



Cynulliad
Cenedlaethol
Cymru

National
Assembly for
Wales

Cofnod y Trafodion The Record of Proceedings

[Y Pwyllgor Cyllid](#)

[The Finance Committee](#)

21/09/2017

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

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

Aelodau'r pwyllgor yn bresennol
Committee members in attendance

Mike Hedges Bywgraffiad Biography	Llafur Labour
Steffan Lewis Bywgraffiad Biography	Plaid Cymru The Party of Wales
Eluned Morgan Bywgraffiad Biography	Llafur Labour
Nick Ramsay Bywgraffiad Biography	Ceidwadwyr Cymreig Welsh Conservatives
David Rees Bywgraffiad Biography	Llafur Labour
Simon Thomas Bywgraffiad Biography	Plaid Cymru (Cadeirydd y Pwyllgor) The Party of Wales (Committee Chair)

Eraill yn bresennol
Others in attendance

Alun Davies Bywgraffiad Biography	Aelod Cynulliad, Llafur (Gweinidog y Gymraeg a Dysgu Gydol Oes) Assembly Member, Labour (The Minister for Lifelong Learning and Welsh Language)
Denise Inger	Prif Weithredwr a Chyfarwyddwr, SNAP Cymru Chief Executive Director, SNAP Cymru
Tania Nicholson	Pennaeth Rhaglen Ddeddfwriaethol Anghenion Dysgu Ychwanegol, Llywodraeth Cymru Head of Additional Learning Needs Legislative Programme, Welsh Government
Caroline Rawson	Cyfarwyddwr Cynorthwyol, SNAP Cymru Assistant Director, SNAP Cymru

Charlie Thomas Pennaeth Trawsnewid Anghenion Dysgu
Ychwanegol, Llywodraeth Cymru
Head of Additional Learning Needs Transformation,
Welsh Government

Emma Williams Uwch Swyddog Cyfrifol, Llywodraeth Cymru
Senior Responsible Officer, Welsh Government

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

Owen Holzinger Y Gwasanaeth Ymchwil
The Research Service

Cath Hunt Clerc
Clerk

Ben Jennings Cyngorydd Cyfreithiol
Legal Adviser

Georgina Owen Dirprwy Clerc
Deputy Clerk

Dechreuodd y cyfarfod am 09:47.
The meeting began at 09:47.

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

[1] **Simon Thomas:** Croeso i **Simon Thomas:** Welcome to this
gyfarfod y Pwyllgor Cyllid, yr un meeting of the Finance Committee,
cyntaf ar ôl toriad yr haf. Croeso nôl i the first one after the summer recess.
bawb. Gobeithio fod pobl wedi cael I welcome everyone back. I hope that
cyfle i gael hoe fach, yn ogystal â'r people have had an opportunity to
gwaith etholaeth arferol rydych yn have a short rest, in addition to the
gwneud i gyd rwy'n gwybod. usual constituency work that you all
carry out I know.

[2] Mae'n cyfarfod cyntaf ni yn Our first meeting begins with the
cychwyn gyda gweddill y tymor remainder of the previous term,
diwethaf, mewn ffordd, yn edrych ar looking at the additional learning

y Bil anghenion dysgu ychwanegol a'r asesiad cyllidol sy'n cyd-fynd â hynny. Cyn i ni wneud hynny, mae gen i ymddiheuriadau gan aelod o'r pwyllgor, Neil Hamilton. Rwyf hefyd eisiau atgoffa pawb fod cyfieithu i gael ar gyfer y cyfarfod yma. Mae'r cyfieithu ar sianel 1 a'r sain wreiddiol ar sianel 0. Rwy'n atgoffa Aelodau, gan eich bod i gyd wedi bod i ffwrdd, i dawelu dyfeisiadau electronig—eu rhoi nhw ar 'tawel', o leiaf. Ac mae jest cyfle, gan ein bod yn dechrau tymor newydd: a oes gan unrhyw Aelod fuddiant i'w ddatgan? Pawb yn iawn.

needs Bill and the fiscal assessment that goes along with that. First of all, we have received an apology from a member of the committee, Neil Hamilton. I would also like to remind everyone that interpretation is available for this session. That is available on channel 1 and the amplification is on channel 0. May I also remind Members, as you've all been away, to switch your electronic devices to silent, or switch them off? And this is an opportunity, as we start a new term: does any Member have an interest to declare? Everyone is content.

09:48

Papurau i'w Nodi Papers to Note

[3] **Simon Thomas:** Fe wnawn ni ddechrau gyda nifer y papurau sydd wedi'u derbyn dros yr haf. Mae'r rhain i'w nodi ond maen nhw'n cwblhau'r gwaith rydym ni wedi bod yn gwneud fel pwyllgor yn benodol. Jest i dynnu eich sylw chi at gwpwl o bethau diddorol: cynllun cymunedol Deddf Treth Gwarediadau Tirlenwi (Cymru) 2017, rhywbeth y mae gyda chi ddi-ddordeb ynddo fel pwyllgor, a hefyd adroddiad gan y Public Policy Institute for Wales ar gyllido cyfranogol, sydd yn rhywbeth rwy'n gwybod bod y pwyllgor â diddordeb ynddo fe. A ydych chi'n hapus i dderbyn y papurau?

Simon Thomas: We'll move to the papers to note; we have received many over the summer. These are just to note but they complete the work that we have been carrying out as a committee specifically. I would like to draw your attention to a couple of interesting things: the Landfill Disposals Tax (Wales) Act 2017 communities scheme, which is something that the committee has been interested in, and also the Public Policy Institute for Wales's report on participatory budgeting, which I know the committee is interested in. Are you happy to note those papers?

[4] **Mike Hedges:** Hapus.

Mike Hedges: Happy.

[5] **Simon Thomas:** Diolch yn fawr **Simon Thomas:** Thank you very iawn. much.

**Sesiwn Dystiolaeth y Bil Anghenion Dysgu Ychwanegol a'r Tribiwnlys
Addysg (Cymru): SNAP Cymru
Additional Learning Needs and Education Tribunal (Wales) Bill Evidence
Session: SNAP Cymru**

[6] **Simon Thomas:** Fe wnawn ni **Simon Thomas:** We'll move on to the droi at y sesiwn dystiolaeth gyntaf. A first evidence session. May I welcome gaf i groesawu cynrychiolwyr o SNAP the representatives from SNAP Cymru? A gaf i ofyn yn gyntaf: a Cymru? May I just ask you to begin wnewch chi jest ddatgan eich enw with to state your names and your a'ch swyddogaeth ar gyfer y cofnod, roles for the record? Thank you. os gwelwch yn dda?

[7] **Ms Inger:** I'm Denise Inger, and I'm chief executive director of SNAP Cymru.

[8] **Ms Rawson:** Caroline Rawson, the assistant director of SNAP Cymru.

[9] **Simon Thomas:** Diolch yn fawr, **Simon Thomas:** Thank you very a diolch am ddod atom ni'r bore yma. much, and thank you for joining us Mae'r pwyllgor â diddordeb mewn this morning. The committee has an deall, a dweud y gwir, sut y cafodd yr interest in understand how the asesiad cyllidol o gwmpas y Bil regulatory impact assessment around anghenion dysgu ychwanegol ei this ALN Bill was prepared. Of course, baratoi. Wrth gwrs, rydym wedi we do know that that assessment did canfod bod yr asesiad yna wedi change quite substantially over the newid yn sylweddol dros y chwe mis past six months. So, we hope to ask diwethaf, felly gobeithio y gallwn a few questions to better understand fwrw ati jest i ofyn ychydig o this process and SNAP Cymru's role gwestiynau i ddeall y broses yma a in all this. rôl SNAP Cymru yn hynny.

[10] **Rwy'n deall bod SNAP Cymru** I understand that SNAP Cymru yn darparu gwasanaethau yn y maes provides services in this area to at yma i o leiaf 20 o awdurdodau lleol least 20 local authorities in Wales. yng Nghymru. A fedrwch chi jest Can you just confirm that and inform

gadarnhau hynny a dweud un peth: us of one thing: what do the other beth mae'r ddau arall yn ei wneud, two authorities do? And how do you felly? Ac ym mha ffordd ydych chi'n operate in this regard? gweithredu yn hynny o beth?

[11] **Ms Inger:** Right. Apart from Pembrokeshire—we had for many years provided a service in Pembrokeshire, but for whatever reason, professionals in Pembrokeshire decided that they would take that in-house. I think their one saving grace is that they managed to have the person who had been employed with us for the previous number of years. But nevertheless, we feel that it's not independent or arm's length. The other two authorities where we are not providing parent partnership are Flintshire and Wrexham; they use the citizens advice bureau. We have a good relationship with the citizens advice bureau, and we have trained their staff, and we will refer parents to their contact details through our helpline. We will also, of course, refer parents to Pembrokeshire's numbers as well if they ring our helpline. Flintshire and Wrexham do spot purchase formal disagreement resolution, although there are very few of those formal disagreement and resolution requests, and of those that have come to us, some of them, again, have been dealt with more informally, and we've been able to do that.

[12] **Simon Thomas:** So, altogether, you would say—particularly with the additional work in Flintshire and Wrexham—you have a good handle on Wales-wide figures for the costs of dispute resolution and the likely costs of going forward for a Bill like this?

[13] **Ms Inger:** Yes, we do. I mean, to give you an example: in 2016–17, we dealt with almost 4,000 cases. Of those, 46 appeals were lodged. Now, 12 were withdrawn—you can help me out here now, Caroline—12 were withdrawn, and I think 15 were heard. So, I mean, our name, as in the parent partnership service, is exactly that: it's about avoiding disagreement resolution by empowering parents and helping them through the system so they're not so concerned. Where there is—I would say 'disagreement', and sometimes there is quite complex conflict, shall we say, and sometimes they're already in conflict when they come to SNAP Cymru, and sometimes they're on a journey and we try to avoid that. But I think from 4,000 cases to be down to that number of appeal, I think we do a very good job across Wales.

[14] **Simon Thomas:** Thank you for that, which brings me on, really, to the question of quite how we got ourselves into the situation where when you

gave evidence, I think in March, to the other committee—the Children, Young People and Education Committee—at that stage, you had identified and started to identify that the savings and costs in the regulatory impact assessment with the Bill were not ones that you recognised. I think that’s fair to say, and I just wondered at what stage had the Welsh Government started to engage with you on this and at what stage had you started to realise, ‘Well, actually, this does not reflect the reality that we experience on the ground.’

[15] **Ms Inger:** The Welsh Government did engage quite early on, and we did send figures across, and I think what happened in those early stages were misinterpretation or misinformation, but it was about how many were actually formal disagreement resolution and the difference between informal mediation and formal mediation; it’s about communication. So, what happened then is that we felt it was a misrepresentation of the work of SNAP Cymru, in as much as it looks like there’s a lot of formal disagreement resolution going on, which has not been the case—

[16] **Simon Thomas:** Which, presumably, is more expensive.

[17] **Ms Inger:** Sorry?

[18] **Simon Thomas:** Presumably, formal dispute resolution is more expensive than the informal processes.

[19] **Ms Inger:** Well, formal disagreement resolution is required where everything else has failed, or, sometimes, where parents and professionals have not properly engaged before, if you know what I mean. But what we’re concerned about is the emphasis on formal disagreement resolution, whereas our experience over 30 years is more to do with the avoidance. So, if we put all our eggs into formal disagreement resolution, then I don’t think we’re doing children and families any service at all. Also, within the RIA as well—the way it was written, it was as if SNAP Cymru was receiving £2.5 million or £3 million, or whatever it might be. Well, I wish. And that concerned us as well because, after all, we have to negotiate with 22 authorities across Wales every year—that looks like it’s going to change, but we’ll see—and, you know, they’ll be wondering where else we are getting this money from. So, there was that as well.

[20] I’m more concerned about the understanding of the writers around what the actual informal and formal disagreement resolution was. In saying

that, since the submission to committee, we've had several meetings with civil servants, and they've been, I think, very patient with me as well, and I have a better understanding of how the RIA works—I'm not a mathematician—and I'm glad because I couldn't work with figures that, to me, seem, sometimes, in the air a bit, but I understand it's how things are completed. I'm much less concerned about SNAP Cymru's part within that, because what is written in the RIA has not come from SNAP Cymru. That's clear now and I'm happy about that.

[21] **Simon Thomas:** Thank you for that. We'll move on just to explore some of these issues, just for us to understand them as well. David Rees.

[22] **David Rees:** Could we just clarify, then: the source of the original data—was it from SNAP Cymru, but the misinterpretation of that data? Or was it inaccurately recorded as a sourcing from SNAP Cymru?

