

Dr Andrew Goodall
Ysgrifennydd Parhaol
Permanent Secretary



Llywodraeth Cymru
Welsh Government

Mark Isherwood MS
Chair, Public Accounts and Public Administration Committee
Welsh Parliament
Cardiff Bay
CF99 1SN

15 April 2024

Dear Mr Isherwood

Public Accounts and Public Administration Committee – Welsh Government Annual Report and Accounts 2022-23

Following the Committee scrutiny of the Welsh Government Annual Report and Accounts 2022-23 on the 20 March 2024 I welcome the constructive scrutiny of the Committee and am pleased to provide responses to the further information you have requested as set out below.

The following annexes respond accordingly to:

- Annex 1 – An update on the planned improvements to the delegation framework for decisions relating to the employment of senior civil servants
- Annex 2 – An update on the role of Local Partnerships in relation to consultancy appointments, or any other activities, undertaken through this organisation. Can you also confirm whether the resources sourced from Local Partnerships is included as part of the Welsh Government's headcount figures in the Accounts?
- Annex 3 – A breakdown of the ordinary staffing headcount would be provided including a breakdown of those on secondment or contractual arrangements into the organisation
- Annex 4 - The number of KPIs the Welsh Government has as an organisation and how, or if, they are weighted as priorities
- Annex 5 - Any claims that have been put through the losses statement in previous accounts, based on the Committee's scrutiny of the £1.3m payment in this relevant set of Accounts.
- Annex 6 – Information relating to the Committee's Public Appointments inquiry



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I trust that this additional information helps the committee in any final reflections and that the evidence session we attended in respect of the 2022-23 accounts was helpful.

Yours sincerely

*Yours,
Andrew Goodall*

Dr Andrew Goodall

Ysgrifennydd Parhaol/ Permanent Secretary
Llywodraeth Cymru/ Welsh Government



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Annex 1:

An update on the planned improvements to the delegation framework for decisions relating to the employment of senior civil servants.

The Welsh Government have strengthened the governance and documented processes relating to Senior Civil Service (SCS) workforce decisions. This note provides a summary of the arrangements in place at April 2024.

The Welsh Government's approach to SCS workforce matters is determined by the framework **Cabinet Office** oversees for all UK Government departments and devolved administrations. SCS terms and conditions, including the pay remit, are not delegated and Cabinet Office lead on Permanent Secretary recruitment, many aspects associated with Director General recruitment and support for Director-level talent management.

The framework to support **Permanent Secretary employment matters** is fully operational and includes the provision for an annual report to the Welsh Government PRemCom on the application of that framework, with the first report submitted in summer 2023. The report for the 2023/24 financial year is due to be tabled for the committee shortly and will then be provided to Cabinet Office.

However, as a devolved administration there are some flexibilities and decisions that form part of the Welsh Government's organisation-level governance, in order to meet business and operational need. It is important that when we take decisions about our workforce, those decisions are transparent and supported by strong governance. The Welsh Government's **Workforce Delegations & Accountability Framework** sets out the responsibilities and accountabilities for the creation, evaluation and recruitment for SCS posts and any changes to individual SCS members working patterns.

The **People and Remuneration Committee (PRemCom)** retains assurance, informing decision making for some limited SCS related issues including statutory responsibilities around SCS terms and conditions of service, remuneration matters and exceptions to policy. The Chairs of ARAC and Remuneration Committee were actively engaged in the planning and implementation of improvements to governance and decision making relating to the employment of the SCS. Members of the Committee were also involved in the reshaping of RemCom as the People and Remuneration Committee, informing the terms of reference.

Directors General to take decisions on **SCS recruitment and resourcing**, empowering them to effectively manage their whole workforce and develop the right structures at the right time to deliver ministerial priorities. This includes changes to working patterns or working hours that can be accommodated within delegated workforce budgets.

