

## Y Pwyllgor Deisebau

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Lleoliad:  
**Ystafell Bwyllgora 1 – y Senedd**

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Dyddiad:  
**Dydd Mawrth, 21 Ionawr 2014**

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Amser:  
**09:00**

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Cynulliad  
Cenedlaethol  
Cymru

National  
Assembly for  
Wales



I gael rhagor o wybodaeth, cysylltwch a:

**Steve George**  
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## Agenda

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- 1 Cyflwyniad, ymddiheuriadau a dirprwyon**
- 2 Deisebau newydd (09.00 – 09.30)**
  - 2.1 P-04-524 Rheolaeth Gynllunio a'r Gymraeg (Tudalen 1)
  - 2.2 P-04-525 Ariannu Gwobrau CREST yng Nghymru (Tudalen 2)
  - 2.3 P-04-526 Gwnewch Senedd TV yn hygyrch i bobl fyddar (Tudalennau 3 - 5)
  - 2.4 P-04-527 Ymgyrch i gael Cronfa Cyffuriau Canser Arbennig yng Nghymru (Tudalen 6)
  - 2.5 P-04-528 Addysgu drwy gyfrwng y Gymraeg ym mhob ysgol gynradd yng Nghymru (Tudalen 7)
  - 2.6 P-04-529 Ombwdsmon Asiantaethau Gosod Tai ar gyfer Cymru (Tudalen 8)
  - 2.7 P-04-530 Labelu Dwyieithog (Tudalen 9)
  - 2.8 P-04-531 Ailenwi Maes Awyr Caerdydd ar ôl Eicon o Gymru (Tudalen 10)
- 3 Y wybodaeth ddiweddaraf am ddeisebau blaenorol (09.30 – 10.55)**

## Economi, Gwyddoniaeth a Thrafnidiaeth

- 3.1 P-04-373 Parthau Gwaharddedig o Amgylch Ysgolion ar gyfer Faniau Symudol

- sy'n Gwerthu Bwyd Poeth (Tudalennau 11 - 13)
- 3.2 P-04-506 Psys bws am ddim / teithio rhatach i'r rhai sy'n hawlio budd-daliadau, myfyrwyr a phobl o dan 18 oed (Tudalennau 14 - 24)

### **Diwylliant a Chwaraeon**

- 3.3 P-04-447 Ymgyrch am Gerflun o Harri'r Seithfed ym Mhenfro (Tudalennau 25 - 26)

### **Iechyd**

- 3.4 P-04-456 Dementia - Gallai hyn ddigwydd i chi (Tudalennau 27 - 29)
- 3.5 P-04-494 Rhaid sicrhau bod prostadectomi laparosgopig gyda chymorth robotig ar gael i ddynion yng Nghymru yn awr (Tudalennau 30 - 38)
- 3.6 P-04-520 Parthed Canslo pob Llawdriniaeth Orthopedig Ddewisol gan Fwrdd Iechyd Hywel Dda dros y Gaeaf 2013/14 (Tudalennau 39 - 53)

### **Addysg**

- 3.7 P-04-481 Cau'r bwlch ar gyfer disgyblion byddar yng Nghymru (Tudalennau 54 - 59)
- 3.8 P-04-516 I wneud gwyddor gwleidyddiaeth yn rhan orfodol o addysg (Tudalennau 60 - 63)
- 3.9 P-04-517 Atal Llywodraeth Cymru rhag cyflwyno system i fonitro plant sy'n dewis cael eu haddysgu gartref o dan wedd diogelu (Tudalennau 64 - 65)
- 3.10 P-04-522 Asbestos mewn Ysgolion (Tudalennau 66 - 68)

### **Cyfoeth Naturiol a Bwyd**

- 3.11 P-04-500 Galw am Reoleiddio Sefydliadau Lles Anifeiliaid yng Nghymru (Tudalennau 69 - 71)

### **Cymunedau a Threchu Tlodi**

- 3.12 P-04-511 Cefnogi'r safonau cyfranogaeth plant a phobl Ifanc (Tudalennau 72 - 77)

### **Llywodraeth Leol a Busnes y Llywodraeth**

- 3.13 P-04-482 Hysbysfyrddau cyhoeddus ar draws Cymru i roi gwybod i'r cyhoedd pwy yw eu cynrychiolwyr gwleidyddol (Saesneg yn unig) (Tudalennau 78 - 81)

### **Tai ac Adfywio**

- 3.14 P-04-519 Diddymu Taliadau Comisiwn wrth werthu Cartrefi mewn Parciau (Tudalennau 82 - 86)

### **Papur i'w nodi**

**4 P-03-262 Academi Heddwch Cymru (10.55 – 11.00) (Tudalennau  
87 - 88)**

# Eitem 2.1

## **P-04-524 Rheolaeth Gynllunio a r Gymraeg**

### **Geiriad y ddeiseb:**

Rydym ni, y rhai sydd wedi llofnodi isod, yn galw ar Gynulliad Cenedlaethol Cymru, tra bydd yn ystyried y Bil Diwygio Cynllunio, i gynnwys darpariaeth i wneud y defnydd o arwyddion dwyieithog yn ofyniad cyfreithiol mewn amodau cynllunio ar gyfer pob adeilad newydd yng Nghymru y bydd y cyhoedd yn cael mynediad iddo, drwy dalu neu beidio.

Gwybodaeth ychwanegol :

Dros hanner can mlynedd ar ôl i Gymdeithas yr Iaith Gymraeg ddechrau ar ei hymgyrch dros ddwyieithrwydd yng Nghymru, mae'r sector preifat yn parhau i fethu â chydymffurfio o bell ffordd. Mae angen deddfwriaeth er mwyn sicrhau bod y sector yn cydymffurfio â Pharagraff 13 o Nodyn Cyngor Technegol 20. Ni ddylai ymgyrchoedd unigol, fel yr ymgyrch Premier Inn, fod yn ofynnol oherwydd mae angen polisi cyffredinol sy'n trin y Gymraeg yn gyfartal yn y sector preifat

**Prif ddeisebydd:** Owain Arfon Jones

**Ysytirwyd am y tro cyntaf gan y Pwyllgor:** 21 Ionawr 2014

**Nifer y llofnodion:** 123

## **P-04-525 Rheolaeth Gynllunio a r Gymraeg**

### **Geiriad y ddeiseb:**

Yr ydym ni, sydd wedi llofnodi isod, yn galw ar Lywodraeth Cymru i ailgyflwyno'r cyllid sy'n ofynnol ar gyfer Gwobrau CREST yng Nghymru, ac rydym am i'r Academi Wyddoniaeth Genedlaethol gydnabod gwerth Gwobrau CREST i addysg gynradd ac uwchradd, a bod y cyllid sy'n ofynnol ar gyfer Gwobrau CREST yn parhau.

### **Gwybodaeth ychwanegol:**

Cynllun grant sy'n seiliedig ar brosiectau yw Gwobrau CREST, ar gyfer gwaith ym maes gwyddoniaeth, technoleg, peirianeg a mathemateg (pynciau STEM). Mae'n cysylltu myfyrwyr â dysgu sy'n seiliedig ar y cwricwlwm. Y llynedd, roedd 30,000 wedi cymryd rhan yn y cynllun Gwobrau CREST yn y DU, gan gynnig cyfleoedd i bobl ifanc rhwng 5 ac 19 oed ymchwilio i brosiectau yn y byd o'u cwmpas mewn dull cyffrous. Rhoddwyd dros 10% o Wobrau'r DU i ddisgyblion yng Nghymru. Mae llwyddiant y cynnydd yn nifer y Gwobrau CREST yng Nghymru wedi'i gyflawni gyda chyllid a roddwyd gan Lywodraeth Cymru (yr Academi Wyddoniaeth Genedlaethol) i gydgyssylltu a chynyddu'r gweithgareddau yn ysgolion Cymru. Mae'r arian hwn wedi golygu bod modd cynnig y cynllun yn ddwyieithog, cyfrannu at ffi gofrestru'r disgyblion, rhoi grantiau, a darparu strwythurau ategol eraill drwy'r cynllun Gweld Gwyddoniaeth. Mae Gwobrau CREST wedi dod â chryn fudd i ysgolion, a bydd y disgyblion a'r staff addysgu, fel ei gilydd, yn teimlo'r golled yn uniongyrchol pe byddai'r cyllid yn cael ei dynnu'n ôl. Mae Gwobrau CREST yn cael eu cydnabod gan holl Brifysgolion y DU, ac maent yn darparu tystiolaeth gadarn o ddata cyd-destunol.

**Prif ddeisebydd:** See Science - British Science Association

**Ysytiriwyd am y tro cyntaf gan y Pwyllgor:** 21 Ionawr 2014

**Nifer y llofnodion:** 210

# Eitem 2.3

## **P-04-526 Gwnewch Senedd TV yn hygyrch i bobl fyddar**

### **Geiriad y ddeiseb:**

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i ddarparu gwasanaeth isdeitlo ac iaith arwyddion pan fydd dadleuon a thrafodion y Cynulliad yn cael eu darlledu ar y teledu, er mwyn i'r 300,000 o bobl sydd â byddardod a nam ar y clyw yng Nghymru ddilyn y broses ddemocrataidd fel pobl eraill.

**Prif ddeisebydd:** Mervyn James

**Ysytirwyd am y tro cyntaf gan y Pwyllgor:** 21 Ionawr 2014

**Nifer y llofnodion:** 25

**P-04-526 Please make Senedd TV accessible to deaf people –  
Correspondence from Petitioner to Committee, 08.01.13.**

Kayleigh Driscoll

Dirprwy Clerc y Pwyllgor DeisebauPetitions

Committee Deputy Clerk

RE petition by Mervyn James

***"We call upon the National Assembly for Wales to provide subtitling and signed language access to televised debates and proceedings, to enable the 300,000 with hearing loss and deafness in Wales to follow the democratic processes hearing people already enjoy."***

To the members of the petition committee.

When I first informed my deaf peers, that I was setting up a petition for access to televised Assembly proceedings, their first response was derision. Most said "Surely there are more important petitions you could set up for us, than accessing a boring political session on a TV ? what for ?"

I explained that the welsh assembly makes major decisions on what affects deaf welsh and hard of hearing lives, much more now we have a devolved administration. The next response was "What does the Assembly do anyway ? Everything comes from Westminster not Wales, what does an 'assembly' do ? is it about Welsh speakers? we can't do that..." I tried to explain that was my primary reason for asking for access to what goes on at the Assembly, to raise awareness of what the Assembly is, and what it does, and television being a visual medium, is a prime area of raising that awareness. Many of my peers never vote, don't know what the Assembly does, we never see politicians at our deaf clubs or anywhere else, and when it comes to voting, we never get told who stands for what, or why they stand, we are almost completely divorced from the democratic voting process.

I based my petition on initially seeing 'Parliament TV' on the BBC, which aired welsh assembly issues, only then did I know, Senedd TV existed. It very rapidly became clear both were pointless in respect to our area of disability, as there wasn't any medium of viable access to either. The Assembly website was riddled with confusions and didn't work with different systems deaf used online. The site is not accessible really, and riddled with sensory impairment comments that cover different areas we want information on, we just cannot locate what we need, and search options and terms made using the site pretty pointless, and very difficult to negotiate. There appeared no distinction between the deaf culture, and deaf as a medical term, or options on accessing formats. I just feel we are no part of what goes on.

**I fully understand the cost issues**, but it is costing the assembly nothing, because we get nothing. I believe that isn't the right way to go. I think it would be useful for the assembly to adopt as soon as possible, televised/subtitled access to the cross party committees and areas e.g. that deal directly with our issues, be they health or

whatever vital areas of our lives. I believe Senedd TV can do that, for a starting point, albeit the camera work would need to be changed so that faces can be seen better. I have read since some suggestion of access might occur, I don't deal really with maybe's and prefer a time scale. One Senedd program showed a chair leg for 7 minutes..... there seems an half-hearted attempt to use the media properly. Subtitling is very easy a service to provide, in an amateur way via youtube, I can do this myself quite easily, it should be well within the Assembly's expertise to do it. However **do NOT rely on google captions** to interpret the spoken word for us, it does not work ! So posting to youtube is not access unless in-vision captions are already on them.

With regards to the televised proceedings via the BBC, I think the welsh assembly can make it clear, coverage of the Assembly should conform with our access needs, at present there is some arbitrary 'minimum viewer base requirement' stated by Ofcom/BBC and supported by AOHL, that excludes us, because they demanded 9 times the actual welsh deaf population as viewers, for access to happen. It also ignored a very basic fact, we could never BE viewers unless we had the access first. You don't get demand without access. As it is, we don't get consulted on major issues for the same reason. This unfairly penalizes us because we cannot hear. I believe the Welsh Assembly can fight our corner, by telling the BBC it cannot cover proceedings outside Wales unless our access is there. This makes the Welsh Assembly complicit in discriminating against our access, to the democratic process, and especially if the Assembly e.g. was taking a fee from the BBC. Support for our access will be seen by deaf and HI in wales as very real support. I do not believe it unreasonable to ask for selective coverage of areas that concern us direct as a start point. Unless I get others to check I have no idea who is saying what on my behalf either. It is a policy of the systems and the 'state' operating to our exclusion. Some of want to know what is going on, as averse to other deaf feeling, what is the point we don't have the access ?

We have I think, an inherent right to know what our Assembly is saying and doing on our behalf, and hope the committee can appreciate why this petition asks for the access it has done. At this point I am not asking for sign language access, as basically subtitling or captions is the most accessible format for deaf people, and will more effectively reach the majority of the 300,000 in Wales currently excluded.. At this point also, I am uncertain of dual language approaches. In mitigation, I think using the welsh language subtitling would only work if the Assembly did two subtitled versions of the same thing, which I think the Assembly would feel cost prohibitive.... Welsh language already gets support, we don't, and factually, no deaf people can speak or read welsh, their education does not include it.. I would urge committee members to support an access to Senedd TV on the basis of my petition.

Thank you

Mr Mervyn James (Profoundly deaf), Newport, Gwent.



## **P-04-527 Ymgyrch i gael Cronfa Cyffuriau Canser Arbennig yng Nghymru**

### **Geiriad y ddeiseb:**

Un o drigolion ein tref yw Beth Margetson ac mae clefyd ofnadwy wedi bwrw cysgod dros ei bywyd, sef cancer. Bydd cancer yn effeithio ar un o bob tri ohonom rywbryd yn ein bywydau. Bydd llawer yn goroesi, ond yn achos llawer, fel Beth, bydd y clefyd yn gwaethygu, ac ni fyddant yn gallu cael gafael ar y triniaethau diweddaraf nad ydynt wedi'u cymeradwyo gan NICE, er bod modd i gleifion yn Lloegr a'r Alban gael gafael ar driniaeth drwy gronfa cyffuriau cancer. Nid oes cronfa o'r fath ar gael yng Nghymru, ac eto rhoddir dros 74 miliwn o bresgripsiynau am ddim yn y wlad bob blwyddyn, sy'n costio mwy na £550 miliwn i'r GIG yng Nghymru. Felly, rydym yn gofyn i Lywodraeth Cymru gyflwyno ffi fechan (e.e. £1.00) am bresgripsiynau er mwyn defnyddio'r arian i sefydlu cronfa cyffuriau cancer yng Nghymru fel y gall pobl fel Beth, a channoedd o bobl eraill tebyg, o leiaf gael cyfle i roi cynnig ar rywbeth sydd wedi'i wrthod iddynt ar hyn o bryd, yn wahanol i bobl yn Lloegr a'r Alban.

**Prif ddeisebydd:** Cllr Sean Aspey

**Ysytiriwyd am y tro cyntaf gan y Pwyllgor:** 21 Ionawr 2014

**Nifer y llofnodion:** tbc

# Eitem 2.5

## **P-04-528 Addysgu drwy gyfrwng y Gymraeg ym mhob ysgol gynradd yng Nghymru**

### **Geiriad y ddeiseb:**

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i sicrhau bod pob ysgol gynradd yng Nghymru yn addysgu drwy gyfrwng y Gymraeg. Os ydym ni a Chynulliad Cymru yn wirioneddol ymrwymedig i adfer yr iaith Gymraeg a chreu Cymru ddwyieithog, mae angen gweithredu. Rwy'n cytuno nad oes modd gwneud hynny dros nos; mae materion fel niferoedd athrawon a'r mater o'r cyfnod o drosi'r ysgolion o fod yn rhai cyfrwng Saesneg i fod yn rhai cyfrwng Cymraeg. Mae Cynulliad Cymru wedi pwysleisio pwysigrwydd cael cymunedau o siaradwyr Cymraeg. Bydd hynny ond yn digwydd os bydd mwyafrif y plant sy'n gadael ysgol dros sawl cenedlaeth yn gallu siarad Cymraeg yn rhugl.

