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Scrutinising the Welsh Government’s response to coronavirus: key issues from Senedd Committees – an update

Research Briefing

October 2020

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Scrutinising the Welsh Government’s response to coronavirus: Research Briefing

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Background

This research briefing provides an update to the Scrutinising the Welsh Government’s response to coronavirus: key issues from Senedd Committees published in July 2020 ahead of the Committee for Scrutiny of the First Minister meeting that month. The Committee for Scrutiny of the First Minister is comprised of the Chairs of all other Senedd Committees and normally meets once per term.

On 22 October the Senedd’s Committee for Scrutiny of the First Minister will scrutinise the Counsel General and Minister for European Transition, Jeremy Miles MS, as the Minister responsible for co-ordinating the Welsh Government’s work on recovery from the pandemic. Following this session, the First Minister, Mark Drakeford MS, will be scrutinised on the Welsh Government’s approach to tackling the coronavirus pandemic and European transition on the same day.

During the pandemic, Senedd Committees have focused their work on the impact of the virus and how the Welsh Government has responded. This research briefing does not consider all of the issues arising from the pandemic which have emerged during scrutiny. Rather it provides an update on the key, forward looking issues. It has been prepared to support Members of the Committee for Scrutiny of the First Minister on 22 October. However, we are publishing it given the wider public interest in the pandemic response.

The background evidence in each Committee, and reports produced by those Committees, can be accessed through their webpages.
1. Children, Young People and Education Committee

The Committee published a report on 8 July 2020, summarising its work to date on the impact of COVID-19 on children and young people. The report was debated in Plenary on 15 July 2020. The Committee sought the views of children and young people from disadvantaged backgrounds, publishing the first two summaries in June and July. Its written consultation on the impact of COVID remains open for submissions.

1.1. Children’s health, protection and wellbeing

- The Committee believes that managing the impact of COVID-19 on children and young people needs to be a clear priority for the Welsh Government and all its associated public bodies. While it recognises that children appear to be less susceptible to the virus than adults, it is concerned that the wider effects of COVID-19, and the measures taken to manage it, have impacted their lives significantly, causing them ‘collateral damage’. Specifically this includes disadvantaged and the most vulnerable children.

- Ongoing scrutiny of support for children’s mental health and well-being that have arisen as a result of COVID-19, following its concern that the focus on mental health has been de-prioritised given the understandable focus on physical health needs. This is a significant area of interest for the Committee and it’s follow up to the Mind over Matter report was published on 9 October 2020.

- The Committee has an on-going emphasis that children’s rights should be central to all Welsh Government decisions including its response to COVID-19. It has therefore welcomed statements from the Welsh Government that keeping schools open is a priority.

1.2. Childcare

- The Committee has a continued interest in the provision of childcare, in particular the financial viability of settings and how Welsh Government funding arrangements can be managed to avoid certain childcare providers being unable to access support.
1.3. Pre-16 education

Key issues the Committee had considered include:

- **Continuity of learning for all pupils** during the period of school closures, including those who were not accessing provision in hubs. The potential **inequality arising from differing home learning experiences** of children and young people due to factors such as technology and other digital learning aids, housing and living conditions, and parental capacity to support home learning.

- The **impact of the cancellation of 2020 examinations** and the arrangements for the issuing of grades. The Committee held a **session in August** with the awarding body, the regulator and the Minister.

- The **implications for students’ next steps** and the **impact of loss of teaching time** on the 2021 curriculum and qualifications.

- **Contingency plans should schools’ operations be disrupted again** and how to improve the **effectiveness and reach of blended learning** should it resume as the main form of provision. The Committee commissioned a **study on remote teaching and learning** under the Senedd Research COVID-19 Expert Register scheme.

1.4. Post-16 education

- In **August**, the Committee considered the **challenges around the summer exam results**, including vocational qualifications, and what impact these would have on learners and their educational outcomes.

- **From the autumn the Committee has considered the key issue of how the higher education sector is managing both the transmission of COVID-19 and the impact of the pandemic on staff, students and the wider area in which universities are based.** The Committee **wrote to** all the Welsh vice-chancellors in early October “to seek assurances about the steps being taken by your universities to support students studying in Wales”.
2. Climate Change, Environment and Rural Affairs Committee

2.1. Agriculture and food security

- The Committee is exploring how the COVID-19 pandemic is affecting the Welsh Government’s approach to food policy and risks and opportunities associated with the pandemic and Brexit together.
- The Committee has heard evidence of increases in consumer demand for Welsh grown produce since the COVID-19 outbreak. It is exploring the potential for this demand to be converted into long term changes with the Welsh Government.

