

**National Assembly for Wales
Children, Young People and
Education Committee**

**Fourth Assembly
Legacy Report**

March 2016

Cynulliad
Cenedlaethol
Cymru

National
Assembly for
Wales



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Committee remit:

The Children and Young People Committee (the Committee) was established on 22 June 2011 with a remit to examine legislation and hold the Welsh Government to account by scrutinising expenditure, administration and policy matters encompassing: the education, health and wellbeing of the children and young people of Wales, including their social care.

On 22 January 2014, the Assembly agreed to alter the remit of the Committee to include Higher Education. This subject continued to be included in the remit of the Enterprise and Business Committee, with both committees looking at Higher Education from their particular perspectives. At the same time, the opportunity was taken to formally add the word 'education' into the Committee's title to better reflect the nature of its work.

Committee membership:

Committee member	Party	Constituency or Region
Ann Jones (Chair)	Welsh Labour	Vale of Clwyd
Angela Burns	Welsh Conservative	Carmarthen West and South Pembrokeshire
Keith Davies	Welsh Labour	Llanelli
Suzy Davies	Welsh Conservative	South Wales West
John Griffiths	Welsh Labour	Newport East
Lynne Neagle	Welsh Labour	Torfaen
David Rees	Welsh Labour	Aberavon
Aled Roberts	Welsh Liberal Democrat	North Wales
Rhodri Glyn Thomas	Plaid Cymru	Carmarthen East and Dinefwr
Simon Thomas	Plaid Cymru	Mid and West Wales

Previous members of the Committee:

Committee member	Party	Constituency or Region
Christine Chapman (former Chair)	Welsh Labour	Cynon Valley
Jocelyn Davies	Plaid Cymru	South Wales East
Rebecca Evans	Welsh Labour	Mid and West Wales
Bethan Jenkins	Plaid Cymru	South Wales West
Julie Morgan	Welsh Labour	Cardiff North
Jenny Rathbone	Welsh Labour	Cardiff Central

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COMMITTEE ACHIEVEMENTS DURING THE FOURTH ASSEMBLY



11
POLICY
INQUIRIES



6
BILLS CONSIDERED
BY THE COMMITTEE



2
PRE-LEGISLATIVE
SCRUTINY
OF BILLS



134
MEETINGS

320
WITNESSES



855
WRITTEN
CONSULTATION
RESPONSES

COMMITTEE RECOMMENDATIONS



125 MADE

- ACCEPTED **55%**
- IN PRINCIPLE **36%**
- REJECTED **9%**

ENGAGEMENT



FOCUS
GROUPS



STAKEHOLDER
EVENTS



SURVEYS



CONVERSATIONS WITH
YOUNG PEOPLE



VISITS

Introduction

The purpose of this report is to provide a useful starting point for the Children, Young People and Education Committee's successor committee, to show what we have done during the Fourth Assembly, how we have done it and the lessons we have learned.

The Children, Young People and Education Committee is one of eleven committees established by the Assembly under Standing Orders. Its remit covers the areas of education, health and well-being of the children and young people of Wales, including their social care.

The Committee's main aim over the five years of the Fourth Assembly has been to scrutinise the policies and proposed legislation of the Welsh Government, and to monitor their implementation, to ensure that children and young people of Wales are offered high quality access to education, health and social care.

During the Fourth Assembly the Committee undertook 11 policy inquiries, and held a number of one-off general scrutiny sessions with Ministers and Deputy Ministers whose responsibilities fell within the Committee's remit. The Committee also undertook annual scrutiny sessions with Estyn and the Children's Commissioner for Wales.

The Committee scrutinised 6 Bills formally referred to it by the Business Committee. This included 5 Welsh Government Bills that went through the full legislative process to become Acts of the Assembly. One Bill proposed by an Assembly Member was also considered by the Committee at Stage 1 (consideration of general principles), but did not progress further through the legislative process.

The Committee also undertook two exercises of pre-legislative scrutiny of Welsh Government proposals. One of these related to proposals for the Qualifications Wales Bill, which were set out in a Welsh Government consultation following the review of qualifications for 14-19 year olds. The other was scrutiny of the proposals for reform of the system for Special Educational Needs (SEN), published in the draft Additional Learning Needs and Education Tribunal (Wales) Bill.

In order to inform this legacy report, the Committee requested updates from relevant Ministers on progress in meeting recommendations made in relation to all aspects of the Committee's work.

Lessons learnt

In bringing forward this report, the Committee wanted not only to present a picture of the work it had done during the Fourth Assembly, but also to look at how that work was done, what had worked well and what could have been done differently or better.

It is essential that good practice can be shared between committees, but it is also important that any good practice is not lost in the transition between Assemblies. Details of lessons the Committee has learnt are included later in this report.

Key events

A selection of the Committee's key events are highlighted below. A full list of the Committee's activities is available on the Committee website.

2011

22 June

Children and Young People Committee established

2012

8 May

Committee publishes its report on post legislative scrutiny of the Learning and Skills (Wales) Measure 2009

8 November

Committee publishes its report into Adoption Services in Wales

2013

4 March

School Standards and Education (Wales) Act becomes first Welsh 'education' Act to receive Royal Assent

8 May

Committee published its report on the Social Services and Well-being Wales Bill to inform scrutiny by the Health and Social Care Committee

2014

22 January

Committee remit extended to include Higher Education. Committee name is also changed to Children, Young People and Education Committee

23 January

Following the Committee's recommendation to bring forward SEN reform in a single Bill, specific SEN provisions are removed at Stage 2 from the Education (Wales) Bill

27 January

Further and Higher Education (Governance and Information) (Wales) Act receives Royal Assent

2015

7 July

Report on the pre-legislative scrutiny of Qualifications Wales Bill published. Minister accepts key recommendation

10-11 September

Committee undertakes visit to the OECD to discuss PISA and Welsh review

25 November

Committee publishes its report into Child and Adolescent Mental Health Services

10 April

Minister accepts the Committee's recommendation to put in place a more challenging target for narrowing the attainment gap between 7 year old pupils entitled to free school meals and their peers

12 May

Higher Education (Wales) Act receives Royal Assent

5 August

Qualifications Wales Act receives Royal Assent

8 October

Committee attends official launch of Qualifications Wales

12 November

Round table discussions held with Stakeholders to inform pre-legislative scrutiny of the draft ALN Bill

2016

22 March

Committee publishes its final report of the Fourth Assembly, on the follow up inquiry on Adoption Services



Committee visit to the Organisation for Economic Co-operation and Development (OECD), Paris, September 2014

Policy inquiries

Changes to legislative procedures at the start of the Fourth Assembly meant that for the first time, policy committees were responsible for formal consideration of primary legislation. Due to the number of Bills referred to the Committee, the level of policy inquiries the Committee was able to undertake was lower than previous Assemblies. The Committee did, however, consider a wide range of policy issues, falling under the following 3 broad categories:

01. Children's health and social care
02. Education
03. Children's rights

A brief overview of each inquiry is provided below, together with an update on action following completion of the Committee's work. Where further action on a particular inquiry has been identified, recommendations for our successor committee(s) have been included.

Children's health and social care

Throughout the Fourth Assembly the Committee has maintained a focus on children's health and social care. The early period of the Committee focused on the potential impact of the Social Services and Well-being (Wales) Bill on children and young people, and a subsequent **report** published in 2013, produced to inform the Bill's scrutiny by the Health and Social Care Committee. Early work also included investigating the effectiveness of the Children and Family Court Advisory and Support Service Cymru (CAFCASS).

The key policy inquiries undertaken by the Committee are set out below.