[23] **Ms Inger:** Well, we've looked at what we've given, and we've just felt that they've taken it as formal disagreement resolution, and then after that—

[24] **David Rees:** I appreciate it's the interpretation of it. As I understand it, inaccurately interpreted data—

[25] **Ms Inger:** Yes.

[26] **David Rees:** But the data would originally have been sourced from you. I just want to make sure that they haven't sort of got data from somewhere else and tried to claim it's your data. That's what I just wanted to check.

[27] **Ms Inger:** I've no idea where other data has come from. I know there's some from parents, as I've read through it, and we did comment on that, and they changed that as well, and recognise that, for some parents, it doesn't cost them anything to go to tribunal other than their time and their anxieties. It's difficult when you're saying you're going to save something in cash that hasn't actually been spent. You know what I mean. Every year, SNAP Cymru has great value in volunteering—in gifts of time. I would value that up to around about £350,000. You know what I mean. But I can't save it, can I, if you know what I mean, because I haven't got it?

[28] **David Rees:** Based upon the changes that have happened, you said this morning now that you have a better understanding of the RIA process. Do they have a better understanding of the resolution process, and therefore are

the figures they're now presenting more reflective of the situation?

[29] **Ms Rawson:** I think they do. I think the problem with it was that they were looking at a very narrow part of our work. So, they were looking at disagreement resolution for the children and their families having or wanting a statement. Now, that represents a small proportion of the overall avoidance and disagreement resolution work that we do. So, when we gave them numbers, we talked about matters that are problems—12,500 of them. They interpreted those 12,500 matters as being formal disagreement resolution and costed it as such. Hindsight is a wonderful thing, but I think what would have been great is if they could have sat down with us so that we could have really explained it properly to them. Because when you receive a set of information from another organisation, we all use our own language; it's very hard to interpret. I think that's what was missing and, of course, when we saw the original publication, it was quite a shock.

10:00

[30] **David Rees:** [*Inaudible.*—rather than a total mix and variety.

[31] **Ms Rawson:** Yes.

[32] **David Rees:** Do you think that they've now addressed that and that they have now treated it appropriately?

[33] **Ms Rawson:** It's much better, yes, and there is a better understanding.

[34] **David Rees:** That's important.

[35] **Simon Thomas:** Okay. Nick Ramsay.

[36] **Nick Ramsay:** Diolch. Just following on from David Rees's last question, I understand that you're happy that they've addressed it; do you think that this sort of problem could arise in future, or do you think that the Welsh Government has learnt the lessons of what's happened in this case?

[37] **Ms Inger:** Well, I think so, because what happened was telephone discussions and e-mails and data, then, without that person present. I think that they would've learnt that lesson, yes.

[38] **Nick Ramsay:** So, they were probably as shocked as you when they

realised how shocked you were.

[39] **Ms Inger:** They were and they were quite distraught, and, again, it's something that, perhaps, if we had seen the regulatory impact assessment a bit earlier ourselves, you know—. And I apologise for that, but when it was seen, we felt that we did have to understand it, because it didn't read right to us at all.

[40] **Nick Ramsay:** So, in many ways, that part of the process worked, didn't it? Your concerns were fed back and changes were made.

[41] **Ms Inger:** And we were very pleased with that, and indeed with the Minister's response, and with the willingness of the civil servants to work with us, because we both have to learn each other's language, if you like, within that, but we do feel, at least we hope, that they will have a better understanding of the actual work that goes on on the ground and what parents are concerned about. What I'm concerned about is that if we leave everything until formal disagreement resolution and focus only on that, then we will have many anxious families and, in my opinion, we'll have more tribunals. Because the figures will tell you: 4,000 cases and over 10,000 matters within those cases, because they never come with one problem. Sometimes, the problem that they feel, themselves, is a battle with education, but actually, it's not education; it'll be social care or health or a family matter. But within our work, you'd look at the whole family and see what's happening and build those relationships at ground level, at school. Because, often, the problems can be held there.

[42] **Nick Ramsay:** Turning to the RIA and the figures in it, do you feel that now there's a recognition, it's unlikely all parents will use the local authority—the disagreement resolution that we've been talking about? Do you feel that the costs in the RIA are representative of the actual costs that will be incurred?

[43] **Ms Inger:** Well, the RIA does recognise that there is a risk of disagreement resolution and a risk of more tribunals, and what I can say is, whereas I believe that the Bill has many, many good attributes and we've been supportive of that and worked on the statements or something better for over a decade, I can't see how, because it's not happening at the moment, 4,000 families will disappear—I know that 25 per cent are not getting through to our helpline—and the 10,000 matters that we saw, next year, are going to disappear because we have a new Bill.

[44] In fact, what is happening now—and just looking at the figures here, if you could give us the first quarter figures now for this year—I mean, there we are, we're already on 2,000 cases. A few of those would have been brought forward, because we would've been working with them, and we're over 5,000 matters. You know, there's a heightened awareness out there, which, in itself will cause that ripple, but people are—. You know, they have their statements that some of them will have held; they've fought really hard for it and they don't want to let it go. Others are trying to get one. And we're trying, within this other legislation—. Personally, we'll be happy when the day stops and the system will change over, because it's really hard working in between the both, you know? It's a very anxious time for parents and professionals. Nevertheless, those who have a statement don't want to give it up and those who haven't got one are trying to get one now. This is the situation that we're in at the moment. And that is not going to end on one day. I think it'll be better, longer term, but I do not see that the issues arising now for children with additional learning needs are going to go away. It doesn't matter what system—it's very emotive to have a child struggling in school, and families and young people themselves need support. There are children out there—. I'd like to see this whole system consider the children who haven't got a parent who can articulate, even with support. There are children there who require, I believe, independent support services to ensure that they have the best that they can have.

[45] **Simon Thomas:** Just for clarity, can I just understand—? Because you mentioned the difference between cases and matters, and I understand how that comes about, but, previously, you talked about—. Initially, Welsh Government had taken figures relating to matters, I think. So, are we looking at a double problem here? Not only did they not understand, quite, the raw data that you had given them and that it related to your wider work, but they also didn't quite understand the difference between the cases and the matters. Is that a reasonable—?

[46] **Ms Rawson:** I think it's fair to say that that was a problem. We talk about 'matters' all the time; people don't really understand, sometimes, what we mean by that—

[47] **Simon Thomas:** So, when you talk about learning each other's language, that's an example.

[48] **Ms Rawson:** Yes, it is an example. We also try and talk about problems

within a case. So, most cases don't come with just one single problem, they usually come with three or four, and that's what we mean. So, it's easy to get a little bit lost in the language—

[49] **Simon Thomas:** So, whichever way you look at it, at that stage—not necessarily now, but at that stage, the Welsh Government was, in effect, counting the wrong thing.

[50] **Ms Inger:** Yes.

[51] **Simon Thomas:** Mike Hedges.

[52] **Mike Hedges:** I'll start off by saying that I'm very appreciative of the work that SNAP Cymru have done in the Swansea area. I think it's been very helpful to a large number of my constituents. So, I'll start off with a 'thank you very much'. Two fairly simple questions. The RIA includes information on benefits to service providers such as SNAP Cymru that amount to a saving. Are those cash savings?

[53] **Ms Inger:** Well, I'm not sure where we can save any money. If there were no problems, if all these families were going to disappear, which I'm sure they're not, then SNAP Cymru wouldn't need to exist, would it, because that is all we do really. That is what we do. We provide independent advice and support and advocacy for families. Within that, the child's needs are paramount, but, more often than not, the parents, in the first instance, are speaking on behalf of the child. There are some instances where children and families don't agree, and we would give the child their own caseworker in that situation, more or less. But I don't see that that is going to change, other than, of course, if we're not funded, we won't be there.

[54] **Ms Rawson:** Can I just add to that? If they believe there will be a saving because there will no longer be statements, there will be individual development plans. So, really, we can't see that there's going to be any saving. It would just shift from one system to another. So, there are still going to be discussions—and disagreements, sometimes—about what's written in an IDP or how it's being delivered. That isn't going to go away straight away. Whilst two systems now—. We've got a mixture of IDPs and statements. We are receiving calls from families who need support with an IDP, so we can see that that's happening on the ground now.

[55] **Mike Hedges:** Some families will have an IDP that they don't think is

right. Sometimes, it will be right and they're wrong; sometimes, the IDP will be wrong and they're right. So, you're bound to have some need for resolution on that, surely.

[56] **Ms Rawson:** That's right, yes. That's why, really, with SNAP Cymru being an independent organisation, we are able to look at all sides of a problem. We work in the reality of any situation, which is why it's worked so well for so many years.

[57] **Ms Inger:** Could I add, also, that the added issue of assessments for IDPs—? Because children will still need assessments. I do believe that some authorities are already working towards their own assessment centres, which would be absolutely wonderful. If you know what I mean, it's one of these things that could come out of the Bill that would be really good—that, at last, within every authority across Wales, we will have an assessment centre where speech and language, and educational psychology, and other health professionals can get together, where you can have one referral and you can see the whole child straight away. That's wonderful. That's a wonderful model that might come out of this Bill, and it's very exciting. But within that, we're a little bit way off, and we'll have to see how the planning goes with that. But for the moment, we can see that parents will be faced with education issues and health issues. Some will go through the education tribunal and some will not. So we'll have to look at patients first. There doesn't seem to be a lot of time frame around it. So, we can see that there might be a perception of more issues, even if there are not. We'll just have to wait and see how it works, but parents and families, and indeed professionals, are saying, 'This is not going to be better for families', and as strong as 'It diminishes their rights'. So, that's the perception. So, we're dealing with a negative perception from the beginning. I'm not foreseeing any decrease in the number of calls we're going to get for quite some time.

[58] **Mike Hedges:** And the other one is: the original RIA did not include details of a service provider subsidy. What is that subsidy, and is that real money, as in, if it's not spent, it can be spent somewhere else, or is it nominal money?

[59] **Simon Thomas:** I think that refers to the figures in the original RIA. I think they were about—£350, was it, or £3,500?

[60] **Ms Rawson:** Yes, £350.

[61] **Simon Thomas:** That's right. Was that volunteer time, for example?

[62] **Ms Inger:** It's a notional value.

[63] **Ms Rawson:** It can be volunteer time, but it's cost-of-case time. It's the cost of a case. So, we've worked it out that each case is subsidised by SNAP Cymru in some way or other by £350. That's a disagreement, though. That's a formal disagreement resolution.

[64] **Mike Hedges:** So, £350 x 1,000 gives you £350,000. But is that actually money you're spending, or—? If you didn't do those, would that £350,000 be available? That's the question I'm trying to ask.

[65] **Ms Inger:** Well, no. But if SNAP Cymru weren't using volunteers, then I don't know how we would manage, but, you know what I mean—there's a value to the volunteering time, and they're highly trained experts. But I can't save what I haven't got in my purse.

[66] **Mike Hedges:** I wasn't saying that there's not a huge amount of benefit from volunteer time, and all these things, but, if you're not making nominal savings in some of these areas, if paper savings don't turn into pounds, it's not really a saving, is it? It's a benefit, and I'm not knocking the fact that it's a benefit, but, when you're trying to get a balance sheet to balance with money on both sides, it's useful to identify the savings, but it isn't actually a financial saving.

[67] **Ms Rawson:** No, it's not, and I think it's fair to say that, if we're not spending it on providing formal disagreement resolution, we will be spending money on providing informal services or avoidance work. So, whereas one potentially could go down, although we can't see it quite yet, the other one we think will rise.

[68] **Simon Thomas:** And also the existence of the Bill and the heightened knowledge around that this is a new regime coming in will in itself, perhaps, create more interest in the Bill and the services provided.

[69] **Ms Rawson:** But it is already, so we're already seeing parents and professionals coming to SNAP Cymru and asking for advice and support and more information about it. So, we're already seeing quite an increase.

[70] **Simon Thomas:** Eluned Morgan.

[71] **Eluned Morgan:** Thank you. I think your commitment to the cause is just so clear today, and I'd just like to commend you on your passion in this area, because it obviously creates such a problem for parents and causes so much stress for them. I'd just like to ask you about the policy intent. The purpose of this Bill as I understand it is to reduce the number of disputes. Now, you've suggested that it'll reduce the number of— You don't think there will be a reduction in the number of calls, but do you think that there will be a reduction in the number of disputes as a result of this Bill?

