



Cynulliad Cenedlaethol Cymru The National Assembly for Wales

Y Pwyllgor Cymunedau, Cydraddoldeb a Llywodraeth Leol The Communities, Equality and Local Government Committee

**Dydd Mercher, 1 Mai 2013
Wednesday, 1 May 2013**

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Cofnodir y trafodion yn yr iaith y llefarwyd hwy ynndi yn y pwyllgor. Yn ogystal, cynhwysir trawsgrifiad o'r cyfieithu ar y pryd.

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.

Aelodau'r pwyllgor yn bresennol Committee members in attendance

Peter Black

Democratiaid Rhyddfrydol Cymru
Welsh Liberal Democrats

Christine Chapman	Llafur (Cadeirydd y Pwyllgor) Labour (Committee Chair)
Janet Finch-Saunders	Ceidwadwyr Cymreig Welsh Conservatives
Mike Hedges	Llafur Labour
Mark Isherwood	Ceidwadwyr Cymreig Welsh Conservatives
Gwyn R. Price	Llafur Labour
Kenneth Skates	Llafur Labour
Rhodri Glyn Thomas	Plaid Cymru The Party of Wales
Jenny Rathbone	Llafur Labour
Lindsay Whittle	Plaid Cymru The Party of Wales

**Eraill yn bresennol
Others in attendance**

Lesley Griffiths	Aelod Cynulliad, Llafur (Y Gweinidog Llywodraeth Leol a Busnes y Llywodraeth) Assembly Member, Labour (The Minister for Local Government and Government Business)
Reg Kilpatrick	Cyfarwyddwr Llywodraeth Leol, Llywodraeth Cymru Director for Local Government, Welsh Government
Owain Lloyd	Dirprwy Gyfarwyddwr Gweithrediadau, Llywodraeth Cymru Deputy Director of Operations, Welsh Government

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

Sarah Bartlett	Dirprwy Glerc Deputy Clerk
Marc Wyn Jones	Clerc Clerk

*Dechreuodd y cyfarfod am 9.15 a.m.
The meeting began at 9.15 a.m.*

**Cyflwyniad, Ymddiheuriadau a Dirprwyon
Introduction, Apologies and Substitutions**

[1] **Christine Chapman:** Bore da. Welcome to the Assembly's Communities, Equality and Local Government Committee. I remind Members that if they have any mobile phones or BlackBerrys they are to be switched off. We have not received any apologies this morning.

**Sesiwn i Graffu ar Waith y Gweinidog—Y Gweinidog Llywodraeth Leol a
Busnes
Ministerial Scrutiny Session—Minister for Local Government and Government
Business**

[2] **Christine Chapman:** The first item on the agenda is a ministerial scrutiny session. Again, I would like to welcome the Minister for Local Government and Government Business, Lesley Griffiths. Welcome, Minister.

[3] **The Minister for Local Government and Government Business (Lesley Griffiths):** Thank you.

[4] **Christine Chapman:** Welcome also to Reg Kilpatrick, director of local government and public service, and Owain Lloyd, deputy director of operations. I welcome all of you here this morning. Obviously, this is the Minister's first attendance at the committee with her new portfolio and the committee looks forward to working with you, Minister.

[5] **Lesley Griffiths:** Thank you.

[6] **Christine Chapman:** Thank you for providing the paper in advance. The Members will have read that carefully, so we will go into questions if you are happy with that. I just want to start off with a very broad question. Could you tell me your immediate and longer term priorities for local government? How do they differ from those of your predecessor?

[7] **Lesley Griffiths:** Well, six weeks into the job, they probably do not differ from those of my predecessor; they are fundamentally the same, obviously. The programme for government sets out our priorities for local government. Improving public service is obviously a massive priority. We need to make sure that we support the delivery of services and make sure that the most efficient services meet the needs of the people of Wales. Longer term, strengthening local democracy is a priority. We need to make sure that there is effective collaboration between local authorities. I do put emphasis on that word 'effective'. It should not just be collaboration for collaboration's sake. It has to be for a reason.

[8] Specifically, one aspect of strengthening local democracy is the very brave decision that my predecessor took in relation to Anglesey, which I think has paid dividends, and tomorrow there will be the election. I very much look forward to seeing the outcome of that and we hope that there will be a very sustainable form of democracy there after tomorrow. I am taking through the Local Government (Democracy) Wales Bill. That will become law in the summer, hopefully; it is going through the Assembly. I think that the Local Government Boundary Commission for Wales will then be able to get on with its work in a much better way.

[9] Supporting and developing local scrutiny is very important. We had a huge number of new councillors in the local government elections last year. It is very important that they particularly are supported, but obviously we have the provisions of the Local Government (Wales) Measure 2011.

[10] I want to follow up the commitments in the democracy White Paper to review local government's ethical framework to ensure that that is robust and fit for purpose. That is very important. I want to support continuous improvement by redefining outcome agreements so that there is much more of a focus on collaboration and improvement. You will have heard me say as the Minister for Health and Social Services—and that has not changed as the Minister for local government—that I am very keen on best practice: where we see pockets of best practice, we must make sure that that is rolled out across Wales. It is very frustrating for

Ministers to see best practice being hung on to and not shared.

[11] The programmes to deal with violence against women and the domestic abuse of both men and women are very important and are somewhere where I want to have a focus. I am completing the roll-out of the 500 additional community safety officers tomorrow. I am going out on patrol with one of them and I am looking forward to that. I think that that is another very important aspect of our programme for government. So, those are just a few examples.

[12] **Christine Chapman:** Obviously, that covers a lot of things that the committee would be interested in hearing about. I will ask Members to come in now because I know that they want to delve in to some of the specific things that you have mentioned in more detail. I think that Jenny wanted to come in next.

9.20 a.m.

[13] **Jenny Rathbone:** Well, I am obviously very keen to find out how well you think the effective collaboration between public services is going. What progress do you think has been made to implement the Simpson compact now it is nearly 18 months old?

[14] **Lesley Griffiths:** I suppose, again, it is a bit like with best practice—you see pockets of collaboration that are working really well. However, it would be safe to say that the pace of some of the collaboration is quite frustrating. Clearly, one of the things that Carl did was to bring forward the regional collaboration fund to bring some pace and speed to it, which I think has been successful.

[15] Again, it is an aim in our programme for Government to support the delivery of effective and efficient services that meet the needs of the people of Wales, and collaboration is very much a part of that. We have to have a very consistent approach and make sure that local authorities know what the message is about collaboration.

[16] **Jenny Rathbone:** Can you give us a hint of some of these best practices that you are going to roll out across the patch?

[17] **Lesley Griffiths:** Yes. In fact, in my previous portfolio, I went to one up in north Wales. All the local authorities in north Wales had got together to provide services for looked-after children. It is an excellent piece of collaboration. I think that I launched it in February and it started in October. They were able to demonstrate the savings right away. Now, collaboration is not just about saving money—I would be the first to say that—but why is that not being rolled out? I hope that other local authorities are looking at local authorities in north Wales and seeing what they are doing. So, that is just one example. My very first day in this portfolio, I launched a project in Gwent about missing children, which is an excellent piece of collaborative work. It is important that that collaboration agenda is taken forward. We obviously face huge funding challenges right across the public services, not just in local government, and it is very important that we proceed with that collaboration.

[18] **Jenny Rathbone:** What are the barriers to rolling out the looked-after project that you have in north Wales? Everybody mentions the Gwent initiative in relation to older people, but why has it not been copied elsewhere?

[19] **Lesley Griffiths:** Yes, you are right, everybody does mention the Gwent frailty programme and I specifically did not mention it because, as I say, I have seen another two very recently. What are the barriers? I think that cost could be a barrier at times and that is why Carl brought forward the regional collaboration fund to incentivise, if you like, local authorities to be innovative. It is very important that they are innovative. They have to think outside the box. They have to look at new ways of doing things. I keep saying that it is not

about doing the same things differently; it is about doing different things. So, I think that cost could have been a barrier, but hopefully we have overcome that.

[20] **Jenny Rathbone:** Looking at this initiative for looked-after children across the north Wales councils, what powers do you have to strongly reinforce the need for other local authorities in other parts of Wales to look at something that can demonstrate that it is both improving services and saving money?

[21] **Lesley Griffiths:** Well, my role is certainly to encourage. You do not want to have to wield a big stick, but at the moment I am going round meeting all leaders and chief executives of local authorities—I am up to 12 now of the 22—and I am having that conversation with them. I have been very pleasantly surprised about how keen on collaboration they are because, on the outside looking in, I would have thought they would have been digging their heels in, but they are not. They are very open to collaboration. They know that the best services cannot be provided in isolation. They have to be collaborative and they have to work together.

[22] **Jenny Rathbone:** How significant is this £10 million regional collaboration funding to oil the wheels?

[23] **Lesley Griffiths:** As I say, it is there to incentivise. I have just given the green light to the first tranche of projects. There is one in the Western bay regional footprint area about social services. You can imagine that it is an area where I am very keen to see much more collaboration between health and social services. They do not have to worry about the funding, they can just focus on getting the services right. I have just awarded funding to a project that aims to reduce energy bills for people in Wales through the collective buying of energy. So, there are some really different, innovative projects.

[24] **Jenny Rathbone:** Absolutely, particularly the collective energy project. However, why does this need money from you to get local authorities to do such things, when local authorities in England are all signing up for that sort of thing?

