgor Gwaith wrth iddynt gymryd eu

"penderfyniad yn y pen draw". Ni bu ond un frawddeg yn yr adroddiad i grynhoi ein pwyntiau manwl, ac ni chrybwyllwyd dim o fanylion ein dadansoddiad o wendid y broses ymgynghorol, nac unrhyw gyfeiriad at yr opsiynau amgen a awgrymwyd gennym fel "Ffederasiwn Cefni" yn cwmpasu'r Ysgol Uwchradd ac ysgolion cynradd yr ardal fel dull mwy effeithiol o wella safonau addysgol.

\* Mae 3.2 yn pwysleisio lle canolog y Ddogfen Ymgynhori yn y broses. Ond, fel y dywedwyd eisoes, ni chyfansoddwyd unrhyw ddogfen ymgynghorol o'r newydd i ddadlau achos y cynnig newydd hwn. Yn hytrach, ailgylchwyd hen ddpgefennau gyda llawer o gynnwys amherthnasol, ac heb drin materion o bwys canolog wrth werthuso'r cynnig newydd. Yn yr adran hon (tudalen 12) dywedir fod yn "rhaid" i'r ddogfen gynnwys "disgrifiad o unrhyw ddewisiadau amgen a ystyriwyd a'r rhesymau dros eu gwrthod". Mae'r ddogfen yn amlwg ynmethu ar y pwynt hwn. Yr unig gyfeiriad at "ddewisiadau amgen" yw rhestr o syniadau a godwyd gan ymgynghoreion mewn dau ymgynghoriad blaenorol am drefn addysg yn ardal Llangefni yn gyffredinol (y mwyafrif ohonynt yn amherthnasol i'r cynng arbennig a newydd hwn oedd yn sail i'r ymgynghoriad) gydag un cymal o sylw i bob un gan yr swyddogion. Ni bu unrhyw ymgais i werthuso'n broffesiynol dedwisiadau amgen.

\* Ailadroddir (tudalen 27) fod "rhaid cynnwys" y wybodaeth ganlynol yn y ddogfen ymgynghorol, a dangoswyd eisoes fod yr Awdurdod wedi methu ar y pwyntiau hyn –

a) "manyion unrhyw opsiynau amgen sydd wedi'u hystyried yn lle cau'r ysgol a'r rhesymau dros beidio â bwrw ati â'r rhain"

b) "effaith y cynigion ar y gymuned leol, yn enwedig mewn ardaloedd gwledig"

\* Mynnwn felly fod yr Awdurdod wedi methu yn y broses ymgynghorol hyd yn oed yn ôl cymalau a gofynion y Côt presennol, a bod y côd hwn hefyd yn datgan pwysigrwydd ysgol wledig.

Mae'r côd hefyd yn mynnu fod Awdurdod Lleol yn ystyried "yn gydwobodol gyda meddwl agored" pob gwrthwynebiad i Rybudd Statudol i gau'r Ysgol. Daeth cyfnod gwrthwynebiadau i'r Rhybudd Statudol i gau Ysgol Bodffordd ar Hydref 29ain. O fewn diwrnod yr oedd y Cyngor wedi cyhoeddi ar eu gwefan (mewn adroddiad ar ysgolion ardal Amlwch) eu bwriad i symud ymlaen i gau

Ysgol Bodffordd – sy'n amlygu nad oedd unrhyw fwriad yn y byd i ystyried y gwrthwynebiadau. Ymhellach mae'r adroddiad ar ysgolion Amlwch – a drafodir dan y Côt newydd (gan nad oes cynnig wedi ei wneud cyn 1/11/18) – yn cyfystyru "moderneiddio" gyda chau ysgolion ac mae pob opsiwn y cyfeirir ato yn cynnwys cau ysgolion. Mae'n amlwg felly nad oes bwriad yn y byd i lynu wrth argraffiad newydd y Côt i fod â rhagdyb o blaid ysgolion gwledig a cheisio syniadau am sut i'w cadw a'u datblygu.

Gofynnir eto felly beth yw diben cyhoeddi Côt os gall Awdurdodau Lleol ei anwybyddu. Defnyddiwyd dull deiseb gan fod yr Ysgrifennydd Addysg wedi osgoi ateb yn uniongyrchol bedair gwaith mewn gohebiaeth cwestiynau yn gofyn iddi ddweud yn fanwl pa "rymoedd wrth gefn" sydd gyda hi i ymyrryd a phryd yn union a sut yn y broses y gellir cwyno nad yw Awdurdod Lleol yn cadw at ofynion y Côt.

Yn ei llythyr diweddaraf, dywed yr Ysgrifennydd Addysg "Mae gan Weinidogion Cymru bwerau ymyrryd pan fyddant wedi eu bodloni nad yw awdurdod lleol wedi cydymffurfio â'i gyfrifoldebau statudol. Mae disgwyl bod prosesau lleol wedi eu defnyddio i'r eithaf. Mae'r Cod yn gosod safon uchel o ran ymgynghori, sy'n rhoi cyfle i chi godi unrhyw gwestiynau am ymgynghoriad yr awdurdod lleol. Os hoffech wneud cwyn ffurfiol yn erbyn yr awdurdod lleol, dylech gysylltu ag Ombwdsmon Gwasanaethau Cyhoeddus Cymru." Ond unwaith eto nid oes esboniad ynghylch pryd yn y broses ymgynghorol, a thrwy ba ffurf, y gellir cyflwyno cwyn. Erbyn i Ombwdsmon orffen adroddiad – ac ni wna gychwyn ymchwiliad hyd nes bod pob posibiliad arall wedi ei ddefnyddio – bydd y mater wedi ei hen setlo. Diben y ddeiseb felly yw ceisio ateb pa gamau yn union y gall y llywodraeth eu cymryd i sicrhau fod Awdurdodau Lleol yn cadw at ofynion y Côt Trefniadaeth Ysgolion a sut yn union y gellir cyflwyno cwyn i'r Gweinidog a beth yn union yw ei grymoedd ymyrryd.

Yn gywir,

Grŵp Addysg, Cymdeithas yr Iaith

# Eitem 3.4

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

Cyflwynwyd y ddeiseb hon gan Sheila Jones ac ystyriwyd gan y Pwyllgor am y tro cyntaf yn ystod Mai 2018, ar ôl casglu 997 o lofnodion ar-lein a 428 o lofnodion ar bapur, cyfanswm o 1,425 o lofnodion.

### Geiriad y ddeiseb

Rydym ni, sydd wedi llofnodi isod, yn galw am i athrawon cyflenwi gael eu talu'n deg a chael mynediad llawn at gyfleoedd hyfforddi a thelerau ac amodau eraill. Dylai fod athro cymwys ym mhob ystafell ddosbarth a dylai arian trethdalwyr fod yn cael ei wario'n uniongyrchol ar addysg, heb fynd i bocedi asiantaethau preifat.

Mae athrawon cyflenwi'n cael cam ac mae athrawon yn gadael y proffesiwn oherwydd na allant fforddio bod yn athrawon cyflenwi.

Mae asiantaethau'n lleihau cyflog athrawon cyflenwi 40 i 60 y cant ac mae athrawon yn colli eu pensiynau. Mae'r sefyllfa'n enghraifft o ddefnyddio arian cyhoeddus i greu elw i'r sector preifat. Mae gwersi'n cael eu darparu gan staff anghymwys.

### Etholaeth a Rhanbarth y Cynulliad

- Caerffili
- Dwyrain De Cymru



Eich cyf/Your ref P-05-805  
Ein cyf/Our ref KW/02684/18

David John Rowlands AC  
Cadeirydd – Y Pwyllgor Deisebau.  
Cynulliad Cenedlaethol Cymru  
Bae Caerdydd  
CF99 1NA

[Government.Committee.Business@gov.wales](mailto:Government.Committee.Business@gov.wales)

7 Rhagfyr 2018

Annwyl David

Diolch am eich gohebiaeth ar 29 Tachwedd am fodel cyflenwi Cymru gyfan.

Nid wyf yn diystyru gweithio gyda chyflogwyr i gefnogi'r broses o gyflwyno trefniadau ar gyfer trefniant cyflenwi canolog neu ranbarthol yn y dyfodol. Datganolwyd y cyfrifoldeb dros gyflogau ac amodau athrawon i Weinidogion Cymru ar 30 Medi. Fel rhan o'r broses o sefydlu dulliau gweithredu cryf ar gyfer pennu cyflogau ac amodau athrawon rydym yn recriwtio aelodau ar gyfer Corff Adolygu Cyflogau yng Nghymru. Bydd y corff adolygu yn ystyried tystiolaeth gan yr holl randdeiliaid allweddol a bydd yn cynhyrchu adroddiad ac yn gwneud argymhellion ar gyfer newidiadau arfaethedig i gyflogau ac amodau athrawon yng Nghymru yn y dyfodol yn seiliedig ar y telerau a nodir mewn llythyr cylch gwaith ffurfiol.

Er mwyn cefnogi'r trefniadau newydd, rydym hefyd wedi sefydlu Fforwm Partneriaeth Cyflogau ac Amodau Athrawon sy'n cynnwys cynrychiolwyr o Lywodraeth Cymru, sefydliadau cyflogwyr a chyrrff cynrychioliadol undebau. Mae'r Fforwm yn cynnig cyfle i drafod a chytuno ar rai o'r materion y bydd angen eu cynnwys mewn llythyr cylch gwaith yn y dyfodol i'r corff adolygu cyflogau.

Argymhellodd yr adroddiad annibynnol ar gyflogau ac amodau athrawon a gyhoeddwyd yn ddiweddar *Addysgu – Proffesiwn Gwerthfawr* y dylai Llywodraeth Cymru, wrth fynd i'r afael â chyflogau ac amodau datganoledig, yn cyhoeddi dogfen gydlynol am gyflogau ac amodau sy'n ystyried yr angen i gefnogi gweithlu hyblyg i gyflawni ein Cenhadaeth Genedlaethol. Rhagwelir y bydd y gweithlu hyblyg hwn yn cynnwys darpariaeth ar gyfer staffio dros dro.

Ni all Llywodraeth Cymru roi cyfarwyddyd i gyrrff llywodraethu ysgolion nac awdurdodau lleol i gyflogi staff cyflenwi yn uniongyrchol. Fodd bynnag, bydd y gwaith y mae Llywodraeth Cymru a'r Gwasanaeth Caffael Cenedlaethol yn mynd i'r afael ag ef yn sicrhau bod ein gweithlu dros dro yn cael ei drin yn deg, waeth ym mha ffordd y caiff ei gyflogi.

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

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.



Mae swyddogion wedi gweithio'n agos gyda chydweithwyr yn y Gwasanaeth Caffael Cenedlaethol i ddiwygio'r gofynion o ran manylebau tendro ar gyfer y fframwaith gweithwyr asiantaeth er mwyn sicrhau ei fod yn gyfoes, yn addas at y diben ac yn ymgorffori egwyddorion a gymeradwywyd gan y Cod Ymarfer ar Gyflogaeth Foesegol mewn Cadwyni Cyflenwi a'n hegwyddorion *Gwaith Teg*.

Cyhoeddodd y Gwasanaeth Caffael Cenedlaethol yr Hysbysiad Contract ar gyfer y cyfle tendro Gweithwyr Dros Dro ac Athrawon Cyflenwi ar 12 Tachwedd. Bydd y fanyleb dendro ddiwygiedig yn sicrhau bod unrhyw drefniant yn y dyfodol yn cynnwys isafswm cyfraddau cyflog a thryloywder mewn perthynas â ffioedd asiantaethau er mwyn i ysgolion wneud dewis hyddysg. Mae'r fanyleb hefyd yn cynnwys graddfa lithro o ffioedd dros dro a pharhaol, gan olygu ei bod yn haws i ysgolion gyflogi staff asiantaeth yn barhaol os bydd swydd wag yn codi, mae'n cadw at egwyddorion gwaith teg, ac yn cefnogi dysgu proffesiynol athrawon cyflenwi. Atodir dolen i Hysbysiad Contract ar GwerthwchiGymru: [https://www.sell2wales.gov.wales/search/show/search\\_view.aspx?ID=NOV273861](https://www.sell2wales.gov.wales/search/show/search_view.aspx?ID=NOV273861)

Er mwyn ategu'r datblygiad hwn rydym hefyd yn archwilio cynigion i gyflwyno safonau sicrwydd ansawdd statudol y byddai'n rhaid i asiantaethau sy'n dymuno cyflenwi athrawon dros dro i ysgolion a gynhelir eu bodloni. Bydd y gwaith hwn yn ategu'r gwaith a wnaed gan y Gwasanaeth Caffael Cenedlaethol ac yn ychwanegu haen ychwanegol o sicrwydd i bawb sydd ynghlwm wrth y broses.

