

## 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, 9 Gorffennaf 2019	Kath Thomas – Dipwrwy Glerc 0300 200 6565
Amser: 09.00	<a href="mailto:SeneddDeisebau@cynulliad.cymru">SeneddDeisebau@cynulliad.cymru</a>

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- 1 **Cyflwyniad, ymddiheuriadau, dirprwyon a datganiadau o fuddiant**  
(Tudalennau 1 – 51)
  
- 2 **Deisebau newydd**
  - 2.1 P-05-882 Trawsnewid yr ymateb i bobl hŷn sy'n dioddef camdriniaeth ddomestig – galw am weithredu  
(Tudalennau 52 – 72)
  - 2.2 P-05-885 Trafnidiaeth Gyhoeddus Hygyrch a Chynhwysol ar gyfer Dinasyddion ag Anableddau Dysgu yng Nghymru  
(Tudalennau 73 – 82)
  - 2.3 P-05-887 Atal Aelodau Cynulliad rhanbarthol a etholwyd i gynrychioli pleidiau penodol rhag newid pleidiau  
(Tudalennau 83 – 89)
  - 2.4 P-05-889 Labelu cig o anifeiliaid sydd wedi'u lladd mewn modd crefyddol  
(Tudalennau 90 – 99)
  - 2.5 P-05-890 Trethu Ail Gartrefi  
(Tudalennau 100 – 107)
  - 2.6 P-05-891 Mae angen dod â phrofion Darllen a Rhifedd Cenedlaethol ar gyfer plant mor ifanc â 6 oed i ben ar unwaith  
(Tudalennau 108 – 115)
  - 2.7 P-05-892 Penodi Comisiynydd Anabledd Dysgu i Gymru  
(Tudalennau 116 – 125)



### **3 Y wybodaeth ddiweddaraf am ddeisebau blaenorol**

#### **Economi a Thrafnidiaeth**

3.1 P-05-738 Deiseb Gyhoeddus ar gyfer Ffordd Osgoi i Ddinas Powys  
(Tudalennau 126 – 131)

3.2 P-05-748 Bysiau Ysgol i Blant Ysgol  
(Tudalennau 132 – 136)

#### **Amgylchedd, Ynni a Materion Gwledig**

3.3 P-05-743 Rhowch Derfyn ar Fasnachu Anifeiliaid Anwes Egsotig yng Nghymru  
(Tudalennau 137 – 141)

3.4 P-05-869 Datgan Argyfwng Hinsawdd a gosod targedau di-garbon ym mhob polisi  
(Tudalennau 142 – 147)

3.5 P-05-876 Amddiffyn rhywogaethau rhestredig Coch ac Amber yng Nghymru  
(Tudalennau 148 – 151)

#### **Iechyd a Gwasanaethau Cymdeithasol**

3.6 P-05-754 Diffyg cymorth i blant ag anableddau mewn argyfwng  
(Tudalennau 152 – 154)

3.7 P-05-797 Sicrhau mynediad i'r feddyginiaeth ffibrosis systig, Orkambi, fel mater o frys  
(Tudalennau 155 – 157)

3.8 P-05-842 Rhowch lais i bobl ifanc yn y broses o gomisiynu gwasanaethau lleol yng Nghymru  
(Tudalennau 158 – 161)

3.9 P-05-854 Gwneud hyfforddiant Anabledd Dysgu yn orfodol ar gyfer staff ysbytai  
(Tudalennau 162 – 165)

3.10 P-05-859 Dylid Darparu Tai Plant yng Nghymru i Blant sy'n Dioddef  
Camdriniaeth Rywiol  
(Tudalennau 166 – 171)

3.11 P-05-866 Ymgyrch Ymwybyddiaeth Gyhoeddus Sepsis – Cymru  
(Tudalennau 172 – 173)

## **Addysg**

3.12 P-05-783 Sicrhau Cydraddoldeb Cwricwlwm i Ysgolion Cyfrwng Cymraeg e.e.  
Seicoleg TGAU  
(Tudalennau 174 – 180)

3.13 P-05-805 Rhoi chwarae teg i Athrawon Cyflenwi  
(Tudalennau 181 – 231)

3.14 P-05-832 Diwygio'r Cod Derbyn i Ysgolion ynghylch Plant a Anwyd yn ystod  
yr Haf  
(Tudalennau 232 – 237)

## **Tai a Llywodraeth Leol**

3.15 P-05-875 Capiu Codiadau Treth Gyngor yng Nghymru  
(Tudalennau 238 – 241)

3.16 P-05-815 Rheoli'r Diwydiant Dofednod Dwys Sy'n Ehangu'n Gyflym yng  
Nghymru  
(Tudalennau 242 – 262)

## **Gwasanaethau cyhoeddus**

3.17 P-05-865 Dylid gwarantu bod dewisiadau sy'n seiliedig yn llwyr ar  
blanhigion ar bob bwydlen y sector cyhoeddus, i ddiogelu hawliau figaniaid  
ac er budd ein hie  
(Tudalennau 263 – 271)

## **Yr Iaith Gymraeg**

3.18 P-05-873 Gwersi Cymraeg am ddim i bobl Cymru

(Tudalennau 272 – 274)

**4 Cynnig o dan Reol Sefydlog 17.42 i benderfynu gwahardd y cyhoedd o'r cyfarfod ar gyfer y busnes a ganlyn:**

Item 5

**5 Ystyried adroddiad drafft**

5.1 P-05-736 Darparu Gwasanaethau Iechyd Meddwl Mwy Hygyrch

(Tudalennau 275 – 287)

Mae cyfyngiadau ar y ddogfen hon

# Eitem 2.1

## **P-05-882 – Trawsnewid yr ymateb i bobl hŷn sy'n dioddef camdriniaeth ddomestig – galw am weithredu**

Cyflwynwyd y ddeiseb hon gan Sarah Wydall, ar ôl casglu cyfanswm o 125 lofnodion.

### **Geiriad y ddeiseb:**

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i:

- godi ymwybyddiaeth ymhlith y cyhoedd, sefydliadau'r trydydd sector ac asiantaethau statudol o nifer y menywod a'r dynion hŷn yng Nghymru sy'n dioddef camdriniaeth ddomestig gan aelodau'r teulu, a
- sicrhau bod lefelau hanfodol o gefnogaeth a diogelwch ar gael i bobl hŷn sy'n dioddef camdriniaeth o'r fath.

Camdriniaeth ddomestig yn ddiweddarach mewn bywyd: 'Diystyru, anweledig ac anwybyddu'

Mae diffiniad y DU gyfan o gamdriniaeth ddomestig, ni waeth beth yw oedran yr unigolyn, fel a ganlyn: 'Any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over, who are or have been intimate partners or family members regardless of gender or sexuality. This can encompass but is not limited to the following types of abuse – psychological, physical, sexual, financial, emotional and as a result of neglect'.

Amcangyfrifir bod cyfanswm nifer y bobl hŷn yng Nghymru sy'n dioddef camdriniaeth ddomestig yn 40,000. Yn aml, mae camdriniaeth ddomestig pobl 60 oed neu hŷn, sy'n byw yn eu cartrefi eu hunain, yn ffenomen sydd wedi'i chamddeall, sy'n cael ei hanwybyddu ac nad yw'n cael ei chydabod, sydd ag effeithiau eang ar eu bywydau. Yn aml, ni ddefnyddir delweddau o bobl hŷn mewn ymgyrchoedd cyhoeddus ynghylch camdriniaeth ddomestig. Mae'n anodd i ddynion a menywod hŷn nodi eu hunain fel dioddefwyr posibl o gamdriniaeth ddomestig.

Mae'r mater wedi'i esgeuluso mewn polisi ac arfer o'i gymharu â grwpiau oedran eraill.

- Nid oedd yr Arolwg Trosedd ar gyfer Cymru a Lloegr yn cynnwys ystadegau ynghylch camdriniaeth ddomestig ar gyfer y rheini dros 59 oed, hyd at fis Ebrill 2017, pan gynyddwyd y terfyn oedran ar gyfer y sawl sy'n cymryd rhan yn yr arolwg i 74 oed (Y Swyddfa Ystadegau Gwladol, 2017) .
- Mae pobl hŷn â dementia mewn perygl uwch o gamdriniaeth oherwydd eu gallu diffygiol i geisio cymorth, eiriol drostynt eu hunain neu dynnu eu hunain o sefyllfaeod a allai fod yn gamdriniaeth.
- Mae anabledd hefyd yn cynyddu'r tebygolrwydd y bydd rhywun yn dioddef camdriniaeth.

### Gwybodaeth ychwanegol:

A yw pobl hŷn yn ceisio cymorth?

Mae gwaith ymchwil yn dangos bod pobl hŷn yn llai tebygol o roi gwybod am gamdriniaeth na grwpiau oedran iau; nid ydynt yn defnyddio gwasanaethau arbenigol y trydydd sector ac maent hefyd eisiau cymorth i'r un sy'n cam-drin.

Ar lefel unigolyn efallai y bydd llawer o resymau pam nad yw pobl hŷn yn ceisio cymorth:

- Teimlad camsyniol eu bod rhywsut yn gyfrifol am y gamdriniaeth;
- Ofn ôl-effaith gan y tramgwyddwr;
- Lefel uwch o ddibyniaeth emosiynol, ariannol a chorfforol ar eu tramgwyddwr na'u cymheiriaid iau;
- Nid ydynt eisiau troseddu'r un sy'n cam-drin, a allai fod yn blentyn neu'n wŷr neu'n wyres.

Ar lefel fwy sefydliadol, mae rhwystrau i geisio cymorth yn cynnwys y canlynol:

- Gall ffactorau o ran cenhedlaeth, gan gynnwys syniadau o breifatrwydd sy'n ymwneud â'r cartref a pherthnasoedd agos, fod yn rhwystr i geisio cymorth. (Zink et al, 2004, 2005).

- Mae ein gwaith ymchwil yn dangos nad yw'r gwasanaethau presennol yn addas ar gyfer dioddefwyr hŷn. Yn aml, caiff gwasanaethau eu teilwra i symud y goroeswr sy'n dioddef i ffwrdd o'r un sy'n cam-drin drwy adleoli o'r cartref teuluol a'r gymuned.

- Mewn sawl achos, mae pobl hŷn sy'n dioddef eisiau cynnal perthynas â'r person sy'n cam-drin, yn enwedig os mai plentyn neu wŷr neu wyres sy'n oedolyn sy'n cam-drin. (Gwaith ymchwil gan SafeLives yn 2016 a Sprangler & Brandl, 2007).

- Mae'r rhai sy'n gwneud penderfyniadau yn aml yn gweld pobl hŷn fel grŵp o oedolion unffurf sy'n agored i niwed na allant wneud eu penderfyniadau eu hunain. (Harbison, 2012).

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

- Ceredigion
- Canolbarth a Gorllewin Cymru



## Deiseb P-05-882: Camdriniaeth ddomestig a phobl hŷn

Y Pwyllgor Deisebau | 9 Gorffennaf 2019

Petitions Committee | 9 July 2019

### Papur briffio gan y Gwasanaeth Ymchwil:

**Rhif y ddeiseb:** P-05-882

**Teitl y ddeiseb:** Trawsnewid yr ymateb i bobl hŷn sy'n dioddef camdriniaeth ddomestig – galw am weithredu

**Testun y ddeiseb:** Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i:

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Mae'r mater wedi'i esgeuluso mewn polisi ac arfer o'i gymharu â grwpiau oedran eraill.

- Nid oedd yr Arolwg Trosedd ar gyfer Cymru a Lloegr yn cynnwys ystadegau ynghylch camdriniaeth ddomestig ar gyfer y rheini dros 59 oed, hyd at fis Ebrill 2017, pan gynyddwyd y terfyn oedran ar gyfer y sawl sy'n cymryd rhan yn yr arolwg i 74 oed (Y Swyddfa Ystadegau Gwladol, 2017).

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- Mae anabledd hefyd yn cynyddu'r tebygolrwydd y bydd rhywun yn dioddef camdriniaeth.

### **Gwybodaeth ychwanegol**

A yw pobl hŷn yn ceisio cymorth?

Mae gwaith ymchwil yn dangos bod pobl hŷn yn llai tebygol o roi gwybod am gamdriniaeth na grwpiau oedran iau; nid ydynt yn defnyddio gwasanaethau arbenigol y trydydd sector ac maent hefyd eisiau cymorth i'r un sy'n cam-drin.

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- Lefel uwch o ddibyniaeth emosiynol, ariannol a chorfforol ar eu tramgwyddwr na'u cymheiriaid iau;
- Nid ydynt eisiau troi'r un sy'n cam-drin, a allai fod yn blentyn neu'n wŷr neu'n wyres, yn droseddwr.

Ar lefel fwy sefydliadol, mae rhwystrau i geisio cymorth yn cynnwys:

- Gall ffactorau o ran cenhedlaeth, gan gynnwys syniadau o breifatrwydd sy'n ymwneud â'r cartref a pherthnasoedd agos, fod yn rhwystr i geisio cymorth. (Zink et al, 2004, 2005).
- Mae ein gwaith ymchwil yn dangos nad yw'r gwasanaethau presennol yn addas ar gyfer dioddefwyr hŷn. Yn aml, caiff gwasanaethau eu teilwra i symud y goroeswr sy'n dioddef i ffwrdd o'r un sy'n cam-drin drwy adleoli o'r cartref teuluol a'r gymuned.
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## Deddfwriaeth berthnasol yng Nghymru

Yn sgil [Deddf Gwasanaethau Cymdeithasol a Llesiant \(Cymru\) 2014](#), a ddaeth i rym gan fwyaf yn 2016, cyflwynwyd trefniadau newydd i ddiogelu oedolion. Mae Rhan 7 o'r Ddeddf yn darparu ar gyfer diogelu oedolion sydd mewn perygl a phlant sydd mewn perygl. Mae'r trefniadau newydd yn cynnwys:

- dyletswyddau ar awdurdodau lleol i ymchwilio os ydynt yn amau bod oedolyn ag anghenion gofal a chymorth (p'un a yw'r awdurdod lleol yn eu diwallu ai peidio) wedi cael ei gam-drin neu ei esgeuluso;
- cyflwyno gorchmynion amddiffyn a chynorthwyo oedolion at ddiben asesu, gan gynnwys mynediad trwy rym i eiddo (ond nid i symud unigolion);
- gofynion ar awdurdodau lleol a phartneriaid perthnasol (e.e. y GIG, yr heddlu) i roi gwybod am bryderon ynghylch cam-drin neu esgeuluso;
- byrddau diogelu ar gyfer oedolion a phlant (yn flaenrol roedd byrddau diogelu ar gyfer plant yn unig), a
- sefydlu Bwrdd Diogelu Annibynnol Cenedlaethol newydd i ddarparu cymorth a chyngor i sicrhau bod Byrddau Diogelu yn effeithiol.

Derbyniodd [Deddf Trais yn erbyn Menywod, Cam-drin Domestig a Thrais Rhywiol \(Cymru\) 2015](#) Gydsyniad Brenhinol ar 29 Ebrill 2015 a daeth i rym rhwng 30 Mehefin 2015 a 4 Ionawr 2016. Prif nodau'r Ddeddf yw:

- gwella trefniadau ar gyfer atal trais ar sail rhywedd, cam-drin domestig a thrais rhywiol;
- gwella trefniadau ar gyfer amddiffyn dioddefwyr camdriniaeth a thrais o'r fath;
- gwella cymorth i bobl yr effeithir arnynt gan gamdriniaeth a thrais o'r fath;
- penodi Ymgynghorydd Cenedlaethol i wella cydweithio rhwng cyrff cyhoeddus ar drais ar sail rhywedd, cam-drin domestig a thrais rhywiol.

O dan y Ddeddf, mae'n ofynnol i Lywodraeth Cymru baratoi a chyhoeddi Strategaeth Genedlaethol i gyfrannu at nodau'r Ddeddf a rhaid i awdurdodau lleol a byrddau iechyd lleol baratoi a chyhoeddi strategaethau lleol.

Mae'r Ddeddf hefyd yn gosod dyletswyddau ar awdurdodau lleol i adrodd ar sut y maent yn mynd i'r afael â thrais yn erbyn menywod, cam-drin domestig a thrais rhywiol yn eu sefydliadau addysgol.

## Ystadegau

Mae'r data canlynol yn ymwneud ag oedolion yr amheuir eu bod yn wynebu risg fel y nodir yn Rhan 7 o *Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014*.

Mae ystadegau (arbrofol) Llywodraeth Cymru ar [ddiogelu oedolion](#) yn dangos yr hysbyswyd awdurdodau lleol ynghylch 13,741 o oedolion yr amheuir eu bod mewn perygl o gael eu cam-drin neu eu hesgeuluso yn ystod 2017–18.

Mae'r data'n nodi categorïau o gam-drin a nifer yr adroddiadau ar gyfer oedolion 18–64 oed a 65 oed a throsodd. Yn achos **cam-drin domestig**, er enghraifft, roedd 1,953 o adroddiadau yn ymwneud ag oedolion 18–64 oed ac **1,611 o adroddiadau am oedolion 65 oed a throsodd**. O ran y rhai 65 oed a throsodd, menywod oedd y rhan fwyaf o'r dioddefwyr honedig: 1,085, o'i gymharu â 526 o ddynion.

Yn 2017–18, daeth 5,724 o ymholiadau i adroddiadau yn ymwneud â cham-drin **i'r casgliad bod angen i'r awdurdod lleol weithredu**, er bod llai na hanner y rhain wedi digwydd yng nghartref yr unigolyn – 2,514. O'r 6,044 o dramgwyddwyr honedig, gweithwyr cyflogedig oedd y categori mwyaf – 2,809, ac yna perthynas/ffrind (1,751), defnyddiwr gwasanaeth arall (606), gwirfoddolwyr/gweithwyr di-dâl (50), ac 828 'arall'.

## Llinell Gymorth Cam-drin Domestig Cymru

Mae [Llinell Gymorth Byw Heb Ofn](#) yn cael ei rheoli gan Gymorth i Fenywod Cymru a'i hariannu gan Lywodraeth Cymru. Mae'r wefan yn darparu'r wybodaeth ganlynol:

Gall Byw Heb Ofn ddarparu cymorth a chynghor ar gyfer:

- unrhyw un sy'n dioddef cam-drin domestig
- pobl sy'n adnabod rhywun sydd angen cymorth. Er enghraifft, ffrind, aelod o'r teulu neu gydweithiwr
- ymarferwyr sydd am gael cynghor proffesiynol.

Mae pob sgwrs â staff Byw Heb Ofn yn gyfrinachol ac yn cael eu cynnal â staff sy'n brofiadol iawn ac wedi'u hyfforddi'n llawn.

## Comisiynydd Pobl Hŷn Cymru

Mae Comisiynydd Pobl Hŷn Cymru wedi gwneud [Atal cam-drin pobl hŷn](#) yn flaenoriaeth yn ei rhaglen waith. Mae wedi ymrwymo i'r camau canlynol:

Bydd y Comisiynydd yn gweithredu i:

- Codi ymwybyddiaeth o gam-drin pobl hŷn ymhlith gweithwyr proffesiynol ac ar draws y gymdeithas ehangach
- Gwella mynediad at wasanaethau cefnogaeth i bobl hŷn sydd â risg o gael eu cam-drin
- Galluogi mwy o bobl hŷn sy'n cael eu cam-drin i gael mynediad at gyfiawnder cyfreithiol

- Atal cam-drin pobl hŷn

## **Gwaith yn ystod 2019–20**

### **Ymchwil i benderfyniadau'r heddlu a Gwasanaeth Erlyn y Goron mewn perthynas ag ymchwiliadau diogelu**

Mae data sy'n ymwneud â throeddau a'r system cyfiawnder troseddol yn dangos bod cyfraddau erlyn a cholffarnu ar gyfer troseddau yn erbyn pobl hŷn yn annodweddiadol o isel o'u cymharu â'r boblogaeth gyfan, yn enwedig mewn achosion sy'n ymwneud â diogelu, cam-drin ac esgeuluso mewn cartrefi gofal ac ysbytai.

Bydd y Comisiynydd yn gwneud gwaith ymchwil, gan weithio gyda'r heddlu a Gwasanaeth Erlyn y Goron i edrych ar yr effaith y mae penderfyniadau yn eu cael ar ymchwiliadau sy'n ymwneud â diogelu a mynediad canlynol pobl hŷn at gyfiawnder. Drwy adolygu data a chanlyniadau sy'n ymwneud â thros 400 o achosion diogelu ledled Cymru, nod y Comisiynydd yw nodi ffyrdd posibl o wella ymchwiliadau a hyfforddiant diogelu ac a ellir gwella'r ddeddfwriaeth bresennol.

### **Deall yr hyn sy'n ysgogi unigolion i gam-drin ac esgeuluso pobl hŷn**

Mae deall beth sy'n ysgogi unigolion i gam-drin neu esgeuluso pobl hŷn yn rhan hanfodol o nodi'r ffyrdd y gellid atal gweithredoedd o'r fath.

Bydd y Comisiynydd yn cynnal cyfres o ddiwyddiadau trafod fydd yn dod â sefydliadau ac unigolion allweddol at ei gilydd – gan gynnwys yr heddlu, timau diogelu, byrddau iechyd, sefydliadau trydydd sector ac arbenigwyr eraill – i ystyried y symbyliad y tu ôl i gam-drin ac esgeuluso a sut y dylid mynd i'r afael â hyn. Bydd y digwyddiad yn cael ei ddefnyddio hefyd i nodi a rhannu arfer da sy'n gysylltiedig ag atal cam-drin ac esgeuluso y gellid ei gyflwyno'n ehangach i ddiogelu ac amddiffyn pobl hŷn.

### **Hyfforddiant diogelu i weithwyr proffesiynol**

Mae'n hanfodol bod gweithwyr proffesiynol sy'n gweithio ar draws iechyd, gofal cymdeithasol a gwasanaethau cyhoeddus allweddol eraill yn gallu adnabod arwyddion cam-drin a deall y cymorth sydd ar gael i amddiffyn a diogelu pobl hŷn sydd wedi cael eu cam-drin.

Bydd y Comisiynydd yn darparu hyfforddiant i weithwyr proffesiynol wella eu gwybodaeth a'u dealltwriaeth o'r cam-drin sy'n wynebu pobl hŷn, gan drafod amrywiaeth o bynciau, yn cynnwys graddfa a natur y cam-drin, y cysylltiadau rhwng gwahaniaethu ar sail oedran a cham-drin, hawliau pobl hŷn a'r gwasanaethau sydd ar gael a all gynnig help a chymorth.

Ochr yn ochr â darparu'r hyfforddiant hwn, bydd y Comisiynydd hefyd yn gweithio gyda gwasanaethau cyhoeddus i ddatblygu modiwl hyfforddiant fydd yn eu galluogi i ddarparu hyfforddiant mewnol er mwyn rhwystro camdriniaeth i'w staff, a chynyddu'n sylweddol nifer y gweithwyr proffesiynol sydd wedi cael y cyfle i gwblhau hyfforddiant o'r math hwn.

### **Adnabod a mapio gwasanaethau cynnal**

Tra bod llawer o wasanaethau ar gael ledled Cymru ar gyfer pobl sy'n cael eu cam-drin, yn aml mae'n anodd i bobl hŷn wybod lle i fynd i gael gafeal ar y cymorth a'r gefnogaeth sydd eu hangen arnynt.

Bydd y Comisiynydd yn adnabod ac yn mapio'r gwasanaethau sydd ar gael i gefnogi pobl hŷn sydd wedi dioddef (neu sy'n dioddef) cam-drin ac yn datblygu set o adnoddau i sicrhau eu bod yn gallu dod o

hyd i wybodaeth am y gwasanaethau cynnal yn eu hardal ac yn gallu cael y mynediad at y cymorth sydd ei angen arnynt i fod yn ddiogel.

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.

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



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref  
Ein cyf/Our ref JH-/05257/19

Janet Finch-Saunders AC  
Aelod Cynulliad Aberconwy  
Cadeirydd - Pwyllgor deisebau  
Cynulliad Cenedlaethol Cymru  
Tŷ Hywel  
Caerdydd  
CF99 1NA  
Government.Committee.Business@gov.wales

4 Mehefin 2019

*Annwyl Janet,*

Diolch am eich llythyr, dyddiedig 30 Ebrill, at y Gweinidog dros lechyd a Gwasanaethau Cymdeithasol ynglŷn â'r Pwyllgor Deisebau - P- 05-882 Trawsnewid yr ymateb i bobl hŷn sy'n dioddef cam-drin domestig - galw am weithredu. Mae hyn wedi cael ei drosglwyddo i mi, gan fod cam-drin domestig yn rhan o fy mhortffolio. Rwyf wedi amlinellu fy marn isod er mwyn helpu i ystyried y ddeiseb hon yn ffurfiol.

Mae Llywodraeth Cymru yn ymrwymedig i fynd i'r afael â phob math o drais ar sail rhywedd, cam-drin domestig a thrais rhywiol, ac yn cefnogi pob un sydd wedi dioddef cam-drin domestig. Mae gan bob un ohonom yr hawl i fyw bywyd heb drais o unrhyw fath, ac ni ddylai ein hoedran na'n sefyllfa gael effaith ar yr hawl hon. Mae'r Ddeddf Trais yn erbyn Menywod, Cam-drin Domestig a Thrais Rhywiol (Cymru) 2015 yn cydnabod y gall dioddefwyr ddod o bob rhan o gymdeithas, gan gynnwys pobl hŷn, pobl o bob ethnigrwydd, crefydd a chred, a phobl anabl. Mae'r gwaith i weithredu'r Ddeddf yn cynnwys profiad pob grŵp.

Mae gan Gymru draddodiad hir o weithio gyda phobl hŷn ac ar eu rhan, o gyflwyno'r Strategaeth gyntaf ar gyfer Pobl Hŷn yng Nghymru yn 2003, i sefydlu Comisiynydd Pobl Hŷn cyntaf y byd yn 2008. Rydym yn cydnabod ac yn gwerthfawrogi'r cyfraniadau niferus ac amrywiol gan bobl hŷn i greu cymunedau cefnogol sy'n ffynnu. Buom yn gweithio gyda'r Comisiynydd Pobl Hŷn i ddatblygu "Gwybodaeth a Chanllawiau ar Gam-drin Domestig: Diogelu Pobl Hŷn yng Nghymru," a gyhoeddwyd ym mis Mehefin 2017. Mae hyn yn rhoi cyngor ymarferol i staff a rheolwyr ar gydnabod a deall ym mha gyd-destun y mae cam-drin

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

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

[Gohebiaeth.Jane.Hutt@llyw.cymru](mailto:Gohebiaeth.Jane.Hutt@llyw.cymru)  
[Correspondence.Jane.Hutt@gov.wales](mailto:Correspondence.Jane.Hutt@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 61

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.

pobl hŷn yn digwydd. Mae'r canllawiau hefyd yn codi ymwybyddiaeth a dealltwriaeth o rai o'r materion a'r risgiau penodol sy'n wynebu pobl hŷn sy'n dioddef cam-drin domestig.

Mae gweithredu'r Fframwaith Hyfforddiant Cenedlaethol yn ystyried anghenion grwpiau amrywiol. Mae rhan o'r gwaith hwn yn cynnwys cyflwyno proses "Gofyn a Gweithredu" sy'n ceisio gwella sgiliau gweithwyr allweddol y gwasanaethau cyhoeddus i gynnal ymchwiliad wedi'i dargedu er mwyn nodi achosion o gam-drin. Drwy wneud hynny, ein nod yw creu nifer o ffyrdd newydd y gall y rhai sydd wedi cael eu cam-drin ddatgelu eu profiad a chael y cymorth sydd ei angen arnynt.

Mae profiad pobl hŷn a phobl anabl wedi cael ei ystyried drwy ein gwaith cyfathrebu aml-gyfrwng cenedlaethol; yn enwedig drwy ein hymgyrch bresennol sy'n canolbwyntio ar Reoli a Grwpiau Amrywiol. Datblygwyd yr ymgyrch hon gan ddefnyddio barn rhanddeiliaid a goroeswyr, ac mae'n adlewyrchu nifer o'r pwyntiau a godwyd drwy'r ddeiseb hon.

Fel rhan o'n hymrwymiad i sicrhau bod lleisiau a phrofiadau goroeswyr yn llywio ac yn pennu'r gwaith a wnawn, rydym yn treialu prosiect i gynyddu ein dealltwriaeth o'r ffordd orau o alluogi grwpiau amrywiol o oroeswyr i gymryd rhan mewn fframwaith ymgysylltu cenedlaethol. Mae'r gwaith hwn yn ceisio ymgysylltu â'r goroeswyr hynny nad ydym wedi gallu eu cyrraedd drwy weithgareddau ymgysylltu ac ymgynghoriadau blaenorol, gan gynnwys pobl hŷn. Dros y misoedd nesaf, byddwn yn ymgysylltu â rhanddeiliaid a goroeswyr, gan gynnwys grwpiau o bobl hŷn, er mwyn sicrhau y gall eu lleisiau a'u profiadau lywio canfyddiadau ac argymhellion y gwaith hwn.

Mae ein canllawiau ar gyfer Comisiynu Gwasanaethau Trais yn erbyn Menywod, Cam-drin Domestig a Thrais Rhywiol (VAWDASV) yn hyrwyddo gwaith comisiynu cydweithredol o ansawdd uchel sy'n darparu gwasanaethau mwy cyson ac effeithiol er mwyn atal VAWDASV, a diogelu a chefnogi pob un sydd wedi dioddef VAWDASV ledled Cymru. Mae hyn yn cefnogi ein hymrwymiad i sicrhau bod gwasanaeth cyhoeddus ac arbenigol cadarn ar gael sy'n barod i helpu, ble bynnag y mae dioddefwr yn byw, beth bynnag fo'i oedran neu ei amgylchiadau.

Ym mis Rhagfyr 2018, lanswyd ein safonau gwasanaeth i gyflawnwyr trais sy'n cydnabod, o ystyried cymhlethdod VAWDASV, ei bod yn debygol y bydd angen cyfres o wasanaethau mae'n siŵr i fynd i'r afael â risgiau ac anghenion cyflawnwyr VAWDASV yng Nghymru, gydag argymhelliad y dylai comisiynwyr a gwasanaethau fod yn ymwybodol na fydd unrhyw raglen unigol yn addas ar gyfer pob cyflawnnydd VAWDASV.

Mae Llywodraeth Cymru wrthi'n datblygu Strategaeth newydd ar gyfer Cymdeithas sy'n Heneiddio, sydd wrth wraidd yr egwyddor o gyd-gynhyrchu ac sy'n gosod pobl hŷn ar y rheng flaen wrth lunio polisiau Llywodraeth Cymru. Mae'r strategaeth yn mabwysiadu dull sy'n seiliedig ar hawliau sy'n hyrwyddo cydraddoldeb, cyfiawnder cymdeithasol a grymuso ar draws ystod o feysydd polisi.

Ers mis Mehefin 2018, mae llawer o waith ymgysylltu wedi cael ei gyflawni i lywio datblygiad y Strategaeth. Mae hyn wedi cynnwys creu pum gweithgor i ganolbwyntio ar drafnidiaeth; tai; cyfranogiad, cynllunio ar gyfer y dyfodol a gwireddu hawliau i bobl hŷn. Cynhaliwyd cyfanswm o 17 cyfarfod rhanddeiliaid a chymerodd pobl hŷn ran ym mhob cyfarfod.

Ynghyd â'r gwaith o ddatblygu Strategaeth ar gyfer Cymdeithas sy'n Heneiddio, rydym hefyd yn adolygu ein harferion presennol i ymgysylltu â phobl hŷn. Nod yr adolygiad hwn yw sicrhau bod gennym ddulliau cadarn ar waith, sy'n ein galluogi i gyrraedd ystod fwy amrywiol o bobl hŷn ac ymgysylltu â nhw.



Rydym wedi ymgynghori ar ein Fframwaith newydd 'Gweithredu ar Anabledd: Hawl i Fyw'n Annibynnol' ac rydym wrthi'n dadansoddi'r ymatebion. Mae'r Fframwaith wrth wraidd y Model Cymdeithasol o Anabledd, ac fe'i datblygwyd drwy ymgysylltu â phobl anabl dan arweiniad y Grŵp Llywio ar gyfer Byw'n Annibynnol. Ynghyd â hyn, mae cynllun gweithredu i fynd i'r afael â rhai o'r rhwystrau allweddol a nodwyd gan bobl anabl eu hunain, gan gynnwys trafndiaeth, cyflogaeth, tai a mynediad i adeiladau a lleoedd.

Bydd yr ymatebion i'r ymgynghoriad, gan gynnwys cyfeiriadau at Gonfensiwn y Cenhedloedd Unedig ar Hawliau'r Plentyn (CCUHP) yn llywio rhagor o waith ar y Fframwaith a'r Cynllun Gweithredu cyn cyhoeddi'r fersiynau terfynol. Byddwn hefyd yn atgyfnerthu rhai rhannau allweddol o'r cynllun gweithredu, megis datblygu camau gweithredu i gefnogi pobl anabl sy'n profi VAWDASV yng Nghymru. Rydym yn rhagweld y bydd y fersiwn derfynol yn cael ei chyhoeddi yn ystod haf 2019.

A handwritten signature in blue ink, appearing to read 'Jane Hutt', with a stylized flourish above the name.

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



**P-05-882 Transforming the response for older people experiencing domestic abuse – a call for action, Correspondence – Petitioner to Committee, 01.07.19**

Thank you for email and attached documentation outlining Jane Hutt AM's response to our petition from Dewis Choice. Dewis Choice is a practice-based Welsh initiative designed and implemented by older people in community settings to deliver support to older victims –survivors of domestic abuse. The project is the first dedicated service for all older people aged 60 years and over; it also provides the first global longitudinal study of older peoples help-seeking in the context of coercive control. Domestic abuse is a major social issue affecting one in four women and one in six men. Within Wales, estimates suggest that as many as 40,000 older people experience some form of abuse by family members or intimate partners. Disturbingly, the rate of domestic homicides of older people is rising with one in four homicides involving a person aged sixty years and over. In Wales, in 2016/17 there were nine domestic homicides of which three involved older people as victims. The Office of National Statistics (2017) states that older women are almost as likely to be killed by a partner as they are by an adult-child. The Standing Together Against Domestic Violence Guidance identifies three reasons why domestic homicides within this age groups are increasing when compared to younger age groups. The first reason is practitioners do not recognise the abuse as domestic abuse within this age group; secondly risk assessments are designed for younger people with families (for example, questions around pregnancy and young children); and thirdly there is a lack of specialist service provision tailored to older people's needs. As a result, they do not receive sufficient protection and support. We feel that there is a significant well-being and human rights deficit with regard to protection, private life, and justice.

**Petitions Committee – P-05-882 Transforming the response for older people experiencing domestic abuse**

We call on the National Assembly to urge the Welsh Government to:

- raise awareness among the public, third sector organisations and statutory agencies of the number of older women and men in Wales who experience domestic abuse by family members, and
- ensure that essential levels of support and protection are available to older people experiencing such abuse.

Across the UK, Wales is already seen as a pioneer in the field of domestic abuse policy and practice and is also recognised as the first country in the world to appoint an Older People's Commissioner to act as an independent voice and champion for older people. This commitment by the Welsh Government to tackling domestic abuse and raising the profile of older people provides an ideal context for addressing the neglected issue

of people aged 60 years and over who are victim-survivors of domestic abuse. Indeed, the Welsh context provides opportunities for broadening the 'public story' (Donavan & Hester, 2015) by ensuring older people are seen as victim-survivors of domestic abuse.

The response by Jane Hutt AM discusses the following areas:

1. The role of the Older Peoples Commissioner,
2. the Guidance 'Information and Guidance on Domestic Abuse: Safeguarding Older People in Wales' 2017, (Sarah Wydall and John Williams from Dewis Choice contributed to the guidance),
3. the VAWDASV 2015 Strategy,
4. the National Training Framework,
5. the National Survivor Engagement consultation,
6. Guidance for Commissioning of VAWDASV services,
7. The Strategy for an Ageing Society,
8. A review on engaging older people,
9. Action on Disability- The Right to Independent Living Framework,
10. The United Convention on the Rights of Persons with Disabilities.

We will take the opportunity to respond to the ten areas above identified by the Deputy Minister. We propose a transformative response based on our extensive knowledge both in terms of our practice and research evidence in Wales and the stakeholder response to the community-led Dewis Choice service.

Since 2012, the Dewis Choice team has worked with over 350 volunteers to co-produce a bespoke specialist service and undertake research in Wales. We have also trained over 3000 practitioners across England and Wales about domestic abuse and older people in the first Safelives pilot; as part of the OPC training; and in a range of practitioner settings in response to the lack of knowledge about domestic abuse in this age-group. Our work in communities and our research has identified that there are insufficient specialist services available in Wales to support and protect older people.

More generally all of the ten points do not provide evidence of an appropriate level of service provision for older victim-survivors. Whilst we welcome the development of strategies, both specific and general, we recognise that they are often aspirational. They are not a substitute for services on the ground for the three generations of older people experiencing abuse by family members.

As noted above the Older Peoples Commissioner (**point 1**) identifies discrimination and marginalisation. Many of the initiatives of previous and current Commissioners draw attention to gaps in awareness, for example with **point 2** the Guidance 'Information and **Guidance on Domestic Abuse: Safeguarding Older People in**

**Wales'** 2017 was the first document to respond to the knowledge deficit. It was published as a first step in addressing a significant gap in statutory agency knowledge about the existence of domestic abuse in people aged 60 years and over. Dewis Choice was pleased to make a significant contribution, based on its research and experience, to the publication of this guidance. However as with any guidance, it is essential that implementation is monitored and evaluated.

Our recent publication in The British Journal of Social Work provides a critique of the VAWDASV Act 2015 (**point 3**) including Ask and Act, the Social Services and Well-being (Wales) Act 2014 (see attached) in particular the need to ensure greater integration between the two initiatives. Furthermore, we considered the implications of the Well-being of Future Generations (Wales) Act 2015. It also identified a significant shortfall in the provision for older people who experience domestic abuse and the knowledge of practitioners in the public sector. We pose the question whether a 'rule of pragmatism' exists whereby practitioners seek to reconcile the tension between diminishing resources and increasing demand for support.

In response to **point 4** and **5** the National Survivor Engagement Framework, we know that this consultation was unable to include the voices of older people who had experienced domestic abuse by intimate partner and /or other family members. Dewis Choice was informed that the consultation undertaken last year was not successful in engaging the full range of groups who fall outside the traditional demographic. This is regrettable. We are not surprised that the methodology used in this consultation did not capture this population group, who we know do not traditionally access domestic abuse services.

Dewis Choice has received referrals from third sector and statutory domestic abuse services who do not feel sufficiently equipped to address the diverse needs of older people. The Dewis Choice community engagement programme, involving nearly five thousand people in the last four years, provides evidence that older people do not feel the services are suitable for them because awareness-raising material and service provision provided is aimed at younger women with families.

- Very few services are able to recruit practitioners especially Independent Domestic Violence Advisors who are first language Welsh speakers, thus leading to a failure to meet the needs of the Welsh speaking population;
- Much of the campaigning material focuses on white, heterosexual, able-bodied women under the age of forty years. There are very few, if not any images of people within the three generations, aged 60 years and over;
- Any images related to older age rarely involve a face, thus rendering older people faceless or invisible as people –instead ageist images of wrinkly hands and mobility aids are used to depict older people;

- Provision rarely includes adult-child to parent abuse which is a significant feature of older person's experience of domestic abuse;
- The material rarely addresses older people's experience of the abuse.

In **point 6**, regarding the commissioning guidance, older people are mentioned on only two occasions. There is no mention of other cross cutting needs for LGBTQ+ older victim-survivors, those cases where dementia and domestic abuse co-exist, and older men who form a higher percentage of victims in later life than their younger counterparts. This does not show a commitment to redressing a gap in provision.

Dewis Choice welcomes the development of the new Strategy for an Ageing Society. However, the five working groups do not include a specific focus on domestic abuse and older people which often leads to isolation, homelessness, poverty and social exclusion. An essential part of well-being is the right to live and enjoy a safe environment free from abuse. We would like to see this made more prominent in the work on developing the next Strategy. **(Point 7)**.

Welsh Government's review of current practices for engaging older people is welcome and timely. Research underlines the importance of reaching marginalised groups and engaging with a diverse range of older people in appropriate ways. Capturing these voices and lived experiences is often extremely difficult, especially, but not exclusively in rural areas. Victim-blaming stereotypes often deter victims-survivors from speaking out; they are a particularly hidden group. Dewis Choice works with older LGBTQ+ groups and individuals whose negative experience of domestic abuse services is compounded not only their age, but also by their sexuality or gender. They experience a double discrimination. As part of our Project we are developing two films specifically highlighting the reality of their lives and help-seeking experiences. Furthermore, the experience of the co-existence of domestic abuse and dementia can be excluded by traditional consultation approaches. It is particularly challenging to hear the voice of older men who are victim survivors of domestic abuse. Our research on domestic abuse shows that older male victim-survivors represent a larger group within the older age cohort when compared with younger cohorts. **(Point 8)**

We welcome the new Action on Disability **(Point 9)** initiative, in particular the commitment to the social model of disability. The social model requires the social and physical environment to be transformed rather than placing the responsibility on the individual to adapt. From the perspective of domestic abuse, we are aware that refuges and most services require significant adaptation to enable equal access to support and protection. In addressing this, it is essential to ensure that people living with dementia who experience domestic abuse are treated equally and that services adapt to any special needs that they may have. Again, our research shows that victim-survivors living with dementia are considered solely with the safeguarding process rather than the wider domestic abuse/safeguarding framework. They are particularly vulnerable.

The United Nations Convention on the Rights of Persons with Disabilities provides a challenging framework within which to develop domestic abuse services for people with disabilities, in particular people living with dementia. Supported decision-making, as laid down in the Convention, requires considerable investment and commitment on the part of Welsh Government. **(Point 10)**

Building on the impressive commitment by Wales in relation to tackling domestic abuse and to the rights of older people, it is imperative that the law, policy and guidance is translated into integrated services that are accessible, meaningful and appropriate to provide support and protection for the diverse group of older victim-survivors of domestic abuse. Wales is already a good example to other nations. We have the opportunity and commitment to make Wales a world leader in addressing what is a major social issue for the three generations of older people.

Yours sincerely,

Dewis Choice (Sarah Wydall, John Williams, Alan Clarke, Rebecca Zerk and Elize Freeman)

Please see attached our research which includes our Pan Wales study.

- Protecting older victims of abuse who lack capacity: the role of the Independent Mental Capacity Advocate [https://choice.aber.ac.uk/media/non-au/choice/ELDLJ\\_2013\\_02\\_Articles\\_04.pdf](https://choice.aber.ac.uk/media/non-au/choice/ELDLJ_2013_02_Articles_04.pdf)
- Domestic abuse and older people: factors influencing help-seeking <https://www.emeraldinsight.com/doi/full/10.1108/JAP-03-2017-0010>
- Access to Justice for Victims/Survivors of Elder Abuse: A Qualitative Study <https://choice.aber.ac.uk/media/non-au/choice/Access-to-Justice-for-Victims-Survivors-of-Elder-Abuse-Clarke-Williams-and-Wydall-2015.pdf>
- Domestic Abuse and Elder Abuse in Wales: A Tale of Two Initiatives. <https://academic.oup.com/bjsw/article-abstract/48/4/962/5059565?redirectedFrom=fulltext>

**P-05-882 Transforming the response for older people experiencing domestic abuse – a call for action, Correspondence – Petitioner to Committee- Additional information, 01.07.19**



*Dewis Choice*

Promoting justice for older victim/survivors of domestic abuse: Dewis Choice -A Welsh initiative

Wydall, S., Clarke, A., Williams, J.

This 'not very brief brief' explains the development of Dewis Choice, a Big Lottery funded project piloted between 2015-2019 in an urban and a rural area in Wales.

As a response to a gap in provision, Dewis Choice Project is unique in the approach it offers, it aims to learn how older people can be empowered to make informed choices about their civil, criminal and restorative justice options. In addition to the service provision, there is an ongoing qualitative longitudinal research study, which is distinctive insofar as it captures the experiences of older victim/survivors at different stages in the justice-seeking journey and illustrates how their conceptions of justice are subject to change over time.

### **Dewis Choice**

As noted above Dewis Choice is comprised of both a service and a research strand. The initial model for the service was developed through community- based PAR. However, as so little was known about the needs of older men and women in the context of domestic abuse, the model is a work in progress informed by the rich qualitative data from the longitudinal research element of the project.

The service Dewis Choice provides is client-centred, working with individuals, families and where it is safe to do so, harmers to support people aged sixty and over to make informed choices about their 'justice options' in the context of domestic abuse. The principal ethos of the approach is to be client-led, to integrate justice, wellbeing, prevention, and recovery work and promote empowerment through listening to older victim-survivors.

The service element of Dewis Choice consists of two Choice Support workers and a Wellbeing practitioner. Co-located within third sector specialist domestic abuse settings, referrals to Dewis Choice come via social services. Working within such



infrastructures reduces the likelihood of clients left without support and improves information sharing and inter-agency communication.

The two Choice Support workers are trained IDSVAs (Independent Domestic Sexual Violence Advisor- Safe Lives Ref), like IDSVAs their purpose is to address the safety of victim-survivors working within a multi-agency framework. However, the role is distinct from an IDVA, as workers not only address immediate safety needs, they may work together in parallel with harmers, clients and other family members adopting a whole family approach. In addition, the service involves intensive support for up to a twelve-month period for clients deemed to be standard risk according to the Domestic Abuse, Stalking and Harassment and Honour-Based Violence Risk Identification Checklist (DASH- RIC) (Safe Lives, 2014) . However should the risk increase, a safeguarding concern will be made and/or clients are referred onto IDVA's in the services within which the Choice Support workers are co-located.

The Choice Support workers not only explore civil, criminal and restorative options, they also introduce the client to a Wellbeing practitioner. The Wellbeing practitioner identifies how harmers have negatively influenced either directly or indirectly, a client's wellbeing and provides strategies to help them and their families overcome the impact of domestic abuse. The wellbeing element of the service was developed from the Community-based PAR, focus groups and analysis of client's and practitioner's qualitative data.

The Dewis Choice service provides support for all people aged sixty years and over including those who lack mental capacity. It does not, at this stage in the pilot offer support to those in institutional settings such as care/nursing homes or hospices.

On completion of the pilot project , a book will be published providing an insight into the lived experiences of the clients, two short films will be produced to raise awareness of older LGBTQ+ victim-survivors and a practitioner guidance handbook will be created which includes a wellbeing assessment tool based on the learning from Dewis Choice.

The Project is funded by the United Kingdom Big Lottery '*Big Innovation*' grant, Comic Relief and the UK Portfolio Community Fund. Big Lottery projects prioritize community involvement during the development and implementation of any initiative; hence, the funder's approach is well aligned to the client-centred ethos integral to Dewis Choice. People aged 60 years and over, victim representative groups and survivors were involved in the preparation for the proposal; the design of the service and included in Dewis Choice national advisory group. Older people provide input to the data analysis and awareness raising about domestic violence and abuse in later life.

The project has trained over three hundred volunteers of which a third are people over 60 years of age on domestic abuse and help seeking. The team have delivered training workshops and shared their findings to date with 1,437 practitioners, managers and policymakers. The project is working with Safe Lives to deliver Older People Violence and Abuse (OPVA) training across England and Wales in the coming 12 months. Follow us on @choiceolderppl on Twitter.



