

# Agenda – Culture, Welsh Language and Communications Committee

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Meeting Venue:

**Committee Room 1 – Senedd**

Meeting date: Thursday, 9 February  
2017

Meeting time: 09.00

For further information contact:

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Committee Clerk

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## Informal pre-meeting

(08:45 – 09:00)

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

### 2 Scrutiny of the Arts Council of Wales

(09:00 – 10:00)

(Pages 1 – 16)

Nick Capaldi, Chief Executive, Arts Council of Wales

Sian Tomos, Director for Enterprise and Regeneration, Arts Council of Wales

### 3 Funding for and access to music education: Evidence Session 6

(10:00 – 10:45)

(Pages 17 – 27)

Deborah Keyser, Director, Ty Cerdd

### 4 Paper(s) to note

Letter from the Llywydd to the Chair: Expert Panel on Assembly Electoral Reform

(Pages 28 – 30)



Cynulliad  
Cenedlaethol  
Cymru

National  
Assembly for  
Wales

**Reply from the Director for Wales, National Trust to the Letter from the Chair:  
Historic Wales**

(Page 31)

**Inquiry into the Welsh Government's new Welsh Language Strategy:  
Correspondence from Torfaen County Borough Council**

(Pages 32 – 36)

**Letter to the Chair from the Chair of the Constitutional and Legislative Affairs  
Committee: A Stronger Voice for Wales**

(Pages 37 – 43)

**5 Motion under Standing Order 17.42 to resolve to exclude the  
public for the remainder of the meeting**

**6 Private debrief**

(10:45 – 11:00)

**7 Inquiry into the Welsh Government's new Welsh Language  
Strategy: Key Issues Paper**

(11:00 – 11:30)

(Pages 44 – 59)

**8 Inquiry into Funding for and Access to Music Education:  
Presentation on Engagement Plan and Advisory Group**

(11:30 – 12:00)

(Pages 60 – 66)

# Agenda Item 2

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## Submission to the National Assembly for Wales Culture, Welsh Language and Communications Committee **Arts and Business Cymru**

1. Arts & Business Cymru (A&BC) is a well-regarded broker of relationships between arts and business organisations. A&BC has operated as an independent charity in Wales since 2011. Its activities were originally part of a UK membership organisation established in 1988, with a head office in London. The creation of the stand-alone organisation in Wales followed the ending of Arts Council England funding.
2. From 2011, A&BC's activities were funded through the Arts Council of Wales using Welsh Government funding. £50,000 was ring-fenced from within the Government's funding to the Arts Council, with a further £90,000 of Government funding routed through the Arts Council. In addition, the Arts Council has provided further support on a project basis through the Arts Council's Lottery-funded programmes.
3. Over the past three years, A&BC has received £430,000 of funding through the Arts Council.
4. In 2014/15 the Welsh Government agreed a two-year commitment of funding to A&BC provided under a joint arrangement between the Arts Division of the Welsh Government and the Department for Education and Skills (DfES). The Welsh Government told A&BC at that time that public sector funding pressures were requiring Government to reassess funding commitments. The DfES indicated that A&BC's activities were no longer a priority for support. This funding would therefore end at the conclusion of the two-year funding term.
5. The Welsh Government asked the Arts Council to assist A&BC in developing a different business model – one that would enable it to be less dependent on public subsidy.
6. An Arts Council business review completed in March 2015 captured the challenge but also the opportunity:  
“[Arts & Business Cymru] has carried out an extensive range of programmes, schemes and initiatives – including new and expanding activity. However, the future funding of the organisation is, as ever, in a vulnerable position, especially looking beyond 2015/16.

The challenge to diversity income is one shared across the arts in Wales. We [the Arts Council] ask that arts organisations find ways to become less reliant on the public purse. Although they face the same stark realities as other organisations, the services that A&B Cymru offer have never been so relevant. Opportunity may come from the harsh realities.”

7. Reductions in Welsh Government funding have required all arts organisations – including the Arts Council – to become more financially resilient. This requirement has been emphasised in Welsh Government Remit Letters.

The current 2015/16 Remit Letter to the Arts Council from the Cabinet Secretary for Economy and Infrastructure contains an explicit statement of the Government’s position:

“The Welsh Government fully supports the need to preserve a stable core of public funding for the arts, even in times of economic austerity... reducing organisations’ dependency on public funding has to be a sensible and pragmatic response to current public funding pressures...

... I would expect to see the Arts Council provide, either itself or through appropriately tendered contracts with expert providers, advice and assistance covering a range of topics. These would include governance, skills analysis, business planning, fundraising, income generation, exploitation of intellectual property, maximising tax reliefs, internal audit, etc. Some of the organisations you fund could do significantly more to grow their commercial revenue. I would like you to challenge those organisations to up their game.”

8. We had already made it clear to A&BC that investment beyond the period of the two-year funding agreement could not be guaranteed.

Back in December 2015 we wrote to the A&BC Chair explaining the position:

“You’ll remember from previous conversations that we’ve both had with Welsh Government colleagues that we weren’t anticipating that the funding settlement announced last week [the Welsh Government annual budget announcement] would contain any specific financial provision for Arts & Business Cymru (A&B). This assumption has now been confirmed. This means that any future funding for A&B’s activities will need to be sought under a different arrangement...

...the business/service-related nature of the activities means that they will have to be competitively procured... we’ll invite interested parties to submit tenders as part of a public procurement process for one or more area of work. We hope, naturally, that A&B will see itself as one of those ‘interested’ parties.”

