



Cynulliad  
Cenedlaethol  
Cymru

National  
Assembly for  
Wales

# Cofnod y Trafodion The Record of Proceedings

[Y Pwyllgor Cydraddoldeb, Llywodraeth Leol a  
Chymunedau](#)

[The Equality, Local Government and  
Communities Committee](#)

01/03/2017

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Cofnodir y trafodion yn yr iaith y llefarwyd hwy ynddi yn y pwyllgor. Yn ogystal, cynhwysir trawsgrifiad o'r cyfieithu ar y pryd. Lle y mae cyfranwyr wedi darparu cywiriadau i'w dystiolaeth, nodir y rheini yn y trawsgrifiad.

The proceedings are reported in the language in which they were spoken in the committee. In addition, a transcription of the simultaneous interpretation is included. Where contributors have supplied corrections to their evidence, these are noted in the transcript.

**Aelodau'r pwyllgor yn bresennol**  
**Committee members in attendance**

Gareth Bennett	UKIP Cymru
<a href="#">Bywgraffiad</a>   <a href="#">Biography</a>	UKIP Wales
Janet Finch–Saunders	Ceidwadwyr Cymreig
<a href="#">Bywgraffiad</a>   <a href="#">Biography</a>	Welsh Conservatives
John Griffiths	Llafur (Cadeirydd y Pwyllgor)
<a href="#">Bywgraffiad</a>   <a href="#">Biography</a>	Labour (Committee Chair)
Sian Gwenllian	Plaid Cymru
<a href="#">Bywgraffiad</a>   <a href="#">Biography</a>	The Party of Wales
Bethan Jenkins	Plaid Cymru
<a href="#">Bywgraffiad</a>   <a href="#">Biography</a>	The Party of Wales
Rhianon Passmore	Llafur
<a href="#">Bywgraffiad</a>   <a href="#">Biography</a>	Labour
Jenny Rathbone	Llafur
<a href="#">Bywgraffiad</a>   <a href="#">Biography</a>	Labour
Joyce Watson	Llafur
<a href="#">Bywgraffiad</a>   <a href="#">Biography</a>	Labour

**Eraill yn bresennol**  
**Others in attendance**

Gary Brandrick	Prif Swyddog Tân Cynorthwyol, Awdurdod Tân ac Achub Gogledd Cymru Assistant Chief Fire Officer, North Wales Fire and Rescue Authority
Joanna Davies	Cyfarwyddwr y Gweithlu a Datblygu Sefydliadol, Bwrdd Iechyd Lleol Cwm Taf Director of Workforce and Organisational Development, Cwm Taf Local Health Board
Y Cynghorydd / Councillor Tudor Davies	Cadeirydd, Awdurdod Tân ac Achub De Cymru Chair, South Wales Fire and Rescue Authority
Phil Haynes	Cyfarwyddwr Gwasanaethau Pobl, Awdurdod Tân ac Achub De Cymru Director of People Services, South Wales Fire and Rescue Authority
Kevin Jones	Prif Swyddog Adnoddau Dynol a Chyfarwyddwr Adnoddau, Gwasanaeth Tân ac Achub Canolbarth a Gorllewin Cymru

Kate Lorenti	Human Resources Lead and Director of Resources, Mid and West Wales Fire and Rescue Service Cyfarwyddwr Adnoddau Dynol Dros Dro, Bwrdd Iechyd Lleol Prifysgol Abertawe Bro Morgannwg Acting Director of HR, Abertawe Bro Morgannwg University Local Health Board
Sarah Morley	Cyfarwyddwr Gweithredol y Gweithlu a Datblygu Sefydliadol, Ymddiriedolaeth GIG Felindre Executive Director of Organisational Development and Workforce, Velindre NHS Trust
Y Cynghorydd / Councillor Suzanne Paddison	Aelod o'r Awdurdod Tân, Gwasanaeth Tân ac Achub Canolbarth a Gorllewin Cymru Fire Authority Member, Mid and West Wales Fire and Rescue Service
Claire Vaughan	Cyfarwyddwr Gweithredol y Gweithlu a Datblygu Sefydliadol, Ymddiriedolaeth GIG Gwasanaethau Ambiwlans Cymru Executive Director of Workforce and Organisational Development, Welsh Ambulance Services NHS Trust

**Swyddogion Cynulliad Cenedlaethol Cymru yn bresennol**  
**National Assembly for Wales officials in attendance**

Osian Bowyer	Y Gwasanaeth Ymchwil Research Service
Gwyn Griffiths	Uwch-gynghorydd Cyfreithiol Senior Legal Adviser
Chloe Davies	Dirprwy Glerc Deputy Clerk
Elizabeth Wilkinson	Ail Glerc Second Clerk

*Dechreuodd y cyfarfod am 09:15.*

*The meeting began at 09:15.*

**Cyflwyniad, Ymddiheuriadau, Dirprwyon a Datgan Buddiannau**  
**Introductions, Apologies, Substitutions and Declarations of Interest**

[1] **John Griffiths:** May I welcome everyone to this meeting of the Equality, Local Government and Communities Committee? Our first item this morning is introductions, apologies, substitutions and declarations of interest. As far

as declarations of interest are concerned, I declare that I am a member of the Unite and Community trade unions. Are there any others?

[2] **Joyce Watson:** Unite.

[3] **Rhianon Passmore:** GMB.

[4] **Sian Gwenllian:** Undeb **Sian Gwenllian:** The National Union of Cenedlaethol y Newyddiadurwyr. Journalists.

[5] **John Griffiths:** Diolch yn fawr. Any other declarations?

[6] **Gareth Bennett:** Ex-member of Amicus.

[7] **John Griffiths:** Right, okay. Thank you very much.

09:16

### **Bil yr Undebau Llafur (Cymru): Sesiwn Dystiolaeth 5 Trade Union (Wales) Bill: Evidence Session 5**

[8] **John Griffiths:** That takes us, then, into item 2: a continuation of our scrutiny of the Trade Union (Wales) Bill, and evidence session 5—the Welsh NHS Confederation and NHS Wales employers. We have some witnesses here to give us all evidence this morning. Could you introduce yourselves, please, starting with Kate?

[9] **Ms Lorenti:** I'm Kate Lorenti, I'm acting director of HR at Abertawe Bro Morgannwg University Local Health Board.

[10] **Ms Davies:** Good morning. Jo Davies, I'm the director of workforce and organisational development, Cwm Taf Local Health Board.

[11] **Ms Morley:** Hello, I'm Sarah Morley. I'm the director of organisational development and workforce in Velindre NHS Trust.

[12] **Ms Vaughan:** Good morning. I'm Claire Vaughan, I'm director of workforce and organisational development in the Welsh Ambulance Services NHS Trust.

[13] **John Griffiths:** Okay, thank you all, and welcome to committee this

morning. Perhaps I could get us under way by asking a question on the general principles of the Bill, and whether you support the general principles. If so, could you outline why, and if not, outline why? Who would like to begin?

[14] **Ms Davies:** I'll start. Yes, I think we support the general principles of the Bill. I think in Wales we've established, over a number of years, a model of partnership working with our trade unions, both at a national level and at a local level. And we feel that the principles of the Bill actually will enable us to maintain that.

[15] **John Griffiths:** Thank you very much.

[16] **Ms Morley:** If I can add to that, I think that the overall way in which we use partnership working to help move change through the organisation is significant. I personally wouldn't want to see anything that undermines that relationship and how much of an impact that can have on us in actually moving through what we're trying to do in Velindre specifically. So, I would support the measure of the Bill.

[17] **John Griffiths:** Thank you.

[18] **Ms Vaughan:** I think it's certainly something, from a Welsh ambulance perspective, that's a key platform that we're building on now, particularly to take us forward in our period of transformation. You'll have seen the change that we've seen in the service over the last 18 months to two years, and key to that has been an improvement and a strengthening and an embedding of our partnership working arrangements with our trade union colleagues. We have made it very clear that you go together, you go far. So, I think anything that—. We certainly welcome the purpose and the intention of the Bill in Wales, if it strengthens that relationship and maintains that relationship for us.

[19] **Ms Lorenti:** For us, we're in a period of recovery and sustainability in the partnership working throughout, and that's really important for us to move the agenda forward, and it helps us work with staff and communicate with them in an effective way. We have members of staff on all our project boards as well, so that's really helpful for us for getting ideas from staff, but actually sending some difficult messages back to staff as well, and getting engagement where we need it at the start.

[20] **John Griffiths:** Okay, thank you all very much for that. Obviously, one of the central points of Welsh Government in relation to the trade union Bill is that the UK Trade Union Act 2016 would undermine the social partnership that exists in Wales, and, consequently, potentially damage the delivery of the public services concerned. You've touched on that, I think, in your initial comments. Are you supportive of that view, that the social partnership that exists and the delivery of public services would be likely to be damaged by the UK Trade Union Act, were this Welsh Government trade union Bill not to be taken forward and enacted?

[21] **Ms Morley:** If I can go first with that. I think, for me, a relationship is built on trust and building up trusted relationships with trade union partners is vital in terms of the ongoing delivery of day-to-day services and how we do best for patients and donors, but also how we're delivering two massive change programmes in Velindre. The transforming cancer services programme is built on a model of changing our service delivery across all staff groups, and that can actually only be achieved by effective, trusted, relationships with our trade union partners. Equally, in the Welsh Blood Service, looking at our 2020 supply chain model work that we're doing. So, I think, for me, it's about making sure that we work in that process of trust. So, anything that undermines that, when we haven't got any evidence that we currently have problems or issues, that's where I would definitely say that we support this.