Yn gywir



**Kirsty Williams AC/AM**

Ysgrifennydd y Cabinet dros Addysg  
Cabinet Secretary for Education

## **P-05-805 Fair Deal For Supply Teachers – Correspondence from the petitioner to the Committee, 07.01.19**

Dear Mr Rowlands

Thank you and the members of the petitions committee for your continued support for supply teachers, which after years of exploitation by agencies, gives us hope for change. As you all agreed at your last meeting, a public sector solution is the best way forward. As our petition states, we do not feel that taxpayers' money should continue to be syphoned off by supply agencies to fund dividends for shareholders and we are pleased to see the agreement of the Committee in this.

We need to have any inequalities in pay and conditions eradicated as soon as possible to retain hard working supply teachers who have been demoralised for some considerable time.

The Cabinet Secretary for Education says “ I have not ruled out working with employers to support the introduction of a centralised model or regional supply model in the future ” in the first paragraph. We would welcome clarification of what can be put forward now we have devolved powers and on a timescale for this . The NEU have stated that a regional model is *not* the answer as that would allow the possibility that the Regional Consortia would then be assuming the role of an employer.

We have some further queries which we hope can be answered by the Cabinet Secretary

### **Will the Independent Welsh Pay Review Body be able to include pay and conditions for all supply teachers?**

Surely this will only be for those in direct employment. How long will it take to set up, gather evidence and report back? We feel it would be beneficial to have a supply teacher representative on this group, is this something that would be possible?

### **What about those employed by agencies?**

For agency staff we have a minimum pay rate to be written in the framework agreement for 2019-20. The tender is to go out for a maximum of 4 years. We do not want to see the minimum rate become the maximum as this is grossly unfair to experienced supply teachers who bring years of skills and knowledge to the role. Although agency staff will be finally paid via STPCD in the same way as permanent teachers, albeit at the minimum rate, we also need to be able to be paid

to scale with access to Teachers' Pension Scheme and only a public sector solution will enable this.

**Would the Cabinet Secretary consider having supply teacher representation on the Teachers' Pay and Conditions Forum?**

There was a supply representative on the Supply Working Group who would have put forward our views, but left to take up other employment and was not replaced. Again, it would be helpful to have representation on the Teachers' Pay and Conditions Forum so that we could take part in the dialogue about our future pay and conditions.

**Where is the recommendation in: "*Teaching—A Valued Profession*" to enable all supply teachers to have equality?**

**The work undertaken by the WG and the NPS currently deals with the Framework Agreement for agencies, how will this ensure we are treated and rewarded fairly?**

It is only when all supply teachers are being employed directly through Local Authority payroll that we will all be able to have equality and fairness of employment. Although the Cabinet Secretary continually asserts that it is up to schools how they employ their temporary staff, many find there is no payroll system in place for this, therefore schools do *not* have a choice.

It is imperative that all supply teachers are able to access the Teachers' Pension Scheme. We are all qualified teachers and those employed by agencies will be disadvantaged in later life by the inadequate government pension scheme provided by agencies. We can only get into the scheme when employed directly.

**Whilst the Cabinet Secretary says Welsh Government does not employ supply teachers, Could the Petitions' Committee request that the Cabinet Secretary write to schools to encourage them to employ supply teachers direct to expedite a fair solution?**

**What steps is the Cabinet Secretary taking to ensure that every classroom is led by a qualified teacher?**

We are noting that adverts are frequently asking for cover supervisors, and we fear that this is how schools and agencies will circumvent the need to have a qualified teacher in the classroom. This needs addressing as a matter of urgency as we believe that pupil outcomes will continue to be affected negatively. A supply teacher was recently asked to work 9 hours in a creche for £60–70 for the day.

Again with a public sector solution supply teachers would only be asked to work as a teacher.

In conclusion, we share the Cabinet Secretary's vision for a well funded, highly trained workforce to give our children in Wales the best education there is. We also share her aspiration for us to be part of the Fair Work Nation and hope that a public sector solution for supply teachers can be found as a matter of urgency.

Thank you again for your attention

Kind regards

Sheila Jones

Mae cyfyngiadau ar y ddogfen hon

### **P-05-848 Rhowch gyfle i Fyfyrrwyr Cymru ddewis yr opsiwn astudio gorau ar eu cyfer hwy**

Cyflwynwyd y ddeiseb hon gan Sharon Ellis, ar ôl casglu 127 o lofnodion.

#### **Geiriad y ddeiseb**

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i sicrhau bod yr un trefniadau ariannu ar gael i fyfyrwyr ble bynnag mae nhw'n dewis astudio, a bod yr opsiynau ariannu hefyd ar gael i fyfyrwyr sydd eisoes wedi dechrau ar eu hastudiaethau.

Ar hyn o bryd mae gan fyfyrwyr y dewis i astudio yn y DU ac Iwerddon ac mae rhywfaint o opsiynau astudio yn Ewrop ar gael, ond pam na allant astudio ar gyfer gradd gydnabyddedig ledled y byd os yw'r rhaglen y maent yn ei dewis yr un mwyaf addas i'w hamcanion gyrfa cyffredinol.

Yn 2017, derbyniwyd Georgia Ellis ar y cwrs Doethuriaeth mewn Ffisiotherapi ym Mhrifysgol Quinnipiac yn yr Unol Daleithiau. Mae'r radd bagloriaeth yn radd y celfyddydau breiniol sy'n cwmpasu amrywiaeth o bynciau safonol, gan gynnwys siarad cyhoeddus, ac fel rhan o'r broses o ennill ei gradd israddedig bydd Georgia'n astudio maes arall o'i dewis, sef Astudiaethau Busnes. Er bod y rhain yn fanteision gwych, dewisodd Georgia yr opsiwn astudio hwn gan mai ei huchelgais yw dod yn ffisiotherapydd ar gyfer tîm chwaraeon yn y pen draw, ac oherwydd yr amlygiad i dimau chwaraeon y byddai'n ei gael yng nghanolfan bwrpasol hyfforddiant iechyd y Brifysgol arbennig hon.

Pam na all myfyrwyr fanteisio ar yr un trefniadau ariannu ag y byddai ganddynt yma yn y DU ar gyfer cyllido opsiynau astudio eraill. Mae stori Georgia yn ddim ond un enghraifft o safon dda myfyrwyr y DU, ond mae llawer mwy.

Arwyddwch y ddeiseb hon i gefnogi'r opsiynau sydd ar gael i fyfyrwyr presennol a myfyrwyr y dyfodol.

#### **Etholaeth a Rhanbarth y Cynulliad**

- Alun a Glannau Dyfrdwy
- Gogledd Cymru



Eich cyf/Your ref at P-05-848  
Ein cyf/Our ref at KW/02686/18

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

[Government.Committee.Business@llyw.cymru](mailto:Government.Committee.Business@llyw.cymru)

7 Rhagfyr 2018

Annwyl David

Diolch i chi am eich llythyr dyddiedig 29 Tachwedd ynglŷn â'r ddeiseb 'P-05-848 Rhowch gyfle i Fyfyrrwyr Cymru ddewis yr opsiwn astudio gorau ar eu cyfer hwy', a ystyriwyd gan y Pwyllgor ar 13 Tachwedd.

Croesawaf farn y Pwyllgor ar y mater hwn ac rwyf wedi ystyried yr argymhellion a gyflwynwyd.

Mae fy swyddogion wedi gohebu â'r deisebydd Mrs Ellis a'i chynrychiolwyr gwleidyddol nifer o weithiau. Mae fy swyddogion eisoes wedi egluro'r sefyllfa o ran cymorth i fyfyrwyr sydd ar gael i'w merch ac unrhyw fyfyrwyr eraill sy'n dilyn gradd dramor. Ymddengys na fyddai cwrdd â Mrs Ellis o fawr o fudd iddi hi neu ei merch, yn enwedig gan fod Georgia eisoes wedi dechrau ei gradd yn America.

Eglurais yn fy llythyr dyddiedig 8 Hydref, fod y pecyn newydd o gymorth o'r flwyddyn academaidd 2018/19 yn seiliedig ar argymhellion sy'n deillio o adolygiad annibynnol Diamond o drefniadau cyllido addysg uwch a chyllid myfyrwyr. Gwnaeth y panel ystyried nifer o fodelau gwahanol ar gyfer y pecyn cymorth decaf. Roedd angen gwneud penderfyniadau anodd ynghylch blaenoriaethau ariannu. Oherwydd cyllideb gyfyngedig, mae'r pecyn yn targedu rhai sydd fwyaf mewn angen. Yn anffodus, nid yw'n bosibl ymestyn y pecyn i'r rhai sy'n astudio gradd tu allan i'r DU.

Ar hyn o bryd ceir nifer o grantiau a chyllid, yn ogystal ag ysgoloriaethau a bwrsariaethau, sy'n cefnogi astudiaethau tramor (o unrhyw hyd).

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:  
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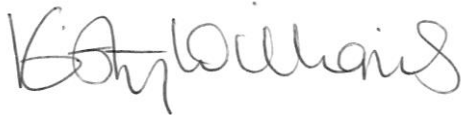
[Gohebiaeth.Kirsty.Williams@llyw.cymru](mailto:Gohebiaeth.Kirsty.Williams@llyw.cymru)  
[Correspondence.Kirsty.Williams@gov.wales](mailto:Correspondence.Kirsty.Williams@gov.wales)

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

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

Yr wyf yn ymrwymedig o hyd i ddarparu cefnogaeth sy'n galluogi mwy o fyfyrwyr i elwa ar gyfnodau o astudio dramor. Ar 20 Tachwedd, gwneuthum ddatganiad yn y Senedd ar Symudedd Myfyrwyr Rhyngwladol. Yn ystod y datganiad, cyhoeddais gynllun peilot bydd yn cynnig cymysgedd o gyfleoedd i fyfyrwyr o Gymru mewn sefydliadau addysg uwch yng Nghymru, yn amrywio o ddwy hyd wyth wythnos. Dangosodd ein hastudiaeth gwmpasu mai cyfleoedd fel hyn fyddai'n denu'r mwyafrif o fyfyrwyr. Gellir gweld y datganiad yma: <http://record.assembly.wales/Plenary/5365#A46915> <<http://record.assembly.wales/Plenary/5365>>. Yr ydym yn buddsoddi £1.3 miliwn yn y cynllun peilot hwn dros y tair blynedd nesaf.

Yn gywir



**Kirsty Williams AC/AM**

Ysgrifennydd y Cabinet dros Addysg  
Cabinet Secretary for Education



**P-05-848 Let Welsh students have the opportunity to choose the best study option for them – Correspondence from the Petitioner to the Committee, 9.1.19**

Hi Kayleigh/Kathryn

After digesting The Minister's response I would be very grateful if my comments below can be considered by the Committee.

As per previous conversations I confirm I have received many letters from Ms Williams but unfortunately they have been very repetitive and have never clarified any of my queries. I have been offered many links to grants and scholarships as part of these letters unfortunately, very few are of an option to Georgia due to their restrictions.

My husband and I were born and bred in Wales as well as our children. We have worked full time throughout our adult life as has our son, so we would certainly not want to place the economy of the country at risk but would like to understand why access to student loans equivalent to those that are available for study in the UK and Ireland cannot be granted. The same agreement to repay the debt would be signed. The only difference I am able to see is that the funds would not be re-invested in educational institutions in the UK but I believe the numbers of student who would still be able to take this route would be very low and therefore unlikely to be detrimental to the country.

The package which is being offered from the Diamond review as Ms Williams states is aimed at those most in need which is similar to that of Sutton Trust on a much smaller scale of course, and again many of the other grants/Scholarships the Minister has directed us to. In addition to this, as the programme on offer is for a maximum of 2 months it is unlikely to provide the study abroad options identified under the Diamond Review.

This is the reason I have raised the petition as I feel access to student loans is the only way the average student will be in a financial position to have the opportunity to be able to study outside of the EU, an experience Ms Williams has supported repeatedly in previous correspondence.

Again I would be very grateful if you would be able to consider my comments at the meeting on Tuesday 15th January.

Kindest regards

Sharon Ellis

## Eitem 3.6

### **P-04-648 Ceisiadau cynllunio nwy ac olew anghonfensiynol.**

Cyflwynwyd y ddeiseb hon gan cyngorydd Arfon Jones ac ystyriwyd gan y Pwyllgor am y tro cyntaf yn ystod Medi 2015, ar ôl casglu 1,254 llofnod ar lein a 293 llofnod bapur.

