

Communities, Equality and Local Government Committee

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Dyddiad:
14 July 2011

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Cynulliad
Cenedlaethol
Cymru

National
Assembly for
Wales



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Agenda

- 1. Introduction and apologies**
- 2. Formal agreement of nomination for the Welsh Language Commissioner selection panel**
- 3. Communities, Equality and Local Government – Discussion of issues within the portfolio and proposals for the Forward Work Programme**
- 4. Papers to Note** (Pages 1 – 79)

Agenda Item 4

National Assembly for Wales
Communities and Culture Committee

Legacy Report

March 2011



The National Assembly for Wales is the democratically elected body that represents the interests of Wales and its people, makes laws for Wales and holds the Welsh Government to account.

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National Assembly for Wales
Communities and Culture Committee

Legacy Report

March 2011



The Communities and Culture Committee

The main function of scrutiny committees is to examine within their remit the expenditure, administration and policy of the government and associated public bodies.

The Communities and Culture Committee's remit covers:

- housing;
- community safety;
- community Inclusion including Communities First and the Spatial Plan;
- Welsh Language, sport and culture.

Powers

The Committee was established on 26.6.07 as one of the Assembly's scrutiny committees. Its powers are set out in the National Assembly for Wales' Standing Orders, particularly SO 12. These are available at www.assemblywales.org

Committee membership



Sandy Mewies
(Chair)
Delyn
Labour



Mohammad Asghar
South Wales East
Welsh Conservative Party



Eleanor Burnham
North Wales
Welsh Liberal Democrats



Alun Davies
Mid and West Wales
Labour



Mark Isherwood
North Wales
Welsh Conservative Party



Bethan Jenkins
South Wales West
Plaid Cymru



Dai Lloyd
South Wales West
Plaid Cymru



Lynne Neagle
Torfaen
Labour



Joyce Watson
Mid and West Wales
Labour

The following Members were also members of the Committee during its existence:



Janice Gregory
(Former chair)
Ogmore
Labour



Peter Black
South Wales West
Liberal Democrats



Paul Davies
Preseli Pembrokeshire
Welsh Conservative Party



Nerys Evans
Mid and West Wales
Plaid Cymru



Lesley Griffiths
Wrexham
Labour



Alun Cairns
South Wales West
Welsh Conservative Party

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Chair's foreword

I have been privileged to be Chair of the Communities and Culture Committee since January 2010. During the last 15 months, the Committee has engaged in a wide variety of important, and indeed sometimes controversial, investigations and inquiries.

I am very grateful to all Members of the Committee, both past and present, for their commitment to holding the Welsh Government to account. Whether in scrutinising Ministers, speaking with children in secure estates, or taking questions from the public on the content of the Committee's reports, I have always been indebted to their professionalism and dedication. I would like to thank and pay tribute to the work of Janice Gregory AM for her work in chairing this committee between September 2007 and December 2009. All members of the Committee are quite rightly proud of the Committee's achievements, but we also recognise that there is much more to be done. These are harsher economic times than those which met the beginning of the Third Assembly, and it is more critical than ever that every penny of public expenditure is used effectively on behalf of Wales and its people. At the same time, it is imperative that money is not stripped away from vulnerable minorities, or from the tackling of 'hidden issues,' such as domestic abuse, in favour of other more 'popular' issues.

For this reason, we have developed this legacy report- to provide a useful 'starting point' for our successor committee(s) as they consider what work to undertake. Clearly this will be only one of several resources for the new committee(s) to draw upon, but we hope it will be helpful to them both in suggesting potential areas for beginning their scrutiny, and to inform them of ways of working that we have found to be particularly effective in the past.

Finally, on behalf of the Committee, I would like to offer my sincere thanks to all those individuals and organisations who gave us the benefit of their experience and advice over the last 4 years: whether through formal committee meetings, written papers, questionnaires or informal dialogue during our visits. Without their expertise and hard work, it would have been impossible for us to carry out our role.

Our recommendations to our successor committee(s)

Our recommendations to our successor committee(s) are summarised below, in the order they appear in this report. Please refer to the relevant pages of this report to see the context in which we have made these recommendations.

Recommendation 1. We recommend that our successor committee(s) have regard for previously identified areas of concern in the Welsh Government's draft budget proposals. (Page 11)

Recommendation 2. We recommend that our successor committee(s) give consideration and regard to petitions submitted to the National Assembly for Wales, when determining the subjects of Committee inquiries. (Page 13)

Recommendation 3. We recommend that our successor committee(s) continue to have a particular focus on the Welsh Government's efforts to tackle domestic violence. (Page 19)

Recommendation 4. We recommend that our successor committee(s) monitor the Welsh Government strategic support for, and endorsement of, financial education campaigns developed by partners. (Page 28)

Recommendation 5. We recommend that our successor committee(s) give consideration to conducting a further inquiry into how broadcasting (in all media forms) is functioning in Wales. (Page 30)

1. The Communities and Culture Committee of the Third Assembly

Who are we?

1. The Communities and Culture Committee is a cross party committee of the National Assembly for Wales, made up of Members from all 4 political parties represented at the Assembly.
2. The Committee was established on 26 June 2007 as one of the National Assembly for Wales's four scrutiny committees.
3. The Committee is not part of the Welsh Government. Rather, the Committee is responsible for examining the expenditure, administration and policy of the Welsh Government, and associated public bodies, particularly in relation to Housing, Community Safety, Community Inclusion, the Welsh Language, Sport and Culture.

What is a legacy report?

4. On 24 March 2011, the Communities and Culture Committee met for a final time before the Assembly elections on 5 May 2011, which will establish the Members of the fourth Assembly.
5. At this time, we don't know how Committees will be organised in the fourth Assembly. We don't know whether a single Committee or several will carry forward the role of examining the expenditure, administration and policy of the Welsh Government, and associated public bodies.
6. But we do know that matters relating to Housing, Community Safety, Community Inclusion, the Welsh Language, Sport and Culture will continue to be examined by our successor committee(s).
7. For this reason, we have created this legacy report, with the intention of informing our successor committee(s) about:
 - ways of working that we've found to be particularly useful, and reflections on our experiences;
 - the specific inquiries that we've completed during this assembly;

- and issues that we've identified, which the forthcoming elections prevent us examining, but which our successor committee(s) may wish to take forward.

Useful ways of working

8. Most Scrutiny Committees have four broad areas of work:
- regular scrutiny of the Welsh Government's (and associated public bodies') expenditure, administration and policy;
 - intense scrutiny of the Welsh Government's (and associated public bodies') expenditure, administration and policy;
 - monitoring of relevant UK, EU and UN legislative proposals;
 - external engagement.

Regular scrutiny of the Welsh Government and associated public bodies

9. We progressed this area of work with regular 'general scrutiny' meetings with the Minister for Social Justice, the Minister for Heritage and the Deputy Minister for Housing. We tended to conduct one of these 'general scrutiny' sessions once per term, in which we held one of the Ministers to account on a range of issues which were both within the Committee's remit, and the Minister's portfolio.

10. We also scrutinised, on an annual basis, the Welsh Government's draft budget proposals, sending a report of our findings to Finance Committee each year.

11. Notably, following the publication of the Welsh Government's 2011-2012 draft budget, we received evidence from the Wales Council for Voluntary Action (WCVA) detailing a number of areas of concern in the draft budget for voluntary organisations. Although we scrutinised many of these issues, we anticipate that our successor committee(s) may have a particular interest in the WCVA's specified areas of concern in years 2 and 3 of the draft budget.¹ For example, the WCVA noted that while funding for domestic abuse was "stable in year one,"² it "drops 28.6% in year 2 and 40% in year 3."³

¹ CC(3)-18-10 paper 8

² CC(3)-18-10 paper 8

³ CC(3)-18-10 paper 8

We recommend that our successor committee(s) have regard for previously identified areas of concern in the Welsh Government's draft budget proposals.

Intense scrutiny of the Welsh Government and associated public bodies

12. We stated in several of our reports that we often:

“do this work by holding an inquiry into a particular issue. This involves us speaking with lots of different people to gather evidence about what's happening about a particular issue, before presenting our findings to the Welsh Government. This enables us to hold Welsh Government Ministers' work to account, and also allows us to suggest recommendations on how the Welsh Government could improve its work in relation to a particular issue.”⁴

13. As a Committee, in determining the subjects of our inquiries, we gave consideration to:

- our own ideas as individual Members, based on our political and personal experiences and interests;
- suggestions from Stakeholders, through contact with the Committee as a whole, or with individual Members;
- issues raised in the course of the wider proceedings of the National Assembly for Wales (such as Petitions submitted to the Petitions Committee);
- analyses of emerging potential issues of concern within the Committee's remit, identified by the Members' Research Service.

14. In identifying which inquiries to prioritise undertaking, we considered:

- the relation of the inquiry's scope to our own remit;⁵

⁴ See, for example: Communities and Culture Committee, Making the Most of the Private Rented Sector, 4 February 2011, Para 3.

⁵ All our inquiries focussed on subjects within our remit, but as Committees' remits were broad, in prioritising inquiries, we also considered whether any other Committees were undertaking similar inquiries. We also sought- over the course of the 3rd Assembly- to cover a wide range of issues across our remit, rather than solely on one area of our remit.

- the potential impact of a Committee inquiry;⁶
- what we would need to conduct the inquiry.⁷

15. Sometimes we identified a broad area that we would wish to conduct an inquiry into, and then subsequently ascertained the specific issues we wanted to examine. For example, in determining the focus of our inquiry into ‘Youth Justice’ we decided to formally consult a number of key stakeholders, with a clear strategic interest or expertise in the area of youth justice, to help inform the scope of the inquiry. Such stakeholders were asked to consider 5 specific questions in their written response to the Committee. We received written responses from 8 Consultees to this short consultation exercise (including from the Minister for Health and Social Services). As a result of this consultation, we decided that our Youth Justice inquiry would have a particular focus on ‘the experiences of Welsh Children in the secure estate.’

16. Although none of our inquiries were directly indebted to petitions submitted to the National Assembly for Wales, we liaised with Petitions Committee on matters relating to two of our inquiries. In our inquiry into ‘Financial Inclusion and the Impact of Financial Education’ we noted that Shelter Cymru had submitted a petition calling for “the Assembly to apply pressure on the Welsh Government to include information and education about leaving home in the national curriculum.”⁸ We recognised that there was “overlap between the petition and... our inquiry into financial inclusion.”⁹ Similarly, in our report on ‘the accessibility of arts and cultural experiences in Wales’ we recognised that:

⁶ While we considered it important to not pre-empt the conclusions of our inquiry, in deciding whether to prioritise an inquiry, we considered whether there was any evidence (including anecdotal evidence) to suggest the people of Wales, or specific groups of people in Wales, would benefit from an inquiry. Similarly, we considered whether the subject of a potential inquiry was of obvious public concern or controversy. We also considered what stage the Welsh Government was at in its own decision making processes, enabling us to have a better idea of any key deadlines we needed to meet for influencing policy or legislation.