[22] **Ms Davies:** I think from the perspective of Cwm Taf, we don't have enough union members, to be perfectly honest. We don't have enough staff who are members of unions. We're very, very supportive of staff actually joining the unions because staff-side relationships actually do help us move things forward on a community basis and, you know, 6,000 of our 8,000 staff live and work in our community, so they're actually key advocates in terms of engaging with patients as well as with staff. Actually, one of the difficulties that we have is that our demands as an organisation on our staff side are growing continuously. We're trying to get them to—. Well, we have successfully, I think, because of the model that we've got now in Wales and particularly—I can only talk specifically about my own organisation—because we engage them in discussions around service change, over and above directly what it means for their members, but in addition to what it means for their members, and some of our unions have clearly got professional arms, so they've got an input into that side of the debate as well.

[23] We're trying to work with our staff side to actually encourage

increased membership, to encourage more actual union reps, because having them as an active part of—. Just think, even managing industrial relation issues like sickness absence, et cetera, quite often one of the things that limits us progressing that quickly is the availability of our staff side. So, actually, things like the check-off, et cetera, all of those sorts of things, we're trying to ensure that we actually promote union membership, promote partnership working, so we don't want—. That's the bigger challenge for us, actually: how we increase participation in that amongst our staff in our unions. We know that that's been declining. So, anything that sort of destabilises what we've already got, which is a fairly solid platform that we don't think is broken, is not something that we would welcome.

[24] **John Griffiths:** Okay. Are all of you content with—? Yes. Okay, thank you very much, we'll move on then to the proposed check-off arrangements and the issues around that. Rhianon, I think you have some questions.

[25] **Rhianon Passmore:** Thank you, Chair. You mentioned check-off and the restrictions within the UK Act for the deduction of union subscriptions automatically from payroll. We've touched upon this, and I'd be interested in different perspectives, actually, if there is one, and you've mentioned in your submission that you're concerned that this will have an impact. If we don't put this disapplication in through the Bill, what do you think the impact is going to be, not just in terms of social partnership, but also in terms of on-the-ground potential for—you've mentioned—union membership, and why that's important? Could you just expand a little bit, perhaps, on that? I don't know if there are other views collectively.

[26] **Ms Vaughan:** I think when we looked at the number of people within the NHS in Wales who are paying by check-off, we were quite surprised by the numbers that there are. If we think about the 86,500—roughly—people who are employed within NHS Wales, we're talking over 26,000 of our staff who pay their union fees by check-off. So, there's actually quite a significant proportion of people who would be affected by this provision if it would come through and not be disapplied in Wales. Building on what Jo was saying around, you know, we are encouraging trade union membership, we want to make that as easy as possible; it is about individual choice; it isn't an issue for us as employers, really, around how they choose to pay their union fees. It's not a priority for us to do anything about check-off or to get rid of check-off. So, it is a bit of a non-issue in that sense, around—.

[27] **Rhianon Passmore:** So, in terms of it, you said, 'If it's not broken,

don't fix it', but if we don't put this disapplication provision within the Bill, I mean, the impact—. If it's not an issue for you, why have you stated a position upon this?

[28] **Ms Vaughan:** Well, our position is that we would support the disapplication of it, because it is something around individual choice. A significant proportion of our staff would be affected by it, and it's something that, reading through the trade unions and speaking to our trade union colleagues, they've made very clear their feelings and the strength and depth of their feelings on certain applications of the Trade Union Act, so, we don't want to destabilise and don't need to destabilise; we need to build and to strengthen.

[29] **Rhianon Passmore:** Do you feel that would happen if it wasn't disapplied?

[30] **Ms Vaughan:** I think it's an issue that could become something bigger than it needs to be, yes.

[31] **Rhianon Passmore:** Okay.

[32] **Ms Davies:** So, our staff are clearly going to set up their own direct debits, et cetera, and for lower paid staff, we feel that, actually, it would compromise and reduce union membership.

[33] **Rhianon Passmore:** And why is that a bad thing?

[34] **Ms Davies:** For the reasons that I just described a bit earlier. We believe that staff side, actually, at a local level, is really, really critical. I can give some examples. I've talked about things like just managing routine, complex cases around sickness absence, disciplinaries—all of those sorts of things. But in addition to that, just a couple of weeks ago, we had some information around, for example, some staff saying there were anonymous letters. And this is not uncommon, that staff would contact us and send through something saying, 'There's a bullying culture in this particular environment.' Staff side are in amongst it. Staff side are trusted in a way that, possibly, even the human resources function might not be, at times, because we're seen as part of the establishment, even though we work hard at relationships. It's about the relationships that we've built, and that, actually, there are trusted colleagues and that there's a culture where staff know they can go and they can talk to a union rep—a local, workplace rep, et cetera. So,

yes. It would take a long, long time to build an alternative model of representation for staff.

[35] **Rhianon Passmore:** Would there be any impact if there was a large decline in union membership in terms of industrial relations? I don't know if there's an opinion on that.

[36] **Ms Morley:** I think it would have significant impact, because when you're actually dealing with current issues, or when you're actually talking about periods of change, which we all are, across NHS Wales at the moment, then having the earliest possible conversations within partnership working arrangements makes a huge difference to the direction of travel, and the ultimate outcomes that you can achieve through that change. And actually, all of us who haven't done that early enough recognise the difference that makes, and the negative impact. So, actually, having a strong base of trade union membership helps us to achieve what we need to achieve for NHS Wales, and we know, again, in Velindre, we don't have sufficient membership of trade unions, and also local reps coming forward, and we're working hard with regional officers and national officers to increase that. So, that's the way we're pursuing partnership working, to try and increase that base, to actually give us a better outcome, ultimately.

[37] **John Griffiths:** Okay, and Sian.

[38] **Sian Gwenllian:** I was just interested in the figures that you gave: 86,000 working in the NHS in Wales, and 20—

[39] **Ms Vaughan:** We will confirm it, but I think it's just over 26,000 who are paying by check-off.

[40] **Sian Gwenllian:** Paying by check-off. Is that a substantial number of the union members—the 26,000?

[41] **Ms Vaughan:** That's a very good question. Because we don't know those who are paying by direct debit or other means, and I'm not sighted on the numbers of actual trade union membership, but I do know, in previous years when we've looked at this in the Welsh ambulance service, that it is a significant proportion of staff—well into the 60 per cents, 70 per cents—who would declare that they were members of trade unions. So, I don't know the exact detail of that. We're not sighted, and I'm not sure our trade union colleagues have ever shared that with us.

[42] **Ms Davies:** Of course, some unions don't use it all, as you'll know.

[43] **Sian Gwenllian:** But you would think that that would represent a substantial number of trade union members.

[44] **Ms Davies:** Yes, I would say so.

[45] **Ms Vaughan:** I think so, yes.

[46] **Sian Gwenllian:** Okay, thank you.

[47] **John Griffiths:** Could I just ask, as well: were the UK Trade Union Act provisions to be applied in Wales with regard to check-off, would that have financial and practical implications for NHS employers?

[48] **Ms Morley:** In terms of our payroll, it's all administered through the NHS shared services partnership, and therefore there are consistent systems for all of us.

09:30

[49] All of our staff are paid through the same teams, if you like, through shared services. So they do undertake pieces of work, clearly, that make that happen, and that is remunerated from the trade unions. In terms of answering for them, in terms of the difference that would make to processes, probably given that those systems are set up, then probably not a significant difference. But, we would need to check that out with shared services partnership.

[50] **Ms Davies:** Had we remained employers where we had our own internal payroll function, then the answer would be slightly different. But in Wales, we've got that—we've got the shared service function.

[51] **John Griffiths:** Is there any cost then to NHS employers of providing the check-off arrangements? Or is it entirely met by the trade unions?

[52] **Ms Davies:** I don't know the answer to that.

[53] **Ms Vaughan:** I don't know. I don't know the detail of the actual cost to shared services of administering the process of check-off. We only know that

there is between a 2 and 2.5 per cent contribution that is paid then by the trade unions. Whether that covers off the administrative costs, I don't know—I'm not sure.

[54] **John Griffiths:** Is that something you could let the committee know, do you think?

[55] **Ms Vaughan:** I think we could probably speak to shared services teams and ask them for that detail.

[56] **John Griffiths:** Okay. Thanks very much. If there are no other questions on the check-off arrangements, we'll move on to facility time, and Joyce Watson has some questions.

[57] **Joyce Watson:** Good morning, all. I just want to, really, ask for your views. You've sort of mentioned them, really, on facility time. If you could just outline what you see are the advantages for facility time, and if you have an opinion on any disadvantages, as well.

[58] **Ms Vaughan:** I can certainly speak from a Welsh ambulance perspective and from previous experience working in one of the bigger health boards. So, one size doesn't necessarily fit all in terms of facility time, and it does depend on the organisation and the amount of transformation work. But we clearly are, and have been for a long time, in a period of significant transformation in NHS Wales. And in the Welsh ambulance service, we will be reviewing our facilities agreement because our commitment to trade union working, and to embedding partnership, means that we will probably need more, not less, facility time available to our trade unions to make sure that they are engaged. So you will be aware of the recent announcement around the clinical response model in Welsh ambulance, and trade unions played a significant role within that development, embedded within the modernisation programme board, in some of the working groups that were looking at developing the systems and the processes that we were putting in place, and also in engaging and helping us to engage with our staff, which is a significant challenge in an all-Wales service with many numerous stations, but a paramedic workforce and an emergency medical technician workforce that is predominantly out on the road most of the time. I think, certainly for us, facility time is a good thing, is a very positive thing. We would not wish to curtail it; we would not wish to be restricted in any way around how we manage that within the organisation. And we want to build on that in Welsh ambulance service really, rather than necessarily seek to

take away.

[59] **Joyce Watson:** Is that a view shared by all?