#### **Geiriad y ddeiseb**

Rydym yn galw ar y Gweinidog Cyfoeth Naturiol i ddiwygio CYFARWYDDYD CYNLLUNIO GWLAD A THREF (HYSBYSU) (OLEW A NWY ANGHONFENSIYNOL) (CYMRU) 2015 er mwyn galw pob cais cynllunio'n ymwneud â datblygiadau olew a nwy anghonfensiynol i mewn. Mae'r datblygiadau hyn yn cynnwys drilio arbrofol am nwy siâl, methan gwely glo a nweiddio glo tanddaearol

#### **Gwybodaeth Ychwanegol**

Ar hyn o bryd mae'r Cyfarwyddyd yn ymwneud â cheisiadau sy'n cynnwys dulliau echdynnu anghonfensiynol penodol yn unig ac mae'r Awdurdodau Cynllunio Lleol yn tueddu i ganiatáu'r cais.

Nid yw'r Cyfarwyddyd presennol yn berthnasol i nweiddio glo tanddaearol er y gall effeithiau'r broses hon fod yr un mor niweidiol i'r amgylchedd a chymunedau. Nid yw ychwaith yn berthnasol i ddrilio arbrofol neu ddrilio prawf. Mae pryderon cynyddol ynghylch effaith drilio arbrofol, yn enwedig o safbwynt sŵn, traffig, y posibilrwydd o darfu ar gyrsiau dŵr ac o greu symudiadau seismig, creu safleoedd diwydiannol yng nghefn gwlad a'r effaith ar brisiau tai.

Os oes moratoriwm ar echdynnu, yna beth yw pwrpas archwilio? Os yw gwaith echdynnu wedi'i wahardd, mae'n annerbyniol ac afresymol caniatáu i waith archwilio fynd rhagddo.

#### **Etholaeth a Rhanbarth y Cynulliad**

- Wrecsam
- Gogledd Cymru

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# DATGANIAD YSGRIFENEDIG GAN LYWODRAETH CYMRU

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**TEITL** Datganiad Polisi ar Echdynnu Petrolewm

**DYDDIAD** 10 Rhagfyr 2018

**GAN** Lesley Griffiths, Ysgrifennydd y Cabinet dros Ynni, Cynllunio a Materion Gwledig

Mae'r pwerau newydd ar drwyddedu petroliwm ar y tir, a gychwynnwyd ym mis Hydref eleni, wedi bod yn gyfle i ystyried sut yr ydym am weithredu yn gyffredinol mewn perthynas ag echdynnu petrolewm yng Nghymru. Yn yr haf, cyhoeddais ymgynghoriad ar echdynnu petrolewm a oedd yn nodi barn Llywodraeth Cymru na ddylem drwyddedu rhagor o waith petroliwm ar y tir nac ychwaith gefnogi gwaith hollti hydroilig (ffracio) i echdynnu petrolewm.

[Mae'n bleser gennyf heddiw gael cyhoeddi crynodeb o'r ymatebion i'r ymgynghoriad.](#) Daeth dros 1900 o ymatebion i law a hoffwn ddiolch i'r cyhoedd, i fusnesau, i gyrrff sy'n cynrychioli'r diwydiant ac i gynrychiolwyr cymunedol am ystyried y materion hyn.

Dangosodd yr ymateb i'r ymgynghoriad fod cefnogaeth aruthrol i'n polisi arfaethedig. Mynegwyd y farn hefyd gan lawer o'r rheini a ymatebodd y dylai Llywodraeth Cymru fynd ymhellach na'i gwrthwynebiad i ffracio ac na ddylai ganiatáu unrhyw waith i echdynnu petrolewm, yn enwedig methan gwely glo. Roedd yr egwyddor o gadw tanwyddau ffosil yn y ddaear, ac o leihau dibyniaeth ar danwyddau o'r fath yng Nghymru yn y dyfodol, yn thema gyffredin.

Mynegodd yr ymatebwyr bryderon am yr effeithiau hirdymor y byddai gwaith echdynnu petrolewm yn ei gael ar iechyd, ar yr amgylchedd, ar y newid yn yr hinsawdd ac, yn benodol, ar gymunedau lleol mewn ardaloedd trwyddedig. Y farn amlycaf oedd y byddai rhagor o waith echdynnu petrolewm yng Nghymru yn arwain at fwy o allyriadau ac yn cyfyngu ar allu Cymru i gyrraedd ei thargedau lleihau allyriadau.

Wrth bwysu a mesur y dystiolaeth am risgiau yn erbyn y ffaith mai dim ond ychydig o welliant y byddem yn ei weld o ran ffyniant, a hefyd yn erbyn yr angen i gyrraedd targedau datgarboneiddio, ymateb y cyhoedd oedd nad oeddent yn gweld bod unrhyw ddyfodol i ddiwydiant tanwyddau ffosil newydd. Barn y cyhoedd oedd ei bod yn bosib a yn well, newid i ffyrdd eraill o gynhyrchu ynni sy'n creu llawer yn llai o

lygredd. Fodd bynnag, barn y diwydiant yw fod echdynnu petroliwm yn medru cael ei reoli a'i reoleiddio'n ddiogel ac yn cynnig ffynhonnell leol i gynhyrchu petroliwm.

Roedd y dystiolaeth a gomisiynwyd gan Lywodraeth Cymru yn cyflwyno'r wybodaeth arbenigol gyfredol am arfarniadau gwyddonol o waith echdynnu ac am fanteision ariannol i gymunedau yng Nghymru. Mynegwyd pryderon bod data ar goll am y risgiau sy'n gysylltiedig ag allyriadau ffo wrth echdynnu metan gwely glo. Mae'r ffaith nad oes unrhyw safleoedd echdynnu o'r fath mewn unrhyw le yn y DU yn golygu nad oes fawr o wybodaeth am fethan gwely glo. Ymateb mwyafrif yr ymatebwyr oedd os na fyddwn yn echdynnu unrhyw betrolewm, yna ni fydd yn rhaid inni wynebu'r effaith a'r risgiau sy'n gysylltiedig â chynhyrchu a datgomisiynu. Roeddent o blaid peidio ag echdynnu o gwbl oherwydd mai dyna'r ffordd i roi sicrwydd i gymunedau ger safleoedd trwyddedig ac i osgoi unrhyw darfu a niwed diangen.

Wedi ystyried y dystiolaeth, y risgiau a'r sylwadau sydd wedi dod i law mewn ymateb i'r ymgynghoriad, gallaf gadarnhau **na** fydd hollti hydrolog er mwyn echdynnu petrolewm yn cael ei gefnogi yng Nghymru.

Er mwyn gwireddu'r ymrwymiad a wnaed gennyf yn 2016 i leihau'r defnydd o danwyddau ffosil, rwyf hefyd yn cadarnhau **na fydd** Llywodraeth Cymru yn rhoi unrhyw drwyddedau newydd ar gyfer echdynnu petrolewm yng Nghymru. Bydd ceisiadau am drwyddedi unigol ddim ond yn cael eu hystyried ar gyfer rheoli pyllau glo yn ddiogel, neu i gefnogi ymchwil gwyddonol.

O blegid y pwerau sydd wedi eu trosglwyddo mae 13 o drwyddedau byw yng Nghymru. Mae'r fersiwn ddiwygiedig o 'Polisi Cynllunio Cymru' yn nodi mai tanwyddau ffosil fydd y tanwydd a ffafrir leiaf. Mae Polisi Cynllunio Cymru yn gosod y fframwaith ar gyfer gwneud holl penderfyniadau ar geisiadau cynllunio, gan gynnwys trwyddedau sy'n bodoli eisoes. Mae'r Nodyn Cyfarwyddyd diweddar hefyd yn golygu bod rhaid i Awdurdodau Cynllunio Lleol hysbysu Llywodraeth Cymru eu bod yn bwriadu caniatáu cais cynllunio ar gyfer unrhyw ddatblygiad echdynnu petroliwm.

Er bod trwyddedu gwaith ar y môr yn fater a gadwyd yn ôl, gall yr egwyddorion a ystyriwyd yn yr ymgynghoriad fod yn berthnasol i Weinidogion Cymru wrth wneud penderfyniadau ar drwyddedi morol wrth ystyried ceisiadau yn ymwneud ag echdynnu petroliwm ar y môr.

Mae Cytundeb Paris y Cenhedloedd Unedig wedi gosod y cyd-destun ar gyfer mynd i'r afael ag un o'r bygythiadau mwyaf sy'n ein hwynebu, y newid yn yr hinsawdd a'r her o ddatgarboneiddio'r economi fyd-eang. Mae Deddf Llesiant Cenedlaethau'r Dyfodol (2015) yn ei gwneud yn ofynnol ar Weinidogion Cymru sicrhau bod Cymru yn garbon isel, yn gynaliadwy ac yn llewyrchus yn awr ac yn y dyfodol. Mae Llywodraeth Cymru yn gweithredu ar draws y Llywodraeth i sicrhau dyfodol carbon isel.

Mae angen inni bellach sicrhau ein bod yn manteisio i'r eithaf ar gyfleoedd byd-eang wrth i ni newid i beidio defnyddio tanwydd ffosiledig i sicrhau nad yw Cymru yn cael ei gadael ar ôl. Drwy'n huchelgais i fynd i'r afael â'r newid yn y yr hinsawdd, byddwn yn creu Cymru sy'n ffyniannus a diogel, sy'n iach ac egnïol, sy'n uchelgeisiol ac yn dysgu, ac sy'n unedig a chysylltiedig. Byddwn yn cyrraedd y nod yn hynny o beth drwy wrando ar leisiau cymunedau, drwy osod y sylfeini a fydd yn helpu Cymru gyfan i weithredu, a thrwy beidio â chefnogi echdynnu tanwyddau ffosil.

# Eitem 3.7

## **P-05-743 Rhowch Derfyn ar Fasnachu Anifeiliaid Anwes Egsotig yng Nghymru**

Cyflwynwyd y ddeiseb hon gan David Sedley ar ôl casglu 222 llofnod.

### **Geiriad y ddeiseb**

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i gymryd camau gweithredu yn erbyn masnachu mewn anifeiliaid egsotig sy'n cael eu dal a'u magu ar gyfer y fasnach anifeiliaid anwes yng Nghymru. Dylai hefyd wahardd trwyddedu pob busnes sydd ynghlwm â'r fasnach ddinistriol, greulon ac anfoesegol hon, gydag eithriadau clir ar gyfer canolfannau achub a chanolfannau achub trwyddedig.

Rydym hefyd yn annog Llywodraeth Cymru i ddilyn esiampl Llywodraeth yr Alban, sydd wedi ymrwymo i adolygu masnachu a mewnfario anifeiliaid egsotig ar gyfer y fasnach anifeiliaid anwes yn yr Alban ym mis Chwefror 2015, dan arweiniad Ysgrifennydd y Cabinet dros Faterion Gwledig a'r Amgylchedd. Er mwyn i Gymru gael ei chymryd o ddifrif yn y gymuned gadwraeth fyd-eang, rydym o'r farn na allwn gael ein gweld yn caniatáu i'r fasnach hon barhau yn ein gwlad ein hunain. Mae hyn yn amlygu pryderon Cymdeithas Milfeddygon Prydain (BVA), y Federation of Veterinarians of Europe (FVE) a'r RSPCA. Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i sicrhau bod unrhyw newidiadau a gaiff eu gwneud i raglen Cymunedau yn Gyntaf yn gwarchod Canolfan Ieuenctid Forsythia rhag cael ei gau.

### **Gwybodaeth ychwanegol**

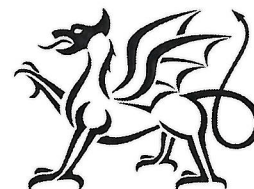
Mae anifeiliaid fel mwncïod, 'meerkats', ymlusgiaid a chrwbanod yn anifeiliaid gwyllt sy'n perthyn i'w cynefin naturiol, ac ni ddylent fod mewn cewyll a thanciau gwydr yng nghartref rhywun. Caiff dros 1000 o rywogaethau o famaliaid, adar, infertebratau, ymlusgiaid, amffibiaid a physgod eu magu a'u dal ar gyfer y fasnach anifeiliaid anwes egsotig. Ein dadl ni yw mai dim ond yn eu cynefinoedd naturiol y gellir bodloni anghenion cymdeithasol, corfforol ac ymddygiadol cymhleth yr anifeiliaid hyn. Hefyd, ceir tystiolaeth gref sy'n cysylltu'r fasnach mewn anifeiliaid egsotig â dinistrio cynefinoedd a difodiant rhywogaethau yn y gwyllt. Ochr yn ochr â dioddefaint anifeiliaid o'r fath wrth deithio – gan gynnwys llawer o gofnodion am farwolaethau – gall anifeiliaid ifanc dyfu i fod yn oedolion peryglus a all fynd dros

ben llestri mewn amgylcheddau domestig nad ydynt yn addas i fodloni eu hanghenion lles am fwy o le a bwyd.