2.2. Animal welfare

- The Committee is exploring the resilience of the animal rescue sector in light of COVID-19. It has received evidence that many rescue groups are at risk of insolvency. The Committee is seeking information on support options from the Minister for Environment, Energy and Rural Affairs.
- Veterinary practices have been severely impacted by COVID-19. The Committee is seeking information on available grants and support options.

2.3. Fisheries and aquaculture

- The Committee is exploring Welsh Government financial support to aquaculture businesses and fisheries via the Aquaculture Business Scheme and the Welsh Fisheries Grant.

2.4. Air quality

- The Committee is looking at the impact of the pandemic on air pollutants. The Minister for Environment, Energy and Rural Affairs told the Committee that whilst some pollutant levels have decreased during the pandemic, others have increased.

2.5. Green/blue recovery and climate change

- The Committee is exploring options for a green/blue recovery as part of its ongoing work programme. It has recently asked the Minister how marine priorities will be part of the recovery.
- The Committee is considering the impact of the pandemic on environmental NGOs and how this could affect the Welsh Government’s Environmental Growth agenda.
3. Culture, Welsh Language and Communications Committee

3.1. The Welsh Language

- The Committee is currently undertaking an inquiry into the impact of the pandemic on the promotion and use of the Welsh language in Wales. It is looking at the economic, cultural and community impact of postponing or cancelling local and national festivals and activities that support the language and its use.

- The Minister recently appeared in front of the Committee, noting that the Welsh Government will “safeguard the resilience of our Welsh language communities and networks whilst carrying out our commitment to increase the number of people using the Welsh language”.

3.2. Journalism and local media

- In September the Committee published a report into The impact of the COVID-19 outbreak on journalism and local media. News journalism in Wales (and globally) has been marked by declining profits – leading to newspaper closures, job losses and market-consolidation by the big players – for decades. This fragile business model was further damaged by the outbreak, with a decline in advertising revenues and print circulation.

- In its report into the impact of the COVID-19 outbreak on journalism and local media the Committee shared the First Minister’s concerns that further job losses in the sector during the crisis were “damaging to democracy”. However, it felt that “other than welcome support for hyperlocal publications, it is unclear how the Welsh Government has converted this concern into action”.

- The Committee called it an “unacceptable paradox” that “as the Senedd has gained further powers, public interest journalism has retreated from Wales”. It “urgently” called for the Welsh Government “to take affirmative action to support news journalism in Wales”.

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4. Economy, Infrastructure and Skills Committee


A Plenary debate was held on these reports (ahead of the publication of the Welsh Government responses) *on 1 July 2020*.

The Committee started taking oral evidence in its inquiry on economic recovery from the coronavirus pandemic in September 2020.

4.1. Business and the economy

- The Committee's inquiry into economic recovery from the pandemic has *heard evidence* from *business representative organisations around the uncertainty that the changing situation presents, and about the challenges many businesses face in surviving the winter months*. In particular foundational, or ‘everyday’ economy sectors such as tourism, hospitality and hair and beauty are severely affected by the pandemic, and have highlighted the need for government support for their sectors beyond the recent announcements made by both the Welsh and UK Governments.

- The Committee also heard widespread concern about *potential job losses once the Coronavirus Job Retention Scheme (furlough) finishes*. While larger employers in sectors such as manufacturing felt that the Job Support Scheme that will follow this might meet their needs, smaller businesses in sectors such as tourism, hospitality and hair and beauty felt that it wasn’t a sufficient incentive for firms to keep employing people.

- *Academics* provided evidence to the Committee on *the challenges Wales faces in terms of recovery*. These include low levels of entrepreneurship; low levels of funding for innovation; low productivity; and digital skills. They highlighted *the need to boost the resilience of the Welsh economy*, and the role of investing in skills and innovation in ensuring resilience to economic shocks.
Infrastructure investment and a ‘green recovery’ have also been raised by witnesses. Think tanks, business representative organisations and trade unions all discussed potential ways that the Welsh Government could *stimulate the economy by investing in infrastructure*. This included green infrastructure such as retrofitting housing, electric vehicle charging points and low-carbon energy, as well as social infrastructure such as health, social care and childcare.