[60] **Ms Morley:** It is.

[61] **Ms Lorenti:** At ABMU, We're currently working with staff side to look to see how we can increase funded facility time. We're asking for more and more input. We have a number of forums, but also on day-to-day issues for sickness and disciplinaries, we're finding we're calling on staff side more regularly than we were before, so I'd support what Claire said.

[62] **Ms Davies:** It's the same issue really. We're very supportive of facility time. I've worked in Cwm Taf for nearly four years, and there hasn't been—there was one issue around facility time that was escalated to me in the whole time I've been there. And that was actually something that we resolved because we were asking one individual who had half-time release, in a sense, for us, more or less to do more than half-time activity. Therefore, that person was a jobbing occupational therapist and it had an impact. So those discussions had to be had. We've all got mixed models around—. You'll have a lot of your staff who literally just do the traditional, 'Can we have some time?' and that's accommodated around their working patterns, and then we've got some who—. Certainly in my organisation, we've got two and a half effectively whole-time equivalents who are full-time release, and that's invested in people and that works. I genuinely believe—and we have evidence: our staff-side reps are called out of hours, all sorts of times—actually, we get the better end of the bargain.

[63] **Joyce Watson:** Okay. That's interesting.

[64] **Ms Morley:** And similarly for us, really, we know we're short of facility time, because we don't have the sufficient number of representatives across the organisation. And we know that that is an issue for us, in terms of being able to move things forward both on local issues, and representing membership, but also more broadly. So, that's something we're trying to grow and develop.

[65] **Joyce Watson:** Okay. So, you've all given the positive side of facility time, and you don't have any views that make you think it's not a good thing.

[66] **Ms Davies:** I think the days of—. A number of years ago, I think we

used to have a lot of—and we used to discuss that at the Welsh partnership forum level, which is why you have an overarching sort of agreement, or a framework agreement. You know, we used to have a lot of fuss around staff not being able to be released, but, equally, we had a lot of managers saying, ‘Actually, there’s abuse; there are some people who are off all the time’, et cetera. But we’ve worked through all of that, through some of the local measures that we’ve put in, and at an all-Wales level. So, in a sense, I think, because this is a journey we’ve been on for a long time, building the relationships—it goes back to what Sarah was saying about relationships of trust—we’re not experiencing that. You can never say never, can you? We’ll get the odd area where there’s two or three reps in one area, which causes a problem. But that’s about how we manage the dynamics of that, and whether or not we say, ‘Actually you can’t recognise that person for this area, because it’s too much facility time, and it would have an impact on the service’.

[67] **Ms Vaughan:** And similarly, I think, as Jo said, there will always be those tensions around release of trade unions to participate. The key to it for us is making sure that people understand the benefits, and that those benefits far outweigh actually overcoming some of the barriers and the challenges that we face in releasing people to participate. And that’s been key for us. And we’re still on that kind of—I hate the word ‘journey’, but we are on that journey, certainly in the last two years. We have a long way to go, to continue to embed it. It’s at the top of the organisation; there’s still work to do to embed lower down in the organisation, at the front line, with team leaders. And that’s part of our programme of work now for this coming year.

[68] **Joyce Watson:** Okay. But, under the UK Trade Union Act 2016, there would be a requirement to publish information on facility time. And it is the view of the Welsh Government—hence bringing forward what they’re bringing forward—that that might undermine the social partnership, and then, possibly, as a consequence, impact on the delivery of services. Do you share that opinion, or do you have any comments on that opinion?

[69] **Ms Lorenti:** I think there’s probably a couple of issues for us, in that that’s quite difficult for us to do. Our model is that we have funded staff-side representatives, but we also have local reps as well, and a lot of them do a lot of work that we’re not aware of. So, part of the issue for us is how you capture that. I could say to you quite easily, I’ve got eight and a half whole-time equivalent staff-side reps who are funded, but I couldn’t tell you what happens at the local level. And, sometimes, those are the most important bits that we would find really difficult to capture.

[70] **Ms Davies:** I think, if we end up in a position—I mean, in a sense, it's exceptional issues, either that staff are being refused facility time, or, actually, we can't get enough access to staff, if you see what I mean. Those exceptional issues are the ones that we'll look at. To set up any bureaucratic mechanism that requires us to have to capture that, and have some sort of returns going through, it causes issues for us, but it also can undermine the relationship of trust that we're trying to build. So, I think those are the issues.

[71] And we cannot progress some issues without the staff-side input, and the support that they give to us, both to talk to their members—sometimes, you know, this isn't about a cosy relationship; some of those discussions are very tough. But it is about actually facilitating that, and maintaining that, so that they can give a different perspective to staff, and they can actually feed back to us as well, and say, 'This won't work, we're not going to be happy with that', et cetera. So, it's really facilitating that. So, to put some sort of bureaucratic control around that is not something we would welcome—it would take up both managerial time and administrative time, as well as time for the members of staff—putting a barrier up, you know. We're not keen on that at all.

[72] **Joyce Watson:** You're all of the same opinion.

[73] **Ms Vaughan:** Yes.

[74] **Sian Gwenllian:** Can I just come in just on this point? You say 'bureaucratic control', and other people would say 'transparency'. Isn't there a case for transparency—being devil's advocate?

[75] **Ms Vaughan:** Yes, you're right. The conversations that I've had with trade union colleagues, it hasn't been the publication aspect that is the issue, but, obviously, when you publicise, and there's transparency around that, that does lead to comparisons, and one size doesn't fit all. So, it would be the purpose to which we would publicise that detail. The bit that Kate has described, and Jo, which is the bit that we're not capturing, which is all the discretionary effort that our trade union colleagues put in, over and above, and well over and above I would say in a lot of cases, in their working day. So, yes, I would personally have no problem with the publication of it, provided it was taken in the right context and not used necessarily for comparison purposes, other than where there's a legitimate comparison to

be made.

[76] **Ms Davies:** I think the other side of the transparency is around—an awful lot of the discussions, and a lot of the involvement and the activity of reps, because with the sort where you've got people on full-time release, we have their diaries. They sit within my function in that sense. We have their diaries—they see ours, we see theirs. That's quite transparent. But to try and shed a light on what the activity is at a lower level, you actually then put them in a position where you're exposing some stuff that's quite confidential and that, actually, they wouldn't necessarily want us to see either, if that makes sense, in terms of some of the discussions that are being had with staff.

[77] **Sian Gwenllian:** But it wouldn't necessarily mean that you're showing what those discussions are about; it would just show how much time was being taken up on that particular activity. But I take the point that it's very difficult to compare.

[78] **Ms Davies:** A lot of it's discretionary, as you say.

[79] **Ms Morley:** And I would agree with Jo, really, that we would have to set up a significant mechanism to capture that, which is then distracting people from what they should be achieving in that time. So, it is about not trying to hide anything, but actually about spending time on the things that add value for the trade union reps, and for us as an organisation.

[80] **Sian Gwenllian:** Thanks.

[81] **Joyce Watson:** Just a final question from me, Chair, is whether you want to elaborate any further on how the facility time framework meets the needs of the service, and what impact would not disapplying the provision have in your view?

[82] **Ms Vaughan:** I think the points have been reasonably well made by colleagues, that it is so fundamental having facility time to engage our trade unions. They are quite often the voice—a trusted voice—of our staff, and an input into, at the very earliest stage, the design, the development of processes, systems, models and services, is so key to getting it right so that we don't waste a significant amount of time the other end when we get it wrong trying to unravel things or deal with grievances and employee relations stuff. So, I think, when you look across the whole NHS in Wales, we

don't always get it right, but the lack of significant industrial action over the last couple of years, and the context within which we work, is testament to the strength of those relationships and how we work together to resolve issues very well, with the patient at the centre of everything that we do. And that's a shared priority for all of us, on all sides.

[83] **Joyce Watson:** I think that covered it fairly well.

[84] **John Griffiths:** Okay, thank you very much. We'll move on, then, to some of the provisions around ballots, and Bethan Jenkins.

[85] **Bethan Jenkins:** Diolch. Yn eich **Bethan Jenkins:** thank you. In your tystiolaeth, nid yw e'n glir os ydych evidence, it's not clear—. Is chi—. Ydy popeth yn iawn? everything okay?

[86] **Ms Vaughan:** It's the volume, I think. That's okay, I've got it. Diolch.

[87] **Bethan Jenkins:** Yn eich **Bethan Jenkins:** In your evidence, tystiolaeth, gan y confederasiwn, a from the confederation, and the NHS chyflogwyr y gwasanaeth iechyd, nid employers, it's unclear whether you yw e'n glir os ydych chi'n cefnogi support the disapplication of the 40 datgymhwyso'r trothwy o 40 y cant per cent ballot threshold for mewn balot ar gyfer gwasanaethau important public services specifically. cyhoeddus pwysig yn benodol. A Could you perhaps clarify your view allwch chi esbonio beth yw'ch barn on that? Do you support that chi ynglŷn â hynny? A ydych chi'n disapplication and, if you don't cefnogi datgymhwyso hynny ac, os support it, why is that? nad ydych chi, pam felly, hefyd?

09:45

[88] **Ms Morley:** Can I talk about that, really? I think it's the threshold and the test that is required to actually achieve strike action, so, with the remaining application of the 50 per cent requirement for participation, it would still be a threshold that's beyond that which has been reached previously. So, for example, in Velindre, the last industrial action that had an impact was in 2014. The Society of Radiographers actually balloted across the UK to take industrial action, and they achieved a 41 per cent turnout overall, which would have meant that it wouldn't have met the lower threshold. So, I think the application of an additional 40 per cent agreement with the overall strike action undermines that ability to have effective

discussions, because you presuppose the outcome by making that threshold so difficult to meet. That's my opinion. You're actually putting a significant pressure on the trade unions, and that, I think, would mean that they would subvert their attention to, 'How can we actually achieve success against that threshold?', rather than what happened—engaging in very meaningful discussion about minimising the impact on key services. Within Velindre, clearly, the Society of Radiographers' work had a significant impact on our work, and we spent a lot of time with that union making sure we minimised the impact on our patients. So, for me, it's about how you can reach the right balance between their focus and our need to actually engage them in meaningful discussions around the impact.

