



Cynulliad Cenedlaethol Cymru **The National Assembly for Wales**

Y Pwyllgor Craffu ar Waith y Prif Weinidog **The Committee for the Scrutiny of the First Minister**

Dydd Gwener, 13 Mawrth 2015
Friday, 13 March 2015

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

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

David Melding	Ceidwadwyr Cymreig (Cadeirydd y Pwyllgor) Welsh Conservatives (Committee Chair)
Paul Davies	Ceidwadwyr Cymreig Welsh Conservatives
Jocelyn Davies	Plaid Cymru The Party of Wales
Lynne Neagle	Llafur (yn dirprwyo ar ran Ann Jones) Labour (substitute for Ann Jones)
Eluned Parrott	Democratiaid Rhyddfrydol Cymru Welsh Liberal Democrats

**Eraill yn bresennol
Others in attendance**

Peter Kennedy	Cyfarwyddwr Adnoddau Dynol Director, HR
Carwyn Jones	Aelod Cynulliad, Llafur (Prif Weinidog Cymru) Assembly Member, Labour (First Minister of Wales)
Bethan Webb	Dirprwy Gyfarwyddwr y Gymraeg Deputy Director, Welsh Language

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

Stephen George	Clerc Clerk
Gwyn Griffiths	Uwch-gynghorydd Cyfreithiol Senior Legal Adviser
Kathryn Thomas	Dirprwy Glerc Deputy Clerk
Graham Winter	Y Gwasanaeth Ymchwil Research Service <i>Dechreuodd y cyfarfod am 09:30. The meeting began at 09:30.</i>

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

[1] **David Melding:** Bore da, bawb, a chroeso i'r cyfarfod hwn o'r Pwyllgor Craffu ar Waith y Prif Weinidog. Heddiw, byddwn yn edrych ar rôl Llywodraeth Cymru wrth warchod a gwella'r iaith Gymraeg a'r broses ar gyfer craffu ar benodiadau cyhoeddus pwysig yng Nghymru. Rydw i'n falch iawn o groesawu'r Prif Weinidog a'i swyddogion.

David Melding: Good morning, everyone, and welcome to this meeting of the Committee for the Scrutiny of the First Minister. Today we will be looking at the Welsh Government's role in protecting and enhancing the Welsh language and the process for and the scrutiny of major public appointments in Wales. I'm delighted to welcome the First Minister and his officials.

[2] Can I just make a few housekeeping announcements? Obviously, these proceedings will be conducted in Welsh and English. When Welsh is spoken, there's translation on channel 1. Should you need to amplify our proceedings, channel 0 will do that. Please switch off all mobile phones or put them on 'silent'. We do not expect a routine fire drill, so if you hear the alarm, please follow the instructions of the ushers. I have apologies from Ann Jones and I'm delighted that Lynne Neagle is joining us this morning as Ann's substitute.

09:31

Sesiwn Graffu ar Waith y Gweinidog: Rôl Llywodraeth Cymru wrth Ddiogelu a Hyrwyddo'r Iaith Gymraeg
Ministerial Scrutiny Session: The Welsh Government's Role in Protecting and Enhancing the Welsh Language

[3] **David Melding:** First Minister, would you like to introduce your team?

[4] **The First Minister (Carwyn Jones):** To my left I have Bethan Webb, from the Welsh language unit, and Peter Kennedy on my right, who is the director of human resources, which I think is his title.

[5] **David Melding:** You're all most welcome. We'll start, then, with Welsh language policy. I'll ask Paul Davies to take us through the first set of questions.

[6] **Paul Davies:** Diolch yn fawr iawn, Gadeirydd. Brif Weinidog, rydych chi fel Llywodraeth wedi cymryd nifer o gamau i geisio cefnogi'r iaith Gymraeg dros y blynyddoedd diwethaf. Yn 2012, fe gyhoeddoch chi, fel Llywodraeth, 'Iaith fyw: iaith byw' ac, wrth gwrs, yn Awst y llynedd, fe gyhoeddoch chi 'Iaith fyw: iaith byw—Bwrw mlaen', ac rwy'n deall taw nod y ddogfen bolisi honno yw rhoi ffocws newydd i chi fel Llywodraeth dros y tair blynedd nesaf. Pam ydych chi wedi dewis yr amserlen honno? Pam tair blynedd i ddechrau?

Paul Davies: Thank you very much, Chair. First Minister, you as a Government have taken several steps to try to support the Welsh language over the past years. In 2012, you published as a Government 'A living language: a language for living' and, of course, in August of last year, you published 'A living language: a language for living—Moving forward', and I understand that the aim of that policy document was to give a new focus to you as a Government over the next three years. Why have you chosen that timetable? Why three years initially?

[7] **Y Prif Weinidog:** Beth rŷm ni'n moyn ei wneud, wrth gwrs, yw sicrhau ein bod ni'n symud ymlaen gyda phethau newydd a ffyrdd newydd o gefnogi'r iaith a hybu'r iaith. Mae tair blynedd yn tueddu i fod yn gyfnod lle mae'n bosibl gwerthuso'r gwaith sy'n cael ei wneud, i weld beth sy'n gweithio ac, efallai, beth sy'n gorfod cael ei newid. Beth fyddwn yn ei wneud, wrth gwrs, yw sicrhau, ar ôl tair blynedd, fod yna adolygiad yn cymryd lle o'r gwaith sydd wedi cael ei wneud ac wedyn cryfhau o fanna.

The First Minister: What we want to do, of course, is to ensure that we progress with new ways of supporting and boosting the language. Three years tends to be a period when it's possible to evaluate the work that's carried out, to see what actually is effective and, perhaps, what needs to be changed. What we will do, of course, is to ensure that, after three years, a review takes place of the work that's been done and then we can build on that.

[8] **Paul Davies:** Yn sgil y ddogfen yma, a ydych chi'n mynd i osod targedau penodol, achos nid wyf yn gweld bod yna dargedau penodol yn y ddogfen hon? A ydych chi'n mynd i wneud hynny er mwyn eich bod yn gallu mesur eich llwyddiant chi?

Paul Davies: Following the publication of that document, are you going to set specific targets, because I don't see that there are specific targets in this document? Are you going to set those, so that you can measure your success?

[9] **Y Prif Weinidog:** Wel, rydym ni'n gwybod bod 'Iaith Pawb' wedi dangos bod sicrhau bod gennym ni dargedau ynglŷn â

The First Minister: Well, we know that 'Iaith Pawb' has demonstrated that ensuring that we have targets on increasing the

chynyddu'r nifer o siaradwyr Cymraeg ddim yn gweithio. Beth rŷm ni yn moyn ei wneud yw sicrhau bod mwy o bobl yn defnyddio'r Gymraeg. Rŷm ni'n gwybod o'r gwaith sydd wedi cael ei wneud lan hyd nawr bod yna lawer o bobl yn siarad Cymraeg, ond y gwendid yw'r nifer sy'n defnyddio'r Gymraeg ac â'r hyder i ddefnyddio'r Gymraeg. Beth rwyf yn moyn ei weld yw'r Gymraeg yn cael ei defnyddio yn fwy yn y gymuned, a hefyd yn y byd swyddogol, er mwyn sicrhau bod y rheini sydd yn dweud eu bod yn gallu siarad Cymraeg yn gwir ddefnyddio'r Gymraeg yn ystod yr wythnos a'u bywydau nhw.

[10] **Paul Davies:** Ond, a ydych chi'n mynd i osod targedau penodol? Achos i sicrhau eich bod yn llwyddo a bod y ddogfen yma'n llwyddo, byddai'n gwneud synnwyr, fe fyddwn i'n meddwl, eich bod yn gosod rhyw fath o dargedau i sicrhau bod pethau'n mynd yn y cyfeiriad iawn.

[11] **Y Prif Weinidog:** Wel, a gaf i ddweud bod yna fframwaith yn cael ei ddatblygu ar hyn o bryd ynglŷn â strategaeth yr iaith Gymraeg? Bydd hwn yn ychwanegu at y gwaith ymchwil sydd wedi cael ei wneud lan hyd nawr. Rydym ni yn ystyried y data yna ar hyn o bryd ynglŷn â'r defnydd o'r iaith Gymraeg. O fanna, wedyn, bydd yna benderfyniad ynglŷn ag ym mha ffordd y gallwn ni ddefnyddio'r data hynny i weld a fyddai targedau yn berthnasol yn y dyfodol.

[12] **Paul Davies:** Fe gynhalioch chi y Gynhadledd Fawr, wrth gwrs, yn ystod haf 2013, ac un o gasgliadau'r Gynhadledd Fawr, ac roeddech chi wedi cydnabod hynny fel Llywodraeth, oedd yr angen ichi gynyddu buddsoddiad yn y Gymraeg er mwyn sicrhau gweithredu effeithiol. Nawr, mae gwariant ar yr iaith Gymraeg, wrth gwrs, wedi gostwng £700,000 y flwyddyn ariannol hon, ac, fel rwy'n deall, mae yna ostyngiad o £856,000 yn 2015-16. Pam ydych chi wedi cymryd y penderfyniad hwn fel Llywodraeth, yn enwedig gan eich bod chi wedi cydnabod y dylai fod buddsoddiad yn y Gymraeg?

[13] **Y Prif Weinidog:** Wel, o achos y cefndir ariannol sydd gyda ni ar hyn o bryd. Mae'n rhaid inni gofio, wrth gwrs, hefyd bod yna wariant ym manau eraill ynglŷn â'r

numbers of Welsh speakers doesn't necessarily work. What we want to do is to ensure that more people use the Welsh language. We know from the work done to date that there are many people who are able to speak Welsh, but the problem is the number who actually use Welsh and have the confidence to use Welsh. What I want to see is the Welsh language being used more within communities, and also in officialdom, so that those who say that they can speak Welsh do make real use of the language during their daily lives.

Paul Davies: But, are you going to set specific targets? Because to ensure that you succeed and that this document succeeds, it would make sense, I would think, for you to set some sort of targets to ensure that things are moving in the right direction.

The First Minister: Well, may I say that a framework is being developed at present in terms of the Welsh language strategy? This will add to the research carried out to date. We are considering those data at present in terms of Welsh language useage. From there, a decision will be made as to how we can actually make use of those data to see whether targets would be relevant for the future.

Paul Davies: You held the *Cynhadledd Fawr*—the big conversation—in the summer of 2013, and one of the findings of the *Cynhadledd Fawr*, and you acknowledged it as a Government, was the need for you to increase investment in the Welsh language to ensure efficient action. Now, expenditure on the Welsh language, of course, has decreased £700,000 in this financial year, and, as I understand it, there is a decrease of £856,000 in 2015-16. So, why have you taken that decision as a Government, especially as you have acknowledged that there should be investment in the Welsh language?