A strengthened process on **partial retirement** has been introduced to support SCS colleagues in considering their working arrangements whilst also ensuring business



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needs are met and fairness is applied. This is a formal, documented and standardised process for members of the SCS requesting partial retirement. SCS colleagues are required to provide a business case, endorsed by the Director General, for People & Remuneration Committee consideration. The business case would include the impact on partial retirement on the role, individual and the organisation and the proposed mitigations and opportunities. Following an official decision to endorse the request, the individual may formally submit a request and engage the Corporate Shared Service Centre Pay & Pensions team to action with My CSP (or other pension provider).



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Annex 2:

An update on the role of Local Partnerships in relation to consultancy appointments, or any other activities, undertaken through this organisation. Can you also confirm whether the resources sourced from Local Partnerships is included as part of the Welsh Government's headcount figures in the Accounts?

Background

Local Partnerships (LP) is a public sector consultancy, jointly owned by the Local Government Association (50%), HM Treasury (45%) and the Welsh Government (5%), as members in a limited liability partnership.

Working solely for public sector organisations, LP serves as a key interface between local and central government and provides expert advice and practical resources alongside project and programme delivery support, enabling public services to thrive and delivering value and efficacy for the public purse.

Local Partnerships has a team of specialist staff with combination of public and private sector experience to deliver quality support to the public sector, from supporting and accelerating the delivery of major infrastructure, tackling climate challenges through waste efficiency and renewable energy propositions, through to wider place-making initiatives.

Ownership

LP was originally a 50:50 joint venture between Local Government Association (LGA) and HM Treasury (HMT). Welsh Government took 5% capital at nil cost in January 2018, which offers no entitlement for distributions nor exposure to calls for additional funding. Under the terms of LP members' agreement, Welsh Government appoints a board member to the LP board from the senior civil service.

Through LGA's ownership, the Welsh Local Government Association and Welsh Local Authorities that are members of LGA benefit from ownership of LP.

Through HMT's ownership, UK Government Departments benefit from ownership of LP.

Procurement

Local Partnerships benefits from an exemption from public procurement known as the Teckal exemption. This allows public sector organisations that participate in the joint control of LP to award contracts to LP without competition, provided certain requirements are met.



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To enable Welsh Government to procure services from LP, a framework agreement was established in August 2018 to govern the terms of procurement. Individual work orders are put in place for each specific project, setting out:

- service requirements and deliverables
- services commencement date
- charges payable and their profiling
- services completion date
- key personnel
- locations from which service is provided
- contract monitoring procedures
- management information and meetings.

Current Projects with Welsh Government

Ynni Cymru

- establishing Ynni Cymru as an arm's length energy delivery company to expand community-owned renewable energy generation across Wales.

Trydan Gwyrdd Cymru

- establishing Trydan Gwyrdd Cymru as a Welsh state developer to accelerate development of renewable energy projects on the wider public estate and maximise their value.

Marine Energy Programme

- progressing management of the Tidal Lagoon Challenge
- working with Port Talbot and Pembroke Dock and relevant supply-chain stakeholders to maximise benefits from the developing floating offshore wind industry
- working with Morlais to support its ongoing sustainable development in facilitating deployment of a pipeline of tidal stream devices off Anglesey.

Energy Service

- providing strategic engagement service covering the four regions in Wales to all public sector bodies, including Health Boards and higher education establishments, to develop carbon reduction, energy efficiency, renewable energy and fleet decarbonisation projects that contribute to achievement of public sector net-zero related targets
- working alongside other delivery partners, the Carbon Trust and the Energy Savings Trust.



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Warm Homes Programme

- acting as contract manager for Warm Homes contracts during period of mobilisation, supporting ordered transition between extant and new contracts
- embedding effective contract management practices and procedures for the new contract, for adoption by a permanent contract manager post
- ensuring appropriate alignment and integration in place between the new contract and other energy efficiency and fuel poverty programmes.

