

Agenda – Equality and Social Justice Committee

Meeting Venue:	For further information contact:
Committee Room 1 & 2 (Senedd)	Rhys Morgan
Meeting date: 20 March 2023	Committee Clerk
Meeting time: 13.30	0300 200 6565
	SeneddEquality@senedd.wales

Pre- meeting registration: 13:00 – 13:30

1 Introductions, substitutions and apologies

(13:30)

2 Papers to note

(13:30)

2.1 Correspondence from the Local Government and Housing Committee to the Minister for Social Justice regarding the Gypsy and Traveller Sites Capital Grant

(Pages 1 – 2)

2.2 Correspondence from the Deputy Minister for Social Partnership to the Chair regarding the Social Partnership and Public Procurement (Wales) Bill and Government Amendments

(Pages 3 – 4)

2.3 Correspondence from the Deputy Minister for Social Partnership to the Chair regarding revisions to the Explanatory Memorandum of the Social Procurement and Public Procurement Bill

(Pages 5 – 7)

2.4 Correspondence from the Minister for Social Justice and the Counsel General and Minister for the Constitution to the Llywydd regarding progress on the Bill of Rights

(Pages 8 – 9)



- 2.5 Correspondence from the Minister for Social Justice to the Chair regarding the next iteration of the Warm Homes programme**
(Pages 10 – 11)
- 2.6 Correspondence from the Minister for Social Justice to the Legislation, Justice and the Constitution Committee regarding Inter-Institutions Relations Agreement**
(Pages 12 – 15)
- 2.7 Correspondence from the Women's Equality Network to the Equality and Social Justice Committee regarding the Retained EU Law (Revocation and Reform) Bill**
(Page 16)
- 2.8 Correspondence from the Minister for Social Justice, Minister for Climate Change, Minister for Finance and Local Government and Deputy Minister for Social Partnership regarding the Equality and Social Justice Committee's response to the Welsh Budget 2023 – 2024**
(Pages 17 – 31)
- 2.9 Correspondence from the Finance Committee to the Equality and Social Justice Committee regarding Scrutiny of the Welsh Government's Draft Budget 2023–2024**
(Pages 32 – 33)
- 2.10 Correspondence between the Equality and Social justice Committee and the Minister for Social Justice regarding the Retained EU Law (Revocation and Reform) Bill**
(Pages 34 – 38)
- 3 Motion under SO17.42 (vi) and (ix) to exclude the public for the remainder of the meeting**
- 4 Draft letter to the Future Generations Commissioner**
(13:30) (Pages 39 – 40)

- 5 Data justice: the use of personal data in the Welsh NHS – a verbal briefing from the expert adviser**
(13:30–14:00) (Pages 41 – 54)
Professor Lina Dencik, Cardiff University

Isobel Rorison, Cardiff University
- 6 Stakeholder session: Anti–Racist Wales**
(14:00– 16:00) (Pages 55 – 64)

Jane Hutt MS
Minister for Social Justice
Welsh Government

23 February 2023

Dear Jane

Gypsy and Traveller Sites Capital Grant

We were concerned to learn during our scrutiny of the Welsh Government's draft budget that the funding allocated to the Gypsy and Traveller Sites Capital Grant for 2023-24 is lower than in previous years. As you know, we recently undertook an inquiry into the provision of sites for Gypsy, Roma and Travellers. As part of that inquiry, we visited a number of local authority sites and saw for ourselves that some sites are overcrowded and in urgent need of maintenance or refurbishment. We are therefore surprised that the allocation for the grant has not increased to enable local authorities to improve existing sites and develop new ones.

We were even more surprised to note in your letter to the Equality and Social Justice Committee that there has been no spend from the capital grant during this financial year and none is forecast to occur before the end of March. We are concerned that the underspend may be a consequence of a lack of consultation with communities on the improvements and facilities they need. During our inquiry we heard that engagement is too often tokenistic and we fear that the underspend in this area is evidence of that, as there is clearly a need to improve existing accommodation and provide more pitches, including transit ones.

We recently received correspondence from a local authority stating that they have two sites in desperate need of redevelopment and asking for financial support to undertake the work.

It is deeply worrying and frustrating that the funding is available to make positive progress to address some of the issues relating to the provision of sites for Gypsy, Roma and Travellers in Wales, but that it is clearly not being used. It is also concerning that some local authorities may not even be aware of

the grant or where to seek support. This is a stark illustration of why we decided to undertake work on the provision of sites in the first place and unfortunately suggests that this is not a priority area for the Welsh Government and local authorities. This needs to be addressed as a matter of urgency and investment must be made in the delivery of sufficient and suitable accommodation for some of the most marginalised in our communities.

You will be aware that in our report on the draft budget, we made a joint recommendation with the Equality and Social Justice Committee that the Welsh Government should urgently set out the reasons for the lack of progress on use of the Gypsy and Traveller Site Capital Grant and how it plans to work with local authorities to ensure take up of this important fund. Further, the Welsh Government should clarify what will happen to the unspent £3.690 million from the 2022- 23 Budget, and confirm that it will be allocated to actions within this area.

In addition to responding to the above recommendation, as it has been six months since we published our report on the provision of sites for Gypsy, Roma and Travellers, we would be grateful if you could provide an update on the Welsh Government's progress in implementing the 21 recommendations made in the report.

As a Committee we are committed to monitoring the implementation of our recommendations and to undertaking follow-up scrutiny in relation to the provision of sites for Gypsy, Roma and Travellers, which is a priority area of work for us.

I am copying this letter to the Chair of the Equality and Social Justice Committee.

Yours sincerely



John Griffiths MS

Chair

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.

Hannah Blythyn AS/MS
Y Dirprwy Weinidog Partneriaeth Gymdeithasol
Deputy Minister for Social Partnership

Agenda Item 2.2

Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref
Ein cyf/Our ref

All Members of the Senedd
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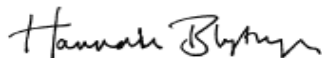
24 February 2023

Dear Member of the Senedd,

**The Social Partnership and Public Procurement (Wales) Bill –
Government Amendment**

I am enclosing detail of the Government amendment tabled to the Social Partnership and Public Procurement (Wales) Bill, together with an explanation of its purpose and effect.

