

## **Agenda – Y Pwyllgor Plant, Pobl Ifanc ac Addysg**

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Lleoliad:	I gael rhagor o wybodaeth cysylltwch a:
Fideo Gynadledda drwy Zoom	Llinos Madeley
Dyddiad: Dydd Llun, 20 Gorffennaf 2020	Clerc y Pwyllgor 0300 200 6565
Amser: 09.00	<a href="mailto:SeneddPPIA@cynulliad.cymru">SeneddPPIA@cynulliad.cymru</a>

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**Yn unol â Rheol Sefydlog 34.19, mae'r Cadeirydd wedi penderfynu gwahardd y cyhoedd o gyfarfod y Pwyllgor er mwyn diogelu iechyd y cyhoedd. Caiff y cyfarfod hwn ei ddarlledu'n fyw ar [www.senedd.tv](http://www.senedd.tv).**

### **Rhag-gyfarfod preifat**

(09.00 – 09.30)

#### **1 Cyflwyniad, ymddiheuriadau, dirprwyon a datgan buddiannau**

(09.30)

#### **2 Y Bil Cwricwlwm ac Asesu (Cymru) – sesiwn dystiolaeth 2 gyda chynrychiolwyr Cymdeithas Llywodraeth Leol Cymru (CLILC) a Chymdeithas Cyfarwyddwyr Addysg Cymru (ADEW)**

(09.30 – 10.30)

(Tudalennau 1 – 50)

Y Cynghorydd Ellen ap Gwynn, Dirprwy Lefarydd ar gyfer Addysg a'r Gymraeg  
– Cymdeithas Llywodraeth Leol Cymru

Sharon Davies, Pennaeth Addysg – Cymdeithas Llywodraeth Leol Cymru

Karen Evans, Cadeirydd – Cymdeithas Cyfarwyddwyr Addysg Cymru

Dogfennau atodol:

Briff Ymchwil

Bil Cwricwlwm ac Asesu (Cymru) – Nodyn preifat ar y Codau a'r Canllawiau a wneir o dan y Bil

Bil Cwricwlwm ac Asesu (Cymru) – Nodyn preifat ar ddarpariaethau'n ymwneud â'r Iaith Gymraeg, 'RSE' ac 'RVE'



- 3 Cynnig o dan Reol Sefydlog 17.42(ix) i benderfynu gwahardd y cyhoedd o'r cyfarfod ar gyfer eitem 4**  
(10.30)

## **Egwyl**

(10.30 – 10.40)

- 4 Y Bil Cwricwlwm ac Asesu (Cymru): trafod y dystiolaeth**  
(10.40 – 11.00)

- 5 Y Bil Cwricwlwm ac Asesu (Cymru) – sesiwn dystiolaeth 3 gyda chynrychiolwyr y Consortia Addysg Rhanbarthol**  
(10.40 – 11.00)

Debbie Hartevelde, Rheolwr Gyfarwyddwr – Gwasanaeth Cyflawni Addysg i Dde-ddwyrain Cymru

Anna Bolt, Pennaeth Diwygio'r Cwricwlwm ac Arloesedd – Ein Rhanbarth ar Waith (ERW)

Clara Seery, Rheolwr Gyfarwyddwr – Gwasanaeth Addysg ar y Cyd Consortiwm Canolbarth y De (CSC)

Natalie Gould, Uwch Arweinydd Diwygio'r Cwricwlwm – Gwasanaeth Addysg ar y Cyd Consortiwm Canolbarth y De (CSC)

Arwyn Thomas, Rheolwr Gyfarwyddwr – Gwasanaeth Effeithiolrwydd a Gwella Ysgolion Gogledd Cymru (GwE)

- 6 Papurau i'w nodi**  
(12.00)

- 6.1 Llythyr gan y Gweinidog Iechyd a Gwasanaethau Cymdeithasol – gwybodaeth ychwanegol yn dilyn y cyfarfod ar 5 Mai**

(Tudalennau 51 – 52)

Dogfennau atodol:

CYPE(5)-19-20 – Papur i'w nodi 1

**6.2 Llythyr gan y Gweinidog Addysg ynghylch y wybodaeth ddiweddaraf am y rhaglen drawsnewid anghenion dysgu ychwanegol (ADY)**

(Tudalennau 53 – 55)

Dogfennau atodol:

CYPE(5)-19-20 – Papur i'w nodi 2

**6.3 Llythyr gan y Gweinidog Addysg ynghylch y ddadl ar Adroddiad Blynyddol Estyn 2018-19**

(Tudalennau 56 – 57)