The Committee has also *heard evidence about working remotely, in the context of the Welsh Government’s ambition for 30% of the workforce to regularly work remotely*. Businesses and trade unions have made the point that, while *it may work for many workers, not everyone can work from home*. This may be due to their occupation, or that it does not suit their personal circumstances.

The inequalities that have been highlighted by the pandemic have also been discussed in the Committee’s evidence sessions. Issues highlighted included impacts of the pandemic on workers from Black, Asian and Ethnic Minority communities; how changes to working arrangements could support disabled workers; and the different impacts of the pandemic on different parts of Wales.

Trade unions and think tanks have told the Committee about *measures that could be undertaken to increase fair work*. These include using procurement to increase payment of the voluntary Living Wage and address zero-hours contracts and other forms of precarious work; pay increases for key workers in sectors such as social care; and insourcing workers back to the public sector.

### 4.2. Transport

The Committee has considered the *social justice implications* of the fact that many households in Wales do not have access to a car, and that bus and particularly train usage have not recovered to the same extent as car travel.

The Committee heard evidence on the *reason for changes in travel demand* – for example *perceptions that public transport is less safe, homeworking and that habits are changing*. The evidence suggested that efforts to improve communication and *build public confidence* were important, as are efforts to improve public transport fares and *develop more flexible ticketing options* reflecting new travel patterns, and to *maintain the punctuality levels* possible during the pandemic.

Evidence from transport stakeholders has called for innovative thinking, and *supported Welsh Government proposals for home working*. However, as transport networks may serve different purposes in future, *services will need to respond and change*. 
The Committee has also considered the challenges involved in planning for an uncertain future, with potentially significant changes in how and why we travel which are not currently well understood.

### 4.3. Skills

- Ensuring the skills system can respond to changes in the labour market, and that the supply of skills is aligned with the appropriate demand for recovery.
- The Committee recommended that Welsh Government publish the data on apprentices who had been furloughed / made redundant. This data has subsequently been published and shows that at peak some 7,770 apprentices were furloughed with 255 apprentices so far made redundant (with 50 of these having had their apprenticeship terminated with the remainder continuing in learning as alternative employers are sought).
- EIS has heard that the pandemic has accelerated changes to some occupations and sectors, with these often being in addition to the usual and longer-term evolution of occupations framed by concepts such as Industry 4.0. EIS has also heard that there has been and will likely continue to be an uneven impact from the pandemic across different sectors, with considerable impact not only on retail, hospitality, and tourism but also in higher skilled roles within industries such as aviation and steel. At the same time, the demand for digital skills is likely to increase.
5. Equality, Local Government and Communities Committee

The ELGC Committee has run an open-ended call for evidence since May into the impact of the pandemic on issues in its portfolio including: equality and human rights, poverty, housing, local government and the voluntary sector. It has received over 50 written responses so far.

5.1. Equality and poverty

The Committee published its report: Into sharp relief: inequality and the pandemic in August. It made 44 recommendations covering a range of issues, including:

- Publishing equality impact assessments and good quality equality data;
- Relaxations of social care and mental health duties in the Coronavirus Act;
- Ensuring that people know their entitlements to benefits and their employment rights;
- Measures to reduce poverty;
- Valuing care and carers;
- Reducing inequalities in health and education;
- Protecting people at risk of violence and abuse;
- Improving accessibility for disabled people;
- Ensuring that migrants don’t fall between the gaps in support.

The Welsh Government responded to these recommendations in September, and a summary is available in this article.

5.2. Homelessness

- The Committee took oral evidence from a range of stakeholders from the statutory, third and private sectors on the response to homelessness and rough sleeping during the pandemic.
- The Committee also considered wider issues around the importance of a suitable and safe home during the pandemic, the response of social landlords, issues affecting the private sector and temporary changes to eviction notice periods.
5.3. Local Government

- **On 16 July 2020, the Committee also took evidence from the WLGA** on local government's response to the pandemic, and the challenges the sector is facing. A key concern for the sector was the additional expenditure experienced as a result of responding to the pandemic, along with a reduction in income and a reduction in council tax receipts.

