



# **Cynulliad Cenedlaethol Cymru** **The National Assembly for Wales**

## **Y Pwyllgor Deisebau** **The Petitions Committee**

**Dydd Mawrth, 14 Gorffennaf 2015**  
**Tuesday, 14 July 2015**

**Cynnwys**  
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Cofnodir y trafodion yn yr iaith y llefarwyd hwy ynddi yn y pwyllgor. Yn ogystal, cynhwysir trawsgrifiad o'r cyfieithu ar y pryd.

The proceedings are reported in the language in which they were spoken in the committee. In addition, a transcription of the simultaneous interpretation is included.

**Aelodau'r pwyllgor yn bresennol**  
**Committee members in attendance**

Russell George	Ceidwadwyr Cymreig Welsh Conservatives
William Powell	Democratiaid Rhyddfrydol Cymru (Cadeirydd y Pwyllgor) Welsh Liberal Democrats (Committee Chair)
Joyce Watson	Llafur Labour
Lindsay Whittle	Plaid Cymru (yn dirprwyo ar ran Bethan Jenkins) The Party of Wales (substitute for Bethan Jenkins)

**Eraill yn bresennol  
Others in attendance**

Jane Douglas	Deisebydd Petitioner
Bethany Walpole-Wroe	Deisebydd Petitioner
Helen Weedon	Deisebydd Petitioner

**Swyddogion Cynulliad Cenedlaethol Cymru yn bresennol  
National Assembly for Wales officials in attendance**

Kayleigh Driscoll	Dirprwy Glerc Deputy Clerk
Steve George	Clerc Clerk
Matthew Richards	Cynghorydd Cyfreithiol Legal Adviser
Kath Thomas	Dirprwy Glerc Deputy Clerk

*Dechreuodd y cyfarfod am 09:03.  
The meeting began at 09:03.*

**Cyflwyniad, Ymddiheuriadau a Dirprwyon  
Introduction, Apologies and Substitutions**

[1] **William Powell:** Bore da a chroeso **William Powell:** Good morning and a warm welcome.

[2] A warm welcome to this meeting of the Petitions Committee. We have apologies from Bethan Jenkins, and we're joined by our colleague, Lindsay Whittle. The normal housekeeping arrangements apply. Members and contributors are able to speak in Welsh or English, as they wish and are able, and the normal rules also apply with regard to mobile phones—and I'll just check that I'm obeying them myself. Okay; good.

09:04

**Sesiwn Dystiolaeth  
Evidence Session**

[3] **William Powell:** So, with no further ado, we move straight to agenda item 2, which

is our evidence session on two petitions that have been brought to us. We welcome Jane Douglas, Bethany Walpole-Wroe and Helen Weedon. We shall be moving to you just in a moment. This is in relation to petition P-04-576, 'Allow Children in Wales to Have a Family Holiday During Term Time', and P-04-606, 'Ensure schools exercise their statutory powers under regulation 7 of The Education (Pupil Registration) (Wales) Regulations 2010 without interference or bias'. I move now to welcome you and to ask you, please, to introduce yourselves, to check for volumes, and maybe to make an initial brief statement in favour of your petitions.

[4] **Ms Douglas:** Good morning. I'm Jane Douglas from Pembrokeshire Parents Want a Say. It's a group of families who are concerned about attempts to limit school statutory powers to authorise absence for family holidays. Did you want more?

[5] **William Powell:** I think, at this stage, it would be good if we could have the full round of introductions. We've got a significant number of questions we want to come in on, but I'm sure that you may have a few opening remarks that you wish to make. Bethany?

[6] **Ms Walpole-Wroe:** Hello. My name's Bethany Walpole-Wroe, and I'm from the group, Let Children in Wales Have a Family Holiday During Term Time, just because there does seem to be a blanket ban being enforced at the moment.

[7] **William Powell:** And Helen?

[8] **Ms Weedon:** I'm Helen Weedon. I'm also from the group, Let Children in Wales Have a Family Holiday During Term Time. I'm here to support Bethany, who set up the petition.

[9] **William Powell:** Excellent. Well, we're grateful for your attendance this morning. Maybe, Jane and Bethany, if you'd like to make just some brief opening remarks, then we've got quite a body of questions in relation to your petitions. Thank you very much for the additional submission that we've received. Thank you.

[10] **Ms Douglas:** As you've seen from documentation, in Wales we have some legislation that enables headteachers to authorise absences for family holidays or similar events. From the outset I just wanted to be clear that a family holiday doesn't necessarily mean a trip on a plane abroad. It means the opportunity for families to spend time together, wherever they choose to do that. The headteachers tell us they need this flexibility because they know their pupils best and the circumstances of the families, and they know their pupils' learning needs best. Families feel that this flexibility is incredibly important to them because family life is complex, working patterns are complex and it's difficult to find time to spend together. There are issues around special needs and disabilities that make it difficult for some people to holiday during peak times. Divorce and separation, where parents live apart, make it difficult for children to have regular meaningful contact with parents, and major family events often don't necessarily happen within the school holidays.

[11] The Minister for Education and Skills has confirmed that, with this legislation, headteachers retain the statutory right. However, in 2013, when the penalty notice legislation for absence from school was implemented, local authorities were tasked with implementing it. As a part of this, many of them started to issue bans or restrictions on teachers' powers to authorise absence for family holidays. At the moment, we have a situation across Wales where teachers' powers to authorise absence are very varied, from Flintshire where the local authority have allowed them to exercise this statutory power, to Rhondda Cynon Taf where they've issued a zero-tolerance approach to family holidays. It really raises some questions. We're very concerned about the consortia's authority to limit statutory powers in this way and inequities across Wales for children's opportunities, or families' opportunities to spend time

together.

[12] We also have an added pressure on the schools from inspection processes. Estyn and our new national school categorisation system both consider attendance data, and when they're rating, banding or grading schools, they consider authorised absences—so, absences due to illness, medical and dental appointments, and family holidays. So, it puts the pressure on headteachers not to authorise, or against the authorisation of absences, where they can, in order to obtain the ratings they feel they deserve for the schools.

[13] Underlying all this is a repeated message that attendance is equivalent to attainment, and the drivers are to improve children's attainment in Wales, which is something incredibly important to all of us as parents. But the problem is that it's not based in the evidence. The only solid piece of research we have, looking at the impact of family holidays on attainment, was performed by the Department for Education in 2011 and shows no correlation. The reasons that absences affect attainment are far more complex, and we feel that our local authorities and consortia are giving an oversimplified message, which is misleading, and that this is not in the best interest of our families, children, or indeed our economy.

[14] **William Powell:** Thank you very much for keeping that to such a succinct statement. We'll move to Bethany now to make your own points in support of your petition.

[15] **Ms Walpole-Wroe:** Thank you. Anybody of even the meanest level of intelligence can say education is of the greatest importance to a child's future prospects. This is because it's true, and nobody would argue with that statement. It's a given fact. That is not the issue here. It needs to be recognised that there are a variety of lessons that need to be learned, not only academic ones. Wales has the highest level of child poverty in the UK. This means that fewer Welsh children will be going on any kind of holiday this year than their counterparts in England, Scotland or Northern Ireland. Because of the law being misused to prevent headteachers from allowing a few days off during term time, that figure is even higher than it would otherwise have been. In general, a summer holiday is regarded by children as a high point in their year, along with Christmas. Is the Welsh Assembly considering taking that away from children of poor backgrounds, too? Because, using the same arguments for giving a ban on term-time holidays, you could also justify that.

[16] Parents have a duty to ensure their children have access to a good academic education. Obviously, we all desire the best for our children. There are, however, other types of education—moral, emotional, spiritual and practical. These are not taught in a concerted manner in school, and neither should they be; these lessons are for the parents to provide. I, for instance, have taught my children to swim, cook, ride a bike and to ride horses. Other parents I know take their children to dance, music, archery, Scouts, Brownies and many other activities. I take my children for a walk every day and we talk about whatever is on their minds and get some exercise too. I can do this as I am self-employed, but, for many families forced into long working hours in low-paid jobs, this is not possible. For many of these families, a holiday is almost the only time in the year that they could spend an extended amount of time together away from the pressures, stresses and strains of home. Many children come from broken homes. Is it any surprise, given the levels of pressure put on modern families?

