

Agenda – Equality, Local Government and Communities Committee

Meeting Venue:

For further information contact:

Video Conference via Zoom

Naomi Stocks

Meeting date: 16 June 2020

Committee Clerk

Meeting time: 13.30

0300 200 6565

SeneddCommunities@senedd.wales

Informal pre-meeting

(13.30–14.00)

In accordance with Standing Order 34.19, the Chair has determined that the public are excluded from the Committee's meeting in order to protect public health. This meeting will be broadcast live on www.senedd.tv

1 Introductions, apologies, substitutions and declarations of interest

(14.00)

2 Inquiry into Covid-19 and its impact: evidence session on equalities and human rights

(14.00–14.45)

(Pages 1 – 11)

Ruth Coombs, Head of Equality and Human Rights Commission Wales

Hannah Wharf, Principle External Affairs, Equality and Human Rights

Commission Wales

Break

(14.45–15.00)



- 3 Inquiry into Covid-19 and its impact: evidence session on older people**
(15.00-16.00)
Heléna Herklots, Older People's Commissioner for Wales
Victoria Lloyd, Chief Executive, Age Cymru
- 4 Motion under Standing Order 17.42 (xi) to resolve to exclude the public from the meeting for Item 5 and 8 of today's meeting**
(16.00)
- 5 Impact of Covid-19 on older people – consideration of evidence**
(16.00-16.15)
- 6 Inquiry into Covid-19 and its impact: evidence session on black, Asian and minority ethnic groups**
(16.15-17.00) (Pages 12 – 34)
Patience Bentu, Administration and Policy Support Officer, Race Council Cymru
Rocio Cifuentes, Chief Executive, Ethnic Minorities and Youth Support Team (EYST) Wales
Ginger Wiegand, Research and Policy, All Wales BAME Engagement Programme, Ethnic Minorities and Youth Support Team (EYST) Wales
- 7 Papers to note**
(17.00-17.05) (Page 35)
- 7.1 Correspondence from Jane Hutt MS, Deputy Minister and Chief Whip to Priti Patel MP, Secretary of State for the Home Department regarding COVID-19 and its impact on BAME Communities – 12 May 2020**
(Pages 36 – 37)
- 7.2 Correspondence from Chris Philp MP, Parliamentary Under Secretary of State at the Home Office and Ministry of Justice regarding the Renting Homes (Wales) Act 2016 – 29 May 2020**
(Pages 38 – 39)

- 7.3 Correspondence from Llyr Gruffydd MS, Chair of the Finance Committee regarding engagement and the plenary Debate on the Welsh Government's Spending Priorities 2021–22 – 1 June 2020**
(Pages 40 – 41)
- 7.4 Correspondence from Nick Ramsay MS, Chair of the Public Accounts Committee to Adrian Crompton, Auditor General for Wales and Sophie Howe, Future Generations Commissioner regarding Well–Being of Future Generations statutory reports – 29 May 2020**
(Pages 42 – 44)
- 7.5 Correspondence from the Minister for Housing and Local Government regarding the committee meeting on 15 May 2020 – 10 June 2020**
(Pages 45 – 49)
- 8 Inquiry into Covid–19 and its impact: further consideration of evidence**
(17.05–17:15)

Document is Restricted



12th May 2020

The Equality, Local Governments and Communities Committee
Senedd Cymru

Dear Committee members,

Re enquiry into the Covid-19 outbreak in Wales

In response to the call for submissions on the Covid-19 pandemic in Wales, we write this report to highlight the challenges and disproportionate effects of Covid19 on Black, Asian and Minority Ethnic (BAME) communities across Wales.

Who We Are

Race Council Cymru (RCC) was established in 2010 and acts as an umbrella organisation supporting and representing approximately 252 BAME organisations across Wales to strategically challenge racial inequality, prejudice and discrimination.

Our projects and groups are all based within grassroots communities where we facilitate and support five Ethnic Minority HUBS across Wales (Newport, Cardiff & Vale, Swansea, Carmarthenshire and North Wales), supporting over 177 different Ethnic Minority Organisations; and we facilitate and support 3 Windrush Cymru Elder groups in Cardiff, Newport and Wrexham which support over 120 BAME elderly people.

RCC delivers a number of projects that include; Windrush Heritage, Black History Wales, BAME Cultural & Digital HUBS, Race Hate prevention, Community Champions scheme, Crossing Borders Music & Heritage (working with young ethnic minority musicians and dancers), Youth Parliament and a National BAME Youth Forum which provides a national network of young BAME individuals throughout Wales enabling their voice to be heard on key agenda items at a local, regional and national level.

In all our work we ensure our projects, activities and events are linked to Welsh Government and public sector organisations ensuring they are shaped and aligned to provide strategic delivery that meets the local needs across Wales.

OVERVIEW

In the period of the Covid-19 lockdown, RCC has organised and held regular meetings and consultations with our HUB members and grassroots BAME communities and organisations across Wales. We have continued to convey feedback to the Welsh Government as well as Public Health Wales on the effects and challenges of Covid-19 and the lockdown on BAME people living in Wales. Through research, media reports, consultations with our grassroots community partners and feedback, RCC supports the findings that the Covid-19 pandemic and the lockdown has had a disproportionate effect on BAME people living and working in Wales. Pre-existing racial inequalities have played a major role in exacerbating the risks that ethnic minorities have been exposed to during the period of this pandemic. Significant socio-economic factors have led to the increased health risks, economic and social challenges of this pandemic on BAME communities. It is vital that this committee interrogates the characteristic components of the demographics of this group. We are convinced that this approach will provide an accurate picture of the unequal socio-economic susceptibilities which have resulted in the disproportionate effects of Covid-19 on this group of people in Wales.

The consultations conducted by our organisation reveal responses from our grassroots communities and presents them in sub-themes to provide information and outlines the risk factors involved in the effects of Covid-19 and the associated lockdown. Our findings are by no means encompassing of all the effects and risk factors; rather it draws upon the more popular themes and repeated responses that came from our broad consultations. We are convinced that beyond the boundaries of these findings, there are several individual and collective challenges that can be drawn over time and with further consultation.

BAME Frontline Workers Deaths

We are aware that the workforce of the NHS in Wales is made up of a considerable number of BAME workers, both in the medical and non-medical units (plus agency staff in both areas). We do not doubt the fact that one of the biggest challenges for frontline workers has been the lack of Personal Protective Equipment (PPE). Although we acknowledge that this challenge

pervades every aspect of frontline work, there are reports of its specific effects on BAME workers. In a response to the alarming number of health and frontline workers who have contracted and died of the virus in Wales, the Welsh government has set up an Advisory Committee, thereby launching an inquiry into the factors that have led to this. Some of the specific effects that have been noted through our network engagements include:

- BAME frontline workers working longer hours, more unsociable shifts, nights and weekends
- BAME frontline workers at higher risk from the virus due to certain underlying conditions prevalent in this category of people, such as Diabetes Type 2, Cardiovascular conditions, sickle cell etc. This is further outlined in the next sub-heading.
- Work placements where BAME workers are sent to high risk units where it is ascertained there is a shortage of, or no PPE. This has been reported to have connotations of racial discrimination in the personal experiences of the some BAME workers.

Underlying Health Conditions

The underlying conditions which have been discussed above amongst frontline workers, cascades through the general population of BAME people both in Wales and the rest of the country. Some of the suspected health conditions that potentially place BAME people at risk include:

- Obesity, which 73% of the nation's black population battle with, at 10% higher than the white population and 15% higher than the Asian population.
- Diabetes - Findings indicate that Black and South Asian ethnicities have a higher risk of diabetes. In elderly people, Indian, Pakistani, Bangladeshi and Black Caribbean people are more likely to report these conditions, which place them at risk of Covid-19, than their white counterparts in that age bracket (IFS, 2020). These conditions are currently being carefully studied to determine the extent of effects on BAME people and their exposure to Covid-19.
- Vitamin D deficiency - highlighted with frontline workers, this is another area of risk for BAME people that is undergoing further research. The hypothesis is that where there is a lower absorption of Vitamin D from sunlight on darker skin, the vitamin D deficiency leads to immunity being reduced.