[25] **Lesley Griffiths:** As I say, it is to encourage and incentivise.

[26] **Christine Chapman:** I have Peter then Janet on the back of Jenny's questions.

[27] **Peter Black:** Minister, we are one month into the financial year and just a few minutes ago you pronounced the regional collaboration fund a success. I think that that may be a bit premature. Can you tell me what criteria you are applying to that fund to actually measure its success? What are you looking for in terms of success from it in the next 12 months?

[28] **Lesley Griffiths:** You are right, it has obviously only just started and I am not even sure whether I will do it again next year. I will have to have a look at the success of the projects this year. Certainly, coming into the post, I have been pleasantly surprised that local authorities have engaged so much. Everybody was not successful and that probably says something about the quality of the bids and the projects that were brought forward. It is the same with any fund. We will be monitoring it very closely and then I will take the decision.

[29] **Peter Black:** The Finance Committee, when it did its report on the budget, was very critical of this fund. It asked the question, 'Why do you need this fund when you have a very well-funded invest-to-save fund that could do the same thing?'

[30] **Lesley Griffiths:** They are different types of fund. In invest-to-save, you obviously put the money in and it has to be paid back. This is part of local government's money. It has

just been used to specifically incentivise. I know that it has not been welcomed across the board, but I think that it was a good thing to try to do. I have not made any decisions and I will not make any decisions as to whether we will continue it until probably after the summer in the autumn when I know what my budget is. We will need to monitor it very closely.

[31] **Peter Black:** Okay. I will not ask you my main question on collaboration. I always got the impression, listening to your predecessors, that Government has never really fully understood the drivers behind why local authorities collaborate and why collaboration fails. They have never really fully understood the motives and the issues involved. Collaboration is very people-centred, I think. When a collaboration project gets off the ground, often there are a whole range of barriers that local government has to overcome as part of that. Have you ever thought of looking at doing an in-depth project as to what actually causes collaboration to fail, what causes success and what factors you need to take account of as part of that?

[32] **Lesley Griffiths:** Yes, I will ask Reg to answer that question.

[33] **Mr Kilpatrick:** We have done some work on specifically that point. It was called Learning to Improve, which is a longitudinal study run by Cardiff Business School, the results of which are published and the final report will be published shortly. That went into a number of factors about why collaborations are successful and why they are not. It did not conclude that there was a specific reason. Obviously, there are a number of things, as the Minister has already said. The availability of finance without necessarily that finance having to be found from other budgets is a good one, hence the regional collaboration fund. The time it takes to deliver savings is another. Obviously, projects that deliver quicker savings are more attractive, but, at the same time, projects that deliver longer-term savings may also be quite attractive but more difficult to put through. Personalities and the commitment of leadership at official and chief executive level—and we will probably come on later to talk about some of the governance that Ministers have in place around local government and other parts of the public service—and at a political level could and does provide quite a unique authorising environment in Wales for some of these projects to take place.

[34] **Peter Black:** They sometimes conflict with each other.

[35] **Mr Kilpatrick:** Bringing those things together in a way that has a set of shared outcomes is not always easy.

[36] **Peter Black:** Yes. I am aware of one collaboration project that basically got buried with lawyers for years as they tried to thrash out all the legal issues. That is another thing that I think is a major problem as part of that.

[37] **Mr Kilpatrick:** Yes, but that reflects on the power of leadership to drive some of these changes.

[38] **Lesley Griffiths:** Peter mentioned invest-to-save and certainly, looking back, I do not think that local government have made the best of invest-to-save. I think that health has, but I do not think that local government has. When I came into the portfolio I asked why that was not the case and I think that leadership probably was the biggest barrier—or lack of leadership I should say.

[39] **Christine Chapman:** I think that it is also to do with communication filtering down to—

[40] **Lesley Griffiths:** Absolutely, yes.

[41] **Peter Black:** I have asked my own council, ‘Why did you not use invest-to-save on

this?’ and the answer has been, ‘It is too much hassle. We would much rather do it this way.’

[42] **Christine Chapman:** I have a number of Members who want to come in, but Janet is first.

[43] **Janet Finch-Saunders:** Thank you, Chair. Good morning, Minister.

[44] **Lesley Griffiths:** Good morning.

9.30 a.m.

[45] **Janet Finch-Saunders:** I have raised in the Chamber concerns about the data held by the Welsh Government on collaboration. While we are saying it is not all about savings, certainly, in the economic climate that we find ourselves in, that has to be one of the drivers. To be told that the Welsh Government does not collate that kind of information—. I know you have said previously that you would look at finding some, but how do you know whether something is successful or not if you do not know how many projects there are and what efficiencies have been gained thus far?

[46] I have seen good collaboration projects, but I have also seen projects collapse. In north Wales at the moment we have the CCTV project, which, I believe, is on the verge of collapse. I understand that it has taken a lot of money and time to put together, so I would really like you to have a look at that.

[47] I know your predecessor put a lot of emphasis on the public service leadership group and the partnership council as being the arenas and fora that acted as the gel that gelled collaboration. I just wondered whether we can scrutinise that, or what you intend to do to make that more of an effective body. If it is meant to be driving collaboration, then it would be good for us to see those kinds of results.

[48] One issue that arises of which I am aware is how you scrutinise collaboration on services, as there tends to be a little bit of shifting sands in terms of people saying, ‘Oh, well, that particular authority is driving that’. So, there has to be scrutiny of collaborative projects. There is some good practice out there, but it is a shame when there is a lot of time and resource wasted. The phrase I so often hear when it comes to collaboration is, ‘Turkeys don’t vote for Christmas’. True collaboration, when you are avoiding duplication, could mean that you need fewer people undertaking a role. That is when I think the obstacles really kick in, because people do become very precious about their own roles. I think that there are quite a few wrinkles in the system that need ironing out, and I think that this committee would be quite keen to scrutinise this, because collaboration has to work. I do not think that there is a choice about that. It is a much bigger deal that is going to have to happen.

[49] **Christine Chapman:** Do you have a question, Janet?

[50] **Janet Finch-Saunders:** Basically, I want answers to those questions, really, about the two boards—the public service leadership group and the partnership council—and about how you intend to ensure that there is effective scrutiny, efficiency, and that there are tangible savings and that you have those data sets to be able to collect that information.

[51] **Lesley Griffiths:** You did raise this in the Chamber with me last week and I said I would have a look at it, because you are absolutely right that we need to ensure that the projects are working, are value for money and are providing the best services and the right services for people.

[52] You mentioned the public service leadership group and the partnership council for

Wales. I am having my first meetings with them this month, I think. Obviously, I am very new to this post and I need to see how it works, but, certainly, looking at the public service leadership group, we have all the movers and the shakers, if you like, of public service in Wales on the group. Within that, you asked about how we will measure success, because we do not hold the data. We have the measurement group, which is chaired by the director general for finance, Michael Hearty. So, we have directors general attending. We have not just local government chief executives, but health chief executives, involved, and the police are involved, the auditor general is involved and the trade unions are represented, as is the Welsh Local Government Association. All the people to whom I will look to provide that leadership sit on that group, so I can see why Carl thought that group very important. Underneath that, you have the partnership council for Wales, the political leadership, which, again, is very important when you are taking these services through.

[53] I think that I said to you in the Chamber last week, Janet, that it is very important, if a project is not working, that we know it is not working. We have to have that framework in place to ensure that we know. It is always important to recognise when a project is not working. I do not want to see any waste of money. However, not everything can work in the way that we want it to. I want to see innovative projects coming forward and sometimes there is a risk. Government is very risk averse by its very nature, but sometimes you have to take that step. I think that it is important that we support people who are doing it, but, equally, that we know when it is not working.

[54] **Christine Chapman:** Okay. Thanks. We need to move on to other areas, because I know that a number of Members still want to come in. So, I ask that Members be very concise with their questions so that we can make sure that we cover everything that I know Members are concerned about. Mike is next.

[55] **Mike Hedges:** I have three very brief questions. If I can ask them one at a time it will be easier. Is it not true that, because local government has reserves, it has not had to use the invest-to-save fund? It has, effectively, borrowed money internally, and so is actually doing invest-to-save, but in a different way?

[56] **Lesley Griffiths:** Reserves is an area of interest. I was always interested in this when I was a backbencher. I have asked about reserves. I am asking the question as to why authorities are not using their reserves in a more focused way than they have been doing. Unfortunately, I think that the answer to the question as to why reserves are not being used sometimes is, 'We're saving it for a rainy day'. Well, we have had lots of rainy days; the umbrellas are definitely up. Certainly, I think that there needs to be much more of a focus on reserves. There is one local authority in particular that, it seems to me, has reserves that are far too high, so it is an area I am looking at. I am happy to submit a note on reserves in due course.

[57] **Christine Chapman:** Okay. Do you have another question, Mike?

[58] **Mike Hedges:** Yes. The district auditor also looks at the reserves and has a view on them. If we look at collaboration, before the last local government reorganisation, or in the one before that, we had a unitary district, urban district and rural district, and then we went to district councils. England still has district councils. There are a number of councils that are relatively small, which carry out a series of functions quite happily. Would you agree that there are a number of functions that are quite easily done by even the smallest local authorities in Wales, some of which are much bigger than some of the smallest in England, and there is no need for collaboration in these areas, whereas, in other areas, there are benefits to collaboration?

