



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

**Pwyllgor Deddfwriaeth Rhif 3
Legislation Committee No. 3**

**Dydd Iau, 21 Mai 2009
Thursday, 21 May 2009**

Cynnwys
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Cofnodir y trafodion hyn yn yr iaith y llefarwyd hwy ynndi yn y pwyllgor. Yn ogystal, cynhwysir cyfieithiad Saesneg o gyfraniadau yn y Gymraeg. Mae hon yn fersiwn ddrafft o'r cofnod. Cyhoeddir fersiwn derfynol ymhen pum diwrnod gwaith.

These proceedings are reported in the language in which they were spoken in the committee. In addition, an English translation of Welsh speeches is included. This is a draft version of the record. The final version will be published within five working days.

Aelodau'r pwyllgor yn bresennol
Committee members in attendance

Peter Black	Democratiaid Rhyddfrydol Cymru Welsh Liberal Democrats
Christine Chapman	Llafur Labour
William Graham	Ceidwadwyr Cymreig Welsh Conservatives
Janice Gregory	Llafur Labour
Helen Mary Jones	Plaid Cymru The Party of Wales
David Lloyd	Plaid Cymru (Cadeirydd y Pwyllgor) The Party of Wales (Committee Chair)

Eraill yn bresennol
Others in attendance

Rhiannon Ellis-Walker	Llywydd, Tribiwnlys Anghenion Addysgol Arbennig Cymru President, Special Educational Needs Tribunal for Wales
Siân Mills	Ysgrifenyddes, Tribiwnlys Anghenion Addysgol Arbennig Cymru Secretary, Special Educational Needs Tribunal for Wales

Swyddogion Gwasanaeth Seneddol y Cynulliad yn bresennol
Assembly Parliamentary Service officials in attendance

Fay Bowen	Clerc Clerk
Gwyn Griffiths	Cynghorydd Cyfreithiol Legal Adviser
Ruth Hatton	Dirprwy Glerc Deputy Clerk
Owain Roberts	Dirprwy Glerc Deputy Clerk
Siân Thomas	Gwasanaeth Ymchwil yr Aelodau Members' Research Service

Dechreuodd y cyfarfod am 9.30 a.m.

The meeting began at 9.30 a.m.

Cyflwyniad, Ymddiheuriadau a Dirprwyon
Introduction, Apologies and Substitutions

[1] **David Lloyd:** Croeso i chi i gyd i gyfarfod diweddaraf Pwyllgor Deddfwriaeth Rhif 3 Cynulliad Cenedlaethol Cymru. Os clywch y larwm tân, dylai Aelodau adael yr ystafell drwy'r allanfeydd tân priodol a dilyn cyfarwyddiadau tywysyddion a staff. Nid ydym yn disgwyl prawf o'r larwm tân heddiw, felly, os clywch y larwm tân, bydd angen rhedeg ar frys. Dylai pawb ddiffodd eu ffonau symudol, eu galwyr a'u BlackBerry

David Lloyd: I welcome you all to the latest meeting of the National Assembly for Wales's Legislation Committee No. 3. If a fire alarm sounds, Members should leave the room through the specified fire exits and follow instructions from ushers and staff. We do not expect a fire drill this morning, so if the alarm sounds, we will need to leave urgently. Everyone should completely switch off their mobile phones, pagers and

yn llwyr, gan eu bod yn amharu ar yr offer darlledu. Fel mae pawb yn gwybod eisoes, mae Cynulliad Cenedlaethol Cymru yn gweithredu'n ddwyieithog, ac i'r perwyl hwnnw, mae clustffonau ar gael i glywed cyfieithiad ar y pryd ac i addasu lefelau sain ar gyfer pobl sydd yn drwm eu clyw. Peidiwch â chyffwrdd y botymau ar y microffonau, gan y gall hynny ddiffodd y system, a chofiwch sicrhau bod y golau coch ymlaen ar y microffon cyn dechrau siarad. Mae'r cyfieithiad ar y pryd ar gael ar sianel 1 a darllediad gair am air i glywed y sain yn well ar gael ar sianel 0.

BlackBerrys, as they interfere with the broadcasting equipment. As everyone will already know, the National Assembly for Wales operates bilingually. To facilitate that, headphones are provided to receive a simultaneous translation and to amplify the sound for those who are hard of hearing. Please do not touch any of the buttons on the microphones, as that can disable the system, and remember to check that the microphone's red light is on before you start speaking. Simultaneous translation is available on channel 1 and the verbatim feed to amplify the sound is available on channel 0.

9.31 a.m.

Mesur Arfaethedig ynghylch Addysg (Cymru)—Cyfnod 1: Sesiwn Dystiolaeth 2 The Proposed Education (Wales) Measure—Stage 1: Evidence Session 2

[2] **David Lloyd:** Diben y cyfarfod hwn yw cymryd tystiolaeth ar lafar mewn cysylltiad â'r Mesur arfaethedig. I'r perwyl hwnnw, croesawaf Rhiannon Ellis-Walker, llywydd Tribiwnlys Anghenion Addysgol Arbennig Cymru, a Siân Mills, ysgrifennydd Tribiwnlys Anghenion Addysgol Arbennig Cymru. Mae gennym, yr Aelodau, restr o gwestiynau sydd wedi eu paratoi ymlaen llaw ac, os yw'n iawn gyda chi, symudwn atynt yn syth. Nid oes dim byd anodd na dyrys yn eu cylch.

David Lloyd: The purpose of this meeting is to receive oral evidence in connection with the proposed Measure. To that end, I welcome Rhiannon Ellis-Walker, the president of the Special Educational Needs Tribunal for Wales, and Siân Mills, who is the secretary of the same organisation. As Members, we have a list of questions that have been prepared beforehand, and, if you are content, we will turn to those questions immediately. There is nothing difficult or tricky about them.

[3] A allwch chi fanylu ar y berthynas rhwng Tribiwnlys Anghenion Arbennig Cymru a Llywodraeth Cynulliad Cymru?

Can you detail the relationship between the Special Educational Needs Tribunal for Wales and the Welsh Assembly Government?

[4] **Ms Ellis-Walker:** The relationship between the tribunal and the Welsh Assembly Government is one of independence. While the Welsh Assembly Government pays the fees and running costs of the tribunal and appoints our lay members, the legal chairs and I have been appointed by the judicial board in London. While we have some connections with the Welsh Assembly Government, through my annual report each year and an annual meeting with the Minister to raise any concerns or issues that have been brought to our attention during the year, we strongly maintain our independence. We believe that it is important for the people of Wales that that independence is maintained and seen to be maintained, so that they realise that this is an independent body that decides on these important matters in their lives.