Yours sincerely,



Hannah Blythyn AS/MS
Y Dirprwy Weinidog Partneriaeth Gymdeithasol
Deputy Minister for Social Partnership

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THE SOCIAL PARTNERSHIP AND PUBLIC PROCUREMENT (WALES) BILL – STAGE 3 GOVERNMENT AMENDMENT

This table provides information about the amendment to be tabled in the name of Hannah Blythyn MS on 23 February 2023.

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
1.	Schedule 2, page 25, line 4, leave out 'socially responsible procurement' and insert 'well-being'.	Atodlen 2, tudalen 25, llinell 4, hepgorer 'caffael cymdeithasol gyfrifol' a mewnosoder 'llesiant'.	<p>The purpose of this amendment is to amend Schedule 2.</p> <p>The effect of this amendment is to replace a reference to 'socially responsible procurement goals' in Schedule 2 with a reference to 'well-being goals' (this reference was overlooked at stage 2 when all other references to socially responsible procurement goals' were replaced by government amendments).</p>

Hannah Blythyn AS/MS
Y Dirprwy Weinidog Partneriaeth Gymdeithasol
Deputy Minister for Social Partnership

Llywodraeth Cymru
Welsh Government

Jenny Rathbone MS
Chair of the Equality & Social Justice Committee

Huw Irranca-Davies MS
Chair of the Legislation, Justice & Constitution Committee

Peredur Owen Griffiths MS
Chair of the Finance Committee

Welsh Parliament
Cardiff Bay
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28 February 2023

Dear Jenny, Huw & Peredur,

I am writing to you ahead of the Stage 3 debate on the Social Partnership and Public Procurement (Wales) Bill on 07 March to inform you that I have today tabled an updated version of the Explanatory Memorandum ('EM') for the Bill.

Revisions have been made throughout the EM reflecting the commitments I gave in response to a number of Stage 1 Committee Recommendations. The main changes are listed at page 45 of the document, and it will be clear to Committee Chairs and Members which Recommendations these relate to. However, I thought it would be helpful to provide additional detail in relation to the following Committee Recommendations, so that you are assured these have been appropriately dealt with:

- a) In response to ESJ Committee Recommendation 2: revisions have been made to the narrative text of chapters 3 and 11 to make clearer the outcomes that the Bill is seeking to achieve and how these will be monitored and measured over time. Key stakeholders have also been involved in the revision of the EM (see c) & e) below).
- b) In response to ESJ Committee Recommendation 11, and the related Finance Committee Recommendation 10: the changes made in relation to the Future Generations Commissioner's office and Audit Wales are at paragraph 282 & Table 3.4, and also paragraphs 289 – 293. You will recall that I provided details regarding the Commissioner's budget in my letter to you of 17 January - this information has not been included in the revised EM as it is not directly related to the Bill.

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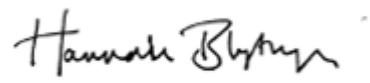
- c) In response to ESJ Committee Recommendation 17 and Finance Committee Recommendation 3: following further consultation with external public procurement stakeholders the amount of training and support that will be required to ensure contracting authorities are able to fulfil their socially responsible procurement duties, and the associated costs, have been increased in response to concerns that the original EM had underestimated these. The changes are as follows:
- the amount of guidance and support required (which now includes supplier support sessions, and an increase in staff training days per person per year from 8 to 20 per person) and the cost of producing and delivering this, has been increased from £360,400 to £641,100 (see Table 5.1, Table 5.4, Table 5.7, Table 6 and paragraph 390); and,
 - the amount of time required for objective setting and planning has been increased from 7 days per year per person to 11 days per year per person, and the costs uplifted accordingly from £98,400 to £215,900 (see Table 5.6).
- d) In response to ESJ Committee Recommendation 22: additional text has been added to the EM providing examples of the types of circumstances that might trigger an investigation under Section 41 (see paragraphs 109 – 112).
- e) In response to ESJ Committee Recommendation 25: in addition to the work undertaken with procurement stakeholders referred to at c) above, the Welsh Government has also engaged with the Social Partnership Forum to explain the changes being made to the EM, including in relation to costs. These changes include:
- replacing the costs relating to the Shadow Social Partnership Council ('SSPC') which were included in the original EM with the costs of the Social Partnership Forum ('SPF') which succeeded it. Because the SPF has a smaller membership and meets less frequently than the SSPC costs have reduced from £73,300 to £49,900 (see paragraphs 198 – 204 and Tables 2 and 2.1);
 - responding to concerns that the familiarisation costs in relation to the social partnership duty had been underestimated by including a wider range of stakeholders, resulting in an increase in costs from £2,200 to £22,319 (see paragraphs 280 – 283 and table 3.4; and
 - correcting an error in Table 3.5 which had costed for three Social Partnership Council meetings per year rather than four.

Feedback was invited from SPF members on these changes, which has been taken into account in producing the final revised version of the EM.

- f) In relation to Finance Committee Recommendation 1: because all of the costs included in the RIA are staffing costs (which have been uplifted to take account of the most recent pay data available), there are no costs which could be recalculated to take account of general price inflation. On the wider issue raised in Recommendation 2 - as I confirmed in my letter of 15 December 2022 the Committee Chair will receive a formal response from the Minister for Finance and Local Government on this matter in due course.

The result of these revisions to the EM is that the total costs of this legislation to the public and private sector over the five-year appraisal period has increased from £30,399,200 to £31,552, 219.

Yours sincerely,

A handwritten signature in black ink, reading "Hannah Blythyn". The signature is written in a cursive style with a small flourish at the end.

