



Cynulliad National
Cenedlaethol Assembly for
Cymru Wales

The Petitions Committee

Completion Report

**Summary of the Petitions Committee's consideration of
P-03-109 Anti-bullying schemes in schools**

February 2009

Petition Received

5 March 2008

Ruled Admissible

25 March 2008

Initial Consideration**10 April 2008**

The Committee gave initial consideration to the petition and agreed to arrange a visit to the school to gather further evidence.

(See Annex 1 for the relevant extract from the transcript of the meeting on 10 April 2008)

Further Consideration**20 November 2008**

The Committee reviewed the progress of the petition, and agreed to:

- Ask the Clerk to contact MENCAP about the status of the petition
- Write to the Children's Commissioner for Wales

(See Annex 1 for the relevant extract from the transcript of the meeting on 20 November 2008 and Annex 2 for the letter sent to the Children's Commissioner for Wales)

10 February 2009

The Committee considered a response from the Children's Commissioner for Wales and agreed that it has taken the petition as far as it can, and to conclude its consideration of the petition.

(See Annex 1 for the relevant extract from the transcript of the meeting on 10 February 2009 and Annex 2 for the response received from the Children's Commissioner for Wales)

Petitions Committee Clerk

February 2009

Annex 1

Transcripts of Petitions Committee meetings

10 April 2008

Val Lloyd: We will therefore move on to petition, P-03-109 on anti bullying schemes in schools. This is from pupils at Pembroke school who wish the Welsh Assembly Government to fund anti-bullying schemes in schools and the wider community, which would be inclusive. I think that we need to take evidence directly from the school pupils, and I wonder whether we could make an informal visit.

Michael German: As opposed to a formal visit?

Val Lloyd: I do not mind.

Michael German: A formal visit is much more difficult to arrange, is it not?

Val Lloyd: That is why I said 'informal'. We could visit the school and then have a session to report back on it. It would also be less stressful for the pupils.

Bethan Jenkins: That would probably be best. Having been to the European Parliament and seen how it does things, I think that that method works well.

Val Lloyd: I think that that would be beneficial to the pupils. So, let us look at making those arrangements outside committee. I think that at least two Members should go, because we need to pick up on a balance of views. More than two Members could go, but it depends on people's diaries and on when the school could accommodate us. However, we must have two Members—any two—so that we have two different views coming back, although they will probably be the same.

Bethan Jenkins: Perhaps this is something to raise during an informal meeting, but there may be a conflict of interest if the places that we visit are in committee members' regions or constituencies. Perhaps we should visit places that are not in our own constituencies or areas.

Val Lloyd: That is probably a good idea.

Michael German: In addition, a Member who has a constituency interest should not be a member of the evidence-taking panel. That should not preclude them from attending, but they should not be a part of the panel.

Val Lloyd: That is a good principle that we should maintain throughout the committee. I know that we are fair, but we want to be seen to be fair and unbiased.

20 November 2008

Val Lloyd: Our next petition is on anti-bullying schemes in schools. The wording is as follows:

'The pupils at Pembroke School would like the Welsh Assembly Government to fund anti-bullying schemes in schools'.

Michael German: I agree with closing this, but what worries me is that the school made the decision and we do not know necessarily whether they referred to the

petitioners, namely the pupils who were at that school. This is an important issue—it is anti-bullying week this week. There is not much that we can do about it, but there is an issue about whether schools in general have the right to say that they want nothing to do with a petition raised by its pupils.

Andrew R.T. Davies: We were supposed to visit it.

Val Lloyd: That is right—we took it very seriously.

Michael German: Yes, but the school said 'no'; they did not want anything to do with the petition. We do not know this, but the context presumably was that pupils were worried that bullying was not being dealt with effectively in the school. We were taking instructions from those on the other side of the argument, which was not helpful. For future reference, perhaps we should desist from proceeding only at the request of the petitioner and not of someone else on their behalf, unless the petitioners are under the age of 16, in which case we would probably need to refer to their parents. However, since the petitioners in this case have left school, they are presumably over 16.