[89] **Bethan Jenkins:** Jest ar hynny, os oedd e'n anodd iddyn nhw gyrraedd y targed yn yr achos y gwnaethoch chi sôn amdano yn flaenorol, beth sy'n gwneud yr achos yma'n wahanol felly? Roedd e'n ddigon anodd iddyn nhw ei gyrraedd y tro diwethaf, felly, gallech chi ddadlau y bydden nhw'n cael yr un fath o drafodaethau bryd hynny ag y bydden nhw'n eu cael petasai'r 40 y cant newydd yma'n cael ei gyflwyno. **Bethan Jenkins:** So, just on that point, if it was difficult for them to meet the target in the case you mentioned previously, what makes this case different? It was difficult enough for them to reach it last time, so you could argue that they'd have the same discussions then as they would have if the 40 per cent issue is applied.

[90] **Ms Morley:** I think it's about whether or not we would want to see a threshold, but, given that the UK Act is in force, actually, would we want to impose a further 40 per cent? So, I think we could argue either way, but I think that what we want to do is to say if we have to have the 50 per cent, then at least that is a different threshold for them to meet, and an easier threshold for them to meet. So, I think it's about how far we would want to support the disapplication of the additional 40 per cent. So, I think you're right; it's an argument you could make either way, but, actually, the further we go with this, the more difficult it is for the trade unions to sit down and have that effective discussion with us on the impact.

[91] **Bethan Jenkins:** A oes barn arall gennyh chi? Unrhyw un arall? **Bethan Jenkins:** Any other opinions? Anyone else?

[92] **Ms Vaughan:** I think Sarah has captured that quite well, actually, in terms of the distraction from the key aspect, which would be to avoid any

kind of industrial action and the work and the conversations that are needed, behind the scenes, to do that. I think, generally, the feeling was that the 50 per cent threshold was quite high anyway, and people have a right to exercise their right to withdraw labour if that's their intent. Quite often, within the NHS in Wales, people are in their jobs because of a sense of desire to serve the public and the patients and to care for their patients, and that, very often, is a key driver in decisions when we are having conversations around strikes. That's why it's quite often quite difficult for the trade unions to reach the threshold anyway. The additional layer—. I think what Sarah's saying is that the tendency might be to focus efforts on trying to encourage people to strike rather than encourage the solution and to get together and to have those very robust conversations—and we do have very robust conversations.

[93] I think the trade unions also fear that that might be the same from a management perspective—that there may be a desire from the management team then to sit back and wait to see whether they can get there, rather than come to the table at a very early stage with the intent to resolve and to move forward. So, in some sense, I think that was our position. We felt the 50 per cent threshold was sufficient and wouldn't, therefore, undermine our relationships and distract from the work needed when we get into conflict, to move forward.

[94] **Bethan Jenkins:** Felly, fydddech chi ddim yn cytuno â'r hyn mae Llywodraeth y Deyrnas Unedig yn ei ddweud, y byddai'r trothwy 40 y cant yma yn cael llai o debygolrwydd o darfu ar wasanaethau, wedyn, a llai o debygolrwydd o golli gweithgaredd o fewn y gwasanaeth iechyd. Rwy'n credu yr oedden nhw'n benodol yn siarad am y maes iechyd oherwydd yr hyn sydd wedi bod yn digwydd yn Lloegr ar hyn o bryd. Nid ydych chi'n credu ei fod e'n wir ei bod yn mynd i fod yn haws i chi ymdrin â sefyllfaoedd felly.

**Bethan Jenkins:** So, you wouldn't agree with what the UK Government is saying, that the 40 per cent threshold would be less likely to interfere with services, and would be less likely to lose activity within the health service. I think, specifically, they're talking about the health area, of course, because of what's been happening in England at the moment. But you don't think that it's true that it's going to be easier for you to deal with the situations in that way.

[95] **Ms Vaughan:** When you say 'easier' to deal with, I guess the point for us is that the 50 per cent is there. I guess, without wishing to speak for

colleagues in England, the 40 per cent is an additional layer of challenge, isn't it, to get to. I would prefer, personally, that we focus on resolving the issue and avoid it in the first place. That is where the strength of our social partnership is and our partnership working model in Wales is a really good platform and enables us to do that and have a great deal of success in that.

[96] **Bethan Jenkins:** I've heard what most of you are saying on the social partnerships, but I'm not hearing you say that you would want to have this taken out of the Bill, or is that just your way of saying it? You're saying that you want to work in social partnership and you're saying that you think it would be harder to get to that threshold. Does that mean, therefore, that you support this element of the Bill, which I think is important for us to hear?

[97] **Ms Vaughan:** Yes. Yes. We think it's an unnecessary layer of additional challenge.

[98] **Bethan Jenkins:** Okay, thanks. Because I wasn't—

[99] **Ms Vaughan:** Sorry.

[100] **Bethan Jenkins:** —sure where we were going on that.

[101] **Ms Morley:** If I can add to that, I think that, yes, technically, if you worked out the numbers, given that it would be more difficult to achieve industrial action, clearly, that might result in an individual dispute actually not resulting in industrial action in one circumstance, whereas it might have if the threshold wasn't applied. However, I think we're far less likely to get to a position where a trade union is applying to take industrial action to its membership by having a much more trusted approach, and, actually, by laying out such harsh thresholds, that element of trust, I feel, is undermined, and I think that's why we're less likely to get there. So, hopefully, that—

[102] **Bethan Jenkins:** Yes. That's fine.

[103] **John Griffiths:** Diolch, Bethan. Rhianon.

[104] **Rhianon Passmore:** I just wanted to clarify—I think you have clarified in terms of what you're saying—that you think that by not having this disapplication in the Welsh Bill what it's going to do is to lose leverage and potential motivation from both parties involved. Is that correct?

[105] **Ms Vaughan:** Yes.

[106] **Rhianon Passmore:** Okay. Right. Thank you.

[107] **John Griffiths:** Okay. In terms of the cost of disapplying that 40 per cent threshold, we have a figure in excess of, I think—is it £60,000?

[108] **Ms Vaughan:** Eighty-five thousand.

[109] **John Griffiths:** Eighty-five thousand pounds within the NHS alone. Is that something you could expand upon this morning in terms of how that figure's arrived at, or—?

[110] **Ms Vaughan:** When we read back through the submission, I think what was actually being said was that there was a cost attached to it in England that we were not able to quantify and not able to understand how that cost had been arrived at. But the cost alone of some provisions in Wales to cover things would cost more than £85,000, we believe. But how that's been arrived at, I'm not sure; we would have to go back and really look at that. I don't think we've got—. I'm not sighted on the costs of anybody's industrial action recently, and so—.

[111] **John Griffiths:** No. Well, if you could provide us with a note on that, or—

[112] **Ms Vaughan:** Yes. What we can do is we can certainly go back and try and understand what that position is and speak with colleagues from NHS employers as well about how some of these statements have been arrived at.

[113] **John Griffiths:** Okay. That would—

[114] **Ms Davies:** It's actually incredibly complicated to do that, because what we tend to do is that we clearly put arrangements in to mitigate those costs, both in advance and to recover any activity that's lost, and actually how you quantify that—. So, people just work differently. It's unbelievably complicated. We did try it around five or six years ago. We attempted to do some costings on an all-Wales basis and it just proved overly complicated, and, clearly, it looks as though that's exactly what England's done, and we think they've completely underestimated that. That's actually what the submission is saying. We think it's of a much greater order, but to actually give you any figures would be very, very difficult. What we could probably do

is give you some indication of the sorts of considerations that you would have to look at. If that would be helpful, we could do a note on that.

[115] **John Griffiths:** I think that would be helpful. Jenny.

[116] **Jenny Rathbone:** Whatever formula you use, the whole thing is a guesstimate anyway.

[117] **Ms Davies:** Exactly, exactly.

[118] **Jenny Rathbone:** Because you don't know what strikes have been avoided because you've got your shop stewards in, facility time, preventing strikes taking place.

[119] **Ms Davies:** Absolutely, absolutely.

[120] **Jenny Rathbone:** So, I'm not sure that you should agonise about this, because I don't think—. Whatever you come up with isn't going to be a definitive fact.

[121] **Ms Davies:** No, no.

[122] **John Griffiths:** Okay. Well, any further clarity on the issues involved would be useful for the committee, I think. If there are no further questions on the ballot provisions, we move to Sian Gwenllian with some questions on agency workers.

[123] **Sian Gwenllian:** Ie, cwestiynau **Sian Gwenllian:** Yes, questions with ynglŷn â'r defnydd o weithwyr regard to the use of agency workers asiantaeth yn ystod cyfnod o during a period of industrial action: weithredu diwydiannol: ar hyn o at present, there is a ban on their bryd, mae yna waharddiad ar eu use. What's your opinion on that? defnyddio nhw. Beth ydy'ch barn chi am hynny?