Dogfennau atodol:

CYPE(5)-19-20 – Papur i'w nodi 3

**6.4 Llythyr gan y Gweinidog Addysg ynghylch addysg ddewisol gartref**

(Tudalennau 58 – 63)

Dogfennau atodol:

CYPE(5)-19-20 – Papur i'w nodi 4

**6.5 Llythyr gan Arolygiaeth Gofal Iechyd Cymru ynghylch unedau cleifion mewnol Gwasanaethau Iechyd Meddwl Plant a'r Glasoed (CAMHS) o ran COVID-19**

(Tudalennau 64 – 66)

Dogfennau atodol:

CYPE(5)-19-20 – Papur i'w nodi 5 (Saesneg yn unig)

**7 Cynnig o dan Reol Sefydlog 17.42(ix) i benderfynu gwahardd y cyhoedd o weddill y cyfarfod**

(12.00)

**8 Y Bil Cwricwlwm ac Asesu (Cymru) – trafod y dystiolaeth**

(12.00 – 12.15)

**9 Blaenraglen waith**

(12.15 – 12.30)

(Tudalennau 67 – 71)

Dogfennau atodol:

CYPE(5)-19-20 – Papur preifat

Mae cyfyngiadau ar y ddogfen hon

Yn rhinwedd paragraff(au) vi o Reol Sefydlog 17.42

Mae cyfyngiadau ar y ddogfen hon

Mae cyfyngiadau ar y ddogfen hon

CYPE(5)-19-20 - Papur i'w nodi 1

Vaughan Gething AS/MS  
Y Gweinidog Iechyd a Gwasanaethau  
Cymdeithasol Minister for Health and Social  
Services



Llywodraeth Cymru  
Welsh Government

Ein cyf/Our ref: MA/VG/2019/20

Lynne Neagle AS  
Cadeirydd y Pwyllgor Plant, Pobl Ifanc ac Addysg  
Senedd Cymru  
Bae Caerdydd  
Caerdydd  
CF99 1SN

13 Gorffennaf 2020

Annwyl Lynne,

Pan oeddwn yn bresennol yn y pwyllgor ar 5 Mai 2020, cadarnheais fod Llywodraeth Cymru wedi comisiynu Uned Gyflawni'r GIG i arwain adolygiad cyflym o farwolaethau annisgwyl ymhlith pobl ifanc yn ystod dechrau'r pandemig Covid-19 yng Nghymru o fis Ionawr i fis Mai 2020. Cytunais i ysgrifennu at y Pwyllgor ar ôl i'r adroddiad ddod i law a phan fyddai cyfle i ystyried ei gasgliadau.

Er mwyn llywio adolygiad DU, cynhaliwyd adolygiad pellach o farwolaethau ymhlith plant (CDR) gan dîm y CDR a'r athro Ann John o Brifysgol Abertawe. Daeth hwn i'r casgliad bod ei ganfyddiadau o farwolaethau diweddar o dan 18 oed trwy hunanladdiad posibl yn 2020, yn debyg i'r rhai a nodwyd yn y [Adolygiad thematig Marwolaethau plant trwy hunanladdiad tebygol 2013-2017](#).

Rhwng Ionawr 2020 a Mai 2020, nododd y CDR nifer bach o farwolaethau posibl o hunanladdiad ymhlith pobl ifanc o dan 18 oed. Roedd y tîm adolygu'n credu bod yr ymarfer yn adlewyrchiad cywir o'r holl hunanladdiadau posibl a thebygol ymhlith pobl ifanc o dan 18 oed. Er bod y nifer gwirioneddol yn debyg i'r cyfanswm am gyfnod cyflawn o 12 mis ar gyfer hunanladdiadau posibl a thebygol, daethpwyd i'r casgliad ei bod yn dal yn rhy fuan i ddweud a yw hyn yn gynydd o arwyddocâd ystadegol. Er hynny, mae, wrth gwrs, yn arwydd o broblem bosibl ac yn un y mae'n rhaid inni ymchwilio iddi a'i monitro'n ofalus.

Rhwng Ionawr a Mai 2020 nodwyd nifer bach tebyg o hunanladdiadau tebygol ymhlith pobl 18-25 oed. Daeth yr adolygiad i'r casgliad bod angen dadansoddiad pellach gyda gwasanaethau lleol er mwyn sicrhau mwy o hyder yn y marwolaethau tebygol o ganlyniad i hunanladdiad ymhlith y grŵp oedran hwn yn y cyfnod hwn. Mae'r Byrddau Iechyd wedi cadarnhau y byddant yn cymryd rhan yn y dadansoddiad manylach hwn dros yr ychydig fisoedd nesaf ac rwyf wedi gofyn i hyn gael ei wneud.