**Prif ddeisebydd:** Phillip Worth

**Ysytirwyd am y tro cyntaf gan y Pwyllgor:** 21 Ionawr 2014

**Nifer y llofnodion:** tbc

## **P-04-529 Ombwdsmon Asiantaethau Gosod Tai ar gyfer Cymru**

### **Geiriad y ddeiseb:**

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i roi Ombwdsmon Asiantaethau Gosod Tai i bobl Cymru drwy gynnwys y mater hwn yn ei Bil Tai.

Bydd ombwdsmon yn rhoi canllawiau, a gyhoeddir gan Lywodraeth Cymru, i bobl ynghylch beth yw eu hawliau fel tenantiaid. Bydd y canllawiau hyn yn dweud wrthynt sut i gwyno'n uniongyrchol drwy weithdrefn gwyno'r asiantaethau gosod tai, a phan fyddant wedi gwneud popeth sy'n bosibl i geisio cael ateb, gallant ofyn i'r Ombwdsmon gymryd yr awenau a gweithredu.

**Prif ddeisebydd:** Let Down in Cardiff

**Ysytiriwyd am y tro cyntaf gan y Pwyllgor:** 21 Ionawr 2014

**Nifer y llofnodion:** tbc

# Eitem 2.7

## **P-04-530 Labelu Dwyieithog**

### **Geiriad y ddeiseb:**

Fel pob gwlad gwerth ei halen sy'n ddwyieithog yn swyddogol, (fel Canada), mae angen deddfwriaeth ar Gymru i sicrhau bod yr holl gynhyrchion bwyd a werthir yng Nghymru yn cael eu labelu yn Gymraeg a Saesneg. Rydym felly'n galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i ddod â deddfwriaeth o'r fath i rym heb ormod o oedi

**Prif ddeisebydd:** Simon Foster

**Ysytyriwyd am y tro cyntaf gan y Pwyllgor:** 21 Ionawr 2014

**Nifer y llofnodion:** tbc

## **P-04-531 Ailenwi Maes Awyr Caerdydd ar ôl Eicon o Gymru**

### **Geiriad y ddeiseb:**

Rydym yn galw ar Lywodraeth Cymru i roi enw newydd i Faes Awyr Caerdydd, sef Maes Awyr Rhyngwladol Cymru Robert Owen, ar ôl arwr y Symudiad Cydweithredol yng Nghymru.

Gwybodaeth ychwanegol: Mae maes awyr modern yn hanfodol os yw Cymru am fod yn wlad wirioneddol ryngwladol. Petai'r maes awyr a'r ardal fenter o'i amgylch yn cael eu marchnata o dan frand Robert Owen, byddai'n rhoi apêl fyd-eang iddynt ac yn rhoi hwb i'r ardal gyfagos drwy greu swyddi a chynhyrchu masnach.

**Prif ddeisebydd:** Mr. Justin Lilley

**Ysytirwyd am y tro cyntaf gan y Pwyllgor:** 21 Ionawr 2014

**Nifer y llofnodion:** 11

# Eitem 3.1

## **P-04-373 Atal Faniau Symudol Bwydydd Cyflym rhag gweithredu mewn ardaloedd Ysgolion**

### **Geiriad y ddeiseb:**

Mae'r Deisebwyr yn galw ar Lywodraeth Cymru i ystyried deddfwriaeth i atal Faniau Symudol Bwydydd Cyflym rhag gweithredu o fewn 400 metr i bob ysgol yng Nghymru, a hynny rhwng 08.00 a 16.30 o ddydd Llun i ddydd Gwener yn ystod y tymor.

**Prif ddeisebydd:** Arfon Jones

**Ystyriwyd gan y Pwyllgor am y tro cyntaf:** 13 Mawrth 2012

**Nifer y deisebwyr:** 43

**Gwybodaeth ategol:** Mae Cyngor Wrecsam yn ddiweddar wedi cytuno ar nodyn Cyfarwyddyd Cynllunio sy'n dweud: Ni ddylai Mannau Gwerthu Bwydydd Poeth Cyflym newydd gael eu lleoli... o fewn 400 metr i ffin ysgol neu goleg trydyddol. Ni ellir defnyddio amodau cynllunio i gyfyngu defnyddio cerbydau symudol bwydydd cyflym, ac os ydynt yn cydymffurfio â rheoliadau priffyrdd ac iechyd yr amgylchedd, gallant weithredu heb drwydded. Dadleuir, felly, y bydd deddfu fel yr awgrymir yn hyrwyddo nod cymdeithasol o leihau faint o fwydydd afiach rhad sydd ar gael i blant, yn lleihau gordewdra ac yn hyrwyddo bwyta iach.

Edwina Hart MBE CStJ AC / AM  
Gweinidog yr Economi, Gwyddoniaeth a Thrafnidiaeth  
Minister for Economy, Science and Transport



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref P-04-373  
Ein cvf/Our ref EH/03115/13

William Powell AM  
AM for Mid & West Wales  
Chair Petitions Committee

committeebusiness@Wales.gsi.gov.uk

03 October 2013

Dear William,

Thank you for your request for an update on your trading in lay-bys petition.

Work is on-going to develop a policy for trading in lay-bys. Consultation with key stakeholders has commenced but will take longer than first envisaged due to the complexity of the issue. I hope to make a decision on this policy by the end of October 2013 and will write to you further then.



Eich cyf/Your ref P-04-373  
Ein cyf/Our ref EH/03115/13

William Powell AM  
Chair Petitions Committee

committeebusiness@Wales.gsi.gov.uk

17 December 2013

Dear William

Thank you for your request for an update on your trading in lay-bys petition.

Further to my letter dated 3 October 2013, I have been considering the issues, including the advantages and disadvantages of each option for addressing trading in lay-bys across the trunk road network in Wales.

In order to introduce a consistent policy across Wales, I am considering the possible phased introduction of licencing at existing sites, combined with a prioritised lay-by upgrade programme. Whilst this would incur additional expenditure, this would enable us to allow existing traders to remain in business, address the long term safety issues, control the potential adverse effects of trading in lay-bys and facilitate the development of new services for road users.

However, before taking a formal decision on this, I wish to seek the views of social partners, in particular the Federation of Small Businesses.

I will write to you again later next month once I have received their views.



### **P-04-506 Pasys bws am ddim / teithio rhatach i'r rhai sy'n hawlio budd-daliadau, myfyrwyr a phobl o dan 18 oed**

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

Rwy'n byw mewn ardal lle mae gan dirfeddianwyr cyfoethog a rhai sy'n berchen ar eu tai basys i deithio ar fysiau am ddim o ganlyniad i'w hoed, wrth i'r rhai sy'n hawlio budd-daliadau ychydig filltiroedd i ffwrdd orfod talu er mwyn cael eu budd-daliadau. Dyma esiampl arall o godi tâl ar y rhai sy'n dlawd ac sy'n agored i niwed am wasanaeth cyhoeddus sy'n hanfodol i'w bywydau bob dydd. Mae hynny'n annheg ac yn anghyfiawn. Er mwyn datrys y sefyllfa hon rwy'n cyflwyno deiseb i Gynulliad Cymru yn galw arni i sefydlu cynllun ar gyfer y rhai tlawd ac agored i niwed yn ein cymdeithas i gael gwasanaethau bws am ddim yng Nghymru a thocynnau trên rhatach. Gellir cyllido hyn yn rhwydd drwy drosglwyddo'r budd-daliadau sydd ar hyn o bryd yn cael eu gwastraffu ar aelodau cyfoethog cymdeithas i eraill.

#### **Gwybodaeth ychwanegol:**

Os bydd y cynllun hwn yn cael ei fabwysiadu bydd yn helpu **r tlawd yng Nghymru** i gael yr hawl dynol sylfaenol i deithio a defnyddio gwasanaethau lleol. Yn ychwanegol, bydd yn: gwella **r amgylchedd drwy leihau allyriadau** CO<sub>2</sub>; annog defnydd o drafnidiaeth gyhoeddus a chynyddu **r nifer sy'n ei defnyddio**; gwella lles emosiynol; hybu cyfleoedd cyflogaeth i **r di-waith**; cynorthwyo pobl i gael mynediad at wasanaethau iechyd sylfaenol ac yn dangos yr angen am system drafnidiaeth integredig (wedi ei gwladoli unwaith eto).

**Prif ddeisebydd:** Mark Griffiths

**Ysytirwyd am y tro cyntaf gan y Pwyllgor:** 8 Hydref 2013

**Nifer y llofnodion :** 60

Edwina Hart MBE CStJ AC / AM  
Gweinidog yr Economi, Gwyddoniaeth a Thrafnidiaeth  
Minister for Economy, Science and Transport



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref P-04-506  
Ein cyf/Our ref EH/03607/13

William Powell AM

[committeebusiness@Wales.gsi.gov.uk](mailto:committeebusiness@Wales.gsi.gov.uk)

11 November 2013

Dear William,

Thank you for your letter of 23 October enclosing details of the Petition received from Mark Griffiths about the Welsh Government's concessionary bus and train travel schemes.

Our free bus travel scheme remains one of the Welsh Government's flagship achievements. Currently, there are more than 700,00 pass holders throughout Wales who not only benefit from being able to undertake their day-to-day activities without worrying about the cost, but also use the buses to boost their wellbeing. In doing so, there are fewer cars on the roads, reduced traffic congestion and lower emissions.

The qualifying criteria removes any stigma which may be attached to pass holders. Means testing would be potentially expensive and could run the risk of existing pass holders returning to relying exclusively on their cars for personal travel.

I have no plans to extend the scheme as the petitioners suggest. However, I am sympathetic to the principle and will keep this issue under review subject to additional funding becoming available.

For the rail network, we have been providing a complementary concessionary service where there is limited bus provision on some lines. More detailed information of these services can be found at:

<http://www.arrivatrainswales.co.uk/concessionarytravel>

Arriva Trains Wales offer several different railcards offering discounted travel for passengers. More information can be found at:

<http://www.arrivatrainswales.co.uk/ATWRailcards/>

As part of our Programme for Government, the Welsh Government is committed to providing affordable and accessible public transport services through the Regional Transport Consortia and local authorities. I am reviewing the commitments in the current National and Regional Transport Plans in the light of future budgets and the need to ensure alignment with economic development priorities.

A handwritten signature in black ink, appearing to be 'L. Jones', is located in the lower-left quadrant of the page.



**SWWITCH**

e.mail: [Rworkman@carmarthenshire.gov.uk](mailto:Rworkman@carmarthenshire.gov.uk)

e.bost:

Your ref:  
Eich Cyf:

Our ref:  
Ein Cyf:

Direct Line: 01267 224647 Date: 11/11/13

This matter is being dealt with by: Richard Workman  
Trafodir y mater hwn gan: Director of Technical Services, Carmarthenshire County Council, County Hall, Carmarthen, SA31 1LZ

William Powell AM  
Chair of the Petitions Committee  
National Assembly for Wales  
Cardiff Bay  
CARDIFF  
CF99 1NA

Dear William,

**PETITIONS COMMITTEE – REVISION TO CONCESSIONARY FARES SCHEME**

Thank you for your letter dated 23<sup>rd</sup> October and SWWITCH notes the petition from Mr Mark Griffiths. This petition seeks to move away from the current situation where free concessionary bus travel is available to all citizens aged over 60 in Wales (and also to those with some mobility issues) to one which is targeted at needy residents of any age.

SWWITCH is keen to see more people using public transport to access a wide range of services and facilities including employment, training, health care and social and leisure activities.

The current all Wales scheme costs in excess of £70m per annum and this funding is currently under review. It is highly unlikely that the range of beneficiaries could be extended without moving the current universal benefit to a system where applicants are means tested, or the benefit is restricted in some way.

That would be a political decision and it is not appropriate for SWWITCH to comment further on the benefits or otherwise of any such decision.

Yours sincerely

**Richard Workman**  
**SWWITCH Lead Chief Officer**

Uned Rheolaeth  
Gorsaf y Fflint  
Y Farchnad, Y Fflint  
Sir y Fflint. CH6 5NW

Management Unit  
Flint Station  
Market Square, Flint  
Flintshire. CH6 5NW

Ffôn/Tel 01352 704561  
Ffacs/Fax 01352 704560



Gweithio ar gyfer trafndiaeth integredig yng Ngogledd Cymru  
Working for integrated transport in North Wales

Gofynnwch am / Ask for: **Cllr Mike Priestley**  
Rhif ffôn / Telephone: **01352 704561**  
Ein Cyf / Our Ref: **Cllr MP/CLH**

12th November 2013

William Powell AC/AM  
Chair  
Petitions Committee  
National Assembly for Wales  
Cardiff Bay  
Cardiff  
CF99 1NA

Dear Bill

Thank you for your letter of the 23 October regarding the petition received from Mr Mark Griffiths on concessionary fares eligibility criteria.

The Cerdyn Cymru concessionary bus pass is administered by local authorities on behalf of Welsh Government (WG), utilising powers contained in the Transport Act 2000. The statutory definitions for disability are set out in section 146 of the 2000 Act. Each local authority in Wales is required to issue a bus pass to eligible persons as defined in the most up to date version of the Eligibility Guidance issued by Welsh Government. The latest version of 'A Common Approach to Eligibility' being in force since 1 April this year. This guidance is largely unchanged from previous versions which reflect the 'Mandatory Travel Concessions (Reimbursement Arrangements) (Wales) Regulations 2001' and contains seven categories of disability which meet the criteria for eligibility to receive a bus pass.

As it stands the concession is available to persons over the age of 60 and persons with certain disabilities as specified in the guidance. For the concession to be extended to the poor and vulnerable it would require WG to amend the eligibility criteria. This could be done by utilising section 147 of the Transport Act 2000, which gives the Welsh Government powers to amend section 145 and 146 of the Act to extend the concession to 'persons of a specified description'.

Any decision to extend the scheme eligibility and as such extend the scope of the reimbursement criteria for local authorities would need to be taken by the Welsh Government.

William Powell AC/AM  
12 November 2013

In addition there are also concessions available on rail services for Senior, Disabled and Young People through the UK Wide Railcard schemes. We accept that there are differences in availability of concessions between the rail and bus networks and ideally there would be similar concessions on each network. We recognise the substantial additional costs this would generate, which would be difficult to accommodate in the current financial climate.

We believe that there is scope for a review of the eligibility criteria for concessionary travel. This is, however, for the Welsh Government to consider given the current legislative position.

Some analysis has been done of concessionary schemes in other parts of the World and some information on different eligibility schemes is attached to this response for information only.

TAITH would be pleased to contribute further to any further debate on concessionary fares eligibility within Wales.

Yours sincerely

A handwritten signature in black ink, appearing to read 'M Priestley', is written over a faint, light-colored rectangular stamp or watermark.