⁷ For example, we gave consideration to the particular resource implications and timescales (including Committee Meeting slots) that would be needed for undertaking particular inquiries.

⁸ National Assembly for Wales, Record of Proceedings, Communities and Culture Committee, 20 May 2010, Para 64

⁹ Ibid

“the National Assembly for Wales’ Petitions Committee is currently considering petitions submitted by individual organisations involved in delivering Theatre in Education who have had their funding discontinued. We look forward to the Petitions Committee’s consideration of these individual organisations’ petitions.”¹⁰

17. We consider that there is considerable merit in our successor committee(s) giving consideration to petitions submitted to the National Assembly for Wales.

We recommend that our successor committee(s) give consideration and regard to petitions submitted to the National Assembly for Wales, when determining the subjects of Committee inquiries.

18. The length of our inquiries varied. For example, we agreed terms of reference for our inquiry into ‘Youth Justice: the experiences of Welsh Children in the Secure Estate’ in March 2009, and reported in February 2010. By contrast, we agreed terms of reference for an inquiry into ‘the Potential Impact of the UK Government’s Police Reform and Social Responsibility Bill for Community Safety in Wales’ on 13 January 2011, and sent a report of our findings to the UK Parliament’s Public Bill Committee on 17 February 2011.

19. We consider there to be merit in both lengthy, in-depth inquiries and short, tightly focussed pieces of work, and consider that our successor committee(s) could usefully pursue both types of inquiry, dependent on the subject of their investigations.

Monitoring of relevant UK, EU and UN legislation

20. We sought to maintain an awareness of relevant legislative proposals, for consideration in our forward work planning. This was primarily achieved through analyses of emerging potential issues of concern within the Committee’s remit, identified by the Members’ Research Service.

21. Notably, we conducted a short inquiry into the potential impact of the UK Government’s Police Reform and Social Responsibility Bill for Community Safety in Wales. The responsibility for policing and licensing falls outside the remit of the Welsh Government, and as such,

¹⁰ Communities and Culture Committee, The accessibility of arts and cultural activities in Wales, 3 February 2011, Para 255

we did consider whether or not it would be appropriate for us to scrutinise the impact of this legislation. However, we recognised that the police are key partners in delivering many of the Welsh Government's policies. We considered that any changes in the accountability and governance of the police could have a substantial knock-on impact for issues like community safety in Wales, which is both a devolved area of responsibility to Wales, and was within the remit of our committee.

External Engagement

22. External engagement cut across all our areas of work, reflecting the National Assembly for Wales' resolve to 'represent the interests of Wales and its people.'

23. For example, in conducting our inquiries we took evidence from stakeholders through formal mechanisms- such as written papers, and attendance at formal committee meetings. We also recognised the merits of getting information from individuals, small groups or people/organisations who might not readily participate in more formal activities. For this reason we also:

- visited a secure children's home and a range of young offender institutes that housed young Welsh offenders, both in England and Wales (as part of our inquiry into Youth Justice: The experiences of Welsh Children in the Secure Estate). During these visits, we took evidence from both staff and young offenders. The young people were often left alone with us (and the Committee's staff), to create an open atmosphere for them to comment on their experiences of the secure estate;
- visited a range of projects delivering financial education in Wales, and had the opportunity to speak with both adults and children receiving such (as part of our inquiry into Financial Inclusion and the impact of Financial Education);
- issued a questionnaire to gather evidence about the general public's experiences of financial inclusion and financial education, which was made available on the Committee's webpage and was distributed in hard copy to the general public at summer events. 57 questionnaires were anonymously completed.

24. We consider there to be notable value in these less traditional, 'innovative' methods of evidence gathering, and believe they should be utilised by our successor committee(s) where appropriate.

25. We also sought to make our reports accessible. For example, we produced plain English summaries of our reports on 'Youth Justice: the experiences of Welsh Children in the secure estate' and 'Financial Inclusion and the impact of Financial Education.' We also gave stakeholders who had contributed to the development of our inquiries the opportunity to ask us questions about our reports, at several of our report launches (using the BBC's 'Question Time' format).

26. From January 2011, we also made our forward work programmes publically available on the Committee's webpages, so that interested stakeholders could identify issues of potential interest.

27. Finally, we sought to meet ad-hoc requests for information and engagement. For example, several Members of the Committee volunteered to discuss the Committee's work with a group of Kenyan Active Citizens who visited the National Assembly for Wales as part of the British Council's 'Active Citizens' international programme.

Other cross-cutting issues

28. Throughout our work we sought to consider the impact of the Welsh Government's decisions in the light of its cross-cutting commitments, in relation to equality, child poverty and sustainability for example. We would encourage the Fourth Assembly to continue to require all of its Committees to include such issues within their deliberations.

2. Issues within our remit

29. During the course of the third Assembly, we published reports of 10 inquiries (and approved 1 report of an inquiry by our Broadcasting Sub-committee for publication).

30. Recognising that our successor committee(s) may have different remits to our own, these inquiries are loosely organised in this legacy report by the different areas within our remit, rather than by their chronology.

Housing

- Making the Most of the Private Rented Sector in Wales (February 2011);

Community Safety

- Domestic Abuse in Wales (December 2008);
- Youth Justice: The experience of Welsh Children in the Secure Estate (February 2010);
- The impact of the UK Government's Police Reform and Social Responsibility Bill for Community Safety in Wales (February 2011);

Community Inclusion (including Communities First and the Spatial Plan)

- The Funding of Voluntary Sector Organisations in Wales (May 2008);
- Financial Inclusion and the Impact of Financial Education (November 2010);

Welsh Language, Sport and Culture

- Public Service Broadcasting in Wales (June 2009);
- The Welsh Newspaper Industry (June 2009);
- The Promotion of Welsh Arts and Culture on the World Stage (July 2009);
- Making the Most of Major Sporting Events (June 2010).
- The Accessibility of Arts and Cultural Activities in Wales (February 2011)

3. Housing

Making the Most of the Private Rented Sector in Wales (February 2011)

31. We laid our report on ‘Making the most of the Private Rented Sector in Wales’ on 4 February 2011.

32. Our report considered the key issues emerging from its inquiry across 4 chapters:

- the potential of the private rented sector;
- changes that could raise standards within the private rented sector;
- barriers preventing access to the private rented sector;
- the potential for empty homes to be brought back into occupation.

33. Notably, we called for the Welsh Government to produce a specific strategy for making the most of the private rented sector, and advocated that the Welsh Government promote a positive public image of the sector as a tenure of choice.

34. We also recommended that the Welsh Government took appropriate legislative action to enable the introduction of statutory regulation of all letting agencies in Wales.

35. Furthermore, we suggested that the Welsh Government should research the potential effectiveness and feasibility of a mandatory licensing or registration scheme for all managers of private rented sector accommodation (including some landlords) in Wales.

Developments since the publication of the Committee’s report

36. A response from the Minister for Housing, to the Committee’s report, was received on 18 March 2011, which accepted in full, or in principle, all of our recommendations.

37. Given that this report was only published in February 2011, we consider that our successor committee(s) could usefully examine in the future whether the recommendations of our report were effectively being implemented by the new Welsh Government.

4. Community Safety

Domestic Abuse in Wales (December 2008)

38. In April 2008 the Communities and Culture Committee began taking evidence on its inquiry into Domestic Abuse in Wales, and its report was published in December 2008.

Key themes from the inquiry

39. A number of issues emerged during the course of the inquiry and are reflected in the report, including:

- concerns from organisations who felt the Welsh Government's domestic abuse strategy was not being fully implemented, and also a variety of views on the scope of the strategy;
- services and support for people affected by domestic abuse, in particular lack of capacity in refuge and move-on accommodation, gaps in counselling services for children and young people and experiences of survivors seeking help from local authority housing departments;
- the need to meet the needs of different groups of people and the barriers faced by different groups in accessing services;
- the variability in provision of preventative work and challenging cultural attitudes towards domestic abuse by raising awareness and challenging myths about domestic abuse;
- concerns around sustainable funding, variable provision and evaluation of the effectiveness of perpetrator programmes;
- funding issues in relation to children's workers, Sexual Assault Referral Centres, Specialist Domestic Violence Courts, Independent Domestic Violence Advocates and access to legal aid;
- a lack of coherence in multi-agency working and strategic arrangements;
- the need for evaluating, monitoring and research to increase understanding of the prevalence and nature of domestic abuse, and to measure the effectiveness of domestic abuse services.

Developments since the publication of the Committee's report

40. We received oral updates on the implementation of the (accepted) recommendations in our report in October 2009, and in February 2011.

41. The Welsh Government's 'The Right to be Safe' strategy was published in March 2010, along with the 'Violence against Women and Domestic Abuse Implementation Plan 2010-13'.

42. We consider that our successor committee(s) could usefully examine the effectiveness of the Welsh Government's 'The Right to be Safe' strategy in the future. We believe that in the current financial climate, it is particularly important that the tackling of 'hidden issues,' such as domestic abuse, remain priorities in public spending. We therefore believe that it is particularly appropriate for our successor committee(s) to have a continued focus on tackling domestic violence.

We recommend that our successor committee(s) continue to have a particular focus on the Welsh Government's efforts to tackle domestic violence.

Youth Justice: The experiences of Welsh Children in the Secure Estate (February 2010)

43. We published our report on 'Youth Justice: The experiences of Welsh Children in the Secure Estate' on 25 February 2010.

Key themes from the inquiry

44. We considered that 7 key issues emerged in the course of our inquiry, detailed below:

- devolution of the Secure Estate to Wales;
- preventing young people offending;
- responding to young people offending;
- existing provision of secure estate placements in Wales;
- specific issues within the secure estate;
- additional support for specific groups of children and young people in the secure estate;
- staff training;
- resettlement and aftercare.

45. Critically, we recommended that the Welsh Government ask the UK Government to give it devolved responsibility for the juvenile secure estate.

46. One of the key findings of our inquiry was that the Welsh Government's rights-based agenda being delivered for children in Wales was considered by witnesses to be considerably more developed than the agenda delivered by counterparts in Whitehall.

