

# Agenda – Equality, Local Government and Communities Committee

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Meeting Venue:

**Committee Room 2 – Senedd**

Meeting date: Wednesday, 29 March  
2017

Meeting time: 09.00

For further information contact:

**Naomi Stocks**

Committee Clerk

0300 200 6565

[SeneddCommunities@assembly.wales](mailto:SeneddCommunities@assembly.wales)

Pre-meeting (09.00 – 09.15)

## **1 Introductions, apologies, substitutions and declarations of interest**

## **2 Scrutiny of the Cabinet Secretary for Finance and Local Government – Local Government reform**

(09.15 – 10.30)

(Pages 1 – 18)

Mark Drakeford AM, Cabinet Secretary for Finance and Local Government

Claire Bennett, Deputy Director, Local Government Transformation & Partnerships

Lisa James, Deputy Director, Local Government Democracy

[Reforming Local Government: Resilient and Renewed White paper](#)

## **3 Abolition of Right to Buy and Associated Rights (Wales) Bill – evidence session 1: Cabinet Secretary for Communities and Children**

(10.30 – 12.00)

(Pages 19 – 42)

Carl Sargeant AM, Cabinet Secretary for Communities and Children

John G Rees, Bill Manager



Cynulliad  
Cenedlaethol  
Cymru

National  
Assembly for  
Wales

Katie Wilson, Lawyer

[Abolition of the Right to Buy and Associated Rights \(Wales\) Bill](#)  
[Explanatory Memorandum](#)

## **4 Papers to note**

**Correspondence from the Cabinet Secretary for Communities and Children in relation to the Abolition of the Right to Buy and Associated Rights (Wales) Bill**

(Pages 43 – 47)

**Letter from the Cabinet Secretary for Finance and Local Government to the Chair of Finance Committee in relation to the Trade Union (Wales) Bill**

(Pages 48 – 49)

**Additional information from the Future Generations Commissioner following the evidence session on 2 February 2017**

(Pages 50 – 58)

**Additional information from the Wales Strategic Migration Partnership in relation to refugees and asylum seekers in Wales**

(Pages 59 – 60)

**Report by the National Youth Advocacy Service: Children Services six monthly Narrative Report**

(Pages 61 – 67)

**Correspondence from the Cabinet Secretary for Economy and Infrastructure in relation to poverty in Wales**

(Pages 68 – 74)

**Correspondence from the Cabinet Secretary for Communities and Children in relation to poverty in Wales**

(Pages 75 – 77)

**Note of focus group discussions in relation to the Trade Union (Wales) Bill**

(Pages 78 – 84)

- 5 Motion under Standing Order 17.42 (vi) to resolve to exclude the public from the remainder of the meeting**
- 6 Abolition of the Right to Buy and Associated Rights (Wales) Bill: consideration of evidence received under item 3**  
(12.00 – 12.05)
- 7 Scrutiny of the Cabinet Secretary for Finance and Local Government – Local Government reform: consideration of evidence received under item 2**  
(12.05 – 12.10)
- 8 Trade Union (Wales) Bill – consideration of draft report**  
(12.10 – 12.20) (Pages 85 – 132)
- 9 Inquiry into refugees and asylum seekers in Wales – consideration of draft report**  
(12.20 – 12.30) (Pages 133 – 193)

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Carl Sargeant AC/AM  
Ysgrifennydd y Cabinet dros Gymunedau a Phlant  
Cabinet Secretary for Communities and Children

Y Pwyllgor Cydraddoldeb, Llywodraeth Leol a Chymunedau  
Equality, Local Government and Communities Committee  
ELGC(5)-11-17 Papur 1 / Paper 1

Ein cyf/Our ref: MA-L-CS-0123-17

John Griffiths AM  
Chair of the Equalities, Local Government and Communities Committee

13<sup>th</sup> March 2017

Dear John

## **ABOLITION OF THE RIGHT TO BUY AND ASSOCIATED RIGHTS (WALES) BILL**

To support the Committee's scrutiny of the Abolition of the Right to Buy and Associated Rights (Wales) Bill which I introduced into the National Assembly for Wales today, please find attached a Statement of Policy Intent. This document provides information on the policy intent for the delegated powers within the Bill, if enacted.

I have also published two research reports and six impact assessments as additional material relevant to the Bill. These can be found on the Welsh Government website

<http://gov.wales/topics/housing-and-regeneration/legislation/abolition-of-right-to-buy-and-associated-rights/?lang=en>

I trust Members will find these documents helpful and I look forward to providing evidence to the Committee in due course.

A copy of this letter and the attachment referenced is also being sent to Huw Irranca-Davies AM, Chair of the Constitutional and Legislative Affairs Committee.

Yours sincerely

**Carl Sargeant AC/AM**  
Ysgrifennydd y Cabinet dros Gymunedau a Phlant  
Cabinet Secretary for Communities and Children

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

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



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Llywodraeth Cymru  
Welsh Government

# **Abolition of the Right to Buy and Associated Rights (Wales) Bill**

Policy intent for subordinate legislation to be made  
under this Bill

March 2017

## **ABOLITION OF THE RIGHT TO BUY AND ASSOCIATED RIGHTS (WALES) BILL POLICY INTENT FOR SUBORDINATE LEGISLATION**

This document provides an indication of the current policy intention for the subordinate legislation that the Welsh Ministers are empowered or required to make under the provisions of the Abolition of the Right to Buy and Associated Rights (Wales) Bill. It has been published in order to assist the responsible Committee during the scrutiny of the Bill and should be read in conjunction with Chapter 5 of the Explanatory Memorandum and Explanatory Notes.

The Abolition of the Right to Buy and Associated Rights (Wales) Bill will end all variations of the *Right to Buy* and the *Right to Acquire*. There will be at least a one year period after Royal Assent before abolition. The rights in respect of new-supply social housing will end two months after Royal Assent.

The Bill provides for:

- Restriction on exercising the right to buy
- Exceptions to the restriction on exercising the right to buy
- Restriction on exercising the right to acquire
- Abolition of the right to buy and the right to acquire
- Information for tenants and prospective tenants
- Removal of power to make grants in respect of discounts
- Consequential amendments and repeals

Section 9 of the Bill provides that sections 5, 8 and 10 come into force on the day the Bill receives Royal Assent. Sections 1, 2 and 3 come into force at the end of the period of 2 months after Royal Assent. The remaining provisions in the Bill will be commenced by Order, but sections 4 and 6 cannot come into force before the end of the period of 12 months from Royal Assent.



**Table 2 - Summary of powers to make subordinate legislation for provisions in the Abolition of the right to buy and associated rights (Wales) Bill**

Section	Description	Policy intention
Section 3(2) (Inserts section 121ZB(4))	The Welsh Ministers may, by regulations, amend section 121ZB by adding further descriptions of cases in which the right to buy can be exercised in Wales	Section 121ZB lists the exceptions to the restrictions on exercising the right to buy. The power at section 121ZB (4) enables the Welsh Ministers to amend the list of exceptions by adding further circumstances in which the right to buy can be exercised. This power would only be used to reflect policy changes and/or to respond to changes in social housing market conditions.
Section 5(2) (Inserts section 16C(2))	The Welsh Ministers may, by regulations, amend section 16C by adding further circumstances in which the right to acquire can be exercised	Section 16C lists the exceptions to the restriction of the right to acquire. The power at section 16C(2) enables the Welsh Ministers to amend the list of exceptions by adding further circumstances in which the right to acquire can be exercised. This power would only be used to reflect policy changes and/or to respond to changes in social housing market conditions.
Section 9	Section 9 gives Welsh Ministers the power to, by regulations, make any supplemental, incidental, consequential, transitory, and transitional or savings provision they consider necessary for the provisions of the Bill to gain full effect.	<p>This power will only be used for making changes to other legislation needed in consequence of the provisions of this Bill.</p> <p>The majority of consequential changes to primary legislation have been included on the face of the Bill. Consequential amendments to the Housing Act 1985 are to be made by secondary legislation to allow flexibility for the timing of such amendments, in light of the interaction between the implementation of this Bill and of the Renting Homes (Wales) Act 2016. A draft of the consequential amendments required to the Housing Act 1985 will be made available to the committee.</p> <p>Transitional, saving and consequential elements are designed to cater for the process removing the right to buy and right to acquire in</p>

		Wales so that the new law operates as intended.
Section 11(3)	<p>The Welsh Ministers may, by order, provide for provisions of the Bill to come into force on a day appointed by the Welsh Ministers. In respect of sections 6 and 7 (abolition of the right to buy and associated rights and the removal of the power to make grants in respect of discounts) the Welsh Ministers may not appoint a day which is before the period of 12 months beginning with the day on which the Bill receives Royal Assent (section 11(4)).</p> <p>The Welsh Ministers may make transitory, transitional or saving provision in connection with the coming into force of any provision of the Bill (section 11(5)).</p>	<p>This power will only be used to bring into force provisions of the Bill.</p> <p>It is intended that a commencement order will be made shortly after Royal Assent to specify the date for coming into force of section 6 (amongst others) which will give effect to abolition. This will provide tenants and landlords with as much notice as possible before abolition. The relevant date will also be included in the information produced and sent to tenants under section 8 of the Bill.</p>

# Agenda Item 4.2

Mark Drakeford AM/AC

Ysgrifennydd y Cabinet dros Gyllid a Llywodraeth Leol  
Cabinet Secretary for Finance and Local Government

Y Pwyllgor Cydraddoldeb, Llywodraeth Leol a Chymunedau  
Equality, Local Government and Communities Committee  
ELGC(5)-11-17 Papur 2/ Paper 2

Ein cyf/Our ref: MA-L/MD/0176/17



Llywodraeth Cymru  
Welsh Government

Simon Thomas AM/AC  
Chair  
Finance Committee  
Ty Hywel  
Cardiff Bay  
Cardiff  
CF99 1NA

17 March 2017

Dear Simon,

Thank you for your letter of 3 March about the Trade Union (Wales) Bill.