Mae adolygiad yr Uned Gyflawni wedi rhoi nifer o argymhellion eraill ar gyfer gweithredu. Mae'r rhain yn cynnwys parhau i fonitro'r sefyllfa i bobl ifanc wrth inni fynd drwy gyfnod y

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[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.

pandemig a gwella'r broses o gasglu data, yn enwedig ar gyfer y marwolaethau annisgwyl hynny o fewn y grŵp oedran 18-25.

Mewn ymateb i'r canfyddiadau hyn, rwyf wedi cyfarwyddo bod y sefyllfa'n parhau i gael ei hadolygu'n fanwl, o leiaf hyd at ddiwedd 2020. Byddaf yn rhoi diweddariad pellach ar adeg briodol.

Yn gywir,

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

**Vaughan Gething AS/MS**

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



CYPE(5)-19-20 - Papur i'w nodi 2

Kirsty Williams AS/MS  
Y Gweinidog Addysg  
Minister for Education



Llywodraeth Cymru  
Welsh Government

Lynne Neagle AS  
Cadeirydd  
Pwyllgor Plant, Pobl Ifanc ac Addysg  
Cynulliad Cenedlaethol Cymru  
Tŷ Hywel  
Bae Caerdydd  
CF99 1NA

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

13 Gorffennaf 2020

Annwyl Lynne,

Yn ystod sesiwn graffu eich Pwyllgor ar y Bil Anghenion Dysgu Ychwanegol a'r Tribiwnlys Addysg, ymrwymais i roi diweddariadau rheolaidd ar y rhaglen trawsnewid Anghenion Dysgu Ychwanegol (ADY). Hwn yw'r nawfed llythyr sy'n rhoi diweddariad fel hyn. Bydd y diweddariad hwn hefyd yn ymdrin â'r materion yr oeddech yn tynnu sylw atynt yn eich llythyr dyddiedig 18 Mehefin.

## 1. Deddfwriaeth a chanllawiau statudol

Er gwaethaf y cyfyngiadau sy'n cael eu creu gan bandemig Covid-19, mae gwaith i weithredu'r Ddeddf ADY yn llwyddiannus yn parhau i fod yn flaenoriaeth. Mae fy swyddogion yn parhau i weithio ar y Cod a'r Rheoliadau ADY a'm bwriad o hyd yw eu gosod gerbron y Senedd cyn diwedd tymor hwn, er mwyn gallu cychwyn y system ADY newydd yn raddol o fis Medi 2021.

Yn dilyn yr ymgynghoriad, cyhoeddais adroddiad cryno o'r ymatebion a oedd yn ymdrin â'r camsyniadau cyffredin yn deillio o'r gwaith diwygio. Ers hynny, y flaenoriaeth yw cwblhau'r Cod a'r Rheoliadau yn barod i'w gosod gerbron y Senedd a'u cyhoeddi. Er mwyn sicrhau bod ein Cod drafft a'n rheoliadau yn diwallu anghenion ymarferwyr, rhieni a dysgwyr, rydym yn ymgysylltu ag amrywiaeth o randdeiliaid o fewn y sector cyhoeddus, y sector iechyd a'r trydydd sector; yn ogystal â chynrychiolwyr y sefydliadau arbenigol ôl-16. Mae'r gwaith hwn wedi galluogi fy

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[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.

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swyddogion i drafod yr adborth i'r ymgynghoriad a sut y gallai'r Cod a'r Rheoliadau diwygiedig ymdrin â'r hyn a godwyd yn yr adborth, pan fo'n briodol gwneud hynny.

## **2. Cymorth wrth weithredu / pontio**

Mae'r Arweinwyr Trawsnewid ADY wedi darparu cyfres o ddogfennau sy'n tynnu sylw at arfer da ac yn crynhoi'r gweithgarwch trawsnewid sydd wedi digwydd yn eu rhanbarthau yn ystod 2019-20 a byddant yn darparu eu Cynlluniau Gweithredu Rhanbarthol ar gyfer 2020-21 yn fuan. Yn ystod y cyfnod o gyfyngiadau, bu'r Arweinwyr Trawsnewid yn cyfarfod â swyddogion yn wythnosol, gan roi'r wybodaeth ddiweddaraf gan Grŵp Arweinyddiaeth Trawsnewid ADY ar y cynnydd a wnaed mewn perthynas â'u cynlluniau rhanbarthol a'u cynlluniau addysg bellach ac i amlygu a thrafod unrhyw faterion wrth iddynt godi.