Child and Adolescent Mental Health Services (2014)

The Committee's inquiry into Child and Adolescent Mental Health Services (CAMHS) commenced in January 2014 and received **64 consultation responses** to its call for evidence, the largest number of responses to any policy inquiry undertaken by the Committee during the Fourth Assembly. Committee Members also met with children, young people, parents and carers across Wales. The **Committee's report** concluded that:

- the level of CAMHS provision was not sufficient to meet the needs of young people in Wales who need a specialist, medical service;
- difficulties exist for those children and young people who meet the criteria for CAMHS, including waiting times, clinic-based services and the use of prescription medication;
- the absence of services for those children and young people who do not meet the "medical model" criteria for CAMHS means that there is a significant level of unmet need.

Shortly before its publication, the Minister for Health and Social Services announced a "root and branch review" of CAMHS which aimed "to modernise and redesign the service for the future".

Update since the report was published

The Committee has actively monitored and followed up on the subsequent review of CAMHS, and the recently announced three year programme of change, named **Together for Children and Young People**. It has received updates on, for example, phase one of the review into prescribing for children and young people and the benchmarking of CAMHS at primary care. Early in 2016 the Committee has also received both **oral and written updates** from the Minister for Health and Social Services.

The Committee welcomed the Minister's announcement in June 2015 of an additional £7.6m to be invested every year in CAMHS in Wales, which includes over £1m for improved access to psychological therapies. The Minister told the Committee that there will be "over 130 whole time equivalent new specialist posts". The Committee is encouraged that the additional funding includes an allocation of £2 million to develop an alternative service model in the form of "dedicated neurodevelopmental services" across Wales. These are intended to increase capacity to help children and young people whose needs are not being met through the current "medical model" of CAMHS, such as children affected by attachment disorders, autism and attention deficit hyperactivity disorder (ADHD).

As a result of the Committee's work the Minister committed to undertake further analysis of prescribing trends for anti-depressant and anti-psychotic medication to children and young people. We welcome the Welsh Government's follow-up work in issuing a Welsh Health Circular¹ reiterating to GPs, CAMHS clinicians and pharmacists the requirements of NICE guidance and the British Formulary for Children in relation to prescribing antidepressants for children and young people.

Recommendation 1. As a priority at the start of the Fifth Assembly, any successor committee should ensure it monitors whether the step-change that is needed in CAMHS is being delivered. Particular attention should be paid to:

- waiting times;
 - whether the new "dedicated neurodevelopmental services" have been developed across Wales;
 - whether children and young people are able to access the appropriate psychological therapies in a timely way; and
 - workforce capacity and skills and effectiveness of the new specialist posts.
-

Neonatal Care (2012)

The Committee undertook an inquiry to review the provision of **neonatal care** and, in particular, the degree to which progress had been made on implementing recommendations made in 2010 by the then Health, Wellbeing and Local Government Committee. It had identified that further progress was still required in a number of key areas, not least in addressing the shortfall in medical and nursing staff and the effective distribution and utilisation of cots.

¹ **WHC (2015) 048: Prescribing for children and young people in relation to antidepressants**

Update since the report was published

The Welsh Government's response to the Committee confirmed that there had been ongoing work to liaise between Local Health Boards and the Wales Postgraduate Deanery to maintain effective services and provide a high quality training experience, and that:

- the planning of future numbers of medical staff was being undertaken by speciality specific reconfiguration leads appointed by the Deanery;
- the training needs for Welsh hospitals needed to include a range of trained paediatricians including specialist neonatologists and also general paediatricians with skills to staff units with lower levels of acuity.

The Minister also stated that the Neonatal Network had advised Local Health Boards on cot numbers and workforce models as part of service reconfiguration across all parts of Wales.

The Minister's update to the Committee also stated that the Network produced an update on nurse training and education across Wales in April 2013 and that a further update was planned.

The Committee is also aware of wider, ongoing work to address future NHS workforce needs, including taking forward the recommendations of the Shape of Training review of postgraduate medical education and training across the UK, and the Welsh Government commissioned NHS workforce review which is expected to be completed by the end of March 2016.

In 2015, plans to suspend consultant-led maternity services at Ysbyty Glan Clwyd in North Wales, due to staffing issues, caused widespread concern. There have also been concerns about the impact of NHS service reconfiguration on the availability and sustainability of specialist services across Wales. The outcome of consultation on the South Wales Programme was an agreement to focus neonatal services on fewer hospital sites across South Wales in order to address sustainable staffing issues. Cwm Taf University Health Board has identified that maintaining safe and sustainable neonatal care remains a challenge shared across the South Wales area.

Recommendation 2. The Committee remains very concerned about the shortfall in staffing and that standards for specialist neo-natal staff are not being met. Given the reported ongoing concerns about staffing and the sustainability of services, any successor Committee should monitor progress in this area.

Adoption (2012)

The Committee undertook a **detailed review** into the delivery of the parts of the adoption services devolved to Wales, with a specific interest in the experiences and voices of those directly affected by the adoption process.

One of the substantive areas of the Committee's scrutiny and its subsequent recommendations related to the Welsh Government's proposal to establish a National Adoption Service. The Committee recommended the delivery role of the new Service should be significantly strengthened, including removing services from local authority control.

The then Deputy Minister (Gwenda Thomas) accepted this recommendation in principle, but opted for a local authority led National Adoption Service. However, the Deputy Minister confirmed that she had not ruled out the Committee's recommendation for a more independently run service in the future.

Another substantive area for the Committee's scrutiny was the lack of support that families received after the adoption had taken place.

Adoption follow-up inquiry (2016)

The Committee undertook a specific follow-up inquiry into adoption services in light of the recent launch of a National Adoption Service in Wales. The Committee asked stakeholders for their views on progress against the Committee's earlier recommendations and again met informally with adoptive parents and those seeking to adopt.

Its **follow-up report** outlined that whilst much progress had been made by the National Adoption Service, especially in respect of the earlier stages of the adoption process, there was still much work to be done to make sure that families got the help they needed once the adoption had taken place. Due to the report being published at the end of the Fourth Assembly, it has not been possible for the Welsh Government to respond.

Recommendation 3. Any successor Committee should monitor that progress is made in reducing regional variation in the delivery of adoption services and that, crucially, children and their families get the help they need post-adoption. It is also crucial to monitor whether all adopted children have access to quality life story work.

Childhood Obesity (2014)

The inquiry into **Childhood Obesity** reviewed the effectiveness of the Welsh Government's programmes and schemes aimed at reducing the level of obesity in children in Wales.

The Committee's key message was that childhood obesity is a complex issue and that the required response will necessarily be complex and multi-faceted. It found that "in principle, the All Wales Obesity Pathway should be an effective way of addressing this issue" and acknowledged that "the preventative approaches under levels one and two are Welsh Government priorities".

However, the Committee had concerns that the Pathway has not been fully implemented, and found that level three provision was lacking and that clearer national direction was needed.

Update since the report was published

In May 2014, the Health and Social Care Committee carried out an inquiry into the **availability of bariatric services** in Wales. The focus of this inquiry, in relation to the Obesity Pathway, was the availability of specialist level three and four services, and included specific consideration of services for children.

The Minister has stated that officials wrote to the seven Local Health Boards requesting evidence against the minimum service requirements for each level of the Pathway. The results showed that all but one Health Board had met the minimum service requirements at levels one and two of the Pathway.

Future action

The Minister has confirmed that Public Health Wales are developing a level three Service Specification and Clinical Access Policy for children, and that work was in progress. Once in place, this should be monitored, along with requirements at levels one and two.