Hannah Blythyn AS/MS

Y Dirprwy Weinidog Partneriaeth Gymdeithasol
Deputy Minister for Social Partnership

Agenda Item 2.4

Jane Hutt AS/MS
Y Gweinidog Cyfiawnder Cymdeithasol
Minister for Social Justice

Mick Antoniw AS/MS
Y Cwnsler Cyffredinol a Gweinidog y Cyfansoddiad
Counsel General and Minister for the Constitution



Llywodraeth Cymru
Welsh Government

Elin Jones MS
Llywydd, Senedd Cymru
Cardiff Bay, Cardiff CF99 1SN
Llywydd@senedd.wales

1 March 2023

Dear Elin,

[Bill of Rights Bill](#) (“the Bill”) and laying of a Legislative Consent Memorandum

We sincerely apologise for the delay in correspondence in what have proved to be a set of unusual and exceptional circumstances. We had previously written to you in 2022 on several occasions, the last correspondence dated 22 September, when it first became apparent that the Bill had been paused, by the UK Government.

In December, we met with Lord Bellamy who is the Parliamentary Under-Secretary of State for Justice. At the time, he suggested that the UK Government would be proceeding with the Bill in its current form as soon as Parliamentary time allows. However, you will know that the Bill has still not had any of its parliamentary stages. In February, a letter was issued seeking clarification about any progress on the Bill, and we still await a reply.

It may be the case that the Bill has been indefinitely paused for a variety of reasons. If the Bill does progress to second reading at what is likely to be short notice – we will lay a Legislative Consent Memorandum at the earliest opportunity. However, given the uncertainty and unusual circumstances surrounding this Bill it does not seem sensible to proceed with the LC Memorandum for the foreseeable future.

As with previous correspondence, we are copying this letter to the First Minister, the Minister for Rural Affairs and North Wales, and Trefnydd, the Chair of the Equality and Social Justice Committee, the Chair of the Legislation, Justice and Constitution Committee and the Chair of the Cross-Party Group on Human Rights.

Yours sincerely

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Jane Hutt

Mick Antoniw

Jane Hutt AS/MS

Y Gweinidog Cyfiawnder
Cymdeithasol
Minister for Social Justice

Mick Antoniw AS/MS

Y Cwnsler Cyffredinol a Gweinidog y Cyfansoddiad
Counsel General and Minister for the Constitution

Agenda Item 2.5

Jane Hutt AS/MS
Y Gweinidog Cyfiawnder Cymdeithasol
Minister for Social Justice



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref
Ein cyf/Our ref

Chair and Clerk of the Equality
And Social Justice Committee

3 March 2023

Dear Chair and Clerk,

Further to the Equality and Social Justice Committee on 27 February, please find attached copy of a Written Question the Minister for Climate Change answered on the next iteration of the Warm Homes Programme, WQ87528 refers.

The Minister expects to procure a new, demand led scheme which tackles both the climate emergency and fuel poverty before the end of the calendar year.

Jane Hutt AS/MS

Y Gweinidog Cyfiawnder Cymdeithasol
Minister for Social Justice

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Llywodraeth Cymru
Welsh Government

**WRITTEN QUESTION
FOR ANSWER BY THE FIRST MINISTER FOR CLIMATE CHANGE
ON 23 February 2023**

Sioned Williams (South Wales West): Further to the Minister's statement in Plenary on 8 November 2022, does the Welsh Government still intend to introduce a new national, demand-led energy efficiency grant scheme focused on homes in fuel poverty to be procured and operational before next winter? (WQ87528)

Julie James:

Officials are developing the next iteration of the Warm Homes Programme, which in its current form has helped tens of thousands of Welsh households to reduce their bills and energy consumption. I expect to procure a new, demand led scheme which tackles both the climate emergency and fuel poverty before the end of the year. There will be no gap in provision between the new and existing programmes.

The new programme will consider the experience and lessons learned from delivering the existing programme alongside the views gathered through the consultation undertaken in 2022. The new scheme will also reflect recommendations from the Climate Change, Energy and Infrastructure, and the Equality and Social Justice Committees as well as various audits.

Agenda Item 2.6

Huw Hutt MS
Y Gweinidog Cyfiawnder Cymdeithasol
Minister for Social Justice



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref: Safety, Security and Migration IMG
JH/PO/72/2023

Huw Irranca-Davies MS
Chair
Legislation, Justice and Constitution Committee
Senedd Cymru
SeneddLJC@senedd.wales

6 March 2023

Dear Huw,

Inter-Institutional Relations Agreement: Safety, Security and Migration Interministerial Group

I am writing further to my letter of 24 January, and in accordance with the Inter-Institutional Relations Agreement, to report on the first meeting of the Safety, Security and Migration Interministerial Group (IMG), held on 1 February. I was hoping to have had the opportunity to inform you of the agenda items prior to the meeting but, unfortunately, I did not receive the agenda until 48 hours before it was due to start, which did not allow sufficient time. I hope that as the meetings of this IMG progress, the sharing of documents in a timely manner will become the norm.

The meeting was attended by the Home Secretary, the Rt Hon. Suella Braverman KC MP, as the Chair, by the Scottish Government's Minister for Culture, Europe and International Development, Neil Gray MSP and by the Head of the Northern Ireland Civil Service, Dr Jayne Brady.

During the meeting I re-emphasised the Welsh Government's focus on crime prevention and welcomed the opportunity this IMG provides for the sharing of best practices

The meeting also provided me with an opportunity to discuss our views on the new Nationality and Borders Act and I suggested that the next IMG meeting should focus on the improvement of access to safe and legal migration routes. I expressed the Welsh

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Government's concerns around the UK Government's current policy which prevents asylum seekers from being able to seek employment and the ongoing accommodation issues.

The next meeting is due to take place in May and I will inform you once a date has been finalised.

Further information can be found at [Interministerial Group for Safety, Security and Migration Communiqué: 1 February 2023 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/interministerial-group-for-safety-security-and-migration-communiqué-1-february-2023).

I am copying this letter to Jenny Rathbone MS, Chair of the Equality and Social Justice Committee.

A handwritten signature in black ink that reads "Jane Hutt". The signature is written in a cursive style with a long horizontal line above the first name.

Jane Hutt AS/MS

Y Gweinidog Cyfiawnder Cymdeithasol

Minister for Social Justice



Llywodraeth Cymru
Welsh Government

WRITTEN STATEMENT BY THE WELSH GOVERNMENT

TITLE **Safety, Security and Migration Interministerial Group**

DATE **06 March 2023**

BY **Jane Hutt MS, Minister for Social Justice**

In accordance with the Inter-Institutional Relations Agreement, I am giving notification that I attended the first meeting of the Safety, Security and Migration Interministerial Group (IMG), which took place virtually on 1 February, bringing together members of all four governments.