Resource Efficiency and Circular Economy Programme

- supporting delivery of Extended Producer Responsibility Programme, through provision of programme and project management office support
- providing expert resource to support effective contract management of operational Public Private Partnership residual and food waste contracts
- supporting ambition to achieve one planet resource use and net zero carbon by 2050, through implementing initiatives to tackle hard to recycle material collaboratively across the public sector.

Health and Social Care Climate Adaptation Planning

- developing a climate adaptation risk assessment and planning approach for the Health and Social Care sector in Wales, including a baseline activity review, development of an adaptation toolkit with training materials for ongoing use.

Net Zero Scenario Planner

- analysing available data for council buildings, street lighting and fleet to estimate overall cost by local authority for the council estate and fleet assets to decarbonise
- developing standardised Scenario Planner for local authorities to explore scenario options for reaching net zero, and providing final evidence report.

Velindre Cancer Centre

- providing expert support to procurement of new cancer centre, utilising the Mutual Investment Model in accordance with requirements.

Phosphates

- providing expert support to unblock stalled affordable housing sites, or those at risk of stalling, due to regulations around the impact of phosphates in rivers, which can be exacerbated by local population increases from new housing development.

Cwmni Eginio

- undertaking review of achievements and perception by key stakeholders to inform future direction.

Water Quality

- facilitation workshop, and provision of summary report, to inform the forthcoming Programme for Water.



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The services of Local Partnerships staff are supplied on a consultancy basis under the terms of the framework agreement and work order. There are no secondments into Welsh Government.

As Local Partnerships staff provide services as consultants, in line with the disclosure requirements of the FReM, they are not included in the Welsh Government staff numbers figures reported within the Remuneration Report in the Accounts.



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Annex 3:

A breakdown of the ordinary staffing headcount would be provided including a breakdown of those on secondment or contractual arrangements into the organisation.

As at 31 March 2024, the headcount of Welsh Government was:

| | |
|------------------------|----------------|
| | 31.3.24 |
| Permanent | 5,757 |
| Secondment (In) | 105 |
| Loan (In) | 56 |
| Apprentice / Placement | 49 |
| Fixed term | 169 |
| | 6,136 |

It is important to note, this will not align to the Staff Numbers when published in the Annual Accounts Remuneration Report for 2023-24. The Staff Numbers for the Remuneration Report are required to be prepared to present the average number of people employed in the year, and therefore are an average of Full Time Equivalent staff over the financial year, it is not the 'headcount' which is the number of individuals at a point in time, irrespective of whether they are full or part-time employees.



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Annex 4:

The number of KPIs the Welsh Government has as an organisation and how, or if, they are weighted as priorities.

The number of indicators reported on within the WG Performance Framework has varied on an annual basis and has been adapted from year-to-year, taking into account data availability and changes to the strategic goals of the performance areas.

In 2022-23, 54 indicators were reported on across the Framework. This was a similar number to previous years (55 in 2021-22 and 53 in 2020-21), although the exact indicators reported on have varied over this time. We plan to move to a quarterly balanced scorecard approach to KPI reporting in the 2024-25 financial year, and we anticipate that this will lead to a substantial reduction in the number of indicators reported on.

ExCo and the Board consider the indicators for each theme both individually and collectively, in order to make a comprehensive and rounded assessment of performance. The indicators are not currently weighted by priority, and all are considered to add to our understanding of Welsh Government's overall performance. As part of the development of the new balanced scorecard approach, we will consider whether any weighting of indicators is appropriate.

A subset of indicators is included in the annual accounts, since space does not allow for the full set of indicators to be included. There were a number of considerations in choosing these indicators for inclusion in the accounts. This included ease of interpretation by an external audience, their ability to provide an indication of organisational performance, and their suitability for external publication. These published indicators are treated equally with unpublished indicators by ExCo and the Board when scrutinising Welsh Government's performance.



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Annex 5:

Any claims that have been put through the losses statement in previous accounts, based on the Committee's scrutiny of the £1.3m payment in this relevant set of Accounts.