### **Etholaeth a Rhanbarth y Cynulliad**

- Gorllewin Abertawe
- Gorllewin De Cymru





Ein cyf/Our ref LG/02407/18

David John Rowlands AM  
Chair - Petitions committee.  
National Assembly for Wales  
Cardiff Bay  
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11  
December 2018

Dear David

Thank you for your letter of 29 November, regarding petition P-05-743, End the Exotic Pet Trade in Wales.

Since I wrote to you on this subject in February, the Welsh Government has continued to develop policies to promote animal welfare and responsible ownership. You will be aware Defra have recently introduced the Animal Welfare (Activities Involving Animals)(England) Regulations 2018. Whilst the Regulations in England introduce new requirements relating to the selling of exotic pets, they have not imposed a ban. There are no specific developments to update you on relating to the work of the Scottish Government. In Wales, there are no immediate plans to consider a ban on the trade of exotic pets, however there have been a number of developments in animal welfare policy on which I can update you.

In my Oral Statement in June I committed to exploring options relating to the banning of third party sales of puppies and kittens in Wales. A consultation to gather evidence on the impact of such a ban and to inform next steps will be launched early in the New Year. Whilst this specifically relates to puppies and kittens, we are keen to look holistically at the impacts any changes in policy could have on other species.

In July the First Minister announced his intention to ban the use of wild animals in circuses and a consultation was completed in November, a summary of the responses will be published early next year. As I stated when the consultation was launched, a ban will send a clear message that the people of Wales believe this practice to be an outdated notion and ethically unacceptable.

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[Correspondence.Lesley.Griffiths@gov.wales](mailto:Correspondence.Lesley.Griffiths@gov.wales)

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

Tudalen y pecyn 110  
We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

In addition to these projects, another major work stream actioned this year was the revision of the Codes of Practice for several companion and farmed animal species. The Codes for dogs and horses came in to force on 12<sup>th</sup> November and the consultation for the cat Code will be launched on 14<sup>th</sup> December. Officials are working with the Animal Welfare Network Wales in prioritising the next Codes to be updated, or created if it is felt necessary, such as primates or other exotic animals.

With regards to your question around a list of potentially restricted pets, the Dangerous Wild Animals Act 1976 makes it an offence to keep specific animals including certain breeds of primates and reptiles.

Regards  
Lesley

**Lesley Griffiths AC/AM**

Ysgrifennydd y Cabinet dros Ynni, Cynllunio a Materion Gwledig  
Cabinet Secretary for Energy, Planning and Rural Affairs

## Eitem 3.8

### **P-05-816 Dywedwch 'NA' i saethu ffesantod ar dir cyhoeddus Cymru**

Cyflwynwyd y ddeiseb hon gan Animal Aid ar ôl casglu 12,706 o lofnodion ar wefan amgen.

#### **Geiriad y ddeiseb**

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i sicrhau bod Cyfoeth Naturiol Cymru, fel y corff cyfrifol a noddir gan Lywodraeth Cymru, yn peidio â phrydlesu tir cyhoeddus i weithgareddau saethu masnachol. Prif swyddogaeth gyfansoddiadol Cyfoeth Naturiol Cymru yw bod yn stiward amgylcheddol dros y tir y mae'n ei reoli ar ran Llywodraeth Cymru a phobl Cymru. Ond mae prydlesu'r tir hwn ar gyfer gweithgareddau saethu yn effeithio'n negyddol ar gadwraeth, bioamrywiaeth a lles anifeiliaid. Herfyd, mae gweithgareddau saethu yn llygru tir gyda phelenni plwm gwenwynig sy'n gyfrifol am wenwyno a lladd llawer o anifeiliaid. Mae arfer Cyfoeth Naturiol Cymru o brydlesu tir ar gyfer saethu yn hwyluso gweithgarwch sy'n wrthun gan lawer o bobl Cymru: lladd anifeiliaid er mwyn 'difyrrwch'. Mae'r prydlesau hefyd yn golygu fod mynediad y cyhoedd i dir sy'n eiddo i bobl Cymru yn cael ei gyfyngu.

#### **Etholaeth a Rhanbarth y Cynulliad**

- Sir Drefaldwyn
- Canolbarth a Gorllewin Cymru

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



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref P-05-816  
Ein cyf/Our ref LG/01235/18

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

[government.committee.business@wales.gsi.gov.uk](mailto:government.committee.business@wales.gsi.gov.uk)

3

July 2018

Dear David

Thank you for your letter of 21 June, regarding the petition P-05-816 Say 'NO' to pheasant shooting on Welsh public land.

In relation to the comments made by Animal Aid about the Code of Practice for the Welfare of Gamebirds Reared for Sporting Purposes, I have written to Animal Aid previously on this matter. Whilst there is no specific legislation regulating the breeding and rearing of gamebirds for sporting purposes, their welfare is protected by the Animal Welfare Act 2006. Section 9 of the Act, on the duty of a person responsible for animals to ensure welfare, sets out the needs of animals to include; a suitable environment; a suitable diet; ability to exhibit normal behaviour patterns; to be housed with, or apart from, other animals (as necessary), and; the need to be protected from pain, suffering injury and disease. The Code of Practice provides practical guidance in meeting the requirements of Section 9 of the Animal Welfare Act 2006.

Work is ongoing to revise the existing Welsh Government Codes of Practice. Priorities for revising the Codes are agreed with stakeholders.

Any concerns about a specific gamebird rearing premises should be reported to the Animal and Plant Health Agency (APHA) or relevant Local Authority. They are responsible for the delivery and enforcement of animal health and welfare provisions on behalf of the Welsh Government. In the case of Bettws Hall, APHA has twice carried out investigations of the premises. APHA does not provide details of the investigations to the complainant.

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
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[Correspondence.Lesley.Griffiths@gov.wales](mailto:Correspondence.Lesley.Griffiths@gov.wales)

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

Tudalen y pecyn 113

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.

With regard to the comments made about the transparency of the process and potential conflict of interest with one of the academics engaged by NRW to oversee the review, this is an internal matter for NRW. However, I have had sight of correspondence from the Chief Executive of NRW to Animal Aid on this matter and following First Minister's Question on 12 June during which Bethan Sayed AM raised her concerns I arranged for NRW to write directly to the AM.

NRW has every confidence that the Review into the use of Firearms has been undertaken in a transparent and appropriate manner.

In May of 2016 the Board of NRW directed that a formal review should be undertaken into the use of firearms on land that NRW manage in response to the introduction of new legislation in Wales and following concerns from some stakeholders about the welfare of pheasants on land that NRW own and the ethics of allowing such activity on land owned by Welsh Ministers.

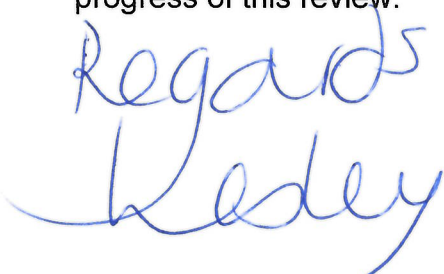
The Review has been undertaken in several stages including a public Call for Evidence, independent external assurance of the project approach and evidence analysis, and a formal Public Consultation on a series of proposals. The review has considered over 250 pieces of evidence and 4700 responses to the Public Consultation.

Several documents have already been published as part of the Review process including a Synthesis of Evidence to support the public consultation process. During the Review period meetings have been held with Countryside Alliance, British Association for Shooting and Conservation, Animal Aid, League Against Cruel Sports and an interested individual connected to the 'Stop shooting on Welsh Public Land' campaign. It is estimated that NRW staff effort over the Review period totals some 2000 hours.

The capacity in which two academics have been involved was to provide an independent external assurance on the process that NRW undertook for the Review. They also provided an assessment of any gaps that there may have been in the evidence that was considered. Therefore their input was solely in an advisory capacity; they did not undertake the review.

NRW have stated they are grateful for Animal Aid and the League Against Cruel Sports for providing information on the involvement the two academics have in the topic areas covered by the review. NRW remains satisfied that the context in which these academics were involved, coupled with their experience and professional status, means that they see no conflict of interest that would prejudice the outcome of the review.

The NRW Board will be considering the final recommendations of this evidence-based review at their forthcoming meeting on 12 July when they will make a decision on NRW's policy on this issue. Welsh Government Officials have been kept fully informed of the progress of this review.



**Lesley Griffiths AC/AM**

Ysgrifennydd y Cabinet dros Ynni, Cynllunio a Materion Gwledig  
Cabinet Secretary for Energy, Planning and Rural Affairs



Ein cyf/Our ref: MA – P/LG/2404/18

Clare Pillman  
Chief Executive  
Natural Resources Wales  
Ty Cambria  
29 Newport Road  
Cardiff  
CF24 0TP

9 July 2018

Dear Clare,

Thank you very much for sight of the detailed review you have undertaken on the Use of Firearms on land managed by Natural Resources Wales and the recommendations for their future use on the Welsh Government estate.

I understand the NRW Board is meeting to discuss these recommendations on 12 July and thought it would be helpful to feed in the Welsh Government position with regard to shooting from the wider policy, ethical and welfare context as an aid to the considerations.

With the current focus of Brexit falling on the economic and social impact, it's also important to remember that as a Government we are absolutely committed to the environment in Wales and to the full implementation of the Well Being and Future Generations (Wales) Act 2015 and Environment (Wales) Act 2016. The evidence from Wales' first 'The State of Natural Resources' report is clear the environmental challenges we face require transformational action and in Wales' first natural resources policy, we described how reversing the decline in biodiversity and improving ecosystem resilience is central to my approach.

Linked to this is of course the way we treat our animals and birds. It is an important reflection of our society's values and they should not be subjected to any unnecessary suffering. Whilst there is no specific legislation regulating the breeding and rearing of gamebirds their welfare is protected by the Animal Welfare Act 2006. Once released into the wild, the birds are not specifically protected outside the close season. It is acknowledged the breeding of gamebirds does not currently take place on the Welsh Government estate, however, birds are held in holding pens on the estate prior to release. Shooting and its associated activities can therefore be very emotive issues with a wide range of views held by different interests.

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[Correspondence.Hannah.Blythyn@gov.wales](mailto:Correspondence.Hannah.Blythyn@gov.wales)

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

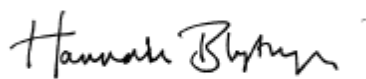
We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

I have therefore carefully considered the review recommendations and broadly agreed with the first two recommendations relating to NRW use of firearms for managing wild species, which impact on their objectives and other people's use of firearms for managing wild species which impact on their neighbour's land management objective. I recognise these are legitimate activities with a purpose to support appropriate pest control and land management environmental objectives.

I understand in most cases wildfowling is an important form of management, however, I have concerns regarding the shooting of conservation species. I therefore ask NRW ornithologists to investigate the impact of wildfowling on rarer bird species.

The NRW review looked at the purpose for which shooting is undertaken in the context of the Sustainable Management of Natural Resources. However, the review did not go as far as to consider some of the wider policy and ethical issues. Whilst shooting on private land is for the landowner to decide, we need to take account of wider considerations and public views in considering what happens on the Welsh Government estate. Given the wider policy issues and concerns, the Welsh Government does not support commercial pheasant shooting, or the breeding of gamebirds or the birds being held in holding pens on the estate prior to release on the Welsh Government Estate. I would ask our position on these issues is fed into the NRW discussions of future shooting activities on the Welsh Government estate and you consider not renewing the pheasant shooting lease agreements as they expire.

Yours sincerely,



**Hannah Blythyn AC/AM**  
Gweinidog yr Amgylchedd  
Minister for Environment

**P-05-816 Say 'NO' to pheasant shooting on Welsh public land –  
Correspondence from the petitioner to the Committee, 20.07.18**

Dear Kayleigh

Many thanks for your email.

If it helps, I have just this morning received this message from NRW, below.

Kind regards

Fiona

-----

Dear Fiona,

Thank for your enquiry.

The NRW Board approved the four recommendations made in the Review of the use of firearms on land managed by NRW and agreed the position statement. The Board accepted the position taken by the Minister for Environment in her letter to NRW. NRW staff will now look at how to implement the Minister's position, considering any legal implications of reviewing the leasing of rights for pheasant shooting.

Kind Regards,  
Shooting Review Team.

Cyfoeth Naturiol Cymru / Natural Resources Wales

[www.cyfoethnaturiol.cymru](http://www.cyfoethnaturiol.cymru) <<http://www.cyfoethnaturiol.cymru/?lang=cy>> /

[www.naturalresources.wales](http://www.naturalresources.wales) <<https://www.naturalresources.wales/?lang=en>>

**Yn falch o arwain y ffordd at ddyfodol gwell i Gymru trwy reoli'r amgylchedd ac  
adnoddau naturiol yn gynaliadwy.**

**Proud to be leading the way to a better future for Wales by managing the environment  
and natural resources sustainably.**



## Eitem 3.9

### **P-05-825 Diogelu ysgyfaint plant rhag llygredd niweidiol tra maent yn yr ysgol**

Cyflwynwyd y ddeiseb hon gan British Lung Foundation Cymru, ar ôl casglu 159 o lofnodion.