- **On 17 August 2020, the Minister for Housing and Local Government announced a funding package** for the sector that would include an additional £260 million boost on top of existing support received. Total funding support for local authorities during the pandemic will amount to almost half a billion pounds.
6. External Affairs and Additional Legislation Committee

6.1. EU transition

- The Brexit transition period will end on 31 December 2020. Both the negotiations on the UK-EU future relationship and domestic preparations, which are required regardless of whether agreement is reached, have been disrupted by the pandemic. Both the UK and the EU have indicated that a deal on a future relationship will need to be concluded by the end of October.

- Businesses sectors and stakeholders have indicated that the pandemic has impacted their ability to prepare for the end of transition. Businesses have highlighted that the furloughing of staff for economic reasons has meant less time to train and prepare for changes that will be required.

- The UK Government has published its Reasonable Worst Case Scenario document, which outlines the government’s planning assumptions for potential disruption to freight travelling between GB and the EU at the end of the transition period. The document states that a winter spike in COVID-19 could supress freight demand, limiting the extent of traffic disruption caused by a lack of border readiness. However, the potential absence of port and border staff could also negatively impact trade flow.

- The four governments of the UK have continued to work to develop common frameworks to manage divergence in policy areas that were governed by EU law previously such as agriculture and fisheries. The governments had hoped to have these complete by December 2020 but the work has been delayed, in part due to the pandemic. In a number of policy areas, provisional arrangements will now be put in place.

- The UK Government is also seeking to negotiate and/or join a series of international agreements, including the roll-over EU trade agreements as part of the Trade Continuity Programme, and new trade agreements with the US, Australia and New Zealand. The pandemic has affected the frequency and nature of the UK’s trade talks. However, talks have continued with negotiations being held virtually where face-to-face talks have not been possible.
7. Finance Committee

- The Committee believes it is important that the Welsh Government is informed about key announcements that impact Welsh people and businesses, such as changes to the Coronavirus Job Retention Scheme, or any successor policies, in a timely way that enables it to plan complimentary policies effectively.

- The Committee raised these concerns during a scrutiny session with Secretary of State, Simon Hart MP on 13 July. Members found it difficult in particular to reconcile claims regarding additional funding coming from the UK Summer Statement and called for improved transparency around UK and Welsh Governments funding announcements going forward.

- The Welsh Government has recently announced it will submit an additional Supplementary Budget in October. The Committee will follow up progress in meeting recommendations from the May Supplementary Budget regarding the Welsh Government’s use of this additional COVID-related funding and attempts to seek additional flexibility to rules in the Fiscal Framework borrowing and reallocating funds between capital and revenue to respond to the pandemic.

- The Committee is undertaking an inquiry to consider tax devolution to Wales including how Welsh Government could grow the Welsh tax base to help address the impact of COVID on public spending and determine the suitability of the Fiscal Framework to enable Welsh Government to react to major economic events such as the COVID pandemic.

- The Committee has requested information from directly funded bodies, Audit Wales, Public Services Ombudsman Wales and the Senedd Commission, regarding their approach to and savings and costs relating to COVID. This is being followed up in scrutiny of these bodies annual budgets.
8. Health, Social Care and Sport Committee

Since April 2020 the Committee has been conducting an inquiry into the impact of the outbreak on health and social care in Wales. In July the Committee published its first report from the inquiry. Setting out 28 recommendations, it indicated the pandemic has exposed weaknesses in several key areas, including the initial production and acquisition of PPE, the testing set-up, and the ability to protect older people living in care homes. A summary article has been published and the report was debated in Plenary on 30 September 2020.

The Committee has issued an open call for views as part of this inquiry.

8.1. Local coronavirus restrictions

- The onset of Autumn has seen the imposition of local restrictions in over half of the local authorities in Wales, concentrated largely across north and south Wales.

- The Committee heard evidence from Welsh Government, Public Health Wales (PHW), the Technical Advisory Cell (TAC), Independent SAGE, and the WLGA. The Committee heard that restrictions are being introduced following a sharp and rapid increase in confirmed cases; evidence suggests the causes vary in each area, but include groups of people meeting indoors, not following social distancing guidelines, and returning from holidays abroad with COVID-19.