The First Minister: Well, because of the financial climate facing us at present. We have to bear in mind, of course, that there is expenditure in other areas on the Welsh

Gymraeg, fel addysg, er enghraifft. Beth oeddem yn moyn sicrhau oedd bod y gwariant yn cael ei ddefnyddio mewn ffordd fwy effeithiol. Mae gyda ni ymgyrchoedd, er enghraifft, fel Pethau Bychain, ac rydym ni wedi sicrhau bod arian yn cael ei ddodi i mewn i gynllun peilot yn Nyffryn Teifi er mwyn hybu'r iaith Gymraeg yn y byd busnes ac, wrth gwrs, rydym ni wedi buddsoddi £1.5 miliwn mewn prosiectau cymunedol dros ddwy flynedd. Mae hynny'n cynnwys £750,000 i'r mentrau iaith a hefyd cronfa cyfalaf i sicrhau bod gyda ni ganolfannau sy'n hybu'r iaith Gymraeg ar draws Cymru. Fe es i i un yn ddiweddar yn Llanelli—lle o'r enw 'Y Lle'. Felly, rydym ni'n moyn ddefnyddio'r arian mewn ffordd fwy effeithiol, wrth gofio'r ffaith fod y sefyllfa ariannol yn anodd.

[14] **Paul Davies:** Mae rhai yn awgrymu, wrth gwrs, bod gyda ni argyfwng yn yr iaith Gymraeg. Rwy'n credu bod Cymdeithas yr Iaith Gymraeg yn honni bod gyda ni argyfwng o achos bod yna ostyngiad wedi bod yn nifer y siaradwyr Cymraeg. Felly, mae rhai yn awgrymu y dylech stopio unrhyw doriadau pellach yn y gyllideb i'r iaith Gymraeg. Sut ydych yn ymateb i hynny?

[15] **Y Prif Weinidog:** Yn gyntaf i gyd, wrth gwrs, nid yw'n bosib i ystyried cyllideb yr iaith Gymraeg dim ond wrth edrych ar y ffigwr rydych wedi sôn amdano. Rydym yn hybu'r iaith Gymraeg mewn ffyrdd eraill, fel addysg, lle mae mwy a mwy o arian wedi cael ei hala ar yr iaith Gymraeg yn y maes hwnnw. Mae awdurdodau lleol nawr yn gwneud mwy i hybu'r iaith Gymraeg—yn fwy cyson, felly—nag o'r blaen. Ac, wrth gwrs, mae ffyrdd anuniongyrchol i hybu'r iaith Gymraeg, sef, er enghraifft, y ffaith bod yna swyddfydd gyda ni nawr yn llefydd fel Cyffordd Llandudno ac Aberystwyth, sy'n sicrhau bod pobl yn gallu byw yn eu cymunedau a gweithio yn eu cymunedau ac felly, wrth gwrs, siarad Cymraeg yn eu cymunedau. Os edrychwch chi, felly, mewn ffordd gynhwysfawr ynglŷn â beth sy'n cael ei hala ar yr iaith Gymraeg, felly, mae lot fwy na dim ond beth sydd yn y gyllideb sydd yn cael ei ddefnyddio'n uniongyrchol ar gyfer prosiectau fel Pethau Bychain, ac yn y blaen.

language, such as education, for example. What we wanted to ensure was that expenditure be used in a more effective and efficient manner. We have campaigns, such as Pethau Bychain, for example, and we have ensured that funding is provided to a pilot scheme in the Teifi valley to promote the Welsh language in business and, of course, we have invested £1.5 million in community projects over a period of two years. That includes £750,000 for the mentrau iaith and also a capital fund to ensure that we do have centres that promote the Welsh language the length and breadth of Wales. I visited one recently in Llanelli, which is called 'Y Lle'. Therefore, what we want to do is to use that funding in a more effective manner, bearing in mind that the financial climate is a difficult one.

Paul Davies: Some suggest, of course, that we have a crisis with the Welsh language. I believe that Cymdeithas yr Iaith Gymraeg alleges that we do have a crisis because there's been a decrease in the number of Welsh speakers. Therefore, some have suggested that you should stop any further cuts to the budgets for the Welsh language. How do you respond to that?

The First Minister: First of all, of course, it's not possible to consider the Welsh language budget by only looking at the figures that you have mentioned this morning. We promote the Welsh language in all sorts of other ways, for example, education, where more and more money has been spent on the Welsh language in that area. Local authorities are now doing more to promote the Welsh language—and more consistently—than was the case in the past. And, of course, there are indirect ways in which we can support the Welsh language, namely that we have offices in areas such as Llandudno Junction and Aberystwyth, which means that people can remain in their communities, work in those communities and speak Welsh in those communities. If you look, therefore, in a holistic manner at the bigger picture in terms of expenditure on the Welsh language, then it's far more than what's actually included in the budget and can be directly linked to projects such as Pethau Bychain, and so on.

[16] **Paul Davies:** Wrth edrych ar linell y gyllideb ar wariant ar yr iaith Gymraeg, mae'n anodd ambell waith i weld yn gywir fel y mae'r arian yn cael ei wario. A fyddai'n bosib, gyda chaniatâd y Cadeirydd, efallai, y gallech roi'r wybodaeth benodol i ni fel pwyllgor? Oherwydd pan ydych yn edrych ar linell y gyllideb, mae'n anodd iawn i weld le mae'r arian yn mynd yn benodol. Felly, byddai'n briodol, efallai, ichi hala'r wybodaeth yna atom ni.

[17] **Y Prif Weinidog:** Fe wnaif sgwennu at y pwyllgor er mwyn sicrhau bod hynny'n digwydd.

[18] **Paul Davies:** Mae sefydliadau fel Cymdeithas yr Iaith hefyd yn honni bod nifer y siaradwyr yng ngwlad y Basg, er enghraifft, wedi cynyddu'n sylweddol dros y degawdau diwethaf oherwydd eu bod yn gwario bron saith gwaith yn fwy o'i gyllideb yn benodol ar yr iaith, o'i gymharu â'r sefyllfa yma. Sut ydych yn ymateb i hynny?

[19] **Y Prif Weinidog:** Yn gyntaf, wrth gwrs, mae'n rhaid i ni gofio, fel y dywedais yn gynharach, bod yna lawer o arian yn cael ei hala ar addysg Gymraeg ac mewn ffyrdd eraill yn anuniongyrchol. Felly, nid yw'n bosib dim ond i edrych ar y gyllideb ynglŷn â ffrwd yr iaith Gymraeg yn y gyllideb ac anghofio beth sy'n cael ei hala yn y meysydd eraill. Nid yw'n bosib i ni hala saith gwaith yn fwy nag yr ydym yn ei wneud ar hyn o bryd; mae hynny yn—wel, i siarad yn blwmp ac yn blaen, mae'n hollol amhosib. Ond mae'n bwysig i gofio beth sy'n cael ei hala ar yr iaith yn y meysydd eraill hefyd.

[20] **Paul Davies:** A ydych yn derbyn bod yna berthynas rhwng faint o arian sy'n cael ei wario ar yr iaith Gymraeg a llwyddiant yr iaith Gymraeg?

[21] **Y Prif Weinidog:** Na, nid yw mor rhwydd â hynny, achos rydym ni'n gwybod bod yna lot fawr o gynyddiad wedi bod ynglŷn â'r arian sydd wedi cael ei hala ar yr iaith Gymraeg dros y ddegawd ddiwethaf ond heb weld y canlyniadau byddem ni'n eu moyn. Felly, mae arian yn bwysig, wrth gwrs, i ariannu cynlluniau, ond mae'r sefyllfa yn fwy cymhleth na hynny, byddwn i'n

Paul Davies: In looking at the budget line and the expenditure on the Welsh language, it's difficult sometimes to see exactly how the funding is being spent. Would it be possible, with the Chair's consent, perhaps, that you could give that specific information to us as a committee? Because when you look at the budget line, it's very difficult to see where the funding is going specifically. So, it would perhaps be appropriate that you send that information to us.

The First Minister: I will write to the committee to ensure that that does happen.

Paul Davies: Organisations like Cymdeithas yr Iaith also claim that the number of speakers of the Basque language has increased significantly over the past few decades because they spend almost seven times more of their budget specifically on the language as compared to the situation here. How do you respond to that?

The First Minister: First, we have to bear in mind, of course, as I said earlier, that a great deal of money is spent on Welsh-medium education and, indirectly, expenditure is also taking place in other areas. So, we can't simply look at the Welsh language line in the budget and forget, of course, what's happening in all sorts of other areas. It isn't possible for us to spend seven times what we're currently spending; plainly speaking, that's completely impossible. But it is important to bear in mind what is spent on the language in other areas as well.

Paul Davies: Do you accept that there is a relationship between how much is spent on the Welsh language and the success of the Welsh language?

The First Minister: No, it's not that simple, because we know that there has been a great increase in expenditure on the Welsh language over the past decade, but we haven't seen the outcomes that we would have hoped for. Funding is important, of course, to fund schemes, but the situation is more complex than that, in my opinion. For example, we know from the last survey that

dweud. Er enghraifft, rydym ni'n gwybod o'r arolwg diwethaf fod yna fwy o bobl yn dweud eu bod nhw'n siarad Cymraeg nag oedd wedi dweud hynny yn y sensws. Mae llai yn dweud eu bod nhw'n rhugl yn y Gymraeg, a byddwn i'n dweud, wedyn, fod llai o bobl yn defnyddio'r Gymraeg. Felly, imi, beth sy'n bwysig yw ein bod ni'n defnyddio'r arian sydd gennym ni er mwyn sicrhau bod gan bobl yr hyder i ddefnyddio'r Gymraeg ym mhob maes o fywyd. Dyna, imi, yw'r her fawr yn y ddegawd nesaf—i sicrhau bod pobl yn gwneud hynny. Felly, na, nid wyf i'n credu ei fod e'n wir i ddweud os ych chi'n hala mwy o arian, felly fe welwch chi gynyddiad mewn ffordd otomatig. Mae yna fwy o gymhlethdod na hynny ynglŷn â sicrhau bod pobl yn siarad Cymraeg ac yn defnyddio'r Gymraeg.

[22] **Paul Davies:** Nawr, yn ôl y dystiolaeth rŷm ni wedi ei derbyn, mae'n debyg eich bod chi wedi ymrwymo i gynnal adolygiad o holl wariant y Llywodraeth a pherthynas y gwariant hwnnw gyda'r Gymraeg. Mae'n debyg nad yw'r adolygiad hwnnw wedi cymryd lle. A ydy hynny nawr yn mynd i ddigwydd?