10:15

[72] **Ms Inger:** I think the Bill is a fairer system and for that I think that's very important. It's a fairer system and I do believe that, given that we'll get the transformation agenda going and the assessment centres set up, I do feel that there'll be fewer children who are missed, on the cusp of things, that don't quite make it into the formal assessment as it is now. And I think within that, I think that that is what's good about the Bill.

[73] The setting up of assessment centres, if that takes off in Wales, that again will give some more equity to access, because at the moment now, if we don't have assessment centres, what will happen is that private concerns of assessment centres, of educational psychology, speech and language therapy, physio, occupational therapy—those will spring up again. Those that can afford it will have all the evidence, and we'll be back worse than where we started. So, it's about that transformation agenda, which is very exciting, and the local authority planning together now with health and everyone to get proper assessment centres for all children who are struggling, which would be—you know what I mean, would come in the additional learning needs. Because children have additional learning needs now, I think, because we're not getting that early information in, because we haven't got that expertise of understanding, for instance, what attachment can do for children and how that can manifest into, then, additional learning needs that perhaps we could avoid. And I do think the new system will be better for that in the longer term.

[74] **Eluned Morgan:** And that will reduce the number of disputes, ultimately—that's the plan.

[75] **Ms Inger:** I think it will. We'll have, you know, better—. We'll have the transformation agenda. I wish I'd been working with the transformation

agenda for 10 years instead of statements, or something better, but there we are—this is where we are. But, as I said, the planning going forward, I believe, is sound and parts of it are very exciting. It's not good now, so something has to change for that. But I think some of the issues are not going to go away for quite some time, but we will look forward to more engagement in schools, better engagement, but, again, I think parents, because of the emotive issues—of your 'guilty' stamp when you become a parent—if your child is struggling in school, you will look to someone else to support you and to help you through that, and to make sure that you, as a parent, are doing the best that you can. And it's as simple as that. It's not all about dispute. The 4,000 matters in there—you know what I mean. It's not all about dispute. It's about rights and it's about understanding the roles and responsibilities of everyone involved with your child, including yourself. And the best thing that we can give a parent is how they can help the school to help their child, and the best thing we can say to a young person is to make sure that they're understanding how they learn and how best they learn, and to get them to celebrate what they can do. So, there's a lot more in here rather than a dispute about a statement or a process.

[76] **Ms Rawson:** And, if we looked at our casework, we spend a lot of our time facilitating the improvement of communication—a lot of our time. And that avoidance work is going to be crucial and it's very important, whether they're statements or IDPs or whatever, because parents are still going to need to understand the system, they're still going to need to understand what an IDP is and how it should come about and how they could be part of the process, and be effective in supporting their child, and what their role within that IDP is. So, all of those things a lot of families will need help with, and that's a lot of our work now.

[77] **Ms Inger:** And schools do need families to be able to do their best, because schools can't do it without the families. So, again, I think that there's a lot of—too much talk about formal disagreement resolution.

[78] **Eluned Morgan:** When the Welsh Government was developing this idea, and they were talking about the kinds of things that you're now engaging with, and you're suggesting this more constructive way forward, how much emphasis did they put on costs in that discussion? Was there much emphasis on that, or was it more about the policy area?

[79] **Ms Inger:** I think it was more about the policy area.

[80] **Ms Rawson:** It was really, because they're looking at quite a narrow band of our work. When you're looking at formal disagreement resolution, or disagreement resolution, that is only a small percentage, and everything else feeds into that. We don't want to do formal disagreement resolution. We want to avoid it. And I think that's why it became so difficult for there to be an understanding about it, because, although we carry out a few of them, there are not that many. We can evidence avoidance of disputes in about 80 per cent of our work. So, when you think about that, when we're talking about that very narrow band, that's kind of over there somewhere.

[81] **Ms Inger:** And formal disagreement resolution has its place, of course, because not everyone will come to SNAP Cymru, or another organisation. They might want to go straight to tribunal without having discussion. And I think, in those cases, it does have its place, because they should engage with the schools and professionals, or FEIs, or whatever. So, it does have its place even in those, and we can, and most of the time we say, 'What you need is parent partnership', and often they are turned back from formal disagreement resolution because there haven't been those discussions at a local level.

[82] **Ms Rawson:** I would say about 70 per cent of the time.

[83] **Simon Thomas:** Okay. Thank you. Steffan Lewis.

[84] **Steffan Lewis:** Diolch, Cadeirydd. Just one question: are you satisfied that in the regulatory impact assessment now everything has been captured—all the cost implications have been captured and the Government has finally got it?

[85] **Ms Inger:** Well, I can't speak about all the costs in there, because I don't understand a lot of it.

[86] **Steffan Lewis:** What about the dispute mechanisms in particular?

[87] **Ms Inger:** What we wanted was to make it clear that SNAP Cymru didn't have £2.5 million. And that's been made clear. Also, the RIA recognises that there is a risk that this could escalate problems. It recognises it. But I can't say that I know enough about all the other items within the RIA to comment. And the comment we made about the cost to parents being, I don't know, £500 and some, or £5,000—yes, it can be very costly for parents, but also, if parents have access to free, independent advice and support, they can take

up the right to use these processes if they cannot make an agreement. And I think that is important. It's important to have that there, and it need not cost them anything—well, not at the moment, anyway. Wherever you have new legislation, we will have our counterparts within the legal services who will be there testing the laws and so on, but we're hoping that not many parents in Wales will have to pay out the costs of that because that's not a fair system at all.

[88] **Ms Rawson:** And we were asked to give information about the cost to parents, but we don't collect that information, so their sources for the costs couldn't come from us.

[89] **Steffan Lewis:** Okay. Thank you.

[90] **Simon Thomas:** I understand what you've replied to Steffan Lewis, but, as regards the information that you've given Welsh Government, are you now content that that information and data are being used in an appropriate way in the regulatory impact assessment?

[91] **Ms Inger:** Yes. They've taken out reference to SNAP Cymru within the RIA that we were unhappy with.

[92] **Simon Thomas:** Okay. In which case, that concludes our session with you this morning. Diolch yn fawr. Thank you very much for that, and also for your work, if I may say so myself—

[93] **Ms Inger:** Thank you very much.

[94] **Ms Rawson:** Thank you.

[95] **Simon Thomas:** —even though I represent Pembrokeshire as well. Diolch yn fawr iawn. We will go on straight to the Minister now.

10:27

**Y Bil Anghenion Dysgu Ychwanegol a'r Tribiwnlys Addysg (Cymru):
Sesiwn Dystiolaeth gydag Ysgrifennydd y Cabinet
Additional Learning Needs and Education Tribunal (Wales) Bill:
Ministerial Evidence Session**

[96] **Simon Thomas:** Croeso, felly, **Simon Thomas:** Welcome, therefore,

i'r Gweinidog, Alun Davies, sydd yn gyfrifol am y Bil Anghenion Dysgu Ychwanegol a'r Tribiwnlys Addysg (Cymru). Os caf i ofyn jest i'r Gweinidog a'r swyddogion i ddatgan eu henwau a'u swyddogaethau jest ar gyfer y cofnod i ddechrau, os gwelwch yn dda.

to the Minister, Alun Davies, who is responsible for the Additional Learning Needs and Education Tribunal (Wales) Bill. If I could just ask the Minister and the officials to state their names and roles for the record, please.

[97] **Gweinidog y Gymraeg a Dysgu Gydol Oes (Alun Davies):** Diolch i ti, Cadeirydd. Fi ydy Alun Davies, Gweinidog y Gymraeg a Dysgu Gydol Oes.

The Minister for Lifelong Learning and Welsh Language (Alun Davies): Thank you, Chair. I am Alun Davies, the Minister for Lifelong Learning and Welsh Language.

[98] **Ms Nicholson:** Tania Nicholson, head of the ALN legislation team.

[99] **Ms Williams:** Emma Williams, senior responsible officer for this Bill.

[100] **Ms Thomas:** Charlie Thomas, head of ALN transformation programme.

[101] **Simon Thomas:** Diolch i chi i gyd am ddod i mewn am yr ail waith ar y Bil yma, mae'n rhaid dweud. Rydym ni wedi dilyn, wrth gwrs, gyda chryn ddiddordeb, y datblygiadau gyda'r asesiad effaith rheoleiddiol dros yr haf. A gaf i jest ddechrau gyda'r Gweinidog a jest gofyn i chi: a ydych chi bellach yn dal o'r farn bod y Bil yma yn werth am arian?

Simon Thomas: Thank you all for coming in for the second time on this Bill. We have followed with some interest the developments with the regulatory impact assessment over the summer. Could I just start with the Minister and just ask you: are you now still of the opinion that this Bill is value for money?

[102] **Alun Davies:** Ydw.

Alun Davies: Yes.

[103] **Simon Thomas:** A fedrwch chi esbonio—jest amlinellu i'r pwyllgor—y camau rydych chi wedi'u cymryd dros yr haf i wirio'r sefyllfa a oedd yn y Bil jest cyn i ni dorri fel Cynulliad, a pha gamau rŷch wedi'u cymryd i sicrhau bod y ffigurau sydd ger ein

Simon Thomas: Could you just outline for the committee the steps that you've taken over the summer to check or correct the situation in the Bill before we had a recess as an Assembly, and what steps have you taken, therefore, to ensure that the

bron ni y nawr yn gywir ac yn ddigon cadarn?

figures that we have before us now are accurate and robust?

[104] **Alun Davies:** Diolch i chi, Cadeirydd. A gaf i ddweud yn gyntaf, ac rydw i eisiau bod yn hollol glir am hyn: yn y dystiolaeth rydych chi newydd ei chael, rydych chi wedi bod yn trafod lot mawr o newidiadau sydd angen eu gwneud yn y system? Rydym ni wedi bod yn talu, dros y blynyddoedd diwethaf, o dan y system bresennol, costau methiant. Dyna'r gwir amdano fe, ac rydw i'n credu bod y dystiolaeth rydych chi newydd ei chlywed yn tanlinellu hynny, achos rydym ni wedi bod yn talu am system sydd yn creu gwrthdaro rhwng rhieni, teuluoedd, a'r system addysg yn ei gyfanrwydd. Beth rydym ni'n trio ei wneud trwy'r deddfwriaeth yma, a thrwy'r newid diwylliant sydd yn mynd gydag e, yw symud i ffwrdd o dalu am wrthdaro i dalu am addysg a sicrhau bod y costau yn mynd at addysg.

Alun Davies: Thank you, Chair. May I say to begin with, and I want to be entirely clear about this: in the evidence that you've just received, you have been discussing a great deal of changes that have to take place in the system? We have been paying, over the past few years, under the current system, the costs of failure. That's the truth of the matter, and I think the evidence that you've just heard has emphasised that, because we have been paying for a system that creates conflict between parents and families and the education system as a whole. So, what we are seeking to do through this legislation, and through the cultural change that runs alongside it, is to move away from paying for conflict to paying for education, and to ensure that the costs go towards education.

[105] Felly, mae hyn yn rhan o broses ac rydw i'n credu, ambell waith, rydym ni i gyd—pob un ohonom ni ar y ddwy ochr o'r ford—yn anghofio ein bod ni'n sôn am broses o newid ac nid ydym ni jest yn sôn aboutu deddfwriaeth. Mae deddfwriaeth yn rhan bwysig a chanolog, ond yn rhan, a ddim y cyfanrwydd, o'r newid rydym ni eisiau ei weld. Felly, rydym ni wedi bod yn datblygu'r RIA ac y mae'r broses yma, wrth gwrs, wedi bod mewn lle, dim ers yr haf a dechrau *Stage 1* o'r

So, this is part of a process and I think that sometimes we all—each and every one of us on both sides of the table—can forget that we are talking about a process of change and we're not just talking about legislation. Legislation is an important and central part of it, but it is a part of the whole of the change that we would like to see. So, we have been developing an RIA and this process, of course, has been in place, not since the summer and the beginning of *Stage 1* of the

broses deddfu, ond wrth gwrs mae'n mynd nôl at cyn yr etholiad i'r Cynulliad diwethaf, pan oedd gyda ni *draft RIA* a *draft Bill*.

legislative process, but of course it has gone back to the period before the election to the previous Assembly when we had a draft RIA and a draft Bill.

10:30

[106] So, mae'r broses yma wedi bod yn datblygu ers rhai blynnyddoedd. Ond i ateb eich cwestiwn yn uniongyrchol, ers—. Rydw i'n credu yr ysgrifennais i at y pwyllgor ym mis Mai—25 Mai—i sicrhau bod y pwyllgor yn ymwybodol o'r newidiadau sydd wedi bod ac i ddatgan bod yna newidiadau i'r ffigyrau wedi bod. Ers hynny, rydym ni wedi bod mewn trafodaethau dwfn gyda SNAP Cymru. Mae adolygiad mewnol wedi bod o'r RIA ac mae adolygiad allanol wedi bod yn rhan o'r broses yma.

