

Agenda – Culture, Communications, Welsh Language, Sport, and International Relations Committee

Meeting Venue:

Committee Room 4, Tŷ Hywel

Meeting date: 15 February 2023

Meeting time: 09.30

For further information contact:

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Pre-meeting registration

(09.15–09.30)

1 Introductions, apologies, substitutions and declarations of interest

(09.30)

2 Allegations surrounding the Welsh Rugby Union: Evidence session with Sport Wales

(09.30–10.30)

(Pages 1 – 22)

Tanni Grey-Thompson, Chair

Brian Davies, Acting Chief Executive Officer

Research brief

Letter from the Welsh Rugby Union with additional information following the evidence session on 2 February

Additional information from the Welsh Rugby Union following the evidence session on 2 February

3 Papers to note

(10.30)

3.1 Letter from Cricket Wales to the Chair of the Culture, Communications, Welsh Language, Sport, and International Relations Committee regarding the allegations surrounding the Welsh Rugby Union

(Page 23)



- 4 Motion under Standing Order 17.42 to resolve to exclude the public from the remainder of this meeting**
(10.30)
- 5 Welsh in Education Strategic Plans (WESPS): Consideration of additional written evidence**
(10.30–11.30) (Pages 24 – 96)

[Implications of the Census data for the legislative framework that supports Welsh–Medium Education Provision consultation responses](#)

Engagement summary
Research brief
Information on capital funding for education
Draft Report
- 6 Private debrief**
(11.30–12.15) (Pages 97 – 98)

Discussion paper
- 7 Ministerial scrutiny: Consideration of draft correspondence**
(12.15–12.30) (Pages 99 – 106)

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Chair of the Welsh Rugby Union Independent Review Panel announced

The Rt Hon Dame Anne Rafferty DBE PC has been appointed as Chair of the Welsh Rugby Union Independent Review Panel.

Dame Anne Rafferty is a former Court of Appeal judge.

Sport Resolutions UK nominated a Chair and this was endorsed by the Commissioning Advisory Group, comprised of Sport Wales and the WRU. A third independent member is to join this Group.

The Chair has finalised the Terms of Reference for the Review. Which are below.

This will then be followed by the appointment of additional panel members with suitable skills and experience to the Independent Review Panel, to be appointed next week.

Further information and availability of interview with Dame Anne and the panel will be announced, as and when it is available.

MORE INFORMATION:

The Rt Hon Dame Anne Rafferty DBE PC was called to the Bar in 1973 by Gray's Inn and took Silk in 1990. She became a Recorder in 1991 and in 1995 was the first woman to chair the Criminal Bar Association. After becoming a Deputy High Court Judge in 1996, in 2000 she was appointed a High Court Judge, sitting in the Queen's Bench Division. In 2011, Dame Anne was appointed a Lord Justice of Appeal and Privy Counsellor. She retired from the Bench in July 2020. In March 2021 Highgate School's Governing Body invited her to lead an independent review into alleged sexual abuse and harassment, which she completed in January 2022. In July 2022 Dame Anne was appointed by the Secretary of State for Defence to conduct individual fatality investigations assigned to her from time to time, with her agreement, by the Ministry of Defence.

Terms of Reference of the Welsh Rugby Union Independent Review

1. Introduction

In January 2023, a BBC Wales Investigates programme raised questions of sexism, misogyny, homophobia, and racism within the Welsh Rugby Union ('WRU').

In view of the seriousness of the allegations and the wider public interest in the culture and integrity of the organisation, the WRU determined an independent review essential. The review will investigate the allegations relating to the culture to understand what if anything should change within the WRU to ensure the organisation is inclusive, open to change and reflects the values of today. The WRU intends to publish the report's findings and any recommendations in full.

Sport Wales has advised the WRU on the appointment of an independent body to lead the review. The WRU has commissioned the Independent Review (the "Review") through Sport Resolutions on the advice of Sport Wales. Sport Resolutions is a UK based independent, not for profit sport-specialist provider of dispute resolutions and investigation services.