Councillor Mike Priestley  
Chair of Taith

Place	Persons 60 to 64	Persons 65 and over	Persons 16 to 18	Disabled Persons	Low Income Persons
Wales	Free	Free	limited discount (+ some discounts for students)	Free	No discount
Northern Ireland	Free	Free (also to and within Republic of Ireland if over 65)	No Discount	50% discount	No Discount
Belgrade, Serbia	65% discount for women only	Free	Approx. 65% discount for students	65% discount or free (depending upon type)	65% discount (registered unemployed)
Philadelphia, Pennsylvania USA	No discount	Free	Student discounts (depends on institution)	Approx. 50% discount	No discount
Columbus, Ohio USA	No discount	50% discount	Summer youth pass and student programmes	50% discount	No discount
Longueil, Quebec (Canada)	No discount	40% discount (some municipalities have 80% discount at off peak)	40% discount (students only)	No discount	No discount
Vancouver, British Columbia (Canada)	No discount	36% discount	36% discount (students only)	36% discount	No discount
Lille, France	No discount	20% discount to free (depending on income and ticket type)	20% to 75% discount (depending on income and ticket type)	No discount (blind free)	50% for those receiving a common benefit (free for unemployed)
Dresden, Germany	20% discount on day tickets (only)	20% discount on day tickets (only)	25% discount	Free	No discount

Dublin, Ireland	No discount	Free	37% discount (students only)	Free	No Discount
Christchurch, New Zealand	No discount	Free (Off peak only)	50% discount	No Discount	No Discount
Canberra, Australia	No discount	50% discount to age 75, free 75 and over	50% discount (students only)	No discount (blind free)	No Discount
Liberec, Czech Republic	No discount	60% discount	50% discount (students only)	60% discount	No Discount



## **P-04-506 Free bus pass / concessionary travel for benefit claimants, students and under 18s – Correspondence from South East Wales Transport Alliance to the Committee, 22.11.2013**

*I refer to the attached letter to Councillor Phil White, to which he has asked me to respond.*

*I note the request for a scheme “for the poor and vulnerable in our society to have free access to bus services in Wales, and concessionary fares on the rail network.”*

*The South East Wales Regional Transport Plan includes amongst its goals, providing access to employment and other facilities, promoting social inclusion and equality, and promoting modal shift in favour of sustainable transport options. However, progress in achieving these goals needs to be balanced against the availability of resources, which are coming under unprecedented pressure, and measures to pursue them need to be prioritised in terms of their effectiveness.*

*The context for the Regional Transport Plan is set by the Wales Transport Strategy, prepared by the Welsh Government. While local authorities have a role in the administration of the Concessionary Fares scheme, the terms of the scheme and its funding are determined by the Welsh Government.*

*In the event of the Welsh Government considering proposals to change the scheme or its level of funding, there would be a strong case for modelling the implications of different options, and consulting upon them, before developing a firm set of proposals. While it is possible that removing the entitlement of some to the scheme might free up resources to extend it to others, this would need to be tested. It is notable that, within South East Wales, of those concessionary travel passes issued, only 63% are in regular use. Mechanisms to increase the funding available to make concessionary fares more widely available could include the levying of a nominal charge for each journey, and levying a charge for each pass. However, it is understood that any such proposals, or any other changes to the ways in which the concessionary travel scheme operates, other than its level of funding, would require changes to primary legislation. With current pressures on revenue budgets, and in particular, projected reductions in the concessionary travel reimbursement rate determined by the Welsh Government, it is unlikely that extending the scheme could be considered without resort to measures of this nature.*

*It is notable that some bus companies have from time to time provided reduced / free travel for other groups such as young people and job seekers. Examples can be found at the following web sites.*

<http://www.traveline-cymru.info/news/2013/01/07/bus-for-jobs-scheme-giving-free-travel-to-the-unemployed-for-january/>

<http://www.stagecoachbus.com/busforjobs.aspx>

**Sewta** is the alliance of local authorities charged with developing transport policy and delivering transport projects on behalf of the 10 local authorities in South East Wales and their partners, both in the transport industry and in organisations representing passengers’ interests.

Sewta’s membership includes the local authorities of Blaenau Gwent, Bridgend, Caerphilly, Cardiff, Merthyr Tydfil, Monmouthshire, Newport, Rhondda Cynon Taf, Torfaen and the Vale of Glamorgan. Partners are the Confederation of Passenger Transport, Arriva Trains Wales, First Great Western, Network Rail, Bus Users UK, Passenger Focus and Sustrans. Sewta works closely with the Welsh Government.

**Martin Buckle**

Secretary & Programme Manager / Ysgrifennydd a Rheolwr Rhaglenni

**Sewta**

South East Wales Transport Alliance / Cynghrair Trafnidiaeth De-ddwyrain Cymru

Maindy Centre, Crown Way, Cardiff CF14 3AJ / Canolfan Maendy, Ffordd y Goron, Caerdydd CF14 3AJ

**P-04-506 Free bus pass concessionary travel for benefit claimants - students and under 18s – Correspondence from Petitioner to Clerking Team, 13.01.2013**

Dear Kayleigh,

Thanks again for your email , my response to the various submissions is as follows :-

The minister notes possible 'stigma' around use of concessionary bus pass for the poor in our communities , however does this not also apply to disabled awardees ? im sure the greater mobility and opportunities will allay this issue !

The uk appears to be one of the only countries giving this concession to the 60-64 age group, generally a group still in employment and relatively wealthy . i also note serbia and france have concessionary discounts for the unemployed {50 % discount } , i feel this would be a brilliant starting point for a scheme to aid mobility for the poor and vulnerable in wales ?

It would be interesting to know how much of this £ 70 m concession is going to wealthy households { who probably don't utilise the scheme } ?

Taith notes that the welsh government can easily amend section 147 of transport act 2000 to alter eligibility conditions for a concessionary scheme.

Any promotion of public transport will help the welsh government to achieve its carbon reduction and sustainability targets ..

I feel the current scheme is unjust and unfair as the poor and vulnerable are being excluded from the basic human right of mobility - ie the bus charge to a hospital when on welfare benefits can result in non access to treatment or even the choice between travel or food or power . In a civilised developed country surely we can assist those less fortunate in our communities ...

Regards,

Mark Griffiths

# Eitem 3.3

## **P-04-447 : Ymgyrch am Gerflun o Harri'r Seithfed ym Mhenfro**

### **Geiriad y ddeiseb:**

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i ariannu cerflun o Harri'r Seithfed ym Mhenfro, y dref lle cafodd ei eni a'r man lle dechreuodd llinach y Tuduriaid . Nid oes cerflun o'r dyn hwn na chofeb iddo yn y dref. Gallai cerflun wella economi'r dref fel lle hanfodol i bobl sydd â diddordeb yn y Tuduriaid ymweld ag ef.

**Prif ddeisebydd:** Nathen Amin

**Ysytirwyd am y tro cyntaf gan y Pwyllgor:** 29 Ionawr 2013

**Nifer y llofnodion:** 144

## **P-04-447 Campaign for Statue of Henry VII in Pembroke – Correspondence from the petitioner to Committee, 19.12.13**

Dear Sir

Thank you for your correspondence and the kind words at the last Petitions Committee Meeting. Unfortunately I do not have much to add to my previous e-mail other than to reiterate my firm belief that such a statue would help raise a degree of awareness for Pembroke by linking it irrevocably to the Tudor Dynasty in such a visual and newsworthy manner.

With specific regards to the most recent developments concerning the feedback from Pembroke Castle Trust and Pembroke Town Council, my feeling is that the Statue has a solid support base within the community with many of the public figures feeling such a monument is deserving in the town. As with all things, funding is an issue and it is for this reason, without any independent benefactor, that I have appealed to the Welsh Government to intercede and if not fund then to hopefully take up the mantle of using their considerable credibility and experience to directly appeal to potential sponsors to make this idea a reality.

It is my understanding that Pembroke have recently utilised an EU grant to create a large Tudor Rose paved display in the town and a statue would certainly contribute to this development. Pembroke, and Pembrokeshire, as an ability to market itself as a Tudor County and appeal to the legions of people interested in the era across Britain and indeed the World. Warwickshire successfully markets itself as Shakespeare County and Nottinghamshire equally as Robin Hood Country. I have recently penned a book entitled Tudor Wales; A Guide for a publisher and I feel the plethora of Tudor links the county in general has would be bolstered further with a statue to complement the wonderful castle. There is currently scores of Tudor-related TV being made by many historians yet all seem unaware of the locations within West Wales, locations which are equal to anything found in England.

I once again call upon the Assembly to seriously consider accepting this petition as one that is built on a groundswell of support within the area and to aid Pembroke in furthering itself as a potential Tourist attraction to people across Britain and abroad.

Yours Sincerely

Nathen Amin

# Eitem 3.4

## **P-04-456: Dementia – Gallai hyn ddigwydd i chi**

### **Geiriad y ddeiseb:**

Rydym ni, sydd wedi llofnodi isod, yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru:

i. I roi terfyn ar wahaniaethu yn erbyn dioddefwyr dementia yng Nghymru sy'n gwneud cais am Arian Gofal Parhaus y GIG, drwy ganiatáu i'r categori gwybyddiaeth o angen (a elwir yn barth ) godi i lefel Difrifol yn y fersiwn Gymraeg o'r Offeryn Gwneud Penderfyniadau. Byddai hyn yn ei gwneud yn gydnaws â'r fersiwn Saesneg; a

ii. Bod Byrddau Iechyd Lleol uniongyrchol yn gweithredu'r Fframwaith Cenedlaethol ar gyfer Arian Gofal Parhaus y GIG, yn gywir, o ran cymhwysedd cleifion a heb ystyried cyfyngiadau cyllidebol.

**Prif ddeisebydd:** Helen Jones

**Ysytirwyd am y tro cyntaf gan y Pwyllgor:** 19 Chwefror 2013

**Nifer y llofnodion:** 1413

## **P-04-456 Dementia - This Could Happen to you – Correspondence from the petitioner to the Chair, 09.10.2013**

*Dear William*

*Thank you for your letter and for the copy of the letter from the Minister. I suspect that it may have been drafted by a mandarin in his department as it merely confirms what we all know, viz that the Framework states that financial criteria should not be a reason for refusing eligibility. However, many of the contacts I made while promoting and seeking support for the Petition were firmly of the opinion that lack of finance was one of the reasons that they were refused CHC and as the Wales Audit Office's report on CHC confirms, knowledge of the provisions of the Framework by assessors and administrators is limited. Furthermore, as you will have seen from the WAO report the number of cases being found eligible has declined over recent years, which coincides with the Health budget coming under financial pressure. As the number of elderly people who are more prone to dementia has increased, and proportionately more people are being diagnosed because of increased public and medical awareness, only the most naive of people would believe that the decrease in numbers being found eligible is merely a statistical blip.*

*The report also confirms in its guarded civil service jargon that there are clearly many problems with the administration of CHC across the country.*

*Hopefully when Lisa, Tony and I appeared before your committee we adequately conveyed to you the magnitude of the problem, and the reasons why I filed the petition, asking not only for the increase in the needs level for the Cognition domain from High to Severe, Severe having been there in the first instance before being removed after public consultation, but also for the Welsh Government to take active steps to make sure that Welsh Health Boards comply with the Framework. Among those steps compliance with the National Framework should surely be a given, however perhaps consideration should be given to imposing sanctions on those Health Boards who abuse the Framework because of budget constraints. From the WAO report it would appear that it would require additional funds to be spent in retraining many of those involved in the implementation of CHC in Wales as well as more effective management of the system, perhaps a more cost effective way of dealing with this would be to simply ensure that adequate training were blended within the current module.*

*I would be very much reassured if your Committee could keep a watching brief on the progress made on the review of the system referred to by the Minister and possibly list it on your agenda for the first meeting in the new year with a request that the Minister updates you on progress made by that time, with quarterly reviews thereafter. I would also be obliged if you would be prepared, as a committee to send a copy of this letter to the Minister and ask for his comments.*

*The collective fears of Lisa, Tony and me after several years experience of dealing with many CHC cases is that unless your Committee keeps a watching brief over this matter that it will be “kicked into the long grass.” This would, and I'm sure you understand, be an insult to myself who launched*

*the petition and to all of those people who took the time and the trouble to sign the petition and the many, many more who are following the campaign with great interest and involvement on social media.*

*best wishes*



## **P-04-494 Rhaid sicrhau bod prostadectomi laparosgopig gyda chymorth robotig ar gael i ddynion yng Nghymru yn awr**

### **Geiriad y ddeiseb:**

Prostadectomi laparosgopig gyda chymorth robotig yw safon Aur y 21ain Ganrif. Rhaid i Gymru, fel cenedl, fod ar flaen y gad o ran cynnig y safon hon. Rydym ni, y rhai a lofnodwyd isod, wedi ein brawychu gan y ffaith na chynigir llawdriniaeth robotig i ddynion yng Nghymru sydd â chanser y prostad, er ei bod yn cael ei chynnig i BOB dyn yn Lloegr, gydag o leiaf 40 o leoliadau yn cynnig y driniaeth hon, tra bod yn rhaid i ddynion yng Nghymru dalu miloedd o bunnoedd (rhwng £13-15,000 fel arfer) i gael y driniaeth hon yng nghyfleusterau'r GIG yn Lloegr. Yn amlwg, ni all nifer o ddynion yng Nghymru fforddio hyn. Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru ynghyd â Gwasanaeth Iechyd Gwladol Cymru i ddatrys y sefyllfa gwbl annheg hon a'r diffyg difrifol o ran adnoddau hanfodol yn y GIG yng Nghymru yn ddi-oed. Mae'n hanfodol bod y dechnoleg hon, Safon Aur y 21ain Ganrif, yn cael ei chynnig i ddynion yng Nghymru. Nid yw'n iawn bod technoleg o'r fath ar gael mewn mannau eraill a bod yn rhaid i ddynion o Gymru dalu i gael budd ohoni mewn cyfleuster y GIG yn Lloegr.

**Prif ddeisebydd:** Yr athro Kevin Davies MBE

**Ysytiriwyd am y tro cyntaf gan y Pwyllgor:** 16 Gorffennaf 2013

**Nifer y llofnodion :** 2090. Casglwyd deiseb gysylltiedig 1000 o lofnodion.



GIG  
CYMRU  
NHS  
WALES

Bwrdd Iechyd  
Cwm Taf  
Health Board

Your ref/eich  
cyf:

Our ref/ein  
cyf:

Date/Dyddiad:

Tel/ffôn:

Fax/ffacs:

Email/e-bost:

Dept/adran:

RT/AW/KB

31 July 2013

01443 744803

01443 744889

Allison.Williams4@wales.nhs.uk

Chair & Chief Executive

100.

Mr William Powell AC/AM  
Cadeirydd / Chair  
National Assembly for Wales  
Cardiff Bay  
Cardiff  
CF99 1NA

Dear Mr Powell,

### Re: Robotic Assisted Laparoscopic Prostatectomy

Thank you for your letter dated 23<sup>rd</sup> July, asking whether Cwm Taf ULHB currently fund robotic assisted laparoscopic prostatectomy and whether we have plans to introduce the technology to be able to undertake surgery using this methodology.

Cwm Taf ULHB do not undertake prostatectomy's in any of our hospitals but we do commission and fund this service to be provided from Cardiff and Vale ULHB for Cwm Taf residents. Currently Cardiff and Vale only undertake open radical prostatectomy and at the current time, there is no technology available in Wales to undertake prostatectomy using robotic assisted technology. Consequently, robotic assisted laparoscopic prostatectomy is not routinely available in Wales and therefore we would only fund clinically exceptional cases under the ULHBs Individual Patient Funding Policy.

Cardiff and Vale ULHB have, however, recently identified the requirement to introduce robotic assisted technology for prostatectomy and has submitted a funding bid to the Welsh Governments Health Technology Fund and are currently waiting to hear whether this bid has been successful. If it is, then it is planned to introduce robotic assisted laparoscopic prostatectomy for our residents once the robot is in place and training has been completed for the surgeons.

If you require any further information, please do not hesitate in contacting me again.

Yours sincerely

**Mrs Allison Williams**  
**Chief Executive/Prif Weithredydd**  
**Cwm Taf Health Board/ Bwrdd Iechyd Cwm Taf**

---

**Return Address:**

Ynysmeurig House, Navigation Park, Abercynon, CF45 4SN

Chair/Cadeirydd: Dr C D V Jones, CBE

Tudalen 31

Chief Executive/Prif Weithredydd: Mrs Allison Williams

**P-04-494 Robotic assisted laparoscopic prostatectomy must be made available to men in Wales now – Powys Teaching Health Board to Clerking Team, 13.08.2013.**

Dear Kayleigh

Thank you for your email dated 25th July attaching William Powell's letter regarding Robotic assisted laparoscopic prostatectomy.

Powys teaching Health Board has received no applications for funding for this surgery.

We do not have plans to deliver this locally as it falls outside the type of service we could deliver in our community hospitals. We would be happy to support referral of patients to Welsh hospitals when this service becomes available in Wales.

If I can be of more assistance then please do not hesitate to contact me.

Andrew Cottom

Chief Executive



**GIG**  
CYMRU  
**NHS**  
WALES

Bwrdd Iechyd Prifysgol  
Betsi Cadwaladr  
University Health Board

Mr William Powell AC / AM  
Cadeirydd / Chair  
Petitions Committee  
National Assembly for Wales  
Cardiff Bay  
CARDIFF  
CF99 1NA

**Ein cyf / Our ref:** GL/MD/10242/637

**Eich cyf / Your ref:** P-04-494

**☎:** 01248 384910

**Gofynnwch am / Ask for:** Geoff Lang

**Ffacs / Fax:** 01248 384937

**E-bost / Email:** [geoff.lang@wales.nhs.uk](mailto:geoff.lang@wales.nhs.uk)

**Dyddiad / Date:** 20 August 2013

Dear Mr Powell

## **ROBOTIC ASSISTED LAPAROSCOPIC PROSTATECTOMY**

Thank you for your letter of 23 July 2013 regarding patient access to robotic surgery for prostate cancer in Betsi Cadwaladr University Health Board (BCUHB).