So, this process has been one that has been in development for some years. But to answer your question directly, since—. I think I wrote to the committee in May—25 May—to make sure that the committee was aware of the changes that had taken place and to state that there had been changes to the figures. Subsequently, we have been in intense conversation with SNAP Cymru. There has been an internal review of the RIA and there has been an external review of the RIA as part of this process.

[107] Roeddwn i eisiau sicrhau sawl peth: yn gyntaf, bod yna gytundeb rhwng y Llywodraeth a SNAP Cymru ar y ffigyrau, ac rwy'n credu eich bod chi newydd glywed eu bod nhw'n cytuno â hynny erbyn hyn. So, roedd yna gytundeb ar y ddwy ochr ar yr un ffigyrau a hefyd—ac mae hwn yn bwysig—gytundeb ar sut yr ydym ni'n deall y ffigyrau, achos mae'n bosibl ambell waith gytuno ar ffigur heb ddeall beth mae'r ffigur yn ei adlewyrchu. Felly, roeddem ni eisiau sicrhau bod yna gytundeb, nid jest ar y ffigur ei hun, ond ar sut yr ydym ni'n deall y ffigur a beth mae'r ffigur yn ei gynrychioli.

I wanted to ensure several things: first of all, that there was agreement between the Government and SNAP Cymru on the figures, and I think that you've just heard that they do agree on those figures by now. So, there was agreement on both sides on the same figures and also—and this is important—agreement on how we understand those figures, because it is possible sometimes to agree on figures without agreeing on what those figures represent. So, we wanted to ensure that there was agreement not just on the figures but also on how we understood what they meant and what they

represented.

[108] Ar ôl y broses honno, aethom ni drwy broses o adolygiad mewnol i sicrhau bod y ffordd yr ydym ni wedi gweithio mas y ffigyrau a'r *assumptions* sy'n seiliedig ar hynny yn gywir. Rwy'n credu ein bod ni wedi ffeindio gwahaniaeth o £20 trwy'r broses honno. Wedi hynny, roeddwn i fy hun, ar ôl trafod gyda swyddogion, eisiau cael sicrwydd, pan oeddwn i'n dod yma ym mis Medi, fy mod i'n gallu dweud ein bod ni wedi bod trwy broses allanol hefyd, achos rydw i'n cydnabod ac rydw i'n gweld eich pryder, ac rydw i'n deall hynny. Rydw i wedi bod yn aelod o'r pwyllgor yma fy hun, ac rydw i'n deall y pryder sydd gan y pwyllgor, ac felly roeddwn i'n meddwl os oeddwn i'n aelod o'r pwyllgor, mi fuaswn i eisiau gweld bod y Gweinidog wedi bod trwy broses allanol hefyd. Dyna beth yr oeddwn i'n ei feddwl, ac felly gofynnais i am broses allanol, ac rydw i'n credu eich bod chi wedi cael copi o'r dystiolaeth yr ydym ni wedi ei chael o'r adroddiad.

[109] Mae'r adroddiad yn mynd yn bellach na, rydw i'n credu, yr oeddwn i'n disgwyl ar ddechrau'r broses, ac mae'n trafod aboutu'r broses o greu RIA yn ei gyfanrwydd, ac mae hynny'n rhywbeth rydych chi'n ei ystyried ar hyn o bryd, eich hun. So, mae'r adolygiad allanol yn trafod y broses, y system, a'r RIA ei hun. Ond, rydw i'n credu bod hynny'n meddwl fy mod i'n gallu dod yma y bore yma

After that process, we underwent a process of internal review to ensure that the way that we have calculated the figures and the assumptions that are based on them are accurate. I think that we found a discrepancy of £20 during that process. Then, I personally, after discussion with officials, wanted to have an assurance that, when I came here in September, I could say that we had been through an external process as well, because I do acknowledge and I do see your concern. I understand that. I have been a member of this committee myself, and I understand the concerns that the committee has, so I thought, if I were a member of the committee, I would want to see that the Minister had been through an external process also. That was my thinking, and so I asked for an external process, and I think that you have received a copy of the evidence that we've received from that report.

The report goes further than I think I expected at the outset of the process, and it talks about the process of creating an RIA as a whole, and I know that that is something that you are considering presently. So, that external review talks about the process, the system, and the RIA itself. But I think that that means that I can come here this morning and state that I am certain

yn datgan fy mod i'n sicr bod gyda ni RIA sy'n adlewyrchu'r Bil fel y mae hi ar hyn y bryd. Mi fydd yna fwy o newid, wrth gwrs, yn ystod *Stage 2*, ac yn ystod Cyfnod 2. Rydw i wedi gosod rhai gwelliannau heddiw a fydd yn creu mwy o newid. Wrth gwrs, mae hynny yn rhan o'r broses seneddol o adolygu deddfwriaeth. Felly, mi fyddem ni'n adolygu'r RIA unwaith eto ar ôl *Stage 2* i'n galluogi ni i gael trafodaeth *Stage 3* yn y Cynulliad.

[110] **Simon Thomas:** Diolch am osod allan y camau hynny a hefyd, wrth gwrs, beth ych chi newydd ei ddweud ynglŷn ag unrhyw adolygiad sydd angen ei wneud yn erbyn Cyfnod 3 hefyd, os bydd yna newid sylweddol i'r Bil ac i'r costau. Byddwch chi'n ymwybodol, wrth gwrs, bod y pwyllgor yn deall bod y Bil yma'n rhan o broses, ond, fel y Pwyllgor Cyllid, rydym ni ond yn edrych ar yr arian, yn hytrach nag ar y polisi.

[111] Y diddordeb sydd gyda fi ar hyn o bryd yw eich bod chi, os caf i gyfeirio'n ôl, wedi dod i'r pwyllgor ar 8 Chwefror a dweud bod y ffigyrau'n gadarn. Roedd e'n troi mas nad oedd y ffigyrau yn gadarn. Rydych chi nawr yn dod i'r pwyllgor ym mis Medi ac yn dweud bod y ffigyrau'n gadarn ac ein job ni, fel pwyllgor, wrth gwrs, yw sicrhau ein bod ni wedi ein hargyhoeddi erbyn hyn fod y ffigyrau'n gadarn.

that we have an RIA that reflects the Bill as it currently stands. There will be further amendments in Stage 2, and during Stage 2. I have laid some amendments today that will create greater change. Of course, that is part of the parliamentary process of revising and reviewing legislation. So, we will be revising the RIA further after Stage 2 to enable us to have the Stage 3 discussion in the Assembly.

Simon Thomas: Thank you for setting out those steps and also what you've just said about the review that needs to be done by Stage 3 if there are any significant changes to the Bill and to the costs. You'll be aware, of course, the committee understands that this Bill is part of a process, but, as the Finance Committee, we're only looking at the money, rather than the policy.

The interest that I have is that, if I could refer back, you came to the committee on 8 February and said that the figures were robust. It turned out that the figures weren't robust. You're coming now to the committee in September and saying that the figures are robust, and our job, as a committee, is to ensure that we are convinced that the figures are robust.

[112] A fedrwch chi jest, ar gyfer y cofnod, ddweud wrthym ni pryd oeddech chi'n dechrau sylweddoli nad oedd yr hyn oedd yn yr asesiad effaith rheoleiddiol ddim bellach yn mynd i fod yn ddigon cadarn i fwrw ymlaen, a dweud y gwir, gyda'r Bil fel yr oedd hi a bod angen llawer mwy o waith trafod gyda SNAP ac ati? Pryd yr oeddech chi'n sylweddoli hynny?

[113] **Alun Davies:** Ces i gyngor ar 15 Mai fod yn rhaid inni ailystyried ambell rhan o'r RIA. Ond a gaf i ddweud hyn hefyd? Mae'r broses seneddol deddfu yn anodd, ac mae'n rhaid iddo fe fod yn anodd a chreu *hurdles*, os ydych chi'n leicio, y mae'n rhaid i'r Llywodraeth ddod drostyn nhw. Felly, rydw i'n fodlon iawn gyda'r broses rydym ni wedi bod drwyddi, fel Llywodraeth ac fel Cynulliad, i sicrhau bod yna ddadansoddiad a scriwtini go iawn o beth mae Gweinidogion yn ei ddweud a'r datganiadau rydym ni'n eu gwneud, ac rydw i'n credu bod hynny yn rhan hanfodol o'r broses seneddol o ddeddfu.

[114] Felly, pan fyddwn i'n edrych ar y broses rydym ni wedi bod drwyddi, rydw i'n credu bod y pwyllgor plant wedi gwneud job aruthrol o dda, pan fyddwch chi'n edrych ar ei hadroddiad nhw, a, phan fyddwch chi'n gweld fy ymateb i i'w hadroddiad nhw, a'ch adroddiad chi, ac adroddiad y Pwyllgor Materion Cyfansoddiadol a Deddfwriaethol, mi fyddwch chi'n gweld fy mod i wedi

Could you just, for the record, tell us when did you realise that what was in the RIA wasn't going to be robust enough to press ahead with the Bill as it was at the time and that there were more discussions needed with SNAP and so forth? When did you realise that?

Alun Davies: I received advice on 15 May that we would have to reconsider certain parts of the RIA. But may I also state this? The parliamentary legislative process is a difficult one, and it has to be difficult. It needs to create hurdles, if you like, that the Government has to overcome. Therefore, I am very satisfied with the process that we have been through, as a Government and as an Assembly, to ensure that there is an analysis and very real scrutiny of what Ministers say and the statements that we make, and I think that that is an essential part of the parliamentary process of legislating.

Therefore, when I look at the process that we have undergone, I think that the CYPE committee has done an extremely good job, when you look at their report, and, when you see my response to their report, and also to your report, and the Constitutional and Legislative Affairs Committee report, you will be able to see that I have responded and accepted quite a large proportion of your

ymateb ac wedi derbyn y rhan helaeth o'ch cynigion chi a'ch argymhellion chi, achos rydw i yn gweld bod y broses o ddeddfu yn un lle mae'r Llywodraeth a'r Cynulliad yn—. Roeddwn i'n mynd i ddweud 'cydweithio', ond mae'n rhaid bod yna dyndra yn y broses yma, ac mae'n rhaid bod y pwyllgorau yn ystyried datganiadau'r Gweinidog gyda'r math o *scepticism*, yng ngwir ystyr y gair, bod yn rhaid i ni brofi beth rydym ni'n ei ddweud—ei fod yn wir ac ein bod ni'n gallu profi hynny i'r pwyllgor, ac rydw i'n credu bod hynny yn rhan hanfodol o'r gwaith.

[115] Cefais i gyngor ar 15 Mai. Ysgrifennais i atoch chi ar 25 Mai, a, phan fyddwn i'n edrych nôl, dechreuodd y gwaith gyda SNAP ar 30 Mawrth i sicrhau bod gyda ni rhywfaint o ddealltwriaeth o beth roedd yn digwydd. Mi ddaeth hynny i ben chwech wythnos wedi hynny, os ydych chi'n licio, ac mi wnes i ysgrifennu at y pwyllgor pan oeddwn i'n gyfforddus fy mod i'n gallu ysgrifennu atoch chi yn deall beth roeddwn i'n ei gyfathrebu.

[116] **Simon Thomas:** A ydych chi bellach yn deall pam yr oedd, os liciwch chi, nid anghytuno, ond pam yr oedd y ddwy ochr fan hyn—ac rwy'n sôn yn benodol am Lywodraeth Cymru a SNAP—wedi bod yn defnyddio ffigyrau heb ddeall, heb rannu'r un ddealltwriaeth o'r ffigyrau neu rannu'r un ddealltwriaeth o beth roedden nhw'n eu golygu? Achos,

recommendations and proposals, because I do see that the process of legislating is one where the Government and the Assembly—. I was going to say 'collaborate' or 'work together' but there has to be a tension in that process, and there has to be a situation where the committees consider the ministerial statements with a sort of scepticism, in the true sense of the word, in that you have to test whether what we're saying is true, and whether we can prove that to the committee, and I think that's an essential part of the work.

I received advice on 15 May. I wrote to you on 25 May, and, when I look back, the work with SNAP began on 30 March to ensure that we did have some sort of understanding of what was going on. That came to a close six weeks after that, if you like, and I wrote to the committee when I was comfortable that I could write to you with an understanding of what I was communicating.