A number of challenges had to be faced in producing the RIA for the Trade Union (Wales) Bill. Essentially our approach in this Bill has been to maintain the status quo as far as it pertains to devolved public services and the National Assembly's competence. As such the overall financial impact of our Bill can be regarded as neutral in retaining or returning us to the position that existed prior to the Trade Union Act 2016.

We also faced uncertainty about how to present sequencing given that, at the time of producing our RIA, the timing of commencement of the UK Act was unclear. Given these difficulties I felt the best approach to assist scrutiny was to demonstrate the scale of the issues by showing how the UK Government's RIA could be apportioned to Wales. Thus we included a figure, for example, for the cost of additional strike action generated by disapplying the 40% threshold, despite the fact that we have always disputed that this cost would actually be incurred in practise.

The resulting £85,000 figure is based on an apportionment of the UK RIA figure, which is itself built on an assumption, made by the UK Government, of the reduction in strike days lost that would result from their legislation. We dispute the basis of this assumption and maintain that the disapplication of the provision would lead to fewer days lost in Wales because our model of social partnership would be maintained. This is a contention that is supported by the evidence from employers and trade unions given to the Equalities and Local Government Committee.

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

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

Given that the UK Act is yet to have made a measurable impact, these differing views of the impact of differing approaches in Wales and England will only be resolved, in financial terms, by what happens in practice.

Nonetheless, I do believe that Assembly Members have the basis for scrutiny of the draft legislation in the range between £85,000 and zero. The commencement of the 40% overall support threshold on 1 March defined 'important public services' in much the same way as we expected and has not captured anything that was not anticipated. As a result, it is not our intention to produce any further analysis of the costs associated with dis-applying it.

Other costs within the RIA related to familiarisation. The Committee will be aware of the letter I have received from Ben Gummer MP in which he indicated the UK Government's intention not to include Welsh public services in the regulations relating to facility time and check-off. Whilst the power to make regulations has been commenced, we have not as yet seen the regulations themselves. As such, I maintain a reserved position on how Welsh public authorities might in practise be affected by these regulations.

I expect the savings for Welsh public authorities of not having to familiarise themselves with the provisions in the UK Act to accrue from the fact that they will not now be applied to Wales rather than directly from our legislation. The RIA, as it stands, therefore does give the National Assembly a good indication of the implications of our Bill and I would not anticipate revising the RIA significantly. However, should the regulations brought forward by UK Ministers complicate the sequencing further, I will consider providing further detail on the financial implications through revisions to the RIA.

I hope this information is helpful.

A handwritten signature in dark ink, reading 'Mark Drakeford'. The signature is written in a cursive, flowing style.

**Mark Drakeford AM/AC**

Ysgrifennydd y Cabinet dros Gyllid a Llywodraeth Leol  
Cabinet Secretary for Finance and Local Government

# Agenda Item 4.3



Comisiynydd  
Cenedlaethau'r  
Dyfodol  
Cymru

Future  
Generations  
Commissioner  
for Wales

Y Pwyllgor Cydraddoldeb, Llywodraeth Leol a Chymunedau  
Equality, Local Government and Communities Committee  
ELGC(5)-11-17 Papur 3/ Paper 3

Dear Chair and members of the Equality, Local Government and Communities Committee,

## Re: Additional Information requested by the committee

Please see further information in answer to the questions provided:

1. The five areas you believe the Welsh Government should prioritise and demonstrate more leadership on?

It is my view that Welsh Government needs to focus particularly on the five ways of working (the Sustainable Development principle set out in the Well-being of Future Generations (Wales) Act 2015) and demonstrate throughout their policies and actions that:

- they are understanding and planning for the long-term rather than short-term budget or political cycles
- that there is a shift to prevention across a range of areas but most significantly within health and social care
- that policy-making is integrated across government and that it is developed collaboratively with partners recognising the different perspectives and expertise that can be brought from a broad range of public private and third sector partners
- and that they are doing more to understand the perspective of citizens - how policies work for them and how new policies can be formed in a way which responds to what people want and need and what will work for them.

In terms of specific policy areas, I am in the process of identifying through involvement and collaboration the main challenges and issues facing future generations in Wales. Once we have identified the issues which have most impact on future generations, we will analyse the opportunities to best address them in Wales and this will inform directly how I focus my resources and concentrate my work. Given the breadth of my remit it is important that I undertake a robust process in setting out the areas which I think pose the biggest challenges for Future Generations (which will also undoubtedly be areas within which the Welsh Government would be expected to demonstrate leadership). I have set out four areas which I think represent the biggest challenges for Future Generations and am seeking views about these. The conversation on these challenges can be found [here](#)

2. When you intend to publish the framework for Public Service Boards?

The framework referred to in the committee session is in relation to our work with New Economics Foundation to develop a framework that we have used to inform our work on the M4 and to define how the Act can be best applied in public bodies' decision taking. We are continuing to test and develop this framework to explore how it could be adapted for other uses. We are in the process of testing this framework against other areas before publishing formally.

The focus of our work with Public Services Boards has been on reviewing their well-being assessments. It has been a major undertaking to review all 19 assessments, to different deadlines. We have placed great importance on providing a robust and timely commentary to each of them in order to inform, challenge and support the work

of the PSBs, as they begin setting their local well-being objectives and setting out the steps they will take to meet them.

We have currently reviewed and provided feedback on two thirds of the PSB assessments. Once we have completed this exercise we will produce a summary report to draw out the key themes and disseminate the shared learning. We will also work with Cardiff University to hold a shared learning event which is likely to be in either May or June 2017.

2. Which Public Service Board is undertaking the estates mapping exercise?

Cwm Taf Public Services Board is undertaking the estates mapping exercise

4. To what extent will you engage with local planning decisions and in particular any Local Development Plans which you believe could be contrary to the sustainable development principle?

I am in the process of defining the priorities for my work. Planning and LDPs might or might not be among the priorities which will emerge through the wide conversation exercise I am undertaking. However, it is important to recognise that there are over 25,000 planning applications in Wales each year with on average 700 of those being large or strategically significant applications. Unlike other Commissioners, I do not have express statutory powers to instigate or undertake case work. I do not have express enforcement powers and the legislation does not provide for my office to be an extra layer to appeal to generally as well as within the planning context.

I cannot ask authorities to change decisions already made and my power to conduct reviews is designed to provide insight to me so that I can help public bodies to improve how they take into account the long-term impact of the things they do as explained in the statutory guidance.

Finally, I have also to be mindful of the very limited resources I have and of the breadth of my remit.

With this in mind, I have determined that my involvement is most effective at the strategic level, in particular working with the Welsh Government to consider how best we can support them as they design LDP guidance and the National Development Framework to ensure that they fully take into account the requirements of the Act and drive the radical change in the culture that is required in local authorities' approach to their planning decisions. We have met with the Welsh Government planning division to discuss this approach and we are encouraged by their commitment to include the Act fully in their work. We will also meet shortly with the Planning Inspectorate to discuss our respective roles.

5. What actions do you feel need to be taken to move towards a more preventative way of working, in particular in relation to those sectors for whom this is a specific challenge, such as the health and social care sector?

There are some significant challenges in the health and social care sector in meeting the requirements of the Act. The current planning process, which is based around the three-year Integrated Medium Term Plans, does not support the long-term planning requirements of the Act. It also poses some issues in rising to the challenge of prevention which, not always, but very often needs longer-term planning and investment. The myriad of performance indicators, strategies and plans which health boards are required to address also presents significant challenges in terms of being able to focus on key areas for improvement in line with the ways of working in the Act.

I have held a range of discussions, particularly on prevention, with those involved in driving change in the NHS including the Bevan Commission, Public Health Wales, the NHS Confederation and Chairs and Chief Executives of each of the Health Boards. I am supporting the work of the Bevan Commission through a one year partnership post specifically around involving people and patients in service re-design and reform through their 'Bevan Advocates' Programme. I am also partnering with Public Health Wales on the development of policy and practice to tackle Adverse Childhood Experiences

From April onwards a member of my staff will be working with a range of partners to develop an explanation of what good could look like in respect of meeting the goal of a healthier Wales. This will include a focus on all the ways of working but particularly focusing on prevention.

