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Y Cwnsler Cyffredinol a Gweinidog y Cyfansoddiad
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Llywodraeth Cymru
Welsh Government

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Huw Irranca-Davies MS
Chair
Legislation, Justice and Constitution Committee
Senedd Cymru

20 June 2023

Inter-Institutional Relations Agreement: Inter-Ministerial Standing Committee

Further to my letter of 17 May, I have issued a **Written Ministerial Statement** summarising discussions at the most recent meeting of the Inter-Ministerial Standing Committee ('IMSC').

I have confirmed as part of that Statement that the next IMSC will be chaired by Scottish Government, in line with rotating chair arrangements. I will provide a written update on the arrangements for the next meeting, which will include the date and likely agenda items, in due course.

I have also copied this letter to the Finance Committee and the Economy, Trade and Rural Affairs Committee.

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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.



Llywodraeth Cymru
Welsh Government

WRITTEN STATEMENT BY THE WELSH GOVERNMENT

TITLE Inter-Ministerial Standing Committee

DATE 20 June 2023

BY Mick Antoniw MS, Counsel General and Minister for the Constitution

I represented the Welsh Government at the fourth meeting of the Inter-Ministerial Standing Committee (IMSC) on 17 May.

A joint [communique](#) was published following the meeting, which contains full details of other attendees. The agenda covered: Introductions; Investment Zones; The current UK Government legislative programme including the Retained EU Law Bill; and Common Frameworks.

As referred to in the communique, the Committee noted the cross-government analytical work to identify drivers for individuals' economic inactivity and differences across the UK, and collaboration across Interministerial Groups on cost of living pressures. I highlighted that the cost of living is a critically important issue for all governments. We need to make sure that necessary further actions are identified and brought forward for decision swiftly so that they can make a real difference to households and businesses, which continue to face severe pressures due to inflation and challenging broader economic conditions. The development of the work in this area has emphasised that there is a gap in the jointly agreed Intergovernmental Relations (IGR) structures, given the lack of a formal Interministerial Group relating to the portfolio of the Department for Work and Pensions. I requested that we consider collectively how we can address that gap.

Concerning Investment Zones, I made clear that, as with Freeports in Wales, progress on the Investment Zones agenda must complement our existing objectives and priorities, and the overall direction set out in our Economic Mission.

On the Retained EU Law Bill, I recognised that the UK Government's amendments to the Bill, which put an end to the automatic sunset of retained EU law at the end of the year, are a step in the right direction. The changes will prevent important legislation in fields such as employment, the environment and consumer protection potentially disappearing inadvertently and without any scrutiny by legislatures. But I reiterated our concerns around

the UK Government's approach regarding concurrent powers currently contained in the Bill, which would allow UK Government to legislate in devolved areas without the consent of Welsh Ministers or the Senedd. As I have made consistently clear, if there are to be any powers which are exercisable by UK Government Ministers in devolved areas, then this should, as a minimum, be subject to an affirmative consent requirement of the Welsh Ministers in advance, and this should be addressed on the face of the Bill.

Concerning the Levelling Up and Regeneration Bill, I raised that the provision for the setting of levelling-up missions, associated metrics and targets and reporting on progress in Part 1 of that Bill represents an inappropriate intrusion into the legislative competence of the Senedd. We remain willing to work with UK Government on Part 6 of the Bill, but this can only be achieved if they commit to change the current approach which involves the inclusion of concurrent powers for UK Government Ministers which can be exercised without the consent of Welsh Ministers.

I reiterated the Strikes (Minimum Service Levels) Bill is an unnecessary and unjustified attack on workers' rights and trade unions. It is rushed and ill-conceived, lacking in detail, will not resolve industrial disputes and may sour industrial relations in all parts of Great Britain. I confirmed that the Senedd has refused consent to a Bill that deliberately bypasses our Welsh Parliament and the Welsh Government. There is no justification for the UK Government to impose this Bill on devolved public service employers and workers.

On the Sewel Convention, I raised that the UK Government potentially breaching the Sewel Convention multiple times in the current year alone illustrates the fundamentally disrespectful and destructive approach of the UKG to the Sewel Convention, to devolution, and to the Union. There is simply no justification for this and absolutely no way this could be described as 'not normally' legislating without consent. Where the Senedd does not consent to a UK Government Bill, the UK Government needs to rediscover its respect for devolution and reverse the position whereby breaches of the Sewel Convention have become the default.

Concerning Common Frameworks, I noted they demonstrate that good intergovernmental working is possible and that coherence and divergence can be managed through constructive dialogue and collaboration. However, the mechanisms they provide for early engagement need to be used more consistently. I requested that UK Government, at Ministerial and senior official level, positively reinforce that point with colleagues.

Ministers also discussed international engagement, including concerns around the recent FCDO guidance issued to its overseas offices on Devolved Government Ministerial visits to those countries. I confirmed we could not agree that a UK Government senior official should be present at all meetings with foreign government ministers as a matter of course. It was agreed to invite the FCDO to a future IMSC to discuss this issue.

The next IMSC will be chaired by the Scottish Government, in line with rotating chair arrangements.