#### **Geiriad y ddeiseb**

Mewn trefi a dinasoedd ledled Cymru, mae pobl yn anadlu lefelau llygredd aer sy'n anghyfreithlon ac sy'n niweidiol i'w hiechyd. Mae plant ymysg y rheiny sydd fwyaf diamddiffyn rhag llygredd aer. Mae eu hysgyfaint yn dal i dyfu, a gall aer llygredig arafu twf eu hysgyfaint, a golygu eu bod yn fwy tebygol o gael asthma, a phroblemau iechyd eraill, yn nes ymlaen yn eu bywyd.

Yn ôl cais rhyddid gwybodaeth gan y BLF i awdurdodau lleol yn 2017, gwelwyd nad oedd 68 y cant o ymatebwyr (15 o 22) yn monitro llygredd aer o fewn 10 metr o unrhyw un o'u hysgolion.

Yr ydym ni, sydd wedi arwyddo isod, yn galw ar Lywodraeth Cymru i fynnu bod pob Awdurdod Lleol yn monitro ansawdd yr aer y mae plant yn ei anadlu pan fyddant yn yr ysgol, fel bod gan y rheiny sy'n gwneud penderfyniadau y wybodaeth angenrheidiol i ymateb i lygredd aer.

#### **Etholaeth a Rhanbarth y Cynulliad**

- De Caerdydd a Phenarth
- Canol de Cymru

**P-05-825 Protect children's lungs from harmful pollution whilst at school – Correspondence from the petitioner to the Committee, 19.12.18**



Dear David John Rowlands AM,

We are grateful to the Minister for her response dated 20<sup>th</sup> November and apologise for the delay in responding to the committee's call for a further response from the BLF.

We welcome the Minister's commitment to improving air quality and hope that the loss of the post of Minister for the Environment does not impact on the work of the Welsh Government in bringing forward new measures to tackle poor air quality.

With reference to the Local Air Quality Management regime, we note that extensive guidance has been published for Local Authorities and that this was revised in the summer of 2017 which makes explicit reference to sensitive receptors. We welcome this and the focus that Welsh Government has placed on engaging with schools to inform children about air pollution and to take local action. It is also interesting to hear that the Government has undertaken some work on individual exposure assessment, and we hope to see more of this work undertaken as part of the Clean Air Plan.

We would like to see further work done to move from a risk-based approach of siting monitors to individual exposure model as part of the new Clean Air Plan, including an increase in the funding to local authorities to ensure that all local authorities can carry out their functions effectively and adequately monitor and take action to tackle localised challenges with air quality. We have received anecdotal evidence that some local authorities are struggling to continue to fund ARUN sites, for example. We would therefore encourage a review of funding to local authorities to ensure that air quality teams have the resources necessary to take the renewed action expected of local authorities to achieve threshold levels in the shortest time possible. Furthermore, we would welcome the opportunity to be involved with any future review of the LAQM regime.

Finally, we are aware that there is a growing call from parents to take forward 'buffer' zones around schools and introduce anti-idling zones around schools. We are aware that currently Local Authorities have to apply to Welsh Government to devolve the necessary powers to local authorities to take forward these measures. We would welcome consideration to be given for devolving these powers to all local authorities

in order for councils to take a proactive approach to protecting children from harmful emissions at school.

Yours sincerely,

Rhys Taylor  
Policy and Public Affairs Officer, BLF Wales



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

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

#### **Geiriad y ddeiseb**

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

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

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

Dylai'r drwydded wneud y canlynol o leiaf:

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

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

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

### **Etholaeth a Rhanbarth y Cynulliad**

- Wrecsam
- Gogledd Cymru

**Thank you for the opportunity to respond to the views of the Minister for Environment. I understand that following cabinet changes in Early December 2018 that this role is no longer held by Hannah Blythyn AM but by Lesley Griffiths AM and as such the views of the current Minister for Environment may differ from those held by their predecessor. I have however made the assumption that the current Minister for Environment agrees with their predecessor's response to the petition.**

**The response from the Minister for Environment is below in Italics, Any part of this document written by myself is provided in bold text.**

*In Wales, the Welsh Government is responsible for the Wildlife Incident Investigation Scheme (WIIS). The Scheme investigates and provides analysis services for wildlife, companion animals and honey bees suspected of being poisoned by pesticides. WIIS figures from the previous five years show an average of 2 confirmed cases per year of deliberate abuse of pesticides leading to the death of birds of prey. Wider results reported by the latest RSPB annual 'Birdcrime 2017' publication were 3 separate persecution incidents in Wales involving the shooting of a buzzard and a red kite and confirmed pesticide poisoning of a peregrine falcon.*

**The RSPB's raptor persecution map hub**

**(<https://www.arcgis.com/apps/opsdashboard/index.html#/0f04dd3b78e544d9a6175b7435ba0f8c>) reports that between 2012 and 2017 a total of 46 confirmed raptor persecution incidents occurred in Wales. 33 of which involved poisonings, 16 of which involved shooting. There is a widely held opinion by the RSPB and other conservationists that the number of confirmed persecution events represent a fraction of the total number of persecution events that occur in a year. A major challenge is in detecting persecution events as many occur in sparsely populated areas, often on private land with little to no public access.**

*Partnership working between the Welsh Government, Natural Resources Wales (NRW), the Police, Fire Service, Government Agency Intelligence Network and the Crown Prosecution Service plays a fundamental role in detecting, preventing, investigating and enforcing wildlife and rural crime, both at a national strategic level and a regional operational level. Welsh Government officials work closely with the four Welsh Police Forces, NRW and other enforcement bodies through the Wales Wildlife and Rural Crime Group. The Group identifies regional wildlife and rural crime priorities as well as ensuring Welsh interests are represented at UK Priority Delivery Groups including the Raptor Persecution Delivery Group. Raptor persecution is a priority in Wales as well as the UK as a whole. One of the shared aims of both the Welsh and UK Groups is 'to protect raptors from persecution by developing and sharing best practice methodologies to safeguard birds, their eggs and their nests'.*

**I believe we should be applauding the work carried out by the various rural crime teams and the organisations who support them in their unenviable task. Their work is undeniably challenging as they are required to be out in remote locations in all weathers carrying out what is highly specialised work.**

**Conversationalists have for some time been critical of the Raptor Persecution Priority Delivery Group (RPPDG), typically viewing it as ineffectual. However, on the 30<sup>th</sup> December 2018 the current chair of the RPPDG blogged about a number of planned changes to the RPPDG which recently received praise from the**

conservation blog Raptor persecution UK

(<https://raptorpersecutionscotland.wordpress.com/2018/12/30/police-supt-nick-lyall-to-create-hostile-environment-for-raptor-killers-in-england-wales/>), who have in the past be rather critical of the RPPDG's work, or seemingly lack of work on tackling raptor persecution. However, only time will tell if these efforts by the RPPDG's new chair make any real difference on the ground.

*In 2017 Welsh Government funded 'A Review of the Prevention and Investigation of Wildlife Crime in Wales'. The Review was undertaken by the National Wildlife Crime Unit and included 21 recommendations which are currently being considered by the Wales Wildlife and Rural Crime Group. The report highlighted the success of both the secondment of police officers to NRW and the setting up of dedicated rural crime teams within the Welsh forces. I will continue to support NRW in their commitment to work collaboratively with Welsh Police Forces to encourage compliance with, and enforce, wildlife and environmental legislation in Wales. This includes the continued funding of seconded police officers who are essential to the delivery of this work. I am pleased to say the 'rural crime team' model has been extended and now includes both North Wales and Dyfed Powys Police Forces. South Wales and Gwent Forces are also considering setting up similar teams.*

**I have been unable to find any online records of the aforementioned review as such regret that I am unable to make any comment on that particular point or in regards to the 21 recommendations. Perhaps the Minister for Environment will be kind enough to provide a copy.**

*The Review highlighted best practice and looked at knowledge gaps and problems in taking prosecutions forward. The licensing of gamebird shooting / gamekeepers was not identified as an issue and was therefore not listed in the recommendations. In carrying out investigations jointly with the police, my officials have not had issues identifying local landowners or those with game interests and as such do not see any benefit in introducing a licensing regime which would be time consuming and costly to implement with no obvious benefit over and above existing protocols of dealing with raptor persecution incidents.*

**UK wide, The RSPB's 2017 birdcrime report contained a total of 68 confirmed raptor persecution incidents but only reports of 4 prosecutions highlighting the challenges faced by the police in gathering sufficient evidence required to prosecute an individual. It is a result of the difficulties in securing sufficient evidence to prosecute any individual involved in gamebird shooting for raptor persecution that I believe licensing should be considered. The advantage being that a licence could be revoked without needing the same level of evidence required to undertake a prosecution of an individual.**

**An alternative to licensing that could be considered is vicarious liability as currently exists in Scotland, as you are likely aware this, in simple terms enables an employer to be prosecuted for the actions of their employees, however, even with vicarious liability very few raptor persecution events result in any sort of prosecution due to the difficulties in gathering evidence that the employee or employer had any direct involvement in a crime, which is why this licensing scheme has been suggested. We have to accept that this scheme will not stop all raptor persecution crimes but as a**

**significant proportion of raptor persecution incidents have occurred on or near land managed almost exclusively for gamebird shooting and a significant number of historical prosecutions have involved gamekeepers.**

**I accept that there are going to be administrative challenges associated with introducing such a licensing scheme which would need to be worked out before such a scheme could be implemented.**

**Regards  
Anthony Britner.**



# Eitem 3.11

**P-05-804 Mae angen cyllid Llywodraeth Cymru ar gyfer chwarae!!**

Cyflwynwyd y ddeiseb hon gan RAY Ceredigion ac ystyriwyd am y tro cyntaf gan y Pwyllgor yn ystod Mawrth 2018, ar ôl casglu 328 o lofnodion ar-lein.

## **Geiriad y ddeiseb:**

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i ddarparu cyllid dynodedig blynyddol i roi cymorth ariannol i bob Awdurdod Lleol wrth gyflawni eu dyletswydd yn unol â'u hasesiad o ddigonolrwydd cyfleoedd chwarae er mwyn osgoi cau darpariaethau chwarae agored megis RAY Ceredigion

## **Etholaeth a Rhanbarth y Cynulliad**

- Ceredigion
- Canolbarth a Gorllewin Cymru

☎  
01545 570 686

📞  
075252 06 252



RAY CEREDIGION

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**Teitl y Ddeiseb:** Mae angen cyllid Llywodraeth Cymru ar gyfer chwarae!!

**Testun y Ddeiseb:** Rydym yn galw ar Gynulliad Cenedlaethol Cymru i ddarparu cyllid dynodedig blynyddol i roi cymorth ariannol i bob Awdurdod Lleol wrth gyflawni eu dyletswydd yn unol â'u hasesiad o ddigonolrwydd cyfleoedd chwarae er mwyn osgoi cau darpariaethau chwarae agored megis RAY Ceredigion

**Petition Title:** We need Welsh Government funding for play!!

**Petition Text:** We call on the National Assembly for Wales to provide annual designated funding to provide financial support to all Local Authorities in fulfilling their duty in line with their Play Sufficiency Assessments in order to avoid further closure of open access play provision such as RAY Ceredigion

20-12-18

**Our response to the Minister's response is as follows:**

Most of the response is an account of how information is being circulated within Welsh Government and local authorities to improve knowledge, awareness and the development of policy to support play.

This does not directly address the concerns raised in the petition

Funding has been provided to Play Wales, however that has not benefited us in Ceredigion – the £30,000 awarded for 'a social campaign aimed at parents and communities' has not been delivered in Ceredigion nor had we any knowledge of it as the foremost organisation delivering play in the county.

The funding noted that has been provided has to date ONLY been provided as a result of underspend at the end of the financial year, and not every year – one year no funding was provided. This is an unpredictable way to fund play development, both for local authority officers and play organisations because we do not know how much money will be provided



and there is always a very short timescale in which to execute projects, ie before the end of the financial year. In some years this has literally allowed a few weeks between knowing what funding is available and having to spend it, which has not always resulted in the most effective use of funds.

### Conclusion

Funding so far has been for:

- Internal use for Welsh Government and / or local authority officials
- Play Wales to deliver programmes that are not always inclusive of all providers or all regions
- Last minute unpredictable amounts of funding at the end of some years with pressure to spend funds quickly rather than effectively
- No regular designated funds for the delivery of play on the ground that has the greatest impact on children's lives
- Lack of designated funding means the Play Sufficiency Duty is not being executed in many areas and the lives of children are not being improved

In view of this conclusion we feel that the substance of our petition has not been addressed and our concerns have not been addressed.