9. In spite of the loss of Government funding it was, in our view, important to try and help A&BC find a way of continuing some of its activities. On two occasions we provided financial assistance to enable A&BC to explore different ways of working. The first was in summer 2015. We agreed a tender specification with A&BC, and independent consultants Cultivate were appointed following a public procurement process.

10. Cultivate reported in October 2015. The report was informed by a survey of members of A&BC as well as those who were not. The Cultivate report identified many positives:
- “It was generally felt that it would be a significant loss to the arts sector if A&B Cymru did not exist... Overall from the research there was strong support from both the arts and business members for A&B Cymru and the critical role it plays in bridging these two sectors and bringing them together.”

Cultivate was less enthusiastic about some aspects of A&BC’s work, encouraging the organisation to develop new, innovative programmes of work that were distinctive and not duplicated elsewhere.

Cultivate also offered observations about the basis of the membership model:

“The issue for many organisations that adopt the membership model is that they are drawn into delivery mode, generating activity to demonstrate the value of the membership fees. This is often seen in terms of “packages” or different levels of membership with varying benefits. One could argue that if what is being offered is a “one-off” and clearly valued by those accessing it then the cost of should reflect the value irrelevant of whether or not one has paid a membership...”

11. Cultivate concluded:

“The issue for A&B Cymru, if it were to have a more strategic role, is how could it be afforded. If it were to focus on the areas which its members say is most relevant to their needs, i.e. brokerage, introduction, networking and developing a generation of new fundraisers, how could it do this without continuing the financial model that it currently has i.e. a mix of membership, public funding, trusts and foundations, and private sponsorship and donation? The answer has to lie in what it believes is the value of each of its programmes, their return on investment and their impact in achieving their mission, aims and objectives.”

12. In our view, the Cultivate report was fair and reasonable. A&BC did not.

13. Cultivate recommended that the Arts Council should provide one-off funding for a period of transition. This would ‘buy time’ and help A&BC to execute the necessary change. We agreed to provide £30,000 of transitional funding in March 2016 as a ‘stepping stone’ towards a new more sustainable future.

14. In addition, we provided a further grant of £25,000, also in March 2016, in response to A&BC’s request to commission its own consultants. A&BC appointed consultants MetaValue. We understand that this work has been progressing well, although we have been told that the company is likely to incur a higher than expected deficit at the year end. We have not received final information on the outcome of the MetaValue work.

15. As indicated above, the Arts Council launched a public procurement process in 2016 for the development of the first phase of a business transformation programme for the arts organisations it core funds, called “Resilience” (see **Appendix 1** for a description). A&BC did not submit a tender. A&BC did submit a bid to offer project-based consultancy services associated with the “Resilience” programme, but that bid was not successful. We met with A&BC and provided feedback on their bid. A&BC submitted a new bid for a second round of procurement and were successful.
16. A public procurement process is currently underway for the next phase of the “Resilience” programme. We have also issued a Prior Information Notice (PIN) for a wider programme of more innovative business development services. We would hope that these might be of interest to A&BC.
17. Finally, we have heard it suggested that we have withdrawn funding from A&BC. This is not correct. We understand that A&BC is anticipating accruing a deficit of c.£70,000 by the year end, and that there is an expectation that we should cover this. This is not how we work.
18. The Arts Council does not withdraw funding once it has been agreed unless there is clear evidence of fraud, poor performance or a failure to deliver the agreed programme of activity. We currently have one ‘open’ grant to A&BC (for the MetaValue commission). 20% of the grant remains to be paid on receipt of a final report from A&BC.
19. A&BC has known for some time that it must develop a different, more sustainable business model. And it has been aware for over two years that the previous Welsh Government grant funding arrangements would end. We believe that A&BC makes an important contribution to arts and business in Wales. We’ve told A&BC that we’d like to see this continue, but this cannot be at any cost.
20. We set out the need for change, and we told A&BC that through 2016/17 and 2017/18 we would be publishing tender specifications for a range of business development services. In the interests of quality, and value for money, we explained that these would be publicly procured on a competitive basis. Our advice to A&BC has been explicit and consistent. We have done what we said we would.