47. Another of our recommendations was to urge the Welsh Government to challenge the public perception of young offenders and dispel the 'hoodie' stereotype. We considered that children and young people are often demonised unfairly. Evidence presented to the committee demonstrated that in many cases, young offenders had been victims of physical and sexual abuse, been lured into drug misuse or had spent time in the care of social services because of problems at home.

48. We also recommended that the Welsh Government review the use of custody and ensure it is only used in appropriate circumstances in

line with the UN Convention on the Rights of Child, and review the availability and suitability of bail accommodation for children and young people in Wales.

49. The report also called for the Welsh Government to continue to engage with the UK Government towards enabling the development of new secure estate placements in Wales, using the Hillside secure unit as a model, and including the development of provision in an appropriate location in North Wales.

Developments since the publication of the Committee's report

50. The Welsh Government accepted in full or in principle 26 of our 28 recommendations.

51. We received an oral update on the implementation of the (accepted) recommendations in the report on 17 March 2011. Notably, the update stated that:

“In the twelve months since the Communities & Culture Committee reported on the experience of Welsh children in the secure estate, there have been significant changes in the public service delivery context. For example, there has been a change in the UK Government and a consequent announcement of the abolition of the Youth Justice Board. However, perhaps the most significant development has been the extent to which public finances have come under pressure as a result of economic downturn and moves to reduce the UK financial deficit. Inevitably this has had a well documented impact on the configuration and availability of public services. The juvenile secure estate is not exempt from this impact.... However, not all the changes over the last year have been negative. We have continued to see a very positive downward trend in the number of children and young people entering the youth justice system, a reduction in the frequency with which young people re-offend and a diminishing juvenile custodial cohort.”¹¹

¹¹ CC(3)-5-11 Paper 1

52. As a result of these changes, the Welsh Government considered that it was no longer “presently viable to commit capital spending on new provision in Wales.”¹²

53. The update also detailed that the Welsh Assembly Government will further examine the principles and financial implications of the recommendations relating to the devolution of youth justice. Cabinet will receive a further paper on this matter in March 2011.

54. Given the significant changes that are continuing to take place in the field of Youth Justice, we consider that there would be considerable merit in our successor committee(s) continuing to scrutinise the Welsh Government’s administration, expenditure and policy in this important area. In particular, our successor committee(s) may wish to ascertain the Welsh Government’s position on the devolution of Youth Justice.

¹² CC(3)-5-11 Paper 1

The potential impact of the UK Government's Police Reform and Social Responsibility Bill for Community Safety in Wales (February 2011)

55. We laid our report on the potential impact of the UK Government's Police Reform and Social Responsibility Bill for Community Safety in Wales on 24 February 2011.

56. Although policing is not a devolved issue in Wales, we carried out the inquiry because the Bill - introduced in the House of Commons in November 2010 - had clauses that provide for distinct arrangements in Wales.

57. Of particular interest to us was the Bill's aim to replace police authorities with directly elected Police and Crime Commissioners from May 2012, with the intention of improving police accountability.

58. In our report we called for the deferral of this process in Wales until its success has been measured elsewhere in the UK.

59. We also recommended that the Welsh and UK Governments work together to ensure that, if the Commissioners and Panels are established in Wales, they would be implemented on the basis of a consensual approach. Our report stated that this would mean the Commissioner and Panel assume an equal role in appointing or dismissing the Chief Constable, setting the precept and agreeing priorities through the local Police and Crime Plan.

60. These two recommendations were voted on by the Committee, with 7 out of 9 Members in favour of them.

61. Other recommendations, agreed by the whole Committee, included the need for the Welsh Government to ensure the UK Government works with Police Authorities to develop a consistent approach to community engagement and partnership working.

62. The report also stated that the Welsh Government should review its policies, including the 'Right to be Safe' strategy for tackling violence against women, to ensure that their objectives can be integrated with the policy landscape resulting from the final Bill.

Developments since the publication of the Committee's report

63. A response from the Welsh Government to this report was not anticipated prior to the dissolution of the third Assembly.

64. We consider that our successor committee(s) could usefully monitor both the Welsh Government's response to this report, and the wider impact of the UK Government's Bill, in relation to Community Safety in Wales.

5. Community Inclusion

The Funding of Voluntary Sector Organisations in Wales (May 2008)

65. In May 2008 we published a report of our inquiry into the funding of voluntary organisations in Wales.

66. In the course of this inquiry many of those that gave evidence said they preferred the term Third Sector rather than voluntary sector, so that terminology is used in this legacy report.

67. There are over 30,000 Third Sector organisations in Wales covering a range of voluntary and community groups, religious organisations, co-operatives, social enterprises and other not-for-profit organisations. Funding for the sector comes from a variety of sources including central and devolved government, local government and public donation.

68. Section 74 of the *Government of Wales Act 2006* requires that the Welsh Ministers must make a scheme (“the voluntary sector scheme”) setting out how they propose, in the exercise of their functions, to promote the interests of relevant voluntary organisations.

Key Themes from the Inquiry

69. In our report we made 25 recommendations to the Welsh Government. A number of issues emerged during the course of the inquiry, including:

- the reliance of the Third Sector on public sector funding (43 per cent of its income);
- the public sector should treat the Third Sector as a strategic partner;
- more needs to be done by the public sector, and other funders, such as the Big Lottery Fund (BIG) to help the Third Sector help itself;
- more practical support should be provided by County Voluntary Councils; and
- short term funding for projects should be avoided as it prevents strategic planning.

Developments since the publication of the Committee's report

70. The Welsh Government provided updates on its progress towards implementing our recommendations in February 2009 and January 2011.

71. The Welsh Government has continued to meet its statutory commitment to maintain a voluntary sector scheme, and to publish annual reports outlining how it supports the sector. The most recent report was for 2008-09.

72. In the context of the increased pressure on public finances, there will clearly be value in our successor committee(s) continuing to examine- in broad terms- the funding of third sector organisations by the Welsh Government.

Financial Inclusion and the Impact of Financial Education (November 2010);

73. On 3 November 2010, we published a report on ‘Financial Inclusion and the Impact of Financial Education,’ highlighting concerns about the availability and standard of financial education in schools and communities in Wales.

74. The report stated that while financial education initiatives were in place, the Welsh Government needed to do more to ensure that they are cohesive, effective and protected from cuts in the tight economic climate.

75. It also highlighted the importance of providing school children with adequate financial knowledge and recommended that the Welsh Government made financial education compulsory in PSE syllabuses.

76. The report noted that we had heard positive evidence of schools working with credit unions to deliver financial education, resulting in changing pupils’ financial habits by promoting responsible spending. To encourage more projects like this, the report urged the Welsh Government to establish a central hub of information for agencies and communities to quickly identify partners and develop links and collaborative projects.

77. It also recommended more engagement in the wider community, including public awareness-raising and protecting and developing the Wales Financial Education Unit – part of the Welsh Government’s Financial Inclusion strategy.

Developments since the publication of the Committee’s report

78. We were pleased that the Welsh Government accepted in full or in principle 11 of our 13 recommendations (with 1 rejected, and 1 being still under consideration at the time of this legacy report).

79. We were disappointed that the Welsh Government stated that it had rejected our recommendation that it consider undertaking a sustained media campaign to help people to understand the benefits of financial inclusion and education. The Welsh Government’s rationale for this decision was that it did not believe this would represent the most effective use of public money.

80. However, in a subsequent plenary debate on our report, the Minister for Social Justice and Local Government clarified that the Welsh Government did:

“endorse the need for raising awareness and understanding of financial issues. I therefore agree that the Assembly Government should be involved in discussions with key stakeholders, such as the north and south Wales financial capability fora, CFEB, the financial inclusion champions and the Welsh financial education unit on how those facilities can be better used to increase financial education across the whole of Wales.”¹³

81. We consider that our successor committee(s) could usefully follow up the Welsh Government’s commitment to strategically support and endorse financial education campaigns developed by key stakeholders.

We recommend that our successor committee(s) monitor the Welsh Government strategic support for, and endorsement of, financial education campaigns developed by partners.

82. More broadly, we consider that our successor committee(s) could usefully monitor the broader implementation of recommendations from this report. We consider that the recommendations of this report are particularly pertinent in the current economic climate, when it is more crucial than ever that people are able to manage their money well.

¹³ National Assembly for Wales, Record of Proceedings, Plenary, 19 January 2011, Page 29.

6. Welsh Language, Sport and Culture

Public Service Broadcasting in Wales (June 2009)

83. Following a referral by the Broadcasting Sub-Committee, we published our report on Public Service Broadcasting in Wales on 9 June 2009.

Key themes from the inquiry

84. A number of issues emerged during the course of the inquiry, including:

- the need to ensure plurality, and the Committee's consideration of options for securing plurality;
- the portrayal of Wales on the network;
- the Broadcasting licence in Wales;
- DAB radio in Wales;
- developing media in Wales.

85. Notably, we recommended that the Welsh Government should urge the UK Government to ensure plurality in English language broadcasting in Wales, especially on ITV. It also called for the establishment of an independent Welsh Media Commission to safeguard plurality in public service broadcasting in Wales. The Welsh Government agreed with our views on plurality, but stated that the establishment of any commission would be dependent on receiving funding from the UK Government.

86. We also recommended that the Broadcasting Act was reviewed in order to create a single commercial licence for Wales. The Welsh Government partially accepted this recommendation, stating that it was pressing on the UK Government to review the current ITV licensing arrangements in Wales.

87. We also called on the Welsh Government to work with broadcasters, independent producers and the BBC to develop a creative hub for the media in Wales. The Welsh Government accepted this recommendation, stating that discussions were underway with the BBC to develop a major production centre in Cardiff.

Developments since the publication of the Committee's report

88. In 2009, the UK (Labour) Government announced plans to establish an Independently Funded News Consortium (IFNC) pilot for channel 3 in Wales – a development which the Welsh Government welcomed. However, the new UK (Coalition) Government announced in 2010 that this pilot would not be going ahead.

89. We received an oral update on the implementation of the recommendations in this report in July 2010.

90. In his 2010 update, the Minister stated that the Welsh Government was still concerned by the current ITV licensing arrangements, and that it would discuss the matter with the UK Government, Ofcom and ITV in light of the regulatory review recently announced by the Secretary of State for Culture, Olympics, Media and Sport.

91. In his 2010 update, the Minister also stated that the Cardiff Media Capital project was progressing, with the BBC Drama Village component at Roath Basin due to become operational in August 2011. The Minister stated that the Welsh Government was actively working with Cardiff Council, the BBC and other stakeholders in order to establish a partnership that would enable further progression.