[17] We believe passionately that academic education is of paramount importance. We want nothing more than to support our children's teachers in this endeavour. The Welsh Assembly's law is however being used in such a way as to undermine this partnership. It is driving a wedge between parents and teachers. It is creating a 'them and us' situation. Nearly all the parents surveyed said they would lie about the reasons for their children's absence from school, if needs be. This leads to mistrust and deception. None of us want to raise our children to think that lying is acceptable, but many parents feel they have no other choice. We

all want our children to have happy, fulfilling lives. What parent would not? We do not believe this is to be achieved by penalising hard-working families for being poor. This rule is increasing the numbers of children that see themselves as the have-nots of society, the children that feel they have nothing to strive for, as they see themselves on the outside and think, 'People like us do not have those things'. We do not want our children growing up thinking that happiness is out of their reach, with nothing to inspire them to work harder. We do not want them growing up hearing of other people's life experiences. We want them to live life for themselves, and to want more—to go back to school inspired to work hard to earn even more good times. We will show you the negative impact caused by the misuse that your well-intentioned law is being put to: in order to give the impression of improving the educational standards of Welsh schools, the education authorities are targeting low-income families that encourage and support their children in life, families whose children are not falling behind in school and are doing well, families that need time spent together in a neutral environment that are, at present, being denied it. When this law was introduced, it was heralded as a way of tackling persistent truancy and lax parents that did not care or believe in their children's futures. That is not how it is being used. Instead, it is causing poverty and unhappiness to caring, responsible, hard-working parents. We believe passionately in our children's future and want to give them a taste of what life can be like if you work hard. This opportunity to be good and effective parents is being denied us. A child needs far more than academic ability to succeed in life and grow up to be a well-rounded, balanced person. So, of course, any well-meaning and patronising person can say, 'Education is extremely important to a child's future'. We do not disagree. But the role of a parent's lessons in life is also important and is being undermined and downgraded by your policies. All work and no play makes Siân and Dafydd dull, depressed, downtrodden low-achievers, not happy, healthy, hard-working go-getters.

[18] **William Powell:** Thank you very much for that impassioned and really well-informed address again. We've got a number of questions that we wish to bring to you to drill down. First of all, Jane, you referred to practice in Flintshire and Rhondda Cynon Taf—were they the two authorities that you referenced?

09:15

[19] **Ms Douglas:** Yes, this was the information that the Petitions Committee sought from various local authorities in February, so I'm assuming it's still current.

[20] **William Powell:** Yes, absolutely. I was interested, really, in what additional information you have as to the extent to which, across Wales, parents are being refused authorised absence during term time. You've given us some examples there. I wonder whether you've got some additional information that you could—

[21] **Ms Douglas:** I have some idea of what's happening in our county, but I think Helen had done a brief survey on this. Do you want to answer that question in terms of what the findings from your survey were?

[22] **Ms Weedon:** The survey wasn't so much about that; it was more about the individual experiences of the parents across Wales and how it's going to affect them—that they can't get absence. Certainly, we did look into the various codes of conduct and they do vary in terms of what they're saying that they will allow.

[23] **William Powell:** It's that lack of consistency that's of real interest to us also.

[24] **Ms Walpole-Wroe:** Some are laughable. We asked Education through Regional Working, for instance—the consortia that covers our area—how they'd come by their code of conduct, and as I've no doubt you're aware, they're supposed to consult with parents. When

we asked them whether they'd consulted with the parents, they said 'no'. When we asked them why, they said it was because they knew the parents would be against it.

[25] **Russell George:** Did they inform you of that in writing? Did they say in writing or—

[26] **Ms Walpole-Wroe:** We have got it in writing; I don't know whether we've got it with us today, but, yes, we do.

[27] **Russell George:** It would be interesting if you could provide us with that.

[28] **William Powell:** It would be very interesting to have that borne out.

[29] **Ms Walpole-Wroe:** We did have that. As I say, what a ridiculous thing to say, 'We didn't ask people that we knew wouldn't agree with us'.

[30] **William Powell:** What interaction have you had with governing bodies with regard to the petitions that you're bringing forward to us? Because some of us will have had experience previously—or, indeed, in my case, currently—as school governors, and that's again an important category of people within the governance of schools having to weigh up these issues.

[31] **Ms Douglas:** We've had support from some school governors. We've raised the issues with our own individual schools in Pembrokeshire, and we've asked them to bring it forward at local authority level but that information isn't open to us. We've met as a group with the local authority on two occasions in Pembrokeshire, but they haven't been particularly forthcoming with keeping us involved in decision making or processes. We receive our information as parents, rather than in any other way, in the school bag.

[32] **William Powell:** There is some difference of emphasis, at least, in the two petitions that you bring forward. What action would you wish the Welsh Government to take, for example, in terms of the current guidance, as to whether it should be reviewed or, indeed, whether completely fresh guidance should be issued?

[33] **Ms Douglas:** I think the legislation is very clear and gives the flexibility that families and schools need. I think the all-Wales attendance framework enhances that. The concern is that at consortia level these bans or restrictions seem not to be founded in the legislation or in the all-Wales guidance. So, what we would like, really, would be for the Minister, who has stated his support for the legal position and the flexibility of headteachers, to pass that message on to the consortia and local authorities, and ensure the best practice is disseminated across Wales.

[34] **William Powell:** It seems that you've identified some really over zealous and rather irregular practice at the level of some of the consortia.

[35] **Ms Douglas:** And the lack of the evidence base is a deep concern, because these are educators—we expect them to hold to the highest standards of evidence base in their policy. This is what we're aspiring to for our children.

[36] **Ms Walpole-Wroe:** We actually do have some proposals, because we feel that, under the old system, it was a bit of a lottery as to how your particular headteacher felt. Sometimes you had a headteacher that would allow anything, others said 'no' to everything. So, although we were perfectly happy under the old system, we think that now there's the opportunity to change things a bit. We do actually have a list of proposals, because we're also concerned that it's all very well the education Minister having a chat with these people and slapping them on the wrist and saying, 'You've got to stop being naughty', but there are ways of slipping back

again. So, we actually do have a list of proposals here of things—alterations or guidelines that we would like introduced.

[37] We believe that school performance should be measured on attainment and value added to the pupils, not attendance statistics. Currently, headteachers are under too much pressure to keep attendance high and decline all requests, to the point of querying doctors' advice, which is not acceptable. Headteachers should be set strict guidelines for which they should allow absence during term time, and included, but not limited, to these. So, we feel that if parents know from the beginning that, if their children are within a certain set of parameters, they almost certainly will be given that permission, but that the headteachers should still have discretion to allow if the children aren't in those parameters as well—. So, it wouldn't be set to this, but they would almost certainly get the permission if they were within it.

[38] **William Powell:** Joyce, I believe you've got some questions directly on that point.

[39] **Joyce Watson:** Yes, I wanted to come in on—. Because you raised the issue about regional consortia, I wanted to come in and ask: providing that the regional consortia and local authorities are speaking the same language, in other words, they understand what is being asked of them, do you think that they then, in turn, should have a role within the school in giving advice, so that we can get some consistency of application of this particular legislation?

[40] **Ms Douglas:** It strikes me that the inconsistencies arise at a consortia and local authority level within the school. Clearly, headteachers have to exercise their judgment case by case, but their ability to do this is being limited by guidance from the consortia. And when we speak to the local authority about this, they say, 'We are only giving advice', but the headteachers tell us that they feel under obligation to abide by that advice. These are the bodies that are participating in their inspection, so it's advice in name only. So, I think perhaps we've had too much advice from the consortia to the schools, and the headteachers need to be empowered to use their statutory powers. Does that answer your question?

[41] **Joyce Watson:** I suppose it's a sort of chain of advice that we're looking to try and achieve.

