

Agenda – Equality and Social Justice Committee

Meeting Venue:

Committee Room 3 (Senedd)

Meeting date: 13 May 2024

Meeting time: 13:30

For further information contact:

Gemma Gifford & Rhys Morgan

Committee Clerk

0300 200 6565

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Pre-meeting registration: 13:00–13:30

1 Introductions, apologies, substitutions and declarations of interest

(13:30)

2 Childcare follow up inquiry: Ministerial evidence session

(13:30–14:45)

(Pages 1 – 29)

Jayne Bryant, MS, Minister for Mental Health and Early Years

Clare Severn, Head of Early Childhood Education and Care, Childcare and Play Policy, Welsh Government

Alex Slade, Director of Primary Care, Mental Health and Early Years, Welsh Government

[Early Childhood Play, Learning and Care Plan in Wales \(Detailed version\)](#)

[Early Childhood, Play, Learning and Care Plan in Wales \(High Level Plan\)](#)

3 Papers to note

(14:45)



- 3.1 Correspondence from the Cabinet Secretary for Social Justice and Culture to the Legislation, Justice and Constitution Committee regarding Inter-Institutional Relations Agreement: Safety, Security and Migration Interministerial Group**
(Page 30)
- 3.2 Correspondence from the Culture, Communications, Welsh Language, Sport, and International Relations Committee to the Cabinet Secretary for Social Justice and Culture regarding general Ministerial scrutiny**
(Pages 31 – 32)
- 3.3 Correspondence from the Cabinet Secretary for Social Justice and Culture to the Chair regarding the report of the Equality and Social Justice Committee – “Actions, not Words: towards an anti-racist Wales by 2030”**
(Pages 33 – 45)
- 3.4 Correspondence from the Cabinet Secretary for Culture and Social Justice to the Legislation, Justice and Constitution Committee regarding the Welsh Government's response to the Committee's report on the Legislative Consent Memorandum on the Criminal Justice Bill**
(Pages 46 – 57)
- 4 Motion under SO17.42 (vi) to exclude the public from the remainder of today's meeting**
(14:45)
- 5 Childcare follow up inquiry: consideration of evidence**
(14:45–15:00)
- 6 Governance of Fire and Rescue Services: consideration of draft report**
(15:00–15:40) (Pages 58 – 82)

Document is Restricted

Evidence paper for the Equality and Social Justice Committee on the follow-up to their inquiry into childcare and parental employment
[Minding the future: The childcare barrier facing working parents \(senedd.wales\)](#)

1 Importance of childcare and child development

(taking account of: ***Committee question - What approaches exist to integrate delivery of childcare provision in Wales, and how can best practice be spread widely.***)

- 1.1 All babies and young children should have opportunities and experiences for enjoyment, fun, creativity and to socialise. Babies and young children live in the moment and should enjoy the many wonders and fun that brings. We want every baby and child to have a wonderful childhood. We want them to thrive through enriched opportunities and experiences which will enhance their wellbeing, happiness and enable them to develop and learn.
- 1.2 We want to ensure that all babies and young children, irrespective of their background, are supported to have the best start in life and an opportunity to reach their full potential as set out in our [Children and Young People's Plan](#). Childhood experiences play a significant part in shaping individuals futures and are critical to the chances of leading a healthy, prosperous, and fulfilling life. Providing support during their earliest years is crucial.
- 1.3 Early Childhood Play, Learning and Care (ECPLC) is the term we use to describe the nurturing, learning and development of babies and young children in childcare, playwork and nursery education settings, in the period before statutory school age. ECPLC is based on a child centred approach with the child and child development at its heart. It focuses on the holistic development of children's social, emotional, cognitive and physical needs to support wellbeing and lifelong learning.
- 1.4 Our ECPLC approach for Wales means developing and delivering a consistent approach to nurturing, learning and development, through the provision of high-quality play-based childcare and education opportunities, for all babies and young children aged 0-5 years old. ECPLC supports our wider early years policies and ambitions in Wales and is primarily concerned with promoting partnerships and join up between schools and settings as well as parents/carers, for the benefit of the child and their families. By improving partnership working across education, childcare and playwork we are aiming to ensure the same ambition of consistent high quality and seamless transitions between childcare and playwork settings, and those settings and schools. We know that access to ECPLC is important as it can help to support early identification of need, early intervention and positive transition and progression to education.
- 1.5 We recognise that high quality, accessible and inclusive childcare can be transformational for children, brings opportunities for parents particularly mothers and is key to our efforts to tackle child poverty and reduce inequalities. Childcare is critical to tackling poverty, high quality nursery

education and early help services ameliorate the effects of poverty on children and families by supporting children's development and improving educational outcomes. Flexible, affordable childcare provision is central to supporting parents to improve their income through work or by accessing education and training.

- 1.6 Objective 2 of the [Child Poverty Strategy](#) sets out the ways in which we are working to give children in poverty the best start in life. This includes a commitment to focus work across government to find affordable solutions to childcare costs to remove barriers to work and make work pay. This must be achieved without compromising the need to ensure that all childcare is of a quality that meets the needs of children.
- 1.7 In terms of spreading best practice the Care Inspectorate Wales' (CIW) childcare and play improvement project has tested the use of improvement meetings with settings between routine inspections. The meetings are an opportunity for providers to discuss progress and challenges since the last inspection and outline their plans for further improvement before the next inspection. They are a structured conversation designed to help providers give children the best possible experience. Following a positive evaluation of the pilot, CIW will be introducing improvement meetings more widely for childcare and play services in the next 12 months. CIW will also be improving the way in which it promotes and publicises best practice and introducing an annual improvement conference for providers in Wales. In this way the inspectorate aims to promote improvement in the sector while continuing to deliver its responsibility to assure the quality and safety of individual settings.

Committee question - What lessons can be learnt from other parts of the UK and international best practice to improve childcare policy in Wales.

- 1.8 We recently published our [ECPLC Plan](#) which builds on our [approach to ECPLC](#) launched in 2019. The Plan specifically focus' on the themes of quality of provision, access to provision and supporting and developing the workforce. Underpinning our approach to ECPLC is the importance of high quality provision to support child development. Our [ECPLC Quality Framework for Wales](#) draws together the various requirements for delivering the type of high-quality provision needed in Wales. The Quality Framework draws on national and international research and practice in the field of effective ECPLC provision and its contribution to children's holistic development. Using the Quality Framework should ensure we offer well-evidenced, well-informed and successful approaches to ECPLC and help us to actively reflect on and continuously improve practice to better support all babies and young children. We know that the early years of a child's life are characterised by rapid growth and brain development. Development is influenced by the enabling adults, engaging experiences and effective environments each child encounters. High-quality ECPLC provision should support babies and young children to thrive during this important period of development.

2 Progress on the recommendations from the 2022 report

Committee question - What progress has been made in implementing the recommendations in the Committee's report from early 2022 - [Minding the future – the childcare barrier facing working parents.](#)

The section below provides an update on the recommendations from the 2022 report along with responses to some of the more specific areas the Committee have asked questions on which have been included in bold and italicised for ease of reference.

Information for parents

- 2.1 It is paramount parents can access the wealth of information already available with regards to being able to make informed choices about childcare. The Family Information Service (FIS) is pivotal in providing and signposting parents, carers and guardians to key information. Local Authorities are best placed to know and understand the needs of the local communities they serve, and we encourage through our regular liaison with FIS to ensure it is inclusive and provides accessible information to everyone in the community. The "[Choosing Childcare](#)" online booklet sets out the benefits and different types of childcare available, where to find childcare and what financial support is available to help you with childcare costs. This booklet is updated twice yearly and promoted to parents and carers on social media by Cwlwm, local authorities and Social Care Wales.
- 2.2 In 2017 Public Health Wales published [Every Child/ Pob Plentyn](#) series which replaced Bump, Baby and Beyond/Naw Mis a Mwy, as the primary health information resource provided to first-time parents by the NHS in Wales. There will be four new resources in the series designed to support families through pregnancy and the early years of their child's life. The resources have been developed with input from parents, professionals, and topic experts and cover the essential and important information families in Wales need to help their child to have the best start in life, including, information on bonding, parent-infant relationships and parental mental health and well-being.
- 2.3 In 2023, Every Child 'Your Pregnancy and Birth', was published and in January this year the second in the series, Every Child 'Newborn to age 2' and its Welsh equivalent, Pob Plentyn 'Newydd-anedig hyd at 2 oed', was published. The remaining two resources in the series are in development. Booklet 3 will cover children from age 2 to starting school, and booklet 4 will cover children aged 4 to 7 years of age.

Funding for childcare

Committee question - The extent to which childcare provision in Wales provides high-quality provision which supports child development, tackles child poverty and supports parental employment. What changes might be needed to deliver these outcomes.

Committee question - What progress is being made towards achieving the Co-Operation Agreement commitment to expand 12.5 hours free

childcare per week to all two-year-olds, with an emphasis on strengthening Welsh-medium provision.

Committee question - To what extent there is sufficient childcare available to meet the varying needs of families across Wales, and how inequalities in access to childcare faced by particular demographic groups and across different parts of Wales can be addressed.

- 2.4 Childcare is a key priority for the Welsh Government. In December 2023, there were 11,800 children taking up the Childcare Offer which represents a take-up rate of 53% of estimated eligible children. Further, since the start of the academic year 2022-23, we estimate that around 1,140 additional individual parents have been supported because of the expansion of the Offer to include eligible parents in education/training. We continue to invest in our strategic communications plan to promote our Childcare Offer through a variety of channels to ensure that eligible parents are encouraged to take up the Offer.
- 2.5 We know it is important for parents to be able to access childcare that meets their family needs. The eligibility of the Childcare Offer has always included those parents working atypical hours including term-time working and zero hours contracts, however term-time only workers were only eligible for term-time support. This was amended in September 2022, at the same time as the eligibility criteria was extended to parents in education and training, and so term-time workers may receive the full Childcare Offer. Local authorities have a statutory duty to ensure there is sufficient childcare available to help parents to work or train including, parents working atypical hours and improving the availability of Welsh medium provision. Childcare Sufficiency Assessments (CSAs) are the means by which they assess the supply and demand for childcare in their area.
- 2.6 CSAs must look at the barriers parents face when accessing childcare including the specific barriers faced by particular groups of parents for example, lone parent families, low-income families and families from ethnic minority backgrounds. The CSAs are carried out every 5 years with the most recent being carried out in 2022. Local authorities produce action plans to address any gaps in provision which have been highlighted within their CSA.
- 2.7 An independent report [Overview of key themes in the 2022 to 2027 Childcare Sufficiency Assessments](#) commissioned by the Welsh Government was published in December 2023. The report indicated that the availability of childcare, varies by local authority but that across Wales there are unmet needs and barriers faced by parents/carers in accessing the provision available. The Welsh Government provides funding to local authorities through the Childcare and Play element of the Children and Communities Grant to help address gaps in provision. In using this funding local authorities are asked to give special consideration and support to the childcare and play needs of low income families; families with children with additional needs; and families wishing to access provision through the medium of Welsh.