### **P-05-885 Trafnidiaeth Gyhoeddus Hygyrch a Chynhwysol ar gyfer Dinasyddion ag Anableddau Dysgu yng Nghymru**

Cyflwynwyd y ddeiseb hon gan Joe Powell, ar ôl casglu cyfanswm o 203 lofnodion.

#### **Geiriad y ddeiseb:**

Rydym yn galw ar i Lywodraeth Cymru sicrhau bod pob awdurdod lleol yn ymgynghori â phobl ag anableddau dysgu cyn gwneud unrhyw newidiadau i wasanaethau bysiau/llwybrau bysiau yng Nghymru. Mae hyn yn cynnwys newidiadau i safleoedd bysiau.

Rydym hefyd yn galw ar i Lywodraeth Cymru ehangu'r Cerdyn Teithio Rhatach i gynnwys gwasanaethau rheilffordd lleol mewn ardaloedd lle nad oes llawer o wasanaethau bysiau. Mae'r mesurau hyn yn hanfodol os ydym am i bobl ag anableddau dysgu yng Nghymru beidio â chael eu hynysu yn y gymdeithas, ac os ydym am eu galluogi i fyw fel dinasyddion gweithgar a chydadd a chanddynt fynediad at y gwasanaethau sydd eu hangen i gyflawni eu canlyniadau llesiant eu hunain, fel y'u hyrwyddir yn Neddf Gwasanaethau Cymdeithasol a Llesiant (Cymru).

#### **Gwybodaeth ychwanegol:**

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

- Dwyrain Casnewydd
- Dwyrain De Cymru

# Deiseb P-05-885: Trafnidiaeth Gyhoeddus Hygyrch a Chynhwysol ar gyfer Dinasyddion ag Anableddau Dysgu yng Nghymru

Y Pwyllgor Deisebau | 9 Gorffennaf 2019  
Petitions Committee | 9 Julv 2019

## Briff Ymchwil:

Rhif y ddeiseb: P-05-885

Teitl y ddeiseb: Trafnidiaeth Gyhoeddus Hygyrch a Chynhwysol ar gyfer Dinasyddion ag Anableddau Dysgu yng Nghymru.

Testun y Ddeiseb: Rydym yn galw ar i Lywodraeth Cymru sicrhau bod pob awdurdod lleol yn ymgynghori â phobl ag anableddau dysgu cyn gwneud unrhyw newidiadau i wasanaethau bysiau/llwybrau bysiau yng Nghymru. Mae hyn yn cynnwys newidiadau i safleoedd bysiau.

Rydym hefyd yn galw ar i Lywodraeth Cymru ehangu'r Cerdyn Teithio Rhatach i gynnwys gwasanaethau rheilffordd lleol mewn ardaloedd lle nad oes llawer o wasanaethau bysiau. Mae'r mesurau hyn yn hanfodol os ydym am i bobl ag anableddau dysgu yng Nghymru beidio â chael eu hynysu yn y gymdeithas, ac os ydym am eu galluogi i fyw fel dinasyddion gweithgar a chydadd a chanddynt fynediad at y gwasanaethau sydd eu hangen i gyflawni eu canlyniadau llesiant eu hunain, fel y'u hyrwyddir yn Neddf Gwasanaethau Cymdeithasol a Llesiant (Cymru).

Nid oedd yr ymateb gan Lywodraeth Cymru ar y ddeiseb hon wedi dod i law ar adeg llunio'r papur briffio hwn.

## Cefndir

### Rhwymedigaethau Cydraddoldeb Llywodraeth Cymru a Thrafnidiaeth Gyhoeddus

O dan delerau *Deddf Cymru 2017*, Llywodraeth y DU sy'n gyfrifol am y ddarpariaeth ar gyfer mynediad pobl anabl i dtrafnidiaeth gyhoeddus. Fodd bynnag, mae darpariaethau deddfwriaethol ehangach a pholisi Llywodraeth Cymru yn sefydlu ystod o ddyletswyddau.

Mae *Deddf Llywodraeth Cymru 2006* (fel y'i diwygiwyd), yn ei gwneud yn ofynnol i Weinidogion Cymru wneud trefniadau priodol i sicrhau eu bod yn arfer eu swyddogaethau gan roi sylw priodol i'r egwyddor y dylai fod cyfle cyfartal i bawb.

Mae *Deddf Cydraddoldeb 2010* ('Deddf 2010') yn ei gwneud yn ofynnol i awdurdodau cyhoeddus, gan gynnwys Gweinidogion Cymru, ystyried yr angen i ddileu gwahaniaethu wrth arfer eu swyddogaethau, ac i hyrwyddo cyfle cyfartal i bobl [sydd â nodweddion gwarchoddedig](#).

Cyhoeddodd Llywodraeth Cymru [amcanion ar gyfer trafndiaeth gyhoeddus hygyrch a chynhwysol](#) ym mis Rhagfyr 2017. Maent yn nodi:

Mae Deddf Cydraddoldeb 2010 yn gwneud darpariaeth ar gyfer trafndiaeth i bobl anabl mewn perthynas â thacsis, cerbydau gwasanaethau cyhoeddus a threnau. Er y bydd y materion hyn yn parhau i fod yn gyfrifoldeb i Lywodraeth y DU dan delerau'r setliad datganoli newydd i Gymru a nodir yn Neddf Cymru 2017, bydd Llywodraeth Cymru yn parhau i gyflawni gwelliannau mewn trafndiaeth gyhoeddus gan gyflawni ein rhwymedigaethau statudol a moesol statudol ehangach tuag at bobl Cymru.

Mae'r ddogfen yn mynd ymlaen i dynnu sylw at y ffaith bod *Deddf Llesiant Cenedlaethau'r Dyfodol (Cymru) 2015* 'yn cydnabod bod angen i ni fabwysiadu dull mwy cydgyssylltiedig wrth i ni geisio gwella'r modd y darperir gwasanaethau cyhoeddus ar gyfer pobl Cymru'. Mae hefyd yn tynnu sylw at y ffaith bod Llywodraeth Cymru wedi ymrwmo i 'ymlynu wrth' [Gonfensiwn y Cenedloedd Unedig ar Hawliau Pobl Anabl](#).

## **Darparu gwasanaethau a seilwaith bysiau**

Nid yw awdurdodau lleol yn gyfrifol am newidiadau i'r rhan fwyaf o wasanaethau bws ar hyn o bryd. O dan y fframwaith statudol presennol, sy'n sefydlu marchnad bysiau dadreoleiddio ym Mhrydain y tu allan i Lundain, mae mwyafrif sylweddol o wasanaethau bws yn cael eu cynllunio a'u cyflwyno'n fasnachol gan gwmnïau bysiau.

Mae rhan IV o *Ddeddf Trafndiaeth 1985*, a gyflwynodd ddadreoleiddio, yn gosod dyletswydd ar awdurdodau lleol i sicrhau'r drafndiaeth gyhoeddus i deithwyr y mae'n ei ystyried yn briodol i fodloni gofynion trafndiaeth gyhoeddus na fyddent yn cael eu bodloni fel arall (h.y. gwasanaethau â chymhorthdal yn absenoldeb gwasanaethau masnachol). Fodd bynnag, gall awdurdodau lleol fel arfer ond rhoi cymhorthdal i wasanaethau lle nad ydynt yn cael eu darparu gan y farchnad. Os yw gwasanaeth masnachol ar waith, mae gallu awdurdodau lleol i gaffael gwasanaethau â chymhorthdal yn gyfyngedig.

Gall gweithredwyr bysiau gofrestru a dadgofrestru gwasanaethau bws gyda'r Comisiynydd Traffig, fel arfer gyda rhybudd o 56 diwrnod. Mae dogfen amcanion trafndiaeth gyhoeddus hygyrch a chynhwysol Llywodraeth Cymru yn ei gwneud yn glir:

Mae tua thri chwarter y llwybrau a weithredir wedi'u cofrestru gan gwmnïau bysiau ar sail fasnachol, tra bo'r gwasanaethau bysiau lleol sy'n weddill yn cael eu contractio gan awdurdodau lleol i ddarparu gwasanaethau na fyddent yn cael eu darparu fel arall.

Fodd bynnag, awdurdodau lleol sy'n gyfrifol ar y cyfan am ddarparu seilwaith bysiau – gan gynnwys safleoedd a gorsafoedd bysiau.

## Cynllun Tocynnau Teithio Rhatach Cymru Gyfan

Cyflwynodd Llywodraeth Cymru gynllun tocynnau teithio rhatach cyntaf y DU yn 2002. Mae [canllawiau ar gyfer y cynllun teithio rhatach ar fysiau](#) Llywodraeth Cymru yn egluro bod pobl ag 'anableddau dysgu' yn gymwys i gael cerdyn. Mae gan 'gymdeithion' hawl hefyd i gael cerdyn pan:

...fod angen y cymorth ychwanegol [ar ddeiliad y cerdyn] y mae'n rhaid i gydymaith ei ddarparu i'w alluogi i deithio ar fws, y tu hwnt i'r cyfrifoldebau cyffredin a ddisgwylir gan unigolyn sy'n ei hebrwng.

Mae'r ddeiseb yn 'galw ar i Lywodraeth Cymru ehangu'r Cerdyn Teithio Rhatach i gynnwys gwasanaethau rheilffordd lleol mewn ardaloedd lle nad oes llawer o wasanaethau bysiau'. Gellir defnyddio tocynnau rhatach [ar hyn o bryd ar wasanaethau TfWRail](#) ar rai llwybrau, mewn rhai achosion mae hyn yn gyfyngedig i amserau penodol o'r flwyddyn. Gellir defnyddio tocynnau ar y llwybrau canlynol:

- Wrecsam – Pont Penarlâg;
- Machynlleth – Pwllheli (Rheilffordd Arfordir y Cambrian) – rhwng mis Hydref a mis Mawrth yn unig;
- Llandudno – Blaenau Ffestiniog (Rheilffordd Dyffryn Conwy); a
- Amwythig a Llanelli/Abertawe (Rheilffordd Calon Cymru) – rhwng mis Hydref a mis Mawrth yn unig.

## Camau gan Lywodraeth Cymru

Mae Llywodraeth Cymru wedi cynnal adolygiad o wasanaethau anabledd dysgu – [Anabledd Dysgu: Rhaglen Gwella Bywydau](#). Mae'n nodi ar dudalen 4 (ychwanegwyd y pwyslais):

Cafodd heriau eu nodi hefyd a fydd yn arwain at gryfhau gwasanaethau. Roedd y rhain yn ymwneud yn benodol â:

- Bod â'r wybodaeth/data sydd eu hangen er mwyn gallu cynllunio gwasanaethau yn fanwl ac yn briodol, ac felly diwallu anghenion pobl ag anabledd dysgu. Mae hyn hefyd yn cynnwys gwneud yn siŵr y cyflwynir gwybodaeth ar ffurf hawdd ei ddeall a bod yr ieithwedd a ddefnyddir yn adlewyrchu dewis y rhanddeiliaid;
- **Sicrhau y gwrandewir ar leisiau pobl ag anabledd dysgu, eu teuluoedd a'u gofalwyr ac y gweithredir fel bo'r angen ar draws gwasanaethau cyhoeddus;**
- Sicrhau pan osodir safonau mewn gwasanaethau a phan gaiff y canlyniadau eu monitro a'u gwerthuso, y bydd anghenion pobl ag anabledd dysgu yn cael eu hystyried;
- **Cryfhau gwasanaethau trafnidiaeth a'u llunio i ddiwallu anghenion pobl ag anabledd dysgu pryd bynnag y bo hynny'n bosibl."**

Mae tudalen 21 yn cynnwys tabl gyda rhestr o argymhellion sy'n cysylltu â'r uchod, gan gynnwys:

Cludiant – sicrhau y gweithredir drwy'r panel cludiant ar gyfer pobl sy'n agored i niwed i alluogi gwasanaethau hygrych sy'n briodol i anghenion pobl ag anabledau dysgu.

Rhwng mis Hydref 2018 a mis Ionawr 2019, cynhaliodd Llywodraeth Cymru ymgynghoriad [Gweithredu ar Anabled: Hawl i fyw'n annibynnol](#). Mae tudalen 25 o'r ddogfen ymgynghori yn nodi:

Y mater a godwyd amlaf gan bobl anabl yn ystod y broses ymgysylltu oedd hygrychedd ac argaeledd cludiant cyhoeddus. Roedd hyn yn effeithio ar allu pobl anabl i ddefnyddio cludiant cyhoeddus yn annibynnol ond gallai hyfforddiant teithio fod o gymorth yn hyn o beth, pan fo trafndiaeth ar gael o leiaf. Dywedasant fod methu â mynd o gwmpas yn y gymuned leol ac ymhellach i ffwrdd yn cael effaith ar eu gallu i dderbyn gwaith, i gyrraedd apwyntiadau, i ddefnyddio gwasanaethau hamdden a chyhoeddus, neu hyd yn oed i gwrdd â theulu a ffrindiau. Mae prinder lle ar fysiau i nifer o bobl anabl deithio yr un pryd yn broblem, ynghyd â theithio ar y trêen mewn cadair olwyn gan fod rhaid gwneud trefniadau ymlaen llaw i gael cymorth.

Mae Gweithredu ar Anabled: Hawl i Fyw'n Annibynnol y Cynllun Gweithredu, sydd wedi'i atodi fel atodiad i'r ddogfen ymgynghori, yn nodi (Tudalen 12):

“Byddwn ni'n:

Gwneud cludiant cyhoeddus yn fwy hygrych i bobl anabl drwy'r dulliau a ganlyn:

.....

Monitro hygrychedd gwasanaethau bws lleol ar ôl cyflwyno'r safonau gwirfoddol ar gyfer ansawdd bysiau fel rhan o'r trefniadau monitro sy'n bodoli mewn cysylltiad â'r Grant Cynnal Gwasanaethau Bysiau.

.....

Gweithio gyda'n Panel Trafndiaeth Hygrych i ddatblygu amcanion sy'n canolbwyntio ar ganlyniadau, gyda chamau gweithredu penodol sy'n cael eu cynllunio er mwyn gwella hygrychedd a chynhwysiant ar draws y rhwydwaith cludiant cyhoeddus yng Nghymru.

Fel y nodwyd uchod, cyhoeddodd Llywodraeth Cymru amcanion ar gyfer trafndiaeth gyhoeddus hygrych a chynhwysol ym mis Rhagfyr 2017, sy'n cynnwys:

- Amcan 1: 'Mae pobl anabl yn gallu gwneud siwrneiau llwyddiannus o ddrws i ddrws i ddrws ac ar y diwrnod teithio';
- Amcan 5: 'Mae teithwyr yn chwarae mwy o ran yn y broses o ddylunio, datblygu a gwella gwasanaethau a seilwaith trafndiaeth';
- Amcan 6: 'Mae Trafndiaeth Gyhoeddus yn dull trafndiaeth hygrych a fforddiadwy'.

Cyhoeddodd Llywodraeth Cymru [safon wirfoddol ansawdd bysiau Cymru](#) (ail argraffiad) ym mis Rhagfyr 2017. Mae'n rhaid i weithredwyr bysiau fodloni 'gofynion craidd' y safonau er mwyn hawlio cyllid gan Grant Cymorth Gwasanaethau Bysiau Llywodraeth Cymru. Nid yw'r

rhain yn cynnwys rhwymedigaethau i ymgysylltu â theithwyr wrth gynllunio newidiadau i wasanaethau, er eu bod yn gofyn i yrwyr gwblhau hyfforddiant ymwybyddiaeth anabledd a chydaddoldeb.

## Camau gan Gynulliad Cenedlaethol Cymru

Yn ddiweddar, mae'r Cynulliad wedi ystyried materion yn ymwneud â thrafnidiaeth ar gyfer pobl ag anableddau, er enghraifft bu'r Pwyllgor Cydraddoldeb, Llywodraeth Leol a Chymunedau yn casglu tystiolaeth fel rhan o'i waith ar [Ymchwiliad i Gynllun y Bathodyn Glas yng Nghymru](#). Fodd bynnag, ychydig o ystyriaeth a roddwyd i ymgysylltiad awdurdodau lleol â phobl ag anawsterau dysgu wrth gynllunio newidiadau i'r rhwydwaith bysiau.

Wrth gwrs, cyhoeddodd y Pwyllgor Deisebau [Sicrhau y gall Pobl Anabl Ddefnyddio Trafnidiaeth Gyhoeddus Pryd Bynnag y Bo'i Hangen Arnynt \(P-05-710\) – Adroddiad ar Ystyriaeth o'r Ddeiseb](#) ym mis Hydref 2017. Yn yr achos hwnnw, rhoddodd y bobl ifanc a gyflwynodd y ddeiseb dystiolaeth a oedd yn cyfeirio'n benodol at anghenion pobl ag anawsterau dysgu.

Og ran defnyddio cardiau rhatach ar wasanaethau rheilffyrdd, roedd llawer o ddiddordeb gan Aelodau yn ystod y broses o gaffael masnachfaint newydd TfWRail (a ddyfarnwyd yn ystod haf 2018) i weld a fyddai'r defnydd o gardiau rhatach yn parhau o dan y contract newydd. Er enghraifft, ym mis Mai 2018 cyflwynodd Janet Finch–Saunders AC [gwestiwn ysgrifenedig ar ddyfodol y cynllun trenau rhatach](#) ac ymatebodd Ysgrifennydd y Cabinet dros yr Economi a Thrafnidiaeth ar y pryd:

The concessionary rail fares scheme will continue on the same routes for the same periods until the end of the current franchise in October. The specification for the future rail services contract from October 2018 includes the provision of the current scheme, as a minimum.

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





Ein cyf/Our ref KS/06660/19

Janet Finch-Saunders AC  
Cadeirydd y Pwyllgor Deisebau

[SeneddPetitions@cynulliad.cymru](mailto:SeneddPetitions@cynulliad.cymru)

02 Mehefin 2019

Annwyl Janet,

Diolch am eich llythyr dyddiedig 3 Mai ar ran Joe Powell ynglŷn â Deiseb P-05-885 Trafnidiaeth Gyhoeddus Hygyrch a Chynhwysol ar gyfer Dinasyddion ag Anableddau Dysgu yng Nghymru.

Mae'r rhan fwyaf o'r gwasanaethau bysiau ledled Cymru yn cael eu darparu mewn ymateb i ddadansoddiad y cwmnïau o'r galw, y gost a phroffidioldeb. Ni all Llywodraeth Cymru nac awdurdod lleol ei gwneud yn ofynnol i gwmni bysiau redeg gwasanaeth penodol heb gymhorthdal nac ymgynghori â theithwyr.

O dan y fframwaith deddfwriaethol presennol, mae awdurdodau lleol yn gallu ymrwmo i gontractau i dalu cymorthdaliadau i gefnogi gwasanaethau bysiau lleol, os nad oes gwasanaethau bysiau ar gael, neu os nad yw'r gwasanaethau sydd ar gael yn cael eu darparu i'r safon ofynnol heb gyllid cyhoeddus. Mae pob awdurdod lleol yn gyfrifol am benderfynu pa wasanaethau bysiau neu drafnidiaeth gymunedol y dylai roi cymhorthdal iddynt, ar sail ei asesiad o amgylchiadau a blaenoriaethau lleol. Mae awdurdodau lleol yn defnyddio pa gyllidebau bynnag maent wedi'u neilltuo at y diben hwnnw, wedi'u hategu gan gyllid grant Llywodraeth Cymru.

Mae'n bwysig nodi mai bwriad y cyllid rydym yn ei ddarparu yw ategu'r arian mae awdurdodau lleol yn ei wario ar gefnogi gwasanaethau bysiau a thrafnidiaeth gymunedol o'u cyllidebau eu hunain – nid yw yn lle'r arian hwn. Mae ein dogfen ganllaw ar y mater hwn yn nodi, wrth iddynt ddatblygu eu cynigion ar gyfer defnyddio eu cyllid, y dylai awdurdodau lleol barhau i gynnwys ac ymgynghori â rhanddeiliaid fel man cychwyn. Mae hyn yn cynnwys sefydliadau sy'n cynrychioli pobl sydd â nodweddion gwarchoddedig.

Yn ddiweddar rydym wedi ymgynghori ar ein Papur Gwyn Gwella Trafnidiaeth Gyhoeddus. Roedd y Papur Gwyn yn amlinellu'r cynigion ar gyfer diwygio'r gwaith o gynllunio a darparu gwasanaethau bysiau lleol ledled Cymru. Mae'r cynigion yn cynnwys deddfwriaeth alluogi a fyddai'n rhoi'r pwerau i awdurdodau lleol i'w galluogi i ddylanwadu ar y gwasanaethau bysiau sy'n cael eu darparu yn eu hardal. Roedd y Papur Gwyn hefyd yn cynnwys cynigion ar gyfer gwella gwybodaeth am wasanaethau bysiau, a fyddai'n arwain at y cyhoedd yn cael mynediad at wybodaeth fwy cyson a dibynadwy am wasanaethau bysiau.

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

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

[Gohebiaeth.Ken.Skates@llyw.cymru](mailto:Gohebiaeth.Ken.Skates@llyw.cymru)  
[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.

Drwy gydol y cyfnod ymgynghori rydym wedi bod yn trafod â grwpiau cynrychiadol, gan gynnwys Anabledd Cymru. Rydym hefyd wedi bod yn trafod â gweithredwyr bysiau a chynrychiolwyr y diwydiant fel rhan o ddiwyddiadau ymgysylltu ein hymgyngoriad, a gynhaliwyd ym mis Chwefror a mis Mawrth 2019 ledled Cymru.

Mae'r cyfnod ymgynghori ffurfiol ar gyfer y Papur Gwyn wedi dod i ben. Ar hyn o bryd rydym yn adolygu'r ymatebion i'r ymgynghoriad a byddwn yn cyhoeddi adroddiad maes o law. Byddwn yn ystyried yr holl sylwadau a'r ymatebion i'r ymgynghoriad, a bydd yr adborth hwn yn helpu i lywio ein camau nesaf ar gyfer polisïau ar wasanaethau bysiau lleol yng Nghymru.

Gallaf hefyd gadarnhau y caiff teithwyr a chanddynt Gerdyn Teithio Rhatach gan awdurdod lleol yng Nghymru deithio yn rhad ac am ddim ar rai o wasanaethau Trafnidiaeth Cymru. Mae'r cynllun yn cynnwys y teithiau canlynol:

Wrecsam – Pont Penarlâg (Rheilffordd y Gororau)

Machynlleth – Pwllheli (Rheilffordd Arfordir y Cambrian) – mis Hydref i fis Mawrth yn unig

Llandudno – Blaenau Ffestiniog (Rheilffordd Dyffryn Conwy)

Amwythig – Llanelli/Abertawe (Rheilffordd Calon Cymru) – mis Hydref i fis Mawrth yn unig

Mae'n ofynnol i gwsmeriaid gael tocyn teithio am ddim gan y swyddfa docynnau cyn teithio. Os nad oes swyddfa docynnau neu os yw ar gau gellir cael y tocyn hwn gan y swyddog tocynnau ar y trê. Gall unrhyw gwsmer â Cherdyn Teithio Rhatach hefyd gael gostyngiad o un rhan o dair oddi ar docynnau i deithio ar Rwydwaith Caerdydd a'r Cymoedd ar ôl 9.30am ddydd Llun i ddydd Gwener ac ar unrhyw adeg ar y penwythnos ac ar wyliau banc.

Mae'r teithiau hyn yn cael eu nodi mewn nifer o ffyrdd, gan gynnwys argymhellion gan unigolion, yn ogystal ag awdurdodau lleol, gweithredwyr bysiau, Bus Users Cymru ac eraill. Mae'r argymhellion hyn yn cael eu hadolygu gan Fwrdd Rheoli Strategol TrawsCymru, sydd wedyn yn rhoi cyngor imi ar opsiynau ar gyfer estyn y rhwydwaith, os gellir fforddio gwneud hynny. Bydd adolygiad yn cael ei gynnal cyn bo hir.

Mae rhagor o wybodaeth ar gael ar wefan Trafnidiaeth Cymru:

<https://trctrenau.cymru/cy/tocynnau-teithio-rhatach>

Mae'n bosibl hefyd yr hoffech chi wybod ein bod yn drafftio strategaeth ar hyn o bryd i fynd i'r afael ag unigrwydd ac ynysiad yng Nghymru. Rydym yn gwybod bod trafndiaeth yn hanfodol i'n cysylltiadau cymdeithasol ni ac i alluogi pobl i gadw mewn cyswllt â'u cymunedau. Byddwn ni'n ystyried sut gallwn ni ddarparu mynediad at drafndiaeth fwy cynhwysol a fforddiadwy wrth i'r gwaith hwn fynd rhagddo.

Yn gywir,



**Ken Skates AC/AM**

Gweinidog yr Economi a Thrafnidiaeth

Minister for Economy and Transport

## P-05-885 Accessible and Inclusive Public Transport for Citizens with Learning Disabilities in Wales, Correspondence – Petitioner to Chair, 04.07.19



**All Wales People First**

61 Caerleon Road

Newport

Gwent

NP19 7BW

Telephone: 07971 236426

E-mail: [joe@allwalespeople1st.co.uk](mailto:joe@allwalespeople1st.co.uk)

Website: [www.allwalespeople1st.co.uk](http://www.allwalespeople1st.co.uk)

Thursday 4<sup>th</sup> July 2019

Dear Janet,

Thank you most sincerely for presenting our petition to Ken Skates AM, Minister for Transport. In this letter I would like to outline my response to Ken's letter, for the discussion on Tuesday 9<sup>th</sup> July.

I think firstly, I would like to address the issue regarding the fact that Welsh Government and Local Authorities can't expect a bus operator to run a service or in consultations with passengers. We appreciate that no bus operator can operate any service without subsidy and would not expect them to do so, however we would hope that local authorities ensure that they work with operators to ensure the services are provided and funded in order that they are both accessible for people with learning disabilities. This can't happen without people with learning disabilities being involved in the process.

It is positive that Disability Wales have been involved in the consultations, but they do not represent people with learning disabilities in Wales. The people they represent have very different accessibility needs to people with learning disabilities, whose impairment means they would be excluded to drive by the DVLA due to intellectual impairment, and therefore depend heavily on public transport to live their lives. It is important that a more informative joined up approach with Bus/ Transport providers and local authorities in the planning of services and consultations, which are essential. They need to be timely, accessible and give enough time for all to be involved (especially those who are vulnerable).

Our members, especially in the North, Powys and Rural areas of Wales are reporting that cuts to services are having an impact on their ability to access services, employment and community activities. If this is allowed to happen then this will already have a negative impact on the aspirations of the SSWB Wales Act in empowering people with learning disabilities to meet their own well being outcomes and having access to the services they need to be at the centre of designing their own services. This will also have a negative

consequence on the Improving Lives Strategy, which is aiming to reduce a deficit in services needed for people with learning disabilities to be empowered under the SSWB (Wales) Act. We may create services that people with learning disabilities need but aren't able to access.

I welcome the fact that the Concessionary Pass is already available to people in some parts of Rural Wales for rail services and thank the Minister for that. I will of course ensure that our members are all informed of this.

I also welcome the Ministers comments about the importance of transport as being important for social connections and that affordable and better transport will be part of the consideration in the Isolation and Loneliness strategy. All Wales People First, responded to this strategy and we would urge further engagement with people with learning disabilities in the design on this work. I am sure that the All Wales People First National Council (a member led forum made up of 22 representatives of people with learning disabilities across all local authority areas in Wales (who manage the organisation) would be only too happy to work with colleagues to give their feedback on or any other related issue.

All Wales People First is also happy to offer a free stall on day two of our National Festival 'AdFest 2019' which aims to provide a wide opportunity for people with learning disabilities to consult with the third, private, public sectors as well as local authorities and Welsh Government to assist them in the design and evaluation of their services in line with guidance, recommendations and duties under the SSWB Wales Act, goals of the Future Generations Act, Healthier Wales Strategy, Prosperity for all and the Improving Lives programme. Our members would love to work with Welsh Government on anything that affects their life and their ability to access the community.

My over arching concern over this issue is the fact that whilst legislation is being designed to address issues and referenced as evidence of action taking place, the fact that many of the issues raised still ultimately are referred back as being the responsibility of local authorities, who may in turn claim they don't have the resources to implement these measures, much of the legislation may not be helpful in practice and therefore the circumstances will not change for people with learning disabilities. I would urge the Welsh Government to help us find a way that would enable a practical and meaningful resolution to resolve this issue.

I thank you most sincerely for your time on this matter.

Yours sincerely  
Joe Powell  
**(Chief Executive)**

### **P-05-887 Atal Aelodau Cynulliad rhanbarthol a etholwyd i gynrychioli pleidiau penodol rhag newid pleidiau**

Cyflwynwyd y ddeiseb hon gan Ifan Morgan Jones, ar ôl casglu cyfanswm o 1,301 lofnodion.

#### **Geiriad y ddeiseb:**

Erbyn hyn mae gan Gynulliad Cymru bŵer cyfreithiol dros ei system etholiadol ei hun. Rydym yn galw ar Gynulliad Cenedlaethol Cymru i atal Aelodau ar y rhestr ranbarthol rhag newid pleidiau gwleidyddol. Wrth bleidleisio ar y rhestr ranbarthol, mae pleidleiswyr yn dewis pleidiau gwleidyddol yn hytrach nag unigolion. O dan y rheolau presennol, fodd bynnag, gall Aelodau a etholwyd ar y rhestr ranbarthol newid pleidiau'n wirfoddol.

Yn ystod tymhorau blaenorol y Cynulliad, ni fu hynny'n fawr o bwys, ond yn ystod y tair blynedd diwethaf, mae llawer o Aelodau'r Cynulliad wedi dirmygu'r sefydliad trwy ddatgan eu bod yn annibynnol neu newid pleidiau. Mae un Aelod Cynulliad bellach wedi cynrychioli tair plaid wleidyddol wahanol yn ystod oes y Cynulliad, a datganodd un arall ei bod yn Aelod annibynnol o fewn diwrnodau iddi gael ei sefydlu fel Aelod Cynulliad. Nid oes mandad democrataidd ar gyfer hyn. Mae'n golygu nad oes gan draean o'r Senedd fawr o atebolrwydd i'r etholwyr, na wnaeth bleidleisio drostynt ond a bleidleisiodd dros y blaid yr oeddent yn ei chynrychioli'n wreiddiol. Dylid newid y rheolau fel bod Aelod Cynulliad ar y rhestr, sy'n penderfynu'n wirfoddol i newid ei ymlyniad gwleidyddol, yn gadael ei sedd fel Aelod Cynulliad a bod yr ymgeisydd nesaf dros y blaid wleidyddol honno ar y rhestr ranbarthol yn cymryd ei le. Er mwyn atal camddefnyddio'r system, dylai unrhyw ymgeisydd sy'n cael ei ddiarddel yn anwirfoddol o'i grŵp allu aros yn Aelod Cynulliad annibynnol ond ni ddylid caniatáu iddo ymuno â phlaid arall.

Yn anffodus, mae'r ddeiseb hon yn nodi y gall y newid hwn gadarnhau ymhellach y canfyddiad bod Aelodau Cynulliad rhanbarthol yn 'ddinasyddion eilradd' yn y Cynulliad. Fodd bynnag, teimlwn fod y broblem hon yn gynhenid i'r system aelod ychwanegol dwy haen ac, yn yr achos hwn, y lleiaf

o ddau ddrwg o'i gymharu â'r ffordd y mae'r rheolau presennol yn caniatáu i'r broses etholiadol gael ei thanseilio.

Mae'r ddeiseb hon yn awgrymu y dylid diwygio Bil Senedd ac Etholiadau (Cymru) i gynnwys y newidiadau y cyfeirir atynt uchod.

**Gwybodaeth ychwanegol:**

**Etholaeth a Rhanbarth y Cynulliad**

- Ceredigion
- Canolbarth a Gorllewin Cymru

Yn rhinwedd paragraff(au) vi o Reol Sefydlog 17.42

Mae cyfyngiadau ar y ddogfen hon



**Elin Jones AC, Llywydd**

Cynulliad Cenedlaethol Cymru

**Elin Jones AM, Presiding Officer**

National Assembly for Wales

Janet Finch-Saunders AC  
Cadeirydd  
Y Pwyllgor Deisebau  
Cynulliad Cenedlaethol Cymru  
Bae Caerdydd  
CF99 1NA

Eich cyf:  
Ein cyf: PO667/EJ/HG

13 Mehefin 2019

Annwyl Janet

**Deiseb P-05-887 Atal Aelodau Cynulliad rhanbarthol a etholwyd i gynrychioli pleidiau penodol rhag newid pleidiau**

Diolch am eich llythyr dyddiedig 17 Mai yn ymwneud â deiseb P-05-887. Rwy'n ymateb i'ch llythyr fel yr Aelod sy'n Gyfrifol am y Bil Senedd ac Etholiadau (Cymru), ac ar ran Comisiwn y Cynulliad.

Mae'r ddeiseb yn cynnig mynd i'r afael â'r mater dan sylw drwy ddiwygio'r Bil Senedd ac Etholiadau (Cymru). Ystyriais eich llythyr a deiseb P-05-887 â'm cyd-Gomisiynwyr yn ystod ein cyfarfod ar 10 Mehefin. Fodd bynnag, nid oes gan y Comisiwn safbwynt ar y materion a nodwyd yn y ddeiseb. Nid yw'r Comisiwn wedi cael ei orchymyn gan Aelodau'r Cynulliad i ddeddfu ar y materion hyn, ac nid yw ychwaith wedi ymgynghori â'r cyhoedd. O ganlyniad, nid oes gan y Comisiwn unrhyw gynlluniau i ddiwygio'r Bil Senedd ac Etholiadau (Cymru) mewn perthynas â'r mater a amlinellwyd yn neiseb P-05-887.

Yn gywir

Elin Jones AC  
Llywydd

Croesewir gohebiaeth yn Gymraeg neu Saesneg / We welcome correspondence in Welsh or English

**Cynulliad Cenedlaethol Cymru**

Bae Caerdydd, Caerdydd, CF99 1NA

Llywydd@cynulliad.cymru

www.cynulliad.cymru

0300 200 7403

**National Assembly for Wales**

Cardiff Bay, Cardiff, CF99 1NA

Llywydd@assembly.wales

www.assembly.wales

0300 200 7403

**Tudalen y pecyn 89**



## Eitem 2.4

**P-05-889 Labelu cig o anifeiliaid sydd wedi'u lladd mewn modd crefyddol**

Cyflwynwyd y ddeiseb hon gan Leslie Freke, ar ôl casglu cyfanswm o xxx lofnodion.

**Geiriad y ddeiseb:**

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i ddeddfu bod unrhyw gig a chynhyrchion cig sy'n dod o anifeiliaid sydd wedi'u lladd mewn modd crefyddol yn labelu hyn yn glir.

**Gwybodaeth ychwanegol:**

**Etholaeth a Rhanbarth y Cynulliad**

- Llanelli
- Canolbarth a Gorllewin Cymru

## P-05-889 Labelu cig o anifeiliaid sydd wedi'u lladd mewn modd crefyddol

Y Pwyllgor Deisebau | 9 Gorffennaf 2019  
Petitions Committee | 9 July 2019

### Briff Ymchwil:

Rhif y ddeiseb: P-05-889

Teitl y ddeiseb: Labelu cig o anifeiliaid sydd wedi'u lladd mewn modd crefyddol

Geiriad y ddeiseb:

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i ddeddfu bod unrhyw gig a chynhyrchion cig sy'n dod o anifeiliaid sydd wedi'u lladd mewn modd crefyddol yn cael eu labelu'n glir.

### Cefndir

Ar hyn o bryd, nid oes unrhyw ofynion penodol o ran labelu cig o anifeiliaid sydd wedi'u lladd mewn modd crefyddol. Mae cynigion i'r perwyl hwn eisoes wedi ymddangos mewn deddfwriaeth Ewropeaidd ddrafft, ond nid ydynt erioed wedi cael eu cynnwys yn y deddfwriaeth derfynol.

Mae gan y ffydd Fwslimaidd a'r ffydd Iddewig ofynion penodol ar gyfer lladd anifeiliaid sy'n dderbyniol o ran eu crefydd.

O dan y dull Iddewig o ladd anifeiliaid, sef Shechita, nid yw'r anifeiliaid yn cael eu stynio cyn cael eu lladd. O dan reolau bwyd Islamaidd, ar gyfer cig Halal, gall anifeiliaid gael eu stynio cyn cael eu lladd os nad yw'r anifeiliaid hynny'n marw o ganlyniad i'r weithred honno. Fodd bynnag, nid oes consensws pendant ar y mater hwn, ac mae rhai anifeiliaid yn cael eu lladd heb gael eu stynio.

Mae [arolwg diweddaraf yr Asiantaeth Safonau Bwyd o ddulliau lladd \(2018\)](#) (PDF 168MB) yn dangos bod 71 y cant o'r defaid a leddir yng Nghymru a Lloegr yn cael eu lladd yn unol â rheolau Halal, gyda 46 y cant yn cael eu stynio a 25 y cant heb gael eu stynio cyn iddynt gael

eu lladd. Ar adeg ysgrifennu'r papur briffio hwn, nid oedd dim lladd-dai yng Nghymru yn lladd anifeiliaid heb eu stynio.

Os nad yw'r anifeiliaid yn cael eu stynio cyn eu lladd, ni ellir defnyddio'r labeli Cig Oen Cymru PGI na Chig Eidion Cymru PGI (dynodiad daearyddol gwarchoddedig). Mae hyn o ganlyniad i benderfyniad polisi gan Hybu Cig Cymru, y corff sy'n gyfrifol am frandiau Cig Oen Cymru PGI a Chig Eidion Cymru PGI.

Mae diogelwch bwyd, gan gynnwys labelu, yn fater sy'n cael ei reoleiddio yn bennaf ar lefel yr UE. Tra bod y DU yn un o Aelod-wladwriaethau'r UE, rhaid i'r gweinyddiaethau datganoledig a Senedd y DU llynu wrth ddeddfwriaeth diogelwch bwyd yr UE. Mae hyn yn cynnwys gweithredu cyfraith yr UE ynghylch labelu bwyd.

Yn fras, gall y Cynulliad a Gweinidogion Cymru wneud cyfreithiau newydd dim ond mewn achosion lle maent yn meddu ar y cymhwysedd i wneud hynny ac y mae lle o fewn cyfraith yr UE i wneud hynny, neu mewn meysydd o'r gyfraith nad ydynt wedi cael eu cwmpasu gan ddeddfwriaeth gyffredinol yr UE. Ni all unrhyw gynigion fynd yn groes i gyfraith bresennol yr UE. Mae hyn yn golygu nad oes fawr o gyfle i Weinidogion Cymru, nac yn wir i Lywodraeth y DU, wneud unrhyw ddeddfwriaeth sy'n ymdrin â labelu bwyd.

Yn dilyn Brexit, ni fydd y DU bellach yn ddarostyngedig i ddeddfwriaeth yr UE, a bydd deddfwrfeydd y DU yn gallu gwneud newidiadau o fewn eu cymhwysedd os ydynt yn dymuno gwneud hynny. Fodd bynnag, ynghyd â meysydd eraill sy'n ymwneud â diogelwch a safonau bwyd, mae Llywodraeth y DU [wedi penderfynu bod](#) labelu bwyd, o bosibl, yn un o 21 o feysydd lle bydd angen deddfwriaeth ledled y DU ar ôl Brexit – sef y drefn Fframweithiau Cyffredin. Yn dilyn y [cytundeb rhynglywodraethol](#) rhwng Llywodraeth Cymru a Llywodraeth DU ym mis Ebrill 2018, a deddfiad *Deddf yr Undeb Ewropeaidd (Ymadael) 2018*, mae gan Lywodraeth y DU y pŵer o dan adran 12 o'r Ddeddf honno i wneud rheoliadau at ddibenion 'rhewi' cymhwysedd y Cynulliad dros dro mewn perthynas â chyfraith yr UE a ddargedwir.

Petai hyn yn digwydd, ni fyddai'r gweinyddiaethau datganoledig yn gallu deddfu am gyfnod, ac ni fyddai Llywodraeth y DU yn gallu deddfu ar gyfer Lloegr tra bod y rheoliadau ar waith. Ni fydd Llywodraeth y DU yn gwneud y rheoliadau hyn 'fel arfer' heb gydsyniad y gweinyddiaethau datganoledig. Bydd y pŵer i wneud rheoliadau o dan adran 12 yn dod i ben dwy flynedd ar ôl y diwrnod y mae'r DU yn ymadael â'r UE, a bydd y rheoliadau dan sylw yn gallu para am hyd at bum mlynedd. Mewn achos o 'rewi' cymhwysedd, byddai cyfnod o oedi cyn y gallai'r Cynulliad deddfu yn y maes dan sylw, ynghyd â deddfwrfeydd eraill y DU. Gallai'r cyfnod hwn bara am hyd at saith mlynedd yn dilyn Brexit.

Daeth [Rheoliad Gwybodaeth am Fwyd yr UE \(1169/2011\)](#) i rym yn Aelod-wladwriaethau'r UE ym mis Rhagfyr 2014. Ni chafodd darpariaeth benodol i gyflwyno mesurau adnabod ar gyfer labeli bwyd er mwyn dangos a gafodd anifail ei stynio cyn cael ei ladd ei gynnwys yn ystod y

cyfnod o ddatblygu'r Rheoliad. Fodd bynnag, tarwyd cytundeb cyfaddawd i ystyried y mater ymhellach.

O ganlyniad, cyhoeddodd y Comisiwn Ewropeaidd [adroddiad ar ei 'astudiaeth o wybodaeth i ddefnyddwyr ar stynio anifeiliaid'](#) yn 2015. Roedd nifer o gasgliadau wedi'u nodi yn yr adroddiad, gan gynnwys y casgliadau a ganlyn:

- Ychydig o ddealltwriaeth fanwl gywir sydd gan ddefnyddwyr o ran y broses o ladd anifeiliaid; a
- Nid yw gwybodaeth am stynio anifeiliaid cyn eu lladd yn fater pwysig i'r rhan fwyaf o ddefnyddwyr oni bai y tynnir eu sylw at y mater. Yn gyffredinol, mae lefel y diddordeb yn uwch ymhlith y gwledydd a oedd yn Aelod-wladwriaethau'r UE cyn 2004 (sy'n cynnwys y DU) o gymharu â'r gwledydd a ymunodd â'r UE yn 2004.

Roedd methodoleg yr astudiaeth yn cynnwys adolygiad o lenyddiaeth, cyfweiliadau â rhanddeiliaid a grwpiau ffocws, astudiaethau achos mewn Aelod-wladwriaethau (gan gynnwys un yn y DU) a chyfweiliadau ffôn gyda 13,500 o brynwyr cig, sef 500 ym mhob Aelod-wladwriaeth.

## Camau gweithredu Llywodraeth Cymru

Ysgrifennodd Lesley Griffiths, Gweinidog yr Amgylchedd, Ynni a Materion Gwledig, at y Pwyllgor ar 23 Mai 2019, gan gyfeirio at y ddeiseb hon. Meddai:

... After the UK leaves the European Union it may be necessary to consult on the reform of the information that is presented on food labels, and information relating to the method of slaughter might be included in such a consultation. Until the final terms of the UK withdrawal have been agreed it is not possible to give you a timetable when any consultation might be published.

Producers are able to display the logos of different certification scheme on their products, however this is not mandatory. ...

## Camau gweithredu Cynulliad Cenedlaethol Cymru

Ar 9 Mai 2018, gwnaeth Neil Hamilton AC, [ofyn i'r Gweinidog](#) a fyddai'n:

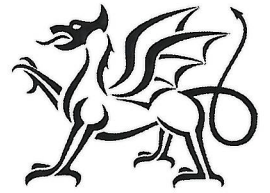
...ystyried gwella ymwybyddiaeth gyhoeddus o'r cig y mae aelodau o'r cyhoedd yn ei fwyta drwy wella'r broses o labelu cynhyrchion yn gywir, gan nodi gwlad tarddiad, amgylchiadau magu, ac yn anad dim, dulliau lladd, oherwydd er bod yn rhaid inni barchu gwahanol safbwyntiau crefyddol ar ladd yn unol â defodau crefyddol, nid oes gan y cyhoedd unrhyw syniad, yn aml, eu bod yn bwyta cig halal, er enghraifft, ac efallai na fyddent yn dymuno gwneud hynny pe bai ganddynt ddewis.

Atebodd y Gweinidog:

Credaf fod labelu bwyd yn dod yn fwyfwy pwysig gan y credaf fod gan bobl lawer mwy o ddiddordeb yn y pynciau y cyfeirioch chi atynt, ac unwaith eto, mae'n sgwrs ac yn drafodaeth a gawn nid yn unig ar lefel swyddogol, ond hefyd ar lefel weinidogol yn ein cyfarfodydd pedairochrog [cyfarfodydd gyda Gweinidogion o Lywodraethau eraill y DU], ac unwaith eto, ceir cyfle arall gyda Brexit i sicrhau ein bod yn gwneud pethau'n iawn. ...

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



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref P-05-889  
Ein cyf/Our ref LG/06067/19

Janet Finch-Saunders AM  
Chair - Petitions committee

[SeneddPetitions@assembly.wales](mailto:SeneddPetitions@assembly.wales)

23 May 2019

Dear Janet

Thank you for your letter of 22 May regarding the labelling of produce using religious slaughter methods. Wales has a proud tradition of being diverse and open to all beliefs and cultures. I wish to reassure you that it is not the intention of the Welsh Government to cause difficulty to any group in not being able to exercise their beliefs.

The information on food labels has to comply with strict regulations that are designed to protect the consumer from harm and potential fraud. These regulations are currently based on European law. After the UK leaves the European Union it may be necessary to consult on the reform of the information that is presented on food labels, and information relating to the method of slaughter might be included in such a consultation. Until the final terms of the UK withdrawal have been agreed, it is not possible to give you a timetable when any consultation might be published.

Producers are able to display the logos of different certification schemes on their products, however this is not mandatory. Mis-selling of goods, for example due to incorrect consumer information, would breach consumer protection legislation, and any instances should be reported to Trading Standards for investigation.

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

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

[Gohebiaeth.Lesley.Griffiths@llyw.cymru](mailto:Gohebiaeth.Lesley.Griffiths@llyw.cymru)  
[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.

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 95

I recognise the strength of feeling about this issue and what that could mean for labelling or not labelling products. There are arguments in favour and against. In any future consultation on labelling laws, it will be fundamental that any potential changes allow consumers to make informed choices.

Regards  
Lesley

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

**P-05-889 Labelling of Religiously Slaughtered Meat, Correspondence – Petitioner to Committee, 01.07.19**

We call on the National Assembly for Wales to urge the Welsh Government to legislate that all meat and meat based products that come from religiously slaughtered animals is clearly labelled.

It is not the intention of this petition to cause any difficulty to any group in not being able to exercise their beliefs.

It is however intended to highlight the issue of meat products from religiously slaughtered animals are entering the general market place and as such should be clearly labelled to enable all consumers to make an informed choice based on welfare, ethics or personal belief when purchasing such products.

The UK has been at the forefront of animal welfare legislation for more than 100 years.

The first Protection of Animals Act was passed in 1911 and covered domestic or captive animals, including farm animals, since then there have been many iterations of the Act in British Law.