In the meantime, having engaged with a number of organisations and reviewed the evidence base on social prescribing, I believe that there could be substantial gains to the NHS and to wider Well-being (which could address a number of the Well-being goals) through the adoption of a social prescribing model. My office has been working with the Welsh Government Primary Care lead who is developing a model and I have recently written to the Cabinet Secretary to request a meeting to discuss the Government's position in adopting the model in the next NHS strategy.

You have also requested information on:

1. Are you involved in the development of the Welsh Government's four crosscutting strategies and have you made any assessment as to whether they are being developed in line with the sustainable development principles?

We have been in regular contact with the Welsh Government and are awaiting more information on the process they are going through to write the strategies and how we can best contribute to this work. We have noted that the earlier we are involved in the process, the more likely it is that our challenge can be used constructively. We have been invited by the Welsh Government to attend a 'roundtable discussion with the Welsh Commissioners and associated policy colleagues' due to take place in April 2017.

We are also keen to explore how the Welsh Government intends to meaningfully involve stakeholders and the wider public in the shaping of the strategies and the ongoing development and delivery of the actions set out within them. One area we have recently been updated on is their initial planning for engagement.

2. Have you received any feedback from public bodies, Public Services Boards or community councils on the usefulness of the statutory guidance in helping them fulfil their obligations under the Act?

Ultimately the Act is designed to support better quality decision-making in the public sector, to focus the collective efforts of public bodies on improving the well-being of the current generations, whilst safeguarding the ability of future generations to meet their needs. The core guidance is generally well-regarded and viewed as clearly explaining the purpose and intention of the Act, whilst avoiding detailed prescription.

However, the continuing requirement in the Local Government (Wales) Measure 2009 for local authorities to set Improvement Objectives has caused confusion in relation to the requirement in the Well-being of Future Generations Act for public bodies, including local authorities, to set well-being objectives. There are similar complications in relation to reporting progress. The guidance for public bodies does not offer much help to public bodies on these issues. Similar issues have occurred in relation to the NHS performance management framework and reporting.

My Office has worked with officials from the Welsh Government, WLGA, NHS Confederation and WAO to draft additional advice that has been sent out to local authorities and NHS bodies. My Office will be discussing with the Welsh Government how this additional advice should feature in any future revisions of the statutory guidance.

2. How are public bodies progressing in developing their well-being objectives?

I was asked to support the formation of a network of national public bodies subject to the Act because no 'national body' network existed (whereas there are for example many local government or health networks). My office has facilitated this network of the national bodies (including for example Velindre NHS Trust; Public Health Wales; Arts Council; Sport Wales; Natural Resources Wales) coming together on two occasions to date with the main objective of shared learning and a focus on setting well-being objectives by the end of March 2017.

The second meeting in December 2016 was focused on how well the public bodies are using the five ways of working (set out in the Act) to set their well-being objectives and challenge business as usual, how they are/can work with the Public Service Boards and how well they are driving integration with their corporate planning processes. Each workshop has included insight from the public bodies on their experiences and issues to date and discussion. The organisations that have shared their experiences so far (National Resources Wales and Public Health Wales) have identified a tension as to what level to focus their objectives – whether they are "organisational focused" i.e. quite close to what the organisation does or "outcome focused" i.e. more aspirational and visionary.

Local authorities have signalled that they are facing difficulties in the timing of the local government elections and the timing of setting their well-being objectives. There is also a perceived risk of a potential lack of continuity after the appointment of a new administration which has impacted on some, if not all local authorities.



Aside from Welsh Government, the Well-being of Future Generations Act requires public bodies to publish their initial set of Well-being Objectives no later than 31st March 2017. Some authorities have already indicated that they will be publishing a Corporate Plan by the end of March 2017 which includes their well-being objectives. As Local Government elections fall after this date there is a possibility that local authorities may review their well-being objectives following these elections, as they draft their new Corporate Plans. Authorities may then wish to re-consider their well-being objectives following the local government elections, as per the Well-being of Future Generations (see Section 9 (5) and (6) '(5) A public body may at any other time review and revise its well-being objectives...Where a public body revises its well-being objectives...it must publish them as soon as is reasonably practicable..'). With any review of well-being objectives, a local authority must have acted in accordance with the sustainable development principle and applied the five ways of working.

4. How are Public Services Boards progressing in: 1) undertaking their wellbeing assessments; 2) setting well-being objectives; and 3) developing local well-being plans?

We are in the process of responding to all PSB well-being assessments in partnership with Cardiff University. The assessments seen so far (14 to date) are mixed in terms of approach, format and intention of usage. We are providing robust and detailed feedback to each PSB, focusing on how they can build on their work to date to improve their evidence base and to apply the five ways of working to the approach they take to well-being planning. As part of our commitment to involvement we are seeking views of other stakeholders representing interests across the well-being goals which will be reflected in an overview report on gaps and areas for learning for the PSBs.

In preparing a well-being plan, PSBs "must seek the advice of the Commissioner on how to take steps to meet the local objectives to be included in the plan in accordance with the sustainable development principle". We are currently engaging with PSBs and other partners on the most effective approach to doing this.

5. In addition to the police service, have any other organisations which are not "public bodies" expressed an interest in applying the principles of the Act?

A wide range of organisations are in contact with us to learn more about the Act. This includes: UK bodies such as the Equalities and Human Rights Commission, the National Offender Management Service; large enterprise such as Dwr Cymru and Boots the Chemist; think tanks and research groups; academic institutions; third sector organisations and umbrella groups. We are keen to work with all those who can affect change, so that change can happen and resources used to their fullest effect. Within Wales, the Welsh Ambulance Trust is not listed amongst the 44 public bodies in the Act, however they state that:

"We are becoming increasingly outward facing and are committed to working with partners to deliver a Welsh public service that we can all be proud of, can rely on and that continues to meet the evolving needs of our population. In this respect, we will be focusing on how we can play an integral role in delivering the ambitions set out by the Wellbeing of Future Generations (Wales) Act and looking at new and innovative ways of playing our part in the wider health and well-being system"[1].

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[1] Welsh Ambulance Services NHS Trust Annual Report 2015/16, page 35

Bangor University has also committed to becoming known world-wide as the Sustainable University. Although universities are not included in the Act, the leadership of the university has decided to adopt the framework of the Act as a way of embedding sustainability in all aspects of the university's work as an institution.

I am encouraged by the breadth and level of commitment shown by those bodies not covered by the Act and I am keen to draw in their knowledge and expertise as part of my commitment to supporting and challenging public bodies.

6. Could you provide further information on the "Embedding Children's Rights for Future Generations" programme of work with the Children's Commissioner?

Following the five ways of working, the Children's Commissioner for Wales and the Future Generations Commissioner have set up a joint programme to support public bodies embed the UNCRC in their delivery of the Well-being of Future Generations Act. The Well-being of Future Generations Act upholds the spirit of the UNCR Convention and brings a fresh impetus to building prosperous, resilient and inclusive societies.

**Programme Aims:**

Children and young people should remain prominent and visible throughout the Well-being of Future Generations work. Visibility should manifest itself in a number of ways, including being involved in planning and decision-making and the needs of the child population being given prominence in plans, budget and services. The programme, therefore, intends to:

1. Develop a clear statement about embedding a children's rights approach and an explanation of how it fits with the Wellbeing of Future Generations Act, and other legislative requirements such as the Equalities Act 2010;
2. Establish a baseline for take-up of adoption of the UNCRC in public services;
3. Work with public service boards to ensure that consideration of children's rights is central to their agenda as they develop their first plans;
4. Develop a web-based resource for public bodies, including PSBs, with exemplars of how public bodies have started to engage and apply the principles of the UNCRC;
5. Develop an evidence base on the benefits of a rights-based approach – focusing on effective use of resources, outcomes and cost-benefits;
6. Engage and listen to public bodies about their achievements and challenges in adopting a child rights based approach.

The programme aims to help public bodies prevent duplication and inconsistency in what is required of them in respect of the United Nations Convention on the Rights of the Child and the Well-being of Future Generations Act. Some practical tools will be developed to help public bodies think about how they embed children's rights and the Well-being of Future Generations Act in their work.

Meetings were held with public bodies to introduce the programme and to discuss how their work in relation to children can relate to the requirements contained in the Well-being of Future Generations Act. A Children Rights Roundtable Network also met twice to discuss this. A resource to support public bodies and PSBs to embed a

children's rights approach in their corporate governance functions and across the requirements of the Future Generations Act is being prepared. This will be accompanied by a children's rights self-assessment tool to capture good practice and support public bodies and PSBs to take appropriate action for further implementation of children's rights in their Future Generations work. This will act a diagnostic mechanism. Both are expected to be published in the summer 2017.

7. Given that the Commissioner's office has a duty to advise on climate change, for details of the work they have conducted to date in this area with public bodies, PSBs and Welsh Government.

Climate Change has been identified as one of the four main challenges facing future generations in Wales in the first phase of our conversation on my Office's priorities. I am therefore defining, in collaboration with and by involving a wide range of people, my priority areas for action which will be published in the summer.