- 2.8 In our [Programme for Government](#) and in the [Co-operation Agreement](#) with Plaid Cymru, we committed to continue to support our Flying Start programme, along with delivering a phased expansion of early years provision for all 2 year olds, with a focus on Welsh medium provision. We are successfully delivering our plans for a phased expansion of our universal provision to all two-year-olds in Wales. The roll out of phase one of the expansion of Flying Start commenced in September 2022 and concluded in March 2023. Phase 1 included all Flying Start services being offered to around 2,500 additional children under four. Phase 1 took place between September 2022 and March 2023 and so delivery of Phase 1 has already been completed. By end of March 2023, 127%, or 3,178 children of the target number of 2,500 additional beneficiaries had been reached across Wales.
- 2.9 Phase 2 of the expansion of Flying Start focuses on delivering the high-quality childcare element in Flying Start settings to even more two-year-olds during 2023-24 and 2024-25. We expect to support more than 9,500 additional two-year-olds across Wales to access quality Flying Start childcare during Phase 2, and we are well on track to deliver that. The Welsh Government has achieved its latest target for Phase 2 of the expansion of the programme with an extra 4,500 childcare places offered during 2023-24.
- 2.10 To deliver on progress towards Cymraeg 2050, it is essential that the importance of Welsh medium childcare provision is maximised as far as possible. There is clear evidence that children who attend cylchoedd meithrin are more likely to go on to attend Welsh medium education. The national average progressing from a cylch Meithrin to a Welsh medium school is 86% and this increases to 94% if the cylch and school are co-located. This is a clear message coming through our monitoring of local authority Welsh in Education Strategic Plans (WESPs). We will continue to work with local authorities to encourage more co-location on existing school sites as well as when planning new build Welsh-medium schools.
- 2.11 The £70m Childcare and Early Years Capital Programme was implemented in October 2022 and is available over three financial years, 2022 to 2025. The programme includes support for Small Grant Funding to local authorities to allow all registered childcare and play providers to submit applications for minor capital projects. The purpose of this capital funding is to maintain and improve new and existing childcare (including Flying Start) infrastructure, to help grow Welsh medium provision and enable co-location of services.

Additional Learning Needs

- 2.12 Early identification, intervention and prevention is a key aim of our ALN reforms. ALN implementation is being monitored through a national ALN reform steering group, a comprehensive [evaluation](#), and through a series of Estyn thematic reviews. We continue to work closely with providers, parents, children and young people and other stakeholders to support our work to monitor implementation of the new system and help realise its aims. In November 2023 the former Minister for Education and Welsh Language made

an [Oral Statement](#) to update on implementation of ALN reforms. In September 2023 Estyn published the first stage of its [review of ALN implementation](#), the second Estyn review is expected to publish in autumn 2024 and work on the second stage has begun. In December 2023, the [evaluation of the Additional Learning Needs system scoping report](#) was published. The report presents a theory of change for the reforms, summarises findings from a synthesis of existing evidence on Additional Learning Needs (ALN) system implementation, and articulates the plans and priorities for the next phases of the evaluation.

- 2.13 The Childcare Offer for Wales Additional Support Grant (ASG) is a demand-led grant and while £2m was initially allocated to local authorities in 2023-24, there is no upper cap and any child identified as requiring support to attend Childcare Offer funded provision may be supported. We have seen increased demand for the Childcare Offers Additional Support Grant in 2023-24 and so the profiling of the initial budget for the grant has increased from £2m to £2.5m in 2024-25 to accommodate for this – but this can be reviewed if demand increases further. An independent evaluation of the ASG is currently underway and expected to report in Spring 2024. The evaluation has explored issues of awareness and communication of this support, the effectiveness of the interventions it funds and how the grant aligns with wider ALN reforms.

Sustainable Communities for Learning Programme

- 2.14 The Sustainable Communities for Learning Programme is a wide-reaching capital investment programme to invest in our educational estate, which supports key Programme for Government commitments. A key deliverable is ensuring that learners have a supportive learning experience especially during their early years in education. Where appropriate our stakeholders are expected to consider wraparound facilities and early years support, especially in any primary school proposals they bring forward. Education colleagues work closely with our Childcare colleagues to ensure these proposals are robustly reviewed on this basis. The Welsh Government's Programme for Government also includes a commitment to "invest in the learning environment of community schools, co-locating key services and securing stronger engagement with parents and carers outside of traditional hours". Making effective use of educational facilities for children and the local community has always been a key aim underpinning education investment through the Sustainable Communities for Learning Programme. All investment proposals must demonstrate how their facilities can be used to support their local community to make them accessible and shared resources across Wales' communities, both during and outside school hours; including the opportunity to innovatively co-locate services for their area. In building community facilities, stakeholders need to comply with the Education Act 2002 and Control of School Premises 2008 which, outline specific responsibilities with regards to community facilities. These are also conditions of grant under the Sustainable Communities for Learning Programme. As we move towards our Sustainable Communities for Learning Rolling Programme, our new 9-year wave of investment from March 2024, continues to embed the importance of making our schools more community focused so that facilities

can be accessible for all; with community use and engagement a principle requirement in our stakeholders Strategic Outline Programme (SOP) for investment.

- 2.15 As part of the 2022/23 budget settlement, £20m was allocated within the Sustainable Communities for Learning Programme to drive forward community focused schools priorities including the co-location of support services/facilities. This funding was assigned to local authorities for spend within the financial year on smaller scale works that would support schools to open their facilities outside traditional hours, e.g. security measures, floodlighting, storage, changing facilities. Implementation proved successful, so £40m was approved as 100% Community Focused Schools Capital Grant to support delivery of more projects over financial years 2023-24 and 2024-25. This 2-year funding regime, where projects were a mix of small, medium, and large-scale works, means investment, specifically for the provision of community focused facilities within our schools, can be more strategic, targeted and sustainable.
- 2.16 In April 2023, £28.2m was approved for projects of <£0.5m individual spend, with funding support for larger scale projects (>£0.5m spend) subject to the successful completion of the Programmes business case approvals system. We are currently working with local authorities to ensure full spend of this funding programme by end of financial year 2024-25.
- 2.17 By financial year 2025-26, we will have invested £60m in community focused capital funding available throughout Wales, to enhance the infrastructure of our schools to not only benefit our learners but the community around them.
- 2.18 Our ambition is for all schools in Wales to be Community Focused Schools - responding to the needs of their community, building a strong partnership with families and collaborating effectively with other services. School buildings provide an excellent venue for out-of-school childcare clubs. Hosting this provision on site ensures continuity of care and extended and enriched play and learning opportunities for children. We have published guidance to support schools to develop their community engagement which includes information on out of school childcare clubs.
- 2.19 This financial year we are investing £6.5m in increasing the number of family engagement officers employed by schools. We are also continuing to fund a trial of community focused schools managers, who will work on developing better engagement between schools and their communities.

Workforce

- 2.20 Building and maintaining a thriving and sustainable workforce is key to delivering our childcare commitments which is why supporting and developing the workforce is one of the three themes in the ECPLC Plan. The review and refresh of the 10 Year Childcare, Play and Early Years workforce plan will be published in 2024 and reflects on progress to date as well as reaffirms our commitment to the childcare and playwork workforce, both English and Welsh

medium going forward. Our work with partners is key to our ongoing support of the workforce and providing support for both English and Welsh medium settings to grow and staff to flourish.

- 2.21 The UK Government has made commitments to expand their Childcare Offer in England for eligible working parents from April this year. In recent weeks there has been media coverage reporting that the UK Government are experiencing significant challenges around meeting these commitments as issues relating to the workforce capacity and infrastructure have not been sufficiently addressed. Here in Wales, we know we need to address these issues to achieve our ambitions for childcare. We are committed to maintaining and developing a highly regarded and high skilled workforce, valued and recognised for the vital role they play in the lives of children. We are not going to compromise on our staffing ratios, reduce qualification requirements or otherwise risk the quality of the experience we provide for children and their families. To support recruitment and retention in the sector we are working with our strategic partner, Social Care Wales, who run the WeCare Wales recruitment campaigns and jobs portal, to attract people with the right skills and behaviours into the sector. Previous campaigns have included TV and radio adverts to reach wide and diverse populations.
- 2.22 Apprenticeship week 2024 also saw a focus on childcare with childcare apprenticeship case studies published. SCW are also funded to deliver their free introduction to childcare course offering participants an insight into working in the sector. Careers Wales attend each course providing guidance and employability support. The course has been delivered to a wide variety of cohorts, including Swansea's African Community Centre and employability programme students at Coleg Llandrillo. As of March 2024, 222 individuals have completed the course. Of these 18% are now working in childcare or studying a childcare qualification. An additional 25% of course attendees remain engaged with SCW and are seeking support to enter childcare. A young person's strand began in January 2024, working with schools to promote a career in childcare to young people.
- 2.23 We also established a Childminding Review Recommendations Group Overview Panel and Working Groups in 2023 to consider the recommendations of the [Independent Review of Childminding](#). The Review's aim was to understand the reasons for the decline in the number of childminders in Wales, and to make recommendations aimed at attracting more childminders and to encourage childminders to stay in the sector. We are working with sector stakeholders to take forward the recommendations.
- 2.24 We want childcare, play work and early education to be careers of choice and we have been working with stakeholders to explore registration of the childcare and playwork workforce to raise its status and make clear that working in childcare is a recognised profession. A consultation on professional registration closed on 7 March – a summary report will be published in summer 2024.

- 2.25 The childcare and playwork workforce is currently supported by the Welsh Government's Training and Support Programme to upskill. The Programme supports access to key qualifications and fundamental training, such as paediatric first aid and safeguarding training. While savings have been made from the T&S Programme budget in 2023-24 and 2024-25 as part of a wider Welsh Government budget exercise, this has not affected the Programme's ability to support access to mandatory, best practice and childminder training, as well as to ensure access to a range of playwork qualifications.
- 2.26 We are keen to increase the diversity of the workforce in Wales. We are working towards the childcare objectives set out in the Anti-Racist Wales Action Plan, in partnership with sector stakeholders and [DARPL](#). Early Years diversity resources have been developed and are now available for the sector. A best practice toolkit to support providers is also being developed.
- 2.27 To grow the size of our Welsh medium workforce, we have provided specific funding for learners to study childcare qualifications through the medium of Welsh and funded the National Centre for Learning Welsh to develop an intermediate Welsh language course specifically for childcare workers to build their confidence in using the language in settings. This includes provision of £528,000 in 2024-25 and £1,108,800 in 2025 -26 to Mudiad Meithrin to support the continuation of Welsh medium childcare courses for qualifications for 100 Level 3 and 50 Level 5 learners via the Cam wrth Gam programme

Support for the childcare sector

Committee question - How childcare providers and the workforce have been impacted by cost-of-living pressures, and what effects these have had on the sector.