Simon Thomas: Do you now understand why, if you like, there was, not disagreement, but why the two sides here—and I'm speaking about the Welsh Government and SNAP—had been using figures without sharing the same understanding of those figures or the same understanding of what they meant? Because now SNAP have told

bellach, mae SNAP wedi dweud wrthym ni'r bore yma eu bod nhw'n fodlon, bod y gyd-ddealltwriaeth yn ei lle, ond, yn glir iawn, beth rydych chi newydd ei ddweud hefyd, nid oedd hynny yn ei le ar ddechrau'r flwyddyn, ac roedd hi'n broses hyd at fis Mai o ryw chwe wythnos, rŷch chi newydd ei ddweud, i wneud hynny. A ydych chi bellach yn deall sut ddigwyddodd hynny, ac wedi elwa o'r broses honno, os liciwch chi?

[117] **Alun Davies:** Wedi elwa o'r broses: ydym, rydym ni wedi elwa o'r broses, wrth gwrs, ac rydym ni'n dysgu fel rydym ni yn symud ymlaen. Ond, pan fyddwch chi'n edrych ar y broses rydym ni wedi bod trwyddi, mi wnaethom ni gyhoeddi'r RIA gyda'r Bil ym mis Rhagfyr, ac mi oedd e'n gyhoeddus ar ôl mis Rhagfyr, ac fe aethom ni drwy broses o drafod gyda chithau, gyda phwyllgorau eraill y Cynulliad, ac fe aethom ni drwy broses o siarad gyda rhanddeiliaid ar draws Cymru yn ystod y cyfnod hwnnw—chwarter cyntaf y flwyddyn.

[118] Mi gawsom ni lot fawr o sgyrsiau gyda lot fawr o bobl, ac rydw i'n credu, yn ystod y broses o drafod, daeth yn amlwg ein bod ni'n ystyried pethau mewn ffordd wahanol. Rydym ni'n edrych ar bethau mewn ffyrdd gwahanol. Ac felly nid ydw i'n credu oedd yna ryw foment pan ddaeth hynny'n glir. Fe ddaeth yn glir dros gyfnod o wythnosau, ac, oherwydd hynny, roeddwn i eisiau sicrhau—. Pan ges i

us this morning that they are content that there is an understanding in place, but, very clearly, you've just said that that understanding wasn't in place at the start of the year, and there was a process up to May of six weeks, as you've just said, to do that. Do you understand how that happened, and have you benefited from that process?

Alun Davies: Benefited from the process: well, yes, we have benefited from that process, of course, and we do learn as we move forward. But, when you look at the process that we've undergone, we published the RIA alongside the Bill in December, and it was made public after December, and we went through a process of discussion with you and with other committees in the Assembly, and we went through a process of talking to stakeholders throughout Wales during that period—the first quarter of the year.

We had a great many conversations with several people, and I think, during that process of discussion, it became apparent that we were looking at things in a different way. So, I don't think that there was a particular moment where that became apparent. Rather, it became apparent over a period of weeks, and, as a result of that, I wanted to ensure—. When I was informed by officials, I wanted to ensure that we

wybod gan swyddogion, roeddwn i understood what we didn't
 eisiau sicrhau ein bod ni'n deall beth understand, if you like, that we
 nad ydym ni'n ei ddeall, os rydych understood where the problems
 chi'n licio, ac ein bod ni'n deall ble existed, and that we understood the
 mae'r problemau, ac ein bod ni'n types of problems that we were
 deall y fath o broblem rydym ni'n trio trying to resolve.
 ei datrys.

[119] **Simon Thomas:** Ocê. Fe wnawn **Simon Thomas:** Okay. We'll move on
 ni symud ymlaen gyda David Rees. now with David Rees.

[120] **David Rees:** Diolch, Cadeirydd. Minister, clearly the original RIA had
 certain figures—we've seen the changes in those figures now—and one of
 those is the reduction in cost to the Welsh Government's transition costs of
 approximately £425,000. Can you identify where those costs are being
 saved?

[121] **Alun Davies:** Yes. Can I say, in—? I'll answer your question directly, in
 terms of each individual number, but one thing I want to make absolutely
 clear in front of committee this morning, as I tried to back in February: there
 are two broad cost centres here, and I want to ensure that we understand
 what they mean, because I think that, in some of the public debate, there's
 been a confusion over those two things. There are the costs of
 implementation, and the costs of implementation over the period of this
 Assembly, which are covered in the RIA and which are covered by Welsh
 Government, and then there are the ongoing, recurrent costs to run the new
 system. And the one thing that is clear in terms of the structure of these
 costs is that the Welsh Government funds and delivers the surety for all those
 bodies that are delivering the new system and funds the implementation
 costs in their entirety, and there are those costs, which have been outlined
 here. Then there are the running costs, the ongoing costs of the new system,
 and we foresee significant savings over a period of time. The savings that
 have been listed here are only over the four-year period, of course, of this
 Assembly, but, clearly, we expect and anticipate, in the next Assembly, more
 significant savings to be made, which are not included in this. So, we have
 the recurrent costs, where we see significant savings, and we have the
 implementation costs, where we see that being fully funded by the Welsh
 Government.

[122] The £425,000 that you outline relates to a different approach to how
 we are delivering that implementation. In terms of what I've got here, we've

got a £125,000 reduction for the strategic implementation group and expert group activity over the next four years, and that reflects that group's preferred way of working. We had initially intended to provide each expert group with a budget of around £5,000 per year, which would reflect the costs of holding meetings more than anything else, and the costs of actually running the group, rather than an activity budget, if you like, and they've decided they don't need those costs. They've decided themselves that that isn't something they need, so we are removing those costs. That's £125,000. The £300,000, the largest section of that, reflects the removal of the entire costs of the strategic advisers, because we now have revised plans to create five ANL transformation leads, whose costs will be covered by pooled implementation grant funding. So, we've changed the way in which those costs are being allocated. And then, the final element of that, the £630 removal, reflects previously allocated DECLO fund training, as this will now be covered through a funding allocation for a revised training approach. So, it's about changing the way that we are working and changing the way in which the implementation costs are being delivered.

[123] **David Rees:** On the £300,000, you've just said you're transferring those costs to another area. So, those costs are still going to be there, but somebody else is going to pay for it, effectively.

[124] **Alun Davies:** It's a pooled implementation grant funding. It still comes out of the £20 million that we've allocated. Charlie, is that—? Perhaps you could explain.

[125] **Ms Thomas:** Yes, that's right. We decided not to include any of the Welsh Government grant in the revised RIA, in light of recommendations from this committee and the external reviewers. So, the costs of these transformation lead posts will be included in the wider grant funding that will be provided to the regions to pay for the posts and the implementation grants that will support local authorities.

[126] **David Rees:** But there's still that cost.

[127] **Ms Thomas:** Yes.

[128] **David Rees:** Okay. And sunk costs seem to have disappeared as well. They've sunk somewhere. Can you tell me what's happening there?

[129] **Alun Davies:** This is quite an interesting point, actually—well, I find it

interesting, at least. In an RIA, you try to do two things and you try to find a balance in the RIA. You have the structural things that you must put in an RIA and describe costs in a particular way, and, sometimes, that can not provide you with the information that you actually need and you actually want. What we sought to do was to provide additional information as part of the RIA, which would then provide a fuller picture of what the costs actually are, which I thought was, frankly, what, if I was looking at the cost of this legislation, I'd want to see. However, that is not strictly in line with Treasury Green Book guidance, which says very, very clearly—and I do have a quote here:

[130] 'Costs of goods and services that have already been incurred and are irrevocable should be ignored in an appraisal. They are "sunk costs". What matters are costs about which decisions can still be made.'

[131] So, the guidance that we have here is very clear that we don't include sunk costs, even though they do partly reflect the total cost of implementation of a wider transformation programme. So, the revised RIA reflects both the recommendations that this committee and other committees have made, but also a stricter adherence to Treasury guidance.

10:45

[132] **Simon Thomas:** Can I just check, is that something you did as a result of the external evaluation or something that you did internally?

[133] **Alun Davies:** It was a decision we took internally as part of the revision of the RIA. I think it is this balancing—. It might be a matter that you wish to refer to in your own review—that following the strict letter of what we seek to do sometimes might mean that we don't put all the information into the public domain, which would be useful to yourselves in reaching the conclusion. That balance is something that we're always seeking to ensure we meet.

[134] **Simon Thomas:** Eluned, on this.

[135] **Eluned Morgan:** Just because it follows on from that, in the original RIA, there was a reference to the implementation grants, which I understand are not there now. Why would that be? Is that—?

[136] **Alun Davies:** What we're seeking to do is to ensure that we do have

access to and we do provide a very clear interpretation of the totality of costs associated with implementation of the legislation. The grants that have been removed relate to—they have been removed to ensure that the costs of the Bill and the costs that are outlined in the RIA relate only to the organisations on which the costs directly fall. So, it's a stricter interpretation of what we're seeking to achieve here.

[137] **Eluned Morgan:** I haven't quite understood why you've changed that in the middle of a process.

[138] **Alun Davies:** Well, because the RIA will be revised a number of times during the legislative process to reflect changes that are made to the legislation. There will be a further revision following Stage 2 in October. So, you will see a new RIA published prior to Stage 3 consideration by the National Assembly. So, it is a part of the legislative process that revisions take place to the RIA. We've taken forward additional revisions on this RIA for the reasons we've already discussed, and during that process of revision we have attempted to seek a stricter adherence to the guidance that governs RIAs, and that might be for better or for worse; it's a matter for yourselves to determine.

[139] **Eluned Morgan:** So, if we wanted to see—if we don't think that it is correct for there not to be a reference to those implementation grants, is that something you might consider revising again after that second reading?

[140] **Alun Davies:** Those costs are all public information anyway. I have statements to the National Assembly on that, and I think I've answered questions here previously, during my previous appearance here, on those matters. So, those matters are all already in the public domain, but I'm quite happy to write to the committee later today to outline exactly again what those costs are. But as I say, they're already in the public domain and already available to Members.

[141] **Simon Thomas:** David.

[142] **David Rees:** If I could go on to the change in the RIA, in one of the areas, you clearly had a dispute resolution heading, and it's gone from £12 million to nought. Can I ask the question, why has it gone to nought? It could be a very genuine reason. Was it a mistake? Was it double counting? Why all of a sudden this dramatic removal, effectively, of this cost?

[143] **Alun Davies:** Do you want to answer this?

[144] **Ms Nicholson:** Yes, sure. This is something that came out of the external review. It was identified by the economist that peer reviewed the RIA for us. The line that we've taken it out of was effectively cost neutral because it showed both options, the do-nothing option and the cost-of-the-Bill option, as coming out as zero, but the actual cost in terms of dispute resolution is included elsewhere within that summary table. So, it's included in the IDP section of the summary table. So, the reviewer was suggesting to us that technically that was considered double counting, so we removed it for clarity purposes, but actually the overall impact was zero because that line was showing as a balance of zero anyway.

[145] **David Rees:** Okay. Well, that raises some concerns and questions, perhaps, on the way RIAs are sometimes figured. Okay. You also, Minister, talked about transition costs, you talked about recurring costs and there are compliance costs also within the RIA. They've been changed, I understand. Can you tell me why they've been changed?

[146] **Alun Davies:** The change is due to the revised information from SNAP. Under compliance costs there have been two changes, as Members will be aware. We now include a cost to dispute resolution services. This reflects the costs—or the subsidy, as SNAP describes it—that they pay. I think questions from Mike during your last session reflected on that. And then, secondly, the parental costs are lower as a consequence of a decrease in the number of disagreement cases estimated by SNAP. They estimated an additional 62 disagreements per year—in the original RIA—to 32 in the revised version. So, that clearly leads to a revised figure. And on the question you ask about benefits, there are also two changes: first of all, the potential saving to the dispute resolution services, again linked to the subsidy issue, and then, secondly, that the benefit to parents is lower, again down to the lower number of disagreements.

[147] **David Rees:** I didn't ask about benefits, but I was going to. You've saved me the bother. You talk about transition costs, recurring costs, sunk costs, compliance costs and then there are unquantified costs. What is your view of the consideration of unquantified costs, and are you happy that it's not possible to cost such benefits and elements?