[42] **Ms Walpole-Wroe:** Something that has really come across a lot is that teachers will say to us personally how terrible it all is and how upset they are; there are all kinds of things going on and all sorts of things that the consortia are piling on these teachers, not just our issues. I know of cases where teachers with 30 years' experience have broken down in tears in front of children in schools. But the one thing that comes across from all of these teachers is they'll talk to us off the record, but they are frightened for their jobs because of the pressure that is being put on them. They don't want to come out and say these things in public, because they are scared for their jobs and they're scared of being reprimanded. And, another thing, I sent a freedom of information request to every consortia in Wales, and one of the questions I asked was what qualifications do the people that run these consortia have—what educational experience and qualifications do they have that they should be put in these positions? And all of them came back and said that they wouldn't tell me, that it wasn't in the public interest to know. How can it not be in the public interest to know, or in a parent's interest to know, what experience or qualifications the person who is ultimately responsible for their child's education has? That I was disgusted at.

[43] **Joyce Watson:** Chair, we're going down another avenue here. With respect, that's another petition, and we were trying to get underneath this one. In terms of trying to get underneath this particular petition, you did make a claim, Bethany, that Welsh children have fewer holidays than their counterparts and that this legislation was making it even worse.

Now, there are lots of ideas as to why children do and don't take holidays, and what's even regarded as a holiday, as you yourself have said. Have you got any proof to back up that claim that Welsh children, as a consequence of this piece of legislation, now have fewer holidays?

[44] **Ms Walpole-Wroe:** Well, child poverty is at the highest in the UK, therefore, there is definitely less money circulating around the children of Wales, and this legislation means that the only time you're allowed to take your child on holiday is at a time when the holidays are about 60 per cent more expensive. The holiday I take my children on is to a caravan in Saundersfoot, so we're not talking a flash holiday here, although it's very nice, and that holiday costs me £400 the first week of the school holidays, as opposed to £250 the week before that. So, I would say you can draw your own conclusions as to whether children are being taken on holiday or not. If you're poverty-stricken—. When I take my children on holiday I have to consider strongly whether or not I buy them an ice cream down at the beach—whether or not I can afford it. I'm self-employed. I earn £3,000 a year. That means I don't qualify for free school meals. My children aren't actually classed as being poverty stricken because of that, but it's extremely difficult for me to take my children on holiday, and I only get to because my grandmother actually gives us a generous present at Christmas so we can afford to. So, I would say that you can draw your own conclusions as to whether Welsh children are being taken on holiday or not from that.

[45] **Ms Douglas:** It might also be early days, because the bans have started to come into force during the last school year. So, to be honest, what happens during this year might be the data we need to compare with what was happening a couple of years ago. So, we only have word of mouth. We don't have any strong data on that yet.

[46] **Joyce Watson:** Okay. Thanks.

[47] **William Powell:** Lindsay, you indicated.

[48] **Lindsay Whittle:** Thank you. Good morning. I have enormous sympathy with the vast majority, though I didn't quite agree with everything you said, but we're nearly there, so it's not worth the quibble. I'm the chairman of the local governors of my old school, and it's in very poor area indeed. I just want to ask do you think that it would perhaps be a benefit if we were to have different term times in Wales than they do in the rest of Britain? So, that would then really confuse these greedy—. I think it is good for children to travel. It doesn't have to be to sunny climes. It can be in cold Scotland or rainy Wales.

[49] **Ms Douglas:** That's a very good point, and there are pros and cons to this. This is what they're proposing in Cornwall and Devon, where they believe the tourism industry there has reported a loss of £87 million to the local economy from the term-time holiday ban in England, so significant effects. One of their proposals is to do as they do in France: stagger the term times. There are challenges with that, with siblings in different schools and families in different areas wanting to spend time together, but it's worth exploring, definitely.

[50] **Ms Walpole-Wroe:** You do have other issues as well in Cornwall, as with Ceredigion, where we're from. In Ceredigion, 60 per cent of families rely on the tourist trade for their income, or for a large chunk of it. Now, if you work in an ice cream parlour in Newquay, you can't take time off during the school holidays. It's just not going to be allowed. That's the busiest time. So, again, there are other issues. There are issues where maybe both parents work for the same company and it's a small company, and they can't get time off together. Again, there's an awful lot of competition. I used to work in a call centre for BT in Aberystwyth. There were over 100 of us there, and there was an absolute rucker scrummage, to be honest, to get the holidays, and to get to take time off during those six weeks. So, there are some people who, even if you did move the holidays around, still wouldn't be able to get



those holidays.

[51] **Lindsay Whittle:** You're not going to help those anyway, with respect, are you? If the company won't give the two partners the same—

[52] **Ms Walpole-Wroe:** Well, if they're at their busiest time and then they come into a quieter time, then they can. That's what I'm getting at.

[53] **Ms Weedon:** It's not necessarily if they are working at the same place. There are also just problems with people not getting time off at those times. There are also other things that come up. People might have had a tragedy in the family or something, and then they just need time off as a family. We actually had someone contact us, and the granddad was dying. They didn't take the children to see him because they couldn't take them out of school and they didn't want to go against the rules, and they were too late to see their granddad one last time. You know, that's—

[54] **William Powell:** Do you think there should be specific guidance around compassionate leave or that that should be strengthened in the light of what you've just said?

[55] **Ms Weedon:** Yes, to an extent, but it really comes down to the fact that only the headteacher will truly understand that child and their personal circumstances, and they need to have that flexibility to do that.

[56] **Ms Walpole-Wroe:** We've also had cases where schools and authorities have gone against doctors' advice. There's a lady in Tregaron whose son degloved his toe, and the doctor said he wasn't to go to school for five days afterwards because of the possibility of him having his foot trodden on. Can you imagine? Degloving the toe is pretty horrible anyway. A couple of days later, she was nipping into Lampeter, and she literally had one shop to go in. He came with her, and while she went I think it was into the bank for 15 minutes, he just sort of got out of the car and hobbled up and down the pavement, and a teacher from the school saw him and reported her. She's had letters from the truancy officer or attendance officer, or whatever they call them now. Also, when she got the letter, she rang up and spoke to the deputy head, and she asked, 'Does this mean I'm going to get fined for this?', and the deputy head said, 'This is the way it's heading'.

09:30

[57] They have actually dropped it now, but only because we heard about it and reported it to the *Cambrian News* and they were going to run it. Now, the school have backtracked. But that's the kind of thing that's going on. A doctor is saying, 'No, you mustn't send your child to school'. At the end of the day, if she took him into Lampeter and something had happened in Lampeter, that's between her and her doctor. It's not for the school to question that. You know, the school has been told by the doctor, 'No, he's not to go'.

[58] **William Powell:** It's beyond their remit.

[59] **Ms Walpole-Wroe:** Yes. So, they're poking their noses in where they really shouldn't, to be honest.

[60] **Ms Douglas:** Guidance could be useful in preventing poor practice. I don't think our families would like to see guidance that restricts the flexibility any further.

[61] **William Powell:** Okay. Russell George.

[62] **Russell George:** Thank you, Chair. Like Lindsay next to me, I agree with most of

what you've said this morning. In fact, my frustration is when I ask the Minister this question in the Chamber, he says, 'Well, yes, headteachers should have the say', and my assessment is, well, the local authorities through the consortia are just ignoring that advice. It does seem to be a bizarre situation, and was one of the reasons why I was quite keen that you came and gave evidence to this committee.

[63] Before I move on to a question on fixed-penalty notices, sometimes, some teachers put to me that it is difficult for them if children miss a week of their work because, when they come back, they have to then catch up and give that child special support. Then, that, of course, puts the other children who were there at a disadvantage. Have you got a view on that at all?

[64] **Ms Douglas:** I think what many parents say to us is, 'Give us the homework and give us the curriculum'. Most parents I speak to want to engage in their children's education. They're happy to take homework away or a project to do—something to work on. Children in classes all work at different levels. There's a lot of repetition that's important to learning. I really truly don't believe our system is so brittle it cannot manage the absence of a child for a week without detriment to the rest of the class. I think there are ways around this. Children will always be absent through illness, and teachers are skilled at managing this, working with everyone according to their level. When we look at the absence rates, they really, really drop in secondary school. As it comes closer to exams, as it gets more serious and complex, families take fewer holidays. But, at primary school level, I'd hope most of us would be fairly well equipped to support our children in learning.