- 2.28 Despite the budget challenges facing the Welsh Government, compounded by the current cost of living crisis and the pandemic we are still taking steps to support the childcare sector where we can, in seeking to reduce overhead costs through the extension of 100% business rates relief for registered childcare premises. The extension of the rates relief, until 31 March 2025, will save registered childcare providers £9.7m in overhead costs.
- 2.29 The Childcare Offer, vital not only to families but to many childcare providers, had its rate increased to £5 per child per hour in April 2022, following a review and engagement with the sector. This represented an increase of 11%. The Welsh Government has also committed to reviewing this rate at least every 3 years. The next Childcare Offer rate review will be undertaken in 2024-25. The Welsh Government has already undertaken the preliminary step of engaging with key sector stakeholders to identify the key issues that need to be considered as part of the review and agree the most appropriate method of ensuring sector engagement throughout the process.

- 2.30 Both the business rates relief and increasing the rate of the Childcare Offer are aimed at supporting the sector to address the economic challenges they may be facing including increases in staff wages, pension and other operating costs.

Out of school provision

- 2.31 In relation to out of school provision, the Welsh Government funds Clybiau Plant Cymru Kids Clubs as part of the annual grant to the Cwlwm consortium to support and advise the out of school sector in Wales, helping new clubs to be established and become registered with Care Inspectorate Wales. This includes the expansion of Welsh medium out of school provision. We have allocated additional funding for Cwlwm of £5,423,800 over a 4 year period to support the delivery of Programme for Government commitments as they relate to expansion of Welsh medium activities. This includes £100k per annum to support more play and after school clubs to train in playworks qualification to support expansion of registered services, in recognition of stakeholder feedback that almost 95% of Welsh medium after school clubs are not registered. Investment in supporting those settings to register would also support increases in Welsh medium capacity.
- 2.32 The more general offer of after school provision is for individual schools and there are a range of organisations that they can work with in delivering that offer. These include sporting, cultural, childcare, play and youth providers. Through our Community Focussed Schools provision, we are supporting schools through a range of guidance and funding to develop their approaches.
- 2.33 For 2022 – 2025 £1m per financial year is allocated to Local Authorities via the All Wales Play Opportunities grant for the continuation of the Playworks Holiday Project to support children’s access to play opportunities during school holiday periods with the availability of food/snacks in targeted areas. Further, as part of our assessment of capital grant applications we look to encourage projects which actively strengthen arrangements for wrap-around and out of school provision.
- 2.34 We are also progressing short, medium and long term actions following recommendations made within the Ministerial Review of Play Report [Written Statement: Ministerial Review of Play - Response to the Steering Group recommendations \(23 October 2023\) | GOV.WALES](#) to promote the importance of play opportunities for children and young people.

Exceptions Order

- 2.35 We have also begun scoping a review to consider whether any changes to the Child Minding and Day Care Exceptions (Wales) Order 2010 are required. It will be reviewed through an ECPLC lens focussing on promoting child development, social opportunities, wellbeing and equality. The review will consider the 3 key themes of the ECPLC plan: supporting the workforce, striving for high quality services and promoting access. The key priority of this

review is to ensure children in Wales are able to access safe, quality childcare and activities that meets their needs and also the needs of their families.

3 **Conclusion**

Committee question - How financial and practical barriers need to be considered in developing future childcare policy.

- 3.1 Implementing our vision for ECPLC is a long term ambition. We are committed to giving children the best start in life as well as balancing this with helping parents be able to have accessible and affordable childcare. We are delivering on our commitments set out in the Programme for Government and once they are delivered, we will consider what the next phase will be depending on resources available.



Ein cyf/Our ref: Safety, Security and Migration IMG

Sarah Murphy MS
Chair
Legislation, Justice, and Constitution Committee
Senedd Cymru

SeneddLJC@senedd.wales

30 April 2024

Dear Sarah

Inter-Institutional Relations Agreement: Safety, Security and Migration Interministerial Group

In accordance with the Inter-Institutional Relations Agreement, I am informing you a meeting of the Interministerial Group for Safety, Security and Migration will be held on Tuesday 7th May from 3pm to 4:15 pm. The meeting will take place virtually and will be chaired by the Home Secretary.

It has been agreed the meeting will focus on the UK Government's Illegal Migration Bill, asylum dispersal and the recently published report on the cap on safe and legal migration routes. This will be followed by a discussion on the recent net migration reforms.

In line with the agreement, a communique will be published following the meeting and I will notify you of this in due course.

I am copying this letter to Jenny Rathbone MS, Chair of the Equality and Social Justice Committee.

Yours sincerely

Lesley Griffiths AS/MS
Ysgrifennydd y Cabinet dros Ddiwylliant a Chyfiawnder Cymdeithasol
Cabinet Secretary for Culture and Social Justice

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Lesley Griffiths MS
Cabinet Secretary for Culture and Social Justice
Welsh Government

30 April 2024

General ministerial scrutiny

Dear Lesley

I'd like to take this opportunity to congratulate you on your recent appointment as the Cabinet Secretary for Culture and Social Justice.

You will be aware, of course, of the number of challenges that exist in your new portfolio: - many of these are of great interest to the Committee, and we would welcome the opportunity to explore these in a general scrutiny session with you during this summer term. The issues which are perhaps of most urgent interest to us include the delivery of the long-awaited Culture Strategy; protecting the national collections; adequate funding of sport in disadvantaged areas; and future broadcasting and media policy. I will ask our officials to liaise with Welsh Government officials to identify a suitable time for the Committee to meet you.

I would like to take this opportunity to wish you well in your new role, and we look forward to working with you.

I am copying this letter to the Chair of the Equality and Social Justice Committee for their information.

Yours sincerely,



Delyth Jewell MS
Committee Chair

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.

Lesley Griffiths AS/MS
Ysgrifennydd y Cabinet dros Ddiwylliant a Chyfiawnder
Cymdeithasol
Cabinet Secretary for Culture and Social Justice

Agenda Item 3.3


Llywodraeth Cymru
Welsh Government

Jenny Rathbone MS
Chair, Equality and Social Justice Committee
Welsh Parliament
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SeneddEquality@senedd.wales

2nd May 2024

Dear Jenny

Thank you for the Equality and Social Justice Committee report, 'Actions, not Words: towards an anti-racist Wales by 2030', published 15 March 2023. I welcome the findings of the report into the Anti-racist Wales Action Plan (ArWAP). Please find attached my response to each of the ten recommendations within the report. Responses specific to Health and Social Care, Education, Housing, Finance, Constitution and Cabinet and Welsh Government have been approved by the respective Cabinet Secretaries and Chief Operating Officer.

We are currently developing the second iteration of the ArWAP in co-production with the External Accountability Group and Welsh Government policy officials. The 'Actions, not Words' report will directly inform goals and actions within the Plan wherever possible.

I remain deeply committed to creating an anti-racist Wales and to promoting equality, diversity and inclusion in all its forms.

Yours sincerely,



Lesley Griffiths AS/MS
Ysgrifennydd y Cabinet dros Ddiwylliant a Chyfiawnder Cymdeithasol

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Written Response by the Welsh Government to the report of the Equality and Social Justice Committee – Actions, not Words: towards an anti-racist Wales by 2030

APRIL 2024

I thank the members of the Equality and Social Justice Committee for their report 'Actions, not Words: towards an anti-racist Wales by 2030' which my officials and I have considered carefully.

Welsh Government is committed to creating an anti-racist nation by 2030. The [2022-23 ArWAP Annual Report](#) shows the impact of the Anti-racist Wales Action Plan (ArWAP) may not yet be as apparent in the lived experience of Black, Asian and Minority Ethnic communities as we would want, but significant structural foundations have been laid for long-term change and some tangible progress achieved.

A refreshed re-iteration of the ArWAP is underway and will cover 2024-2026. It will refine existing goals and actions to strengthen implementation and measurement of progress.

I am committed to tackling systemic and cultural racism in all forms as a priority, as is the Welsh Government. We will continue to use every lever we have available and take a leading role in eradicating racism in Wales.

I have set out my response to the Committee's recommendations below.

Recommendation 1.

The Welsh Government should continue performing a central leadership role by prioritising actions that demonstrate its commitment to an anti-racist Wales.

These should include:

- **redoubling efforts to diversify its workforce by the 2025-26 financial year and sharing best practice in relation to anti-racist recruitment mentoring and retention policies with other organisations**
- **improving its performance on narrowing the ethnicity pay gap in 2024-25 and eliminating it by 2025-26**
- **ensuring that resources are deployed wisely by publishing a definitive breakdown of the identifiable funding and resources available to support the ArWAP for 2023-24, 2024-25 and every remaining financial year for the lifetime of the plan**

Response: The Welsh Government accepts in principle.

The Welsh Government is committed to demonstrating a leadership role as both a government and as an employer. We have ambitious recruitment and progression objectives to help us attract and retain more people from an ethnic minority background, ensuring that our workforce better represents the people and communities we serve. The ArWAP commitment to review HR policies and practices through an anti-racist lens will be central to this. Due to conclude in autumn 2024, the review is likely to deliver a series of recommendations on improving inclusive recruitment practices and building a wholly anti-racist culture within the organisation where ethnic minority colleagues feel fully supported to develop and progress their careers. We will continue to share our learning in anti-racist recruitment, development and retention with organisations across Wales and the wider civil service in order to drive best practice, build our knowledge, and increase understanding of anti-racism across sectors and professions.

We have seen a slight narrowing of our ethnicity pay gap from 2022 to 2023, which indicates a positive shift, but we will continue taking action to ensure that Black, Asian and Minority Ethnic colleagues at all levels of the organisation can develop to their full potential and further their careers in the way that's right for them. Our refreshed internal development programme for aspirational minority ethnic staff has recently been launched, while removing cultural and practical barriers impacting recruitment and progression for minority ethnic staff remains a key priority of the Workforce Equality, Diversity and Inclusion Strategy.

We are focused on ensuring resources are deployed appropriately across the Welsh Government to deliver on the ArWAP. However, it would be impossible to provide a definitive breakdown of all resources deployed to support implementation. With the exception of the dedicated ArWAP Implementation Team, the plan cuts across a large number of policy areas within the Welsh Government. While ArWAP actions and commitments may be an important aspect of delivery for a number of teams, it does not constitute the totality of their roles. On funding of external organisations, again, much of the funding awarded across the Welsh Government supports a number of priority areas throughout policymaking and delivery, which while not all explicitly aligned to delivery of the ArWAP, is underpinned by our ambitions for an anti-racist Wales.