Arts Council of Wales  
6 February 2017

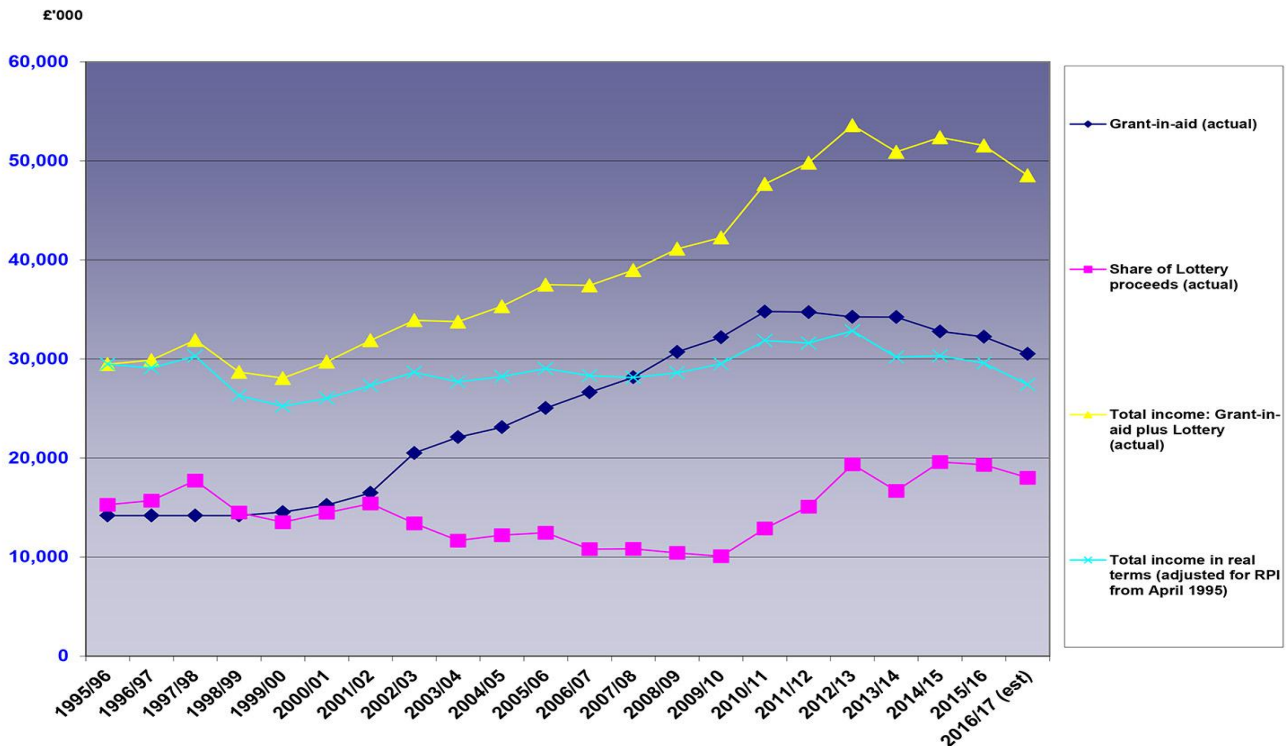
# Appendix 1

## The funding context

**The pressure on public funding continues to affect opportunities for people to enjoy and take part in the arts.**

The Welsh Government has announced a welcome increase in Arts Council funding for next year (+3.5%). This important reversal of funding is an important statement of commitment following an extended period of significant ‘real terms’ reductions

From 2000 there was more than a decade of sustained public and Lottery investment in our cultural life. However, the five years of funding cuts that followed have meant that the growth in Welsh Government funding in the 1990s and 2000s has been eroded. Indeed, combined grant-in-aid and Lottery funding – adjusted for inflation – is actually less than it was 21 years ago.



**The squeeze on public funding is being exacerbated by lower than anticipated income from the National Lottery.**

Our modelling of National Lottery ticket sales suggests that our income this year could be between 11 and 16% short of what the DCMS anticipated that we might expect to receive. This equates to a potential loss of income of around £2m. This more than cancels out the increased funding that we’ll receive from the Welsh Government in 2017/18.

The public has raised £35bn for Good Causes since the start of the National Lottery. As the Arts Council of Wales, we have invested our share in over **11,621** projects in Wales, to a value of **£261m**. Other National Lottery distributing colleagues (Sport Wales, Heritage Lottery Fund and Big Lottery) have similarly impressive results to show.

But declining ticket sales for Camelot's main National Lottery game, the aggressive stance of competitor Lotteries (such as the Postcode and Health Lotteries) and the growth of online betting on Lottery results (Lottoland) are having a very significant negative impact.

National Lottery Good Cause funding is widely regarded as a vital and secure source of funding for culture, sport and civil society, particularly for smaller organisations who in this financial climate can find themselves vulnerable. Continuing reductions will seriously affect the capacity of many hundreds of third sector organisations who provide important services that benefit the public across Wales.

**The Arts Council has sought to protect front-line investment into direct arts activity.**

In response to funding pressures we've reviewed our business model and reduced our running costs. This has been a sustained campaign which has cut costs by around 17% since 2009/10. In 2015/16, our running costs were 7.3% of our total expenditure. We're currently working through a further series of cost-saving measures. Once complete, we'll have reduced our staff numbers by around 25% over the past five years.

**If the arts in Wales are to continue to thrive, they'll need a strong, entrepreneurial leadership.**

This means building a sector that is imaginative, innovative and able to capitalise on its public investment. The best organisations do this, but we're determined to bring all of our key organisations up to the standard of the best.

A key part of our strategy has been the recent launch of a new "Resilience" programme for our Arts Portfolio Wales (those significant arts organisations that receive annual arts funding). There are two aspects to the programme – the provision of expert diagnostic advice, and capital investment (if justified) to enable change and capacity building. This programme has the potential to be far-reaching and transformational. It challenges organisations to be better – in the quality of their work, the depth of their engagement and the durability of their financial stability.

**Local authorities are also struggling to maintain their support for the arts.**

The partnership between the Arts Council of Wales and Local Government provides the foundation of the arts in Wales. Between us, we have the potential to touch the lives of everyone in Wales. Local authorities bring to the table their local knowledge, broad range of responsibilities, and their citizen focused delivery. The Arts Council brings specialist expertise and a national and international perspective on arts practice and development. Together, we provide funding and investment that funds creative activity. It is a powerful combination.

However, funding reductions in local authority funding to the arts continued during 2015/16 – we estimate around a 13% reduction on the previous year. In some cases local authorities are simply reducing, or cutting, activity – others are taking more radical action, typically devolving their arts services and facilities to independent trusts or commercial operators.

Faced with diminishing resources, local government's future cultural purpose is increasingly shifting towards sustaining a strategic context rather than to directly running an arts team or an events programme. This means that authorities are trying to promote their cultural ambitions by providing a framework for collaboration and co-operation in which a range of other partners can help to achieve outcomes collectively.