However, one of the clauses in the Act which has always been retained is the one which makes it an offence to cause any unnecessary suffering to an animal that is being destroyed to provide food for mankind.

Our laws require that all these animals must be reared, transported and slaughtered humanely, with strict legal methods mandated for the slaughter of animals for food, devised to ensure a swift and painless death and requiring the animal to be stunned and unconscious before being despatched.

The only method of slaughter that achieves this is captive bolt slaughter, which renders the animal "brain" dead and unable to feel pain.

Religiously slaughtered meat is carried out by two methods. One, the animal, unstunned, has its throat cut and bled out until death occurs. The second is a half-way house method, recoverable stun, whereby the animal is stunned, whilst the heart still beats it is bled, then the throat is cut.

The problem is that the stun is recoverable and whilst sheep can take up to 70 seconds and cattle 2 minutes to bleed out, recovery from the stun can start at 30-60 seconds and 45-90 seconds respectively.

If at any time the slaughter does not comply with the religious practices of the group and becomes rejected as "unfit for religious consumption" then that meat cannot be used by that group, however it is still suitable to be sold on to enter the market for the consumption by the general public without their knowledge of its final demise and production.

It is the reason why the petition calls for labelling.



Labels drive demand, and add value. They're the only real tools that consumers have to communicate our preference for higher-welfare products to producers.

Labels empower citizens to drive standards more effectively and to reward farmers who invest in better farm animal welfare. Definitive labelling is required in order to exercise our right of choice.

When buying meat, everyone should look in their supermarket for labels showing welfare certifications.

In the UK the welfare certifications are:

Red Tractor, RSPCA Freedom Food, RSPCA Assured Logo, Soil Association Scheme, Humane Slaughter Association not to mention other labels such as organic, free range, barn reared, vegetarian, vegan and allergy warnings, as well as health and dietary labelling. We also have 'Method of production' labelling.

In the UK, mandatory 'method of production' labelling has been in place for shell eggs since 2004, and the UK pig industry adopted voluntary 'method of production' labels in 2010. So, there is no problem in labelling pork products to show the welfare standards followed in their production and slaughter.

Therefore there is surely no reason why all meat sold in this country should not be clearly labelled to show if it is religiously slaughtered.

As a side to this, DEFRA's official guidelines ([www.gov.uk/guidance/halal-and-kosher-slaughter](http://www.gov.uk/guidance/halal-and-kosher-slaughter)) published in October 2015 state categorically the legal requirement that all meat ritually slaughtered MUST be sold only to Muslim or Jewish buyers. This is also clearly shown on all Licences of Exemption from Regulations of Normal Livestock Slaughter (which must be obtained for all meat that is ritually slaughtered) which state 'it is an offence to Slaughter livestock under this exemption from stunning if the meat is not intended for the food of Jews and Muslims'.

Virtually all UK supermarkets (including Waitrose, M&S, Tesco, Morrison's, Sainsbury's and Asda) sell religiously slaughtered meat without labelling because it is easier and less costly for them to do this than to differentiate it and ask customers to prove they are Muslims or Jews – but it is nevertheless unlawful.

It is also being sold into hospitals and schools that maybe cohabited by many groups with many beliefs for whom the consumption of religiously slaughtered meat is unacceptable.

For example, Defra report: Results of a survey carried out at all slaughterhouses operating in England and Wales for a single week period 29 January 2018 to 4 February 2018.

Sheep slaughtered - 244,355 by method :

Standard stun 28.7%, Halal Stun 46.2%, Halal NonStun 24.9%, Shechita 0.1% :

Total Religious slaughter 71.3%.

Of which 54% of sheep slaughtered went to wholesalers, markets, and supermarkets, of which contained 68% of the Halal NonStun meat and 27 % of Shechita meat was rejected as kosher but fit for consumption. (The Hindquarters of animals are not regarded as kosher so also end up sold on to markets etc)

The Muslim and Jewish community, the main identifiers of religious slaughter represent roughly 6.8% of the population in the UK, which the above shows over production of religiously slaughtered meat compared to its market size.

It is the reason why the petition calls for labelling.

# Eitem 2.5

## P-05-890 Trethu Ail Gartrefi

Cyflwynwyd y ddeiseb hon gan Alun Roberts, ar ôl casglu cyfanswm o xxx lofnodion.

### Geiriad y ddeiseb:

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i gymryd camau uniongyrchol i gau bwlch yn y gyfraith sy'n caniatáu i berchnogion ail gartrefi yng Nghymru osgoi talu'r dreth gyngor ac ardrethi busnes, ar adeg pan orfodir cynghorau lleol i gynyddu'r dreth gyngor i drethdalwyr lleol i wneud iawn am y diffyg yn eu cyllidebau.

Mae 800 o berchnogion ail gartrefi yng Ngwynedd bellach yn ymelwa o fwllch yn y gyfraith i osgoi talu unrhyw dreth gyngor o gwbl drwy gofrestru eu heiddo fel busnesau bach. Maent hefyd yn cael eu heithrio rhag talu ardrethi busnes oherwydd anghysondeb yn y system sy'n eu categoreiddio fel 'busnesau bach' er eu bod yn cael eu defnyddio fel ail gartrefi am y rhan fwyaf o'r flwyddyn. Yn ystod y flwyddyn ariannol hon, mae hyn yn cyfateb i golled o £1.5 miliwn o bwrs y wlad yng Ngwynedd yn unig; arian y gellid ei ddefnyddio i ddarparu tai cymdeithasol i bobl leol.

### Gwybodaeth ychwanegol:

#### Etholaeth a Rhanbarth y Cynulliad

- Arfon
- Gogledd Cymru

## Papur briffio ynghylch deiseb: Trethu Ail Gartrefi

Y Pwyllgor Deisebau | 9 Gorffennaf 2019  
Petitions Committee | 9 July 2019

Rhif y ddeiseb: P-05-890

Teitl y ddeiseb: Trethu Ail Gartrefi

**Testun y ddeiseb:** Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i gymryd camau uniongyrchol i gau bwlch yn y gyfraith sy'n caniatáu i berchnogion ail gartrefi yng Nghymru osgoi talu'r dreth gyngor ac ardrethi busnes, ar adeg pan orfodir cynghorau lleol i gynyddu'r dreth gyngor i drethdalwyr lleol i wneud iawn am y diffyg yn eu cyllidebau.

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### Y cefndir

Defnyddir y term 'ail gartref' yn gyffredin i gyfeirio at annedd nad yw'n brif gartref i'w berchennog. Gellid defnyddio ail gartref fel cartref gwyliau gan berchennog yr annedd a / neu gellid ei osod i westeion sy'n talu, fel llety gwyliau hunanarlwyo. Gallai hefyd fod yn ail gartref at ddibenion gwaith. Er enghraifft, lle mae lleoliad cyflogaeth unigolyn y tu hwnt i bellter cymudo o'i brif gartref.

### Y dreth gyngor

Mae Adran 12B o *Ddeddf Cyllid Llywodraeth Leol 1992* (Deddf 1992) yn cyfeirio at ail gartrefi fel anheddau sy'n cael eu defnyddio o bryd i'w gilydd. Mae dau amod y mae'n rhaid eu bodloni

i annedd gyd-fynd â'r diffiniad hwnnw: ni ddylai fod dim preswlydd yn yr annedd a rhaid dodrefnu'r annedd yn sylweddol.

Byddai'r diffiniad a ddefnyddir at ddibenion y dreth gyngor, yn ychwanegol at yr enghreifftiau a nodwyd uchod, yn cynnwys eiddo wedi'i ddodrefnu sy'n cael ei farchnata i'w werthu neu i'w osod, cartrefi tymhorol wedi'u hadeiladu'n bwrpasol a chartrefi gwag y mae'n ofynnol i'w perchnogion fyw mewn man arall oherwydd eu cyflogaeth. At ddibenion y dreth gyngor, *preswlydd* yw unigolyn sydd wedi cyrraedd 18 mlwydd oed ac sydd â'i unig neu ei brif breswylfa yn yr annedd (Adran 6(5) o Ddeddf 1992).

Roedd *Deddf Tai (Cymru) 2014* yn mewnosod adran 12B yn Neddf 1992 i ganiatáu i awdurdodau lleol yng Nghymru godi cyfraddau uwch o dreth gyngor mewn perthynas ag *anheddau a feddiannir o bryd i'w gilydd*, a elwir yn ail gartrefi yn fwy cyffredin.

Mae Adran 12B o Ddeddf 1992 yn rhoi disgrisiwn i awdurdodau lleol gynyddu'r dreth gyngor sy'n daladwy ar *anheddau a feddiannir o bryd i'w gilydd* yn eu hardaloedd. Y cynnydd mwyaf yw 100% yn ychwanegol o dâl y dreth gyngor safonol, h.y. premiwm y dreth gyngor o 100%. Y tro cyntaf y bydd awdurdod lleol yn dewis codi premiwm o'r fath, rhaid iddo wneud ei benderfyniad o leiaf flwyddyn cyn dechrau'r flwyddyn ariannol y codir y premiwm ynddi.

Bydd penderfyniad gan awdurdod lleol i gymhwyso premiwm treth gyngor yn datgymhwyso'n awtomatig y disgownt sydd ar gael o dan adran 11(2)(a) o Ddeddf 1992 – mae'r disgownt hwnnw'n gymwys i anheddau lle nad oes preswlydd.

### **Ardrethi annomestig (a elwir hefyd yn ardrethi busnes)**

Mae Llywodraeth Cymru wedi cyhoeddi [Canllawiau i Drethdalwyr: Ardrethi Annomestig ar gyfer Eiddo Hunanddarpar yng Nghymru](#). Mae'r canllawiau hyn yn nodi'r meini prawf y mae'n rhaid eu bodloni ar gyfer llety hunanddarpar i fod yn atebol am ardrethi annomestig, yn hytrach na'r dreth gyngor. Mae'r canllawiau'n nodi:

... O 1 Ebrill 2010 ymlaen, mae eiddo yn annomestig, ac felly'n rhwymedig i dalu ardrethi annomestig, os yw Asiantaeth y Swyddfa Brisió yn fodlon:

- y bydd ar gael i'w osod yn fasnachol fel llety hunanarlwyo am gyfnodau byr sy'n dod i gyfanswm o 140 diwrnod neu fwy yn y 12 mis canlynol;
- bod diddordeb y trethdalwr yn yr eiddo yn galluogi iddo ei rentu am gyfnodau o'r fath;
- yn y 12 mis cyn yr asesiad bu ar gael i'w osod yn fasnachol fel llety hunanarlwyo am gyfnodau byr yn dod i gyfanswm o 140 diwrnod neu fwy; a
- bod y cyfnodau byr y'i gosodwyd mewn gwirionedd yn dod i gyfanswm o 70 diwrnod o leiaf yn ystod y cyfnod hwnnw.

Rhaid i drethdalwyr barhau i fodloni meini prawf yr ardrethi annomestig ar gyfer pob eiddo, am bob cyfnod o 12 mis. Fel arall, os na fydd yr eiddo'n syrthio i gategori arall o eiddo annomestig, mae'n debyg y bydd yr eiddo yn cael ei ystyried yn "ddomestig" ac yn gorfod cael asesiad o'i rwymedigaeth i dalu'r dreth gyngor.

Mae'r meini prawf y mae'n rhaid eu bodloni yn ofynion statudol ac fe'u nodir yn adran 66(2BB) o *Ddeddf Cyllid Llywodraeth Leol 1988* fel y'i diwygiwyd gan y *Gorchymyn Ardrethu Annomestig (Diffiniad o Eiddo Domestig) (Cymru) 2010*.

Roedd y *Gorchymyn Ardrethu Annomestig (Diffiniad o Eiddo Domestig) (Cymru) 2016* yn diwygio'r meini prawf uchod o 1 Ebrill 2016 fel bod:

... businesses consisting of several self-catering properties at the same location or within very close proximity to have the option to average the number of letting days of the properties to meet the 70-day criterion where they are let by the same or connected businesses.

Asiantaeth y Swyddfa Brisio (VOA) sy'n penderfynu a yw eiddo yn cael ei gategoreiddio fel eiddo annomestig yn unol â'r gofynion statudol. Mae Asiantaeth y Swyddfa Brisio yn asiantaeth weithredol a noddir gan Gyllid a Thollau EM. Gan nad yw wedi'i datganoli, mae'n annibynnol ar Lywodraeth Cymru.

Os yw eiddo wedi'i restru fel llety hunanarlwyo annomestig, ond nad yw'n bodloni'r meini prawf statudol, gallai'r perchennog wynebu galwad ôl-ddyddiedig am daliadau'r dreth gyngor.

Er y gall perchnogion ail gartrefi fod yn atebol am ardrethi annomestig, gallant hefyd fod yn gymwys i gael Rhyddhad Ardrethi Busnesau Bach (SBRR), ac felly nid oes ganddynt unrhyw atebolrwydd ar ôl cymhwyso'r Rhyddhad Ardrethi Busnesau Bach.

Mae canllawiau Llywodraeth Cymru, sef [Y Cynllun Rhyddhad Ardrethi Busnesau Bach parhaol i Gymru](#), yn rhoi rhagor o fanylion am y cynllun.

Mae'r gallu i osgoi talu naill ai'r dreth gyngor neu ardrethi annomestig wedi'i ddisgrifio fel 'bwllch' ond nid yw Llywodraeth Cymru, fel yr amlinellwyd mewn llythyr dyddiedig 5 Mehefin 2019 at Bwyllgor Deisebau'r Cynulliad, yn derbyn bod unrhyw fwllch.

## Camau Llywodraeth Cymru

Yn ei llythyr at Gadeirydd y Pwyllgor Deisebau, nodi Rebecca Evans AC, y Gweinidog Cyllid a'r Trefnydd, bod ei swyddogion ar hyn o bryd yn adolygu effaith y pwerau dewisol sydd gan awdurdodau lleol i gymhwyso premiymau'r dreth gyngor a'r defnydd ohonynt, a ph'un a yw'r ddeddfwriaeth newydd yn gweithredu fel y bwriadwyd. Mae hi hefyd yn nodi bod ei swyddogion, mewn partneriaeth â Chymdeithas Llywodraeth Leol Cymru, wedi sefydlu gweithgor sy'n cynnwys arbenigwyr o awdurdodau lleol i adolygu'r arfer o ddefnyddio premiymau a disgowntiau'r dreth gyngor.

Mae llythyr y Gweinidog yn datgan:

Nid oes bwllch yn y gyfraith. Mae Deddf Tai (Cymru) 2014 yn rhoi pwerau dewisol i awdurdodau lleol i gymhwyso premiymau o hyd at 100% i filiau'r dreth gyngor ar gyfer ail gartrefi ac eiddo gwag hirdymor. Cyflwynwyd y darpariaethau hyn i gynorthwyo awdurdodau lleol i reoli materion cyflenwad tai lleol. Ni chawsant eu cyflwyno fel mesur codi referniw.

Mewn perthynas â'r Rhyddhad Ardrethi i Fusnesau Bach, mae'r llythyr yn nodi:

Mae'r cynllun Rhyddhad Ardrethi Busnesau Bach yn cael ei ariannu'n llawn gan Lywodraeth Cymru, gan sicrhau nad yw awdurdodau lleol yn colli refeniw o ganlyniad i fusnesau yn eu hardal sy'n derbyn y rhyddhad hwn. Mae'r holl refeniw trethi annomestig a godir yng Nghymru yn cael ei gyfuno a'i ddsbarthu i awdurdodau lleol fel rhan o'r setliadau llywodraeth leol blynyddol. Yn gyffredinol, mae'r rhan fwyaf o gynghorau yng Nghymru, yn cael mwy o refeniw gan y pwll nag y maent yn cyfrannu ato.

## Camau Cynulliad Cenedlaethol Cymru

Mae'r mater o ran perchnogion ail gartrefi yn newid eiddo o atebolrwydd am y dreth gyngor i atebolrwydd am ardrethi annomestig wedi cael ei godi sawl gwaith yn y Senedd.

Ar [22 Mai 2019](#), gofynnodd Sian Gwenllian AC i'r Gweinidog Cyllid a'r Trefnydd ynghylch trethu ail gartrefi yn lleol. Awgrymodd yn ei chwestiwn y dylid "bwrw ymlaen yn ddiymdroi" â chynnig gan naw awdurdod lleol yng Nghymru a fyddai'n dileu'r maen prawf presennol sy'n ymwneud â llety hunanddarpar ac y caiff "... ei ddisodli efo egwyddor fod pob eiddo sydd wedi ei ddefnyddio fel eiddo domestig yn aros yn eiddo domestig waeth beth ydy ei ddefnydd".

Atebodd y Gweinidog drwy ddweud:

Rwyf wedi cael yr union sgwrs hon gydag arweinwyr awdurdodau lleol yn ein his-grŵp cyllid y bore yma, lle buom yn trafod y mater penodol hwn o ran pryderon ynghylch unigolion sy'n penderfynu newid statws eu heiddo i symud eu hunain allan o'r dreth gyngor ac i mewn i ardrethi annomestig, lle gallent wedyn elwa, o bosibl, o'n cynlluniau rhyddhad ardrethi.

Felly, fel y gwyddoch, gan ein bod wedi cael rhai trafodaethau ynglŷn â hyn eisoes, a gwn y byddwch yn cyfarfod â fy swyddogion gyda Llyr Gruffydd ar 4 Mehefin i drafod y mater ymhellach, sefydlwyd gweithgor o ymarferwyr awdurdodau lleol er mwyn trafod mater premiymau a gostyngiadau'r dreth gyngor ac i ystyried y sefyllfa bresennol ledled Cymru. Cynhelir cyfarfod pellach ddechrau mis Mehefin, ac rwy'n fwy na pharod i gyfarfod â chi wedi'r cyfarfod hwnnw i drafod ei gasgliadau. Mae hwn yn fater rydym yn ymwybodol iawn ohono, ac rydym yn awyddus iawn i sicrhau bod y rheini sy'n gallu talu'r dreth cyngor ac a ddylai fod yn talu'r dreth gyngor yn sicr yn gwneud hynny oherwydd, fel rwyf wedi'i amlinellu, mae'n eithriadol o bwysig o ran gallu cefnogi ein hawdurdodau lleol i wneud yr holl waith rydym yn gofyn iddynt ei wneud. Ond rydym yn gwbl ymwybodol o'r mater hwn a chafwyd trafodaethau mor ddiweddar â'r bore yma.

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



Ein cyf: RE/05230/19

Janet Finch-Saunders AC  
Cadeirydd – Pwyllgor Deisebau

[SeneddDeisebau@Cynulliad.Cymru](mailto:SeneddDeisebau@Cynulliad.Cymru)

5 Mehefin 2019

Annwyl Janet,

Diolch am eich llythyr am breimymau ail gartrefi, a anfonwyd ar ran y Pwyllgor Deisebau.

Fel yr amlinellwyd yn ein Cynllun Gwaith Polisi Treth 2018, mae fy swyddogion ar hyn o bryd yn adolygu effaith a defnydd y pwerau dewisol i awdurdodau lleol gymhwyso premiymau treth cyngor ac a yw'r ddeddfwriaeth newydd a gyflwynwyd yn 2016 yn gweithredu fel y bwriadwyd.

Yr haf diwethaf, gwnaethom ofyn am amrywiaeth o wybodaeth gan awdurdodau lleol i lywio'r adolygiad. Rydym hefyd wedi gofyn am wybodaeth gan Asiantaeth y Swyddfa Brisio ac rydym wedi bod yn dadansoddi'r ystadegau swyddogol a ddelir gan Lywodraeth Cymru.

Mewn partneriaeth â Chymdeithas Llywodraeth Leol Cymru, mae fy swyddogion hefyd wedi sefydlu gweithgor o arbenigwyr awdurdodau lleol i adolygu'r defnydd o breimymau a disgowntiau treth gyngor. Cyfarfu'r grŵp hwn am y tro cyntaf ar 8 Mai. Bydd y grŵp yn awr yn gweithio gyda'm swyddogion i ystyried y dystiolaeth a gasglwyd ac i lywio opsiynau polisi yn y dyfodol. Fy mwriad yw rhoi diweddariad ar y gwaith hwn cyn diwedd tymor yr haf.

Nid oes bwlch yn y gyfraith. Mae Deddf Tai (Cymru) 2014 yn rhoi pwerau dewisol i awdurdodau lleol gymhwyso premiymau o hyd at 100% i filiau'r dreth gyngor ar gyfer ail gartrefi ac eiddo gwag hirdymor. Cyflwynwyd y darpariaethau hyn i gynorthwyo awdurdodau lleol i reoli materion cyflenwad tai lleol. Ni chawsant eu cyflwyno fel mesur codi refeniw. Roedd y darpariaethau yn galluogi awdurdodau i gyflwyno premiymau o 1 Ebrill 2017 (ar ôl caniatáu'r i'r cyfnod angenrheidiol i eiddo fodloni'r amodau perthnasol).

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

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

[Correspondence.Rebecca.Evans@gov.wales](mailto:Correspondence.Rebecca.Evans@gov.wales)  
[Gohebiaeth.Rebecca.Evans@llyw.cymru](mailto:Gohebiaeth.Rebecca.Evans@llyw.cymru)

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.



Mater i bob awdurdod lleol yw'r penderfyniad i gyflwyno premiwm. Mae angen i bob awdurdod ystyried yr effeithiau posib wrth benderfynu a ddylid defnyddio'r pwerau hyn. Mae hyn yn cynnwys ystyried effaith cyflwyno premiymau ar yr economi leol a'r effaith posibl bosibl ar y sylfaen dreth leol.

Rydym yn cydnabod y gellid defnyddio rhai anheddau naill ai fel ail gartrefi neu fel llety hunanarlwyo a osodir yn fasnachol i bobl ar eu gwyliau ac rydym wedi deddfu i wneud y gwahaniaeth yn glir.

I fod yn gymwys fel llety hunanarlwyo, rhaid i annedd fod ar gael i'w osod am o leiaf 140 diwrnod mewn cyfnod o 12 mis a'i osod mewn gwirionedd am o leiaf 70 diwrnod. Nodwyd y diffiniad yng Ngorchymyn Ardrethu Annomestig (Diffiniad o Eiddo Domestig) (Cymru) 2010. Cafodd y Gorchymyn ei ddiwygio a'i gryfhau yn 2016. Cadwyd y cyfnodau ar gyfer cymhwyster fel llety hunanarlwyo, gan adlewyrchu'r ymatebion a gawsom i'r ymgynghoriadau cyhoeddus.

Rhaid i berchenogion llety hunanarlwyo ddarparu tystiolaeth bod eu heiddo yn bodloni'r meini prawf. Mae Asiantaeth y Swyddfa Brisió yn penderfynu a yw eiddo wedi'i gategoreiddio yn ddomestig neu'n annomestig. Mae'r Asiantaeth yn annibynnol o Lywodraeth Cymru. Mae anheddau nad ydynt yn bodloni'r meini prawf, gan gynnwys ail gartrefi sy'n cael eu cadw yn bennaf ar gyfer defnydd preifat, yn atebol am y dreth gyngor.

Fel rhan o'n gwaith i adolygu'r defnydd o bremiymau treth gyngor, mae fy swyddogion wedi gofyn i awdurdodau lleol ddarparu unrhyw dystiolaeth a allai fod ganddynt fod ail gartrefi preifat yn cael eu rhestru'n anghywir fel eiddo hunanarlwyo. Hyd yma, nid oes unrhyw dystiolaeth wedi dod i'r amlwg i awgrymu bod eiddo o'r fath yn cael eu rhestru'n anghywir. Byddwn hefyd yn ychwanegu y gallai unrhyw un sy'n berchen ar annedd sydd wedi'i restru fel llety hunanarlwyo ond nad yw'n bodloni'r meini prawf angenrheidiol wynebu bil treth gyngor ôl-ddyddiedig mawr ar gyfer yr eiddo hwnnw.

Wrth osod y meini prawf ar gyfer llety hunan-ddarpar, roeddem yn ymwybodol iawn o'r angen i sicrhau'r cydbwysedd cywir rhwng cefnogi'r diwydiant twristiaeth yng Nghymru a sicrhau nad yw ail gartrefi sy'n cael eu tanddefnyddio yn cyfyngu ar argaeledd tai fforddiadwy, yn enwedig mewn rhai o'n cymunedau gwledig, llai.

O fewn cyd-destun y system treth gyngor, mae'r term 'ail gartref' yn cyfeirio at amrywiaeth o anheddau nad ydynt yn unig neu brif breswylfa rhywun. Nid yw'n gyfyngedig i anheddau sy'n cael eu defnyddio fel cartrefi gwyliau preifat neu gartrefi penwythnos. Er enghraifft, mae'r diffiniad yn cynnwys eiddo sy'n cael ei farchnata i'w werthu neu ei osod, eiddo sy'n eiddo i bobl y mae eu swydd yn gofyn iddynt weithio mewn mannau eraill, cartrefi tymhorol a charafanau pwrpasol. Ni fyddai llawer o'r rhain ar gael nac yn addas ar gyfer meddiannaeth drwy gydol y flwyddyn.

Mae anheddau sy'n wirioneddol ar gael i'w gosod fel llety hunanarlwyo yn gwneud cyfraniad pwysig i'r economi twristiaeth yng Nghymru - sector sylfaen yn ein Cynllun Gweithredu Economaidd - ac yn dod o fewn y system ardrethu annomestig. Mae llawer o'r eiddo hyn yn gymwys am gymorth trwy ein cynllun Rhyddhad Ardrethi Busnesau Bach. Wrth roi ein cynllun Rhyddhad Ardrethi Busnesau parhaol ar waith o 1 Ebrill 2018, ymgynghorwyd ar nodweddion y cynllun newydd, gan gynnwys a ddylid cael unrhyw eithriadau i'r cynllun.

Mae'r cynllun Rhyddhad Ardrethi Busnesau Bach yn cael ei ariannu'n llawn gan Lywodraeth Cymru, gan sicrhau nad yw awdurdodau lleol yn colli refeniw o ganlyniad i fusnesau yn eu hardal sy'n derbyn y rhyddhad hwn. Mae'r holl refeniw trethi annomestig a godir yng Nghymru yn cael ei gyfuno a'i ddosbarthu i awdurdodau lleol fel rhan o'r setliadau llywodraeth leol blynyddol. Yn gyffredinol, mae'r rhan fwyaf o gynghorau yng Nghymru, yn cael mwy o refeniw gan y pwll nag y maent yn cyfrannu ato.

Mae newidiadau yn y sylfaen treth gyngor hefyd yn cael eu hystyried yn y cyfrifiadau blynyddol o setliad llywodraeth leol. Os bydd sylfaen treth awdurdod yn disgyn (ee o ganlyniad i eiddo sy'n trosglwyddo o restr treth y cyngor i'r rhestr ardrethu annomestig) o'i gymharu ag awdurdodau eraill, mae ei gyfran gymesur o'r setliad yn cynyddu.

Rydym hefyd wedi deddfu i sicrhau bod Rhyddhad Ardrethi Busnesau Bach yn gyfyngedig i ddau eiddo fesul busnes fesul awdurdod lleol. Mae hyn yn cynnwys llety hunanarlwyo. Ni ellir ystyried pobl sy'n berchen ar eiddo mwy neu nifer o eiddo bach fel busnesau bach ac mae'n ofynnol iddynt dalu cyfraddau.

Yn fwy cyffredinol, rydw i'n archwilio opsiynau ar gyfer diwygio trethi lleol yn y tymor byr, canolig a hir er mwyn sicrhau eu bod wedi'u cynllunio i ddiwallu anghenion Cymru orau. Fy mwriad yw cymryd agwedd flaengar, deg a thryloyw tuag at drethi lleol sy'n parhau i ddarparu cyllid ar gyfer gwasanaethau lleol hanfodol

Yn gywir,



**Rebecca Evans AC/AM**  
Y Gweinidog Cyllid a'r Trefnydd  
Minister for Finance and Trefnydd

## Eitem 2.6

**P-05-891 Mae angen dod â phrofion Darllen a Rhifedd Cenedlaethol ar gyfer plant mor ifanc â 6 oed i ben ar unwaith**

Cyflwynwyd y ddeiseb hon gan Tanya Beer, ar ôl casglu cyfanswm o 256 lofnodion.

### **Geiriad y ddeiseb:**

Nid yw Profion Rhifedd a Darllen Cenedlaethol i blant mor ifanc â 6 oed yn addas at y diben a dylid dod â nhw i ben cyn gynted â phosibl. Nid y ffordd orau ar gyfer plant ifanc sydd wedi'u hannog i ddysg drwy chwarae yw eu hasesu drwy eistedd am hyd at 40 munud i gwblhau prawf.

Er bod Llywodraeth Cymru yn argymhell nad oes angen paratoi, mae'n anochel bod ysgolion yn cymryd amser o'u gwaith dysgu arferol i sicrhau bod plant yn gyfarwydd â fformat y profion ac mae plant yn aml yn cael trafferth deall yr hyn a ddisgwylir ganddynt. Mae hyn yn arwain at golli hyder a mwynhad dysgu ar oedran mor ifanc a allai fod yn niweidiol i'w dysgu parhaus.

Mae Adolygiad Donaldson (Dyfodol Llwyddiannus, 2015) yn argymhell y dylai unrhyw asesiadau fod 'mor ysgafn eu cyffyrddiad â phosibl', 'osgoi biwrocratiaeth ddiangen', gan gynnwys 'asesiadau cyfannol o gyflawniadau' a defnyddio 'hunanasesu ac asesu gan gyfoedion' i 'annog plant a phobl ifanc i gymryd mwy o gyfrifoldeb dros eu dysgu eu hunain'. Mae pedair blynedd wedi mynd heibio ers yr adolygiad hwn ac mae'r profion hyn yn dal i gael eu cynnal. O ganlyniad mae angen dod â fformat presennol yr asesiad strwythuredig i ben ar unwaith.

### **Gwybodaeth ychwanegol:**

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

- Tor-faen
- Dwyrain De Cymru

## Papur Briffio ar gyfer y Pwyllgor Deisebau

Y Pwyllgor Deisebau | 9 Gorffennaf 2019

Petitions Committee | 9 July 2019

### Papur briffio gan y Gwasanaeth Ymchwil Mae angen dod â phrofion Darllen a Rhifedd Cenedlaethol ar gyfer plant mor ifanc â 6 oed i ben ar unwaith

Rhif y ddeiseb: [P-05-891](#)

Teitl y ddeiseb: **Mae angen dod â phrofion Darllen a Rhifedd Cenedlaethol ar gyfer plant mor ifanc â 6 oed i ben ar unwaith**

#### Cynnwys y ddeiseb:

Nid yw Profion Rhifedd a Darllen Cenedlaethol i blant mor ifanc â 6 oed yn addas at y diben a dylid dod â nhw i ben cyn gynted â phosibl. Nid y ffordd orau ar gyfer plant ifanc sydd wedi'u hannog i ddysgu drwy chwarae yw eu hasesu drwy eistedd am hyd at 40 munud i gwblhau prawf.

Er bod Llywodraeth Cymru yn argymhell nad oes angen paratoi, mae'n anochel bod ysgolion yn cymryd amser o'u gwaith dysgu arferol i sicrhau bod plant yn gyfarwydd â fformat y profion ac mae plant yn aml yn cael trafferth deall yr hyn a ddisgwylir ganddynt. Mae hyn yn arwain at golli hyder a mwynhad dysgu ar oedran mor ifanc a allai fod yn niweidiol i'w dysgu parhaus.

Mae Adolygiad Donaldson (Dyfodol Llwyddiannus, 2015) yn argymhell y dylai unrhyw asesiadau fod 'mor ysgafn eu cyffyrddiad â phosibl', 'osgoi biwrocratiaeth ddiangen', gan gynnwys 'asesiadau cyfannol o gyflawniadau' a defnyddio 'hunanasesu ac asesu gan gyfoedion' i 'annog plant a phobl ifanc i gymryd mwy o gyfrifoldeb dros eu dysgu eu hunain'. Mae pedair blynedd wedi mynd heibio ers yr adolygiad hwn ac mae'r profion hyn yn dal i gael eu cynnal. O ganlyniad mae angen dod â fformat presennol yr asesiad strwythuredig i ben ar unwaith.

## 1. Y cyd-destun polisi wrth gyflwyno'r profion

Mae disgyblion o Flwyddyn 2 (chwech oed ar ddechrau'r flwyddyn) hyd at Flwyddyn 9 (13 oed ar ddechrau'r flwyddyn) yn sefyll Profion Darllen a Rhifedd Cenedlaethol. Fe'u cyflwynwyd yn 2013 fel rhan o bolisi Llywodraeth Cymru i flaenoriaethu llythrennedd a rhifedd o fewn '[cynllun ugain pwynt](#)' mewn ymateb i ganlyniadau siomedig Cymru yn y Rhaglen Asesu Myfyrwyr (PISA) yn 2009. I gael rhywfaint o gefndir hanesyddol, gweler cyhoeddiad 2013 gan Ymchwil y Senedd, [Llythrennedd a rhifedd yng Nghymru](#).

Roedd Prif Arolygydd Estyn ar y pryd, Ann Keane, wedi pwysleisio'r pwysigrwydd (gweler er enghraifft y [Rhagair i'w hadroddiad blynyddol 2011-12](#)) o gael set fwy cydlynol o ddata i ysgolion eu defnyddio i gymharu lefelau darllen a rhifedd eu disgyblion â'r rheini o ysgolion eraill. Cyn cyflwyno'r profion cenedlaethol yn 2013, roedd awdurdodau lleol yn defnyddio profion darllen gwahanol ar gamau gwahanol gan olygu, er bod Estyn wedi casglu'r canlyniadau hynny ar wahân i awdurdodau lleol, nad oedd yn bosibl cymharu'r data. Dywedodd Ann Keane, Prif Arolygydd Ei Mawrhydi:

Mae'n anodd, felly, dod i gasgliadau cyffredinol heblaw am ddweud y byddai wedi bod yn ddefnyddiol pe bai'r holl awdurdodau wedi gallu defnyddio'r un profion. ([Adran 1 o adroddiad blynyddol 2011-12: Blaenoriaethau a darpariaeth](#), tud4)

Bu amheuan hefyd ers tro ynghylch pa mor ddibynadwy yw'r asesiadau athrawon o fewn system atebolrwydd arbenigol, lle mae canlyniadau'r asesiadau athrawon yn cael eu defnyddio i fesur perfformiad ysgol yn allanol. Cyflwynodd [Estyn adroddiad yn ôl yn 2013/14](#) a oedd yn nodi 'nad yw asesiadau athrawon mewn ysgolion bob amser yn ddigon cadarn neu ddibynadwy', gyda 'diffyg cyfatebiaeth rhwng y lefelau Cwricwlwm Cenedlaethol a ddyfarnwyd gan staff ac ansawdd gwaith y disgyblion'.

## 2. Casglu data

Ar hyn o bryd mae tri math o brawf cenedlaethol y mae disgyblion ym Mlynnyddoedd 2 i 9 yn eu sefyll – Darllen, Rhifedd (gweithdrefnol) a Rhifedd (rhesymu). Dyma yw'r Profion Darllen a Rhifedd Cenedlaethol, sef pwnc y ddeiseb hon.

Mae Llywodraeth Cymru yn cyhoeddi [data ynghylch canlyniadau'r Profion Darllen a Rhifedd Cenedlaethol](#), bob mis Awst. Er bod y data hwn yn dangos darlun cenedlaethol o lefelau sgiliau darllen a rhifedd disgyblion ym mhob grŵp oedran mewn blwyddyn benodol, nid yw'n golygu bod modd gwneud cymariaethau rhwng y blynyddoedd gan fod y sgoriau yn cael eu safoni'n annibynnol bob blwyddyn.

At hynny, mae Llywodraeth Cymru wedi pwysleisio (fel y mae'r llythyr gan y Gweinidog Addysg dyddiedig 3 Mehefin 2019 yn ei nodi) nad diben y profion yw cymharu galluoedd disgyblion rhwng ysgolion, nac rhwng awdurdodau lleol. Yn hytrach, eu prif ddiben bwriadedig yw llywio

addysgu a dysgu'r disgybl sy'n cael ei asesu yn y dyfodol, fel y mae'r adran a ganlyn yn ei esbonio.

### 3. 'Asesu ar gyfer dysgu ac nid atebolrwydd'

Mae asesu ar gyfer dysgu yn golygu y dylai asesiadau athrawon o ddisgyblion fod yn ffurfiannol ei natur yn bennaf yn hytrach na chrynodol, h.y. maent yn llywio'r addysgu a'r dysgu parhaus sy'n gysylltiedig â'r disgybl hwnnw yn hytrach na mesur canlyniad cyfnod dysgu yn erbyn safon neu feincnod. Felly, defnyddir technegau asesu ar gyfer dysgu drwy raglen astudio benbaladr yn hytrach nag ar y diwedd yn unig.

Mae defnyddio asesu ar gyfer dysgu yn hytrach nag at ddibenion atebolrwydd wedi'i argymhell gan y Sefydliad ar gyfer Cydweithrediad a Datblygiad Economaidd (gweler [Adolygiad 2014](#) ac [Asesiad Polisi Cyflym](#) 2017) a'r Athro Graham Donaldson (gweler [Dyfodol Llwyddiannus](#), 2015 a'r [Arolygiaeth Dysgu](#), 2018).

Dywed Llywodraeth Cymru mai prif ddiben y Profion Darllen a Rhifedd Cenedlaethol yw llywio addysgu a dysgu h.y. trwy nodi gallu darllen a rhifedd disgybl, ac felly ei gryfderau a'i wendidau, er mwyn ategu ymdrechion i gefnogi ei ddysgu parhaus. Fel y dywedodd y Gweinidog Addysg yn ei [datganiad yn y Cyfarfod Llawn ar 8 Ionawr 2019](#):

... golyga hyn fod athrawon yn cael gwybodaeth lawnach o lawer ac y byddan nhw'n gallu paratoi gwersi sy'n fwy uniongyrchol ar gyfer cynorthwyo dysgwyr i wella.

### 4. Asesiadau Personol

Fel y mae llythyr y Gweinidog yn ei amlinellu, mae Llywodraeth Cymru yn cyflwyno Asesiadau Personol ymaddasol ar-lein fesul cam i gymryd lle'r profion Darllen a Rhifedd Cenedlaethol papur presennol. Rhifedd (gweithdrefnol) oedd y cyntaf i symud i fersiwn ar-lein personol yn 2018/19. Bydd asesiadau darllen yn dilyn yn 2019/20 ac yna Rhifedd (rhesymu) yn 2020/21. Dywedodd y Gweinidog mewn [datganiad ar 24 Mai 2017](#):

Bydd yr asesiadau newydd yn addasu anhawster y cwestiynau i gyd-fynd ag ymateb y dysgwr, gan gymhwyso i ddarparu her addas i bob unigolyn. Mae hyn yn golygu y bydd pob dysgwr yn cael cwestiynau sy'n gydnaws â'u sgiliau unigol ac yn eu herio mewn darllen a rhifedd. Bydd ysgolion yn cael gwybodaeth o ansawdd uchel wedi'i theilwra am sgiliau pob dysgwr a gallant ddefnyddio'r wybodaeth honno fel tystiolaeth ychwanegol i gynllunio'r camau nesaf ar gyfer addysgu a dysgu. Bydd y profion yn marcio eu hunain ac yn gydnaws â systemau rheoli gwybodaeth ysgolion. Bydd athrawon a dysgwyr yn cael adborth penodol ac uniongyrchol o ansawdd uchel, a bydd hynny'n rhoi gwell syniad iddynt ynglŷn â sut y gallant fynd i'r afael â chryfderau a gwendidau pob dysgwr.

Rhoddodd Kirsty Williams AC ragor o wybodaeth am asesiadau personol yn ei [datganiad yn y Cyfarfod Llawn ar 8 Ionawr 2019](#).

Mae Ymchwil y Senedd eisoes wedi cyhoeddi erthyglau blog ar faterion asesu ar gyfer dysgu a'r newid i asesiadau personol ([Ionawr 2019](#) a [Mai 2017](#)).

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



Eich cyf/Your ref P-05-891  
Ein cyf/Our ref KW/06215/19

Janet Finch-Saunders AC  
Aelod Cynulliad dros Aberconwy  
Cadeirydd - Y Pwyllgor Deisebau  
Cynulliad Cenedlaethol Cymru  
Tŷ Hywel  
Caerdydd  
CF99 1NA

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

3 Mehefin 2019

Annwyl Janet

Diolch am eich llythyr dyddiedig 23 Mai yn ceisio fy marn ar y materion a amlinellir yn y ddeiseb a gyflwynwyd gan Tanya Beer o'r enw *Mae angen dod â phrofion Darllen a Rhifedd Cenedlaethol ar gyfer plant mor ifanc â 6 oed i ben ar unwaith*.

Cyflwynwyd y Profion Darllen a Rhifedd Cenedlaethol ar gyfer dysgwyr ym mlwyddyn 2 hyd at flwyddyn 9 yn 2013 er mwyn ysgogi dulliau o asesu sgiliau darllen a rhifedd sy'n gyson o fewn ysgolion ledled Cymru. Roedd profion wedi bod yn rhan annatod o'r flwyddyn ysgol erioed ond mae ymchwil wedi dangos y gall amllder ac ansawdd y profion a ddefnyddiwyd, yn ogystal ag adrodd yn ôl i rieni, amrywio'n fawr o ysgol i ysgol. Drwy roi profion safonol blynyddol ar waith yn genedlaethol, sicrhawyd bod pob athro yn cael yr un fath o wybodaeth am sgiliau darllen a rhifedd eu dysgwyr, a bod pob athro yn meithrin dealltwriaeth gyffredin o sgiliau eu dysgwyr a'r meysydd sydd angen eu datblygu wedyn. Sgiliau sy'n agor drysau i

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

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

[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.



ddysgu ar draws y cwricwlwm yw darllen a rhifedd. Felly mae'n hanfodol i ysgolion gael y wybodaeth hon am eu dysgwyr o oedran cynnar fel y gallant gynllunio cymorth a her briodol a gwneud yn siŵr bod pob dysgwr yn gallu ffynnu wrth iddo symud ymlaen drwy'r ysgol.

Defnyddir profion cenedlaethol at bwrpas ffurfiannol, er mwyn i athrawon gael gwybodaeth am sgiliau dysgwyr. Rwyf wedi bod yn glir bob amser mai deall cynnydd dysgwyr yw eu ffocws, nid perfformiad ysgol nac atebolrwydd. Nid yw Llywodraeth Cymru yn gwneud dyfarniadau ynghylch ysgolion yn seiliedig ar ganlyniadau'r profion. Mae'r profion yn rhoi cipolwg ar gynnydd dysgwr ar adeg benodol. Dim ond un darn o dystiolaeth yw'r canlyniadau, a ddefnyddir gan athrawon i ddatblygu darlun cyffredinol o sgiliau a chynnydd dysgwr.

Datblygir profion cenedlaethol gan arbenigwyr, ac mae proses gadarn ar waith i wneud yn siŵr eu bod yn addas at y diben. Cânt eu treialu gyda dysgwyr mewn ysgolion ledled Cymru; a chynhelir paneli athrawon cyn y treialu ac ar ei ôl er mwyn sicrhau bod y cynnwys ar lefel addas ar gyfer pob grŵp blwyddyn y cwricwlwm.

Mae'r ddeiseb yn cyfeirio at ysgolion yn defnyddio amser i baratoi ar gyfer y profion cenedlaethol. Mae canllawiau Llywodraeth Cymru yn glir iawn na ddylai profion achosi gofid na gorbryder i ddysgwyr, gan bwysleisio pa mor bwysig yw bod ysgolion yn rhoi sylw i sut y cyflwynir y profion. Nid yw unrhyw 'ymarfer' gyda chwestiynau profion y gorffennol yn briodol, nac unrhyw ddefnydd o gwestiynau profion fel gwaith cartref yng nghyd-destun profion ffurfiannol. Gall hefyd achosi gorbryder i ddysgwyr, yn arbennig y rhai ifancaf. Rwyf yn disgwyl i bob ysgol ddilyn ein canllawiau a chynnal cwricwlwm eang a chytbwys drwy gydol y flwyddyn.

Mae'r ddeiseb hefyd yn cyfeirio at argymhellion adolygiad yr Athro Donaldson, *Dyfodol Llwyddiannus* (2015). Ymysg yr argymhellion ceir y canlynol: 'dylai'r trefniadau ar gyfer asesu roi blaenoriaeth i'w rôl ffurfiannol mewn addysgu a dysgu' (argymhelliad 37), a 'dylai dulliau arloesol o asesu, gan gynnwys dulliau rhyngweithiol, gael eu datblygu gan fanteisio ar y posibilïadau cynyddol mewn technoleg ddigidol' (43). Rwyf wedi gweithredu ar sail yr argymhellion hyn yn barod cyn cyflwyno cwricwlwm newydd drwy gychwyn proses o bontio o brofion ar bapur i asesiadau personol ar-lein. Aeth asesiadau rhifedd (Gweithdrefnol) ar waith yn ystod tymor yr hydref 2018, a bydd asesiadau darllen yn dilyn yn y flwyddyn academaidd nesaf (2019/20), gyda rhesymu rhifyddol yn dechrau yn 2020/21. Caiff profion papur eu diddymu'n raddol wrth i'r asesiadau personol ar-lein gael eu cyflwyno.

Drwy symud ar-lein, rydym yn manteisio ar y dechnoleg ddiweddaraf i ddarparu profiad asesu sydd wedi'i deilwra sy'n addasu lefel yr her ar gyfer pob dysgwr. Rydym hefyd yn sicrhau bod pob ysgol yn gallu defnyddio'r asesiadau hyn yn fwy hyblyg, gan flaenoriaethu eu rôl ffurfiannol. Gall athrawon eu trefnu ar unrhyw adeg yn ystod y flwyddyn ysgol a fyddai mwyaf buddiol er mwyn llywio addysgu a dysgu. Caiff dysgwyr weld adborth a fydd yn eu helpu i ddeall yr hyn y gallant ei wneud, a'r sgiliau y mae angen iddynt eu gwella, gan roi iddynt berchnogaeth fwy cadarn dros eu dysgu eu hunain.

Cafodd asesiadau personol eu datblygu a'u dylunio gan ystyried lles dysgwyr; maent yn darparu dull asesu sgiliau dysgwyr sy'n fwy hyblyg a llai ffurfiol na'r profion papur. Mae'n bosibl cwblhau'r asesiad ar gyfrifiadur personol, gliniadur neu lechen, yn unol â'r fath o declyn a ddefnyddir gan ddysgwyr bob dydd yn y dosbarth. Caiff athrawon ddewis asesu dysgwyr fesul un neu mewn grwpiau bach, gan gymryd i ystyriaeth oedran ac anghenion dysgwyr penodol wrth amseru asesiadau. Nid oes terfyn amser ar yr asesiadau, felly caiff dysgwyr weithio drwy'r cwestiynau ar eu cyflymder eu hunain, a gall athrawon gynnig saib yn yr asesiad er mwyn rhoi egwyl i ddysgwyr ar unrhyw adeg. Mae'r nodweddion hyn yn berthnasol iawn wrth ddarparu profiad asesu sy'n addas ar gyfer dysgwyr iau.

Rwyf yn credu bod asesiadau personol yn cynnig y ffordd orau ymlaen i helpu ein plant i ddatblygu eu sgiliau llythrennedd a rhifedd o oedran cynnar.