[5] **David Lloyd:** Diolch. Mae'r cwestiynau nesaf yng ngofal Christine Chapman.

David Lloyd: Thank you. The next questions will be asked by Christine Chapman.

[6] **Christine Chapman:** Good morning. In your view, is there a need to introduce legislation to allow children the right to make appeals in claims to the Special Educational

Needs Tribunal for Wales, and, if so, why?

[7] **Ms Ellis-Walker:** This issue is close to our hearts. If you go back to my annual report of 2004-05, you will find a reference to my concerns that, while local authorities had a duty to try to make the views of the child known to us, even at that stage, those views were not coming through. I had been impressed by a scheme that I had seen on the English side whereby, with little expense, the views of the child were obtained. Two independent people went into schools, and by appropriate, child-friendly measures, obtained the views of children and prepared a very small report for the tribunal. I thought that that was such a wonderful thing to do, as it would give the tribunal a further insight into what was the best for that child. I felt very strongly about this, even at that stage; those feelings have been felt by other people, such as the late Peter Clarke, who made a very strong call for us to have appeal rights. Article 12 of the United Nations Convention on the Rights of the Child also underpins this basic right that we should be having. There is a need for legislation and I am delighted that the Welsh Assembly Government has been very much in the forefront of doing this.

[8] **Peter Black:** I accept the reasons that you have given, but is there any evidence of any appeals not coming before you because children do not have this right?

[9] **Ms Ellis-Walker:** When we have discussed this matter, which has happened quite often in our user group meetings, which are held twice a year, we have had representations, such as that made by the commissioner for children, who indicated that, in his experience—I appreciate that this is anecdotal—there were instances where children did not have their views put forward because they could not appeal; and that if their views had been put forward, the outcomes would have been very different. The children's commissioner put that very strongly to us in a few meetings.

[10] We have had two instances—I know that that is a very small number—one of which was by letter to the tribunal, and the other by a child telephoning the tribunal asking whether he or she could appeal. My concern is that if you have two children doing that without there being any rights or ways in which to encourage them and inform them of that right, what is hiding behind that? Is that the tip of the iceberg? That is my concern. Consequently, I also believe that it is about establishing a parity of rights; it is a matter of hearing the voice of the child. In chapter 3 of the code of practice, the Welsh Assembly Government itself wants to encourage pupil participation in their own futures. I see this as a way of doing that.

[11] **Christine Chapman:** What types of implementation issues do you anticipate in creating a universal right of appeal and claims for children, which does not take into account their age and capacity?

[12] **Ms Ellis-Walker:** Obviously, the most important thing is to make sure that anything that we do is understood by children. There is no point taking our existing guidance notes and regulations; we have to re-look at them from a child's perspective to make sure that we have appropriate ways of communicating with the children and the means that they wish to be communicated with. Therefore, it is not necessarily just a matter of having written aids. We might be looking at other things.

[13] Interestingly enough, because we are very committed to this, we have started some training and we have started to look at guidance, appreciating what we need to do. We had our annual conference a short while ago, at which the National Institute of Adult Continuing Education came to talk to us, bringing some young people. It was very interesting because, as you are probably aware, our lay members have very specific skills and expertise, and many of them deal with children. It was interesting to note how they took over part of that dealing with the children and how naturally their skills came to the forefront in talking to the children. We had some very interesting feedback from that, in that the children were quite happy for us to

come into their sort of forum to discuss these issues with them, which is something that we want to do. Whether or not we would establish user groups just for children is another idea to consider. Coming back to the question, the most important thing that we can do is make sure that everything is specifically tailored, as far as possible, to make it accessible to children.

9.40 a.m.

[14] It is also important to make sure that children get proper advice from the outside agency. Advocacy is also important. I can see from the proposed Measure that those services are going to be developed, but there are organisations out there that are already doing informal work with parents, so I would hope that that would be extended.

[15] **Christine Chapman:** Is there any evidence that the proposed Measure might result in parents seeking to use their children to make proxy appeals in order to access advocacy support or funding?

[16] **Ms Ellis-Walker:** When the consultation document went out, there was major concern that children would be used as pawns in this way. We have looked at the legal aid situation, because I am afraid that financial drivers are very important for many people and, as much as we try to be as informal as possible, there is an expense—I think that it would be unrealistic not to admit that there are expenses in bringing a case properly to tribunal. Legal aid is not available to parents, and the legal aid commission board has made it quite clear that consideration of any applications by children will be based on parents' financial circumstances, so there is no benefit in parents doing that. As I have stated before, parents will have access to the advocacy services in the same way as children, so there is not really an issue.

[17] **Christine Chapman:** The explanatory memorandum states that the proposed Measure has been introduced as part of a suite of initiatives aimed at increasing child participation in decision-making processes relating to tribunal appeals and claims. Given that those initiatives include a review of the current tribunal regulations and the partial revision of the special educational needs codes of practice for Wales, do you think that the introduction of the proposed Measure is timely?

[18] **Ms Ellis-Walker:** It is very timely. Since I have been on board, we have worked with the English regulations, which has been something of a bone of contention for me, especially as time has gone on. As a Welsh tribunal, we have developed, in some respects, in different ways to the English tribunal, especially since the implementation of the Leggatt report, and the development of the one-tier tribunal in England and the new rules and regulations there. This is extremely timely because we have tabled quite a few matters that we want to change in our own regulations, and I for one am very much looking forward to all of this coming through, as it hopefully will, so that I can have new regulations that are appropriate to Wales and to the people and children of Wales.

[19] **David Lloyd:** Mae'r cwestiynau **David Lloyd:** The next questions will come nesaf yng ngofal Helen Mary Jones. from Helen Mary Jones.

[20] **Helen Mary Jones:** I very much appreciated the rights-based approach that you took in preparing your paper; it was very helpful.

[21] The proposed Measure allows for the child to appeal against a refusal to make an assessment of their educational needs at the request of his or her parent. However, children are not able to request an assessment of their needs in their own right, so this proposed Measure comes in at the second stage as it were. Do you have a view on whether the proposed Measure does or should take into account this potential anomaly in the rights of the child to

get to where he or she wants to go, namely to have his or her additional learning needs met?