At this time, due to issues of capacity with insufficient Urologists with skills in laparoscopic surgery in BCUHB, we refer some patients for laparoscopic prostatectomy and nephrectomy to the Christie Hospital NHS Trust in Manchester under a contract we hold with them. We recognise that this means some patients have the disadvantage of travelling some distance for prostate surgery. However, as a result of these referrals some patients who receive laparoscopic surgery do so robotically, as this treatment modality is used at Christies.

In North Wales we are reviewing our urology practice overall, and as part of that we need to consider both the place of delivery and the future and type of laparoscopic procedures. For prostate interventions the treatment options are likely to be strongly directed by the update of the NICE Guideline on Prostate Cancer anticipated in 2014.

Yours sincerely

**GEOFF LANG**  
**ACTING CHIEF EXECUTIVE**



GIG  
CYMRU  
NHS  
WALES

Bwrdd Iechyd  
Hywel Dda  
Health Board

---

Ein cyf/Our ref:	RMC	Pencadlys Bwrdd Iechyd Hywel Dda Llys Myrddin, Lôn Winch, Hwlfordd, Sir Benfro, SA61 1SB Rhif Ffôn: (01437) 771220
Gofynnwch am/Please ask for:	Dr June Picton	
Rhif Ffôn /Telephone:	01437 771229	
Ffacs/Facsimile:	01437 834436	Hywel Dda Health Board Headquarters Merlins Court, Winch Lane, Haverfordwest, Pembrokeshire, SA61 1SB Tel Nr: (01437) 771220
E-bost/E-mail:	<a href="mailto:june.picton@wales.nhs.uk">june.picton@wales.nhs.uk</a>	
Date:	21 <sup>st</sup> August 2013	

Mr William Powell AC/AM  
Chair of the Petitions Committee  
National Assembly for Wales  
Cardiff Bay  
Cardiff  
CF99 1NA

Dear Mr Powell

**Re: Robotic Assisted Laparoscopic Prostatectomy**

I write in regards to the above and your letter to Mr Trevor Purt, Chief Executive Officer, Hywel Dda Health Board dated 23<sup>rd</sup> July 2013.

In response to your enquiry, I would advise you that Hywel Dda Health Board does not currently fund patients for Robotic assisted laparoscopic prostatectomy and at present has no plans to acquire the technology to enable the delivery of this surgery within the Hywel Dda Health Board area.

Yours sincerely

Dr June Picton  
**Associate Medical Director for Workforce**  
**Chair of the Prior Approval and IPFR Panel**

Cc Mr Trevor Purt

---

Pencadlys Bwrdd Iechyd Hywel Dda  
Llys Myrddin, Lôn Winch, Hwlfordd,  
Sir Benfro, SA61 1SB  
Rhif Ffôn: (01437) 771220  
Rhif Ffacs: (01437) 771222

Hywel Dda Health Board Headquarters  
Merlins Court, Winch Lane, Haverfordwest,  
Pembrokeshire, SA61 1SB  
Tel Nr: (01437) 771220  
Ffôn Ffacs: (01437) 771222

Cadeirydd / Chairman  
**Mr Chris Martin**  
Prif Weithredwr /Chief Executive  
**Mr Trevor Purt**

Tudalen 34



Bwrdd Iechyd Prifysgol  
Caerdydd a'r Fro  
Cardiff and Vale  
University Health Board

**Ysbyty'r Eglwys Newydd  
Whitchurch Hospital**

Park Road, Whitchurch.  
Cardiff, CF14 7XB  
Phone 029 2069 3191

Heol Parc, Yr Eglwys Newydd  
Caerdydd, CF14 7XB  
Ffôn 029 2069 3191

Eich cyf/Your ref: P-04-494  
Ein cyf/Our ref: AC-jb-08-2869  
Welsh Health Telephone Network:  
Direct Line/Linell uniongychol: 02920 745681

**Adam Cairns  
Chief Executive**

23 August 2013

William Powell AM  
Chair  
Petitions Committee  
National Assembly for Wales  
Cardiff Bay  
Cardiff  
CF99 1NA

Dear Mr Powell

**Urology Robot**

Thank you for your letter of 23 July 2013.

The current position is that Cardiff and Vale UHB do not fund patients for this robotic surgery, but provide open prostatectomy, with good clinical outcomes; one of the NICE recommended options.

We have however been reviewing our use of technology and future needs in light of the Welsh Government call for submissions to the Health Technology Fund.

In considering our priorities, we reviewed the developing evidence for robotic assisted laparoscopic prostatectomy as one of the possible technological developments that we would like to introduce. Although current NICE guidance and a draft updated version due to be published in 2014, does not recommend that all radical prostatectomies should be undertaken by a robot, we have taken the view that we would wish to introduce one to our service, to offer this choice in Wales.

In developing our submission for the Health Technology Fund, we have collaborated with our neighbouring LHBs, as this facility should serve a wider population. We were pleased to be informed earlier this month that our submission has been successful.

We will therefore be procuring the robot soon, undertaking the necessary building works to install it and training staff in its use. Therefore during 2014 we will bring the equipment into service and be able to offer this treatment procedure.

Yours sincerely

Handwritten signature of Tracy Myhill in black ink.

**Tracy Myhill**  
**Deputy Chief Executive, on behalf of**

**Adam Cairns**  
**Chief Executive**



GIG  
CYMRU  
NHS  
WALES

Bwrdd Iechyd  
Aneurin Bevan  
Health Board

Our ref: AG/WP/RB/vep  
Your ref: P-04-494

Direct Line: 01633 435958

2<sup>nd</sup> September 2013

William Powell AM  
National Assembly for Wales  
Cardiff Bay  
CARDIFF  
CF99 1NA

Dear Mr Powell

**Re: Petitions Committee Re P-04-494: Urology Robot**

Thank you for your letter dated 23<sup>rd</sup> July 2013 concerning the petition from Professor Kevin Davies regarding robotic assisted laparoscopic prostatectomy. The current position within Aneurin Bevan University Health Board is that we do not fund patients for this robotic surgery, but provide open prostatectomy with good clinical outcomes (as per NICE recommended options).

You will, however, be aware that Cardiff and Vale have recently submitted a proposal to the Welsh Government to introduce such technology and are likely to be procuring the robot in the near future with further building works and clinical training planned in 2014.

Current NICE guidance does not recommend that all radical prostatectomies are undertaken by a robot however Aneurin Bevan has remained supportive in principle of the bid and our clinicians will look to assess the outcomes of this new technology and potential benefits to patients and how it can be developed as a network solution for South Wales.

Yours sincerely

**Dr Andrew Goodall**  
**Prif Weithredwr/ Chief Executive**

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Bwrdd Iechyd Aneurin Bevan yw enw gweithredol Bwrdd Iechyd Lleol Aneurin Bevan  
Aneurin Bevan Health Board is the operational name of Aneurin Bevan Local Health Board



Mark Drakeford AC / AM  
Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol  
Minister for Health and Social Services



Llywodraeth Cymru  
Welsh Government

Ein cyf/Our ref MD/03177/13

William Powell AM  
Chair  
Petitions Committee  
committeeebusiness@Wales.gsi.gov.uk

25 November 2013

*Dear William*

Thank you for your letter of 23 July regarding Robotic Assisted Laparoscopic Prostatectomy. I must apologise for the delay in my response.

Please be assured that prostate cancer patients in Wales have access to a range of well-established and effective treatments. Robotic surgery in prostate cancer treatment is a relatively recent innovation and, at the present time, it is not routinely provided by Health Boards in Wales.

However the Welsh Government does recognise that technology has a major role to play in the future of the NHS in Wales and we have recently announced the Health Technologies Fund, which aims to support and fund technological advances in healthcare. Under this initiative, Cardiff and Vale University Health Board has been given funding for a robotic surgery system at the University Hospital of Wales, which could have benefits for treating a range of conditions in addition to prostate cancer.

I hope this information is helpful.

*Best wishes*

*Mark*

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

Bae Caerdydd • Cardiff Bay  
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Wedi'i argraffu ar bapur wedi'i ailgylchwrthu **Walesen 38**

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# Eitem 3.6

## **P-04-520 Parthed canslo pob Llawdriniaeth Orthopedig Ddewisol gan Fwrdd Iechyd Hywel Dda dros y Gaeaf 2013/2014**

### **Geiriad y ddeiseb:**

Rydym ni, y rhai sydd wedi llofnodi isod, o'r farn bod canslo pob llawdriniaeth orthopedig, ar wahân i lawdriniaethau trawma, dros fisoedd y gaeaf 2013/14, yn tanseilio hawliau dynol cleifion ac yn gwahaniaethu yn erbyn pobl sydd ag anableddau. Mynnwn fod y penderfyniad hwn yn cael ei ailystyried ar unwaith. Dylid gwneud pob penderfyniad ynghylch blaenoriaethu anghenion cleifion gan glinigwyr yn hytrach na chan weinyddwyr sy'n gwneud penderfyniadau ar sail cyfyngiadau ariannol.

Mae achosion brys ddifrifol, ar wahân i achosion trawma, eisoes ar y rhestr aros, lle bydd pobl mewn perygl o golli symudedd ac o ganlyniad i hynny, o golli eu bywoliaeth heb lawdriniaeth.

Mewn hinsawdd gwleidyddol ble y dylid gwrandio ar gleifion, yn yr achos hwn, nid oes neb wedi rhoi gwybodaeth i'r cleifion heb sôn am ymgynghori â hwy ar y mater. Ymddengys bod penderfyniad Bwrdd Iechyd Hywel Dda yn gwbl groes i'r egwyddor hon.

Nid ydym yn deall ychwaith pam mae cleifion orthopedig yn cael eu targedu. Ymddengys bod hwn yn ddull gor-syml o fynd i'r afael â phroblemau ariannol. Mae penderfyniadau o'r fath nid yn unig yn effeithio ar gleifion, ond maent yn effeithio ar staff arbenigol a hyfforddeion sy'n cael eu rhwystro rhag gwneud y gwaith y maent yn dymuno ei wneud ac y telir iddynt i'w wneud hefyd.

Rydym yn galw ar Lywodraeth Cymru i wrthdroi'r penderfyniad hwn.

**Prif ddeisebydd:** Kate O'Dell

**Ysytiriwyd am y tro cyntaf gan y Pwyllgor:** 10 Rhagfyr 2013

**Nifer y llofnodion:**490



GIG  
CYMRU  
NHS  
WALES

Bwrdd Iechyd  
Hywel Dda  
Health Board

Dyddiad/Date 12 December 2013  
Ein cyf/Our ref:  
Gofynnwch am/Please ask for: Mr Chris Martin  
Rhif Ffôn /Telephone: 01437 771240  
Ffacs/Facsimile: 01437 771222  
E-bost/E-mail: chris.martin@wales.nhs.uk

Mr William Powell AC/AM  
Chair  
Petitions Committee  
Cardiff Bay  
Cardiff  
CF99 1NA

Dear William

Thank you for your letter dated 12 December 2013.

Ms O'Dell advised the Health Board of her petition and she was at the Health Board meeting held on 27 November 2013 where she was given permission to address the Board.

The Board carefully considered Ms O'Dell's concerns in reaching its decision but, on balance, felt that a reduction in orthopaedic capacity over the winter months and with a surgical focus on those with the most urgent clinical needs, emergency surgery and cancer was appropriate and would help ensure that we could manage the anticipated winter pressures. Our surgeons are reviewing their lists to determine which cases they feel to be urgently indicated and will be maximising day surgery cases. We have also advised those patients already on our lists to contact our booking offices if they have any concerns and to see their GP if they feel their clinical needs have changed.

I attach the paper presented to the Board, the draft minutes incorporating the decision made and the formal response to Ms O'Dell.

If I can be of further assistance please let me know.

Yours Sincerely

Chris Martin  
Chairman

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Cadeirydd / Chairman  
**Mr Chris Martin**

Prif Weithredwr /Chief Executive  
Yr Athro/Professor Trevor Purt

**CYFARFOD BWRDD IECHYD  
HEALTH BOARD MEETING**

<b>Dyddiad y Cyfarfod: DATE OF MEETING:</b>	28 November 2013
<b>Eitem ar yr Agenda: TITLE OF REPORT:</b>	Proposal to temporarily reduce some non urgent elective orthopaedic operations
<b>Arweinydd Cyfarwyddwr EXECUTIVE LEAD:</b>	Paul Hawkins, Director of Operations & Delivery
<b>Swyddog Adrodd: REPORTING OFFICER:</b>	Paul Hawkins, Director of Operations & Delivery

**Pwrpas yr adroddiad / Purpose of the Report** (*dilewch fel yn addas / delete as appropriate*)

<b>I'w Gymeradwyo For Approval</b>	<b>Ar Gyfer Cefnogaeth For Endorsement</b>	<b>Ar Gyfer Penderfyniad For Decision</b>	<b>Ar Gyfer Trafodaeth For Discussion</b>
√			

**ADRODDIAD SCAA / SBAR REPORT**

**Sefyllfa / Situation**

Following discussions at the Hywel Dda Health Board meeting held on 26<sup>th</sup> September 2013, it was agreed that the Health Board must take measures to:-

1. Secure the quality and safety of services by reducing our reliance on temporary staff and variable pay
2. Prepare the Health Board for the winter pressures
3. Ensure that we operate within our allocated resources
4. Concentrate the resources we have on our most urgent patients.

As a consequence, a proposal to temporarily reduce some non urgent elective orthopaedic capacity across the Health Board until 31<sup>st</sup> March 2014 has been discussed with staff groups. Clearly, this proposal would be subject to any robust and pragmatic suggested alternatives, particularly from Orthopaedic clinical colleagues.

It was noted that this would not affect our identified priorities of cancer, emergency trauma, day cases and any other elective surgery.

Following this period of engagement with colleagues, agreement has been reached on a potential temporary reduction in elective inpatient orthopaedic capacity across the Health Board. Subject to Board approval, these reductions will take effect from 29 November 2013 until 1 April 2014.

**Cefndir / Background**

The Health Board operates the All Wales Organisational Change Policy in relation to permanent staff changes and also has a Flexible Deployment of Staff Procedure to be used in circumstances of temporary staff changes that need to be made. This procedure sets out the processes and documentation to support deployment of staff in a way that aims to ensure

individuals are treated fairly and with respect when they are asked and/or required to move to another role. Individual circumstances and reasonable travel distances will be considered by managers when implementing these changes.

As any service change necessary following a period of engagement would only equate to a temporary change we have commenced an engagement process with staff and stakeholders over a four week period. As part of this process there are ongoing discussions with staff exploring the potential for realistic and achievable options for a temporary service change which will enable us to manage any potential additional pressures through the winter period. This is consistent with the Health Boards winter plans to ensure we can flex our services according to need.

### **Assesiad / Assessment**

The engagement period runs from the 28<sup>th</sup> October until the 22<sup>nd</sup> November and an ongoing series of meetings with clinical and non clinical staff, trade union representatives, LNC and CHC colleagues have taken place. Furthermore, the Medical Director has written to all GPs advising them of the process.

Agreement has been reached with senior Orthopaedic clinical colleagues that we will, in addition to the usual cessation of inpatient elective orthopaedic work over the Christmas and New Year period, temporarily reduce by 50% inpatient elective Orthopaedic capacity for a period lasting no longer than the remainder of this financial year and subject to regular review driven by need. This will enable us to better manage the inevitable winter bed pressures leading to last minute cancellation of inpatient procedures. All sites will have elective Orthopaedic beds.

Following a series of meetings with staff and their representatives, where partial wards are temporarily closing, greater use of flexible working practices will enable staff to move to other areas to cover vacancies and/or meet additional staffing requirements in rotation.

Key learning from the process for the future is being absolutely clear about communication directly into the organisation operationally and with speed.