[148] **Alun Davies:** In terms of trying to answer the questions, I am trying to give you as broad a view as is possible. So, I apologise if I don't always

achieve that. Let me say one thing. I took responsibility for this during the formation of the new Government last year, and one of the things you do when you take on that responsibility is you read the papers and you go through some of the briefings that you have. I was surprised, having had previous responsibility for the common agricultural policy, by the complexity of this area of work. I was surprised by reading the draft RIA, which was published in 2015. I was surprised, when reading some of the work which went in to drafting that, at the complexity of the costs associated with this piece of work. Deloitte were commissioned to work in—I think it was 2014, wasn't it, on that. And they found great difficulty in estimating costs associated with this sort of legislation and great difficulty in allocating different cost centres. As a consequence, of course, it was then difficult to actually come up with a real estimate of where the legislation would leave us in terms of future potential costs or benefits. The work that they did, alongside local government, meant that it was very, very difficult to cost a lot of elements of the work in a way that is sensible and proportionate. As the process you've just been through on this RIA indicates, there are sometimes areas where comprehensive data is not collected, and where it is collected, it is not collected in a consistent way across different organisations, and so it's not possible to either aggregate or disaggregate, if you like, that data or provide an overall global sum where you can have confidence. And, so, as I say, when I took this over last year, I was surprised by that level of complexity and surprised by the difficulties in allocating costs. There are unqualified costs and disbenefits that weren't in the original RIA, and they reflect our belief that whilst it is possible to provide costs and benefits, and whilst it is possible to find a way through some complex analysis, it would be based on modelling and there would be no guarantee that the estimates would be reasonable or sound. So, we have taken time to review this, and we have taken time to look at how these estimates are reached, and the complexity that has led to numbers being identified that may help the committee or may even mislead the committee in some ways. So, we have tried to be very clear about that and clear where those costs are actually allocated. But I accept, you know, that it's a difficult area—I accept that.

[149] **David Rees:** And the last question: are you satisfied that everything is, as far as you're concerned, now, there and that it was not possible to cost those elements that are under the 'unquantified costs and disbenefits' title?

[150] **Alun Davies:** Yes I am, because I think that, had we gone further and introduced further complexity, which is possible—it is possible; let's face it, it's always possible to make complex things more complex, you know—then

what benefit would that have given the committee and what benefit would that have given to the public debate? I'm not convinced it would have done. I'm having conversations at the moment, I spoke to the Welsh Local Government Association yesterday—I'm going to continue conversations with the WLGA about the costs that they foresee in implementing the legislation. We've given an absolutely copper-bottomed guarantee that we will ensure that those additional costs are covered by the £20 million fund that we've established to deliver this Bill. We are confident that the numbers contained in the RIA are accurate. The internal process we've been through, the external process we've been through, the process you've just been through with SNAP have all confirmed that the numbers in this RIA are an accurate and a true and reasonable reflection of the costs involved in this legislation.

[151] **David Rees:** Okay. I just want to make the point that I understand that it's possible to make something complex more complex; it's also possible to make something complex more simple.

[152] **Alun Davies:** Which is what we're trying to do.

[153] **Simon Thomas:** Nick Ramsay.

[154] **Nick Ramsay:** Diolch. Morning, Minister—Cabinet Secretary, I should say.

[155] **Alun Davies:** You were right the first time.

[156] **Nick Ramsay:** Was I? Sorry. There we are. Just adjusting to the new term.

[157] **Simon Thomas:** They're all Ministers, technically.

[158] **Nick Ramsay:** Okay, I've got sidelined already. Back to SNAP Cymru—and you've mentioned our previous evidence session with them—at what time did you decide that it was necessary to engage with SNAP Cymru over the issues raised by the organisation? They told us that when they originally saw the RIA, the document, they were shocked by what they'd seen in it. So, at what time did you decide it was necessary to engage with them?

[159] **Alun Davies:** I think they also said that there'd been significant engagement over a long period of time in terms of their involvement with this legislation. They've had significant input into both the original and the

revised RIAs, and that work specifically started over a year ago, back in 2016. They gave evidence to the Children, Young People and Education Committee in March, where they first said that they had some concerns about this matter. Officials met them a few days later on 30 March and then they've been through quite significant and intensive conversations through March, and the period through April into May was about understanding the dimensions of that disagreement—understanding where that disagreement was. That led to my letter to the committee on 25 May—well, the advice to me, first of all, on 15 May then a letter to you on 25 May. That ensured that we had, first of all, an accurate and full understanding of the problem and then a full and accurate understanding of how to resolve that and then a full and mutual understanding and agreement on where we are today. And, as you'll have seen from your previous evidence session, you do have that full agreement today.

[160] **Nick Ramsay:** SNAP Cymru told us that they are happy with the figures in the revised IRA—IRA; RIA.

[161] **Alun Davies:** You've got to be careful about these things—

[162] **Nick Ramsay:** Yes. Is that your understanding as well in your communications with them since those initial discussions? Are they more than satisfied now with the revisions?

[163] **Alun Davies:** Yes. What they've said in private to us is what they said to you on the record this morning: that they are content with the revised figures and the narrative and the understanding and the analysis of those figures. And those revisions have been checked by SNAP Cymru.

[164] **Nick Ramsay:** And how do SNAP Cymru fit into the overall stakeholder engagement? What input has SNAP Cymru had throughout the development process? Are the other stakeholders happy with the revised RIA as well?

11:00

[165] **Mike Hedges:** [*Inaudible.*]

[166] **Nick Ramsay:** Well, I don't know.

[167] **Mike Hedges:** You'll get us all saying that now.

[168] **Nick Ramsay:** Yes; topsy-turvy this morning.

[169] **Alun Davies:** Let me say, in my answer to the first question from the Chair, I tried to be very, very clear about the process that we're following here. This is a transformation process, and transforming outcomes for some of the most vulnerable learners in the country. The legislation is a core part of that, and an enabling part of that, but not the totality of it. So, the sorts of conversations that we've been having over a period of time with stakeholders have meant significant changes to the legislation. If you take a look, I think the Bill, which I hope will receive Royal Assent shortly after Christmas, will be a significantly different Bill to that published in draft form in 2015. That is a consequence of two things: engagement with stakeholders and the parliamentary process here. I think both have improved the Bill. The changes that I'm tabling this morning are a consequence of Stage 1 scrutiny, and I think it is—I hate to say 'an exemplar', but it is an example of other strengths of parliamentary scrutiny, quite honestly.

[170] I thought the work of this committee, the Constitutional and Legislative Affairs Committee and also the Children, Young People and Education Committee has demonstrated the value of Stage 1 scrutiny. I think the fact that we have a draft Bill published in 2015 demonstrates the value of publishing complex Bills in draft on occasions to enable that level of scrutiny to take place. I will be very, very happy to see, when we get to a stage where we see the Bill in its totality, that we have responded to all of the concerns of stakeholders and of committees here in a way that improves both the legislation and the transformation process that it underpins. So, the engagement with stakeholders has been complex and has taken place over a long period of time, but I have to say that most of that engagement—the vast majority of that engagement, actually—has been about policy and has been about the way in which we implement the new structures rather than some of these financial issues that we're discussing this morning.

[171] **Nick Ramsay:** Yes, of course, it is the financial issues that this committee is charged to look at. I think, from our previous session with SNAP Cymru, they were more than happy—although concerned about the initial draft, they were more than happy with the process they'd gone through in terms of consulting with you and getting their view across. So, I think you're right there. In terms of the draft RIA itself, do you think it contains an adequate amount of detail in the early stages? You've already said that you're concerned, and Deloitte, I think you said, were concerned that it was very difficult to get the costings of this piece of legislation right. So, two

questions there: do you think have enough detail in it, and are you confident that, at the end of this, you have got a level of detail that is actually accurate?

[172] **Alun Davies:** I think we do have today. In 2015, when we published the draft Bill—I presume it's the draft RIA you mean—and that was designed in order to focus that conversation on those things. It followed a Green Paper and a White Paper, in 2014 and 2012. What the draft RIA did was to be able to identify where the difficulties would be and where the focus of this level of scrutiny would be. So, I think it was certainly robust in that it created the context for these conversations. But would it have withstood this level of forensic scrutiny that we've seen over the last six months? Probably not, but it wasn't designed to do so either. It was designed to flush out those issues. It was designed in order to have that debate and that discussion. It wasn't published as part of a parliamentary legislative process. It was designed as a beginning of that process. So, in the same way as the draft Bill has been amended significantly as a consequence of that debate, the RIA has also been amended as a consequence of that debate. So, I think, when you publish a draft RIA, you do so with an enormous number of health warnings, and you do so—I would hope and expect—where both Assembly committees and other stakeholders would recognise that it's as comprehensive as possible. However, it is part of a draft process and not part of the formal process of legislating, and there's a difference between those two things. So, I would be very happy to put my name to the draft RIA. I'm very happy to do so. I would have been very happy to put my name to the draft Bill, but I recognise that that is the beginning of a process and not the end of a process.

[173] **Nick Ramsay:** And whatever lessons may have been learned, do you think this is a good way of handling the process? You mentioned earlier the comparison between your role now and your previous role as Minister for agriculture. You said how much more complex it is now, do you think that's just part and parcel of the nature of the way that this place is developing as a legislature and the Executive is forming the legislation?

[174] **Alun Davies:** No. What I was trying to exemplify with that comparison was the comparison complexity with analysing the figures for ALN. We are able to identify, allocate and amalgamate costings with other areas of work that are seen to be even more complex. And the point I was trying to make when we were drawing up that draft RIA was that the level of complexity was far greater than was anticipated, and the engagement that took place at that time with Deloitte, which was engaged in order to draw up that RIA, meant that both sides, if you like, or all sides were surprised by the complexity of it

and the difficulty in actually painting an accurate financial picture of where we were and how the costs were allocated. I think that was absolutely crucial in order to then move forward to the process of legislating, as we are today.

[175] What we were able to do through that process was to learn and understand the degree of complexity. I don't think it's a reflection either on the Executive or on the legislator. I think what is a reflection both on the Executive and the legislator in this place is a willingness to work together and to understand the tension that is required in the legislative process, and the need for the Executive to reflect on the conclusions of the legislator and the need for the Executive to not simply reflect on, but then to respond to the needs of the legislator. I think that is a very good thing and I think it's a very good thing that, in Cardiff, we are delivering and developing a way of creating law where that tension leads to significant changes. We're not simply seeking, as a Government, to get our way on this legislation; we're seeking to respond fully and completely to the concerns and the recommendations of all committees that have considered this legislation. I think that's how a good legislative process should operate.

[176] **Simon Thomas:** Mike Hedges.

[177] **Mike Hedges:** A couple of questions. The first one is on the cost of disagreements—it's outlined as a cost to local education authorities. Do the Association of Directors of Education in Wales and the Welsh Local Government Association accept those figures?

[178] **Alun Davies:** Yes. They are comfortable with the figures that are contained in the RIA. I spoke to the WLGA yesterday and I'm going to continue speaking to the WLGA as the process moves forward. I think local authorities do some fantastic work under extraordinarily difficult circumstances at the moment. What I'm concerned to do is to ensure, as we move forward into implementation, that we have a very real partnership between this Government and local government across Wales. They were key partners in the development of the RIA. You will have seen, if you've seen the evidence from the Children, Young People and Education Committee, that they were comfortable with the overall numbers—the shape, if you like—although, they believe that we need to continue working to ensure that the ongoing cost savings are actually reflected in local authorities' ways of working.

[179] I know that you're aware, because you've taken an interest in this

matter, that both Pembrokeshire and Carmarthenshire have been piloting these processes and these ways of working. They have seen a significant saving, both in terms of the cost of administering the system, but also, then, in terms of delivering the outcomes for learners as well. I know the interest you've taken reflects that.

[180] **Mike Hedges:** Yes, it's an interest I take when some people describe what you've just talked about there as the bureaucracy and the money held back by local authorities that should be going to schools—

[181] **Alun Davies:** I don't think I've ever said that.

[182] **Mike Hedges:** No, some other people have, in other places, and I think that if it only educates some of them, it will make some progress. The further questions I've got—you've got a number of reference to subsidies that are not contained in the original RIA, can you outline what the subsidies are, why they weren't included originally and are they cash? I think that's the term, because sometimes you have non-cash costs that don't actually equate to costs.

[183] **Alun Davies:** I took the time to watch your previous session with SNAP Cymru. I don't think I've really got much to add to the answers you were given there. My understanding of the situation is as was explained by your previous witnesses, and I thought the questions you asked, Mike, provided you with that information. So, I wouldn't add to what was said in that previous session.

[184] **Mike Hedges:** Fine, I'm glad to see consistency. The last question I've got is on costs and savings. We've got the costs and savings, how many of them are money? Are they all real cash costs and real cash savings, or are some of them nominal cash costs and nominal cash savings?