[124] **Ms Davies:** You will have seen the submission. I think we support that. There are obviously times when agency workers will already have been booked, and, in a sense, the current arrangements allow for that to continue. So, if you've already got an agency worker booked—and, unfortunately, that's the reality of our current situation in terms of some of the shortages that we've got, particularly with nurses and doctors. But I mean, yes, the

whole flavour of the way that we work in Wales is clearly that we have the discussions at an operational level. Some of that's done at a Welsh level, if there's a potential industrial action, and some of it is done at a local level, clearly, because we all have different services and provide them differently. And that discussion is had at a local level around the service that we feel absolutely must continue. If there were to be industrial action of any form, then actually that's subject to negotiation. We've been successful, when there have been a couple of issues over the last five or six years, where we've actually had agreement around that and there hasn't been a major concern. We don't think, again, that there's any—. So, we wouldn't certainly be promoting bringing in alternative workers, agency workers.

[125] **Sian Gwenllian:** Does everybody agree with that? Yes. Okay. If the prohibition did continue, do you think that—? If the prohibition was pulled back by the UK Government—it's not actually in the UK Bill at the moment, but it could come—do you think that the prohibition should remain in Wales?

[126] **Ms Davies:** Yes.

[127] **Ms Lorenti:** *[Inaudible.]*

[128] **Sian Gwenllian:** Although it would result in different situations happening in Wales, compared to across the border.

[129] **Ms Davies:** Yes, but the Act—. It would undermine, potentially, to lift that, where there's perceived to be a situation of, 'Well, if we don't agree this—'. What do we call them?

[130] **Ms Lorenti:** Exemption.

[131] **Ms Davies:** Exemption. 'If we don't agree this exemption, then we'll just recruit some agency workers'. That completely escalates the issue, undermines the levels of trust, and means that we don't get the commitment around some of the exemptions that we would probably get. So, actually, we potentially end up with an even bigger agency bill, if you see what I mean.

[132] **Sian Gwenllian:** So, you would support if there was an amendment to the Welsh Bill—

[133] **Ms Davies:** Yes, we'd support that.

[134] **Sian Gwenllian:** You'd support that. Okay.

[135] **John Griffiths:** Okay, Sian?

[136] **Sian Gwenllian:** Yes.

[137] **John Griffiths:** Okay. If there are no further questions, then, may I thank you all for giving evidence this morning? You will be sent a transcript of your evidence to check for factual accuracy. Thank you all very much.

10:01

**Bil yr Undebau Llafur (Cymru): Sesiwn Dystiolaeth 6**  
**Trade Union (Wales) Bill: Evidence Session 6**

[138] **John Griffiths:** Okay. May I welcome you all here this morning to give evidence to the committee? This is the sixth of our several evidence-taking sessions with regard to our scrutiny of the Trade Union (Wales) Bill. I wonder if I could ask you to introduce yourselves for the record, please, perhaps starting with Gary.

[139] **Mr Brandrick:** Bore da. Gary Brandrick, assistant chief fire officer, North Wales Fire and Rescue Service.

[140] **Ms Paddison:** Suzanne Paddison, chair of resource committee, Mid and West Wales Fire and Rescue Service.

[141] **Mr Jones:** Bore da, good morning. Kevin Jones, Mid and West Wales Fire Service, assistant chief officer, director of resources.

[142] **Mr Haynes:** Bore da, good morning. My name is Philip Haynes, I'm assistant chief officer for South Wales Fire and Rescue Service, director for HR and training.

[143] **Mr Davies:** Councillor Tudor Davies, chairman of the South Wales Fire Authority.

[144] **John Griffiths:** Okay, thank you all very much. Perhaps I can begin the questioning by asking a question about the general principles of the legislation, whether you support those general principles of the Bill, and perhaps you could just briefly outline your reasons for the view that you

take. Who would like to begin? Kevin.

[145] **Mr Jones:** Okay. Obviously I'm starting, then. I think, in terms of just adding some rigour around particularly strike action, there may be some benefits to it, and that's really all we want to say about it really, in terms of the general principles.

[146] **John Griffiths:** In terms of the UK Trade Union Act, you believe that would add rigour to the controls on industrial action.

[147] **Mr Jones:** Yes. Just in terms of picketing, et cetera, things like that, you know.

[148] **John Griffiths:** Yes. So, do you then support the UK Trade Union Act?

[149] **Mr Jones:** Well, I think we want to come on to that in some of the other questions. Not in this current guise, no. I would like to speak to you about some of the disapplications you're proposing.

[150] **John Griffiths:** Okay. Would anybody like to add anything to that?

[151] **Mr Haynes:** I think the point that we're trying to make is that we wholeheartedly and completely support industrial relations. Harmonious content is what we seek, and what we're looking to do is to actually ensure that that goes on on an ongoing basis. Anything that will stop that, we don't like; anything that will promote it, we would ardently support.

[152] **Mr Davies:** I don't think we want change for the sake of change. It's got to be for the better. If it's not for the better, I'm dead against it.

[153] **Mr Jones:** Sorry, what I should have said, actually, is that, within the Fire and Rescue Service, since, I think, about 2007 now, we've all signed up to the national joint council protocols for good industrial relations. So, we've been working around those, and observing those protocols for quite some time around no-surprises cultures, early communication and consultation with trade unions. So, that's what we've been working towards for quite some time. So, in terms of the Trade Union Bill, whether that enhances or not, we'll wait and see.

[154] **John Griffiths:** Okay. Suzanne.

[155] **Ms Paddison:** I think, as a general principle, there are applications here that apply to only the trade unions, with regard to limits on ballots and numbers and things like that. Many people are elected to office with very reduced figures—40 per cent or 50 per cent. And I don't think it's right that people who are elected to make rules and laws are imposing harsher rules and laws on residents that they are responsible for. I'm not sure if I'm explaining that correctly, but, as a general rule, I think that is my viewpoint.

[156] **John Griffiths:** No, I think that's very clear, Suzanne. Okay. The Welsh Government's view is that the trade union Bill that the Welsh Government is taking forward needs to disapply the provisions of the UK trade union Act as it would apply to public services in Wales, because, were they not to make that disapplication, the social partnership that exists in Wales would be undermined, and that would then adversely impact on the delivery of public services in Wales. That's the Welsh Government's view. Could I then ask you whether you would support that view or not.

[157] **Ms Paddison:** I would.

[158] **Mr Jones:** Yes.

[159] **Mr Davies:** Picking up on what Suzanne is saying, it is an example of, 'Do what we want to do, but don't do what you want to do'. If I take the example of the percentages factor for election, for yourselves and for councillors, for example, if you had a population of 10,000, what you're saying is 50 per cent of those have got to vote, and, of those 50 per cent, 40 per cent have got to vote—of the 10,000. How many of you would be elected? It would be chaos, as far as I am concerned. All I would look at is that we've had no problems with the current way that industrial relations are within the south Wales fire authority. So, don't change for the sake of changing.

[160] **John Griffiths:** Okay. Well, we'll come on to the specific provisions. Initially, we'll deal with the check-off proposals, and Rhianon Passmore has some questions.

[161] **Rhianon Passmore:** Thank you, Chair. In regard to the social partnership that the Chair has discussed, in terms of the health of industrial relations across Wales, there is a belief in Welsh Government, and across many different agencies, that that is there because of the strength of trade union participation, and that joint industrial relationship approach. In regard

to what we call check-off, in terms of the deduction of union subscriptions from wages by direct debit, what is your view—collectively, and individually—in regard to the impact of restrictions on those direct debit subscriptions being taken away? So, for instance, if the Welsh Government doesn't disapply, through this Bill, that provision, what impact would that have, in your view, both on trade union membership, and then also on that important social partnership model that we pride ourselves on in Wales?

[162] **Mr Haynes:** If I may just start, South Wales Fire and Rescue Service, actually, as I mentioned at the beginning, supports and promotes active engagement with the trade unions. We share a system with mid and west Wales for our payroll system, so we actually take deductions off at source. We have 98 per cent trade union membership in the FBU; it isn't a problem, it isn't a burden in any way at the moment. We've seen no reduction as a result of check-off in its current format.

[163] **Rhianon Passmore:** Sorry to interrupt you. Chair, for clarity, you've not seen a reduction because this occurs at the moment, so, in terms of what we're currently doing, you're quite happy with that model in terms of if it's not broken, don't fix it.

[164] **Mr Haynes:** As it currently stands, it doesn't cause us any administrative burden and it seems to be that we have an active and participating trade union membership.

[165] **Rhianon Passmore:** Okay. And what would be the result, in your particular organisation, if that were to be disappplied, or restricted?

[166] **Mr Haynes:** Some of the problems, I suppose, would arise from—. At the moment—it sounds sort of like we're keeping an eye on people—but we know who the trade union members are. But we wouldn't necessarily be aware of who they are then in those terms. But, to be fair to the trade unions, they actually work with us and we know who they are. We have recently been involved in industrial action with the pensions dispute and we've seen no major issues as a consequence of that in identifying people.

[167] **Rhianon Passmore:** Could I ask the same question to Mr Jones?

[168] **Mr Jones:** Very similar. We make hundreds and thousands of transactions for our staff on pay and other services within every month. Check-off is not a major administrative burden for us at all. I think it would

be for the trade union to have to take that responsibility on, and I think for the individual, they may not bother to go and do a direct debit, as an example. So, you could see less trade union membership. But, for us, I think there are more pros for us than cons as a service. Also, it helps us to keep an idea of trade union membership within the service, you know? And we've got five or six trade unions all operating within our organisation.

[169] **Mr Brandrick:** I would concur with the comments of my colleagues. Indeed, for ourselves, during the recent industrial action we found it an advantage. Were it to be disapplied, the work around removing it would probably be greater than continuing it for ourselves. It's been in place for so long the impact for us is absolutely minimal. We make no charge to the representative bodies for the facility. We find it assists in terms of industrial relations because it's the two organisations working together, in the case of the recent industrial action with the Fire Brigades Union. And the other aspect is that, should it be removed, there would be additional work both for the organisation and representative bodies in the event of industrial action, confirming membership and, therefore, the legitimate right to take part in the legitimate industrial action.