Education

Predictive Scoring

- Access to Laptops and/or WIFI

The closure of schools has resulted in children accessing their school work and educational resources online at home. There are many BAME pupils who are either children of refugees and asylum seekers, people on benefits, people in low income jobs and other with 'No Recourse to Public Funds' (NRPF) categories. What this means is that these children have either no laptops/computers, no access to WIFI or both in most cases. Additionally, they are unable to access online resources through Council libraries, which are now shut in the current situation. This has caused untold difficulties for such families with their children, not being able to access and complete school work. Although the Minister for Education has announced increased funding to enable children access laptops with WIFI through their schools, and to asylum seekers via Local Authorities, the eligibility guidelines as to who qualifies for one is still unclear, and seems not to successfully be solving any of these problems.

- Predictive Scoring

This challenge is two-fold for ethnic minority families. On the one hand, BAME parents of children who do have had access to online resources, generally worry that racial discrimination will impact on their children's predictive scoring by schools. On the other hand, parents whose children have not been able to access online resources face a double jeopardy when it comes to predictive scoring – the lack of access and the fear of racial discrimination leading to an underestimation of grades. There has been a research report in support of the increase in the anxieties of most BAME families in Wales (Huffington Post, 2020).

Housing/Isolation

The household structures of BAME families is such that poses an infection risk to them in the transmission of Covid-19, as well as impacting on their mental health and wellbeing in a lockdown.

- Housing

Many families culturally live in large households with extended family members, such as parents, grandparents, in laws etc. This has made it very difficult for people with symptoms of Covid-19 to self-isolate or for the elderly members of the household to

shield as advised by government. This potentially puts such families at the risk of faster transmission of the virus.

- Asylum seeker/Refugee Accommodations

These are often overcrowded houses that have two separate families, who do not know each other, sharing a house; or rooms where unrelated individuals are sharing all facilities. This also does not provide any space for self-isolating or social distancing, and potentially puts such individuals at risk of faster transmission of the virus.

- Accommodation Layout

BAME families who live in houses or flats with no back gardens have struggled to keep their children indoors and have no easy access to safe outdoor spaces. This has had an effect on the mental wellbeing of both the parents and children.

- Social isolation

The feeling of being socially isolated has been very high amongst certain BAME groups of people who live alone and have no immediate family in the country. Amongst this group of people are International students in universities, who have felt isolated, are self-funding their University fees, have now lost their work and without knowing what help is available to them in an emergency, especially as they fall within the category of 'No Recourse to Public Funds'.

Faith Burials and Funerals/Costs

As cultures differ amongst BAME people, there are a range of funeral practices depending on faith and culture.

- Funerals/Burials

There were challenges at the early stages of the Covid-19 lockdown, when social distancing guidelines on funerals and burials was announced. BAME communities of various faiths and cultures were mostly affected as there were no considerations for their funeral and burial practices. For instance, there were no clear instructions for Sikh and Muslim funerals and burials. However, the result of several consultations between our community groups and the Welsh Government resulted in modifications being made in guidelines, with considerations for different faiths and cultural funeral and burial rites. These modifications are undergoing further clarity as consultations continue.

- Funeral Costs

The increase in Covid-19 deaths has exposed many BAME families to the reality of funeral costs. The fact that many BAME people are in low paying jobs or have no jobs at all, in the case of asylum seekers and refugees, this is a further struggle for them to give their loved ones a befitting funeral. In many cases within our communities, donations pots have been set up to cover costs. This has brought to light the reality of the disproportionate economic equality of BAME people.

Shopping and Food Access

- Shopping

The effects of the lockdown have made it difficult for vulnerable BAME people, such as those living with disabilities and the elderly, to access shopping. Although this has been a general problem, many BAME people required extra support because many lacked the knowledge and communication on where to access help.

- Food and Essentials

Many have also had to rely on foodbanks for food items and essential needs, such as toothpaste, shower gels etc and food parcel distributions organised by community groups because they cannot afford these any more. The challenge with the foodbanks is that many families are unable to access the cultural foods they are used to and end up having to settle for what they are forced to adapt to eating for survival. Often times, food parcels delivered end up being wasted as they do not meet cultural or religious requirements.

Hate Crime

- Covid-19 specific Hate Crime

Police reports have indicated that the level of hate crime has significantly reduced in the time of the lockdown. However, there have been pockets of incidents targeted particularly at the Chinese community, blaming them for causing the virus. Chinese business have had hate graffiti on the walls of their buildings.

- Online Hate Crime

Reports from our communities, point to a shift in hate crime methods to online attacks. This shift has made it difficult for Hate Crime and Community Cohesion Officers to respond effectively, as it is a new wave that will require training and support to deal with.

Businesses, Income and Earning

The fact that many BAME people are in low income jobs has been mentioned earlier. Family income and earnings have been affected by the lockdown, which in turn has placed more families at risk. Many ethnic minority people are on zero hour contracts and rely on additional cash (tips) to survive. Whilst some workers have been furloughed, many do not qualify, or are unaware of their rights and have language barriers that prevent access to clear information so they struggle from day to day with living expenses such as:

- **Rent payments**

Those who are renting privately struggle with keeping up payments of rents. Whilst the central government has provided guidelines to Landlords, there is growing anxiety amongst BAME people on what will happen if they are thrown out of their homes.

- **Bills**

Insufficient income and earning means apart from rent, bills such as electricity, gas, Council, water, Wi-Fi and so on, remain in arrears and at the risk of being suspended.

- **BAME small business owners have indicated their worry about the support provided to businesses by the Welsh government. This stems from the lingering racial discrimination that BAME people experience in every sector, where having an ethnic minority name seems to cause delay and denial of support in comparison to their white colleagues. Their preference with the funding application process is for absolute transparency and sharing of information on how BAME applications are treated.**

Language Barriers

Where English is not the first language, all vital information distributed in English and Welsh only and not translated in multiple languages, is not reaching our BAME communities. Although much of the standard instructions regarding personal safety and distancing were provided in as many languages as possible initially, there are regular updates which have not. This makes it difficult for BAME people to keep up with updates concerning the rulings and their personal safety.

Conclusion

These are by no means a sum total of all Covid-19 related challenges and risk factors affecting BAME people in Wales. Although the specified word count for this report hinders us from

going into details, we have highlighted briefly on the major risk factors and challenges. Our organisation, on behalf of all our grassroots BAME partners and groups, commend and appreciate the special effort of the Welsh Government. Specifically, we recognise the unrelenting determination of the Deputy First Minister and Chief Whip, Jane Hutt AM, in ensuring that all equality characteristics receive a fair response during this pandemic. We anticipate that as this unfortunate situation begins to relax, your committee will rely on this report to inform policies that will address the racial inequalities in all sectors, that have led to this disproportionate effects BAME people have suffered, culminating in their higher exposure to Covid-19. We have carefully outlined our findings from the communities and backed it up with references from some media publications as evidence of our submission.

REFERENCES

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Ethnic Minorities
& Youth Support
Team Wales

Tîm Cymorth
Lleiafrifoedd Ethnig
& Ieuenctid Cymru

All Wales BAME Engagement Programme Response to Equalities, Local Government & Communities Committee Inquiry Impact of COVID 19 Crisis in Wales

1: About EYST Wales

EYST Wales is an award-winning Wales wide charity established since 2005 which aims to support ethnic minority young people, families and individuals living in Wales and help them to contribute, participate and feel a valued part of Wales. It does this through a range of services targeted variously at ethnic minority young people, ethnic minority families, refugees and asylum seekers and also the wider public.

EYST Wales coordinates the All Wales BAME (Black Asian Minority Ethnic) Engagement Programme, a project funded by Welsh Government to gather views and experiences of BAME people living in Wales and improve the evidence base from which to positively influence public policies and services to better reflect the needs of BAME communities. This project is one of seven Welsh Government Equalities and Inclusion Grants.

During April 2020, the All Wales BAME Engagement Programme hosted weekly online topical fora on the impact of COVID 19 on BAME people and communities in Wales, a series attended by a collective 230 participants. These forums focussed on the following topics: general impact, impact on Muslim communities, impact on employment & businesses, impact on children/pupils and young people/students, food security and community cohesion/racism/hate crime. Following are key points from these fora as well as additional intelligence from EYST project work.