The table below shows the value and number of claims against Welsh Government in relation to the Strategic Road Network ownership settled and included within the losses and special payments disclosures in the Annual Account for the period 2018-19 to 2022-23.

| Year | Total £'000 | Number of incidents |
|---------|--------------|---------------------|
| 2022-23 | 1,290 | 5 |
| 2021-22 | 1 | 4 |
| 2020-21 | 38 | 5 |
| 2019-20 | 1 | 2 |
| 2018-19 | 7 | 7 |
| | 1,337 | 23 |



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Annex 6:

In relation to the Committee's Public Appointments inquiry, it was agreed that the following information would be provided:

- A full breakdown of the collated figures for Welsh-speakers appointed to public appointments since the institution of the relevant Public Appointments code. You also agreed to provide information on the first line of each successful applicants post code.
- A full list of both the regulated and unregulated bodies subject to the public appointment code.
- A full list of the bodies that are not subject to the code and an explanation about why this is the case.
- An understanding about why these arrangements are codified in an Order of Council and your understanding as to whether there is legal competence for it to be done in this way.
- Whether Senedd public appointments are dealt with in line with the public appointments code – is there a memorandum of understanding between the two organisations.

Location and Welsh Language Skills of Appointees to Public Appointments

The Governance Code on Public Appointments was published in 2016. The Appoint recruitment system did not capture data on Welsh language and location until 1 April 2019 and so no data is available prior to that date. The Appoint data provided after 1 April 2019 was not mandated by the system and so the analysis below is limited to the data which was voluntarily provided at that time.

Cais captures information more consistently than which was collected by Appoint as some fields are now mandatory. Data on Welsh speaking skills was not collected at all on Appoint. It is mandatory on Cais to provide data on understanding the Welsh language, Welsh speaking skills and on location.

Public Appointments by Location:

The table below shows the number and proportion of appointees by postcode area. This data was collated from both the Cais and Appoint recruitment systems. Where less than 10 appointees were based within a postcode area, they were combined with other postcodes within the same region, in order to protect anonymity.

Data included in the analysis below:

- Appoint from 1 April 2019 – 31 May 2023
- Cais (the replacement for Appoint) from 1 June 2023 - 27 March 2024
- This does not represent all appointments as there is only limited information before May 2023



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| Postcode area | Number of appointees | Percentage of appointees |
|-------------------------|----------------------|--------------------------|
| South East Wales | | |
| CF | 59 | 32% |
| NP | 20 | 11% |
| South West Wales | | |
| SA | 32 | 17% |
| Mid Wales | | |
| SY*/LD | 18 | 10% |
| North Wales | | |
| LL/CH* | 29 | 16% |
| Outside Wales | | |
| All other postcodes^ | 26 | 14% |
| Grand Total | 186 | 100% |

*Please note that these postcode areas straddle the Wales/England border. Exploration of the specific postcodes suggests that almost all these appointees are based in Wales.

^Most other postcodes were based in England, with a small number in Scotland.

Public Appointments by Welsh Language Skills:

Understanding of Welsh

The table below shows the number and proportion of appointees by skill level in understanding Welsh. This data was collated from both the Cais and Appoint recruitment systems. Since some specific skill levels have small counts of staff, data has been combined into three categories: those with no skills, those with basic or intermediate skills and those with advanced skills. The specific skill levels within each category are listed below the table.

| Welsh Language Skill Level | Number of appointees | Percentage of appointees |
|----------------------------|----------------------|--------------------------|
| No skills | 57 | 31% |
| Basic/Intermediate Skills* | 68 | 37% |
| Advanced Skills^ | 61 | 33% |
| Grand Total | 186 | 100% |

*This category includes appointees at three skill levels: (i) those who can understand parts of a basic conversation, (ii) those who can understand basic conversations about everyday topics or (iii) those who can understand routine work-related conversations.

^This category includes appointees who can understand most or all work-related conversations.