[170] **Rhianon Passmore:** For me, that's an important point to clarify. So, if this were not to be disapplied in Wales, you're saying that there would be negative impact.

[171] **Mr Brandrick:** Potentially, yes.

[172] **Rhianon Passmore:** Okay, thank you. Thank you, Chair.

[173] **John Griffiths:** You mentioned cost, Gary; a negative impact in terms of cost. So, are you saying that the current check-off arrangements—? They presumably involve a cost to yourselves, or are you recompensed by the trade union, or—?

[174] **Mr Brandrick:** No, we don't take any fees from the trade unions for the facility.

[175] **John Griffiths:** So, there's a cost to yourselves.

[176] **Mr Brandrick:** It is minimal, because it's been in place for so long. We share our finance and payroll with Conwy County Borough Council, so that work would be in terms of removing that facility from our systems as well as

theirs. So, potentially, there's more work involved in the removal. Certainly, for the trade unions, the work involved then in every individual member setting up direct debits—there's a potential for individuals to forget that and for union membership to lapse. The impact on the unions would be, potentially, quite negative.

[177] **John Griffiths:** Okay. Would you be in a position to provide us with a note of the cost to yourselves at the moment?

[178] **Mr Brandick:** I haven't got that information, I'm afraid.

[179] **John Griffiths:** Would you be able to provide it in a note to the committee following today's meeting?

[180] **Mr Brandick:** I'd have to check with our finance department in terms of what costs would be involved, but, as I say, at the moment it's very little. It's set up on induction of an individual when they join the service. They simply complete a form to allow deductions at source from salary.

[181] **John Griffiths:** Okay, well if you could provide a further note it would be useful. Sian.

[182] **Sian Gwenllian:** I found it interesting that you say that the check-off doesn't just help the trade unionist, it also helps the managers. Because, for example, during—. If there was potential industrial action, the managers could, potentially, see where the problems may arise and tackle that proactively so that the services then aren't affected. Is that—? Because I don't think we've heard that from other people so far. Can you just elaborate a little bit on that?

[183] **Ms Paddison:** From my point of view, it's that with greater collaboration between services—maybe medical services might be brought in too, you know, further along the line—you're going to have more and more unions involved and, therefore, sometimes these unions might be much smaller and the onus on them might be greater than it is at the moment. So, if it's not too onerous for us to actually do the check-off, I think we should stick with the system we've got.

[184] **Mr Jones:** I think the point we'd like to make is that, you know, for us the transaction of check-off is in place. It has been in place for many years. For us, in terms of if we are going towards industrial action, it's good

practice for us to know just how many trade union members that's going to involve for us to start planning and making contingency arrangements. So, that's why it's good for us to have that kind of idea of how many members or employees would be involved in any potential trade union dispute.

10:15

[185] **Mr Brandrick:** Certainly, in terms of having experience of managing the run-up to the action itself and the recovery from industrial action, the ability to identify trade union members, and therefore pre-plan for emergency cover, was actually very, very useful to us.

[186] **Sian Gwenllian:** And without check-off, you wouldn't be able to have that information.

[187] **Mr Brandrick:** Not so easily accessible. As I mentioned before, what would have to happen is we'd have to have a confirmed list of membership from the trade union, ahead of the industrial action, and then compare that with staff lists. So, it would be more onerous for us, and for the union, in terms of the run-up to industrial action.

[188] **John Griffiths:** Okay. Thank you all very much. We'll move on, then, to facility time, and Joyce Watson.

[189] **Joyce Watson:** Good morning, all. I just want to first ask the overall question about—if you will clarify for us, today, whether you support the provision within the Bill to disapply the requirement on devolved Welsh authorities to publish information on facility time.

[190] **Mr Jones:** Yes, we do. I think we have very positive industrial relations—relationships—within the three fire and rescue services, as we stand now. As I said earlier, we have a national joint council protocol for good industrial relations, which we've observed for many years. We see it as being an added burden, if you like, particularly for the trade union—not just for the employer—in terms of logging and auditing and recording almost all kinds of contact with trade union officials, which we feel is counterproductive. It's just having that open facility to share information, whether it's through times of change or procedural or policy changes, or major organisational change. I think it would become quite clumsy to have to look at that added burden of recording everything, which we find is counterproductive.

[191] **Mr Haynes:** All three services have dedicated engagement committees with officers—whether it's uniformed officers or non-uniformed officers. We have, already, well-established and long-standing trade union activities agreed—from health and safety and emergency consultations for things. It would be administratively burdensome to actually log and all of the rest of it. If I were to make an estimate of time, that would be impossible, but the benefit that we get from it is considerable. So, the ongoing engagement and ongoing dialogue is easier to gain something from than spending time monitoring it.

[192] **Mr Jones:** We have minutes for all the meetings we have with all our trade unions. We have a joint consultative forum, which involves all the trade unions and elected members. We feel that works perfectly well within the organisation, now; even when we are moving towards a dispute situation, we can usually resolve it. So, we just see this as being an added layer that's not necessary.

[193] **Mr Davies:** I think it's a matter of trust between trade unions and us as employers, that they act in a positive manner and don't abuse the system, and we've got no reason to question it in south Wales. We haven't got a formal agreement; we've just got a gentleman's agreement that they have that facility, and we've got no cause to be concerned about it.

[194] **Ms Paddison:** I don't think you ever get the best out of anybody when they're more concerned with logging what they're doing than actually doing what they're doing.

[195] **Joyce Watson:** The other side of that, of course, is that we've had evidence, and it is the opinion of the Welsh Government, that if you had to log that facility time, it's possible that it might, in and of itself, undermine the social partnership and impact, therefore, further down the line, on the delivery of services. So, I suppose my question is: do you support that view? Do you want to expand on why? And equally, if you didn't, the same.

[196] **Mr Brandrick:** I think, really, as we've already explained, the benefits of not being overformalised and not being in the position where everything has to be logged—the accessibility to union officials as well as from union officials—is of massive benefit to industrial relations, something that we find collectively, across the three services, incredibly useful. And to potentially bring something where everything does have to be recorded is going to

affect that relationship.

[197] **Mr Haynes:** I suppose if you would ask me at this moment: ‘Could I see you phone and see how many trade union officials you have on your phone?’, I would be able to give a number, and it works both ways. I feel able to pick up a phone and ring someone, knowing that I’d get an effective response without expecting them to say, ‘I spent four and half minutes talking to you Friday night at whatever that costs.’ So it’s a bit of a two-way street for us.

[198] **Mr Jones:** I think—just coming to your specific question—our trade union members are also our employees, who are also citizens, and deserve a voice. And if having an over-cumbersome recording system prevents that from happening, then I think it is going to erode the fabric, and the social fabric, we are trying to create. So it’s the best kind of answer I’ve got, trying to follow through for you.

[199] **Mr Davies:** And again, why change it? In the years I’ve been there, it’s working—an informal way of negotiation and discussion. The cost factor is an administration cost factor, if you’re going to clock in and out every time you’ve got to go to a meeting, or you’ve got to meet an officer. Sorry, it just goes over the top.

[200] **Ms Paddison:** I do think that, sometimes, even a chat in an abnormal office situation can be actually working. How do you log things that are done as ‘Oh, by the way, can I just have a quick word?’ Sometimes, that is the best type of communication. And where do you log things like that?

[201] **John Griffiths:** Okay. Before you go on, Rhianon, I’ve got Bethan quickly and then Janet Finch-Saunders.

[202] **Bethan Jenkins:** Rydw i’n credu eich bod chi’n paentio llun positif iawn o’ch perthynas gyda’r undebau llafur. Rydw i wedi bod yn rhan o nifer o weithgareddau gyda’r FBU yn y gorffennol, lle rydw i’n gwybod nad yw hi wedi bod mor bositif ag yr ydych chi wedi bod yn dweud wrthym y bore yma. Ac i ofyn i chi—. Nid yw’n gwestiwn o drïo dal rhywun mas

**Bethan Jenkins:** I think you are painting a very positive picture of your relationship with the trade unions. I’ve been part of many FBU activities in the past, where I know that it hasn’t perhaps been quite as positive as you’ve been telling us this morning. So I’d like to ask you—. It’s not a question of trying to catch anyone out or trying to ensure that

neu drio sicrhau eich bod chi, neu eu bod nhw, yn gwybod popeth am eich gilydd, ond i sicrhau tryloywder i wybod cynnwys neu egwyddor yr hyn rydych chi'n siarad amdano gyda nhw. Dyna'r hyn, rydw i'n credu, sydd wrth wraidd y cwestiynau yma: nid i drafod pa amser fyddwch chi ar y ffôn gydag un aelod o'r undeb llafur, ond efallai i recordio thema'r hyn rydych chi'n ei drafod. Rydw i'n ymwybodol o siarad efo undebau llafur o'r blaen, lle maen nhw'n dod ataf i gyda chonsyrn nad ydyn nhw'n cael record o'r hyn mae'r awdurdodau wedi'i wneud, ac wedyn mae'n gwneud eu swydd nhw'n anoddach i'ch dal chi fel rheolwyr i gyfrif ar nifer o adegau. Felly, efallai nid edrych ar y ddadl mewn ffordd mor negyddol ag yr ydych chi wedi bod yn ei wneud ar hyn o bryd, ond edrych arni hi mewn ffordd fwy positif o ran sut rydych chi'n gallu gweld themâu o broblemau, efallai, sydd yn dod rhyngoch a'r undebau llafur, ac i geisio wedyn sicrhau nad yw hynny'n digwydd eto.

