

Comisiynydd Plant Cymru Children's Commissioner for Wales

Sally Holland

By e-mail only

To: Alun Davies AM, Minister for Lifelong Learning and Welsh Language

CC: Lynne Neagle, Chair of the Children, Young People and Education Committee, National Assembly for Wales

16 October 2017

Dear Minister,

I write further to the session of the Children, Young People and Education (CYPE) Committee on 4th October 2017, under Stage 2 of the Additional Learning Needs and Education Tribunal (Wales) Bill (hereafter the ALN Bill). I have also seen a copy of the letter from the Welsh Local Government Association dated 3rd October 2017, which was referred to during that session.

I was pleased during the session to hear your explicit commitment to placing due regard to the United Nations Convention on the Rights of the Child (UNCRC) onto the face of the Bill, and your firm undertaking to work with all members of the CYPE Committee in order to bring forward a Government amendment to give effect to that at Stage 3.

There was much discussion in the Committee session on 4th October 2017 around whether or not it was appropriate for the duty to sit with "a person" rather than with "relevant bodies". I understand that there was concern about pressure on frontline practitioners and how they would record and evidence their observance of the due regard duty.

My primary objective is to ensure that learners with additional needs have the support that they need to reach their full potential through education. I firmly believe that placing a due regard duty on the face of the ALN Bill has the legitimate and proportionate aim of helping learners with additional needs to be the best that they can be and would like to work you, your officials, and members of the CYPE Committee to find a consensual way forward in order to achieve this. I would be pleased to meet with you and/or your officials prior to the drafting of amendments for Stage 3 of the Bill, in order that the considerations from my evidence, the CYPE Committee's stage 1 report and the discussions at stage 2 can be worked through as part of that process.

You will see that I have copied this letter to Lynne Neagle as Chair of the CYPE Committee.

Yours sincerely,



Sally Holland
Children's Commissioner for Wales