Yours sincerely

Gill Byrne  
RAY Ceredigion



Eich cyf/Your ref P-05-804  
Ein cyf/Our ref HID/00239/18

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

SeneddPetitions@assembly.wales

13 April 2018

Dear David,

Thank you for your further letter dated 23 March regarding the petition submitted by RAY Ceredigion which your committee has recently considered.

I have responded to the points you have raised below:

- **What assessment the Welsh Government has made of the sufficiency of steps taken by local authorities to fulfil the duties under Section 11 of the Children and Families (Wales) Measure 2010;**

Since the commencement of the local authority duties in respect of play opportunities, the Welsh Government has taken a supportive, collaborative and encouraging stance. Under the Play Wales Strategic Policy Grant, the Welsh Government has provided grant funding to Play Wales to provide strategic support to the Local Authorities and their partners to assist the implementation of the Play Sufficiency duties.

The Play Sufficiency Assessment Toolkit was also developed in 2012 by Play Wales and the Welsh Government, in conjunction with play providers across Wales, as a means of supporting the implementation of the duty. The toolkit was designed to give guidance but allow for local contexts, to encourage dialogue across policy areas and to influence future awareness and policy decisions. The intention was to enable local authorities and their partners to take account of children's play in all policy and implementation agendas.

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

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

[Gohebiaeth.Huw.Irranca-Davies@llyw.cymru](mailto:Gohebiaeth.Huw.Irranca-Davies@llyw.cymru)  
[Correspondence.Huw.Irranca-Davies@gov.wales](mailto:Correspondence.Huw.Irranca-Davies@gov.wales)

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

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

To support local authorities to consider collaborative working, Play Wales has been promoting the delivery of a Professional Development Programme delivered by colleagues from the University of Gloucestershire. It is based on a pilot programme drawing on key themes identified in two research studies undertaken by Play Wales and the University of Gloucestershire in 2013. The programme comprises a series of workshops designed to support the local authority and its third sector partners in their approach to assessing and securing play opportunities.

As part of its grant funded activity, Play Wales has undertaken analyses and reviews of the Play Sufficiency Assessments and the related Play Action Plans. These reports have shown the progress being made in each local authority in Wales. My officials work in partnership with Play Wales to facilitate annual regional events for local authority play officers, where good practice is shared and regional issues discussed.

My officials also work in partnership with Play Wales to deliver cross policy networking meetings with a range of Welsh Government officials. These meetings have enabled the sharing of initiatives that have worked well, barriers to sufficiency and solutions, future actions and collaboration information. This approach has also identified issues and challenges which might be addressed by the various Welsh Government policy areas outlined within Matter I of the statutory guidance 'Wales – a Play Friendly Country'. Distinct benefits have been evidenced from this approach, including closer integration and alignment of policies.

- **What steps have been taken to ensure that an adequate level of expenditure on play is being allocated at a local level throughout Wales;**

As I outlined in my letter of 6 March, the Welsh Government has allocated just under £5 million since 2013-14 to support local authorities to meet their play sufficiency duties. A further £1.7 million was allocated in the last financial year, which isn't an insignificant amount of funding given the current financial climate. Local authorities also have the discretion to use their Welsh Government Out of School Childcare Grant funding for play-related purposes and this amounts to £2.3 million per annum. The majority of Local Government funding is of course made up of the core unhypothecated funding for local authorities and it is for each local authority to determine how it spends these resources, along with locally-raised council tax and income from fees and charges, to deliver key outcomes and priorities.

- **What consideration has been given to play provision in the development of the Welsh Government's obesity strategy;**

Matter I within the Welsh Government's statutory guidance 'Wales – a Play Friendly Country' acknowledges that if we are to achieve the positive outcomes for children we desire, it is necessary for policy and implementation across many policy areas to contribute. I have already mentioned the Welsh Government's Cross Policy Networking meetings that my officials convene to share policy development updates and information, including examples of good practice, challenges and barriers, identified in the Local Authorities' Play Action Plans.

We are currently developing an obesity strategy through our Public Health Wales Act 2017, with the objective of improving the nation's health. This will aim to consider a number of areas of work which will need to come together in order to create change. We will be launching a consultation later this year where we hope to test ideas. This will include listening to children and families to consider how we can understand some of the real life issues and barriers which provide challenges to healthy weights across everyday life.

Play is an important issue in order to increase levels of physical activity amongst children, which will help to tackle childhood obesity. Play Wales have been involved in early engagement workshops with stakeholders in order to feed in policy ideas for the development of a strategy. The role of play is recognised in Public Health Wales' '10 Steps to a Healthy Weight' and Play Wales have been working to develop campaign messaging in respect of 'Step 6 Children should play outdoors every day'. To support the programme, Play Wales has included information within its 'Focus on Play' publication to support public health professionals to consider the role they hold in supporting better opportunities for children to play in their own communities. Furthermore, we recognise the vital role which early years settings play and we are currently developing guidance for nutritional standards to help support healthier diets.

I also awarded an additional £30,000 grant funding to Play Wales in 2017-18 to develop and deliver a social campaign aimed at parents and communities to help make their communities more playful. Alongside a new supportive and accessible (jargon free) website, the campaign includes the development of a range of bilingual information sheets and community resources on street play, and the printing and distribution of Play Wales's 'Right to Play' children's book at events across Wales which include roadshows in partnership with Public Health Wales,

I hope this information answers the Petition Committee's queries.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Huw', with a horizontal line underneath it.

**Huw Irranca-Davies AC/AM**

Y Gweinidog Gofal Cymdeithasol a Phlant  
Minister for Children and Social Care

# Eitem 3.12

## **P-05-846 Achub Ysbyty Tywysog Philip Llanelli**

Cyflwynwyd y ddeiseb hon gan Sospan. Mae'r ddeiseb wedi casglu 12,745 o lofnodion.

### **Geiriad y ddeiseb**

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i achub ein hysbyty Tywysog Philip, Llanelli.

### **Etholaeth a Rhanbarth y Cynulliad**

- Llanelli
- Canolbarth a Gorllewin Cymru



GIG  
CYMRU  
NHS  
WALES

Bwrdd Iechyd Prifysgol  
Hywel Dda  
University Health Board

Ein cyf/Our ref: CEO.2147.1118  
Eich cyf/Your ref:  
Gofynnwch am/Please ask for: Corporate Information Officer  
Rhif Ffôn /Telephone: 01267 239892  
Ffacs/Facsimile:  
Dyddiad/Date: 6 December 2018

Swyddfeydd Corfforaethol, Adeilad Ystwyth  
Hafan Derwen, Parc Dewi Sant, Heol Ffynnon Job  
Caerfyrddin, Sir Gaerfyrddin, SA31 3BB

Corporate Offices, Ystwyth Building  
Hafan Derwen, St Davids Park, Job's Well Road,  
Carmarthen, Carmarthenshire, SA31 3BB

Email to: David J Rowlands - [SeneddPetitions@Assembly.Wales](mailto:SeneddPetitions@Assembly.Wales)

Dear Mr Rowlands

**Re: Petition P-05-846 Save our Hospital at Prince Philip Hospital, Llanelli**

Thank you for your letter of 29 November 2018 regarding the petition submitted by SOSPPAN.

I note that you requested a response to the petition (along with additional comments received) and additionally an update on proposals relating to service changes at Prince Philip Hospital.

Regarding the receipt of the petition, the Health Board views it positively that a significant amount of interest was received through the formal consultation exercise (*Our Big NHS Change*) earlier this year, which has enabled rigorous consideration of the proposals for future health and care services for our local population.

The views of SOSPPAN outlined in the *'What is the best "Option" for us'* were received by us as part of the formal consultation process, and subsequent independent consultation analysis, and were taken into account by the Board when deciding the preferred service model. This led to the development of our health and care strategy: *A Healthier Mid and West Wales – Our Future Generations Living Well* which was recently approved by our Board on 29 November 2018. The strategy sets out our vision for services to be fit for current and future generations.

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Swyddfeydd Corfforaethol, Adeilad Ystwyth,  
Hafan Derwen, Parc Dewi Sant, Heol Ffynnon Job,  
Caerfyrddin, Sir Gaerfyrddin, SA31 3BB

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Cadeirydd / Chair  
**Mrs Bernardine Rees OBE**

Prif Weithredwr/Chief Executive  
**Mr Steve Moore**

Tudalen y pecyn 133  
Bwrdd Iechyd Prifysgol Hywel Dda yw enw gweithredol Bwrdd Iechyd Lleol Prifysgol Hywel Dda  
Hywel Dda University Health Board is the operational name of Hywel Dda University Local Health Board

Mae Bwrdd Iechyd Prifysgol Hywel Dda yn amgylchedd di-fwg Hywel Dda University Health Board operates a smoke free environment



The health and care strategy confirms that Prince Philip Hospital will provide a GP-led minor injuries unit, as well as acute adult medical care with diagnostic support. This will include consultant-led overnight inpatient beds for patients to be cared for locally. It will also act as a stabilisation and transfer hub for certain specialised conditions as part of a network with colleagues in a new urgent and planned care hospital, as well as other regional sites (e.g. Morriston Hospital) for more critical care.

It is also noted that Glangwili and Withybush Hospitals will both provide a GP-led minor-injuries unit with full diagnostic support. The hospitals will include therapy and nurse-led step up and step down care, midwife led units, along with chemotherapy and palliative care with the ambition to provide dialysis units and both sites. Additionally, we will develop more locally-based treatment and care including a range of outpatient clinics so that care can be provided closer to home.

When we consulted with the public regarding our proposals for change, we talked about Community Hubs (e.g. such as Llanelli, Ammanford & Cross Hands sites as noted by SOSPPAN) providing a range of support and services. However, feedback suggested this term was not easily understood and therefore we now use the term 'health and well-being centre' to describe these.

Rather than being prescriptive on the number, and what services should be located in each health and well-being centre, we have recognised that the needs of communities will be different from each other, and we are committed to working with local people to develop tailored solutions to what matters to them.

Therefore, we have committed to a process of continuous engagement moving forward. Specifically, we have committed to "work together every step of the way" with our staff, patients, carers, people who live and work in our communities and people or organisations delivering or interested in health, care and well-being.

As such, SOSPPAN's engagement would be welcomed moving forward in the further development of health and care provision for the local area, and across the Health Board.

The additional comments received within the '*Correspondence from the Petitioner to the Committee, 5.11.18*' document focuses in the main on potential transport issues that may become apparent when implementing any new service model. Transport was recognised as a key issue within the Consultation feedback and its importance has also been set out within *A Healthier Mid and West Wales – Our Future Generations Living Well*.

In response to this feedback, a transport and access programme of work will be put in place to ensure that the transport provision and infrastructure is fit for purpose for the new service model. This will include working with partners on infrastructure developments (road, rail etc.) along with public transport providers and the Welsh Ambulance Services NHS Trust (WAST) for emergency patient transport and non-emergency patient transport.

Regarding mental health services, our health and care strategy views mental health and care equally with physical health and care, ensuring that those with mental health problems receive equitable access to the most effective and safest care available.

We have already undertaken a considerable amount of work on some parts of this journey, such as the Transforming Mental Health programme that has started to implement a co-designed new model for mental health services following a period of public consultation in 2017.

We will continue to progress the alignment of existing Transforming Mental Health plans with the development of our plans for the community and hospital models, considering every opportunity to co-locate services and support where appropriate.

Along with the update provided, please find enclosed a copy of *A Healthier Mid and West Wales – Our Future Generations Living Well*, which provides further detail regarding future plans.

Please do not hesitate to contact me again should you have any further queries.

Yours sincerely



**Steve Moore**  
**Chief Executive**

**P-05-846 Save our Hospital at Prince Philip Llanelli – Correspondence from the Petitioner to the Committee, 03.01.19**

Thank you for looking at our petition again.

It would be useful if we could address the committee to express and explain ours and the residents of Llanelli views but ask this petition is debated in the Syndd

We have met with Steve Moore the CEO of Hywel Dda Health Board and members of his team and he has given us similar answers to the points he makes to you. However, he was unable to answer a number of our queries.

We can find no evidence of a Risk Assessment being carried out by the LHB or Welsh Ambulance Services Trust

Midwife led unit currently based at PPH being moved to a ste 42 miles away

No dedicated ambulance for PPH

Loss of mental health facilities in Llanelli

The board expressed their concern on Llanelli residents self presenting themselves to Swansea hospitals but have no plans for this.

A perfect example of this was myself only 7 weeks ago. After suffering a mild heart attack in my home my partner took me to Morriston Hospital as it was the closest and easier for visitors to come and see me.

The proposed new Hospital would have be 42 miles away on poor roads and would have taken around a hour

Morriston is 12 miles from house via the M4 and takes 25 minutes.