[203] **Mr Jones:** Fe fyddwn i'r cyntaf i gyfaddef ein bod ni wedi cael sefyllfaoedd sydd ddim wedi bod yn bositif gyda'r undebau, ond rwy'n credu ein bod ni wedi dysgu ohonyn nhw dros y blynyddoedd, ar ddwy ochr y ford, a bod yn onest gyda chi. Beth rŷm ni'n treial ei ddweud yw bod gennym ni strwythur mewn lle gyda'r undebau lle mae pethau yn cael eu penodi ac yn cael eu doddi i lawr ar bapur pan fyddwn ni'n cael

you, or they, know everything about each other, but in order to ensure transparency to understand the content or the principle of what you're talking about with them. I think that's what's at the basis of these questions: not to discuss when you were on the phone with one trade union member or whatever, but maybe to look at recording the theme of what you are discussing. I'm very aware following discussions with trade unions previously, where they have come to me with concerns that they don't have a record of what the authorities have done and, therefore, that makes their job more difficult in trying to hold you as managers to account on many occasions. So, perhaps not to look at the debate in such a negative way as you have been doing, but maybe we could look at in a more positive way in how you could perhaps see themes in relation to problems that arise between you and the trade unions, and then perhaps try to make sure that that doesn't happen again.

**Mr Jones:** I would be the first to admit that we have had situations that haven't perhaps been as positive with the unions, but I think that we've learnt from those situations over the years on both sides of the table, to be honest with you. What we're trying to say is that we have a structure in place with unions where issues are discussed and are set down on paper when we have meetings with them. We do minute

cyfarfodydd gyda nhw. Rŷm ni'n everything. But sometimes we do have to have the ability to have discussions with those representing our workers outside that situation, that formal situation. And I think that we do have that space to do that—and it's a good thing. And we can sometimes solve problems outside of that formal situation. That's what we see that could be frustrating if you have to set everything down on paper, on every discussion that you have. And I don't think that that's a positive thing for the unions or the managers.

cofnodi popeth. Ond hefyd, ar rai amserau, mae'n rhaid bod gennym ni y gallu i gael sgwrs gyda'r rheini sy'n cynrychioli ein gweithwyr ni y tu fas i'r sefyllfa yna, tu fas i rywbeth ffurfiol. Ac rwy'n credu ein bod yn cael y *space* yna i wneud hynny—mae'n beth da. Rŷm ni'n gallu, ambell i waith, datrys problemau tu fas i'r sefyllfa ffurfiol yna. Dyna beth rŷm ni'n ei weld a fydd efallai yn rhwystredig, wrth orfod doddi popeth i lawr ar bapur, ar bob sgwrs rŷm ni'n ei gael. Ac nid ydw i'n credu bod hynny'n beth positif i'r undebau nac i'r rheolwyr.

[204] **John Griffiths:** Okay. Janet.

[205] **Janet Finch–Saunders:** It was just on transparency, but on a slightly different tack really. Clearly now, with financial challenges facing all public bodies and all organisations, whether in the eyes of the taxpayer, whether they feel that they would really want to know how many union members you have, how much facility time is taken off. How do you feel that they would perceive facility time taken by members of a union when things are so financially challenging, in terms of transparency?

[206] **Mr Haynes:** Sorry, I apologise. I think, from our perspective, it's slightly different. We aren't overly large organisations. Within our particular area, we have very limited numbers of trade union officials. So, I can understand, in a large local authority and so forth, they may have multiple trade unions and multiple trade union officials, but it's not an onerous situation for us. We have a very small—as Kevin identified—formal committee structure and it isn't something that is necessarily burdensome. But, what we were trying to emphasise is that, because of that, we don't feel that there's necessarily a need to log every call, log everything else. We publish all our minutes; all our decisions are recorded, they are matters of public record and they are available. So, I don't see that we would have anything that we wouldn't make available. We are very open, very transparent and we share our information on a regular basis. It's more that introducing an

administrative function that isn't really a major concern to us is the more difficult aspect of this.

[207] **Janet Finch Saunders:** Okay.

[208] **Mr Davies:** We do annually go out to consult with the public on our services and I can't recall anyone mentioning the points that we're looking at now.

[209] **Janet Finch Saunders:** Maybe the taxpayer, then, isn't aware that you have people—

[210] **Mr Davies:** Well, if you're not aware—.

[211] **Janet Finch Saunders:**—who are full-time employed as union officials.

[212] **Mr Davies:** Yes, but the point I'm getting to: we've never had that question put to us or any concerns over that.

[213] **Mr Jones:** I think to get it into context, you know, in terms of three fire and rescue services in Wales—we can't answer for other organisations—but, you know, we employ around 4,000 people between the three fire and rescue services. I can only talk for mid and west Wales: we have around 1,300-plus staff and we have one full-time trade union official, who is employed at firefighter rate of pay. Now, the others then, we have recognition agreements where we give people facilities to have time off to attend meetings or disciplinary investigations—whatever it is. So, in the grand scheme of things, we see that cost as being quite small in comparison with being able to make changes involving all of our staff. Now, whether we need to communicate that to our public—question mark—we'll need to discuss that, but, for us, we see it as a very positive thing and it's a price that's worth paying compared to what was mentioned earlier, in terms of we have had, you know, some poor industrial relations over the years, but we've learnt from that, and this is one of the facilities we put in place about three years ago, in moving forward and healing those scars.

[214] **Ms Paddison:** I would just like to say that there is a pound cost, obviously, for this time, but it's difficult to quantify the added value that that brings to the organisation. So, I would answer members of the public that in having this paid time it benefits both sides.

[215] **Mr Brandrick:** I would concur, again, with my colleagues. For me, personally, and for my organisation, and again collectively, really, there's a huge danger in just publishing costs without context. For us, we are around about 1,000 employees. We've just changed official and the official has to work as a firefighter until they are showing that they're committing so much of their own time as well. All of our other officials do it on top of their day job. We do have facilitated time for them, both for training and for activities, but from all our officials, we've noticed no impact on the day job, so the individuals actually go over and above to make sure that they're completing their contractual obligations as well.

[216] **Joyce Watson:** I've got one final question and I'd like comments, really. When the Fire Brigades Union put submissions in to the consultation on the UK Trade Union Act, they specifically said that reducing facility time would directly threaten firefighters' safety if it impacted on the work, and you've sort of mentioned some of that work this morning. So, what I would like, for the record, is for you to elaborate on that and explain it, please.

10:30

[217] **Mr Brandrick:** If I may? For the three fire and rescue services, firefighter safety is paramount. As employers, we work tirelessly to ensure that our employees, doing a significantly hazardous job at times—their safety is of utmost importance. The work we do through the national issues committee and the work we do collaboratively on procurement, ensuring that we get the most effective and best equipment for our firefighters and our environment, is well documented. In terms of the context in which FBU colleagues made that comment to UK Government, I couldn't comment. But what we're looking at here is disapplying the requirement to report, not actually saying that we would reduce facility time. So, again, I'm not sure that reporting on facility time is the same as reducing facility time. From our point of view, firefighter safety is paramount and, in terms of any new procedures and equipment training, we always engage with the Fire Brigades Union, the Retained Firefighters Union, the Fire Officers Association and all other representatives to ensure that they are fully aware of any changes that we're making or even why we're doing it. We find that that works very well. Collectively, our objective is firefighters going out to an emergency incident, dealing with that effectively and coming back to the station safely.

[218] **Mr Jones:** Ditto.

[219] **Joyce Watson:** What I want to get to, and I haven't quite got there yet, is you did say earlier on that some of the facility time is used within the partnership working that you have. Part of that would be health and safety, I would imagine. So, if there was less facility time, or if there was recording of it that actually produced less facility time because people felt that having to record it and cost it might reduce it—. I think that's where I'm sort of trying to get to. If, as a consequence of that, it reduced facility time and if it is the case that that facility time is used for health and safety, which is the training programmes that you have, and was being reported back, do you think that that statement by the FBU that it would directly threaten firefighters' safety stands up? I suppose that's what I'm trying to get at.

[220] **Mr Brandrick:** No. As I said, our commitment as employers is absolute. We do things because we believe it's the right thing to do in terms of health and safety of firefighters, not because any representative body push us to that. We do not want firefighters injured. We do not want firefighters killed. We provide facility time for health and safety officials. We have a health and safety official nominated within the Fire Brigades Union. We have just, as an organisation, reviewed our health and safety provision. They were involved in the consultation on that review. They're involved in the health and safety delivery group and the project group, so in terms of their involvement, it's been absolute. But we would not see that the health and safety of firefighters would be threatened by reporting on facility time because, going back to our commitment, that is absolute.

[221] **Mr Jones:** Just to give you the context, we have development plans, we have assessments, we have competencies, we have national occupational guidance and all kinds of competencies that firefighters must reach and maintain. So, regardless of facility time, that's our duty of care and that's our responsibility as an employer. I think facility time and having trade union officials working alongside you enhances that and helps that, but I'm not sure what the context was of the comment that was made by the Fire Brigades Union.

[222] **Joyce Watson:** Okay.

[223] **John Griffiths:** Okay. Rhianon.

[224] **Rhianon Passmore:** Thank you. Just to follow that up a little bit more succinctly, if it's possible, with regard to the overall collective package of measures that the UK Act has put in place. If Welsh Government doesn't

disapply some of these measures, which include facility time and check-off and a number of the other issues, and industrial relations worsen as a result, would that in turn potentially affect the health and safety of both firefighters and potentially the public? I know it's a difficult question but it's at the core of my concern anyway. I don't know if you can answer that, but if you could try to.

[225] **Mr Brandrick:** In the context of industrial action involving strike action?