92. We consider that our successor committee(s) could usefully continue to monitor the progress made by the Welsh Government in addressing our recommendations. With the development of the BBC Drama Village and Cardiff Media Capital project, continued debate over the future of S4C and commercial licenses, and calls for the devolution of the broadcasting function we anticipate that issues associated with broadcasting and the media will have an increasing importance in Wales, economically, culturally and in terms of community inclusion.

We recommend that our successor committee(s) give consideration to conducting a further inquiry into how broadcasting (in all media forms) is functioning in Wales.

The Welsh Newspaper Industry (June 2009)

93. The Broadcasting Sub-committee (of the Communities and Culture Committee) published its report on the Welsh Newspaper Industry on 17 June 2009. The inquiry was initially prompted by concerns about the future of local newspapers in Wales.

94. The sub-committee made 4 recommendations to the Welsh Government, recommending that the Welsh Government should:

- make representations to the UK Government seeking assurances that cross media rules are relaxed to allow exploration of new partnerships;
- make representations to the UK Government seeking assurances that any move to relax regulations relating to cross-media ownership should be accompanied by measures to protect plurality of local media;
- establish a dialogue with newspaper companies and unions to explore means of supporting English language journalism in Wales;
- consider in its strategic approach to advertising taking account of the circulation and penetrations of newspapers involved and ensure that relevant titles are not overlooked. In doing this the Assembly Government should clearly communicate its advertising strategy to Welsh newspaper companies.

Developments since the publication of the sub-committee's report

95. The Communities and Culture Committee received an oral update on the implementation of the recommendations in the sub-committee's report in July 2010. In his update, the Minister reiterated his support for partnership working, and stated that Ofcom has made recommendations about relaxing cross media rules. However, he also stated that the Secretary of State for Culture, Olympics, Media and Sport was reviewing these as a result of the decision not to press ahead with the Independently Funded News Consortia (IFNC) pilot schemes. The Minister also detailed work undertaken with stakeholders to develop skills in the newspaper industry in Wales, including the work of the Wales Union Learning Fund.

Promoting Welsh Arts and Culture on the World Stage (July 2009)

96. We published our report on Promoting Welsh Arts and Culture on the World Stage on 14 July 2009.

Key themes emerging from the inquiry

97. We considered that six key issues emerged in the course of our inquiry, which were:

- the need for a strategic approach;
- the need for funding and support;
- the need for partnership working;
- the role of local authorities and working across the whole of Wales;
- the role of publishing;
- barriers and support for arts practitioners.

98. Notably, we recommended that the Welsh Government should refresh its strategic framework to promote Wales on the international stage, and should provide a firm commitment to expedite a new culture strategy. The Minister accepted these recommendations, although he said that this would not need to entail a full renewal of the *Creative Future* strategy.

99. We also recommended that the Welsh Government should develop wales.com to become the definitive internet site that people consult on Wales. The Welsh Government accepted this recommendation in principle.

100. We also recommended that the Arts Council of Wales and Wales Arts International should explore how to improve the proactive marketing of their services. We also recommended that Wales Arts International should provide and market a support service to help Welsh artists address the practical difficulties of taking their work abroad.

Developments since the publication of the committee's report

101. We received an oral update on the implementation of the recommendations in this report in July 2010.

102. In his update, the Minister for Heritage stated that the First Minister had decided to bring together a Policy Board that would oversee the strategic promotion of Wales's interests abroad. The Minister also stated that the current economic climate meant that it would be inappropriate to develop a new detailed strategy for culture, but that a Culture Summit would be held on 7 July 2010 for key players from the culture sector to discuss the challenges that have arisen as a result of the recession.

103. The Minister also detailed work undertaken by Wales Arts International to pilot a new on-line international calendar of cultural activities for Wales, in parallel with work on the Arts Council of Wales's new website.

104. Regarding the support services for artists, the Minister stated that this work was already partly undertaken through Wales Arts International's participation in the PRACTICS scheme, which is an EU-funded programme that provides administrative support to help artists and cultural workers overcome obstacles in pursuing an international career.

Making the Most of Major Sporting Events (June 2010).

105. The Communities and Culture Committee published its report on 'making the most of major sporting events' on 4 June 2010.

106. The report called for major sporting events in Wales to be enabled to leave lasting legacies, concluding that greater strategic advice and support needed to be provided to event organisers and authorities, to help them to capitalise on the economic benefits and popularity of major sporting events by providing lasting legacies for communities.

107. The report also called for the Welsh Government to explicitly state that major sporting events seeking financial support from public funds would be required to include a post-event strategy.

108. It also recommended that the Welsh Government organise an annual seminar for local authorities, the media, charities, private sector companies, sporting bodies and transport providers, to enable an exchange of good practice, and greater partnership working in the delivery of events.

Developments since the publication of the committee's report

109. The Welsh Government accepted in full or in principle 12 of the report's 14 recommendations.

110. We particularly welcomed the Welsh Government's decision to accept our recommendation that the Major Event Unit should provide event organisers with a central source of practical guidance and advice on the management of such events.

111. We were also pleased that the Minister had accepted our call to establish a national calendar of major events, to enable the development of a strategic spread of events across the calendar.

112. We consider that our successor committee(s) could usefully monitor the implementation of the recommendations in this report in the future, given the relatively recent publication of this report.

The Accessibility of Arts and Cultural Activities in Wales (February 2011)

113. We published our report on ‘the accessibility of arts and cultural activities in Wales on 3 February 2011.

114. The report called for the Welsh Government to put less focus on developing purpose-built venues for staging arts and cultural experiences, and to put more attention and investment in community-based projects to reach a wider audience, particularly those with disabilities or from minority groups.

115. The report urged the Welsh Government to accept that it has an accountability, at a strategic level, for the funding decisions undertaken by Assembly Government Sponsored Bodies, such as the Arts Council of Wales. We also called for the Welsh Government to ensure that the rationale for such decisions was as clear and transparent as possible.

116. The report also suggested that the Welsh Government could bring forward legislation to place a statutory duty on local authorities to support arts and cultural experiences in their local areas. The Committee considered it appropriate to seek a greater level of consistency between local authorities in their support for the arts, without tying their hands excessively.

Developments since the publication of the committee’s report

117. The Welsh Government is expected to respond to the committee’s report in March 2011.

118. We consider that our successor committee(s) could usefully monitor the implementation of the recommendations in this report in the future, given its relatively recent publication.

National Assembly for Wales
Equality of Opportunity Committee

Legacy report

March 2011



The National Assembly for Wales is the democratically elected body that represents the interests of Wales and its people, makes laws for Wales and holds the Welsh Government to account.

An electronic copy of this report can be found on the National Assembly's website:
www.assemblywales.org

Copies of this report can also be obtained in accessible formats including Braille, large print, audio or hard copy from:

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National Assembly for Wales
Equality of Opportunity Committee

Legacy report

March 2011



Equality of Opportunity Committee

The Equality of Opportunity Committee is appointed by the National Assembly for Wales to consider and report on the relevant duties contained in the Government of Wales Act 2006 placed on the Assembly, the First Minister, Welsh Ministers or the Commission.

Powers

The Committee was established on 26 June 2007 as one of the Assembly's scrutiny committees. Its powers are set out in the National Assembly for Wales's Standing Orders, particularly SO 17. These are available at www.assemblywales.org

Current Committee Membership



**Ann Jones
(Chair)**
Vale of Clwyd
Labour



Mohammad Asghar
South Wales East
Welsh Conservative Party



Veronica German
South Wales East
Welsh Liberal Democrats



Janet Ryder
North Wales
Plaid Cymru



Joyce Watson
Mid and West Wales
Labour

Equality of Opportunity Committee 2007-2011 Legacy report to the Fourth Assembly

Introduction

The Equality of Opportunity Committee was established on 26 June 2007. Its remit was to consider and report on the relevant duties contained in the Government of Wales Act 2006 placed on the Assembly, the First Minister, Welsh Ministers or the Commission.

The Committee has carried out an important role in holding the Welsh Assembly Government and the Assembly Commission to account, and through its inquiry work, has provided opportunities for stakeholder groups and members of the public, who might not otherwise get their views heard, to engage in the democratic process. We believe that this important role of scrutinising the duty placed on public bodies to promote and ensure equality can only be sustained by a dedicated Equality of Opportunity Committee, and would strongly recommend that such a committee be established in the Fourth Assembly.

Inquiry work

Accessibility of Polling Stations in Wales

This was the Committee's first inquiry which was published in December of 2007. The aim of the inquiry was to assess the accessibility of polling stations for disabled people in Wales. As part of its findings, we learnt that many people thought access for disabled people at polling stations was improving although it was noted that there was still a long way to go. The Committee made a number of recommendations to the Welsh Government to improve the situation.

The Committee has continued to monitor the progress made by the Welsh Government in implementing the recommendations of this inquiry. In March 2010, the Committee held a further evidence session with representatives from Scope Cymru, the Electoral Commission and the Association of Electoral Administrators to see whether they thought the situation had improved, and followed this up with a session with the Minister for Social Justice and Local Government in September 2010. We noted that while improvements had been made, we were still concerned that further work was needed to ensure that all polling stations were accessible. **We would recommend to our successor Committee that they follow up this issue with the Minister for Local Government to assess what improvements**

were made for the National Assembly for Wales election in May 2011, and what lessons can be learnt for future elections.

Issues affecting Migrant Workers in Wales

The Committee undertook an inquiry into the issues affecting migrant workers in Wales and made a number of recommendations to the Welsh Government. We then followed this up by holding a session with the Minister for Social Justice and Local Government to see how the implementation of the recommendations had progressed. **We would recommend that our successor Committee gives further consideration to this issue in the Fourth Assembly, particularly the employment opportunities for qualified migrant workers.**

We would also recommend that the successor Committee receives an update from the Gangmasters' Licensing Authority on its remit following the passing of the Gangmasters Licensing (Extension to Construction Industry) Bill.

Home Maintenance and Housing Adaptations Services for Older People in Wales

The Committee undertook this inquiry to explore the issues being faced by older people in applying for home maintenance and housing adaptations services. We found that the system of applying for and delivering home adaptation grants to older people across Wales was complex and often inconsistent. We learnt that older people were waiting unacceptably long times for adaptations, and that these waiting times could be longer for people living in different parts of Wales or different types of housing.