Sport Resolutions will appoint an independent review panel and will administer the Review. A Commissioning Advisory Group will be established to support the Review, comprising a representative from the WRU and Sport Wales, with a third independent member nominated by Sport Resolutions.

The WRU has previously commissioned a review of the women's game in Wales (2021), a

governance report (2022) and a review of equality standards (2022). These reports will be provided to the Independent Review Panel.

2. Role of the Independent Review

The role of the Independent Review Panel is to investigate the allegations of sexism, misogyny, homophobia and racism and to understand how the WRU can be open to change so as to ensure that the highest standards are identified and upheld.

3. Roles and Responsibilities

Independent Review Panel ('The Panel')

The Panel will be chaired by the Rt Hon Dame Anne Rafferty DBE PC, selected for her qualifications, expertise, and independence.

The Chair will ensure the Review operates to the agreed Terms of Reference and will produce for the Commissioning Body a final report outlining findings and recommendations. The Chair will also report progress to the WRU and the Commissioning Advisory Group on a monthly basis.

Other members of the Panel are to be nominated by Sport Resolutions and confirmed and appointed by the Chair based upon their relevant qualifications and expertise. Where it deems appropriate, the Panel might occasionally co-opt on to the panel or commission expert advice or assistance.

The Panel will be entitled to determine its own procedure.

Commissioning Body

The WRU is the Commissioning Body and will fully co-operate with the Independent Review, providing all information and access required by the Panel. The WRU will implement all recommendations from the report.

Commissioning Advisory Group

The Commissioning Advisory Group is comprised of representatives from the WRU, Sport Wales and a third independent member nominated by Sport Resolutions. The Group has advised on the make-up and remit of the Independent Review Panel and has an ongoing role to monitor progress and consider the Terms of Reference in response to emerging findings of the Panel.

4. Scope

The Review will report on the organisational culture and behaviour within the WRU.

The Review will consider the period from 2017 to the present day but emerging evidence might prompt the Chair to adapt the timeframe.

The terms of reference of the Review are:

- The culture within the WRU
- The actions and behaviour of leadership [at all levels] within the WRU
- The extent to which employees feel able to voice concerns or to challenge inappropriate and discriminatory language and behaviour
- The effectiveness of the WRU's Whistleblowing Policy and Procedures
- WRU's actions in response to individual complaints set out in the BBC Wales Investigates programme of 23 January 2023.

The Review will consider the recommendations and findings from previous reviews to the extent that they inform the investigation but will not duplicate work previously done.

5. Review Process

The Independent Review Panel will gather evidence in relation to culture and behaviour within the WRU. It expects to conduct interviews, collate written submissions, and gather other relevant evidence.

6. Timing

The independent review will commence on 13 February 2023.

7. Findings and Recommendations

The Panel will provide a detailed report on its findings and any recommendations to the WRU. **The WRU is committed to publishing in full the findings and recommendations.**

8. Costs

The cost of this investigation shall be met by the WRU.

9. Means of Communication with the Panel

The WRU wishes to encourage all individuals who wish to contribute to engage with the Review. A dedicated email address of wru@sportresolutions.com will give direct access to the Sport Resolutions administrative team.

3rd February 2023

Annwyl Gydweithwyr

Further to the meeting of the Culture, Communications, Welsh Language, Sport and International Relations Committee meeting yesterday, 2nd February 2023, and in particular the comment of Mr Jason Thomas regarding the need for all sports to ensure that they are reflecting on the issues being actively discussed in the Senedd and the media currently, I wanted to take the opportunity to write to you to detail Cricket Wales' position, which I hope you will find valuable.

I would also like to contemporaneously extend an open invitation to meet with you, at your convenience should you wish to, to discuss any matters pertaining to our Governance and our commitment to positive culture and values, and creating the best environment, in our organisation and our wider sport, in order for **everyone** to flourish.

I am, and remain, both professionally and personally committed to inclusive culture and equity of opportunity; Recent reports and evidence of sporting bodies' unacceptable treatment of, and insufficient service to, under-represented, diverse and/or minority groups have affected me deeply.