Even under the current economic austerity, local authorities still control important cultural levers in terms of asset ownership (land and buildings) and statutory planning. Our challenge – at least in the short-term – is to work with local government to enable the creative use of public assets for social purposes in ways that don't drive up already hard-pressed revenue budgets. The Well-being of Future Generations Act, with its requirement to promote culture, is helping us in that task.

## Appendix 2

### About the Arts Council of Wales

The Arts Council of Wales was established by Royal Charter in March 1994. We're a registered charity whose trustees are the appointed Council Members. We are the country's official funding and development organisation for the arts.

Our principal sponsor is the Welsh Government. We also distribute funding from the National Lottery. We currently receive Welsh Government funding of £30.5m and expect to receive around £16m of National Lottery funding.

We work to make the arts central to the life and well-being of the nation.

Reflecting the priorities of the Welsh Government, we support and promote the important role that the arts play in Wales. We also help to show how the arts are able to make a real contribution to the enactment of the wider Government policy, including economic renewal, participation, the reduction of Child Poverty, Arts and Education and sustainable development.

We work to foster an environment in which the arts are able to flourish – an environment which:

- identifies and nurtures creative talent, wherever it's found in Wales, to its full potential
- encourages active participation
- supports and celebrates imagination, innovation and ambition
- nurtures creativity through the medium of Welsh and English
- enables artists to develop a professional career in Wales, and organisations to exploit new markets for their work
- inspires young people to develop their creative potential
- embraces equality and diversity
- finds new places and ways for people to participate in the arts
- develops the creative traditions of Wales and reinterprets them with contemporary relevance
- is international in outlook
- recognises the fundamental importance of sustainability

We provide a range of professional services:

- **we support and develop high quality arts activity** – we invest public funding, provided by the taxpayer, creating opportunities for people to enjoy and take part in the arts
- **we distribute Lottery funds** – through applications to our Lottery funding programmes we're able to invest in projects that develop new arts activity, supporting individuals, communities and organisations. Each year we receive around 1,500 applications
- **we provide expert advice about the arts** – through our Council, staff and National Advisers we have the largest concentration of specialist arts expertise in Wales
- **we share information** – we're the national centre of a network of information and intelligence about the arts in Wales. We also have strong international links in the UK and beyond
- **we raise the profile of the arts in Wales** – we're the national voice for the arts in Wales, making sure that people are aware of the quality, value and importance of the country's artists and arts organisations
- **we generate more money for the arts economy** – we manage initiatives such as "Collectorplan" (our scheme to encourage people to buy art); we secure European funding to grow the arts in Wales; and we host international events, opening up new markets for Welsh artists. We're also a partner with the Welsh Government delivering "Creative Learning through the arts", transforming creative education in Wales' schools
- **we influence planners and decision-makers** – the arts take place in many different settings. They can have a real impact on the quality of people's lives, and the places in which they live and work. The arts are frequently at the heart of initiatives for economic and social regeneration. Our job is to ensure that the contribution that the arts make to our ever-day lives is recognised, valued and celebrated
- **we develop international opportunities in the arts** – we develop partnerships with cultural organisations such as the British Council, we promote internationally the contemporary culture of Wales, and we encourage international exchange and collaboration between artists and arts organisations
- **we promote small-scale performances in local communities** – our "Night Out" scheme encourages local communities to promote high quality arts activity in their own area
- **we help a wider diversity of people to enjoy the arts** – for example "Hynt", our popular ticket access scheme, is enabling more disabled to attend performances in our key venues

## **Arts & Business Cymru – the Evidence** *Illustrating the value of A&B Cymru to Wales*

### **Background & Context**

Arts & Business (A&B) Cymru is a unique and much valued resource for the arts in Wales. Each year, the charity is responsible for bringing over £1 million of private sector support\* directly to the arts across the country.

A&B Cymru's established network and expertise in business / arts partnerships make it the only body capable of achieving these results. Without its work, the private sector investment that currently underpins much arts activity in Wales would quite simply be lost.

### **Funding History & Current Position**

Over a period of 8 years, A&B Cymru dramatically reduced its reliance on public funding from 83% to 27%.

When the funding relationships with Welsh Government and Arts Council of Wales began in 2008, the combined support totalled £370,500. This post-devolution investment was drawn from the departments for the Economy & Transport, Education & Skills and Culture, reflecting our activity in providing tailored training in arts fundraising, providing professional development opportunities and enhancing links between the arts and businesses in Wales. It followed a cut in funding by Arts Council England to A&B UK which made the prior informal agreement to support the operations in Wales, Scotland and Northern Ireland no longer justifiable.

In November 2011, following a quarter of a century as part of the UK body, A&B Cymru became an independent Welsh charity. Arts Council of England had then withdrawn 100% of its funding of A&B's work in England which led to the English operation merging into Business in the Community (BiTC). This option was considered for Wales, Scotland and Northern Ireland but dismissed as being detrimental to the arts communities served by each. This belief proved correct as BiTC no longer delivers any services to the arts in England.

As the Welsh Government faced a tightening of budgets, its funding to A&B Cymru was significantly reduced each year, down to £140K delivered in 2014/15 and 2015/16 via the Arts Council of Wales (ACW). A&B Cymru rose to this challenge, addressing the shortfall by substantially increasing its private sector income through business membership, sponsorship and support from Trusts & Foundations. This successful reduction of reliance on public funding achieved one of A&B Cymru's core messages to the arts of the need to attain financial stability through diversification.

The shift from 83% to 27% public funding coincided with a national economic downturn and was only achieved by sustained effort and internal financial stringency.