One of our recommendations was that the Welsh Government reported annually to the Equality of Opportunity Committee on progress made against the recommendations in the Disabled Facilities Grants Review of 2005, and the recommendations in this report. **We would recommend to our successor Committee that they continue to receive an annual update on the progress of these recommendations.**

Discrimination Experienced by People Living with HIV by Healthcare Professionals and Providers

Following concerns raised by AIDS Trust Cymru, the Committee undertook an inquiry to assess the levels of discrimination experienced by people living with HIV by healthcare professionals and providers. The Committee concluded that the situation had improved since an amendment to the Disability

Discrimination Act in 2005 changed the definition of disability to ensure that people living with HIV were entitled to the same rights against unfair treatment, however further awareness raising was required to improve the situation further. The Committee made a number of recommendations to the Welsh Government to improve the situation.

The Committee was pleased that in her response of June 2010, the Minister for Health and Social Services was able to accept the majority of our recommendations. During the debate in Plenary, the Minister undertook to raise the issue of a national awareness campaign with her counterparts in other UK administrations. Due to time constraints, it has not been possible for this Committee to follow up on the action taken by the Welsh Government to implement our recommendations. **We would therefore urge our successor Committee to undertake a follow up session to ensure that this important issue is not forgotten.**

Accessibility of Railway Stations in Wales

The accessibility of railway stations is an issue that can affect anyone who uses rail services in Wales not just those with a disability, but parents with young children or people struggling with heavy luggage. We heard from many people of the problems they experienced with footbridge only access to platforms, unreliable lifts, large gaps between the train and platform and inaccurate information. Whilst we recognised the constraints around the largely Victorian infrastructure, and welcomed the improvements that had taken place, we felt that much more could, and should, be done to improve the accessibility of railway stations in Wales.

The Committee was pleased that the Deputy First Minister was able to accept all the recommendations we made as part of this inquiry, either in full or in principle. We were particularly pleased that he agreed that the Welsh Government should incorporate station accessibility issues into the specifications for the next round of the Wales and Border franchise. **We would recommend to our successor Committee that they undertake a follow up session with the Minister for Transport and other stakeholders to assess how our recommendations were implemented by the Welsh Government and the impact this has had to improve accessibility.**

The Impact of Welsh Government Policy on the Accessibility of Transport Services for Disabled People in Wales

Following on from our inquiry into the Accessibility of Railway Stations, the Committee decided to undertake a short inquiry

focussing on other aspects of public transport, including the accessibility of bus and taxi services and how all elements integrated with each other. We also explored issues around concessionary travel schemes and how they impacted on people's ability to use public transport. We noted that improvements had been made, but the experiences of some of those we heard from told us that further enhancements were still needed. We hope that some of the practical recommendations we made in this report will result in better experiences for everyone in Wales.

Given the timing of this inquiry so close to the end of this Assembly term, it has not been possible to arrange a Plenary debate on this report. **We do expect the Deputy First Minister to respond to our recommendations and recommend that our successor Committee follows this up with the Minister for Transport to ensure that our recommendations are put into force.**

Other areas of work

Equal Pay

The Equality of Opportunity Committee has been very concerned at the progress of implementing Equal Pay in local government and has continually monitored the situation. The Committee dedicated a number of meetings to this issue and heard from trade unions and employer representatives. We also held a session with the Minister for Social Justice and Local Government and raised our concerns at the amount of time it has taken to rectify the gender pay gap. **We recommend that our successor Committee in the Fourth Assembly continues to monitor the implementation and effects of the Equal Pay Campaign.**

Equality Budgeting

As part of its scrutiny of the draft budget 2011-12, the Committee explored with the Minister for Social Justice and Local Government the mechanisms used by the Welsh Government in assessing the impact of its policies and budget allocations on the different sectors of society. The Committee welcomed the Minister's assurance that the budgetary decisions had been based on an assessment of equality impact, however, we recommended to the Finance Committee that these results should be published. **We would encourage our successor Committee to continue to scrutinise the Welsh Government on the way in which it assesses the equality impact of its policies and budgetary allocations and to push for the publication of the assessment results.**

Scrutiny of Annual Equality Reports

Throughout the Fourth Assembly, the Equality of Opportunity Committee has scrutinised the Assembly Commission and Welsh Government on their annual equality reports. This has been a very important aspect of our scrutiny work to ensure that both institutions put equality matters at the heart of their work. **We would encourage our successor Committee to continue to scrutinise the annual equality reports in this way.**

Service Provision for Disabled Young People

The Committee received an update from the Minister for Children, Education and Lifelong Learning on the progress made since the publication of the report on Service Provision for Disabled Young People by the predecessor Committee in 2007. The Committee acknowledged that a significant amount of time had passed since the publication of this report, and **we would encourage the next Committee to carry out a fresh inquiry, taking evidence from a new group of disabled young people.**

Employment Opportunities for those with a Disability

We have not had an opportunity during this Assembly term to hold an inquiry into the employment opportunities available to those with a disability, however we would like to highlight to our successor Committee this important issue and ask that they consider undertaking work in this area in the Fourth Assembly.

Working with other UK Legislatures

The Equality of Opportunity Committee has built good working relationships with its counterparts in the Scottish Parliament and Northern Ireland Assembly. It has met with both Committees on an annual basis to share experiences and learn from each other's work. **We recommend that the successor Committee builds on this good relationship and continues to hold these valuable meetings with its counterparts to discuss equalities issues.**

Equality of Opportunity Committee
March 2011

National Assembly for Wales
Health, Wellbeing and Local
Government Committee

Legacy report

March 2011



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National Assembly for Wales
Health, Wellbeing and Local
Government Committee

Legacy report

March 2011



Committee Membership

<i>Committee Member</i>	<i>Party</i>	<i>Constituency or Region</i>
Jonathan Morgan (Chair)	Welsh Conservative Party	Cardiff North
Lorraine Barrett	Labour	Cardiff South and Penarth
Veronica German	Welsh Liberal Democrats	South Wales East
Irene James	Labour	Islwyn
Ann Jones	Labour	Vale of Clwyd
Helen Mary Jones	Plaid Cymru	Llanelli
Dai Lloyd	Plaid Cymru	South Wales West
Val Lloyd	Labour	Swansea East
Nick Ramsay	Welsh Conservative Party	Monmouth

Previous Members of the Committee

<i>Committee Member</i>	<i>Party</i>	<i>Constituency or Region</i>
Peter Black	Welsh Liberal Democrats	South Wales West
Alun Cairns	Welsh Conservative Party	South Wales West
Andrew R.T. Davies	Welsh Conservative Party	South Wales Central
Darren Millar	Welsh Conservative Party	Clwyd West
Jenny Randerson	Welsh Liberal Democrats	Cardiff Central

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1. Introduction

1. The purpose of this report is to provide a useful starting point for the Health, Wellbeing and Local Government Committee's successor – to show what we have done during the third Assembly, how we have done it and the lessons we have learned.

Remit and Responsibilities of the Health, Wellbeing and Local Government Committee

2. The Health and Social Services Committee is one of the Assembly's four scrutiny committees established under Standing Order No. 12. Its remit covers the areas of health and social services, local government and public service delivery.

Work and Achievements

3. The Committee's aim over the four years of the third Assembly has been to scrutinise the policies of the Welsh Assembly Government and to monitor their implementation to ensure that the people of Wales have access to health and social care where it is needed and to monitor and scrutinise the work of local government.

4. The Committee met 89 times during the third Assembly. It undertook 16 inquiries, 14 of which culminated in published Committee reports.

5. Work undertaken by the HWLG Committee in the third Assembly can be divided into three main categories:

- budget scrutiny
- general scrutiny of Ministers
- committee inquiries

6. As set out in Standing Order No. 12, one of the main functions of scrutiny committees is to examine, within their remit, the expenditure of the Welsh Government. Therefore, each year, the Committee has scrutinised the draft budget for the following year, by inviting the Ministers with responsibilities for the areas of health, social services and local government to give evidence on the allocations to their main expenditure groups and how they will deliver on their commitments with the funding allocated. The Committee has submitted its findings

from these sessions to the Finance Committee, for inclusion in its final report to the Minister with responsibility for the Welsh Assembly Government budget.

7. The Committee has also held once-termly general scrutiny sessions with the Ministers with responsibility for health and local government matters. Briefings and lines of questioning were not generally commissioned for these sessions.

2. Committee Inquiries in the Third Assembly

Introduction

8. As described in Chapter 1, the Committee undertook 16 inquiries during the third Assembly. This chapter gives an overview of those inquiries and, where appropriate, includes information on follow-up work undertaken by the Committee at the end of the third Assembly.

Workforce Planning for the Health Service and Social Care in Wales

9. In March 2008, the Committee published its [Report on Workforce Planning for the Health Service and Social Care in Wales](#). The inquiry looked at recruitment and retention difficulties for social care staff and the impact of Government policies in those areas. The report made 28 recommendations on areas such as involving Allied Health Professionals and the voluntary sector in the workforce planning system; regional and strategic goals being taken into consideration in workforce planning; and improving the collection of workforce data.

Follow-up March 2011

10. The Committee undertook follow-up work on this inquiry in March 2011, and took oral evidence from the British Medical Association, the British Dental Association, the College of Occupational Therapists, the Chartered Society of Physiotherapy, the Royal College of Nursing, and the Minister for Health and Social Services. In their evidence to the Committee, the British Medical Association, the College of Occupational Therapists and the Chartered Society of Physiotherapy told the Committee that there was limited engagement by LHB managers in the professional fora that were established as a result of the restructuring of the NHS in Wales and that their engagement is vital, as professional fora can provide valuable advice at the planning stage on the capacity for delivering services within their professions.

11. The British Medical Association and the British Dental Association expressed strong concern about the collection of workforce data, including through the electronic staff record, which could categorise non-medical staff in an inaccurate way, leading to anomalies in the data collected.

12. The BDA expressed concern about the lack of dental nurse training courses, particularly in rural areas, and the fact that, although the 22 LHBs have now merged to form seven, each of the former LHBs still seem to have a dental lead, meaning that the BDA has to deal with, effectively, 22 different organisations. The Committee's report had suggested that financial incentives could be used to encourage students from Wales to train in Wales and to encourage newly qualified doctors to work in areas of shortage in Wales. The BMA reported to Committee that little progress has made in this area and that it would like to see more commitment on the future of the NHS Wales bursary and a scheme to widen access to medical schools. The BMA also suggested that the provision of financial incentives is not the only way to achieve this, but that Wales needs to sell its excellent training courses to prospective students outside Wales.

Recommendation

We recommend that a successor committee monitors the issue of workforce planning for the health service and social care.