Yn gywir

A handwritten signature in black ink, reading "Kirsty Williams". The signature is written in a cursive style with a large initial 'K'.

**Kirsty Williams AC/AM**

Y Gweinidog Addysg  
Minister for Education

# Eitem 2.7

## P-05-892 Penodi Comisiynydd Anabledd Dysgu i Gymru

Cyflwynwyd y ddeiseb hon gan Cardiff People First, ar ôl casglu 145 o lofnodion ar-lein a 423 ar bapur, sef cyfanswm o 568 o lofnodion.

### Geiriad y ddeiseb:

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i benodi Comisiynydd Anabledd Dysgu i Gymru. Mae'n rhaid i'r person hwnnw fod ag anabledd dysgu.

Mae mwy o adroddiadau o gam-drin pobl ag anabledd dysgu yn ymddangos yn Lloegr eto. Mae ymchwil yn dangos hefyd bod pobl ag anabledd dysgu yn cael gofal iechyd anghyfartal ac yn marw hyd at 20 mlynedd yn gynharach nag eraill. Mae'n 50 mlynedd ers i adroddiad Ysbyty Trelái ddangos cam-drin gan arwain at gau'r sefydliadau hyn. Fel y sefydliad a sefydlwyd gan bobl sy'n gadael Trelái, credwn ei bod hi'n bryd i ni gael rhywun i hyrwyddo ein hawliau i ni yng Nghymru.

### Gwybodaeth ychwanegol:

#### Etholaeth a Rhanbarth y Cynulliad

- Gorllewin Caerdydd
- Canol De Cymru

## Penodi Comisiynydd Anabledd Dysgu i Gymru

Y Pwyllgor Deisebau | 9 Gorffennaf 2019

Petitions Committee | 9 July 2019

### Papur briffio gan y Gwasanaeth Ymchwil:

Rhif y ddeiseb: P-05-892

Teitl y ddeiseb: Penodi Comisiynydd Anabledd Dysgu i Gymru.

Testun y ddeiseb: Rydym yn galw ar Gynulliad Cenedlaethol Cymru i benodi Comisiynydd Anabledd Dysgu i Gymru. Mae'n rhaid i'r person hwnnw fod ag anabledd dysgu.

Mae mwy o adroddiadau o gam-drin pobl ag anabledd dysgu yn ymddangos yn Lloegr eto. Mae ymchwil yn dangos hefyd bod pobl ag anabledd dysgu yn cael gofal iechyd anghyfartal ac yn marw hyd at 20 mlynedd yn gynharach nag eraill. Mae'n 50 mlynedd ers i adroddiad Ysbyty Trelái ddangos cam-drin gan arwain at gau'r sefydliadau hyn. Fel y sefydliad a sefydlwyd gan bobl sy'n gadael Trelái, credwn ei bod hi'n bryd i ni gael rhywun i hyrwyddo ein hawliau i ni yng Nghymru.

### Cefndir

Cyflwynwyd y ddeiseb gan [Cardiff People First](#), sef sefydliad hunaneiriolaeth sy'n cael ei redeg gan ac ar gyfer pobl ag anableddau dysgu. Mae nifer o grwpiau [Pobl yn Gyntaf](#) ledled Cymru ac mewn rhannau eraill o'r DU.

Mae'r deisebwyr yn galw am benodi Comisiynydd Anabledd Dysgu i Gymru ac yn cyfeirio at adroddiadau diweddar mewn rhaglen [Panorama ar y BBC](#) am gam-drin preswylwyr yn Whorlton Hall, ysbyty anableddau dysgu yn Durham. Mae [Syr Stephen Bubb](#), awdur dau adroddiad ar gam-drin pobl ag anableddau dysgu yn Winterbourne View, Swydd Gaerloyw yn 2011 hefyd wedi annog Llywodraeth y DU i sefydlu swyddfa Comisiynydd Pobl ag Anabledd Dysgu.

### Camau Gweithredu Llywodraeth Cymru

Yn ei hymateb i'r ddeiseb mae Llywodraeth Cymru yn tynnu sylw at y gwaith a wnaed yn ystod y blynyddoedd diwethaf, gan gynnwys adolygiad 2017 o wasanaethau anableddau dysgu a datblygu [Rhaglen Gwella Bywydau](#). Mae'r rhaglen, a lansiwyd yn 2018, yn canolbwyntio ar wella gwasanaethau mewn pum maes allweddol:

- Y Blynyddoedd Cynnar – lleihau profiadau niweidiol plentyndod a gwella gallu rhieni ag anabledd dysgu i fagu eu plant
- Tai – datblygu modelau newydd o dai â chymorth, gan helpu pobl i fyw yn agosach at eu ffrindiau a'u teuluoedd
- Gofal cymdeithasol – sicrhau bod pawb sydd ei angen â mynediad at ofal a chymorth o ansawdd da sy'n canolbwyntio ar eu hanghenion
- Iechyd – addasiadau rhesymol i wasanaethau prif ffrwd a mynediad at wasanaethau arbenigol pan fo angen. Er mwyn rhoi sylw i anghydraddoldebau iechyd, sicrhau bod pobl ag anableddau dysgu yn derbyn yr archwiliadau iechyd blynyddol y mae ganddynt hawl i'w cael a byrddau iechyd i sicrhau eu bod yn diwallu anghenion pobl ag anableddau dysgu yn yr ysbyty
- Addysg, sgiliau a chyflogaeth – helpu pobl ifanc i wneud y mwyaf o'u potensial, a phan fyddant yn oedolion, sicrhau eu bod yn cael y cymorth cywir er mwyn caniatáu iddynt fyw bywydau llwyddiannus, drwy ddarparu cyngor ar yrfaeodded wedi ei dargedu a sicrhau bod mwy o bobl ag anabledd dysgu yn cael swyddi cyflogedig.

Mae Grŵp Cyngori'r Gweinidog ar Anableddau Dysgu yn helpu i roi'r rhaglen ar waith, ac ymysg yr aelodau mae pobl ag anableddau dysgu, teuluoedd a gofalwyr, gweithwyr proffesiynol allweddol o awdurdodau lleol, y sector iechyd ac elusennau. Caiff y Grŵp ei gadeirio gan Gwenda Thomas (cyn AC a chyn Ddirprwy Weinidog dros Wasanaethau Cymdeithasol), a'i gyd-gadeirio gan Sophie Hinksman, cynrychiolydd Pobl yn Gyntaf Cymru Gyfan.

## Anghydraddoldebau iechyd

Mae'r deisebwyr yn cyfeirio at anghydraddoldebau iechyd y mae pobl ag anableddau dysgu yn eu dioddef, mater sydd wedi cael ei gydnabod ers peth amser. Mae crynodeb o dystiolaeth y [\*Confidential Inquiry into premature deaths of people with learning disabilities \(CIPOLD\)\*](#) ar [wefan Mencap](#). Aeth yr ymchwiliad ati i ymchwilio i drefn y digwyddiadau a arweiniodd at bob marwolaeth hysbys pobl ag anableddau dysgu (4 oed a hŷn) dros gyfnod o 2 flynedd mewn 5 ardal Ymddiriedolaeth Gofal Sylfaenol yn Ne-orllewin Lloegr. Cyhoeddwyd yr adroddiad yn 2013.

### Poor quality healthcare causes health inequalities and avoidable deaths

#### Premature deaths

The Confidential Inquiry into premature deaths of people with learning disabilities (CIPOLD) found an average age of death of 65 for men and 63 for women in a sample of 247 people with a learning disability in the UK. This is significantly less than the average age of death of 78 for men and 83 for women in the general population (Heslop et al. 2013). In other words, on average women with a learning disability died 20 years sooner than women in the general population, and men with a learning disability died 13 years sooner than men in the general population.

CIPOLD also reported the average age of death for different levels of impairment:

- 67.5 for people with a mild learning disability

- 64 for people with a moderate learning disability
- 59 for people with a severe learning disability
- 46 for people with profound and multiple learning disabilities

### **Poor quality healthcare causes avoidable deaths**

The Confidential Inquiry into premature deaths of people with a learning disability also found that 38% of people with a learning disability died from an avoidable cause, compared to 9% in a comparison population of people without a learning disability (Heslop et al. 2013, p. 92). Note: Mencap uses the term avoidable death for deaths that could have been avoided by the provision of good quality healthcare.

Allerton and Emerson (2012) analysed large-scale data to investigate the access to good quality healthcare for British adults with a chronic health condition or impairment. 309 people in the sample had a learning disability. The research found:

- 40% of people with a learning disability reported a difficulty using health services, compared to 18% of people with no chronic health condition or impairment
- 12% of people with a learning disability reported a lot of difficulty using health care services, compared to just 3% of people with no chronic health condition or impairment.

Canfu adroddiad CIPOLD hefyd fod llai o bobl ag anableddau dysgu yn manteisio ar fentrau hybu iechyd (e.e. sgrinio canser).

Cyflwynodd Llywodraeth Cymru wiriadau iechyd blynyddol yn 2006 i bobl ag anableddau dysgu. Mae'r gwiriadau iechyd ar gael i bobl dros 16 oed. Fodd bynnag, canfu [adroddiad Anabledd Dysgu – Rhaglen Gwella Bywydau](#) fod profiad unigolion o gael mynediad at y gwiriad iechyd, a mynediad at ofal iechyd eilaidd yn amrywio ledled Cymru (e.e. gweler t.11). Nododd adroddiad y Comisiwn Cydraddoldeb a Hawliau Dynol [A yw Cymru'n Decach?](#) yn 2018 nad yw'r "mwyafrif o bobl ag anableddau dysgu yng Nghymru yn cael gwiriad iechyd blynyddol", a thynnwyd sylw at yr anawsterau y mae pobl anabl yn eu hwynebu yn gyffredinol wrth geisio cael mynediad at ofal iechyd.

## **Llety**

Mae [adroddiad Anabledd Dysgu – Rhaglen Gwella Bywydau](#) hefyd yn amlygu'r broblem o leoli pobl y tu allan i Gymru oherwydd diffyg llety a gwasanaethau yng Nghymru (gweler t.3). Canfu [Arolwg gan Arolygiaeth Gofal Cymru/Arolygiaeth Gofal Iechyd Cymru o awdurdodau lleol](#) yn 2015, fod 547 o bobl wedi'u lleoli y tu allan i'r sir, 172 y tu allan i'r rhanbarth a 142 y tu allan i'r wlad (gweler t.17).

Mae [Datganiad Ystadegol](#) gan Lywodraeth Cymru yn dangos, ar 31 Mawrth 2018, bod 117 o bobl ag anableddau dysgu yn byw mewn ysbytai ac unedau yng Nghymru, nifer tebyg i'r naw mlynedd blaenorol.

Yn ddiweddar, rhoddodd y Gweinidog Iechyd a Gwasanaethau Cymdeithasol, Vaughan Gething AC, yr ymateb canlynol i [Gwestiwn Ysgrifenedig](#) gan Janet Finch Saunders AC am bobl ag anableddau dysgu sy'n cael eu lleoli mewn ysbytai y tu allan i Gymru:

**(WAQ78410)**

*Wedi'i gyflwyno ar 13/06/2019*

Pa darged y mae'r Gweinidog wedi'i osod ar gyfer lleihau nifer y cleifion iechyd meddwl ac anableddau dysgu a leolir mewn ysbytai y tu allan i Gymru, a pham mai dim ond 20 o'r unedau a gymeradwyir sydd yng Nghymru?

#### **Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol**

*Wedi'i ateb ar 18/06/2019*

Whilst there is no target, we are committed to ensuring people can access mental health and learning disabilities services closer to home and the number of out of Wales placements, via the National Collaborative Framework Agreement for Mental Health and Learning disabilities (the Framework), continue to reduce.

For those patients placed outside of Wales, we continue to have robust arrangements in place to monitor the quality and safety of specialist inpatient settings.

The Framework aims to enable all parts of NHS Wales to procure and performance-manage services under pre-agreed standards, costs and the terms and conditions of a contract in a compliant manner. It is the responsibility of providers to apply to be included on the Framework and the NHS Collaborative Commissioning Unit has confirmed that that all independent hospitals in Wales are included on the Framework.

The Wales CAMHS and Eating Disorders Network recently established a task and finish group to undertake a clinically informed option appraisal to consider the provision and capacity of specialist tier 4, low secure and learning disability inpatient care currently provided by out of area placements for children and young people. This work will inform the review of the existing Framework prior to new arrangements being introduced on 1 April 2020.

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: Petition P-05-892  
Ein cyf/Our ref VG/06697/19

Janet Finch-Saunders AM  
Chair - Petitions Committee  
National Assembly for Wales  
Ty Hywel  
Cardiff  
CF99 1NA

Government.Committee.Business@gov.wales

20 June 2019

Dear Janet,

Thank you for your letter of 30 May about the petition you have received from Cardiff People First that a person with a learning disability should be appointed as a Learning Disability Commissioner for Wales.

In 2017, we undertook a comprehensive review of Learning Disability services in Wales to identify areas where action could potentially be taken to build on good practice. We took a lifespan approach and looked at all areas of life. Over 2000 people took part in the review, including individuals with a learning disability, families/carers, third sector organisations and the statutory sector. The report of the review contained 24 recommendations for action across early years, housing, social care, health, education, transport, employment and skills. The Cabinet accepted all of the recommendations and in June last year, we published our Learning Disability Improving Lives cross-government Programme.

We are delivering the Improving Lives Programme as a priority and have established a Learning Disability Ministerial Advisory Group to oversee its implementation. This group is co-chaired by Sophie Hinksman who has a learning disability and there are a further two members of the group with a learning disability. We fund a support worker for each of these members to ensure they can play a full and active role in this important group.

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

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

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

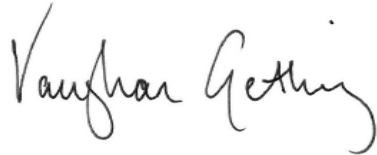
Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

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.



Other members include representatives from the statutory sector, academia, families and carers and the third sector, including the Chief Executive Officer of All Wales People First. On that basis, I feel that the learning disability community does have a strong voice and a platform to shape and influence delivery of the Programme. Whilst I appreciate the efforts and concerns of the petitioners, for the reasons outlined above, I remain to be convinced of the need to establish a Learning Disability Commissioner at this time.

Yours sincerely,

A handwritten signature in black ink that reads "Vaughan Gething". The signature is written in a cursive style with a large initial 'V' and a long, sweeping tail on the 'g'.

**Vaughan Gething AC/AM**

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

**P-05-892 Appoint a Learning Disability Commissioner for Wales,  
Correspondence - Petitioner to Committee, 28.06.19**

Fifty years since abuse was highlighted in the Ely Hospital report we are still facing abuse by carers, inadequate healthcare leading to early and unnecessary deaths, discrimination, a 94% unemployment rate, segregated services, loneliness and isolation.

We believe that self advocacy, supported by self advocacy groups which are controlled by people who have a learning disability, is the most important right we can have. It gives control, choice and empowerment. It is the only genuine voice that people have, to have their own say in the services they receive. It is the only genuine agency for co-production.

We know that the Welsh Government has supported the rights of people with a learning disability. We welcome the Improving Lives Programme. We know that there are people with a learning disability on the Learning Disability Ministerial Advisory Group (LDMAG).

But our representatives on the LDMAG have no influence on the things that affect people with a learning disability in their everyday lives, and no way of challenging things that directly affect the aims of the Social Services and Well Being (SSWB) Wales Act. The issues they find it most important to bring up are not able to be brought to the LDMAG as they are not in Welsh Government's jurisdiction. They feel that their voice is not getting through where it matters.

For example these issues they have no voice on at the LDMAG include the Independent Professional Advocacy Contract. This places a duty on local authorities to provide statutory advocacy only. This means that in a situation where local authorities must fund statutory advocacy, funding for self advocacy is in danger. People with a learning disability across Wales are losing their chance to have a real say in the services that empower them to fulfil their own wellbeing outcomes. If this is not addressed then it could be said that the legacies of the SSWB Wales Act and the Improving Lives Strategy were instrumental in taking the voices of people with a learning disability away, leaving things in a worse state than before.

Issues with commissioning strategies in particular areas of Wales mean that currently, services that people have had no say in or wish to receive are being put in place. Our representatives on LDMAG cannot bring this up as it is under local authorities, and some local authorities have refused to consider the voices of self advocates. There is no mechanism to make sure that local authorities have to consider us in future.

In the All Wales People First National Conference 2017 our members asked us to call for a Learning Disability Commissioner in order to secure self advocacy, which in turn provides people with learning disabilities the freedom

to navigate the SSWB Wales Act, and to choose the services they need to deliver their own well being outcomes.

Like people with a learning disability, there is a strategy with priorities for older people, and for children. Older people and children, their families and carers also have a strong voice to improve services like people with a learning disability.

But there is also seen to be a need for an Older People's Commissioner for Wales, and for a Children's Commissioner for Wales. They have powers that we believe are also needed to protect the rights of people who have a learning disability.

The Older People's Commissioner:

'protects and promotes the rights of older people throughout Wales, scrutinising and influencing a wide range of policy and practice to improve their lives.'

Being able to comment on a range of policies, not just those that are considered to be 'about' people with a learning disability is important to make sure that we are able to take a full part in society.

'She provides help and support directly to older people through her casework team and works to empower older people and ensure that their voices are heard and acted upon.'

Direct support to people with a learning disability would give everyone the chance to improve their services across Wales.

The Commissioner's role is underpinned by a set of unique legal powers to support her in reviewing the work of public bodies and holding them to account when necessary.' The Commissioner has: 'legal authority to enter premises other than private homes to interview older people (with their consent)'. And can report: 'whether, and to what extent, the arrangements of certain bodies' advocacy, whistle-blowing and complaints arrangements are effective in safeguarding and promoting the interests of relevant older people in Wales'

We believe that a Commissioner who has a learning disability, with those powers to inspect supported living providers, private hospitals and private colleges, would be able to effectively identify and stop abuse and bad practice.

The Children's Commissioner for Wales:

‘supports children and young people to find out about their rights’

‘Advises children, young people and those who care for them if they think they’ve been treated unfairly’

‘Speaks up for children and young people in Wales on important issues’

‘The principal aim of the Commissioner is to safeguard and promote the rights and welfare of children.’

A Learning Disability Commissioner would help people with a learning disability to find out about their rights, and if the Commissioner was a person with a learning disability they could be confident to speak up for them without taking their rights away.

Older People and Children are seen as needing more than a strategy. They have Commissioners to make sure that they are heard and have the right not to be abused.

Strategies and reports and best practice have made people’s lives better. But people still aren’t getting their rights. We think a Commissioner would make sure this happened. We think a Commissioner would be able to act quickly if people are being abused or having their rights taken away.

The LDMAG has rightly recognised that people with a learning disability are very well able to sit on such a committee and to take part effectively. It would be vital for a Learning Disability Commissioner to be a person with a learning disability, as they alone would be able to gain the trust of their peers and to represent them in the best way.

# Eitem 3.1

## **P-05-738 Deiseb Gyhoeddus ar gyfer Ffordd Osgoi i Ddinas Powys**

Cyflwynwyd y ddeiseb hon gan V P Driscoll, A R Robertson and R T Harrod ar ôl casglu 3,305 llofnod - 2,572 ar bapur a 733 ar-lein.

### **Geiriad y ddeiseb**

Rydym ni sydd wedi llofnodi isod yn galw ar i Gynulliad Cenedlaethol Cymru annog Lywodraeth Cymru i ddarparu'r cyllid a'r cymorth sydd eu hangen ar gyfer adeiladu Ffordd Osgoi i Ddinas Powys.

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

- Bro Morgannwg
- Canol De Cymru

Date/Dyddiad 19 June 2019  
Ask for/Gofynwch am  
Telephone/Rhif ffôn 01446 709303  
Fax/Ffacs  
e-mail/e-bost leader@valeofglamorgan.gov.uk  
Your Ref/Eich Cyf  
My Ref/Cyf NM/JCC/AMB/S19/39476

The Vale of Glamorgan Council  
Civic Offices, Holton Road, Barry CF63 4RU

Cyngor Bro Morgannwg  
Swyddfeydd Dinesig, Heol Holton, Y Barri CF63 4RU

www.valeofglamorgan.gov.uk  
www.bromorgannwg.gov.uk



Janet Finch-Saunders AM  
Chair  
Petitions Committee  
National Assembly for Wales

[seneddpetitions@assembly.wales](mailto:seneddpetitions@assembly.wales)

Dear Minister,

**PETITION P-05-738 PUBLIC PETITION FOR THE DINAS POWYS BY PASS**

Thank you for your letter dated 14<sup>th</sup> June 2019 requesting an update on the WelTAG 2 for Improving Strategic Transport in Dinas Powys, (including a possible bypass), following a recent change in the Council's Cabinet.

An update report on the WelTAG Stage 2 work dated 18<sup>th</sup> February 2019 for Improving Strategic Transport in Dinas Powys was considered by the Council's Cabinet and also the Environment and Regeneration Scrutiny Committee. You can view the detail of this Report and outcome here: [https://www.valeofglamorgan.gov.uk/Documents/ Committee%20Reports/Cabinet/2019/19-04-15/Ref—Strategic-Transport-Improvements-in-Dinas-Powys-Update.pdf](https://www.valeofglamorgan.gov.uk/Documents/Committee%20Reports/Cabinet/2019/19-04-15/Ref—Strategic-Transport-Improvements-in-Dinas-Powys-Update.pdf)

As the Council were unsuccessful in obtaining funding from Welsh Government in the recent transport funding round for 2019/20 to complete the WelTAG Stage 2, Officers are currently trying to source the finance required to complete this Stage, which as you can appreciate is challenging given the current shortage of local government finance. Currently the amount estimated to complete the Stage 2 work is around £60-£80k, although the exact amount will not be known until bids are received from consultants for the outstanding works. I anticipate the amount required and whether the Council can fund it should be known by the end of June 2019.

I trust this updates you. Please do feel free to give [REDACTED]  
[REDACTED] a telephone call if you wish to discuss this  
matter further. She can be contacted on [REDACTED]

Yours sincerely,

A handwritten signature in black ink that reads "Neil Moore". The signature is written in a cursive style with a period at the end.

Councillor Neil Moore  
**Executive Leader and Cabinet Member for Performance and Resources**

## **Petition P-05-738 Public Petition for the Dinas Powys By-Pass - Correspondence from Petitioner, 26.06.19**

Dear Chair,

### **Petition P-05-738 Public Petition for the Dinas Powys By-Pass**

In response to Vale Council Leader Neil Moore's email to you this petitioner believes the Vale Council has failed to comply with WAG's WelTAG process.

- *During the more detailed design and assessment of short-listed options, engagement with the public and other stakeholders will assist in gathering evidence on the impacts of each of the proposed options and the consequences of doing nothing. Involving people affected by decisions in the process is a requirement of the Wellbeing of Future Generations Act and often facilitate the identification of new solutions which would bring most benefit to the seven well-being goals. WelTAG Page 6 Para 2*
- *The WelTAG process is designed to share understanding between those involved in making the decisions and those affected by those decisions. This underlies the importance of stakeholder involvement and public consultation in the gathering of evidence of the need for an intervention, the setting of the criteria against which proposed options will be assessed, and the likely impacts of each option. WelTAG Page 6, Para 4*

The Vale Council has eliminated a by-pass route option before the draft Stage 2 Study has been completed, considered by the Review Group or held or received response from any Public Consultation.

Dinas Powys Community Council held an extra-ordinary meeting on 21<sup>st</sup> February 2018, and voted unanimously to request the Vale Council to widen the scope of the Stage 2 Study at the Barry end to include consideration of alternative by-pass routes for the southern section of the by-pass.

This was affirmed by the Vale Council Cabinet on 16<sup>th</sup> April 2018. Consultant Arcadis was informed and a price agreed for the additional work to be carried out. The Vale Council requested WAG to grant the funding required for these further activities.

The draft Stage 2 Report was submitted to Vale Officers in September 2018 and put before the WelTAG Review Group on 2<sup>nd</sup> October 2018. It included two basic route options – the initial 'Green' route and an alternative 'Blue' route. But there was only a cost/benefit assessment for the 'Green' route **not** for the 'Blue' route. This meant their respective value for money scores could not be compared. A variation of the Green route was termed the Pink route, with the sole difference being an added roundabout.

The Blue Route has added potential over the Green / Pink route to:



- Relieve traffic congestion on the A4055 between Biglis (MacDonalds) roundabout and Ffordd y Mileniwm.
- Provide a spur to filter traffic from the Cog development and the B4267 at Sully, which otherwise will be overloaded with a further 4,000 road trips daily by 2026. According to Vale Council consultants by this time the Merrie Harrier will have become 400% over capacity.
- Open up a potential 200 acre brown field area in East Barry to potentially provide 5,000 new jobs and £200 million extra GVA

The October Review Group meeting concluded that further activities needed to be carried out to complete the draft Stage 2 Report. Activities include area wide traffic modelling and economic assessment for all by-pass options.

By spring 2019, WAG funding had not been obtained when the Vale Cabinet Member for Transport presented an update report on the Stage 2 Study to the Vale's Environment and Regeneration Scrutiny Committee on 7<sup>th</sup> March 2019, at which the recommendation for further activities was agreed. However, a motion to stop work on the 'Blue' route was made and this resolution was confirmed by the Vale Cabinet on 15<sup>th</sup> April 2019.

This decision effectively removes the alternative 'Blue' by-pass route leaving only the 'Green/Pink' option without the possibility of comparing the merits of an alternative route.

WeITAG states that all options covered by the Study should be fully assessed before consideration by the Review Group and at Public Consultation. Great emphasis is placed on:

*“the **importance** of stakeholder involvement and **public consultation** in the gathering of evidence of the need for an intervention, the setting of the criteria against which proposed **options** will be assessed, and the likely impacts of **each option.**”*

To date there has been only one Public Consultation – on 13<sup>th</sup> March 2017.

Surely only after the full process of Review Group and Public Consultation can the Stage 2 proposals be referred to the Vale Cabinet for their final decision of what they wish to refer through for Stage 3 funding? Without full comparisons of all options the public would be unable to provide well informed and meaningful input.

We've addressed the points made within to the Vale Council but no response has been given.

Yours sincerely,

Rod Harrod

Rod Harrod,  
Petitioner,  
Dinas Powys By-pass

## Eitem 3.2

### **P-05-748 Bysiau Ysgol i Blant Ysgol**

Cyflwynwyd y ddeiseb hon gan Lynne Chick ac ystyriwyd gan y Pwyllgor am y tro cyntaf yn ystod Ebrill 2017, ar ôl casglu 1,239 llofnod.

### **Geiriad y ddeiseb**

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i sicrhau y rhoddir blaenoriaeth i ddiogelwch pob plentyn wrth iddynt deithio yn ôl ac ymlaen i'r ysgol.

Rydym am gael bysiau ysgol penodedig â sedd a gwregys diogelwch i bob plentyn, fel y gall plant deithio yn ôl ac ymlaen i'r ysgol yn ddiogel, ac ni ddylai unrhyw blentyn gael ei orfodi i deithio ar fysiau cyhoeddus gorlawn. Mae'n rhaid rhoi blaenoriaeth i ddiogelwch plant.

Mae gan ein plant yr hawl i deimlo'n ddiogel. Gall bysiau cyhoeddus fynd yn orlawn. Nid oes gennym ddim syniad pwy allai fod yn teithio ar fws cyhoeddus. Bysiau at ddefnydd y cyhoedd yw bysiau cyhoeddus ac nid cludiant i'r ysgol. Nid ydym yn gofyn am wasanaeth di-dâl. Nid ydym yn gofyn am gael rhywbeth am ddim, dim ond tawelwch meddwl bod ein plant yn ddiogel pan fyddant yn teithio yn ôl ac ymlaen i'r ysgol. Rydym yn dysgu ein plant bod pobl ddieithr yn beryglus ac eto mae disgwyl i ni eu hanfon ar fws cyhoeddus yn llawn pobl ddieithr bob dydd.

Bu farw fy merch ar ôl iddi gael ei tharo gan fws cyhoeddus a ddefnyddiodd i deithio adref o'r ysgol. Rwy'n teimlo ei bod hi'n anochel y bydd rhiant arall yn wynebu'r un hunllef â mi os na wneir rhywbeth i sicrhau bod gan blant ddull diogel o deithio yn ôl ac ymlaen i'r ysgol.

### **Gwybodaeth Ychwanegol**

Bydd llawer o bobl yn cofio fy merch Louise a'r ffordd ofnadwy y bu farw. I'r rhai nad ydynt yn cofio, roedd Louise yn 11 oed ac ond megis dechrau yn yr ysgol uwchradd. Roedd fy mhlant yn dibynnu ar fws cyhoeddus oherwydd y pellter i gyrraedd yr ysgol. Ar 19 Mawrth 2001, roeddwn i'n disgwyl i Louise ddod adref o Ysgol Uwchradd Cei Connah ar yr amser arferol, ond roedd y

bws yn hwyr y diwrnod hwnnw. Dechreuais boeni, ac wrth i mi adael y tŷ gwelais ffrindiau Louise a ddywedodd wrthyf ei bod hi wedi cael ei tharo gan gerbyd. Rhedais at ben y stryd i weld fy merch brydferth yn ymladd am ei bywyd yn y ffordd, â phlant ysgol gofidus o'i hamgylch. Roeddwn i'n methu â deall beth oedd wedi digwydd. Yn y misoedd wedyn, daeth i'r amlwg bod y bus yr oedd Louise yn teithio adref arno yn orlawn. Roedd oedolion yn sefyll yn siarad â'r gyrrwr. Soniwyd am wthio, a bod ei bag wedi'i ddal yn y drws neu yn yr olwyn, gan achosi iddi gael ei llusgo o dan y bus yr oedd hi newydd ddod oddi arno. Profwyd bod mannau dall nad oedd modd eu gweld yn y drychau ac roedd hynny wedi cyfrannu at y ddamwain.

Yn dilyn penderfyniad i gau ysgol leol, Ysgol Uwchradd John Summers, mae llawer o rieni wedi siarad â mi am eu pryderon ynghylch diogelwch eu plant wrth deithio ar fysiau cyhoeddus yn ôl ac ymlaen i'r ysgol. Codwyd pwyntiau sydd wedi codi ofn arnaf, felly rwy'n arwain ymgyrch yn enw fy merch er mwyn sicrhau na fydd unrhyw blentyn yn cael ei orfodi i ddefnyddio bysiau trafnidiaeth gyhoeddus fel cludiant i'r ysgol.

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

- Alun a Glannau Dyfrdwy
- Gogledd Cymru



Ein cyf/Our ref KS/06561/19

Janet Finch-Saunders AM  
Chair - Petitions Committee

Government.Committee.Business@gov.wales

21 June 2019

*Dear Janet,*

Thank you for your letter of 24 May regarding Petition P-05-748 School Buses for School Children.

Recommendation 8 of the Children's Commissioner for Wales's 2015/16 Annual Report stated that "the Welsh Government should review the Learner Travel (Wales) Measure 2008 and associated statutory provision and operational guidance, to ensure that all journeys to and from school are safe and that local authorities are quite clear about their responsibilities for ensuring that this happens."

The Welsh Government accepted this recommendation in principle and has been consistent in its commitment to ensuring the safety of learners on their home to school journey as well as promoting their well-being through a healthy active lifestyle. The operational guidance supporting the Learner Travel Measure was reviewed and published in 2014 and since that time some minor amendments have been made to the guidance and the Travel Behaviour Code has been refreshed.

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The Guidance is currently being reviewed following a commitment by the Minister for Education during scrutiny of the Additional Learning Needs (ALN) and Education Tribunal (Wales) Act 2018. This review is being undertaken in conjunction with local authority staff and the revised document will be the subject of a public consultation in due course.

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

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

[Gohebiaeth.Ken.Skates@llyw.cymru](mailto:Gohebiaeth.Ken.Skates@llyw.cymru)  
[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.

Tudalen y pecyn 134  
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.

Whilst the Guidance is being reviewed there is no intention to review the Learner Travel Measure. Transport and Education officials are considering responses to the consultation on the draft Additional Learning Needs (ALN) Code and issues arising. The Minister for Education has stated her intention to publish the ALN Code in December 2019, subject to the approval of the Code by the National Assembly.

*Yours ever,*



**Ken Skates AC/AM**

Gweinidog yr Economi a Thrafnidiaeth  
Minister for Economy and Transport

**P-05-748 School Buses for School Children, Correspondence – Petitioner to Committee, 28.06.19**

Dear Sir/Madam,

Thank you for contacting Ken Skates again on behalf of the petition, I think he is missing our point, each time he writes back it's around learner transport only, like I've pointed out not all Children are fortunate to be provided with learner transport, I do understand there are very different rule on these buses, if Ken Skates is happy to provide learner transport for all children then happy days, but that is not going to happen, which leaves us still with the problem I've raised, what about the safety of the Children who have to use public transport to travel back and forth between home and school, this is where the issues lie, no seatbelts, drivers do not have to be db checked, children can legally be transported standing up, they do not legally all have to be seated. Is it ok then to transport those children lucky enough to have learner transport safer with tighter regulations then those children who are very unfortunate and have to use public buses to and from school, these children are ok to be transported like cattle with less regulations in place? Please see photos enclosed how school children are transported to and from school on non learner transport (public buses) to and from school. This is not acceptable and is completely compromising their safety.

(Photos taken in North Wales)

### **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 Ieuencid 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

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



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref P-05-743  
Ein cyf/Our ref LG/06219/19

Janet Finch-Saunders AM  
Chair - Petitions committee

Government.Committee.Business@gov.wales

19 June 2019

Dear Janet

Thank you for your letter of 13 June, regarding the exotic pet trade in Wales.

Officials are due to meet with the Animal Welfare Network Wales in July to begin developing a code of practice for primates kept as pets in Wales. As this work progresses we will continue to discuss priorities for revising or creating other animal welfare codes, such as exotic pets.

I will provide you with an indicative timeline for the primate code following the meeting on 29 July.

Regards  
Lesley

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

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:  
0300 0604400  
[Gohebiaeth.Lesley.Griffiths@llyw.cymru](mailto:Gohebiaeth.Lesley.Griffiths@llyw.cymru)  
[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 139**

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.

**P-05-743 End the Exotic Pet Trade in Wales, Correspondence – Petitioner to Committee, 28.06.19**

Thank you for your invitation to address the correspondence dated 19 June, 2019, between Ms Janet Finch-Saunders AM, Chair-Petitions Committee and Ms Lesley Griffiths AC/AM, Minister for Environment, Energy and Rural Affairs, re the trade in and sale of exotic pets in Wales, specifically, in this instance, that of primates.

It will be of interest to you that I have replied directly to Ms Finch-Saunders on this matter, and that I intend to further petition Ms Griffiths.

For the present purpose of information pertinent to the next meeting of the Petition Committee, July 9, I would like to put on record my gratitude for the committee's continuing concerns for the welfare of exotic pets imported, bred, sold and kept in Wales. I am further indebted to the committee for providing me with the very latest information concerning discussions related to said exotic pets.

I was pleased to read that officials from the Department of Environment, Energy and Rural Affairs are scheduled to meet with Animal Welfare Network Wales in July to discuss the development of a code of practice for the keeping of primates as pets. Further, it was of great interest to me that Ms Griffiths intimated that future discussions could include the revision or creation of welfare codes pertinent to exotic pets, even though one has to be guarded about this as any such discussion would be conditioned by the perceived "priorities" at the time of their advent.

As interested parties in this growing debate, I thought to include for the Committee's consideration the following links. The first two are RSPCA pages about the keeping of primates as pets from which you will clearly deduce the organisation's absolute disavowal of the practice. Indeed, the following statement is unequivocal: We (RSPCA) are "calling for a ban on the keeping and trade of primates as pets." Further, the text continues:

"Primates should not be considered as pets in the accepted sense of the word. They are wild undomesticated animals that cannot be house-trained or fully tamed."

Indeed, many of the arguments thereafter made in the document are identical to those used to contest the keeping of other exotic pets, such as reptiles, birds, certain species of fish and insects, that being wild it is cruel and inhumane to remove them from and deny them their natural habitats.

The second link is another RSPCA page referring to current and upcoming legislation (Third Party Sales of Pets' Bill)

and the public petition the charity ran in England for a ban on the keeping of primates as pets. It is to be noted that events are picking up speed in England, but that it is in Wales that matters could be more quickly acted upon and legislated for. It is to be hoped that Cardiff will not await developments in London.

Finally, the third link is from the Born Free Foundation, an organisation that exists to inform us of the situations of captive animals in the UK and elsewhere, whether they be confined in circuses, zoos or domestic properties. You will see that conditions in pet shops are a great concern, as many traders and sellers have no other ulterior motive for the welfare of an animal other than its sale. In many instances, the charity's research has uncovered great suffering at these point of sale. It is my contention that pet shops which offer exotic pets and primates for sale are not in keeping with progressive thinking.

Given the above, I would take this opportunity to hope that as a matter of urgency members of the committee convey to Ms Lesley Griffiths their concerns ahead of the meeting between her officials and members of Animal Welfare Network Wales.

I am certain that you will agree with me, that should Wales make a statement by banning the keeping of all primates as pets then it would reflect very positively upon those responsible for such a moral and progressive decision.

<https://www.rspca.org.uk/adviceandwelfare/pets/other/primates>

<https://www.rspca.org.uk/getinvolved/campaign/primates>

<https://www.bornfree.org.uk/pet-primates>

Many thanks for your valuable time and consideration, and thank you for your open-mindedness.

Best regards

David Sedley

## Eitem 3.4

### **P-05-869 Datgan Argyfwng Hinsawdd a gosod targedau di-garbon ym mhob polisi**

Cyflwynwyd y ddeiseb hon gan Matthew Misiak, ar ôl casglu 4,958 o lofnodion ar-lein a 1,190 ar bapur – cyfanswm o 6,148 lofnodion.

#### **Geiriad y ddeiseb:**

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i:

1. Ddatgan Argyfwng Hinsawdd.
2. Sicrhau bod yr holl bolisiâu presennol ac yn y dyfodol yn gyson â'r ymgyrch i osgoi newid pellach yn yr hinsawdd a chwymp ecolegol.
3. Deddfu mesurau polisi cyfreithiol i leihau allyriadau carbon i net sero erbyn 2025 a lleihau lefelau defnydd.
4. Gweithredu Cynulliad Dinasyddion Cymru i oruchwyllo'r newidiadau.

Rydym yn galw ar Lywodraeth Cymru i ddatgan Argyfwng Hinsawdd ar unwaith, ac ymrwmo i weithredu'r camau sy'n weddill erbyn mis Mehefin 2019.

Rhaid i dargedau Llywodraeth Cymru ar gyfer sector cyhoeddus di-garbon gael eu defnyddio fel catalydd i sbarduno datgarboneiddio cyflym yn y sector preifat drwy gaffael, trethi a chymhorthdal. Ledled y DU, mae ugain cyngor dinas, tref a sir eisoes wedi datgan Argyfwng Hinsawdd, gan gynnwys Powys a Machynlleth. Rhaid i ddinasyddion fod yn rhan er mwyn sicrhau bod y newid angenrheidiol yn cael ei wneud ar draws gymdeithas, fel y dangoswyd ym model Sortition o ddemocratiaeth gyfranogol. Ymhlith y mentrau y gellir creu partneriaeth â nhw mae: The Climate Mobilization; Beyond Zero Emissions; Rapid Transition Alliance; Green New Deal Group; One Million Climate Jobs; The Breakthrough Institute; a Zero Carbon Britain.

#### **Gwybodaeth ychwanegol:**

Mae Panel Rhynglywodraethol y Cenhedloedd Unedig ar Newid Hinsawdd wedi rhybuddio bod gennym 12 mlynedd i wneud y newidiadau angenrheidiol i gyfyngu ar gynnydd mewn tymheredd byd-eang o 1.5°C. Bydd methiant i weithredu yn golygu cynnydd sylweddol a chyflymach yn

lefelau'r môr a llifogydd, newidiadau eithafol a sydyn i batrymau tywydd, methiant cnwd, a rhywogaethau o blanhigion, pryfed ac anifeiliaid yn darfod. Yn anochel, bydd hyn yn arwain at amharu economaidd byd-eang ac argyfwng dyngarol. Bydd hefyd yn effeithio'n andwyol ar les pobl Cymru a biliynau o bobl eraill. Y llynedd, dywedodd Syr David Attenborough:

"Ar hyn o bryd, rydym yn wynebu argyfwng a wnaed gan ddyn ar raddfa byd-eang. Ein bygythiad mwyaf mewn miloedd o flynyddoedd. Newid hinsawdd. Os na fyddwn ni'n gweithredu, mae cwmp gwareiddiad a thranc llawer o'n byd naturiol ar y gorwel. Mae pobl y byd wedi siarad. Mae'r neges yn glir. Mae amser yn rhedeg allan."

Mae polisi Datblygu Un Blaned a Deddf Llesiant Cenedlaethau'r Dyfodol yn dangos y gall Cymru arwain y ffordd mewn polisi blaengar. Ond nid ydynt yn ysgogi'r llywodraeth i weithredu yn unol â difrifoldeb y sefyllfa. Mae'r consensws gwyddonol yn dangos y raddfa heb ei debyg o weithredu ar y cyd sydd ei angen er mwyn osgoi'r canlyniadau gwaethaf yn y dyfodol agos. Ni allwn ofyn am ddim llai.

Mae pobl ledled y byd yn cael eu hysbrydoli gan fudiad Extinction Rebellion i annog llywodraethau ar bob lefel i wynebu'r her yn sgil newid hinsawdd a chwymp ecolegol. Bydd cenedlaethau'r dyfodol yn ein barnu ar ein dewrder i wneud y newid yr ydym yn gwybod sydd ei angen ar frys. Gweithredwch nawr.

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

- Aberconwy
- Gogledd Cymru

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



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref P-05-869  
Ein cyf/Our ref LG/06122/19

Janet Finch-Saunders AM  
Chair - Petitions Committee

Government.Committee.Business@gov.wales

//

June 2019

Dear Janet

Thank you for your letter of 30 May, regarding petition P-05-869 'Declare a Climate Emergency and fit all policies with zero-carbon targets'.

We fully recognise the urgency of tackling climate change, both here in Wales and internationally and that is why Wales was the first Parliament in the world to vote in favour of the declaration of a climate emergency to strengthen and galvanise action at home and internationally, from our own communities, businesses and organisations, to Parliaments and Governments around the world.

Declaring a climate emergency signals our commitment to continue to raise our ambition and do even more to provide the basis for collective action on climate change across our economy and society. This builds on Prosperity for All: A Low Carbon Wales which contains detailed sector-by-sector emissions profiles and 100 policies and proposals to achieve a low-carbon Wales. The plan is the start of our response to the climate emergency and makes our position clear – we believe we must continuously raise our ambition in order to meet the challenge of climate change and to secure maximum benefits for the wellbeing of Wales through the transition to a low carbon economy. We are reviewing the actions in the plan to see where further action can be taken following the declaration. We have also started preparing our next plan of measures to meet the second carbon budget for 2021-26 and it must go further and faster.

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

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

[Gohebiaeth.Lesley.Griffiths@llw.cymru](mailto:Gohebiaeth.Lesley.Griffiths@llw.cymru)  
[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 144**  
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.

Following our declaration, we have also committed to review our long term targets. In response to a request from the Welsh, Scottish and UK Governments to reassess the UK's long-term emissions targets, the Committee on Climate Change (CCC) published 'Net Zero – The UK's contribution to stopping global warming' on 2 May. It includes a recommendation for the Welsh Government to legislate for at least a 95% reduction in all greenhouse gas emissions against the 1990 baseline by 2050. This represents a substantial change from the existing 'at least 80%' target in the Environment (Wales) Act.

On 2 May I issued a Written Statement welcoming the CCC report and committing us to reviewing our 2050 target and reporting back to the National Assembly before setting the third carbon budget by the end of 2020. I have already asked the CCC to provide further recommendations next year on what the advice means for our existing interim targets and carbon budgets in the context of our Well-being of Future Generations Act. I am particularly keen we explore all opportunities to build on the advice and identify where we can achieve even more rapid decarbonisation that will realise even greater benefits for Wales' wellbeing.

However, the scale of the challenge requires all levels of society from government and business to communities and individuals to take action and we need to work with others to really achieve a low carbon and more prosperous and healthy Wales.

A handwritten signature in black ink that reads "Regards" on the top line and "Lesley" on the bottom line. The signature is fluid and cursive.

**Lesley Griffiths AC/AM**

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



## **P-05-869 Declare a Climate Emergency and fit all policies with zero-carbon targets**

### **Final Comments to Petitions Committee from Extinction Rebellion Cymru**

Extinction Rebellion Cymru appreciate the opportunity to engage with our Government and elected ministers – noting the Welsh Assembly's willingness to hear and respond to the 6,000+ signatories to our petition.

We listened to the full chamber debate on the 19<sup>th</sup> June with interest, appreciating the committee member's contribution to clearly outlining the severity of the situation. Neil's concern regarding housing and the potential use of the LDP as a strategic tool to plan where and how we build is an important issue. We appreciated the summary made by Janet at the debate's conclusion, bringing together the cross-party consensus for decisive action.

We agree with Lesley Griffith's comment, "Never has there been a better time than now to put forward your ideas" but felt the public options for engagement she suggested (consumer choices, ballot box or projects like Eco schools) does not include the considerable potential for collective engagement with the public. There has been a critical rise in awareness and engagement with climate issues recently and we feel Welsh citizens are ready and willing to participate in and scrutinize much more fully the actions our government takes over the next few years in response to declaring a Climate Emergency. Collectively we can engage on a much deeper level to co-create the radical solutions that this crisis demands and both support and scrutinize their implementation.

Citizens Assemblies allow ideas that come from a wide range of experience, (selected by sortition – both representative and random) allowing the time for everyone to engage fully with relevant material and make balanced decisions. Westminster has recently announced that they will be establishing a Citizens Assembly for 6 Select Committees in order to debate how to share the potential costs of a shift to a clean economy.

We call on the Welsh Government to establish Citizens Assemblies in Wales, ensuring they are independent of government and free to develop their own agenda. The time is now to build on the groundswell of concern and motivation to see clear actions that really cut carbon emissions in a manner that is equitable.

On the 4<sup>th</sup> July Extinction Rebellion Cymru are running a People's Assembly in the Senedd Neuadd. A People's Assembly is an informal, cut-down version of

a Citizen's Assembly, using the same participatory structures that allow voices to be heard equally, but briefer and with a group of interested people rather than a specific sample of the Welsh public. On Thursday 4<sup>th</sup>, the group participating in the People's Assembly are mainly Extinction Rebellion constituents from around Wales, who are inviting their Assembly Members to attend at 1pm to hear from us the conclusion of our debate, our ideas and demands.

All Assembly members have been invited to attend at 1pm for 30 minutes and we particularly hope members of the Petitions committee were able to attend.

## Eitem 3.5

### P-05-876 Amddiffyn rhywogaethau rhestredig Coch ac Amber yng Nghymru

Cyflwynwyd y ddeiseb hon gan Chris Evans, ar ôl casglu cyfanswm o 173 lofnodion.

#### Geiriad y ddeiseb:

Yn ddiweddar, mae wedi dod i'n sylw bod Cyfoeth Naturiol Cymru wedi bod yn rhoi trwyddedau i ganiatáu lladd rhywogaethau sy'n ymddangos ar restrau Coch ac Amber yr RSPB yng Nghymru, a hynny ar sail braidd yn annilys o bryd i'w gilydd, fel "diogelu bwyd gwartheg" a "diogelu'r awyr". Mae dulliau eraill yn bodoli i wasgaru adar heb fod angen eu lladd.