### **Argymhelliad / Recommendation**

The Health Board are asked to formally agree to the proposed actions to take effect from 29 November 2013

<b>Effaith / Impact: (rhaid cwblhau / must be completed)</b>	
<b>Ariannol / Gwerth am Arian Financial/VFM:</b>	This action will assist the Health Board to operate within our allocated resources.
<b>Risg / Cyfreithiol Risk/Legal/ Regulatory:</b>	The proposed action is within the relevant legal and statutory frameworks and the risks have been identified and will be mitigated.
<b>Answadd / Gofal Claf Quality/ Patient Care:</b>	This action will enable the Health Board to concentrate the resources we have on our most urgent patients.
<b>Gweithlu Workforce:</b>	Staff have been involved in discussions regarding the potential temporary service changes.
<b>Cydraddoldeb Equality:</b>	Assessment is being undertaken.

<b>Amcanion / Objectives: (rhaid cwblhau / must be completed)</b>	
<i>Safon(au) Gofal Iechyd</i> Healthcare Standard(s):	The action will support Healthcare Standards
<i>Amcanion Strategol y BI</i> HB Strategic Objectives:	<ol style="list-style-type: none"> <li>1. Secure the quality and safety of services by reducing our reliance on variable pay</li> <li>2. Prepare the Health Board for the winter pressures</li> <li>3. Ensure that we operate within our allocated resources</li> <li>4. Concentrate the resources we have on our most urgent patients.</li> </ol>
<b>Gwybodaeth Ychwanegol / Further Information:</b>	
<i>Ar sail tystiolaeth</i> Evidence Base:	The proposed action has been discussed at length with clinical colleagues and is supported by past experiences of winter pressures and their impact on our ability to deliver inpatient elective procedures during the winter period.
<i>Rhestr Termiau</i> Glossary of Terms:	N/A
<i>Partïon/Pwyllgorau â ymgynhorwyd ymlaen llaw y Bwrdd/Pwyllgor</i> Parties/Committees consulted prior to Board	<p>Executive Team</p> <p>County Management Teams</p> <p>Clinical leaders</p> <p>Staff and their Trade Union representatives</p>

**EXTRACT FROM DRAFT UNAPPROVED MINUTES OF THE HYWEL DDA  
HEALTH BOARD MEETING HELD ON 28<sup>TH</sup> NOVEMBER 2013**

<p><b>PM(13)159</b></p>	<p><b>HDHB'S WINTER PLAN/PROPOSAL TO TEMPORARILY REDUCE SOME NON-URGENT ELECTIVE ORTHOPAEDIC OPERATIONS</b></p>	
	<p>Mr Paul Hawkins presented Members with the Health Board's Winter Plan, drawing attention to the comprehensive executive summary and the supplementary guidance circulated.</p> <p>Members were reminded that NHS Wales has had significant problems delivering care during previous winter periods due to unprecedented levels of urgent and emergency pressures. In light of this, Health Board's have been asked by Welsh Government to make winter planning a priority for 2013/14, particularly in terms of their alignment with Social Services.</p> <p>Members acknowledged that whilst delivering care within the winter period constitutes a challenge throughout the UK, Wales has moved forward quickly to rise to this challenge, and to better understand the connectivity involved with partner agencies such as Local Authorities and WAST.</p> <p>Members noted that all three Counties of Hywel Dda are working to the same escalating factors to ensure a prompt escalation process in place, both throughout the organisation and across neighbouring LHBs. Mr Martin commented that this will ensure that the Health Board is in a better position to manage winter pressures than in previous years, with further improvements to come for future years given the iterative process involved.</p> <p>In regard to influenza vaccination uptake, Dr Laurence Williams advised of the availability of an influenza spray for children which should be incorporated into the Health Board's Pandemic Influenza Plan. Ms Teresa Owen confirmed this would be included for the following year's plan and took the opportunity of conveying her gratitude to all those who had supported the recent flu campaign within the organisation with an uptake to date of 38% compared to 30% the previous year, and testimony to the significant work involved.</p> <p>Mr Simon Hancock added his congratulations to those involved with producing the comprehensive winter planning documentation and was pleased to note the close collaboration between Health and Local Authority Social Services departments.</p> <p>Accepting the need for the discharge of patients in a timely manner and for the monitoring of this on a daily basis, Mr Wales queried</p>	



how any reductions in Local Authority beds might impact, and Mr Martin suggested this underlined the need for Health and Social Care to work collaboratively together to gain a better understanding of the interdependencies involved.

Mr Purt referred to the effort made with Local Authority colleagues over previous years to recognise that where services sit needs to be clearly aligned to the responsibility for those services, and a need for a systematic approach to those services that should be within Local Government and those within Health.

Dr Williams commented that Residential Home capacity will be key to the management of hospital beds and suggested the requirement for GPs to understand their capacity status at all times. Mr Hawkins confirmed that sitting behind the Health Board's Winter Plan, will be operational plans to address these issues, all of which would be shared with GPs.

In terms of the proposal to temporarily reduce some non-urgent, elective orthopaedic operations, Mr Hawkins advised that this is a proposal which underpins the Health Board's Winter Plan and is therefore an integral decision. The proposal was consulted upon between 28<sup>th</sup> October and 27<sup>th</sup> November 2013 with the clinicians and staff involved, and Dr Sue Fish, Medical Director and Ms Kathryn Davies were part of those discussions to address any Consultant concerns. Following several meetings, the need was agreed to ensure 50% of elective orthopaedic beds remained operational across the four hospital sites with permanent nurse staffing in place in order to maintain an appropriate patient flow and to avoid cancelling procedures on the day. Members noted that this proposal does not affect orthopaedic day surgery or emergency surgery. Members further noted that clinicians would be making decisions on the more urgent orthopaedic cases, with referral made to Dr Fish if required.

Mr Purt commented that this proposal would bring with it additional benefit in terms of an ability to release up clinical time for Consultants to spend within A&E departments to treat the anticipated increase in elderly patients suffering fractures, etc.

Members were reminded that the Health Board had opened up to 160 surge beds the previous year staffed largely by agency staff, with a whole range of elective procedures which had to be cancelled either on the day or the day prior to surgery which was agreed as unacceptable. Members were further reminded that the Health Board has already agreed to concentrate the resources allocated to it on its most urgent patients i.e. cancer, stroke and emergency trauma patients, to manage through the winter period which will allow it to plan with some certainty going forward.

Mr Eifion Griffiths welcomed the Health Board's planned approach to winter pressures, acknowledging that whilst there may be some disappointed patients facing delays to their procedures, it is preferable that patients are informed of their expectations for surgery, rather than being turned away on the day.

Whilst welcoming the Health Board's Winter Plan, Mr Wales remained concerned in terms of the planned 50% reduction of elective orthopaedic procedures given there are already 1,300 patients currently on the waiting list which will only increase by April 2014. Mr Wales also expressed concerns in regard to the communications involved in terms of being clear with patients when they will receive their surgery, adding that the CHC would also wish to have a clarity in this regard.

Mr Hawkins advised that he would be holding regular meetings with the Orthopaedic Consultants to monitor the situation as the winter period progresses, and that he would work with the Consultant body to manage the additional volume, by exploring additional day surgery procedures, etc.

Mr Martin recognised that these are difficult decisions to make but stressed the need for better planning in place, given how stressful previous years have been for front line staff, but acknowledging the need to manage patient expectations and to ensure communications are effective.

Mr Wales referred to the Health Board's routine annual close down for elective procedures between Christmas and New Year and queried its duration for 2013/14. Mr Hawkins confirmed that the close down period for elective procedures would commence on 20<sup>th</sup> December 2013 for a period of 2 weeks but that a full CEPOD theatre and trauma surgery would continue for the duration.

Dr Williams accepted the requirement for a Winter Plan, and assuming intelligent monitoring in place, queried whether the proposed end date to the temporary reduction of 31<sup>st</sup> March 2014 would remain a fixed point. Mr Martin advised that monitoring would be undertaken on a weekly basis throughout the next 4 months and that if winter pressures did not impact as severely as anticipated, consideration could be given to the flow of patients in a different manner, dependent upon the level of forecasting.

Mr Griffiths stressed the need to communicate effectively with GPs given that patients will rely upon them for their information and Dr Fish confirmed that communication would take place immediately following today's Board decision.

Mrs Karen Howell commented that the Health Board's Winter Plan had not been written in isolation but had benefited from significant

input from primary, community and mental health services and has therefore been communicated widely in order to reach this final version.

Mrs Sian-Marie James requested that the Board be kept apprised of the effect of winter planning on patients through the Health Board's Quality & Safety Committee and Corporate Directors Group.

Mr Martin referred to the question raised by Ms Kate O'Dell for the Public Forum section of the Board questioning the Health Board's management of its winter pressures, and checked with Ms O'Dell that the discussion held had provided her with the response required.

Ms O'Dell addressed the Board, advising of the frustration felt in terms of the lack of communication involved, including the BBC statement which had identified that all orthopaedic procedures would cease, leading to a lack of clarity for patients on when their surgery would take place. Ms O' Dell also referred to the confusion over the terminology involved, with its vague wording in terms of urgent and emergency care which patients believe is when they are waiting in agony on a list as opposed to trauma surgery. The public are also aware that the Health Board has just been provided with additional funding and should not therefore accept a seasonal elective orthopaedic service.

Mr Martin thanked Ms O' Dell for her informed insight, and agreed with the difficulty around interpretation, particularly in terms of urgent and emergency care, and some of the messaging within the proposals. However, the Board has a statutory requirement to make a decision on its winter plans, with the reasons why it considers the proposals it has made appropriate, played out in the earlier discussion.

Mr Martin accepted the frustration felt by Ms O'Dell in terms of the apparent lack of communication and vaguely worded messages involved, however, Mr Martin refuted the statement made by the BBC and quoted by Ms O'Dell as inaccurate, and advised that this had been taken up with them at the time of the statement being made. Mr Martin stressed that the Health Board continues to make every effort to provide accurate information and to keep the public and staff fully informed, and that lessons would be learned from this. Mr Martin also accepted the challenge raised by Ms O'Dell that orthopaedics should be a 12 month service, and that the Health Board would work with its Consultants to ensure that this remained the case.

Mr Martin undertook to write to Ms O'Dell with the Health Board's formal response.

The Board **AGREED** the Winter Plan and the proposal to temporarily reduce some non-urgent elective orthopaedic operations



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Hywel Dda  
Health Board

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Dyddiad/Date: 10<sup>th</sup> December 2013  
Ein cyf/Our ref: AG/DTS  
Gofynnwch am/Please ask for: Mr Chris Martin  
Rhif Ffôn /Telephone: 01437 771240  
Ffacs/Facsimile: 01437 771222  
E-bost/E-mail: Chris.martin@wales.nhs.uk

Ms Kate O'Dell  
(via e-mail [kate.odellm@gmail.com](mailto:kate.odellm@gmail.com))

Dear Ms O'Dell

**QUESTION FOR CONSIDERATION AT PUBLIC BOARD MEETING:**

***Question: "I've been told by the Vice-Chair that this is not about saving money. Why can't the public have a ringfenced orthopaedic service which is non-seasonal and not dependent on winter pressure admissions? The present proposals are unacceptable and vaguely worded and you've already been paid £15m for unscheduled care. We do not understand the logic."***

Thank you for your question which, as you are aware, was raised for consideration at the Health Board's meeting in public on 28<sup>th</sup> November 2013. Whilst the minutes will confirm that your question was discussed at the meeting, they will also confirm that I undertook to provide you with a formal written response.

The minutes will also reflect the subsequent discussion that was held when you addressed the Board following the two agenda items pertinent to your question i.e. winter planning and the proposal to temporarily reduce some non-urgent elective orthopaedic operations.

You will know from the debate that was held, that NHS Wales has had significant problems delivering care during previous winter periods due to unprecedented levels of urgent and emergency pressures. In light of this, Health Boards were asked by Welsh Government to make winter planning a priority for 2013/14.

Part of the preparations for this winter planning have involved taking measures to concentrate the resources allocated to the Health Board on its most urgent patients i.e. cancer, stroke and emergency trauma patients, and to secure the safety of its services by reducing its reliance on temporary staff.

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Cadeirydd / Chairman  
**Mr Chris Martin**  
Prif Weithredwr / Chief Executive  
**Mr Trevor Purt**

Tudalen 50

Proposals to temporarily reduce some non-urgent elective orthopaedic capacity across the Health Board until 31<sup>st</sup> March 2014 were consulted upon between 28<sup>th</sup> October and 27<sup>th</sup> November 2013 with the clinicians and staff involved, and, as a consequence, a proposal to temporarily reduce non-urgent, elective orthopaedic capacity across all Health Board sites by 50% to better manage the inevitable winter bed pressures ahead, was approved at the Health Board meeting in public on 28<sup>th</sup> November 2013.

I understand from the feedback you were able to share at that meeting, the frustration felt in terms of the apparent lack of communication and vaguely worded messages involved. I acknowledge the points you have raised on this. However, the story published by the BBC you quoted was inaccurate and this was taken up with them at the time. We always make every effort to provide accurate information and to keep the public and staff fully informed and we will learn from what happened. I also accept the challenge you raised that orthopaedics should be a 12 month service, and the Health Board will work with its Consultants to ensure that this is the case.

As I stated at the Board meeting, I am grateful for the informed discussion that was held, and I trust that my written reply provides you with the response you require. Thank you, once again, for putting forward your question at our Health Board meeting in public on 28<sup>th</sup> November 2013.

Regards.

Yours sincerely

**CHRIS MARTIN**  
**Chair**

Mark Drakeford AC / AM  
Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol  
Minister for Health and Social Services



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref P-04-520  
Ein cyf/Our ref MD/03626/13

William Powell AM  
AM for Mid & West Wales  
Chair Petitions committee  
Ty Hywel  
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[committeebusiness@Wales.gsi.gov.uk](mailto:committeebusiness@Wales.gsi.gov.uk)

19 December 2013

*Dear William*

Thank you for your letter of 12 December concerning the petition submitted by Kate O'Dell, following the announcement of the reduction in orthopaedic surgery by Hywel Dda Health Board.

This was not a decision of the Welsh Government, but was an operational decision made by Hywel Dda Health Board, in the context of all the circumstances, including winter pressures.

Furthermore, I believe the decision was not made in the terms described in the petition. I understand that following discussions with staff, the Health Board intends to maintain elective orthopaedic surgery across the region, but with a reduced capacity, so as to enable them to better cope with unscheduled care demand. I am told the position will be reviewed on a weekly basis. The Health Board has also stated that all cancer, urgent trauma and orthopaedic day surgery will continue during this period.

If a reduced volume of orthopaedic surgery takes place in Hywel Dda this winter, clinicians will remain responsible for the care of individual patients and the treatment and support offered to them.

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

Wedi'i argraffu ar bapur wedi'i ailgylchurtu. **Yn arian 52**

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Llinell Ymholiadau Cymraeg 0845 010 4400  
Correspondence: [Mark.Drakeford@wales.gsi.gov.uk](mailto:Mark.Drakeford@wales.gsi.gov.uk)  
*Printed on 100% recycled paper*

I note that you have raised your concerns with the Chair of the Health Board. I would expect him to provide a satisfactory response addressing the concerns of the petitioners with respect to the Health Board's decision.

*Yours sincerely*

*Mark Drakeford*

**Mark Drakeford AC / AM**

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



## **P-04-481 Cau'r bwlch ar gyfer disgyblion byddar yng Nghymru**

### **Geiriad y ddeiseb:**

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i ddatblygu strategaeth genedlaethol ar gyfer Cau'r Bwlch o ran cyrhaeddiad addysgol rhwng disgyblion byddar a'u cyfoedion.

Mae'r Gymdeithas Genedlaethol i Blant Byddar yng Nghymru yn cyflwyno'r ddeiseb hon heddiw oherwydd ei bod yn Wythnos Ymwybyddiaeth o fod yn Fyddar, ac mae dwy flynedd wedi mynd heibio ers i 55 Aelod Cynulliad roi adduned y byddent yn cymryd camau i Gau'r Bwlch ar gyfer plant byddar.

Er hynny, mae ystadegau Llywodraeth Cymru yn dangos bod bylchau sylweddol o ran cyrhaeddiad rhwng disgyblion byddar a'u cyfoedion. Yn 2012, roedd disgyblion byddar 26 y cant yn llai tebygol o lwyddo i basio 5 TGAU ar radd A\*-C, a 41 y cant yn llai tebygol o lwyddo i basio ar raddau A\*-C yn y pynciau craidd Saesneg, Cymraeg, Mathemateg a Gwyddoniaeth.