Val Lloyd: You make a good point.

Andrew R.T. Davies: Could we seek clarification?

Val Lloyd: From the school?

Andrew R.T. Davies: Yes—on why the petition was stopped dead. I thought that that happened because the pupils had left. I am sure that I heard that the administrative part of the school knew nothing about the petition and would therefore not host the Petitions Committee on the school campus. I thought that that was the reason for this. The petitioners did this off their own bat and only at the last minute, or whenever they received the request for us to attend, did the administrative side of the school become aware of the petition that was before the Assembly.

Val Lloyd: That lends more credence to Mike's arguments.

Andrew R.T. Davies: There were definitely two camps and one of them won the day.

Bethan Jenkins: That is the problem is it not? If we are going to encourage young people to submit petitions, we need to allow them to do so in the most flexible way for them.

If they feel that there is a clampdown on their opinions because the school would disagree with them, perhaps we need to clarify our procedures in relation to children.

Val Lloyd: We will have to think this through very carefully.

Michael German: May I also suggest that it might be worth asking the Children's Commissioner for Wales for a view on the matter? I know that he has very strong views on how children's voices are represented, and that might give strength to the argument. I absolutely agree with Bethan and I think that that is the right way forward.

Val Lloyd: I think that we are all in agreement.

Ms Webber: I have just been informed that Mencap was involved in setting this petition up, so we could go back to Mencap, if the committee wanted to, to see about pursuing this further.

Andrew R.T. Davies: As we are relying on memory rather than fact, and as our next meeting is in only two weeks' time, I suggest that a bit of digging should go on—

Ms Webber: In relation to the visit, I think that what you said about why the school pulled out is correct. We still tried to pursue the petition aside from the visit, but the pupils have left the school. Perhaps we can now contact the petitioners through Mencap and pursue whether they have any views on how we could take it forward.

Andrew R.T. Davies: So, there is an administrative angle to consider here, rather than the petition itself. We can direct our energies only to the petition itself. We have learnt a lesson here, and we need to decide how we would deal with the situation at another juncture. If the pupils have left—

Michael German: There is the issue about setting a precedent, which is what I was raising, and the broader issue about young people and what happens when there is a request to close a petition from someone other than the petitioners, when the petitioners are children. In that broader context, I thought that it might be useful to have the views of the children's commissioner.

Val Lloyd: Yes, I think that it would be. We could also go back to Mencap.

Michael German: Yes.

Bethan Jenkins: In relation to this specific issue—

Val Lloyd: Yes, in relation to this specific issue. So, there are two—

Michael German: Separate the two; the one from—

Val Lloyd: We can ask for the children's commissioner's view on the general issue regarding someone other than the petitioner seeking to close a petition and send the other one to Mencap.

Bethan Jenkins: Shall we keep the petition open, if we do not know where the children who submitted the petition are at the moment?

Val Lloyd: Yes. I do not think that we can close it at the moment.

10 February 2009

Val Lloyd: The next update is to petition P-03-109, on anti-bullying schemes. This petition came from the pupils of Pembroke School, who wanted us to fund anti-bullying schemes in schools and in the wider community, and for those schemes to be inclusive.

Bethan Jenkins: I thank the Children's Commissioner for Wales for writing a comprehensive response. I know that it does not address the petition in itself, but he raises a few points that we should follow up, namely how we carry out consultation or how committees work. I want to open that up for suggestions as to who or what could take that investigation further, which I think is necessary. The commissioner

mentions the national standards for children and young people's participation, to which we should conform, and perhaps we could look at ways in which we can adapt or progress that agenda.

He also notes something that I said in a conference about digital stories, and I wonder whether we could write to the body that carries out those digital stories with local community groups. It is about older people taking part in democracy, and increasing their interest in the petition system. While I acknowledge that we cannot progress the petition any further, the points made at the meeting were valid, and we could have a follow-up discussion with the commissioner's office.