[59] **Lesley Griffiths:** Yes. As I say, I do not think that there should be collaboration for

collaboration's sake. I do not want to go back to the days of district councils, but I think that you cannot generalise with this. It has to be very specific.

[60] **Mike Hedges:** My last question on this is on something that is one of my hobbyhorses, and that is joint boards. The county councils have two major functions, education and social services, and they have been split up. I am a great fan of implementing joint boards to run those, which gives you both democracy and the size necessary to do it. Is that something you can look at?

[61] **Lesley Griffiths:** Yes, I can look at it.

[62] **Christine Chapman:** I have Mark next and then we are going to move on to another area.

[63] **Mark Isherwood:** Thank you, Chair. Ever since the Beecham report, there has been concern at local, local authority, and often regional level that driving forward regional collaboration should not also vacuum up those services that remain best delivered at community or local level. How do you reconcile the three different levels of collaboration—obviously, there is the regional collaboration, where services can be better delivered or delivered at a higher volume by collaboration than otherwise, with local service boards delivering within a county—with the need for local authority departments themselves to collaborate, which can often be the weak link in the whole structure? They can be collaborating with other agencies, but not even collaborating internally. Also, how do you integrate independent sector provision, particularly third sector provision? You have referred to one example today, which was collective energy purchasing. This morning I was chairing a cross-party group on fuel poverty, and we had a presentation on some research carried out by Consumer Focus on collective tariffs and also a reference to collective gas purchasing in off-gas areas, projects that are being delivered on a voluntary or third sector basis and where the bulk of knowledge acquired could be shared more widely at a strategic level.

[64] **Lesley Griffiths:** You are right that we have these layers and it is very important that they work together, including the third sector. I think that we have to differentiate between the organisation of services and the delivery of services. It is very important to differentiate between those. Going back to the public service leadership group, I think that is where we can look at the wider work of all the public service partners. It is not just about local government; it is about all the public service partners and making sure that we have the dissemination, the sharing of good practice, and the adoption of good practice.

[65] **Christine Chapman:** Okay, thank you. Mike wants to come in now.

[66] **Mike Hedges:** On scrutiny?

[67] **Christine Chapman:** Yes.

9.40 a.m.

[68] **Mike Hedges:** I have three questions on scrutiny, but I will ask them in one. Would the Minister consider putting out an advice note to councils on the number of scrutiny committees and how often they should meet? Secondly, will the Minister ensure that no-one can become chair of a scrutiny committee unless they have had scrutiny training? Thirdly, will the Minister reiterate the importance of scrutiny unfettered by the cabinet or leadership within the council?

[69] **Lesley Griffiths:** We do provide advice and guidance on the issues you mention, and the Local Government (Wales) Measure 2011 brought in a lot of things to strengthen the

democratic scrutiny of local authorities. Obviously, this is something I want to build on. For instance, councils must now have dedicated audit committees to scrutinise their financial affairs. I think that, prior to the Measure, a few councils did it but it was not mandatory, which it obviously is now.

[70] I can see what you are saying about somebody chairing a scrutiny committee and about the training and development of councillors, which you heard me mention before. We had a huge influx of new councillors last year. Of the 12 local authorities I have visited, there has been in each one a large group of new councillors. So, it is very important. I probably would consider that somebody should not be chairing a scrutiny committee without the level of training needed. We want good scrutiny. It is really important for members of the public that they know good scrutiny is happening in their local authority. So, this is something that we could certainly look at, but we do give advice and guidance to local authorities on scrutiny.

[71] **Mike Hedges:** I was just asking for those specific items to be considered the next time you do it.

[72] **Christine Chapman:** Okay, thank you. Janet, do you have a brief question?

[73] **Janet Finch-Saunders:** Yes. I am trying to take the politics out of this now, but, in some local authorities, the scrutiny chairs are part and parcel of the ruling coalition, or the executive. Do you not feel that the chair should be chosen on ability and merit rather than according to political tag?

[74] **Lesley Griffiths:** Yes.

[75] **Janet Finch-Saunders:** It used to be. It used to be the case that the scrutiny chairs were from the opposite political factor to the leadership, so that you had a really good balance, but I now know of local authorities—

[76] **Lesley Griffiths:** I think it is like here, is it not? You look at the abilities, as you say, of members, and it is up to them to decide who should be the chair. It is the same practice that we have here. The committee Chairs here are from all the political parties. I think that you do take politics out of it. Good scrutiny is not about politics.

[77] **Peter Black:** One of the issues with scrutiny is that local authorities suffer from the problem we had prior to 2006, which is that they have an executive/scrutiny split within a corporate body. That hampers effective scrutiny. I do not know whether you are looking at that particular issue.

[78] **Lesley Griffiths:** Yes. We have the heads of democratic services, who provide independent support and advice to scrutiny members.

[79] **Peter Black:** The issue is that it is within a corporate context.

[80] **Lesley Griffiths:** Yes, but not all members who undertook scrutiny functions before had advice and support. I think that it is very important that we put that in.

[81] **Mr Kilpatrick:** May I just say a few words on the heads of democratic services, which were introduced by the 2011 Measure? The support for scrutiny across Wales was highly variable. So, as regards the Government's intention as part of the discussions around the 2011 Measure—the idea of separating the scrutiny function altogether for various reasons—the Government did not, on the basis of the consultation exercise, take that forward. However, the work that we have done on establishing a much more robust, clear and,

hopefully, consistent set of arrangements for scrutiny across all authorities ought to improve the function enormously.

[82] **Lesley Griffiths:** May I just add that we are about to make regulations on joint overview and scrutiny committees to allow local authorities to establish a joint overview and scrutiny committee if they want to do that? I think that that would support the scrutiny of collaborative and joint working, for instance.

[83] **Peter Black:** The issue I am getting at is the level of support for members in terms of research and back-up, which is variable even with the head of democratic services. It is variable because it is a corporate body and they have other priorities, essentially. I think that that hampers effective scrutiny.

[84] **Christine Chapman:** I have Mark next, and then Jenny wants to come in.

[85] **Mark Isherwood:** How can we ensure that chairs and members of scrutiny committees can access independent advice and information? Only yesterday, I was approached by the chair of a scrutiny committee somewhere in Wales where it has been established that something has gone untoward and where some officers have been suspended. The members would like to, in the interest of public transparency, air this more publicly but the officers are telling them they cannot. In a circumstance like that, it would be helpful if there was a resource they could go to to establish what they can and cannot do. In most cases, they are reliant on only their own officials to tell them.

[86] **Lesley Griffiths:** I am assuming there must be legal issues around that. I do not really think I can comment on an individual.

[87] **Mark Isherwood:** I am thinking of a resource in a hypothetical council, where any chair or clerk or member of a scrutiny committee could check independently whether the advice they are receiving is complete.

[88] **Lesley Griffiths:** Again, I referred to the democratic services committee. That provides independent support and advice to all scrutiny members, so presumably they would go there.

[89] **Mark Isherwood:** They are getting advice from the same people.

[90] **Mr Kilpatrick:** I am not aware of any restriction on committee chairs or members as to where they can take advice from. I might be wrong, but I do not know the constitutions of all 22 authorities.

[91] **Mark Isherwood:** It is a case of members not being aware of anywhere they can go to to get that advice.

[92] **Lesley Griffiths:** I cannot see that they would be restricted to go anywhere. If they wanted legal advice, for instance, or—

[93] **Mr Kilpatrick:** In that case, in order to comment any more we would need to understand the restrictions on the committee or the chair, or the restrictions that they felt there were. As I say, I am not familiar with the standing orders of every authority and, therefore, do not know whether there are restrictions on securing independent advice from outside the council. There is always the monitoring officer, who is charged statutorily with providing clear, independent legal advice on issues.

[94] **Mark Isherwood:** I am aware of those, but we all know that occasions arise when

they need to go outside.

[95] **Jenny Rathbone:** One area that has considerable scrutiny is the regional education collaborations. Is there any scrutiny of how effective they are?

[96] **Lesley Griffiths:** I will ask Reg to answer this one.

[97] **Mr Kilpatrick:** This is not a part of my portfolio or expertise, but the regional education consortia are made up of various different models. I think that there is a joint committee and there is a company limited by guarantee, for example. The scrutiny arrangements for those would be determined by the structure of each model. I am afraid that is as far as I can go. There will be scrutiny. I am sure that education colleagues and the Minister for education will have made sure of that, but I could not give you the detail.

[98] **Jenny Rathbone:** Okay, but this is an area where, if we want future collaboration, we need to know that there is proper scrutiny as well as governance.

[99] **Mr Kilpatrick:** Yes, that is absolutely right, and scrutiny of collaborative activity is a challenge. That is partly why we have introduced the idea of joint scrutiny committees that can bring together members from across the public service to scrutinise different services.

[100] **Christine Chapman:** Thank you. We want to move on to another area now, and Lindsay wants to come in.

[101] **Lindsay Whittle:** Good morning, Minister. The best people to scrutinise local government, of course, are the electors themselves. One way of doing that is by televising council meetings. I know that the previous Minister made, I think, £1.25 million available. I would be interested to know what the take-up of that money has been, because I do not think that many local authorities televise their council meetings. I would be interested in your views on remote attendance. Minister, if the expense of setting up the televising of council meetings is monitored and evaluated and we find that no-one is using it, then what is the point?

9.50 a.m.