We also publish substantive information throughout the financial year in our draft, final and supplementary budget publications, and will continue to report the monitoring and delivery of outcomes for our full range of policies through the Programme for Government report. In addition, throughout the year we will publish a range of information on our website about the monitoring and outcomes of policy areas.

Financial Implications – None (however, opportunities for recruitment are impacted by available organisational budget).

Recommendation 2

The Welsh Government should conduct a rapid review of the structures established to facilitate collaboration and oversee implementation of the ArWAP.

The review must:

- **examine whether existing arrangements are maximising the potential for high quality collaboration and effective implementation of the ArWAP and, where possible, seek to streamline and simplify existing structures.**
- **consider how a greater sense of parity of esteem and recompense between paid professionals and those not contributing in a professional capacity (i.e. contributors who are not being paid for their time) can be measured in future collaboration**
- **map out the new and existing governance structures for the purposes of comparison in an easy-to-understand infographic which sets out in plain language the roles and responsibilities of everyone involved in implementation and the relationship or interaction between them.**
- **clarify the difference between lead and partner organisations and establish mechanisms which ensure that every action has a designated lead alongside a list of named partners**

Response: Accept in full

A review of the current contract of our EAG members is currently being planned to examine EAG members' participation, contributions, and the value brought to the implementation of ArWAP.

The review will:

1. **Maximise Collaboration and Implementation Effectiveness:** The review will thoroughly examine existing arrangements to ensure they are optimised for high-quality collaboration and effective ArWAP implementation. Where possible, the review will aim to streamline and simplify these structures to enhance efficiency and effectiveness. This will include examine the membership of the current EAG and EAG sub-groups.
2. **Improve Parity of Esteem and Recompense:** The review will assess how to achieve a greater sense of parity of esteem and recompense between paid professionals and unpaid contributors. Future collaboration efforts will include mechanisms to measure and address any disparities in recognition and compensation.
3. **Map Governance Structures:** An easy-to-understand infographic have been created to map out both proposed and existing governance structures. This infographic will clearly outline the roles and

responsibilities of all stakeholders involved in ArWAP implementation, as well as the relationships and interactions between them.

4. Differentiate Lead and Partner Organisations: The review will provide clarity on the distinction between lead and partner organizations. It will establish clear mechanisms to ensure that every action within the ArWAP has a designated lead organisation, along with a list of named support partner organisations. This will help streamline accountability and facilitate effective collaboration.

See Annex 1 for an infographic map of the existing ArWAP governance structures, roles and responsibilities.

See Annex 2 for an infographic map of the proposed ArWAP governance structures, roles and responsibilities.

Financial Implications: None, with the exception of staff resource.

Recommendation 3.

The Welsh Government should consider utilising the expertise of an external organisation to examine the [Strategic Equality Plans] SEPs of each public body.

Identify improvements as part of the setting of new Plans in April 2024

Response: Reject

This recommendation is beyond the remit of Welsh Government. The Equality and Human Rights Commission (EHRC) is the regulator for these matters in Wales. The EHRC sets out general guidance on the creation and expected content of Strategic Equality Plans for public and other bodies covered within equality and human rights legislation.

Welsh Government has an important leadership role and will continue to collaborate with public bodies in Wales to share examples of best practice and to drive integrated and joined up working on tackling inequality and promoting human rights.

Financial Implications: None.

Recommendation 4.

The Welsh Government should create a one-stop shop dedicated to the Anti-racist Wales Action plan on its website. This should be launched with the support of a communications campaign to raise awareness among other organisations and the public.

The microsite should include:

- all relevant materials including events and stakeholder bulletins
- minutes of meetings and links to research and publications by the RDEU

- **a dashboard summarising progress towards key milestones**
- **an interactive space or online forum to facilitate dialogue and collaboration**

Response: Accept in part

The communications team has recently created [a new ArWAP collection](#) on Gov.Wales which acts as a microsite, bringing together all published documents related to the programme including different versions of the Action Plan, stakeholder engagement and progress updates. This collection also has the functionality to host stakeholder bulletins and promote events.

The communications team are exploring setting up an ‘organisation page’ which brings together the publications from a working group and would allow Welsh Government to host minutes from stakeholder meetings. This would follow a similar format to the [Period Dignity Roundtable](#). The team are also looking at creating a tracker page to mark progress towards key milestones. This could be similar to the progress tracking established for the [LGBTQ+ Action Plan](#). The collection and association pages will be launched alongside the refresh of the ArWAP later this summer. We are working with stakeholders to see how we can promote ArWAP through more direct channels that are more likely to be used by Black, Asian and Minority Ethnic communities as well as looking at materials that can be used in training and public events. We are also working with stakeholders to better promote their events and announcements on social media, as well as creating a collection of ArWAP-funded case studies which are likely to attract media attention, further raising awareness of the programme amongst members of the public.

The Race Disparity Evidence Unit is working with Knowledge and Analytical and policy officials to prioritise the improvement of quality and availability of data. The unit will work closely with the Anti-racist Wales Action Plan Implementation team and communications team to ensure links to all relevant research and publications are included.

In addition, the Culture Division is seeking to develop a digital learning platform to host anti-racism learning and training resources for the culture, heritage and sport sectors. The platform aims to provide professionals in the sectors to engage in continuous professional development in embedding anti-racisms in their service design and delivery.

Financial Implications – None.

Recommendation 5.

The Welsh Government must improve the quality and availability of data to support the plan and publish a finalised monitoring and evaluation framework as a priority.

The monitoring framework must be available to all organisations involved in the delivery of the plan.

Response: Accept in full

The Race Disparity Evidence Unit has developed an impact evaluation framework for the Anti-racist Wales Action Plan with the engagement of the External Accountability Group. A high-level summary will be published before October 2024 as part of the plan refresh, followed by a full technical report. As part of the development of the impact evaluation framework the Race Disparity Evidence Unit has created a map of evidence across policy areas that will be used to populate the monitoring framework which will be published as a dashboard. This includes quantitative indicators that are specific to policy areas, as well as measures that are common to all areas, such as workforce composition and complaints. This map also highlights the gaps in data that exist, and we will work closely with Welsh Government policy officials and organisations involved in the delivery of the plan to support the improvement of data collection. The development of a full monitoring framework is therefore an on-going process.

Financial Implications –
None.

Recommendation 6.

We recommend that the Welsh Government recognises that failing to provide adequate interpretation to individuals with incomplete command of either English or Welsh in a medical situation is unacceptable by redoubling efforts to eliminate the use of family members as interpreters in medical settings.

In particular, it must ensure implementation of the recommendations from our report and the HEAR 2 report as a matter of priority.

Response: Accept in Full

Welsh Government has been working closely with Public Health Wales regarding the implementation of the findings of the Hear 2 study.

The Wales Interpretation and Translation Service (WITS) has developed an E-Learning module – which is intended for anyone who works with interpreters or translators. The aim of the training is to enhance proficiency when public sector officers and interpreters/translators work together. It includes practical guidance and a specific focus on the need for and importance of interpreters and translators; the role of an interpreters; deciding what interpretation service is required; translations; requesting an Interpreter; preparing to work with an interpreter; working with an interpreter; and follow up after appointments. This training has been shared with NHS Equalities Leads in the health boards, and wider networks.

As part of the Migrant Integration Framework – materials are also being developed (e.g. video animation) to promote a person's right to access to interpretation and translation services, taking a rights based approach.

The draft Mental Health and Wellbeing Strategy also includes a focus on access to services in a person's preferred language. The draft strategy is underpinning by a number of core principles, one of which is: **Person-centred**: this means treating people as individuals and as equal partners in their healthcare, being mindful and respectful of their individual needs (including a person's preferred language), providing any reasonable adjustments to meet needs and providing compassionate care.

The WITS training has also been referenced in forthcoming good practice guidelines (developed by Improvement Cymru) to improve access to, and quality of, psychological interventions for people from Black, Asian and minority ethnic communities.

Financial Implications –
None.

Recommendation 7.

The Welsh Government should work with the health and social care sector to

- **deliver a safe, reliable and consistent way to report racist incidents and behaviour**
- **ensure the rollout of Active Bystander training for the health and social care workforce.**

Response: Accept in Full

Work in social partnership to strengthen the systems to raise workforce confidence to report racism will continue, by ensuring that the recommendations of the Diverse Cymru audit of NHS Wales Workforce Policies and Procedures are implemented. This will build on the work initiated during 2023-24 through the development of the Speaking up Safely Framework for NHS Wales, and the refresh of the Respect and Resolution Procedure which specifically acknowledges racism as needing specific pathways to resolution to ensure that staff do not fear detriment and further discrimination.

If NHS staff members are assaulted and/or subject to racially aggravated violence, the **Obligatory Response to Violence in Healthcare** would be initiated and staff member supported by multi-agency staff. The Obligatory Response to Violence (ORV) in healthcare is overseen by the NHS Wales Anti-Violence Collaborative who are refreshing the ORV to ensure that anti-

racism principles are embedded. All violence and aggression incidents against NHS staff members are reported via Datix Cymru.

As part of the Anti-Racist Wales Action Plan, Welsh Government will be working with the sector to explore the development of an independent advocacy mechanism for people working in social care, and those receiving care and support, to raise complaints about racism or discrimination.

Several NHS Wales Health Boards and Trusts have successfully rolled out active bystander training to their staff. Policy officials will work with the Equality Leads in the NHS Wales organisations to gather lessons learnt and understand what the capacity and resources may be available to ensure that more staff can understand and implement the principles of being an active bystander. Active Bystander training is not currently provided to the social care workforce. However, Social Care Wales is working to ensure that all education and training for the social care workforce, including all initial, pre-entry training and continuous professional development has been reviewed in respect of anti-racist content, including cultural awareness and anti-racism training.

Social Care Wales is also working with Diverse Cymru to provide cultural competency training to all people working in social care. The cultural competency scheme supports workplaces to 'start a journey' to explore commonly held unconscious bias, so that their services and employment practices are fair and equitable.

Financial Implications – None.

Recommendation 8

The Welsh Government should raise awareness of the anti-racist Wales agenda by

- **dedicating a forthcoming INSET day to the theme of anti-racism in the context of the new curriculum.**
- **It could also be used as an opportunity to showcase best practice from across Wales, the UK and internationally.**

Response: Accept in principle

Our guidance on the use of INSET sets out that we expect schools to use the equivalent of 4 INSET days to address national education priorities to implement Curriculum for Wales, ALN reforms, equity in education and Cymraeg 2050, and to enable all staff to engage with professional learning and collaboration. Schools should use their remaining INSET days to address the priorities set out in their individual School Development Plans.

Diversity and Anti-racism Professional Training (DARPL) supports education professionals to understand and develop anti-racist and non-racist practice.