EYST request to give oral evidence for the Equalities, Local Government and Communities committee in relation to this enquiry.

1: Tackling Poverty

- Free School Meals – Initially, there was much confusion over free school meal provision. The updated guidance from the Education Minister was welcome though many would like the Minister to provide stronger messages for local authorities to opt for offering a mixed cash/voucher offer for free school meals. Currently 17/22 local authorities are offering cash provision or a cash/voucher option for FSM, but there are

still a few local authorities operating on parcel provision. The consensus from representatives in the EYST forums is that a mixed offer of cash or voucher options is the optimum.

- Food security for asylum seekers, new refugees and low-income families: These families will not have money to do bulk shopping if needed for self-isolation or to compete with other consumers who are panic buying. Likewise, low income people who were working in informal economy, particularly hospitality sector will not have had the opportunity to be furloughed and will have been made jobless and incomeless very quickly and at risk of destitution.
- Any provision of food parcels must consider, cultural, religious, and medical food needs. The best efforts to provide culturally and medically appropriate food seem to be accomplished by organising at the local level by community groups. Likewise, via food some banks. This seems to work best for people when there are solid networks and good communication between food initiatives at a local level. For instance, Cardiff, Newport, and Swansea all have networks of foodbanks and initiatives with leadership from organisations such as Food Cardiff and/or local councils. It has been repeatedly brought up that WG food parcels for people who are shielding do not consider religious or medical dietary needs. WG are aware of this problem, but as yet there seems to be no resolution.
- Universal credit claims have increased and the queues for processing are unprecedented with worries that the usually five week waiting period will turn into additional weeks. It is welcome that DAF rules have been relaxed, but there were questions in our forum if people could readily access DAF if they didn't have support to do so or had done so before, particularly for people with English as an additional language.
- The relaxation on restrictions to provide housing to people with no recourse to public funds (NRPF) is welcome. However, Welsh Government should give clear direction to local authorities on exactly what support beyond housing people with NRPF can access. Local authorities are all trying to work out separately what exactly is legal, and this is taking precious time whereby people need additional support for livelihood. Likewise, Welsh Government should provide definitive advice (not just a suggestion) for local authorities to provide NRPF families with FSM.
- There are serious concerns about what happens to NRPF families post-COVID. We were presented with some evidence that people subject to NRPF were not seeking assistance with local authorities because they are afraid of being unhoused at short notice. On another note, there have been many women able to escape from domestic violence and/or trafficking in this period as they now can receive refuge. What will happen to them and their children if they no longer qualify for that refuge? Welsh Government should use this opportunity to collect evidence relating to this relaxation on restriction for people subject to NRPF and influence Westminster to end NRPF for good.

- There are concerns about risk of destitution for people who were working off the books, have now been let go and will not have access to furlough pay. Predominantly concern for people working for restaurants. This can potentially have a knock-on impact of destitution for asylum seekers and new refugees.

3: EQUITY IN EMPLOYMENT & ECONOMY

- There are big concerns that BAME people will be disproportionately affected by unemployment and loss of business and that BAME employees and business owners (particularly new businesses) will face barriers and institutional discrimination in accessing COVID 19 related relief.
- Some are worried their applications will be rejected in the same way that employment applications are (based on “foreign” name).
- There is also concern about BAME people being able to access advice for COVID related relief and benefits. For instance, no one is aware of provision of advice in a language other than English. In one forum, it was noted that many Chinese small business owners, particularly in restaurant industry, are having a hard time accessing advice on COVID 19 related benefits and applying for universal credit due to language barriers. Business Wales does have a fund to provide translation on phone calls, but as of mid-April they were experiencing high volume of calls and having trouble keeping up.
- All public bodies, including Welsh Government and local authorities should make the process to apply for COVID 19 related benefits transparent. WE recommend that Welsh Government ensure robust ethnicity monitoring and reporting for all COVID related relief or benefits as part of its Public Sector Equality. Leadership in relation to COVID 19 related projects must give clear instruction that protected characteristics of beneficiaries must be collected.
- BAME people and migrants are over-represented in essential worker sectors such as health and social care, distribution, transport, food processing, food delivery, etc, particularly in precarious professions in the gig economy and low pay sectors. This is extremely troubling, given the clear evidence BAME people are vastly overrepresented in critical care COVID patients. There are additional concerns with employer practices in these essential, low sectors:
 - There is evidence that people classed as essential workers are being asked by their employers to work without PPE and that some employers are not following social distance guidelines.
 - There is evidence that some employers are classifying their workers as key workers even though that case may be shaky.
 - There are widespread concerns about EU people being demanded to work in unsafe conditions by their employers. A representative from one local

authority reported that they were aware of a lot of complaints regarding employer practices and safeguarding of EU nationals.

- There is evidence that people are being pressured by employers to work even though they feel the working environment is unsafe for them – or that the worker may make other persons in their household unsafe by bringing COVID 19 home from that working environment.
 - There are no guidelines which require employers to furlough workers who live with someone who has had a “shielding” letter.
 - Furloughing vs. Redundancy – There are also concerns about people losing jobs with the employer not taking the consideration of furlough as an option. There was early confusion among some employers about furlough and who qualifies and how it works. Likewise, there is a perception that some employers are taking advantage of the opportunity to cull staff numbers. Likewise, there are big concerns for furloughed workers who may not be paid until June, particularly if they work for micro-businesses or small businesses.
 - Provision of PPE: There was consensus that that provision of PPE is a big issue – to not just NHS workers but all key workers – including in factories, delivery, retail. We understand that Welsh Government has given clear directive that employers must provide appropriate PPE to key workers in Health and Social Care, but we have heard very recent stories of workers in those and many sectors, including EU migrant workers in factories not getting sufficient PPE. WG guidelines state that workers may petition to their line manager if they feel they are not getting sufficient PPE or phone a national number to report it. Workers in temporary, low paying or casual work are afraid to question their employers.
 - Racism and discrimination in the workplace: There are concerns that individual and institutional implicit bias is affecting treatment of BAME and migrant employees in the workplace. Workers in low paying and/or precarious positions such as agency workers or those on zero hours contracts are afraid to use the mechanisms in place to challenge, bias, discrimination, or racial harassment in their workplaces.
 - A clear point of contact with support in multiple languages to ethnic minority and migrant employees who feel they face discrimination or unfair treatment in the workplace could ensure that employment inequity is not exacerbated due to COVID 19.
 - WG must ensure proper risk assessments of key workers in ALL sectors and pay grades and have a robust monitoring system to ensure that employers are correctly assessing and minimising risk to all workers and including all risk factors in those assessments.
- Evidence, including that from the aftermath of the 2008 recession, shows that ethnic minority people experience higher unemployment rates during recessions are more likely to go jobless for a longer period. Efforts to rebuild the economy post-COVID 19 need to account for and take steps to remedy this inequality.

- Important to hold onto (and grow) the gains that emerge during this crisis
 - After lockdown finishes, what will be next steps?
 - There is current socio-political debate about work being properly recognised and rewarded in a range of historically low paying and low valued sectors which have large number of BAME workers.
 - The COVID 19 bill has presented an unprecedented increase in unemployment benefits. We should fight to keep these as standard employee benefits .
 - We should also argue to expand living standards generally – for all people working and non-working.