[102] **Lesley Griffiths:** In relation to the £1.25 million, no local authority refused the grant, but we need to follow up to see how each individual local authority is taking it forward. We do not currently require the broadcasting of council meetings, but we are encouraging it through the provision of the funding. Consultation on the code of practice and local authority publicity is something on which I am very keen. I have placed on record my support for councils to continue to do it and, as I go around meeting local authorities, it is something that I am reiterating. I think that it is very important for the public to know what is going on, and I am very much for openness and transparency. It is like social media; I do not have a problem with social media being used. We use Facebook and Twitter in the Chamber, if we want to, so I do not see why councillors should not be able to do the same.

[103] As I said, nobody refused the grant. Each principal council received £40,000. Both Carl and I have made it very clear what that money is for. It is specifically to assist in the promotion of local democracy and public engagement. Officials will be monitoring it and I have asked for an update in the autumn. I think that we need to give it a few months to see how it beds in.

[104] In relation to remote attendance, if we are to encourage more people to put themselves forward to become councillors, that is one thing that we need to promote. Again, we are taking that forward. Some local authorities are more engaged than others. If you think of the more rural local authorities, they probably need to have a bit more pace about it than

somewhere like Cardiff, for instance. If we are to encourage much more diverse membership of local government, it is something that we have to pursue.

[105] **Lindsay Whittle:** So, all 22 local authorities received £40,000 and you will have an update in the autumn as to how they spent that money; is that correct?

[106] **Lesley Griffiths:** I have asked for an update in the autumn, yes.

[107] **Lindsay Whittle:** Is it possible to share that with us?

[108] **Lesley Griffiths:** Of course.

[109] **Lindsay Whittle:** Lovely, thank you.

[110] **Christine Chapman:** Before I bring Gwyn in, Janet has a question.

[111] **Janet Finch-Saunders:** Yes, just a quick one. I was given to understand that Conwy County Borough Council had received £56,000, but I have raised concerns in the Chamber, because it is going to limit that to planning and licensing, which are quasi-judicial. Therefore, there is no effective scrutiny taking place. I think that the Minister is going to look into that, are you not?

[112] **Lesley Griffiths:** May I just come in on that? It is probably the money that it got for community councils; on top of the £40,000 to each principal council for promoting broadcasting, Carl also gave £500 for each community council, to develop or improve their websites.

[113] **Janet Finch-Saunders:** Also, I understand that there is a local authority in Wales that does webcasting as opposed to live streaming. It is receiving thousands and thousands of hits, which proves that there is demand for this. I also understand that Monmouthshire County Council has all the gear in place to do remote attendance, but it is concerned that, if it was to just go ahead and do it, there would be a question about the legality of its decisions and resolutions. Would the decisions and resolutions be legal if it was to suddenly start running its meetings by remote attendance? Apparently, legislation has not yet been passed to make those decisions legal. Do you have any intentions of bringing forward the legislation? Monmouthshire is all geared up. I was told on Sunday that it is ready to go with it, but that it is concerned about the legality of any decisions that are made.

[114] **Lesley Griffiths:** I am very pleased that one local authority has had thousands and thousands of hits. I think that it will be very interesting to see about that. As I say, I will have an update—it is far too early at the moment—in the autumn, which I am very happy to share with the committee.

[115] **Christine Chapman:** Would that be of all local authorities, not just Monmouthshire?

[116] **Lesley Griffiths:** That will be of all local authorities.

[117] In relation specifically to Monmouthshire and remote attendance, I have met with Peter Fox and Paul Matthews and it was something that they brought up. We said that we would work with them and that we would check the council's standing orders. If we want to encourage remote attendance, everything has to fit into place if people vote et cetera. They did raise concerns with me, and officials are working very closely with Monmouthshire council.

[118] **Peter Black:** May I just pick up on that?

[119] **Christine Chapman:** Yes, very briefly.

[120] **Peter Black:** Is there anything in the Local Government (Wales) Measure 2011 relating to remote attendance? Has that been commenced?

[121] **Mr Kilpatrick:** I am not sure; I would have to check.

[122] **Christine Chapman:** Can you write to us with that information?

[123] **Lesley Griffiths:** We will send a note on that, yes.

[124] **Gwyn R. Price:** Good morning. What are your views on the process used to determine the remuneration of senior officers and chief executives of local authorities?

[125] **Lesley Griffiths:** From March of last year, the Localism Act 2011 required local authorities to prepare and make available for public inspection—very important—a statement on their policy relating to the pay of their workforce. I think that this has encouraged local authorities to be much more open about their policies and also their decisions. That is much better for the people whom they represent, who elect them, to know the absolute cost of their senior officers.

[126] **Gwyn R. Price:** Do you think that it should be taken out of the hands of local authorities? Will you be looking into that possibility?

[127] **Lesley Griffiths:** No; I think that it is a matter for local authorities, because, ultimately, they are accountable to their electorate. I think that it is absolutely up to local authorities. However, I think that that information should be in the public domain.

[128] **Gwyn R. Price:** Do you believe—

[129] **Christine Chapman:** Before you go on, Gwyn, on this question I have Rhodri Glyn, Mike, Jenny and Peter.

[130] **Rhodri Glyn Thomas:** Fel Aelodau etholedig, rydym ni hefyd yn atebol i'n hetholwyr, ond pennir ein cyflogau ni yn annibynnol gan fwrdd taliadau annibynnol. Oni ddylai prif swyddogion cynghorau fod yn yr un sefyllfa o ran pennu eu taliadau?

Rhodri Glyn Thomas: As elected Members, we are also accountable to our constituents, but our salaries are decided independently by an independent remuneration board. Should senior council officials not be in the same position with regard to their salaries?

[131] **Lesley Griffiths:** I think that I have just answered that question, in my reply to Gwyn. I think that the local authorities are best placed to decide on their salaries, so long as that information is in the public domain.

[132] **Rhodri Glyn Thomas:** A allaf ofyn cwestiwn atodol, gan nad wyf yn derbyn yr ateb? Rwy'n credu bod hynny'n gadael prif swyddogion awdurdodau lleol mewn sefyllfa unigryw. Nid wyf yn ymwybodol o bobl eraill sy'n cael penderfynu ar eu taliadau eu hunain. Yr hyn sy'n digwydd mewn awdurdodau lleol yw bod trafodaeth yn digwydd rhwng y prif weithredwr a'r cynghorwyr ac, ar sail hynny, mae taliadau'n

Rhodri Glyn Thomas: May I ask a supplementary question, because I do not accept that response? I think that that places senior officials in local authorities in a unique position. I do not know of other people who can decide on their own salaries. What happens in local authorities is that a discussion takes place between the chief executive and councillors and, on the basis of that, salaries are decided.

cael eu pennu.

[133] Hoffwn ofyn cwestiwn penodol ynglŷn â'u swyddogaeth fel swyddogion sy'n gyfrifol am etholiadau. Oni ddylai hynny fod yn rhan o'u cylch gorchyl? Nid wyf yn ymwybodol bod pobl eraill yn cael eu talu yn ychwanegol am gyflawni rhywbeth sy'n rhan annatod o'u gwaith. Yn Abertawe, er enghraifft, mae'r cyfrifoldebau sydd ynghlwm â bod yn gyfrifol am etholiadau wedi'u cynnwys yn swydd ddisgrifiad y prif weithredwr. Oni ddylai hynny fod yn wir am bob un sy'n gyfrifol am etholiadau drwy Gymru?

I would like to ask a specific question about their function as returning officers. Should that not be part of their remit? I am not aware that other people are given additional pay for doing something that is an integral part of their job. In Swansea, for example, the chief executive is the returning officer and that is incorporated into his job description. Should that not be the case for all who are responsible for elections throughout Wales?

[134] **Lesley Griffiths:** You raised that issue with me last week in the Chamber, and I said that I would look into it. I do think that there is an anomaly there. I can understand why people would be concerned about that, and I will look into it.

[135] **Mike Hedges:** Before the mid 1990s, the situation was that councils set the salaries for councillors but that chief officers were on a chief officer's grade. That was set nationally, based upon population. That was changed because the Conservative Government at that time believed that local authorities, if they could offer more, could bring lots of very skilled people in from the private sector, bringing with them private sector skills that would have great advantages for local government. Whatever you think, that certainly has not happened in Wales. I would just ask the Minister to consider whether having a chief officer salary band, similar to those that exist for every other person in local government, would not make life a lot easier for councillors as well as for the public.

[136] **Lesley Griffiths:** I can certainly see that pay bands probably would do that. I really do think that the local electorate are the best people to decide on officer pay.

[137] **Jenny Rathbone:** Does the information about pay that local authorities are now obliged to publish include a gender audit, so that it is clear whether female staff are being paid to a different—

10.00 a.m.

[138] **Lesley Griffiths:** I am sorry; I would not know the answer to that. I will have to send you a note.

[139] **Jenny Rathbone:** Could you send us a note? It is quite important.

[140] **Mike Hedges:** It does for senior salaries.

[141] **Christine Chapman:** Okay, could you send us a note if there is any information there? I know that Peter's question has been asked, but I think that Janet has a brief question.