Fel rhan o'r gwaith i gynyddu adnoddau Cymraeg i ddysgwyr ag ADY, rydym wedi dyfarnu contract, yn amodol ar gytuno ar delerau ac amodau, ar gyfer cyfieithu tri llyfr i'r Gymraeg. Mae'r llyfrau hyn yn rhan o gyfres sydd wedi'i hanelu at addysgu sgiliau cymdeithasol, emosiynol a chyfathrebu i ddysgwyr o bob oed a bydd yn arbennig o ddefnyddiol ar gyfer cefnogi plant a phobl ifanc ag ADY.

Rydym hefyd yn gweithio gyda'n rhanddeiliaid gan gynnwys Cynghrair Anghenion Dysgu Ychwanegol y Trydydd Sector (TSANA), i ddatblygu ein syniadau a'n deunyddiau sy'n ymwneud ag arferion cynhwysiant er mwyn darparu deunyddiau cyfeirio i'r rhai sy'n gweithio ym maes ADY.

## **3. Datblygu gweithlu**

Rydym yn parhau i fuddsoddi mewn datblygu sgiliau'r gweithlu addysg i gefnogi'r broses o ddarparu'r system ADY newydd. Mae rhan o'r gwaith hwn yn cynnwys datblygu cynnig dysgu proffesiynol penodol ar gyfer Cydlynwyr Anghenion Dysgu Ychwanegol (CADY).

Rydym yn cydweithio â'r Arweinwyr Trawsnewid ADY, Grŵp Achredu Dysgu Proffesiynol Cymru a rhanddeiliaid eraill i ddatblygu llwybr achrededig a chydabyddedig ar gyfer dysgu proffesiynol y CADY.

Rhagwelir y bydd modiwlau ADY a fydd yn cael eu datblygu fel rhan o'r cymhwyster Gradd Meistr Cenedlaethol newydd (MA mewn Addysg) yn ffurfio sail yr opsiwn achrededig. Mae'r opsiwn heb ei achredu ond sy'n cael ei gydnabod yn debygol o fod yn fodiwl dysgu ar wahân a fydd yn cyfrannu at ganlyniad mewn Pasbortau Dysgu Proffesiynol dysgwyr. Bydd y modiwl hwn ar gael ar blatfform dysgu digidol Llywodraeth Cymru, sef Hwb, a bydd yn rhad ac am ddim i'w ddefnyddio.

Mae cwmpas y prosiect bellach wedi'i gymeradwyo gan y Grŵp Llywio Dysgu Proffesiynol ADY ac rydym yn rhagweld y bydd grwpiau awduro ar gyfer y modiwlau dysgu yn cael eu sefydlu dros yr haf.

## **4. Codi ymwybyddiaeth**

Mae Eliesha Cymru yn parhau i gydweithio â swyddogion Llywodraeth Cymru i ddatblygu'r hyfforddiant a deunyddiau ar gyfer gweithredu'r system ADY a chodi ymwybyddiaeth amdani. Cwrs e-ddysgu fydd yr elfen gyntaf mewn pecyn hyfforddi tair Tudalen y pecyn 54

rhan. Bydd y pecyn hwnnw ar gael dros yr haf a bydd ar lwyfan dysgu digidol Llywodraeth Cymru, sef Hwb. Bydd yn cael ei dargedu at yr unigolion hynny sy'n gweithio ym maes ADY yn bennaf, ond bydd ar gael i unrhyw un sydd â diddordeb mewn deall hanfodion y system ADY newydd. Bydd rhagor o hyfforddiant ar gael ar Hwb yn yr Hydref.

Yn gywir

A handwritten signature in black ink, reading 'Kirsty Williams'.

**Kirsty Williams AS/MS**  
Y Gweinidog Addysg  
Minister for Education

# Eitem 6.3

CYPE(5)-19-20 - Papur i'w nodi 3

Kirsty Williams AS/MS  
Y Gweinidog Addysg  
Minister for Education



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref  
Ein cyf/Our ref

Lynne Neagle AS  
Y Cadeirydd  
Y Pwyllgor Plant, Pobl Ifanc ac Addysg  
Senedd Cymru

13 Gorffennaf 2020

Annwyl Lynne,

## Trafodaeth ar Adroddiad Blynyddol 2018-19 Estyn

Fel y gwyddoch, cyhoeddwyd Adroddiad Blynyddol 2018-19 Estyn ar 26 Chwefror 2020.