Resources, training, and guidance are available in one place through the DARPL virtual campus. Work to continually this repository is ongoing. Schools can make use of these resources during INSET days.

Financial Implications – None.

Recommendation 9

The Welsh Government must ensure that the revised anti-bullying guidance emphasises a zero-tolerance approach to racism and racist abuse and bring forward proposals that would ensure greater consistency across all local authorities in the logging, monitoring, and reporting of racist incidents by schools and other education settings. The new system for reporting and monitoring racist incidents should be ready to launch within a year, and no later than the end of April 2025.

Response: Accept in principle

We will be strengthening our existing ‘Rights, respect, equality’ statutory anti-bullying guidance for schools. This will be done by updating the current guidance to advise education settings on effectively addressing prejudice-related bullying and harassment, and how to effectively monitor incidents, including racist incidents, and the use of data. Preparatory work has commenced, and the Welsh Government intends to carry out a full public consultation for the refreshed guidance in autumn 2024.

We will also be exploring the mechanisms needed to produce a consistent reporting format of racist incidents and harassment in schools and colleges. This will be done through strengthened data collection, including information on how incidents were dealt with, action taken in response and whether the incident was resolved successfully for the victim. This work will involve consulting with a wide range of stakeholders, including schools and learners in the coming year. Any system will need to be tested and relevant guidance developed therefore an explicit timetable cannot be set.

Financial Implications – None.

Recommendation 10.

The Welsh Government should establish a Welsh criminal justice observatory and seek further opportunities for collaboration with academia in the context of the ArWAP.

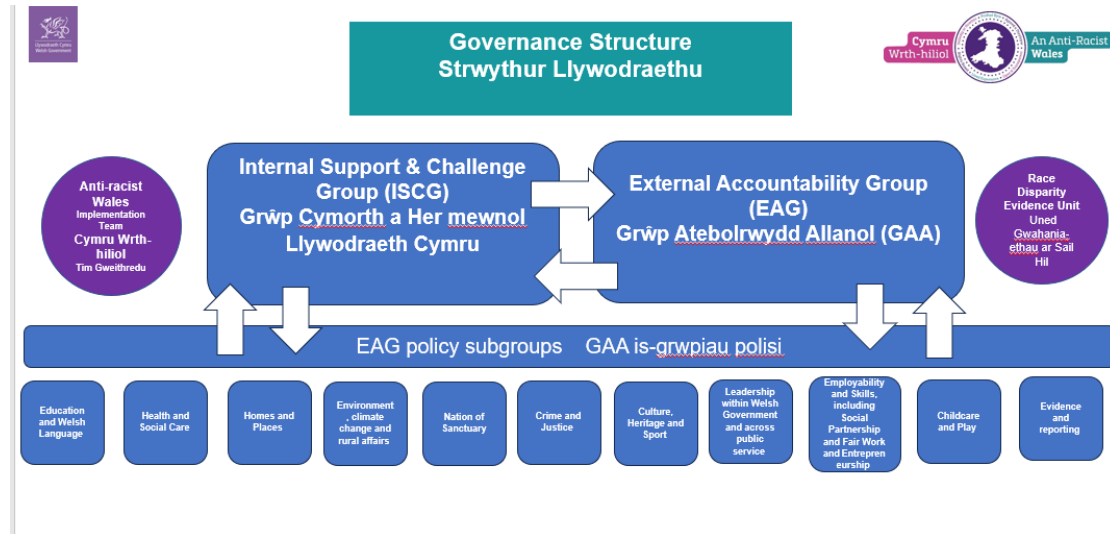
Response: Accept in principle

We are developing a research project which we anticipate will include elements similar to our understanding of the idea of a criminal justice observatory. The project would be to provide information and analysis about the current operation of the justice system in Wales and inform preparations for the devolution of justice. This is consistent with the Co-operation

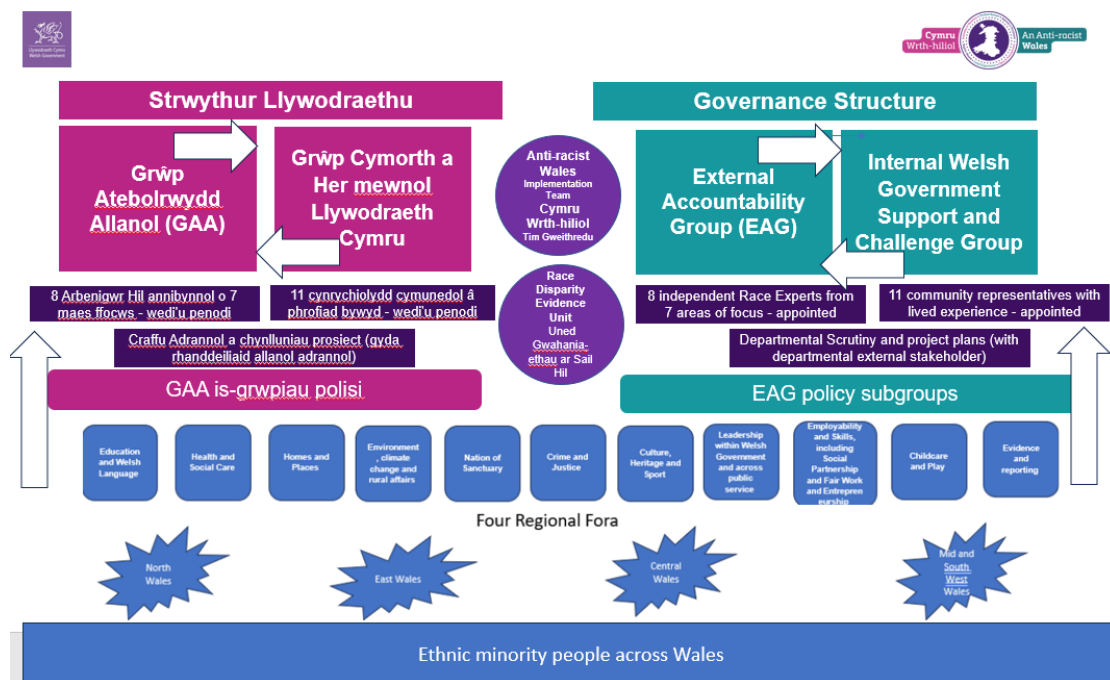
Agreement commitment on the ArWAP and statement to support work on pursuing devolution of policing and justice powers to deliver a reformed justice system that is right for Wales. It is also reflective of feedback Criminal Justice in Wales has received from its Independent Oversight & Advisory Panel, Community Engagement Network, and academic partners that action is prioritised over further research.

Financial Implications – None

Annex 1: infographic to map the existing ArWAP governance structures, roles, and responsibilities.



Annex 2: infographic to map the proposed ArWAP governance structures, roles, and responsibilities.



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Ysgrifennydd y Cabinet dros Ddiwylliant a Chyfiawnder
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7th May 2024

Dear Sarah,

Further to the Legislation, Justice and Constitution Committee's report on the Legislative Consent Memorandum (LCM) on the Criminal Justice Bill published on 29 January 2024.

I would like to thank the Committee for their valuable scrutiny during this process.

I note your recommendation and conclusions and have responded to them below.

Recommendation 1. The Minister should explain why the Memorandum was laid nearly 11 weeks after the Bill's introduction.

The former Minister for Social Justice and Chief Whip's letter to the Llywydd on 22 November, explored the circumstances surrounding the introduction of the Bill and the scale of analysis required which impacted the timing of the LCM. Information on the context surrounding the delay was also included in the LCM.

Conclusion 1. We consider that clauses 11 and 12 of the Bill, as set out in the Memorandum, fall within a purpose within the legislative competence of the Senedd, as described in Standing Order 29, and therefore require the consent of the Senedd.

Conclusion 2. We do not believe that clauses 30, 38 to 40, 42, 43, 46, 47, 51 to 53, 55, 56, 59 to 61, 63 to 65, 71, 72, and Schedule 8 of the Bill, as set out by the Welsh

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Government in the Memorandum, contain relevant provision for the purposes of the purposes of Standing Order 29.1.

Conclusion 3. The Senedd's consent is not required for clauses 30, 38 to 40, 42, 43, 46, 47, 51 to 53, 55, 56, 59 to 61, 63 to 65, 71, 72 and Schedule 8 of the Bill.

I welcome the Committee's views on these clauses. The rationale for our position on which clauses engage the LCM process is set out in the LCM laid on 29 January.

Clauses making provision in respect of nuisance begging and nuisance rough sleeping

I welcome the Committee's decision to write to the UK Government on the begging and rough sleeping elements of the Bill, following the letter you received from charities which underlines the points the former Minister for Social Justice and Chief Whip made in the LCM.

I am copying this letter to all Members of the Senedd and Jenny Rathbone MS, Chair of the Equality and Social Justice Committee.

A handwritten signature in black ink that reads "Lesley Griffiths". The signature is written in a cursive style with a large, sweeping flourish at the end.

**Lesley Griffiths AS/MS
Ysgrifennydd y Cabinet dros Ddiwylliant a Chyfiawnder Cymdeithasol
Cabinet Secretary for Culture and Social Justice**

The Welsh Government's Legislative Consent Memorandum on the Criminal Justice Bill

March 2024



1. Background

The Criminal Justice Bill

1. The Criminal Justice Bill¹ (the Bill) was introduced into the House of Commons on 14 November 2023. It is sponsored by the Home Office.
2. According to its long title, it is a Bill to amend the criminal law and to make provision in the following areas:
 - criminal justice (including the powers and duties of the police) and the management of offenders;
 - confiscation and the use of monies in suspended accounts;
 - the prevention and detection of crime and disorder;
 - begging, rough sleeping and anti-social behaviour;
 - the police; and
 - for connected purposes.²
3. The Bill completed Committee stage in the House of Commons on 30 January 2024. A date for Commons Report stage is to be announced.³

The Welsh Government's Legislative Consent Memorandum

4. Standing Orders 29.1 and 29.2 provide that a legislative consent memorandum is required when a relevant UK Bill makes provision in relation to Wales for any purpose within the legislative competence of the Senedd or which modifies the Senedd's legislative competence.
5. On 22 November 2023, Jane Hutt MS, the Minister for Social Justice and Chief Whip (the Minister), wrote to the Rt Hon Elin Jones MS, the Llywydd, stating that it would not be possible to lay a legislative consent memorandum in respect of the Bill within the two-week period set out in Standing Order 29.2(i), for the following reasons:

¹ Criminal Justice Bill, as introduced (HC Bill 10)

² Criminal Justice Bill

³ Criminal Justice Bill, Stages

“My officials have been engaging with officials in the Home Office and the Ministry of Justice, which has included the sharing of outlines of the measures expected to be introduced as part of the Bill. However, officials only had sight of the final version of the Bill in full less than twenty four hours prior to it being introduced.