3: EQUITY IN EDUCATION

Digital Access to Educational Materials and Support

- Access to Digital Equipment and Broadband – We were pleased to see the financial commitment and clear direction from Education Minister Kirsty Williams that local authorities provide. Now it is imperative that schools locate and provide this equipment for all families who need it with deliberate speed. Many families have lost weeks of home schooling due to the time lapse in response to this issue. Third sector organisations and grassroots organisations may be of assistance in assuring that all families who need it are reached.
- Language can be a huge barrier. Accessing school hubs and other online set ups is extremely difficult for parents who don't speak English fluently. Likewise, there are concerns for EAL pupils where no one at home speaks English. There is much concern, and rightly so, about Welsh medium pupils living in homes with no Welsh speakers. The same concern should be there for EAL pupils.
- Suggested solution: Employ or re-deploy teachers and teaching assistants who speak relevant modern foreign languages to support parents who are not fluent in English as well as EAL pupils. This support can be over phone, what's app or online meeting site such as Skype or Zoom. It may also be useful in engaging/keeping employed teaching assistants who were on temporary contracts and possibly not furloughed when schools closed.
- There is likely an under-reporting of parents' concerns over lack of access to online learning as parents with language barriers or who are not confident in engaging schools may not know how to approach them or have confidence to do so. Some schools report that they have had requests for laptops from families but not from BAME pupils/families. Are BAME parents not going back to the schools to make these queries?
- BAME community groups can facilitate communication between parents and schools. BAME groups need to get the word to parents that they should be communicating with schools about any barriers to accessing educational materials. Likewise, BAME groups can facilitate that communication where

parents are not able to themselves. EYST are currently encouraging Third sector and grassroots groups to get messages to their networks that parents who have barriers to online learning, particularly digital exclusion should contact schools immediately.

- There were some concerns about differences in the quality of online learning provided by different schools, including concerns that this period of learning at home may exacerbate existing attainment gaps between certain groups of pupils – with pupils from already high performing schools in wealthy areas where parents and potentially schools have access to more resources compared to those of pupils from relatively low performing schools in deprived areas. Additional considerations such as EAL add extra dimensions to this problem. To note, recent Sutton Trust research shows that since schools closed, 30% of middle class pupils in England have had access to daily online live or recorded classes compared to 16% of working class students and that less than 50% of parents without an HE qualification felt confident supporting their child’s learning¹.
- We understand that these are unprecedented times and we appreciate the heartfelt and concerted efforts by educators and the team in the Welsh Government education department to provide continuity of learning for children in Wales in these circumstances. We appreciate that the WG Education “Policy Statement on Continuity of Learning” pledges to “seek to ensure as far as possible that no learner is disadvantaged because of access to technology, where they live, their age, their special educational needs, the language of their school or home, or their demographic profile” and to centralise principles of inclusion are central to the delivery of the programme and the return to school. We eagerly await specific plans to develop staff, content and strategies to deliver those goals. As such, we would recommend that WG adopt some of the strategies recommended by Sutton Trust to flatten the curve between advantaged and disadvantaged learners, including ethnic minority learners, in this period (in addition to solutions already referenced above): train teachers to be enabled to deliver online content, stamp out the digital divide, give disadvantaged pupils access to online 1-1 or small group tuition, consider running ‘catch up’ classes for children who need it over the summer or when schools return.

**Discrepancies in definitions of ‘Key Workers’
Concerns about Access to Childcare/Schooling Coming Out of Lockdown**

- There were also concerns about how local authorities are defining key workers and whether families who qualify for key worker childcare are taking up that option. Are BAME families having their eligibility communicated to them and being made confident to consider the offer? Also, what will happen to low income parents if schools are still closed when their sector begins a return to workplace? Many jobs in sectors such as manufacturing and retail are low paid jobs and these

¹ <https://www.suttontrust.com/our-research/covid-19-and-social-mobility-impact-brief/>

parents may not be able to pay for childcare. Will the definition of eligibility to send children to school/childcare hubs change?

Cancellation of exams and potential bias in predicted grades and previous assessments

- Summer 2020 GCSE and A level exams have been cancelled and there is guidance that schools will assess individual learner grades and rank according to previous work and teacher estimates of their likely performance if Summer 2020 exams were taking place.
- Many young ethnic minority people, particularly young people of African descent, are extremely concerned about teachers' predicted grades. Numerous research studies show that teachers are more likely to underestimate the performance of students from low socio-economic backgrounds and from certain ethnic groups (especially Black and Gypsy, Roma, Traveller pupils) in comparison to pupil's actual exam performance. Some scholars connect this dynamic with lower representation of certain groups at more competitive universities and degree programmes.
- Several attendees at EYST's recent forums knew close family members or friends who had the experience of outperforming teachers' predicted grades on high stakes exams. One parent at our Children/Young People/Pupil forum shared her child's previous experience of passing with As, Bs and Cs, despite being predicted to fail at GCSEs. This same child is having the same experience of low predicted A level grades and the current situation is "very distressing."
- Pupils are concerned that they won't get the necessary grades to attend university or progress to the next steps in their education or employment pathways in the fall. For young people who have put everything into preparing for high stakes exams to gain university entrance – there is a huge mental health impact as, all of a sudden, they now feel gaining that entrance is beyond their control.
- There are concerns that some young people in Wales who do not get sufficient grades to enter university in fall may drop out of university pathways altogether rather than repeat a year. This phenomenon may impact an entire cohort of BAME young people, with a risk of rise in NEET young people from BAME backgrounds in coming years.
- EYST is responding the Qualifications Wales (QW) consultation on assessment proposals for Summer 2020 with the following suggestions for revision of their proposals:
 - QW must work with the Minister for Education to provide teachers with guidance and support on how to ensure more accurate assessments and ranking of students in order to reduce inconsistencies across groups of pupils in schools and across schools;

- QW must work with the Minister for Education to provide schools with guidance and support to undertake equality impact assessments before and after final exam grade assessments as part of their Public Sector Equality Duty;
 - Remind schools of their Public Sector Equality Duty;
 - WJEC must use anonymised and disaggregated data on protected characteristics, including SES and SEN from schools to undertake equality impact assessments and investigate discrepancies in outcomes both relating to assessments/ranks provided by schools and to final grades after WJEC's statistical standardisation modelling;
 - There must be an avenue of appeal for any individual student who feels they have been underestimated or feels they have experienced bias or discrimination in their assessment, no matter what the reason for that bias.
- In a multi-agency letter to the Education Minister, EYST did request that she provide guidance to schools do equality impact assessments on predicted grades. Her return letter, though very positive about responding to needs of digitally excluded students, was less specific about commitment to address potential teacher and institutional bias in the Summer 2020 assessment system.
 - Likewise, there is potential to challenge universities to adapt the way in which they make decisions to fill student places – to ensure that they meet established diversity targets within departments and to assess in alternative mechanisms for recruitment decisions including contextualised admissions criteria. Clear guidance from HEFCW can encourage progressive vision and leadership in universities.

4: HOUSING

- Social class plays a huge part in whether people have the privilege to socially distance or stay at home.
- BAME families are more likely to live in over-crowded houses and more likely to live in intergenerational houses which makes self-isolation more difficult and also makes shielding of elderly and vulnerable people more difficult.
- Overcrowding will impact young people as they are unable to sit down and do homework in a quiet space and may also be more likely to feel compelled to go outside for cramped space or lack of garden. This includes young people seeking asylum who live in shared accommodation.

- Disproportionate impact on Roma families living in crowded houses where in normal circumstances, adults would expect young people to be outside of the house in daytimes, but they are now required to stay indoors.

5: EQUITY IN HEALTH

- There is clear evidence of the disproportionate impact of COVID 19 on BAME people, including in infection rates, higher critical care rates and death rates. These disparities are extremely unacceptable with Black African people 4 times more and Pakistani 2 times more likely to die from COVID 19 than White British peers. There are likely many overlapping factors to this extremely concerning phenomenon including decades of institutional racism, socio-economic factors (which also relate to underlying health conditions), housing conditions, environmental justice (living in areas of high air pollution, etc.) and the over-representation of BAME people in key frontline sectors including health and social care. Most NHS COVID related deaths have been BAME people, many with high profile media coverage. Likewise, there has been much media coverage of families including one in Gwent where multiple members in the same family have died within days of each other. The fact that this disproportionate impact is happening is due to decades of structural inequality.
- Quote from EYST forum: “For years and years, people engaging in work in the racial equality sector have reported a combination of disadvantage and inequality for ethnic minority people and it is still happening.”
- BAME people are over-represented in NHS staff, including among low paying frontline tiers. BAME people are also over-represented in other essential/frontline sectors (such as cleaning, social care, transport, including low paying ones, which have been undervalued until now.)
- One forum attendee had many family members who are nurses or workers in social care, who feel they are unable to say “No” to situations they feel dangerous, such as situations in care home where they have no protective equipment. They are exposed to COVID 19 even though they are more vulnerable to getting virus.
- An UK wide enquiry into disproportionate impact of COVID 19 on BAME people is welcome, but there must be accessible, disaggregated data for Wales, so that where possible, researchers can investigate the dynamics of COVID 19 in Wales. There is wide-spread consensus on this point amongst attendees of EYST’s recent forums.
- There are concerns about key health messages and information about services being shared, particularly to vulnerable child patients with existing health conditions. Following is an example from volunteers with ‘Friends of Sickle Cell and Thalassaemia’: Members are already marginalised are not getting information from consultants

regarding their vulnerability. They haven't received any guidance/letters and are more disadvantaged if they have more regular hospital appointments and aren't aware of processes involved. She is frightened for her community at this time. "We are looking for ways to get them the information, but it shouldn't be on us. It really highlights how marginalised our communities are."