Roedd yr adroddiad yn sôn am y prif ddatblygiadau yn y byd addysg dros y 3 blynedd diwethaf ac y cydnabod y cynnydd a wnaed ers cyhoeddi canllawiau'r Cwricwlwm i Gymru. Roedd yr adroddiad hefyd yn tynnu sylw at y cryfderau a'r gwelliannau mewn sectorau gwahanol a rhai o'r heriau sydd ar ôl.

Deallaf fod Meilyr Rowlands, Prif Arolygydd Ei Mawrhydi, a Jassa Scott a Claire Morgan, ei Gyfarwyddwyr Strategol, yn bresennol yng nghyfarfod y Pwyllgor Plant, Pobl Ifanc ac Addysg ar 11 Mawrth i drafod yr adroddiad.

Pan fydd Adroddiadau Blynyddol Estyn yn cael eu cyhoeddi rwyf fel arfer yn arwain dadl arnynt yn y Cyfarfod Llawn. Roedd disgwyl i Adroddiad Blynyddol 2018-19 Estyn gael ei drafod yn ystod tymor yr haf. Fodd bynnag, oherwydd argyfwng COVID-19, ni chynhaliwyd y ddadl gan fod y Senedd yn ystyried materion yn ymwneud â'r pandemig a materion brys yn unig.

Rwy'n ymwybodol bod blaenraglen waith y Cyfarfod Llawn ar gyfer mis Medi i fis Rhagfyr wedi'i chyhoeddi ac mae fy swyddogion wedi gofyn a wyf eisiau bwrw ymlaen â dadl ar Adroddiad Blynyddol 2018-19 Estyn.

Oherwydd yr oedi rhwng cyhoeddi adroddiad 2018-19 a dyddiad posibl yn nhymor yr hydref i'w drafod, rwyf wedi bod yn meddwl tybed a fyddai hyn yn ddefnydd effeithiol o amser y Cyfarfod Llawn ac a yw'r Pwyllgor yn teimlo y byddai'n fwy priodol cyflwyno'r adroddiad gerbron y Senedd i'w nodi.

Mae disgwyl i Adroddiad Blynyddol 2019-20 Estyn gael ei gyhoeddi ar 9 Rhagfyr. Byddaf yn arwain dadl ar yr adroddiad hwnnw ar ddechrau 2021.

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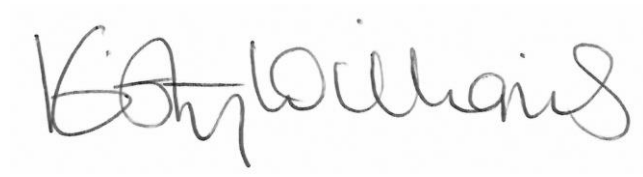
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[Correspondence.Kirsty.Williams@gov.wales](mailto:Correspondence.Kirsty.Williams@gov.wales)

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**Tudalen y pecyn 56**  
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.

Byddwn yn croesawu eich barn.

Yn gywir

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

**Kirsty Williams AS/MS**

Y Gweinidog Addysg

Minister for Education

# Eitem 6.4

CYPE(5)-19-20 - Papur i'w nodi 4

Kirsty Williams AS/MS  
Y Gweinidog Addysg  
Minister for Education



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Lynne Neagle AS  
Cadeirydd y Pwyllgor Plant, Pobl Ifanc ac Addysg

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

15 Gorffennaf 2020

Annwyl Lynne

Diolch am eich llythyr dyddiedig 8 Gorffennaf ynghylch y cyhoeddiad diweddar i atal y gwaith ar y cynigion ar gyfer canllawiau statudol ar addysg yn y cartref a'r rheoliadau cronfa ddata drafft am y tro.

Ni wnaed y penderfyniad hwn ar chwarae bach ac roedd gwneud y penderfyniad anodd hwn o atal y gwaith diwygio am y tro yn destun siom i mi.

Yn ôl eich cais, dyma gopi o'r ohebiaeth gyda'r Comisiynydd Plant.



Yn gywir

**Kirsty Williams AS/MS**  
Y Gweinidog Addysg  
Minister for Education

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[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 58**  
We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Kirsty Williams AS/MS  
Y Gweinidog Addysg  
Minister for Education



Llywodraeth Cymru  
Welsh Government

Ein cyf/Our ref KW/03194/20  
Sally Holland  
Children's Commissioner for Wales

Ceirios.Williams@childcomwales.org.uk

01 July 2020

Dear Sally Holland,

Thank you for your letter of 16 June regarding your concerns about the decision to pause the development of the home education reforms.

