

Dr Andrew Goodall
Ysgrifennydd Parhaol
Permanent Secretary



Llywodraeth Cymru
Welsh Government

27 June 2023

Dear Ms Rathbone MS

On 27 May 2022, I wrote to you with the Welsh Government's response to recommendation 3 of the Equality and Social Justice Committee's report Annual scrutiny of the Future Generations Commissioner: An update as the recommendation concerned the training and professional development of the Welsh Government civil service. In relation to the report's claims of a 'heavy reliance' on the Commissioner by the Welsh Government, I stated that further analysis would take place and that Welsh Government officials would work with the Commissioner's officials to better understand the nature and quantity of these requests for support to provide a clearer picture on the situation and to help the Commissioner manage their resources.

In your letter to the Commissioner on 23 March 2023, you refer to a perception that 'too much of the Office of the Future Generations Commissioner's time and resource has been dedicated to helping the Welsh Government apply its own legislation, sometimes to the detriment of other public bodies'. I therefore wanted to take this opportunity to share Annex A below, which provides an analysis of the Welsh Government's requests for support to the Commissioner's office in 2021-22. Welsh Government officials have worked closely with the Commissioner's officials in developing this analysis and I am grateful for the collaborative approach we continue to take in strengthening sustainable development within Wales.

*Yours,
Andrew Goodall*

Dr Andrew Goodall
Ysgrifennydd Parhaol/ Permanent Secretary
Llywodraeth Cymru/ Welsh Government

Cc: First Minister, Minister for Social Justice and Chief Whip, Minister for Finance and Local Government, Chair of the Public Accounts and Public Administration Committee, Future Generations Commissioner for Wales.



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ANNEX A: ANALYSIS OF WELSH GOVERNMENT 'REQUESTS FOR SUPPORT' TO THE FUTURE GENERATIONS COMMISSIONER'S OFFICE

BACKGROUND

In May 2022, following the Equality and Social Justice Committee's reference of a 'heavy reliance' on the Future Generations Commissioner for Wales by Welsh Government, officials in the Sustainable Futures Division have worked with the Commissioner's officials to better understand the nature and quantity of these Welsh Government requests to provide a clearer picture on the situation and to help the Commissioner manage her resources. Welsh Government demand on the Commissioner has been raised publicly on several occasions.

Example 1: on [1 February 2021](#), at the Public Accounts Committee (fifth Senedd), the Commissioner stated that:

So, over the last two and a half years, we've had 663 requests for advice from public bodies; 43 per cent of those requests have been from Welsh Government [...]

Example 2: on [7 February 2022](#), at the Equality and Social Justice Committee, the Commissioner stated that:

So, in all, we've received, to date, 1,061 requests for support since May 2018 [...] The number of requests from public bodies in total is 362 [...]. Of those 362, 157 have come solely from Welsh Government. The Welsh Government are one public body out of 44, and yet almost half of all requests for support are coming from Welsh Government and, as I said, often in these big, meaty topics and subject areas.

Example 3: on [11 April 2022](#), the Equality and Social Justice Committee published their report *Annual scrutiny of the Future Generations Commissioner: An update*, which stated:

There appears to be a heavy reliance on the Commissioner's office by the Welsh Government to support and advise on how the Act is incorporated into its work and this necessitates a culture change.

Recommendation 3 of the report stated:

The Welsh Government should set out how it uses training and professional development to ensure its employees fully understand and comply with the Act, so as to reduce the apparent need for reliance on the Commissioner's office.



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On [27 May 2022](#), the Permanent Secretary responded:

The Commissioner has suggested that the Welsh Government have accounted for around fifteen percent of the total requests for support received by her office since May 2018. Further analysis is required to establish the nature of these requests to substantiate claims of a 'heavy reliance' on the Commissioner by the Welsh Government and to what extent these requests for support stem from a lack of understanding of how to comply with the Act. Officials are working with the Commissioner to better understand the nature and quantity of these Welsh Government requests to provide a clearer picture on the situation and to help the Commissioner manage her resources.

On [23 March 2023](#), the Chair of the Equality and Social Justice Committee wrote to the new Commissioner to welcome him into his new role. The letter included the following wording:

Our report recommended that to aid transparency and scrutiny of the relationship between the Commissioner and the Welsh Government, you should consider how business with Ministers is conducted, including how meetings and communications are recorded and disclosed. This would help address the perception that too much of the Office of the Future Generations Commissioner's time and resource has been dedicated to helping the Welsh Government apply its own legislation, sometimes to the detriment of other public bodies.