In April 2016, ACW withdrew A&B Cymru's core funding in its entirety. In-depth work (including an external business review) was then undertaken to assess the charity's ability to operate without public funding. Further rationalisation of the already lean running costs of A&B Cymru, combined with the consistent search for fresh private sector income, has led to the conclusion that, while the charity cannot be sustained solely through the private sector, its operation can flourish with an annual public sector investment of just £70K. This matter has been raised repeatedly with ACW since October 2016 but with no coherent response or request for further evidence.

**\*Private sector support for the arts levered by A&B Cymru broken down annually as:**  
£560K through cash investment; £505K in business expertise provided through the Professional Development Programmes.

## **Sustainability – The Case For Public Support**

In 2017-18, A&B Cymru projects a private sector income of £335,000, drawn from Trusts & Foundations, Individuals, Membership subscriptions and earned income.

This clearly illustrates the charity's vastly reduced reliance on the public sector. For every £1 of core funding requested, a further £5.80 would be levered from the private sector to A&B Cymru. This would, in turn, safeguard over £1 million annual investment from the private sector into the arts across Wales. **Therefore, £70K of public sector funding becomes the catalyst for levering £1.4 million in private sector investment.**

Private sector investment in A&B Cymru is wholly dependent on the delivery of its unique programmes. Key to their success is the significant amount of staff time devoted to them. Without core funding in 2017/18, at least two staff posts would be lost, putting the following programmes at risk:

**CultureStep:** £80K of Trust funding received annually, of which £60K is invested directly into business / arts partnerships. This in turn levers a further £300K, invested by business in arts projects that benefit socially disadvantaged groups and address priorities such as health, tackling poverty and the environment.

**North Wales Delivery:** Providing an effective service to the 20 business and 42 arts members in North Wales depends on a local presence. Without a post in North Wales, these members would resign. This would represent a major loss of income to A&B Cymru and the arts across the region.

**Professional Development Programmes (PDP):** Each year, PDP brings over £505K of free of charge business skills to the arts through board placements, mentoring and skills transfer. The individuals involved have had a transformative impact on the sustainability and survival of arts organisations across Wales. Over two thirds of A&B Cymru's business members pay their fees in order to access PDP. Closure would therefore result in a major downturn in business income.

**Creative Internships Programme:** In 3 years, this programme has resulted in 13 recent graduates becoming full-time professional arts fundraisers. This A&B Cymru created programme is acknowledged as an example of best practice across the UK. It is 60% funded by the private sector.

This paper is designed to briefly summarise the scope and impact of A&B Cymru's work and to explain the need for continued investment from the public sector. The charity, with its unique expertise and network, creative and cost effective approach, committed and skilled team and high quality governance, is currently at risk.

Over many years we have proved, not only the worth of our work, but also a great ability to sustain it, despite repeated reductions in public funding. While there seems to be a view that A&B Cymru could and should be funded by the private sector alone, it would be impossible to continue on that basis. The fact is that only with a relatively small amount (£70K) of public funding can we maintain a sufficient level of staffing to deliver the programmes described above. Without it, these programmes, and the resulting private sector income, would be lost to A&B Cymru and to the arts across Wales.

For every £1 of public money, A&B Cymru would lever £5.80 private sector investment to sustain its operation. In turn, this would lever over £1 million directly into the arts in Wales, **representing a total return on investment of £20:£1.**

This funding mix achieves precisely what the Arts Council of Wales is asking of its clients and yet there seems to be an assumption that A&B Cymru is no longer worthy of support. We call for this matter to be given serious consideration and the decision reversed before it's too late.

## **The Impact of Arts & Business Cymru**

**Arts & Business (A&B) Cymru plays a unique role in realising many of the Welsh Government and Arts Council of Wales' stated aims.**

Following a quarter of a century as part of a UK body, A&B Cymru became an independent Welsh charity in November 2011.

The small expert team works solely for the benefit of Wales – its creative sector, business economy and communities across the country.

### **In the past 5 years A&B Cymru has:**

- Increased the income and skills of 273 arts organisations
- Assisted 129 businesses to meet bottom line objectives by engaging effectively with the arts
- Levered over £1.5 million from business directly to the arts across Wales
- Brokered and supported 120 mutually beneficial business / arts partnerships
- Delivered projects in every local authority area of Wales
- Supported 83 projects which directly engaged over 25,000 disadvantaged young people with the arts
- Supported 22 projects which directly engaged 7,497 vulnerable or isolated older people with the arts
- Supported 37 arts projects which have had a positive impact on the health and well-being of 14,172 individuals
- Delivered events to showcase the work of 91 Welsh arts organisations to a wide and influential audience
- Provided training for 648 arts managers in fundraising and relevant business skills
- Provided 174 arts managers with free of charge specialist business expertise
- Strengthened the governance of 286 arts organisations through tailored board development
- Enabled 209 business managers to develop skills and widen horizons by working with arts organisations
- Trained 13 recent graduates to be full time professional arts fundraisers

**February 2017**

# Agenda Item 3

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## WRITTEN STATEMENT

Title: Expert Panel on Assembly Electoral Reform

Date: 1 February 2017

By: Elin Jones AM, Llywydd, as Chair of the Assembly Commission

Following the Assembly's consent to the Wales Bill, the *Wales Act 2017* was passed by Parliament and received Royal Assent on 31 January 2017. It will finally give the Assembly the legislative powers to determine how best to represent the people of Wales and hold the Welsh Government to account.

The devolution of powers to the Assembly and a move to a reserved powers model signals a new constitutional basis for the Assembly, with important new responsibilities. The Assembly finally has autonomy over its own affairs to help make this institution a stronger, more accessible, inclusive and forward-looking legislature that delivers effectively for the people of Wales.