Welsh Speaking Skills

The table below shows the number and proportion of appointees by skill level in speaking Welsh. This data is only available on the Cais recruitment system, and therefore can only be reported for around half of appointees. Since some specific skill levels have small counts of staff, data has been combined into three categories: those



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with no skills, those with basic or intermediate skills and those with advanced skills. The specific skill levels within each category are listed below the table.

| Welsh Language Skill Level | Number of appointees | Percentage of appointees |
|----------------------------|----------------------|--------------------------|
| No skills | 31 | 42% |
| Basic/Intermediate Skills* | 15 | 20% |
| Advanced Skills^ | 28 | 38% |
| Grand Total | 74 | 100% |

*This category includes appointees at three skill levels: (i) those who can hold a basic conversation in Welsh, (ii) those who can hold simple work-related conversations or (iii) those who can converse in some work-related conversations.

^This category includes appointees who can converse in most work-related conversations or consider themselves fluent.

In his letter of 15 March, Tim Moss undertook to provide an analysis of socio-economic data for public appointments after we have a full year under the new recruitment system. However, we will be able to provide the Committee with an initial analysis by the end of April.

Regulated public bodies which are listed on the Public Appointments Order in Council 2023 and subject to the public appointment code:

Regulated bodies:

Advisory Panel to the Welsh Language Commissioner
Agricultural Advisory Panel for Wales
All Wales Medicines Strategy Group
All Wales Programme Monitoring Committee for the European Structural Funds
Amgueddfa Cymru - Museum of Wales
Aneurin Bevan University Local Health Board
Animal Health and Welfare Framework Group
Arts Council of Wales
Awdurdod Parc Cenedlaethol Arfordir Penfro/Pembrokeshire Coast National Park Authority
Awdurdod Parc Cenedlaethol Bannau Brycheiniog / Brecon Beacons National Park Authority
Awdurdod Parc Cenedlaethol Eryri /Snowdonia National Park Authority
Betsi Cadwaladr University Health Board
Board of Community Health Councils
Cardiff & Vale University Health Board
Career Choices Dewis Gyrfa Ltd
Children's Commissioner for Wales
Commission for Tertiary Education and Research
Cwm Taf Morgannwg University Local Health Board
Design Commission for Wales
Digital Health and Care Wales
Education & Skills Ministerial Advisory Group



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Education Workforce Council
Future Generations Commissioner
Health Education and Improvement Wales
Higher Education Funding Council for Wales
Hybu Cig Cymru
Hywel Dda University Health Board
Independent Remuneration Panel for Wales
Life Sciences Hub Wales Board
Llais Citizen Voice Body for Health and Social Care, Wales
Local Democracy and Boundary Commission for Wales
National Academy for Educational Leadership
National Adviser for Violence against Women and other forms of Gender-based
Violence, Domestic Abuse and Sexual Violence
National Library of Wales
Natural Resources Wales
Older People's Commissioner for Wales
Powys Teaching Health Board
Public Health Wales NHS Trust
Qualifications Wales
Royal Commission on the Ancient and Historical Monuments of Wales
Social Care Wales
Sport Wales
Swansea Bay University Local Health Board
Velindre National Health Services Trust
Welsh Ambulance Services National Health Service Trust
Welsh Industrial Development Advisory Board
Welsh Language Commissioner
Welsh Revenue Authority

Unregulated public bodies which voluntarily adhere to all or some parts of the Code¹:

Adnodd/Bilingual Resources
Agriculture and Horticulture Development Board
Audit Wales
Building regulations Advisory Committee
Clean Air Advisory Panel
Consumer Council for Water
Continuing NHS Healthcare Review Panels
Control Agricultural Pollution Regulations – Independent chair
Deputy Interim Environmental Protection Officer for Wales
Digital Public Services Board
Economy and Transport North Wales Ministerial Advisory Group

¹ Control Agricultural Pollution Regulations – Independent chair and NHS Joint Commissioning Committee are new additions to this list which is why they were not included on the list provided with the response to WQ91304