[22] **Ms Ellis-Walker:** We have looked at this. The call from the commission for children was to have this right of appeal, and we felt that the child's interests are protected. A parent or a school can make a request for an assessment and, because the school can make that request, we felt that the child was protected in that way. Somebody like the learning support teacher can make that application on behalf of a child, so even if the parent does not do it, there is somebody else who is going to do it who knows that child well and knows his or her capability and then, in those circumstances, the child's right of appeal comes in. There is no right of appeal to request an assessment, as you quite rightly said, but we do not feel that that is detrimental to the child because of the protection of the school coming in to do so.

[23] **Helen Mary Jones:** You mentioned in an earlier response that you had received inquiries directly from young people who wanted to make appeals. I think that you mentioned that there were only a couple. From that anecdotal evidence, can you tell us a bit more—obviously, without revealing anything confidential—about what those children's circumstances were, and why they, rather than the parents, or the local authority in the case of looked-after children, were approaching you?

[24] **Ms Ellis-Walker:** This is very much anecdotal evidence. It is something that came into the office, so it is perhaps more appropriate for Siân to deal with that.

[25] **Ms Mills:** We do not know too much about the telephone conversation, because it was fairly brief. However, with regard to the written request, we know that the young person was of an age to make a written, formal request, and that he was interested in making an appeal to the tribunal. We cannot give out too much information, obviously, about the individual circumstances, as you said.

[26] **Helen Mary Jones:** If it is appropriate, can you give us an indication of why he was doing that himself, rather than his parents doing it? The question that may be posed about the need for the proposed Measure is that there is always someone there, whether it is a parent, a foster parent or a social worker. Please do not misunderstand me, it is crucial that the child has their own right to appeal—on principle, apart from anything else. I am interested to get a slight feel—

[27] **Ms Mills:** He was very concerned about his future, and he very much wanted to be involved in the process of deciding on his future education. He was very concerned about the education provision that he was currently receiving. He wanted to make changes, and to be involved in that process in order to make the changes.

[28] **Helen Mary Jones:** That is interesting. It must have been quite frustrating not to be able to say 'yes' under those circumstances.

[29] Section 332ZA(4), which would be inserted by section 1(2) of the proposed Measure, states that,

[30] 'the Welsh Ministers may provide by regulations for circumstances in which a child may not appeal'.

[31] In her evidence, the Minister outlined that that was a legal provision that would not have to be used, and that such potential circumstances could be identified during the pilot phase. I am a bit concerned about that, not with regard to our current Minister, but once this has become law. Do you envisage circumstances in which regulations might be required to preclude a child from appealing? Are there any specific groups of children that might be excluded? As a committee, we are trying to get a feel of the circumstances where it might be

in the child's interest not to be allowed to make the appeal.

[32] **Ms Ellis-Walker:** As a tribunal, we cannot think of any circumstances in which you would be excluding anyone. From a legal point of view, you then touch on human rights. How can you exclude certain people? Quite frankly, if you are going to do that, what is the point of giving the rights to children? However, I can understand why it has been put in. It probably will not be used; if it were to be used, it would be in regulations. We do not know what we are going to come across in two years' time, when we go through the pilot phase. We do not know what problems there may be. So, it is a situation in which, if something came up that needed tweaking in some way, that could be done. However, I have to say that I cannot envisage any such circumstance. There would be human rights issues, and, if a situation were to occur, it would be open to challenge.

[33] **Helen Mary Jones:** I have a brief supplementary question. There is another part, further on in the proposed Measure—I cannot remember off the top of my head what section it is—which gives Ministers quite broad powers to amend the right by regulation. My concern is that, if you put on the face of the proposed Measure that some children might be excluded, it is almost an invitation for them to be excluded, whereas if you run the pilot phase and find that there are issues, there is the broader power further back in the proposed Measure. Do you have a view as to whether that might give Ministers the right to cope with the situation that arose?

[34] **Ms Ellis-Walker:** Because we are going into unknown territory, and bravely leading the way, as it were, it is very important to retain flexibility. It is the flexibility aspect that I think that the proposed Measure is trying to keep. I understand where you are coming from, and in some respects I totally agree, because I do not like the thought that anyone could be excluded. However, there will be a two-year pilot phase, in unknown territory. It is taking quite a long time for the proposed Measure to go through, because it has to go through the consultation process, and so on. If we have a two-year pilot study and it then has to go back, it will delay those rights coming through for children. The new regulations—from a selfish point of view, with regard to the tribunals—let us move forward to provide what we want to provide for the children of Wales. We feel committed to doing so and to changing our regulations to make it easier for people, which, once again, is very important to us.

9.50 a.m.

[35] **David Lloyd:** Mae'r cwestiynau **David Lloyd:** The next questions are from nesaf dan ofal Janice Gregory. Janice Gregory.

[36] **Janice Gregory:** Local education authorities currently give notice or serve documents in relation to statements. Section 2 of the proposed Measure places a duty on LEAs to give notice or to serve a document on the child as well as the parent. In the proposed Measure, as you are aware, the child has been defined as:

[37] 'any person who has not attained the age of 19 and is a registered pupil at a school'.

[38] Given the varying needs of children with special educational needs across a wide range of age groups, how do you think the requirement to give notice and serve documents can be delivered in practical terms to ensure that the individual needs of the children are met?

[39] **Ms Ellis-Walker:** You probably appreciate that we already have all of these timescales. Some of the parents do not have a legal background and they access the advisory bodies and parenting partnerships that already exist. They manage to comply with all of the timescales. Children will have the same access to these advisory bodies and to counselling and so on. Consequently, we feel that they should also be able to comply with the timescales.

We do not think that they should be increased.

[40] The other reason behind that is not that we are being unreasonable, but because, as it is now, there is a two-month window in which you can raise an appeal. By the time we go through case statements and all the other matters, it can be five or six months before that hearing is held and dealt with. In those circumstances, there are six months when that child is in unsteady waters, which could affect their education. If we are going to delay it even longer, he or she could miss a school year, which is an important move for a child. That is why I am anxious that we do not have those time limits. There is also protection. In the regulations as they stand—and I believe this should be the case as they go forward—if there is a problem with a time limit, an application can be made to me for an extension if there is a good reason. For example, if a child had difficulty getting access—especially at the start—to the proper advice, because everyone is feeling their way, it would be unreasonable of me not to consider the time limit. I would have to look at each individual case. It would be unreasonable of me, especially in the beginning, not to give a little bit of a time extension in those circumstances. So, there is not a definite cut-off time; there are other ways that we can look at it.

[41] **Peter Black:** Do you think that there is a need to place a requirement on local education authorities to perhaps revise the format of these documents to make them more understandable and easier to deal with if the proposed Measure is passed?