[23] **Y Prif Weinidog:** Wel, mae hwn yn rhywbeth, wrth gwrs, rydym ni wastad yn ystyried ynglŷn ag ym mha ffordd rŷm ni'n symud ymlaen. Fel y dywedais i, y cam nesaf yw'r fframwaith gwerthuso, sydd wedi cael ei gymryd ymlaen. Rydym ni'n moyn sicrhau, fel y dywedais i, ein bod ni'n edrych ar y data hynny er mwyn sicrhau bod y data'n cael eu defnyddio yn y ffordd fwyaf bwriadol. Rydym ni yn, wrth gwrs, sicrhau ein bod ni'n deall impact gwariant ar yr iaith Gymraeg pan ym ni'n ystyried y gyllideb. Er enghraifft, mae pob adran ar hyn o bryd wedi cael canllawiau ynglŷn ag assess-o impact ar yr iaith pan ydyn nhw'n paratoi eu cyllidebau drafft a hefyd mae'n rhaid iddyn nhw assess-o pa fath o impact neu effaith fydd ar yr iaith Gymraeg wrth eu bod nhw'n cymryd penderfyniadau ynglŷn â'u cyllidebau nhw. Felly, nid oes arolwg cynhwysfawr yn y ffordd yna wedi cymryd lle, ond rydym ni'n erfyn i bob adran arolygu'r gwaith maen nhw'n ei wneud yn ystod y flwyddyn er mwyn sicrhau eu bod nhw'n deall yr impact ar yr iaith Gymraeg o achos y penderfyniad maen nhw'n ei gymryd.

more people say they speak Welsh than said so in the census. Fewer are saying that they are fluent Welsh speakers, and I would say, then, that fewer people are using the Welsh language. So, for me, what's important is that we use the funding that we have to ensure that people have the confidence to use the Welsh language in all aspects of their lives. That, for me, is the major challenge over the next decade—to ensure that people do that. So, no, I don't think it is true to say that, if you spend more money, you will necessarily see an increase automatically. It is far more complex than that with regard to ensuring that people speak the Welsh language and use it.

Paul Davies: Now, according to the evidence that we've received, it appears that you have committed to undertake a review of all Government expenditure and the relationship between that expenditure and the Welsh language. It appears that that review hasn't yet taken place. Is that now going to happen?

The First Minister: Well, this is something, of course, we always consider in terms of moving forward. As I said, the next step is the evaluation framework, which has been taken forward. We want to ensure, as I said, that we look at those data in order to ensure that they are used in the most meaningful way possible. We do, of course, ensure that we understand the impact of expenditure on the Welsh language when we consider the budget. For example, all departments have been given guidance on assessing the impact on the language when preparing their draft budgets and they also have to assess what kind of impact there will be on the Welsh language as the take decisions on their budgets. Therefore, there isn't a comprehensive review that has taken place in that way, but we do expect all departments to review their work in-year in order to ensure that they understand the impact on the Welsh language of the decisions that they take.

[24] **David Melding:** I'm very interested in mainstreaming the Welsh language, and I'll ask Lynne Neagle to take us through the range of questions on this topic.

[25] **Lynne Neagle:** Thanks, Chair. Morning, First Minister. One of the issues that the Welsh Language Commissioner has expressed concern about in her written evidence is that the Welsh Government doesn't always assess the impact of policies, initiatives or services before consulting on them. How do you respond to that concern?

[26] **The First Minister:** First of all, I'd refer Members to the comments that I made some moments ago in terms of what departments are expected to do, but there's always more that can be done—we accept that—particularly in ensuring there's a consistent approach across departments. The commissioner has recognised that important strides have been made in the meantime. Just to give an example of what's happened, we have published a new toolkit to assess the effects of policy decisions on the Welsh language, and that includes policies, grant schemes, legislation and consultations. New staff training has been put into place as well, and that is being taken forward. We've also made sure that new measures have been introduced to ensure that language considerations are placed in policy and legislation decision folders to Ministers, and we will also continue, over the course of the next few weeks and months, to provide more training in terms of training and communication, so that staff are aware of the toolkit and the need to use it.

[27] **Lynne Neagle:** Thank you. You indicated that there's always more to be done, and I accept that you've given us a list of positive actions that are being taken. Is there anything else that's in the pipeline that you would want to draw our attention to?

[28] **The First Minister:** Well, again, referring to what we're doing in terms of the data that I referred to earlier on, which we are analysing at the moment—. But also we need to consider how we improve or how we have in place the right level of reporting structures, when we consider the Welsh language standards that, of course, we'll have to adhere to.

09:45

[29] One of the great changes that's occurred in the past 15 years in Government is the large increase in the percentage of Welsh speakers within Welsh Government itself. In 2000, some 7% of staff in what became Welsh Government were regarded as Welsh speakers fluent enough to be able to communicate in an official way, as it were, with the public. That's risen now; we are now at 18%. It varies across Wales; that much is true. For example, if you look at the figures for the different offices, at the moment in Cardiff some 14% of staff are in that category. That rises to nearly 46% in terms of the office in the north. Some of that increase has been driven by the fact there are more offices outside. For example, in 2000, as I said, 7.4% of the Cardiff staff spoke Welsh; outside of Cardiff, nearly 17%, giving a total of 9.3%. That's gone up to 18%. Some of it is because of the increase in Cardiff, a doubling in the numbers of staff who can speak Welsh, but also, of course, a huge increase in the percentage of staff who can speak Welsh in the other offices, partially driven by the fact, of course, that people are able to work in those offices for the Welsh Government, and not have to move to Cardiff. I think it's fair to say that, in the days of the Welsh Office, not much prominence was given to the Welsh language, and that was reflected in the very low percentage of Welsh speakers that worked for that organisation, compared to where we are now.

[30] **Lynne Neagle:** Okay, thank you. In terms of the framework that's now being used to assess the impact of legislation, can you just tell us some more about that, and also maybe how robust you think that's likely to be?

[31] **The First Minister:** Well, we take the view, of course, that it is robust; it's the

furthest, perhaps, that this has been taken during the lifetime of this or any other Welsh Government. Certainly, the fact that decisions have to be evaluated against the toolkit, and the fact that Ministers have to bear in mind the guidance that the toolkit provides when they take their decisions, is a sign of the Welsh language being brought to the fore as an important consideration when taking ministerial decisions, whereas in the past it wouldn't have been quite as obvious in terms of it being a major factor when decisions were taken.

[32] **Lynne Neagle:** So, in terms of when the Ministers use the toolkit, if they were found to be wanting in particular areas, there would be an expectation that that would be addressed then before the legislation was brought forward.

[33] **The First Minister:** Yes. Obviously, Ministers are open to questioning in terms of how they considered the Welsh language when taking their decisions, and then, of course, they would have to give their answers as to how that was done.

[34] **Lynne Neagle:** Okay, thank you. Just finally, the Welsh Language Commissioner has expressed concerns about the Government's annual monitoring report on its own Welsh language scheme. In particular, she's raised concerns that there were gaps in the information provided, such as no information on key performance indicators, no update on progress or achievement regarding the number of corporate action plan targets in relation to the language scheme. How do you respond to those concerns?

[35] **The First Minister:** Well, officials did provide significant information to the commissioner as part of the standards investigation last year, in addition to the information in the annual report. That said, as I mentioned earlier, I know that officials are in regular dialogue with the commissioner to improve reporting structures in the future, bearing in mind, of course, the fact that the standards will have to be adhered to in the future by us.

[36] **Lynne Neagle:** Okay, thank you.

[37] **David Melding:** And you'd accept, First Minister, that point the commissioner's making that you need a certain consistency in terms of the measures and the data, and for that to change between one year and another is not always helpful; you can bring new information in—that's fine—but there needs to be a consistent way of seeing, through the annual report, how the Government is internalising or operating its own Welsh language scheme, in a sense.

[38] **The First Minister:** We recognise that, and it is useful for us to have the commissioner there in terms of being able to point out where we need to make improvements, and, once those are identified, then those improvements have to be made.

[39] **David Melding:** I wonder if I could put my hat on as Chair of the Constitutional and Legislative Affairs Committee, because the commissioner has been kind enough to give evidence into our review of our law-making practices in the fourth Assembly. She has said that the use of impact assessments—and this goes for policy development as well as actual legislation, when that's the output as well—is inconsistent. And it surprisingly gets overlooked in some things you'd have thought, 'Well, there's probably quite a big impact', and she gave us a couple of examples. We'll look in detail at one or two of these areas later, but I just wonder, in terms of how the Government uses impact assessments, it's not just to fill in a box in a formalistic way; it should indicate that there's a thoroughgoing working practice through both languages in the development of policy and legislation, shouldn't it?

[40] **The First Minister:** That's what the toolkit is designed to assist. It's one thing, of course, for staff to understand that the Welsh language is an important consideration in decision-making; it's another thing to make sure that they understand how that process is to be taken through. That's what the toolkit is designed to assist.

[41] **David Melding:** But a really good impact assessment would indicate there's been good practice throughout the process, wouldn't it? You know, that would be one way of giving confidence that it's been done thoroughly.

[42] **The First Minister:** We recognise that, where the Welsh language is to be taken account of in terms of policy decisions and legislation having an impact on it, we have to demonstrate that the process that we have used is robust.

[43] **David Melding:** And you don't want to be developing significant policy and then, at the end of that, thinking 'Oh, now we need to think about a Welsh language impact assessment.' It's about having that fully integrated in the system.

[44] **The First Minister:** It can't be a bolt-on, no. There's a lesson here in terms of the standards as well. One of the messages that we're trying to communicate to those who are affected by the first stage of the standards is that they must consider their provision of services in the Welsh language as something to be integrated from the very start and not something that's added on at the end.

[45] **David Melding:** Yes. The third section we want to look at relates to standards and I'll ask Eluned to take us through that.

[46] **Eluned Parrott:** Thank you. Yes, coming on to those standards, obviously, we will be considering the first set of those in about two weeks' time, I understand. Can I ask to what extent you think that the new standards are different and will drive change in the organisations affected?

[47] **The First Minister:** They provide greater clarity. It's right to say that, when it comes to the first stage of the standards, the organisations affected will, by and large, have their own Welsh language schemes anyway, so it'll be a matter of adapting what they already have and also providing the clarity that the standards expect them to provide. What's also changed, of course, is that even though we as a Government were responsible for drafting the standards, and for creating the policy that led to the drafting of those standards, the commissioner is the custodian of those standards, so it's a matter then for the commissioner to make sure that the standards are adhered to by the organisations that will be affected by them.

[48] **Eluned Parrott:** Okay, thank you. That first raft of organisations is the Welsh Ministers, local authorities and national park authorities. Now, clearly, as you say, every one of those will already have some form of Welsh language policy in place. They will be implementing it on a daily basis. How confident are you that, given all of those different bodies have perhaps very different approaches to how their current policies are delivered, the standards, when they're introduced, will deliver an improvement on what each and every one of those is already providing?

[49] **The First Minister:** I'm confident because these are organisations that are already used to dealing with the Welsh language and providing services in the Welsh language, although not necessarily on a consistent basis, which is why, of course, the standards are being introduced. So, I would expect those bodies that are named in the first set of standards to be able to comply without difficulty. They've had plenty of notice in terms of what will be expected of them, and the standards, I believe, are very, very clear. So, I would expect those who are named in the first set to be able to adapt with relative ease.

[50] **Eluned Parrott:** Can I ask how you're intending to measure improvement? Will you be doing it solely on a national basis, or will you look at each of those individual bodies and see whether or not their own standards have improved? Obviously, particularly when we look

at local authorities, there will be variations in terms of how much provision is desired by the local population, given the great variation from location to location in terms of the prevalence of Welsh speakers.

[51] **The First Minister:** Right, I'll ask Bethan to come in, in a second, on this but, of course, it will be for the commissioner to make that assessment. The commissioner has, as it were, the encouragement and policing role through the issue of compliance notices, and the commissioner then, as the sort of custodian of the standards, will have the role of ensuring that the standards are delivered to the level of consistency we'd expect.