As a Commission, we agree wholeheartedly with our predecessors, who unanimously concluded in their January 2015 report *The Future of the Assembly and its capacity to deliver for Wales*, that "With only 60 Members, the National Assembly is under powered and over stretched".

On 14 November 2016 I announced the Assembly Commission's decision to take forward work to address the capacity of the Assembly, acting on behalf of the institution, with cross-party support and, most importantly, in the interests of the people of Wales.

To ensure that work is informed by robust, politically impartial, independent advice, I am announcing today that I have appointed an Expert Panel on Assembly Electoral Reform, to be chaired by Professor Laura McAllister CBE, Professor of Public Policy and the Governance of Wales at the Wales Governance Centre.



The Panel will report by autumn 2017. Its work will help us to decide what size our national legislature should be to best meet the needs of the people of Wales, how Members of that legislature should be elected, and whether the voting age should be lowered.

In addition to its Chair, Professor McAllister, the Panel membership will be:

- Professor Rosie Campbell – Professor of Politics, Birkbeck, University of London and Professor Sarah Childs – Professor of Politics and Gender, University of Bristol (joint membership)
- Rob Clements – former Director of Service Delivery at the House of Commons
- Professor David Farrell – Head, School of Politics and International Relations, University College Dublin
- Dr Alan Renwick – Deputy Director of the Constitution Unit, University College London
- Sir Evan Paul Silk KCB – former Chair of the Commission on Devolution in Wales

I am delighted to be able to announce such an expert and highly qualified Panel. Between them they bring a wealth of expertise in the fields of electoral systems, parliamentary work and capacity, the constitutional position of the National Assembly, and wider issues of governance, including equalities, diversity and engagement. Their work will be vital to the Commission's efforts to reform the National Assembly for Wales and shape the future of Welsh democracy.

Nevertheless, such fundamental constitutional issues cannot be wholly separated from the political realities of representative democracy in Wales. Therefore, in addition to working closely with the First Minister and Welsh Government, I have invited the political parties currently represented in the Assembly to nominate representatives of a Political Reference Group, which I will chair. The Reference Group's role will be advisory; it will act as a sounding board for the Panel's emerging findings, and will help the Panel to ensure that its work culminates in



workable recommendations for reform that can be taken forward by the Assembly Commission and subject to public consultation.

The Terms of Reference for the Panel are:

- To review, and complement if necessary, the existing evidence and research relating to the size and electoral arrangements for the National Assembly;
- From that evidence base, and in order to inform the preparation of any necessary legislation, to make recommendations to the Assembly Commission on what should be the size of the membership of the National Assembly, the electoral system that should be used to elect its Members and the minimum voting age for National Assembly elections;
- The Expert Panel should report by autumn 2017 so that, provided the required degree of political support exists, any legislative changes could be made in time for the National Assembly election in 2021.



27 January 2017

Bethan Jenkins AM  
National Assembly for Wales  
Culture, Welsh Language and Communications Committee  
Cardiff Bay  
Cardiff CF99 1NA

Dear Ms Jenkins

## Historic Wales

Thank you for your letter of 4<sup>th</sup> January and sincere apologies for the delay in responding.

I confirm that I would be honoured to attend a meeting of the Committee with the Cabinet Secretary to answer members' questions about the report and its recommendations.

Yours sincerely



Justin Albert  
Director for Wales

## Agenda Item 4.3

Cynulliad Senedd Cymru / National Assembly for Wales  
Pwyllgor Diwylliant, y Gymraeg a Chyfathrebu / The Culture, Welsh Language  
and Communications Committee  
Ymchwiliad Strategaeth Iaith Gymraeg / Welsh Language Strategy Inquiry  
CWLC(5) WLS30  
Ymateb gan Cyngor Bwrdeistref Sirol Torfaen / Evidence from Torfaen  
County Borough Council

### **A million Welsh speakers by 2050;**

Changing the current status of the language will take a radical approach and Torfaen Council welcomes the Welsh Government recognition that this can only be done over a generation.

The target is challenging, and means doubling the number of Welsh speakers over the life of the strategy, and for this to be achieved will require significant, additional and ongoing resourcing and investment. Torfaen is a committed and willing partner to increasing the use of the Welsh language and hosts a Welsh Language medium Secondary School and has invested in additional Welsh Language education provision for our children through the recent building of a new state of the art primary school at Ysgol Panteg, this will support the overall direction in meeting the target.

The strategy must recognise the importance of the areas where the percentage of Welsh language speakers is low and the particular challenges faced by organisations in these areas. In recognition of this statement, Welsh Government must also recognise that we operate within the current climate of continuing financial constraints on Local Authorities; providing and promoting services in Welsh where demand is presently low will require appropriate additional resourcing whilst continuing to provide front line services in the here and now.

Policies, strategies and initiatives of the Welsh Government should reflect the vision, and ensure consistency and also importantly generate and sustain 'buy in' from the public across Wales – perhaps most importantly in those areas where Welsh is spoken by a significant minority of people and where parents are not choosing Welsh medium education for their children currently.

People learn Welsh for many reasons and at different stages within their lives, with the establishment of the National Centre for Learning Welsh, targets should be set, in conjunction with providing regional Centres with funding to deliver the courses at affordable rates. While parents can choose Welsh medium education for their children, it remains the case that most parents make this choice within (and typically at the beginning of) the primary phase. As a nation, we need to invest in immersion facilities that enable any child to begin their Welsh medium education at any point during their statutory education. This will be expensive to develop and sustain and will require significant support and resourcing from Welsh Government.