[185] **Alun Davies:** What Carmarthenshire have told us—it's interesting to actually look at these case studies, because, in answer to the previous question from Nick Ramsay about the development of this and the role of stakeholders, local government is front and centre, of course, of this. What we found in Carmarthenshire was that by implementing this system, we've seen a reduced cost of £15,000 a year, and a reduced cost of appeals, around £60,000 a year. Those are real costs, and we know that, because we've used £45,000 to employ additional family support workers in order to actually move the emphasis, change the way in which support is provided.

So, the actual cost savings are £15,000. But what is more important, I feel—and I know from your interest, Mike, you'd agree—is that we are actually moving the focus of local authority work from administering conflict to providing support for learners.

[186] **Mike Hedges:** I actually support what the principle is, but I'm not supposed to talk about the principle in here. I'm only supposed to talk about the financial side of it, but thank you for that answer.

[187] **Alun Davies:** But you take the full opportunity for conversations with the Minister in all other occasions, and you're right to do so.

[188] **Simon Thomas:** A gaf i jest holi ynglŷn â'r asesiad a wnaethoch chi ei gomisiynu? Roeddech chi wedi cyfeirio ato fe ar y cychwyn. Cawsoch chi asesiad annibynnol o'r broses—wel, o'r asesiad os liciwch chi gan gwmni o'r enw Aldaba, rydw i'n meddwl, ac rydym ni wedi derbyn copi ohono. Nawr, roedd hwnnw'n asesiad o'r asesiad blaenorol, os liciwch chi. Jest i fod yn glir, nid wyf i'n sôn nawr am yr un sydd gerbron y pwyllgor heddiw. Ond roedd casgliad hwnnw ar y bryd yn dweud, yn Saesneg:

Simon Thomas: May I just ask about the review that you commissioned? You referred to it at the outset. You had an independent assessment of the RIA by a company called Aldaba, I believe, and we have received a copy of that. Now, that was an assessment of the previous RIA, if you like. Just to be clear, I'm not talking now about the RIA that is before the committee today. But the conclusion of that at the time, in English, was:

[189] 'our conclusion is that the current version of the regulatory impact assessment is not reliable for the purpose of making decisions on the Bill.'

[190] Nawr, mae hynny'n eithaf damniol, mae'n rhaid dweud. Beth oeddech chi wedi ei wneud yn sgil derbyn y farn honno ac ym mha ffordd ych chi wedi gwneud yn siŵr bod y fersiwn presennol yn cwrdd â'r gofidiau a oedd yn yr asesiad hwnnw?

Now, that is quite damning, it has to be said. What did you do as a result of receiving that view and in what way have you ensured that the current version addresses the concerns in that review?

[191] **Alun Davies:** Fel chithau, rydw i'n troi'n syth at y casgliadau fy hun

Alun Davies: Like you, I turn straight to the conclusions myself when I

pan ydw i'n derbyn adroddiad o'r fath, ac nid oedd fy nadansoddiad i'n rhy bell o'ch un chi chwaith. Ond ar ôl darllen y casgliadau, gwnes i ddarllen yr adroddiad yn ei gyfanrwydd, wrth gwrs.

receive this kind of report, and my analysis wasn't too far away from yours. But after reading the findings, I read the report in its entirety.

[192] Roeddwn i'n awyddus iawn i wneud adolygiad allanol oherwydd mi oeddwn i wedi cytuno yn barod i ddod gerbron y pwyllgor cyn ein bod ni'n trafod y cynnig ariannol sy'n ymwneud â'r Bil yma, ac roeddwn i'n awyddus iawn fy mod i'n gallu dod i'r pwyllgor yn gwybod bod yr RIA yn hollol sicr ym mhob dim o ran dadansoddiadau. Nid oeddwn eisiau dod fan hyn—roeddwn i'n disgwyl y buasech chi yn disgwyl tipyn bach mwy na jest fy ngair i pan fyddwn i'n dod yma ar gyfer y sesiwn yma.

I was very eager to do an independent review, because I had agreed already to appear before the committee before we discussed the financial resolutions relating to this Bill, and I was very eager that I could come to the committee knowing that the RIA was certain in every part of the analysis. I didn't want to appear here—I expected that you would expect rather more than just my word when I appeared in this session.

11:15

[193] So, roeddwn i yn eithaf clir yn fy meddwl fod rhaid cael y dadansoddiad mewnol a bod rhaid cael yr adolygiad mewnol, ond mi fuasai'r pwyllgor eisiau mwy na hynny; dyna beth oedd fy nghasgliad i. Ac mae hynny'n meddwl rhywbeth cwbl allanol lle nad oes dylanwad Llywodraeth Cymru arno fe, ac mi wnes i gomisiynu hynny. Mae adolygwyr wedi edrych ar y ffigurau yn yr RIA, ac, *actually*, pan fyddwch chi'n edrych ar yr argymhellion mae wedi ei wneud, mae'r argymhellion ar gyfer yr RIA presennol yma wedi eu derbyn—y ddau argymhelliad wedi eu derbyn—ac mae'n derbyn yr holl

So, I wanted to be clear in my mind that we had to have an internal review, but that the committee would want more than that; that was my conclusion. And that means something completely external where there's no Government influence at all, and I did commission that. The reviewers have looked at the figures in the RIA, and actually, when you look at the recommendations that they've made, the recommendations for the current RIA have been accepted—the two recommendations have been accepted—and they accept all the figures for every part of the RIA. But, of course, what it does say

ffigurau ym mhob un rhan o'r RIA. Ond, wrth gwrs, beth mae'n ei ddweud yw: fe ddylech chi wneud RIA mewn ffordd wahanol. Ac wedyn, mae'r casgliad felly yn dod o'r dadansoddiad yna. Mae hynny yn gwestiwn rydych yn ei drafod yn eich gwaith ar hyn o bryd. Ond mi fuaswn i'n dweud hyn: petai yr un adolygwr yn edrych ar bob un RIA yng Nghymru, yn San Steffan ac yn Holyrood, mi fuasai e siŵr o fod yn dod i'r un casgliad, oherwydd rydym i gyd yn dilyn yr un system, ac mae'n rhaid i ni gydymffurfio â Rheolau Sefydlog y Cynulliad pan mae'n dod i RIA, a dyna beth rydym wedi'i wneud. Fe wnaethom ni drafod hynny wrth ateb cwestiynau David Rees.

[194] So, pan fyddwch chi'n edrych ar yr adroddiad yma, rwy'n credu ei bod yn bwysig gwahaniaethu rhwng yr RIA presennol yma a'r system sydd gyda ni o greu *regulatory impact assessments* gwahanol, ac rwy'n gwybod eich bod chi'n trafod hynny ar hyn o bryd. Mae'r casgliadau rydym ni'n eu defnyddio yn gasgliadau eithaf ceidwadol yn eu ffurf, ac nid wyf yn credu bod y casgliadau ar sail Rheolau Sefydlog y *green book* o ran sut mae rheolau'r Trysorlys yn gweithio yn adlewyrchu'r RIA presennol.

[195] **Simon Thomas:** Roeddech chi'n dweud wrth ateb yn fanna fod yr adolygiad yma wedi edrych ar y ffigurau oedd yn yr RIA ar y pryd. Yn ôl beth rwy'n ei ddeall o ddarllen,

is that you should do an RIA in a different way, and then the conclusion comes from that analysis. That is a question that you are discussing in your work at present. But I would say this: if the same reviewers looked at every RIA in Wales, in Westminster and in Holyrood, they would come to the same conclusions, probably because we all follow the same system, and we have to comply with the Standing Orders of the Assembly when it comes to an RIA, and that's what we've done. I mentioned that in answering David Rees's questions.

So, when you look at this report, I think that it is important to differentiate between the current RIA and the system that we have for creating different RIAs, and I know that you are discussing that at present, and the findings that we use are quite conservative in nature, and I don't think that the findings based on the green book Standing Orders and how the Treasury's rules work reflect the current RIA.

Simon Thomas: You stated in answering there that this review looked at the figures that were in the RIA at the time. According to my understanding from what I've read,

roedden nhw wedi edrych yn benodol ar chwe set o ffigurau allan o rywbeth fel 30 a oedd ar y pryd yn y ffigurau yna. Ai nhw oedd wedi penderfynu ond i edrych ar chwech yn y ffordd yna, neu ai chi oedd wedi gofyn iddyn nhw wneud hynny?

they looked specifically at six sets of figures out of something like 30 that were available at that time. Was it their decision to look at those six in that way, or did you ask them to do that?

[196] **Alun Davies:** Roedden nhw wedi dewis y fethodoleg.

Alun Davies: They chose the methodology.

[197] **Simon Thomas:** So, roedd hwnnw yn fethodoleg fel 'spot', fel petai, yn yr ystyr yna, oedd e?

Simon Thomas: So, that was like a 'spot' methodology, as it were, was it?

[198] **Alun Davies:** I don't know if you want to take this bit—. You know, essentially we gave them the opportunity to choose a methodology and a way of working, and they chose that methodology and that way of working to deliver their calculations. What's key for me as a Minister is that it was done independently of Government. Emma?

[199] **Ms Williams:** They didn't have time to go through all 30 within the time constraints in order to report back to yourselves, so they took what they described as not a random selection, but a selection of calculations at either end of the level of impact that they had on the overall figures, but they chose six.

[200] **Simon Thomas:** Okay.

[201] Bellach, mae'r asesiad effaith rheoleiddiol sydd gyda ni heddiw yn adlewyrchu, felly, dau brif beth, dau newid mawr yn sylweddol: y drafodaeth roeddech chi'n ei chael gyda SNAP Cymru, ac rydym wedi trafod hynny, a hefyd eich ymateb chi i'r adolygiad allanol yma. Roeddech chi wedi derbyn dau o argymhellion ganddyn nhw, os rwy'n cofio'n iawn, a rhai argymhellion eraill yn fwy eang, efallai—rhywbeth yn sicr mae'r

Now, the RIA that we have before us today therefore reflects two main changes substantially: the discussion that you had with SNAP Cymru, which we've discussed, and also your response to the external review that we're talking about. You accepted two of their recommendations, if I remember correctly, and some other broader recommendations—something that the committee is certainly going to look at as we move

pwylgor yn sicr yn mynd i edrych arno wrth fynd ymlaen, mae'n siŵr gen i. Ond ym mha ffordd benodol oeddech chi wedi newid beth sydd gyda chi heddiw yn sgil yr adolygiad allanol yna? A oedd yna rywbeth newydd i chi, rhywbeth roeddech chi'n teimlo eich bod chi'n gorfod newid er mwyn cwrdd â'u safonau nhw, os liciwch chi?

[202] **Alun Davies:** Ie, rydych chi'n hollol iawn yn y dadansoddiad. Roedd dau o'r argymhellion wedi eu hanelu at yr RIA presennol ac roedd y pedwar arall yn edrych ar sut rydym ni'n gwneud *regulatory impact assessments* yn y lle yma, ac mae hynny ymhell y tu hwnt i fy nghyfrifoldebau i. Felly, rydym wedi derbyn yr argymhellion ar gyfer yr RIA presennol. Ac roedd y ddau argymhelliad y gwnaethom ni dderbyn er mwyn sicrhau bod y costau, yr *unquantified costs*, ddim yn cael eu casglu at ei gilydd, i alluogi rhywun i ddadansoddi a deall ble maen nhw. Felly, rydym ni wedi gwneud hynny. Rydym ni wedi gosod nhw mas yn adran 6 o'r RIA presennol, ac wedyn rhoi esboniad am pam mai pedair blynedd yw'r amser penodol ar gyfer yr RIA yma, a'r rheswm, wrth gwrs, yw mai dyna dymor y Cynulliad yma, a bydd i fyny i Lywodraeth newydd a Chynulliad newydd i wneud penderfyniadau a fuasai efallai'n newid y ffordd rydym ni'n gweithredu hynny ar ôl tymor y Cynulliad yma. Felly, mi oeddwn i yn meddwl mai'r ffordd orau o wneud

forward, I'm sure. But in what specific way did you change what we have today as a result of this external review? Was there something new for you, something that you felt that you had to change in order to meet their standards, if you like?