The Bill comprises 17 parts and is 156 pages long. From our initial analysis, it appears the Bill touches upon areas of devolved competence. However, given the breadth of the Bill and the lack of advance sight of it in full it has not yet been possible to fully consider the devolution consequences of what is being proposed.”⁴

6. On 29 January 2024, the Minister laid before the Senedd a Legislative Consent Memorandum (the Memorandum) in respect of the Bill.⁵

7. The Business Committee agreed that the Legislation, Justice and Constitution Committee should report on the Memorandum by 22 March 2024.⁶

Provision for which the Senedd’s consent is required

8. The Welsh Government’s assessment, as set out in paragraphs 12 to 14 of the Memorandum, is that clauses 11 and 12 of the Bill (which relate to encouraging or assisting serious self-harm) make relevant provision for the purpose of Standing Order 29.1, and therefore require the consent of the Senedd.

9. The Welsh Government is of the view that a number of other clauses of the Bill also require the Senedd’s consent. The Minister notes that the clauses in question do not make relevant provision for the purpose of Standing Order 29; however, the clauses “impose reserved obligations and functions on Devolved Welsh Authorities”.⁷ In light of this, in the Minister’s view:

“... there is an impact on devolved matters for the purposes of the Sewel Convention and section 107(6) of GOWA 2006, and the consent of the Senedd is therefore required.”⁸

⁴ Letter from the Minister for Social Justice and Chief Whip to the Llywydd, 22 November 2023

⁵ Welsh Government, [Legislative Consent Memorandum, Criminal Justice Bill](#), 29 January 2024

⁶ Business Committee, [Timetable for consideration: Legislative Consent Memorandum on the Criminal Justice Bill](#), February 2024

⁷ Memorandum, paragraph 15

⁸ Memorandum, paragraph 16

10. The Welsh Government's view is that the following clauses and schedules of the Bill contain provision which meets this test:

- clause 30 (Assessing and managing risks posed by controlling or coercive behaviour offenders);
- clauses 38 to 40, 42, 43, 46, 47, 51 to 53, 55, 56, 59 to 61, 63 and 64 (Nuisance begging and nuisance rough sleeping);
- clauses 65 to 71 and Schedule 8 (Anti-social behaviour proposals); and
- clause 72 (Crime and Disorder Strategies).

11. The UK Government's view is that the legislative consent process would be engaged in relation to Wales for clauses 11 of and 12 of the Bill as they "relate to matters within the legislative competence of Senedd Cymru".⁹

12. The UK Government is of the view that the legislative consent process would also be engaged in relation to Wales for clauses 38 to 47, 51 to 60, 63, 64, 67, 69, 71 and 72.¹⁰ The Minister states in the Memorandum that the UK Government is seeking a legislative consent memorandum for these clauses to the extent that they "confer reserved powers onto Devolved Welsh Authorities".¹¹

13. According to the Minister, the UK Government does not "currently" agree with the Welsh Government that consent is required for clauses 30, 61, 65, 66, 68 and 70 of the Bill. The Minister states in respect of the UK Government:

*"They are currently reviewing this position and there is a possibility that the UK Government view on the need for consent for these clauses may change."*¹²

14. The Minister also states that if the UK Government's view on these clauses does change, "this will be addressed through supplementary LCMs as necessary."¹³

⁹ UK Government, Criminal Justice Bill, Explanatory Notes, paragraph 163

¹⁰ UK Government, Criminal Justice Bill, Explanatory Notes, Annex B – Territorial extent and application in the United Kingdom

¹¹ Memorandum, paragraph 33

¹² Memorandum, paragraph 34

¹³ Memorandum, paragraph 34

The Welsh Government's position

15. The Minister recommends that the Senedd's consent should be given in respect of clauses 11, 12, 65, 66 and 70 of the Bill.¹⁴ The Minister sets out her reasons for making this recommendation at paragraphs 35 to 42 of the Memorandum.

16. The Minister does not recommend that consent be given in respect of clauses 30, 38 to 40, 42, 43, 46, 47, 51 to 61, 63, 64, 67, 69, 71 or 72 "until further discussions have been held with UK Government."¹⁵ The Minister sets out her reasons for making this recommendation at paragraphs 43 to 72 of the Memorandum.

¹⁴ Memorandum, paragraph 74

¹⁵ Memorandum, paragraph 75

2. Committee consideration

17. We considered the Memorandum at our meeting on 26 February 2024.¹⁶

18. At our meeting on 11 March 2024, we considered a joint letter we had received from homeless charities and housing organisations which operate in Wales in relation to the Bill's clauses in respect of nuisance begging and nuisance rough sleeping.¹⁷

Our view

Time between the introduction of the Bill and the laying of the Memorandum

19. We note that the Minister wrote to the Llywydd on 22 November 2023 to explain that, given that Welsh Government officials only had sight of the final version of the Bill in full less than 24 hours prior to it being introduced, and given the breadth of the Bill, the Memorandum would be laid outside of the two-week deadline provided in Standing Order 29.2(i).

20. We are disappointed to learn of the limited engagement by the UK Government ahead of the Bill's introduction. We see this as another example of poor engagement by the UK Government with the Welsh Government in relation to legislation which impacts an area of devolved competence.¹⁸

21. We note that the Memorandum was subsequently laid nearly 11 weeks after the Bill's introduction, and does not set out the reason or reasons for this delay.

22. We acknowledge the reasons provided by the Minister in her letter to the Llywydd for the anticipated laying of the Memorandum outside of the two-week Standing Order deadline. However, we believe that the Minister should have provided an explanation to the Senedd within the Memorandum for this long delay, which has resulted in less time for its scrutiny.

¹⁶ [Legislation, Justice and Constitution Committee](#), 26 February 2024

¹⁷ [Joint letter from homeless charities and housing organisations which operate in Wales](#), March 2024

¹⁸ See, for example, our [report on the Welsh Government's Legislative Consent Memoranda on the on the Levelling-up and Regeneration Bill](#), February 2023; our [report on the Welsh Government's Legislative Consent Memoranda on the Retained EU Law \(Revocation and Reform\) Bill](#), February 2023; and our [report on the Welsh Government's Legislative Consent Memorandum on the Victims and Prisoners Bill](#), July 2023.

Recommendation 1. The Minister should explain why the Memorandum was laid nearly 11 weeks after the Bill's introduction.

Provisions requiring legislative consent

23. We note that there are areas of disagreement between the Welsh Government and the UK Government as to which clauses of the Bill require the Senedd's consent.

24. We note the Welsh Government's assessment of the provisions within the Bill which require the consent of the Senedd, as set out in the Memorandum.

25. We agree with the Welsh Government's assessment that clauses 11 and 12 of the Bill make relevant provision for the purposes of Standing Order 29.1, and therefore require the consent of the Senedd.

Conclusion 1. We consider that clauses 11 and 12 of the Bill, as set out in the Memorandum, fall within a purpose within the legislative competence of the Senedd, as described in Standing Order 29, and therefore require the consent of the Senedd.

26. We note that the Welsh Government identifies other clauses in the Bill which it believes require the consent of the Senedd.

27. We further note that the Welsh Government accepts that these clauses do not make relevant provision for the purposes of Standing Order 29, and the Senedd's Standing Orders do not provide an "express basis" for Senedd consent for such provisions. However, it believes that they require consent as that they "impose reserved obligations and functions on Devolved Welsh Authorities" and therefore "impact on devolved matters" for the purposes of the Sewel Convention and section 107(6) of the *Government of Wales Act 2006* (the 2006 Act).

28. It is however unclear to us how the clauses identified impact on devolved matters, in line with section 107(6) of the 2006 Act, since – as the Welsh Government expressly states in the Memorandum – the clauses impose functions and obligations on devolved Welsh authorities in respect of *reserved* matters.

29. As the clauses identified do not therefore make relevant provision for the purposes of Standing Order 29, and do not appear either to require consent for the purposes of section 107(6) of the 2006 Act, it is unclear to us on what basis each of those clauses require the consent of the Senedd.

Conclusion 2. We do not believe that clauses 30, 38 to 40, 42, 43, 46, 47, 51 to 53, 55, 56, 59 to 61, 63 to 65, 71, 72, and Schedule 8 of the Bill, as set out by the Welsh Government in the Memorandum, contain relevant provision for the purposes of the purposes of Standing Order 29.1.

Conclusion 3. The Senedd's consent is not required for clauses 30, 38 to 40, 42, 43, 46, 47, 51 to 53, 55, 56, 59 to 61, 63 to 65, 71, 72 and Schedule 8 of the Bill.

30. We acknowledge that our view on which clauses of the Bill require consent differs in places from the views of the Welsh Government and the UK Government.

31. Within our report on the Welsh Government's Legislative Consent Memoranda on the Leasehold and Freehold Reform Bill, we noted that the Welsh Government and the UK Government could be applying two different tests when considering whether the Senedd's consent is required for provisions in that Bill. We therefore recommended that the Business Committee may wish to review Standing Order 29.1 as part of its ongoing work in relation to the legislative consent process.¹⁹

32. We believe that our consideration of this Memorandum and the differing views that we highlight on which of the Bill's provisions require consent may raise issues that are relevant to the Business Committee's ongoing work. We therefore intend to draw these issues to its attention.

Clauses making provision in respect of nuisance begging and nuisance rough sleeping

33. We note that clauses 38 to 40, 42, 43, 46, 47, 51 to 53, 55, 56, 59 to 61, 63 and 64 of the Bill, as set out in the Memorandum, make provision in respect of nuisance begging and nuisance rough sleeping.

34. We note that the Minister states in the Memorandum:

- these provisions will apply in relation to Wales;²⁰
- the main purpose of these provisions relates to the maintenance of public order and anti-social behaviour – as such, the reservations at

¹⁹ Legislation, Justice and Constitution Committee, [Report on the Welsh Government's Legislative Consent Memoranda on the Leasehold and Freehold Reform Bill](#), March 2024

²⁰ Memorandum, paragraph 23

Sections B5 (paragraph 40) and B6 (paragraph 43) of Schedule 7A to the *Government of Wales Act 2006* are engaged;²¹ and

- the provisions are included in the Memorandum as they confer reserved functions on relevant local authorities in Wales.²²

35. As the Minister states in the Memorandum, the Welsh Government is not in a position to recommend consent in respect of these clauses. It believes the approach taken by the UK Government will likely prevent people who are likely to be affected by the provisions from engaging with services designed to help them.²³

36. As previously stated, the UK Government is of the view that Senedd consent is required for clauses 38 to 47, 51 to 60, 63, 64, 67, 69, 71 and 72 of the Bill, which contain provision in respect of nuisance begging and nuisance rough sleeping.

37. Furthermore, as we have previously stated, because these clauses do not make provision for a purpose within the legislative competence of the Senedd, they do not meet the requirement for Senedd consent under Standing Order 29.1.