Torfaen County Borough Council will contribute through ensuring compliance of the Welsh Language Standards and fulfilling its obligations under other statutory legislation. With this in mind, it is important that the work of the Welsh Government, in relation to Welsh language is aligned with the Welsh language Commissioner, and vice versa, recognising that Local Authorities throughout Wales can assist in achieving this ambitious target and a partnership of encouragement rather than enforcement would be a good base to start.

#### **Culture and leadership;**

The requirement for the Council within the Welsh Language (Wales) Measure to produce a 5 year local strategy on maintaining/increasing the number of Welsh speakers has been undertaken but there is no guidance to offer reliable mechanisms for measuring growth/decline from Welsh Government. The Council in response to this requirement has grown capacity in Welsh language medium education and alongside informing parents that there is a choice, we expect to meet the existing/future demand but this demand will be determined by parents. Promotion of the Welsh language will also be a measure and will support the requirements of the Welsh Language Standards.

The Council would want to draw Welsh Governments attention to the potential for existing policy conflict. There is a real danger that in reducing child places, which Torfaen has undertaken in consultation with its residents and in compliance to existing Welsh Government policy that there may not be enough places in schools to meet a different policy driver. Welsh Government should review its criteria around 21st Century Schools and the requirements on Local Authorities to manage surplus placements in order that these do not conflict with the aspiration to meet the 2050 target.

### **Categorisation / Language continuum;**

The areas within the “A living language: a language for living” strategy put people into categories, which were far too ambiguous. This strategy focuses on the individual, with emphasis on how to support Welsh speakers and the importance of all organisations working together.

Councils are one of the major public service employers with any given area of Wales. Councils and in the future health boards, the Police, Fire and Rescue Services and other public bodies will become subject to the Welsh Language Standards. As a consequence, advertised jobs will need to be identified as requiring varying job essential or otherwise Welsh language use and this will help promote the use of the language. Job opportunities will inevitably drive people to those areas where jobs exist and this will likely impact on our ability to retain those who use Welsh language following welsh language medium education to remain in Torfaen.

In part, we want to avoid the language being seen as being elite, and every learner and native speaker should be encouraged to use the language regardless of ability, and these positives should be encouraged. By creating the opportunities to use the language, we will create the confidence in our speakers. This however will take time over generations to achieve. It is vital that investment is made to address the reasons, which is mainly due to the social opportunities, and recognise the excellent work that the Mentrau Iaith,

the Urdd and Mudiad Meithrin do in creating these opportunities, albeit with very little resources.

This must be a multi-agency approach and through the policies of the Welsh Government, each sector should be accountable for ensuring that services are available and that the use of the Welsh language is encouraged. Welsh Government should incentivise / provide training with support for a range of professional qualifications through the medium of Welsh if this is to change.

Apprenticeships are on the increase and within the Welsh Governments apprenticeship policy, each employer should offer support that Welsh skills are recognised or learnt, however this should be by choice rather than a mandatory requirement.

#### **Community engagement;**

The Welsh Government must ensure that the language belongs to us all, not only Welsh speakers. By strengthening the role of non-Welsh speakers in promoting and use of the language, will ensure that the language is seen and heard within communities, but also mindful that you cannot force people to learn Welsh.

By having a national awareness Campaign for Councils and other organisations to implement, highlighting the benefits of bilingual education, identity and Welsh as a brand in commerce, this would also have the desired effect of people wanting to use their language.

Torfaen Council agree that the quickest and most sustainable way to increase the number of Welsh speakers is through our Education system. Clarity, guidance and a steer is needed by Welsh Government, allowing LA's to promote Welsh medium education/bilingual education.

With pressure from WG to reduce surplus places within our schools, it is difficult to be showing disparity, and creating surplus places within our Welsh Medium schools to satisfy the "build and they will come" ethos

Working together and building on what is already being done is key. Whilst recognising the fine balance in some parts of Wales, as here in Torfaen, where a “heavy handed” approach will tip the balance between accepting the language as part of our culture and Welsh as a barrier to growth.

Welsh is a Community language and children should be educated as near as possible to their homes. By locating Welsh medium schools outside those communities, children do not play with their friends through the medium of Welsh, and therefore Welsh Communities aren’t nurtured. We create individuals not Communities

### **Integration.**

With information technology a significant part of our daily lives, the WG should include within the strategy a more focused objective that will ensure the development of packages, here in Wales, being available bilingually.

As an Authority, we support our partners, with Welsh language translation, guidance and advice. The strategy should ensure that this support is given too small businesses who would otherwise struggle to offer their services in Welsh, either directly by WG or through local Councils.

A national publicity campaign around the use of the Welsh language should be developed to convey the clear message that all public services are there in Welsh to be used. The rights of Welsh speakers remain uncertain, especially through this period of challenges, appeals, and tribunals of the Welsh Language Standards by Public Bodies.

Having a positive campaign that reflects the strategy, would empower Welsh speakers to use their language in everyday life.

The Welsh Government is seen as best practice when it comes to language planning. This strategy has the potential to influence much further afield than the content of the strategy itself and the WG immediate partners.

To realise the Million Welsh speakers by 2050, there must be resources and investment given to the language, both on a local and national level.

Recognising that the heartlands of the language need protecting, whereas the growth areas of Wales need nurturing.

Bethan Jenkins AM  
Chair  
Culture, Welsh Language and Communications Committee

17 January 2017

Dear Bethan,

### **A Stronger Voice for Wales: engaging with Wales and the devolved institutions**

We have recently launched an inquiry looking at inter-institutional relations between Wales and the UK. A copy of the consultation letter is attached.