Recommendation 4. Any successor Committee should monitor progress and compliance with the minimum service requirements for each level of the Obesity Pathway as relevant to children and young people.

Children’s Oral Health Policy in Wales (2012)

The **inquiry** examined the effectiveness of the Welsh Government’s ‘Designed to Smile’ programme in improving the oral health of children in Wales, particularly in deprived areas. One of the issues the Committee examined was whether the programme was being consistently delivered across local authorities in all areas of need, given that it has been originally piloted targeting young children in deprived areas. At the time of the inquiry, most stakeholder evidence suggested that it was too early to confirm whether the Designed to Smile programme was delivering improved health outcomes for children.

Update since the report was published

Addressing the inequalities in dental health in children is one the four key issues highlighted in the Welsh Government’s updated National Oral Health Plan for Wales 2013/18.

The latest ‘Survey of twelve year olds oral health’ was published by the Welsh Oral Information Unit in 2014 and states that data collected in 2016/17 and 2020/21 will inform the estimated impact of Designed to Smile on adult permanent teeth.

The latest Designed to Smile monitoring report (December 2014) concludes that ‘significant progress has been made in the development of the Designed to Smile during 2013/14’.

Future action

The 2014/15 update of the National Oral Health Plan for Wales refers to Designed to Smile and states that “good progress is being made” and that:

“Two challenges have been identified. Firstly to build on achievements to date and developing a process to identify the extent to which Designed to Smile has influenced decay levels in 5 year olds by 2015/16. Secondly ensuring HBs explore and develop new mechanisms for reaching and influencing the hardest to reach children in the 0-3 year old cohort.”

Recommendation 5. Any successor Committee should hold the Minister to account on the monitoring of the annual data from the Welsh Oral Information Unit to measure the extent to which Designed to Smile has influenced decay levels in 5 year olds over time. It should also monitor the extent to which all children in Wales are able to access both the Designed to Smile programme and dental services when needed.



Inquiry Into Educational Outcomes For Children From Low Income Households
Committee visit to a family centre in Bonymaen Swansea, February 2014

Education

Supply Teaching (2015)

The main aim of the Committee's **inquiry** was to look at the use of supply teachers and its impact on pupils. Many issues were identified, but the clear view presented was that many of these issues could be improved with closer arrangements between the employers of supply teachers and those with responsibility for providing school education.

The Committee's overarching recommendation therefore called on the Welsh Government to look at a range of options for the employment of supply teachers, including cluster arrangements operated by local authorities or through a national body.

During the course of this inquiry, the Welsh Government issued new guidance on **Effective Management of School Workforce Attendance**. The Minister committed to asking Estyn to review the effectiveness of the guidance in a future thematic review.

Future action

Changing the basis for employing supply teachers is a vital step forward, but this is likely to be a longer term goal, with the current contract for supply teachers due to run until August 2018.

In the **Plenary debate** on 10 February, the Minister announced that he was setting up a taskforce to consider future supply teacher delivery options for Wales, which would include employers, unions and key stakeholders all contributing to the development of options for the future.

Recommendation 6. Any successor Committee should (a) follow up on the main recommendation closer to August 2018; (b) consider the findings of the Estyn review of the new guidance; and (c) monitor the progress made by the Minister's task force.

Welsh in Education Strategic Plans (2015)

The Committee agreed to undertake the inquiry to establish whether new statutory **Welsh in Education Strategic Plans (WESPS)** are contributing to the outcomes and targets set out in the Welsh Government's overarching Welsh-medium Education Strategy. In particular, the Committee looked at whether WESPs are (or have the potential) to deliver the required change at a local authority level (for example delivering provision to meet any increased demand for Welsh-medium education).

The Committee concluded that the potential impact of WESPs had not been realised and made recommendations relating to the urgent need for better partnership working between the Welsh Government and local authorities. Without this, and a shared commitment to delivering targets, it is difficult to see how the Welsh Government's aspirations for Welsh-medium education will be delivered.

Future action

In the **Plenary debate** on 24 February, the Minister said that, during 2016, the Welsh Government will be considering what changes in terms of focus, emphasis, form and content might be made for the three years from 2017 to 2020. The Minister also confirmed that the Welsh Government had commissioned an evaluation of its Welsh-medium Education Strategy, including the role and effect of WESPs. A report of the evaluation was due to be published before the end of the Fourth Assembly.

Recommendation 7. Any successor Committee should consider the outcomes of the evaluation of the Welsh-medium Education Strategy and seek further information from the Welsh Government on the actions it intends to take in response, including any implications for the role and function of WESPs.

Regional Education Consortia (2015)

The Committee received a briefing from Estyn and the Wales Audit Office on the key findings of their reports into Regional Education Consortia. Following these briefings the Committee undertook follow-up work in this area given the consortia's pivotal role in supporting the delivery of the Welsh Government's aims of improving school standards.

Each regional education consortia was invited to attend Committee, to discuss the findings of the two earlier reports and the work consortia and the Welsh Government are taking forward as a result. In advance of the sessions with the regional consortia, the Committee launched a call for input from stakeholders, asking them to suggest any issues they wished the Committee to raise directly with the consortia. Following this, the Committee held an evidence session with the Minister for Education and Skills.

Recommendation 8. Any successor Committee should maintain an active role in reviewing how effective the Regional Education Consortia are in supporting the Welsh Government's education priorities and in particular the way in which they are increasingly being used to distribute education funding which may have previously been provided directly to local authorities.

Educational Outcomes for Children from Low Income Households (2015)

The Committee undertook the inquiry to review the effectiveness of the Welsh Government's policies in addressing the gap in the **educational outcomes** of children from low income households, at all key stages. This has been one of the Welsh Government's three stated priorities and the Committee identified that whilst some progress has been made across the key stages, the scale of the change needed should not be underestimated. Also, whilst policies aimed at generally improving attainment levels are welcomed, they result in a "rising tide raises all ships" effect, which will not result in a closing of the attainment gap.

Update since the report was published

The Welsh Government's 2015 'a year on' document provided an update on its 2014 **Re-writing the Future** strategy and the four key themes it had set out to raise ambition and attainment in schools.

The latest **statistics** on academic achievement and entitlement to free school meals were published in January 2016. Amongst the key points identified by the Welsh Government are that:

- the performance of pupils eligible for free school meals (e-FSM) is consistently improving for every indicator at every key stage;

- the gap in performance has generally narrowed over the last four years at Key Stages 2 and 3;
- the trend is inconsistent at Key Stage 4. The gap fell in 2015 but has alternated between periods of increase and periods of decrease since 2008. In 2015, 31.6% of pupils eligible for free school meals achieved the level 2 inclusive at Key Stage 4 (GCSE grade C or above in English or Welsh and mathematics or equivalent) compared to 64.1% of their peers. The Welsh Government’s target is that 37 per cent of e-FSM pupils achieve the level 2 inclusive by 2017.²

The Minister accepted the Committee’s recommendation to put in place a more challenging target for narrowing the attainment gap between 7 year old pupils entitled to free school meals and their peers. In January 2016 the Minister informed the Committee of new national targets.

Future action

The Committee welcomes the Minister’s continued emphasis on the importance of closing the attainment gap, and the targeted funding into initiatives such as the Pupil Deprivation Grant and Schools Challenge Cymru. However, these must be proven to deliver the changes needed and provide the return on the significant level of investment. There are forecasts that child poverty rates could increase by around a third in Wales by 2020.³ The next Welsh Government will need to ensure that its policies to close the attainment gap have the flexibility to adapt to such changes.