My work on climate change so far includes raising awareness of climate change as a key issue and a challenge for future generations in keynote speeches at events (over 100 events to date), meetings with key decision makers and stakeholders. I have met with Matthew Bell, Chief Executive of UK Committee on Climate Change and I also gave a presentation to full Committee during their visit to Cardiff (8 July 2016). I have written to each of the public bodies to bring the Climate Change Risk Assessment Report to their attention and to advise them of the need to include this evidence as part of their Well-being assessments and I am reviewing how well this has been done through my analysis of their assessments and providing detailed feedback on this and a range of issues.

I have partnered with Constructing Excellence Wales to provide support through focused events with the construction industry and I have held several discussions with key stakeholders/partners such as Natural Resources Wales, World Wildlife Federation and others, to explore opportunities for collaboration e.g. advice provided to PSBs on climate change;

Over the last six months my office has had a number of discussions with the National Assembly staff who are leading the Assembly's work on climate change. We have attended two stakeholder events (one on climate change and one on the Inquiry into the future of Agriculture and Rural policy in Wales), and have fed into the development of the CCERA Climate Change Reference Group. Although my office will not be a member of this group, we will be invited to attend and provide updates to the group to avoid any duplication of effort.

Finally, I have been working with the Welsh Government Decarbonisation team to test how the five ways of working can be a key part of their Decarbonisation programme and support their work on carbon budgets.

8. Could you provide any examples of how public bodies have improved engagement with citizens since the implementation of the Act?

The 12 draft Well-being Assessments we have seen so far show a range of approaches to engagement, some of which are new and innovative. For example, the 'Blaenau Gwent we want, a conversation about our future' work strongly focuses on encouraging people to think about the future. This includes encouraging people to write a

future profile: a social media account profile such as Facebook or Twitter - thinking about what they will be doing in 20 years' time, what job they will have, what they will do for leisure? Or suggesting that people write a letter or email to their future self, outlining what they hope to achieve and how they want their area to change.

Many of the PSBs have also shown how they have used engagement as the starting point to the development of their well-being assessments. They have successfully tested the validity of their data with local communities to ensure that what the data was telling them was how local people and communities perceived wellbeing for them. Interestingly, this provided a greater depth of interpretation and challenged some of the narrow perceptions of deficit that can be held by public sector workers about well-being.

The challenge for PSBs' engagement as they move towards well-being planning is two-fold – firstly that they find new ways of engaging people and of asking different questions (if people feel they are being asked generic, high level questions time and time again they will get consultation fatigue) and secondly to demonstrate how they are responding to what people have said, so that people don't feel they are being consulted for consultation's sake.

I have also worked with Welsh Government to explore in more detail how some public bodies are approaching involvement in order to identify emerging good practice.

9. Following on from the Economy, [Infrastructure and Skills Committee recommendation](#), do you feel that the planned National Infrastructure Commission should be included as a public body under the Act?

I have responded to the consultation on the Commission and believe that it is critically important that the principles of the Wellbeing of a Future Generations Act are included within the terms of reference of the Commission. Dependant on what form the Commission takes, the Committee might want to consider how best to ensure that the Commission is required to comply with the principles of the Act - that it uses the five ways of working, contributes to the well-being goals, and in particular takes accounts of the full definition of the 'Prosperous Wales' goal as well as the others.

10. When do you expect the Welsh Government to publish its milestones (to accompany the national indicators);

We have been in regular contact with the Welsh Government and are awaiting information about the likely content and timescales for the production of the milestones.

11. Is there evidence of change at the Welsh Government level as a result of the implementation of the Act, including any examples you could provide?

Whilst we are at early stages of the implementation of the Act, and therefore it would be unrealistic to see major change by this point, there is some evidence that the Act is being used by officials to deliver the change required. The Welsh Government's decision to establish a small set of four cross-cutting strategies (Healthy and Active, Prosperous and Secure, United and Connected, Ambitious and Learning) that span traditional Departmental or

Ministerial portfolios is an example of the Welsh Government using the Well-being of Future Generations lens to challenge business as usual. A key test of the effectiveness of this approach will be the degree to which all five of the ways of working are applied to the setting of milestones and the ongoing implementation of these strategies. Work is also underway, by the Welsh Government, to explore the practical implications of applying the sustainable development principle to areas such as procurement, decarbonisation and SMART Cymru (which helps Welsh business to grow their investment in research, development and innovation). In most cases this work is at a very early stage, however, working with Bangor University's Sustainability Lab, the SMART suite of programmes that provide a suite of integrated programmes to Welsh Business and research organisations, have embraced the Act to challenge business as usual and have a number of examples of how this has changed what they do and how they do it.

The Environment and Sustainable Development Single revenue grant is also an example about how the Welsh Government is changing its support for local government in a way that reframes aspect of funding around the Well-being of Future Generations Act while this has not been without its critics.

Although at an early stage the work of the Valleys Taskforce is showing a lot of promise in terms of the way in which the ways of working in the Act are being applied. In particular, I have been pleased to see the approach that is being taken to involve communities, to seek to better integrate policies and public service delivery and to collaborate with a range of partners. We have held initial discussions with officials leading the Taskforce and will be providing some support on developing their understanding of the Act.

We will continue to support and challenge the Welsh Government as they go further on the journey of implementing the Act and recognise that whilst there are still many challenges ahead they need to play a leading role for the rest of the public bodies in Wales. Our attention will be particularly focussed on the areas which will become our priority areas i.e. those which will have the biggest impact in the Welsh context.

#### 12. How do you view the role of the Assembly in tracking and scrutinising progress under the Act?

The Assembly is in a unique position to track and scrutinise the progress under the Act. The Act is all encompassing and each of the committees could ensure in their scrutiny of issues and Ministers that the Act is fully implemented. I sincerely hope that the Assembly will take every opportunity to track and scrutinise the progress of the Act including even through a full post-legislative scrutiny of the Act.

I firmly believe this legislation has the potential to truly change the way we do things in Wales. However we must recognise that this is a long-term cultural change programme. The legislation provides the framework but it will require significant leadership, investment of time and resources, and all of us to work together to achieve the seven goals and safeguard the ability of both current and future generations to meet their needs.

Yours

Sophie Howe  
Future Generations Commissioner for Wales

Regarding the 56 day period. This is something which has been discussed in the past as the 28 day move on period has always proved problematic but attempts to harmonise this with existing housing/homelessness legislation have not been fruitful. UKVI are considering this issue in the round while they are consulting with partners and developing their thinking around the new asylum accommodation and support contracts. We have this on the agenda for our next Dispersal Strategy Group meeting (April 6<sup>th</sup>) where we will discuss whether it is something we wish to ask the UKVI to consider.

Regarding the UASC Project. I used to run a Refugee Mentoring Project for SOVA, and we obtained funding to run a drop in centre for unaccompanied asylum seeking children called 'You are not alone'. The project has not been funded for some years now.

The project grew out of the adult refugee mentoring work. SOVA recruited and trained asylum seekers, refugees and host community people to become trained mentors to reduce isolation and promote access to services. It was identified that some UASC were totally isolated, having no family or friends, arriving in a new country, with a different culture and language. Sova, in partnership with Cardiff Children's Services, utilised a space at the Welsh Refugee Council, and set up a drop in centre to help integrate these young people into the local community so they could form friendships and gain peer support. The project provided peer mentors/befrienders from local ethnic minority groups and together they established a drop in centre with a welcoming, friendly atmosphere where the young people could feel safe and supported. The peer mentors came up with the name 'You are not alone'.

We made a film called 'A Place in Mind' -which is still used in training sessions for people working with UASC.

[https://www.youtube.com/watch?v=6loIP9Vi\\_4I](https://www.youtube.com/watch?v=6loIP9Vi_4I)

The drop in was attended by around 30 UASC at any one time mostly from the Cardiff area (numbers of UASC were higher at that time), and also provided ESOL training, educational and cultural trips, guest speakers, cooking, provision of computers, etc.





## NYAS

### Children Services six monthly Narrative Report

1<sup>st</sup> August – 31st January 20017

Cardiff Advocacy Team

#### 1. Overview of service this period

- NYAS worked with a total of 151 new referrals this period.
- NYAS provided advocacy representation in relation to 174 issues.
- 87 issues were carried over from previous months.
- A total of 261 issues were supported by the advocacy service this quarter.
- 153 cases were closed within this period.
- The majority of referrals were to work with children in the child protection. Service, followed closely by looked after children and young people. We have experienced an increase in referrals from unaccompanied asylum seeking young people for advocacy and/or appropriate adult representation in the age assessment process.

#### 2. Promotion, development and training

We have continued to actively promote and develop the advocacy service within children's services as well as the private and voluntary sector this quarter.

- At the last contract monitoring meeting it was agreed that an operational group would be set up to address specific areas of development to ensure accessibility of nyas services to all children and young people. Two meetings have taken place within this period. It was agreed that meetings would take place bi-monthly. Initial key areas of development have been agreed which include taking forward the creation of advocacy champions within service areas, lunch and learn sessions for staff, a nyas awareness day, raising awareness of the participation service and devising and implementing a referral process and raising awareness of the independent visiting service and implementing an outcomes framework to evidence value of the service. It was also agreed that other wider issues (identified by the service through our direct work with children and young people) could be addressed through small task and finish groups which would result in improvement of services to children and young people within these specific areas.