Mae pob rhywogaeth sydd wedi'u rhestru'n Goch mewn perygl difrifol o ddifodiant yng Nghymru, felly mae angen gwella lefel yr amddiffyniad er mwyn atal rhagor o ddirywiad i'n bioamrywiaeth naturiol.

Mae gan reolwyr Cyfoeth Naturiol Cymru safbwynt anthropocentrig o ran yr amgylchedd naturiol, ac felly nid ydynt yn addas i'r diben pan fo mater yn ymwneud ag amddiffyn yr amgylchedd a bioamrywiaeth.

Rydym ni, drwy lofnodi isod, yn dadlau nad yw Cyfoeth Naturiol Cymru yn llwyddo i amddiffyn yr amgylchedd naturiol a bioamrywiaeth yng Nghymru.

Rydym yn mynnu y dylai hawl Cyfoeth Naturiol Cymru (neu unrhyw gorff arall) i roi trwyddedau i ganiatáu lladd unrhyw rywogaethau Coch neu Amber rhestredig gael ei dynnu'n ôl ar unwaith, a bod angen i'r rheolwyr ystyried safbwynt llai anthropocentrig mewn perthynas â'r holl faterion sy'n ymwneud â'r amgylchedd a bioamrywiaeth.

#### Gwybodaeth ychwanegol:

#### Etholaeth a Rhanbarth y Cynulliad

- Gŵyr
- Gorllewin De Cymru



**Cyfoeth  
Naturiol  
Cymru  
Natural  
Resources  
Wales**

Ein cyf/Our ref: CX19-120  
Eich cyf/Your ref: P-05-876

Ty Cambria / Cambria House  
29 Heol Casnewydd / 29 Newport Road  
Caerdydd / Cardiff  
CF24 0TP / CF24 0TP

Ebost/Email:  
Chiefexecutivesoffice@cyfoethnaturiolcymru.gov.uk  
Chiefexecutivesoffice@naturalresourceswales.gov.uk

Ffôn/Phone:  
0300 065 4453

Janet Finch-Saunders AM/AC  
Chair/Cadeirydd  
Petitions Committee  
National Assembly for Wales

[SeneddPetitions@assembly.wales](mailto:SeneddPetitions@assembly.wales)

18 June 2019

Dear Janet Finch-Saunders

### **Petition P-05-876 Protection of Red & Amber listed species in Wales**

Thank you for your letter of 12 June 2019 to Clare Pillman about the above petition which is currently being considered by the Petitions Committee.

Natural Resources Wales champions the environment of Wales and works hard to provide opportunities for the conservation of biodiversity. All wild birds are afforded protection under the Wildlife and Countryside Act (1981), but on some occasions, and only when all other avenues of scaring or deterring have failed, we issue licenses to kill birds for specific purposes. In doing so, as the competent licensing authority we carefully balance the needs of conservation with other public interests such as preserving air safety, protecting human health, public safety, minimising damage to crops and livestock and protecting fisheries. Some licences, particularly for preserving air safety, whilst issued they do not necessarily mean that birds are killed.

There are two main types of licence – Bespoke and General.

#### **Bespoke licences**

Bespoke licences may be issued to control wild birds for many reasons including human health and safety, protection of crops and livestock, foodstuffs, conservation of flora and fauna and air safety. Bespoke licences require specific applications to be made to NRW. They are assessed and determined by the Permitting Service which aims to determine applications within 30 days.

In deciding whether a license should be granted, all applications involving wild birds are assessed in the same way against the relevant policy and within the legal framework of the

Wildlife and Countryside Act (1981). NRW fulfills this role as the wildlife licensing authority, alongside our statutory responsibilities as Welsh Government's adviser on nature conservation. We only issue a licence as a last resort when all other methods have failed to resolve the problem. Furthermore, NRW would not license any activity which in its professional opinion would adversely affect the conservation status of any avian species.

Since taking over the responsibility of issuing the licences on behalf of the Welsh Government in 2013, NRW has been working within this legal framework to continuously improve the licencing process. For example, in July 2018, we established an NRW fish-eating birds Advisory Group<sup>1</sup>, a joint group of organisations that represent sectors of government, conservation and fisheries management. The Advisory Group had a wide remit of which included reviewing the interactions and effects of piscivorous birds on salmonids and inland fisheries, assessing current policy, and seeking views and advice from group members concerning bespoke licence requirements for fish-eating birds in Wales.

In addition, after a constructive meeting with RSPB Cymru and the Welsh Ornithological Society (WOS) on 1 February 2019, NRW have agreed to work closely to look at potential improvements to our bespoke licences such as improving the design of the application form to ensure applicants have considered the Defra guidance including non-lethal alternatives as well as providing additional guidance on evidence that is needed to support licence applications.

### **General Licences**

NRW also make available General Licences which provide a legal basis for people to lawfully carry out a range of activities relating to wildlife. Four of them, General Licences 001 to 004<sup>2</sup> are used to give permission to take or kill certain wild birds, or damage, take or destroy their nests, or destroy their eggs for certain purposes for example to protect public health and safety, to protect crops and livestock or for the conservation of other species. They apply to 15 bird species<sup>3</sup> in Wales and are issued under Section 16(1) of the Wildlife and Countryside Act 1981 (as amended). They allow lethal action and capture to be carried out, which would otherwise be illegal, without the need to apply for a bespoke licence. The process relies on the licensee to apply the legal provisions.

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<sup>1</sup> The Advisory Group comprised representatives from: Welsh Government, NRW, RSPB, BTO, WOS, Afonydd Cymru, Salmon and Trout Conservation Cymru, Angling Trust, Cefas, Natural England.

<sup>2</sup> NRW General licence 001 - 2019 Licence to kill or take certain wild birds to prevent serious damage to agriculture, forestry or fisheries, or prevent the spread of disease, 002 - 2019 Licence to kill or take certain wild birds for the purpose of preserving public health and public safety, 003 - 2019 Licence to kill or take certain wild birds for the purpose of preserving air safety, 004 - 2019 Licence to kill or take certain wild birds for the purpose of conserving flora and fauna, including wild birds.

<sup>3</sup> Carrion crow, jackdaw, jay, magpie, rook, lesser black-backed gull, herring gull, great-black-backed gull, common gull, black-headed gull, lapwing, wood pigeon, collared dove, feral pigeon, Canada goose.

We are aware of the legal challenge that Natural England has faced and the changes they have made to General Licences used for controlling certain species of wild birds in England. We have a similar role to Natural England and have obtained our own legal advice in a Welsh context which we are currently reviewing. We are also engaged with a number of stakeholders to both understand concerns and collaborate on opportunities to inform our position and support any necessary changes

We continue working to improve our processes and permits, and strive to do this in collaboration with others, so that we can work together towards a resilient and biodiverse Wales that supports the wellbeing of our communities.

Yours sincerely,



**Ruth Jenkins**

Pennaeth Polisi Rheoli Adnoddau Naturiol / Head of Natural Resources Management Policy  
Cyfarwyddiaeth Tystiolaeth, Polisi a Thrwyddedu / Evidence, Policy and Permitting Directorate

## Eitem 3.6

### P-05-754 Diffyg cymorth i blant ag anableddau mewn argyfwng

Cyflwynwyd y ddeiseb hon gan Rebecca Weale ac ystyriwyd gan y Pwyllgor am y tro cyntaf yn ystod Mehefin 2017, ar ôl casglu 200 llofnod.

#### Geiriad y ddeiseb

Yr wyf yn ceisio tynnu sylw at yr angen i dîm argyfwng plant Cwm Taf gydnabod bod angen hanfodol i blant ag anableddau gael cymorth mewn argyfwng, a chael yr hawl i gael eu trin fel unrhyw blentyn arall.

Yr wyf yn fam i bedwar o blant. Mae gan Tom, fy mab canol, anghenion niferus, anawsterau dysgu difrifol, awtistiaeth, anhwylder hwyliau yn ogystal â phroblemau iechyd ychwanegol eraill. Mae Tom yn cyrraedd pwynt argyfwng bob hyn a hyn, sy'n golygu cynnydd mewn ymddygiad ymosodol, gweiddi yn uwch nag arfer, anafu ei hun yn ogystal ag eraill, a llawer o newidiadau eraill mewn ymddygiad. Mae sgiliau cyfathrebu Tom yn hynod gyfyngedig ac nid yw'n gallu dweud wrthym beth sydd o'i le na beth y gallwn ei wneud i helpu. Rydym wedi bod ar bwynt argyfwng gyda Tom, sydd bellach yn 15 oed ac ar ddogon uchel o feddyginiaethau, lawer gwaith dros y blynyddoedd ac mae'n rhyfeddol nad yw'r sefyllfa wedi gwella o ran cymorth i blant ag anableddau pan fyddant mewn argyfwng. Mae Tom mewn argyfwng ar hyn o bryd, ac wedi bod felly ers peth amser. Ychydig iawn o gymorth yr ydym ni fel teulu wedi'i gael, os o gwbl, i'w helpu drwy'r cyfnod anodd hwn. Rwyf wedi cael gwybod bod tîm argyfwng plant yn bodoli. Fodd bynnag, nid yw'n cefnogi plant ag anableddau! Siawns nad yw plentyn mewn argyfwng, p'un a oes ganddo anableddau neu beidio, yn dal i fod yn blentyn mewn argyfwng. Yn wir, efallai fy mod yn anghywir, ond mewn rhai achosion efallai bod angen mwy o gymorth argyfwng arno. Ni allaf gredu bod y rhaniad hwn yn dal i fod yn dderbyniol yn yr oes hon.

#### Etholaeth a Rhanbarth y Cynulliad

- Merthyr Tudful a Rhymni
- Dwyrain De Cymru



Ein cyf/Our ref VG/06674/19

Janet Finch-Saunders AM  
Chair - Petitions committee  
National Assembly for Wales  
Ty Hywel  
Cardiff  
CF99 1NA

Government.Committee.Business@gov.wales

17 June 2019

Dear Janet,

Thank you for your letter of 24 May about the petition you have received about disabled children in crisis.

The Social Services and Well-being (Wales) Act 2014 provides the legal framework for improving the well-being of people who need care and support and carers who need support. Under the Act each local authority has a duty to assess an individual's need for care and support and to meet those needs deemed eligible through a care and support plan. The codes of practice that accompany the Act are clear that the purpose of the assessment is to understand the individual's needs, capacity, resources and the outcomes they wish to achieve. The assessment will identify how best they can be supported to achieve their needs, including how family and community can help achieve their desired outcomes.

In addition, through the ASD Strategic Action Plan, the Welsh Government is delivering a programme of autism service reform. This includes investing £2m per year in improvements to children's neurodevelopmental services. We have rolled out the National Integrated Autism Service (IAS) which is now open in all parts of Wales. This service can provide advice and support for parents and carers although it does not work directly with children. We also support the National Autism Team to provide expert advice for both professionals and for autistic people. The resources they provide can be found on their website [www.asdinfowales.gov.uk](http://www.asdinfowales.gov.uk) where contact details for local IAS' can also be found.

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

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

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

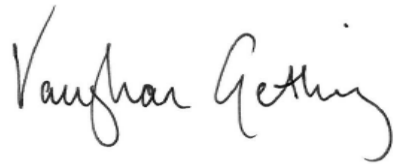
Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

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.



We recently consulted on our plans for a statutory code of practice on the delivery of autism services, which will place duties and obligations on health boards and local authorities to adapt their services to meet the needs of autistic people. This will include providing care and support services which also address co-existing conditions such as autism and learning disabilities. We will publish the draft code for consultation at the end of this year.

Yours sincerely,

A handwritten signature in black ink that reads "Vaughan Gething". The signature is written in a cursive style with a small dot above the 'i' in "Gething".

**Vaughan Gething AC/AM**

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

### **P-05-797 Sicrhau mynediad i'r feddyginiaeth ffibrosis systig, Orkambi, fel mater o frys**

Cyflwynwyd y ddeiseb hon gan Rhian Barrance ac ystyriwyd am y tro cyntaf yn ystod Ionawr 2018, ar ôl casglu 5,717 o lofnodion.

#### **Geiriad y ddeiseb**

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i alw am ddatrysiad i drafodaethau parhaus rhwng GIG Cymru, Grŵp Strategaeth Meddyginiaethau Cymru Gyfan, Pwyllgor Iechyd a Gwasanaethau Arbenigol Cymru a Vertex Pharmaceuticals ynghylch mynediad i'r feddyginiaeth ffibrosis systig, Orkambi, fel mater o'r brys eithaf.

#### **Gwybodaeth ychwanegol**

Mae gan 418 o bobl yng Nghymru ffibrosis systig (CF). Mae CF yn anhwylder etifeddol sy'n lleihau bywyd. Yr oedran canolrifol ar farwolaeth i berson â CF yn 2016 oedd 31 oed. Mae CF yn cael ei achosi gan fwtadiadau yn y genyn CFTR sy'n arwain at fwcws trwchus, gludiog yn cronni yn yr ysgyfaint ac organau eraill. Yn raddol, mae'r cronniad hwn yn achosi heintiau cronig yn yr ysgyfaint a difrod cynyddol i'r ysgyfaint. Mae'r baich triniaeth ar gyfer person â CF yn uchel a gall bywyd bob dydd fod yn anodd.

Mae Orkambi yn feddyginiaeth fanwl y gallai 40% o bobl yn y DU gyda CF gael budd ohoni. Tra bod triniaethau CF confensiynol yn targedu'r symptomau, mae meddyginiaethau manwl yn mynd i'r afael â'r mwtadiadau genetig sylfaenol sy'n achosi'r cyflwr. Er nad yw Orkambi yn wellhad, canfuwyd ei bod yn arafu'r dirywiad yng ngweithrediad yr ysgyfaint – yr achos marwolaeth mwyaf cyffredin i bobl â CF – o 42%.

Ym mis Gorffennaf 2016, cydnabu'r Sefydliad Cenedlaethol Rhagoriaeth Glinigol (NICE) Orkambi fel 'triniaeth bwysig.' Fodd bynnag, nid oeddent yn gallu argymhell y cyffur i'w ddefnyddio o fewn y GIG ar sail cost effeithiolrwydd a diffyg data hirdymor.

Ym mis Mehefin 2017, trefnodd yr Ymddiriedolaeth Ffibrosis Cystig ddiwrnod o brotest cenedlaethol yn y Senedd, Stormont, Holyrood, Downing Street ac ar-lein i alw am derfyn ar y diffyg cynnydd. Ers y protestiadau, mae

Pwyllgor Iechyd a Gwasanaethau Arbenigol Cymru (WHSSC) wedi cyflwyno Grŵp Strategaeth Meddyginiaethau Cymru Gyfan (AWMSG) gyda'r dull portffolio a ddatblygwyd gan wneuthurwr y cyffur, Vertex Pharmaceuticals.

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i alw am ddatrysiad i'r trafodaethau parhaus hyn rhwng GIG Cymru, yr AWMSG, WHSSC a Vertex Pharmaceuticals fel mater o'r brys pennaf. Mae'n hanfodol bod dull ad-dalu teg a chynaliadwy i'w gael ar gyfer Orkambi ac ar gyfer y biblinell gyffrous o driniaethau yn y dyfodol.

Mae pobl yng Nghymru wedi bod yn aros yn rhy hir am y cyffur trawsnewidiol hwn. Maen nhw'n haeddu gwell.

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

- Gorllewin Caerdydd
- Canol De Cymru

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Janet Finch-Saunders AM  
Chair, Petitions Committee  
National Assembly for Wales  
Cardiff Bay  
Cardiff, CF99 1NA

26 June 2019

Dear Ms Finch-Saunders,

**Petition P-05-797 Ensure access to cystic fibrosis medicine, Orkambi, as a matter of urgency**

Thank you for your letter of 21 June 2019 requesting an update on access to Vertex medicines for the treatment of cystic fibrosis.

As I informed the Committee earlier in the year, we have been in discussion with the All Wales Therapeutics and Toxicology Centre (AWTTC) which advises the All Wales Medicines Strategy Group (AWMSG), as well as senior officials, regarding health technology appraisals to the AWMSG. We have been seeking clarifications regarding how the appraisal processes would be applied to our medicines, taking into account the specific characteristics and value proposition of our precision medicines.

Following these discussions, we have asked for consideration by AWMSG to allow Vertex to submit evidence for appraisal on Orkambi (lumacaftor/ivacaftor) for all eligible patients, as well as Symkevi (tezacaftor/ivacaftor) to be used in combination with ivacaftor, and await guidance from AWTTC to this effect. We would be willing to propose interim access arrangements for patients in Wales similar to those agreed in Scotland.

We are committed to working with the authorities in Wales to make our cystic fibrosis medicines available to NHS Wales patients. While we continue to seek full access to our medicines in Wales, Vertex has provided lumacaftor/ivacaftor at no cost to 27 patients in Wales and tezacaftor/ivacaftor at no cost to 6 patients in Wales because of critical medical need. Across the UK, we have provided our cystic fibrosis medicines at no cost to over 1,000 patients because of serious medical need.

I will write to you again as soon as the evidence has been formally submitted.

Yours sincerely,



Michael Oliver  
UK Country Manager  
Vertex Pharmaceuticals

## Eitem 3.8

### P-05-842 Rhowch lais i bobl ifanc yn y broses o gomisiynu gwasanaethau lleol yng Nghymru

Cyflwynwyd y ddeiseb hon gan Changing Minds Campaign Group, wedi iddi gasglu 1,387 o lofnodion ar-lein a 2,865 ar bapur, sef cyfanswm o 4,252 o lofnodion.

#### Geiriad y ddeiseb

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i gydnabod y ffaith nad yw'r lefel bresennol o gyfranogiad pobl ifanc yn y broses o gomisiynu gwasanaethau yn caniatáu i grwpiau ymylol gael eu cynnwys yn y broses honno. Rydym yn gofyn am adolygiad o'r polisïau a'r canllawiau sydd ar waith, ynghyd ag argymhelliad bod canllawiau newydd gorfodol ar waith ar gyfer gwasanaethau a gomisiynir ar gyfer pobl ifanc.

Mae angen i holl bobl ifanc Cymru gael y cyfle i leisio barn a rhannu eu profiadau mewn modd ystyrlon, a hynny at ddibenion llunio'r gwasanaethau sydd ar gael i'w cefnogi. Rydym yn gofyn i chi gefnogi'r broses o hyrwyddo newidiadau a fydd yn arwain at gyflawni'r nod hwn. Fel pobl ifanc, rhaid inni gael y cyfle i rannu ein syniadau a'n safbwyntiau ynghylch y prosiectau y mae arnom eu hangen yn ein hardaloedd ni.

Ar hyn o bryd, dim ond cynghorau/fforymau ieuencid sy'n destun ymgynghoriadau, ac nid yw'r drefn hon yn cynrychioli'r rheini sy'n ei chael yn anodd bod yn rhan o fforymau o'r fath, fel yr un o bob pump o oedolion ifanc sydd ag anhwylder iechyd meddwl y gellir gwneud diagnosis ohono. Mae angen llwyfan ar y bobl ifanc hynny na fyddant, o bosibl, yn gallu cymryd rhan yn y cynlluniau presennol yn sgil eu problemau iechyd meddwl, er mwyn iddynt gael cyfle i leisio barn ar wasanaethau a phrosiectau sy'n effeithio arnynt yn uniongyrchol.

Rydym yn grŵp o bobl ifanc sydd wedi bod yn rhan o'r Prosiect Newid Meddyliu, sy'n cael ei gydlynu gan sefydliad Newport Mind. Disgwylir i'r prosiect hwn gollu arian ym mis Tachwedd. Yn sgil y sefyllfa hon, rydym wedi bod yn dysgu am y broses gomisiynu, sydd wedi arwain at greu'r ddeiseb hon ac i'n hymgyrch ehangach, sef #changeit. Bydd cynnwys pobl ifanc â phroblemau iechyd meddwl yn uniongyrchol y

broses gomisiynu yn hwyluso'r broses o deilwra gwasanaethau ac yn gwella hyder y bobl a dargedir gan y gwasanaethau a ddarperir.

"Roedd y cyfle i gyfrannu at y prosiect hwn yn gyfle imi wir ddeall pryderon pobl ifanc a'r problemau y maent yn eu hwynebu. Heb fod y pryderon hyn yn cael eu codi a'u cynnwys wrth lansio unrhyw bolisi sy'n effeithio ar bobl ifanc, bydd unrhyw fenter sy'n effeithio arnynt yn ddiffygiol".

### **Gwybodaeth Ychwanegol**

Mae'r ddogfen 'Dull Gweithredu Seiliedig ar Hawliau Plant yng Nghymru' gan Gomisiynydd Plant Cymru yn fframwaith ar gyfer ymgorffori hawliau plant mewn gwasanaethau sy'n ymwneud â phobl ifanc. Mae'r rhain yn ganllawiau, ac felly nid ydynt yn orfodol. Maent yn seiliedig ar Erthygl 12 o Gonfensiwn y Cenhedloedd Unedig ar Hawliau'r Plentyn (UNCRC), sy'n amlinellu hawl plant i fod yn rhan o greu a gweithredu polisiau—yn enwedig y rhai sy'n effeithio ar eu demograffig nhw.

Mae Adroddiad Blynyddol Comisiynydd Plant Cymru ar gyfer 2016/2017 (yr Adroddiad) yn tynnu sylw penodol at y ffaith bod y Comisiynydd yn dymuno gweld pobl ifanc yn cael eu hintegreiddio yn y broses gomisiynu i raddau mwy helaeth.

Mae'r canllawiau cyfredol ar gyfer cyfranogiad pobl ifanc yng Nghymru wedi'u cynnwys yn nogfen 'Cyfranogiad Plant a Phobl Ifanc yng Nghymru Arfer Da 2016', ymhlith pethau eraill. Mae'r saith 'safon graidd' sydd wedi'u nodi yn y canllaw yn gamau cychwynnol ardderchog.

O ran y safonau a'r dulliau hyn, er eu bod yn cael eu bodloni'n rhannol mewn rhai awdurdodau yng Nghymru, mae'r ffaith nad ydynt yn orfodol yn golygu nad ydynt yn ddigonol ar gyfer sicrhau atebolrwydd ynghylch yr holl wasanaethau sy'n ymwneud â phobl ifanc.

Rydym yn ceisio sicrhau bod gan bobl ifanc o grwpiau ymylol lais yn y broses o wneud penderfyniadau, yn ogystal â sicrhau bod y gwasanaethau sy'n cael eu darparu ar gyfer pobl ifanc ledled Cymru o safon ragorol a chyson. Mae ein deiseb yn cyd-fynd ag Argymhelliad 10 o'r adroddiad 'Cadernid Meddwl', sy'n tynnu sylw at lefelau'r gwasanaethau iechyd meddwl sy'n cael

eu darparu i bobl ifanc ar hyn o bryd, ac yn ategu'r gwaith a wneir gan y Rhaglen Law yn Llaw at Blant a Phobl Ifanc.

Heb newid y canllawiau presennol, bydd pobl ifanc ledled Cymru yn parhau i gael eu gwthio i'r cyrion. Yn benodol, bydd y rhai sydd â phroblemau iechyd meddwl neu anghenion ychwanegol, sef y rhai nad ydynt, o bosibl, yn gallu cymryd rhan yn y mentrau cyfranogiad ieuenctid cyfyngedig sydd ar gael ar hyn o bryd, yn parhau i'w chael yn anodd lleisio barn.

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

- Gorllewin Casnewydd
- Dwyrain De Cymru

Vaughan Gething AC/AM  
Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol  
Minister for Health and Social Services



Llywodraeth Cymru  
Welsh Government

Ein cyf/Our ref VG/06676/19

Janet Finch-Saunders AM  
Chair - Petitions Committee  
National Assembly for Wales  
Ty Hywel  
Cardiff  
CF99 1NA

Government.Committee.Business@gov.wales

17 June 2019

Dear Janet,

Thank you for your letter of 24 May.

I have noted the correspondence from the #Changelt Campaign Group and the concerns of the petitioners relating to membership of the Strengthening and Advancing Equality and Human Rights in Wales Working Group.

I am pleased to inform you that the chair of the working group, Jane Hutt AM, Deputy Minister and Chief Whip, is content for a young person's representative to be included on the working group and my officials are working with Children in Wales to identify someone to fulfil that role.

I will, as previously offered, update the Committee on the work underway by the beginning of the autumn term.

Yours sincerely,

**Vaughan Gething AC/AM**  
Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol  
Minister for Health and Social Services

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

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

[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.

Tudalen y pecyn 161



## Eitem 3.9

**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



Llywodraeth Cymru  
Welsh Government

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## DATGANIAD YSGRIFENEDIG GAN LYWODRAETH CYMRU

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<b>TEITL</b>	<b>Gwella gwasanaethau iechyd i bobl ag anabledd dysgu yng Nghymru</b>
<b>DYDDIAD</b>	<b>8 Mawrth 2019</b>
<b>GAN</b>	<b>Vaughan Gething AC - y Gweinidog Iechyd a Gwasanaethau Cymdeithasol</b>

Fel rhan o ymrwymiad y Llywodraeth hon i wella iechyd a llesiant pobl yng Nghymru, rwyf yn falch o gyhoeddi cyllid ychwanegol o £2 filiwn, a fydd ar gael dros y tair blynedd nesaf, i wella gwasanaethau'r GIG i bobl ag anabledd dysgu.

Yn 2018, lanswyd rhaglen waith drawslywodraethol gynhwysfawr; "Anabledd Dysgu: Rhaglen Gwella Bywydau". Cafodd y rhaglen ei llywio gan adolygiad eang a ymchwiliodd i sut y gellid cryfhau gwasanaethau i bobl ag anabledd dysgu. Gwnaeth yr adolygiad 24 o argymhellion ar gyfer gweithredu ar draws tai, iechyd, addysg, trafndiaeth a gofal cymdeithasol. Cafodd pob un o'r argymhellion hyn eu derbyn gan y cabinet ac mae gwaith yn mynd rhagddi yn nawr i'w darparu dros y tair blynedd nesaf.

Caiff y £2m a gyhoeddwyd heddiw ei ddefnyddio i sicrhau gwelliannau sy'n gysylltiedig â'r camau iechyd yn y rhaglen, dros y tair blynedd nesaf, gan gynnwys –

- Lleihau'r defnydd amhriodol o feddyginiaeth ac ataliaeth trwy gynyddu'r defnydd o ystod o ymyriadau'n sy'n seiliedig ar dystiolaeth megis Cymorth Ymddygiadol Cadarnhaol
- Gwella nifer y bobl sy'n manteisio ar yr archwiliadau iechyd blynyddol a gynigir gan feddygon teulu i bobl ag anabledd dysgu ac ansawdd yr archwiliadau hynny.
- Gwella gallu a chapasiti gofal aciwt yn yr ysbyty i wneud addasiadau rhesymol sy'n galluogi pobl ag anabledd dysgu i gael mynediad i wasanaethau prif ffrwd
- Sicrhau bod pobl ag anghenion cymhleth yn cael mynediad amserol a rhwydd i wasanaethau arbenigol ym maes anableddau dysgu gan gynnwys trawma/argyfwng, yr ystod lawn o lety gan gynnwys darpariaeth ddiogel a mynediad y tu allan i oriau.
- Rhoi'r fframwaith nyrsio mewn ysgolion arbenigol ac ysgolion prif ffrwd ar waith - sef set o safonau sy'n seiliedig ar dystiolaeth ar gyfer nyrsio mewn ysgolion

Dylai'r gwelliannau hyn wneud gwahaniaeth o bwys i fywyd pobl, gwella canlyniadau a lleihau anghydraddoldebau iechyd.

Mae'r cyllid ychwanegol hwn yn cydategu'r buddsoddiad o £100 miliwn sy'n cael ei roi trwy'r Gronfa Drawsnewid ac mae'n rhan o'r swm o £192.4 miliwn a gyhoeddwyd yng nghyllideb 2019 – 2020 i ddarparu gwasanaethau cryf a chynaliadwy a bwrw ymlaen â'n gweledigaeth a amlinellwyd yn *Cymru Iachach*.

**P-05-854 Make Learning Disability training mandatory for hospital staff,  
Correspondence – Petitioner to Committee, 01.07.19**

Thank you for sending us Vaughan Gething's latest response which we believe does not address the core issue of our petition, namely the mandatory training of all NHS staff in learning disability awareness. We truly value his commitment to the Improving Lives programme, but reiterate that mandatory training will be key in delivering the outcomes of the healthcare issues in this programme.

We have worked for the past ten years to make changes within the NHS and have only just scratched the surface. We are still coming across too many people who do not know what a reasonable adjustments is, that there is a care bundle to adhere too, or what their responsibilities are to deliver equal healthcare to the most vulnerable in society. We delivered our first awareness training to consultants in Swansea Bay Health Board this year. They had no awareness of the care bundle, hospital passport, or what reasonable adjustments were. This is not acceptable.

We have trained over 1000 NHS champions (in learning disabilities) this year and the feedback has been very positive. However, one continual theme throughout the feedback both verbal and written is how this training should be made mandatory.

We are still getting cases where people's loved ones are receiving poor care, and with some resulting in avoidable deaths. This is still happening ten years after Paul's death. We urge you to give our petition substantial consideration. As a country we are still failing these individuals. We have made progress but now it is time to make a big step forward.

We appreciate the wait for the English report but believe we in Wales could lead the way and this change could help us to do that.

Please refer to our two previous responses.

Thank you for your time.

Jayne Nicholls & Jonathon Ridd

**Paul Ridd Foundation**

Registered Charity No: [1171739](#)



## Eitem 3.10

### 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 ddiოდdefwyr, a'r niwed y mae cyfweliadau niferus yn ei achosi iddynt, mae tai plant yn ymateb sy'n ystyriol o blant wrth ymdrin ag achosion lle y cam-driniwyd plentyn yn rhywiol.

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

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

Parhau â llochesi i ddiოდdefwyr trais domestig, ond dylai fod Tai Plant ar gyfer plant sy'n diოდdef 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 cyfweliadau ffforensig, 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 ddiოდdefwyr trais domestig. Ers i Wlad yr Iâ sefydlu'r model Barnahús, mae nifer y plant sy'n gofyn am gymorth ar ôl diოდdef 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

Julie Morgan AC/AM  
Y Dirprwy Weinidog Iechyd a Gwasanaethau Cymdeithasol  
Deputy Minister for Health and Social Services



Llywodraeth Cymru  
Welsh Government

Ein cyf/Our ref JM/05375/19

Janet Finch-Saunders AM  
Chair - Petitions Committee  
National Assembly for Wales  
Ty Hywel  
Cardiff  
CF99 1NA

Government.Committee.Business@gov.wales

18 June 2019

Dear Janet,

Thank you for your correspondence of 24 May to the Minister for Health and Social Services. I am responding as Deputy Minister.

I understand that the Committee has considered further correspondence from the petitioner in relation to petition P-05-859- Provide Child House in Wales for victims of child sexual abuse.

You have asked for an update on the work being carried out by the Welsh Government and NHS Wales.

From March 2019, an interim model for children has been established, whereby acute presentations of children under the age of 14 who may have suffered a sexual assault are seen in Ynys Saff Sexual Health Referral Centre (SARC) Cardiff from across the region. Historic cases will continue to be seen in Swansea, Cardiff and Abergavenny. Out of Hours acute paediatric cases under the age of 14 years from across the region will be referred to Cardiff.

This is an interim model whilst the model for South, Mid and West Wales is developed. A number of sessions to raise awareness of the changes and to respond to queries are underway across all areas of Wales affected. These sessions have been offered to front line staff, but have also been open to any professionals who would like to know more about the interim service and plans for the future service.

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

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

[Gohebiaeth.Julie.Morgan@llyw.cymru](mailto:Gohebiaeth.Julie.Morgan@llyw.cymru)  
[Correspondence.Julie.Morgan@gov.wales](mailto:Correspondence.Julie.Morgan@gov.wales)

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

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

Tudalen y pecyn 168

The proposal for the future provision of children's SARC services will be formally considered by health, police and Police and Crime Commissioners in the region, in July and subject to approval work, will progress on the actions required to deliver the model as a priority.

There remains a commitment from health boards, Police force and the Police and Crime Commissioners for retaining two paediatric SARC Hubs (Swansea and Cardiff) to provide acute (in-hours) services across the region, with ongoing support provided from the more local SARC spokes (Risca, Merthyr, Carmarthen, Aberystwyth, Newtown) and out of hours services continuing to be provided from Cardiff.

The debate held on 3 April related to a Member's Legislative Proposal - Child victims of Sexual Abuse - as proposed by Bethan Sayed AM. A motion was agreed to note the proposal. As I set out in my response during the debate, the Welsh Government is taking action in a number of areas in order to prevent child sexual abuse and to further strengthen support to children who are abused in this way. This includes the development of a National Action Plan on Preventing and Responding to Child Sexual Abuse which will be published in July as well as the work being taken forward on Sexual Assault Referral Centres (SARC) outlined above.

I was clear in the debate that I do not agree that legislation is required to secure changes in this area of practice. In relation to the specific issue of Child Houses, my response during the debate set out that we will consider evidence on the evaluation of the Lighthouse pilot service in London once available. This position has not changed.

The letter of 22 February to the Committee from the Children's Commissioner for Wales raises a number of points. You have asked in particular for my response to the concerns about Sexual Assault Referral Centres (SARC). Having outlined the progress above with the interim model and the intention for the future model, I note your concerns around the availability of trained and experienced medical practitioners to provide timely examinations, and the availability of suitable therapeutic services to enable survivors of abuse to recover. Implementation of the interim model addresses the shortfall in acute service provision in Swansea which has arisen as a result of workforce issues (due to a national shortage of paediatricians).

Phase 2 work of the SARC project, covering adults and children's services, began in June 2018 and progress remains on track. Three Clinical leads have been appointed to lead the SARC work including Dr Alison Mott, the regional lead for paediatrics. It is anticipated implementation of the final full children's service model will be incremental, with a lead in time of one to two years for implementation. Therapeutic services for children and young people continue to be provided under local arrangements by a mix of providers from the NHS and third sector.

In relation to the Children's Commissioners reflections on a safe place for children following an allegation of abuse I am in firm agreement that the views, wishes and feeling of children and young people should be central to work to keep them safe and in planning for their care and support needs. This position is clearly reflected in legislation and in existing and forthcoming policy. My officials are also engaged with Social Care Wales on this issue in considering further support for the further development of child-centred practice. I remain of the opinion that safe places for children must be provided within the exiting legislative framework for safeguarding and family court proceedings.



I hope the Committee feels that the information shared here has addressed the further questions you have raised.

Yours sincerely,

A handwritten signature in cursive script, appearing to read 'Julie'.

**Julie Morgan AC/AM**

Y Dirprwy Weinidog Iechyd a Gwasanaethau Cymdeithasol  
Deputy Minister for Health and Social Services



# Eitem 3.11

## P-05-866 Ymgyrch Ymwybyddiaeth Gyhoeddus Sepsis – Cymru

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

### Geiriad y ddeiseb:

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

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

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

### Etholaeth a Rhanbarth y Cynulliad

- Gogledd Caerdydd
- Canol De Cymru

**Janet Finch–Saunders AC**

Cadeirydd

Y Pwyllgor Deisebau

25 Mehefin 2019

Annwyl Janet

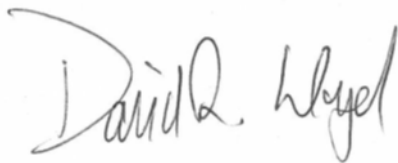
**Deiseb P-05-866 Ymgyrch Ymwybyddiaeth Gyhoeddus Sepsis – Cymru**

Diolch am eich llythyr dyddiedig 12 Mehefin ynglŷn â'r ddeiseb uchod, a drafodwyd gennym yn ystod ein cyfarfod ar 19 Mehefin.

Mae'r Pwyllgor wedi cytuno'n flaenorol i gynnal ymchwiliad i Sepsis ac mae'n bwriadu lansio galwad am dystiolaeth ym mis Medi. Bydd cylch gorchwyl yr ymchwiliad yn cynnwys trafod ymwybyddiaeth gyhoeddus a phroffesiynol sepsis. Bydd manylion llawn yr ymchwiliad ar gael ar [dudalennau gwe'r Pwyllgor](#) ddydd Gwener 13 Medi.

Fel rhan o'r ymchwiliad, bydd y Pwyllgor yn cyhoeddi galwad agored am dystiolaeth ysgrifenedig a bydd yn gwneud rhywfaint o waith Allgymorth. Os yw eich Deisebydd yn fodlon rhannu ei manylion cyswllt â ni, gallwn sicrhau ein bod yn cysylltu â hi fel rhan o hyn.

Cofion



Dr Dai Lloyd AC

**Cadeirydd y Pwyllgor Iechyd, Gofal Cymdeithasol a Chwaraeon**



## Eitem 3.12

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

Cyflwynwyd y ddeiseb hon gan Chris Evans ac ystyriwyd am y tro cyntaf gan y Pwyllgor yn ystod Tachwedd 2017, ar ôl casglu 652 o lofnodion ar-lein.

#### Geiriad y ddeiseb

Rwyf yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i atal Cymwysterau Cymru rhag parhau i wahaniaethu yn erbyn dysgwyr cyfrwng Cymraeg, a sicrhau cydraddoldeb ieithyddol o ran cwricwlwm ysgol. Yn 2015, penderfynodd CBAC ollwng Seicoleg TGAU oherwydd niferoedd ymgeiswyr cymharol fach (37 canolfan – 5 yn rhai cyfrwng Cymraeg gyda 144 ymgeisydd cyfrwng Cymraeg bob blwyddyn). Oherwydd hyn, rhoddwyd gwahoddiad gan Gymwysterau Cymru (CC) i'r Cyrff Dyfarnu Saesneg; AQA, OCR, Pearson-Edexcell, gynnig y pwnc hwn, a rhai eraill e.e. Economeg, yng Nghymru.

Yn anffodus, ac yn anghrediniol, ni roddwyd unrhyw bwysau arnynt i gynnig y pynciau yma yn y Gymraeg. Ymateb Gymwysterau Cymru i hyn yw dweud y byddai'r Cyrff Saesneg yn gwrthod cynnig pynciau yng Nghymru yn gyfan gwbl pe tase nhw yn cael eu gorfodi i gynnig opsiwn Cymraeg, a bod CC yn ceisio sicrhau 'y dewis ehangaf o bynciau i ddysgwyr Cymru' (Cylchlythyr CC, Rhagfyr 2016).

'Y dewis ehangaf o bynciau i ddysgwyr Cymru'....heblaw eich bod yn dilyn addysg Gymraeg! Ym mis Medi, ni fydd cwrs Seicoleg TGAU blwyddyn 10 yn rhedeg yn fy ysgol am y tro cyntaf ers 2009, tra bod yr ysgol cyfrwng Saesneg ychydig filltiroedd i ffwrdd, yn cychwyn ar gwrs Seicoleg TGAU newydd yn Saesneg trwy AQA. Yr unig reswm pam nad wyf gallu cynnig y pwnc yw oherwydd ein bod yn dysgu drwy'r Gymraeg. Mae pedair canolfan Gymraeg arall yn yr un sefyllfa.

Mae angen Seicolegwyr sy'n gallu trafod eu pwnc drwy'r Gymraeg. Wrth amddifadu disgyblion cyfrwng Cymraeg rhag y cyfle i astudio Seicoleg TGAU drwy'r Gymraeg, dyna golli 144 myfyriwr y flwyddyn fyddai efo'r potensial o gyfrannu at Seicoleg – fel athro, darlithydd, therapydd, ymchwilydd a.y.b

drwy'r Gymraeg yn hyderus oherwydd bod y derminoleg berthnasol yn gyfarwydd iddynt.

### **Gwybodaeth ychwanegol**

Safodd 144 ymgeisydd bapur Uned 2 TGAU Seicoleg CBAC drwy'r Gymraeg i orffen y cwrs yn 2015, a 5 canolfan yn ei gyflwyno, felly mae potensial o niferoedd sylweddol, nid llond llaw. Rwyf wedi trefnu y byddai tri arholwr Seicoleg profiadol ar gael i weithio i unrhyw Fwrdd Saesneg fel na fyddai angen cyfieithu unrhyw sgriptiau (atebion) ymgeiswyr, ond y papur ei hun. Yr unig Fwrdd Saesneg wnaeth hyd yn oed ystyried y cais (gen i, nid CC), oedd Pearson, ond gwrthod wnaethon nhw yn y diwedd gan ddweud 'y byddai angen Cymry Cymraeg ar bob lefel o gynhyrchu'r papurau'. Mae hynny'n nonsens llwyr oherwydd dydy hynny ddim yn digwydd hyd yn oed yn CBAC ble mae'r Prif Arholwr a'r Swyddog Pwnc yn ddi-Gymraeg!

Nid wyf yn beio'r Byrddau, oherwydd pam dyle nhw fynd i'r drafferth os nad oes rhaid iddyn nhw? Ar Gymwysterau Cymru y mae'r bai am eu polisi llipa, nad yw'n amddiffyn hawliau dysgwyr cyfrwng Cymraeg. Byddai hi wedi bod yn bosibl creu elfen o gystadleuaeth rhwng y Byrddau Saesneg trwy roi blaenoriaeth i rai a fyddai'n agored i'r syniad o gynnig opsiwn Cymraeg, ond doedd dim ymdrech i wneud hyn o gwbl.

Mae hyn yn hollol annerbyniol yn y Gymru Fodern. Os ydy Cyrff Dyfarnu Saesneg yn cael cynnig pynciau yng Nghymru, rhaid gwneud yn glir iddyn nhw bod angen cynnig papur Cymraeg ble mae cais rhesymol dros wneud hyn.

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

- Wrecsam
- Gogledd Cymru



Eich cyf/Your ref P-05-783  
Ein cyf/Our ref KW/06256/19

Janet Finch-Saunders AC  
Aelod Cynulliad dros Aberconwy  
Cadeirydd y Pwyllgor Deisebau  
Cynulliad Cenedlaethol Cymru  
Tŷ Hywel  
Caerdydd  
CF99 1NA  
[Government.Committee.Business@gov.wales](mailto:Government.Committee.Business@gov.wales)

6 Mehefin 2019

Annwyl Janet,

Diolch am eich llythyr, dyddiedig 30 Mai 2019, ynghylch y ddeiseb yn ymwneud â sicrhau cydraddoldeb i ysgolion cyfrwng Cymraeg; fel rydych yn ei nodi yn eich llythyr, rydym wedi gohebu eisoes ynghylch y mater hwn.

Mater i'r rheoleiddiwr annibynnol, Cymwysterau Cymru yw penderfyniadau rheoleiddio yng Nghymru, gan gynnwys y trefniadau ar gyfer cymeradwyo a dynodi cymwysterau. Fodd bynnag, hoffwn achub ar y cyfle hwn i ddweud unwaith eto fod datblygu dull gweithredu sy'n sicrhau bod cydraddoldeb rhwng y ddarpariaeth yn Gymraeg ac yn Saesneg o ran yr hyn sydd ar gael wedi bod yn ganolog i'r gwaith cynllunio ar gyfer y cwricwlwm newydd o'r dechrau'n deg.

Bydd Cymwysterau Cymru yn parhau i weithio gyda chyrrff dyfarnu i'w hannog i gynnig darpariaeth yn Gymraeg ac yn ddwyieithog ac maent yn cynnig grantiau i gyrrff dyfarnu i'w helpu i dalu cost cynnig cymwysterau dwyieithog. Byddant hefyd yn parhau i sicrhau bod yr holl gymwysterau newydd cymeradwy a ddatblygir ar gyfer Cymru ar gael yn ddwyieithog.

Mae Cymwysterau Cymru wedi cychwyn y broses o ymgysylltu â rhanddeiliaid ledled Cymru i drafod sut y bydd angen i gymwysterau esblygu yn wyneb heriau'r cwricwlwm newydd drwy gynnig dewis cydlynol, hyblyg a dwyieithog i ddysgwyr. Byddant yn siarad â chynifer o wahanol grwpiau â phosibl gan gynnwys pobl ifanc, rhieni, ysgolion, cyflogwyr, colegau, prifysgolion, ac amrywiaeth o sefydliadau eraill cyn ymgynghori ynghylch cynigion am ystod o gymwysterau ar gyfer y dyfodol.

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

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

[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 176**  
We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Rydym yn gweithio gyda Cymwysterau Cymru, awdurdodau lleol/ysgolion, consortia rhanbarthol a chyrrff addysgol i gynyddu nifer y myfyrwyr sy'n astudio drwy gyfrwng y Gymraeg er mwyn cyrraedd ein targed o filiwn o siaradwyr Cymraeg erbyn 2050.

Yn gywir

A handwritten signature in black ink, appearing to read 'Kirsty Williams', written in a cursive style.

**Kirsty Williams AC/AM**  
Y Gweinidog Addysg  
Minister for Education





Janet Finch-Saunders AC  
Cadeirydd y Pwyllgor Deisebau  
Cynulliad Cenedlaethol Cymru  
Bae Caerdydd  
Caerdydd  
CF99 1NA

26 Mehefin 2019

Annwyl Mrs Finch-Saunders,

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

Diolch am eich llythyr diweddaraf ar y mater hwn, lle rydych yn gofyn am fwy o wybodaeth gennym am sut y byddwn yn sicrhau darpariaeth drwy gyfrwng y Gymraeg a'r Saesneg o'r cychwyn cyntaf o ran cymwysterau i gefnogi'r cwricwlwm newydd.

Rydym yn cydweithio ag amrywiaeth o randdeiliaid ar hyn o bryd i ystyried y goblygiadau posibl y cwricwlwm newydd drafft i Gymru i gymwysterau. Wrth wneud hynny, rydym yn achub ar y cyfle i adolygu'r holl gymwysterau a gynigir ac a ariennir yn gyhoeddus ar gyfer myfyrwyr rhwng 14 ac 16 oed.

Yn ystod yr hydref, byddwn yn ymgynghori'n gyhoeddus ar gynigion ar gyfer ffurf y cymwysterau a gynigir i ddysgwyr 14 ac 16 oed yn y dyfodol. Bydd y dystiolaeth o'r ymgynghoriad yn llywio'r cyngor a roddwn i Lywodraeth Cymru ar y newidiadau y bydd angen eu gwneud o bosibl i'r cymwysterau a gynigir ar hyn o bryd i gefnogi'r broses o gyflwyno'r cwricwlwm newydd.

Mae'r gwaith hwn yn gyfle i ystyried sut y gallwn wella argaeledd cymwysterau drwy gyfrwng y Gymraeg a'r Saesneg o'r cychwyn cyntaf. Byddwn yn ystyried y newidiadau y bydd angen eu gwneud o bosibl i'r cymwysterau rydym yn eu cymeradwyo ac yn eu dynodi fel cymwysterau cymwys i'w cyflwyno ar gyrsiau a ariennir yn gyhoeddus.

Mae cymwysterau cymeradwy yn cyfeirio at y cymwysterau rydym yn cyhoeddi gofynion dylunio manwl ar eu cyfer. Fel sy'n digwydd ar hyn o bryd, byddwn yn parhau i'w gwneud yn ofynnol i bob cymhwyster cymeradwy fod ar gael drwy gyfrwng y Gymraeg a'r Saesneg ar yr un pryd, gan gynnwys yr holl adnoddau addysgu a dysgu ategol.