- Though guidance on COVID 19 health and safety is available in many languages. There is a lack of material on well being available in languages other than English and Welsh.
- Proposed solutions:
 - Ensure a speedy, robust and fair enquiry into disproportionate impact of COVID 19 on BAME people/communities in general and also on BAME key workers. Even though Wales will participate in an enquiry with England, disaggregated data for Wales must be accessible. Likewise, Welsh Government should argue for the replacement of Trevor Phillips who has recently been suspended from his party for Islamophobic comments.
 - As an urgent matter, ensure that keyworkers in **all** frontline sectors have sufficient access to both PPE and non-symptomatic COVID 19 testing for themselves and household members.
 - Also, in the phased easing of lockdown, ensure that a robust general community testing and contact tracing system is in place. Ideally have free tests for anyone who is unable to work from home. Any plans for community-based testing regimes must be equality impact assessed to ensure they don't exclude people with low wealth/income or protected characteristics and do, in fact, reach people who may be more at risk from COVID 19 complications.
 - Campaign for fair work commission principles, higher wages and better working conditions in those low paying frontline sectors where BAME people are over-represented, including in the NHS and Health and Social Care.
 - Encourage Welsh Government to highlight contributions of migrants and BAME people on COVID 19 frontline in its regular communications or as a specific campaign.

7: Racism and Hate Crime

- Indications that street-based hate crime has declined since lockdown orders may be masking other dynamics. There has been an increase in online hate, both noticed by participants in EYST's online forums and documented by Cardiff University's HateLab. Likewise, there is evidence from grassroots organisations of people experiencing increased abuse from neighbours. Victim Support notes that clients they are currently supporting are mainly experiencing neighbour related abuse, rendering them, "prisoners in own home," afraid to go in back gardens or on daily walks because they do not feel safe in their neighbourhood. People experiencing this are reluctant to

phone police either thinking the case is trivial or fear of escalating tension and reactions from neighbour.

- Many think that hate crime reporting is currently low because people are living in fear of uncertainty and reporting is last thing on their agenda, as they are struggling to survive. There is wide consensus of the importance of encouraging and supporting people to report hate crime, including using 101, online reporting and Third party reporting.
- There has been some stereotyping of Muslim communities, particularly in relation to Ramadan. Rumours are circulating in multiple platforms/spaces that COVID 19 will peak during Ramadan because Muslim community is gathering and socialising. Mis/disinformation spreads quickly now that people are spending more time than ever online. In some cases, wider community which is becoming aware disproportionate impact of COVID 19 on BAME people, especially in particular parts of Wales such as Newport, is engaging in victim blaming. On some occasions, questions are raised as to whether BAME and/or Muslim people are social distancing or aware of public messages. Those may be questions to be asked but can quickly become victim blaming. This is a worrying trend to be aware of.
- Children and Young People are spending more time than ever online. In a recent online forum, young people in Wrexham brought attention to the troubling spread of online racism. "Anti-black racism spreads fast online." Some of this material is hateful such as depictions of violence against people of African descent in Wuhan, China. Some are clips that stereotype and purport to make light of stereotypes. Many of the young people in the forum expressed discomfort and hurt from stereotyping clips. Tiktok was mentioned as a forum where this plays out and noted that Tiktok seems to provide little oversight of content and felt that reporting process was worthless. Young people need support to protect themselves from online bullying and racist incidents and to report and stand up to online racism and hate.

6: Human Rights Impact of Legislation

1. Many anxieties by the BAME community who are already living in a hostile environment. The new Coronavirus legislation is very draconian and worrying many people. They have seen the images of troops on streets in London. Heard about the government enforced self-isolation, which again could impact BAME communities disproportionately, given they already face systematic racism and structural discrimination. Need messaging on this.
2. Under the new legislation, there will be changes in the regulations around sectioning people under the Mental Health Act. BAME communities are already disproportionately impacted. If police are given special powers to remove the need for a mental health nurse and social workers to sign off, we will see a big leap in the number of BAME people being affected. There are many examples of police failure and for communities to now hear the police will have further powers to detain and enforce, will become hugely problematic. This needs careful

managing and messaging as people still remember when after 7/7 'Shoot to Kill' was brought in.

3. People are very fearful of being deported, including many Windrush generations and families. Likewise, dependents of work permit holders may be at risk of deportation. This includes dependents of NHS workers who die due to COVID 19.
4. Community members are concerned that the expansion of police powers in relation to lockdown may be used disproportionately on ethnic minority people, particularly young Black people. They correctly note that young ethnic minority men are far over-represented in stop and search incidents. And that ethnic minority people are more likely to live in crowded houses and or lack of garden space. Several experts at prominent racial equality organisations such as Runnymede Trust have written articles for mainstream news outlets noting this very real risk.
5. The Coronavirus Act has passed and has gone through The Assembly. We need to think about how we monitor the impact of the Act and the pandemic, particularly the impact on human rights and equalities. Essential to share information and and prepare for the 6-month review of the Act.
6. The EHRC have made the decision to tell public bodies in Wales that they do not need to publish their strategic equality plans or their annual report by April 2020. This will be reviewed in October 2020.
7. There was consensus at EYST forums and in a number of other networks that current Covid 19 disruption offers opportunity to demand Government to consider Wifi an essential household utility and ask for it to be provided not only to asylum seekers but also to other low-income and digitally households as a matter of a human right.

7: Recommendations & Solutions

Tackling Poverty & Equity in Employment & Economy

- Give stronger advice to local authorities to provide cash or voucher choice to families in receipt of FSM.
- Support locally organised food and culturally responsive food initiatives
- Argue for abolition of NRPF.
- Raise income floor level for key worker sectors which are currently low paid
- Ensure the equitable accessibility of COVID 19 related relief and benefits. Robustly monitor and report on the beneficiaries of that relief via protected characteristic, income and business size.
- Keep gains in benefits related to COVID 19 and also argue to expand standard of living for all people working and non-working. This may include consideration transformative changes in the way the social floor is maintained such as Universal basic income.
- Share positive stories such as BAME owned small businesses providing food to NHS workers and migrants and BAME employees who work in food processing, agricultural and distribution sectors making sure that the food supply chain is operational and that vulnerable people access food they need.
- Build on those stories to argue for better valuation of these livelihoods.

- WG must ensure proper risk assessments of key workers in ALL sectors and pay grades and have a robust monitoring system to ensure that employers are correctly assessing and minimising risk to all workers and including all risk factors in those assessments.

Equity in Education – Support for Learners

- With utmost speed, ensure that all children who need who need it have laptops and Wi-Fi.
- Employ or re-deploy teachers and teaching assistants who speak relevant modern foreign languages to support parents who are not fluent in English as well as EAL pupils.
- BAME community groups can facilitate connections and communication between parents and schools.
- Train teachers to be enabled to deliver online class sessions.
- Consider 1-1 or small group online sessions for disadvantaged pupils
- Consider “catch-up” classes for disadvantaged pupils over the summer or when schools return

Equity in Education – 2020 Grades and University Entrance

- Qualifications Wales (QW) must work with the Minister for Education to provide teachers with guidance and support on how to ensure more accurate assessments and ranking of students in order to reduce inconsistencies across groups of pupils in schools and across schools;
- QW must work with the Minister for Education to provide schools with guidance and support to undertake equality impact assessments before and after final exam grade assessments as part of their Public Sector Equality Duty;
- Remind schools of their Public Sector Equality Duty;
- WJEC must use anonymised and disaggregated data on protected characteristics, including SES and SEN from schools to undertake equality impact assessments and investigate discrepancies in outcomes both relating to assessments/ranks provided by schools and to final grades after WJEC’s statistical standardisation modelling;
- There must be an avenue of appeal for any individual student who feels they have been underestimated or feels they have experienced bias or discrimination in their assessment, no matter what the reason for that bias.
- HEFCW must give guidance for university recruitment practices to achieve widening access agendas and ensure recruitment and further support for under-represented groups.