[65] **Ms Walpole-Wroe:** Two of our proposals here are actually that primary school children, if they're given permission for time off, should make a presentation for the school for when they get back from their holiday—just a little five-minute presentation to give something by way of gaining from the holiday—and also that secondary school children should be given homework. I don't think there's a single parent who, if you said, 'Yes, you can have the leave, provided you do this', would kick up a fuss about it, to be honest. I think most parents would be glad they'd been given permission to go on the holiday. If they don't do it this year, then they get told they won't be given permission next year.

[66] **Russell George:** Am I right in thinking—. Well, in any case, the headteacher would make the decision, and if the headteacher thought that that child was so behind that he couldn't afford a holiday, then he would have the discretion, ultimately. That would be your view, as well.

[67] **Ms Walpole-Wroe:** Exactly. Yes.

[68] **Russell George:** On fixed-penalty notices, there is a view that if fixed-penalty notices were issued, or have been issued, then they would be less of a charge than the actual cost of the holiday not in term time. Therefore, parents would then look at it and say, 'Well, okay, it's cheaper actually just to pay the fine'. Is that a view that you've come across or has been presented to you?

[69] **Ms Walpole-Wroe:** Oh, yes. We've actually got record of a headteacher actually recommending to a parent that they do it and pay the fine anyway. We've actually got that in here. We'll leave this with you.

[70] **Ms Douglas:** The problem with that argument, though, is that increasing the fine isn't going to be helpful. As I'm sure you're well aware, Governors Wales, the Children, Young People and Education Committee here at the Welsh Assembly all opposed the implementation of fines. Professor Ken Reid had serious concerns about penalising children for absence when the children most likely to be absent are the children in difficult socioeconomic

circumstances.

[71] **Ms Walpole-Wroe:** You're penalising the poorer families to whom £60—or £180 if you've got three children—makes a big difference. You know, you're not penalising the parents who can actually afford to go abroad or whatever. They'll pay that extra £180. It's the people at the bottom of the pile that it's penalising.

[72] **Russell George:** What happens if somebody is fined and doesn't pay the fine? What happens then?

[73] **Ms Douglas:** Well, then they're criminalised. So, potentially, in the worst-case scenario, you could take absence perhaps for a funeral because you believe, in your judgment, it's important for your children. You could be fined and be unable to pay the fine, and you could find yourself criminalised. Situations like this have arisen in England, where they have had a term-time holiday ban for a year. I think it's important to separate penalty notices from term-time holiday bans, because there's nothing in our penalty notice legislation that particularly targets term-time holidays. These are two separate issues, both of which could warrant big discussions, I think. But the problem is they have been linked by the consortia, so people who are exercising their rights under the law to have some time off with the permission of the headteacher could end up being penalised.

[74] **Ms Walpole-Wroe:** It's fair enough to penalise parents if you don't know where their children are, and it turns out their children are out shoplifting or picking pockets in the local shopping centre. We have no problem whatever with them being penalised. But a parent who just wants to take their children to the beach for a week, that's a different situation, because those tend to be the parents who actually do care about their children, and that's why they want to take them on holiday. It's the negligent parents you need to be targeting, but they seem to be targeting the soft option all the time, which is the parents who actually do care. So, they're the ones who do tend to do as they're told.

[75] **Ms Weedon:** As Jane was saying with the funeral, it isn't always about holidays. It can be a wedding, a funeral, some family event—all sorts of things, but it's not always holidays.

[76] **Ms Douglas:** It's trying to carve out some family life with all the pressures the parents have, and then this is a pressure too far for many families.

[77] **William Powell:** Joyce, you've got a final question.

[78] **Joyce Watson:** Can I ask, finally, because we're getting to that time, whether you have actually managed to collect any information in terms of the extent to which schools across Wales are actually refusing to give any permission for leave?

[79] **Ms Douglas:** I think this is where we need your help. We don't have those kinds of resources or finances to communicate with all schools across Wales, and your power to gather data would be very, very useful.

[80] **Joyce Watson:** So you'd recommend that we look at that.

[81] **Ms Douglas:** I sent you my wish list of action points. I don't know which of those you can act on, but I think that's in there somewhere—to try and establish the evidence base, the impact on children and families' wellbeing, and our economy, because that also impacts children's wellbeing. We know poverty's associated with poorer attainment. You can't ignore that.

[82] **Joyce Watson:** If I could just—. Sorry. I'm just trying to get the answers to some of the questions. When I met you, which was a while ago, you mentioned, in terms of holidays not in term time, parents who are actually working in the holiday industry. Do you mention that here? They might be self-employed like yourself, or running their businesses. Do you mention that in here?

[83] **Ms Douglas:** Yes, absolutely. You'll find the detail in this paper. The families working in the tourist industries are under extra pressure. They've lost their shoulder seasons due to the term-time holiday bans. They have to work harder than ever to get their income in the school holidays. Their children may be spending time with grandparents, holiday clubs, et cetera during that time, so they're being hit financially and they're being hit personally in terms of loss of family life, and the economy as a whole. There are some figures in there about the value of the tourism industry to Wales, particularly rural Wales.

[84] **William Powell:** I think I'll take that as a really good wrap-up from your perspective, as a petitioner. I'll ask Bethany whether you've got any brief, final remarks to wrap up, and then we'll take things forward.

[85] **Ms Walpole-Wroe:** What we've found is that, other than in Flintshire and Anglesey, basically holidays are not being allowed. Certainly in the area consortium that we're under, holidays are not being allowed. It has been done as a blanket ban. There have been a lot of fines already. Obviously, we don't have a huge amount of time left, so if I can leave these, we do have a list of proposals here that we think would help.

[86] **William Powell:** We'd be very grateful.

[87] **Ms Walpole-Wroe:** There is also information in here—a selection of e-mails we've had from parents and teachers, some of them headteachers, and we also have graphs on any research we have done. We have done quite a few surveys and such like with some quite interesting information that could be read through afterwards, because I understand we're running out of time.

[88] **William Powell:** Excellent. Well, thank you very much indeed for providing such detailed evidence, and the impassioned but controlled way that you've delivered also, because clearly it's a matter that concerns you all greatly. I am able to confirm that we shall be calling the Minister in, and I understand that he's agreed, diary pressure being what it is, to come in November. Is that correct?

[89] **Mr George:** Yes, November.

[90] **William Powell:** Yes, a date that we will confirm. We'll also undertake to make every effort that we can to supplement the data that have already been provided so as to get additional value out of that evidence session. We shall share with you the transcript from today so that you can confirm it for accuracy, and that will obviously play a vital part in our next evidence session, which is going to be with the Minister, to take your petitions forward. So, diolch yn fawr iawn; thank you very much indeed for sparing the time to come to be with us today and for an excellent session. Thank you very much.

[91] **Ms Walpole-Wroe:** Shall we leave these?

[92] **William Powell:** Please, yes.

09:40

### **Deisebau Newydd New Petitions**

[93] **William Powell:** Good. We move now to agenda item 3: new petitions. We have as agenda item 3.1, P-04-642, 'Save The Filter—An Established Youth Stop Smoking and Prevention Service'. This petition was submitted by ASH Wales Cymru and collected 365 signatures, and we received it just last week.

[94] 'We the undersigned call upon the Welsh Government to fund The Filter – an established youth stop smoking and prevention service.'

[95] We've got a substantial body of additional information there, which is available to Members, and which ties in closely with the dialogue that we had with Jamie Matthews and fellow campaigners from ASH just last week, when we received it on the steps of the Senedd. A first consideration letter was sent to the Minister for Health and Social Services, and we've got a response from him, and that's available in our public papers today. As you'll see, the Minister's letter suggests that the Government is prepared to consider funding this valuable project, but would need more detail to flesh out that proposal, including supporting evidence. In addition to that, we've also got, already, a response from the petitioners, which includes a funding proposal, which has now been submitted to Welsh Government, for £342,220 to cover a two-and-a-half-year period. So, things have moved fairly rapidly, I think it's fair to say. I'd appreciate any steer from Members as to actions that you would advocate at this time. I think we probably need to be in touch with the Minister to judge his views on the proposal. Is that fair?