Nid ydym yn pennu'r gofynion dylunio manwl ar gyfer cymwysterau dynodedig, ond rydym yn gosod y meini prawf a ddefnyddiwn i bennu p'un a yw cymhwyster yn gymwys i'w ddefnyddio ar gyrsiau a ariennir yn gyhoeddus. Ar hyn o bryd, rydym yn defnyddio'r un meini prawf ar gyfer pob cymhwyster dynodedig, beth bynnag yw oedran y dysgwyr y maent wedi'u hanelu atynt. Fodd bynnag fel rhan o'r gwaith hwn, byddwn yn ystyried p'un a ddylid cyflwyno gofynion mwy penodol ar gyfer cymwysterau sydd wedi'u hanelu at fyfyrwyr 16 oed mewn ysgolion. Er enghraifft, gallwn ofyn i gyrff dyfarnu sy'n gwneud cais am i gymhwyster o'r fath gael ei ddynodi egluro sut y mae'n cefnogi'r Cwricwlwm i Gymru. Un newid arall y gallwn ei wneud fyddai cyflwyno rhagdybiaeth y caiff cymwysterau dynodedig a ddefnyddir mewn ysgolion eu cynnig drwy gyfrwng y Gymraeg a'r Saesneg.

Yn ogystal ag ystyried newidiadau i'n rheoliadau, byddwn yn edrych ar sut y gallwn ddefnyddio cyllid grant mewn ffordd sydd wedi'i thargedu i sicrhau gwell amrywiaeth o ddarpariaeth ddwyieithog. Os byddwn yn penderfynu bod yr amrywiaeth o gymwysterau dynodedig sydd eu hangen yn fwy cydlynol a syml na'r hyn a gynnigir ar hyn o bryd, gallwn ddefnyddio ein cyllid grant i gyflawni hyn. Gallai marchnad sy'n cynnig llai o gymwysterau 14-16 hefyd wneud y cymwysterau sy'n weddill yn fwy hyfyw, a allai helpu i ddileu rhai o'r rhwystrau i gynnig darpariaeth ddwyieithog.

Mae gennym fwy o waith i'w wneud i archwilio'r opsiynau sydd ar gael. Wrth ddatblygu unrhyw ofynion ychwanegol ar gyfer cymwysterau dynodedig, bydd angen i ni ystyried effaith bosibl unrhyw newidiadau rydym yn eu cynnig yn ofalus. Pe baem yn ei gwneud yn ofynnol i ddarpariaeth ddynodedig gael ei chynnig yn ddwyieithog, byddai angen i ni ystyried p'un a fyddem yn caniatáu unrhyw eithriadau ac o dan ba amgylchiadau. Er enghraifft, byddai angen i ni ystyried sut y byddem yn trin cymwysterau a gaiff eu cwblhau gan niferoedd isel iawn o fyfyrwyr a lle nad oes unrhyw dystiolaeth bod galw i'w hasesu drwy gyfrwng y Gymraeg. Gallai hyn fod yn wir am rai cymwysterau mewn ieithoedd cymunedol, neu sy'n darparu ar gyfer anghenion dysgu penodol.

Rydym wedi cyhoeddi amserlen fanwl lefel uchel yn ddiweddar yn dangos pryd y caiff unrhyw newidiadau rydym yn eu cynnig i gymwysterau eu rhoi ar waith<sup>1</sup>. Wrth greu'r amserlen, nid ydym wedi rhagdybio natur na graddfa unrhyw newidiadau a fydd eu hangen o bosibl. Mae'r amserlen yn adlewyrchu'r gwersi allweddol a ddysgwyd o ddiwygiadau diweddar i gymwysterau TGAU a Safon Uwch, yn enwedig yr angen i neilltuo digon o amser rhwng cyflwyno cymhwyster a dechrau addysgu'r cymhwyster hwnnw. Mae angen cyfnod estynedig o'r fath, yn rhannol, er mwyn sicrhau bod cymaint o amser â phosib ar gael i roi adnoddau a hyfforddiant ategol ar waith a rhoi cyfle i athrawon gael budd ohonynt cyn i'r grwpiau cyntaf o fyfyrwyr ddechrau astudio ar gyfer y cymhwyster newydd.

Gobeithio bod y llythyr hwn yn helpu i egluro a thynnu sylw at y cyfleoedd sy'n dod i'r amlwg o'r gwaith o gysoni cymwysterau â'r cwricwlwm newydd. Os bydd gennych unrhyw gwestiynau ychwanegol ynglŷn â'n gwaith yn y maes hwn, mae croeso i chi gysylltu â ni.

Yn gywir,



Ann Evans  
**Cadeirydd**



Philip Blaker  
**Prif Weithredwr**

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<sup>1</sup><https://qualificationswales.org/cymraeg/cymwysterau/diwygio-cymwysterau/diwygior-cwricwlwm/new-curriculum-key-milestones/>

## **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

Mae cyfyngiadau ar y ddogfen hon

9<sup>fed</sup> Llawr  
Eastgate House  
35-43 Ffordd Casnewydd  
Caerdydd  
CF24 0AB  
Ffôn: 029 20460099  
Ffacs: 029 20475850



9<sup>th</sup> Floor  
Eastgate House  
35-43 Newport Road  
Cardiff  
CF24 0AB  
Tel: 029 20460099  
Fax: 029 20475850

**Janet Finch-Saunders AM**  
**Chair, Petitions Committee**  
**National Assembly for Wales**  
**Pierhead Street**  
**Cardiff**  
**CF99 1NA**

20 May 2019

Dear Janet

### **Petition P-05-805 Fair Deal for Supply Teachers**

Thank you for your letter dated 29<sup>th</sup> April 2019. I provide a response on behalf of the Education Workforce Council (EWC) below.

#### About the EWC

Due to the EWC's statutory requirement to maintain a Register of education practitioners in Wales and the legal duty upon employers and agencies to employ registered practitioners and make misconduct / incompetence referrals to the EWC, the Council:

- holds extensive information about those undertaking supply work, including age, gender, qualifications, employment, subjects taught, ethnicity and Welsh language ability;
- works closely with:
  - private supply agencies, local authorities that maintain supply pools and schools;
  - registered teachers and learning support staff who work on a supply basis;
  - trade unions that represent registered teachers and learning support staff who work on a supply basis.

This intelligence places us in a strong position to comment about issues and systems for supply teaching.

#### What EWC data shows

The Council would invite the Committee to note the following points:

- When the Council was formed in the year 2000 (under our previous name of the GTCW), there were 12 supply agencies operating in Wales. This number has expanded significantly such that we now deal with 65 agencies in Wales. Over this period, we have also seen a reduction in the number of local authorities running their own "supply pools".
- Data from the EWC Register of education practitioners as at 31<sup>st</sup> March 2019 shows that some 4,800 registered school teachers and some 6,000 registered learning support staff recorded their employment as "supply". The Council has followed the debate regarding supply teachers' pay and conditions for some time and yet throughout this debate, we are

concerned that little reference has been made to learning support staff who undertake supply, despite their number now exceeding those of supply teachers.

- EWC data shows that supply teachers are predominantly either (a) in the early part of their career and undertake supply work largely due to a lack of permanent or temporary long term contracts. Almost all of these registrants are seeking permanent employment; or (b) towards the end of their teaching career or retired from a substantive teaching post. Our data also shows that supply staff are used more heavily in the primary phase. It is important that this profile is taken into account when making decisions on matters such as professional development for supply teachers to ensure access to professional development aligned to the relevant career stage is planned.
- A survey undertaken by the GTCW in 2014 confirmed that the most common reasons for schools to require supply teachers were to cover sickness absence (41%) or for permanent teachers to undertake professional learning (32.9%). There is clearly an opportunity to reduce the amount of supply teaching required by developing solutions to reduce sickness absence and managing “planned absence” (professional learning and long term sickness) in a more strategic way.

Further information may be found on the EWC website as follows:

- EWC survey of supply teachers 2014
- EWC national workforce survey 2017, sections 6 and 8 cover supply teachers and supply learning support workers
- A data analysis from the EWC Register 2016 of supply teachers
- A data analysis from the EWC Register 2016 of supply learning support workers

<https://www.ewc.wales/site/index.php/en/policy-hub/statistics-archive.html>

<https://www.ewc.wales/site/index.php/en/policy-hub/national-education-workforce-survey.html>

### Possible models for supply teaching

We consider that any supply model in Wales must ensure the **correct deployment** of appropriately qualified registered practitioners and results in **high standards of teaching and support**. Any model must operate efficiently, offer value for money, fair pay and conditions for those undertaking supply work and be future proof (given the significant level of change in Welsh education, in particular the introduction of a new Curriculum).

It is important that Wales does not invest in and introduce models that are not fit for purpose and which try to “treat the symptoms rather than the underlying causes and issues”. As such, the points raised in the section above in respect of “who undertakes supply work and why this cover is needed” are particularly relevant.

You have asked the Council to comment on the viability of a public sector solution for supply teachers in Wales, in a similar vein to the system which operates in Northern Ireland or the recent

pilot project based on cluster arrangements. There are a number of options for models, some of which are established while others would be new. We provide some examples below:

- **A central model coordinated by government or an organisation acting on its behalf.** This model currently operates in Northern Ireland. Given the relatively manageable size of the supply workforce in Wales, a more centralised model would seem to be an option. However, it would be necessary to determine “who the employer is”. In Northern Ireland, it is the government that takes this role, therefore to mirror this position in Wales would be a major departure from current arrangements.

The Welsh Government has utilised the EWC to undertake work on its behalf in areas such as Induction, the Masters in Educational Practice and the Professional Learning Passport using the power of the Register of educational practitioners as a focal point. This has included developing an online facility for supply teachers to record their Induction sessions. We are also beginning work on a national portal, where all teaching jobs will be advertised in the future, resulting in significant savings to the public purse.

The EWC undertakes such work under Welsh Government terms and conditions of grant and makes no profit. It is not seeking or advocating a role for itself in relation to supply but pointing out that the Welsh Government should consider how new systems might be integrated into existing arrangements, thus reducing cost and effort.

- **A model organised by regional consortia and / or local authorities.** While a return to local authority supply pools may not be practical or cost effective, a model at a regional level is an option, as it may be possible to address current concerns raised about pay, terms, conditions, continuing professional development and performance management without creating 22 administrative systems. However, as with a single central model clarification on “who the employer would be” would be needed.
- **A market driven model involving supply agencies.** The increased prevalence of supply agencies in Wales (and other countries) has caused discontent, with concerns raised regarding rates of pay, terms and conditions, a lack of continuing professional development, inadequate performance management arrangements and the cost to schools. It is also contrary to the aims set out in the “Alternate Delivery Model” approach set out by the Welsh Government, which advocated:
  - accountability to local government;
  - protection of employee terms and conditions;
  - confirmation of trade union recognition.

The Welsh Government has introduced “national framework / preferred supplier” arrangements in Wales, however this has not stopped a host of other agencies operating in Wales without adherence to the national framework. Agencies also continue to be largely unregulated, with no quality assurance system in place in Wales (note a system operates in England).



The Council is aware that a number of respondents to the Inquiry into Supply Teaching by the National Assembly for Wales Children, Young People and Education Committee advocated a return to local authority supply pools in place of agencies. The EWC is more open minded in this regard as the administration of supply staff is intensive, requires sound structures and could result in duplication if undertaken locally rather than more centrally. As such, contracting such work out to the private sector should not be automatically discounted, however the Council believes that the current model is flawed and any new model would need to offer value for money and meet the needs of the Welsh Government. We make further reference to this below in relation the “national framework”.

- **A model involving clusters of schools working together to employ a small number of supply staff.** Prior to the introduction of the Welsh Government pilot for newly qualified teachers in 2018, this is a model that was rarely found in Wales on a formal basis though sometimes operated more informally. However (especially with Heads increasingly having responsibility for more than one school), this could be a practical and cost effective model for some schools. There would be benefits in respect of “continuity” for learners, schools and the supply staff concerned. The existing pilot has focused on newly qualified teachers, meaning that some of these persons have left the scheme having secured a permanent position. The Council considers that if this scheme was to be adopted more widely, it could be available for all supply teachers (and not just NQTs) and supply learning support staff.
- **More innovative and potentially more cost effective approaches.** These might include:
  - Creating a guarantee that any trainee teacher in Wales would have a teaching post, with some such posts involving covering a group of schools on a supply basis. The Council believes that this is not unrealistic given the significant reduction in training numbers in Wales since 2006 and the number of NQTs that undertake supply work. It would also assist such teachers in meeting the Induction Standards and ensure continuity for pupils where staff are absent.
  - Encouraging more part time working for teachers towards the end of their career who retire but subsequently undertake supply work.
- **Contractors.** In registering learning support staff in Wales, the Council has identified that schools are increasingly using companies or organisations to provide specific services such as sports or music provision, particularly to cover a school’s PPA requirements. While this is “not supply”, the recent development is worthy of reference as it involves the use of private sector organisations and involves a financial cost to schools;
- **Mixed models.** These could involve combination of the above.

#### Improvements that could arise from a national framework

The EWC considers that each of the models above has its pros and cons and we emphasise that as an independent body, we have no vested interest in advocating any model over and above another.

However, the EWC firmly believes that any model or models for supply staff in Wales must be underpinned by certain requirements by government, for example:

- access to continuing professional development for supply staff;
- access to performance management arrangements for supply staff. Note, agencies are required to refer certain cases of misconduct and incompetence to the EWC and therefore the Council is aware that many of those undertaking supply work do not have access to performance management processes;
- appropriate rates of pay, terms and conditions for supply staff;
- appropriate quality assurance of providers / employers, whether these be private supply agencies, local authorities and their consortia or schools. The Council is aware of the REC arrangements for agencies operating in England.
- be administratively efficient for all involved (including practitioners and schools) and offer value for money.

We are encouraged that the national framework seeks to address a number of these areas, however it has a fundamental flaw in that it does not prevent any school from using a supply outside of the framework that offers cheaper rates and a “lesser deal” to the supply teacher. We understand that the Welsh Government is seeking to improve matters by extending the framework to more agencies, however the flaw will still prevail.

The EWC has long advocated the introduction of a Quality Mark for supply agencies, underpinned by a set of standards / requirements. The Minister for Education stated in the Assembly in 2018 that she was minded to ask the EWC to administer such a scheme, however as yet we have not been formally asked to commence this by the Welsh Government.

We are also not clear whether the framework will cover both teachers and learning support staff.

#### Opportunities or risks from devolved pay and conditions for teachers

The Independent Welsh Pay Review Body (IWPRB) is due to submit its report in mid-June to the Minister for Education with recommendations for teachers’ pay for September 2019. Given the number of supply teachers in Wales (around 14% of the teaching workforce), the IWPRB ought to consider supply teachers in its recommendations to the Minister.

Please note, the body’s considerations only cover teachers, yet as stated above there are now more active supply learning support staff than teachers.

#### Arrangements for professional learning

The Council is aware that many teachers and learning support staff do not benefit from professional development in the same way as substantive staff do. We also know that some agencies are more active than others in providing professional development. All supply teachers are able to count their

9<sup>fed</sup> Llawr  
Eastgate House  
35-43 Ffordd Casnewydd  
Caerdydd  
CF24 0AB  
Ffôn: 029 20460099  
Ffacs: 029 20475850



9<sup>th</sup> Floor  
Eastgate House  
35-43 Newport Road  
Cardiff  
CF24 0AB  
Tel: 029 20460099  
Fax: 029 20475850

sessions towards the completion of Induction (these sessions are logged with the EWC) and receive the support of an external verifier from their regional consortia.

The EWC makes available a range of services and training to its registrants and these are available to supply staff.

The Council thinks that all supply staff (teachers and learning support staff) should have an entitlement to professional development, particularly with the introduction of significant reforms in the Curriculum and ALN. We believe that this should be incorporated into any supply model in existence, including local authority pools and supply agencies. However, we re-emphasise two points made earlier in this response:

- While a requirement to provide professional learning can be incorporated into a national framework for agencies, this is not fool proof as the framework does not cover all active agencies. A more effective or complementary solution would be a Quality Mark, where all active agencies would need to meet the necessary standards, one of which could relate to professional learning.
- It is important to recognise “who undertakes supply”. Professional learning opportunities should be appropriately tailored to the particular career stage of the individual, in order to maximise value for money and long term impact of this on the learning of pupils in schools.

#### Other points

We note that the petition states “teachers are leaving the profession as they cannot afford to be supply teachers”. EWC data does not indicate that that supply teachers are leaving the profession in significant numbers.

Please do not hesitate to contact at [hayden.llewellyn@ewc.wales](mailto:hayden.llewellyn@ewc.wales) or **(029) 2046 0099** if I can be of further assistance.

Yours sincerely



Hayden Llewellyn, Chief Executive  
Education Workforce Council

Janet Finch-Saunders AM  
Chair  
Petitions Committee  
National Assembly for Wales  
Cardiff Bay  
Cardiff CF99 1NA

19 June 2019

Dear Ms Finch-Saunders

### **Petition P-05-805 Fair Deal for Supply Teachers**

Thank you for your letter dated 29 April, please see response below:

As part of Estyn's response to the call for evidence about teachers' pay and conditions in Wales (June 2018), we suggested that the devolution of teachers' pay and conditions to Wales was an opportunity to establish a national system for the pay and conditions of supply teachers. We believe that a lack of a national system leads to too great a variance in pay, conditions and access to professional development opportunities for supply teachers. We also believe that all long term teacher absence, planned or otherwise, should be covered by a qualified teacher.

***The viability of a public sector solution for employing supply teachers in Wales, for example in a similar vein to the system which operates in Northern Ireland, or the recent pilot project based on cluster arrangements.***

Supply teacher agencies were perceived to be useful when they were first established due to their ability to provide a reliable service to schools to find cover teacher absence, often at short notice. Prior to this, schools were supported by local authority supply teacher services but schools increasingly reported that supply availability did not always meet the demand. On occasion, supply teachers were not available at all, which put pressure on schools to cover classes internally. Any future national public sector or cluster service would need to provide a reliable and high quality service for schools in all parts of Wales, including providing supply teachers to cover roles in shortage subjects, Welsh-medium and special schools.

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Estyn, Llys Angor/Anchor Court, Heol Keen/Keen Road, Caerdydd/Cardiff, CF24 5JW  
Ffôn/Telephone 02920 446446

ymholiadau@estyn.llyw.cymru • enquiries@estyn.gov.wales  
www.estyn.llyw.cymru • www.estyn.gov.wales

Mae Estyn yn croesawu gohebiaeth yn Gymraeg a Saesneg. Bydd gohebiaeth a dderbynnir yn y naill iaith neu'r llall yn cael yr un flaenoriaeth. | Estyn welcomes correspondence in both English and Welsh. Correspondence received in either language will be given equal priority.

***The improvements which could potentially arise out of new framework contract arrangements developed by the National Procurement Service including letting the contract on the basis of individual local authority 'lots', a minimum daily pay rate and greater transparency over agency fees).***

The introduction of a minimum daily pay rate (that would be more in line with a permanent qualified teacher's salary) is likely to support and encourage supply teachers to participate in a broader range of activities in school, for example in supporting extra-curricular activities and accessing training opportunities.

If teaching agencies are to continue to provide supply teachers, we would recommend regulations to control their fees, how much they should pay teachers, and greater transparency over their finances.

One of the unintended consequences of paying a supply teacher a daily rate in line with their current pay scale is that it might discourage schools from employing more experienced staff as their daily cost may far exceed less experienced teachers.

A new framework contract could also include requirements for monitoring the performance of supply teachers. In our report on [The impact of teacher absence \(Estyn, 2013\)](#), we found that 'Most schools and teaching agencies provide limited feedback to supply staff about their performance and little information is recorded. Feedback is more detailed when there are concerns about teaching or classroom management. Nearly all schools have on occasion raised concerns about the quality of a few supply teachers. A few agencies ask for feedback on placements, although in many instances the collection of this information is not robust. Local authorities who provide lists of supply teachers do not usually request feedback on performance.'

***Any potential opportunities or risks for supply teaching arising from the devolution of pay and conditions for teachers.***

The devolution of pay and conditions for teachers presents an opportunity to consider carefully the pay and conditions and professional development requirements of supply teachers. Currently, schools use agencies to employ supply teachers, usually at a fixed rate agreed with the agency. This is in contrast to schools or local authorities employing teachers directly, when they would be paid at their MPS/UPS3 scale. The current arrangement may represent significant cost savings to schools.

***Arrangements for professional learning for supply teachers, particularly in light of current education reforms.***

If supply teachers are employed long term by providers, they are often involved in a range of professional learning opportunities within that provider. However, current opportunities for supply teachers on shorter term contracts or employed on a day-to-day basis are too variable. Although some of the larger teaching agencies offer a small range of training courses, usually in areas such as classroom management or safeguarding, there is currently not enough professional learning for supply teachers. We believe that it is vital that supply teachers keep their professional knowledge up to date and access suitable training regularly.

In our report on [The impact of teacher absence \(Estyn, 2013\)](#), we found that 'Most cover supervisors and HLTAs employed permanently by schools have access to appropriate training as part of their school's in-service training programme. But other supply staff do not have access to a wide range of professional development opportunities. In most cases, arranging their own training or accessing courses offered by private companies would result in losing a day's pay. Supply staff seeking a permanent post are badly affected by the lack of appropriate professional development. Their knowledge and understanding of national policies and priorities can decline over time, making it harder for them to secure a permanent post.'

For further information see [The impact of teacher absence \(Estyn, 2013\)](#)

Yours sincerely



**Meilyr Rowlands**

Her Majesty's Chief Inspector of  
Education and Training in Wales

## **P-05-805 Fair Deal for Supply Teachers, Correspondence – National Education Unions (NEU) Cymru to Committee, 24.06.19**

We are grateful for the further opportunity to respond to Mrs Jones' petition. For ease of reference we propose dealing with the Chair's additional points in the order that they have arisen.

### **1. The viability of a public sector solution for employing supply teachers in Wales, for example in a similar vein to the system which operates in Northern Ireland, or the recent pilot project based on cluster arrangements**

The NEU and its predecessor unions, NUT and ATL have always considered that a public sector solution similar to that operated in Northern Ireland to be a viable solution. Reference was made to this possibility at the earliest opportunity when gathering evidence for the CYPE Inquiry that reported as long ago as December 2015. Similar representations were made to the panel charged with looking at those recommendations and has since been repeated at Supply Teacher Task Group meetings. Whilst we have heard Welsh Government concerns regarding the legality of such action they have never provided, to us at least, detail of any legislative section or precedent which would preclude such action. This seemed to be more of a case of determining whether there was a will to venture along that course..

We were pleased to note the establishment of the pilot project which is an opportunity to do something different and ensure that supply teachers were paid the correct salary. Obviously this project was limited as regards scope and experience of teachers involved but it does evidence the ability to find a viable solution.

A reliable public sector or cluster solution to this issue could resolve an issue ensuring provision of high quality, trained and motivated staff to fill absences or other gaps in education provision which must be to the benefit of all.

### **2. The improvements which could potentially arise out of new framework contract arrangements developed by the National Procurement Service including letting the contract on the basis of individual local authority 'lots', a minimum daily pay rate and greater transparency over agency fees)**

The new framework contract must necessarily be monitored closely and carefully to ensure that agencies signed up to the agreement abide fully with its requirements. The number of agencies involved may prove to be both a bonus and a potential pitfall. The former because it is clear that the agencies consider that it is a way forward if they are to continue providing supply teacher solutions to Welsh schools. The latter because the sheer number may provide opportunity for the organisations involved to develop ways around the agreement. We have seen in the past both subtle and not so subtle ways of circumnavigating legal obligations hence the need for careful monitoring of the whole process.

The NEU policy however is that supply teachers should be paid in accordance with their experience rather than at a flat rate. We do not consider that this would

discourage schools from utilising more experienced supply teachers. Rather it will provide choice and opportunity to fulfil the schools actual needs and requirements.

### **3. Any potential opportunities or risks for supply teaching arising from the devolution of pay and conditions for teachers**

We are currently in the process of finding our feet as a country in respect of devolved pay for teachers. It is our view that teaching unions, employers and Welsh Government should grasp this opportunity to devise a way where supply teacher interests can be protected within a 'made in Wales' approach to teacher remuneration. We have to recognise that supply teachers have always had an important role to play in the provision of education in our schools. It is only right and fair that we should seek to ensure that they are correctly rewarded for their endeavours, are provided with professional development opportunities and access to a pension. Whilst the first remit letter to the Independent Welsh Pay Review Body focused upon pay only, future remits will provide the opportunity to look at the issue in some detail and we cannot afford to miss that chance to develop conditions of service that also seek to protect supply teachers securing work within the public sector.

### **4. Arrangements for professional learning for supply teachers, particularly in light of current education reforms.**

There are significant changes occurring within education in Wales and it would be folly to ignore an important part of the workforce when providing training on such matters as the New Curriculum and ALN Transformation to name but 2. Whilst money has been set aside totalling £24m over the next 2 years, those sums should include an element for the supply workforce who must always be similarly considered in future.

NEU Cymru considers that it is vital that teachers maintain and update their professional learning. This is an opportunity to ensure that occurs in a structured and cost effective way.

Supply teachers needs have, for too long, been ignored with the result that private companies have profited from public money earmarked for education. Successive Education Ministers have failed to tackle this situation adequately or at all. This represents a golden opportunity to rectify that anomaly.

Yours sincerely

David Evans

Wales Secretary

NEU Cymru



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

25<sup>th</sup> June 2019  
Naomi Alleyne  
02920468660  
Naomi.Alleyne@WLGA.gov.uk

Janet Finch-Saunders AM  
Chair  
Petitions Committee  
National Assembly for Wales.  
Cardiff Bay  
Cardiff  
CF99 1NA



Dear Janet

### **Petition P-05-805 Fair Deal for Supply Teachers.**

Thank you for the opportunity to respond to some of the specific issues raised by the Petitions Committee in considering the issue of a Fair Deal for Supply Teachers. The WLGA response to the issues is below under each of the queries you have raised.

#### **Specific issues**

#### **The viability of a Public Sector solution for employing supply teachers in Wales, for example in a similar vein to the system which operates in Northern Ireland, or the recent pilot project based on cluster arrangements.**

Under the local management of schools' governance framework (as set out in the Staffing of Maintained Schools (Wales) Regulations 2006) school governing bodies of maintained schools, are responsible for making decisions about how they organise, recruit, deploy and manage an effective school workforce. This recruitment and deployment can be permanent, fixed term, full-time and part-time and includes the employment and engagement of 'supply' teachers.

The purpose of supply teachers is to cover absences which may occur for a number of reasons. Some of those absences will be planned and others not. The duration of the absence will also vary depending on the reason for the absence.

Currently, schools engage supply teachers from a range of sources which include numerous agencies and also individuals who may be self-employed. Schools cannot be compelled or directed to use any particular source and are free to determine who they engage and from where these staff come. They will base their decisions on key issues such as the length of absence and the nature of the cover required e.g. subject matter.

Dr Chris Llewelyn  
Prif Weithredwr  
Chief Executive

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

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

wlga.cymru  
wlga.wales

@WelshLGA

**Croesawn ohebiaeth yn y Gymraeg a'r Saesneg a byddwn yn ymateb i ohebiaeth yn yr un iaith.**

**Ni fydd defnyddio'r naill iaith na'r llall yn arwain at oedi.**

We welcome correspondence in Welsh and English and will respond to correspondence in the same language.  
Use of either language will not lead to a delay.

Supply teachers work irregularly, determined by the absence, and therefore it would be ineffective and costly for schools to engage 'supernumerary' teachers on a permanent basis to cover these absences. This is particularly relevant at a time when resources for schools are challenging and teacher numbers more generally are being reduced because of budget restraint.

For similar reasons local authorities do not employ a 'pool' of supply teachers who would not be fully engaged and would also find themselves in competition with existing sources to be engaged as determined by the individual school. This would not be a good use of scarce resources. Local authorities would need to ensure that they had enough capacity and range, to properly support all schools in its area.

The current pilot project is looking at arrangements where resourcing a permanent supernumerary teacher for a small cluster of schools could be cost-effective. The funding for the project is being provided on a sliding scale by Welsh Government and it will not be clear until the end of the 3- year project whether it is both cost-effective to schools and works in an operational sense.

**The improvements which could potentially arise out of new framework contract arrangements developed by the National Procurement Service (including letting the contract on the basis of individual local authority 'lots', a minimum daily pay rate and greater transparency over agency fees).**

It is the WLGA's understanding that the new framework will provide schools with a greater degree of choice and flexibility in terms of which local supply agencies they choose to engage. It will also provide clarity and transparency in terms of the fees payable by the hiring schools enabling them to maximise the use of their delegated budgets, and will provide clarity in terms of how public funding is spent.

We also understand that this approach will improve supply teachers' rights and schools will be able to be confident that the minimum quality standards and statutory safeguarding obligations will be met by all commercial agencies admitted to the new framework.

The wider range of agencies that now fall under the framework will enable local authorities to encourage schools to meet their supply teacher needs via agencies appointed to the NPS framework, who will have met the specified quality requirements and be formally monitored as part of the framework arrangements. This includes registering with a representative professional recruitment body and signing up to the Welsh Government's Code of Practice on Ethical Employment in Supply Chains and our Fair Work principles.

**Any potential opportunities or risks for supply teaching arising from the devolution of pay and conditions for teachers.**

Currently the statutory School Teachers' Pay and Conditions Document (STPCD) only applies to those contractually employed by schools. The devolution of teacher's pay and conditions does provide the opportunity for Wales to develop its own response to the teaching workforce. This could include the opportunities to recognise the role of teachers who undertake a supply function.

**Croesawn ohebiaeth yn y Gymraeg a'r Saesneg a byddwn yn ymateb i ohebiaeth yn yr un iaith.**

**Ni fydd defnyddio'r naill iaith na'r llall yn arwain at oedi.**

**Tudalen y pecyn 198**  
We welcome correspondence in Welsh and English and will respond to correspondence in the same language.  
Use of either language will not lead to a delay.

## **Arrangements for professional learning for supply teachers, particularly in light of current education reforms.**

Professional learning is recognised as a key aspect of improving outcomes for learners. The introduction of the current curriculum reforms highlights the need for professionals to be up-to-date and inhibiting the highest level of practice.

Professional learning can take a number of forms. Continuing Professional Development in many professions is provided and managed by the relevant professional body. In Wales this is the Education Workforce Council which supports some development for supply teacher and provides access to the Professional Learning Passport (PLP).

The training and development of staff normally falls to the employer, who will invest in their workforce to meet its business needs. Supply teachers are not contractually employed by schools or local authorities but will have a relationship with an agency and/or be self-employed. There is a challenge for supply teachers who might not be in position to access some development needs which are provided by schools and local authorities on INSET days or through the Regional School Improvement Services. Equally there is a challenge for schools to invest resources in an individual for whom they are not the employer and may not see a return on the investment, if they are not engaged in the school in the future.

The Welsh Government will need to consider how best it can reach this element of the teaching workforce to ensure that they receive the appropriate professional learning required to maintain high levels of pedagogy and practice in light of these forthcoming changes.

Yours faithfully



Dr Chris Llewelyn  
**Chief Executive**

**Croesawn ohebiaeth yn y Gymraeg a'r Saesneg a byddwn yn ymateb i ohebiaeth yn yr un iaith.**

**Ni fydd defnyddio'r naill iaith na'r llall yn arwain at oedi.**

**Tudalen y pecyn 199**  
We welcome correspondence in Welsh and English and will respond to correspondence in the same language.

Use of either language will not lead to a delay.

Rob Williams, Director  
NAHT Cymru  
9 Columbus Walk  
Brigantine Place  
Cardiff  
CF10 4BY

21<sup>st</sup> June 2019

Dear Janet Finch-Saunders AM,

NAHT welcomes the opportunity to submit evidence to the Petitions Committee.

NAHT represents more than 29,000 school leaders in early years, primary, secondary and special schools, making us the largest association for school leaders in the UK.

We represent, advise and train school leaders in Wales, England and Northern Ireland. We use our voice at the highest levels of government to influence policy for the benefit of leaders and learners everywhere. Our new section, NAHT Edge, supports, develops and represents middle leaders in schools.

### **Petition text**

***We, the undersigned, request that all supply teachers be paid fairly and have full access to training opportunities and other terms and conditions. There should be a qualified teacher in every classroom and taxpayers' money should be going directly into education and not into the pockets of private agencies.***

***Supply teachers are being exploited and teachers are leaving the profession as they cannot afford to be supply teachers. Agencies reduce teachers' pay by forty to sixty percent and teachers lose their pensions, this is public money going into the private sector for profit. Lessons are being covered by unqualified staff.***

We understand that the petition has been under consideration by the Petitions Committee since May 2018 and, most recently, the Committee held an evidence session with the Minister for Education on 2 April 2019.

Following the session, the Committee sought our views on the general content of the petition and the following specific issues:

- the viability of a public sector solution for employing supply teachers in Wales, for example in a similar vein to the system which operates in

Northern Ireland, or the recent pilot project based on cluster arrangements;

- the improvements which could potentially arise out of new framework contract arrangements developed by the National Procurement Service
- (including letting the contract on the basis of individual local authority 'lots', a minimum daily pay rate and greater transparency over agency fees);
- any potential opportunities or risks for supply teaching arising from the devolution of pay and conditions for teachers; and
- arrangements for professional learning for supply teachers, particularly in light of current education reforms.

***NAHT Cymru response:***

1. NAHT Cymru believes, wherever possible, there should be a qualified teacher in every classroom in Wales, this is essential if we expect to maintain high standards of teaching and learning;
2. NAHT Cymru believes that all teachers should have access to the Teachers' Pensions Scheme, irrespective of their place of employment within the Welsh Education system;
3. NAHT Cymru believes that a national education service, that employs teachers trained to national standards, that is implementing a national curriculum, that is nationally inspected, upholds national standards with national accountabilities and outcomes should have a national pay and conditions service framework;
4. A range of factors, including ever growing cost pressures, has led to an increasing role for supply agencies for permanent and temporary recruitment, leading to additional financial pressures on schools who are already struggling. NAHT Cymru believes government should regulate payments to supply agencies to secure best value for public funds and that there needs to be greater transparency in terms of a minimum daily pay rate and greater transparency over agency fees;
5. The practical implications of employing supply staff within schools plays out in a variety of ways, particularly in relation to the reasons why a school requires supply cover, in the first instance. For example, there is a distinct difference between the circumstances under which a school might source longer-term, anticipated medical absence cover to that of supply staff required under urgent unplanned sickness absence;
6. Schools require the ability to source high quality supply staff, often at very short notice, and many schools see value in being able to access

familiar staff who they know and who themselves understand the ethos and day-to-day workings of the school;

7. NAHT Cymru understand that Local Authority 'supply pools' or 'supply lists' were the relative norm some years ago, but, often as a result of Local Authority funding pressures, they are not necessarily viable in many parts of Wales;
8. NAHT Cymru understands that private companies, who are able to offer supply staff insurance cover for schools have approached Local Authorities within Wales offering to 'manage' their 'supply staff pools'. However, it is unclear as to the contractual or commercial arrangements undertaken nor whether this offer has been taken up by any Local Authority;
9. The potential for shared services between Local Authorities has appeared to be growing, particularly since the establishment of Regional Consortia – for example, shared HR services and school improvement. However, there is no uniformity of approach between regions and there remains a risk of duplication where some Local Authorities maintain a level of a certain type of service within a Regional Consortia that also provides an element of the same service;
10. Given the financial pressures facing Local Authorities and, by default, schools and other settings in the public sector, NAHT Cymru would be surprised if there was the capacity or level of expertise remaining within Local Authorities to reintroduce a public sector solution for employing supply teachers at that level.  
Regional Consortia also do not have the statutory responsibilities for education delivery (including employer duties) that are retained by Local Authorities and they are set up under very differing governance structures which, again, we believe would not be appropriate for managing a public sector solution for employing supply teachers;
11. Whether there would be the possibility of a fully functioning national public sector solution for employing supply teachers, is a matter for Welsh Government;
12. Within our submission to the Supply Model Taskforce in 2016, NAHT Cymru suggested looking at a model currently used by the Plymouth Association of Primary (school) Heads a Co-operative, Community Interest Company (CIC). One of the challenges we found in looking at this model, however, was obtaining key data, including staff pay levels – the model talks about 'excellent working pay and conditions' and the testimonials from supply staff are positive but may not provide the full picture. One of the other challenges was the degree of 'buy-in' to meet the economies of scale required for its success and the employment

status and requirements placed upon the headteachers who were involved in the running of the model, in terms of workload;

13. The scale of the school funding crisis in Wales, outlined within our evidence to the Children, Young People and Education Committee school funding inquiry, calls into question the current ability of schools to meet the growing costs of supply cover.
14. School leaders clearly wish to see supply teachers paid fairly, but the current reality is that school budgets are inadequate – for example, schools look at saving money on what can be costly supply cover insurance and instead often use alternative solutions to cover absent colleagues, including not employing external supply staff but instead using themselves and other leadership colleagues (including ALNCoS) which pulls them away from their substantive roles. This is a risky, unsustainable and not-to-be-recommended approach, but the scale of cuts have forced this upon many settings;
15. In the current financial climate, if schools were to strictly adhere to employing supply staff and ensuring they are paid fairly at all times, the knock-on effect could well be catastrophic, placing the school in a position whereby the only solution to making up an end-of-year budget deficit would be to go through an enforced redundancy process and lose permanent staff;
16. It is difficult to project the potential improvements which could arise out of new framework contract arrangement developed by the National Procurement Service without seeing the detail of any approach and the practical implications for schools and school leadership. However, the principle behind a national model, which could potentially better manage the consistency, quality and a more common approach across the whole of Wales, would be of interest to school leaders. How this could be managed in order to benefit from schools that know their supply staff and supply staff who know their schools would be of great benefit. However, there would also need to be a comprehensive financial impact assessment to establish if schools would be able to fully utilise the benefits of such a system, or would they simply not be able to afford to do so even if they were, in principle, in favour of it?
17. In accepting that devolution of teachers' pay and conditions to Wales has now taken place, despite our original reservations, NAHT Cymru do believe that there might be opportunities to create improved conditions of service within Wales. Our reservations, however, still remain, as they are based principally upon the limiting nature of the overall quantum of funding at the disposal of Welsh Government and the risk of not at least ensuring parity with England which could result in a loss of talent out of Wales;

18. NAHT Cymru were mindful that, given the extraordinarily limited timescale available for the new Independent Welsh Pay Review Body (IWPRB) within this first-year remit, focusing solely upon pay matters was essential in order to reach a decision in time for any pay award. However, within the Pay Partnership Forum (including the workforce unions, employers and Welsh Government) future remit areas are already being discussed;
19. In future remits, the issue of supply teacher pay, professional learning and conditions of service will be essential in order to bring consistency, transparency and fairness to the whole workforce. The risks that exist will be mainly as a result of the capacity, within finances, time and within the wider system, to meet the deserved needs of supply staff. Warm words alone will not make it happen. It is worth noting, for example, that Welsh Government recognised the pressures upon schools in delivering the professional learning required for the new curriculum by announcing additional National Approach for Professional Learning (NAPL) funding – the same needs to be explored specifically for supply staff;
20. It would be NAHT Cymru's view that ensuring access to quality professional learning, across all the essential education policy areas within current reform, for example, the new curriculum and ALNET (Wales) Bill, needs to be planned on a national basis and delivered via committed additional resource;
21. The risk of encouraging a local, low level approach to such professional learning for supply staff, is one of inconsistency, varying quality and hit-and-miss accessibility, highly dependent upon the individual's employment circumstances;
22. NAHT Cymru believe that in order to fully address the issues outlined within the petition text, a full and comprehensive review of all the relevant factors is required. Principally, identifying all the relevant factors that have driven the system to the circumstances under which we now find ourselves within Wales. The school workforce's commitment to do the best for our children and young people, despite an increasingly challenging financial picture, has resulted in support staff, teachers and school leaders often operating in ways that appear admirable but ultimately create risk and are unsustainable in terms of mental health, wellbeing and ongoing high performance.

Rob Williams  
NAHT Cymru - Director





130 Regent Road  
Leicester LE1 7PG

Tel: 0116 299 1122  
M: 07966 441565

[tim.pratt@ascl.org.uk](mailto:tim.pratt@ascl.org.uk)  
[www.ascl.org.uk](http://www.ascl.org.uk)

Cymru Director  
**Tim Pratt**

Janet Finch-Saunders AM  
Chair of Petitions Committee  
National Assembly for Wales  
Cardiff Bay  
Cardiff  
CF99 1NA

26<sup>th</sup> June 2019

Dear Janet

In response to the questions in your letter of 29<sup>th</sup> April 2019, we would offer the following observations:

1. *“The viability of a public sector solution for employing supply teachers in Wales, for example in a similar vein to the system which operates in Northern Ireland, or the recent pilot project based on cluster arrangements”.*

This sort of arrangement can work well; however, it relies on a sufficiency of funding to allow schools to pay supply teachers at a fixed rate, rather than “shopping around” for the best deal. Current funding levels would make this type of arrangement unworkable and would almost certainly cause schools even greater financial difficulties.

2. *The improvements which could potentially arise out of new framework contract arrangements developed by the National Procurement Service (including letting the contract on the basis of individual local authority ‘lots’, a minimum daily pay rate and greater transparency over agency fees);*

We would support the proposed changes to the contract arrangements with supply companies. It is important that supply teachers can be sure of their rights as workers being respected, and that they will be paid a fair wage. We feel it would be appropriate that supply agencies be required to meet agreed operating standards in order to be allowed to work in this area.

3. *Any potential opportunities or risks for supply teaching arising from the devolution of pay and conditions for teachers;*  
There is an opportunity to ensure that the specific role of supply teachers is recognised within any new Wales-specific pay & conditions document, and appropriate pay scales and conditions of service are framed.

4. *Arrangements for professional learning for supply teachers, particularly in light of current education reforms.*  
This is an area that is not easy to resolve. If supply teachers are employed by agencies, then there is a real problem over who is responsible for providing professional learning, and indeed being sure that quality of provision is equitable across Wales. We do not feel it would be appropriate to make supply teachers responsible for all their own professional learning, as not all may have access to high quality provision. Central provision of professional learning for supply teachers will be expensive and difficult to coordinate; however, this does not mean that it should not be examined carefully.

I hope these observations are helpful; do please contact us again if you wish to discuss any of these matters further.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Tim Pratt', with a stylized, cursive script.

Tim Pratt

**Petition P-05-805 Fair Deal for Supply Teachers in Wales  
3 May 2019**

- 1.1 The NASUWT welcomes the opportunity to submit written evidence to the Welsh Assembly Petitions Committee looking at the petition calling for a fair deal for supply teachers.
- 1.2 The NASUWT is the largest teachers' union in Wales and the UK representing teachers and school leaders. The NASUWT has many thousands of supply teachers within its membership.

**GENERAL COMMENTS**

- 1.3 Changes in the UK labour market over recent years have had a significant impact upon pay, job security and conditions of employment, resulting in an increased disparity in the balance of power between parties involved in the procurement and supply of agency workers, as well as the opportunity for the exploitation of workers.
- 1.4 A third of UK firms surveyed reported that it was now a 'strategic' active business decision rather than a stop-gap approach when considering the use of agency workers.<sup>1</sup>
- 1.5 Figures published by the Trade Union Congress (TUC) show that over three million people – one in ten of the UK workforce – now face uncertainty about

<sup>1</sup> <http://www.resolutionfoundation.org/app/uploads/2018/02/business-survey-slide-FINAL.pdf>

their working hours and their rights and protections. Of these, 730,000 are agency workers.<sup>2</sup>

- 1.3 The Labour Force Survey (LFS) puts the estimate at 865,000 agency workers in the UK today, made up of those in temporary and permanent agency work, as well as those classed as self-employed but paid by an agency, and those who undertake agency work as a second job.<sup>3</sup>
- 1.4 The Resolution Foundation believes that the number of agency workers is significant and rising fast. For example, Figure 1 below shows that the number of agency workers has increased by 200,000 between the period 2011 and 2016,<sup>4</sup> the equivalent of a 30% increase over the period. If such a rate of change is sustained, then this would result in over a million agency workers by the end of the decade.<sup>5</sup>
- 1.5 It should not go unnoticed that it is not easy to estimate the number of agency workers in the UK labour market, as no official figures are produced by the ONS and surveys rely on people knowing and understanding exactly what their employment status is. The level of agency working currently reported could therefore be seen as just the ‘tip of the iceberg’.
- 1.6 The Union also notes that the rise in insecure work is having a disproportionate impact upon groups who already suffer a labour market disadvantage, such as women and black, and minority ethnic (BME) workers.<sup>6</sup> The TUC estimates that BME workers are over a third more likely than white workers to be in temporary or zero-hours work.<sup>7</sup>

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<sup>2</sup> <https://www.tuc.org.uk/sites/default/files/the-gig-is-up.pdf>

<sup>3</sup> <http://www.resolutionfoundation.org/app/uploads/2016/12/Secret-Agents.pdf>

<sup>4</sup> <http://www.resolutionfoundation.org/app/uploads/2016/12/Secret-Agents.pdf>

<sup>5</sup> Ibid.