38. However, we acknowledge that homeless charities and housing organisations have raised with us their “grave concerns” regarding the impact of these clauses, as they are:

“... dehumanising and could not be further from the general direction of travel in Wales, as outlined in the Ending Homelessness National Action Plan and recently published White Paper on Ending Homelessness.”²⁴

39. They also state:

“... these clauses within the Bill will cause people who are sleeping rough to be displaced into less safe areas. In addition, it will create a break down in trust between people forced to sleep on the streets and the organisations and authorities that can provide them with support. ...”

²¹ Memorandum, paragraph 25

²² Memorandum, paragraph 26

²³ Memorandum, paragraphs 47-54

²⁴ Joint letter from homeless charities and housing organisations which operate in Wales, March 2024

The proposed Bill also seems to be at stark odds with the Wales Safer Communities Network, which seeks a multi-agency and collaborative approach to reducing crime and increasing community safety.”²⁵

40. They conclude in their letter:

“... we support the concerns outlined within the Welsh Government's recently published Legislative Consent Memorandum and agree that “rather than a punitive approach to rough sleeping behaviour, [...] psychologically-informed environments and trauma-informed responses should underpin all interactions with those rough sleeping.

We urge the Committee to also take a firm stance on these highly problematic aspects of the Bill, which fail to address the underlying causes of homelessness and instead serve to perpetuate street sleeping.”²⁶

41. Although the concerns raised relate to matters outside the remit of this Committee, we believe that the UK Government should address them. We have therefore written to the Rt Hon James Cleverly MP, the Home Secretary, to bring these concerns to his attention.²⁷

²⁵ Joint letter from homeless charities and housing organisations which operate in Wales, March 2024

²⁶ Joint letter from homeless charities and housing organisations which operate in Wales, March 2024

²⁷ [Letter to the Home Secretary](#), 19 March 2024

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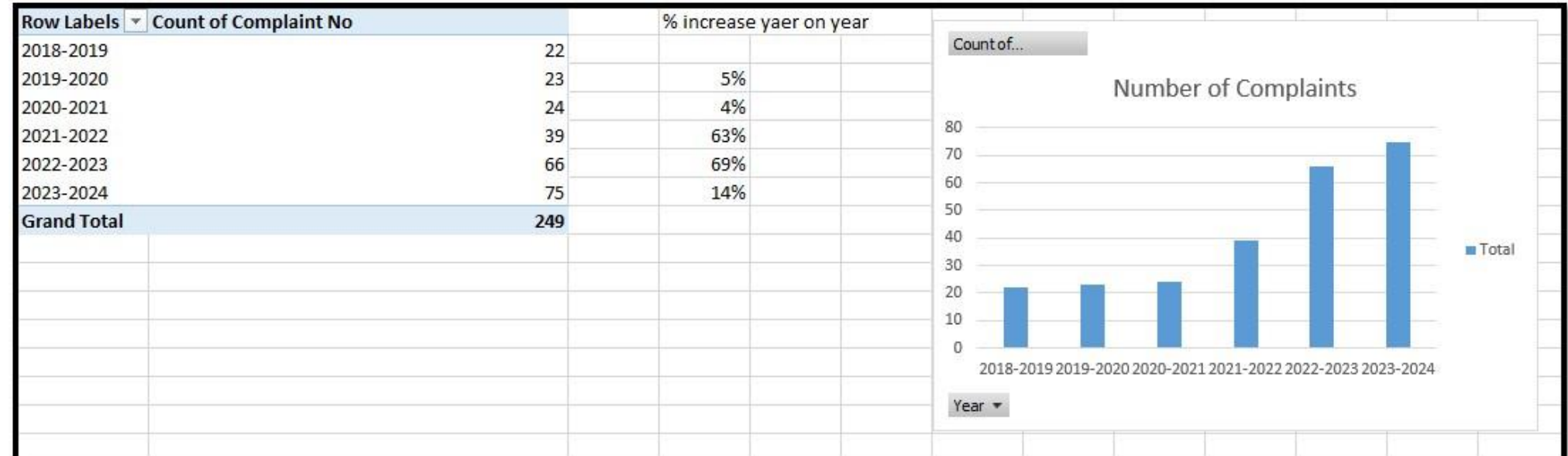
By virtue of paragraph(s) vii of Standing Order 17.42

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Additional evidence supplied by the South Wales Fire and Rescue Service

Complaints Update received/ongoing March 2023 - March 2024

Category	6 year total
Behaviour	23
Behaviour - Bullying & Harassment	21
Behaviour - Social Media	16
Behaviour - respect	16
Driving - Dangerous	11
Driving	10
Confidentiality / Information Governance	10
Information Request	8
Service Delivery - Damage	8
Behaviour - Antisocial	7



Additional evidence supplied by the South Wales Fire and Rescue Service
Information provided by South Wales Fire and Rescue Service regarding Sex and
Ethnicity counts by Service

Employment Criteria

Anyone on temporary promotion is counted in the role they occupy at the date of the report

Due to multiple contracts, totals for groups exceeds the overall headcount analysis. Anyone with more than one contract is counted once in 'All Service - All' reporting. Anyone with both a Uniform and Non-uniform contract is counted once in both in 'All Service Uniform / Non-uniform' reporting. Anyone with a contract in more than one grade group is counted in each grade group.

Staff contracts excluded in report

Report excludes:

- Non-Establishment
- Contract Staff
- Volunteers
- Members/Commissioners
- Sessional Workers
- Agency Workers
- Secondments
- USAR
- National Resilience
- NFCC
- Antisocial Behaviour Gpcc
- Natural Resources Wales.

Redacted Counts: <5

Grade Groups

- Strategic Manager
- Middle Manager (Grade 10-18 / Station Manager - Group Manager)
- Supervisory Manager (Grade 6-9 / Crew Manager - Watch Manager)
- Other (Grade 1-5 / Firefighter)

Post Pay Scale > Grade Group Mapping

Sw Apprentice Technician	Other (Grade 1-5 / Firefighter)
Sw Auxillary Firefighter	Other (Grade 1-5 / Firefighter)
SW Auxillary Firefighter (Control)	Other (Grade 1-5 / Firefighter)
Sw Firefighter Competent (Control)	Other (Grade 1-5 / Firefighter)
Sw Crew Manager Competent (Control)	Supervisory Manager (Grade 6-9 / Crew Manager - Watch Manager)
Sw Watch Manager A Competent (Control)	Supervisory Manager (Grade 6-9 / Crew Manager - Watch Manager)
Sw Station Manager A Competent (Control)	Middle Manager (Grade 10-18 / Station Manager - Group Manager)
Sw Station Manager Development (Control)	Middle Manager (Grade 10-18 / Station Manager - Group Manager)
Sw Group Manager B Competent (Control)	Middle Manager (Grade 10-18 / Station Manager - Group Manager)
Commissioners of SWFRS	n/a
Sw Standards Committee	n/a
Sw Chaplain	n/a
Sw Firefighter Competent All B (Rds)	Other (Grade 1-5 / Firefighter)
Sw Crew Manager Competent All B (Rds)	Supervisory Manager (Grade 6-9 / Crew Manager - Watch Manager)
Sw Watch Manager A Competent All B (Rds)	Supervisory Manager (Grade 6-9 / Crew Manager - Watch Manager)
Sw Grade 9	Supervisory Manager (Grade 6-9 / Crew Manager - Watch Manager)
Sw Grade 7	Supervisory Manager (Grade 6-9 / Crew Manager - Watch Manager)
Sw Grade 10	Middle Manager (Grade 10-18 / Station Manager - Group Manager)
Sw Grade 4	Other (Grade 1-5 / Firefighter)
Sw Grade 8	Supervisory Manager (Grade 6-9 / Crew Manager - Watch Manager)
Sw Grade 11	Middle Manager (Grade 10-18 / Station Manager - Group Manager)
Sw Grade 13	Middle Manager (Grade 10-18 / Station Manager - Group Manager)
Sw Grade 6	Supervisory Manager (Grade 6-9 / Crew Manager - Watch Manager)
Sw Grade 5	Other (Grade 1-5 / Firefighter)

Sw Grade 16	Middle Manager (Grade 10-18 / Station Manager - Group Manager)
Sw Grade 12	Middle Manager (Grade 10-18 / Station Manager - Group Manager)
Business Apprentice	Other (Grade 1-5 / Firefighter)
Sw Grade 14	Middle Manager (Grade 10-18 / Station Manager - Group Manager)
Sw Grade 18	Middle Manager (Grade 10-18 / Station Manager - Group Manager)
Sw Grade 17	Middle Manager (Grade 10-18 / Station Manager - Group Manager)
Sw Doctor	n/a
SW Nurse Band 5	Supervisory Manager (Grade 6-9 / Crew Manager - Watch Manager)
ICT Apprentice	Other (Grade 1-5 / Firefighter)
Sw Hos	Strategic Manager
Sw Nurse Band 6	Middle Manager (Grade 10-18 / Station Manager - Group Manager)
Sw Grade 15	Middle Manager (Grade 10-18 / Station Manager - Group Manager)
Sw Aco	Strategic Manager
Sw Nurse Band 7	Middle Manager (Grade 10-18 / Station Manager - Group Manager)
Sw Treasurer	Strategic Manager
Sw Volunteers	n/a
Sw Firefighter Competent	Other (Grade 1-5 / Firefighter)
Sw Crew Manager Competent	Supervisory Manager (Grade 6-9 / Crew Manager - Watch Manager)
Sw Group Manager A Competent	Middle Manager (Grade 10-18 / Station Manager - Group Manager)
Sw Hdim	n/a
Sw Watch Manager A Competent	Supervisory Manager (Grade 6-9 / Crew Manager - Watch Manager)
Sw Station Manager A Competent	Middle Manager (Grade 10-18 / Station Manager - Group Manager)
Sw Watch Manager B Competent	Supervisory Manager (Grade 6-9 / Crew Manager - Watch Manager)
Sw Group Manager B Competent	Middle Manager (Grade 10-18 / Station Manager - Group Manager)
Sw Usar Team Member	n/a
Sw Usar Deputy Team Leader	n/a
Sw Usar Team Leader	n/a

Sw Area Manager B Competent	Strategic Manager
Sw Dcfo	Strategic Manager
Sw Cfo	Strategic Manager
Sw Acfo	Strategic Manager
Sw Station Manager B Competent	Middle Manager (Grade 10-18 / Station Manager - Group Manager)
Sw Yff Branch Manager	Supervisory Manager (Grade 6-9 / Crew Manager - Watch Manager)
Sw Yff Instructor	Other (Grade 1-5 / Firefighter)

Ethnicity

Ethnicity counts come from employee self-identity with one of the Ethnic Origin Groups listed in the information collection system. The staff cohort at the time of this report self-identified into one of the following groups.