- Training to children's services staff in Cardiff and the Vale took place in December. Twenty participants were booked on to training but only six actually attended which was disappointing. Despite the small number, the session went well and feedback was positive, one participant fed back that they would have liked more focus on children's rights, Nyas will discuss further with children's services the wider learning needs of their staff in relation to children's rights and how we may be able to assist in meeting these. We have a further training session scheduled for March, which will need to be promoted widely with children's services if we are to secure attendance of greater numbers of staff.

### **3. Participation, visiting Advocacy , wider Consultation and Research**

Participation. Work included:

- Corporate Parenting Advisory Committee listening event. Nyas worked in partnership with children's services and housing to run a participation event for care leavers to provide them with the opportunity to give their views on the planning, delivery and evaluation of leaving care services. Nyas produced a report on the event which made several recommendations as to how leaving care services could be developed and improved, which was presented to the committee in June. The committee held a feedback session with young people in September whereby the report's recommendations were agreed in full or in part
- Bright Sparks Awards. Nyas worked jointly with Cardiff Children's Services to plan and deliver yet another successful awards ceremony which took place on December 9th 2016 at Cardiff City Hall. Several planning sessions with young people were held to organise the event, which was on a bigger scale than usual due to this being the awards 10th anniversary. It was indeed an inspiring and heart-warming event, which celebrated the many achievements of looked after young people and care leavers within several areas of their lives. The Children's Commissioner for Wales Sally Holland was in attendance and spoke at the event which was hosted by our participation workers and three young people from our participation group, the event also showcased the talents of children and young people across the city of Cardiff with singing from Rhymney Primary School choir and Sound in Motion dance group.
- Our participation group has continued to meet on a fortnightly basis at our Nyas office base in Cardiff. Group membership has remained stable but we wish to recruit newer members to the group, including young people from other service areas which are currently underrepresented such as care and support, in order to achieve this it is essential for us to work collaboratively with children's services to raise awareness of the group and encourage and support children and young people to get involved. We intend to take this forward at the next operational meeting. The group has also embarked on other work within this period, including consultation on young people's involvement and membership of the Corporate

Parenting Advisory Committee , finalising the design of the fostering handbook and working with Children in Wales on their views on health issues for looked after young people .

- A number of care experienced young people from Cardiff have been recruited as peer advocates and peer mentors/mentees with nyas. They have recently undertaken accredited training with us and are currently completing their induction before being matched up with a peer mentor/mentee or being placed within local agencies and organisation to gain work experience as peer advocates.
- Nyas have been a co-opted member of the Corporate Parenting Committee since May 2015. The committee is currently reviewing its membership and attendance and with this it has been recommended that nyas step down from their position due to the recruitment of two young people and the forthcoming recommissioning of the advocacy service. Nyas are concerned about the impact of such a decision on the wider voice of children and young people and feel that the committee will lose an important children's rights perspective from a professional independent body. We have put together a paper highlighting our concerns and made the request that these representations be heard by committee members before any decision is made.
- Nyas in Cardiff are offering a social work placement for the second year running. Our student was placed with us in the September of this reporting period and she finishes placement in March this year. We wish to extend our involvement with social work training this year and input further on the social work degree courses within South Wales.
- We have continued to visit Crosslands Residential Unit on a monthly basis. The advocate has engaged well with the children and young people. 1 referral was received via visiting advocacy this quarter.
- NYAS has continued to have a strategic presence in Wales through regular attendance on the Advocacy Providers Group and through attending the task and finish group within the Welsh Government that will look to take forward the national approach to statutory advocacy in Wales. Nyas welcomed the opportunity to present evidence to the Welsh Government as part of their enquiry into the commissioning of advocacy.

#### **4. Themes / Issues/recommendations this period.**

- Nyas has been undertaking the appropriate adult role within the age assessment process since May 2016, the role of the appropriate adult is to ensure that unaccompanied asylum seeking young people have an independent person to ensure that their rights are upheld, their welfare safeguarded and a fair process is adhered to. We are concerned about the

often substantial delay some young people are experiencing in being age assessed, these young people have had to wait several weeks from when they are first referred to children's services for an age assessment, many of these young people are left under the support of National Asylum Support and living in accommodation with older adults. There also appears to be an inconsistency in practice in relation to whether young people are accommodated by social services whilst the assessment is ongoing and a decision on age is pending. Some of these young people are then later assessed as children, and have not been in receipt of looked after services whilst other unaccompanied asylum seeking young people are accommodated pending assessment and get the full ambit of services, such a practice also raises safeguarding issues for this vulnerable group of young people who find themselves placed in adult accommodation.

We wish to ascertain whether the local authority have an internal policy which clarifies working practices in relation to the age assessment of unaccompanied asylum seeking children and young people, and would welcome the opportunity to work with the local authority to improve systems and processes for this client group, which could be achieved through our operational meetings.

- Niyas are also aware of the need to improve upon the referral process to the appropriate adult service so we have the necessary information needed to effectively act in this role, which again can be taken forward within our operational meetings.
- Wider issues have also become apparent through our advocacy casework with unaccompanied asylum seeking young people. We have made representations on behalf of one young person who has felt unsupported by children's services in relation to support with his asylum claim. We have received feedback from the service that there is a capacity issue in supporting young people with aspects of their claim such as attending solicitors appointments, support in court when exercising rights to appeal as well as support if detained in an immigration and removal centre. Whilst we recognise that children's services have limited resources they have a duty of care for this extremely vulnerable group who urgently require robust intervention and support at this difficult and traumatic point in their lives.
- The service has experienced ongoing issues with the complaints process this period, which has been highlighted in previous reports and within Corporate Parenting Committee. Children and young people have continued to experience substantial delay in having their complaints dealt with within the prescribed timescales within regulations, we have also raised issues in respect of team managers being tasked with the investigation of complaints where they have been involved in the decision making that the actual complaint relates to, resulting in a lack of impartiality within the process. We welcomed the opportunity to highlight these and other issues within the local

authorities internal review of their complaints process which has been led by someone independent from social services. Concerns have also been discussed at operational level whereby we felt feedback was taken on board and assurances given that these issues are being addressed, we will continue to monitor and make representations on behalf of children and young people and work with the local authority in a bid to improve the complaints process.

## **5. Is anyone better off?**

Nyas aim to achieve 100% feedback from children and young people at the point of case closure. This quarter NYAS Cardiff closed 61 cases and received feedback from children and young people by way of feedback forms, feedback 1-5 scale and verbal feedback from children and young people.

The following feedback has been received from children and young people, carer's, parents and professionals.

### **Direct feedback from Young people**

CYP 1 – “Thank you for helping me”

CYP 2 – “Nice to be listened to”

CYP 3 – “All good”

CYP 4 – “I feel good, I'm happy with things”

CYP 5 – “I like you. You helped me”

CYP 6 – “Really good”

CYP 7 – “Feel ok, a bit better about things

CYP8 – “I want you to always be my advocate, I am still happy and sad but happy more”

CYP9 – “Thank you , if it wasn't for you I wouldn't have been paid the money by social services”

CYP10 – “Thank you x, I feel better having you there when I speak with social services, thank you have really helped me and been there for me”

## Feedback scale 1-5

A total of 49 young people were asked on a scale of 1-5 how they felt about the issue affecting them at the outset of the advocacy intervention and then again at the end of the advocacy intervention, to ascertain distance travelled. 59% of children and young people had said that their situation had improved and 41% reported that it had stayed the same.

## 6. IV Service Outcomes

### Active IV Cases

At time of writing nine young people are currently in receipt of an IV service from nyras in Cardiff. A total of thirty five recorded visits were made to children and young people within this period. Two new IV relationships commenced and appear to be going well

Two matches came to an end within this period. Both have been long term matches, one young person was an older care leaver and the relationship came to a natural end whilst the other young person and independent visitor have agreed that they will maintain contact with one another although the official IV relationship has come to an end

Two referrals were closed this quarter due to the young people deciding they no longer felt a need for the service.

### Waiting and New referrals

We currently have five young people waiting to be matched:

Male/female	area	referral status
Female	Cardiff	matching questionnaire to be completed
Female	Cardiff	matching questionnaire to be completed
Female	Cardiff	matching questionnaire to be completed
Female	Cardiff	matching questionnaire to be completed
Male	Cardiff	matching questionnaire to be completed
Male	North England	Matching questionnaire completed. Targeted recruitment taking place.

Six new referrals were received within this period, one referral was received for an unaccompanied asylum seeking young person but was then closed due to him being reunited with his birth father in England. We have received very few applications from people wishing to become IVs with the service and the service coordinator is currently undertaking a recruitment drive to attract volunteers to the service. One young person waiting to be matched has profound disabilities and will therefore require an Iv who has the necessary experience/skills to form a befriending relationship.