[96] **Joyce Watson:** I think so, yes.

[97] **William Powell:** Good. Thank you.

[98] We move to agenda item 3.2, P-04-634, 'End Exclusion in Schools for Children with No Religion'. This petition was submitted by Richard Martin and collected 43 signatures. I'll just give you a flavour of the petition, because it's obviously of very significant length.

[99] 'This petition seeks the support of the Minister for Education and Skills to provide a non-discriminatory education for children of no organised religion in Wales. This petition has been prompted after personal experience sending my own child to an excellent community primary school in Pontypridd. This school has fantastically supportive teachers and high quality teaching. However, like all community primaries in Wales, it is legally obliged to provide sessions of collective worship and occasionally exceeds its legal obligations under the law by bringing worship into the classroom, the lunch hall and school trips (to places like the Creationist Zoo, Noah's Ark Farm',

[100] which, as you'll recall, is the subject of an existing petition before this committee. The petitioner continues in a similar vein, as colleagues will have had the opportunity to read. On behalf of the committee, I've sent a first consideration letter to the Minister for Education and Skills, and we've got a response from the Minister—and it's a pretty emphatic response. So, I'd appreciate a steer from colleagues as to the best way forward here. Russell George has indicated.

[101] **Russell George:** Have the petitioners responded to the Minister's letter, Chair? They have, have they? I haven't seen that; sorry.

[102] **William Powell:** We have that additional information in our pack, yes. Joyce.

[103] **Joyce Watson:** I think there are two courses of action: the Minister has made it clear that he's not moving in this direction whatsoever, and we've had a counter letter to that, raising some issues, by the petitioner. I think we could close the petition, there's no doubt about that.

[104] **William Powell:** That would be an option, although possibly rather premature.

09:45

[105] **Joyce Watson:** But I think it would be fairer—

[106] **William Powell:** And consistent, to use your mantra.

[107] **Joyce Watson:**—to give the Minister an opportunity to respond to the information we have now received. So, that would be what I would suggest.

[108] **William Powell:** Would colleagues support that?

[109] **Russell George:** I would do, Chair, but I think in doing that we're heading towards closing the petition, just so that the petitioners are aware that we've probably gone as far as we can, but we will write to the Minister this one last time to ask for his views on the petition.

[110] **William Powell:** It's only fair that he should have the opportunity to see those points of rebuttal.

[111] **Lindsay Whittle:** It seems such a shame, because the letter is glowing about the school, and one incident of visiting—I don't know what Noah's ark farm is—

[112] **William Powell:** No; I've never been myself.

[113] **Lindsay Whittle:** One incident like that shouldn't spoil what is clearly a good education for the child.

[114] **William Powell:** It's obviously a matter of great concern to—

[115] **Lindsay Whittle:** It's over-egging the pudding, as far as I can see, but I don't know. And I respect the gentleman's views, and I'm not saying I'm 100 per cent disagreeing with him; in fact, I might be the other way.

[116] **William Powell:** Excellent. I think we've got an agreed action there, anyway, so thank you, colleagues.

[117] Moving to agenda item 3.3, P-04-644, 'The Future of Further Education'. This petition was submitted by University and College Union Wales and collected 2,047 signatures.

[118] 'We note the decision of the Welsh government to cut Further Education funding by £26m for the year 2015/16 and recognise that the 8% cut in the Welsh budget imposed by Westminster, has created financial challenges for Wales. However we fail to understand the decisions of Welsh Government to then allocate money from Westminster in a way that will cause great hardship to a key member of the "Education Family" in Wales. Colleges have dealt admirably with several years of successive funding cuts and we do not see how they can continue to deliver the remit expected of them by Welsh government. We also note the policy

of the Welsh Government to increase reliance on employer contributions to fund employee training, but are not convinced that this will be sufficient to plug the level of Government underfunding. In addition the 50% slash in funding to part time courses will decimate further education provision leaving thousands of adults without access to opportunities to improve their education or to retrain. It will also put hundreds of FE jobs at risk. Further education colleges in Wales have co-operated with Welsh Government over previous funding cuts and a series of mergers, but are now at breaking point. We call upon the Welsh Government not to implement these cuts and to invest properly in lifelong learning opportunities for all.’

[119] We’ve also got additional supportive information there to back up the petition. We also had the opportunity, which several Members took, to meet UCU representatives when they presented the petition on the steps of the Senedd back on Tuesday 30 June. The first consideration letter was sent to the Minister for Education and Skills, and the Deputy Minister for Skills and Technology, Julie James, has picked this up as it falls within her portfolio. We’ve got a detailed response in the public papers. We’ve also subsequently had quite a substantial dossier of information from UCU, which, potentially, we could and should share with the Minister. Russell George.

[120] **Russell George:** I think, Chair, there are two possible actions here. The Deputy Minister in her letter has suggested that the Confederation of British Industry and the Federation of Small Businesses could contribute, or businesses could contribute to the costs. So, I think if we write to those two organisations and ask for their views on that, I think that would be helpful to us.

[121] **William Powell:** Since they’ve been namechecked specifically.

[122] **Russell George:** Absolutely. And I think also we have to, of course, send the dossier of information to the Deputy Minister for her further comment.

[123] **William Powell:** Two distinct actions there, which I’m happy to take on on behalf of the committee. Thank you for agreeing to that.

[124] Agenda item 3.4 is P-04-646, ‘Petition against Welsh Draft Non-statutory Guidance for Local Authorities on Elective Home Education’. This petition was submitted by Lucy Bear and has collected 2,846 signatures.

[125] ‘In May 2014 the Welsh Assembly Government Minister for Education announced that new non-statutory guidelines would be drawn up for Elective Home Education, following consultation with home educating families. Draft guidelines have been published for consultation which do not reflect the previously strongly stated views of those home educating families. We believe that these draft guidelines are poorly written, misleading and likely to lead to further breakdown in relationships between home educating families and Local Authorities. We call upon the Welsh Assembly Government to retract the draft guidelines as not being fit for purpose. Instead local authorities should work towards demonstrating their knowledge of the existing law on home education, and adhere to the existing, clearly defined guidelines.’

[126] We are due to meet the petitioner with regard to this petition later today, and that will be a useful opportunity to engage with her on the issues. A first consideration letter has been sent to the Minister for Education and Skills, and indeed, his response is in our public papers today. The issue, of course, with regard to the consultation that the Minister references, is that the formal deadline has passed, but would Members be minded to ask the Minister to give consideration to this nevertheless, given the context and the strength of feeling? Joyce.

[127] **Joyce Watson:** Yes. I’m quite happy to do that. I wonder why they missed the

deadline of 3 July in any case. The Minister's made it clear that he's not withdrawing the consultation, because he can't negate everybody else's opportunity, which they've taken up. So, we can clearly see why that won't happen. Why it is the case that this petitioner missed that date, we don't know—

[128] **William Powell:** Maybe we'll have an opportunity to ask her in the wider context later.

[129] **Joyce Watson:** Indeed. But I think, quite clearly, to ask the Minister to consider their points is reasonable, and I'm sure that he will accept that. But I think, moving on from here, it would be a good thing if the Minister kept us apprised, and the petitioner informed, of any development that comes out of this consultation. I think those are the two things we could do.

[130] **William Powell:** Are colleagues content? I believe, as I said, that we can speak with Lucy Bear and any relevant colleagues later on. We've agreed on those actions.

[131] Agenda item 3.5 is P-04-647, 'Change the Adult Ticket Age from 16 to 18'. This petition was submitted by Harry Jacob Wood and collected 50 signatures.