[52] **Ms Webb:** Yes, and from a Welsh Government perspective, we will work closely with the Welsh Local Government Association, through bodies like Rhwydiath, to ensure that there is a national framework for delivery so that we can compare and contrast how delivery on the ground is happening. But we will not be measuring as Welsh Government because, as the First Minister said, that's the role of the Welsh Language Commissioner.

[53] **Eluned Parrott:** I understand that it's the role of the Welsh Language Commissioner to be policing the standards, but the question that I'm asking is not quite that. The question that I'm asking is: how will you assess whether or not the introduction of the standards has delivered across Wales an improvement in the Welsh language policies that are being offered by these bodies?

[54] **The First Minister:** I would expect the commissioner, of course, to provide us with that information. One way—perhaps the crudest way—is to assess how many compliance notices have been issued, but I have regular meetings with the commissioner and I expect the commissioner to identify any issues with any individual body, and also to be able to inform me of how she feels the standards are being complied with on a consistent basis.

[55] **Eluned Parrott:** But the issuing of compliance notices is not really a good proxy, is it, because what you're doing is comparing the compliance with one set of rules with the compliance with a different set of rules? So, it's not a comparator. What I'm asking is, from a policy point of view, you as the Welsh Government have brought forward this way of driving or improving access to Welsh language services in Wales, and the question I'm asking you, in terms of your policy delivery, is how are you going to assess whether or not the introduction of this set of standards has been a success if you are not measuring a change in behaviour from before they were introduced to after they were introduced?

[56] **The First Minister:** First of all, of course, the standards are there in terms of ensuring that the public have access to services from these organisations. We also expect the organisations to be proactive in terms of offering those services in Welsh rather than offering them only when they are asked to offer them. In terms of the evaluation, Bethan?

[57] **Ms Webb:** On the evaluation, all of the 26 bodies will have to produce an annual report and there will be targets and measures in those annual reports. Until the enforcement policies have been set on those organisations—and that should take place this spring—then that will be the format for assessing and setting data baselines so that we can make those comparisons. For example, in terms of correspondence and use of the Welsh language, we already have data in terms of how many hits there are on Business Wales, so there are things in place already, but until we know which standards specifically apply to us as an organisation and the other organisations, we won't be able to set the baselines. The annual reports that each organisation will deliver to the Welsh Language Commissioner will provide quite substantial evidence in terms of use of the Welsh with regards to the standards that have been set on them.

[58] **Eluned Parrott:** There's a bit of a problem, though, isn't there, in terms of

comparing progress against a baseline if the baseline is being measured as you are introducing the standards? Essentially, what you're doing is measuring the speed you've run a marathon from the five-mile point, as opposed to from before you started. Surely, there needs to be a measurement of what is being delivered before the standards are introduced and progress measured against agreed benchmarks in the future?

[59] **Ms Webb:** We have those data now. Obviously, we will be comparing what we've had in annual reports for the last decade or so, because the Welsh language schemes have been in place since 1993, so there is quite a substantial body of evidence over the past 20 years in terms of how we've delivered services, and there is a wealth of data within organisations. It is probably patchy in terms of some local authorities, but again that's a matter for the commissioner. All annual reports that are submitted to the commissioner are for public consumption, so we will be able to see those. But, I think important is the fact that we'll be working strategically as a national body with the WLGA to see in terms of improvements as well. We'll be able to see where the issues are in terms of delivery, where take-up is low, et cetera, and we can learn from each other in terms of good practice.

[60] Also, in terms of technology, in terms of making it easier to use the Welsh language, we are working with a company to make it easier to translate websites et cetera, so that the Welsh language is more visual in terms of what's being offered by those first 26 bodies.

10:00

[61] **Eluned Parrott:** But there is a problem, isn't there? If what you're trying to do is introduce consistency, if your baseline measurements are based on whatever it is that those various different bodies are doing at the moment in terms of measurement, then your baseline isn't consistent across all of those bodies and therefore measurement of improvement against those baselines can't be consistent across all of those bodies, can it?

[62] **The First Minister:** I don't understand that question, I must say. There's more than 20 years of evidence upon which to construct the baseline, and the standards are intended to make a positive difference in terms of the services that these bodies provide, and the comparator will be with the services that they've provided before. It's not as if there's no baseline; there's a baseline of evidence going back more than 20 years.

[63] **Eluned Parrott:** What I'm suggesting, though, is that I was told by Bethan Webb that there were different approaches and different things being measured in different public bodies and therefore, while there are a lot of data, they are not necessarily consistent between the public bodies.

[64] **The First Minister:** That's what the standards are designed to change, and that's why the commissioner, of course, will be issuing compliance notices to get that greater consistency. But we will be able to compare how each individual body performs under the new system of standards, compared to what they've done before, accumulating, as we have done, more than 20 years of evidence.

[65] **Eluned Parrott:** Okay, well, I think we're going to move on.

[66] **David Melding:** We can return to this when we have our private discussion, if you're still anxious.

[67] **Eluned Parrott:** Potentially.

[68] The purpose of the standards as expressed in the Welsh Government's documentation on that is, as you say, to encourage more use of the Welsh language in everyday situations,

and there's an intention that, if organisations are offering services in a more coherent and organised way, the demand for the Welsh language will increase as a result of that. Is that a fair summary of what you're hoping to achieve?

[69] **The First Minister:** Yes. The proactivity element of the standards is absolutely crucial. We know that, in some parts of Wales, the default language, inevitably, will be English, and there is anecdotal evidence to suggest that Welsh speakers will, instead of, as they would see it, causing a problem—and I've come across people saying that to me—they will default to English rather than ask for the service in Welsh. The service in Welsh is often provided only upon request. The proactivity of the standards means that authorities will have to offer Welsh, as it were, upfront, rather than wait for somebody to ask. Now, in doing that, you do two things: firstly, you put Welsh on the same level as English in terms of the upfront offer of language of service, and secondly, of course, you make Welsh speakers, some of whom are not confident in terms of asking for a service in Welsh, more confident in terms of using Welsh. What the standards will do is not necessarily increase the number of Welsh speakers, but look to increase the number of Welsh speakers who are confident in using the language in what they would see as the world of 'official circles', if I can put it that way.

[70] We know that one of the issues with the language is that people can be quite confident in using the language socially, and quite confident in using the language in some circumstances—sometimes cultural, sometimes religious—but they're not always confident in using the language when it comes to dealing with what they see as officialdom. But if there's an equivalent offer upfront in terms of, 'Would you like Welsh or English?', then people will make the choice of Welsh, rather than feel they have to be, as they would see it, awkward in order to ask for Welsh. That's the problem you often get with people who are Welsh speakers, and I've seen it often enough: people will say 'Well, I used English because I didn't want to be awkward', in terms of using Welsh. We have to move away from that and make sure that people feel that they're able to use either language with ease and without difficulty.

[71] **Eluned Parrott:** You, in a nutshell, approach one of those things that I want to talk about here, which is capacity of people to actually be able to deliver on a very, very high-quality level of standards by a step-change. There are a lot of Welsh speakers, people who've gone through Welsh-medium education, who, coming out of that education at the other end, as you say, will still say that they are Welsh speakers, but they wouldn't want to translate work into Welsh, they wouldn't want to put their Welsh into writing, and they're not confident in the technical standard of their Welsh, particularly in writing, it would seem. From my experience in marketing, that's very much been the case, that people are nervous about using the Welsh language in a formal way. What are you doing to make sure that there is the capacity among Wales's workforce to be able to deliver these standards? If you are increasing the requirements, what you are doing is increasing the demand for a skill that is already in short supply.

[72] **The First Minister:** I don't think there is necessarily an increase in the requirement in terms of the numbers of Welsh speakers who are able to provide the service—they should be there now. It's more a question of making people comfortable, who are looking to use the service, in using Welsh with the people who are already there. All local authorities have to comply with the Welsh Language Act 1993 and the Measure, of course, as it is. So, I wouldn't expect local authorities to have to find new people; those people should already be there, but their services should be available more easily to the public. I would expect those authorities—those bodies that are named in the first set of standards—to take their own steps to make sure that they have people who are able to provide the services that are required of them. Quite often, it is true to say that there are Welsh speakers who need to—'*gloywi*' is the word in Welsh—improve their Welsh to a level where they feel they're able to use their Welsh in a formal context. But, that's a fairly well-known phenomenon and I know there are many bodies that already do this. If you have somebody who pretty much has the skill to

begin with, it's simply a question then of being able to improve that skill, sometimes just a little bit, so that they are able to provide that service. But, as I say, they should have that service available now; it's a question simply of making sure that that service is more widely available to the public in the future.

[73] **Eluned Parrott:** But you agreed with me that the purpose of the standards was to increase demand and if you're increasing demand, then the chances are that the current level of service provision is not going to be adequate in the long term, if you're successful, is it?

[74] **The First Minister:** What we tend to find in many bodies is that the level of service provision quite often is there, but the service provision is underused. It's a question of making sure that that underused provision is utilised. I think, certainly, in the first years of the standards, that's what we will see; it is not simply a question of there being, as it were, extra pressure, but a question of making sure that people actually use what's already there. As I say, it's quite common—and we know from statistics—for people to habitually use English, even though they're Welsh speakers and even if that service is available. If we move to a more proactive situation where Welsh is offered upfront, then the service provision that already exists will be utilised better than it is now.

[75] **Eluned Parrott:** Can I ask how the standards relate to the implementation framework that you mentioned a little earlier? How does the introduction of the standards interrelate with the, as I say, the framework that you've discussed in terms of increasing the use of the Welsh language?

[76] **The First Minister:** I suppose, in some ways, everything we do for the Welsh language fits together, but in terms of increasing the numbers of Welsh speakers, obviously, the education system is key in terms of driving that. In terms of encouraging people to use the language, particularly in a social setting, #PethauBychain is one example of that; the capital fund for new Welsh-language centres is an example of that. Of course, having established that confidence in their own fluency, people will then go on to use the services that the standards ensure should be there. So, in some ways, all these things fit together, but these things go in different steps. You increase the number of speakers, yes; you increase the number of people who are confident in using the language, yes; and then they will, of course, go on to use the services that the standards provide should be there.

[77] **Eluned Parrott:** I'm just wondering then whether the standards sit as one of the tools, if you like, within the framework, as you see it.

[78] **The First Minister:** Sorry?

[79] **Eluned Parrott:** Are the standards designed to be one of the tools within the framework that you've outlined?

[80] **The First Minister:** They're all part of the provision that we make for the Welsh language. All these things fit together in that sense.

[81] **Eluned Parrott:** Can you remind me: did you say that the framework was not yet published or is under development or—?

[82] **Ms Webb:** To go back to 'Bwrw Mlaen', chapter 2 talks about the infrastructure that needs to be in place in order to improve and deliver Welsh language policy. Therefore, Welsh language standards are part of that infrastructure, and then you build on that infrastructure. But, we recognise that the infrastructure alone won't deliver the outcomes we want. It works in tandem, as the First Minister said, with the education system: encouraging use outside school, more confident fluent speakers and then everything, hopefully, will fall into place.