- The Welsh Governments’ Coronavirus Control Plan sets out criteria for introducing or relaxing restrictions, including the headline indicators to support decision-making. At the same time, Members heard from PHW, TAC and the Minister that decisions will be informed not just by these indicators, but also by the local context and situation on the ground, including advice from local and national health professionals.

8.2. Winter preparations

- Winter traditionally means increased emergency pressure on both health and social care. Research by TAC has suggested that the next COVID-19 peak could occur between December 2020 and January 2021, with a significant peak in hospital admissions.

- Welsh Government has published its Winter Protection Plan, and the Committee heard evidence on the critical role the flu vaccination campaign was likely to play this winter. PHW indicated that the Plan’s intention to achieve 75% coverage amongst health and social workers, and those with
clinical conditions was achievable. Moreover, the Plan aimed at extending the offer of vaccination to other groups such those aged 50 and over.

- The Committee heard however that there **remain concerns about the availability of flu vaccines** to support such an extended programme, and the **Minister has indicated** subsequently that supply issues may be continuing.
- The Committee also **heard from PHW** that existing primary care venues and staff are “unlikely to be able to accommodate a COVID-19 programme at the same time” and that “planning assumes an alternative workforce, venues and logistics will be required”.

### 8.3. Resuming routine health services

- **Use of NHS services in Wales has fallen considerably** during the outbreak, with some figures indicating a **62% fall in the number of operations undertaken** and a **substantial increase in waiting lists**. **Members heard from the NHS Wales Chief Executive** in July that there had been a **drop in GP activity, cancer referrals and a 50% fall in out-patient referrals generally**, with ‘pinch points’ in diagnostics, and that **recovering from the outbreak could take 3-4 years**.
- The Committee has heard **patients concerns about the growing backlog** of diagnostic tests, operations, treatment, and check-ups for long term conditions. However, there has been **evidence of a gradual return of a limited range of more routine services**, with increased cancer referrals and activity, diagnostic services, attendance at emergency services, and increased use of digital technology in providing care.
- **The Welsh Government has published an Operating Framework for NHS Wales for Quarter 3/4 of 2020-21** which identifies the need to ensure a **balance in services between COVID-19 and non-COVID-19 activity**. At the same time, there are concerns about future service capacity.

### 8.4. Test, Trace, Protect (TTP)

- It is clear from recent Ministerial announcements that **testing and contact tracing will need to be maintained at a significant level and for some time**, with the necessary staffing and resources. Advice from TAC states that around **75-90% of contacts need tracing for TTP to be effective**, with **contact tracing to be complete within 24-36 hours**, and timely **turnaround of tests**, ideally within 24 hours.
- The Committee voiced concerns about **poor access to testing** and was unhappy with the **slow turnaround time for tests**, particularly in the
Lighthouse laboratories. Welsh Government are now putting an additional £32 million into increasing lab capacity within Wales.

8.5. Social care

- There are significant concerns about recent increases in delays in the returns of test results for care homes. The Committee heard from local authority leaders and the Welsh Government that delays in returns have worsened (after improving a few months ago) causing alarm to all concerned.
- Members and stakeholders are increasingly worried about the significant harm being caused to care homes being denied contact with loved ones for extended lengths of time (visits are stopping again in most areas with local restrictions). Stakeholders like the Older People’s Commissioner are calling for creative solutions to enable visits to continue (with safety measures in place).
- There is growing concern about the welfare of unpaid carers in Wales as the pandemic goes on. Many carers have taken on more caring responsibilities, at the same time as carers support services came to a halt. WLGA spoke about the fragility of carers with many now struggling to cope. WLGA said they would welcome further investment from Welsh Government for unpaid carers.

8.6. Mental health

- A significant concern of the Committee was the “disconnect” between the assurance the Minister had previously given to the Committee (based on information provided to him by health boards) about the continuation of mental health services during the pandemic, and the experience on the ground where many people have struggled to access help.
- There is concern about a backlog of cases (including those whose existing mental health problems may have worsened and those with new needs for support), and the ability of services to meet this demand, particularly given the long waiting lists we were seeing prior to the pandemic.
9. Legislation, Justice and Constitution Committee

9.1. Legislation

- The Welsh Government continues to make a large volume of legislation in response to the coronavirus pandemic, including imposing lockdown restrictions. The Committee will continue to scrutinise the coronavirus restrictions, in particular to assess how easy they are for the public to access, understand and comply with.