[42] **Ms Ellis-Walker:** I certainly hope that they would do that. We will try to work with local authorities through our user groups. We already do this. If we find that users are having difficulty with something received from the local authorities, we bring it up for discussion in our user groups. We also put it on the website. I will give you an example. Some local authorities were not putting all of the statutory requirements that parents needed to know about their rights of appeal in their letters. That led, at times, to parents running out of time. They then came back to me and I said that I would not accept that and that, if they did not provide the parents with the proper information, I would extend the time until they did. I put that to them in the user groups, discussed it and explained the reasons why. We even put down pointers to make life easier for them and we have put it on our website. We continue to do it because there is sometimes a problem because, in local authorities, people move on, get promotions and so on. So, it is about a constant learning process and a constant reminder and talking to our users to remind them of these points. If we find that local authorities are using difficult language, which I do not think they will—in fairness, most local authorities are very good—we will be talking to them and keeping an open forum. This is a two-way process, and it is important to have this discussion and open forum with our users.

[43] **Janice Gregory:** I wish to discuss that point further on a practical level. I am a great fan of putting things in the simplest way possible for people to understand. That is how I like to have information, and how I would like my constituents to have information, and they certainly like that. I hear what you say, and Peter made an important point about local authorities changing the format. That is crucial, because I have seen their output and you need a legal background to wade your way through some of it. Would you advocate the local authority having one format for the parent and another for the child, or would one format for both be sufficient?

[44] **Ms Ellis-Walker:** Obviously, I cannot dictate what a local authority does, but I would not look kindly on a child receiving the standard letter that the parent gets. We have to think outside the box on this. We could be dealing with very young children. We may have to look at using visual aids or other means of communication. Letters and the written form are not the only means of communication. We have to consider the needs of those children who come to us, and we need to consider different ways of communicating. We will certainly be looking at different ways of producing our guidance. We will look at producing another DVD, perhaps—you are probably aware that we have already produced one. If we can

manage it, we may look at doing another that is aimed more at children, which is important.

[45] The other important point is that our decisions are also made in writing. We have to consider that fact as a tribunal, when dealing with children, to ensure that they understand our decisions. For example, we may need to issue our decisions in different formats: one for the adults and another for the child, so that the child can understand. It should highlight the important points that will affect the child's future education.

[46] **Janice Gregory:** Moving on to sections 3 and 10 on the case friends, in her evidence, the Minister outlined that under the proposed Measure, children and young people could not choose to appeal or make a claim with the assistance of a case friend or any other representative without parental consent. What do you think would be the implications of that for the child in progressing his or her appeal or claim?

[47] **Ms Ellis-Walker:** It is an incredibly thorny issue. If you are going to stick with parental consent, you are effectively vetoing the right of the child and, quite frankly, in some respects, we are therefore wasting our time. What is the point? No-one wants to drive a wedge between the child and its parents or ruin that relationship in any way, but the child must have an unfettered right to appeal. The important point is to bring the parents into the process so that there is a parity of rights here and so that the parents' voice is heard with regard to what their objections are.

[48] We will have the benefit of the pilot scheme. We may find it sensible, in those circumstances where parents object vociferously, to allow them to have an informal hearing with a tribunal to consider the issue before going down the road. I cannot say that for definite, because we do not know—hence the benefit of the pilot scheme—but we are aware of this issue and we are beginning to think about it. In the next two years, and before we start the pilot scheme in 2010, we will probably discuss this issue with our chairs and user group. It is an important point, but I feel strongly that to fetter the right of the child is a no-no. It is a difficult issue that has to be dealt with sensitively and carefully.

10.00 a.m.

[49] **Janice Gregory:** Thank you, Rhiannon. Obviously, you have thought about this. Therefore, my next question is: do you think that there could be practical barriers to implementation arising from the appointment of case friends? Can you see anything in there that could possibly be a barrier? If something has come to light or if there is something that you have thought about, do you think that that could be addressed in the proposed Measure?

[50] **Ms Ellis-Walker:** It is something that I have thought about. I think that case friends can work very well. It is a fantastic idea that you can have grandparents, who are so important, or uncles, aunts or family friends who know the child and who have known the child since he or she was quite young. My concern—I am not sure whether this is a matter for the tribunal or not, but I will raise it anyway—would be whether or not we should be vetting that family friend and looking into his or her background to make sure that there are no child protection issues. That is the only thing that I would say. If you demand CRB checks, they are very effective, but they are extremely time consuming, which brings us into a time situation, and they are expensive. If you had a situation where the child wanted to appeal and the parent did not, who would pay for that? It is something that we have debated a little bit internally, as to whether or not it would be appropriate for us to have a voluntary disclaimer form.

[51] **Janice Gregory:** That is interesting, and I take on board what you said about who could be eligible to be case friends. I think that you are right that it should be a grandparent or a responsible adult who has known the child for a very long time, but there could be others, of course. Do you think that a list of who could be eligible should be included on the face of the

proposed Measure or should it be left to guidance or the regulations?

[52] **Ms Ellis-Walker:** I think that the proposed Measure should be as broad as possible on that, because we do not know what we will be dealing with and I would not like to see anybody excluded. I think that the children who will benefit most from this proposed Measure will be children who are in care. That has been a concern of ours for some time. Although there is a decided case that foster parents of a year's standing do have the locus to come before the tribunal, I am sure that all of you know that a lot of children are in a foster-care home for only three to six months and then they are moved around, and I think that it is those children who need this protection desperately. We could have a situation where you have a very caring foster parent who thinks, 'This is not right for this child', but who has only had the child for three months. I would not like to see anybody like that excluded. I think that anybody who is prepared to act as a case friend to a child obviously has that child's future needs in mind and should not be excluded. So, I think that the proposed Measure should be as broad as possible on this and that we should retain flexibility through regulations later on.

[53] **David Lloyd:** Mae'r cwestiynau **David Lloyd:** The next questions are on nesaf ar adrannau 4 ac 11, a bydd Christine sections 4 and 11 and Christine Chapman Chapman yn eu gofyn. will ask them.

[54] **Christine Chapman:** I want to ask you about sections 4 and 11 on advice and information. I think that we have probably covered my first question on providing the information that is sent out to children and young people in an accessible format—we have discussed that. Therefore, I will move on to the next question. You state in your written evidence that the proposed Measure is silent on how the appropriate body might make young people aware of their rights in respect of disability discrimination claims, given that there is no statutory trigger mechanism. Do you think the proposed Measure should address this issue and, if so, how?