[83] **Eluned Parrott:** But, I think that's the point I'm trying to understand: how the standards sit with other things to make sure that the standards and things like that complement one another, because as I say, we have a capacity problem, potentially, if the standards are successful in driving and increasing demand. We also have issues with young people who are going through the Welsh-medium education system who are not asking for services in Welsh or, in some cases, are actually turned off by going into furthering their Welsh as well. So, there are other challenges that we need to correct here. Is there a danger of assuming that implementing the standards is—? Are we putting too much on those standards do you think? Are we expecting them to deliver too much if we're expecting them to drive an increase in demand all on their own?

[84] **The First Minister:** We never said that. The standards are part of a whole package. What the standards are designed to do primarily is to make sure that those bodies that are named in set 1 of the standards provide the services we would expect in the Welsh language, and also, of course, that they are proactive in providing those services. Now, that of itself isn't enough, clearly not. The fact that a service is provided doesn't mean that it will necessarily be used and we know that services in the Welsh language have not been used as they might have been in the past. So, we have, on the one hand, the services being provided, but what we also have to do, of course, is to make sure that we increase the confidence and fluency of people so they feel able to use the Welsh language with official bodies, as they would see it, and also, of course, to make sure that those who leave the Welsh-medium schools have the ability to use the Welsh language once they've left, particularly in parts of Wales where Welsh is not a community language. One of the big challenges is making sure that those who go through Welsh-medium education then actually do have a chance to use the language once they've left it. That means encouraging them through campaigns like #PethauBychain, but also encouraging people to use Welsh in the workplace, rather than thinking once you've left school that's it, Welsh has no role at all in your life. By increasing the number and fluency and confidence of speakers you then, of course, increase the demand for the services that are provided and the standards. But, at the moment, I would suspect that the services that are provided already are not utilised as they might be. So, I wouldn't expect there to be an extra burden on the bodies named in set 1 in the short term.

[85] **Eluned Parrott:** Okay, moving on—

[86] **David Melding:** I'm keen to bring in a couple of other Members in, Eluned, okay?

[87] **Eluned Parrott:** Yes, of course.

[88] **David Melding:** Perhaps, we'll do it at this stage, and if we've not covered some other areas you may just want to return. Paul Davies, first.

[89] **Paul Davies:** Diolch, Gadeirydd. Brif Weinidog, rydych chi wedi ei gwneud yn glir, wrth gwrs, taw'r Llywodraeth sy'n gyfrifol am gyflwyno'r safonau a thaw Comisiynydd y Gymraeg sy'n gyfrifol am reoleiddio a monitro'r safonau. Pwy sy'n gyfrifol, felly, am hybu neu hyrwyddo'r iaith Gymraeg?

Paul Davies: Thank you, Chair. First Minister, you've made it clear, of course, that it's the Government that's responsible for introducing the standards and that the Welsh Language Commissioner is responsible for regulating and monitoring the standards. Who's responsible, therefore, for promoting the Welsh language?

[90] **Y Prif Weinidog:** Wel, y Llywodraeth, wrth gwrs.

The First Minister: Well, the Government, of course.

[91] **Paul Davies:** Chi sy'n arwain ar **Paul Davies:** You lead on that, therefore.

hynny, wedyn.

[92] **Y Prif Weinidog:** Ie, wrth gwrs taw e. Ni sy'n datgan polisi, wrth gwrs. Ni sy'n symud ymlaen gyda deddfwriaeth os oes eisiau gwneud hynny. Ond, mae gan y comisiynydd hefyd, wrth gwrs, rôl ynglŷn â sicrhau bod y Gymraeg yn cael ei hybu drwy'r gwaith y mae'r comisiynydd yn ei wneud. Ond, mae hwn yn rhywbeth, yn y lle cyntaf, i'r Llywodraeth ei wneud.

[93] **Paul Davies:** Roeddech chi'n sôn yn gynharach am y safonau ac rwy'n credu bod yna wirionedd a bod bai arnom ni fel siaradwyr Cymraeg achos, ambell waith, nid ydym yn defnyddio rhai gwasanaethau sydd ar gael o achos nad oes hyder gennym i wneud hynny. Ond, rydych yn derbyn nad yw'r safonau yn mynd i newid y diwylliant hwnnw. Sut ydych chi fel Llywodraeth yn mynd i geisio helpu i newid y diwylliant hwnnw?

[94] **Y Prif Weinidog:** Rwy'n credu bydd y safonau yn newid y diwylliant i raddau, achos beth fydd y safonau yn erfyn, wrth gwrs, yw bod yna wasanaeth yn yr iaith Gymraeg yn cael ei gynnig o'r dechrau. Yn lle bod rhywun yn gorfod gofyn amdano, mae e ar gael ar ddechrau unrhyw broses lle mae unigolyn yn cysylltu â chorff cyhoeddus. Felly, nid yw hynny'n bopeth, wrth gwrs, ond mae hynny'n ffordd o normaleiddio'r ffaith bod y Gymraeg ar gael ac nad oes rhaid gofyn am wasanaeth yn Gymraeg.

10:15

[95] Wrth ddweud hynny, wrth gwrs, rydym i gyd yn gwybod—a byddwch chithau'n gwybod, fel minnau—fod yna lawer o siaradwyr Cymraeg heb yr hyder i ddefnyddio'r Gymraeg gyda chorff swyddogol, fel y byddent yn ei weld. Felly, mae'r safonau yn helpu, i raddau, ond wrth gwrs, mae'n dal i fod gwaith i'w wneud ynglŷn â sicrhau bod hyder pobl yn codi.

[96] **David Melding:** Jocelyn.

[97] **Jocelyn Davies:** Yes. Thank you. Before I come to my question, it seems that we've got members of the public who are not confident enough, and we've got people working in public authorities who are not confident as well in terms of offering it; it's an issue of confidence. I wondered, as it's your job now to promote and encourage use of the Welsh

The First Minister: Yes, of course. We develop policy, of course. We proceed with legislation if that's necessary. But, the commissioner, of course, also has a role in ensuring that the Welsh language is promoted through her work. But, this is primarily an activity for Government.

Paul Davies: You spoke earlier about the standards and I think that, genuinely, we as Welsh speakers are at fault because sometimes we don't use some of the services available because we don't have the confidence to do so. But, you accept that the standards aren't going to change that culture. How are you as a Government going to try to help to change that culture?

The First Minister: I think the standards will provide a culture shift to a certain extent, because what the standards will require, of course, is that a Welsh language service will be available from the outset. Rather than it having to be requested, it should be available at the start of any process where an individual engages with a public body. So, that's not a panacea, of course, but it is a means of normalising the use of the Welsh language and that the service should be available automatically without having to request it.

Having said that, of course, we all know—and you will know, as I do—that there are many Welsh speakers who may not have the confidence to use the Welsh language with an official body, as they would see it. So, the standards would help, to a certain extent, but there is still work to be done to ensure that people are given more confidence to use the Welsh language.

language, whether you had thought about people on boards that are publicly funded, because I know that you've got a target for women on boards. I think that that's 40 per cent. Are you going to do anything about the Welsh language in relation to boards?

[98] **The First Minister:** It's not something that we have plans for at the moment. That said, we would expect boards to reflect the diversity of Wales, including, of course, the Welsh language. But in terms of targets of Welsh speakers, that's not something that we've considered up until now.

[99] **Jocelyn Davies:** Well, perhaps you would give that some thought in the same way as you were looking at gender.

[100] **The First Minister:** We will continue to give that some thought.

[101] **David Melding:** We will write to the First Minister, as a result of today's meeting, with some suggestions also. So, you may want to raise that later.

[102] **Jocelyn Davies:** Okay.

[103] **David Melding:** We do need to move on to the next section fairly soon, but I did say I'd go back to Eluned if there's one area that you've still not covered.

[104] **Eluned Parrott:** There is just one final question, if I may. Obviously, the third set of standards are coming before us on the 24th, I think, and there are two further sets of standards that will be brought forward. Can I ask, when are they likely to come into force, and also, what monitoring of the implementation are you doing between the introduction of the first set and the introduction of the second two?

[105] **The First Minister:** Well, first of all, in terms of set 1, subject of course to approval, they will come into force at the end of this month—31 March. That will enable the commissioner to issue the compliance notices that are required to the 26 bodies that are listed in set 1. Those compliance notices will set the date from which an organisation will be required to comply with the standards. The commissioner then is due to submit her standards investigation report with regard to the second set of standards by May. We will then look to begin drafting the next set of standards by the autumn of this year, with a view then to introducing regulations by the end of this year. With regard to set 3, the standards investigation for set 3 will begin in May. So, it's a rolling programme in that sense.

[106] **Eluned Parrott:** Okay. Thank you very much.

[107] **David Melding:** The fourth area, First Minister, is really the world of practice now, and that's the planning system and education. We've referred to education a couple of times. I'll ask Jocelyn to take us through these questions.

[108] **Jocelyn Davies:** Thank you. First Minister, as the Minister with responsibility for the language, how will you influence the Planning (Wales) Bill?

[109] **The First Minister:** Well, it's a question of balance. How do we ensure that the Welsh language is encouraged and protected in the planning Bill without imposing what might be impractical burdens on individuals? We're still open to constructive suggestions from outside. I've had meetings with outside organisations, and those meetings have led to improvements in the Bill in terms of the way that the language is dealt with. What's important, of course, is that there is a proper assessment when the LDP stage is being taken through. We all know that, quite often, people will object to planning applications, but of course the LDP will provide the framework for any individual planning application. I think

that the progress that's been made so far represents a real progress as far as the language is concerned.

[110] **Jocelyn Davies:** Okay. You know that the committee report calls for a number of specific things: the requirement to assess the impact on the language when preparing development plans and national development frameworks; also, whether language impact assessments should be a requirement for major planning applications; and, of course, you mentioned earlier that, in your decision making, the language is taken into consideration and how decision makers can have regard to that. So, how are you responding to those committee recommendations?

[111] **The First Minister:** Well, the first issue that we had to deal with was the belief among some local planning authorities that they couldn't take the Welsh language into account, which clearly isn't true because we have a TAN dealing with that. So, reassuring them in that regard was important. We worked with Gwynedd, as one example, and the Snowdonia National Park Authority to examine how they deal with the language in their planning applications to see how that could be rolled out then across Wales as a whole.

[112] It's important, of course, that there are Welsh language impact assessments in the LDP stage, but we do have to give consideration to what happens, for example, with windfall housing developments that don't sit within the LDP, and the need potentially to have Welsh language impact assessments with regard to them, particularly in areas that are linguistically sensitive. One of the points that have been raised with me is: what happens with those local authorities that have already adopted an LDP? Yes, there will be reviews of those plans, but what happens in the meantime? I think that's a fair point that we would have to look to address. I think that it's important as well to consider how the commissioner might give local planning authorities advice in terms of how they could prepare their impact assessments as well, because there are a number of ways of doing it. Getting a consistent assessment process has been one of the challenges in terms of taking the Bill forward. Of course, we will have to consider whether local planning authorities should provide a statement of the impact on the Welsh language with respect to their local impact reports on developments of national significance. That's where we are so far. In terms of how we can further strengthen the language in the planning Bill, again, those discussions continue.