Mae ein deiseb fideo yn gofyn i'r arbenigwyr (plant byddar eu hunain) beth sydd bwysicaf yn eu barn hwy. Dywedasant wrthym:

Mae angen cefnogaeth briodol arnom yn yr ysgol a'r coleg  
Mae angen acwsteg dda ym mhob ystafell ddosbarth arnom  
Bydd rhai ohonom yn defnyddio iaith arwyddion. Helpwch ni i annog ein cyfoedion sy'n clywed a'n hathrawon i ddysgu iaith arwyddion.  
Mae arnom angen i fwy o athrawon a disgyblion fod ag ymwybyddiaeth o fod yn fyddar.

Mae gormod o ddisgyblion byddar yn wynebu rhwystrau yn hyn o beth. Mae angen strategaeth genedlaethol er mwyn goresgyn y rhwystrau a Chau'r Bwlch!

### **Gwybodaeth ychwanegol:**

Mae modd llwytho ein deiseb fideo a'r adroddiad sy'n cyd-fynd â hi oddi ar y wefan: [www.ndcs.org.uk/ClosetheGapWales](http://www.ndcs.org.uk/ClosetheGapWales)

Cynhyrchwyd y ddeiseb fideo gyda chymorth wyth o bobl ifanc byddar, ac mae'n disgrifio'r pedwar ffactor pwysicaf i ddisgyblion byddar mewn ysgolion a cholegau, yn eu barn hwy.

Mae'r adroddiad sy'n cyd-fynd â'r fideo yn nodi'r rhwystrau y bydd llawer o ddisgyblion byddar yng Nghymru yn eu hwynebu yn y meysydd hyn. Mae hefyd yn cynnig awgrymiadau ynghylch sut y gallai strategaeth helpu i oresgyn y rhwystrau hyn.

**Prif ddeisebydd:** NDCS

**Ysytirwyd am y tro cyntaf gan y Pwyllgor:** 14 Mai 2013

NDCS Cymru

4 Cathedral Road

Cardiff CF11 9LJ

11<sup>th</sup> December 2013

William Powell AM

Chair, Petitions Committee

National Assembly for Wales

CF99 1NA

**Petition P-04-481**

Dear Chair,

Thank you for your letter dated 6<sup>th</sup> December. We welcome the opportunity to further clarify our response to the correspondence you have received in relation to our *Close the Gap* petition.

We welcome the support given by the Chair of the All Party Group of Deaf Issues and Action on Hearing Loss Cymru to the petition. We also welcome the opportunity offered by Governors Wales to display relevant information on their website and at conferences.

We were particularly pleased to see that the WLGA acknowledges the importance of training in ALN for all teachers and the importance of a good acoustic environment in all schools. We are also encouraged by the WLGA's commitment to joint working to meet the needs of hearing impaired children based on the example of the Gwent Hearing Impaired Service.

However we are disappointed by the response of the Minister for Education and Skills to the petition. We believe that a National Strategy to address each of the points raised in the petition is still required.

We welcome the Welsh Government's Workforce Planning Exercise in relation to supporting pupils with ALN and that provision of specialist services for deaf children will form part of the exercise. We wish to have assurances that such an exercise includes consideration not just of Teachers of the Deaf, but also of the numbers and skill sets of other key professionals working with deaf children, such as communication support workers, specialist speech and language therapists and teaching assistants. As identified in our initial campaign report, accessing these specialists, especially those with an appropriate level of training can be difficult. We also seek assurances that such a workforce planning exercise will be combined with a plan of action for addressing manpower, training and development issues.

A recent development in the field of Educational Psychology is of great concern to us. Educational Psychologists have a vital role in supporting children's development and helping them to reach their full potential. They also provide professional advice on children's emotional and educational development and help raise standards in our schools. In October 2013 Cardiff University decided it would no longer support the Doctorate in Educational Psychology therefore there will no longer be any training in Educational Psychology in Wales. This decision will lead to a drastic reduction in the supply of trained graduate educational psychologists in Wales, meaning there will not be enough educational psychologists to support local authorities and schools. This will deny deaf children and others with additional needs their chance to have their needs assessed appropriately.

We note that in its letter to the Petitions Committee the WLGA does not mention the Workforce Planning Exercise that is being undertaken by the Welsh Government. Local authorities will have a crucial role in ensuring that any staffing and development issues identified by the planning exercise are addressed.

The availability of BSL support for deaf pupils should be a vital element of the Workforce Planning exercise. We are concerned that without the appropriate skills communication support workers can neither adequately support these pupils to access the curriculum nor further enhance their linguistic skills and vocabulary in BSL. We would encourage the workforce planning exercise to consider introducing national standards for BSL support workers in schools and colleges.

The deaf young people who created the petition have also highlighted the need for more of their hearing peers and teachers to learn to sign. The vast majority of deaf pupils attend mainstream schools and for those who use sign language ensuring that other people in their schools can sign help them feel more included in school life. We would urge the Welsh Government to consider how more teachers and pupils can be encouraged to learn to sign.

The Minister in his response acknowledges that sign language classes are available. However many families find it difficult to access such courses. NDCS Cymru has a Big Lottery funded project called "It Starts Here" which provides families of young deaf children the opportunity to learn signs based on day to day family life. The funding for the project ends next year and we call on the Welsh Government to review the availability of BSL classes across Wales.

Lack of deaf awareness was one of the most significant barriers faced by the deaf young people who presented this petition. We are extremely disappointed with the Minister's response to this aspect of the petition. The present Minister for Education and Skills, Huw Lewis AM, has assured NDCS Cymru that the ALN module in the new Master in Educational Practice will include a reference to sensory impairment. We welcome this development but fear that it does not go far enough to address the lack of deaf awareness amongst teachers and support staff in schools.

We understand that the training that is being developed for Special Educational Needs Coordinators (SENCOs) does not cover deaf awareness. Under the proposed ALN reforms the SENCOs will play an even greater role in developing support plans for pupils with additional needs. It is imperative that the training includes a basic level of deaf awareness and knowledge of which specialist professionals and resources can be accessed to support deaf children and young people.

99% of deaf children in Wales attend mainstream schools. Many teachers are unaware they are teaching a child with hearing difficulties due to their misconceptions around assistive listening devices. Although such technology can provide improved access to sound, it does not restore typical levels of hearing. There is also a general lack of awareness that 80% of all children will experience a temporary hearing loss that can continue for a sustained period and without appropriate support

can have a severe impact on their learning development. Ensuring that teachers and support staff are aware of some simple, but effective deaf awareness tips could go a long way to improving deaf young people's access at school. NDCS Cymru urges the Welsh Government to include deaf awareness within training courses for teachers and LSAs.

Deaf young people tell us that it is important that their peers understand deafness. NDCS has produced resources that can be used to help schools teach their pupils about deaf awareness. We would also call on the Welsh Government to include deaf awareness within the PSE curriculum.

In his response the Minister does not address the role of Estyn in ensuring that schools with deaf pupils and local authority specialist support services are meeting the needs of deaf pupils. We believe that there is scope for Estyn to provide deaf awareness training for its inspectors in order to address this issue.

We are still concerned about the impact of ALN Reforms on deaf children and young people, including post-16 provision. Last week the Minister for Education rejected the recommendation of the Children and Young People's Committee to take post-16 SEN Reform out of the Education Bill to be included in a single piece of legislation. We understand the Minister's concerns about delaying the SEN reform for post-16 students but do feel that a single piece of legislation would be more coherent and better serve the needs of deaf children and young people.

We understand that the White Paper on ALN Reform is now due to be published in the spring of 2014. We still have significant concerns about the proposals. Our concerns include the intention to develop a universal provision pathway rather than disability specific pathways. We feel that in the case of low incidence disability, such as deafness, a specific pathway is of paramount importance to ensure that staff are aware of the specialist professionals who must contribute to a child's assessment of need and to supporting the education of that child.

We are also concerned that the Individual Development Plans (IDP) will not be robust enough and may not include clear information on key points. In the case of deaf children the proposed IDP does not include key information such as the child's level of hearing loss, the agreed placement for the child and information on ongoing support.

One of our particular concerns with the proposed ALN reforms is the reduced right of appeal to the Special Educational Needs Tribunal Wales (SENTW). Only children deemed to have severe or complex needs will have the right to appeal under the present proposals. It is imperative that families of children with all levels of need retain the right of appeal to SENTW with regard to the specialist support they need.

We are disappointed that the Minister's response fails to acknowledge that the Welsh Government could do a great deal more to improve acoustic standards in schools. The Welsh Government now has powers over Building Regulations and could use these powers to strengthen acoustic standards in new schools, colleges and nurseries. These powers over Building Regulations were devolved on New Year's Eve 2011 and 39 Assembly Members from all four political parties supported our call for good acoustics in schools. In the present financial climate many existing school, colleges and nurseries with a poor acoustic environment may not be refurbished in the near future. We would urge the Welsh Government to promote measures that head teachers can take to assess and improve acoustics in existing buildings.

Good acoustics are important for deaf children and for the 80% of primary aged children who experience a temporary hearing loss. Acoustics are also important for other vulnerable children and

several organisations representing other disabilities support our campaign, including RNIB Cymru, SENSE Cymru, Autism Cymru, NAS Cymru, Downs Syndrome Association and AFASIC Cymru. There is also evidence that a good acoustic environment can improve the learning and behaviour of pupils in general.

To summarise, in 2012 deaf pupils were 41% less likely to achieve higher grade passes in core subjects – the widest gap since records began. NDCS Cymru is concerned that there are a multitude of factors which need to be addressed. Although the Minister’s response and subsequent developments outline a few positive steps many of the key issues in our petition remain unaddressed. In particular the Minister does not address our call for a National Strategy to Close the Gap in educational attainment for deaf pupils. We believe that a national strategy will present a cohesive approach to the numerous barriers that deaf pupils face. We would want the strategy to include the following points:

- Deaf awareness training for key professionals, including teachers, SENCOs and LSAs.
- Issues in staffing or training and development identified through the workforce planning exercise
- Consideration to strengthening Estyn’s role in inspecting the services local authorities and schools provide to deaf pupils.
- Raising deaf awareness amongst hearing pupils
- Improved access to BSL classes for families of deaf children
- More opportunities for pupils and teachers to learn BSL.
- A clear provision pathway for deaf children and young people.
- Building regulations to be amended to ensure all new school, college and nursery buildings are required to demonstrate compliance with minimum acoustic standards
- Improving acoustics in existing school, college and nursery buildings.

We note than in your meeting on 11<sup>th</sup> November 2013 you discussed the possibility of commissioning a piece of work in relation to this petition. We hope that this letter clarifies our position that we feel that the Welsh Government could do a great deal more to address the issues raised by the deaf young people in the petition. We would welcome the opportunity to work with you if you do commission work on this petition.

Yours sincerely

Elin Wyn

Policy Adviser, NDCS Cymru

[elin.wyn@ndcs.org.uk](mailto:elin.wyn@ndcs.org.uk)

# Eitem 3.8

## **P-04-516 I wneud gwyddor gwleidyddiaeth yn rhan orfodol o addysg**

### **Geiriad y ddeiseb:**

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i bwysu ar Lywodraeth Cymru i wneud gwyddor gwleidyddiaeth yn rhan orfodol o'r cwricwlwm ysgol.

**Prif ddeisebydd:** Mark Griffiths

**Ysytirwyd am y tro cyntaf gan y Pwyllgor:** 26 Tachwedd 2013

**Nifer y llofnodion:** 12



Eich cyf/Your ref P-04-516  
Ein cyf/Our ref HL/02033/13

William Powell AM

committeebusiness@Wales.gsi.gov.uk

6 January 2014

Dear William

Thank you for your letter of 16 December 2013 writing on behalf of the Petitions Committee asking for my views on making political science a compulsory part of the school curriculum.

Currently, the school curriculum for Wales provides opportunities for young people to understand the principles and system of our democracy, including how young people can influence decision making. Schools mostly cover these topics through personal and social education (PSE) and focus on developing 'Active Citizenship', which is one of the five themes within the non-statutory *PSE framework for 7 to 19-year-olds-Wales*.

PSE is a statutory curriculum requirement and forms part of the Basic curriculum for all registered pupils at maintained schools who are of compulsory school age. Decisions on the precise content and model of delivery of a school PSE programme lie with head teachers and their governors, working with local authorities and other local partners. This gives schools flexibility to focus on aspects of PSE that are particularly relevant to their situation and best meet the needs of their learners. The non-statutory PSE framework is the key document which schools use to review and develop their PSE programmes.

Within the 'Active Citizenship' element of the non-statutory PSE framework, learners should:

*"Develop a practical understanding of their rights and of the links between political decisions and their own lives.*

*Learners are members of communities, from local through national to global, and can be helped to play a meaningful and active part in them. Such active citizenship implies a number of considerations. There needs to be an understanding of the nature of communities in Wales and beyond and the roles, relationships, conflicts and inequalities that affect the quality of life. Learners should explore their rights in a democratic society as underpinned by the United Nations Convention on the Rights of the Child. They have a right to be involved in making decisions, and planning and reviewing any actions that might affect them. Learners should also consider their responsibilities as young citizens and be equipped to participate in community life through service and action which promotes the well-being of that community.*



*Finally, learners need to develop a political 'literacy' which enables them to make effective decisions and judgements in the world of political and legal systems."*

I am determined to ensure that we have a curriculum for Wales that is broad, balanced and fit for the twenty first century and which addresses some of the key challenges faced by learners growing up in the modern global society. This is why on, 22 October 2013, I announced my intention to review the Basic Curriculum as part of the second phase of the review of assessment and the National Curriculum. I will be providing more details of the second phase of the review in due course.

Yours sincerely

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

**Huw Lewis AC / AM**

Y Gweinidog Addysg a Sgiliau

Minister for Education and Skills

**P-04-516 Make political science compulsory in education –  
Correspondence from Petitioner to Clerking Team, 12.01.14**

Dear kayleigh ,

Thanks for your email and the opportunity to respond  
to the minister's submission .

i would like the following points in response considered :-

Mr lewis states that politics is part of the non-statutory part of the  
PSE , obviously making this important subject an irrelevant addition  
that most schools choose to ignore !

I have two children who both have never had lessons covering  
the uk constitution or the democratic process here etc ...  
the only mildly political discourse they appear to have experienced  
is inadvertantly through history or the very unbalanced jubilee  
celebrations of 2012.

With young person's electoral voting hitting serious lows { 39%  
in 2001 - as per electoral commision 2002} , poor political  
awareness and engagement is seriously highlighted as is the undermined  
democratic  
process . voting participation has been in the low 60% for over a decade ,  
whereas previously it was around 70 -80 % .

I work for a youth organisation and this has alerted to me  
the poor political knowledge of young adults who increasely  
feel marginalised and powerless due to their ignorance  
of the political process . their frustration unfortunately leads  
to choices that may not occur if they were better informed  
of alternative `avenues' . i hope the minister's curriculum  
review will seriously consider some sort of political science  
which will aid youngsters in their development ...

Regards  
Mark griffiths

### **P-04-517 Atal Llywodraeth Cymru rhag cyflwyno system i fonitro plant sy'n dewis cael eu haddysgu gartref o dan wedd diogelu**

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

Mae adolygiadau achos gwirioneddol wedi dangos mai awdurdodau, nid dewis addysgu plant gartref, sydd wedi gwneud cam â phlant. Ymrwymodd y llywodraeth i gyflawni hawliau'r plentyn yn 2004, a nododd bryd hynny y bydd yn ymgynghori â phlant cyn newid pethau sy'n effeithio ar blant. Nid yw'r llywodraeth yn ymgynghori â'n plant, sydd eisoes wedi dangos mewn ymgynghoriad gwahanol y llynedd eu bod yn gwrthwynebu system fonitro. Rydym ni, felly, yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i atal cyflwyno system i fonitro plant sy'n dewis cael eu haddysgu gartref o dan wedd diogelu.

**Prif ddeisebydd:** New Foundations Home Education

**Ysytiriwyd am y tro cyntaf gan y Pwyllgor:** 26 Tachwedd 2013

**Nifer y llofnodion:** 864

Huw Lewis AC / AM  
Y Gweinidog Addysg a Sgiliau  
Minister for Education and Skills



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref P-04-517  
Ein cyf/Our ref HL/02032/13

William Powell AM

William.powell@wales.gov.uk

2 January 2014

Dear William

Thank you for your letter of 16 December, in which you enclose a petition from New Foundation Home Education.