We have continued to promote the service amongst child care practitioners within the local authority, and are currently devising an outcomes reporting framework which will be able to feed into the looked after reviewing process and evidence the value of the service. The operational group is currently addressing both this issue of awareness raising of the service as well as well as improving interface between Children's services and nyas. Nyas has also being actively involved in the All Wales Independent Visitor Network , a professional forum which meets three times a year to for IV Coordinators to share common issues and best practice in order to improve standards and consistency of IV services. The overall aim is to improve standards and reach of IV services for children in care.

## Agenda Item 4.6

Ysgrifennydd y Cabinet dros yr Economi a'r Seilwaith  
Cabinet Secretary for Economy and Infrastructure



Llywodraeth Cymru  
Welsh Government

Ein cyf / Our ref: MA-P/KS/0098/17

John Griffiths AM  
Chair  
Equality, Local Government and Communities Committee

21 March 2017

*Dear John,*

During my attendance at Equality, Local Government and Communities Committee on 8 February, I agreed to provide members with clarification on a number of matters. Your letter of 3 March also requested some additional information.

Please find the material requested attached at Annex A.

I understand that you have written separately to the Cabinet Secretary for Communities and Children to request a note on the project providing advice services in GP surgeries, including information on levels of unclaimed benefits. You also requested information on the work Welsh Government is undertaking to support and promote the work of credit unions. This information will be sent to you separately.

*Yours ever,*  
*Ken*

**Ken Skates AC/AM**

Ysgrifennydd y Cabinet dros yr Economi a'r Seilwaith  
Cabinet Secretary for Economy and Infrastructure

Bae Caerdydd • Cardiff Bay  
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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

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

## Code of Practice for Ethical Employment in Supply Chains

In her Oral Statement on 1 December 2015 the Minister for Finance announced that Value Wales would lead on the development of a Code of Practice on Ethical Employment in Supply Chains.

The Cabinet Secretary for Finance and Local Government launched the Code on the 9<sup>th</sup> March at a meeting of the Workforce Partnership Council (WPC) which has worked closely with Value Wales to finalise the Code. A broad range of stakeholders were consulted, including the Council for Economic Renewal, the Procurement Board (leaders from across the Welsh public sector), the Procurement Policy Development and Delivery Group (public sector procurement practitioners), the Wales Social Partners Unit, the Wales Anti-Slavery Leadership Group and expert external organisations such as UNICEF. In addition, a survey was sent to 5000+ suppliers registered on the Sell2Wales website.

The Code is designed to ensure that everyone employed in public sector supply chains is employed ethically, in compliance with both the letter and spirit of UK, international and other national laws. Slavery is at the extreme end of unlawful and unethical practice, but other issues include blacklisting, false self-employment, unfair use of umbrella companies and zero hours contracts. The Code also covers the Living Wage.

The Code is made up of 12 commitments designed to eliminate modern slavery and support ethical employment practices. It is supported by 4 guidance documents to assist public, private and third sector organisations:

- A Guide to Modern Slavery and Human Rights Abuses
- A Guide to Tackling Blacklisting
- A Guide to Tackling Unfair Employment Practices
- A Guide to Implementing the Living Wage through Procurement

All public sector organisations in Wales, businesses and third sector organisations in receipt of Welsh public sector funding will be expected to sign up to the code. Other organisations and businesses based in Wales are encouraged to sign up to the code.

<http://gov.wales/newsroom/finance1/2017/58948814/?skip=1&lang=en>

## Evaluation of the Lift and Communities for Work programmes

On the evaluation of the Lift and Communities for Work programmes, the Lift Programme is being independently evaluated by Wavehill Ltd, with the second stage report published on 20 December 2016. The report includes the following findings:

- Tackling poverty is one of the Welsh Government's highest priorities and given the substantial evidence that links worklessness to poverty there is ample justification for policy intervention of this nature.
- The Programme delivery model has been designed with a high degree of flexibility and this has enabled it to adapt to local circumstances and retain a person-centred approach.



<ul style="list-style-type: none"> <li>• Participants are mostly positive about the support they've received through the Programme.</li> <li>• A high proportion of participants have been long-term unemployed or have never worked, with only a few having engaged in previous initiatives to support them into employment; suggesting that Lift is effective at engaging with those hard to reach.</li> <li>• Where participants have engaged in previous support Programmes, over three quarters prefer the approach adopted through Lift.</li> </ul> <p>Further information and a copy of the Phase 2 report can be found at:</p> <p><a href="http://gov.wales/statistics-and-research/evaluation-lift-programme/?lang=en">http://gov.wales/statistics-and-research/evaluation-lift-programme/?lang=en</a></p> <p>The Communities for Work programme (CfW) builds upon evidence and learning from the Lift programme. CfW is being independently evaluated by Old Bell 3 Ltd and the first phase of its evaluation will be published in the spring of this year.</p>
<p><b>Wales Well-being Bond</b></p> <p>Taking Wales Forward includes a commitment to introduce a new Wales Well-being Bond aimed at improving mental and physical health and reducing sedentary lifestyles, poor nutrition and excessive alcohol consumption. Actions linked to the development of the Well-being Bond are also included in the Together for Mental Health delivery plan to develop and pilot the Well-being Bond by December 2017.</p> <p>Officials are currently scoping different models for the Wellbeing Bond and will engage with the third sector in advance of the scheme going live.</p>
<p><b>Progress in tackling child poverty</b></p> <p>During the evidence session, discussions took place around the data which shows our progress in tackling child poverty.</p> <p>The Children and Family (Wales) Measure 2010 placed a duty on Welsh Ministers to develop a Child Poverty Strategy for Wales and to report on progress in tackling child poverty every three years. The latest progress report was laid before the National Assembly for Wales and published on the Welsh Government website on 13 December 2016. It was introduced to members by the Cabinet Secretary for Communities and Children through an oral statement.</p> <p>A link to the report is below:</p> <p><a href="http://gov.wales/topics/people-and-communities/people/children-and-young-people/child-poverty/?lang=en">http://gov.wales/topics/people-and-communities/people/children-and-young-people/child-poverty/?lang=en</a></p>
<p><b>Sickness Absence and Ethical Procurement</b></p> <p>Using the lever of public procurement we have a role to promote ethical employment practices throughout our supply chains. As described above the Cabinet Secretary for Finance and Local Government recently launched a code of practice for ethical employment in supply chains.</p>

Using our public sector contract to mandate requirements around company sickness rules would not be possible. However, Welsh Government has taken steps through the responsible business policy to encourage employers to adopt and promote good working practices that create positive workplaces. The Business Wales service promotes awareness of the policy and assists companies through the process through equality and diversity advice and guidance.

Business Wales also runs a responsible business web portal which encourages businesses to consider the impact that their practices have on their workforce, their businesses and the wider environment.

<https://businesswales.gov.wales/zones/responsible-business>

## Economic Statistics Dashboard

Please find below a copy of the Economic Statistics Dashboard.

### ECONOMIC STATISTICS DASHBOARD – WEEK COMMENCING 05/12/2016

Measure	Value	Period
<b>OUTPUT/INCOMES</b>		
Gross Domestic Household Income (GDHI)	£15,302	2014
Gross Value Added (GVA) per head	£17,573	2014
Gross Value Added (GVA) per hour worked	£25.91	2014
Index of Production	107.7	Q2 2016
Index of Construction	111.1	Q2 2016
Index of Market Services	107.9	Q2 2016
<b>LABOUR MARKET</b>		
Employment (level)	1,440,000	Oct - Dec 2016
Employment (rate)	72.7%	Oct - Dec 2016
Unemployment (level)	67,000	Oct - Dec 2016
Unemployment (rate)	4.4%	Oct - Dec 2016
Economic Inactivity (level)	454,000	Oct - Dec 2016
Economic Inactivity (rate)	23.8%	Oct - Dec 2016
Claimant Count (level)	38,700	Jan 2017
Claimant count (rate)	2.6%	Jan 2017
Average (Median) Full-Time Earnings	£492.4	2016
Workforce jobs	1,405,600	2015

<b>BUSINESSES</b>		
Businesses headquartered in Wales	99,860	2016
Businesses operating in Wales	250,100	2016
Business Birth Rate	12.1%	2015
Business Death Rate	9.1%	2015
Business Enterprise Research and Development	£362 million	2015

Percentage of businesses who are innovation active	51%	2015
Priority sectors – enterprise numbers	63,500	2015
Priority sectors – employment	606,500	2015
Priority sectors – output	£30,067 million	2014

TRADE & FOREIGN DIRECT INVESTMENT (FDI)		
Value of goods exports <sup>1</sup>	£11.8bn	Year to Q3 2016
FDI (Projects)	18	2015/16 to date
FDI (Jobs)	1,044	2015/16 to date
TOURISM		
Overseas Visitors to Wales	450,000 visits	Jan-Jun 2016
Day Visitors to Wales	95.2 million tourism day visits	Year to Sep-2016
OTHER		
Average total household wealth	£214,200	2012-14
Poverty rate	23%	2012-13 to 2014-15
Average overall satisfaction with present job (/10)	7.5	2013-14
Percentage reporting very high satisfaction with their lives overall	29.71%	Apr 2015 to Mar 2016

Members may also be interested to see the *Welsh Economy in Numbers* dashboard which shows the key indicators of the Welsh Economy.