Health:

- Ensure a speedy, robust and fair enquiry into disproportionate impact of COVID 19 on BAME people/communities in general and also on BAME key workers. Even though Wales will participate in an enquiry with England, disaggregated data for Wales must be accessible. Likewise, Welsh Government should argue for the

replacement of Trevor Phillips, recently suspended from Labour party for Islamophobia.

- Ensure that keyworkers in all frontline sectors have sufficient access to both PPE and non-symptomatic testing for themselves and household members.
- Ensure a robust general community testing and contact tracing system is in place with free tests available to workers who cannot practice social distance and people at heightened risk of contracting COVID 19.
- Campaign for fair work commission principles, higher wages and better working conditions in those low paying frontline sectors where BAME parents are over-represented.
- Encourage Welsh Government to highlight contributions of migrants and BAME people on COVID 19 frontline in its regular communications or as a specific campaign.
- Young people need support to protect themselves from online bullying and racist incidents and to report and stand up to online racism and hate.

Human Rights

- Challenge the Home Office hostile environment in relation to immigration. Petition that the Home Office end Windrush related deportations and do not deport dependent family members of work-permit holders who die from COVID 19.
- Robustly monitor the enforcement of the COVID 19 bill, particularly the use of expanded police powers. Monitor and report on the effect on ethnic minority people and communities.
- Require public bodies to collect and report on equalities related data in relation to COVID 19 relief efforts.
- Use this moment to reframe and expand upon human rights, such as expanding worker (and nonworker) right to standard of living, rights to basic utilities such as WiFi, right to just remuneration of work, right to safety at work.
- Use this moment as a possibility to reimagine how risk and reward could be more justly distributed amongst classes of people in society as a result of this crisis.

Agenda Item 7

Equality, Local Government and Communities Committee

16 June 2020 – papers to note cover sheet

Paper no.	Issue	From	Action point
ELGC(5)-17-20 Paper 3	COVID-19 – impact on Black, Asian, Minority or Ethnic (BAME) communities.	Deputy Minister and Chief Whip	To note
ELGC(5)-17-20 Paper 4	Renting Homes (Wales) Act 2016	Chris Philp MP Parliamentary Under-Secretary of State	To note
ELGC(5)-17-20 Paper 5	Finance Committee: Engagement and Plenary Debate on the Welsh Government's Spending Priorities 2021-22	Chair of the Finance Committee	To note
ELGC(5)-17-20 Paper 6	Well-Being of Future Generations – Statutory Reports	Chair of the PAC Committee	To note
ELGC(5)-17-20 Paper 7	COVID 19	Minister for Housing and Local Government	To note

Agenda Item 7.1

Jane Hutt MS
Y Dirprwy Weinidog a'r Prif Chwip
Deputy Minister and Chief Whip



Llywodraeth Cymru
Welsh Government

The Rt Hon Priti Patel MP
The Home Office
2 Marsham Street,
London,
SW1P 4DF

12 May 2020

Dear Priti,

I am writing to share concerns of the Welsh Government in relation to the growing evidence that the COVID-19 infection is having a disproportionate impact on Black, Asian, Minority or Ethnic (BAME) communities.

The Office for National Statistics (ONS) has today published an analysis of deaths involving COVID-19 by ethnic group. This provisional analysis has shown that the risk of death involving the coronavirus (COVID-19) among some ethnic groups is significantly higher than those of White ethnicity.

Urgent investigation is required to better understand what factors might be influencing this emerging research. In particular, there is a need to quickly identify the data and evidence that will enable us to act in an informed way and do all that we can to minimise avoidable harm in vulnerable groups. I welcome the recent announcement that the UK Department for Health and Social Care (DHSC) is launching a formal review into the disproportionately higher percentage of Covid-19 mortality among people from BAME backgrounds and the contribution of Public Health Wales to that wider UK analysis. I hope to see swift action and constructive advice as a result of this inquiry soon.

The First Minister and I have established an advisory group to support the Chief Medical Officer and Welsh Government in advising, guiding and assisting officials to gather as much data and evidence as possible to better understand the risks facing BAME individuals disproportionately affected by Covid-19 in Wales; both in terms of contraction and death. This group will work closely with other UK Administrations in the development of work and also with Public Health England.

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

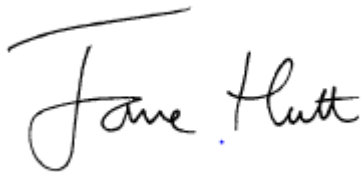
We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

An area of concern to stakeholders is that data on ethnicity is not recorded on death certificates in England and Wales. Death certification and registration are non-devolved issues and are the responsibility of the Home Office through the General Register Office. Recognising there may be some challenges and many considerations to work through in doing so, will you consider revising the current process to include the opportunity to capture ethnicity on death certification and/or registration forms. The impending digitisation of the Medical Certificate of Confirmed Death (MCCD) might provide an opportunity to amend the MCCD and/or registration forms to introduce an ethnicity question, as is currently the case in Scotland. There may be other demographic factors which may be useful to include in the process, such as recording the country of birth, and we would be happy to explore this further with you.

The improvement to ethnicity data and evidence that this change could offer would enable us to act in an informed way and do all that we can to minimise avoidable harm in vulnerable groups. It will also efficiently target any actions required to address the problems of particular groups and areas

I look forward to receiving your response in relation to this matter.

Yours sincerely,



Jane Hutt AC/AM

Y Dirprwy Weinidog a'r Prif Chwip
Deputy Minister and Chief Whip

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

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

John Griffiths AM
Chairman Equalities Local Government and Communities Committee
National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA

Your ref: 200316
MoJ ref: ADR77982

29 May 2020

Dear John,

RENTING HOMES (WALES) ACT 2016

Thank you for your letter of 16 March 2020 sent on behalf of the Committee in which you have raised two points in respect of amendments to the Renting Homes (Wales) Act 2016. Please accept my apologies for the delay in replying and extend the same to your Committee.

You have written that the following points have arisen during your Committee's scrutiny:

What impact is commencement of the Renting Homes (Wales) Act 2016, and the proposed amendments to be made by the Renting Homes (Amendment) (Wales) Bill likely to have on the courts in Wales?

Will the changes in any way impact upon the average time it takes for a landlord to recover possession of their property?

As you are aware the Renting Homes (Wales) Act 2016 and the Housing (Wales) Act 2014 were drafted with the aim of reforming housing law in Wales to provide clarity and certainty for renters and landlords alike, placing landlord and tenant law on a more contractual footing. So, for instance tenants will be known as contract holders occupying premises under an occupation contract. Additionally, the number of tenancy types was reduced to broadly two. Further changes include licensing and regulation of the industry and a reform of the law of possession. Standardised written contracts will also be introduced. All the while preserving role of the Courts to be the final arbiter of all disputes.

While most of the legislation has yet to be implemented, officials from the Welsh Government, HMCTS and MoJ Policy have been engaged in this work with an eye to implementation in 2021, to coincide with the end of the current assembly session. This work involves creating a set of procedural rules and changes to the online platform and court processes to reflect the new legislation.

The number of possession cases outright should fall. Firstly, with occupation contracts likely to be longer than the current six month assured shorthold tenancies, there will be fewer claims for possession at the end of a tenancy. Secondly, there will be a reduction in the number of possession claims from social landlords because of their not having to go to court in cases of possession linked to abandonment. Thirdly, Welsh Government housing policy under which social landlords will not evict tenants into homelessness will also have an effect. Given that possession claims from social landlords currently account for 84% of court hearings, we anticipate that the reduction in claims from social landlords will

free-up sufficient capacity within the courts system to accommodate any increase in claims under the breach of contract or rent arrears grounds from private landlords, without causing them undue delay or inconvenience.