As effective inter-governmental working cuts across all the remit of all committees, we welcome any views your committee may have on any area of our terms of reference.

We are also aware that a number of committees have established working relationships with committees with shared interests from across the United Kingdom, and we would welcome any further views you may have on how we can better improve inter-parliamentary working.

We will be sharing our findings with all the Assembly committees when we have completed our work.

Yours sincerely



Huw Irranca-Davies AM

Chair

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.



December 2016

Dear Colleague

**A stronger voice for Wales: engaging with Westminster and the devolved institutions**

The Constitutional and Legislative Affairs Committee have agreed to undertake an inquiry into inter-institutional working. The Committee intends to build on the work already undertaken by other legislatures on this issue, including the House of Commons Public Administration and Constitutional Affairs Committee; the House of Lords Constitution Committee and the Scottish Parliament's Devolution (Further Powers) Committee.

The Committee has set the following inquiry objectives:

Inquiry objectives:

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To produce best practice principles for inter-institutional working for constitutional legislation.

To reflect and build on the work of other legislatures on inter-institutional working as it relates to broader policy areas.

To seek, establish and promote opportunities for inter-parliamentary working, including promotion of citizen engagement.

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The Committee has split the work into two strands. We will start work on the first strand in January, with the aim of finishing work on both strands by summer 2017.

## Terms of reference

In order to assist us in our work we would welcome your views on any or all of the following points:

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### **Strand I: Inter-institutional relations [Constitutional matters]**

To review how inter-institutional relations have influenced development of Welsh devolution since 1998.

This will include looking at:

- 
- How inter-governmental mechanisms have impacted on the development of the devolution settlement.
  - How inter-governmental relations have developed and evolved, what worked well and the impact these relations have had on the devolution settlement.
  - How inter-parliamentary relations have evolved, the current state of these relations and how they could be further developed in relation to the development and scrutiny of constitutional legislation.
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### **Strand II: Inter-institutional relations [Policy matters]**

By building on the work previously undertaken across the UK to explore within the Welsh context:

- 
- The nature of relationships between the Welsh and UK Government, how these relationships function and how they can be improved.
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- 
- Improving opportunities for improved policy learning between Governments and Parliaments.
  - Best practice in inter-institutional relations from across the UK which could be imported into the Welsh context.
  - The nature of the relationship between the Welsh and UK legislatures and to identify opportunities for effective inter-parliamentary working.
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To cover any other matters that relate to inter-institutional relationships, including relevant implications of the UK leaving the EU.

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### Invitation to contribute

General information regarding consultation procedures, which should be considered carefully before submitting evidence to the Committee, is set out in the Annex. Responses should be submitted by **Friday 17 February 2017**. It may not be possible to take into account responses received after this date.

If you have any queries, please contact Gareth Williams, Committee Clerk on 0300 200 6362 / [SeneddCLA@assembly.wales](mailto:SeneddCLA@assembly.wales)

Yours sincerely

*Huw Irranca-Davies*

Chair

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English



## Annex

### Submitting Written Evidence to the Committee

#### Disclosure of Information

1. The Assembly's [policy on disclosure of information](#) is available; please ensure that you have considered these details carefully before submitting information to the Committee. Alternatively a hard copy of this policy can be requested by contacting the Clerk.

#### Submitting evidence

2. If you wish to submit evidence, an electronic copy of your submission should be returned to: [SeneddCLA@assembly.wales](mailto:SeneddCLA@assembly.wales)

#### Alternatively, you can send it to:

Constitutional and Legislative Affairs Committee

National Assembly for Wales

Cardiff Bay

CF99 1NA.

3. Submissions should arrive by **17 February 2017**. It may not be possible to take into account responses received after this date.

4. When preparing your submission, please keep the following in mind:

- your response should address the terms of reference;
- the National Assembly normally makes responses to public consultation available for public scrutiny and they may also be seen and discussed by Assembly Members at Committee meetings. If you do not want your response or name published, it is important that you specify clearly this in your submission; and
- please indicate whether you are responding on behalf of an organisation, or as an individual.



## **Guidance for witnesses providing written evidence for committees**

5. The Assembly is committed to providing accessible information to the widest audience possible. This short guide is to assist witnesses who produce written information for committees. This will enable the Assembly to provide information submitted by third parties in an accessible manner.

- Use plain English and plain Welsh – avoid unnecessary jargon.
- Use a minimum of font size 12.
- Use a clear sans serif typeface, such as Lucida Sans.
- Do not have writing over graphics, pictures or watermarks.
- Colours and contrast – writing should have maximum contrast to the background: dark on light, light on dark.
- Do not use block capitals, and minimise use of bold, underlining and italics.
- If you wish to refer to a published document, please include a hyperlink to that document, rather than the document itself.

6. Where possible, information should be provided in Microsoft Word to ensure accessibility. Where a scan or PDF is provided, particularly in the case of signed letters or tables of information, the original Word document should be provided along with it.

### **General**

7. The Committee welcomes evidence from those with an interest in this subject. If you are responding on behalf of an organisation, please provide a brief description of the role of your organisation.

8. The Committee welcomes contributions in both or either of our official languages, English and Welsh. Information not submitted bilingually will not be translated and will be published in the language of submission only.

9. The Committee will consider responses to the written consultation.



10. For your information, the Committee has invited submissions from a wide range of organisations, a list of which is available on request. A copy of this letter has also been placed on the National Assembly's website with an open invitation to submit views. However, the Committee would be grateful if you could forward a copy of the consultation letter and Annex to any individuals or organisations that you believe might wish to contribute to the inquiry.



# Agenda Item 7

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# Agenda Item 8

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