[142] **Janet Finch-Saunders:** Yes, I have to come in and support the Member, Rhodri Glyn Thomas, on this. I think that Caerphilly was a prime example where there was a complete lack of transparency and accountability. To have salaries inflated to the degree that they were at a time when front-line workers were facing a third year of a pay freeze and when we have seen hundreds of front-line workers walk out in protest, sent shockwaves across all local authorities. All local authorities have been getting bad press because of this and I have

even been asked by a chief executive, ‘For goodness’ sake, can’t we have our salaries taken out of our hands and decided by an independent board?’ The councillors’ remuneration board is already—

[143] **Christine Chapman:** Janet, do you have a question for the Minister, please?

[144] **Janet Finch-Saunders:** Yes. The councillors’ remuneration board is already doing the work on each individual authority, basing councillors’ special responsibility allowances on the actual demographics—the exact population. That work is in progress. Why can that panel not be extended to include the chief executive and corporate directors—those senior roles? We have eye-watering salaries now in Wales: £195,000 in Pembrokeshire. The Prime Minister is on £143,000.

[145] **Christine Chapman:** Janet, do you have a question?

[146] **Janet Finch-Saunders:** My question is: will you support any amendments coming forward to the Local Government (Democracy) (Wales) Bill that would see the remit of the remuneration panel include the pay of senior officers, chief executives and corporate directors? Somebody has to get a grip on this because it really is running away. It is just unfair.

[147] **Lesley Griffiths:** Obviously, Caerphilly is a matter for the police now—

[148] **Janet Finch-Saunders:** And there was Gwynedd.

[149] **Lesley Griffiths:** —so I will not comment on that. I will look at the amendments. I can assure you that I will look at the amendments. I go back to what I say is the most important thing, and that is that those salaries are out in the public domain, that there is complete transparency and people understand the salaries of the chief officers within their local authorities.

[150] **Christine Chapman:** Okay. Gwyn, would you like to read the question?

[151] **Gwyn R. Price:** Thank you for coming back to me. Does the Minister believe that transparency in local government could be improved in any way and, if so, how?

[152] **Lesley Griffiths:** I suppose that the short answer is that I am sure there is always room for improvement. It depends what you mean by ‘transparency’. I do not think that transparency is just producing reams of information about finances or anything. I think that any effective scrutiny has to be about transparency. It is about getting that information out into the public domain. I think that transparency is absolutely a core value for democracy.

[153] At the moment, I am going around meeting the chief executives and leaders of each local authority, which as you can imagine, with my commitments here, is taking a little bit of time. I certainly hope to have done that by the end of May. What I want to do then is revisit all 22 over the summer and meet both elected members and people working within local government to get their views on how they think that we can promote openness and transparency because I think that it is absolutely vital. Janet has just referred to everybody being tarred with the same brush. We do not want that and we want to again go back to good practice and improving on that. I absolutely want to build on what I am hearing from local authority leaders, but I do want to get out there and meet the workforce and the elected representatives from across the political parties and independent councillors to hear their views on how we can do even more to promote transparency and openness.

[154] Obviously, there are a number of measures that I am including in the Local

Government (Democracy) (Wales) Bill, which I think shows my commitment to improving transparency. I have made an amendment proposing that all councils should be required to publish their register of members' interests online. It is something that I am very keen on, very committed to, and I look forward to hearing their views on how they think we can do even more.

[155] **Christine Chapman:** I am going to move on now to Rhodri Glyn.

[156] **Rhodri Glyn Thomas:** Bydd y Gweinidog yn ymwybodol o'r trafferthion a gawson ni llynedd gyda'r rheoliadau ynglŷn â gostwng y dreth gyngor a budd-daliadau. Mae'r Llywodraeth wedi ymrwmo i wneud yn iawn am y diffyg a gafwyd wrth ddatganoli'r rheoliadau hynny ar gyfer y flwyddyn 2013-14. Beth yw bwriadau'r Gweinidog ar gyfer y flwyddyn ariannol nesaf, 2014-15? A ydych wedi cael cyfle i edrych ar hyn?

Rhodri Glyn Thomas: The Minister will be aware of the problems that we had with new regulations for council tax reductions and benefits last year. The Government has committed to make up the deficit that was incurred when those regulations were decentralised for the year 2013-14. What are the aims of the Minister for the next financial year, for 2014-15? Have you had an opportunity to look at this?

[157] **Lesley Griffiths:** Yes, I have had an opportunity to look at it, Rhodri Glyn. I had another meeting yesterday. It was one of my priorities. On day one, I said to officials, 'We need to start working on next year's now; we need to be looking at it'. Obviously, it was a very difficult issue. You will know that there was the sunset clause that was agreed by all parties. We are committed to reviewing the Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2012 and we said that we would bring forward a new set at the beginning of next year. At my meeting with officials yesterday, I told them that I want to lay the regulations by the end of November this year. I think that is really important to make sure that we have time for adequate scrutiny here and also for local authorities to make sure that they can get their schemes in place by the end of January.

[158] There are a lot of different regulations that need looking at. I think that it is really important that they are reviewed and updated. I am sure you are aware that there are literally pages and pages of them. I also had a meeting with the lawyers yesterday to take that bit forward. We think that there could be a number of regulations that need updating, so we will have to make sure that that is done because if that is not done, the council tax reduction scheme would not run as efficiently as we would want it to. I am very happy to keep the committee updated on the timetable, but that is where I am at present.

[159] **Rhodri Glyn Thomas:** Y broblem sylfaenol, wrth gwrs, yw'r diffyg ariannol. Rydym yn sôn am ryw £23 miliwn. Mae'r Llywodraeth wedi gwneud yn iawn am hynny yn y flwyddyn gyfredol, ond wrth gwrs bydd y broblem yn wynebu'r Llywodraeth y flwyddyn nesaf ac yn y blynyddoedd i ddilyn. A oes unrhyw gynlluniau gan y Llywodraeth ar hyn o bryd i edrych ar y sefyllfa ariannol honno?

Rhodri Glyn Thomas: The fundamental problem, of course, is the financial deficit. We are talking about £23 million. The Government has made up for that in the current year, but of course the problem will be facing the Government next year and in the years to come. Does the Government have any plans at the moment to look at that financial situation?

[160] **Lesley Griffiths:** I think that it is probably too early for me to make commitments. Obviously, it was very unfortunate that the UK Government abolished council tax benefit. We were left to pick up the tab for the gap, as you say. I thought that it was £22 million that we had picked up.

[161] **Rhodri Glyn Thomas:** I think that it was £22.9 million.

[162] **Lesley Griffiths:** I think that it will be even more this year, so we have to have a very close look at how we are going to fund that. Also, if you look at the other measures that are coming out of the UK Government, such as its welfare reforms, those could have an impact and we need to look at those. I do not know what my budget beyond that next year is going to be, so it is something that I am going to have to look at very closely.

[163] There are two fundamental issues regarding these schemes. One is the immediate changes to the arrangements for next year, and also how we develop the scheme to make it sustainable. Obviously, the financial aspects of it are very important.

[164] **Rhodri Glyn Thomas:** Do you not have an indicative budget for next year?

[165] **Lesley Griffiths:** I do, but I have to look very closely at it within that budget. We have another comprehensive spending review. We are probably going to have to make even more cuts. You will be aware that we have had to make cuts to this year's budget even after it was set.

[166] **Peter Black:** Minister, have you done any research on the impact on take-up of council tax benefits with the new regulations and, if you have, will you be publishing that research before the regulations are laid?

[167] **Lesley Griffiths:** We are certainly going to look at it, but it is much too soon to say.

[168] **Peter Black:** Well, when you talk about November, will you be publishing—

[169] **Lesley Griffiths:** Oh, sorry, yes. Obviously, before we put the new scheme in place we are going to have to look at, as you say, the take-up of it this year.

[170] **Peter Black:** I think that it would be useful in terms of us scrutinising those regulations to know the impact.

[171] **Lesley Griffiths:** Yes. That is what I said. I am very happy to let you know the timetable as we go through. My plan at the moment is to lay them at the end of November, but there is a great deal of work to be done and you will, of course, be informed about that.

[172] **Peter Black:** And the research as well.

[173] **Christine Chapman:** Okay. We are going to have to take a break shortly. Janet wants to take the next question and then we will break.

[174] **Janet Finch-Saunders:** It is on the local government ethical framework. In the White Paper 'Promoting Local Democracy', the Welsh Government outlined proposals to revise the code of conduct for local authority members. I think that it is to try to allow more local and minor disagreements or low-level complaints to be dealt with through the standards committees, rather than referring everything to the ombudsman.

10.10 a.m.

[175] I also note there is talk about the White Paper including imposing a limit on the level of indemnity provided by authorities for misconduct proceedings. We are all aware of the Carmarthenshire case where the constitution, I believe, was allegedly changed to incorporate indemnity insurance. I think that again is something that needs to be looked at as to whether that is appropriate. Can you give an update on the review of the code of conduct for

councillors announced by your predecessor in January? What are your views on the effectiveness of the local government ethical framework? Do you believe any additional issues need addressing? Could the Local Government (Democracy) (Wales) Bill be used as the vehicle to address those?

[176] **Lesley Griffiths:** I think that the ethical framework does strike an appropriate balance between guiding members on standards of conduct on the one hand and reassuring the public that, if there is any misconduct, it will be dealt with very consistently and appropriately. I think that is very important. You mentioned that my predecessor stated in January that a small number of changes would be made to the model code of conduct, and they are being progressed. They will be progressed over the coming months alongside any further changes that could come forward from the Local Government (Democracy) (Wales) Bill.