[55] **Ms Ellis-Walker:** Again, I think that it is a flexibility issue. Perhaps it should not be in the proposed Measure, but developed as we go on. I very much welcome the fact that disability discrimination legislation has come in, because I think that that gives children parity of rights, which is important. You will see from my annual report that the number of claims on the disability side was very low and I do think that that has something to do with the fact that there is no trigger mechanism. Although I know that the Assembly Government has issued a lot of publicity in relation to this matter, I do not think that it is reaching the public very much, unless it really concerns them; you have to go searching for it.

[56] So this proposed Measure is another opportunity to bring this to the forefront of the public's awareness. We have our part to play in that. We have developed our own website now, which will refer to this. Through going out and engaging young people in their fora, we will not only be discussing the right of appeal with regard to special needs, we will also be discussing the discrimination side of things. I would hope that that will bring it more into the public arena.

[57] I think that it will be very difficult to have a trigger for it, to be honest with you. Hopefully, our experience of the pilot scheme will help us to be more definitive about what might be the best way forward, and we can, hopefully, deal with that in the regulations.

[58] **David Lloyd:** Mae'r cwestiynau **David Lloyd:** The next questions are on nesaf ar adrannau 5 ac 12, a bydd William sections 5 and 12 and William Graham Graham yn eu gofyn. ask them.

[59] **William Graham:** With regard to sections 5 and 12 on the resolution of disputes, you will recall that the Minister, in her evidence, stated that the tribunal will be important in

monitoring whether local education authorities demonstrate their compliance with the duties set out in those sections. How do you foresee your tribunal delivering this monitoring role in practical terms?

[60] **Ms Ellis-Walker:** Sorry, could you repeat that?

[61] **William Graham:** With regard to sections 5 and 12, the Minister has told us that she expects that the tribunal will be important in monitoring whether local education authorities carry out their duties. How do you think your tribunal will be able to implement that?

[62] **Ms Ellis-Walker:** We are an important cog in that wheel, because we see all the papers coming in from the local authority, we see the letters being sent out to the parents and the children, and we are fortunate in that, through my annual report, I can comment on that. Also, the Minister for education has been very good in that we would normally have an annual meeting. If there is a matter of concern, I would feel quite confident of being able to ask for an audience to bring up that concern or any other urgent matters. Prior to that, however, we would be bringing up the matters in our user-group meetings, and we would be making clear what is unacceptable. The last resort is, basically, to go back to the Minister, because, in fairness, if we point things out and debate them, the local authorities and the user groups have an opportunity to come back to us should we have missed something or misunderstood something. We cannot make snap judgements; we have to discuss and debate these matters, especially if you are doing it as we are, with more than one local authority. In north Wales, for example, we have all the local authorities there, and the same applies in mid Wales and south Wales. The opportunity for debate helps, and so, in that way, I think that we do have an important role to play, and it is crucial that we keep an eye out for this, because, otherwise, it could go wrong.

[63] **William Graham:** The proposed Measure will place a duty on local education authorities to reconfigure their existing services or arrangements to take into account children's appeal and claim rights. I note from your response to the consultation that, of 668 appeals, only 25 per cent proceeded to a hearing, of which 83 per cent were upheld. Clearly, your role in the short-term arrangement in the pilot scheme will be important.

[64] **Ms Ellis-Walker:** Yes, it will. It is interesting that we have found, as you probably noted, that in recent years, the number of appeals has gone down. However, the appeals that are going forward are much more complex. We have had a case go on for three days, which is almost unheard of for us. It is very unusual for us, but it demonstrates the complexity of the matters that are coming forward. I cannot say this definitively, but I think that many local authorities are more amenable to discussing things with parents, and that is something that we have been trying to bring forward at all times—keeping the lines of communication open, and discussing matters. It can be irritating if matters are settled on the day of the appeal, when you have done all the preparation, but at least they are settled. I always believe that if parties agree matters between themselves, it is a better solution than having a third party make a solution for them, especially when you think that all children and parents must maintain a relationship with the local education authority throughout that child's schooling. So, anything that you can do to foster that relationship and make it a good one is positive.

10.10 a.m.

[65] **William Graham:** Thank you for that. Looking at the figures, I see that 25 per cent of appeals were conceded by the local education authority and 46 per cent were withdrawn by the parents. Can you expand on that, bearing in mind your previous remarks?

[66] **Ms Ellis-Walker:** We have had a problem in the past with parents withdrawing appeals, and it was obvious to us that they withdrew because the LEA had conceded. In those

circumstances, it should not be classed as a withdrawal but as a conceded case. It is very difficult for us to comment on why parents settle; as long as they are happy, that is fine. We have made it very clear that we will put a case down as conceded if we believe that the LEA has conceded. The LEAs have become quite heated with us about this, because they do not like to see it as a concession on their part, given that it raises the question of why they opposed it to begin with. So, it is quite an interesting statistic, and we keep an eye on it very carefully.

[67] **David Lloyd:** Symudwn ymlaen at y cwestiynau am adrannau 6 i 13, sydd yng ngofal Peter Black. **David Lloyd:** We now move on the questions about sections 6 to 13, which Peter Black will take care of.

[68] **Peter Black:** On independent advocacy services, historically, two thirds of all SEN appeals by parents concerned children of primary school age. Do you anticipate that that will be replicated in children-led appeals and, if so, what are the full implications of this situation for the nature of required advocacy provision?

[69] **Ms Ellis-Walker:** This is crystal ball stuff, because I have no idea which age groups are concerned. You would have thought that it would be very appealing to children aged 14 or 15 to make the applications. It will be a next friend situation, so, if the parent lacks the capacity or the inclination to make the appeal, it will depend on the advocate friend to make the appeal. It goes back to the point that we made before about how important it is not to close the door on that, because it could be the special learning teacher from the school who thinks that certain provision is not right for a child. Therefore, it is important not to close that door. It will be interesting to see whether we get representation from social workers and people in care. A few appeals have been started by social workers, who are paid by the local authority, but they have subsequently been withdrawn.

[70] **Peter Black:** In a sense, that comes on to the next question, because the proposed Measure places a responsibility on the children and young people's partnerships to lead the commissioning of advocacy in line with the model for advocacy provision. In your view, how will that ensure that advocacy provisions are independent given that the authority itself may also be the body defending the appeal?

[71] **Ms Ellis-Walker:** That is a little easier given that we already have the parenting partnerships, which it is the local authority's duty to provide. They seem to work quite satisfactorily, in fairness, because they seem to be independent and they certainly pursue the appeals on behalf of the parents. I do not have any doubts about that. Hopefully, that will be replicated, but in a more child-friendly way. I hope that that would not come to the fore, therefore, because it does not in the existing situation.