The meeting was attended by the Home Secretary, the Rt Hon. Suella Braverman KC MP, as the Chair, and the Scottish Government's Minister for Culture, Europe and International Development, Neil Gray MSP. In the absence of Ministers in the Northern Ireland Executive, Dr Jayne Brady, Head of the Northern Ireland Civil Service, was also in attendance.

During the meeting I re-emphasised the Welsh Government's focus on crime prevention and welcomed the opportunity this IMG provides for the sharing of best practices. I outlined my work with the Domestic Abuse Commissioner and my role as Co-Chair, with PCC Dafydd Llywelyn, of our Violence Against Women, Domestic Abuse and Sexual Violence National Partnership Board, which has a wide-ranging remit including violence in the home, the workplace and in public places. I reiterated the Welsh Government's commitment to further fund police community support officers across Wales.

I stated the need for Welsh Government officials to have early engagement with the UK Government on developments of the Nationality and Borders Act and stressed the need for immediate and continued discussions around current safe and legal migration routes into the UK. I suggested that safe and legal migration routes be a substantial agenda item at the next IMG.

I also expressed my interest in the Scottish Rural Visa Pilot.

There was a discussion about Asylum Dispersal, in which I highlighted the pressures that had been placed on Welsh Local Authorities and the negative impact the tariff reduction for the Ukrainian Resettlement Scheme had had on community cohesion. I expressed our disappointment in the UK Government's policy preventing asylum seekers from gaining employment, which is detrimental to the economy, given the ongoing labour shortages. I also explained that the Welsh Government has a strategy in place to provide transitional accommodation for those with a housing need in Wales and it would be beneficial if discussions could be held prior to the UK Government procuring hotels in Wales for emergency housing.

I welcomed the discussion on some aspects of Homeland Security.

A short joint Communiqué is published on the UK Government website at:

[Interministerial Group for Safety, Security and Migration Communiqué: 1 February 2023 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/interministerial-group-for-safety-security-and-migration-1-february-2023)

Agenda Item 2.7



To: Minister for Social Justice, Jane Hutt MS
Cc: Chair of the Legislation, Justice and Constitution Committee, Huw Irranca-Davies MS
Chair of the Equality and Social Justice Committee, Jenny Rathbone MS

8 March 2023

Dear Minister,

Retained EU Law (Revocation and Reform) Bill

I am writing to you on behalf of the Gender Network, a policy forum of 50 organisations, activists and academics that aim to strengthen women's rights and gender equality for all women and girls in Wales.

In advance of the Senedd's debate and vote on the Legislative Consent motion on the UK Government's Retained EU Law (Revocation and Reform) Bill, I would like to highlight the discussion at the most recent Gender Network meeting, held on 1 March 2023.

At this meeting, members of Gender Network were unanimous in expressing profound concerns about the Retained EU Law (Revocation and Reform) Bill and the absolutely devastating impact it would have on the protection of women's rights and gender equality in the UK and Wales. Members highlighted that losing protections related to equal pay, family-friendly policies, pregnancy and part-time working, among others, would mark a significant backward step for women's rights and gender equality. There was agreement that individuals and organisations within the Network needed to mobilise urgently with a view to, ultimately, preventing the passage of this deeply damaging bill.

Given the forthcoming vote, I believed it was essential for me to write to you directly to express the views of the Network.

Yours sincerely,

A handwritten signature in black ink that reads 'Jessica Laimann'.

Jessica Laimann

Policy and Public Affairs Manager, Women's Equality Network (WEN) Wales

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c/o International House
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Info
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1145706
Company Number:
07891533

Jane Hutt AS/MS
Y Gweinidog Cyfiawnder Cymdeithasol
Minister for Social Justice

Hannah Blythyn AS/MS
Y Dirprwy Weinidog Partneriaeth Gymdeithasol
Deputy Minister for Social Partnership

Julie James AS/MS
Y Gweinidog Newid Hinsawdd
Minister for Climate Change

Rebecca Evans AS/MS
Y Gweinidog Cyllid a Llywodraeth Leol
Minister for Finance and Local Government

Jenny Rathbone MS
Chair of the Equality and Social Justice Committee
Welsh Parliament
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1 March 2023

Dear Jenny,

Thank you for the Committee's report on the Scrutiny of the Welsh Government's Draft Budget 2023-24 outlining 12 recommendations for the Welsh Government.

We would like to thank members of the Committee for their report. Please find enclosed the Welsh Government response to these recommendations in advance of the vote on the Final Budget on 7 March.

Yours sincerely,

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Jane Hutt

Hannah Blythyn

Julie James

Jane Hutt AM

Y Gweinidog Cyfiawnder
Cymdeithasol
Minister for Social Justice

Hannah Blythyn AM

Y Dirprwy Weinidog
Partneriaeth Gymdeithasol
Deputy Minister for Social
Partnership

Julie James AM

Y Gweinidog Newid
Hinsawdd
Minister for Climate Change

Rebecca Evans.

Rebecca Evans AM

Y Gweinidog Cyllid a
Llywodraeth Leol
Minister for Finance and
Local Government

Written response by the Welsh Government to the report of the Equality and Social Justice Committee on the 2023-24 Draft Budget

Recommendation 1.

The Welsh Government should develop a cost of living plan for next winter to consider how best to assist those affected by the loss of support through the non-recurrent funding. The plan should include a specific focus on ensuring that the most vulnerable are protected. This work should commence immediately; include a set of targets for measuring performance and be published no later than July 2023.

Response: Accept in Principle

In September 2022 the First Minister established the Cabinet Sub-Committee on the Cost of Living, bringing together all Cabinet members and wider partners. This has ensured that our shared responsibility for helping to mitigate the impacts of the crisis are co-ordinated across government, and that all Ministers also can hear from partners about how it is affecting people and communities. The minutes of all meetings can be found [here](#).