[113] **Jocelyn Davies:** Okay. So, you are quite comfortable that the language should be a material consideration in planning decisions in the same way as you were telling us that they are material in all ministerial decisions.

[114] **The First Minister:** Well, the TAN gives the guidance on that. I know that some local authorities have taken the view that somehow they can't consider the language at all, and that clearly isn't right.

[115] **Jocelyn Davies:** Are you aware of any legal challenges to planning applications resulting from improper consideration of the language as a material consideration?

[116] **The First Minister:** Not that I'm aware of, no.

[117] **Jocelyn Davies:** Not that you're aware of. So, perhaps local authorities, again, are not being as confident as perhaps they could be in relation to this area. Okay.

[118] I wanted to ask you about education. Why do you think that Welsh as a second language has been such a failure?

[119] **The First Minister:** That's a good question. We all know that, despite the fact that Welsh has been a compulsory subject in English-medium schools for more than 20 years, we

cannot say that we've created confident Welsh speakers. That doesn't mean it should cease to be a compulsory subject. I think part of the problem is that, when the policy was first introduced, it wasn't clear that there were enough teachers who could teach the language confidently to young people. I think, as a result of that, there were many young people who did not have a positive experience of the language in English-medium schools. One of the issues that we're looking at in terms of the Donaldson review—and it touches on the Furlong review as well in terms of teacher training—is how we can strengthen consistently the provision of Welsh in the English-medium schools. That's something that we're considering at the moment. But, yes, it's right to say that we could not say that the policy of the last 20 years has succeeded in the way that people would hope.

[120] **Jocelyn Davies:** Well, as to having succeeded in the way it was hoped, I mean, Professor Davies's report, of course, says:

[121] 'It is undeniably the eleventh hour for Welsh as a second language...pupil attainment levels are lower than in any other subject'.

[122] So, 'not as well as we hoped', I think, is perhaps putting a bit of a spin on it there. You know, we're repeating what's being done very badly, and we continue to repeat what's being done very badly. Do you think it would cost more to teach it well? We were talking earlier about resources, and it's not about how much resources but about how you spend it, isn't it? Would it cost more to deliver this subject well?

[123] **The First Minister:** I'm not sure it would cost more. The resource implications would be significant because, of course, schools should already have people in place who can deliver the courses. What's needed is a rethink as to how that teaching takes place. Now, Sioned Davies's review has fed into that. That review, in turn, has fed into the Donaldson review in terms of the curriculum, and Donaldson supports the idea of Welsh being mainstreamed and, of course, Welsh being a subject until 16. The issue for us is how we then rethink the way in which Welsh is taught as a second language in our English-medium schools to make that more effective, and the reviews I've mentioned feeding into that process.

[124] **Jocelyn Davies:** So, what about Professor Davies's criticisms that there's no action being taken on her recommendations?

[125] **The First Minister:** We couldn't take any action until we have the Donaldson review because, of course, her recommendations are valid but they feed into the review of the entire curriculum.

[126] **Jocelyn Davies:** So, those criticisms were a bit premature because they were feeding into something else.

[127] **The First Minister:** Well, if somebody is asked to commission a review, I can understand their eagerness to see the recommendations being put into place. She made specific recommendations with regard to Welsh, but, of course, because there's an overall curriculum review, that's part of the overall curriculum review as well. So, it wouldn't have made sense to move forward in terms of somebody looking at Welsh as a second language at this stage without looking at the overall curriculum.

[128] **Jocelyn Davies:** So, we can be pretty confident that those recommendations are not lost; they are just being fed into another process.

[129] **The First Minister:** Absolutely not.

[130] **Jocelyn Davies:** Can I ask you about Flying Start then? What are you doing to ensure

that there's enough provision there, right in those very early years?

[131] **The First Minister:** We believe that there is sufficient provision there for Flying Start. One of the issues that we've noticed is the success particularly of schemes to encourage people to put their young children into Welsh-medium education at a young age. I've seen it personally in areas where Flying Start is operational, and indeed in Communities First areas.

[132] **Jocelyn Davies:** So, are you happy that there's enough provision within Flying Start in relation to this?

[133] **The First Minister:** There's no reason to suggest that the provision is inadequate.

[134] **Jocelyn Davies:** If there was, you would do something about it.

[135] **The First Minister:** If there was evidence to that effect, we would have to consider that.

[136] **Jocelyn Davies:** If there was any evidence. Are you looking for the evidence?

[137] **The First Minister:** Well, we could go around in circles here. There is no evidence to suggest that the provision of Flying Start areas is inadequate. We do, of course, monitor what's provided through Flying Start and, where there are areas where there can be improvement, we'd look to take action.

[138] **Jocelyn Davies:** Well, there was no evidence to suggest that there were black swans, but apparently there are. If you look for it, you might find it.

[139] **The First Minister:** It doesn't come within my remit, as Minister.

[140] **Jocelyn Davies:** Black swans, no. Just as well.

[141] At post-16, certainly in my area, transport charges have become a significant issue, and certainly if you have more than one child. You know, many families are facing bills that they tell me they will not be able to afford because they have no choice but to use the school transport and it is prohibitive. So, how will you ensure that sixth-form provision remains viable for those families that want to access it?

[142] **The First Minister:** It's a matter ultimately, of course, for local authorities in terms of the way that they organise education in their areas, but they have to be mindful, of course, of the learner transport Measure and the requirements to encourage Welsh-medium education. They have to satisfy that Measure in terms of making sure that they are encouraging Welsh-medium education. There must be concerns that if people are sufficiently dissuaded from sending their children to Welsh-medium schools after 16, that may call into question the viability of some of those schools, not just post-16 but 11 years onwards. Because, if people think they might have to pay from 16 onwards, they won't send their kids there when they're 11. The local authorities must bear that very much in mind when it comes to determining their transport policy.

[143] **Jocelyn Davies:** Yes, I mean, the issue that's raised with me—and I'm sure that you see the validity of this—is that that bus is dedicated to go to that school. It's taking the other children who are up to 16, while the over-16s would have to pay to travel on it, and some children can't afford to travel on a bus that's going anyway. It seems to me that, especially for families, as I say, that have more than one child—certainly the sums that have been mentioned to me—people will find them prohibitive when they weren't budgeting for sums like that for children to go to school.

[144] **The First Minister:** Yes. I think all local education authorities, in considering post-16 learner transport, must consider the affordability of any proposals that they make.

[145] **Jocelyn Davies:** Those plans have to be approved by your Minister, or are they approved by the education Minister?

[146] **The First Minister:** In terms of transport?

[147] **Jocelyn Davies:** They have to approve the Welsh in education plans?

[148] **The First Minister:** Yes. You mean the WESPs—the Welsh in education strategic plans?

[149] **Jocelyn Davies:** Yes.

[150] **The First Minister:** Yes.

[151] **Jocelyn Davies:** Is this taken into consideration by your Ministers when they are giving approval to the plans?

[152] **The First Minister:** We have to consider all the factors. I mean, we can only consider the plans as they are, of course, but where there are new factors that would affect those plans in terms of decisions that local authorities make, then of course we'd have to consider what impact that they might have.

[153] **Jocelyn Davies:** I see. So, there could possibly be a backstop measure in terms of the Welsh Government having to approve those particular plans.

[154] **The First Minister:** I don't think I could say today, 'Well, of course, we can prevent local authorities from taking decisions that may prove to be very difficult in terms of promotion of the Welsh language'. I mean, we would not intervene and say, 'You must provide this service', but we would say to local education authorities that they must bear in mind what the learner transport Measures says. There are responsibilities in terms of promoting the Welsh language, and certainly we would not approve a Welsh in education strategic plan that would put at risk the provision of Welsh-medium provision in any one county.

[155] **Jocelyn Davies:** Okay. Thanks.

[156] **David Melding:** First Minister, can I take you back to the Sioned Davies review? It seemed to me that the central insight is that we need to move away from the model of teaching Welsh as a second language and start teaching a good part of the curriculum through the medium of Welsh. There have been some startling successes, haven't there, in what were pretty much monoglot English-speaking schools, both at secondary and primary level, in doing this? The results have been quite astonishing in places. Do you think that insight is going to inform Government policy in the future? I know you may want to do it via the wider curriculum review that's going on, but what about that central insight?

10:30

[157] **The First Minister:** It must inform what we do. I've seen it—Treorchy comprehensive is one example that I often use, where the school is an English-medium school with use of Welsh. I went there in my admittedly brief tenure as education Minister and was amazed to find myself speaking Welsh to youngsters who were fluent Welsh speakers, some

of whom were going to try some of their GCSEs through the medium of Welsh. I think that's a very good model. The challenge is being able to replicate that in every school in Wales. It's a model that was taken forward very strongly by the leadership of the school and it still exists there. We know, at primary level, that there are examples of schools where children will quite naturally mix the two languages. One of the challenges is making sure that they're able to continue that skill as they leave the primary school into the comprehensive. But, these are all matters that are informing how we look at the way Welsh is taught in the future.

[158] **David Melding:** Making best practice common practice is always a challenge, obviously. But, you can work to that model, can't you? It's not a matter of saying, 'Well, it works so well in Treorchy, we can do it everywhere'. But, you could say that, in 20 years, that's where you want to be.

[159] **The First Minister:** I think the key is Welsh being taught in the English-medium schools as a skill, rather than as an academic subject. One of the areas I think we have to focus on very strongly is how can we create a system in the English-medium schools where people can achieve levels of fluency beyond simply through the traditional exam system. Because, I think it's important to move away from Welsh being seen as simply another academic subject—'We've got to get through this'—and using it more as a skill that can be used in other subjects. Treorchy have done that. It may or may not be an appropriate model for other pupils and other schools elsewhere in Wales, but that's certainly very strongly there in our thinking—how we can ensure that people feel they have a basic level of fluency. At the moment, and for the past 20 years, what we've seen is a system where you get your GCSE and you get your grading in your GCSE. Does that tell you, as an individual, much about your level of fluency? I doubt that it does. Whereas, if you look at a system where you have different levels of fluency, say level 1 to level 5, at least people know then where they sit in terms of their fluency and they begin to see Welsh more as a skill rather than something that has to be 'got through' as an academic subject.

[160] **David Melding:** We've had a question from a member of the public—Richard Martin—which takes this a stage further perhaps: why isn't there a clear positive message from the Welsh Government encouraging all parents to send children to Welsh-medium schools? That may be slightly beyond what we can cope with at the moment, but do you think the momentum that saw so many English-speaking parents sending their children to Welsh primary schools—? Have we lost some of that momentum that we saw in the 1990s, which has delivered 25% or more of primary education now?