As I outlined at our meeting on 4 June, developing the national response to Covid19 has had significant implications on resources within Welsh Government – this includes, financial, policy and of course on the legislative plans for this Government term. Given the new and unprecedented pressures on the day-to-day work within the Government, the Cabinet undertook a prioritisation exercise to evaluate what was and was not deliverable and to analyse the potential options for alternative solutions.

I would like to assure you that home education remains one of my priorities and I was extremely disappointed that I had to take the difficult decision to pause work on the reforms. I can confirm that I considered a range of scenarios and mitigating actions, including options for alternative support, but ultimately I had to take the decision to focus limited resources on the Government response to Covid19 and to ensure that schools were able to operate in the current circumstances. The unprecedented situation we find ourselves in unfortunately means that there are limited resources for other areas of work within Welsh Government.

I do not think that the work that we have carried out to date is a waste of resources and whilst it is not possible to continue with these proposals at this time, I believe that we have provided a solid foundation for future work in this area. I will continue to promote children's rights and will ensure that local authorities are accountable for the delivery of their statutory responsibility to ensure that all children in their locality are receiving a suitable education regardless of where that may be provided

I would like to confirm that I hope that work can re-start towards the start of the next financial year if resources allow and I understand that my officials are shortly meeting with counterparts in Social Services to discuss key themes and next steps for home education following a meeting with the Deputy Minister for Health and Social Services.

I was pleased that the Welsh Government was able to welcome and accept the recommendations made in your 2018/19 report and I made sure that resources were made available to ensure that we were able to deliver on the response. At the time our response

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

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

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was published, on 3 December, it was our intention to publish both guidance and regulations in 2020. However, as I have outlined in this letter, unfortunately the unforeseen onset of Covid19 has changed the landscape for everyone in terms of what can and cannot be delivered.

You asked a number of questions in your letter, let me answer them in order.

### **1. When was the decision taken not to take these changes forward?**

This decision was taken at a Ministerial meeting to discuss the legislative programme on the 30 April. This meeting was chaired by the First Minister and covered the legislative portfolios of a number of Ministers (all of whom were in attendance).

### **2. How was the decision to not take these changes forward reached and by whom?**

Let me assure you, the decision to pause the home education proposals was not taken lightly or in isolation. It was reached following a cross Government exercise which evaluated current resources against workload in light of the unprecedented need to respond to Covid19 and the potential implications of the ending of the EU transitional period.

This means that we have had to make some really difficult decisions, including legislative prioritisation across the Government. In my portfolio, my priority has to be ensuring delivery of the curriculum and reforms to the ALN system.

### **3. What information was presented to the decision makers in order for that decision to be taken?**

Ministers were presented with a range of information to take into account before making a final decision on priorities including a range of scenarios and mitigating actions. As part of the decision making process, we were also provided with information on the amount of Welsh Government resource and an analysis of the level of complexity involved in each of the areas, for example in this instance, there was a high probability that the proposals would be subject to legal challenge (judicial review/JR).

Additionally, confirmation was provided that officials have not been able to progress with necessary engagement with local authorities, local health boards and other stakeholders, due to Covid19. This information highlighted that local authorities are not able to prioritise this work, given the current demands that the Covid19 outbreak is placing on them, and all available local authority resources are now focused on maintaining critical services. Local authorities will continue to prioritise their response to Covid19 for the foreseeable future, including putting in place arrangements for the safe increased operation of schools, prioritising the health and wellbeing of learners and education staff.

It was also clear that local health boards have experienced the biggest impact of the pandemic, and this will remain a significant issue for them as they continue to focus on front line working to mitigate and manage the impact of Covid19.

### **4. What was the weighting to any decision making; was there consideration of work already undertaken and public commitments to actions for example?**



The response to Covid19 has, by necessity, taken priority over the majority of all other Welsh Government programmes of work. Weighting of decisions was based on the need to prioritise;

- the response to Covid19;
- legislation required for European transition; and
- legislation, which is a legal necessity that must be made under any circumstances.

New and substantial legislative workstreams have arisen because of Covid19 which needed to take priority including making amendments to existing powers as well as utilising the notice powers under Schedule 17 to the Coronavirus Act 2020.

**5. What was the conclusion of the Children's Rights Impact Assessment that accompanied that decision? I would like to see a copy of that impact assessment in full. If no such report exists I would like to know how the decision took into account the different considerations of children's rights and the necessary balancing exercise in deciding which pieces of legislation and guidance would be prioritised.**

During the initial stages of Covid19, Ministers have been keen to ensure that we continue to meet our statutory obligations, and as you are aware, an Integrated Impact Assessment (IIA) has been drafted for decisions taken early in the pandemic. Unlike normal IIA's, this will set out the impact of decisions that have been taken, rather than proposed policy proposals, to provide a transparent account of the actions and mitigations that the Welsh Government has had to take during this emergency period. This will of course include the CRIA.