The First Minister has also established an independent Expert Group on the Cost of Living, bringing together a range of experts and organisations working on the ground. This group will be making recommendations for the Welsh Government, the UK Government, and others to consider about the best means of supporting people through the crisis, including next winter. Whilst the group is independent and we will not seek to influence their recommendations in any way, it is anticipated that they will focus their advice on the most vulnerable and those disproportionately impacted by the rises in the cost of living. We will consider their recommendations when we receive them and will be happy to share them with this committee.

We will continue to do all we can to support people through this crisis. However, the real terms budget cuts to our settlement from the UK Government limit our ability to do everything we would wish to. We must also recognise that the most important levers to help people struggling with the cost of living sit with the UK Government.

Recommendation 2.

The Welsh Government should set out how it has evaluated the impact of the Discretionary Assistance Fund in previous years and then applied the learning to inform allocations made in the Draft Budget for 2023-24.

Response: Accept

Previous evaluations undertaken focussed on the technical aspect of the service as well as assessing the impact through the extensive DAF partner network, seeking views from support workers, mental health agencies, probation service, homeless charities and domestic violence organisations that support their clients to access the fund. The extreme vulnerability of the client profile applying to the fund has made it very difficult in practice to evaluate the impact first hand. The impact of the small value cash payments given through the fund is also difficult to measure, although it is widely acknowledged that it is a lifeline for many people when they are in crisis.

We have seen a significant shift in the fund since 2020, which has resulted in more than 60% of the budget now being provided as emergency cash payments rather than essential household items to enable resettlement. In past years awards for essential household items to aid resettlement and for people with extreme domestic pressures was the focus of the fund, with fewer emergency cash payments provided for people in crisis. The impact of those awards was easier to determine given the clear benefit that receiving these goods made to a person who was setting up home after a period of crisis.

The factors outlined above add complexity to a comprehensive review of the impact of the DAF. In addition, DAF payments address an immediate crisis that may enable a move to other support. So the impact may show itself through other uptake of routes e.g. the SAF. This makes it very difficult to monitor DAF impact separately from other interventions.

To mitigate these complexities and knowledge gaps, officials are working closely with WG Knowledge and Analytical Services (KAS) to try to establish links and common indicators between demand for the DAF and trends in other areas such as housing, private and social rent and child poverty. This should help in assessing future trends likely to affect the DAF. Officials will also analyse the local authority distributions of DAF payments to ensure that it is being taken up proportionately throughout Wales.

The learning from this exercise will be applied to 2023-24 allocations made in the Draft Budget for 2023-24 and, together with in depth budget monitoring of demand, which is anticipated to show a continued significant increase during 2023-4, will provide more information on the impact of the DAF and the take up across Wales.

Recommendation 3.

The Welsh Government should keep the allocations for the Discretionary Assistance Fund and Single Advice Fund under review, with the potential to increase them if needed. This should include a stock-take of the level of demand for both funds, to ensure there will be sufficient funding for next winter.

Response: Accept in Principle

Welsh Government remains committed to supporting advice services to ensure some of the most vulnerable people in our society have access to quality assured advice on debt, employment, and welfare benefit issues.

Over £11.04m has been awarded for the Single Advice Fund services each year since it was introduced in 2020. The 2023-24 budget will fund a framework of generalist and specialist advice services across Wales, with the collaborative delivery model ensuring services reach people most in need. We know that the cost of living is creating financial pressures in a growing number of households, and we will continue to work with our providers to ensure services are reaching as many people as possible.

An independent need analysis has been commissioned to produce a robust and comprehensive evidence base of the need for social welfare advice. We will use this to guide our decisions on future levels of advice service funding. An independent evaluation of the Single Advice Fund is also being undertaken. This will help us learn lessons on how services responded to the increased need generated by the Covid-19 pandemic and guide our thinking on how the advice sector can be supported to meet the demand for access to advice that lie ahead.

We will closely monitor the demand for the Discretionary Assistance Fund during 2023-24 on a monthly basis and will continue to do all we can to support vulnerable people who are in a crisis situation.

Extensive analysis has been undertaken in January 2023 on the record levels of demand and the significant increases experienced for emergency cash payments during 2021-22 and 2022-23. This analysis has been factored into the decisions about what the fund will be able to deliver in 2023-24. There can be no expectation that the funding will be increased if the demand exceeds the anticipated growth rates. Decisions will be taken to ensure the fund remains manageable and is able to continue to support the most financially vulnerable.

Recommendation 4.

The Welsh Government should use the Benefit Charter to consider how local authorities can passport eligible social housing tenants to support that they are entitled to.

Response: Accept

Although not specifically focussed on social housing tenants, the development of a charter for the delivery of Welsh Benefits is central to our work to streamline the Welsh Benefits system and aims to simplify access to devolved benefits for people in Wales. Developed in conjunction with stakeholders we now have a draft Charter (which sets out the key principles that underpin a fair, equitable system based on rights and entitlements) and are engaging extensively with delivery partners and individuals with a view to it being published by the end of this year. Our initial engagement activity has included organisations who support social housing tenants with plans to further engage with tenants themselves via online surveys and focus groups.

Along with the development of the Welsh Benefits Charter work is being progressed to seek solutions to the practical barriers to streamlining the system that have been identified by delivery partners (local authorities). These include data sharing and lack of unified IT systems. There is research underway which will provide us insight into how data sharing could overcome the barriers people face in accessing their entitlement to (multiple) Welsh benefits and recommendations which will encourage local authorities to implement specific actions that will further support the infrastructure for a streamlined, modern and effective Welsh Benefit system.

Recommendation 5.

The Welsh Government should publish the next iteration of the Warm Homes Programme as a matter of urgency and no later than the end of April 2023 to provide sustainable solutions for households living in fuel poverty. Further, the Welsh Government should confirm that there will be no gap in provision between the end of the current Programme and the next iteration of the scheme.

Response: Accept in Principle

Officials are currently developing the next iteration of the Warm Homes Programme. The new programme will take into account experience and lessons learned from delivering the existing programme and the views of others gathered through the consultation undertaken in 2022. The new scheme will also reflect recommendations from the Climate Change, Energy and Infrastructure; and the Equality and Social Justice Committees as well as various audits.