Thanks

John Prosser

SOSSPAN

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Can we please add the planned wellness centre in Llanelli forms a large part of the health board plan. This project has recently been suspended due to a number of investigations taking place and a number of key personnel suspended

SOSPPAN wonder what alternatives does the health board have in place

Many thanks

**P-05-775 Caewch y bwch sy'n ymwneud â gweithio trawsffiniol ac is-gontractio yn y gyfraith trwyddedu tacsis.**

Cyflwynwyd y ddeiseb hon gan Taxi Drivers of Cardiff, ar ôl casglu 390 o lofnodion ar-lein.

### **Geiriad y ddeiseb:**

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru, yng nghyd-destun ei hymgynghorriad ar y diwygiadau i gyfreithiau trwyddedu tacsis, i gau'r bwch sy'n ymwneud â gweithio trawsffiniol ac is-gontractio yn y gyfraith, gan olygu bod cannoedd o dacsis a cherbydau hurio preifat o'r tu allan i'r dref yn heidio i Gaerdydd i weithio ar sail hurio preifat.

### **Gwybodaeth ychwanegol:**

Mae digon o gerbydau trwyddedig yng Nghaerdydd i wasanaethu'r ddinas heb fod angen y ceir hyn o leoedd mor bell i ffwrdd â Llundain, Glannau Mersi, Canolbarth Lloegr ac ati yn ogystal ag awdurdodau cyfagos fel Casnewydd, y Fro a Rhondda Cynon Taf ac ati. Cafwyd cerbydau hyd yn oed nad oeddynt yn gweithio ar unrhyw lwyfan, gan weithredu'n anghyfreithlon a chuddio y tu ôl i'r ffaith fod cynifer o dacsis 'estron' yn y ddinas.

Nid oes DIM marciau ar lawer o'r cerbydau hyn, sy'n dirmygu'r safonau a osodwyd gan Gyngor Sir Caerdydd ar gyfer cerbydau y mae'n eu trwyddedu, gan gynnwys lifrai amlwg iawn a gwybodaeth fanwl am y strydoedd lleol. Gwaetha'r modd dim ond mater o amser yw hi cyn i rywun agored i niwed neidio i mewn i gar heb drwydded, â chanlyniadau trychinebus.

Rydym yn annog Llywodraeth Cymru i sicrhau mai'r unig dacsis a cherbydau hurio preifat y caniateir iddynt weithio yng Nghaerdydd yw'r rhai a drwyddedwyd gan Gyngor Sir Caerdydd. Y rheswm am hyn yw i sicrhau diogelwch y cyhoedd ac i sicrhau nad yw Caerdydd yn cael ei gorlenwi â mwy o geir na'r hyn sydd ei angen gan y bydd hynny'n arwain at fwy fyth o dagfeydd a llygredd yn ein prifddinas os caniateir i'r sefyllfa barhau. Bydd hefyd yn rhoi cyfle i yrwyr presennol a drwyddedir gan Gyngor Caerdydd ennill rhywbeth sy'n agosáu at fod yn gyflog byw.

### **Etholaeth a Rhanbarth y Cynulliad**

- De Caerdydd a Phenarth
- Canol De Cymru



## **White Paper Response**

The white paper published by the Welsh Government was finally published in December, and after much anticipation it turns out the Government want to fudge the most important issues and take the easy way out rather than lead the way for the rest of the UK to follow.

### **PROPOSAL 1**

*The Welsh Government is proposing to set national standards for taxi and private hire vehicle licensing.*

Whilst we agree with the concept of a national standard for all vehicle licensing in Wales, this proposal does not go far enough. Although the white paper does mention drivers standards briefly, what we are also seeking is a national standard for drivers, at present (much the same as the vehicle licensing) standards for drivers differ with each authority. We are seeking a national standard for each and every driver that wants to be badged in Wales, with a high level of entry, which in turn will raise standards. We propose that every driver (whether they want to drive a hackney carriage or private hire) on application must pass:

- Enhanced DBS check
- A DSA taxi test
- Extensive topographical and knowledge test for the area they are applying to be licensed
- NVQ or Btec Professional Taxi and Private Hire driver qualification
- Group 2 medical
- Proof of eligibility to work in the UK
- English Language and Maths tests

### **PROPOSAL 2**

*The Welsh Government is proposing to allow a licensing authority to take enforcement action against any vehicle operating in its area.*

We agree with this proposal 100%. When a driver is either dropping off or picking up customers in an area they are not licensed from an area they are, the local enforcement officers must have control over them whilst in their jurisdiction.

### **PROPOSAL 3**

*The Welsh Government is proposing to allow the creation of a mechanism by which relevant information can be shared, for the purposes of safeguarding.*

We agree. A national database needs to be established to allow local licensing authorities who have revoked a Drivers or Operators license for whatever reason, to check before issuing a Drivers or Operators license. There are incidents published nationwide involving drivers having their license revoked in their home area only for them to apply to another authority for a private hire license and then return to the area they've been revoked and work for Uber.

#### PROPOSAL 4

*Option A- The Welsh Government is proposing to redirect all of the existing taxi and PHV licensing functions away from local authorities and into a national licensing authority, a JTA (Joint Transport Authority)*

*This would include licensing, fee- and fare-setting , enforcement, hearing appeals arising from licensing decisions, prosecutions and deciding matters such as whether to apply quantity control to taxis.*

*Option B- Would see local authorities retain the power to issue licenses, but more consistently than they do now. They would have to follow one set of national standards; they would all have to share information with each other; and they would be able to enforce against any vehicle/driver from another authority.*

Option A raises more questions than answers, it could create, in essence, a national license. Which could be open to a plethora of legal challenges. If the license is issued nationally what is to stop a driver from Anglesey wanting to ply for hire in Cardiff as the license is issued by one single authority? Localism has been the bedrock of licensing legislation for decades, even though we realise that reforms are desperately needed, we firmly believe that local authorities need to be the purveyor of all licensing functions under the direction of the Senedd. Option B would be our preferred option.

#### **Missed Opportunity**

Once responsibility for licensing was devolved to Wales it was a chance for our country to lead the way and be trailblazers for the rest of the UK to follow. We feel the White Paper and it's proposals for change does not go far enough. It has failed to mention a number of issues that drivers face such as:

- Cross Border Hiring
- The number of licenses issued
- CCTV
- New App regulation

This recently published [report](#) by Professor Mohammed Abdel-Haq, Chairman of the Task and Finish Group on Taxi and Private Hire licensing gave 34 recommendations on how to improve the trade.

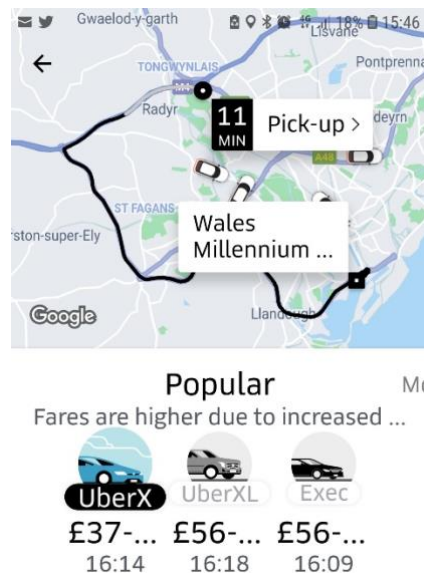
#### Cross Border Hiring

Not all 'cross border' work is a concern: many journeys will naturally start within one licensing authority and end in another, and the new framework should allow this, especially in more rural areas. Appropriate measures should also be in place to allow specialist services such as chauffeur and disability transport services to continue to operate cross border. However, what is not acceptable is the increasing number of drivers who now work entirely in areas that they are not licensed. For example in Cardiff, every day we see hundreds of vehicles licensed by Newport, Rhondda Cynon Taf, Merthyr and the Vale of Glamorgan working in the Capital.

They've circumvented Cardiff County Council's quite strict vehicle licensing policy and driver requirements to obtain licenses elsewhere and work in Cardiff for the relatively new app based companies such as Uber and Ola.

We realise that the proposed National Standards would rid Wales of these discrepancies with various licenses but it will not stop the issue of cross border hiring. We are constantly being told by drivers licensed elsewhere and the app companies that make use of these drivers that topographical and knowledge tests are obsolete and are no longer needed, due to sat navs.

We firmly believe that this is not the case. A taxi/PH driver is quite often the first point of contact for visitors or tourists, a driver is an ambassador for the city/town he or she works and needs local knowledge and the ability to drive wherever the customer wants in the shortest and most direct route possible. The picture below is a screen shot from the Uber app showing which way they want the driver to go from the Village Hotel in Coryton to the Wales Millennium Centre in Cardiff Bay. It may well be the quickest route but as you can see travelling via the M4 and then the A4232 is certainly not the shortest route, it is in fact 7.2 miles longer than the most direct route via the A470. A driver without that local knowledge would blindly follow the sat nav and it will cost the customer approximately £14 more than what it should. Is that the kind of service you want drivers to provide?



We are proposing that every journey for both Hackney and Private Hire needs to start or end in the area the driver and vehicle is licensed OR operators must not dispatch a booking to a vehicle when the vehicle is outside the authorities border, unless the booking ends within the authorities border. This will not stop customers from requesting a fare to any destination, and from any company but it will prevent areas becoming saturated with 'out of town' vehicles working predominantly in areas they are not licensed. This will simplify legislation and make it easier to enforce.

### License Numbers

The current rate that licenses across this City are issued is unsustainable, according to the White Paper there are 5,000 taxis and 4,900 PHVs in Wales and 12,000 drivers. In November 2018 there were 2,168 taxis and PHVs and 2,414 drivers licensed by Cardiff County Council alone, almost 25% of the countries total for what is only 10% of the countries population. And that's not including the hundreds of 'out of town vehicles working here since the arrival of Uber in April 2016. The following license numbers were obtained via the freedom of



information act. A huge 458% increase of Newport license holders living in Cardiff since the arrival of Uber and Ola proves that reform is desperately needed.

**CARDIFF COUNCIL HC/PH LICENSES**

	Dec 2016	Sept 2017	July 2018	Nov 2018	-/+	
HC Vehicles	941	907	894	893	-47	-5%
PH Vehicles	1143	1149	1223	1275	+80	+12%
Drivers	2186	2271	2389	2414	+203	+10%
PH Ops	71		112	95	+41	+34%



**NEWPORT COUNCIL HC/PH LICENSES**

	Jan 2016	June 2017	June 2018	Nov 2018	-/+	
HC Vehicles		121	108	100	-21	-17%
PH Vehicles		685	786	847	+162	+24%
HC/PH dual badge holders		209	204	204	-5	-2.4%
PH drivers		685	838	869	+184	+27%
License holders with a Cardiff address	43	83	209	240	+197	+458%

The London mayor Sadiq Khan has stated in this [BBC report](#) from August 2018 the need for a cap on PHV licenses being issued, to combat congestion and improve air quality. There is no legislation at present that allows Local Authorities to cap PHVs, they can only cap Hackney Carriage licenses. This legislation needs changing urgently, the increase in numbers in Cardiff is massive and unsustainable. All major operators and the likes of the Licensed Private Hire Car Association will argue against a cap in licenses, the reasons being is that they make huge profits on the more drivers that use their platforms. All to the detriment of drivers; the more licenses issued; the more vehicles on the road; the more hours drivers have to work to earn anything approaching a living wage, which in itself creates health and safety issues; causing more congestion and pollution.

### CCTV

In the interests of passenger and driver safety discussions must be had on whether all licensed vehicles must be fitted with CCTV (visual and audio) subject to strict data protection measures. With attacks on drivers, both physical and verbal on the rise across the UK, CCTV could be the ideal deterrent to problem passengers. The issues of cost and funding needs to be addressed.

### App and Operator Regulation

The low pay and exploitation of some drivers is a source of concern. Licensing authorities should take into account any evidence of a person or business flouting employment law, and with it the integrity of the National Living Wage, as part of their test of whether that person or business is "fit and proper" to be a PHV or taxi operator. The opportunity is there to regulate fares across the country, creating a minimum rate to prevent companies undercutting each other, this causes a huge difference to drivers profit margins as the drivers expenses don't go down, if anything they rise year on year. All this does is create a race to the bottom. You could also create a maximum fare which would prevent the likes of Uber and Ola charging extortionate amounts for relatively short journeys, all you have to do us search social media for cases of this.

A code of conduct needs to be introduced for Private Hire Operators, at the moment they are answerable to nobody and act with impunity. The majority treat drivers with contempt forcing archaic rules onto a supposedly self employed individual.

## P-05-835 Caniatáu i Yrwy'r Tacsî Symud yn Rhydd i wneud Gwaith Hurio Preifat Unrhyw Le yng Nghymru

Cyflwynwyd y ddeiseb hon gan Taxis Without Borders, ar ôl casglu 136 o lofnodion.