[177] I do think that the current system is fundamentally sound, but I do share Carl's view that a more local approach should be brought forward for dealing with those low-level complaints. I have to say that, out of the 12 local authorities I have visited, probably half of them have raised this with me, because, as you say, to refer them to the ombudsman is very expensive. I think that it is also done very politically as well and it is used as a political football. I can certainly think of a couple of local authorities that have raised those concerns with me. It is something that I think is very important and we will continue to look at it.

[178] We are consulting with local authorities at the moment on their proposals to introduce the local resolution procedures, as I have said, and it is something that has been raised with me, and the voluntary cap of £20,000 on indemnities. When I look at the responses of all of them, it is something that I will have to review and then make a decision on.

[179] **Christine Chapman:** Okay. Mark is next, then Mike.

[180] **Mark Isherwood:** In previous evidence to this committee, the ombudsman has referred to his frustration with regard to where, in a small number of instances, cases have been going on for a very long time without resolution. In one case he referred specifically to a town council, and, in another case, to a local authority, where complaints had been made by officials, not even by members. He also advised that not only has he now issued guidance on the maximum amount of legal costs a local authority should incur in respect of the 'defendant', but he is also issuing guidance on the amount the local authority should incur in prosecuting its own case potentially against the 'defendant'. He also referred to now-established casework that broadened the freedom of councillors to express their views and represent their constituents or residents without breaching their codes of conduct, provided they are not bullying or offensive or using inappropriate language. However, some of the councillors I speak to still have not had that information shared with them by their officials, so how do we ensure that there is clarity among members and officers over where the lines now stand in terms of what can and cannot be crossed?

[181] **Lesley Griffiths:** It is really important that councillors have that clarity. It is something I can perhaps take forward, or ask officials to take forward, because I do think that it is important that people know the boundaries. Certainly, I would agree completely with the ombudsman about the costs. As I say, when I have all the responses back from the local authorities, I will review the whole issue and make a decision in due course.

[182] **Mike Hedges:** Have you looked at bringing in for local authorities the same rule that we have here for declarations of interest? Here we declare an interest, it is held centrally, and we do not have to declare it at every meeting. I must have declared in excess of 100 times at Swansea council that I was a governor of Glyncollen and Ynystawe schools. Peter Black has done exactly the same for the schools of which he is governor. A good quarter of an hour to

20 minutes at the beginning of most council meetings consists of people declaring interests. Could the same sort of system as we have here be brought in? The interests will be recorded; they just will not be written down at every single meeting.

[183] **Lesley Griffiths:** I think that is an issue, really, for the standing orders of each local authority.

[184] **Mike Hedges:** No, it is not. It is the law. It is not the standing orders of local authorities. It is the rule.

[185] **Lesley Griffiths:** It is the law.

[186] **Peter Black:** It is the code of conduct.

[187] **Mike Hedges:** Yes, the code of conduct, as laid down by you.

[188] **Lesley Griffiths:** It is within the code of conduct, then. Sorry. Well, in that case, yes, we can have a look at it within the code of conduct.

[189] **Christine Chapman:** Okay, so you can report back to us in due course.

[190] **Lesley Griffiths:** Yes. I thought it was a standing orders issue, sorry.

[191] **Christine Chapman:** We are going to have a break now.

*Gohiriwyd y cyfarfod rhwng 10.15 a.m. ac 10.28 a.m.
The meeting adjourned between 10.15 a.m. and 10.28 a.m.*

[192] **Christine Chapman:** We will start back with the ministerial scrutiny. I am going to hand you over now to Peter. I think that Peter has some questions.

[193] **Peter Black:** Thank you, Chair. They have given me a miscellaneous section, Minister, so apparently I can ask anything I like.

[194] **Lesley Griffiths:** A miscellaneous section? That is a bit worrying. *[Laughter.]*

[195] **Peter Black:** There is some disagreement about whether the Assembly has powers in relation to the voting systems in local government. Can you offer some clarity as to whether or not that is the case, and what other impacts those powers or lack of powers have in terms of your ability to influence the local government agenda?

[196] **Lesley Griffiths:** My understanding is the Assembly does not have competence over the voting systems in local government in Wales. That remains with the UK Government. However, you will be aware that, as part of our evidence to the Silk commission, we have called for matters regarding local government elections to be devolved, with the exception of registration and franchise.

[197] **Peter Black:** Why have you excluded those two?

[198] **Lesley Griffiths:** I knew you would ask me that.

[199] **Mr Kilpatrick:** With regard to voter registration, we would not want to create a situation in Wales where we would have a different approach to registration or different criteria around registration between Wales and England particularly, so that is why. As for the franchise, we would have to look into that.

[200] **Lesley Griffiths:** I will have to send a note on that one.

[201] **Peter Black:** In terms of the franchise, you may want, for example, to have voting at age 16, which is being looked into in Scotland. That might be quite important, if you wanted to take that on. I know that has wide support in the Chamber.

10.30 a.m.

[202] **Lesley Griffiths:** Yes, certainly.

[203] **Peter Black:** In terms of the voting systems in local government, if at some stage in the future, maybe after the next Assembly elections, you are looking to reorganise local government and you do not have that power, what restrictions would that place on you in terms of what you can do in terms of structure? Is it just about the voting systems or are there other issues?

[204] **Lesley Griffiths:** I think that we would have to send a note on that, sorry.

[205] **Mr Kilpatrick:** In terms of looking at a different shape to local government, then that would be down to boundaries, functions and the interaction of those organisations with the rest of the public service. I do not believe that that would be constrained by the voting system underpinning a different set of delivery models or even a governance system that would govern it.

[206] **Peter Black:** I am tempted to ask you whether you think the single transferable vote would produce greater transparency, but I am not going to bother because I know your answer.

[207] **Lesley Griffiths:** You know my answer.

[208] **Christine Chapman:** Peter, I will come back to you so that you can move on to another subject because I know that other Members want to come in on this point.

[209] **Lindsay Whittle:** A few of us in this room are still local authority members. In my own ward in the town of Caerphilly, there are 400 homes without a single registered voter. I have witnessed at election times people coming down to vote and being denied the vote because they are not registered. I understand that people may not want to vote and that that is their prerogative, but do you think that it is important people should register to vote? If you multiply 400 in one ward in Caerphilly county by 33 wards, and look at the numbers in the 22 local authorities in Wales, then that is a lot of disenfranchised people, not all of whom want to be disenfranchised. There has to be a better method of ensuring registration.

[210] **Lesley Griffiths:** I absolutely agree with you. When I was a new Assembly Member, I remember somebody coming to my surgery because they could not get a credit card, and one of the reasons they could not get a credit card was because they had never been registered to vote. I have often used that as an example of yet another reason you should be registered, even if you do not want to vote. I think that all political parties sing from the same hymn sheet on this one. We really believe that people should be registered to vote, and this is something that I am very keen to work on with the Electoral Commission in order to see how we can take that forward.

[211] **Jenny Rathbone:** I wanted to pick up on Mr Kilpatrick's remark that we would not want to have a different voting system to the one for the UK simply because there is—

[212] **Mr Kilpatrick:** It was registration.

[213] **Jenny Rathbone:** I beg your pardon; it was registration. That is what I was talking about. There is some concern that the UK Government is introducing measures that will actually suppress voter registration and, therefore, were that to be the case, there might be an argument for us running a system that promoted voter registration and participation. For example, some local authorities are much keener than others to pursue the fining of individuals who fail to register. In the Vale of Clwyd, where there has been particularly enthusiastic local leadership on getting electoral registration services to act on this one, they have seen a huge increase in the numbers of voters registered. What does the Minister think about ensuring that all local authorities are rigorously pursuing this and investing time in ensuring that people, particularly those living in houses in multiple occupation and people who are functionally illiterate, are getting registered? This is a major concern. It also impacts on the amount of money that local authorities get, because if people are not registered then they do not exist.

[214] **Lesley Griffiths:** I mentioned that I am keen to take this piece of work forward with the Electoral Commission, but we also need to work closely with local authorities. In Wrexham, prior to the Assembly elections two years ago, officers went around knocking on doors. I am not sure whether that happened across all local authorities or whether it was something that the former Minister encouraged, but I would certainly encourage that. It is important that local authorities are proactive and spend time knocking on doors where they know there are houses in multiple occupation. You mentioned the Vale of Clwyd, which showed good political leadership to ensure that they had a huge push on it. I think that all political parties are keen to pursue this, and it is something I have encouraged. When I have street surgeries, I always take voter registration forms with me so that if somebody says, 'I am not registered and I want to be', you can encourage them to do so. This goes across politics as it is something that we all want to see.

[215] **Mike Hedges:** I have two questions. Talking about registration, is it not a problem to have the same electoral register used for parliamentary elections, Assembly elections and local authority elections? I know that some people have the letter G noted against their names because they are European and not eligible to vote in certain elections, but, because we use the same register, is it not important to have exactly the same method of collecting the data?

[216] The second question relates to the £1.3 million that you talked about earlier and which was given out last year. Would you consider using that sum this year or next year to urge authorities to undertake voter registration?

[217] **Lesley Griffiths:** On the latter point, yes, I do think electoral registration should be a priority for local authorities. I mentioned that I am working with the Electoral Commission and this is something that we can look at.