Assembly Government's Consultation Proposals on the Structure of the National Health Service

13. In June 2008, the Committee published its [Report on the Assembly Government's Consultation Proposals on the Structure of the National Health Service](#). Although the Committee did not feel it appropriate to make recommendations on the merits or otherwise of specific proposals, it outlined a range of issues that it felt the Minister should consider when deciding on her final proposals.

Presumed Consent for Organ Donation

14. In July 2008, the Committee published its [Report on Presumed Consent for Organ Donation](#), looking at whether presumed consent for organ donation should be introduced in Wales and covering issues such as the possible legal framework for a system of presumed consent, the views of the public and interested parties, and how any system in Wales would work in conjunction with the rest of the UK. The report made recommendations on the implementation in Wales of the UK Organ Donation Task Force recommendations, capacity issues, operational issues, and public awareness raising.

Local Service Boards

15. In December 2008, the Committee published its [Report on Local Service Boards](#). This inquiry looked at the progress of the six Local Service Board (LSB) pilots that were running in Wales at the time and how LSBs might develop in the future. The report made 12 recommendations, including recommendations relating to clarifying the role of LSBs; ensuring continuity; seniority of personnel on LSBs; and the scrutiny role of LSBs.

Local Government Overview and Scrutiny Arrangements

16. In March 2008, the Committee published its [Report on Local Government Overview and Scrutiny Arrangements](#). In 2004, the HWLG Committee's predecessor, the Local Government and Public Services Committee (LGPS) Committee, produced a report on the Operation of the New Political Management Structures in Local Government, which contained recommendations for the Assembly Government and Local Government on strengthening the scrutiny role of non-executive councillors. In this inquiry, the HWLG Committee reviewed the progress made in implementing the recommendations of the 2004 report and assessed what further developments were necessary to improve the quality of scrutiny and overview in local government. The report made recommendations relating to increasing support and powers for scrutiny Committees; collaboration and joint working; the funding of the scrutiny and overview function; the Scrutiny Development Fund; training for members of local government scrutiny committees; the career path of council officers; whipping in scrutiny committees; and the party Balance of Scrutiny Committee Chairs.

Follow-up February 2011

17. The Committee undertook follow-up work on this inquiry on 3 February 2011. In that meeting, it was noted that the scrutiny performance of local authorities was still 'extremely patchy'. The Minister stated that he hoped to introduce a minimum standard of scrutiny through the implementation of the Local Government Measure.

18. The lack of transparency with regard to the outcome of local government scrutiny work was also noted in that meeting, in that there is no statutory requirement on the executive of a local government to respond to the reports of scrutiny committees.

19. It was also noted that there was a lack of evidence of work being undertaken to develop the concept of a 'School for Scrutiny', including investigating how the use of academically accredited courses might play a part in developing scrutiny skills. The Minister committed to look again to see whether there was an opportunity to strengthen the accreditation process. Subsequent to the meeting, the Minister made the Committee aware that the WGLA has approached the University of Glamorgan with a view to the university providing a course for councillors from January 2013.

Recommendation

We recommend that a future committee monitors developments in local government overview and scrutiny arrangements.

Equal Pay Arrangements in Local Government

20. In January 2009, the Committee wrote to the former Minister for Social Justice and Local Government, Brian Gibbons, with the findings and recommendations of its [Inquiry into Equal Pay Arrangements in Local Government](#). The Committee made four recommendations relating to establishing the amount of money each authority had spent on implementing equal pay systems; setting a date beyond which Assembly Government funding would no longer be available to local authorities that had not concluded equal pay agreements; that authorities that identify themselves as having no liability for back pay and no need to change pay systems should no longer receive additional funding from the Assembly Government; and that an urgent meeting be convened of all parties involved in the aim of refocusing attention on equal pay arrangements in local government in Wales.

Follow-up February-March 2011

21. The Committee undertook some follow-up work on this inquiry in February and March 2011, taking oral evidence from Unison, the Welsh Local Government Association and the Minister for Social Justice and Local Government.

22. The Committee heard that over half of Wales' local authorities have not yet completed the implementation of single status arrangements, and that this could take several more years. The Committee also heard that the fact that these arrangements are not yet in place in many local authorities could cause serious problems for

the Government's proposals to look at shared services throughout Wales' local authorities in the future.

Recommendation

We recommend that a future committee monitors the implementation of single status arrangements.

Community Mental Health Services

23. In September 2009, the Committee published its [Report on Community Mental Health Services](#). This inquiry looked at the provision of community-based mental health services in Wales for people aged 16-60 years, with a specific focus on the capacity and geographical availability of services; the provision of services for young people over 16 years in transition from children's to adult services; the impact of the effectiveness of community-based services on hospital admissions and delayed transfers of care; the effective co-ordination of health and social care elements of community mental health services; equality issues relating to community mental health services, including those for BME groups. The report made recommendations on establishing a mental health service specifically for young people aged 17-25 that would facilitate transition to adult services at a time that is appropriate for each young person; addressing the weaknesses and variability in community mental health services; improving levels of mental health knowledge and skills amongst staff working in primary care; and increasing the number of mental health nurses and clarifying the role and expectations of mental health services in primary care; ensuring that the rural health plan addresses access to community mental health services by people living in rural areas of Wales.

CAFCASS Cymru

24. Also in September 2009, the Committee published its [Report on CAFCASS Cymru](#), which examined the work of CAFCASS Cymru and reviewed the arrangements for the delivery of CAFCASS services for children and young people in Wales since it was devolved to the Welsh Assembly Government in April 2005. The report made recommendations on advocacy services for children; CAFCASS ensuring a consistent and appropriate approach when making contact with children, family members and other agencies; ensuring a child-centred service; ensuring that CAFCASS Cymru is represented on all

local safeguarding children's boards; and funding for child contact centres.

Follow-up March 2011

25. The Committee undertook some follow-up work on this inquiry in March 2011, taking oral evidence from CAFCASS, the NSPCC and the Deputy Minister for Social Services.

26. CAFCASS told the Committee that work on the following recommendations is still at an early stage, nearly two years on:

We recommend that CAFCASS offers Child Contact Centres in Wales that they already fund, immediate three year funding arrangements at the level of their current funding.

[Recommendation 15]

We recommend that CAFCASS and the Welsh Ministers draw up a funding strategy for all Child Contact Centres in Wales, including those not currently funded, based on the principles outlined in this report. [Recommendation 16]

The Committee was told that CAFCASS were looking at a six to nine month window for completing this work. The Committee's successor may therefore wish to monitor progress on the implementation of these recommendations.

Recommendation

A future committee may wish to monitor progress on the implementation of the recommendations made in the Report on CAFCASS Cymru and keep the situation under review.

Use and Regulation of Sunbeds in Wales

27. In November 2009, the Committee published its [Report on the Use and Regulation of Sunbeds in Wales](#), following issues having been raised about the potential health risks associated with the use of sunbeds and especially the use of unsupervised tanning salons by children. The report made recommendations on setting the minimum age for use of a sunbed at 18 and ensuring full-time supervision of sunbed premises by trained staff.

Stroke Services in Wales

28. In April 2010, the Committee published its [Report on Stroke Services in Wales](#). This inquiry was undertaken as a result of criticism of stroke services in Wales, in particular in the National Sentinel Stroke Audit series of reports published by the Royal College of Physicians, which raised serious concerns about the quality of services. The report made recommendations on increasing the number of specialist stroke units; establishing a national stroke register; and establishing an all-Wales stroke strategy.

Wheelchair Services in Wales

29. In May 2010, the Committee published its [Report on Wheelchair Services in Wales](#). This inquiry was undertaken as a result of criticism of the effectiveness of these services to meet service users' needs. Waiting times for assessment and provision had been of particular concern. The report made recommendations on the structure, strategic direction and operation of the service provided by the NHS; joint working, for example with the voluntary sector and charities; and meeting the wider needs of wheelchair services users.

Neonatal Care in Wales

30. In July 2010, the Committee published its [Report on Neonatal Care in Wales](#). This inquiry looked at the progress in delivering the All-Wales Neonatal Standards and the implementation of the recommendations of the expert group on Neonatal Services. The report made recommendations on funding of neonatal care, staffing in neonatal care units and occupancy levels; neonatal transport services, and the implementation of the All-Wales Neonatal Standards of the expert group established by the Minister.

Local Safeguarding Children Boards in Wales

31. In November 2010, the Committee published its [Report on Local Safeguarding Children Boards in Wales](#). This inquiry examined whether LSCBs were performing effectively and consistently across Wales in strengthening arrangements for protecting and promoting the welfare of children. The report made recommendations on addressing the over-reliance on Social Services Departments; awareness-raising of the role of LSCBs amongst frontline staff; and consulting on a national funding formula for LSCBs.

Post-traumatic Stress Disorder Treatment for Services Veterans

32. In February 2011, the Committee published its [Report on Post-traumatic Stress Disorder Treatment for Services Veterans](#). This inquiry considered the adequacy and suitability of services in Wales, including, among other things, arrangements for raising awareness of PTSD and for signposting treatment and support services; the identification of veterans suffering from PTSD and the collection of data on the prevalence of the condition; the adequacy and suitability of treatment and support services including alcohol and drug misuse treatment services. The report made recommendations on improving data collection on the incidence of PTSD; raising awareness of PTSD among veterans and their families; and improving access to substance misuse services for veterans with PTSD; and the transfer of medical history from the armed services to GP practices.

Orthodontic Services in Wales

33. Also in February 2011, the Committee published its [Report on Orthodontic Services in Wales](#). Among other things, this inquiry looked at the impact of the new dental contract on the provision of orthodontic care; the effectiveness of orthodontic treatment across the various providers; and arrangements for monitoring standards of delivery and outcomes of care within the NHS and the independent sector. The report made recommendations on introducing a standardised UOA rate; the funding of a waiting list initiative to clear the backlog of patients waiting for orthodontic treatment; and addressing the issue of inappropriate referrals.

NHS Reviews

34. The Committee also undertook an [inquiry into the way in which NHS reviews are undertaken and Government guidance on engagement and consultation on changes to health services](#). The Committee wrote to the Minister for Health and Social Services outlining issues that it felt Local Health Boards should take into consideration when undertaking reviews, consultation and engagement in March 2011.