9.2. Justice

- The pandemic has had a serious impact on the justice system in Wales. The Welsh Government’s coronavirus response has also affected its capacity to implement the recommendations of the Commission on Justice in Wales. The Committee took evidence from the First Minister and Counsel General on 12 October and from the President of Welsh Tribunals in July.

- One key issue is the impact of the pandemic on access to justice. The Committee discussed this with the First Minister and Counsel General and with the President of Welsh Tribunals.
10. Petitions Committee

The Petitions Committee has received a wide range of petitions relating to the pandemic. Some examples of petitions considered by the Committee are listed below, arranged by theme.

Changes to the regulations and, in particular, exemptions to restrictions:

- **Allow children to enter lockdown areas to continue to train with their existing sports clubs** (signed by over 9,000 people);
- **Allow support bubbles during lock down**; and
- **Adapt Local Lockdown message to “Stay Local” instead of by county borders**.

Financial support to small businesses and businesses in specific sectors:

- **Provide financial support for self-employed individuals within the Welsh live music industry**

Allowing events and performances to take place:

- **Relax the excessive restrictions to allow motor sport rallies to take place in Wales**;
- **Allow Welsh domestic football clubs to play friendlies and allow supporters to attend matches**; and
- **Re-open theatres and performance venues in Wales in time for the festive season**.

Schools and education:

- **Award teacher predicted grades to all Welsh students for examination 2020** (signed by over 28,000 people); and
- **Ensure fairness for students taking exams in 2021**

Health care services:

- **Allow birthing partners to be present at scans, the start of labour, birth and after the birth**; and
- **Re-open full general dental services in Wales as has happened in England**.

The Committee has taken further action with some petitions. On 8 July a debate was held in the Senedd on a petition calling on the Welsh Government to amend its NDR relief policy to help keep Debenhams stores open in Wales.
11. Public Accounts Committee

11.1. Education

On 3 August 2020, the Committee continued its inquiry into COVID-19, taking evidence from the Welsh Government on matters relevant to education:

- The Committee was concerned that the **guidance for resumption of full-time schooling in September**, which was in addition to that set out in July, **was only issued in August**. This did not give teaching staff any time to consider and implement the additional guidance prior to the autumn term. The Committee also noted the guidance **did not, at that time, set out a clear statement what ‘social distancing’ meant** within the school environment **in light of Welsh Government’s decision** (effective from 3 August) that children under the age of 11 no longer have to socially distance.

- There seemed to be a **lack of clarity and consistency in terms of school meal provision in September**: whether hot meals would be provided and what alternatives might be available. It was also **not clear whether all school breakfast and afterschool clubs would be able to reopen**.

- The Committee was disappointed to hear **Estyn’s work on evaluating good practice in respect of pupils’ experience during lockdown was not further progressed**. Members sought reassurance from Welsh Government that action would be taken in respect of underperforming schools to minimise the detriment to pupils.

- The Committee heard that **just under 1,000 childcare settings remained closed, which was just under a third of the sector in Wales**. While it acknowledged that a number of these childcare settings would not normally operate during the summer, the Committee sought information about what Welsh Government was doing in respect of the sector as parents needed assurance that childcare would be available by September.

11.2. Senedd Commission

- On 3 August 2020, the Committee also heard evidence in private from the **Senedd Commission in respect of its response to the pandemic**. Members explored a range of issues with officials, including the **arrangements for Senedd business**, governance arrangements, plans in light of the relaxing of lockdown and lessons learned.

- The Committee scrutinised the 2019-20 Annual Report and Accounts of the
Senedd Commission in September. This included consideration of the cost implications of COVID-19, the additional challenges relating to staff wellbeing as a result of the pandemic and how the Commission was dealing with these.

11.3. Other issues

The Committee continued to explore, through correspondence, issues raised during its meeting in August and earlier evidence sessions in its inquiry.

As part of its work on Public Procurement, the Committee considered the levels of engagement between the Welsh Government and the private sector in procuring Personal Protective Equipment (PPE) during the pandemic. This focussed on what the Welsh Government is doing to develop supply chains and respond to offers of assistance from the private sector, while at the same time applying appropriate due diligence to potential suppliers. The Committee will pick up the forthcoming work on the procurement of PPE being undertaken by Audit Wales.