[226] **Rhianon Passmore:** Yes, collectively. If we had a propensity to have worse, more worse—if that's good English—industrial relations at the moment, and there's this huge theme that's swimming around all the time, isn't there, if it isn't broken, you don't need to fix it, don't break it—? So, if we did have a propensity for greater strike action, as a result of not disapplying some of these measures, do you have a view then on if that would then, therefore, affect health and safety of both the public or firefighters?

[227] **Mr Brandrick:** Well, in terms of strike action, each of the three services have a very limited service, compared to their normal business. So, the emergency service, in terms of fire and rescue, is greatly reduced in terms of strike action.

[228] **Rhianon Passmore:** Okay. I don't know if there are any other views.

[229] **Mr Haynes:** There's little to add, unfortunately. We're trying to guess at something that we can't get a handle on at the moment. We know what it is currently; how it would change as a result of the prospective, or actual, changes—

[230] **Rhianon Passmore:** So, you don't wish to say.

[231] **Mr Haynes:** It's difficult to quantify or qualify. In the current industrial action on pensions, by way of example, we know, in south Wales, what our response is in terms of what we're able to provide, and it's extremely limited. Whether that will be reduced as a consequence of this, or increased, I just can't answer, unfortunately.

[232] **Rhianon Passmore:** Okay.

[233] **John Griffiths:** Okay. I think we understand the difficulty there. Okay, we move on to the provisions regarding ballots, and Bethan Jenkins.

[234] **Bethan Jenkins:** Diolch. Rwy'n edrych ar y dystiolaeth rydych chi wedi ei rhoi ynglŷn â hyn, ac rwyf wedi ei darllen i gyd, ac mae pwynt 4.5 yn dweud eich bod chi yn cydnabod bod y trothwy yn uchel—neu y gallai fod yn uchel os byddai'n cael ei roi lan i 40 y cant er mwyn cael balot ar gyfer gweithredu ddiwydiannol. Ond nid ydych chi'n dweud a ydych chi'n cefnogi'r hyn sydd o fewn Deddf Prydain, neu a ydych chi'n credu bod angen ceisio datgymhwyso'r trothwy hynny felrhan o Fil Cymru ar hyn o bryd. A allwch chi esbonio beth yw'ch barn chi yn hynny o beth? Rwyf wedi clywed ychydig o'ch barn ar rai o'r materion yn flaenorol heddiw, ond nid yn syth ac yn blaen.

**Bethan Jenkins:** Thank you. I'm just looking at the evidence that you've given us in relation to this, and I've read it all, and point 4.5 says that you do acknowledge that the threshold is high—or it could be high if it was put up to 40 per cent in order to hold a ballot for industrial action. But you don't say whether you actually support what is within the UK Act, or whether you think that we need to try to disapply that threshold as part of the Wales Bill at present? Could you explain your views on that, please? I've heard some opinions, on some of the issues earlier today, but perhaps not specifically on this issue.

[235] **Ms Paddison:** Okay, I'll go first on that one. I think it's not fair and equitable for people who have been elected to powers where they are making laws for the rest of society to then implement more onerous laws on ballots for the population. We have people who do not engage in the democratic process, and yet people are elected with very low turnouts. I would cite police and crime commissioners as a prime example. I think it's wrong in that context to say that we require a higher threshold for trade unions to come to a decision on strike action; I don't think that that is the right way to go. I don't think it would enhance relations between trade unions and service providers.

[236] **Bethan Jenkins:** On the 50 per cent turnout requirement, you say in point 3.2 that it could create more challenges of proposed strike actions in the courts, and delay the resolution of industrial disputes. So, can you expand on that and your views on that 50 per cent turnout requirement?

[237] **Mr Haynes:** Where we were coming from on this, at this particular

junction, was, if we look at what the current situation is, and if you look to change the current situation, or not, would the resulting change create more opportunities or likelihood—increase the likelihood—of there being a significant proliferation in court actions? So, every time there was a specific ballot, or whatever, do we find ourselves going back to the court? And that, in itself, creates more work for us, more legal fees and all of the rest of it. So, we can see, because of the levels being so high, that that might not be the case. But, of course, that puts more of an onus on the activities of the trade union membership, and in a lower one, maybe, it might lead to management, not just within the fire service but within some places, saying, 'Well, that's close. That wasn't properly constituted.' The issue for us, really, come down to 4.5. At the end of the day, the FBU made the point about the importance of having an effective response. The fire authority, through its fire and rescue service, is looking to respond quickly and efficiently to an emergency. What we were concerned, and still remain concerned about is, whatever happens, whether it's an increase, a decrease, a disappication or some other thing, it will either lead to an administrative burden or an excessive number of challenges and so forth. In some, it may be a national challenge, or it may be a local challenge—we don't know.

[238] We can't find one answer to fix all of the issues here. We know that our prime directive is to respond quickly and efficiently to an emergency. What we don't want to do is establish something that leads to slowing down a degeneration in the current relationships, because it's not just the FBU. The FBU is our major one, but we have Unison, we have GMB, we have FOA, and we have many others as well, and they all have equal rights and equal votes and memberships, but the FBU has the greatest impact for us, and we appreciate that.

[239] **Bethan Jenkins:** So, can you just tell me, for the record, that you would want to disapply this provision within what the Welsh Government is proposing? You say, regardless of the disapplying, regardless of—. I hear you, but I would just want to hear that you would support what the Welsh Government is doing.

[240] **Mr Haynes:** I believe you'd have to ask the employers that question. We are the service that delivers it.

[241] **Bethan Jenkins:** No, I'm asking you—we've obviously asked the trade unions. We had the TUC in. I'd like to hear your opinion specifically, because I think it's important, as employers as well, that, I guess, you would either

endorse what their view is or you would disagree with them.

[242] **Mr Haynes:** No, sorry—I'm the employee, I'm not the employer. That's what I'm saying. I'm just explaining the issues for us.

[243] **Bethan Jenkins:** Yes, but what's your view on whether it should be disappplied or not? I'm asking you.

[244] **Mr Davies:** I wouldn't be very happy with this formula myself, personally.

[245] **Bethan Jenkins:** Yes, I appreciate this, but we've got the councillors saying their views and I—

[246] **Mr Davies:** I'm not a councillor, I'm chairman of a fire authority—

[247] **Bethan Jenkins:** But we're not hearing from the officers.

[248] **Mr Davies:** I am a chairman of a fire authority, not a councillor, here today.

[249] **Bethan Jenkins:** Okay, yes. So, that's the corporate view as well, then.

[250] **Mr Haynes:** That would be the corporate view of the fire authority, of which I am an employee, yes.

[251] **Bethan Jenkins:** Right.

[252] **John Griffiths:** Okay. So, that's the fire authority view from the chair. Any other views or comments?

[253] **Ms Paddison:** Just on 4.6, if you abstain or don't vote, it is treated as a 'no' vote. Well, that might not strictly be true. It might not be that people are 100 per cent convinced, but they could be 98 per cent and therefore they don't vote because they're not quite sure about a small portion of it. I don't think you can imply that people are against something by not voting for it. I think that's a step too far.

[254] **John Griffiths:** Okay, Bethan? Any other questions on any of the ballot provisions? No. Okay. Well, in that case, may I thank you all very much for coming along this morning to give evidence to the committee? You will be

sent a transcript of your evidence to check for factual accuracy. Thank you all very much indeed.

**Mr Haynes:** Thank you very much.

10:44

### **Papurau i'w Nodi Papers to Note**

[255] **John Griffiths:** Okay. The next item this morning is papers to note. The first paper to note is paper 3, which is a letter from the Cabinet Secretary for Communities and Children in relation to refugee and asylum seekers. We'll be considering our report later on today. Happy to note that paper at this stage? Yes.

10:45

[256] Paper 4 is correspondence from the Cabinet Secretary for Finance and Local Government in relation to the Trade Union (Wales) Bill, and, again, we'll be considering the evidence that we've heard this morning later on. Perhaps we can deal with that paper at that stage, if committee is content to note it at this stage. Yes.

[257] Paper 5 is correspondence from the Chair of the Petitions Committee in relation to a petition to ban letting agent fees to tenants. The Petitions Committee is writing to the Cabinet Secretary for further information on what the Welsh Government proposes to do. We could also write as a committee, if committee wishes, to the Cabinet Secretary to request information on what the Welsh Government proposes and what timelines are involved, and consider this matter further when we receive the response. Would committee be content with that?

[258] **Joyce Watson:** Yes.

[259] **John Griffiths:** Okay, we will do that. And then paper 6 is additional information provided from the Scottish Refugee Council in relation to refugees and asylum seekers, and, again, we will be returning to these matters when we consider the draft report later. Is the committee happy to note the letter at this stage? Yes. Okay.

10:46

**Cynnig o dan Reol Sefydlog 17.42 (vi) i Benderfynu Gwahardd y  
Cyhoedd o Weddill y Cyfarfod  
Motion under Standing Order 17.42 (vi) to Resolve to Exclude the  
Public from the Remainder of the Meeting**

*Cynnig:*

*Motion:*

*bod y pwyllgor yn penderfynu that the committee resolves to  
gwahardd y cyhoedd o weddill y exclude the public from the  
cyfarfod yn unol â Rheol Sefydlog remainder of the meeting in  
17.42(vi).*

*accordance with Standing Order  
17.42(vi).*

*Cynigiwyd y cynnig.*

*Motion moved.*

[260] **John Griffiths:** In that case, then, we move on to item 5 and a motion under Standing Order 17.42 to resolve to exclude the public from the remainder of our meeting. Is the committee content to do so? Okay, thank you very much. We will move into private session.

*Derbyniwyd y cynnig.*

*Motion agreed.*

*Daeth rhan gyhoeddus y cyfarfod i ben am 10:46.*

*The public part of the meeting ended at 10:46.*