Recommendation 9. Any successor Committee should monitor closely whether the Pupil Deprivation Grant and Schools Challenge Cymru are delivering both the intended outcomes for pupils and value for money.

Attendance and Behaviour (2013)

The Committee reviewed the effectiveness of the Welsh Government’s policy and guidance to promote positive **attendance and behaviour** within education provision for pupils of compulsory school age.

The key conclusion was that there were concerns over the slow and patchy progress in addressing attendance and behavioural issues despite these issues having been examined and documented by Government and local authorities over a number of years.

One of the key recommendations called for the development of an overarching attendance and behaviour strategy and a recommendation to evaluate alternatives to fixed penalty notices prior to the introduction of regulations.⁴ The Welsh Government rejected both of these.

Update since the report was published

Latest statistics on permanent and fixed-term exclusions (published September 2015) showed:

- a continuing fall in fixed-term exclusions and no change in permanent exclusions;
- that pupils eligible for free school meals or with special educational needs had higher rates of exclusions.

² **Welsh Government, Building Resilient Communities: Taking Forward the Tackling Poverty Action Plan, July 2013**

³ Institute for Fiscal Studies (IFS), Child and Working-age Poverty in Northern Ireland over the Next Decade: An Update, IFS, **Briefing note**, BN154, November 2014. This projected that the proportion of children in relative poverty before housing costs in England and Wales would increase from a forecast 19.6 per cent in 2013–14 to 20.6 per cent in 2020–2.

⁴ **The Education (Penalty Notices) (Wales) Regulations 2013**

The Assembly's Petitions Committee has identified that there are significant variations across local authorities in the use of Fixed Penalty Notices for holidays during term time. The Minister acknowledged that local authorities were not implementing the policy correctly and consistently, and he wrote to all local authorities and all Head Teachers outlining the correct interpretation of the policy.

Recommendation 10. Any successor Committee should undertake a review in the longer term into the effectiveness of the use of Fixed Penalty Notices to tackle unauthorised absence.

School Sun Protection Policy (2012)

Following a request by the Petitions Committee, the CYPE Committee held a short inquiry into **school sun protection policy**, which looked at the availability and use of sunscreen, and other sun protection issues. The key conclusions were that there was no overall support for the provision of free sunscreen in schools, with respondents generally suggesting that sun safe behaviour, such as wearing protective clothing or use of shade when the sun is at its strongest, was more important.

Update since the report was published

The Minister has confirmed that:

- “sun safety” is one of the seven elements of the national framework for Wales Network of Healthy Schools and that 99 per cent of schools in Wales are part of this scheme;
- strengthening that area of work has been identified as a priority, and Public Health Wales was working closely with Cardiff University to address this issue.

The Committee had recommended that new guidance be issued to provide advice on best practice regarding the provision of shade both for new build and refurbishment work. The Minister advised in November 2015 that, although not issued as separate guidance, the Welsh Government is currently defining a standard for 21st Century Schools and this aspect will be considered as part of this. The Minister also confirmed that as the 21st Century Schools Programme moves forward, the Government will continue to improve and enhance the guidance available to local authorities and schools.



Inquiry Into Educational Outcomes For Children From Low Income Households
Committee visit to Cadoxton Primary School, Barry, November 2013

Children's rights

Fundamental to the Committee's approach throughout the Fourth Assembly has been to monitor whether the Welsh Government has been fulfilling its commitment to make sure that children and young people in Wales have access to all their rights as set out in the United Nations Convention on the Rights of the Child (UNCRC). This has included:

- **Annual scrutiny of the Welsh Government's Draft Budget:** with a specific focus on how much is being allocated for spending on children and how transparent the budget is in that regard. The Committee has paid particular attention to the Welsh Government's allocations for family support, specifically the Welsh Government's Flying Start programme and whether there is evidence of value for money.
- **Scrutiny of compliance with the Rights of Children and Young Persons (Wales) Measure 2011:** The Committee has paid specific attention to the implementation of the Measure and has held two scrutiny sessions with the Minister for Communities and Tackling Poverty (in 2013 and 2015) to see whether sufficient progress was being made. In particular the Committee has been keen to ensure that the impact of policy and legislation on children and young people has been properly assessed. The Committee's scrutiny highlighted that Children's Rights Impact assessments were not being routinely published where they should be. It is the Committee's view that there should be routine publication of such assessments.
- **Annual scrutiny of the Office of the Children's Commissioner for Wales:** which has also provided an opportunity for the Committee to scrutinise the policy issues highlighted in the Commissioner's Annual report.
- **Scrutiny of the Welsh Government's response to the Independent Review of the Office of the Children's Commissioner for Wales:** The Committee has been interested in how the Welsh Government intends to take forward the recommendations made in the **report** of the 'Independent review of the role and functions of the Children's Commissioner for Wales'. It took evidence from the Minister for Communities and Tackling Poverty and from the Commissioner herself and subsequently sought written evidence from the Presiding Officer. The Committee was disappointed that the Minister rejected one of the review's key recommendations: that the appointment and funding of the Commissioner be transferred to the National Assembly for Wales. The Committee welcomed the Minister's commitment to undertake exploratory work on the requisite and practicalities of legislation to consolidate and simplify the legal background governing the Children's Commissioner for Wales.

The Review recommended a more formal structure for scrutinising the Children's Commissioner, supported by training and more detailed budget estimates to assist Members in this task. The Committee notes that these are matters for the Business Committee in the next Assembly and hopes it will explore this further in its consideration of the committee system for the Fifth Assembly.

Recommendation 11. Any successor Committee should maintain an active role in reviewing the implementation of the Rights of Children and Young Persons (Wales) Measure 2011, and in particular should monitor whether Children’s Rights Impact Assessments are being routinely published.

Recommendation 12. Any successor Committee should follow up on the need for legislation to consolidate and simplify the legal background governing the Children’s Commissioner for Wales.

Recommendation 13. Any successor Committee should seek an assurance from the Welsh Government that it will review the decision not to transfer responsibility for the appointment and funding of the Commissioner to the National Assembly for Wales.

Recommendation 14. Any successor Committee should further examine the extent to which public bodies in Wales are implementing the UNCRC, with a particular focus on their compliance with the Convention in respect of funding they are provided with by the Welsh Government.



Legislation referred to the Committee

During the Fourth Assembly, 6 Bills were formally referred to the Committee in accordance with Standing Order 26.9. In line with that Standing Order, the Committee considered the general principles of these Bills, and reported its findings to the Assembly (Stage 1 consideration).

Where the Assembly agrees to the general principles, that Bill may be referred back to the responsible committee for detailed consideration, including amendments to the text of the Bill (Stage 2 consideration). Five of the 6 Bills considered at Stage 1 were referred back to the Committee at Stage 2.

School Standards and Organisation (Wales) Act 2013

The **School Standards and Organisation (Wales) Bill** included provision for intervening in schools causing concern, school improvement, school organisation, Welsh in Education Strategic Plans, annual parents meetings, school-based counselling, primary school free breakfast initiatives and flexible charging for school meals.

The Committee supported the general principles of the Bill, but made a number of recommendations about the proposals for standards and school organisation and provisions around meeting the demand for Welsh-medium provision.

At Stage 2, 214 amendments were tabled, of which 141 were agreed by the committee (including 3 non-government amendments). Changes made to the Bill included areas relating to:

- Intervention in maintained schools;
- Local determination panels;
- School organisation proposals: changes of category; power to make orders or to give directions & regional provision for special educational needs;
- Foundation and foundation special schools;
- Free school breakfasts and school-based counselling.

The School Standards and Organisation (Wales) Act received Royal Assent on 4 March 2013.