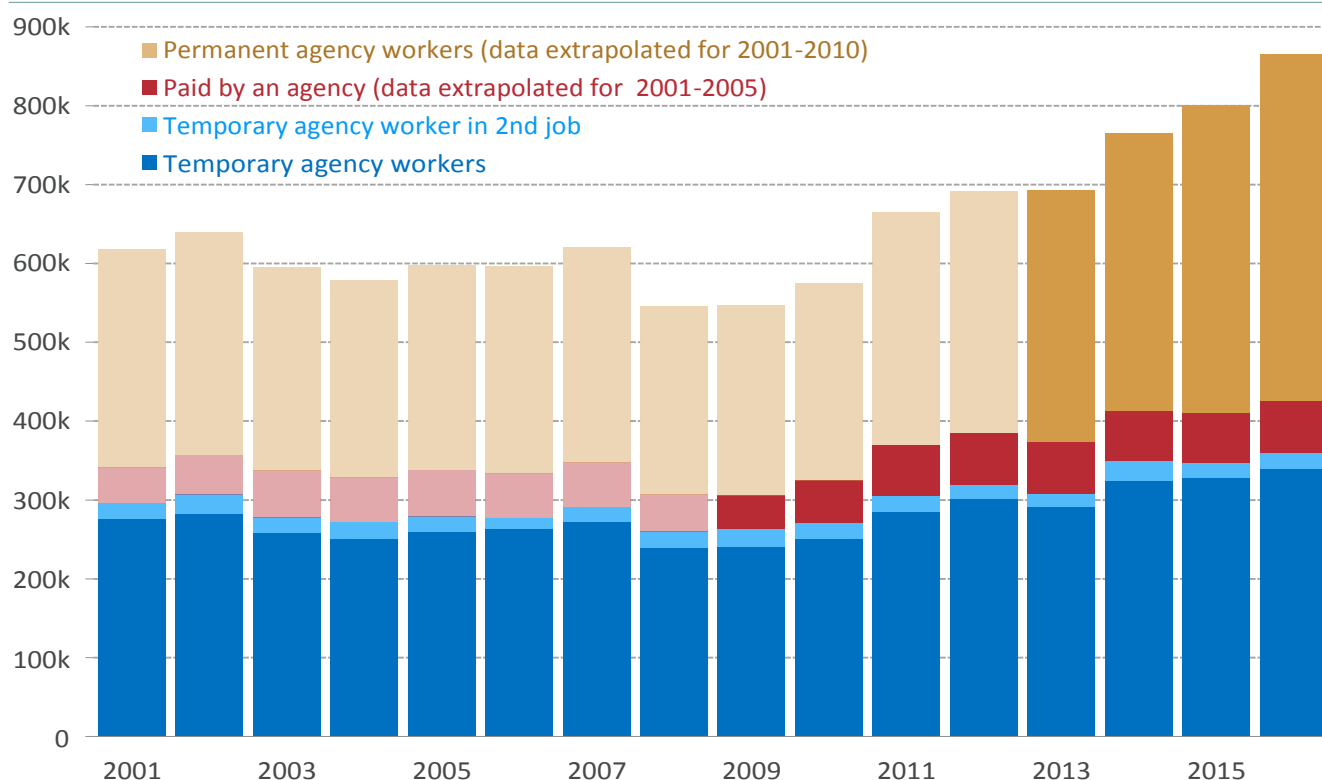
<sup>6</sup> <http://www.resolutionfoundation.org/app/uploads/2016/12/Secret-Agents.pdf>

<sup>7</sup> <https://www.tuc.org.uk/sites/default/files/the-gig-is-up.pdf>

**NASUWT**

**The largest teachers' union in Wales and the UK**  
**Yr undeb athrawon fwyaf yng Nghymru a'r DU**

**Figure 1**



**Source:** Resolution Foundation, *Secret Agents: Agency workers in the new world of work*, December 2016, p17

- 1.7 One of the sectors the TUC has identified as having the fastest growth in insecure work is the education sector, which has risen by 42% since 2011.<sup>8</sup> The NASUWT is concerned about the growing trend towards the casualisation of work, precarious employment and the use of zero-hours contracts, and the negative impact of these practices upon teaching standards, teacher morale and the entitlement of children and young people to a high-quality education.
- 1.8 The NASUWT maintains that everyone should be seen as an employee, with all the associated rights and entitlements this brings, unless it can be proved otherwise. The Union is, therefore, committed to employment in the education system that is fair to all employees regardless of employment status.
- 1.9 The Union is, therefore, committed to employment in the education system that is fair to all employees regardless of employment status.

<sup>8</sup> Ibid

- 1.10 Supply teachers are committed and dedicated professionals who provide an invaluable resource for schools. As such, supply teachers make a vital contribution to securing high educational standards for all children and young people. The NASUWT believes that supply teachers should be valued for the hard work and dedication with which they undertake what is a challenging and varied role across different educational settings.
- 1.11 Despite this, many supply teachers report that they are treated as ‘second-class citizens’ who are not always able to access their employment rights.
- 1.12 Teachers may undertake supply for a variety of reasons. However, lack of availability of suitable permanent employment is a reason which is increasingly given, despite concerns regarding recruitment and retention in Wales.<sup>9</sup>
- 1.13 The existence of Personal Service Companies (PSCs) has unfortunately become a feature of the educational landscape in schools, in the form of supply agencies and umbrella companies.
- 1.14 The National Institute of Economic and Social Research (NIESR) publication, *Use of Agency Workers in the Public Sector*, estimates that the number of employment agencies in education has doubled to 500.<sup>10</sup>
- 1.15 The NASUWT has significant concerns about the procurement of agency and self-employed workers in the education sector. These concerns are intensifying with the increased casualisation of the workforce and the growth of supply agencies and umbrella companies.
- 1.16 Agencies and umbrella companies are making substantial profits in a largely unregulated schools sector, whilst depressing the pay of teachers. Taxpayers’ money is being siphoned off to agencies. Supply teachers are getting less, schools are paying more, whilst agencies and umbrella companies profit.

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<sup>9</sup> <http://www.eteachblog.com/be-alert-new-figures-reveal-issues-in-teacher-recruitment-and-retention-in-wales/>

<sup>10</sup> [https://www.niesr.ac.uk/sites/default/files/publications/NIESR\\_agency\\_working\\_report\\_final.pdf](https://www.niesr.ac.uk/sites/default/files/publications/NIESR_agency_working_report_final.pdf)

- 1.17 There is evidence that supply teachers are denied access to their employment rights such as those afforded under the Conduct of Employment Agencies and Businesses Regulations, the Agency Workers Regulations (AWR) and other associated legislation.
- 1.18 The NASUWT's annual survey of supply teachers found that the overwhelming majority of supply teachers (83%) reported that private supply agencies were the only way to obtain work. Since 2014, the use of supply agencies by supply teachers has risen by 20%.<sup>11</sup>
- 1.19 Indeed, the Recruitment and Employment Confederation (REC) Industry Trends Survey 2014-15 reported that the average daily number of placements in education had increased by 71.2% from the previous year.<sup>12</sup>
- 1.20 The evidence suggests that in the increasingly fragmented context in which schools operate, the role previously undertaken by local authorities is now being carried by privatised supply agencies who are exploiting the recruitment challenges in school for profit.
- 1.21 It is clear that the market in agency workers in education is big business. The amount spent by maintained schools on supply teachers for 2016/17 was in excess of £700 million.<sup>13</sup> Of this, approximately £520 million went to employment agencies.
- 1.22 It is clear that the market in agency workers in education is big business. The amount spent by schools on supply teachers for 2016/17 was approximately £40 million.<sup>14</sup> Of this, approximately £12 million went to employment agencies.
- 1.23 The NASUWT has serious concerns that the profit margins of supply agencies are increased by depressing the pay of teachers or by mis-selling the services of qualified teachers by hiring teachers to perform tasks which do not require

<sup>11</sup> <https://www.nasuwt.org.uk/uploads/assets/uploaded/450a93c7-e3e7-4a1d-ac9708dfd948034d.pdf>

<sup>12</sup> [https://www.niesr.ac.uk/sites/default/files/publications/NIESR\\_agency\\_working\\_report\\_final.pdf](https://www.niesr.ac.uk/sites/default/files/publications/NIESR_agency_working_report_final.pdf)

<sup>13</sup> <https://www.gov.uk/government/statistics/la-and-school-expenditure-2016-to-2017-financial-year>

<sup>14</sup> <https://www.bbc.co.uk/news/uk-wales-46263250>

their professional skills and abilities, such as supervisory roles, but charging schools for the provision of a qualified teacher.

- 1.24 Schools are charged up to a 40% commission fee which goes direct to the agency. This equates to over £329 million and is the equivalent of an extra 13,483 teachers.<sup>15</sup>
- 1.25 The NASUWT is concerned that taxpayers' money is being siphoned off to agencies. Workers are getting less, schools are paying more, whilst agencies and offshore umbrella companies are engaged in profiteering.
- 1.26 Indeed, the TUC estimates that workers in agency work, such as supply teachers, are suffering up to a 20% hourly pay penalty when compared to the pay of an 'average' employee.<sup>16</sup>
- 1.27 For example, the NASUWT's research demonstrates that three quarters of supply teachers (72%) reported being paid more for an assignment when employed directly by a school compared to being employed through an agency. At the same time, the agency employing the teacher is able to charge the school up to £100 more than the teacher receives.
- 1.28 The high levels of variation in pay rates and commission in a decentralised market can result in employment agencies charging different rates to supply the same teacher to the same school.<sup>17</sup>
- 1.29 The consequence of this for workers is that they fall victim to the replacement of regular, secure full-time employment with increasingly precarious, low-paid, insecure and irregular work.
- 1.30 Fifteen percent of supply teachers reported that they have had to claim Jobseeker's Allowance since becoming a supply teacher and over one in ten (11%) reported that they have had to claim other state benefits.<sup>18</sup>

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<sup>15</sup> NASUWT – *Supply Agencies: the facts*.

<sup>16</sup> <https://www.tuc.org.uk/sites/default/files/the-gig-is-up.pdf>

<sup>17</sup> [https://www.niesr.ac.uk/sites/default/files/publications/NIESR\\_agency\\_working\\_report\\_final.pdf](https://www.niesr.ac.uk/sites/default/files/publications/NIESR_agency_working_report_final.pdf)



- 1.31 Furthermore, many supply teachers are reporting that their financial situation over the last 12 months has resulted in them reporting that they have had to cut back on expenditure on food (36%), take a second job (17%) and even resort to the use of food banks (1%).<sup>19</sup>
- 1.32 The NASUWT is clear from its research that the main financial benefits of supply work accrue to the agencies and umbrella companies themselves, rather than to the workforce or the service provision.
- 1.33 Extortionate and inappropriate finder's fees in education have restricted or removed the right to work for many supply teachers, reducing the opportunity to secure permanent employment, especially for women, BME and disabled workers, who are disproportionately represented as agency workers.

## 2 SPECIFIC COMMENTS

**The viability of a public sector solution for employing supply teachers in Wales, for example in a similar vein to the system which operates in Northern Ireland, or the recent pilot project based on cluster arrangements**

- 2.1 The NASUWT has campaigned for many years to stop the exploitation of supply teachers and to improve their pay and conditions. The NASUWT believes that full restoration of the organisation and administration of supply pools must now be established on a regional, or even an all-Wales, basis.
- 2.2 The Union believes that it should be possible for local authorities working together to have the capacity to provide at least payroll facilities to schools so that supply teachers can be employed under the School Teachers' Pay and Conditions Document, so that they are paid properly to scale, have access to the TPS and can benefit from free career professional development (CPD).

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<sup>18</sup> <https://www.nasuwt.org.uk/uploads/assets/uploaded/450a93c7-e3e7-4a1d-ac9708dfd948034d.pdf>

<sup>19</sup> Ibid.

- 2.3 The Union is concerned that any attempt to address the situation for supply teachers working in Wales must not countenance options that continue to treat supply teachers less favourably than their counterparts on substantive contracts.
- 2.4 For the sake of absolute clarity, the NASUWT cannot condone options that will facilitate or support the continued exploitation of supply teaching staff.
- 2.5 The Union has previously submitted written evidence to the *Inquiry into Supply Teaching* conducted by Children the Young People and Education Committee (CYPEC) (copy attached as Annex A) which, amongst other things, included the three core principles on which any model of supply teaching must be based that were subsequently enshrined in the Wales TUC 2016 Conference resolution on *Supply Teaching* (the WTUC resolution).
- 2.6 The NASUWT expects great weight to be placed on the following extract from the WTUC resolution:

*“Conference welcomes the response from the Minister for Education and Skills on 10<sup>th</sup> February 2016 when he announced the establishment of a Taskforce ‘to consider future supply teachers delivery options for Wales’ and emphasised the role of employers, unions and key stakeholders in development options for the future.*

*“Conference asserts, however, that there are important core principles which must underpin any model of provision of supply teaching which include:*

- *employment, payment and deployment in accordance with the contractual terms and conditions which apply across the devolved administration;*
- *access to the Teachers’ Pensions Scheme; and*
- *access to continual professional development.”*

- 2.7 The NASUWT maintains that any proposal over the viability of a public sector solution must be assessed against these three core principles.

- 2.8 The NASUWT maintains that consideration should be given to the model that operated across local authorities in North Wales prior to the issuing in July 2015 of Welsh Government guidance document no: 178/2015 Effective management of school workforce attendance which announced the awarding of a framework agreement for a Managed Service for the provision of Agency Workers.
- 2.9 The Union understands that supply teachers, using the model that operated in North Wales, registered with their local authorities and that schools were then able to use the 'eteach' service to source supply teaching staff.
- 2.10 The supply teachers were paid at a rate commensurate with their previous experience. In addition, supply teachers were able to contribute to the Teachers' Pension scheme. However, access to CPD appears to have been very limited.
- 2.11 In Northern Ireland, supply teaching, or substitute teaching as it is known, is overseen by the Northern Ireland Substitute Teacher Register (NISTR) which is operated by the Department of Education (DE). The NISTR was designed specifically to tackle the practical issues involved in arranging suitable teaching cover identified in the Northern Ireland Audit Office report on *The Management of Substitution Cover for Teachers*, published in 2002.
- 2.12 All substitute teachers are registered through an online booking system that enables schools to book substitute teachers in real-time through a regional centralised database of substitute teachers that they manage and update. They identify when they are available to work and schools book accordingly.
- 2.13 Payment for all approved periods of substitute teaching is then made on a monthly basis, at a daily rate of 1/195 of the annual salary of a comparable teacher on a substantive contract, through the payroll system which is run by the DE.

- 2.14 It is estimated that 9,000 qualified substitute teachers are in the live pool which is made available to schools to search for, book and process payment to suitably qualified teachers.
- 2.15 This system benefits both schools and teachers in dealing with the practical issues involved in arranging qualified teaching cover. It provides flexibility for the substitute teacher to manage their own availability and the distance they are willing to travel. Schools get the advantage of accessing substitute teachers through a centralised booking system which provides information on previous experience and expertise, as well as on qualifications and criminal record checks. This information can be accessed '24/7' at no cost, in order to book cover for teacher absences.
- 2.16 The NISTR is supported and endorsed by the DE, employing authorities, the General Teaching Council Northern Ireland and Northern Ireland Teachers' Council and the teaching unions. NISTR is the only mechanism for engaging substitute teachers in all schools in Northern Ireland.
- 2.17 The NASUWT believes that alternative delivery models such as those described above should be given serious consideration as viable public sector solutions for employing supply teachers in Wales.
- 2.18 The NASUWT maintains that the advantages of a local or central government supply model which subscribes to the three core principles referred to in the WTUC resolution should be self-evident, if the will exists to ensure that supply teaching staff are not treated less favourably than their counterparts on substantive contracts, and to bring to an end the privatisation of the teaching supply service. The latter being a clear advantage to the Welsh Government as it would put truth in the principles enshrined in the *Alternative delivery models in public service delivery: An Action Plan* published in March 2016.
- 2.19 Such models would ensure that the schools benefit from the services of well-motivated supply teachers, the supply teachers benefit from being

appropriately remunerated and, taken together, this will inevitably be of benefit to the learners.

- 2.20 In addition, as the supply teachers would be employed through a local or central government system, access to the professional learning entitlements would be provided through the New Deal initiative.
- 2.21 From a broader perspective, supply teachers would be able to secure their employment rights and would have greater stability and security than is currently provided through private supply agencies.
- 2.22 Local authorities would be able to demonstrate that they meet standards of good practice in managing and providing supply teachers for schools. This would enable schools and supply teachers to feel confident about the quality of the service provider, which in turn should raise the standard and status of supply teaching. Schools would also know more about the nature and quality of the support being provided to supply teachers.
- 2.23 The NASUWT maintains that managing the provision of supply teaching in this way would reinforce the principle that education is a public service subject to national conditions which govern how staff are employed and how public money is spent.
- 2.24 A central supply teaching pool administered by the Welsh Government has the potential to provide better economies of scale than a collection of supply teaching pools operated by individual local authorities.
- 2.25 The pilot project based on cluster arrangements announced in October 2017 to improve the way supply teachers support schools involved £2.7 million of funding to support 106 schools working across 15 local authorities to create new supply teacher arrangements by employing supernumerary teachers to work across clusters of schools, covering teacher absence and supporting wider school improvements and learner outcomes.

- 2.26 The project is due to be reported on in autumn 2019, but it is understood that the benefits to teaching and learning of employing supernumerary teachers in this way have been noted in better outcomes for children and young people as a consequence of those same teachers being embedded across the schools and knowing the workings of the schools where they work really well.
- 2.27 The Union understands that staff working in the cluster arrangements report better relationships and because children know the number of staff who may cover for their regular teacher, there is better behaviour.
- 2.28 The NASUWT believes that direct employment, such as that operated in the cluster arrangements demonstrates that there is a more cost-effective of covering long-term supply needs.
- 2.29 The Union maintains that cluster arrangements, such as the one outlined above, or the adoption of a central government supply teaching pool, would better support wider education reforms than the continued use of private supply agencies that exploit supply teaching staff in pursuit of profit.
- 2.30 The evidence provided above demonstrates that the mechanics are already in place or could be put in place if there is a genuine desire and willpower to make effective change on the part of either the Welsh Government or Welsh local authorities.
- 2.31 The devolution of pay and conditions in Wales to the Welsh Government and the Independent Welsh School Teachers' Review Body (the Review Body) Remit provides the opportune moment. It was therefore disappointing that the in the first year of these new powers the remit letter failed to address the issue of supply teachers, despite the fact that the Welsh Cabinet Member for Education stating in December 2018 that they had not ruled out the introduction of a centralised or regional supply arrangement in the future.<sup>20</sup>

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<http://senedd.assembly.wales/documents/s82749/7.12.18%20Correspondence%20%20Cabinet%20Secretary%20for%20Education%20to%20the%20Chair.pdf>

## **The improvements which could potentially arise out of new framework contract arrangements developed by the National Procurement Service**

- 2.32 The NASUWT cautiously welcomes the new framework contract developed by the National Procurement Service (NPS). The Union had lobbied for significant revisions to the framework for the employment of supply teachers in schools in Wales following serious concerns over the previous framework that had resulted in New Directions gaining the tender across Wales and local authorities pressing schools to use New Directions exclusively.
- 2.33 The Union believes that the new framework has the potential to improve the pay and terms and conditions of supply teachers as well as providing improved access to professional learning opportunities.
- 2.34 The new framework allows providers to bid on a local, regional or all-Wales basis, whereas the previous framework had to be met on an all-wales basis meaning that only New Directions could bid. This will bring some welcome diversity and local provision. It also allows schools and local authority to continue to employ supply staff directly without the use of an agency.
- 2.35 However, unlike direct employment solutions to the procurement of supply, such as those identified above, the new framework would not give supply teachers access to the Teachers' Pension Scheme (TPS) and full salary entitlements, but is nevertheless an improvement on the current situation. For example, all supply teachers would be paid a minimum rate of pay at least the minimum of the School Teachers' Pay and Conditions (STPCD).
- 2.36 The NASUWT cautiously welcomes the application of a sliding scale of payments for transferring staff to permanent contracts (finder's fee) as the Union is clear from its research that the main benefits of the current system accrue to the agencies and umbrella companies themselves rather than to the

workforce or the service provision, particularly when they are charging in excess of £10,000 in finders' fees.

- 2.37 Whilst the NASUWT believes there is a need for a mechanism which provides greater clarity for supply teachers which enables schools to pay supply teachers appropriately without incurring significant costs in agency fees, the Union is not convinced that the new procurement framework will achieve this.
- 2.38 For example, the Union has concerns over exactly how the agencies applying to be on the new procurement framework will be regulated and vetted to ensure that they meet certain minimum expectations in respect of how they treat supply teachers.
- 2.39 In addition, the NASUWT notes there is very little detail about quality assurance and the guarantees that the procurement process will operate in a fair and transparent way which has inbuilt into it rigorous and robust levels of accountability and a comprehensive and fit-for-purpose code of conduct.
- 2.40 Such an approach can only be effective if it is underpinned by appropriate inspection and enforcement which ensure that providers of services to schools, and schools themselves, act appropriately in accordance with the provision of any code. The Union contends that the relevant regulatory body should be the Employment Agencies Standards Inspectorate (EAS) rather than just industry bodies which represent the interests of supply agencies.
- 2.41 Furthermore, the operation of a system which fails to apply a maximum to suppliers' commission fees is wholly unacceptable, particularly when it is, in essence, tax payer's money which is being diverted from education into the profit margins of supply agencies and umbrella companies.
- 2.42 Whilst welcoming the intention to establish a minimum rate of pay for supply teachers, the Union is concerned that the new procurement framework could see supply teachers pay depressed without any references to pay ranges and a commitment to honour the pay portability.



2.43 It cannot go unnoticed that supply teachers' pay already lags substantially behind the pay of teachers employed by schools in substantive posts. The NASUWT is therefore worried that the current proposal might replicate the current system at the expense of dedicated and committed supply teachers.

**Any potential opportunities or risks for supply teaching arising from the devolution of pay and conditions for teachers**

2.44 Given the commitment of the Welsh Government to ensure that, following the devolution of pay and conditions teachers should not suffer a detriment to pay and conditions when compared with teachers across the UK following the devolution of pay and conditions for teachers, the NASUWT believes that there are no risks for supply teaching and supply teachers.

2.45 Furthermore, the focus on establishing standardised pay and allowance scales for all teachers and school leaders in Wales also suggests an opportunity to remedy the profound damage which has been caused to the teaching profession, including supply teachers, in England and Wales by the Westminster Government since 2010, through de-regulation of teachers' pay.

2.46 The devolution of pay and conditions for teachers therefore presents an opportunity for the Welsh Government to set itself apart and do something different in respect of the supply teaching workforce, such as the model adopted in Northern Ireland or the introduction of regional or local authority based supply pools.

2.47 In addition, the establishment of an independent review body as part of the devolution of pay and conditions provides the perfect opportunity to address the exploitation faced by supply teachers by recommending that all supply teachers, including agency teachers, fall within the remit of the Review Body, and that their pay and conditions are set by the Welsh Government and that

these are consistent with pay and conditions for all teachers across the state funded sector in Wales.

### **Arrangements for professional learning for supply teachers, particularly in light of current education reforms**

- 2.48 The National Approach to Professional Learning (NAPL), announced in November 2018 is designed to provide funding will so that schools have the time and resources they need to plan ahead for the new curriculum and ensure that changes are made in a way that will prioritise the wellbeing of teachers and minimise disruption to pupils' learning. The funding is also designed to ensure that there is cover for staff to be released for professional learning.
- 2.49 The development of the Hwb as well as other initiatives, such as the Professional Learning Passport, to support supply teachers to access career professional development (CPD) is welcome, but the Union believes that supply teachers should also be able access the funding in order to support their own learning. It was therefore pleasing that the Welsh Government has assured the Union that this should be the case, particularly when supply teachers frequently report that they are unable to access career professional development (CPD).
- 2.50 For example, the 2018 NASUWT Supply Teachers' Survey in England and Wales found that over half (52%) supply teachers stated that they had not been given access to continuing professional development (CPD) opportunities by the agencies which they had worked for in the last 12 months.
- 2.51 If, as stated, the Welsh Government recognises and values the dedication and hard work of supply teachers as an essential part of school life<sup>21</sup> then it is

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<sup>21</sup> <https://learning.gov.wales/resources/collections/supply-teachers?lang=en>

crucial that they are able to access the same opportunities as their colleagues in full time employment, including access to high quality CPD.

Neil Butler

**National Official for Wales**

For further information on this written evidence contact Neil Butler, National Official for Wales.

NASUWT Cymru

Greenwood Close

Cardiff Gate Business Park

Cardiff

CF23 8RD

029 2054 6080

[www.nasuwt.org.uk](http://www.nasuwt.org.uk)

[nasuwt@mail.nasuwt.org.uk](mailto:nasuwt@mail.nasuwt.org.uk)

**NASUWT**

***The largest teachers' union in Wales and the UK***

***Yr undeb athrawon fwyaf yng Nghymru a'r DU***

**P-05-805 Fair Deal for Supply Teachers, Correspondence – Petitioner to Chair,  
02.07.19**

Dear Ms Finch Saunders

On behalf on Fair Deal for Supply Teachers I would like to thank the Committee for asking for responses from various bodies .Our Cabinet Secretary for Education wants Wales to have a world class education system . We also want to see this achieved.

These appear to be the main points highlighted by the responses :-

1. More money is needed for a properly funded system to reward all supply teachers fairly . According to NEU statistics 942 schools are having cuts to their budgets . Because of this the use of cover supervisors is becoming more prevalent and the concern is the introduction of a minimum pay rate of M1 could exacerbate this due to cost. Cover supervisors are not allowed to teach .They are not receiving any training. They should not be used. Estyn has said that all long term placements should be covered by a qualified teacher Surely more security would be given to both the supply teacher and the school with an LA contract? . All classes should be covered by a qualified teacher for short or long term if Wales is to have the best education system. Learner outcomes are the priority of all teachers , permanent or supply .
2. There is need for more CPD for all supply teachers to update them on the new curriculum and for any other new initiatives as they are implemented. "If, as stated, the Welsh Government recognises and values the dedication and hard work of supply teachers as an essential part of school life then it is crucial that they are able to access the same opportunities as their colleagues in full time employment ." Neil Butler NASUWT.
3. There are 64 agencies in existence . Only 28 have signed up to the framework agreement . EWC has said that they thought Mrs Williams would be consulting with them over a Quality Mark but that she hasn't been minded to do this .When will this happen ? The need for monitoring has been picked up. This is of prime importance as some agencies have been looking to circumnavigate the framework .Local authorities will be asking schools to be using agencies on the framework but will some schools choose those not on it so that they have to pay less. Back to the issue of funding again. No maximum fees appear to have been set thus far so it will be good to see the transparency of fees as set out in the New Framework Agreement.
4. 28.5 % of supply teachers were in the 0-5 years experience bracket.in 2016 EWC ( more recent figures unavailable ) . They need support and mentoring as well as

professional development to ensure good quality teaching . It is important, as said by ASCL, that all supply teachers can be sure of their rights as workers and that they will be paid a fair wage . All teachers need to feel valued. There will be schools that need more experienced teachers and these should be paid accordingly. All supply teachers should be entitled to access Teachers' Pension Scheme.

5.Ultimately the system of using agencies is flawed as has been said . We need to take profit making out of education and most responses seem to be in agreement that a fair public sector solution be found as you have been discussing in your meetings .

We need the will of the Welsh Government to find this as quickly as possible. As David Evans , Secretary of NEU , said "Supply Teachers needs have, for too long, been ignored with the result that private companies have profited from public money earmarked for education . Successive education ministers have failed to tackle this situation adequately or at all. This represents a golden opportunity to rectify that anomaly. "

When can our devolved powers be used to provide this and give us parity with Northern Ireland and Scotland?

Thank you for your kind attention . Any further assistance in expediting change would be appreciated.

Sheila Jones

Caerphilly NEU Supply Officer

Fair Deal for Supply Teachers

**P-05-805 Fair Deal for Supply Teachers, Correspondence – Petitioner to Chair, 10.04.19**

Dear Ms Finch Saunders,

Following the Committee's interview with Kirsty Williams on April 2nd we would like to say :

We appreciate you asking Kirsty Williams coming in and addressing your and our concerns and thank you for asking her. We thank the Cabinet Minister for her time .

We commend that the new Framework Agreement provides improvements to the current system

We welcome the setting of M1 as a step in the right direction.

We are really pleased about the abolition of the Swedish Derogation which has caused the loss of thousands of pounds to supply teachers in the lack of uplift of pay after twelve weeks.

We welcome the transparency of fees and the accreditation of agencies.

However, we ask the following questions :

**As at present there is nothing in place that will mandate the agencies not signing up to the Framework Agreement to adhere to the improvements in it and to the Code of Practice for Ethical Employment do we presume they can continue in business operating with the same low pay rate they have been using ?**

We hope schools would choose those agencies that are signed up to the Framework Agreement but budget constraints could mean that they turn to cheaper agencies . We were told at a meeting with Welsh Government officials that there are over 50 agencies and to our knowledge only 35 are signing up to the Framework Agreement .

**Now we have devolved powers when exactly can they be used to provide a system that gives the same set of pay and conditions for all supply teachers working in Wales ?**

This is an equality issue . It doesn't come under the characteristics of the Equality Act but ,as has already been, said it is very wrong that supply teachers working via agencies have not had the same benefits of being paid to scale and with access to Teachers' Pension Scheme as those paid direct by local authority payroll have . Leanne Wood asked Kirsty Williams when devolved powers would make a difference question but the opportunity to answer was not given as it seems like there was not enough time .

The use of agencies in education has led to supply teachers being asked to work in roles such as teaching assistants , cover supervisors and even as a creche worker . It is truly shocking that we, as qualified professionals , have been undervalued and underpaid for some time with the loss of thousands of pounds in pay and pension scheme contributions.

**Could the framework agreement have been put out for a shorter time for a better solution to be found more quickly? What exactly are the barriers to getting rid of agencies and having no public money in education as in, for example, Denmark as Leanne Wood previously suggested to Carwyn Jones some time ago in the Chamber?**

Kirsty Williams to Mike Hedges: "We continue to have discussions with the WLGA and there is nothing to stop them setting up or re-establishing the systems that you refer to ." We would like to know what their response is to this . **Are they concerned about the exploitation that has been going on and what are their plans?**

Our counterparts in Northern Ireland and Scotland are paid to scale . We do not want the minimum rate of M1 to become the maximum ( a concern expressed by Mark Drakeford in his role as Cabinet Secretary for Finance when we went to see him in August last year ).

The statistics in the Taskforce Report of 2016 shows, as below:

*30. In 2016, 20.8% of supply teachers were under the age of 29 and 31.7% are over 55.* Therefore the majority of supply teachers have a great deal of experience. We need to have the skills and experience of those supply staff recognised and properly remunerated as they were in the past.

**Can the Cabinet Secretary for Education use her staff to do research on the use of unqualified staff in our schools?** It is an issue that needs to be addressed. We consider learner outcomes to be of paramount importance too but it should not be for supply teachers to have to investigate and whistle blow on this surely ?

There is no doubt that the cuts to budgets from Westminster have led to some of the problems with the supply system . Authorities looked to make savings on their supply bills and have thought using agencies would be more cost effective. Some authorities closed their payrolls for supply teachers . Even if savings were made this has been at the expense of paying supply teachers properly and is indeed a social justice issue as Mike Hedges pointed out .

Thank you to the Committee for all you have done and are continuing to do . Supply Teachers in Wales are very grateful for your recognition of the injustice of the situation and the time you have given to the issues outlined on our petition . We

need that fair system as soon as possible . Five hundred supply teachers left supply teaching between 2014-2016 according to EWC figures .

Kind Regards

Sheila Jones.



**P-05-805 Fair Deal for Supply Teachers, Correspondence – Interested third party to committee, 15.04.19**

I watched this week's meeting of your committee speaking with Kirsty Williams and firstly wish to applaud the committee for their questions.

As a supply teacher who chooses to work part time due to family commitments, I have campaigned along with Sheila Jones the petitioner and other teachers against agencies since returning to teaching three years ago.

I wish to make one or two comments if I may. Kirsty Williams in this meeting outlined the benefits seen so far from her "pilot scheme". These benefits were exactly the benefits that used to exist from the former LA pool system where schools had closer links with regular supply teachers. It is scandalous that it has taken £2.7million plus the cost of the formal report and evaluation to "inform" her of these benefits.

I work for Teacher Active who are based in Birmingham and this company made £3.5million net profit in the last financial year according to companies house. I was recently booked in for a two day stint at a school- in one class - when another school had rung and asked for me by name to cover one of these days. The consultant who usually books me actually said to me over the phone, "I could put you in both schools for one day as the other school didn't actually specify continuity". These "consultants" do not care about continuity of cover at all, so long as they get their commission and they are paid a lot more than we supply teachers are able to earn in a year!

Basically the local authorities are complicit in this scandal because it all boils down to - in my opinion - PENSIONS. I was told by the Director of Education in Pembrokeshire that all LAs are against / not allowed to issue zero hours contracts, yet allowing agencies to operate within their local authority areas employing us on zero hours contracts is the ultimate in hypocrisy! Zero hours contracts should not be vilified in this way because people like myself WANT them. I used to work for my family business also which was seasonal and we had one or two part time employees as well as full timers on fixed hour contracts who were HAPPY with zero hours contracts. No, LAs know full well that by employing and paying supply teachers they will have to contribute to the Teachers Pension Scheme which as agency workers we are currently excluded from.

Finally, I wrote to ASCL Cymru last year to ask whether it was ethical for them to accept sponsorship from New Directions due to the shoddy treatment of supply teachers and large scale profiteering and I am pleased to say that they have now decided to end this arrangement.

I, too, have heard that New Directions are strengthening ties with schools with golf days and the like (presumably paying for Headteachers to play) but this is obviously unsubstantiated. However, a quick Google search will show you how they sponsor schools in Wales, such as the following:

<https://eur02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.new-directions.co.uk%2Feducation%2F2014%2F07%2Fnew-directions-sponsor-school-football-kit%2F&data=02%7C01%7CSeneddPetitions%40assembly.wales%7C9e2b32ddc55e492fda1108d6c1d185d9%7C38dc5129340c45148a044e8ef2771564%7C1%7C1%7C636909502969919568&sd=Zu%2FNUKJUTbxW2QBqqO2dRKtddoH9H9%2B%2BBZ5baC3mNv8%3D&reserved=0>

New Directions sponsor school football kit : ND Education Recruitment - New Directions Recruitment Services New Directions Education has sponsored a new football kit for Arddlen Primary school in North Powys. Melissa Penlington, Account Manager for Powys and Shropshire along with Robert Ratcliffe, Business Development Manager visited the school to present the kit.

<https://eur02.safelinks.protection.outlook.com/?url=www.new-directions.co.uk&data=02%7C01%7CSeneddPetitions%40assembly.wales%7C9e2b32ddc55e492fda1108d6c1d185d9%7C38dc5129340c45148a044e8ef2771564%7C1%7C1%7C636909502969919568&sd=DuW%2B%2FBsDit%2Fvn1zNEouA5ICRjjJ8fuWq5dxwp0IxSGY%3D&reserved=0>

You only have to go to various schools and you will see items like mugs - ironically - and pencil pots etc with New Directions and Teacher Active around the offices and staff rooms.

I sincerely hope that you will take note of my comments and maybe further investigate these issues.

Nicola Lund

### **P-05-805 fair Deal for Supply Teachers, Correspondence – interested third party to Committee, 17.04.19**

I watched with interest the discussion held on 2nd April regarding pay and conditions for Supply Teachers in Wales.

I am grateful to the Committee and the three AMs who spoke up in support of Supply Teachers, for allowing what have become long-standing and serious concerns to be raised.

I was, however, somewhat disappointed that in the Minister's responses, the needs of schools, learners and even the agencies were given far more emphasis than those of the many supply teachers who continue to be deprived of fair and equitable treatment.

If I may, I would like to share my own recent experience with you as an example.

I was on supply at the same school from the beginning of November last year until last Friday, 12th April. As a highly experienced teacher (27 years and at the top of the upper pay scale; 12 years as an ALNCo and part of the Leadership Team; secondment to the regional consortium for 3 years as an Advisor) I am routinely paid just £100 per day on supply, although this is more than the average agency pay of £85-£90 per day. For this long-term cover, the agency negotiated with the school and agreed, what I was told by the agency was the absolute maximum of £111 per day.

Under regulations covering agency working, I believed that after 12 weeks my pay would increase, based on my experience, in line with (or close to) what I would receive if employed by a Local Authority. In reality, the uplift in pay took me to just over M1 i.e. the level of a Newly Qualified Teacher, after agency fees. The difference between what I was being paid and what I should have been paid is at least £80 per day. This, I was told by the Head Teacher, was because she could not afford to pay me any more due to the situation with her budget. When I asked her what the situation would be if I was registered as a supply teacher with the Local Authority, she replied she would be obliged to pay me at the appropriate rate but that as she couldn't afford to do so, she would not be able to keep me on after twelve weeks. I found myself between a rock and a hard place in terms of pay and workload, but mainly for the sake of the young children I was teaching, I agreed to stay on.

I feel there are several worrying issues here, the main one being the dire state of school budgets. If a school cannot afford to employ any experienced teachers (other than HT and DHT, as would appear to be the case in this particular school), this should sound an alarm bell, not only for the loss of experience and expertise but for recruitment and retention levels that are already cause for concern in some areas. I also feel that the widespread use of supply teaching agencies means that they and hard-pressed Head Teachers are (wittingly or not) complicit in devaluing, exploiting even, highly experienced and committed teachers.

Despite the Minister's assurances that the new framework she proposes will improve the situation, there was nothing to suggest it will be mandatory for agencies to sign up to it and it will still not address the huge shortfall in pay for experienced teachers on supply.

I have previously raised my concerns with my AM (email on 20th March) and am awaiting a response.

I sincerely hope that the Minister and the Welsh Government will continue to explore alternative ways to move in the direction of greater equality in the system.

Yours faithfully,

Karen Beeby

# Eitem 3.14

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

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

## **Geiriad y ddeiseb**

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

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

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

Dylai Llywodraeth Cymru ystyried y diwygiadau a ganlyn:

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

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

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

### **Gwybodaeth Ychwanegol**

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

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

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

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

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

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

- Gorllewin Clwyd
- Gogledd Cymru



Eich cyf/Your ref P-05-832  
Ein cyf/Our ref KW/06446/19

Janet Finch-Saunders AC  
Aelod Cynulliad dros Aberconwy  
Cadeirydd y Pwyllgor Deisebau  
Cynulliad Cenedlaethol Cymru  
Tŷ Hywel  
Caerdydd  
CF99 1NA

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

24 Mehefin 2019

Annwyl Janet

Diolch am eich llythyr, dyddiedig 14 Mehefin, ar ran Pwyllgor Deisebau'r Cynulliad, yn gofyn am fwy o wybodaeth am yr adolygiad o'r Cod Derbyn i Ysgolion, yn benodol ynghylch ceisiadau ar ran plant a gafodd eu geni yn ystod yr haf ac nad ydynt o'r oedran sy'n cael eu derbyn fel rheol.

Yn fy llythyr, dyddiedig 18 Hydref, rhoddais wybod i'r Pwyllgor am fy mwriad i adolygu'r Cod Derbyn i Ysgolion ar ôl pum mlynedd o'i weithredu. Mae'r adolygiad yn un cynhwysfawr, ac yn rhoi sylw i'r Cod cyfan, ynghyd â'r Cod Apeliadau Derbyn i Ysgolion a'r rheoliadau cysylltiedig.

Fel rhan o'r adolygiad, mae fy swyddogion wedi mynd ati i ymgysylltu'n anffurfiol â rhanddeiliaid allweddol, gan gynnwys Cymdeithas Cyfarwyddwyr Addysg Cymru, y Grŵp Swyddogion Derbyn i Ysgolion, sy'n cynrychioli holl awdurdodau derbyn Cymru, awdurdodau esgobaethol a Chymdeithas Llywodraeth Leol Cymru, i holi eu barn am newidiadau y gallai fod yn rhaid eu gwneud i'r Cod ar sail ein profiad o'i weithredu hyd yma.

Yn ogystal, mae fy swyddogion wedi bod mewn cysylltiad ag awdurdodau derbyn unigol i geisio deall eu gweithdrefnau wrth ddelio â cheisiadau ar ran plant a gafodd eu geni yn ystod yr haf ac nad ydynt o'r oedran sy'n cael eu derbyn fel rheol. Maent hefyd wedi cwrdd â grwpiau sy'n cynrychioli rhieni, gan gynnwys awdur deiseb P-05-832 a rhieni eraill sy'n rhan o'r Grŵp Ymgyrchu dros Blant sy'n cael eu Geni yn yr Haf, i glywed eu profiadau a'u safbwyntiau, ac maent wedi cwrdd â chynrychiolwyr Bliss i drafod sut mae'r cwestiwn hwn yn effeithio ar blant a gaiff eu geni cyn pryd.

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

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

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

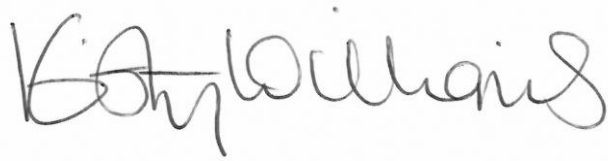
Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

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.

Ar hyn o bryd, mae fy swyddogion wrthi'n coladu ac yn dadansoddi'r amrywiaeth eang o dystiolaeth a gwybodaeth y byddaf yn seilio fy mhenderfyniad arni o ran y newidiadau y gallai fod angen eu gwneud i'r Cod. Mae hyn yn cynnwys ystyried a oes angen cryfhau'r Cod mewn perthynas â derbyn plant sy'n cael eu geni yn ystod yr haf ac nad ydynt o'r oedran sy'n cael eu derbyn fel rheol. Byddaf yn rhoi ystyriaeth i hyn dros yr haf.

Caiff ymgynghoriad 12 wythnos ei drefnu ar y Cod drafft, gan roi cyfle i unrhyw un sydd â diddordeb ymateb. I sicrhau'r cyfle gorau posibl i rieni ac ysgolion ymateb, nid wyf am gychwyn yr ymgynghoriad yn ystod y gwyliau ysgol. Rwy'n gobeithio bod mewn sefyllfa i lansio ymgynghoriad yn yr hydref.

Yn gywir

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

**Kirsty Williams AC**  
Y Gweinidog Addysg



## **P-05-832 To Amend the School Admissions Code Relating to Summer-Born Children – Correspondence from Petitioner, 26.06.19**

Dear Committee Members,

we thank you once again, for continuing to discuss our petition.

We would like to know if all local authorities have now responded to your request for information, with regards to requests to decelerate? There are parents currently going through this process; local authorities are most certainly continuing to apply a blanket policy, contravening the Welsh Government's current Admissions Code, to consider each application on an individual basis. In fact, there are currently four parents being forced to send their child to schools over the border, in England, in order to meet their child's needs (Chester, Oswestry, Gloucester and Bristol). We feel the Committee must be made aware of this.

We note in her correspondence to the Committee that the Minister states that the officials have met with parents of the Flexible Admissions Group, to discuss their experiences; this is not true. Officials have only met with the author of the petition, in January 2019.

Wales is the only principality that does not have a specific policy for summer-born children. Northern Ireland had this issue on their agenda, prior to their Parliament being dissolved. We believe passionately that pressure must be brought to ensure a change, to take into account the needs of our summer born children in Wales.

Warm regards,

Sian Lloyd

Flexible Admissions Wales Group

# Eitem 3.15

## P-05-875 Capiu Codiadau Treth Gyngor yng Nghymru

Cyflwynwyd y ddeiseb hon gan Tom MacLean, ar ôl casglu cyfanswm o 55 lofnodion.

### **Geiriad y ddeiseb:**

Mae Cyngor Conwy yn ceisio cyflwyno codiad anhygoel o 11 y cant yn y dreth gyngor ar gyfer cartrefi yn y flwyddyn i ddod. Mae cynghorau eraill yng Nghymru hefyd yn cyflwyno codiadau treth gyngor y tu hwnt i gyfradd chwyddiant.

Galwaf ar i'r Cynulliad gapio codiadau yn y dreth gyngor i gyfradd chwyddiant am ddwy flynedd. Wrth i gyfraddau dlodi plant a dyledion cartrefi gynyddu, bydd y codiadau aruthrol yn y dreth gyngor yn cael effaith andwyol ar gartrefi.

### **Gwybodaeth ychwanegol:**

Mae Cyngor Conwy wedi codi'r dreth gyngor 5 y cant o'r naill flwyddyn i'r llall, ond eleni mae'n ceisio cyflwyno codiad anhygoel o 11 y cant.

Mae gormod o gartrefi incwm isel eisoes mewn trafferthion; byddai codiad gwarthus o'r fath yn ergyd drom.

Rydym yn talu MWY ac yn cael LLAI a LLAI o ran gwasanaethau.

Yr un yw'r stori ledled Cymru.

Byddai capio codiadau treth gyngor i gyfradd chwyddiant am ddwy flynedd yng Nghymru yn fodd i deuluoedd dan bwysau gael eu gwynt atynt.

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

- Gorllewin Clwyd
- Gogledd Cymru

**Ein Cyf /Our Ref:**  
**Eich Cyf /Your Ref:**  
**Dyddiad /Date:**  
**Gofynnwch am/Please ask for:**  
**Llinell uniongyrchol/Direct line:**  
**Ebost/Email:**

**Leader/JR**  
28/06/2019  
Jon Rae  
029 2046 8620  
jon.rae@wlga.gov.uk



## **Janet Finch-Saunders**

Chair  
Petitions Committee  
National Assembly for Wales  
[SeneddPetitions@assembly.wales](mailto:SeneddPetitions@assembly.wales)

Dear Janet

### **Petition P-05-875 The Capping of Council Tax Rises in Wales**

Thank you for your correspondence of 30 May regarding the petition on capping council tax rises.

We have a clear and unambiguous policy on capping, which we naturally oppose. This is because it weakens local accountability and dilutes local decision-making. Welsh Ministers have never had to use their powers to limit council budgets, however since the onset of austerity there has been a common understanding that if rises breach a 5% threshold then Ministers might consider using those powers. In the run up to financial year 2018-19, ministers signalled a more relaxed approach which local government welcomed.

Councils do not take the decision to increase council tax lightly. Many of the increases in recent years have been implemented to mitigate the worst excesses of reductions in our core grant. This has reduced by around a £1bn, after adjusting for inflation, since 2009-10.

In the run up to the current financial year we pointed out in the evidence that we gave to a number of Assembly Committees that local service pressures combined with cuts would leave a £300m budget gap before any additional council tax income. In the event council tax increases barely made up a quarter of the shortfall.

Many of the pressures that local government face are nationally driven especially around workforce and legislative costs. In effect, the local rather than the national taxpayer is picking up the costs. We understand the frustrations of the petitioner.

We do recognise the unfairness in the system and we have been working with the Welsh Government on several issues. We have developed a 'Council Tax Protocol' which will deliver consistency in approaches to recovery and we have successfully secured an

Dr Chris Llewelyn  
Prif Weithredwr  
Chief Executive

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

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

wlga.cymru  
wlga.wales

@WelshLGA

**Croesawn ohebiaeth yn y Gymraeg a'r Saesneg a byddwn yn ymateb i ohebiaeth yn yr un iaith.**

**Ni fydd defnyddio'r naill iaith na'r llall yn arwain at oedi.**

**Tudalen y pecyn 239**  
We welcome correspondence in Welsh and English and will respond in the same language.  
Use of either language will not lead to a delay.

exemption for Care Leavers to be brought into Council Tax legislation to ensure transparency and consistency. We are also working with partners like the Wales Centre for Public Policy on their research into 'Responding to Citizens in Debt to Public services' to better understand the impact of rent and council tax arrears on the budgets of the most vulnerable.

If the Committee has any further queries in relation to the petition, please contact the team at the WLGA using the contact details above.

I hope this is helpful to you.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Debbie Wilcox', written in a cursive style.

Councillor Debbie Wilcox  
Leader of WLGA

**P-05-875 The capping of Council Tax Rises in Wales, Correspondence –  
Petitioner to Committee, 30.06.19**

I wish to thank you for your information. Reading through your attached information a line struck me.

In April Conwy County Council levied a 9.6 per cent Council tax increase. In the piece you attached it states

"there has been a common understanding that if rises breach a 5% threshold then Ministers might consider using those powers"

Clearly they did not intervene in the case of the increase in Conwy!

I do not accept that not capping Council Tax rises is somehow empowering for County Councils.

By NOT capping and NOT intervening when a County Council hikes up Council tax by 9.6 per cent clearly the Welsh Government are abdicating responsibility and failing to intervene when a hike in Council tax causes major hardship.

The rejection of capping shows a total disregard for residents across Wales.

Inflation-busting council tax hikes and a failure by the Welsh Government to regulate rises at all in practise is utterly failing in a clear duty of care.

## Eitem 3.16

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

Cyflwynwyd y ddeiseb hon gan Gangen Brycheiniog a Sir Faesyfed o Ymgyrch Diogelu Cymru Wledig, wedi iddi gasglu 2,469 o lofnodion ar-lein a 2,098 ar bapur, sef cyfanswm o 4,567 o lofnodion.