Ministers will be advised shortly with the aim of publishing a policy statement as soon as possible. It is not possible to guarantee at this point that this can be achieved by the end of April. There will be no gap in provision between the new programme and the existing programme. We will ensure that a new programme is fully delivering before the existing programme ends.

Recommendation 6.

The Welsh Government should provide figures for take-up of the Fuel Voucher Scheme against the targets set when the scheme was launched, both in relation to prepayment meters and off-grid households. It should also consider what lessons can be learned from the take-up of this scheme, and publish a summary of its findings to inform development of future policies.

Response: Accept

As of the 10 February, 11,022 households had received a Fuel Voucher to support them with topping up their pre-payment meter, supporting over 29,000 people. 115 off gas-grid households have received support from the Heat Fund with the bulk purchase of fuel (oil, LPG, coal). The funding has also helped the Fuel Bank Foundation grow its partner network in Wales from 5 to 70 in a matter of months (not including all the local Citizens Advice services who are partners) and we expect this to rise to over 100 by the end of the funding period.

The anticipated take up levels of the demand led fuel voucher scheme and heat fund were predicted based on the Fuel Bank Foundation experience in the rest of the UK. It was expected, for example, that demand would increase as additional organisations joined the Wales network of referral partners. Take up would also be greatly influenced by the severity of the weather over winter.

The Welsh Government will provide final take up figures against the original predicted take up at the end of the financial year. The Welsh Government will work with the Fuel Bank Foundation to undertake a lessons' learned exercise on both the take up of the scheme and the development of the partner network in Wales.

Recommendation 7.

The Welsh Government should clearly set out the total budget allocated to the Anti-racist Wales Action Plan. Further, the Welsh Government should set out a breakdown of allocations across departments for both the Anti-racist Wales Action Plan and the LGBTQ+ Action Plan.

Response: Accept

There have been both specific allocations for anti-racist work as well as implementation that has been built into business as usual, and it is not possible to identify all of that separately. We can commit to providing a fuller explanation of investment in both plans over the next financial year, linked to the work of the ArWAP Accountability Group.

The Anti-racist Wales Action Plan sets out the Goals and Actions we will take over the next 24 months, covering all aspects of public life that shape and influence the experience and life chances of ethnic minority people.

Adopting an anti-racist approach requires the Welsh Government, public services and us all to be proactive in identifying and tackling systemic racism in all aspects of how Wales works. It requires us to look at how racism is built into our policies, formal and informal rules, and the way we work and involve people in the decisions that affect them – and then to do something about it.

This is a whole of government plan with commitments and actions from across Ministerial portfolios, and within the Welsh Government civil service.

A breakdown of allocations across departments for the LGBTQ+ Action Plan was undertaken as part of the cabinet paper to approve publication of the Plan. Funding plans for the LGBTQ+ Action Plan are included within the LGBTQ+ Policy Budget of £456,000 in 2023-24.

Recommendation 8.

The Welsh Government should urgently set out the reasons for the lack of progress on use of the Gypsy and Traveller Site Capital Grant and how it plans to work with local authorities to ensure take up of this important fund. Further, the Welsh Government should clarify what will happen to the unspent £3.690m from the 2022-23 Budget, and confirm that it will be allocated to actions within this area.

Response: Accept

This Welsh Government grant has been an important tool for progressing work to improve sites and create new ones. Local Authorities do not have to use the grant to do this, it can be prioritised from within existing budgets.

Proposals for new sites and even for improvements are often complex. This means they are rarely brought to fruition swiftly and a proposal may have been in development for some time before a grant application is made.

The Minister for Social Justice is aware of the concerns and shares the view of the vital need to maximise investment in new sites and improvements to existing sites. Given the challenges, active engagement and championing by Welsh Government is important in moving things forward, and officials are in the process of meeting representatives of the communities and Local Authorities across Wales to assess need and scope to take up the grant.

The unspent £3.690 million in 2022-23 has not been allocated to other actions within the Social Justice portfolio. This underspend has been used to offset pressures in other areas across Welsh Government.

Recommendation 9.

The Welsh Government should clarify before the debate on the Final Budget (scheduled for March 2023) where funding for the crisis fund to support women with No Recourse to Public Funds will come from. Further, the Welsh Government should clearly set out its spending priorities for 2023-34 in terms of delivering the VAWDASV strategy.

Response: Accept

The Minister for Social Justice is clear that the problems of people with no recourse to public funds is entirely of the UK Government's making. The 'Nation of Sanctuary' approach clearly sets out Welsh Government values.

The Committee recommended that the Welsh Government should establish a crisis fund that service providers can access to support migrant women who are victims or survivors of Sexual and Gender Based Violence and are subject to No Recourse to Public Funds, using the Scottish Government's 'Ending Destitution Together' strategy as an example. The Welsh Government has accepted this recommendation and work is underway to establish such a fund.

It is important that this fund ensures there is comprehensive support for those fleeing VAWDASV with NRPF. That includes subsistence, accommodation and specialist, culturally appropriate support. Officials are exploring options with the Minister for Social Justice to provide the right level of funding for this support.

In terms of spending priorities for 2023-24, it is clear that the cost of living crisis is impacting on the VAWDASV specialist sector and its ability to offer life saving support to victims and survivors. In addition to the increased costs of running a service, the crisis is exacerbating the abuse experienced by victims and survivors. If services aren't able to respond to this increase, the cost of living crisis will prevent women from fleeing abuse.

The Welsh Government funds VAWDASV regions and specialist services to provide invaluable and lifesaving support to all victims of VAWDASV. This includes early intervention, preventative and educational support, perpetrator intervention programmes, Independent Domestic Violence Advocates for high-risk victims as well as therapeutic recovery interventions for the ongoing support of those impacted by VAWDASV.

The VAWDASV indicative draft revenue budget for 2023-2024 is £8.005 million, which includes an uplift of 1.65%, an increase of £130,000 from the indicative budget. The Minister for Social Justice has prioritised funding for the VAWDASV Regions and the specialist services that the Welsh Government directly funds and has increased their allocations by 5% and 4% respectively. We have received expressions of thanks from those we fund for this increase, which will ensure vital and life-saving services are able to continue supporting those impacted by VAWDASV.