Future action

The Act made significant changes to the way that school organisation proposals are considered, with most decisions to be made at a local level. The Welsh Government has committed to reviewing the process after the implementation of the Act. However, the Minister has stated that sufficient time must be allowed for the system to be properly embedded and sufficient data obtained. Therefore no general review would be likely to take place before 2016 in respect of the powers within the Act relating to school organisation.

The Minister also said that as implementation of the Act and School Organisation Code in respect of school organisation has been monitored on an ongoing basis and that officials will be in a position to timetable the review in line with the commitment. However, the Act has already attracted a number of Judicial Review cases in relation to the new Code, together with both academic and legal critique.

Recommendation 15. Any successor Committee should undertake post-legislative scrutiny of the School Standards and Organisation (Wales) Act. This should include (a) consideration of any review undertaken by the Welsh Government on the implementation of the Act; and (b) a review of the school organisation process.

Further and Higher Education (Governance and Information) (Wales) Act 2014

The **Further and Higher Education (Governance and Information) (Wales) Bill** aimed to enhance the autonomy and decision making abilities of Further Education Institutions by removing and modifying existing legislative controls on them. One of the main purposes of the Bill was to achieve a reversal of the Office for National Statistics' (ONS) re-classification of the further education sector in Wales.

While the Committee was content with the general principles of the Bill, Stage 1 scrutiny identified a number of areas where the Bill could be improved. The Committee also had misgivings about the justification for the legislation. Few amendments were made to the Bill at Stage 2, but these (in part) addressed some of the recommendations made by the Committee at Stage 1.

Although not strictly a Committee stage, at Stage 3, the Bill was amended to include a provision requiring the Minister, not later than 31 July 2016, to review the operation of the Act, with a view in particular to assessing its impact on: the funding of education; Welsh language provision; and additional learning needs provision. This reflected amendments considered at Stage 2 and a commitment made by the Minister at that stage. Since consideration of the Bill by the Committee, concerns have been expressed about the creation and use of private companies by FE colleges to deliver services. This should be considered in any post legislative scrutiny undertaken on the Act.

The Further and Higher Education (Governance and Information) (Wales) Act received Royal Assent on 27 January 2014. Following the removal of a wide range of restrictions and controls on the sector under the provisions of the 2014 Act, the ONS decided, effective from 27 January 2015, to reinstate the former classification of further education corporations in Wales as Non-Profit Institutions Serving Households (NPISH).

Recommendation 16. Any successor Committee should monitor the outcomes of the review of the operation of the Act and should undertake post-legislative scrutiny of the implementation and impact of the Act.



Education (Wales) Act 2014

The **Education (Wales) Bill** proposed legislation in a number of distinct areas:

- establishment of the Education Workforce Council, extending the registration and regulation of teachers to the wider education workforce;
- harmonisation of school term dates;
- a fairly minor change to the method of appointing HM Chief Inspector and HM Inspectors of education and training in Wales under section 19 of the Education Act 2005;
- the reform of the registration and approval of independent schools in respect of special educational needs; and
- post-16 assessment of educational and training needs and specialist Further Education (FE).

The Committee agreed with the general principles of the Bill and the need for legislation, with the exception of the provisions relating to SEN. The Committee believed there would be advantages in including all SEN reforms within a single piece of legislation, providing this could be done in a timely manner. The Committee also recommended the Minister consider giving the Education Workforce Council a greater role in respect of Continuing Professional Development (CPD). Since then, the Welsh Government announced a “New Deal” on CPD arrangements for the education workforce.

Although the general principles were agreed, there was support for the Committee’s recommendation relating to the SEN provisions, and following a tied vote the Presiding Officer’s casting vote was required to allow the Bill to progress to Stage 2. A total of 77 amendments were tabled at Stage 2.

Of most significance, the Committee unanimously agreed amendments to remove the SEN provisions from the Bill. The Minister highlighted the role that the Committee had played in scrutinising the Bill at Stage 1 and agreed, on balance, that these SEN provisions would be better placed as part of a cohesive SEN Reform Bill. The draft Additional Learning Needs and Education Tribunal (Wales) Bill, published by the Minister in July 2015 was the response to this action. While the Committee welcomed the intention to reform the SEN system through legislation, we regret that a Bill was not taken through to an Act during the Fourth Assembly.

‘...after a thorough analysis of the contributions and the recommendations made by the Children and Young People Committee in its report at the end of Stage 1 of the Bill, I have decided on balance to support the removal of the special educational needs provisions, Part 3, from the Education (Wales) Bill’.

Huw Lewis, Minister for Education and Skills, Stage 2, 23 January 2014

The Education (Wales) Act received Royal Assent on 12 May 2014.

Recommendation 17. Any successor Committee should consider the impact of establishing the Education Workforce Council and monitor any role it is given by the Welsh Government in delivering the ‘New Deal’ of CPD for the education workforce.

Recommendation 18. Any successor Committee should examine the legislative programme and seek early consideration of any Bill introduced following the draft Additional Learning Needs and Education Tribunal (Wales) Bill (see section on pre-legislative scrutiny later in this Report).

Higher Education (Wales) Act 2015

The **Higher Education (Wales) Bill** provided for a revised regulatory and governance framework for higher education in Wales. It reformed the functions of the Higher Education Funding Council for Wales (HEFCW), reflecting the fact that institutions now receive the majority of their income from students’ tuition fees rather than from the Welsh Government via HEFCW.

Stage 1 consideration highlighted that the current framework needed to evolve to ensure robust and proportionate regulation of higher education institutions in Wales. On balance, the Committee agreed that the most appropriate means to achieve this was through primary legislation.

The Committee was, however, concerned that the Welsh Government had not given sufficient consideration to the potential outcomes of the Independent Review of Higher Education Funding and Student Finance Arrangements in Wales, being carried out by Professor Sir Ian Diamond.

At Stage 2, 60 amendments were tabled and considered by the Committee. Many of the amendments reflected recommendations made at Stage 1 by the Committee and the Constitutional and Legislative Affairs Committee who were concerned about several of provisions relating to the making of regulations.

The Higher Education (Wales) Act received Royal Assent on 12 March 2015.

Recommendation 19. Any successor Committee should consider the implications of the outcome of the Diamond Review for the new system of governance within the higher education sector established by the Act.

Qualifications Wales Act 2015

The **Qualifications Wales Bill** provided for the establishment of Qualifications Wales as the independent regulatory body responsible for the recognition of awarding bodies and the review and approval of non-degree qualifications in Wales.

The Committee, which had already undertaken pre-legislative scrutiny on the Welsh Government's proposals to establish Qualifications Wales, mainly made recommendations on matters that the Welsh Government should consider as part of its general approach to the policy surrounding the Bill. However, the Committee did recommend several specific changes to the Bill itself, including amending the wording of the provision determining eligibility of qualifications for public funding. This was accepted by the Minister at Stage 2 and the Bill was amended accordingly.

At Stage 2, the Bill was amended to insert a new part (Part 5) into the Bill regarding a new category of qualifications to be known as "designated qualifications". This change was proposed as a means of facilitating continuity in the early transitional phases of Qualifications Wales.

The Children, Young People and Education Committee ... undertook a short consultation exercise on the agreed amendments to hear the views of stakeholders in advance of Stage 3 scrutiny in plenary. We welcomed and commended their approach, and would hope that other committees would be in a position to adopt a similar practice...

Constitutional and Legislative Affairs Committee, 'Making Laws in Wales' October 2015

As this introduced a new concept into the Bill, the Committee made the decision to issue a further call for evidence on the implications of that new Part. This was the first time that additional consultation had been launched by a Committee during Stage 2.