Decisions taken after this initial period will be subject to individual IIA's and CRIA's

In this instance, the CRIA had not been conducted at the time of the Ministerial meeting on the 30 April. The decision was taken because Welsh Government had to urgently move resources to other areas to support the priority response to the pandemic and on balance, it was decided to proceed with the Curriculum Bill and the reforms to ALN

You will also be aware from the work my officials have been engaged in with your office regarding integrated impact assessments that understanding the impact of the pandemic and our subsequent response on children's rights and how this can be mitigated, has been at the forefront of our decisions. I am grateful for the responsive way your office is working with us during this emergency period to help inform our decision making.

The best interests of the child remains at the heart of Welsh Government decision making and the home education proposals were fundamentally about ensuring compliance with children's rights and, in doing so, ensuring that children of compulsory school age receive a suitable education. This consideration will be reflected in the CRIA, which will be published in due course.

**6 Given the explanation that constraints around legal resourcing has been a driving factor behind this decision, has there been specific consideration of sourcing additional legal capacity specifically to work on the statutory changes around home education, in order to ensure that work undertaken to date will not be lost, and that the protections being taken forward by the statutory guidance and regulations can be maintained**

I considered a range of scenarios and mitigating actions, including options for alternative support before I reached the difficult decision to pause work on home education. However, ultimately I had to take the decision to focus limited resources on the Government response

to Covid19, on ensuring that schools were able to operate in the current circumstances and on the implications relating to EU transition.

## **7. How has safeguarding been directly considered in reaching this decision?**

The proposals have always primarily been about ensuring home educated children receive a suitable education. As I have said previously, safeguarding remains everyone's responsibility. In November, the Welsh Government published [Working Together to Safeguard People](#) guidance, which reinforces the requirements already in place.

While I am disappointed we cannot continue the development of the home education proposals at this time, where pressures and resources allow, my officials will continue to work to try to make improvements and aim to;

- provide supplementary advice to the current guidance on safeguarding;
- publish the handbook for parents who are home educating;
- continue to fund the home education post in Careers Wales specifically for home educated young people;
- take forward work on the DEWI system to ensure it has the functionality so that when the database regulations are taken forward the system is in place to process the data from the outset.

In addition, my officials will be contacting local authorities to gather information about some of the issues home educating families may be experiencing as a result of Covid19. This will focus on the wellbeing of these children, and awareness and access to information and will help identify whether we need to do some targeted work with home educating communities during this time.

## **Independent Schools**

Updating the independent school standard regulations has also been a priority for me; however, as with the home education proposals intensified pressures have now meant that this work cannot be taken forward in this term.

Further legislation in relation to the powers and scope of the Education Workforce Council (EWC) was another area that was due to be advanced this year. Some elements are still moving forward. For example, consideration of providing a new power for the EWC allowing the imposition of interim suspension orders on registrants. Where required, relevant legislative procedures will be progressed.

However, other potential legislative changes are less likely to be taken forward in this term, particularly where a non-legislative approach could go some way to achieving the overall aim. This is the case in relation to introducing a regulatory requirement on staff at independent schools to register with EWC. My officials are considering a potential interim measure of encouraging independent schools as responsible employers to require that their staff are registered with EWC. Such a move would prepare the sector for any future legislative requirements as well as go some way to achieving the aims referred to in your letter.

In terms of your point about non-qualified youth workers, our Youth Work Strategy, 2019, commits us to 'consider the future role of registration in professionalising and supporting voluntary and paid professional youth work staff in Wales'. To support implementation of the strategy we established a number of sector-led Strategy Participation Groups (SPG's), and one of these, the Workforce Development Group, is actively considering this area of work. This includes looking at a number of issues which you raise – the registration of non-

qualified youth workers – but also other important areas of work like the Schedule of Qualifications that supports registration but which needs updating. Members of the Workforce Development SPG, including the Education Workforce Council and Education Training Standards Cymru, are currently compiling an up-to-date list of qualification from around the UK that will support an update to the Schedule of Qualifications at an appropriate time. While the work of the majority of Strategy Participation Groups has been temporarily suspended to enable members to deliver key frontline services to young people during Covid-19, the Workforce Development SPG will no doubt be returning to consider the wider issues with registration in due course. They will include giving careful consideration to the potential role of registration in supporting and professionalising the work of non-qualified youth workers and those working towards qualification.