[218] In relation to your first point, it is a very good point. European people cannot vote in all elections and they can only vote in some if they have the little letter against their name. I do not know whether that is something that we have the power to change. I presume it is not, so it is a difficult issue. I have a Dutch friend, and there was always some confusion as to which election she could vote in and she felt quite aggrieved that she could not vote in every election.

[219] **Peter Black:** The UK Government is, of course, introducing individual voter registration, which will mean a big change for local authorities and for how individuals register. Are you looking at giving resources or advice to local authorities in relation to that or are you relying on the UK Government to do it?

[220] **Mr Kilpatrick:** We are well aware of individual electoral registration and, picking up on something Mr Hedges said, of the risks around that, because making sure that we get an increased level of registration is a key outcome of that. We are working with the UK Government, because this is its responsibility. We are working quite closely on planning how this will happen in Wales. We have an elections planning group, which is chaired by the Welsh Government and involves a range of people, including electoral registration officers. The aim is to make sure that we begin planning now and run right through the process, drawing in support from the Government and the National Assembly as necessary through that process to make sure we increase registration.

[221] **Peter Black:** I also want to ask about outcome agreements. They have been in place for a number of years now. What work have you done in reviewing how successful they are and do you intend to continue that method in future or are you looking at alternative ways of coaxing local authorities to do your bidding?

[222] **Lesley Griffiths:** I presume that that was a rhetorical question.

[223] **Peter Black:** It was not. [*Laughter.*]

[224] **Lesley Griffiths:** It is work in progress, and I will very shortly—maybe this week, maybe next week—be announcing a new round of outcome agreements. The announcements will take into account the lessons learned.

[225] **Peter Black:** What analysis have you done of the effectiveness of those agreements in terms of delivering on improvements?

[226] **Mr Kilpatrick:** We have an independent evaluation going on at the moment of the last round of outcome agreements and some of the projects involved.

[227] **Peter Black:** Will that be published?

[228] **Mr Kilpatrick:** I do not see why not.

[229] **Peter Black:** Maybe we could have a copy.

[230] **Lesley Griffiths:** Yes. As I say, I will be making that decision very soon and, following that, I am happy to—

[231] **Christine Chapman:** So, it should be in the next few weeks.

[232] **Lesley Griffiths:** Within the next fortnight, and I would then be very happy to publish.

[233] **Christine Chapman:** We now want to move on to another area, and Ken will start. I remind all Members to ask concise questions so that the Minister is able to answer.

[234] **Kenneth Skates:** With regard to violence against women and domestic abuse, are you able to give an indication of when the Bill is to be introduced?

[235] **Lesley Griffiths:** Yes. I plan to introduce the Bill in the spring of next year.

[236] **Kenneth Skates:** Excellent; thank you. What progress has been made on the programme for government commitment to encourage employers to implement workplace policies and equality issues, in relation, for example, to domestic abuse and mental health?

[237] **Lesley Griffiths:** This is a very important piece of work. I had a workforce partnership council meeting on Monday, at which that message was reinforced to the employers and to the trade unions. It is very important that those policies are in place and are endorsed by the public sector leadership group.

10.40 a.m.

[238] Carl wrote to all leaders, I think just before the reshuffle, to ensure again that public service organisations had those up-to-date policies in place, and to make sure that the staff were aware of what would happen if there was a disclosure to one of them and that they were supported in that area. I know that officials are working very closely with partner agencies, including the Trades Union Congress, to ensure that that training programme is in place for people and for the public sector, so that they are aware of the signs and the symptoms of domestic abuse against both men and women, not just women, and that they have practical support to develop those policies as they go through.

[239] **Kenneth Skates:** Excellent. In terms of the Welsh Government's work with the UK Government, to what extent are you working with the Home Office in terms of domestic abuse? I am thinking in particular of rehabilitation within prisons and also support to women in prisons who may have been victims of domestic abuse.

[240] **Lesley Griffiths:** I have not done any specific work. I am actually in the process of writing to Ministers in Whitehall—given that there are now several Ministers there that fit into my portfolio—to explain my remit and I will obviously meet them. Officials have continued to work during the change of Minister. I know that Carl worked very closely with the UK Government, but, at the moment, I have not actually done any work. It is ongoing work, but I will be writing specifically on this to take the agenda forward. I know that officials did meet recently about the sort of policy that is coming out following the White Paper into the Bill, so that piece of work is ongoing, too.

[241] **Mark Isherwood:** I have three very short questions. The first is on the Home Office. There are a number of key projects being delivered in Wales that are Home Office projects with or by the third sector on which the Welsh Government, since the re-launch, has had some funding contribution to make. I am talking about independent domestic violence advisers, independent sexual violence advisers, the sexual assault referral centres, and so on, which clearly have cross-border roles but can only work with that cross-border integration. Could you comment on how that can be taken forward, given some of the stop-go arrangements over the last few years identified to me by these agencies?

[242] Secondly, in terms of the White Paper and how this goes forward, and that the term has been extended to include domestic abuse, will that now accommodate gender-specific recognition of the differing but existing needs of both genders? If so, how? I know that Women's Aid have been arguing for years the need for a gender-specific approach rather than a gender-neutral approach that has applied in the past.

[243] Finally, in terms of gender awareness in schools, over recent weeks I have attended several meetings in the Assembly—with the violence against women and children cross-party group, looked-after children cross-party group, which was held jointly with the children and young people group, and so on—talking about the good practice that many third sector bodies, Barnardo's and others, are doing in delivering gender awareness projects in schools. However, we need to deliver this sustainably, not simply try to do it through teacher training, by working in true partnership with these agencies. How can we work towards accommodating that?

[244] **Lesley Griffiths:** On the first question about the third sector, we have approved the

proposals for the use of the domestic abuse services grant revenue, which is £3.66 million, and all stakeholders have been notified of their grant awards. It is really important that they are aware of that funding to make those services sustainable. You mentioned IDVAs, for instance, and I know that we, as a Government, had to put funding in for those, given the funding gap from the UK Government. So, we have provided funding to plug that gap. I have proposals coming through to me at the present time about capital projects, which I am currently looking at.

[245] You mentioned a gender-specific approach and you will have heard me, in answer to Ken Skates, mention domestic violence against men and women. It is very important that we do not just recognise it as an issue for women; it is an issue for men as well. We have to be gender-specific and it is something that I am looking at within the Bill.

[246] The points you raise in relation to education are very important. I had a meeting—I think that it was last week—with the Minister for Education and Skills and he has asked his officials to have a look at these issues, certainly in terms of the Bill. This does not just relate to my portfolio; it is very much a cross-directorate, cross-Government policy, and I have met with both the Minister for Health and Social Services and the Minister for Education and Skills, because it is very important that healthy relationships are taught in our schools, so it is about how we furnish that provision.

[247] **Mark Isherwood:** It is my understanding that the IDVA, ISVA and SARC funding has been effectively match funded in Wales, although not by a formal agreement, since they were first introduced under a previous UK Government. It is very much a long-standing arrangement that was never formalised. So, it is about how we take these forward.

[248] **Lesley Griffiths:** Do you want any more information about the funding of IDVAs and SARCs?

[249] **Mark Isherwood:** It would be very helpful.

[250] **Lesley Griffiths:** Okay. I will have to come back to you with that then.

[251] **Mark Isherwood:** Also, I would like to know how we can take these forward, because I think that we would all agree that they are fulfilling very important roles.

[252] **Lesley Griffiths:** Absolutely.

[253] **Mark Isherwood:** So, it is about how we are going to sustain that arrangement where it is very much a cross-border partnership model.

[254] **Christine Chapman:** Could you send us a note on that, Minister?

[255] **Lesley Griffiths:** Yes.

[256] **Mark Isherwood:** I want to move on to talk about the anti-human trafficking co-ordinator. Wales's second co-ordinator was appointed last November. What has the Welsh Government's anti-human trafficking co-ordinator post achieved since being originally established in 2011, and also since the new post was introduced?

[257] **Lesley Griffiths:** I recently met with Stephen Chapman who is the new anti-human trafficking co-ordinator and he is a very enthusiastic person. I was very pleased with what he told me about progress. One of the achievements he told me about, which I thought was very pleasing, was how many awareness training sessions have been delivered to front-line staff. Over 2,000 staff have had that training. We have established the Wales anti-human trafficking

leadership group, which gives strategic leadership in tackling the issue. Wales was the first country in the UK, and perhaps beyond the UK, to have an anti-human trafficking co-ordinator. Stephen supports the chief executive of Isle of Anglesey County Council and an anti-human trafficking summit was held. He will continue to support that person so that there is a blueprint for all local authorities in relation to the issue.

[258] There was a successful case for Black Association of Women Step Out and New Pathways to become national referral mechanism first responders, which I believe will identify more victims. I was quite surprised at the number of victims of human trafficking—although I am sure that it is unfortunately a larger figure—and that is an area on which I have asked Stephen Chapman to work. We have an ongoing media campaign, which is very important in raising awareness of the subject. We have also commissioned secondary datasets to try to ascertain the true picture and the scale of the problem, because, as I say, it is probably it is bigger than we think it is at the present time.

[259] **Mark Isherwood:** What other factors will there be or are already in the forward work programme for the leadership group? Given your reference to the role being played by the Anglesey chief executive, how will that factor with the evidence that your predecessor gave to the Assembly that the main traffic flow—if that is the appropriate expression—is coming in from Ireland, not just in the north but also in the south, with Holyhead obviously being one of the points of entry? How will that be addressed, not only in terms of the existing partnership that the Welsh Government has with the Executive in Northern Ireland, but also with the Government of Éire?

