

Mike Hedges

Chair

Legislation, Justice and Constitution Committee

13 February 2025

Dear Mike,

Legislative Consent: Employment Rights Bill

The Business Committee has referred the Employment Rights Bill LCM to our Committee, and we intend to publish a report on the policy matters in due course. However, during our consideration of the LCM, we were so concerned by Clause 26 of the Bill, as referenced in the LCM, that the Committee felt it appropriate for me to write to you and raise our views.

As you will be aware Clause 26 inserts a new section 78A into the Equality Act 2010 which enables the making of regulations requiring certain employers and public bodies to prepare and publish an "equality action plan". We note that, whilst most devolved Welsh public bodies are excluded, the Senedd Commission is covered by this provision. We were also particularly surprised to see that, while Clause 26 states that a Minister of the Crown must consult the Welsh Ministers before making regulations that apply to certain non-devolved public bodies operating in Wales, there is no such requirement when making regulations that apply to the Senedd Commission.

We feel it is entirely inappropriate for the UK Government to take powers that allows it to impose requirements on the Senedd Commission on how it operates, particularly in light of the fact that such requirements will not apply to other devolved Welsh authorities. In our opinion, the Senedd Commission should be answerable and accountable to the Senedd not to UK Government Ministers.

We will be including some detail on this within our report. However, as the Committee that leads on constitutional issues, we felt it was also appropriate to raise these concerns with you.



I have copied this letter to Joyce Watson MS, in her role as Senedd Commissioner for Equalities, Jack Sargeant MS, as the Minister responsible for the LCM, and the Chair of the Equality and Social Justice Committee, who are also considering this LCM.

Kind regards,

Andrew RT Davies

Andrew RT Davies MS

Chair: Economy, Trade and Rural Affairs Committee

We welcome correspondence in Welsh or English

CC: Joyce Watson MS, Senedd Commissioner for Equalities

Jack Sargeant MS, Minister for Culture, Skills and Social Partnership, Welsh Government

Jenny Rathbone MS, Chair, Equality and Social Justice Committee