[161] **The First Minister:** I don't think we have. If you look, for example, at the percentage of seven-year-olds in Welsh-medium education, that's increased by 3.4 per cent since 2003 and now it stands at 22.4 per cent. I think there are some issues in some local authorities that will have to be overcome in order to break through some of the problems that have been faced. If you look at the old Gwent, for example, it has one Welsh-medium secondary school. There is a Welsh-medium primary school in Abergavenny, but it's a big ask to say, 'Well, actually then, you're going to go to ysgol Gwynllyw, which is a fair way away'. I know there's a discussion now about having a Welsh-medium secondary school in Newport. If you bring schools closer to people, they'll use them more. We see it now, for example, in what was the old West Glamorgan, where, at one time, it was just Ystalyfera. There's now ysgol Gŵyr and Bryn Tawe. It's easier for people to travel there. One of the issues, for example, in my own local authority is we have a Welsh-medium secondary school but, geographically, it's not ideally placed. It's not good for those who are in the Ogmere valley, because the school's in the Llynfi valley, and it's not good for people in Porthcawl, because it's much further away, and those geographical factors can play a part. So, if we can see the further roll-out of Welsh-medium secondary provision particularly to parts of Wales where, at the moment, youngsters have to travel a long way to get to that provision, I think that will then create a much greater exponential growth in the demand for Welsh-medium

education than we've seen perhaps in the past few years.

[162] **David Melding:** Because we've kind of reached a plateau, haven't we, and we need to get it to the next stage, I suppose?

[163] **The First Minister:** I wouldn't say it's a plateau. I mean, the growth has slowed. I think that's fair to say.

[164] **David Melding:** Well, we don't want it to plateau, certainly.

[165] **The First Minister:** No, but as I said, there are issues in some parts of Wales in terms of the distance that pupils have to travel to get secondary provision particularly—not so much for primary, but particularly with secondary, and what the WESPs, the Welsh in education strategic plans, are designed to do is to make sure that local authorities address this point of the need for more secondary provision, to make it easier for people, particularly at the transition at 11 years old, to send their children to Welsh-medium, rather than think, 'Well, I'll send them' and then when they're 11, 'They'll get a bit of a grounding in Welsh, that's enough, but the secondary school is too far away'.

[166] **David Melding:** Do we have any other questions on these areas? If not, I think it's appropriate we finish with a question from another member of the public, Stephen Cornelius. He says,

[167] 'I would like the banks to provide services in Welsh, especially online banking.'

[168] I think that's very interesting. You know, it indicates a demand in a very new area, and I think a lot of us are used to counter staff wearing the badge so that you can go to a certain counter if you want to have the service conducted in Welsh, but automation and online banking offer the potential for fully bilingual services, don't they, at relatively low cost? What do you think in terms of the prospects in the knowledge economy and the new economy of these being provided?

[169] **The First Minister:** It's an interesting point. The challenge, as more and more services go online and are provided perhaps outside Wales, is to make sure that those services remain bilingual. If we look at the cash machines, the vast majority of them are bilingual—not all of them; I can think of one, certainly, in my own constituency that isn't, for some reason, but most of them are. The banks provide a reasonable service when it comes to the Welsh language, and this is an issue for us to consider in terms of the standards, and for the commissioner to consider: how do we ensure, as more and more people use services online, that the bilingual provision is there? That'll be something we will have to address over the next few years.

[170] **David Melding:** But, you know, it's an interesting thought, as the economy is changing, and the way we conduct economic activity is changing so much.

[171] **The First Minister:** But it's also important—and I make this point because it's a particular bugbear of mine—that where services are available in Welsh, documents are actually grammatically right. I've lost count of the number of road signs I've seen that have invited me to do the exact opposite of what the English requires and make no sense in Welsh. So, I think it's not just a question of providing the service; it's a question of providing the service in Welsh at the same level as in English, rather than thinking that any old spelling will do.

[172] **David Melding:** And I think we've all seen a couple of disaster stories that have made the international press, let alone—

[173] **The First Minister:** Well, I can share with the committee an experience I had with an unnamed council, where I sat watching a screen, where a Welsh message was being displayed on the screen, and I saw the letter Q in Welsh, and I raised the point with them that there is no letter Q in Welsh, to be told, ‘Well, our translator is from north Wales’. [*Laughter.*] I said, ‘It doesn’t matter where you’re from, there is no letter Q in Welsh anywhere in the world, regardless of where that speaker might come from’. [*Laughter.*]

[174] **David Melding:** Okay, well, with that sobering thought, we’ll move to our second area of investigation this morning.

10:39

**Sesiwn Graffu ar Waith y Gweinidog: Y Broses o ran Penodiadau Cyhoeddus
Amlwg yng Nghymru, a Chraffu yn Hyn o Beth
Ministerial Scrutiny Session: The Process for, and Scrutiny of, Major Public
Appointments in Wales**

[175] **David Melding:** That relates to major public appointments, and I’ll ask Lynne Neagle to start.

[176] **Lynne Neagle:** Thanks, Chair. Mike Shooter, when he reviewed the children’s commissioner’s role, expressed concern:

[177] ‘that there is no universal definition of a Commissioner and that the uncertainty breeds confusion and misconception.’

[178] He also suggested that it would be a better approach to review all the commissioners as a whole, rather than reviewing them individually. What do you say to those points of view?

[179] **The First Minister:** It’s curious, because my view is that a commissioner is a commissioner, because they’re called a commissioner. We have, obviously, posts that are designated as commissioner posts—it’s pretty clear what they do as commissioners. I’m not sure what can be added to the definition that we already have.

[180] **Lynne Neagle:** Okay. What about the idea of reviewing them as a whole, rather than individually?

[181] **The First Minister:** I suppose my answer to that would be: to what purpose, really? It’s not as if we have a vast number of commissioners; we have a relatively small number of commissioners. Their roles are well defined, I would argue, and it’s not clear to me what a review would look to deliver, particularly at this stage, or what needs to be done to define the role of a commissioner. My argument would be it’s fairly well known who the commissioners are and what they do.

[182] **Lynne Neagle:** Okay. In the evidence from the Office of the Children’s Commissioner for Wales, they said that the fact that commissioners are appointed and funded by the Welsh Government undermines their independence, and that also it’s contrary to the spirit of international principles for human rights institutions. What do you say to that point of view?

[183] **The First Minister:** I can’t agree with that. In terms of the human rights issues, what is important is that the commissioners are independent, we understand that. They’re not under political control. The same issue exists, for example, with the appointment of judges. You

can't have politicians telling independent judges or commissioners what they should be doing. What I'd say is I'm not aware of any example put forward by any commissioner where they have felt in some way unable to express a view or felt that they were in some way under pressure from Government. My view's always been, yes, an appointment is made but, from then on, that person's independent—that's it. They can't be sacked at the drop of a hat, nor should they be. They are appointed and they are there then to act independently. So, I've not seen any evidence of any work done by any commissioner that suggests that their independence is being compromised.

[184] **Lynne Neagle:** Okay. Thank you.

[185] **David Melding:** It's the Paris principles, I think, that relate to this, in terms of best practice in the way that various institutions—we call them commissioners—that deal with aspects of human rights in particular are conducted. Is it your understanding that what the Welsh Government currently does is in accordance with the Paris principles?

[186] **The First Minister:** Yes, we see no reason to suggest that the current system in some way falls short in terms of the principles people would expect, particularly with regard to independence, with regard to the human rights issues, because, once somebody is appointed, they are there—they're not under any kind of political influence or control from that point on.

[187] **David Melding:** Okay. We may probe some of this. Jocelyn.

[188] **Jocelyn Davies:** Well, there might not be any evidence, but they all say the same thing, and that is that they would prefer it if their appointments were carried out by the Assembly rather than by Welsh Government. They're all quite open about that, and certainly the previous children's commissioner said that it was always in the back of his mind. So, even though there's no evidence, it's certainly something that they were uncomfortable about. They were all very open about the fact that there's never been any interference by the Welsh Government, but their preference certainly would not be that. If the Government of Wales Act didn't restrict those appointments to the Welsh Government, wouldn't you prefer that the Assembly made these appointments and that they were funded directly from the consolidated fund?

[189] **The First Minister:** Well, there are pros and cons. First of all, we know at the moment that the appointments are made, they're independent, and they're funded by Government. If we look at the Welsh language, for example, the Government produces the standards and the Welsh Language Commissioner, as the custodian of those standards, enforces them. In terms of what would happen if the Assembly appointed commissioners, the Assembly then would have to pay for those commissioners. Let's say, for example, that we had a situation where a commissioner wished to have more resources, it would be for the Assembly to provide those resources. Let's say that, as part of the Planning (Wales) Bill, for example, the Welsh Language Commissioner was called on to do more in terms of Welsh language impact assessments. More resources would be required by the Welsh Language Commissioner. Those resources couldn't be made available by Government; they'd have to be made available by the Assembly. So, there are some practical issues that would need to be thought through in terms of how such a system would operate.

[190] **Jocelyn Davies:** Well, can I say that the auditor general and the ombudsman draw their funds directly from the consolidated fund, but they are scrutinised by the Assembly—by my committee, in fact, the Finance Committee—in terms of their accounts and so on?

10:45

[191] I ought to, I suppose, declare an interest as a member of the Public Accounts

Committee that looked at the accounts of the commissioners last year. Maybe the requirement to have this independence from Government and Government being nervous about that as well, with the children's commissioner's use of resources and being allowed to develop reserves over a period of time with no strategy for it is something that shouldn't have happened and there wasn't close enough scrutiny of that. Why would you object to a system where they drew directly from the consolidated fund?

[192] **The First Minister:** I've got no objection in principle to this. I think there are some practical issues that would need to be resolved. What we could not do as Government is pay for an appointment that wasn't ours. If the Assembly makes the appointment, the Assembly clearly has to pay. In terms of the political independence part, some will argue that it's an appointment made by Government, so is Government appointing in an objective way? I would argue, of course, that's the case. But even if the Assembly made the appointment, it would still be a political body making the appointment in that sense, so there's no way of making an appointment that's wholly free of any kind of political process, however objective that might be. But thought would have to be given then to how it would work in practice and whether there are practical difficulties that would need to be overcome.

[193] **Jocelyn Davies:** Do you acknowledge the point that I just made, that perhaps there wasn't close enough scrutiny of the way that the children's commissioner in the past has developed a large reserve with no particular strategy in mind for it, because the Government doesn't want to be seen to be interfering in the commissioner's financial affairs, which wouldn't have happened had there been closer scrutiny that was more transparent? I just think that it's something perhaps you would consider. Say, for example, I was part of the panel that recommended to you the new children's commissioner. What did you take into account when you received the recommendation from the panel? What do you take into account before you make that appointment?

[194] **The First Minister:** I take the view that the default position is to approve the panel's recommendation, unless there's a reason not to appoint. I certainly don't see it as my role to look afresh at the whole process. There are other roles that I have in terms of the honours system, for example, where my role is only to say whether those people are fit and proper people to be nominated. It's the same with the commissioner. The panel's made a recommendation; I see my role as—. Well, it is the panel's recommendation and, unless there's a reason not to appoint, then the appointment is made.

[195] **Jocelyn Davies:** So, that function could be carried out by an Assembly committee. That's possible.

[196] **The First Minister:** It's possible. There would have to be a vote on it, of course. Technically, the person would have to be appointed by the entire Assembly, through a vote.