We recognise that these groups do not align with the standard ethnicity groupings in Census reporting. We are working on making sure that we enable staff to identify with the standard groups in the future.

- Black (African)
- British
- English
- European
- Irish
- Mixed (Asian / White)
- Mixed (Black Caribbean / White)
- Mixed (Other)
- Other ethnic group
- Scottish
- Traveller
- Welsh
- White
- Prefer not to say
- not disclosed

Sex and Ethnicity data – All Services

ALL

By count and share- sex

Sex	Count	Share
Female	293	18%
Male	1345	82%
Total	1638	

By count and share- ethnicity

Ethnic Origin Description	Count	Share
Black (African)	<5	-
British	401	24%
English	19	1%
European	<5	-
Irish	<5	-
Mixed (Asian / White)	<5	-
Mixed (Black Caribbean / White)	<5	-
Mixed (Other)	<5	-
not disclosed	686	42%
Other - Can Specify Below In Notes Box	16	1%
Prefer Not To Say	27	2%
Scottish	<5	-
Traveller	<5	-
Welsh	447	27%
White	32	2%
Total	1638	

UNIFORM STAFF

By count and share- sex

Sex	Count	Share
Female	119	9%
Male	1207	91%
Total	1326	

By count and share- ethnicity

Ethnic Origin Description	Count	Share
Black (African)	<5	-
British	321	24%
English	18	1%
European	<5	-
Irish	<5	-
Mixed (Asian / White)	<5	-
Mixed (Black Caribbean / White)	<5	-
Mixed (Other)	<5	-
not disclosed	584	44%
Other ethnic group	14	1%
Prefer Not To Say	26	2%
Scottish	<5	-
Traveller	<5	-
Welsh	336	25%
White	17	1%
Total	1326	

NON-UNIFORM STAFF

By count and share- sex

Sex	Count	Share
Female	177	52%
Male	166	48%
Total	343	

By count and share- ethnicity

Ethnic Origin Description	Count	Share
Black (African)	0	0.0%
British	86	25.1%
English	2	0.6%
European	0	0.0%
Irish	0	0.0%
Mixed (Asian / White)	0	0.0%
Mixed (Black Caribbean / White)	0	0.0%
Mixed (Other)	0	0.0%
not disclosed	117	34.1%
Other ethnic group	<5	-
Prefer Not To Say	<5	-
Scottish	0	0.0%
Traveller	0	0.0%
Welsh	117	34.1%
White	17	5%
Total	343	

Additional evidence supplied by the South Wales Fire and Rescue Service

Information provided by South Wales Fire and Rescue Service regarding Sex and Ethnicity counts by Grade

SEX AND ETHNICITY BY GRADE- ALL GRADES

By count and percentage- sex

Grade	Female		Male	
Other (Grade 1-5 / Firefighter)	156	15%	874	85%
Supervisory Manager (Grade 6-9 / Crew Manager - Watch Manager)	108	20%	431	80%
Middle Manager (Grade 10-18 / Station Manager - Group Manager)	37	24%	117	76%
Strategic Manager	4	29%	10	71%

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By count- ethnicity

Grade	Black (African)	British	English	European	Irish	Mixed (Asian / White)	Mixed (Black Caribbean / White)	Mixed (Other)	Other ethnicity	Scottish	Traveller	Welsh	White	Prefer not to say	Not Disclosed
Other (Grade 1-5 / Firefighter)	<5	187	6	<5	<5	<5	<5	<5	8	<5	<5	200	17	23	579
Supervisory Manager (Grade 6-9 / Crew Manager - Watch Manager)	0	184	12	0	0	<5	0	0	6	0	0	204	14	5	113
Middle Manager (Grade 10-18 / Station Manager - Group Manager)	0	49	<5	0	0	0	0	0	<5	0	0	79	<5	<5	17
Strategic Manager	0	5	0	0	0	0	0	0	0	0	0	8	<5	0	0

By percentage- ethnicity

Grade	Black (African)	British	English	European	Irish	Mixed (Asian / White)	Mixed (Black Caribbean / White)	Mixed (Other)	Other ethnic group	Scottish	Traveller	Welsh	White	Prefer not to say	Not disclosed
Other (Grade 1-5 / Firefighter)	-	18%	1%	-	-	-	-	-	1%	-	-	19%	2%	2%	56%
Supervisory Manager (Grade 6-9 / Crew Manager - Watch Manager)	0.0%	34%	2%	0.0%	0.0%	-	0.0%	0.0%	1%	0.0%	0%	38%	3%	1%	21%
Middle Manager (Grade 10-18 / Station Manager - Group Manager)	0.0%	32%	-	0.0%	0.0%	0.0%	0.0%	0.0%	-	0.0%	0%	51%	-	-	11%
Strategic Manager	0.0%	36%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0%	57%	-	0.0%	0.0%

UNIFORM

By number and ethnicity- sex

Grade	Female		Male	
	Count	Percentage	Count	Percentage
Other (Grade 1-5 / Firefighter)	95	10%	830	90%
Supervisory Manager (Grade 6-9 / Crew Manager - Watch Manager)	19	5%	353	95%
Middle Manager (Grade 10-18 / Station Manager - Group Manager)	6	7%	82	93%
Strategic Manager	0	0%	7	100%

By count- ethnicity

Grade	Black (African)	British	English	European	Irish	Mixed Asian / White	Mixed Black Caribbean / White	Mixed (Other)	Other - Can Specify Below In Notes Box	Scottish	Traveller	Welsh	White	Prefer Not To Say	Not disclosed
Other (Grade 1-5 / Firefighter)	<5	162	<5	<5	<5	<5	<5	<5	8	<5	<5	164	13	23	541
Supervisory Manager (Grade 6-9 / Crew Manager - Watch Manager)	0	147	12	0	0	<5	0	0	5	0	0	142	5	4	56
Middle Manager (Grade 10-18 / Station Manager - Group Manager)	0	28	<5	0	0	0	0	0	<5	0	0	55	0	<5	<5
Strategic Manager	0	<5	0	0	0	0	0	0	0	0	0	5	0	0	0

By percentage- ethnicity

Grade	Black (African)	British	English	European	Irish	Mixed (Asian / White)	Mixed (Black Caribbean / White)	Mixed (Other)	Other ethnic group	Scottish	Traveller	Welsh	White	Prefer not to say	Not disclosed
Other (Grade 1-5 / Firefighter)	-	18%	-	-	-	-	-	-	0.9%	-	-	18%	1%	2%	58%
Supervisory Manager (Grade 6-9 / Crew Manager - Watch Manager)	0.0%	40%	3%	0.0%	0.0%	-	0.0%	0.0%	1%	0.0%	0.0%	38%	1%	1%	15%
Middle Manager (Grade 10-18 / Station Manager - Group Manager)	0.0%	32%	-	0.0%	0.0%	0.0%	0.0%	0.0%	-	0.0%	0.0%	63%	0.0%	-	-
Strategic Manager	0.0%	-	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	71%	0.0%	0.0%	0.0%

NON-UNIFORM

By number and ethnicity- sex

Grade	Female		Male	
	Count	Percentage	Count	Percentage
Other (Grade 1-5 / Firefighter)	66	55%	53	45%
Supervisory Manager (Grade 6-9 / Crew Manager - Watch Manager)	89	52%	83	48%
Middle Manager (Grade 10-18 / Station Manager - Group Manager)	31	47%	35	53%
Strategic Manager	4	57%	3	43%

By count- ethnicity

Grade	Black (African)	British	English	European	Irish	Mixed (Asian / White)	Mixed (Black Caribbean / White)	Mixed (Other)	Other ethnic group	Scottish	Traveller	Welsh	White	Prefer not to say	Not disclosed
Other (Grade 1-5 / Firefighter)	0	25	<5	0	0	0	0	0	0	0	0	41	<5	<5	46
Supervisory Manager (Grade 6-9 / Crew Manager - Watch Manager)	0	39	0	0	0	0	0	0	<5	0	0	63	9	<5	59
Middle Manager (Grade 10-18 / Station Manager - Group Manager)	0	21	0	0	0	0	0	0	<5	0	0	24	4	0	16
Strategic Manager	0	3	0	0	0	0	0	0	0	0	0	<5	<5	0	0

By percentage- ethnicity

Grade	Black (African)	British	English	European	Irish	Mixed (Asian / White)	Mixed (Black Caribbean / White)	Mixed (Other)	Other ethnic group	Scottish	Traveller	Welsh	White	Prefer not to say	Not disclosed
Other (Grade 1-5 / Firefighter)	0.0%	21%	-	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	34%	-	-	39%
Supervisory Manager (Grade 6-9 / Crew Manager - Watch Manager)	0.0%	23%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	-	0.0%	0.0%	37%	5%	-	34%
Middle Manager (Grade 10-18 / Station Manager - Group Manager)	0.0%	32%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	-	0.0%	0.0%	36%	6%	0.0%	24%
Strategic Manager	0.0%	43%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	-	-	0.0%	0.0%

Additional evidence supplied by the Mid and West Wales Fire Service

Senedd Information Request for return 29 March 2024

Q1. Numbers and percentages of women at all levels of the service, including at senior level, front line (firefighters) and other roles.

	Wholetime		On-Call		Control		Support	
	Number	%	Number	%	Number	%	Number	%
Strategic Manager	0	0	*		*		2	0.80%
Middle Manager	9	2.20%	*		2	6.70%	8	3.30%
Supervisory Manager	8	1.69%	5	0.70%	4	13.30%	74	31%
Firefighter - Grade 3-5	26	5.50%	43	6.40%	10	33.30%	52	21.60%

* No posts at this level

Q2. Numbers and percentages of people from minority ethnic groups at all levels of the service, including at senior level, front line and other roles.

	Wholetime		On-Call		Control		Support	
	Number	%	Number	%	Number	%	Number	%
Strategic Manager	0		0		0		0	
Middle Manager	1	0.20%	0		0		0	
Supervisory Manager	1	0.20%	1	0.10%	0		1	0.40%
Firefighter / Grade 3-5	1	0.20%	7	0.10%	0		0	

Q3. Number and percentages of women who are authority members

8 authority members (32%)

Q4. Number and percentages of people from minority ethnic groups who are authority members.

Data not held for all authority members but will be requested.

Q5 – A breakdown of the types of complaints that have been received. As referred to by Sioned Williams in paragraph 249 of the transcript.

Reporting period 01 April 2023 to 31 March 2024 (date arising) including on-going cases (to-date)

Nature	Internal complaint	External complaint
Misogynistic nature	1	1
Racist nature	2	0
Sexist nature (including male-female, and female-male)	2	2
Homophobic nature	0	0
Sexual nature (range of allegations including Section 5)	2	7
Child related (abuse/neglect/Section 5)	0	1
TOTAL	7	11

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