Cricket Wales itself, I am proud to say, can evidence a long-standing to commitment to Diversity and Inclusion, numerous accreditations, action plans and positive interventions, which we have endeavoured to summarise on our website; [Equity Diversity Inclusion| Cricket Wales](#).

In addition to complying with Sport Wales' Governance & Leadership Framework, as a condition of our funding contract with the England & Wales Cricket Board (ECB), we must also comply with a detailed 'County Governance framework'. This is scrutinised by the ECB annually, alongside several other key corporate and cricket standards. Our next review with the ECB is scheduled for 21st February 2023 and I would be more than happy to share their report on us with you when it is returned.

You may well also be aware that the ECB voluntarily set up the [Independent Commission for Equity in Cricket](#) in 2021, to examine issues of race, gender and class and make a series of recommendations on how cricket can become the most inclusive sport possible. The Commission is due to report its findings shortly.

There will, no doubt, be a number of learnings in the report for the whole of cricket across England & Wales, and the constituent bodies and participants who make up our game. I will ensure you receive a copy of the report and Cricket Wales' response to it, in the most timely manner possible, once the report is published.

My own position is very clear; while I am proud of the positive progress and interventions we have made, including significantly [diversifying our playing base](#), and implementing a balanced [Board](#), with independent representation and a mix of backgrounds, experiences and lenses, Cricket Wales' work to ensure the highest standards of governance are embedded throughout our game continues apace, and *will never be complete*. We will always seek to identify and implement best practice and principles and learn from others in respect of where we can go further, faster.

I remain at your absolute disposal at any time, to meet and discuss any detail you might require regarding our approach, activities and ongoing endeavours to lead and continually improve in this area.

Yours sincerely

Leshia C S Hawkins

Leshia Hawkins
Prif Weithredwr / Chief Executive Officer
Criced Cymru / Cricket Wales

Engagement Summary

WESPs

October 2022

1. Background

1. The Culture, Communications, Welsh Language, Sport, and International Relations Committee and the Children, Young People and Education Committee are conducting a joint inquiry into the Welsh in Education Strategic Plans (WESPs) to examine whether they are producing the intended benefits.
2. The Committee is examining how the statutory framework that was established to promote the planning and development of Welsh-medium education is working.
3. To support the Committee's work, the Engagement Team held a focus group with a number of individuals representing local WESP forums.

2. Participants and Methodology

4. The session was held online (on Microsoft Teams) to allow participants from all over the country to take part.
5. The key aims of the focus group included understanding the level of input and influence that the forums have on the development of the WESPs.
6. The focus group included participants from Powys, Conwy, Wrexham and Blaenau Gwent.
7. The participants were asked the questions listed below as a means of stimulating discussion and ascertaining the details.

3. Main themes

8. During the discussion, a few key themes emerged. These included:

- There are too many different local forums.
- There is an emphasis on primary education, and insufficient emphasis on secondary education.
- There is insufficient understanding at a political level.
- Things do not change quickly enough.

4. Questions and Quotes:

Question 1:

What level of input and influence do the forums have on the development of the WESPs, and what kind of information do they use, such as data, qualitative evidence, etc?

9. There was a lot of discussion regarding the number of forums, with all participants agreeing that there are too many forums and not enough action.

There are a number of smaller forums that feed into the WESP forum. The forums provide opportunities for individuals on the strategic side to work closely with those in the classroom. It is fair to say that there is a feeling that there are too many forums.

The forum meets every half term and includes county officials / school headteachers, and so on. Historically, Powys has not had the best record in terms of Welsh education, and in truth, I'm still not sure what kind of influence the forums are having.

I'm not sure whether the balance between these bodies is right. The narrative in respect of the primary age cohort etc is very good, but I'm not sure whether the narrative with the secondary age cohort is as good. There needs to be a better balance. There are too many forums and perhaps not enough action.

There is the full WESP forum and many sub-forums. The meeting schedule can become heavy, and it can be frustrating when some organisations don't turn up and don't provide enough input.