Alun Davies: Yes, your analysis is right. Two of the recommendations were aimed at the current RIA and the other four looked at how we make RIAs in this place, and that is well beyond my responsibility. So, we have accepted the recommendations for the current RIA. And the two recommendations that we accepted were to ensure that the costs, the unquantified costs, weren't collected together, to allow analysis and someone to understand where they are. So, we've done that. And we've set them out in section 6 of the current RIA, and then an explanation as to why four years is a specific time frame for this specific RIA, and the reason is, of course, that that is the current length of the Assembly term. And we'll have a new Government and a new Assembly to make decisions on how we operate that after this Assembly term finishes. So, we thought that the best way of doing that was to ensure that we had far-reaching horizons in order to allow us to implement this Bill, but under some kind of control by the current Assembly and the current

hynny byddai sicrhau bod gyda ni Government.
 orwelion digon pell i'n galluogi ni i
 weithredu'r Bil, ond sydd o dan
 rywfaint o reolaeth y Llywodraeth
 bresennol a'r Cynulliad presennol.

[203] **Simon Thomas:** Ocê. A jest y
 pwynt olaf ynglŷn â'r broses
 adolygiad allanol yma yw bod yr
 adolygiad ei hunan yn dweud yn glir
 iawn, beth bynnag yw'r adolygiad
 yma, nid yw'n rhyw fath o farc
 ansawdd—*quality stamp* rwy'n
 meddwl y mae e'n ei ddweud,
 rhywbeth fel yna. Nid wyf yn
 ymwybodol o unrhyw farc ansawdd ar
 gyfer asesiadau effaith rheoleiddiol.
 Mae gyda chi'r *green book*; mae gyda
 chi'r canllawiau hynny. Ym mha
 ffordd fedrwch chi ein sicrhau ni,
 felly, fel Pwyllgor Cyllid, fod yr
 adolygiad yma wedi'ch helpu chi i
 ddod ag asesiad heddiw sydd yn
 ddigon cadarn i fwrw ymlaen gyda
 gweddill y Bil yma?

[204] **Alun Davies:** Do, rwy'n credu
 gwnaeth yr adolygwr sôn am ei
 brofiad e yn gweithio gyda'r National
 Audit Office pan oedd yn ysgrifennu
 hynny. Ond rwy'n credu ei bod yn glir
 o'r adolygiad allanol fod hynny yn
 gosod sylfaen glir sydd yn galluogi'r
 pwyllgor yma wybod bod y ffigurau—
 . Beth sy'n bwysig i fi yw bod yr
 adolygiad wedi cadarnhau bod y
 ffigurau yn yr RIA yn rhai cadarn, eu
 bod nhw'n *reliable* a bod y Cynulliad
 a'r pwyllgor yn gallu derbyn yr RIA fel
 adroddiad a fydd yn sicrhau ein bod
 ni yn deall y ffigurau ac impact

Simon Thomas: Okay. And just a final
 point about this process in relation to
 the external review, which is that the
 review itself stated quite clearly that
 whatever this review may be, it
 doesn't provide a quality stamp or
 quality standard. Now, I'm not aware
 of any quality standard for RIAs.
 You've got the green book and you
 have the guidelines contained in that.
 So, in what way can you assure us as
 a Finance Committee that this review
 has helped you to ensure that today's
 RIA is robust enough to move on with
 the rest of this Bill?

Alun Davies: Yes, I think the reviewer
 was talking about his experiences in
 working with the National Audit
 Office when he wrote that. But I think
 it's clear from the external review
 that that sets a clear foundation that
 allows the committee to know that
 the figures—. What's important to me
 is that the review did confirm that the
 figures in the RIA are robust, that
 they are reliable, and that the
 Assembly and the committee can
 accept the RIA as a report that will
 ensure that we do understand the
 figures and the financial impact of

cyllidebol y ddeddfwriaeth yma. A thean rydych yn edrych ar yr adolygiad allanol, sy'n dweud hynny, yr adolygiad mewnol, sy'n dweud yr un peth, a SNAP Cymru, sydd wedi dweud yr un peth y bore yma—mae pob tystiolaeth rydych chi wedi'i weld fel pwyllgor wedi dweud bod y ffigurau presennol yn rhai yr ydych yn gallu eu derbyn.

[205] **Simon Thomas:** Ocê, diolch yn fawr. A gaf i droi at Eluned Morgan, plis, neu ydych chi'n iawn?

Simon Thomas: Okay, thank you very much. So, can I turn to Eluned Morgan, or are you happy?

[206] **Eluned Morgan:** Rwy'n iawn.

Eluned Morgan: I'm fine.

[207] **Simon Thomas:** Ocê. Steffan.

Simon Thomas: Okay. Steffan.

[208] **Steffan Lewis:** Minister, you've conducted a consultation on the implementation of the Bill. I wonder if you could give us an indication of the results of that consultation, and whether those results will have an impact on profiling costs and savings contained in the revised RIA.

[209] **Alun Davies:** The consultation was completed in June, and I'll be making a statement in the next few weeks to the National Assembly on how we will continue to implement the Bill. If there are any revisions, obviously, to the RIA, then they will be contained in the revision, which I will do subsequent to the debate on Stage 2 scrutiny in committee. So, I haven't taken decisions on that matter yet, but I will be publishing the responses to that consultation in the next few weeks, and then I'll be making a statement on how we move forward.

[210] **Steffan Lewis:** I suppose that probably answers my next question, but the implementation period commences in the next financial year. Are there any plans to begin implementing sooner than that?

[211] **Alun Davies:** Well, we've been implementing this over a period of time. If you look at the whole transformation project, a lot of this is about training, it's about people. It's about making sure we've got the skills, the workforce able to deliver the sorts of educational experience that we want all our young

people and all our learners to experience. And so, we've started doing this already. The work that's been done in Pembrokeshire and Carmarthenshire, which I've already referred to in this committee, has been demonstrating, in the learning of those pilots, how we do implement this on a wider scale. I know that in my own part of the world, in Gwent, and in your part of the world in Gwent, local authorities are already discussing how that implementation will be delivered across those different parts of the region. So, local authorities, stakeholders, third sector and Government are already working together and looking at how we deliver this.

[212] So, what I hope we will see is a ratcheting-up, certainly, in the new financial year, subsequent to the Bill receiving Royal Assent. But I hope, at the same time, people will appreciate and understand that this is part of a process that actually started some years ago and a process that will intensify over the coming years and will deliver the sort of changes that we want to see. But at the same time, I'm very, very anxious that we work with professionals, that we work with the teaching cohort and work with the workforce to deliver the skills and to deliver a way of working that will only gain from experience. So, we've certainly already started implementation of that wider transformational programme.

[213] **Steffan Lewis:** Thanks for that. Just going back briefly to the RIA process, in terms of your experience with this Bill, have you made a concerted effort to share your experience across Government to other Bill teams?

[214] **Alun Davies:** In Government, Steffan, we're always watching and looking at what happens with these matters. I know that the impression sometimes gained is that Ministers are working in silos, but, in effect, it's a small Government, it's a small institution. We talk to each other every day and we share the experience, both within the civil service and within the Government, and we're constantly looking at how we can improve the way in which we deliver and the way in which we structure our work. So, yes, over every legislative process, there will be reviews of what we got right, what we didn't get right and what we need to learn.

[215] One of the best inquiries that I've conducted in recent years was as part of the Constitutional and Legislative Affairs Committee report on legislating in Wales, which published its report—I think in 2016 or 2015. I think you were part of the committee as well. I thought it was a very, very good report and a very good inquiry because it did discuss all of these sorts

of issues, from the development of explanatory memoranda, of RIAs, to the way in which we write legislation to the way in which we operate. I think it was a learning experience, both for the Government and for the legislator, and I think, as a consequence, we've all benefited from that.

[216] **Steffan Lewis:** So, that's a 'yes', then.

[217] **Alun Davies:** It certainly is. It's a long-winded way of—

[218] **Steffan Lewis:** No, no, I just wanted to clarify that the experience that you've had and, inevitably, the improvements that you are able to make in your own department and with your own legislative team are able to be shared across Government. So, that's good to hear. Just finally from me: when do you intend on putting forward a financial resolution?

[219] **Alun Davies:** On 3 October, subject to this committee's reporting. I would hope to do that on 3 October, and we would hope to go to Stage 2 scrutiny on 4 October.

[220] **Simon Thomas:** You're obviously preparing the amendments for that. The final point, really, that we've arrived at now is that we have the teams in agreement on the figures that are used, we've got the teams in agreement around the process that's now been gone through. Right at the outset of all this, however, you announced—I think it was, in fact, in this committee, or at least you certainly told this committee—the intention to finance the whole process and implementation with £20 million. Have you had to revise that figure and is that still a sufficient sum to deliver the Bill in its current form and the implementation and the new facts that have emerged over the last several months?

[221] **Alun Davies:** Yes, we've made that announcement. I was trying to—. I think I've tried to ensure that we had that announcement available for you in February to inform your scrutiny.

[222] **Simon Thomas:** You certainly told is in February, yes.

[223] **Alun Davies:** We will continue to manage that fund. The cost of the implementation, of course, hasn't changed; it's the cost saving that has changed. I think that's why I wanted to make that clear at the beginning of this session—those two figures, which I think have sometimes become mixed up. So, the cost of implementation hasn't changed. The cost of

implementation is something that we will cover in its totality. Much of the cost in the £20 million, as you will be aware, is about workforce planning and workforce management and training people to ensure that we do have the sort of workforce that can deliver on our ambitions.

11:30

[224] So, I'm very happy to continue, if the committee wishes, to write to the committee with any changes to the way in which we allocate that £20 million. I've focused most of my correspondence, probably, to the Children, Young People and Education Committee in recent months, but I'm certainly happy to ensure that the Finance Committee is kept up to date with that. If there are any significant changes to the allocation of those funds, I'll certainly give an undertaking that we will write to the committee to inform the committee of that, but the costs of implementation haven't changed. The costs that will be covered by Government—that hasn't changed. And the budgets we have available to us, moving ahead to deliver this legislation, haven't changed either. So, all of that remains in place.

[225] **Simon Thomas:** Diolch am gadarnhau hynny. Mae hynny'n dod â'n sesiwn ni i ben, felly. A gaf i jest sicrhau rhywbeth? Gynnau bach, wrth drafod â David Rees, roeddech chi'n dweud y byddech chi'n gallu paratoi ar wahân i ni'r costau—y *sunk costs* rydw i'n meddwl oedd y teitl a oedd yn cael ei ddisgrifio—sydd bellach ddim yn yr asesiad am y rhesymau yr ydych wedi eu hamlinellu, ond byddai diddordeb gyda'r pwyllgor weld y rheini ar wahân, rydw i'n meddwl. Felly, os gwnaf i jest cadarnhau bod hynny'n iawn—

Simon Thomas: Thank you for confirming that. That brings our session to a close. So may I just make sure of something? Earlier, in discussion with David Rees, you said that you'd be able to prepare separately for us the sunk costs—I think that was the term that was used—which are now no longer in the RIA for the reasons you've outlined, but the committee would be interested to see those separately, I think. So, can I just confirm that that's all right—

[226] **Alun Davies:** Rydw i'n cadarnhau.

Alun Davies: I can confirm.

[227] **Simon Thomas:**—a diolch i chi a'r swyddogion am y dystiolaeth y bore yma? Diolch yn fawr iawn.

Simon Thomas:—and thank you and your officials for the evidence this morning? Thank you.

[228] **Alun Davies:** Diolch i chi.

[229] **Alun Davies:** Thank you.

11:31

**Cynnig o dan Reol Sefydlog 17.42 i Benderfynu Gwahardd y Cyhoedd o
Weddill y Cyfarfod ac o'r Cyfarfod Cyfan ar 27 Medi
Motion under Standing Order 17.42 to Resolve to Exclude the Public
from the Remainder of the Meeting and All of the Meeting on 27
September**

Cynnig:

Motion:

*bod y pwyllgor yn penderfynu that the committee resolves to
gwahardd y cyhoedd o weddill y exclude the public from the
cyfarfod ac o'r cyfarfod cyfan ar 27 remainder of the meeting and all of
Medi yn unol â Rheol Sefydlog the meeting on 27 September in
17.42(vi).*

*accordance with Standing Order
17.42(vi).*

Cynigiwyd y cynnig.

Motion moved.

[230] **Simon Thomas:** Hoffwn i
gynnig i'r pwyllgor ein bod ni nawr
yn mynd i sesiwn breifat o dan Reol
Sefydlog 17.42. A ydy pawb yn
gytûn? Mae pawb yn gytûn, felly
sesiwn breifat. Diolch yn fawr iawn.

Simon Thomas: I would now like to
move to the committee that we move
into private session under Standing
Order 17.42. Is everyone content?
Everyone is content, so we'll move to
private session. Thank you.

Derbyniwyd y cynnig.

Motion agreed.

Daeth rhan gyhoeddus y cyfarfod i ben am 11:31.

The public part of the meeting ended at 11:31.