In these unprecedented times, I would like to finish by once again reiterating that children's rights remain at the forefront of my thinking but difficult decisions have had to be made. Whilst I am disappointed that work has paused on the reforms I remain committed to working with you to ensure that we can tackle the issues raised during the reforms and be in a position to resume work in this area as soon as resources allow.

Yours sincerely,

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

**Kirsty Williams AS/MS**  
The Minister for Education  
Y Gweinidog Addysg

# Eitem 6.5

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Lynne Neagle MS, Chair  
Children, Young People and Education Committee  
Welsh Parliament

15 July 2020

Via Email [SeneddCYPE@senedd.wales](mailto:SeneddCYPE@senedd.wales)  
Our Ref: 28552

Dear Lynne

## RE: COVID19 CAMHS In-patient units

Thank you for your letter dated 30<sup>th</sup> June in which you asked me to provide an update on the arrangements that are now in place for HIW to visit and inspect in-patient facilities and the plans that HIW has to respond to any future easing or tightening of lockdown requirements.

HIW recently published a [position statement](#)

In summary, our approach during the pandemic period has been underpinned by four principles:

1. Reducing the burden and regulatory pressure of our work on healthcare settings at such a pressured time, whilst still delivering our statutory functions.
2. Maintaining an oversight of healthcare services and providing assurance to the public and Minister through a focus on intelligence and working closely with partner organisations.
3. Supporting the NHS, Welsh Government and other organisations directly in responding to the pandemic.
4. Preparing HIW to enable it to continue to deliver its purpose in the face of the current and ongoing challenges, whilst meeting our duty of care to HIW colleagues.

Although this approach led us to suspend routine inspection on 17 March, we have continued to monitor and risk assess healthcare settings through established intelligence feeds including monitoring performance measures and analysis of serious incidents, public concerns, information shared by our partners and our strong relationships with health boards. For the safety of patients, healthcare workers and our own staff, we have had to raise the threshold for undertaking physical inspections. However, it is important to note that we have at all times retained the option of inspecting healthcare settings where

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we believe there are immediate risks to the safety of patients. There are a number of ways in which HIW can seek assurance, take action or escalate concerning issues without physically visiting a healthcare setting, but it has been necessary to conduct inspections on two recent occasions. These inspections did not, however, relate to the provision of CAMHS inpatient services in Wales.

In the case of independent mental health services in Wales, for which HIW acts as Regulator, we have continued to work closely with the National Collaborative Commissioning Unit (NCCU) in order to assess any risks to the safe provision of services. This wider monitoring arrangement includes oversight of the inpatient CAMHS services provided by Hillview Hospital, Ebbw Vale. Over the past year we have also had ongoing contact with the Children's Commissioner about care provided by this setting, which has helped us to discharge our role as regulator.

In response to the safety considerations associated with undertaking physical inspections, which I have referred to above, we have been developing new ways of working. We are currently planning a new programme of routine assurance work which will be refined adjusted on an ongoing basis according to risk. We will be piloting our new way of working for the three month period from August to October. Towards the end of this period we will evaluate the approach to ensure it is appropriate and in meeting its aims and objectives. A key feature of our new approach will be the use of a three tiered model of assurance and inspection that reduces the reliance on onsite inspection activity as our primary method of gaining assurance. Tier 1 activity will be conducted entirely offsite and will be used for a number of purposes but, at this stage, primarily where issues cannot be resolved via our standard concerns process and where the risk of conducting an onsite inspection remains high. Tier 2 will introduce a combination of offsite and limited onsite activity, whilst Tier 3 will represent a more traditional onsite inspection. The unannounced nature of our work means that I cannot disclose exact details of our forthcoming work programme in relation to CAMHS services. However, I can confirm that our plans take into account a range of intelligence in relation to inpatient CAMHS services including the findings from previous inspections.

You may recall that HIW published a [youth thematic report in March 2019](#), which including concerns about the ability of CAMHS to accommodate people who are high risk and the need for young people to receive services outside of their local area. We are planning to follow-up on the recommendations of the youth thematic review imminently by seeking updates on action taken by Welsh Government, health boards and independent service providers. We will publish the findings of this work and would be happy to meet with you or attend a future committee to discuss this work

I hope you find this update useful in understanding how we are discharging our role during these challenging times. Please do not hesitate to contact me should you wish to raise any specific issues or concerns about inpatient CAMHS in Wales.

Yours sincerely



Alun Jones  
Interim Chief Executive  
**Healthcare Inspectorate Wales**

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