[72] **David Lloyd:** Symudwn ymlaen at y cwestiynau am adrannau 7 i 14, sydd yng ngofal Janice Gregory. **David Lloyd:** We now move on the questions about sections 7 to 14, which Janice Gregory will take care of.

[73] **Janice Gregory:** Rhiannon, you touched on my first question in your response to William Graham's last question, when we were talking about the complexity of the types of appeals. In fact, you more than touched upon it; you almost answered it. However, even though you have seen a downturn in their number, you say that the appeals that are coming to tribunal are getting more complex. Are there any additional implications for the proposed Measure of ensuring that the child can participate meaningfully in such tribunals?

[74] **Ms Ellis-Walker:** We have some experience of children at tribunals, and we have discussed that and set an informal precedent on how we deal with them. Tribunals are very informal and not like a court at all. We sit around a table, much like this one. However, when

children come to a tribunal, we come away from the table and go into a small group in a corner. No-one else is present except the child and two representatives. All the other witnesses are cleared out, so that the child feels comfortable, and we do that at the beginning of the day. The interesting thing to note is that, as I touched on before, our educational experts are headteachers and child psychologists, and they take over the questioning. The legal chair takes a back seat, because that is not their area of expertise, and the educational experts come to the fore and talk to the children using language that they can understand, so that they get the maximum out of it. So, I am quite confident that we will formalise that. That will be set out so that children and those who are representing them know exactly what to expect.

[75] My concern, which I will discuss with the rest of the tribunal and users, is that, depending on their age, we do not always think it appropriate for the child to remain throughout the hearing, given that we may be talking about their possible attainment, intelligence quotient and so on, as well as certain other things that may affect that child's view of themselves. We would not want anything that came out in the tribunal hearing to affect their confidence or self-belief. We have to be careful and sensitive in that area, and we will have to look at their age and discuss that more fully. I will also want to discuss that more fully with my educational experts.

[76] **Janice Gregory:** So, you would want to move to a format that would make the complexity of a case irrelevant, to a certain extent, and it would not matter whether it was an absolutely basic case or the most complex case that you had ever heard. The format would have the child very much at its forefront.

[77] **Ms Ellis-Walker:** Yes, so that the child knows what to expect and feels as though they have had their say and told us what they want to tell us. That is the important thing. However, we still have to hear the experts' advice, so that is where we must be sensitive.

[78] **Janice Gregory:** You have already answered my next question as far as I am concerned, but, just to ensure that you have given us your full explanation, it was about extending the time. You said quite clearly that you would not want to extend it any further, because we could lose a whole school year.

[79] **Ms Ellis-Walker:** Yes, as that can be so detrimental to children.

[80] **David Lloyd:** Symudwn ymlaen at **David Lloyd:** We move on to Helen Mary Jones, sydd â'r tri chwestiwn Jones, who has the next three questions. nesaf.

[81] **Helen Mary Jones:** You explained how you deal with hearing a child's views now, but can you tell us a little about your experience of ensuring that that happens with children of different ages, particularly bearing in mind what you said about the high percentage of appeals from parents relating to quite little children? Do you find that the tribunal needs to take a different approach with children of different ages, or does the same basic approach work?

[82] **Ms Ellis-Walker:** The same basic approach will work, but if they are very young children, we will have to think again. There is no doubt about that. I am not trying to avoid answering the question at all, but I do not want to become entrenched in any given position, because this is a pilot scheme, and we will have to adapt according to the needs of the children who are making the appeals to us. So, we have to be fairly flexible. I am confident that we can meet those needs because of my lay members and the expertise that we have there. If you access our website and look at their backgrounds, you will see exactly what I mean. We have a huge amount of expertise there that I can tap into and seek advice on the most appropriate way forward. Younger children are the speciality of one of our lay members.

10.20 a.m.

[83] **Helen Mary Jones:** That is very helpful. In your earlier response to Janice on how you approach these things you said that what happens now is that the rest of the witnesses are not there and you talk informally to the children. Can you see any difficulties arising when the child is the formal appellant? Is there a case for their needing to hear what the other witnesses are saying or perhaps for the witnesses to need to hear what the child is saying in a child-led appeal?

[84] **Ms Ellis-Walker:** That is a very interesting question.

[85] **Helen Mary Jones:** I am not necessarily saying that I think that there is; I am just—

[86] **Ms Ellis-Walker:** No, I do not think so. For witnesses, if the child's points are brought up, it is important that those points are put to witnesses so that they can comment on them. I do not want to see an adversarial position at all in the tribunal, as that is not what we are about. We are very much inquisitorial rather than adversarial. That is the whole point of the case friend, who will know what the child is saying and will have heard it. The representative of the local authority will also have heard what the child says because they are present. I would be very unhappy to bring the witness in, because, from the child's perspective, it could seem like a court. I have seen that on television, with witnesses, and I would not want to go down that path at all.

[87] **Helen Mary Jones:** That is interesting, thank you. In your written evidence, you state that the onward impact of the proposed Measure will vary according to the number of appeals and claims. Could you provide any further details on the practical implications for the tribunals of take-up being very high or very low?

[88] **Ms Ellis-Walker:** At the present time, our appeals have been going down from a high of 150. We have been using the time and the budget that we have to prepare, such as our website. We have also gone through the acceptance of our Welsh language scheme. We are starting with our training for members, and we have also revamped our guidance once, but we will have to do it again. So, if the appeal numbers are low, we will take the time to train, which will be so important, and to keep training. If the number of appeals is low, we still have to train. We have to keep up our skills. If the number of appeals is high, we feel that we can manage, provided that it does not go over 120. If it exceeds 120, we might start to find difficulty in turning things around and providing the service that we are used to providing.

[89] **Helen Mary Jones:** Your written evidence states that the parity of rights across the special education needs and disability jurisdictions will establish parallel duties and processes that, in practical terms, make things easier for the tribunal to administer. Could you tell us a little more about how that will work in practice? That may be a question for Ms Mills.

[90] **Ms Mills:** Yes, that is an administrative point. It is a matter of simply having the same processes in place for the appeals and the claims, to help us to administer those processes much more efficiently, rather than having a different system in place for both those elements. It is also very important to establish parity of rights for children across both elements.

[91] **Helen Mary Jones:** I have just thought of a supplementary question to my previous question, which is a bit naughty, I suppose. However, you said that you can cope if the number of appeals goes up to around 120, but that, after that, it would become challenging. What would happen then? Would that mean that you would have to go back to the Welsh Assembly Government to ask for additional resources? I am thinking about what you have

already said about time and how important it is.