Whilst the changes to the section 21 “accelerated possession route”, which are found at section 173 of the 2016 Act is likely to increase the length of time for those actions to progress, this will be offset by the 2016 Act’s other provisions. The use of section 21 “no fault” applications has expanded, both in the private rental sector and amongst social landlords. The 2016 Act should rebalance this trend so that fewer cases will be dealt with under the section 21 (s173) process, with more being dealt with under the various other provisions in the 2016 Act to which the Civil Procedure Rules have attached specific time frames.

I hope this addresses your points.



CHRIS PHILP MP

Chair, Children, Young People and Education Committee
Chair, Climate Change, Environment and Rural Affairs Committee
Chair, Culture, Welsh Language and Communications Committee
Chair, Economy, Infrastructure and Skills Committee
Chair, Equality, Local Government and Communities Committee
Chair, External Affairs and Additional Legislation Committee
Chair, Health, Social Care and Sport Committee

1 June 2000

Finance Committee: Engagement and Plenary Debate on the Welsh Government's Spending Priorities 2021-22

Dear Committee Chairs

At our meeting on 21 May 2020, the Finance Committee considered its programme of engagement for the forthcoming Welsh Government draft budget and I am writing to all Chairs of subject committees to share our thinking.

As you will appreciate, in light of current social restrictions due to Covid-19, we are unable to undertake a stakeholder event as we have done in previous years. This is very disappointing as it offers a valuable opportunity to hear from our key stakeholder about their priority areas for the Welsh Government spending prior to the draft budget being laid.

Instead, this year we will undertake online initiatives using Twitter to encourage stakeholders and the general public to put forward their views on spending priorities. I would appreciate your assistance in promoting our online questions/polls via your own communication tools to encourage and engage with a wider audiences. This will assist the Finance Committee to contribute to delivering the most coherent and effective scrutiny of the Government's spending plans during these unprecedented circumstances. We will share the outcome of this engagement with your Committee's to assist with your scrutiny of the draft budget.



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The Business Committee has agreed to schedule a Finance Committee proposed debate during the last week of the summer term on the Welsh Government's spending priorities. We hope the information gathered from our online engagement can be used to inform the debate and holding it prior to summer recess provides a sufficient timeframe for the Welsh Government to take into account the views of the Senedd when formulating its draft budget. Covid-19 will have an impact on public spending for years to come and we believe that holding this debate is vital to ensure the Senedd sets out how it believes the Welsh Government should focus spending over the next financial year. We hope you and Members of your Committees will take the opportunity to contribute to this important debate. Following the debate, I will write to you again setting out the Finance Committee's budget focus, consultation details and our timetable for budget scrutiny.

If you have any questions about any aspect of the draft budget process, please feel free to contact me or the Clerk to the Finance Committee, Bethan Davies, 0300 200 6372, seneddfinance@senedd.wales

Yours sincerely



Llyr Gruffydd AM
Chair of the Finance Committee

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.



Adrian Crompton

Auditor General for Wales

Sophie Howe

Future Generations Commissioner

29 May 2020

Well-Being of Future Generations – Statutory Reports

Dear Adrian and Sophie,

Thank you for your attendance to the recent meeting of the Public Accounts Committee held on 18 May 2020. It was a very useful introduction and starting point for Senedd consideration of your important statutory reports.

We recognise that the principles of the Well-Being of Future Generations (Wales) Act 2015 (hereafter 'the Act') underpin all aspects of public life in Wales and the importance of ensuring that all scrutiny by the Senedd should be fully encompassing.

As such we wish to take time to reflect on how the Senedd can effectively undertake this work and will await the formal launch of your reports in the Autumn before taking our scrutiny forward. This will enable us to assess how public bodies in Wales respond to your findings and take into account any feedback from stakeholders, which will shape our thinking.

While the Public Accounts Committee has been asked to lead this work I will ensure all Senedd Committee Chairs are invited to be involved. We want to be clear that this scrutiny will need to involve wider post legislative scrutiny of the Act and ensure that this is undertaken on a regular basis. At present, despite the Act being in place for 5 years there has been no wider post legislative scrutiny to date and only scrutiny of the Future



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Generations Commissioner is undertaken on an annual basis by the Equalities, Local Government and Communities Committee.

We recognise the importance of embedding the Act across the Welsh Public Sector. However, we are concerned that some public bodies do not see this as a priority. Our thinking will give consideration to how the Senedd might undertake post legislative scrutiny of the Act. This will include detailed examination of the barriers to successful implementation described in your reports and how they can be overcome. For example:

- The role of the Welsh Government in providing leadership on the Act's implementation.
- Short-term funding cycles and how these are hindering progress.
- Whether the bodies affected by the Act have sufficient resources to translate the principles of the Act into practice.

We will also focus on the development of clear milestones to measure progress and whether additional public bodies should be designated by Order to be subject to the Act.

The Committee recognises the profound challenges that have been presented to public bodies in Wales by the COVID-19 pandemic. We see the framework of the Well-Being of Future Generations Act as an opportunity to address some of these challenges. In many ways the pandemic has progressed the principles of the Act through increased agile and flexible working, active travel, collaborative working and other positive changes. We hope these positive changes will not be lost as COVID-19 related restrictions ease.

We note that every aspect of public life will need to be considered through a COVID-19 lens as public bodies take forward the recommendations of your reports. This will be a fundamental part of our work in the Autumn.



We look forward to engaging with you later this year in taking forward our scrutiny of the findings of your reports.

Yours sincerely,

A handwritten signature in black ink that reads "Nick Ramsay". The signature is written in a cursive style with a long horizontal flourish at the end.

Nick Ramsay MS
Chair

Croesewir gohebiaeth yn Gymraeg neu Saesneg / We welcome correspondence in Welsh or English.



Julie James AS/MS
Y Gweinidog Tai a Llywodraeth Leol
Minister for Housing and Local Government



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref MA/JJ/1826/20

John Griffiths MS
Chair
Equality, Local Government and Communities Committee
Senedd Cymru
Cardiff Bay
Cardiff CF99 1SN

10 June 2020

Dear John,

Thank you for your letter of 15 May 2020, following my attendance at the ELGC Committee evidence session on 5 May. I welcomed the opportunity to discuss the impact of Covid-19 on the Housing and Local Government portfolio. In your letter you asked for further information on a number of issues, which I have provided below.

On how **local authorities can access the additional funding**, and whether there are any administrative difficulties, the Local Authority Emergency Hardship Fund provides £110m to assist with additional costs arising from their response to Covid-19. Our approach has been to recognise the impacts on local authorities financially, which arises both from additional action needed to respond to Covid-19 and additional costs for the provision of ongoing services more generally. This funding stream includes up to £40m for essential actions on free school meals, £10m for homelessness support and £40m to support adult social care delivery.

Claims are received on a monthly basis. £2.3m was paid out for March costs and the claims for April were received on 20 May for assessment and payment in June. Authorities have received cash flow support from the early payment in April of May and June's settlement which enables the payment in arrears.

In respect of the work we are doing to ensure local authorities can provide the necessary levels of **support for local economies** (inc. high streets), our Transforming Towns announcement in January set out a further package of support for town centres worth nearly £90m – building on existing projected investment of £800m in our towns since 2014. This investment continues to enable our local authority partners and others to deliver vital improvements in town centres across Wales.

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

We are developing guidance for local authorities and others on the temporary adaptations and interventions that will be needed in public spaces (including high streets) as the Covid-19 restrictions are gradually reduced. As noted above, the £110m Local Government Emergency Hardship Fund supports local authorities with the additional costs they face in responding to Covid-19.