You may be aware that last year the Welsh Government undertook a consultation on legislative proposals to introduce a compulsory registration and monitoring scheme for electively home educated children. 550 responses were received to the consultation. The Minister made a statement on 21 December 2012 that, in view of the level of response raised by the consultation, he would not be proceeding with the proposed legislative changes as part of the Education (Wales) Bill to allow time for full consideration of views.

Officials have now completed this review and a formal response to the consultation will be published in due course. The Minister will be reflecting on any future plans in light of the consultation responses, and will set out any future plans in a ministerial statement.

The United Nations Convention on the Rights of the Child was given due regard throughout the consultation process. Workshops were held in which electively home educated children were invited to discuss and explore the proposals; a child-friendly version of the consultation document was also created, presented in plain English.

These workshops were facilitated by Youth Friendly and detailed notes were taken. A report which captures the comments and feedback from the sessions is being prepared, and will be published in due course.

Yours sincerely

**Huw Lewis AC / AM**  
Y Gweinidog Addysg a Sgiliau  
Minister for Education and Skills

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff

Wedi'i argraffu ar bapur wedi'i ailgylchu (100%)  
Tudalen 65

English Enquiry Line 0845 010 3300  
Llinell Ymholiadau Cymraeg 0845 010 4400  
Correspondence.Huw.Lewis@wales.gsi.gov.uk  
Printed on 100% recycled paper

## **P-04-522 Asbestos mewn Ysgolion**

### **Geiriad y ddeiseb:**

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i roi mesurau ar waith i sicrhau bod rhieni a gwarcheidwaid plant yng Nghymru yn gallu cael mynediad rhwydd at wybodaeth am bresenoldeb asbestos mewn adeiladau ysgolion a beth a wneir i'w reoli.

O ystyried y risg i iechyd sy'n gysylltiedig â phresenoldeb asbestos mewn adeiladau cyhoeddus, credwn fod gan rieni a gwarcheidwaid yng Nghymru yr hawl i:

- gael gwybod os oes asbestos yn ysgolion eu plant;
- cael gwybod, os oes asbestos yn yr ysgol, ei fod yn cael ei reoli yn unol â Rheoliadau Rheoli Asbestos 2012;
- cael mynediad rhwydd at y wybodaeth honno ar-lein.

**Prif ddeisebydd:** Cenric Clement-Evans

**Ysytiriwyd am y tro cyntaf gan y Pwyllgor:** 10 Rhagfyr 2013

**Nifer y llofnodion:** 448



Eich cyf/Your ref P-04-522  
Ein cyf/Our ref HL/02030/13

William Powell AM  
AM for Mid & West Wales  
(c/o Committee Clerk: [Stephen.George@wales.gov.uk](mailto:Stephen.George@wales.gov.uk))  
Chair Petitions committee

[committeebusiness@Wales.gsi.gov.uk](mailto:committeebusiness@Wales.gsi.gov.uk)

2 January 2014

Dear William

Thank you for your letter of 16 December 2013, in respect of a petition from Cenic Clement-Evans, which concerns the provision of information about the presence and management of asbestos in schools.

It may be helpful if I begin by giving you some background about the management of asbestos. While devolution in 1998 brought about the transfer of responsibility for education and training to the Welsh Government, some topics remain reserved for central government. The Health and Safety at Work Act 1974 and legislation made under this Act, including the Control of Asbestos Regulations, is one such area of policy.

Responsibility for the enforcement of the relevant legislation in relation to control of asbestos falls to the Health and Safety Executive and not the Welsh Government, as does the remit for the provision of advice and guidance.

Responsibility for the management of asbestos lies with the duty-holder. In the school premises context, this can either be the local authority or the school governing body. All duty-holders in England, Scotland and Wales are required to comply with the same legislation and standards of compliance.

In practice a duty holder's responsibilities in a school include:

- Keeping an up-to-date record of the location and condition of asbestos containing materials (ACM);
- Assessing the risk from any ACM in the school;
- Having a written asbestos management plan with actions and measures necessary to manage the risks from ACM
- Putting those plans into action
- Making information available to workers who may disturb asbestos (e.g. contractors or maintenance workers).

As the management of asbestos plans is part of the health and safety function which is not devolved to the Welsh Government, I do not have the legislative powers to compel local authorities to make this information available to parents and guardians. You can, however, be re-assured that my officials will continue to work with local authorities to ensure the safety of pupils.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Huw Lewis'.

**Huw Lewis AC / AM**

Y Gweinidog Addysg a Sgiliau  
Minister for Education and Skills

# Eitem 3.11

## **P-04-500 Galw am Reoleiddio Sefydliadau Lles Anifeiliaid yng Nghymru**

### **Geiriad y ddeiseb:**

Rydym ni, sydd wedi llofnodi isod, yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i reoleiddio Sefydliadau Lles Anifeiliaid a deddfu bod holl sefydliadau achub anifeiliaid yn bodloni gofynion gorfodol yn unol â'r adroddiad a luniwyd gan Weithgor Sefydliadau Lles Anifeiliaid Rhwydwaith Lles Anifeiliaid Cymru ym mis Hydref 2012. Mae angen i Lywodraeth Cymru roi deddfwriaeth ar waith yng Nghymru o dan Ddeddf Lles Anifeiliaid (2006), i ddiogelu anifeiliaid rhag esgeulustod a cham-drin.

### **Gwybodaeth ychwanegol:**

Mae mwy a mwy o anifeiliaid yn dioddef cam-drin, esgeulustod ac yn cael eu bridio mewn sefydliadau heb eu rheoleiddio sy'n hysbysebu ei hunain yn Ganolfannau Achub, ac rydym yn galw ar Gynulliad Cymru i ddeddfu o dan Ddeddf Anifeiliaid 2006 i geisio rhoi'r gorau i hyn.

**Prif ddeisebydd:** Lisa Winnett

**Ysytiriwyd am y tro cyntaf gan y Pwyllgor:** 24 Medi 2013

**Nifer y llofnodion:** 265



Alun Davies AC / AM  
Y Gweinidog Cyfoeth Naturiol a Bwyd  
Minister for Natural Resources and Food



Llywodraeth Cymru  
Welsh Government

Eich cyfi/Your ref P-04-500  
Ein cyfi/Our ref AD-/01604/13

William Powell AC  
AC y Canolbarth a'r Gorllewin  
Cadeirydd y Pwyllgor Deisebau  
Tŷ Hywel  
Bae Caerdydd  
Caerdydd  
CF99 1NA

29 Hydref 2013

*Amwy 25:11,*

#### Sefydliadau Lles Anifeiliaid

Diolch am eich llythyr am Ddeiseb P-04-500 sy'n Galw am Reoleiddio Sefydliadau Lles Anifeiliaid yng Nghymru.

Rwy'n ymwybodol o'r adroddiad 'The Case for the Regulation of Animal Welfare Establishments in Wales' gan Rwydwaith Lles Anifeiliaid Cymru (AWNWV); yn wir, bu fy swyddogion yn bresennol yng nghyfarfodydd y gweithgor ac maent wrthi'n adolygu'r argymhellion a gynigir yn yr adroddiad. Byddaf innau'n ystyried yr argymhellion maes o law.

O safbwynt sylw'r deisebwr "Mae mwy a mwy o anifeiliaid yn cael eu cam-drin a'u hesgeuluso ac yn cael eu magu mewn sefydliadau heb eu rheoleiddio sy'n hysbysu fel Canolfannau Achub'. Ni wn am unrhyw ystadegau yn adroddiad AWWV sy'n cefnogi neu'n gwrthod hynny.

Byddai diddordeb gennyf weld unrhyw dystiolaeth neu wybodaeth gefndir y gellid ei defnyddio fel rhan o ymrwymiad Llywodraeth Cymru i godi safonau lles anifeiliaid ar draws nifer o feysydd, hwn yn eu plith.

**Alun Davies AC / AM**  
Y Gweinidog Cyfoeth Naturiol a Bwyd  
Minister for Natural Resources and Food

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff

CF99 1NA  
Wedi'i argraffu ar bapur wedi'i ailgylchu ~~Wales~~ Walesen 70

English Enquiry Line 0845 010 3300  
Llinell Ymholiadau Cymraeg 0845 010 4400  
Correspondence: Alun.Davies@wales.gsi.gov.uk

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Alun Davies AC / AM  
Y Gweinidog Cyfoeth Naturiol a Bwyd  
Minister for Natural Resources and Food



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref P-04-500  
Ein cyf/Our ref AD-/01604/13

William Powell AM  
AM for Mid & West Wales  
Chair Petitions committee  
Ty Hywel  
Cardiff Bay  
Cardiff  
CF99 1NA

29 October 2013

*DPW 15.11.*

#### Animal Welfare Establishments

Thank you for your letter, regarding Petition P-04-500 Call for Regulation of Animal Welfare Establishments in Wales.

I am aware of the report 'The Case for the Regulation of Animal Welfare Establishments in Wales', published by the Animal Welfare Network Wales (AWNWW); indeed, my officials observed the working group meetings and are currently reviewing the recommendations put forward in the report. I will consider recommendations in due course.

With regard to the petitioner's comment "More and more animals are suffering abuse, neglect and are being bred from in unregulated establishments who advertise as a Rescue Centre", I am not aware of any statistics included in the AWWNW report to support that or separately.

I would though be interested in any evidence or background information that could be provided as part of the Welsh Government's commitment to raise standards on animal welfare across a number of areas, including this one.

*Alun Davies*

Alun Davies AC / AM  
Y Gweinidog Cyfoeth Naturiol a Bwyd  
Minister for Natural Resources and Food

Bae Caerdydd • Cardiff Bay  
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CF99 1NA  
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## **P-04-511 Cefnogi'r safonau cyfranogaeth plant a phobl Ifanc**

### **Geiriad y ddeiseb:**

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i gefnogi proses hunanasesu'r Safonau Cenedlaethol Cyfranogaeth Plant a Phobl Ifanc i Gymru.

### **Gwybodaeth Ychwanegol:**

Lansiwyd y safonau cyfranogaeth yn 2007 ar ôl iddynt gael eu datblygu gan yr Uned Gyfranogaeth. Ceir saith safon cyfranogaeth, sef Gwybodaeth, Dy Ddewis Di, Dim Gwahaniaethu, Parch, Byddi Di ar Dy Ennill, Adborth a Gwella'r Ffordd Rydym yn Gweithio. Yna datblygodd yr uned gyfranogaeth gynllun nod barcud safonau cenedlaethol yn seiliedig ar y safonau. Diben y nod barcud oedd y byddai'r sefydliadau'n cynnal hunanasesiad ac, unwaith y byddai wedi'i gwblhau, y byddai tîm o arolygwyr ifanc yn dod i archwilio'r dystiolaeth yr oedd y sefydliadau wedi'i darparu i weld a oedd yn cyrraedd y safonau cenedlaethol. Os ystyrir ei bod yn cyrraedd y safonau, byddai'r sefydliadau'n cael Nod Barcud y Safonau Cenedlaethol Cyfranogaeth. Fodd bynnag, nid yw'r uned gyfranogaeth yn bodoli mwyach, sy'n golygu mai dim ond nod barcud lefel sir y gall unrhyw sefydliad sy'n hunanasesu ei gael erbyn hyn, sy'n golygu nad oes cydnabyddiaeth genedlaethol a hefyd nad oes tîm sy'n cydgysylltu'r arolygwyr ifanc.

**Prif ddeisebydd:** Powys Youth Forum

**Ysytiriwyd am y tro cyntaf gan y Pwyllgor:** 11 Tachwedd 2013

**Nifer y llofnodion:** 39

Jeff Cuthbert AC / AM  
Y Gweinidog Cymunedau a Threchu Tlodi  
Minister for Communities and Tackling Poverty



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref P-04-511  
Ein cyf/Our ref JC/00823/13

William Powell AM  
Chair Petitions committee  
Ty Hywel  
Cardiff Bay  
Cardiff  
CF99 1NA

18 December 2013

Dear William,

Thank you for your letter of 6 December and the petition you have received from Powys Youth Forum about the National Children and Young People's Participation Standards for Wales. I am aware of this petition and have looked into the matter previously.

The Participation Standards were developed by the Participation Unit hosted by Save the Children. The Welsh Government has consistently supported children and young people's participation and provided grant funding to the Participation Unit to promote and enable the participation of children and young people across Wales. While the Participation Unit led on the continuing development and embedding of the Participation Standards across Wales, we as a Government endorsed the Standards.

In 2012, the Participation Unit informed us that they would not be submitting a bid for core funding in 2012/13 as they had secured other funds to support the work of the Unit and the Participation Standards. The funding we provided to the Participation Unit was therefore reallocated to other services. Since then, Save the Children took the decision to cease the Participation Unit. I will ask my officials to see if there are other ways we could support the Participation Standards; however you will understand that there are increasing pressures on budgets within Government.

In terms of encouraging youth participation, we are one of only a few countries in the world and the only UK administration to have legislated for children and young people's participation. Section 12 of the *Children and Families (Wales) Measure 2010* places a duty on Local Authorities, working with their partners, to promote and facilitate participation by children and young people in decisions that might affect them.

Bae Caerdydd • Cardiff Bay  
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Tudalen 73  
Wedi'i argraffu ar bapur wedi'i ailgylchu (100%)

English Enquiry Line 0845 010 3300  
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Correspondence .jeff.cuthbert@wales.gsi.gov.uk  
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In addition, the Rights of Children and Young Persons (Wales) Measure 2011 places the UNCRC at the heart of the government's work. Article 12 of the UNCRC particularly recognises children and young people's participation.

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

**Jeff Cuthbert AC / AM**

Y Gweinidog Cymunedau a Threchu Tlodi  
Minister for Communities and Tackling Poverty

**P-04-511 Support for children and young people participation standards – Correspondence from the Petitioner to Committee, 13.01.2014**

**Response from Powys Youth Forum - Response 1**

From our research from our members we have found out that many school councils have been working towards the standards to make sure that the school is being as participative as possible. The award not only gives them something physical to aim for, but also provides incentive and a sense of pride for achieving greatness in participation in their school. This acts as something for every school to aim for, allowing the levels of participation to rise, and for everyone to be aware of the standards as a result.

We are pleased with the steps that the Welsh Government has taken to increase local participation but we still believe that for the kite make to have national recognition would be beneficial and currently there is no over arching organisation or team co-ordinating the young inspectors and the Participation Kite Mark.

**Response from Powys Youth Forum - Response 2**

Powys Youth Forum have received permission from Mike Mainwaring (Neath Port Talbot Council for Voluntary Service, Children, Young People and Families Participation Officer) to include in the response to the committee a letter which has been sent to Martin Swain. We hope that you will use this information to develop a further understanding of the challenges and issues that are being faced with the National Children and Young People Participation Standards across Wales.

-----  
Martin Swain  
Director for Children, Young People and Families Division  
National assembly for Wales

Dear Martin Swain,

I am writing on behalf of the North and South Wales Participation Officer's Network in the hope that we may be able to resolve a problem we have had since the loss of the Participation Unit at Save the Children.

As Participation Officers we have sold the concept of the Participation Standards and the Kite Mark on its National credentials. Groups tell us that they wouldn't have strived to meet the Standards and subsequent re-inspections if they had not had national status. The work under

taken by the Participation Unit has left us in a good position. We have a Self-Assessment Toolkit, a process for recruiting, training and accrediting the work of the Young Inspectors and a method for assessing organisations. Prior to the closing of the Participation Unit the Young Inspectors would produce their report and the Participation Unit would check it and award the Kite Mark if appropriate. Some of us now have a system whereby we peer review other counties inspection reports and confirm the awarding of the Kite Mark.

The majority of counties in Wales have operated a Young Inspector programme, some are now unfortunately on hold, and therefore have groups who have been supported to meet the Standards and young people who are trained and awaiting the experience of conducting an inspection. In Neath Port Talbot we have 18 inspectors 10 of whom have gained an OCN in participation to Level 2 and 3. There have been 8 inspections, with 6 awarded the Kite Mark. The Participation Standards are written into our Participation, Engagement and Advocacy Action Plan, which is reported to the Local Service Board as in line with the Single Integrated Plan Guidance.

Counties such as Caerphilly have a staff member grant funded to deliver against the Standards, therefore not meeting targets due to lack of national direction; they are training young people, and have already 20 young inspectors training and are trying to get their work accredited, three inspections have been passed via peer moderation and they have produced certificates at a local level. These would benefit from being signed off nationally. They have additional organisations awaiting inspection.