On [24 April 2023](#), the Commissioner responded:

In your letter you refer to a perception that too much of the Office of the Future Generations Commissioner's time is dedicated to supporting the Welsh Government to the detriment of other public bodies. This is something I will pay close attention to. However, I must say, on the evidence of the last few weeks this has not been my impression.

ANALYSIS

Example 1: From 2018-19 to 2020-21, the Commissioner's office received 268 requests for advice from public bodies, of which 124 were from Welsh Government and 144 from other public bodies.

Example 2: The figure of 157 Welsh Government requests aligns to the information provided for 2018-19 to 2020-21 (further information is provided in the sources of information section). In this period, Welsh Government request for support represented around 15% of all requests for support. The figures quoted by the Commissioner here also include requests that were not actioned by the office.



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Example 3: The Commissioner’s office provided the Sustainable Futures Division with information from 2021-22 on the Welsh Government requests for support, the other public body requests for support, and all other requests for support. Estimates of the time ranges required to respond to these requests was also provided from ‘minimal’ (up to one hour) to ‘gold’ (more than ten days). The table below summarises this information.

Requests for support vary from basic queries and requests for information to invitations to be involved in significant projects. The Commissioner is not a statutory consultee on Welsh Government decisions apart from on developing national indicators and milestones, statutory guidance on the Well-being of Future Generations (Wales) Act 2015 (WFG Act), and in amending the list of bodies subject to the WFG Act.

Requests for support to the Future Generations Commissioner’s office (2021-22)					
Requests for support	Number of total requests received	Number of requests accepted*	Response time required (hours)**	Human resource (FTE)***	Percent of time taken (%)
Welsh Government	49	32	493.50	0.26	36
Other public bodies	84	67	264.00	0.14	19
All other	239	161	609.75	0.33	45
TOTAL	372	260	1367.25	0.73	100

* Also includes entries listed as ‘completed’, ‘in progress’, or ‘part of a workstream’.

** Taking the mid-point of the time ranges listed.

*** Assuming 42-hour working week with 38 days leave.

On the quantity of the ‘requests for support’, the analysis shows that, in 2021-22, 12.3% of actioned ‘requests for support’ came from Welsh Government, representing 36% of the total time commitment required by the Commissioner’s office (0.26 FTE). It is worth noting that responding to these requests represents a small part of the Commissioner’s office’s time and human resources.

To better understand the nature of the Welsh Government requests for support, and the responses they received from the Commissioner’s office, feedback was requested from all the Welsh Government teams that had required a ‘bronze’ level and above time commitment from the Commissioner’s office (more than one day’s work equivalent) to better understand the nature and purpose of the engagement with the Commissioner. The summary of the findings is presented below.

CONCLUSIONS

- There is not sufficient evidence to substantiate claims of a ‘heavy reliance’ on the Commissioner by the Welsh Government.



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- The Commissioner's team were invited to be involved in projects as stakeholders as part of normal involvement and engagement approaches by teams, and to invite or provide an opportunity for the Commissioner to comment if they so wish. As many of these pieces of work interact heavily with the WFG Act, it is a logical decision to involve the Commissioner, and engagement is of mutual benefit.
- The requests are not stemming from a lack of officials' understanding of the WFG Act.
- The lower end of the time estimates from the Commissioner's team seem broadly accurate, although in two instances it was felt that the time commitment suggested was inflated.
- Welsh Government officials are happy with the quality of input they had from the Commissioner's officials.
- Most Welsh Government officials feel there is sufficient support within Welsh Government for teams to apply the sustainable development principle, although it was acknowledged that more tailored guidance would be beneficial in some areas at the early stages of policy development.
- The wording 'requests for support' does not accurately capture the nature of the interactions between Welsh Government and the Commissioner's office. In many instances, these 'requests' would be more appropriately labelled 'invitations to be involved', in public consultations, for example.
- As part of the five ways of working that make up the sustainable development principle in the WFG Act, Welsh Government uses various methods to involve people and stakeholders (including Commissioners) in the policy process and to maximise integration with policies and approaches taken more widely across Wales.



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