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Emergency Ambulance Services Committee
 Enterprise Zone Advisory Boards
 Environmental Government Assessor
 Eradication Programme Board
 Firefighters Pension Advisory Board
 Flood and Coastal Erosion Committee
 Food and Drink Industry Wales
 Haven Waterway Enterprise Zone Advisory Board
 Health and Social Services National Expert Group
 Human Tissue Authority
 Independent Adjudicators
 Independent Appeals for Rural Payments and Grants
 Independent Assurance Panel for Housing Regulations
 Independent Pay Review Panel Wales
 Industry Wales trading as Sector Development Wales Partnership
 Interim Environment Protection Office for Wales
 Livestock Identification Advisory Group
 Ministerial Advisory Board
 More Than Just Words
 National Independent Safeguarding Board
 National Infrastructure Commission for Wales
 NHS Healthcare Review Panels
 NHS Joint Commissioning Committee
 OfCOM Board Wales
 RED - Renewable Energy
 Regulatory Board Wales
 Road Infrastructure Review Group
 Ser Cymru
 Social Partnership Council
 TB Eradication Programme Board
 TB Technical Advisory Group
 Valuation Tribunal for Wales
 Wales Animal Health and Welfare Framework Group
 Wales Coasts and Seas Partnership
 Wales Council for Voluntary Action (WCVA)
 Wales Marine and Fisheries Action Group
 Wales Food Advisory Committee (FSA in Wales)
 Welsh Government – CADW
 Welsh Government – board appointments
 Welsh Health Specialised Services Committee
 Welsh Language Partnership Council
 WGC Holdco
 Youth Work Strategy Implementation Board

Welsh Government companies and arm's length bodies with corporate status that are neither included in the Order in Council or are not known to follow the Code of Practice*:



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Centre for Digital Public Services Ltd
Cwmni Eginio Ltd
Design Commission for Wales Ltd
Development Bank for Wales plc
GCRE Ltd (Global Centre for Rail Excellence)
International Business Wales
St Athan (Stadium Site) Ltd
Transport for Wales Ltd

*This excludes NHS bodies and committees, ad hoc advisory committees, and tribunals (which are part of the justice system).

An explanation about why some Welsh public bodies are not subject to the Governance Code:

Unregulated public bodies (i.e. those which are not included in Orders in Council) are not subject to the Governance Code on Public Appointments. I have listed those which voluntarily follow all or part of the Code when making public appointments. Other unregulated public bodies may decide not to follow all or part of the Code. I have provided a list of these.

An understanding about why these arrangements are codified in an Order of Council and your understanding as to whether there is legal competence for it to be done in this way:

Orders in Council make provision for the Commissioner for Public Appointments to monitor Department's procedures when making public appointments. Orders include a list of all the bodies that are regulated by the Commissioner. They are regularly updated (the latest was issued in November 2023 and previous Public Appointments Orders in Council were made in July 2023 and November 2019). The decision to add a body or office to the Public Appointments Order in Council, to make appointments to it regulated, is a matter for the appointing Secretary of State or Minister. While the Cabinet Office provides general guidance to Departments on the issues to consider when deciding whether a body or office should be added to the Order in Council, it considers ministers are best placed to determine which of the appointments that they are responsible for making should be regulated, along with which should be considered significant appointments, taking account of departmental policies and priorities.

There are usually reasons for roles/bodies not to be regulated, most notably where there are other formal, usually statutory, processes which govern their appointment (which may not allow an appointment to mirror the practices set out in the Governance Code), where the volume and local nature of the roles makes ministerial involvement impractical or where a particular degree of independence from government is required.



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Whether Senedd public appointments are dealt with in line with the public appointments code – is there a memorandum of understanding between the two organisations?

The Senedd is responsible for making its own public appointments but none of these are listed in Orders in Council and therefore are not regulated by the Commissioner for Public Appointments. The Senedd has a responsibility to scrutinise significant appointments made by Welsh Government which they do by holding pre-appointment hearings with successful candidates. There is no Memorandum of Understanding in place.



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