### Geiriad y ddeiseb

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i ganiatáu i Yrwy'r Tacsîs wneud gwaith hurio preifat yn rhydd unrhyw le yng Nghymru, waeth ym mha gyngor y mae'r gyrrwr wedi'i drwyddedu.

Rydym yn cyflwyno'r ddeiseb hon mewn ymateb i weithredoedd grŵp o yrwy'r tacsîs sydd wedi'u lleoli mewn un Ddinas. Rydym yn galw ar y Cynulliad Cenedlaethol i ystyried dymuniadau gyrrwyr a gweithredwyr tacsîs ledled Cymru, yn hytrach nag un grŵp bach o yrwy'r o un ddinas.

Os byddwch yn archebu tacsî, naill ai drwy ffonio rhywun neu ddefnyddio ap, gall y cwmni hwnnw yn gyfreithiol anfon car atoch chi, waeth ble rydych chi na ble mae'r cwmni wedi'i leoli. Pe byddech chi yn y Barri ac yn ffonio cwmni o Gaerdydd am dacsî i fynd â chi i Gaerffili, fe allent ac fe fyddent yn anfon car i ddod i nôl chi yn y Barri a mynd â chi i Gaerffili.

Pe byddech chi yn Abertawe, ac am fynd i Lanelli ac yn methu â chael tacsî, gallech ffonio cwmni ym Mhen-y-bont ar Ogwr, a gallent anfon car i'ch codi chi, pe byddai un ar gael ganddynt.

Mae hyn yn rhoi mwy o ddewis i ddefnyddwyr tacsîs o ran pa gwmnïau y gallant ac na allant eu defnyddio. Mae mwy o ddewis, a mwy o opsiynau, yn golygu bod mwy o gystadleuaeth yn annog cwmnïau i ddarparu gwell gwasanaeth er mwyn cadw cwsmeriaid.

O safbwynt y gyrrwr, pe byddent wedi'u trwyddedu yng Nghaerdydd, a'u bod yn mynd â rhywun i Faes Awyr Caerdydd, a bod gan weithredwr sydd wedi'i leoli yng Nghaerdydd archeb gan rywun i gael ei godi ym Maes Awyr Caerdydd sy'n mynd i Ferthyr, gall y gyrrwr o Gaerdydd wneud y gwaith hwnnw.

### Gwybodaeth Ychwanegol

Pe byddai gyrrwr o Fro Morgannwg yn mynd â rhywun o Faes Awyr Caerdydd i Bontypridd, a bod rhywun wedi archebu ymlaen llaw gyda chwmni i fynd â nhw o Bontypridd i Faes Awyr Caerdydd, ond bod rhai oriau o aros, gallai'r gyrrwr hwnnw ofyn i weithredwr o Fro Morgannwg ddod o hyd i waith iddyn nhw. Gallai hynny ddigwydd drwy'r gweithredwr yn ffonio cwmnïau wedi'u lleoli ym Mhontypridd i weld a oes ganddynt unrhyw waith y gall y gyrrwr ei wneud o amgylch yr ardal tra'i fod yn aros i ddychwelyd. Mae hyn yn rhoi cyfle i'r gyrrwr ennill mwy o arian, gan ei fod yn cynyddu maint yr ardal y gall weithio ynddi, ac mae'n agor ffrydiau incwm posibl. Mae hefyd yn fwy ecogyfeillgar ac yn lleihau tagfeydd gan nad oes rhaid i'r gyrrwr a aeth i Bontypridd fynd yn ôl i Fro Morgannwg yn wag, ac nid oes rhaid i'r gweithredwr anfon car arall i Bontypridd yn wag.

Pe bai gweithredwr sydd wedi'i leoli yng Nghasnewydd yn ystyried ymestyn eu cwmni, gallant siarad â gwestai yng Nghaerffili, a dod yn un o gyflenwyr y gwestai i godi gwesteion o feysydd awyr. Gall y gweithredwr ymestyn eu cwmni, a gall y gwesty ddarparu gwell gwasanaeth i gwsmeriaid posibl, gan gynyddu eu harchebion, tra'n dal i gael mwy o ddewis o gwmnïau i'w defnyddio i ddarparu'r gwasanaeth hwn.

Pe bai tafarnwr yn rhedeg tafarn ym Merthyr Tudful ac am ddarparu gwasanaeth codi a gollwng i'w gwsmeriaid, byddai angen trwydded gweithredwr arno a byddai angen defnyddio gyrrwyr a cherbydau llogi preifat trwyddedig i gyd o Ferthyr. Pe byddai'r un tafarnwr am agor ail dafarn yn Llanbradach, ac am gynnig yr un gwasanaeth, gallent ddarparu gwasanaeth codi a gollwng o'r un drwydded gweithredwr. Mae hyn yn eu galluogi i ehangu eu busnes.

Mae hyn i gyd, a mwy, yn bosibl, diolch i Draws Ffiniol.

### **Etholaeth a Rhanbarth y Cynulliad**

- Gogledd Caerdydd
- Canol De Cymru

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

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

### **Geiriad y ddeiseb**

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

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

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

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

### **Gwybodaeth ychwanegol**

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

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

"Rhoi pobl a'u plant yn gyntaf."

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

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

Cefnogwch hyn i helpu i gefnogi eraill.

### **Etholaeth a Rhanbarth y Cynulliad**

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

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



Llywodraeth Cymru  
Welsh Government

Ein cyf/Our ref JJ/01097/18

David John Rowlands AM  
Chair - Petitions committee.  
National Assembly for Wales  
Cardiff Bay  
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12 December 2018

Dear David

Thank you for your letter of 29 November regarding the Petitions Committee - P-05-798 Male domestic violence victim support services to be independently run and funded.

The Welsh Government is committed to tackling all forms of gender based violence, domestic abuse and sexual violence and to supporting all victims of domestic abuse, regardless of their gender or sexuality.

Work to implement the Violence against Women, Domestic Abuse and Sexual Violence (VAWDASV) Act, the National Strategy and Delivery Framework recognises that men also experience domestic abuse and sexual violence. Whilst we acknowledge the disproportionate experience of women and girls, this does not negate violence and abuse directed towards men and boys or perpetrated by women and we recognise that anyone (women, men, children and young people) can experience and be affected by these issues.

Where we fund organisations directly, this is either to act as an umbrella organisation for both genders (Welsh Women's Aid and BAWSO), or to deliver a service to both genders (New Pathways for Sexual Violence services, Hafan Cymru to deliver healthy relationships education, Welsh Women's Aid to deliver the Live Fear Free Helpline, for example). The only organisation we fund to deliver to only one gender is Safer Wales for the men only Project Dyn and Dyn male helpline.

The regions also commission services. In January 2019, we will be publishing our statutory guidance for the commissioning of Violence against Women, Domestic Abuse and Sexual Violence Services in Wales. The aim of this guidance is to promote high quality collaborative commissioning that delivers more consistent and effective services to prevent Violence against Women, Domestic Abuse and Sexual Violence (VAWDASV) and protect and support victims of VAWDASV across Wales. This goes beyond commissioning

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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 147

services with funding from Welsh Government, but lays expectations for pooling budgets when commissioning VAWDASV services.

The guidance contains a set of core commissioning principles on which a regional commissioning strategy should be based. This includes an understanding of VAWDASV as gendered and a commitment to provide all survivors equal access to holistic, appropriately resourced, high quality, needs-led, strengths-based, gender responsive services across Wales.

The guidance also sets out the expectation that commissioning decisions should be based on a robust assessment of needs and gaps. The information obtained from this should be used as the basis for developing strategic objectives and the regional commissioning strategy.

The statutory commissioning guidance will also contain detail of how monitoring and evaluation should be undertaken with formal evaluation mechanisms specified and built into the design and delivery of services from the outset. This will feed into and inform future service development, design and commissioning and the regional commissioning strategy itself.

In terms of those who receive public funding through the VAWDASV services grant, this funding is subject to the development and agreement of an annual delivery plan which meets the outcomes of the grant award and is monitored on a quarterly basis. Funding is subject to compliance against the terms and conditions of grant offer and due diligence processes.

Yours sincerely



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



**BOTH PARENTS MATTER**

**FNF BOTH PARENTS MATTER CYMRU**

**61 COWBRIDGE RD EAST**

**CARDIFF**

**CF11 9AE**

7<sup>th</sup> January 2018

Dear Mr Rowlands

## **P-05-798 Male domestic violence victim support services to be independently run and funded.**

We are grateful for the opportunity to respond to the letter of the 12<sup>th</sup> December from the (then) Leader of the House which has raised important points. This petition was launched to address the growing trend by Welsh Government and Local Authorities to recognise Welsh Women's Aid and its member organisations as representative of the experience of male victims and to fund those charities to provide support to men as well as women. This approach is inconsistent with the Welsh Government's National Strategy that recognises the gendered nature of domestic violence and abuse.

In the fourth paragraph the (then) Leader of the House states:

***'Where we fund organisations directly, this is either to act as an umbrella organisation for both genders (Welsh Women's Aid and BAWSO), or to deliver a service to both genders (New Pathways for Sexual Violence services, Hafan Cymru to deliver healthy relationships education, Welsh Women's Aid to deliver the Live Fear Free Helpline, for example). The only organisation we fund to deliver to only one gender is Safer Wales for the men only Project Dyn and Dyn male helpline.'***

This is a remarkable but important statement, confirming that the Welsh Government recognises Welsh Women's Aid as a representative body for men as well as women. We ask what legitimacy Welsh Women's Aid or indeed BAWSO has to represent the views, perspectives and experiences of male victims of abuse, and why the Welsh Government has decided to use public funds in this way?

Welsh Women's Aid has a proud and impressive track record in representing the voices of women experiencing domestic violence and abuse. Their well resourced SEEDs project empowers survivors of abuse to talk about their experiences to influence the delivery of services. All those participating in the project are women.

In 2016 Welsh Government funded Welsh Women's Aid to undertake engagement work with survivors of abuse to inform the development of the National Strategy. On page 15 of that report Welsh Women's Aid states:

***'Although we sought involvement from women and men to participate, in separate focus groups, 65 women survivors participated in focus groups/interviews and 1 man participated by interview. A number of male survivors were contacted about the consultation and encouraged to participate***



*in focus groups or interviews by their male support workers, but declined to take part. Additional written recommendations for service improvement was also provided by some survivors, which has been reflected in the report.*<sup>i</sup>

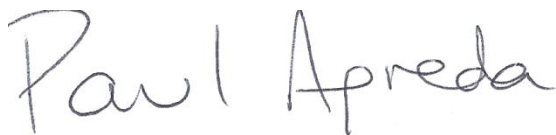
In the National Quality Standards for Domestic Abuse services produced by Welsh Women's Aid and funded by Welsh Government<sup>ii</sup> Welsh Women's Aid re-iterate their commitment to a **'By and For'** model of service design and delivery for women experiencing domestic violence and abuse. We acknowledge WWA's expertise in this field and the evidence that has been put forward that women want a 'female centred' service. Why shouldn't men expect the same provision in services designed to support them?

In 2018 our charity produced a study of male victims of abuse in which 728 male survivors contributed. We have asked the Welsh Government to fund an independent analysis of the findings of this research to help improve the understanding of male victim's experience. This has been refused on two occasions.

In relation to Safer Wales and the Dyn Project we have raised many concerns over the appropriateness of funding their service as it is delivered by a member organisation of Welsh Women's Aid and is grounded in an approach towards male victims that emphasizes the need to 'screen' or 'assess' victims of abuse presenting to the service to determine whether they are perpetrators. Ironically we have been advised by the Equality and Human Rights Commission that their view is that this 'discriminatory' approach is lawful because the Dyn Project does not provide support to female victims so is legitimately able to 'disadvantage' men.

The Welsh Government's National Strategy recognises that domestic violence and abuse is a gendered phenomenon. In that context we maintain that recognising and funding Welsh Women's Aid and its member organisations to support male victims may constitute an inappropriate use of public funds.

Regards



Paul Apreda, National Manager

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<sup>i</sup> [http://www.welshwomensaid.org.uk/wp-content/uploads/2016/03/Are\\_you\\_listening\\_and\\_am\\_I\\_being\\_heard\\_FINAL\\_July\\_2016.pdf](http://www.welshwomensaid.org.uk/wp-content/uploads/2016/03/Are_you_listening_and_am_I_being_heard_FINAL_July_2016.pdf)

<sup>ii</sup> [http://www.welshwomensaid.org.uk/wp-content/uploads/2018/06/Welsh-Womens-Aid\\_Service-Standards-Final.pdf](http://www.welshwomensaid.org.uk/wp-content/uploads/2018/06/Welsh-Womens-Aid_Service-Standards-Final.pdf)