[92] **Ms Ellis-Walker:** Siân is the expert, as she is at the sharp end of that.

[93] **Ms Mills:** We would have to monitor the situation very carefully and review our budget in those circumstances. We have statutory requirements to meet and it is important that we fulfil those functions. Given that we will be introducing new processes and systems as well as running our existing caseload, we would have to monitor the fluctuations in appeals and claims to ensure that we can still deliver our statutory functions.

[94] **Helen Mary Jones:** Presumably, the pilot phase would test that to a certain extent.

[95] **Ms Mills:** It will certainly help us to gauge how many appeals and claims we are going to get. It is very important to establish that.

[96] **David Lloyd:** Symudwn ymlaen i **David Lloyd:** We will move on to questions gwestiynau ar adran 17. Daw'r cwestiwn on section 17. Chris Chapman has the next nesaf gan Chris Chapman. question.

[97] **Christine Chapman:** This question is on the pilot phase. I think that you have partly answered it. Could you outline the extent to which you envisage this initial pilot and evaluation phase impacting on the proposed Measure?

[98] **Ms Ellis-Walker:** That will depend on what we find out during the pilot scheme. It depends on how many appeals we get. It is very difficult to answer. That is the reason for having the pilot scheme. To bring this in properly and to roll it out without having a pilot scheme would be virtually impossible. I would hate to roll this out across Wales and for it to fail because it had not been tested properly. In doing it this way, we can test it properly and then, hopefully, when it is rolled out, it will be rolled out in a form that we know is going to work and that will bring a lot of benefit to everybody.

[99] **Christine Chapman:** We discussed with the Minister the possibilities of where the pilot scheme should take place, so we discussed geographical areas and whether there are areas that have a disproportionately low number of appeals for whatever reason. Do you have any views on that?

[100] **Ms Ellis-Walker:** We want the pilot scheme to be a success, and, in some respects, that requires us to have some appeals. So, from that point of view, you would think that we should go to areas where we have had a high number of appeals. Very interestingly—I will not mention where this is—a certain local education authority has a very proactive parent group, and we have seen appeals from that local authority increase quite substantially since that proactive parent group has come in. That is interesting in terms of whether or not the proactive parent group could also be a proactive child group, and that could be a very good area to start with. It would be nice if we could have one pilot scheme in north Wales and one in south Wales, so that we represent all of Wales, but we do not have many appeals from north Wales—I do not know why, but we do not. It may be to do with heads of population, but it is difficult to say. I think that we should look at where there is already proactive support for parents.

[101] **William Graham:** Question 24 has largely been answered. In your written and oral evidence, you have talked about how you are going to prepare for the implications of the proposed Measure. In practical terms, is the timescale realistic for you and, therefore, for the child?

[102] **Ms Ellis-Walker:** We are quite happy with the timescales, because we are not

starting until 2010. We have already been involved. Siân has been involved with the working groups of the Welsh Assembly Government on this. As I say, we have already started our training and thinking about our guidance, and we have started to look at what our training for next year will be, so we feel that we are going to be really ready by 2010 to start the pilot scheme. I hope that it has come across that we are very enthusiastic and excited about it. It has been a very sensible timeframe from our point of view.

10.30 a.m.

[103] The nice thing is that it is going to give us time to go round our user groups again. I have another two meetings coming up in south Wales in the next six weeks, and I will have another round before the end of the year and another two rounds next year. We can go out to publicise and discuss this, to see what the other viewpoint is. We have plenty of time to do that in order to try to bring it out into the open and to establish the children's fora for discussion, which will, it is hoped, bring a lot of publicity so that children know what their rights are. So, the timeframe has been very sensible.

[104] **William Graham:** Clearly, we share your enthusiasm and see that you are confident. Do you think that the proposed Measure will be administering a format that is readily understandable to young people?

[105] **Ms Ellis-Walker:** That is very much down to us and the local authority. It is up to us to make sure that our guidance is clear, and is understood. As the tribunal, we have a job to go out to promote it. That is incumbent, and is a duty, upon us. I am sure that the Welsh Assembly Government will be doing its own publications.

[106] **David Lloyd:** Byddwch yn falch o **David Lloyd:** You will be pleased to note nodi ein bod wedi cyrraedd y grŵp olaf o that we have reached the final set of gwestiynau. questions.

[107] **Janice Gregory:** I have a brief question for Rhiannon, if I may. I represent what is classed as a deprived constituency, in which there are a number of Communities First wards. From listening to you, I was quite excited about how we are going to roll this out. Other parts of my constituency—I will just use this as an example—are more affluent, have good parent teacher associations, and would be easier to reach. Have you given any thought as to how you will roll this out to try to enthuse people in the harder-to-reach parts? In my opinion, those would be the ones that would need to come to an SEN tribunal.

[108] **Ms Ellis-Walker:** I was just going to say that the people in the affluent areas are the least of our problems.

[109] **Janice Gregory:** Yes. There are problems there, but, yes, 'the least of'—

[110] **Ms Ellis-Walker:** There are problems, but I do not think that reaching those people is that difficult. I agree wholeheartedly that reaching people in the less affluent areas is the challenge, and that is where the proposed Measure is really going to hit. We have to be aware of that. That is why we are thinking of doing children's groups in those areas, with youth workers, perhaps. Youth workers can be contacted. We would not expect children to come to us for a meeting—we would see whether we could go to them. That is important. There are also the existing parent partnership services, which we will be encouraging. We do have a role.

[111] **David Lloyd:** Symudwn ymlaen i'r **David Lloyd:** We will move on to the final adran olaf, sef adran 18. section, which is section 18.

[112] **Peter Black:** In your written evidence, you state that the tribunal's decision and order is legally binding. When appeals are upheld, there is a statutory duty for local authorities to implement the order within the specified timescale. However, you also say that, in instances where decisions are not implemented, the tribunal does not have any powers of enforcement, and there are currently no formal mechanisms for dealing with such issues. Do you have any evidence on the extent of the non-implementation of tribunal orders?

[113] **Ms Ellis-Walker:** We have had about five instances—have we not, Sian? There were a few complaints from parents, who rang us to say that nothing had been done about it. Siân, do you want to enlarge on the other example that we have?