Val Lloyd: Thank you, Bethan. Are there any comments?

Andrew R.T. Davies: I concur with that. Would the children commissioner's report be referred to the Business Committee?

Ms Phipps: At the moment, the head of committee services is talking to the clerks of the various committees to see how we can address the concerns that were raised in the commissioner's letter. So, that is how it is being taken forward at the moment, and a response will be sent.

Michael German: This is also a petition that has come from pupils, supported by the Mencap project on increasing democracy, of which we are all aware. I presume that we could send a copy of the children's commissioner's letter to the Mencap project, which originally presented us with the petition that we followed through. It would probably have the mechanism to take that back to its groups and so if they want to take it further forward, they now know how to do that.

Val Lloyd: Yes, I agree with that, as well as with what Bethan suggested. What about the digital stories?

Bethan Jenkins: I think that it was Caerphilly County Borough Council that worked on that particular initiative with the older people's forum in the area. It suggested ways in which it could make the initiative more useful. It did a few voice-overs to pictures. There was one on fuel poverty and others on different issues that affect older people. The people involved wanted somewhere to put those stories so that we could listen to them, because they found that they were not going anywhere once they had been finished. I suggested that the petitions system would be the best way for them to access us. Perhaps we could set up a meeting or ask them to meet us informally and go from there. They will need to word the digital stories in line with the petitions process to make them relevant to the committee.

Ms Phipps: We can do that. I know that Mencap is interested in developing some sort of project involving digital stories, and one outcome of that would be to submit more petitions. So, we can talk to it as well.

Val Lloyd: That sounds like a good way forward.

Andrew R.T. Davies: It would be on an informal basis, because we have not received a petition that we can take forward.

Val Lloyd: However, if the clerk takes it forward informally, she can report back to the committee and we can make progress on two different fronts. We will formally close the petition, in that case, but we will take the other actions forward as discussed.

Annex 2

Y Pwyllgor Deisebau

Petitions Committee

Keith Towler
Children's Commissioner for Wales
Oystermouth House
Phoenix Way
Llansamlet
Swansea
SA7 9FS

Bae Caerdydd / Cardiff Bay
Caerdydd / Cardiff CF99 1NA

Our ref: PET-03-109

10 December 2008

Dear Mr. Towler

PETITION: ANTI-BULLYING SCHEMES IN SCHOOLS

On 20 November 2008 the National Assembly for Wales' Petitions Committee reconsidered a petition originally submitted by a group of school pupils. During their consideration concerns were raised about how the views of young people are represented and the Committee resolved to write to you asking for your view on this matter.

The Petition in question was about anti bullying schemes in schools, specifically:

'The pupils at Pembroke School would like the Welsh Assembly Government to fund anti-bullying schemes in schools and the wider community school which will be inclusive'.

Following initial consideration of the petition the Committee decided to visit the school for more information. However, at the last minute the school pulled out of the visit. Subsequent attempts to follow up the petition failed and the school stated they wanted no further involvement with the Committee. As the named petitioner was in fact the pupils' teacher and in light of the fact that the pupils have now left the school the Committee have been unable in this instance to give full consideration to the petition. This has raised concerns with Members of the Committee about:

- how the views of young people are represented in relation to petitions;
- the appropriateness of teachers acting as advocates for pupils when submitting petitions, particularly when the issues relate to schools; and,
- how the process of accepting petitions can best be geared to enabling children and young people to have a voice through the system.

In the context of increasing the engagement of young people in democracy in Wales the Committee are concerned about these issues and would welcome your views on these general points.

Thank you for your consideration of this matter and I look forward to hearing from you.

Yours sincerely

A handwritten signature in cursive script that reads "Val Lloyd".