Conwy are developing the Participation Standards model to encompass the three themes in the UNCRC: protection, provision and participation. They are currently at the piloting stage on this.

Many of the counties are just gaining momentum with the National Participation standards but this is being hampered by a lack of national recognition. We may be in danger of losing a well-developed and tested programme if we continue without this national recognition and therefore derailing the participation and children's rights agenda. This would have a knock on affect for Welsh Government and the implementation of the Child Rights (Wales) Measure.

We are proposing that the Participation Officer's Network continue to peer review the Young Inspector's work but that Welsh Government actually award the Kite Mark. In practice, this would mean that the Young Inspectors would be recruited, trained, supported, would inspect the organisations and submit the report. The Participation Officer's Network would peer review these reports and send them to Welsh Government for the final sign off.

Myself and others would be interested in meeting with you and other officials to discuss whether this would be a viable option for Welsh Government.

Yours sincerely

Mike Mainwaring  
Children, Young People  
And Families Participation Officer



## **P-04-482 Hysbysfyrddau cyhoeddus ar draws Cymru i rhoi wybod i'r cyhoedd pwy yw eu cynrychiolwyr gwleidyddol**

### **Geiriad y ddeiseb:**

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i ddatblygu system genedlaethol i osod hysbysfyrddau cyhoeddus mawr (tua 5x4 troedfedd fel enghraifft) ym mhob awdurdod lleol a ward etholiadol Cymru, yn rhoi gwybod yn glir i bawb pwy yw eu Cynghorwyr ac Aelodau Cynulliad Lleol, ac yn cynnwys gwybodaeth glir am sut, ble a phryd y gellir cysylltu a chyfarfod â hwy i gyd, a gwybodaeth reolaidd a diweddar am ble a phryd y cynhelir holl gyfarfodydd y cyngor lleol.

Mae gwir angen i bobl gael gwybod pwy yw eu cynrychiolwyr gwleidyddol ar bob lefel, gyda hysbysfyrddau sy'n cynnwys gwybodaeth glir ac eglur wedi'u lleoli'n ganolog ym mhob awdurdod lleol a ward etholiadol Cymru. Gellid hefyd ystyried rhoi oriau a lleoliadau cymorthfeydd, a chyfarfodydd y cyngor o bosibl, i gael eu safoni ledled Cymru (e.e. 1-3pm ar ddydd Sadwrn cyntaf pob mis mewn canolfannau cymunedol lleol ledled Cymru fel enghraifft gyffredinol) fel y gall pobl ryngweithio a chysylltu â'u cynrychiolwyr yn fwy effeithiol. Bydd hyn i gyd yn annog dinasgyddion Cymru i ymwneud yn fwy â democratiaeth eu gwlad a'u cymunedau.

**Prif ddeisebydd:** Cymru Sofren

**Ysytiriwyd am y tro cyntaf gan y Pwyllgor:** 14 Mai 2013

**Nifer y llofnodion :** 11

**Our Ref/Ein Cyf:**  
**Your Ref/Eich Cyf:**  
**Date/Dyddiad:**  
**Please ask for/Gofynnwch am:**  
**Direct line/Llinell uniongyrchol:**  
**Email/Ebost:**

ST/SJ  
29 July 2013  
Steve Thomas  
029 2046 8610  
steve.thomas@wlga.gov.uk



WLGA • CLILC

Mr William Powell AM  
Chair of the Petitions Committee  
National Assembly for Wales  
Cardiff Bay  
Cardiff  
CF99 1NA

Dear Mr Powell

Thanks you for the letter setting out the views of Sovereign Wales on proposals to develop a national system of public notice boards setting out who councillors and AMs are in a particular area. In these straightened times such proposals are impracticable and probably would be deemed by the public to be a waste of precious resources that could be spent on front line services. Similarly the cost of erecting, maintaining, updating and repairing due to vandalism would be prohibitive. There are already available many ways for the members of the public to access this information not least in free council newspapers, on websites and through local newspapers. As such WLGA does not support this idea.

Yours sincerely

**Steve Thomas CBE**  
Chief Executive / Prif Weithredwr

Steve Thomas CBE  
Chief Executive  
Prif Weithredwr

Welsh Local Government  
Association  
Local Government House  
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Cymdeithas Llywodraeth  
Leol Cymru  
Tŷ Llywodraeth Leol  
Rhodfa Drake  
CAERDYDD CF10 4LG  
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[www.wlga.gov.uk](http://www.wlga.gov.uk)

Tudalen 79

William Powell AM  
Chair, Petitions Committee  
National Assembly for Wales  
Cardiff Bay  
Cardiff  
CF99 1NA

18 September 2013

Dear William,

**Reference P-04-482 and P-04-478**

Thank you for writing to seek the views of the Electoral Commission on these two petitions. I apologise for the slight delay in responding.

Firstly with reference to Petition P-04-4782, any suggestion relating to the placing of a large public notice board containing details of elected members, including dates and times of council meetings should be the responsibility of the local electoral officer who has a statutory duty to "encourage the participation by electors in the electoral process in the area for which he acts"<sup>1</sup>.

Most local authorities and elected members already provide this information at a local level either on notice boards or through the press and there is a wealth of information available online, although we recognise that not everyone in Wales will have access to this type of resource.

We therefore believe that the local electoral officer (rather than Welsh Government), in consultation with relevant elected members / organisations, would be ideally placed in taking a decision as to the feasibility of such a piece of work at a local level.

Turning to Petition P-04-478, the Electoral Commission already provides comprehensive and independent guidance for candidates and agents standing in all elections in the UK, so we would consider that the type of resource suggested by the petitioner, although not a leaflet, does already exist.

<sup>1</sup> Section 69, Para 1 Electoral Administration Act 2006

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☛ We welcome correspondence in Welsh and English



**The Electoral Commission**  
Companies House  
Crown Way  
Cardiff CF14 3UZ

**Y Comisiwn Etholiadol**  
Tŷ'r Cwmnïau  
Ffordd y Goron  
Caerdydd CF14 3UZ

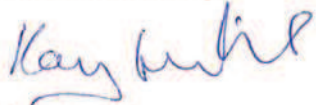
Tel/Ffôn 029 2034 6800  
Fax/Ffacs 029 2038 0996

inf@electoralcommission.gov.uk

This guidance is widely used, partly as a result of it being available through the Commission's website ([www.electoralcommission.org.uk](http://www.electoralcommission.org.uk)) and also due to its dissemination through a variety of networks, including each relevant democratically elected body.

It is a matter for the individual local authority, Parliament or Assembly to encourage individuals to stand as a candidate in any given election.

Yours sincerely,



Kay Jenkins

Head of Electoral Commission Wales and English Regions

02920 346800

[kjenkins@electoralcommission.org.uk](mailto:kjenkins@electoralcommission.org.uk)

## **P-04-519 Diddymu Taliadau Comisiwn wrth werthu Cartrefi mewn Parciau**

### **Geiriad y ddeiseb:**

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i ddileu o Ddeddfwriaeth yr hawl sydd gan berchnogion parciau i fynnu comisiwn pan gaiff cartrefi mewn parciau eu gwerthu'n breifat, am nad ydynt yn rhan o'r broses werthu mwyach.

**Prif ddeisebydd:** Caerwnon Park Residents Association

**Ysytirwyd am y tro cyntaf gan y Pwyllgor:** 10 Rhagfyr 2013



Llywodraeth Cymru  
Welsh Government

Eich cyfl/Your ref P-04-519  
Ein cyfl/Our ref CS/02114/13

  
January 2014

William Powell AM

[committeebusiness@Wales.gsi.gov.uk](mailto:committeebusiness@Wales.gsi.gov.uk)

Dear William

Thank you for your letter of the 16 December on behalf of the Petitions Committee regarding the petition from Caerwnon Park Residents Association, which calls for the removal from legislation of the commission paid to park owners on the sale of a mobile home.

The 10% commission rate is paid by the new occupier of the mobile home to the site owner. The commission rate was introduced in 1983 and the rate of commission has not been changed since its introduction. The Mobile Homes (Wales) Act 2013 restates this provision and allows for Welsh Ministers to amend the rate by regulation.

The commission rate is a core element of the business model for residential mobile home site owners and any change to the rate would potentially have a knock-on effect on other fees paid by home owners, otherwise the financial viability of sites would be undermined. The UK Government consulted in 2006, on what the appropriate maximum rate should be. Some residents who stated that they intended to sell their home at some point in the future favoured a reduction in, or abolition of, the commission rate, but accepted that it would result in higher pitch fees. Other residents who saw their mobile home as their "home for life", wished to retain the existing rate in return for the protected pitch fees.

The commission on sales is an important source of revenue for site owners and provides funding for the management and maintenance of sites. A change could disturb the balance between commission and pitch fees, resulting in a significant and unwelcome increase in pitch fees for many residents on fixed incomes. Given this I see no strong reason to amend the commission rate at this time.

Yours sincerely



**Carl Sargeant AC / AM**  
Y Gweinidog Tai ac Adfywio  
Minister for Housing and Regeneration

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA  
**100%**  
**Ydalen 83**

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Correspondence: Carl.Sargeant@wales.gsi.gov.uk  
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## **P-04-519 Abolition of Park Homes Sales Commission – Correspondence from Peter Black to the Chair, 18.12.13**

Thanks for the letter concerning the commission payable on the sales of Park Homes. This provision was not on the face of the Mobile Homes (Wales) Act 2013 nor any of its predecessor legislation. It is a matter for the Minister who can vary the commission rate through secondary legislation using the negative procedure. As I understand it the last UK Government carried out a consultation as to whether the commission should be abolished but took no action as the responses were inconclusive.

The commission forms an integral part of the economics of Park Homes and is payable because the site owner retains ownership of the pitch. The Park Home owner owns the home itself and pays a monthly fee for the use of that pitch. In that respect the arrangement is unique in land law but of course mirrors the situation in the holiday sector where the caravan owner pays to park his or her caravan on a particular site. I believe that in both instances a commission is payable if the caravan/mobile home changes hands so as to cover the costs of the site owner. Ten per cent is of course a maximum commission rate but I am not aware of anybody who charges less.

I did not tackle this issue when taking my own legislation through as it seemed to me to be peripheral to the main thrust of the bill, namely to put in place a suitable licensing regime. It is also my view that if the commission was abolished then site owners would raise pitch fees to recover their loss. This would penalise the many elderly and vulnerable residents living in mobile homes on fixed incomes. It struck me that this was a danger that needed to be avoided and that we would not be able to sustain a challenge to the requirement only to increase pitch fees in accordance with CPI if site owners lost such a substantial source of income.

Of course this is a matter for the Minister not me, and he will have to take all these factors into account. I hope that is helpful.

Peter

**Peter Black AM**

Welsh Liberal Democrats Spokesperson on Local Government, Heritage,  
Housing and Finance.

Assembly Commissioner for ICT and Sustainability

## **P-04-519 Abolition of Park Homes Sales Commission – correspondence on behalf of the Petitioner to the Chair, 10.01.13**

F.A.O.  
Mr. William Powell  
Chairman  
Petitions Committee  
Welsh Government.

Caerwnon Park Residents Association thank you for the copies of the correspondence received by you from:  
The Minister for Housing and Regeneration, Mr. Carl Sargeant AC / AM and Mr. Peter Black AM, Welsh Liberal Democrats Spokesperson on Local Government, Heritage, Housing and finance, in response to our Petition for “The Abolition of the 10% Sales Commission on Park Homes.

We would respectfully point out the following corrections and observations contained in these two communications.

### Letter from Mr. Carl Sargeant.

Paragraph 2 line 1. The 10% commission is paid to the site owner by the vendor not the “new occupier”.

Paragraphs 3 & 4. There is an implication here that site owners are free to increase the Pitch fee at their own discretion.

This is not so; the Pitch Fee may only be increased in one of two ways: Once annually by the rate of C.P.I., (formerly R.P.I.), or by agreement from the residents as an increase in maintenance charges resulting from improvements made to the Park and all such improvements having been agreed by the residents before being implemented.

### Letter from Mr. Peter Black.

Paragraph 2 lines 7 & 8. The sale of the Park Home requires no involvement of the site owner and consequently the site owner incurs no costs.

Paragraph 3 lines 3 & 4. The site owner may only increase the Pitch Fee for the reasons stated above.

Any increase to the Pitch Fee other than those allowed, and as stated above, would therefore require a change in Legislation.

We would also point out that prior to the introduction of the 10% commission in 1983 many hundreds of Park Home Sites had existed for many years presumably without affecting the “core element of the business model”.

The claim that income from sales is an important part of revenue for site owners, (apart from the sale of new homes by the site owner), may be interpreted that an unscrupulous site owner would benefit from having disenchanted residents constantly wishing to sell their property; whilst well run sites with happy residents, of which there are many, would probably only benefit from the commission on rare occasions such as death of the occupant.



Our conclusion is that the abolition of the 10% commission would have little impact on the profitability of the site owners business, that unscrupulous site owners would be unable to benefit and that the life of Park Home residents would be greatly improved as a result.

Mr. P. Roberts  
Caerwnon Park Residents Association.  
P.P. Mr. R. Mountford, Chairman.

# Eitem 4

## **P-03-262 Academi Heddwch Cymru**

### **Geiriad y ddeiseb**

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i ymchwilio i'r posibilrwydd ac i edrych pa mor ymarferol fyddai i Gymru gael Sefydliad Heddwch i edrych ar heddwch a hawliau dynol, tebyg i'r sefydliadau a gefnogir gan lywodraethau gwladwriaethau yn Fflandrys, Catalonia a mannau eraill yn Ewrop.

**Cynigwyd gan:** Canolfan Gymreig Materion Rhyngwladol, Cymdeithas y Cymod, Cynefin y Werin ac CND Cymru

**Ystyriwyd y ddeiseb gan y Pywllgor am y tro cyntaf:** Tachwedd 2009

**Nifer y llofnodion:** 1,525



Eich cyf/Your ref: P-03-262

William Powell AM  
Cadeirydd y Pwyllgor Deisebau  
Cynulliad Cenedlaethol Cymru  
Bae Caerdydd  
Caerdydd  
CF99 1NA  
[petition@wales.gov.uk](mailto:petition@wales.gov.uk)

25ain Tachwedd 2013

Annwyl William,

Diolch am eich llythyr dyddiedig 23 Hydref oedd yn sôn am adroddiad y Pwyllgor Deisebau ar Academi Heddwch Cymru.

Rwy'n gwbl gefnogol i hyrwyddo heddwch o fewn ein cymunedau ond rwy'n cytuno â'r Pwyllgor bod rhaid gwneud gwaith archwiliadol pellach i ystyried pa swyddogaeth a pha rôl fydd gan yr Academi Heddwch yng Nghymru. Rwy'n gweld nad yw'r Pwyllgor wedi gallu penderfynu ar safbwynt ar y manylion ynghylch sut y byddai Academi o'r fath yn cael ei sefydlu a bod y deisebwyr eu hunain yn gyndyn i roi manylion pellach ar eu barn am rôl, swyddogaeth a gweithgareddau'r Academi Heddwch.

O dan yr amgylchiadau, teimlaf fod yr achos dros gael Academi Heddwch yng Nghymru yn parhau'n amhendant. Rwy'n sylwi bod y Pwyllgor wedi argymhell trafodaethau pellach rhwng partïon sydd â buddiant yn y gymdeithas academiaidd a'r gymuned ddinesig i ganiatáu i waith chwmpasu pellach gael ei wneud. Cytunaf y byddai hyn yn gam pwysig os yw'r achos dros gael Academi yn mynd i gael ei sefydlu ond nid wyf am dderbyn y dylai Llywodraeth Cymru hwyluso'r gwaith hwn.

Fel y dywedodd y Pwyllgor, rydym yn gweithredu mewn cyfnod cyllidol anodd iawn. Nid yw Llywodraeth Cymru mewn sefyllfa i roi adnoddau ar gyfer y math o waith archwiliadol a chwmpasu pellach y mae angen ei wneud o hyd. Beth bynnag, credaf y byddai'n well petai sefydliad annibynnol yn arwain ar y gwaith hwn. Os byddai Llywodraeth Cymru yn hwyluso trafodaethau ar hyn, rwy'n pryderu y bydd disgwyliadau afrealistig yn cael eu gosod o ran sefydlu Academi Heddwch. Er hynny, byddai swyddogion o Lywodraeth Cymru ar gael i gymryd rhan mewn trafodaethau, pe byddai hynny o help.

Yn gywir

**CARWYN JONES**