[260] **Lesley Griffiths:** The anti-human trafficking leadership group is looking at that and will bring forward all leaders of the relevant partners right across Wales, not just in north Wales. You have got the Association of Chief Police Officers, the Serious Organised Crime Agency and a huge list of other partners being brought together. I quite accept your point that it is not just about Holyhead, it is an issue elsewhere as well, so it is very important that this group gets together and focuses on that. It has a draft delivery plan in the process at the moment, and that will be signed off in the very near future. That plan will have to prioritise the development of the evidence base and the data that we need to have to see what the true scale of human trafficking is in Wales.

10.50 a.m.

[261] **Peter Black:** A number of agencies, such as social services and Barnardo's, in their day-to-day work will come across individuals who have been trafficked in this way. What role does the co-ordinator have in terms of bringing those agencies together, getting a proper picture of what is going on and gathering intelligence as part of that?

[262] **Lesley Griffiths:** He does that, as I say, alongside the anti-human trafficking leadership group. As I just mentioned, it brings together all the partners, including the third sector.

[263] **Peter Black:** Does he do it in a formal way, or is it an informal gathering of intelligence?

[264] **Lesley Griffiths:** I think both. As I say, he is a very enthusiastic person and he certainly is out there on the ground, getting the information that we need. However, I think that more work needs to be done, because I do not think that we have the true picture.

[265] **Peter Black:** Will all this work end up in a report or some sort of document that we can scrutinise?

[266] **Lesley Griffiths:** There is a delivery plan.

[267] **Mr Kilpatrick:** There is a delivery plan, as the Minister said, and part of a delivery plan will be some report on what has been achieved from that plan. So I think that the answer to your question is ‘yes’, and that would be in a year’s time, I would imagine.

[268] **Peter Black:** We obviously do not have most of the responsibility for that, but that sort of document would be very useful in terms of engaging with the UK Government on those issues.

[269] **Lesley Griffiths:** We need to have the objectives that we want to fulfil. As I said, the figure that I was given in terms of incidence at the moment is probably lower than it actually is, and I want to see that. I will look at the delivery plan and the implementation of the work being taken forward, so I am sure that, in due course, there will be a document that I can let Members have.

[270] **Mark Isherwood:** I have one final question. You mentioned BAWSO; in Wrexham, BAWSO opened my eyes to the fact that it is often not just the individual, but children who may be accompanying the individual. How can we ensure that the support is not only for the individual but for the network, not just when they are little but as they grow older? BAWSO told me that it has put projects in place that can support the young women—the daughters—but that it needed wider support to help some of the young men, because of the problems that they are encountering and the risks that they are now taking.

[271] **Lesley Griffiths:** Yes, it shared that with me as well, and it is something that the co-ordinator can take forward.

[272] **Lindsay Whittle:** Minister, last week the Prison Reform Trust report told us that three children died while in custody and that 20 other children and young people died while under the care of the youth justice system. What is the Welsh Government doing with the youth justice system and, perhaps, the local health boards in trying to co-ordinate some assistance for these vulnerable young people, some of whom are suffering from mental ill health?

[273] **Lesley Griffiths:** You will be aware that one way in which we can ensure that services better meet the needs of children and young people is—. We have had a Green Paper consultation on whether we have a specific piece of legislation, and it is something that we are considering at present. We work very closely with youth offending teams and health boards. We have the ‘Together for Mental Health’ 10-year strategy and the three-year delivery plan alongside it. In my previous portfolio, it was very much my intention that that strategy also helped young people who were, unfortunately, in the justice system. Youth offending teams can support young people in accessing mental health services. We have identified health board mental health advisers to support those youth offending teams. There is a great deal of work going on, not just in my portfolio but across Government, to support young people.

[274] **Lindsay Whittle:** Do you think that the supervision is adequate? If three children die in custody, you can have all of the back-up in the world but unless somebody is closely monitoring them, there is something radically wrong. No-one should die in custody, in my opinion.

[275] **Lesley Griffiths:** No. You are absolutely right. In fact, following my committee appearance, I have a meeting with the probation board to discuss these issues. Nothing has come before me in the six weeks that I have been in post but, as I say, I am having a meeting following this committee meeting.

[276] **Peter Black:** I am not quite sure where responsibilities lie in terms of justice; I assume that you have some responsibility for youth justice. In terms of youth offending teams, what work are you doing on the roll-out of restorative justice as a way of working? I know that there has been some pilot work in Swansea on that, but it is largely unfunded.

[277] **Lesley Griffiths:** You are right; the youth justice board is not devolved. It is hard to work out where we are. The youth justice system in Wales is provided by both devolved and non-devolved means, so it is a case of making sure that we work very closely with the UK Government to ensure that our services are effective. As I say, I have not done a great deal of work at the moment but, following this committee meeting, I have my first meeting in relation to this issue. I am very happy to provide an update in due course.

[278] **Peter Black:** The other issue that I wanted to raise is that I have meetings with some UK Government agencies, such as the probation service, and one thing that I have found in discussions with them is that they have very little awareness of Welsh Government legislation, particularly the mental health Measure. Have you looked at how aware UK Government agencies, such as the probation service, prison service and so on, are of that legislation and whether it is worth doing some sort of information campaign to raise awareness?

[279] **Lesley Griffiths:** That is very disappointing to hear. If that was the case then, yes, we would have to do a piece of work around that. However, as I say, I am meeting with the probation service and it is an issue that I will raise.

[280] **Mark Isherwood:** I highlight the fact that the predecessor to this committee carried out an inquiry into the youth justice estate, and made recommendations that, although a lot wider, touched on some of these very points. I commend to you the recommendations made and the response of the predecessor Minister at the time to consider how that might contribute to this.

[281] **Lesley Griffiths:** I think that I was on the committee as a backbencher at the time, so I do remember it. Thank you.

[282] **Mark Isherwood:** I have two further points, if I may: one that has not been mentioned and one that expands on something that we have spoken about. In terms of the police and crime commissioners, in my discussions with the ones I have spoken to so far, I have been pleased to find a hunger to engage on agendas such as substance misuse, domestic abuse and youth offending, but not always initially a wide awareness of what agencies actually exist and where they are, so they wished to find that out. How can we better ensure that they are at least made aware of what the agencies are, but also that the agencies know that this is the person they should now be engaging with to ensure that the work that they are doing and their objectives are being not only acknowledged but addressed?

[283] The second and final point, on a slightly related matter that has not been mentioned, is stalking, which I think would fall within your brief. You are probably aware that, at the UK level, there has been legislation with general all-party support to address stalking, that the Napo union has done quite a lot of work on this, and that a group has now been established to provide support, information and advice and gather data on stalking issues. It has funding from Scotland and England but not from Wales, although it is to work in Wales. How does the Welsh Government propose to engage on the stalking agenda alongside its wider violence against women, domestic abuse and trafficking agendas?

[284] **Lesley Griffiths:** I will take that point about stalking first. I have not had anything in front of me about stalking. I do not know if either of the officials can say anything. I will have

to send a note on stalking.

[285] In relation to police and crime commissioners, obviously they are new in post. Our relationship is going to be very new and emerging. I know that my predecessor met them quarterly; I am committed to doing the same. I am meeting them for the first time on 20 May. I think that it is very important that they take account of our priorities as a Government, as they make their plans for community safety and related areas such as health. I know that Carl certainly made that very clear to them and I intend to do the same. I think that it is a bit soon to gauge the extent of the impact that the commissioners are having but, clearly, they have their police and crime plans, which they have published. I think that they shared their plans with probably Carl and officials as they were forming them, but it is very important that we have those discussions about strategy and what they plan to do and, as I say, that they are aware of our priorities.

11.00 a.m.

[286] **Christine Chapman:** Are you likely to bring that to a statement in Plenary, on the work that you have been doing with the commissioners?

[287] **Lesley Griffiths:** It is something that I can consider, yes.

[288] **Jenny Rathbone:** I wanted to come back to the collaboration agenda, because we moved on to cover other aspects of your portfolio. Is it possible to have a note of the scrutiny arrangements around regional educational partnership across Wales?

[289] **Lesley Griffiths:** Yes.

[290] **Jenny Rathbone:** How often does the public service leadership group meet? Are the minutes made public? What subgroups exist? A good deal more information on this important group would be useful for us.

[291] **Lesley Griffiths:** Yes. My understanding is that it meets quarterly and I certainly intend to meet with it. I know that I am due to meet it very soon—I think that it is in May. The minutes are in the public domain—they are published—so you can have them. I presume that there is a link to it; we will send committee members that link.

[292] **Jenny Rathbone:** Thank you.

[293] **Christine Chapman:** There are no other questions. Minister, there are a number of notes that you said you would send to us, so if you could do that, we would be grateful. I thank you and your officials for your attendance this morning. It has been a very comprehensive session. We will send you a transcript of the meeting so that you can check for factual accuracy. Thank you all for attending.

[294] I remind Members, before we close, that the next meeting is next Thursday, 9 May, and we will be looking at Stage 2 of the Local Government (Democracy) (Wales) Bill. I close the meeting.

*Daeth y cyfarfod i ben am 11.02 a.m.
The meeting ended at 11.02 a.m.*