The Qualifications Wales Act received Royal Assent on 5 August 2015.

Recommendation 20. Any successor Committee should monitor the work of Qualifications Wales and seek updates from the new regulator. This should include scrutiny of Qualifications Wales' annual report.

Financial Education and Inclusion (Wales) Bill

Bethan Jenkins AM was successful in a legislative ballot on 17 July 2013, and was given leave to proceed with her Bill on 16 October 2013. The primary policy objective of the **Financial Education and Inclusion (Wales) Bill** was to equip people in Wales with the necessary financial knowledge and capability they need to manage their financial circumstances effectively.

The Business Committee referred the Bill to CYPE Committee for Stage 1 consideration. The weight of evidence received suggested that substantial work was being undertaken in this area; and that legislation was already in place that would enable much of the Bill's policy objectives to be met. The Committee therefore concluded that although it supported the primary policy objectives of the Bill, legislation was not necessary to deliver those policy objectives.

The Committee also recommended that considerable thought be given to specific provisions within the Bill (should it have progressed to Stage 2) to help ensure the legislation best achieved the policy objectives.

The debate on the general principles took place on 26 November 2014. After the Welsh Government committed to a number of actions to take forward the objectives of the Bill through other means, the motion to agree the general principles was withdrawn by the Member in charge. No decision was therefore taken on the general principles and in accordance with Standing Order 26.77, the Bill falls upon dissolution.

Post-legislative scrutiny

Learning and Skills (Wales) Measure 2009

In May 2012, the Committee undertook post-legislative scrutiny of the implementation of the Learning and Skills (Wales) Measure 2009. The primary aim of the Measure was to put the 14-19 Learning Pathways policy, which had been a key Welsh Government strategy since 2003, onto a statutory basis. This was the first piece of Welsh legislation to be examined by a Committee to assess how successful its implementation had been.

Offering a wider choice of courses was a fundamental principle underpinning the Measure. Although still early in its implementation, the Committee found that, generally, the Measure was having a positive effect for young people in Wales.

However, concerns were expressed by pupils about the costs and the distance they had to travel to attend the courses of their choice. Other pupils could not find the course they wanted in the Welsh language and some were unaware that they could have had more support in making their choices.

The Committee's key recommendations called for the Welsh Government to:

- examine whether the right balance had been struck in the requirement to offer 30 courses;
- review the impact of the Measure's implementation, particularly with regards to Welsh medium and bilingual education.

Update since the report was published

Some key developments have been:

- the establishment of a 14-19 External Task and Finish Group, resulting in the minimum number of choices at Key Stage 4 being reduced from 30 to 25;
- consultation on the provision of vocational qualifications in Wales, including those taught through the medium of Welsh;
- the establishment of "a lead worker" for the most at-risk young people as part of the Youth Engagement and Progression Framework;
- a review of the impact of the Measure on welsh-medium, bilingual and dual-stream schools.

Recommendation 21. Any successor Committee should undertake post-legislative scrutiny of the Acts considered by the Committee during the Fourth Assembly where no post-legislative scrutiny has been possible to date.

Pre-legislative scrutiny

Qualifications Wales Bill

The Committee received a technical briefing from Welsh Government officials on the proposed Bill to establish Qualifications Wales. This provided early notice of what the Bill was likely to contain, and opened questions in a number of areas, including in relation to the potential to establish Qualifications Wales with awarding functions.

In advance of the Bill's introduction, the Committee undertook a short and focused inquiry to scrutinise the emerging proposals. As part of that process, the Committee agreed to focus on models elsewhere, undertaking fact finding visits to **Quality and Qualifications Ireland (QQI)** and the **Scottish Qualifications Authority (SQA)** to explore how their qualifications systems operated.⁵

The Welsh Government's proposals for Qualifications Wales aimed to put into effect one of the key recommendations from the 'Review of Qualifications for 14-19 year olds'.⁶ This included proposals to firstly establish Qualifications Wales and secondly, in due course, to widen its remit to include awarding functions. Although this second stage would be enacted in due course, the proposal was that the Bill would include provisions relating to both stages.

The Committee's overarching recommendation was that the Qualifications Wales Bill should be limited only to establishing Qualifications Wales as a regulating body. Future changes to its remit, including its role as an awarding body, would be more appropriately considered after the outcome of the on-going curriculum and assessment review and following further work on how the awarding process will operate.

This recommendation was made alongside other (more detailed) recommendations relating to governance arrangements and operational independence and to the regulation and quality assurance of academic qualifications. It was clear, however, that the key recommendation would have an effect on many of the later recommendations made. The Committee therefore categorised the recommendations into three groups, clarifying how each group of amendments should be approached should the key recommendation be accepted.

In his response, the Minister confirmed that while he remained convinced in the long term that Qualifications Wales should have both awarding and regulating functions, his intention was, in the first instance, to bring forward legislation to only establish Qualifications Wales as a national body to regulate awarding bodies and to quality assure qualifications. The Minister also confirmed that future primary legislation would be necessary to confer awarding powers on Qualifications Wales.

Additional Learning Needs and Education Tribunal (Wales) Bill

The Committee carried out pre-legislative scrutiny of the **Draft Additional Learning Needs and Education Tribunal (Wales) Bill**, which was published by the Minister for Education and Skills in response to the Committee's recommendation to exclude provisions relating to SEN from the Education (Wales) Bill (outlined earlier in this report). The Committee's approach included hearing from stakeholders working with children and families affected by SEN/ALN and from local government and health representatives involved in implementing any changes. More than 20 written

⁵ Visit to QQI and SQA, 1-2 May 2014

⁶ **Review of Qualifications for 14-19 year olds: Recommendation 5**

submissions were received. As part of the evidence gathering process, the Committee held a round table workshop with key stakeholders, organised in partnership with the Third Sector Additional Needs Alliance (TSANA).

Overall, the Committee very much welcomed the intention to reform the system but found that “there was much work to be done” to address many areas of uncertainty before a Bill is formally introduced into the Assembly’s legislative process. The Welsh Government had planned to introduce a Bill in the summer but the Minister decided to delay this pending further consultation.

Evidence received by the Committee was generally positive about the aims and objectives of the draft Bill. However, all those responding raised some concerns about the practicalities of the proposed reforms. The Committee responded formally to the Welsh Government consultation on the draft Bill with the aim of influencing the Minister’s proposals. In particular, the Committee urged the Welsh Government to strengthen the legislation in the following areas:

- Multi-agency working and collaboration between local government and health;
- The graduated system of support;
- Dispute resolution and creating a fairer, more transparent system;
- Establishing an age 0-25 system;
- Transition to the new system.

The introduction of a Bill will be a matter for the next Welsh Government.

Recommendation 22. Any successor Committee should monitor the Welsh Government’s progress in preparing a Bill and that any scrutiny of such a Bill is informed by the views and recommendations put forward by this Committee.



Draft Additional Learning Needs and Education Tribunal (Wales) Bill
Round table workshop with key stakeholders, November 2015

Lessons learnt during the Fourth Assembly

Changes in procedures and practice during the Fourth Assembly, required the Committee to be more innovative in the way in which we approached our work, in order to get the most out of the time available. It was also essential to move towards improved communication with stakeholders and the public, making the most out of social media, and finding appropriate ways to listen to children and young people.