A link to WEIN is below.

<http://gov.wales/statistics-and-research/economic-indicators/?lang=en>

### Public Policy Institute for Wales 'What Works in tackling poverty' project

The Welsh Government's approach to tackling poverty and improving the outcomes of low income households continues to be informed by a range of evidence and analysis.

The PPIW report *Alternative Approaches to Reducing Poverty and Inequality: Existing Evidence and Evidence Needs* echoes findings from previous Assembly Committees, highlighting the need to identify groups which are most at risk of poorer outcomes. Welsh Government has undertaken analysis of a number key data sources, including Households Below Average Income data for Wales, which was published on 13 December 2016, as well as data on deprivation now collected through the National Survey for Wales. These sources of evidence are helping us to better understand the characteristics of those living in poverty. In addition, calls were made by PPIW for greater levels of engagement with people experiencing poverty. The Ministerial Taskforce for the Valleys, which was established in July last year, has prioritised engagement with local communities with a view to empowering individuals to identify local priorities and for services to reflect local need.

<sup>1</sup> **Methodological change** - HMRC have revised the methodology used to calculate Regional Trade Statistics. Business trade is now allocated to a region based on the proportion of employees in that region rather than where the location of the Head Office of the business is.

With regard to employment programmes, the Welsh Government is working in partnership with the Cardiff City Deal to co-design the Work and Health Programme with the department for Work and Pensions. We have considered the PPIW report *'Rethinking the work programme in Wales'* and it has been of use in developing our current approach. The new programme will begin delivery in Wales towards the end of 2017.

The research undertaken by the Public Policy Institute for Wales *'What Works in Tackling Poverty'* project, including the findings of the *'Improving the Economic Performance of Wales: Existing Evidence and Evidence Needs'* and *'New Directions in Employment Policy'* is being used to inform the development of our four crosscutting strategies. The conclusions and key messages set out in these reports provide useful additional insight into the strategic and targeted interventions needed to deliver our aspiration of prosperity for all.

### **Advisory Groups**

Welsh Government will continue to seek the views of key experts and organisations as our approach to building resilient communities and delivering prosperity for all is taken forward.

I am undertaking a review of the groups across my own portfolio with a view to identifying gaps and duplication. I have also asked other Cabinet Secretaries and Ministers for details of groups within their portfolios that discuss and advise on issues around poverty. This will help to determine if Welsh Government has sufficient engagement with stakeholders and experts on this agenda.

As part of this process I have engaged with Chairs of Enterprise Zones and Sector Panels who provide views from their members. Ongoing meetings are taking place as part of this process. I have also sought external input from key stakeholders including business organisations and trade unions.

It is my intention to revise the current advisory architecture as a result of this review, to ensure it is aligned with our Prosperous and Secure and United and Connected strategies. Members will be updated on this work as it progresses.

Discussion will also take place with relevant groups to determine whether they are prepared to have more of a focus on poverty, given our commitment to prosperity for all. This will include groups such as the Council for Economic Renewal and the Strategic Equality Plan Board.

### **Spreading economic prosperity**

During my evidence session, we discussed the role of the Welsh Government's 'Prosperous and Secure' and the 'United and Connected' strategies in spreading economic prosperity.

Work is continuing on the development of our four cross-cutting strategies, and I expect these to address the role of government and delivery partners in ways of working in order to secure prosperity for all.

We welcome the Committee's interest and will update the Committee when our thinking has developed further.

Carl Sargeant AC/AM  
Ysgrifennydd y Cabinet dros Gymunedau a Phlant  
Cabinet Secretary for Communities and Children



Llywodraeth Cymru  
Welsh Government

Ein cyf/Our ref MA/CS/0968/17

John Griffiths AM  
Chair of the Equality, Local Government and Communities Committee

Y Pwyllgor Cydraddoldeb, Llywodraeth Leol a Chymunedau  
Equality, Local Government and Communities Committee  
ELGC(5)-11-17 Papur 7 / Paper 7

21 March 2017

Dear John,

Thank you for your letter dated 28 February which requested information on the under claiming of benefits and the work Welsh Government is undertaking to support and promote credit unions following the Cabinet Secretary for Economy and Infrastructure's oral evidence session at the Equality, Local Government and Communities Committee on 8 February.

### Unclaimed Benefits

#### Better Advice, Better Lives

People across Wales are facing many challenges in light of the wide range of welfare reforms which have hit low income earners, families and those most in need. The service provided by Citizens Advice through the Better Advice Better Lives (BABL) project is an excellent example of support being delivered to the people who need it most. One of the aims of BABL is to maximise income for people living in deprived areas whose health is likely to be affected by poverty.

The BABL scheme helps maximise income for families, including those with disabled children, and reaches out to people through healthcare settings to help provide a more holistic service, engaging with those less likely to self refer for advice. It is delivered from 150 Primary and Secondary Healthcare settings, including GP surgeries and community based clinics with coverage over all twenty two local authorities in Wales.

Citizens Advice Cymru has been awarded £2.2million per annum since 2012 to deliver this project, providing face to face advice services in a variety of health settings. The localised presence enables Citizens Advice to work closely with disability organisations and Local Authorities to ensure appropriate, expert advice is made available to families with disabled children. It also encourages the take-up of council tax and housing benefits, alongside other benefits entitlements, especially amongst those people and groups less likely to claim.

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

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

Since the start of the project in 2012 until December 2016, BABL has helped over 88,000 people bringing in confirmed gains of over £92million. Funding has been agreed for Citizens Advice Cymru to continue to deliver the BABL project in 2017/18.

Good advice is a vital part of improving the experience of people living in Wales and contributes towards the aims of the Welsh Government's Child Poverty Strategy, including the prevention of Adverse Childhood Experiences, the Financial Inclusion Strategy, the Equalities Objectives 2016-2020 and the goals of the Well-being of Future Generations Act 2015, made achievable through the five ways of working.

#### Unclaimed benefits

The Welsh Government does not hold equivalent information to that published by the Department for Work and Pensions (DWP) on the take-up of income-related benefits. DWP used to publish this data at a Wales level. However, since February 2012, this geographical breakdown has not been published as part of this dataset. The latest published estimates of take-up of income-related benefits at a Wales level relate to the financial year 2009-10. Although quite dated, these estimates show for Income Support, Employment and Support Allowance (income-related), Housing Benefit and Council Tax Benefit, the proportion of those entitled who are actually claiming these benefits is much the same in Wales as elsewhere in the UK. For Jobseeker's Allowance (income-based), the proportion who are claiming is higher than elsewhere in the UK, while for Pension Credit the proportion of those entitled who are claiming is lower than elsewhere in the UK.

HM Revenue and Customs (HMRC) has published more recent data (2014-15) for the take-up of tax credits in Wales. The central estimate for 2014-15 shows a caseload take-up rate of 90% in Wales, which is slightly higher than that for the UK (86%). In terms of the tax credit expenditure take-up rate, the central estimates are 96% for Wales and 92% for the UK.

#### **Financial Inclusion**

Credit Unions are key partners in the delivery of the Financial Inclusion Strategy published in March 2016. We are continuing to work closely with the credit union movement in the implementation of the Financial Inclusion Strategy and Delivery Plan. The sector is represented on the Financial Inclusion Steering Group and is fully engaged in this process.

Credit unions are central to our efforts to promote financial inclusion. From the current Welsh Government funding given to credit unions, just over £20.4 million was provided in loans to more than 25,000 financially excluded members between April 2014 and September 2016. This helps to demonstrate the role credit unions play.

In terms of funding, I have been clear that the support given to credit unions must continue to address financial exclusion. In January I approved funding of £422,334 for an application-based grant scheme for credit unions seeking Welsh Government support during 2017-18. The proposals which will be funded from 1 April 2017 will help credit unions continue to support financially excluded members and deliver specific actions set out in our Financial Inclusion Delivery Plan. The successful projects may also contribute to increasing the credit unions sustainability through increased membership, supporting the aims identified in the Credit Union Strategy for Wales. I am keen to encourage collaboration and collaborative projects will be prioritised.

Over recent months I have written to private sector companies with the aim of encouraging payroll deduction to their workforce. This is an important way of gaining new members, helping credit Unions become more sustainable in the long-term. I will continue to work with credit unions to raise their profile across the public, private and third sectors.

The credit Union sector in Wales has been transformed over the last 15 years. Since the year 2000, credit union membership has risen from 10,000 to over 75,000 currently. In this time many Welsh credit unions have strengthened and professionalised their services immeasurably. The ambition now is to build on these firm foundations.

Yours sincerely

A handwritten signature in cursive script, reading 'Carl Sargeant'.