In Denbighshire, there is a bit of an 'identity crisis', and there are certainly too many forums. Unfortunately, the term 'language forum' is misused at a national and local level. I was trying to obtain guidance from Welsh Government officials during the COVID period, and everyone was in agreement that the forums needed to be restructured, but there is still a lot of work to do. In my opinion, there needs to be a WESP strategic umbrella group.

Question 2:

How does the local authority relate to, and engage with, the forums, and how can this be improved?

10. A few participants stated clearly that good work is being done in certain parts of Wales, and that there were possibilities in terms of sharing best practice.
11. There was also some concern that the right participants were not taking part in the forums.

The four authorities here work closely together. I serve on different forums, and I attend a language forum. This all feeds into the WESP.

We need more input from the education side. There is a community officer who serves on the language forum, but that's it. The councillors often sit on school boards as well, and it is extremely important that they understand the importance of the work. They are there to challenge and collaborate with head teachers; there are a number of different tiers, but councillors are an integral part of that.

We are looking at Anglesey / Carmarthen, which are doing things in a much more strategic fashion. I am not sure whether the right representatives are

serving on the language forums, but this situation will not change until people recognise the value of the language forums.

There is a grave misunderstanding around the perception that children who attend English-medium schools are bilingual. That is not true, and people out in the community (parents) do not understand this.

There are too many forums, and we need to keep track of this. The local authority does listen, but in truth, I'm not sure how much. In terms of the WESP forum, there is a team of education officers who are very supportive. The problem is a political one. The people who have the power to make a difference do not have the understanding. That is the weakness, and that is the challenge. The level of understanding is pretty pathetic, to be honest.

Question 3:

What is the forums' role in terms of monitoring and ensuring accountability as the plan is being implemented?

12. Many of the participants agreed that things were moving very slowly and that, in some areas, things had not changed for a long time.
13. Everyone was supportive of the role of the forums, but they were also concerned about the ways in which the strategy was being implemented.

In terms of accountability, the short term is one thing. My general concern with the WESPs is that nothing much has changed. The current WESP is virtually the same, sentence for sentence, as the WESP of a decade ago. We must ensure that it is more than just a series of words on a piece of paper.

There is concern about the capacity of some organisations to participate in a number of different committees, but it is important to have that input. There is a real need to think about who in the community is talking to young parents and giving them advice.

There is scope for everyone to provide challenge and move things forward. It is true that not much has changed for a number of years. Things are moving, but the education department has to drive the agenda. Things like budgetary needs, risk assessments etc have to be raised more quickly. Are

the budgets sitting in the right areas? There is a need to tighten up the monitoring process, and a need to impose more order.

There is a need to target nursery schools in the first phase. Our WESP states that parents are avoiding Welsh-medium education due to concerns about secondary education. We are losing parents and children because of their long-term concerns. 97% / 98% of parents have no Welsh. It's great that they want to send their children to a Welsh primary school, but action needs to be taken. It is true that the WESP is very similar to the WESP of a decade ago.

There is no point in having a good strategy on paper if it is not implemented.

Question 4

In your opinion, how can the role of the forums be improved in order to ensure the quality and standard of the strategic plans?

14. Again, it was clear that participants were frustrated about the excessive number of forums. There were also extensive discussions regarding the role of local councillors in the process, with a few participants emphasising the need for greater clarity from local authorities regarding their strategic pathways.
15. Many agreed that it was necessary to ensure that the forums were attended by the right people / organisations.
16. Everyone agreed that having a 10-year plan was positive.

I feel that there are too many sub-committees feeding into the main forum. In the past, the work of these sub-committees was being undertaken in vain – a lot of work was being done, but it was not being fed into the main forum. There is a need to make the best use of the efforts of partners.

Councillors were offered a language session, but the session was cancelled because there was no take up. There is no doubt whatsoever that councillors should be compelled to attend these sessions.

One of the things with the WESP is that there is a need to strengthen the implementation schedule and avoid leaving things open-ended. We need a clear timetable for implementation. The WESP does not carry the same power within the council's structures. Changing that situation would make it easier to keep the pressure on the cabinet.

