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Wales Legislation online – report on progress

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1.0 Purpose and summary of issues

- 1.1 To report to the Commission on progress made by the Wales Legislation Online (WLOL) towards the targets set by the Commission when it agreed, at its May 2008 meeting, to increase the level of its financial support, conditional on the achievement of certain objectives.
- 1.2 To give the Commission the opportunity to review its continuing commitment in the light of the extent to which WLOL has achieved the objectives on which the Commission's support is conditional.

2.0 Recommendations

2.1 That the Commission:

- welcomes the progress made over the past year in improving the service provided by the WLOL web-site, based on the enhanced funding provided by the Commission;
- notes that the progress in question has been made notwithstanding the fact that the level of financial support from Welsh Ministers has not been increased to match that provided by the Commission;
- requests the Director of Legal Services to report to the Commission again in the Autumn as to what progress has been made in attracting the level of funding from other sources (including Ministers) which would enable the full list of objectives of WLOL to be achieved; and
- further requests the Director of Legal Services, if that level of funding has not been achieved by that time, to report on the full range of options open to the Commission in the light of that situation.

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3.0 Discussion

- 3.1 At its meeting on the 8 May 2008 the Commission considered an application by Cardiff University as operators of the Wales Legislation Online (WLOL) web-site for enhanced funding to enable the web-site to respond effectively to the increased need for accurate, accessible and comprehensive free online information flowing from the constitutional changes brought about by the Government of Wales Act 2006.
- 3.2 The Commission strongly supported these aims. It agreed to increase financial support from £20k per annum to £50k per annum, to be maintained for 5 years. The Commission accepted that if improvement in the service provided by WLOL were to be achieved, and if existing key staff were to be retained so as to enable WLOL to continue in existence, it had to be put on a sound and sustainable financial footing.
- 3.3 The Commission decided that provision of enhanced financial support must be conditional on achievement of certain objectives, namely:
- marketing in order to increase awareness and use;
 - a fully comprehensive bilingual approach;
 - expansion to deal fully with the growth of Measures;
 - a re-structuring of the site to reflect the new dual nature of Welsh legislation (primary and secondary); and
 - a full treatment of non-devolved legislation and functions in devolved fields, leading (possibly starting with fields such as education where devolution of functions is most comprehensive) to a “Welsh statute book”.
- 3.4 The Commission was aware that in the view of WLOL the cost of achieving these objectives would require a corresponding level of support from other sources. In particular, it would require Ministers, who had, in the past, also provided £20k per annum (on a year to year basis) to make a similar commitment (both as to the amount and as to the period over which it would be made available) to that of the Commission. A continuing commitment from Cardiff University to provide practical support, and a willingness by WLOL to seek additional sources of funding, was also recognised as being essential.
- 3.5 Following the Commission’s decision the Llywydd wrote to the Counsel General informing him of the Commission’s decision and expressing the hope that Ministers would make the commitment necessary to enable the aims set out above to be achieved. Professor David Miers, the Manager of WLOL, also made a formal application to the Counsel General for financial support at a level which matched that being provided by the Commission.

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- 3.6 Unfortunately, the Counsel General has not seen his way clear to accede to WLOL's application and has asked WLOL to provide him with further information about:
- evidence of current usage of the site (e.g. statistical information of who uses the site and user satisfaction);
 - an end of project plan and follow on recommendations to take the WLOL to the next stage of its life; and
 - the scope for alternative sources of funding, e.g. research councils, commercial sponsorship and law firms.
- 3.7 The Counsel General did agree to continue support of £20k per annum for 2008-9 and to consider continuing it further on a year-by-year basis.
- 3.8 WLOL are gathering the information requested by Ministers.
- 3.9 The most recent Information on the level of use of the web-site was gathered in 2007 and was taken into account by the Commission in May 2008 when it decided on the current level of financial support. It disclosed a level of use of 10,000 – 15,000 pages per month. It is not possible to measure how many users this represents but if an average visitor to the site were to view 5 pages it would appear that 2,000 to 3,000 visits to the site are being made each month.
- 3.10 In order to gather qualitative information about use, a survey of current users has been carried out. Although the data has not yet been analysed (and the sample is relatively small and self-selected) the initial results are impressive (see below).
- 3.11 In the light of the above there is clearly a very real possibility that future financial support for WLOL from Ministers will either remain at a relatively low level or might even cease altogether.
- 3.12 As far as progress towards achievement of the objectives set out at paragraph 3 is concerned, this has been very good:
- Considerable work has been done to bring the site up to date, priority being given to operative parts rather than introductory material;
 - Some work has been done to strengthen the bilingual character of the web-site although again there is much more work to do;
 - The format has been brought up to date to reflect the impact of the Government of Wales Act, with Assembly Measures being covered alongside Acts of Parliament.
 - More extensive re-structuring has been prepared and will shortly go "live" once consequential technical changes have been finalised.

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- 3.13 The improvements in the site have been reflected in the results of the survey referred to above. 61 separate responses (from both individuals and organisations) have been gathered so far. Of these:
- 60% say that WLOL is their sole or main source of information about legal developments arising from the actions of the Assembly and the Welsh Ministers;
 - 70% use WLOL at least once a month;
 - 80% expect to be making more use of WLOL in 5 years time;
 - 85% assess the site as being “wholly” or “very” reliable; and
 - 74% regard it as “user-friendly” or “very user-friendly”.
- 3.14 The largest group of respondents (25%) was drawn from “Civil society (charity, pressure groups, trade unions and associations)” followed by “Private sector” and “Government or parliamentary body” (18% each).
- 3.15 Subject to the limitations of this kind of survey, a clear picture emerges of a substantial and growing demand for the service provided by WLOL from individuals and bodies drawn from a wide cross-section of the community but with dependence being particularly important amongst the voluntary sector. There is also overwhelming endorsement of the reliability and user-friendliness of the service.
- 3.16 On the basis of the available evidence it is clear that WLOL has, despite uncertainty over funding, made impressive progress towards the achievement of the Commission’s objectives.
- 3.17 On the other hand, the Commission will need to take account of the fact that WLOL’s business case assumes financial support substantially in excess of the Commission’s contribution of £50k per annum plus the contribution from Ministers of £20k (whose continuation cannot be guaranteed). If the contribution from Ministers remains at that level, or is even reduced or withdrawn, the Commission will inevitably, in the interests of value for money, want to give careful consideration to the implications of a state of affairs in which its objectives will no longer be capable of achievement in full.
- 3.18 Were it to be appear that such a situation is unavoidable the Commission would face a number of choices. Options to be considered would include withdrawing the support currently being provided (which is conditional on the achievement of the objectives in full). They might also include revising the objectives, for example by re-focussing the web-site more on the legislative functions of the Assembly and less on executive functions of Welsh Ministers. The Director of Legal Services has already begun preliminary discussions with WLOL on how the “Welsh Statute Book” objective could be prioritised.

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- 3.19 Given that WLOL are still actively pursuing enhanced funding from Ministers, and have already gathered impressive evidence in support of a renewed application it would be premature to take any far-reaching decisions at present. The Commission is therefore invited to note the position but to return to the matter in the autumn, at which stage the Director of Legal Services will present a range of definite options, accompanied by up-to-date comprehensive information about usage, with a view to taking a decision about the future of its relationship with WLOL well before the end of the current financial year.