[132] 'People under the age of 18 aren't considered adult. The price of an adult ticket for Arriva is obscene for people aged 16-17. It costs £2.60 for a one-way ticket to Cardiff from two stops away. Normally children aged 16- 17 would ask their parents for money for trains, buses etc. so why should we be made to pay a higher amount if we're still dependent on our parents to loan us money? We can't do other things like drive, drink, vote, so why should we pay a higher fare? I'm asking people to sign this petition to higher the age of the adult tickets as the real adult age is 18. According to the United Nations Convention on the rights of a child, this international law requires that the government acts in the best interests of the child, which is defined as anyone under the age of 18.'

[133] I sent an initial letter to the Minister for Economy, Science and Transport and we've got a clear and concise response from Mrs Edwina Hart. We've not, as yet, had any response from Mr Wood, and I think, probably, we should give him the opportunity to respond to Mrs Hart's letter. And also she's signposted him to the application process for a rail card, which, hopefully, he'll find useful. But, we'll chase up the petitioner's response in that case, if colleagues are happy.

[134] **Joyce Watson:** Agreed.

09:54

### **Y Wybodaeth Ddiweddaraf am Ddeisebau Blaenorol Updates to Previous Petitions**

[135] **William Powell:** We start with agenda item 4.1: P-04-625, 'Support for Safe Nursing Staffing Levels (Wales) Bill'. This petition was submitted by Richard Jones, MBE, and was first considered on 24 March this year, having collected 1,572 signatures. We recall the purpose and aims behind this piece of legislation. It's also particularly helpful that we've got Lindsay Whittle joining us today, because I think he's been in the front line of considering this piece of legislation in the context of his work with the Health and Social Care Committee. We, as a committee last considered this petition on 24 March, and we agreed to refer the petition to that committee, to take into account in drawing up their Stage 1 report on the Safe Nursing Staffing Levels (Wales) Bill, and also to keep us informed of progress and the point at which they close the petition. Now, the Health and Social Care Committee considered this petition back on 17 June and agreed to recommend, indeed, that the petition be closed. We've



got correspondence from David Rees, as you'll have seen, as Chair of the Health and Social Care Committee, to me and, indeed, to the petitioner, and that's available within the public papers. As you see, the petitioner has asked that the petition be kept open until the Bill reaches Stage 2 consideration, and that the committee recommends that Stage 2 commences as soon as possible. We're aware of the reasons for the delay in that Stage 2 consideration being because the Government has yet to table a financial resolution, which, obviously, is essential to the Bill moving forward. However, there's no reason to believe that a financial resolution will not be tabled, and the Bill will not therefore proceed to Stage 2 in the autumn. I think that's not regarded as being in doubt. Russell George, you've indicated.

[136] **Russell George:** Yes. I think the petitioner wants us to keep it open, but us keeping it open isn't going to change or have any influence at all, because I think, as a committee, our job is to make sure that this place—this institution—properly airs a petition and that the Government considers it, and we've done that. I just think we've allowed, through our committee, the relevant committee to consider the petition, which they have, and we've done about all we can as a committee. So, I think, given that, we'll have to close it, while informing the petitioner at the same time that keeping it open would serve no purpose, from our committee's point of view, in influencing the decision.

[137] **William Powell:** And that was the way in which we referred it across to the specialist subject committee.

[138] **Joyce Watson:** I agree. It's been interesting, it's been discussed at the relevant committee, it's gone as far as petitions can go, it's served its purpose, we've done our job, there's a further job that will be done with Stage 2, and this petition has no place within that. So, therefore, we will have to close it.

[139] **William Powell:** Thank you, Joyce. Could I give Lindsay the last word on this matter?

[140] **Lindsay Whittle:** Well, it wasn't treated unsympathetically in the committee, and there are many members of the health committee who, clearly, agree with Kirsty Williams's Bill, and we just now have to let that Bill run its course. But, the petition was certainly noted.

[141] **William Powell:** Absolutely, and we're grateful to your own committee for having taken that on, and taken on board fully the sentiments of Richard Jones and his fellow petitioners. So, in the context of the emerging consensus, I'd be very happy to write to Mr Jones, thanking him for engaging with us. It's clear that the petition has actually achieved much that it was seeking to do, in as far as is possible in the frame of this committee. So, thank you very much for confirming your views on that matter.

[142] Agenda item 4.2 is P-04-537, 'Planting Trees to Reduce Flooding'. The petition was submitted by Coed Cadw and first considered by us on 18 February 2014, having collected 2,708 signatures. Now, we last considered this on 12 May this year and agreed to share the petitioners' concerns with the Minister for Natural Resources, Carl Sargeant. We got quite a full response from the Minister, and we've, as yet, not received any comments from the petitioner on that ministerial feedback.

[143] **Russell George:** Can we bring this back to committee once we've got a response from the petitioner?

[144] **William Powell:** Absolutely. I think that's consistent with what we've done in the past. I also flag up that there are a number of petitions that, I think, find themselves in a similar place, where we've got feedback but we haven't had comment back from the petitioner.

[145] **Russell George:** Chair, can I move en bloc that we—?

[146] **William Powell:** Absolutely. Just for the record, I will indicate that they are: 4.3, which is the immediately following one, and agenda items 4.5, 4.6, 4.7, and, much later, 4.14. They're the petitions that are in that category. Okay. So, that relates to the planning powers petition also, which was submitted by St Mellons action group and was first considered by us on 13 May 2014, with the support of 41 signatures. In that case, again, we've got a ministerial response but we haven't heard from the petitioners. So, in the light of the en bloc agreement, we should move forward.

10:00

[147] Agenda item 4.4 is in a different state, and that is P-04-623, 'Improve the Provision of Disabled-friendly Housing in Wales'. This petition was submitted by Leonard Cheshire Disability and was first considered on 28 April, having collected 788 signatures. We last considered this on 28 April and agreed to seek further comments from the petitioners on the specific points raised in the Minister's letter and also to write to the Welsh Local Government Association to ask whether all local authorities are including the Welsh quality housing standard within their local development plans. The response from the petitioner to the Minister's letter is available, and I would welcome your thoughts as to how we best progress this. Clearly, we've got something to share there, so—

[148] **Joyce Watson:** Let's share that then.

[149] **Russell George:** I agree with Joyce; let's share that.

[150] **William Powell:** We'll seek the Minister's feedback on what's a really detailed and comprehensive letter.

[151] We'll move on to agenda item 4.5. I previously mentioned that we're awaiting correspondence from the petitioner, Mr Adam Riley, whose concerns are around saving Rhoose library. So, we await that as per our earlier agreement. We'll await feedback.

[152] On agenda item 4.6, P-04-363, 'Town Centre Improvement Scheme for Fishguard', that also falls within the category and we await views from councillor Robert Kilmister on the Minister's response, which is quite a substantial response and does seem to take the issue forward in some important points of detail. Okay, we're happy with that.

[153] On agenda item 4.7, P-04-416, 'North-South Rail Services', this petition was submitted by Neil Taylor and was first considered on 2 October 2012, with the support of 19 signatures. Again, we find ourselves having a ministerial response, but, as yet, no feedback from our petitioner. So, in light of our earlier agreement, we will go back to the petitioner for some additional views.

[154] Agenda item 4.8 is P-04-514, 'A Welsh clean coal and/or renewable energy power station instead of the proposed Wylfa B nuclear plant at Anglesey'. This petition was submitted by Sovereign Wales and was first considered on 26 November 2013, having collected 104 signatures. We recall the aspirations of the petitioner, and we also recall, I'm sure, that this was on the agenda of our most recent meeting, on 30 June, when we agreed to draw the petition informally to the attention of the chair of the Environment and Sustainability Committee, as we felt that, in the context of correspondence and its wider considerations, it had come close to the end of the road. However, there was an oversight there in that we had, in addition to that body of information submitted by Sovereign Wales, also had some correspondence directly and comments from the petitioner in addition to that—

that wasn't flagged last time. So, to be procedurally correct and in fairness to the petitioner, I draw colleagues' attention to that and seek your views as to how best to proceed. I think we probably still know where we are heading, but, Joyce, you've indicated.