Councillors receive training on all sorts of things, but they have no training whatsoever on language awareness. This is a national flaw. Every county councillor should be compelled to attend a language awareness workshop. That is the way to move things forward.

The status of the Welsh language needs to be raised at all levels, including among governors. Regarding the forums, I'm pleased that this is now a 10-year plan instead of a three-year plan. Our intention is to have a system of rotation on the forum. There is a tendency to give opportunities to the same headteachers. Headteachers have their own work to do. There is a need to obtain input from the other heads.

The same headteachers attend most of the Welsh sessions. As a school, we cannot contribute much more. We need to be more holistic, and we need more support. If we are to ensure a million Welsh speakers by 2050, we need to shape up or we will be left behind. A 10-year plan will provide a little more scope for preparation.

We need to ensure that our input, as a Menter Iaith, is acknowledged in some way by the Welsh Government. This is certainly the case in respect of the strategic work that we could do, but we don't have any time. We are the ones who really know the people and understand the differences within communities. There is no 'measurement' available. The Menter, and other groups like us, require some recognition (perhaps financial) from the Government in order to add more to the process.

I feel that we need a clear direction. We should challenge the county councils if the strategic pathways are not clear. The role of schools is to provide education. At the moment, there is pressure on schools to create demand, which is unfair. It is the role of strategic work to create demand, and this must improve.

Question 5

What are the main challenges in developing strategic plans locally – e.g. what are the obstacles, and is there a lack of vision or political will?

17. An emphasis was placed on the fact that things are working well in primary education, but that a lack of vision is causing problems in secondary education. There was also a debate about the meaning of the terms 'bilingual' and 'dual stream', especially given that this can cause confusion among parents.
18. Concerns were voiced about the fact that transport policies in some areas were causing children to miss out on Welsh education. In addition, concerns were also expressed regarding what the main objective of a WESP really was – a reflection of what needs to happen to support the language, or just a political lever in a given area.

A fundamental question for me is whether the WESP is a reflection of what is happening in respect of the Welsh language, or whether it is a solution to the political reality of an area. If Welsh is to come first, the solution is that we need a new Welsh secondary school in Powys. Politically, however, many will question whether this is the right solution for the area. What is the starting point? That is the question. In my opinion, the political side is being prioritised.

I don't see a vision in Powys. There is major growth here in terms of *cylchoedd meithrin* and nursery schools, but there are serious problems when large groups of pupils move on to an English school and lose the Welsh language. Alternatively, they move on to a dual-stream school (which is what's available in North Powys) and still don't enjoy the same level of Welshness at school.

It is clear that we need a system in place that focuses on the Welsh language, rather than politics. The WESP talks of improving access for all key stages. Well, that's not the case. We need to look to the future, and we need to do so quickly.

Secondary education is also a problem in Conwy. We need to ensure – and I'm sure that this is a problem all over Wales – that if we are increasing primary provision, we are also undertaking forward planning in respect of secondary provision. Forward planning must be undertaken carefully. There

are also staffing issues within secondary schools, and I believe that this is a national problem.

The attitude and desire of council leaders is very important. We have suffered in the past from a lack of desire to see developments in the Welsh language. There has been a positive change recently in terms of leadership, but there is a lot of time to make up.

In Wrexham, the council does not pay for transport. As a result, Morgan Llwyd has lost numbers because local colleges can pay transport costs. I am unsure as to why this is happening, because it runs counter to the standards. In Flint, numbers have not increased for 20 years, so we have to ask why that is the case. Is there enough of a vision? Is there enough ambition?

One challenge / discussion for us is the misinterpretation of the terms 'bilingual' and 'dual stream'. This causes problems with parents, and it is an issue that needs to be addressed at a national level.

In an area like ours, which has one Welsh school, transport policy can force a child to go to another school. The transport policy does not address the education of the child as a whole, as Welsh education stops in Year 10.

The amount of Welsh that is available in the dual-stream school is ultimately a cause for concern regarding the overall growth of the Welsh language. What is happening is that category 1 primary schools are sending their children to the English stream, or are not being encouraged to choose the Welsh stream because the choice of subjects is lacking. The picture is varied and complex.

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