Val Lloyd
Chair, Petitions Committee



21 January 2009

Your Ref: PET-03-109

Val Lloyd AM
Chair - Petitions Committee
National Assembly for Wales
Cardiff Bay
CARDIFF
CF99 1NA

Dear Val

Re: Petition: Anti Bullying Schemes in Schools

Thank you for your letter dated 10 December 2008.

My office monitors in-house the work of all National Assembly for Wales Committees and I have noticed some of the innovative practices being undertaken.

The fact that the Petitions Committee is open to children and young people under the voting age enables them to raise issues which affect their lives. This is very much in line with article 12 of the United Nations Convention on the Rights of the Child (UNCRC) which states:

State Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.

The Petitions Committee is an important access point for children and young people under 18 into the democratic and decision making process in Wales and its role cannot be underestimated.

This is why I welcome the questions from the Petitions Committee Members about how to improve practices. Whilst the questions may have arisen out of concern, I think it is worth reflecting that this process is still in its infancy and the

issues that have arisen could perhaps be seen as symptomatic of a relatively new process.

You ask my views about the following issues raised by the Committee:

The appropriateness of teachers acting as advocates for pupils when submitting petitions, particularly when the issues relate to schools.

I'm not familiar with the particular circumstances of the Pembroke School petition so it would be inappropriate for me to comment. I note, however, the potential hazards. Namely, conflicts of interest which could lead to:

- inappropriate influencing of the content of petitions by adults
- schools being concerned that a petition could reflect negatively on the school.

I believe these issues need to be taken into account as part of a wider review of the working practices of NAFW Committees.

One option would be to develop guidance or information leaflets for schools, aimed at children and young people and also at teachers. This could outline the role of the Committee and its processes as well as the status and responsibilities of the petitioners.

I believe the other points about the process of accepting petitions and how the views of young people are represented are interlinked. Though not wanting to provide you with a 'non answer', I believe that my office, along with others, needs to take time to think through all the issues around Committee engagement with children and young people before reaching any conclusions or suggestions. Some possible questions to consider include:

- How to make the wider Committee process accessible to children and young people? This raises questions around general promotion of the NAFW structures.
- As the committee environment may seem alien and intimidating for some children and young people, what procedures can be put in place to prepare them for Committee engagement?
- How can we ensure that the children and young people are fully aware and have an understanding of the level of very public scrutiny bearing in mind they may be more vulnerable than adults? If there are any matters

arising from evidence presented to the committee, how may the committees address these?

- Should the committees conform with the **The National Standards for Children and Young People's Participation** in order to ensure meaningful engagement?
- What of the Committees that don't currently engage with children and young people? There may be some who do not engage at the moment – but is this an issue about the way Committees work or is it rather due to the subjects they are debating?
- What are the good practices that could be replicated across Committees?
- Having established good practice on children's engagement some thought needs to be given to how this can be rolled out across all the Committees. Is it possible, for example, to consider the publication of Assembly wide standards, with a commitment to monitoring progress to ensure consistency?

This is by no means an exhaustive list of considerations.

It is worth noting that many of these questions are however being addressed, such as the imaginative use of alternative media to communicate with interested parties. I understand the Petitions Committee will use a DVD to interact with Portfield School. This is to be commended and I believe the practice should be shared. I also recall a member of the Committee advocating in a recent conference, the use of digital stories which could be presented as petitions.

I'd welcome the opportunity to progress this discussion and therefore propose the following:

- That representatives from my office meet with your clerking team to discuss the subjects in connection with the Petitions Committee.
- That my office opens a dialogue with the Assembly Commission to explore how we could contribute to discussions around the work of the Committees in improving accessibility for children and young people.

Cont/d..

My office will be in touch shortly to discuss the above. In the meantime, should your Committee secretariat or committee members wish to contact my office, please do so anytime. My Assembly Liaison Officer is Gwion Evans and he is available on 01792 765 600 or e-mail, gwion.evans@childcomwales.org.uk.

Yours Sincerely

Keith Towler
Children's Commissioner for Wales