Additional Work: E.coli Outbreak and the Pennington Recommendations

35. The Committee also undertook [work to look at the Government's implementation of the recommendations of the Pennington Report on the E.coli Outbreak in Wales in 2005](#). The Committee invited the First

Minister to give evidence on this subject on 8 July 2010. The First Minister issued a statement on 19 October 2010 outlining progress made. He reported that Professor Pennington had expressed his belief that good progress was being made and the local authorities that had been criticised in his report had “turned themselves around”. In his statement, the First Minister also reported that the FSA’s Food Hygiene Delivery Programme was consulting on guidance principles for food businesses handling raw and ready-to-eat foods; that the FSA’s Social Science Research Unit had commissioned a review of evidence to investigate the culture and behaviours in businesses and enforcement bodies to understand “what works” in securing regulatory compliance, particularly in relation to food safety; and that he had commissioned the FSA to examine the means by which food safety is managed in Wales and make an assessment on the appropriate skills and resources required to do so effectively.

36. The Committee expressed concern at the difference between the figure of £200,000 earmarked by the Government to implement the Pennington recommendations and the figure of £2.75 million suggested by Professor Pennington. The successor committee may wish to consider the amount of funding allocated to implement these recommendations.

Recommendation

A successor committee may wish to monitor the FSA’s work in this area as well as the Welsh Government’s progress in implementing the recommendations addresses directly at them.

3. Future Work

37. The committee(s) of the fourth Assembly may wish to monitor progress on the implementation of recommendations made by the Committee in its inquiries throughout the third Assembly.

38. As described in Chapter 2, the Committee has identified a number of areas that a successor committee may wish to consider. These include workforce planning in the health service and in social care; local government overview and scrutiny arrangements; equal pay arrangements in local government; CAFCASS Cymru; and the Food Standards Agency's work on food safety.

39. A number of Assembly Measures in the fields of health, wellbeing and local government have been agreed by the National Assembly during the course of the third Assembly, including the NHS Redress Measure, and the committee(s) may wish to monitor the impact and effectiveness of legislation in the areas of health, wellbeing and local government.

40. We feel that the successor committee(s) should consider implementing a system of ongoing engagement with the public, including a standing invitation to the public to suggest subjects for committee inquiries. In addition, we feel the committee's forward work programme should be published, to allow stakeholders to feed into it.

Suggestions from Stakeholders and the Public

In February 2011, the Committee wrote to stakeholders asking which areas they would like to see the Committee's successor address in the fourth Assembly. A call for suggestions was also published on the Committee's website. A list of responses is attached at Annex A.

Annex A - Consultation Responses

The following people and organisations responded to the Health, Wellbeing and Local Government Committee's call for areas for the Committee's successor to consider in the fourth Assembly. All consultation responses can be viewed in full at:

http://www.assemblywales.org/bus-home/bus-committees/bus-committees-scrutiny-committees/bus-committees-third-hwlg-home/hwlg-legacy_page.htm

Name	Reference
Abergavenny and Crickhowell Friends of the Earth	HWLG(3)-LEGACY001
Age Cymru	HWLG(3)-LEGACY002
Antur Ystradgynlais	HWLG(3)-LEGACY003
Association for the Welfare of Children in Hospital	HWLG(3)-LEGACY004
BASW – The College of Social Work	HWLG(3)-LEGACY005
British Diabetic Association	HWLG(3)-LEGACY006
British Lung Foundation Wales	HWLG(3)-LEGACY007
Care Council for Wales	HWLG(3)-LEGACY008
Children's Commissioner for Wales	HWLG(3)-LEGACY009
College of Occupational Therapists	HWLG(3)-LEGACY010
Flintshire Community Learning Disabilities Team	HWLG(3)-LEGACY011
Gofal	HWLG(3)-LEGACY012
Andrew Johnson	HWLG(3)-LEGACY013
MacMillan Cancer Support	HWLG(3)-LEGACY014
Neil McKenzie	HWLG(3)-LEGACY015
National Energy Action Cymru	HWLG(3)-LEGACY016
Pathways	HWLG(3)-LEGACY017
Platform 51	HWLG(3)-LEGACY018
Play Wales	HWLG(3)-LEGACY019
Police Authorities of Wales	HWLG(3)-LEGACY020
Susan Riggs	HWLG(3)-LEGACY021
Royal Pharmaceutical Society	HWLG(3)-LEGACY022

Seren	HWLG(3)-LEGACY023
Stonewall Cymru	HWLG(3)-LEGACY024
Jayne Sullivan	HWLG(3)-LEGACY025
Rhiannon Walding	HWLG(3)-LEGACY026
Wales Cancer Alliance	HWLG(3)-LEGACY027
Weight Watchers	HWLG(3)-LEGACY028
Welsh Senate of Older People	HWLG(3)-LEGACY029
Vivienne Williams	HWLG(3)-LEGACY030
Ynys Môn Council	HWLG(3)-LEGACY031

Communities, Equality and Local Government Committee

CELG(4)-01-11 : Paper 4

To: Assembly Committees

From: Committee Service and Legislation Office

Date: July 2011

FOURTH ASSEMBLY COMMITTEES

Establishment and remit of committees

1. This paper provides background information on the new committee structure in the Fourth Assembly and more flexible ways of working.
2. Standing Order 16.1 requires the Assembly to establish committees with power within their remit to:
 - (i) examine the expenditure, administration and policy of the government and associated public bodies;
 - (ii) examine legislation;
 - (iii) undertake other functions specified in Standing Orders; and
 - (iv) consider any matter affecting Wales.
3. In doing this the Business Committee had to ensure that every area of responsibility of the government and associated public bodies, and all matters relating to the legislative competence of the Assembly and functions of the Welsh Ministers and of the Counsel General, are subject to the scrutiny of a committee or committees.
4. The Assembly has decided on a committee structure which gives committees the power to both scrutinise the government and associated public bodies and to scrutinise legislation, within a subject remit. It requires them to fulfil both of these principal functions. This is different from the third Assembly when separate committees existed for these purposes.

5. On 22 June 2011, the Assembly established five committees to carry out the functions set out above. These committees are:
 - Children and Young People Committee
 - Communities, Equality and Local Government Committee
 - Enterprise and Business Committee
 - Environment and Sustainability Committee
 - Health and Social Care Committee
6. The committee remits are broad and, in the main, cut across Ministerial portfolios. However, committees have the flexibility to examine any issue of relevance to the broad remit defined by their titles and are not constrained in examining any issue of relevance.
7. Five additional committees have been established to undertake other functions specified in Standing Orders. European issues are to be mainstreamed into the work of the Constitutional Affairs Committee and the five “thematic” committees.

Principal functions of committees

Scrutiny of legislation

8. Committees have a general power to examine legislation within their remit. In addition, committees will be responsible for scrutinising Government and non-Government Bills referred to them by the Business Committee.

In addition, committees may:

- scrutinise Legislative Consent Memorandums (LCMs) referred to them by the Business Committee; and
- scrutinise UK and European Union legislative proposals (and their implications) that fall within committees’ remits.

Scrutiny of Government and associated public bodies

9. Committees have powers to examine the expenditure, administration and policy of the government and its associated public bodies. The committee

may choose to carry out these functions in a number of ways, for example through:

- regular Ministerial scrutiny meetings and annual budget scrutiny
- intensely scrutinising Welsh Government and associated public bodies policy, administration and expenditure within the Committee's remit, typically through committee inquiries;
- follow up scrutiny of the implementation of recommendations made in previous reports, etc.
- scrutinising the Welsh Government's role in influencing EU policy developments of particular relevance to Wales, within the committee's remit. In particular in terms of shaping the UK negotiating line in Brussels, and promoting Welsh views to the European Commission, European Parliament (including in particular the Welsh MEPs).and through other channels.
- conducting post-legislative scrutiny on legislation relevant to the committees' remits.

10. A major benefit of the new approach to committees is that Members can develop specialist policy knowledge and expertise and apply this to all the scrutiny they are involved in.

Delivering Multiple Roles

11. Although there are a smaller number of committees, this will not alter workload or the amount of time needed to deliver all the activities of committees. This is a radical and challenging system which will require committees to self-manage a demanding and varied programme of work.
12. This will require committees to think about their work plans carefully. There will be a need to be both systematic and flexible in terms of prioritising work and consider ways in which they carry out their tasks to maximise their effectiveness and impact. A paper highlighting these issues is included at Annex A.
13. The five subject-based committees have been established with sufficiently large memberships to enable them to undertake multiple streams of work in formal sub-committees and informal or rapporteur groups as well as continued operation in full committee. This would allow policy and

legislative work to take place simultaneously. As an example, smaller groups could be used to undertake more detailed, specialised inquiries making use of committee membership with a particular interest in the subject area. This flexibility allows committees to be more responsive to varying priorities or sudden changes in the political landscape. It also allows for more efficient use of time given the unpredictability of the legislative workload.

14. Certain of a committee's responsibilities will need to be undertaken following particular procedures. The most obvious of these is the consideration of legislation. There are a range of conventions that were adopted in the Third Assembly that will need to be built in to the system, or to be reviewed, in order that legislation is properly considered whichever committee is undertaking the activity. Guidance will need to be provided as to the undertaking of consideration of legislation in differing circumstances, for example by a full committee or by a sub-committee.
15. To accommodate the workload generated by broad portfolios and joint responsibility for scrutiny of legislation and policy, the weekly timetable will provide significant blocks of time for the use of each committee each week. Each of the five committees has been allocated one and a half days every fortnight in which it can schedule its activity. This is split into a half-day and a whole day on alternate weeks.

Annex A: Suggested strategic approach to work planning

1. This annex outlines a suggested strategic approach to work planning for fourth Assembly committees. The approach is based on good practice developed by some previous committees to determine their work planning. It also takes into account the broader responsibilities of committees, implications of the timing relating to scrutiny of legislation and issues of capacity, in the 4th Assembly. As with the National Assembly for Wales itself, committees may be considered to have 3 broad functions:
 - Make laws for the people of Wales
 - Hold the Welsh Government to account
 - Represent the People of Wales
2. This latter of these typically influences the means by which committees take forward their other two functions, in terms of directly engaging the people of Wales in their work, and ensuring the views of the people of Wales are represented in scrutiny.
3. Committees will have capacity to scrutinise both legislation and policy simultaneously, by making greater use of formal sub-committees, informal groups and rapporteurs etc as well as continued operation in full committee.
4. The main purpose of this suggested strategic approach to determining work is to assist the committee in managing a demanding and varied portfolio of responsibilities. Taking this approach would mean that, in considering a programme of work, the committee would be provided with comprehensive information about all the issues covered by its remit, in a simple format. Based on this information the Committee will be in an informed position to select the issues it wants to consider as part of its forward work plan.