The VAWDASV National Strategy, published in May 2022, will be delivered through a blueprint approach, which brings together devolved and non-devolved

organisations, as well as strengthening the partnership between public private and specialist sectors. Part of this approach will be a working group, co-chaired by one of our National VAWDASV Advisers, looking at sustainable commissioning to ensure that there is a collaborative approach to commissioning VAWDASV services that reduces duplication and targets support and intervention where it is needed most. This will ensure that, through collective action, we are able to respond to emerging issues such as the cost of living crisis meaning that no matter where a victim lives in Wales, there is a strong public and specialist service ready to help.

Overseeing the delivery of the strategy and blueprint is the National Partnership Board, which is co-chaired by the Minister for Social Justice and PCC Dafydd Llewelyn. The cost of living crisis was discussed at the last board held in October and will continue to be an important consideration at future meetings.

Recommendation 10.

The Welsh Government should commission independent, expert research advice to improve how we measure the effectiveness and impact of preventative spending measures, the findings from which should be shared with the Committee before the end of the summer term.

Response: Accept in Principle

Through our reformed Budget Improvement Impact Advisory Group (BIIAG) we are engaging with key stakeholders on improving budget and tax processes. Our Budget Improvement Plan already outlines the actions we are taking on prevention.

Prevention is a complex area. It is important to recognise there is a spectrum ranging from preventing people from dying or businesses collapsing at the more acute end of the spectrum - as we saw during the pandemic; to longer term action at the other end, such as through investing in early years and education to break intergenerational inequality.

Through the BIIAG workplan for 2023 we will explore how we can develop our work on prevention recognising this is long term ambition. As part of this work, we will consider the case for using commissioned expert advice, balanced against the costs of doing so – this will not be before the end of the summer term. We will also continue to engage with international experts and other nations to draw on best practice in areas of wider budget process improvement.

Recommendation 11.

The Welsh Government should review the Strategic Integrated Impact Assessment with a view to publishing a more detailed account of how Draft Budget decisions impact on different groups in advance of the Final Budget.

Response: Reject

While we are committed to improving how we undertake and outline the impacts of our spending decisions such an approach must be proportionate.

We continue to outline the steps we are taking to make improvements to our Strategic Integrated Impact Assessment process as part of our Budget Improvement Plan which is published alongside the Draft Budget. This year we have worked collaboratively with the Budget Improvement Impact Advisory Group (BIIAG) to explore how we undertake the SIIA process; this has included some changes within the SIIA published as part of this year's Draft Budget. Further longer-term actions are being explored through continued working with the BIIAG to review our approach to assessing impacts of budget decisions as part of the Budget Improvement Plan (BIP).

It also remains important to recognise that this SIIA outlines the contextual evidence that has supported our spending decisions. It is just one of a suite of documents published as part of our Draft Budget, with the impact of spending decisions outlined as part of the main narratives in chapters four, complemented by the SIIA at Annex A. In addition, we publish an extensive summary of all Ministers' written evidence to Senedd scrutiny committees on allocations within each MEG; this will provide a more detailed account as to how Draft Budget decisions have impacted on different groups.

Recommendation 12.

The Welsh Government should publish a distributional analysis in time for the Final Budget.

Response: Reject

The Budget Improvement Plan sets out our plans for developing and improving distributional analysis. We published an initial report alongside our 2021-22 budget and expanded on this last year alongside our 2022-23 budget. We have committed to publishing distributional analysis when there are new methodologies or new data developments.

The analysis is undertaken on broad spending priorities and, as such, only very large changes in spending would show up as changes in the distribution of spending. This means that the analysis published alongside the budget last year will still be appropriate to use for the 2023-24 budget.

The analysis mainly relies on data from the Family Resources Survey (FRS) and from the National Survey for Wales. The Covid pandemic impacted on the FRS fieldwork and response rates. Because of this, any analysis would be based on the same data as in the 2022-23 budget. In addition, the National Survey only includes relevant questions on public service use on a periodic basis, because there is little change over time in responses to these questions. There are no updates to the relevant National Survey data on which to update the analysis.

We are committed to updating and improving the analysis where appropriate and possible. Additional questions were included in the National Survey in 2022-23, with results due to be published in summer 2023. The intention is to publish an updated expenditure distributional analysis alongside the 2024-25 Draft Budget.

Chair, Children, Young People, and Education Committee
Chair, Climate Change, Environment, and Infrastructure Committee
Chair, Culture, Communications, Welsh Language, Sport, and International Relations Committee
Chair, Economy, Trade, and Rural Affairs Committee
Chair, Equality and Social Justice Committee
Chair, Health and Social Care Committee
Chair, Legislation, Justice and Constitution Committee
Chair, Local Government and Housing Committee

8 March 2023

Dear Committee Chairs,

Scrutiny of the Draft Budget 2023-24: Evidence provided by the Welsh Government

In our [report](#) on the scrutiny of the [Welsh Government Draft Budget 2023-24](#), we made several recommendations relating to budget presentation improvements. We also agreed to consult Committees on the documentation provided by the Welsh Government alongside its Draft Budget proposals, concluding that:

"Conclusion 1. We welcome the Minister's willingness to consider ways in which budget documentation can be improved. While we have reflected our views above, the Committee has decided to consult Senedd committees on their experiences of scrutinising this year's budget documentation and ways in which improvements can be made."

As a result, in reflecting on this year's budget scrutiny experience and in seeking improvements to the budget documentation provided by the Welsh Government at the 2024-25 Draft Budget and beyond, I would be grateful for the views of your committee in response to the following question:

What improvements would you like to see in the Welsh Government's Draft Budget documentation and subsequent ministerial written evidence?

Please make reference to the timeliness, quality and usefulness of any documentation and/or evidence received in your response.

We would appreciate responses by **Friday 28 April 2023**. Your views will then be collated and fed back to the Minister for Finance and Local Government, for her consideration in advance of the Budget Priorities 2024-25 Plenary debate that will be led by the Finance Committee and take place before summer recess.