#### **Geiriad y ddeiseb**

Rydym ni sydd wedi llofnodi isod yn galw ar Gynulliad Cymru i annog Llywodraeth Cymru i gymryd camau strategol hirdymor i sicrhau bod y diwydiant cynnyrch dofednod yn gynaliadwy yn amgylcheddol drwy gyflwyno Deddf yr Amgylchedd (Cymru), Rheoliadau Cadwraeth Cynefinoedd a Rhywogaethau 2017, Deddf Llesiant Cenedlaethau'r Dyfodol a'r Gyfarwyddeb Fframwaith Dŵr (WFD) yn effeithiol.

Mae gyrwyr amaethyddol pwerus sy'n cael eu hatgyfnerthu gan BREXIT yn cynyddu cynhyrchiad dwys o ran wyau a dofednod. Mae Llywodraeth Cymru yn anwybyddu'r canlyniadau amgylcheddol difrifol o ran bioamrywiaeth, pridd ac ansawdd dŵr ac afiechydon adar a dynol. Mae'r cyhoedd yn codi llais ynghylch lles dofednod ond yn anwybodus, ar y cyfan, am effaith amgylcheddol unedau ffermio dofednod dwys. Mae unedau wyau "maes" gyda chrynhoad o hyd at 2,500 o adar i bob hectar yn risg arbennig (adroddiad Cyfoeth Naturiol Cymru 218: Astudiaeth Peilot Dofednod Powys a rhybuddion nitrogen INI 6/17).

Mae cymoedd serth, glawiad uchel sy'n achosi difrod maethol trwm a phoblogaethau o rywogaethau naturiol prin yn gwneud llawer o Gymru wledig yn hollol anaddas ar gyfer y ffrwydrad presennol o unedau ffermio dofednod dwys. Ar ôl gostyngiad yn 1990, mae allyriadau amonia wedi bod yn cynyddu ers 2010 (adroddiad Rhestr Allyriadau Atmosfferig Cenedlaethol 2017 ar gyfer DEFRA). Mae llwythau critigol o ddyddodiadau amonia a nitrogen (trothwyon amcangyfrifedig o ran niwed annerbyniol i amrywiaeth planhigion) yn llawer uwch mewn rhai safleoedd gwarchoddedig Ewropeaidd a'r DU, Gwarchodfeydd Natur Lleol a Choetiroedd Hynafol. Mae ffosffadau gormodol yn bygwth ein cyrsiau dŵr (Sefydliad Gwy a Wysg 2017).

Wrth fethu â gweithredu ar y dystiolaeth, mae Llywodraeth Cymru, Cyfoeth Naturiol Cymru a Chyngor Sir Powys yn esgeuluso'r ddyletswydd i "*gynnal a gwella bioamrywiaeth*" (Deddf yr Amgylchedd Adran 6).

*Rhaid i Lywodraeth Cymru ddefnyddio ei phwerau i reoli'r diwydiant:*

- 1) Darparu adnoddau priodol ar gyfer Cyfoeth Naturiol Cymru i wneud ymchwil brys, rheoleiddio a monitro unedau dwys a rhoi gwell cymorth cynllunio i Awdurdodau Cynllunio Lleol (ACLI).*
- 2) Cyhoeddi polisi cynllunio ac arweiniad i ACLI i wella penderfyniadau, sicrhau bod effeithiau cronus yn cael eu hystyried a monitro a gorfodi amodau cynllunio.*
- 3) Gwneud i'r diwydiant gyfrannu tuag at gostau rheoleiddio a monitro a'i ddwyn i gyfrif am dorri cyfrifoldeb amgylcheddol.*
- 4) Cyhoeddi adroddiadau cyhoeddus tryloyw ar gynnydd.*

## **Gwybodaeth Ychwanegol**

O Bowys y daw ein tystiolaeth, ond mae ein deiseb yn berthnasol i Gymru gyfan.

Mae'r Cadeirydd, Diane McCrea, yn cadarnhau nad oes gan Gyfoeth Naturiol Cymru ddigon o adnoddau (BBC 14/12/17). Mae Cyfoeth Naturiol Cymru yn asesu effeithiau ceisiadau Unedau Dofednod ar safleoedd natur Ewropeaidd a'r DU ac yn cyhoeddi trwyddedau ar gyfer unedau o dros 40,000 o adar. Mae canllawiau gwell Cyfoeth Naturiol Cymru (Ebrill 2017) yn cwmpasu effeithiau cronol ond mae dulliau asesu yn methu â rhwystro datblygiad lle mae llwythi yn uwch na'r llwyth critigol presennol.

Mae'r Awdurdod Cynllunio Lleol yn asesu disgrifiad priodol o wasgariad ac effeithiau ar ansawdd dŵr, ansawdd aer, Gwarchodfeydd Natur Lleol, Coetiroedd Hynafol, tirwedd, amwynderau preswyl a thraffig lleol.

Nid oes gan Awdurdodau Cynllunio Lleol y sgiliau a'r adnoddau ar gyfer y cyfrifoldebau hyn. Nid yw Cyngor Sir Powys yn ystyried effaith gronus ceisiadau, ynghyd â'r holl Unedau cyfagos, ar yr amgylchedd naturiol, tirwedd neu drigolion gwledig. Dylai Atodlen 2 Asesiad Effaith

Amgylcheddol sicrhau bod yr effeithiau cronus yn cael eu hasesu ond mae hyn yn methu yn ymarferol. Mae Cyngor Sir Powys yn amharod i ddyfarnu statws AEA oherwydd y gall Llywodraeth Cymru wyrdroi'r penderfyniad (gweler P/2016/0608 a P/2017/0007).

Mae gan Ymgyrch Diogelu Cymru Wledig ddata ar geisiadau cynllunio dofednod dwys ym Mhowys ers 2011. Yn ystod y 30 mis diwethaf, bu 99 o GEISIADAU yn cynnwys dros DAIR MILIWN O ADAR, gyda 72 ohonynt ar gyfer wyau maes. O'r 99, dim ond 10 sydd â statws AEA: Mae 65 o geisiadau wedi'u cymeradwyo a DIM OND UN A WRTHODWYD.

Mae gennym dystiolaeth o ddatblygiadau a gymeradwywyd heb fapio gwasgariad cyfuchlinellau neu wasgariad awyr agored, yn agos at warchodfeydd natur (71m), coetiroedd hynafol bregus (cyfagos) cyrisau dŵr (10m) a thrigolion (50m). Mae trigolion yn dioddef risgiau iechyd o bryfed, amonia yn yr awyr, llwch dofednod, gronynnau a gynhyrchir gan draffig ac arogleuon tramgwyddus. Anwybyddir gwrthwynebiadau rhanddeiliaid amgylcheddol a chyhoeddus, mae rhywogaethau planhigion prin yn marw, mae risgiau o glefydau yn cynyddu ac mae cyrsiau dŵr yn methu safonau'r Gyfarwyddeb Fframwaith Dŵr.

DIGON YW DIGON: Gellir gweld cyfres unigryw o DDATA UNEDAU DOFEDNOD DWYS POWYS gan gynnwys ceisiadau, map rhyngweithiol, map o fannau trafferthus ac arddangosfa animeiddiedig o dwf cronolegol yr Unedau Dofednod Dwys yn [http://www.brecon-and-radnor-cprw.wales/?page\\_id=13](http://www.brecon-and-radnor-cprw.wales/?page_id=13).

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

- Brycheiniog a Sir Faesyfed
- Canolbarth a Gorllewin Cymru



Julie James AC/AM  
Y Gweinidog Tai a Llywodraeth Leol  
Minister for Housing and Local Government



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref P-05-815  
Ein cyf/Our ref JJ/05828/19

Janet Finch-Saunders AM  
Chair of the Petitions Committee  
National Assembly for Wales  
Cardiff Bay  
CF99 1NA

Government.Committee.Business@gov.wales

25 June 2019

Dear Janet,

Thank you for your letter of 18 April, regarding Petition P-05-815 on the regulation of the poultry industry.

Officials have recently sent out invitations to the external participants of the Town and Country Planning Intensive Agriculture Working Group. This has included the Brecon and Radnorshire Branch of the Campaign for the Protection of Rural Wales (CPRW) and the Wye and Usk Foundation. The full list of invitees is set out in the draft terms of reference attached.

The Intensive Agriculture Health Working Group will consider any issues referred to it by the planning working group, however it has decided Public Health Wales and other public health stakeholders are included on the planning working group to ensure the issue is given equal consideration in the identification of evidence and the drafting advice for local planning authorities.

The main roles for the group are:

- To identify the evidence in relation to intensive agriculture required for the preparation of Local Development Plans.
- To identify the range of material considerations Local Planning Authorities should be considering when determining planning applications, including suitable assessment methods of typical impacts.
- To identify technical advice and scientific evidence in relation to the processes involved in Intensive Agriculture and their impact which would inform planning processes.
- To assess the capacity of Local Planning Authorities to provide internal advice and expertise on intensive agriculture projects (both during plan preparation and development management stages).

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

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

[Gohebiaeth.Julie.James@llyw.cymru](mailto:Gohebiaeth.Julie.James@llyw.cymru)  
[Correspondence.Julie.James@gov.Wales](mailto:Correspondence.Julie.James@gov.Wales)

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

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.

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- To identify and make recommendations on the availability of permanent sources of external advice for Local Planning Authorities in relation to LDP preparation and determination of planning applications.
- To make recommendations for further research.
- Engage with other stakeholders not present on the Working Group, as appropriate.
- To support the drafting of guidance (Technical Advice Note) on planning for Intensive Agriculture.

Yours sincerely,



**Julie James AC/AM**

Y Gweinidog Tai a Llywodraeth Leol  
Minister for Housing and Local Government

## Town & Country Planning Intensive Agriculture Working Group

### Draft Terms of Reference

#### Background

1. Farms undertaking intensive animal rearing are expanding in number and size. This change is unprecedented. It is driven by changing market conditions and farm management practice and has the potential to increase given the uncertainties facing the farming section as a result of the UK's exit from the European Union.
2. Public Health Wales, Natural Resources Wales (NRW), Local Authorities and the Welsh Government are individually and collectively receiving enquiries about potential health and environmental impacts arising from intensive farming.
3. Intensive Agriculture can lead to issues relating to:
  - Air Pollution / Odour
  - Water Pollution
  - Noise
  - Impacts on Habitats and Species
  - Health
  - Management of cumulative effects
  - Co-ordination of regulatory regimes
4. Agriculture is a dominant source of ammonia emissions which contribute to acidity and nutrient nitrogen. Intensive livestock units can be a significant local source of ammonia. The Welsh Government final supplemental air quality plan states whilst the focus of the plan is to reduce concentrations of nitrogen dioxide around roads exceeding legal limits in Wales, the Welsh Government is also developing a wide range of measures to support our aspirations for clean air, including identifying key pollutants and their effects on public health and the natural environment in Wales, including noise; and creating legally binding targets to reduce emissions of the most damaging pollutants under the National Emissions Ceiling Directive (fine particulate matter, ammonia, nitrogen oxides, sulphur dioxide, non-methane volatile organic compounds) by 2020 and 2030.
5. A number of regulatory regimes apply to intensive agricultural units including environmental permitting controls, biosecurity requirements, the Water Framework Directive, controls over the storage of slurry as well as a number of management measures relating to designations, such as Nitrate Vulnerable Zones. Council environmental health teams are required to investigate statutory nuisance at sites(reactively).
6. Poultry farms with greater than 40,000 birds require an environmental permit issued by NRW and must employ Best Available Techniques (BAT) to control emissions.. Existing farms may expand, diversify or increase their flock size above or below the threshold for a permit. There is anecdotal evidence suggesting an increase in sub-permit threshold farms.

7. Planning applications for poultry units in Wales are a matter for each local planning authority (LPA) which will determine planning applications in accordance with its Local Development Plan (LDP) unless material considerations indicate otherwise. The planning system has been the subject of criticism for not properly assessing the cumulative effects of poultry developments, however, the LDP provides the opportunity to comprehensively consider in-combination or cumulative effects. When determining applications, LPAs should consider factors such as noise, smells, pollution and health as well as any in-combination or cumulative effects. LPAs need to ensure they have access to sufficient expertise to consider the effects of development.
8. The Chief Planner wrote to LPAs on 12 June 2018 to advise about the need to exercise particular care when considering planning applications which bring livestock units and residential or sensitive environmental areas close together. He reminded LPAs, where necessary, to take into account the cumulative impacts resulting from similar developments nearby. The letter also invited authorities to contribute to work which would look at how cumulative analysis of nitrate and ammonia emissions can be better assessed.
9. A separate Health Working Group exists which will support the work of this group by considering the health issues arising from intensive agriculture identified by this group.

### **Role of Working Group/ Purpose Statement**

10. The role of the Group is to:
  - identify the evidence in relation to intensive agriculture required for the preparation of Local Development Plans.
  - identify the range of material considerations Local Planning Authorities should be considering when determining planning applications, including suitable assessment methods of typical impacts.
  - identify technical advice and scientific evidence in relation to the processes involved in intensive agriculture and their impact which would inform planning processes.
  - assess the capacity of Local Planning Authorities to provide internal advice and expertise on intensive agriculture projects (both during plan preparation and development management stages).
  - identify and make recommendations on the availability of permanent sources of external advice for Local Planning Authorities in relation to LDP preparation and determination of planning applications.
  - make recommendations for further research.
  - engage with other stakeholders not present on the Working Group, as appropriate.
  - support the drafting of guidance (Technical Advice Note) on planning for Intensive Agriculture.

## Scope / Limits

11. The Working Group will operate in the following way:

- The group will operate virtually or in person on an as needs basis but at least for half a day each month.
- The responsibility for decisions relating to the direction and development of the project rest with the Welsh Government Planning Directorate.
- Work on health impacts can be delegated to The Intensive Agriculture (Health) Working Group who will be responsible for recommendations on the public health risks of intensive agriculture in Wales and feed these into the work of this group.

## Membership

12. The Working Group can invite new Members as the need arises. Initial invitations have been sent to the following:

<b>Organisation</b>	<b>Specialist Area Representatives</b>
CPRW Brecon and Radnor Branch	Landscape / Environment
Country Landowners Association	Development economics
Powys CC	Land use planning
Pembrokeshire CC	Land use planning
Brecon Beacons NP	Land use planning
Public Health Wales	Health
Wildlife Trust	Ecology
FUW	Farm operation / Development economics
NFU	Farm operation / Development economics
Wye and Usk Foundation	Water Environment
NRW	Agriculture
NRW	Air quality
NRW	Planning Advice
WG	Environmental Quality and Regulation
WG	Agricultural Policy
WG	Air Quality Policy

WG	Agricultural Regulation
WG	Office of Chief Veterinary Officer

### **Chair and Secretariat**

13. The chair will be Hywel Butts, Head of Development Management Branch.

14. It is the responsibility of WG to co-ordinate papers and presentation material, agendas and meeting notes for the Working Group meetings. Meeting notes are to be agreed by Marged Wyatt prior to being finalised and circulated to the Working Group.

### **Timetable**

15. The following tasks shall be completed by the group, with a view to producing a draft TAN by the end of 2019:

- July 2019 - Initial Meeting
- August 2019 – Evidence gathering
- September 2019 - Analysis of Evidence
- October 2019 - Report on Analysis/ Recommendations Stage – identify what needs to be done.
- October 2019 - TAN drafting stage commenced
- Winter 2019/20 – Consultation on Draft TAN

DRAFT 21/06/2019



**BRECON AND RADNOR  
BRANCH**

2<sup>nd</sup> July 2019

**Submission to the Petitions Committee.**

**Petition 1305 Expansion of intensive poultry farming in Wales**

BRB-CPRW warmly welcomes the letter with accompanying information on the proposed Town and Country Planning Intensive Agriculture Working Group dated 25/6/19 from Julie James AM, the Minister for Housing and Local Government to Janet Finch-Saunders AM, Chair of the Welsh assembly Petitions Committee.

We are very grateful that, in response to our request, external participants are now to be invited to the Town and Country Planning Intensive Agriculture Working Group. We trust that external participants will be included in all meetings.

We have not yet received the invitation “*recently sent out*” but look forward to getting it soon.

Our response is divided into:

- response to the new documents about the **CPIAWG**
- the progress of our petition

**NEW DOCUMENTS & CPIAWG**

**What development will the CPIAWG consider?**

We note that the **CPIAWG** will be considering Planning issues. To some extent, this will determine what “intensive agriculture” practices will be considered because many intensive agriculture practices will fall outside the Welsh planning regime.

Nevertheless it should be clarified whether the CPIAWG is to consider:

- All intensive livestock farming, including cattle, pigs, poultry, game-birds or any other reared-animals – the Draft ToR mentions poultry farming in 6. & 7. but there are also permitting thresholds for pigs and cattle farming practices where numbers and densities merit the term intensive..
- Buildings associated with any other type of intensive farming.
- Development which requires planning permission and is a consequence of intensive livestock farming and contributes to the impacts. E.g. anaerobic digesters, biomass units.

One important role of the group should be to grapple with the definition of “intensive agriculture”.

**ToR 1. Drivers for intensive animal rearing and future expansion**

Intensive animal rearing has been partly driven by RDP grant aid and the WG itself appears to have no reliable figures on the extent of the industries concerned. This may have resulted in risky exposure of farmers to market volatility. WG should be genuinely looking to secure the long term security & interests

of the Welsh farming sector and the Welsh environment. Many think this requires better support for high quality, low impact farming.

### **ToR 3. Issues resulting from Intensive livestock farming**

Issues not mentioned are:

Green House Gases – contribution to global warming.

Damage to Welsh soils – impact on future farming.

Pharmacological practices (antibiotics, growth promoters etc.) – drug-resistance to human pathogens

Damage to landscape and settings of heritage assets .

Damage to other businesses, particularly tourism

Impacts of industrial scale traffic on rural roads

“Modern slavery” character of arrangements for unpalatable work

### **ToR 4. Intensive Agriculture and Ammonia**

We have yet to see the National Air Quality Control Programme for Wales. The Air Quality Plan failed to consider control of ammonia emissions in the countryside although ammonia emissions are rising and ammonia is a precursor for PM<sub>2.5</sub> particulates which form in combination with traffic generated pollutants. Agriculture is responsible to 88% of ammonia emissions.

### **ToR 5. Regulatory Regimes**

Nitrogen Vulnerable Zones are mentioned although this is something an own-goal since they only cover **3% of land in Wales** as compared to **55% in England**. In her Written Statement (13/12/17) following the WG NZV consultation, Lesley Griffiths said she was “*minded to introduce a whole Wales approach to tackling pollution from agriculture*”. This has not happened: NRW is still approving intensive livestock manure management plans spreading roughly 50% more manure on our steep hillsides than is allowed in NVZs. Council environmental health teams are simply not equipped or funded to investigate statutory nuisance from ILUs.

### **ToR 6. NRW Environmental Permits**

We dispute that the increase in sub-permit threshold IPU is “*anecdotal*”. In sheer frustration at the refusal of authorities to acknowledge the facts about expansion in IPU, BRB-CPRW produce an inventory of Powys Planning Application for IPU. In Powys, only approximately 50 out of 250 IPU (20%) require NRW permits. We attach the list for the past 3 years which includes one application approved for 39,999 birds (P/2017/0810).

### **ToR 7. LPAs & LDPs**

Powys CPRW fought hard to have Intensive Farming included in the LDP at the Inspector’s LDP Examination in 2017 but received no support from the LPA or the Welsh Government who attended the Examination. The perception of non-farming residents (and some farmers) is that the farming sector is favoured in planning decisions. Most IPU are decided under delegated powers. LPAs have been starved of funds and disempowered to the point where very clear leadership, support, funding and insistence on the highest standards of professionalism by WG is needed.

### **ToR 8. CPO letter 12/6/18**

Unfortunately, the CPO letter gives no detailed guidance to LPAs who are therefore able to say they have “considered” the advice without properly assessing the issues.

### **ToR 9. A separate Health Working Group**

This is most welcome – we hope it will not be delayed too long.



## **10. Role of Working Group/ Purpose Statement**

We appreciate that the CPIAWG is concerned with the Planning System and we believe that if the eight bullet point goals are satisfactorily achieved and implemented this will be a huge step forward.

### **PROGRESS OF OUR PETITION**

Our petition was not only about planning.

We asked the WG to use its powers to:

**1. Provide proper resources for NRW to do urgent research, regulate and monitor IPU's and give better planning help to Local Planning Authorities (LPAs).**

**2. Issue planning policy and guidance to LPAs to improve decisions, ensure cumulative impacts are considered and monitor and enforce planning conditions.**

**3. Make the industry contribute towards the costs of regulation and monitoring and hold it to account for breach of environmental responsibility.**

**4. Publish transparent public reports on progress.**

The proposed CPIAWG will address part of 1. and 2. above. It does not (so far) address monitoring and enforcement of planning conditions (2. above).

The CPIAWG may identify research needed but it will not ensure this research is funded and done (1. above).

We do not see that the CPIAWG will address the key principle of 3. above: "**the polluter pays**" which, if properly enforced would be a potent deterrent to environmental pollution.

We hope some of the following issues can be successfully addressed the CPIAWG

If they can't, we request the Petitions Committee to ensure they are addressed by other means:

- **Consider the redefinition of intensive poultry farming as an industrial process.**
- **Consider opportunities to reallocate the financial burden of pollution clean up to those creating the pollution**
- **Consider the implications of associated developments: ADs, biomass etc.**
- **Consider EIA 2017 regulations for requirements for mitigations and monitoring of impacts**
- **Consider recommendations to WG for further rural protections e.g. extension of air quality legislation: reduction targets, to include ammonia.**
- **Ensure both assistance, monitoring and enforcement for the new nutrient-management requirements**
- **Liaise with relevant cross border bodies regarding IPU's and relevant legislation/regulation for environmental/social protections**
- **Identify areas requiring stricter nutrient management (NZV equivalent)**

- **Identify areas which have reached or overstepped safe capacity for intensive livestock farming**

### **The Welsh Government commitment to the Environment**

We remind the Welsh Assembly that the Welsh Government has declared a Climate Change Emergency and the Minister for the Environment, Energy and Rural Affairs has undertaken to see that Welsh sustainable development and environmental legislation is used to set **a new pace of change**.

Lesley Griffiths said “*The government has a central role to making that collective action possible*”. She says that the public goods element of new agricultural policy and the updating of the Nature Recovery Action Plan will drive **urgent** action to increase the resilience of our ecosystem in order to reverse the decline of habitats and species.

Recent reports by the Bureau of Investigative Journalism in conjunction with the Guardian have highlighted this emergency.

<https://www.theguardian.com/environment/2019/jun/18/ammonia-pollution-damaging-uk-land-report>

<https://www.theguardian.com/environment/2019/jun/13/ammonia-health-problem-rising-air-pollution>

*“Ammonia and nitrogen pollution, mostly from farms, is harming more than 60% of the UK’s land area and hitting the most sensitive habitats for plants and wildlife hardest”*

*“Over half the land in Wales receives ammonia concentrations above the critical level set to protect lichens, mosses, liverworts and similar plants – keystone species that are vital to ecosystems.”*

### **Our own experience in Powys**

Our own experience and data come from Powys. Powys has possibly the largest concentration of intensive poultry units in Europe and it is one of the areas of Wales with ammonia concentration levels and nitrogen deposition loads well above the critical thresholds. Over 100 large IPUs have been approved in Powys in the past three years and many more are awaiting determination. There are already over 7,000,000 chicken-places in Powys which is almost the same figure as the Welsh Government thinks there are in the whole of Wales. Yet, as we write this, yet another Powys IPU application (for rearing of 37,000 pullets) is recommended for approval. This is in spite of it being on a hillside site surrounded by ancient woodland and old parkland trees, and being predicted to result in an ammonia level of roughly 250% of the critical level at the nearest ancient woodland. The manure will be spread at the rate for non-NVZ land although it is on sloping land in the catchment of the vulnerable designated river Lugg. According to NRW, all this conforms to the current regulations and guidance: these are simply too lax.

Powys has also had several intensive pig units installed in buildings approved as “livestock sheds” with no environmental scrutiny whatsoever and no protective planning conditions.

**It is over a year since our petition and we want to see “urgency” and “new pace of change” to protect our deteriorating environment, biodiversity and living conditions and safeguard future generations..**

Attached:

**BRB-CPRW IPU applications to Powys since July 2015 Please do look at this!**



Mae cyfyngiadau ar y ddogfen hon

**P-05-865 Dylid gwarantu bod dewisiadau sy'n seiliedig yn llwyr ar blanhigion ar bob bwydlen y sector cyhoeddus, i ddiogelu hawliau figaniaid ac er budd ein hiechyd, yr amgylchedd ac anifeiliaid**

Cyflwynwyd y ddeiseb hon gan Louise Davies, ar ôl casglu 1,109 o lofnodion.

### **Geiriad y ddeiseb:**

Rydym yn galw ar Lywodraeth Cymru i sicrhau bod holl sefydliadau'r sector cyhoeddus yng Nghymru yn darparu o leiaf un opsiwn bwyd sy'n seiliedig ar blanhigion ar bob bwydlen ddyddiol i fodloni hawliau figaniaid ac i wneud y mwyaf o fanteision moesegol, manteision amgylcheddol a manteision iechyd deietau figan.

Mae rhagor o bobl o bob oedran yn gwneud y penderfyniad i fyw'n figan, ac mae nifer y bobl yn y DU sy'n figaniaid wed dyblu ddwywaith yn y pedair blynedd diwethaf. Mae rhagor o bobl hefyd yn dewis bwyd sy'n seiliedig ar blanhigion am resymau iechyd, rhesymau amgylcheddol a rhesymau moesegol.

Mae gan figaniaid yr un amddiffyniadau cyfreithiol â phobl â chredoau crefyddol, oherwydd mae ein hargyhoeddiad moesegol ei bod yn anghywir i ddefnyddio a lladd anifeiliaid nad ydynt yn ddynol yn ddiangen wedi'i ddiogelu'n gyfreithiol. Mae gan ddarparwyr gwasanaethau rwymedigaeth i ddarparu ar gyfer figaniaid ac i osgoi unrhyw wahaniaethu ar sail figaniaeth. Yn anffodus, er gwaethaf hyn, yn aml mae diffyg darpariaeth ar gyfer figaniaid yn y sector cyhoeddus, ac mae cleifion mewn ysbytai, carcharorion a phlant ysgol yn aml yn llwglyd. Llywodraeth Cymru sy'n gyfrifol am sicrhau bod y sector cyhoeddus yng Nghymru yn darparu ar gyfer figaniaid, a byddai'r ddeddfwriaeth arfaethedig yn cynorthwyo i gyflawni'r ddyletswydd honno.

Gall pawb fwynhau bwyd sy'n seiliedig ar blanhigion. Mae Cymdeithas Ddeieteg Prydain yn cydnabod bod deietau planhigion sydd wedi'u cynllunio'n dda yn addas ar gyfer pob oedran a phob cyfnod bywyd. Mae gwaith ymchwil sylweddol wedi cysylltu deietau planhigion â phwysedd gwaed is, lefel colesterol is, cyfraddau is o glefyd y galon, diabetes math 2 a rhai mathau o ganser.

Mae deiet sy'n seiliedig ar blanhigion yn well ar gyfer yr amgylchedd a gall leihaus ein hallyriadau carbon sy'n gysylltiedig â bwyd hyd at 50 y cant. Mae'r Cenhedloedd Unedig wedi annog newid byd-eang tuag at ddeiet heb ddim cig a llaeth er lles ein planed, ac mae gan Gymru y cyfle i arwain y ffordd.

### **Gwybodaeth ychwanegol:**

Diffinnir figaniaeth fel ffordd o fyw sy'n ceisio gwahardd, cyn belled ag y bo'n bosibl ac yn ymarferol, pob math o fanteisio ar anifeiliaid, a chreulondeb tuag atynt, ar gyfer cael bwyd, dillad nac i unrhyw bwrpas arall.

Mae ymgyrch 'Arlwyo i Bawb' y Gymdeithas Figan wedi bod yn annog sefydliadau'r sector cyhoeddus (ysgolion, ysbytai, cynghorau a charchardai), i gynyddu eu dewisiadau o ran planhigion. Cafodd yr ymgyrch dderbyniad da, ac mae llawer o sefydliadau'r sector cyhoeddus yn cydnabod y gellir gwneud gwelliannau, ac maent wedi cytuno i gynyddu'r ddarpariaeth o ran llysiau. Mae cyngor sir yn Lloegr, prifysgolion ym Manceinion a Llundain, a bwrdd iechyd yng Nghymru ymhlith nifer o sefydliadau'r sector cyhoeddus sy'n gwneud newidiadau cadarnhaol i'w bwydlenni oherwydd yr ymgyrch hon.

Mae Cymdeithas Ddeieteg Prydain ac Academi Maetheg a Deieteg America yn cydnabod bod deietau planhigion yn addas ar gyfer pob oedran a phob cyfnod bywyd. Er mwyn manteisio i'r eithaf ar ddeiet planhigion, dylai gynnwys digon o rawn cyflawn, ffrwythau, cnau, hadau a llysiau, sy'n llawn ffibr, fitaminau a mwynau buddiol. Mae'n hawdd cynnig opsiynau blasus sy'n cynnwys y bwydydd hyn, sy'n gyfoethog mewn ffibr ac yn isel mewn braster gorllawn. Mae gan y Gymdeithas Figan lawer o adnoddau a ryseitiau ar eu gwefan, a all helpu sefydliadau i sicrhau eu bod yn cynnig bwyd planhigion iach, cytbwys a blasus.

<https://www.vegansociety.com/resources/nutrition-and-health>

Mae Portiwgal wedi cyflwyno deddfwriaeth sy'n ysgogi holl ffreuturau'r sector cyhoeddus i ddarparu opsiwn llysieuol (figan) llym ar eu bwydlenni dyddiol. Deilliodd y deddfwriaeth hon yn sgîl ymgyrch a deiseb a hyrwyddwyd gan Gymdeithas Llysieuol Portiwgal, gweler:

<https://www.vegansociety.com/whats-new/news/new-law-makes-vegan-option-compulsory-portuguese-public-canteens-%E2%80%93-britain-next>

## **Etholaeth a Rhanbarth y Cynulliad**

- Brycheiniog a Sir Faesyfed
- Canolbarth a Gorllewin Cymru

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



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref P-05-865  
Ein cyf/Our ref LG/06123/19

Janet Finch-Saunders AM  
Chair - Petitions committee

Government.Committee.Business@gov.wales

11 June 2019

Dear Janet

Thank you for your letter of 30 May, regarding the petition seeking to ensure that there are plant based options on every public sector menu and to consider this in light of the declaration of a climate emergency by the Welsh Government.

All sectors will need to play a role in addressing issues that relate to climate change, and the food industry is no exception to this. There is a rapidly growing range of vegetarian and vegan products on the market, the industry being quick to respond to consumer demand.

With regard to the food and drink available at public sector establishments it is the management of those places to decide their policy when directly providing or contracting out catering and refreshments. In doing so, sensible decisions will take account of consumer demand for vegetarian and vegan food within the context of what is practical at that facility.

I am pleased to inform you that the Welsh Government's own catering contract across nine offices is an exemplar. It provides a wide range of plant-based food and beverage options. Fresh fruits, grains and seeds are available on salad bars and hot dishes are made using ingredients such as chickpeas, quinoa, tofu and lentils. Soya and coconut milk are offered as alternatives to Welsh skimmed or semi-skimmed milk and vegan hot chocolate has recently been introduced. The Welsh Government's catering contractor also works closely with their company nutritionists to ensure healthier, plant-based and vegan options are being made available for the customers and are looking to introduce a selection of plant-based cold drinks, yoghurts and desserts.

Regards  
Lesley

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

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:  
0300 0604400  
[Gohebiaeth.Lesley.Griffiths@llyw.cymru](mailto:Gohebiaeth.Lesley.Griffiths@llyw.cymru)  
[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 266

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.



Kirsty Williams AC  
Y Gweinidog Addysg  
Minister for Education

Vaughan Gething AC/AM  
Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol  
Minister for Health and Social Services



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref P-05-865  
Ein cyf/Our ref KW/06255/19

Janet Finch-Saunders AC  
Cadeirydd y Pwyllgor Deisebau  
Cynulliad Cenedlaethol Cymru  
Tŷ Hywel  
Caerdydd  
CF99 1NA

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

17 Mehefin 2019

Annwyl Janet

Ysgrifennwn atoch mewn ymateb i'ch llythyr dyddiedig 30 Mai 2019, oedd yn gofyn i ni egluro mwy am ddarparu dewisiadau bwyd llysieuol a figan mewn ysgolion ac ysbysai.

Nid yw'r ddeddfwriaeth bresennol<sup>1</sup> yn nodi fod rhaid i awdurdodau lleol neu gyrff llywodraethu ysgolion ddarparu bwyd llysieuol a bwyd figan. Er hynny, mae'r canllawiau statudol, sef *Bwyta'n iach mewn ysgolion a gynhelir*<sup>2</sup>, yn rhoi manylion ynghylch y mathau o fwydydd y gellir eu defnyddio ar gyfer deiet llysieuol a deiet figan. Mae hyn yn cynnwys nifer o opsiynau llysieuol a figan naturiol, fel grawnfwydydd, llysiau, ffrwythau a bara, sydd yn gallu bod yn ddewis i blant i frecwast neu amser cinio. Mae'r canllaw hefyd yn rhoi cyngor ymarferol ar y mathau o fwydydd y dylai plant llysieuol a phlant figan eu bwyta er mwyn sicrhau eu bod yn cael digon o brotin, ac mae'n argymhell bod protin planhigion yn cael eu cynnwys ar fwydlenni mewn ysgolion. Gan mai canllaw statudol yw hwn, byddai'n rhaid bod gan awdurdodau lleol resymau clir y gellir eu cyfiawnhau dros ei anwybyddu.

Mae awdurdodau lleol drwy Gymru yn cynnig opsiwn llysieuol oer i blant yn ystod amser cinio a gall rhieni ofyn am opsiwn figan hefyd.

<sup>1</sup> Rheoliadau Bwyta'n iach mewn Ysgolion (Gofynion a Safonau Maeth) (Cymru) 2013

<sup>2</sup> <https://llyw.cymru/sites/default/files/publications/2018-12/bwyta-n-iach-mewn-ysgolion-a-gynhelir-canllawiau-statudol-i-awdurdodau-lleol-a-chyrrf-llywodraethu.pdf>

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

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

[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 gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth 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.

O ran ysbytai GIG Cymru, mae Safonau Maeth ac Arlwyo Cymru Gyfan (2011) yn nodi'r nodi'r maethynnau sy'n angenrheidiol er mwyn darparu ar gyfer anghenion amrywiol cleifion mewn ysbytai. Er mwyn helpu i weithredu'r safonau hyn, mae deietegwyr ac arlwywyr drwy Gymru wedi bod yn cydweithio i greu Fframwaith Bwydlenni Ysbytai Cymru Gyfan, a lansiwyd ddiwedd mis Ionawr 2013. Mae'r fframwaith yn cynnwys cronfa ddata o 150 rysáit safonol sydd wedi'u hasesu o ran maeth, a bwydlenni enghreifftiol. Mae'r wefan ategol yn cynnwys cynhwysion, manylebau'r cynnyrch a chod alergen er mwyn sicrhau bod yr wybodaeth yn gywir ac yn hygyrch. Mae ymarfer cychwynnol wedi cael ei wneud i nodi'r meysydd lle mae angen ail-edrych ar Safonau Maeth ac Arlwyo Cymru Gyfan, a chytunwyd bod angen diweddarau rhai agweddau arnynt. Bydd hyn yn cynnwys bwyd llysieuol a bwyd figan.

Gobeithio y bydd yr wybodaeth hon o ddefnydd ichi.

Yn gywir



**Kirsty Williams AC/AM**  
Y Gweinidog Addysg  
Minister for Education



**Vaughan Gething AC/AM**  
Y Gweinidog Iechyd a Gwasanaethau  
Cymdeithasol  
Minister for Health and Social Services

**P-05-865 Guarantee fully plant-based options on every public sector menu to protect the rights of vegans and for our health, the environment and animals, Correspondence – Petitioner to Committee, 28.06.19**

**Response to Kirsty Williams AC/AM & Vaughan Gething AC/AM letter dated 17 June 2019 & Lesley Griffiths letter dated 11 June 2019, for consideration by Welsh Petition Committee at meeting 9 July 2019**

We note the content of the joint letter from the Minister of Education and Minister for Health and Social Service, which highlights the existing guidelines regarding the provision of vegan food in schools and hospitals. We are pleased to hear that there will be a refresh of the all-Wales Nutrition and Catering Standards to include vegetarian and vegan options in hospitals, but feel that there is progress yet to be made, for the following reasons:

**Climate Emergency**

In noting the content of the letter from the Minister of Environment, Energy and Rural Affairs, it is evident that the Welsh government are committed to take tough but necessary decisions in order to tackle the climate crisis – with this being reflected in other sectors, such as the decision of scrapping the proposed M4 relief road around Newport. The Welsh Government have officially declared a Climate Emergency and yet, the Ministers fail to acknowledge the wider benefits to society that offering vegan food on standard public sector menus would have for the environment and public health:

- Plant-based diets are better for the environment and can reduce an individual's food-related carbon emissions by up to 50%.
- Researchers at Oxford University have concluded that eating a plant-based diet could be the single biggest way to reduce an individual's environmental impact on the planet.

It is therefore clear, that our ask falls within the remit of the Climate Emergency declaration and would play a vital role in ensuring that the climate emergency is tackled effectively. The Ministers' have already indicated in their letter that this change is possible and would be easy to implement. Mandating a vegan option as standard would therefore, speed up the existing shift and provide consistency to what is already occurring in Wales.

**Government Intervention**

Chatham House research has stated that the public want government intervention on climate change issues<sup>1</sup>, and yet the Minister for Environment, Energy & Rural Affairs believes that vegan options should be driven by consumer demand. It should therefore be noted, that the UK vegan population continues to soar, having doubled twice in the last four years, as people become further aware of the benefits of a plant-based diet. The private sector has already responded to this, with a boom in supply for vegan options in restaurants, pubs, supermarkets and other shops. The public sector however, has been slower to respond. Following the Climate Emergency declaration, legislating to guarantee plant-based options on all public sector menus, would support the public demand for government intervention and encourage sustainable diets in the wider population.

In 2017, Portugal became the first country in the world to implement a law compelling all public sector institutions to offer a vegan meal on their standard menus without people having to make a special request. California has also passed legislation in September 2018, guaranteeing hospital patients and prisoners a healthy plant-based option at every meal. California's economy is the 5<sup>th</sup> biggest in the world (behind USA, China, Japan & Germany), with a population of just under 40 million people.

It seems likely that more and more nations and states will begin to adopt this approach of guaranteeing plant-based food in the public sector, in the next coming years, and the most recent CCC report asserts that the UK should follow<sup>2</sup>. Wales has the opportunity to lead the way in the UK, in terms of taking meaningful action to address climate change, as well as protecting the ever-growing number of vegans. These issues are of paramount importance, and it is imperative to take appropriate action now

### **Vegan Rights**

Our petition asks for a plant-based option to be made mandatory on every standard public sector menu. In practice, this would mean that there would be a plant-based option in every school, hospital, prison, council, care home and any other state or local authority-run institution menu in Wales, every day. This would be available to everyone, without the need to make a special request. This differs from the current situation that's been outlined in the Ministers' response, where vegans, in theory, can only be catered for by special request.

This indicates an issue with the rights of vegans – in spite of the Ministers' assertions that vegans can be catered for by state/local authority institutions, in practice, this is often not the case. Vegans are often told they cannot be provided for or are offered very limited options, such as plain toast, a single piece of fruit or a packet of crisps,

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<sup>1</sup> <https://www.chathamhouse.org/publication/changing-climate-changing-diets>

<sup>2</sup> <https://www.theccc.org.uk/publication/net-zero-technical-report/>

which are not a nutritious meal, and do not meet the standards in the *Healthy Eating in Maintained Schools* statutory guidance. Offering a plant-based meal as standard on all public sector menus ensures that the growing number of vegans are catered for and are not discriminated against.

# Eitem 3.18

## P-05-873 – Gwersi Cymraeg am ddim i bobl Cymru

Cyflwynwyd y ddeiseb hon gan Sheryl Callard, ar ôl casglu cyfanswm o 95 lofnodion.

### Geiriad y ddeiseb:

Pan oeddwn yn iau, cefais fy amddifadu o'r hawl i astudio fy iaith frodorol yn yr ysgol ac, oherwydd hynny, nid wy'n siarad fy iaith frodorol heddiw. Rwyf i, a chynifer o bobl eraill o'm cenhedlaeth, a hyd yn oed y genhedlaeth iau, yn cael eu hamddifadu o'r modd i siarad Cymraeg oherwydd nad oedd addysgu'r Gymraeg mewn ysgolion yn llwyddiannus gyda hwy yn y gorffennol. Dyna pam rwy'n gofyn i Lywodraeth Cymru wneud iawn am gamweddau'r gorffennol, a dangos gwir arweinyddiaeth i ymladd dros fy hawl i ddysgu fy iaith fy hun drwy ddarparu dosbarthiadau ac adnoddau Cymraeg am ddim. Rydym yn gofyn i Weinidog y Gymraeg gefnogi'r cynnig hwn ac ariannu'r dosbarthiadau fel y caf i, a llawer o bobl eraill a gafodd eu hamddifadu o'r iaith, y cyfle i'w siarad unwaith eto. Byddai hyn yn cyd-fynd yn llwyr â chynllun Llywodraeth Cymru i gyrraedd ei nod, sef Miliwn o Siaradwyr Cymraeg erbyn 2050, a byddai'n rhoi sbardun i bobl ail-afael yn eu diwylliant a'u mamiaith unwaith eto. Gofynnwn i'r Llywodraeth weithio gydag asiantaethau gwahanol i ddarparu'r gwersi hyn i bobl mewn ardaloedd gwahanol a thrwy drefnu i'r gwasanaethau dysgu fod ar gael i bobl ar y we. Hefyd i ddarparu llyfrynnau a phapurau i bobl wahanol o gefndiroedd gwahanol yng Nghymru er mwyn cael cyfle i ddysgu'r iaith.

A fyddech cystal â sicrhau hyn i bobl Cymru sy'n awyddus i adennill eu diwylliant a'u hiaith frodorol?

### Gwybodaeth ychwanegol:

#### Etholaeth a Rhanbarth y Cynulliad

- Gogledd Caerdydd
- Canol De Cymru



Eich cyf/Your ref P-05-873  
Ein cyf/Our ref EM/05376/19

Janet Finch-Saunders AC  
Aelod Cynulliad dros Aberconwy  
Cadeirydd – Pwyllgor Deisebau  
Cynulliad Cenedlaethol Cymru  
Tŷ Hywel  
Caerdydd  
CF99 1NA

senedddeisebau@cynulliad.cymru

28 Mehefin 2019

Diolch am eich llythyr ynglŷn â deiseb P-05-873 – ‘Gwersi Cymraeg am ddim i bobl Cymru’.

Mae'r Ganolfan Dysgu Cymraeg Genedlaethol yn anelu at ddenu mwy o unigolion i ddysgu Cymraeg ac, yn hollbwysig, sicrhau bod yr unigolion hyn yn parhau i ddysgu er mwyn cyrraedd pwynt lle mae modd iddynt ddefnyddio eu sgiliau Cymraeg mewn sefyllfaoedd go iawn.

Er bod terfyn i'r nifer o ddysgwyr sy'n gallu cymryd rhan yn y rhaglen Dysgu Cymraeg, mae'r Ganolfan yn gweithio yn agos gyda'i rhwydwaith o 11 darparwr er mwyn gwneud y defnydd gorau o'r capasiti.

Mae Cymraeg wrth gwrs yn rhan o'r cwricwlwm cenedlaethol i bob dysgwr oedran ysgol hyd at Gyfnod Allweddol 4. Fe lansiodd Y Ganolfan Dysgu Cymraeg Genedlaethol 'Clwb Cwtsh' yn 2018 – mae'r rhaglen hon yn darparu cyrsiau rhad ac am ddim i rieni, gwarchodwyr ac aelodau eraill o'r teulu i'w galluogi i gefnogi datblygiad ieithyddol y plentyn. Fe wnaeth dros 1,000 o oedolion gymryd rhan yn y rhaglen yn ystod ei flwyddyn gyntaf.

Mae cryfhau'r gweithlu addysgu Cymraeg i Oedolion ac adeiladu capasiti ychwanegol yn flaenoriaeth i'r Ganolfan. Er mwyn ymateb i'r materion hyn, fe gyhoeddodd Gynllun Datblygu'r Gweithlu yn 2018 sy'n ffocysu ar bedair thema:

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:  
0300 0604400  
[Gohebiaeth.Eluned.Morgan@llyw.cymru](mailto:Gohebiaeth.Eluned.Morgan@llyw.cymru)  
[Correspondence.Eluned.Morgan@gov.wales](mailto:Correspondence.Eluned.Morgan@gov.wales)

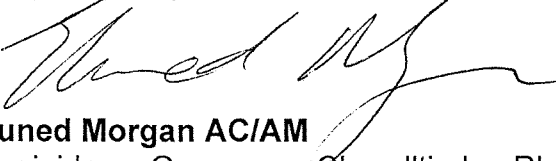
Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

**Tudalen y pecyn 273**

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.

- codi proffil y maes a chreu llwybrau gyrfa atyniadol
- cynnig strwythurau addas ac ystyrlon
- datblygu gweithlu cymwysedig a phwrpasol
- cynnal perfformiad aruchel.

Bydd y cynllun hwn yn cael ei weithredu mewn partneriaeth â'i ddarparwyr erbyn 2020.

*Cofn parau*  


**Eluned Morgan AC/AM**

Gweinidog y Gymraeg a Chysylltiadau Rhyngwladol  
Minister for International Relations and the Welsh Language



## **P-05-736- Darparu Gwasanaethau Iechyd Meddwl Mwy Hygyrch.**

Cyflwynwyd y ddeiseb hon gan Laura Williams ar ôl casglu 73 llofnod.

### **Geiriad y ddeiseb**

Er mwyn darparu gwasanaethau iechyd meddwl mwy hygyrch, dylai Llywodraeth Cymru wneud yn siŵr nad oes neb sy'n gofyn am gymorth gan wasanaeth iechyd meddwl gael ei droi ymaith heb help. Os oes unrhyw un yn mynd at eu meddyg teulu neu unrhyw weithiwr gofal iechyd proffesiynol i ofyn am gymorth ar gyfer problem iechyd meddwl, dylid eu cyfeirio'n awtomatig at y Tîm Argyfwng a dylai'r tîm hwn gymryd camau ar unwaith i'w helpu. Nid yr unigolyn ddylai fod yn gyfrifol am gysylltu â'r Tîm Argyfwng ei hun. Dylid cynnig therapi un i un, yn hytrach a therapi grŵp, bawb.

Fel y gŵyr nifer, nid yw fy mywyd i wedi bod yn hawdd ac rwyf wedi cael problemau iechyd meddwl; rwy'n cael pyliau o iselder, gorbryder, anhwylder straen wedi trawma (PTSD) ac OCD. Cyrhaeddais y gwaelod un yn ddiweddar, a sgrechian am help ond, er i mi gredu y byddai'r gwasanaethau iechyd meddwl yn fy helpu, cefais fy siomi'n arw ganddynt.

Rwyf am i'm profiad i helpu eraill yng Nghymru i gael y cymorth sydd ei angen arnynt.

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

- Gorllewin Caerdydd
- Canol De Cymru

Mae cyfyngiadau ar y ddogfen hon