Determining potential work

Implications of the timing of legislative scrutiny on committees' work programmes

5. Committees may be tasked by the Business Committee with considering specific Bills or LCMs. If a referral is made the Business Committee must agree a deadline within which the committee must report. Typically, during the Third Assembly, deadlines were between 6 and 12 working weeks.
6. The volume of legislation dealt with by any one committee will depend on the subject matter of legislation introduced to the Assembly, both Government and non-Government Bills.
7. The timing of the introduction of legislation and the agreement of a reporting deadline will be matters over which committees will have no direct control. As such, in drawing up their work programmes, it will be important for committees to maintain sufficient flexibility to enable them to respond to referrals in a timely way.
8. On 14 June 2011, the First Minister made a statement in Plenary on the Welsh Government's legislative priorities. This will be followed on 12 July 2011 by an announcement of the Government's five-year programme of legislation. While these will give an indication of the subject matter of legislation coming forward in the Fourth Assembly it is not anticipated that specific timings for the introduction of individual pieces of legislation will be included; it is usually the case that Bills are introduced by the government with little warning.

Identifying priorities for scrutiny of the Government and associated public bodies

9. In prioritising their work, a committee may wish to consider:

Covering the breadth of the committee's portfolio

Each committee has a wide ranging remit. Over the course of an Assembly the committee could reasonably be expected to cover major issues across the full breadth of this remit.

The range of responsibilities of the committee

As well as the principle functions of examining specific Bills referred to them by the Business Committee, and undertaking inquiries scrutinising the Government's policy, administration and expenditure, a committee will need to ensure it is undertaking work across the range of their responsibilities. Examples would include:

- directly scrutinising Ministers in relation to their responsibilities;
- scrutinising budget proposals;
- scrutinising UK and European Union legislative proposals and their implications;
- consideration of petitions referred to them by the Petitions Committee;
- conducting post legislative scrutiny to examine the effectiveness of the legislation;
- following up on the implementation of recommendations made; and
- taking a strategic approach to key policy developments at EU level of particular importance to Wales, and scrutinising the implementation of EU funding programmes/initiatives in Wales.

The focus of the inquiry's scope

Inquiries will normally focus on subjects covered by a committee's remit. However, committees' remits are broad and cross cutting, and in prioritising inquiries Members may also wish to consider whether any other committees are undertaking (or have recently undertaken) similar inquiries. They may also wish to take account of similar work being undertaken by other organisations.

There may also be occasions on which co-ordination of work across committees would be of particular value, for example some key EU policy developments cut across a number of policy areas.

The potential impact and outcomes of an inquiry

A committee may wish to consider whether there is any evidence (including anecdotal evidence) to suggest the issue is of clear concern to the people of Wales, or specific groups of people in Wales. Petitions are one way people are able to flag these issues.

Timing may be key to effectiveness for a particular piece of work. Committees may also consider what stage the Welsh Government is at in its own decision making processes, enabling them to maximise their influence. This is likely to necessitate Welsh Government providing committees with information.

Resources that the Committee would need to conduct the scrutiny inquiry.

This may be a useful time for committees to give thought as to whether a specific inquiry could make use of a particularly innovative or ground-breaking method of gathering evidence (examples of things that have been tried in the past are available). Committees may also want to consider at this stage how they might best access expertise needed for the piece of work.

Leighton Andrews AC / AM
Y Gweinidog Addysg a Sgiliau
Minister for Education and Skills



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref
Ein cyf/Our ref SF/LA/5226/11

Ann Jones AM,
Chair of the Communities, Equality
and Local Government Committee,
National Assembly for Wales,
Tŷ Hywel,
Cardiff Bay,
Cardiff.
CF99 1NA.

29 June 2011

Dear Ann,

I am writing following the debate and vote yesterday on the Welsh Language Commissioner (Appointment) Regulations 2011 (“the regulations”). I am pleased that the regulations were approved by the National Assembly and that we can now focus on making the practical arrangements for the appointment of the Commissioner.

During Assembly scrutiny of the Welsh Language (Wales) Measure 2011, Assembly Members expressed their desire to be involved in the appointment process. Accordingly, the regulations provide for an Assembly Member nominated by a relevant committee to sit on the selection panel which will interview candidates and make recommendations to the First Minister in relation to the appointment. The regulations define a “relevant committee” to mean a committee of the Assembly invited by the Welsh Ministers to make a nomination. To that end, on the 20 June 2011, I wrote to the Chair of the Business Committee seeking a nomination. When I invited the Business Committee to nominate, no other committee had been established. However, I recognise that it is now more appropriate for the newly formed Communities, Equality and Local Government Committee, which has responsibility for Welsh language policy matters, to make this nomination.

The Welsh Government is eager to press ahead with the appointment process and we would like to convene the first meeting of the selection panel in mid-July to discuss the job description for the Commissioner’s post and the detailed arrangements for the appointment process. Given the tight deadline, I had asked the Business Committee to nominate a member by 5th July at the latest. I would be grateful if you could let me know if you foresee any problems with your Committee meeting this deadline.

Given that the selection panel will be required to assess candidates’ knowledge of, and proficiency in, the Welsh language, it would be desirable if the Assembly Member nominated by your Committee were able to work through the medium of Welsh and English.

I look forward to working with Assembly Members as we move to appoint the Commissioner and to support him or her in undertaking this vital role which will make an important contribution to promoting the Welsh language.

Yours ever

A handwritten signature in black ink, appearing to read 'Leighton', written in a cursive style.

Leighton Andrews AC / AM

Y Gweinidog Addysg a Sgiliau
Minister for Education and Skills

Jane Hutt AC / AM
Y Gweinidog Cyllid ac Arweinydd y Tŷ
Minister for Finance and Leader of the House



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref
Ein cyf/Our ref

Assembly Members

4 July 2011

Dear Colleagues,

UK GOVERNMENT CONSULTATION ON THE REFORM OF THE EQUALITY AND HUMAN RIGHTS COMMISSION

I have written to the Home Secretary, Theresa May MP, giving the Welsh Government response to the consultation paper 'Building a Fairer Future: Reform of the Equality and Human Rights Commission'.

We enjoy an effective working relationship with the Wales office of the Equality and Human Rights Commission and its work is very much valued by Welsh Ministers, stakeholders and citizens.

The consultation document does acknowledge the importance of the Commission retaining a strong and distinct presence in Wales and the need to consult the Welsh Government in this regard. Work on equality in Wales needs to be progressed within the very distinct constitutional, legal and policy context that is developing here to meet the needs and circumstances of Wales.

The regulations that the National Assembly has made under the Equality Act 2010 means that the law on equality is now different in Wales to that in England. The Commission's presence in Wales needs to reflect the distinctiveness of this context.

I enclose a copy of the letter for your information.

Jane Hutt AC / AM

Y Gweinidog Cyllid ac Arweinydd y Tŷ
Minister for Finance and Leader of the House

Bae Caerdydd • Cardiff Bay
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Wedi'i argraffu ar bapur wedi'i ailgylchu (100%)

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Printed on 100% recycled paper

Jane Hutt AC / AM
Y Gweinidog Cyllid ac Arweinydd y Ty
Minister for Finance and Leader of the House



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref
Ein cyf/Our ref SF/JH/0000/11

Rt Hon Theresa May MP
Minister for Woman and Equalities
Government Equalities Office
Eland House
Bressenden Place
London
SW1E 5DU

29 June 2011

Dear Theresa,

CONSULTATION ON THE FUTURE SHAPE OF THE EQUALITY AND HUMAN RIGHTS COMMISSION

Thank you for your letter dated 21 March to Carl Sargeant AM, the then Minister for Social Justice and Local Government advising of the launch of the consultation 'Building a fairer Britain: Reform of the Equality and Human Rights Commission' which sets out the UK Government's plans to reform the Commission,

I am responding on behalf of the Welsh Government in my capacity as Minister for Finance and Leader of the House with responsibility for equality and inclusion matters.

You will be aware from previous correspondence that here in Wales we enjoy a very effective working relationship with the Wales office of the Equality and Human Rights Commission and its work is very much valued by Welsh Ministers. I am pleased that the consultation document acknowledges the importance of the Commission retaining a strong and distinct presence in Wales and the need to consult the Welsh Government in this regard. Work on equality in Wales needs to be progressed within the very distinct constitutional, legal and policy context that is developing here to meet the needs and circumstances of Wales. For instance, the regulations that the National Assembly has made under the Equality Act 2010 means that the law on equality is now different in Wales to that in England. The Commission's presence in Wales needs to reflect the distinctiveness of this context.

Your officials have heard first-hand from stakeholders in Wales, including the police, of the practical value that has been delivered by the Commission's office here, in working with them to promote equality. The Commission's office has earned itself a place in the


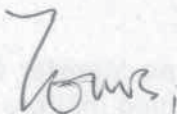
normal fabric of how things are done here, and its pro-active work in partnership with other organisations closely complements its regulatory functions. The feeling among stakeholders here is that the case for narrowing the legislative framework for the Commission's work has not been adequately made out, and there would be great concern among stakeholders in Wales if the changes forced the Commission to curtail the practical good work it has been doing. I would strongly underline these concerns.

I am also very concerned that in discussing accountability, Chapter 3 of the consultation document ignores the Commission's relationship with Welsh Ministers, and to the National Assembly and how this might be taken into account in future arrangements for accountability. These are key issues that must be addressed.

There is major concern among stakeholders in Wales about the potential effectiveness of the new equality and human rights helpline. The consultation document helpfully recognises that the helpline will need to be available through the medium of Welsh, but the issues go much wider. It will be necessary, for instance, for the helpline to provide advice which recognises the distinct legal context on equality in Wales, and policy initiatives here. I therefore think it is important that the specification for the helpline should be subject to common agreement between the UK Government and the devolved administrations in GB.

There is also deep concern that the effectiveness of the helpline will be very limited unless it is able to refer people on to good quality local providers of face-to-face advice. The Commission has been helping to fund such local advice, and the cutbacks to its budget will aggravate the weaknesses in local provision. This is an example of a more general concern, that the cuts in funding being made by the UK Government in both EHRC and Home Office will have a deeply damaging impact on the valuable work being done by the third sector.

It is very important that an appropriate proportion of the new grants programme that will be run by the Government Equalities Office, is spent in Wales; and that there is on-going liaison between our officials to get the best value for money from such spend.



Jane Hutt AC / AM

Y Gweinidog Cyllid ac Arweinydd y Ty
Minister for Finance and Leader of the House

Copies of this letter go to:
First Minister, Carwyn Jones AM
Nicola Sturgeon MSP, Deputy First Minister and Cabinet Secretary for Health, Wellbeing and Cities Strategy
Cabinet Office Minister Francis Maude MP