Yours sincerely,



Peredur Owen Griffiths MS
Chair, Finance Committee

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.



Jane Hutt AS/MS
Y Gweinidog Cyfiawnder Cymdeithasol
Minister for Social Justice

Eich cyf/Your ref
Ein cyf/Our ref

Jenny Rathbone MS
Chair
Equality and Social Justice Committee
Senedd Cymru
SeneddEquality@Senedd.Wales

15 March 2023

Dear Jenny,

Thank you for your letter of 17 February about the Retained EU Law (Revocation and Reform) Bill. It raises a number of points on which my colleague, the Counsel General and Minister for the Constitution, has already responded to the Legislation, Justice and Constitution Committee, on two occasions, and I have included the same relevant material in this letter.

The responses to the points that you raised are set out below.

Provide the Welsh Government's view on the impact of the Bill on matters within the Committee's remit in Wales.

The Bill is essentially an enabling Bill and its full implications will be influenced by policy choices of UK Government Ministers about which pieces of legislation should be retained, amended, or left to sunset. Unless and until that detailed information is provided, we are all working in a very uncertain situation, with the obvious attendant difficulties that that causes both for the Welsh Government, and for your Committee in a scrutiny role. We hope to have fuller information very soon from the UK Government and will be able to discuss more fully with your Committee the particular implications for matters within its remit then.

Provide the Committee with a list of relevant Retained EU Law (REUL) made by the Welsh Ministers within its remit.

We intend to provide the Senedd with a list of all REUL made by Welsh Ministers.

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

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

Provide a response from Welsh Government to stakeholder views on the impact of the Bill on Wales' equality and human rights.

We are not aware of any particular stakeholder views to which the Committee refers.

Set out the Welsh Government's plans to use the Bill's powers in relation to standards within this Committee's remit.

In general, our position is that retained EU law, like EU law before it, works well. We have no intention of using any powers in the Bill to alter any standards in the remit of your Committee.

The EHRC is the regulatory body which is responsible for enforcing and monitoring the Equality Act 2010. The EHRC in its briefing for the House of Lords second reading of the Bill, in February 2023, expressed concerns that: "*the volume and speed of changes required by the Bill will make it hard for devolved governments and public bodies in Wales and Scotland to comply with the law such as by publishing equality impact assessments. This risks regression in equality and human rights **standards***". We share this valid concern and would concur with the EHRC's recommendation for "the Bill to be amended to ensure the effective scrutiny of any regulations which could result in changes to equality and human rights protections."

Provide information on what discussions Welsh Government have had with other governments in the UK about the impact of the Bill on matters within the Committee's remit and whether/how any changes to relevant REUL might be coordinated, if the Bill is passed.

We have made clear to the UK Government the importance of appropriate co-ordination on all pieces of REUL covering devolved matters, or which have an impact on devolved matters. We work closely with the Scottish Government on matters of mutual interest. We maintain close co-operation with officials in the Northern Ireland Civil Service on appropriate matters.

Explain how and whether relevant items on the Welsh Government's legislative programme might be affected.

We will continue to share information about the Bill as it becomes available, and we are open to having preliminary discussions in confidence about potential implications for business in the Senedd.

Provide the Welsh Government's view on how the Bill might interact with Wales' equality and human rights international obligations.

The Welsh Government is keen to ensure that anything arising from the REUL Bill does not jeopardise its compliance with any international obligations. Given the complex nature of compliance, and the UK Government's responsibility for international relations, we will need to engage further with the UK Government to understand better their approach to this issue. We will revert to the Committee in due course in light of their response.

Provide the Welsh Government's view on how the Bill might interact with the UK Government's Bill of Rights Bill, if it is reintroduced.

It is premature to be able to provide an assessment of any such impact until, at least, the precise intentions of the UK Government in relation to relevant policy areas governed by pieces of REUL are clearer, and until there is any clear action from the UK Government by way of progressing the Bill of Rights Bill. At present, the Bill remains introduced but has not progressed to a 2nd reading in the House of Commons.

A handwritten signature in black ink that reads "Jane Hutt". The signature is written in a cursive style with a long horizontal stroke above the first letter 'J'.

Jane Hutt AS/MS

Y Gweinidog Cyfiawnder Cymdeithasol
Minister for Social Justice

Jane Hutt MS
Minister for Social Justice
Welsh Government

17 February 2023

Dear Jane,

Retained EU Law (Revocation and Reform) Bill

On Monday 13 February 2023 we noted correspondence shared by the Legislation, Justice and Constitution Committee relating to the Retained EU Law (Revocation and Reform) Bill. In light of the information contained within that correspondence, we would be grateful if you could provide clarification on the following matters.

Please can you:

- Provide the Welsh Government's view on the impact of the Bill on matters within the Committee's remit in Wales;
- Provide the Committee with a list of relevant Retained EU Law (REUL) made by the Welsh Ministers within its remit;
- Provide a response from Welsh Government to stakeholder views on the impact of the Bill on Wales' equality and human rights;
- Set out the Welsh Government's plans to use the Bill's powers in relation to standards within this Committee's remit;
- Provide information on what discussions Welsh Government have had with other governments in the UK about the impact of the Bill on matters within the Committee's

remit and whether/how any changes to relevant REUL might be coordinated, if the Bill is passed;

- Explain how and whether relevant items on the Welsh Government's legislative programme might be affected;
- Provide the Welsh Government's view on how the Bill might interact with Wales' equality and human rights international obligations; and
- Provide the Welsh Government's view on how the Bill might interact with the UK Government's Bill of Rights Bill, if it is reintroduced.

We would welcome a response by 1 March 2023.

Yours sincerely,

A handwritten signature in black ink on a light-colored background. The signature reads "Jenny Rathbone" in a cursive, flowing script.

Jenny Rathbone MS

Chair of the Equality and Social Justice Committee

Agenda Item 4

By virtue of paragraph(s) vii of Standing Order 17.42

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Agenda Item 5

By virtue of paragraph(s) vii of Standing Order 17.42

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Agenda Item 6

By virtue of paragraph(s) vii of Standing Order 17.42

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