[114] **Ms Mills:** We had one instance where we know that the order was not implemented within the time-limit regulations. On the other side of the coin, we receive quite a lot calls from parents who are concerned that the order has not been implemented, but we cannot become involved in that, because we have no function once the decision has been issued. So, it is difficult for us to establish what the problem is, whether it is a real issue with regard to non-implementation, or whether it is something that needs to be informally resolved between the parent and the LEA.

[115] **Peter Black:** Does the fact that you do not have any powers to enforce the decisions mean that you do not keep any records of reasons for non-implementation, or the issues around that?

[116] **Ms Ellis-Walker:** The redress for the parents is going to the Minister. That threat is sufficient to have something done. I should point out that, as far as I am aware, no tribunal has rights to interfere after the decision. I believe that something without teeth is not always effective. Children's education is so important that, if things are not complied with within time limits, it is disgraceful and it will affect that child's life. While I do not think that the proposed Measure should do anything about it, and it is perhaps a difficult area because tribunals have never had this right, I would welcome something in the regulations that would allow us to go back to LEAs, even with a cost prohibition, if they extend the time limits. If they are not doing something within the requisite time, we should be able to bring them back to ask for an explanation. Many parents would think, 'I have to write to the Minister; what do I do and how do I do it?'. It is very difficult. However, a simple procedure where we would call them back if they had not taken action might initially be a better form of redress. Of course, if there is something serious, it has to go to the Minister, but I am just thinking about ease of access for parents and children, to ensure that that child gets the education that he or she is entitled to.

[117] **Peter Black:** Would that be the only enforcement power that you would be looking at?

[118] **Ms Ellis-Walker:** Yes. I do not want big powers or anything like that; I am just looking at what is in the best interests of the child.

[119] **Peter Black:** Would you, for example, want the power for the tribunal to get a judicial review on the authority to force them to do something?

[120] **Ms Ellis-Walker:** No, because we are then stepping into the grounds of a High Court judicial review. If, for example, they had not complied with amending a statement within five weeks—that is plenty of time, because we write out the statement as it should be for them, so there is no excuse—I would like the power in the regulations for them to come back before the tribunal and explain why they have not done it. It has to have some teeth, perhaps a cost provision, so that they know that it is important.

[121] **Peter Black:** Chair, I would like to ask another question before you bring William in. With regard to the nature of the non-compliance, I think that you said somewhere in your evidence that most of the appeals result from the fact that an authority is not making the provision that the child or the parent feels they should have. I would have thought that a fair number of appeals are due to the fact that a statement provides for something that is not being delivered. Often, that is either down to resources or the fact that the local authority may not have control of the particular service. For example, speech and language therapists might be controlled by the health authority. In that situation, how would you enforce those appeals?

[122] **Ms Ellis-Walker:** That is a matter for the Minister. We cannot enforce them, as we do not have that power. Our remit is only education. However, it brings up an interesting point. Statementing as a whole is being looked at by the Welsh Assembly Government, because that is a problem. I know that it is outside this room, but it is a problem and it is one of the things that the Government will be looking into with regard to whether that is the way forward for statementing generally.

[123] **William Graham:** You do not have enforcement powers, but, presumably, from what you have just said, you would welcome a way for the tribunal to monitor the way in which your order has been made and implement it on time. I would not dare try to lead you, but would you welcome some provision for, as you say, a cost order, perhaps, against the LEA?

[124] **Ms Ellis-Walker:** Yes, we would. That is exactly what I would like. The time regulations are fine as they are, but if they are not complied with, I would like them to have to come back so that we can monitor it. We could then hopefully give some useful information in our annual report, which Ministers could use after that.

[125] **Peter Black:** I have one last question. In your written evidence, you state that you would welcome a further consultation opportunity once the pilot study has been completed and the evaluation report published before legislation and provision is finalised. Do you think that provision for that should be included in the proposed Measure?

[126] **Ms Ellis-Walker:** I am looking for the opportunity to give proper and full feedback of all our experience, so that, before the new regulations are rolled out, we have everything there and we know that it is fit to go forward. I am not sure that consultation is the appropriate response. What do you think, Siân?

10.40 a.m.

[127] **Ms Mills:** I do not think that there should be a full consultation because of the timescales involved, but we will be involved in the working group that takes the pilot study forward, so we would expect to be consulted on the pilot study, as it progresses, and on any changes to regulations. We would expect the tribunal to be involved in that.

[128] **Ms Ellis-Walker:** In other words, we do not want to delay this going forward; we just want to give our feedback.

[129] **David Lloyd:** Diolch. Yr ydym ar fin **David Lloyd:** Thank you. We have almost cyrraedd diwedd ein cwestiynau. Mae gan reached the end of our questions. Helen Mary Helen Mary un cwestiwn. has one question.

[130] **Helen Mary Jones:** This is not a question for our witnesses. Section 332ZA(4) that would be inserted by section 1(2) of the proposed Measure states that,

[131] ‘the Welsh Ministers may provide by regulations for circumstances in which a child

may not appeal’.

[132] But section 18(2)(a) gives the Ministers the right to ‘add, remove or modify rights’, could we have a paper from our legal advisers on whether both are necessary? Picking up on what witnesses have told us about needing to learn lessons from the pilot, I am not a lawyer, but it seems to me that the Minister’s concerns could be met by section 18(2)(a) and therefore section 332ZA(4) is not required, but it would be useful to get a note on that, which might inform our questions to further witnesses.

[133] **David Lloyd:** Mae Gwyn yn ysgwyd ei ben gan gytuno â’r syniad.

David Lloyd: Gwyn is nodding his head in agreement.

[134] Diolchaf i’n tystion, Rhiannon Ellis-Walker a Siân Mills, am eu cyfraniadau graenus a chynhwysfawr. Mae’r pwyllgor hwn yn gweithio i amserlen dynn. Nid ydym yma yr wythnos nesaf gan nad oes neb yma wythnos nesaf, ond mae ein cyfarfod nesaf ddydd Iau, 4 Mehefin, pan glywn dystiolaeth gan Gomisiynydd Plant Cymru, SNAP Cymru a Chymdeithas Llywodraeth Leol Cymru. Diolch am y cyfieithu a dyna ddiwedd ein cyfarfod.

I thank our witnesses, Rhiannon Ellis-Walker and Siân Mills, for their excellent and comprehensive contributions. This committee works to a tight timetable. We are not here next week because no-one is here next week, but our next meeting is on Thursday, 4 June, when we will hear evidence from the Children’s Commissioner for Wales, Snap Cymru and the Welsh Local Government Association. Thank you for the interpretation and that is the end of the meeting.

*Daeth y cyfarfod i ben am 10.42 a.m.
The meeting ended at 10.42 a.m.*