We have also announced that we will support Business Improvement Districts (BIDs) in Wales with their running costs for up to three months to help ensure that they can continue, and be at the forefront of recovery efforts in their towns. This support is in addition to the £1.7bn (equivalent to 2.7% GDP in Wales) we have already announced to support businesses in Wales. More than 52,000 grants, totaling £640m, have already been paid out. This includes grants of up to £25,000 for retail, leisure and hospitality businesses in Wales occupying properties with a rateable value of between £12,001 and £51,000 and a £10,000 grant for firms, which are eligible for small business rates relief and have a rateable value of £12,000 or less. Eligible businesses will also benefit from a year-long rates holiday.

Furthermore, our £500m Covid-19 Economic Resilience Fund announced by the First Minister on 30 March complements other support measures for the Welsh economy, providing support to businesses, social enterprises and charities experiencing a sharp drop in trading as a result of Covid-19. The first phase saw the £100m Development Bank of Wales' loan scheme fully subscribed in little more than a week and we initially made available £300m of non-repayable revenue support to businesses. We are currently finalising details of the next phase of the Economic Resilience Fund, which we expect to open for applications by the end of June. This is in addition to our Rate Relief and the Welsh Government Business Grants scheme administered by local authorities.

Our regional teams are working collaboratively with Business Wales, Development Bank for Wales and local authorities' colleagues to gather intelligence on the impact of Covid on companies, including in the non-SME sector. Taking forward the development of the Regional Economic Framework is more important now than ever and we are proposing that in the short term we refocus the work to economic 'recovery' from Covid 19. We also continue to offer advice and support through Business Wales, <https://businesswales.gov.wales/start-loans> and Start Up loans continue to be available to provide finance to start ups in Wales and the Development Bank of Wales also has a number of funds available to support businesses financially: <https://developmentbank.wales>

You asked about what work is being done within the Welsh Government to capture positive changes to **LA service delivery** and working practices which have come about since the pandemic, and about sharing them across the sector.

I am keen to ensure that recovery planning is used as an opportunity to drive transformation in how services are delivered, recognising that in many service areas we've fundamentally changed how we operate; and to build on the new ways of working that responding to Covid-19 has required. We are working with the WLGA to consider how we best support local government to do this, including through the sector-led improvement support programme that the Welsh Government is funding. I will also be using the range of ways in which we engage with local government, strategically and on specific services, to draw out and share this good practice. The next meeting of the Partnership Council for Wales is taking place on 10 June and the focus will be on preparations for a future recovery, including considering the issues, opportunities and priorities for sustainable recovery and longer-term transformation.

In addition, the First Minister has convened regular meetings of the Shadow Social Partnership Council (SSPC) – including representatives of unions, employers and government. During the meeting of the Shadow Social Partnership Council (SSPC) on the 14 May it was agreed that membership should be extended on a temporary basis due to the exceptional circumstances presented by Covid-19. It is vital that we get a full and rounded view of the issues facing the public, private and voluntary sectors going forward and the SSPC will now meet on a fortnightly basis to discuss these. We all have a commitment to social partnership and face common issues as we anticipate recovery. The SSPC provides an opportunity for social partners to engage on recovery from the Covid19 outbreak at a high level and to explore how social partnership can contribute to the more detailed planning which needs to take place.

We are using the planning system to harness the positive outcomes from the pandemic including increased homeworking, improved air quality, emphasis on active travel and greater reliance on local economic, social and environmental networks. Planning Policy Wales (PPW) and the draft National Development Framework (NDF) have been designed to address the economic, social and environmental challenges which Wales must address in an integrated way through the use of placemaking. The significance of the identified challenges have been further highlighted by the pandemic. The aim is to make local economies, communities and environments more resilient through supporting appropriate development opportunities across Wales. We are also identifying and reviewing new and existing planning policy and other planning tools to see if changes are required to assist the post COVID-19 recovery.

Local authorities are also encouraged to share lessons learned and identify positive changes made to services delivered through the Children and Communities Grant. Currently, the Funding Alignment team liaise with local authorities via fortnightly webinars and we are exploring ways to better share this information.

There has also been particularly innovative and positive work undertaken on rough sleeping and homelessness, which aligns to your request for further clarity on how we are ensuring that the levels of **support for those who have been provided with accommodation** is consistent across Wales. From those perspectives, the Welsh Government has created a virtual team that directly links in with all 22 local authorities to provide support, share any guidance, regulatory and wider communications and ensure that all authorities are effectively implementing guidance requirements around accommodation provision and supporting services

This team routinely liaises with the WLGA, as the umbrella body representing local authorities across Wales, and Cymorth, as the third sector umbrella organisation for support organisations, to ensure instances of best practice in service delivery are captured on a weekly basis and can be shared across the sector.

There are a number of Welsh Government officials working directly with local authorities where information captured by the virtual team has identified that they require additional support sourcing additional accommodation capacity or wider help with supporting services.

We have also set up a number of virtual events to bring key sector stakeholders together to directly communicate and share instances of good service delivery and where existing services have been adapted to meet demand and new ways of working during the pandemic. This includes a webinar co-hosted by Shelter Cymru, the WLGA, Community Housing Cymru and Cymorth which identified, captured and shared instances of successful working and collaboration across the sector. We also invited local authorities, Registered Social Landlords and support providers to share examples successful working that could be adopted by other areas.

We have launched our Pathway to Housing programme which sets out the key principles and expectations for local authorities and the broader sector for the next phase of supporting those who have been placed in emergency accommodation to date. Following the launch event, *Plan, Build, Transform* (held on 28 May) we have planned a series of follow up events that focus on building on the successes identified to date and identify opportunities for further sector collaboration.

Turning to how can we build on the change in attitude and approach in engaging better and involving the **third sector** and to ensure it continues once the current emergency has passed, it is important that we recognise publically the fantastic engagement from the people of Wales in volunteering to supporting others. Volunteers Week is a perfect opportunity for this and has been maximised and provides the opportunity to raise the profile of volunteering and the mutual benefits. This is supported by clear accessible guidance that keeps volunteers both informed and safe.

It is also important that we keep momentum and interest in volunteering and where we can't utilise volunteers at the moment we are keeping in touch, offering skills training and working closely with community organisations to assess needs.

Close partnership working is vital and local authorities working closely with County Volunteering Councils and Local Health Boards provides the infrastructure, ability to plan, capture needs and provide support.

Ultimately, the Welsh Government is proud of how the third sector has been supported and this has reaped dividends in the ability of Welsh organisations to rise to the challenge. This will be increasingly important as we move forward to more financially difficult times

You asked for more detail of any discussions with the UK Government on **Local Housing Allowance rates** and the support to people with **no recourse to public funds**. The First Minister wrote to the Prime Minister on 6 October 2019 concerning the negative impact for Wales of leaving the EU without a deal. In the letter the First Minister stated that the Welsh Government believes that the priorities within the package should be to increase the funding of the key public services on which disadvantaged people depend; and to increase benefit payments to disadvantaged groups, and in particular address the growing gap between housing related benefits and real rental values.

Finally, in respect of your question about **Non-domestic Rates** criteria, the Valuation Office Agency (VOA) and local authorities have long-established and detailed procedures in place for determining whether properties are domestic or non-domestic, supported by extensive legislation and guidance. The qualifying criteria for self-catering properties to be classed as non-domestic are clearly set out in legislation and we have consulted widely on this matter on a number of occasions. The criteria in Wales are the most stringent amongst the nations of the UK. The law strikes a balance between the interests of local communities, homeowners and the tourism industry.

Owners of self-catering accommodation must provide evidence that their property meets the criteria. The VOA determines if a property is classed as domestic or non-domestic. The Agency is independent of the Welsh Government. Owners seeking to have their property moved from the council tax list to the non-domestic rating list as self-catering accommodation must submit a request to the VOA. They must complete a form and provide documentary evidence that the property meets the letting criteria. The VOA must review this evidence before making a change to the list.

We are conscious that certain local authorities have expressed concerns about the possibility that the Covid-19 grants might be paid to property owners who only occasionally let out their property. The grant guidance was amended following discussion with local authorities. To ensure clarity and consistency in administering the scheme, there are no plans to amend the eligibility criteria.

I hope this information is helpful to the Committee.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Julie', with a large, sweeping initial 'J'.

Julie James AS/MS

Y Gweinidog Tai a Llywodraeth Leol
Minister for Housing and Local Government