[155] **Joyce Watson:** I think there are several issues here. One of the main ones is that lots of the issues raised aren't devolved, so we can't do anything about it. So, we can't discuss them—we can discuss them, but we can't change them. So, it's asking us to do something that we have no power over, and I think we've gone as far as we can with this particular petition. We've had a response from the Minister, saying that he'll take on board some of the comments and the devolved issues within it. In light of that, I would move, actually, to close the petition and draw that to the attention to the petitioner and give him the response, if he hasn't already had it, from the Minister.

[156] **William Powell:** And to share with the Minister the final comments that we missed last time.

[157] **Russell George:** I agree with that view, Chair.

[158] **William Powell:** Okay. I sense we've got a consensus on that one, and I shall write to Sovereign Wales, thanking them for their latest interaction with us as a committee on this important matter.

[159] Agenda item 4.9, P-04-459, 'A direct rail connection from Cardiff Airport to Cardiff central and west Wales'. This petition was also submitted by Sovereign Wales and first considered on 5 March 2013, with the support of 39 signatures. We last considered this on 12 May, when the committee agreed to seek further comments from the petitioner and then to consider closing it, in the context of the ministerial response that we've had with regard, again, to the issue not being devolved. The petitioner's response is available in our public papers. I think, probably, the recommendation there for us would be to share those comments from Sovereign Wales with the Minister.

[160] **Joyce Watson:** And close.

[161] **William Powell:** 'And close' is the recommendation from Joyce, and does that find favour with other Members also? Yes. Okay. So, again, I'll write to Sovereign Wales in that regard.

[162] Agenda item 4.10, P-04-539, 'Save Cardiff Coal Exchange'. This petition was submitted by John Avent and first considered on 11 March 2014, having collected 389 signatures. An associated petition on another website has collected 2,680 signatures. Now, I just recall that members of the committee last time met John Avent on location at Cardiff Coal Exchange and we undertook a site visit prior to the formal business of our last committee meeting. Prior to that site meeting, we last considered the petition on 12 May, and, as well as agreeing to the site meeting, which then subsequently happened, we also agreed to write to the Minister for Economy, Science and Transport, asking her to let the committee see the results of the initial feasibility study as soon as they're available, and also for further information on the process undertaken to select the contractors used for the feasibility study and, in particular, to enquire as to why Cadw contractors are not being drawn into this exercise. Now, we've got the Minister's response, but also some further substantial comments from the petitioner with regard to this matter. We'd very much appreciate any views—I'm conscious that of the Members currently present, apart from myself, it was Russell George who was present for the visit to the Coal Exchange and maybe some brief reflections on that would be appropriate—also, to consider how best to proceed with Mr Avent's latest comments.

[163] **Russell George:** Yes, thank you, Chair. It was very good to visit the Coal Exchange, eventually, when we did, but it was good to see something in physical form in our Petitions Committee to help us progress a petition. I think that the petitioner has written to us with a series of questions. I think we can, sort of, couch those in a certain way, ourselves, to the Minister rather than forwarding the e-mail—perhaps look at it and pull out some questions ourselves from that. The Minister wrote to us on 30 June, and she says she's happy to keep us updated, but perhaps what we could do is ask her when she would expect the report to come back to her. I think that would be helpful, just so we know where the timelines are.

[164] **William Powell:** Know what the timeline is, yes.

[165] **Joyce Watson:** Okay, agree.

[166] **William Powell:** I'll just put on record our thanks to Mr Avent and his colleague, who enabled us to have access to that really special building and to gain specific insights into the status of the building, and also to gather the level of public support from locals and people from across the world who are supportive of the wider cause. If you're happy to—

[167] **Lindsay Whittle:** I just wanted to say that it is strange that the Minister didn't use the existing expertise within Cadw as well. I'd be very interested to know—. I would have loved to have come on that visit, actually, and I'd love to see a copy of the report, although I'm not a permanent member of this committee.

[168] **William Powell:** No, but I'm sure that Mr Avent would be happy to afford a visit via the good offices of his colleague, if you and indeed other interested colleagues would like to take that on.

[169] **Lindsay Whittle:** But Cadw have their own experts, whose opinion would have been more than useful, I would have thought. I've seen in the past, from previous experience of working in local government, some reports saying that buildings are liable to fall down immediately and although those reports are from 40 years ago, I can still take you to those buildings and they're still there.

[170] **William Powell:** I think there's a degree of common ground between you and Mr Avent's reading of the situation, Lindsay. Okay, well I'd be happy to write to the Minister in that regard and also to put on record again our thanks to Mr Avent and his colleague.

[171] Agenda item 4.11 is P-04-556, 'No to Junction 41 closure'. This petition was submitted by Rose David and was first considered on 13 May 2014, with the support of 1,654 signatures. We recall the passions that have been raised by this particular closure. There was also a very memorable presentation involving Captain Beany and a whole host of fellow petitioners that still sticks in my mind, calling for a change of heart on the subject. The committee last considered the petition on 24 February, and we agreed to write to the Minister for Economy, Science and Transport to seek a response to the specific concerns outlined in the petitioner's correspondence, including some additional comments that we received on 23 February. Both the Minister's response and further comments from the petitioner are within our public papers today. There's particular curiosity, perhaps, that there's been a decision to review the findings of the survey but to maintain the closure. Clearly, it's a matter of some concern to the petitioners. I'd appreciate a steer from colleagues as to how best to take this one forward. Russell George, any thoughts on this one?

[172] **Russell George:** Well, I'm not that familiar with junction 41, but I think what we could do, Chair, is certainly present the petitioner's comments to the Minister and ask the Minister for her views on them. I think that's what we can do as a committee.

[173] **William Powell:** Yes, I think that's right. Also, I think we would be within our rights to request that the Minister give the committee sight of the advice received from officials that was the basis of her decision to continue the part-time closures. I don't know what kind of response we'll have, but we won't know if we don't write.

[174] **Russell George:** I'd be happy with that, Chair.

[175] **William Powell:** If colleagues are happy with that approach, will see what response is elicited.

[176] **Lindsay Whittle:** Could I ask whether it would be possible to ask the Minister why she, or whoever chose it, chose junction 41 to close, when we have other hotspots on the M4? There are the Brynglas tunnels and the several junctions that exist around Newport, so why was this one selected?

[177] **William Powell:** I'm sure we can build that specific question in also to the correspondence, so that we can get some clarity on that for you and others. Okay. Good.

[178] Agenda item 4.12 is P-04-578. It's another petition related to the impacts of motorways: 'Noise Mitigation Works on the M4 to the West of Junction 32'. This petition was submitted by Margaret Watt. It was first considered on 15 July 2014, and it's got the support of 19 signatures. It's calling on the National Assembly for Wales to,

[179] 'urge the Welsh Government to take action to reduce the noise from the M4 motorway to the west of junction 32 as it passes over the valley of the river Taff'.

[180] We last considered the petition on 12 May, and we agreed to write again to the Minister asking for an update on the latest position, including an estimate of when work to improve the situation for the petitioner is likely to take place, and also at that time to decline the request for a formal committee site visit, given the fact that the high level of noise is a given.

10:15

[181] Both the Minister's response and further comments from Margaret Watt are available in our public papers today. It's clear that Mrs Watt is particularly concerned that, in fact, she finds herself outside the zone where any mitigation work in the upcoming time is actually planned. So, that is clearly a matter that has exacerbated Mrs Watt's concerns. On possible actions here, Joyce, any thoughts as to the best way forward?

[182] **Joyce Watson:** No, not particularly.

[183] **William Powell:** We need to engage with the Minister, don't we?

[184] **Joyce Watson:** Yes, we could do that. Go back to the Minister, I think, with the views that have been expressed to us, and see if she has any response.

[185] **William Powell:** Yes. I would say that there's been some engagement in this matter as well from the local constituency Assembly Member, Mark Drakeford, who's very concerned about Mrs Watt's plight and would be very appreciative if, at some future time, the committee would consider or reconsider actually having a site visit, or maybe a rapporteur visit. So, that's something that we can keep as an option, maybe, for the future. But, I think we need, first of all, as Joyce has suggested, to seek the Minister's response to the latest comments from Mrs Watt. Are colleagues happy with that approach?

[186] **Joyce Watson:** Yes.