One of the constraints during the Fourth Assembly was the more limited time the Committee had available for policy or general scrutiny given that it now also had responsibility for scrutinising legislation. Whilst there can be a benefit as a result of this dual function, it was vital that the Committee timetable was balanced to enable scrutiny of important issues to continue alongside the consideration of legislation. To maximise the time available, the Committee therefore undertook a blend of focused/short inquiries alongside longer-term inquiries held on a phased approach. It is vital the Business Committee in the next Assembly considers how the balance of legislation fell across the different committees and how that impacted on their ability to conduct inquiries and scrutiny. This Committee had one of the heaviest legislative burdens.

Much of the work undertaken by the Committee (and the way in which it was done) proved very successful, while there were elements that were less effective. It is essential that good practice or lessons learnt can be shared between committees. It is also important that this is not lost in the transition between Assemblies, and as such, the Committee wanted to include within this report details of both the positive and negative lessons learnt during the Fourth Assembly.

“I have to say that this committee does its job very well, in my opinion and in the opinion of many others. It does influence the course of policy making and it has.

(...) it has certainly done its job in terms of keeping this particular Minister on the ball and being sharp around the concerns of the committee. The committee system within the Assembly is an unsung success of the whole institution, in my opinion.”

Huw Lewis, Minister for Education and Skills, Committee 27 January 2016

The key lessons learnt are:

- The importance of direct engagement: with children and young people; parents and carers; and wider stakeholders.
- The value of pre-legislative scrutiny.
- Issues which the Committee has maintained its focus over time (for example CAMHS, Adoption).
- The use of short and focussed inquiries: such as regional consortia and WESPs.
- The need to scope inquiries carefully before beginning, in order to focus on those witnesses who will bring greatest perspective, evidence and benefit. Often the consideration of written evidence before calling oral witnesses can aid focus.

Direct engagement

In undertaking all of its work, the Committee has looked for opportunities to engage directly with those outside the Committee, and outside of the formal Committee setting. This has proven to be a very effective way of gathering evidence on policy inquiries and proposed legislation, and has also enabled the Committee to establish a better connection to those affected by the issues.

It has been particularly important for the Committee to engage directly with children and young people and their parents and carers. Examples of where direct engagement was undertaken are listed below, and on all occasions this added an important insight and considerable value to the inquiry being undertaken:

01. Adoption

The Committee appointed a special adviser to facilitate direct engagement with children and parents. The Committee met with children and parents in Colwyn Bay, Wrexham, Narberth and Cardiff.

02. Attainment and Poverty

The Committee undertook visits to Swansea and Wrexham where Committee Members met parents. Members of the Committee also visited Cadoxton Primary School to informally discuss the challenges they faced.

03. Attendance and behaviour

As part of the consultation, the Committee conducted a series of 19 focus groups with children and young people across Wales, to ask about their views and the issue that affected them in terms of attendance and behaviour in schools.

04. CAMHS

The Committee undertook informal meetings with parents and carers to discuss the main challenges faced by them and their children in accessing CAMHS services. Facilitated by the office of the Children's Commissioner and a number of Non-Governmental Organisations, the Committee also met with young people in Cardiff, Caerphilly, Denbigh and Pontypool and also visited Ty Llidiard inpatient facility in Bridgend.

05. Supply Teaching

The Committee carried out surveys of children and parents / carers (which attracted almost 1,500 responses). The Committee also met informally with teachers, head teachers and supply teachers.

06. Draft Additional Learning Needs Bill

The Committee held a 'round table' workshop with key stakeholders, organised in partnership with the Third Sector Additional Needs Alliance (TSANA).

07. Visit to the Organisation for Economic Co-operation and Development (OECD)

The Committee met those responsible for the Programme for International Student Assessment (PISA), and the OECD's review of Wales' education system. Both significantly influenced the Welsh Government's policies and approach during the Fifth Assembly and the visit has informed the Committee's scrutiny.

08. Qualifications Wales Bill

The Committee visited the Scottish Qualifications Authority and Quality and Qualifications Ireland (QQI), as equivalent bodies to Qualifications Wales.

09. Learning and Skills Measure 2009

The Committee consulted young people across Wales to find out what they thought of the opportunities they had. A specific questionnaire was created and the Assembly's Outreach Team visited Groups/Schools to promote this.

Pre-legislative scrutiny

As outlined earlier in the report, the Committee undertook pre-legislative scrutiny of two Bills. This has proved very successful, as the Welsh Government itself also recognises.

Pre-legislative scrutiny provides Committees and stakeholders with opportunities to feed into and influence legislation whilst the Government is still formulating its policy and approach. Also, by identifying and addressing issues at an early stage, these can be brought to the attention of the Government (and hopefully resolved) before the Bill is introduced into the formal legislative process. The Bill that is introduced at Stage 1 should therefore be more developed and should provide for more efficient and effective law-making. The publication of the Draft ALN Bill was particularly useful in this process, as it provided clear focus for the Committee and stakeholders on the Government's intended approach.

Another important factor (as was relevant with the Qualifications Wales Bill) is that having already looked in detail at proposals for legislation, Members of the committee already shared 'cross-party expertise' on the subject when the Bill was formally introduced.

While it may be too early to tell if the pre-legislative scrutiny of the draft ALN Bill will make a difference, it is absolutely clear that recommendations made by the Committee influenced the Welsh Government's approach on the Qualifications Wales Bill.

Inevitably, there will be occasions when time pressures do not allow for pre-legislative scrutiny but we believe it is increasingly important and should be a prominent feature of the Fifth Assembly.

Phased inquiries

The Committee undertook a number of inquiries where work was undertaken over a number of phases. This allowed for clear focus on specific elements of the inquiry, but also enabled the direction of the inquiry to shift, depending on outcomes from the earlier phase. This was particularly useful when considering the more complex issues such as CAMHS and Adoption Services.

Snapshot inquiries

The Committee undertook a number of short, focused inquiries which had a clear purpose – this included the inquiries on WESPS and Regional Consortia and pre-legislative scrutiny of the ALN Bill. The focus of these inquiries seemed to be more effective than the more wide ranging inquiries undertaken at the start of the Fourth Assembly, such as those relating to sun protection or oral health.

Other matters

In addition to the key lessons learnt, any successor Committee may wish to take into account the following other matters experienced during the Fourth Assembly:

Use of an independent adviser

The appointment of a Special Adviser to the Adoption inquiry specifically to facilitate direct engagement within children, parents and carers, proved to be very successful. Members had indicated that they were particularly keen to hear the experiences of those directly affected by the adoption process, and given the sensitive nature of potential discussions, appointed the expert adviser to help facilitate this engagement. The Committee understands that expert advisers may not be appropriate in all inquiries, but such appointments can clearly enhance the scrutiny process in certain circumstances.

Mainstreaming of the European Union agenda

Given the nature of the policy inquiries, and the weight of legislation considered by the Committee, it has not been possible during the Fourth Assembly to undertake much work on European matters. The Committee does however recognise the importance of mainstreaming EU matters into Committee business as relevant, and this may be something that our successor Committee should consider in looking at its forward work programme (subject to the outcome of the UK referendum).

Financial scrutiny by the Committee

The Committee recognises that financial scrutiny should be embedded into all aspects of its work. It has, however, sometimes proved difficult to undertake effective financial scrutiny during the Fourth Assembly, and this has been particularly difficult during consideration of Bills.

While the Committee has considered the Regulatory Impact Assessments provided for the Bills referred to it, the financial information contained has often been difficult to understand against the specific provisions of a Bill. Our successor Committee should consider whether practice at Stage 1 needs to change to ensure the most robust financial scrutiny of Bills can be undertaken.

Consideration should also be given to how more robust in-year financial scrutiny could be undertaken, and embedded into the Committee's work. This should be considered alongside the Committee's concerns on the budget process and financial scrutiny of legislation set out in its [response to the Finance Committee's legacy consultation](#).