**Carl Sargeant AC/AM**

Ysgrifennydd y Cabinet dros Gymunedau a Phlant  
Cabinet Secretary for Communities and Children

## Agenda Item 4.8

### Equality, Local Government and Communities Committee

#### Focus Groups - Trade Union (Wales) Bill

As part of the Equality, Local Government and Communities Committee consultation on the Trade Union (Wales) Bill, the National Assembly for Wales's Outreach Team facilitated two focus groups with members of a community health council and a PTA group respectively.

The purpose of these focus groups were to understand their views on the following aspects of the Bill, namely:

- Check-off;
- 40% ballot threshold; and
- Facility time.

It also proved an opportunity to discuss the implications of both the UK Government's Trade Union Act and the Trade Union (Wales) Bill.





**Focus Group:** Community Health Council

**Location:** Arfon

**Participants:** 4

**Theme:** Check-off

What's happening now?	What are the proposed changes?
<p>The UK Government's Trade Union Act <b>limits</b> the ways people can pay for their trade union membership. Normally it can be deducted straight from the <b>wages</b> of workers in the public sector. This is known as check-off.</p> <p>Under the UK Government's Trade Union Act, trade unions must now offer workers more than one option to make payments.</p> <p>The UK TU Act means that workers will no longer be able to automatically expect that subscription payments to a trade union will be made via wages, but will be given a number of options to make payments, for example via direct debit or card payments.</p>	<p>The Trade Union (Wales) Bill will remove the restrictions placed on check-off.</p> <p>In disapplying the provisions on check-off, employers are not under any duty to provide check-off facilities, nor are they prevented from seeking reimbursement for costs where they do.</p>

**Question 1: What impact could this restriction on being able to pay your trade union subscription have on subscribers? Why?**

Some of the participants felt that some people didn't want things taken straight out of their bank accounts. However, many of the participants felt that taking the onus away from the employer will see trade unions becoming "*closed shops and they'll suffer from poor take-up of subscriptions*".

Participants explained that they dealt with many workers who earn low incomes, and also explained that some don't have bank accounts. The restriction on check-off would then make it difficult to make alternative payments.

Some participants felt that people would leave the unions if check-off wasn't deducted automatically. If onus changed, people would be less likely to subscribe to membership. It would also be difficult for some people to manage their financial affairs.



**Question 2: How might the restriction on check-off impact on you?**

The participants felt that they wouldn't be directly impacted by the restriction on check-off, but did acknowledge the potential implications for those on low incomes.

Participants discussed the ease with which people could bank 10 years ago, and the difficulty many people face trying to access face to face banking (particularly in rural areas). Many people face the same problems with the Post Office. There is an added cost implication for bills paid through the Post Office (payment of which incurs a mandatory charge). This may have a knock on effect on low wage workers who are faced with a restriction on check-off.

**Question 3: What impact does having a number of options to pay subscription fees affect subscribers?**

The participants were concerned about how the changes to having a number of options to pay were being communicated to employees. Many felt that increasing the number of options brought with it an added element of risk.

One participant disagreed, and felt that impact would be minimal if options were promoted, regulated and monitored properly, thereby having minimal effect on subscribers.

Some of the participants felt that subscribers may become confused by the number of options, and would have sole responsibility of setting up the alternative payments correctly. There is a danger that if people are faced with too much choice, they will opt out.

One participant explained how there was a wide gap in the workforce in terms of digital / financial literacy and the more modern methods of subscribing – communication would be key in this instance and there shouldn't be an assumption that everyone e-banks.

Another participant wondered about how issues would be resolved, if a subscriber mistakenly believed they were in fact subscribed when they hadn't.

Some participants in the group questioned the cost benefit of introducing such a change to the system: *"It isn't broken."*

**Question 4: What impact do you think this change to check off facility have on the relationship between unions and employers?**

Participants reiterated the original point they raised, namely that the impact may lead to withdrawal of membership and a closed shop for trade unions.



## Theme: 40% Ballot Threshold

What's happening now?	What are the proposed changes?
<p>The UK Government's Trade Union Act makes provision that at least 50% of all union members entitled to vote must vote, and of those who voted, a majority need to vote in favour.</p> <p><b>Therefore, if there are 1,000 members, at least 500 must vote in the ballot, and at least 251 must vote in favour.</b></p> <p>The UK Trade Union Act includes additional ballot thresholds for those working in what are considered to be 'important public services' (Health, Schools and Fire and Rescue). For those working in these sectors, in order for strike action to happen, they must not only ensure a simple majority of members vote in favour of industrial action, but they must ensure that 40% of members vote in favour rather than a simple majority.</p> <p><b>So, for example, if the union had 1,000 members eligible to vote, 40% must vote in favour of industrial action (400). So, if 500 members voted, 400 must vote in favour, not simply the 251 required for other services.</b></p>	<p>Trade Union (Wales) Bill would not change part of the UK Act that says at least 50% of all members entitled to vote must exercise their right to vote.</p> <p>The Trade Union (Wales) Bill would remove the need for 40% ballot threshold for 'important public services'.</p>

<b>Question 1: Should doctors in a hospital setting for example, expect to be able to take industrial action based on a simple majority of members voting?</b>
<p>Participants felt strongly that anyone who works in a position of public service shouldn't expect to be able to take industrial action based on a simple majority of members voting. This was, they felt, because it endangered the public: <i>"How can you not have a risk to people during strike action?"</i></p> <p>Participants felt that by the very nature of public service work, employees must uphold their duty of care, and situations should never escalate to strike action. <i>"Fair and meaningful discussions"</i> should take place to avoid strike action at all cost.</p> <p>One participant explained that those in the health sector shouldn't have to strike if issues were properly managed. In the instance of strike action, employers shouldn't put employees in a situation where they have to strike.</p>



**Question 2: If the law makes it harder for doctors to take industrial action, what would that mean for the relationships between employers and employees in your view?**

Some participants felt that if the law would be changed in this way, the new law should outline a meaningful proposition, namely that the rights of the employee are recognised by the employer.

Participants felt that every employee should have the right meaningful dialogue with their employer. If this isn't achieved, one participant felt that the Welsh Government should arbitrate. However, following a discussion between each other, the group then decided that any arbitration should be facilitated by an independent body.

However, some participants felt that there needed to be a change in culture: there is a prevalence of people's perceived "*individual right to strike. It's a complex argument*".

One participant felt that there shouldn't be poor relations between employers and employees in any event: "*...with good management in place you get better outcomes and it's not autocratic*".

**Question 3: What would it mean for NHS users like yourselves / patients?**

Participants felt that it would be a better outcome for patients and NHS users like themselves.

**Question 4: Is the 40% threshold a good or bad thing in your opinion for important public services?**

One participant agreed with the position put forward by the Welsh Government and felt that the "*Westminster position was over-prescriptive*".

The remaining three participants agreed with the Westminster position.



## Theme: Facility time

What's happening now?	What are the proposed changes?
<p>The UK Government's Trade Union Act gives the UK Government power, to require that public sector employers publish information about the amount of time people trade union officials spend on carrying out trade union duties at work.</p> <p>The Act would also give the UK Government the ability to cap the percentage of the employers' total pay bill spent on paying union official for facility time and to restrict the right of union officials to facility time.</p>	<p>The Trade Union (Wales) Bill seeks remove the need to publicise information about facility time.</p> <p>It will also dis-apply the regulation about information on facility time, and capping spend on, or limiting facility time allowed by devolved Welsh authorities.</p>

### Question 1: Should Trade Union officials be entitled to take on union duties during work hours if the union and employer have agreed to this?

Participants reiterated a point they raised earlier in the session. Namely, meaningful discussions must take place to avoid strike action at all costs.

For the benefit of transparency, the participants felt that union duties during work hours should be published and time shown – but not to restrict time in anyway.

### Question 2: To what extent would patients for example, expect to know how many hours any person has spent on union duties?

Participants felt that patients wouldn't be interested in knowing how many hours any person has spent on union duties, but they did feel that facility time wasn't the ultimate issue but its wider impact – *"patients just want to be treated"*.

Some participants discussed the impact of *"paid disturbance allowance"*. Union business does often take place during working hours and many officials would need to travel across the country to meetings. Facilitating for this can cost a lot of money, and consideration by the trade unions should be given to the employer. Some officials play the system.



**Question 4: What impact do you think it would have on the health service if a trade union official could not carry out his or her union duties for members in a local hospital during working hours?**

In order to facilitate fair and meaningful discussions to avoid strike action, the participants agreed that it was essential for a trade union official within the sector to undertake union duties for members during working hours. This shouldn't be a problem if all hours were published in order to maintain transparency.

**Question 5: Do you have any experiences, if at all, with a union official carrying out union duties for membership your workplace during working hours?**

Participants did not have any experiences with a union official carrying out union duties for membership during working hours.

**Question 6: What impact would it have on the work of the union official? Positive / negative?**

Participants felt that having to conduct work outside of working hours would be onerous on the official, and would perhaps be onerous on employees too, in reporting issues in the first instance.

**Other comments**

Some of the participants felt that party political use of membership fees was a problem. Trade union subscription don't give potential subscribers the option to opt-out their fees being used to fight elections: *"Many people don't realise that their fees are given to one party and aren't given the option to opt out".*



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