[187] **Russell George:** I would be happy with that, Chair. Yes.

[188] **William Powell:** Okay. Good. Moving to agenda item 4.13, P-04-599, 'Impact of Domestic Rating on Self Catering Accommodation'. This petition was last considered by the committee on 10 March of this year, when Members agreed to write to the Minister for Economy, Science and Transport, asking for an update and further clarification on a couple of points: whether work is in hand to amend the Non-domestic Rating (Definition of Domestic Property) (Wales) Order 2010, following the IRRV report and indeed subsequent consultation, as has been indicated to the Wales Tourism Alliance, and, in the light of this, to clarify the statement in the final paragraph of her letter of 10 October that,

[189] 'procedures that are currently in place are sufficient and no further action is required.'

[190] That's a fairly emphatic final statement there. Both the Minister's response to that and further comments from Mr Chris Harris, the petitioner, are in our public papers today. It's clear that Mr Harris is pleased to have his attention drawn to some of the actions that are in train, but would it be appropriate to share his comments and further questions with the Minister in the light of his ongoing concerns?

[191] **Joyce Watson:** I think so.

[192] **Russell George:** Yes.

[193] **William Powell:** I think that's certainly something that I'd be happy to do on behalf of the committee because there are some issues there that still need bottoming out, I believe.

[194] Agenda item 4.14 is P-04-581, 'Opposition to cuts in provision for learners of English as an Additional Language'. This petition, submitted by Helen Myers, first considered on 23 September 2014, has the support of 37 signatures. We last considered the petition on 23 May this year and agreed to write to the Minister for Education and Skills, asking for his comments on the content of Swansea city council's letter.

[195] **Russell George:** Sorry, Chair. Do we include this in part of our block?

[196] **William Powell:** Absolutely. I was just going to say. This is the final one that, as we agreed earlier, should be subject to a chaser letter to elicit petitioners' views on that response. So, we're still waiting. In the light of our earlier agreement, we should do just that. So, I'd be happy to undertake that on behalf of the committee.

[197] Agenda items 4.15 and 4.16 are P-04-399, 'Slaughter Practices', and P-04-433, 'CCTV in Slaughterhouses'. We've previously considered these in a group fashion because of the overlap between the subject matter and I propose that we continue to do so. P-04-399, 'Slaughter Practices', is a petition submitted by Royce Clifford, first considered on 19 June 2012, and has the support of 400 signature. If you recall, that calls upon the National Assembly for Wales,

[198] 'to urge the Welsh Government to ban the practise of slaughtering animals without pre-stunning them.'

[199] We've also got P-04-433, 'CCTV in Slaughterhouses'. This petition was submitted by Kate Fowler and first considered on 6 November 2012, having collected 1,066 signatures. It calls on the National Assembly for Wales,

[200] ‘to urge the Welsh Government to introduce mandatory CCTV in slaughterhouses to help vets with better regulation and monitoring, to provide footage for training and retraining, to deter some of the animal welfare abuses filmed by Animal Aid,’

[201] which is the sponsoring body,

[202] ‘and to provide evidence for prosecutions should they be necessary.’

[203] **Joyce Watson:** We’re awaiting responses, is that right?

[204] **William Powell:** Just to clarify this one—

[205] **Mr George:** We are awaiting responses.

[206] **William Powell:** We are awaiting responses from the petitioner, but there is also scope in it to ask the Deputy Minister to keep us apprised of the progress, and the content, of the FAWC’s opinion, because that’s something that she’d referred to in her correspondence. So, I’d be happy to do that.

[207] **Lindsay Whittle:** Is there a timescale? She says she’s reviewing its content. So, when?

[208] **Mr George:** The advice that’s been received—[*Inaudible.*]—from the FAWC, and I think it’s not just her, but also, probably, Ministers in the rest of the UK, or certainly in England, who are also considering it in tandem. There was no firm timetable. So, it might be useful to ask for that information as well.

[209] **Lindsay Whittle:** Yes.

[210] **William Powell:** Just for the record, to confirm that FAWC is the acronym for the Farm Animal Welfare Committee, which I should have referenced in the first place. That is the body that the clerk has advised that’s due to act to express the opinion. I’ve also become aware, in recent times, of the very strong level of activity in this field that the British Veterinary Association has undertaken—I think they’re represented on this committee—and they’re taking a very robust view, particularly in relation to the non-stun slaughter, and are actively involved in petitioning elsewhere on this topic. So, we need to chase the petitioners’ views on the Minister’s response, as Joyce correctly flagged, but we also should seek some clarity from the Deputy Minister, in terms of timetable. Are colleagues happy? Yes.

[211] Agenda item 4.17 is P-04-5552, ‘Child Protection’. This petition was submitted by Montessori Centre Wales and first considered by us on 13 May 2014. It has the support of 40 signatures. The committee last considered this on 30 June, and, given the Minister’s view that the matter is non-devolved, and that he has no powers to make the changes sought by the petition, we did request a brief from our legal adviser, which is available to us as a private paper, and pretty much confirms the view that was expressed at that meeting. Do Members have any comments, or questions, with regard to the brief?

[212] **Joyce Watson:** Yes.

[213] **William Powell:** Joyce.

[214] **Joyce Watson:** I had a lot of sympathy with this petition, and I still do have a lot of sympathy with this petition. And it falls on both sides, actually, in terms of the protection of those who the petitioner wants to protect—clearly, children and young people—but also, the other side, in terms of public figures having had a check, and then access to those young

people. So, I think it protects both groups of individuals. I note from the legislative framework that we don't actually have any powers to change anything, but we do have at our disposal the opportunity to try and influence, maybe, but that probably falls outside the remit of this particular committee, and it would be a completely different petition in that regard. So, I think the fact that we don't have the powers and we have to operate within that, we have no choice here but to close the petition. But that isn't to say, had the petition been worded slightly differently, we could've done something and taken it forward.

[215] **Lindsay Whittle:** I don't think it's true, Chair, to say that all—. I mean, I've had a DBS check and it's pinned on the noticeboard in my office if anybody wants to see it, so Caerphilly council does check its councillors, you see.

[216] **Joyce Watson:** Well, there you go.

[217] **Lindsay Whittle:** So, it's not true for all county councillors.

[218] **William Powell:** No, there does seem to be some variation—

[219] **Joyce Watson:** And I think that's important.

[220] **William Powell:** —some variation in practice.

[221] **William Powell:** It may be a little odd that we didn't draw this to the attention of the Chair of the Children, Young People and Education Committee. I don't know whether, in closing, it would, nevertheless, be appropriate to flag it, but in the spirit of your remarks, Joyce. We're very grateful for the clarity that the legal brief has provided that we are actually not in a position to undertake firm action. Nevertheless, the potential to influence elsewhere is still there. So, if colleagues are happy, I'd be prepared to write to the petitioner explaining the position, but also to share the text of the petition and some of the associated material with the Chair of that committee if colleagues are happy with that approach.

[222] **Joyce Watson:** I think that's a very good idea.

[223] **William Powell:** Good. That concludes this section of the agenda.

10:26

### **Cynnig o dan Reol Sefydlog 17.42 i Benderfynu Gwahardd y Cyhoedd o'r Cyfarfod**

#### **Motion under Standing Order 17.42 to Resolve to Exclude the Public from the Meeting**

*Cynnig:*

*Motion:*

*bod y pwyllgor yn penderfynu gwahardd y cyhoedd o weddill y cyfarfod yn unol â Rheol Sefydlog 17.42(vi).*

*that the committee resolves to exclude the public from the remainder of the meeting in accordance with Standing Order 17.42(vi).*

*Cynigiwyd y cynnig.*

*Motion moved.*

[224] **William Powell:** So, moving to agenda item 5, for the next items of business I move a motion under Standing Order 17.42 to resolve to exclude the public from the remainder of the meeting under items 6 and 7. Are Members content? Good.



*Derbyniwyd y cynnig.  
Motion agreed.*

*Daeth rhan gyhoeddus y cyfarfod i ben am 10:26.  
The public part of the meeting ended at 10:26.*