Inquiry Into Educational Outcomes For Children From Low Income Households
Committee visit to Cadoxton Primary School, Barry, November 2013

Looking towards the Fifth Assembly

The Committee is keen to ensure that issues affecting children and young people continue to be one of the Assembly's key priorities in the Fifth Assembly. Following the election on 5 May, there will be many challenges our successor Committee(s) will want to tackle. In trying to help focus on any future work, the Committee has included suggestions falling into the following three areas:

01. Views of children and young people
02. Specific recommendations arising from Fourth Assembly work
03. Areas of future importance

Views of children and young people

In looking ahead at the new Assembly, the Committee wanted to know what issues mattered to children and young people. The Committee produced 'question cards' asking:

- What are the most important issue(s) affecting you today?
- What would you like to change?

The Committee received 1,380 responses, on a range of issues and from a wide age group. The Committee also spoke to young people directly during the Assembly's Youth Event on 15 July 2015. A **detailed report** highlighting the findings from this survey, is published separately.

The main areas of concern are highlighted below:

- Education
- Transport
- Local government
- Health
- Student Fees
- Welsh Language
- Leisure and Sport
- Community
- Politics
- Recreation
- CAMHS
- Safety
- Housing
- Employment and Skills
- Environment
- Wages
- Internet
- Farming

— VIEWS OF CHILDREN AND YOUNG PEOPLE —

WE ASKED FOR VIEWS WITH AN ONLINE SURVEY ON SUPPLY TEACHING



1,486
RESPONDED

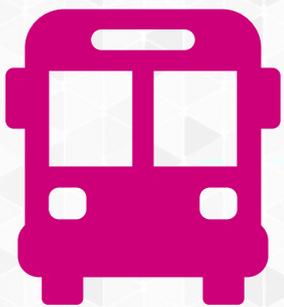


929
RESPONSES
FROM YOUNG
PEOPLE

WE ASKED WHAT WAS IMPORTANT TO CHILDREN AND YOUNG PEOPLE

1,380 YOUNG PEOPLE RESPONDED

— THE TOP THREE AREAS OF CONCERN WERE —



TRANSPORT, EDUCATION AND LOCAL GOVERNMENT

— ENGAGEMENT —



ROUND TABLE
EVENTS



WE VISITED
SCHOOLS AND
COMMUNITIES



FOCUS
GROUPS

Recommendations from Fourth Assembly work

Recommendation 1. As a priority at the start of the Fifth Assembly, any successor committee should ensure it monitors whether the step-change that is needed in CAMHS is being delivered. Particular attention should be paid to:

- waiting times;
- whether the new “dedicated neurodevelopmental services” have been developed across Wales;
- whether children and young people are able to access the appropriate psychological therapies in a timely way; and
- workforce capacity and skills and effectiveness of the new specialist posts.

Recommendation 2. The Committee remains very concerned about the shortfall in staffing and that standards for specialist neo-natal staff are not being met. Given the reported ongoing concerns about staffing and the sustainability of services, any successor Committee should monitor progress in this area.

Recommendation 3. Any successor Committee should monitor that progress is made in reducing regional variation in the delivery of adoption services and that, crucially, children and their families get the help they need post-adoption. It is also crucial to monitor whether all adopted children have access to quality life story work.

Recommendation 4. Any successor Committee should monitor progress and compliance with the minimum service requirements for each level of the Obesity Pathway as relevant to children and young people.

Recommendation 5. Any successor Committee should hold the Minister to account on the monitoring of the annual data from the Welsh Oral Information Unit to measure the extent to which Designed to Smile has influenced decay levels in 5 year olds over time. It should also monitor the extent to which all children in Wales are able to access both the Designed to Smile programme and dental services when needed.

Recommendation 6. Any successor Committee should (a) follow up on the main recommendation closer to August 2018; (b) consider the findings of the Estyn review of the new guidance; and (c) monitor the progress made by the Minister’s task force.

Recommendation 7. Any successor Committee should consider the outcomes of the evaluation of the Welsh-medium Education Strategy and seek further information from the Welsh Government on the actions it intends to take in response, including any implications for the role and function of WESPs.

- Recommendation 8.** Any successor Committee should maintain an active role in reviewing how effective the Regional Education Consortia are in supporting the Welsh Government's education priorities and in particular the way in which they are increasingly being used to distribute education funding which may have previously been provided directly to local authorities.
- Recommendation 9.** Any successor Committee should monitor closely whether the Pupil Deprivation Grant and Schools Challenge Cymru are delivering both the intended outcomes for pupils and value for money.
- Recommendation 10.** Any successor Committee should undertake a review in the longer term into the effectiveness of the use of Fixed Penalty Notices to tackle unauthorised absence.
- Recommendation 11.** Any successor Committee should maintain an active role in reviewing the implementation of the Rights of Children and Young Persons (Wales) Measure 2011, and in particular should monitor whether Children's Rights Impact Assessments are being routinely published.
- Recommendation 12.** Any successor Committee should follow up on the need for legislation to consolidate and simplify the legal background governing the Children's Commissioner for Wales.
- Recommendation 13.** Any successor Committee should seek an assurance from the Welsh Government that it will review the decision not to transfer responsibility for the appointment and funding of the Commissioner to the National Assembly for Wales.
- Recommendation 14.** Any successor Committee should further examine the extent to which public bodies in Wales are implementing the UNCRC, with a particular focus on their compliance with the Convention in respect of funding they are provided with by the Welsh Government.
- Recommendation 15.** Any successor Committee should undertake post-legislative scrutiny of the School Standards and Organisation (Wales) Act. This should include (a) consideration of any review undertaken by the Welsh Government on the implementation of the Act; and (b) a review of the school organisation process.
- Recommendation 16.** Any successor Committee should monitor the outcomes of the review of the operation of the Act and should undertake post-legislative scrutiny of the implementation and impact of the Act.
- Recommendation 17.** Any successor Committee should consider the impact of establishing the Education Workforce Council and monitor any role it is given by the Welsh Government in delivering the 'New Deal' of CPD for the education workforce.

Recommendation 18. Any successor Committee should examine the legislative programme and seek early consideration of any Bill introduced following the draft Additional Learning Needs and Education Tribunal (Wales) Bill.

Recommendation 19. Any successor Committee should consider the implications of the outcome of the Diamond Review for the new system of governance within the higher education sector established by the Act.

Recommendation 20. Any successor Committee should monitor the work of Qualifications Wales and seek updates from the new regulator. This should include scrutiny of Qualifications Wales' annual report.

Recommendation 21. Any successor Committee should undertake post-legislative scrutiny of the Acts considered by the Committee during the Fourth Assembly where no post-legislative scrutiny has been possible to date.

Recommendation 22. Any successor Committee should monitor the Welsh Government's progress in preparing a Bill and that any scrutiny of such a Bill is informed by the views and recommendations put forward by this Committee.

Areas of future importance

In addition to any specific areas / recommendations already outlined in this report, the Committee recommends that the following are key issues for consideration by any successor committee:

- Implementation of the Donaldson Review of the Curriculum and the Review of Qualifications.
- Reform of teachers' initial training through the implementation of Professor John Furlong's review and continuing professional development arrangements for the education workforce.
- The Welsh Government's response to the Independent Review of Higher Education Funding and Student Finance Arrangements led by Professor Sir Ian Diamond.
- Child and Adolescent Mental Health Services.
- Adoption Services.
- Neo-natal care.
- Additional Learning Needs Bill.