[197] **Jocelyn Davies:** On recommendation from either a panel or a committee.

[198] **The First Minister:** Yes.

[199] **Jocelyn Davies:** What I'm saying is there might be some practical difficulties, but all these things can, I think you'd agree, probably, be overcome. And, of course, there's transparency in terms of scrutiny of the accounts and so on, in the same way as the auditor general and the ombudsman have to account for theirs.

[200] **The First Minister:** There is another issue that would have to be addressed as well, which strikes me now, which is that if the appointment was made by the Assembly sitting in Plenary, the Assembly then becomes something akin to a planning committee in a local council in the sense that what is said in the debate could affect the legal validity of the

appointment. So, Members would have to be very disciplined in terms of what they said in the course of the debate.

[201] **Jocelyn Davies:** Well, they might have to be very disciplined, but that's certainly happened with the ombudsman, and, by recommending that appointment, I haven't found myself subject to a judicial review. So, I'm assuming that that went well. Obviously, there would have to be rules of engagement, but what I'm saying is that you acknowledge that we're able to do that with other appointments—the ombudsman and auditor general—and I suppose you would agree with me that transparency is important.

[202] **The First Minister:** Yes. For me, the practical issue as well would be what the effect would be in terms of working with Government. If Government were to produce a set of regulations that the commissioner had to follow, how would that work? Would it be the case that the commissioner then would come back to the Assembly and say, 'We can't do this unless we have more resources'—or, to an Assembly committee? How would the interaction work? Unclear. I mean, I think these things can be looked at in detail.

[203] **Jocelyn Davies:** But it doesn't sound to me as if, and I'm sure you would agree, the Government is desperate to hang on to these functions.

[204] **The First Minister:** I think this is an issue that we can look at, and see what the practical difficulties might be. In principle, I can see the force of the argument.

[205] **Jocelyn Davies:** Thanks.

[206] **David Melding:** Interesting.

[207] **Jocelyn Davies:** Yes, thank you.

[208] **David Melding:** Paul.

[209] **Paul Davies:** Wel, rwy'n falch o glywed eich bod chi'n eithaf cyfforddus ac efallai byddech chi eisiau gweld y cyfrifoldebau yma yn cael eu trosglwyddo i'r Cynulliad—rhywbeth mae pobl fel fi wedi bod yn galw amdano am rai blynyddoedd bellach. Rydym ni hefyd wedi derbyn tystiolaeth oddi wrth ddirprwy gomisiynydd pobl hŷn Cymru yn awgrymu y byddai tymor sengl o saith i wyth mlynedd yn fwy priodol, yn lle ei bod hi neu fe yn gorfod ymgeisio am ail dymor. A ydych chi'n derbyn y byddai'n llawer gwell bod yna gysondeb fan hyn o ran y tymor mae comisiynydd yn gallu gweithredu?

Paul Davies: Well, I'm pleased to hear that you are quite comfortable and would perhaps want to see these responsibilities being transferred to the Assembly—something that people like me have been calling for for several years now. We have also received evidence from the deputy commissioner for older people in Wales suggesting that a single term of seven to eight years would be more appropriate, rather than that he or she having to reapply for a second term. Do you accept that it would be much better for there to be consistency in this regard in terms of the length of tenure of a commissioner?

[210] **Y Prif Weinidog:** Rwy'n gweld bod yna gryfder yn y ddadl sydd yn dweud y dylai comisiynydd ddim ond gael tymor, ta beth fyddai hyd y tymor hwnnw. Byddai'n rhaid ystyried, wrth gwrs, beth fyddai hyd y tymor ynglŷn â phroblemau ynglŷn ag efallai colli profiad y person sydd yna. Ond, unwaith eto, rwy'n credu bod hwn yn rhywbeth i

The First Minister: I can see that there is some validity to the argument that says that a commissioner should serve only a single term, whatever the length of tenure. We would have to consider, of course, what the length of tenure would be in terms of problems regarding loss of experience, for example. But, once again, I think this is

ystyried i'r dyfodol i weld os taw dyna beth ddylai fod y patrwm ar gyfer comisiynyddion yn y dyfodol.

[211] **Paul Davies:** A oes yna reswm pam mae'r tymhorau hyn wedi cael eu dewis nawr?

[212] **Y Prif Weinidog:** Na, mae pob tymor wedi cael ei ddewis ar gyfer pob comisiynydd. Wrth gwrs, yr un cyntaf oedd y comisiynydd plant, os cofiaf i, wedyn y comisiynydd pobl hŷn a Chomisiynydd yr Iaith Gymraeg. Mae'r tymhorau eu hunain, fwy neu lai, wedi cael eu derbyn ar gyfer pob comisiynydd yn unigol, yn y ffordd honno. Petai bob un—

[213] **Paul Davies:** A fydddech chi eisïau gweld cysondeb ar draws—

[214] **Y Prif Weinidog:** Petai bob un ar yr un tymor, y peth nesaf byddai trial gweithio mas beth fyddai hyd y tymor a pryd fyddai'r tymor yn gorffen, o gofio'r ffaith byddai'n rhaid cael rhyw fath o gysondeb rhwng hyd tymor comisiynydd a hyd tymor y Cynulliad. Ond, mewn egwyddor, nid oes rheswm pam ddylai hwn ddim cael ei ystyried.

[215] **Paul Davies:** Felly, mae hwn yn rhywbeth y bydddech chi fel Llywodraeth yn fodlon ystyried.

[216] **Y Prif Weinidog:** Ydy.

[217] **Paul Davies:** Diolch.

[218] **David Melding:** Jocelyn, on that.

[219] **Jocelyn Davies:** It was not on the actual tenure issue, but I noticed, in the legislation for the commissioners, the ombudsman and the auditor general, that, after they've left office, they can't take up appointments in certain positions for a period of time. That varies across the piece also, in the same way as tenure does, and it does appear to me that perhaps this is something that should also be looked at, because it does affect perhaps the age of people who are prepared to put themselves forward if they find themselves—I don't know, for five years after, barred from taking up another position. It needs to be sensible and it needs to be consistent, and perhaps this is something else you would look at—the barring from taking up certain appointments after they've left.

[220] **The First Minister:** I think there's merit in considering the issue of consistency. There may be good reasons as to why there are different rules for different commissioners, but, where consistency can be applied, that's something, clearly, we'd look to do.

something that could be considered for the future to see whether that should be the pattern for commissioners in the future.

Paul Davies: Is there a reason why these terms have been selected now?

The First Minister: No, each has been selected for each individual commissioner. The first, of course, was the children's commissioner, if I recall, then the older people's commissioner and the Welsh Language Commissioner. The length of tenure has, more or less, been set for each commissioner individually, in that way. If each one—

Paul Davies: Would you want to see consistency across—

The First Minister: If each were on the same tenure, then the next issue would be working out what the length of that would be, and when it should be completed, bearing in mind you would need some sort of consistency between the length of term for a commissioner and the Assembly term. But, as a point of principle, there is no reason why this shouldn't be considered.

Paul Davies: So, this is something that you as a Government would be willing to consider.

The First Minister: Yes.

Paul Davies: Thank you.

[221] **Jocelyn Davies:** Thank you.

[222] **David Melding:** Eluned.

[223] **Eluned Parrott:** Picking up on that, then, I think another one of the recommendations from Dr Shooter in his review was to look at doing a Welsh commissioners Act, so that there was some kind of basis in statute for how we approach all of these things, you know, the appointments and the tenures, and give them some consistency across the board. Given that you've already said that you're open to the idea of looking at transferring, perhaps, responsibility to the Assembly, if practical implications could be overcome, would you be willing to look at that kind of approach?

[224] **The First Minister:** I don't think it would need an Act. I think there are ways of dealing with the issues that have been raised this morning without the need to take through legislation. I don't see what the legislation would add.

[225] **Eluned Parrott:** How would you like to see that kind of consistency developed? Because if I look—for example, you mentioned the three existing commissioners; they're all appointed, as I understand, by you, technically, but, in the Well-being of Future Generations (Wales) Bill, the future generations commissioner is to be appointed by the Welsh Ministers as a group. Although it is a slight difference, it is a difference, and there was an opportunity to be consistent there that has not been taken.

[226] **The First Minister:** Again, I don't think you need necessarily an Act to ensure greater consistency. It depends what that Act would be trying to do. There are ways of achieving consistency outside of primary legislation. I don't think you need definitions of commissioners in a Bill. I think that can be done through other ways.

[227] **Eluned Parrott:** What ways?

[228] **The First Minister:** Through secondary legislation, particularly in terms of defining what commissioners do.

[229] **Eluned Parrott:** Okay. Looking specifically at things like—I want to talk about accountability arrangements, and it feeds off, obviously, the discussions that we've already had. Who are all of the current—I mean, the current commissioners are appointed by you. Do you see them as being accountable to you?

[230] **The First Minister:** No. I don't see them as being accountable to me in that sense. I appoint them. In terms of their finances, they're accountable more generally to the Assembly, in my view, although there may be issues there in terms of how that accountability works, which Jocelyn has raised. But I don't see them being accountable in terms of their operational independence, in that sense, no. I meet with them. I see their role as working with Government on occasion, where there is common ground—that much is true—but I see their role as illustrating to Government where there are issues that need to be resolved. So, in terms of accountability, I think it's more a question of—. Their primary role is to act, as it were, as a critical friend of Government, and, where there are real difficulties, to make those difficulties known to the public. They're not answerable to me in the sense of what they say in public, nor should they be.

[231] **Eluned Parrott:** This is rather interesting. In terms of finances, clearly, it is important that people spending public money are accountable for that expenditure. But the National Assembly for Wales has no power to do anything about a commissioner who is not spending public money appropriately, and so they're not accountable to us, are they? Who are they financially accountable to?

[232] **The First Minister:** In terms of their finances, they're accountable, of course, to the sponsoring Ministers in their department, and what Ministers do in terms of financial accountability makes them in turn accountable to Assembly committees. But, in terms of the way that they operate in the policy area, then that's a matter for them. They're not accountable to me in that regard.

[233] **Eluned Parrott:** Who are they accountable to?

[234] **The First Minister:** They're independent. That's the whole point.

[235] **Eluned Parrott:** Yes, but I return to the point that they are publicly appointed people. Surely anyone in public life is accountable to somebody. Surely, perhaps, they're accountable to the public.

[236] **The First Minister:** But if we're saying that the commissioners are accountable to Government for what they say, that wrecks their independence straight off. I mean, the whole point is—

[237] **Eluned Parrott:** Yes, it does, doesn't it?

[238] **The First Minister:** That's why they're not. I mean, the whole point is that, once they are appointed, they are not accountable to Government in terms of what they say. They're there, on occasion, to hold Government to account, so it's certainly not a question of, if a commissioner says something, they are hauled over the coals in some way, or they have to explain themselves to Ministers. Of course not. That's never been the system, and the system wouldn't work if that were the case. So, in terms of their operational and critical accountability, they're independent.

[239] **Eluned Parrott:** There's evidence from the Older People's Commissioner for Wales to this committee where she stated that

[240] 'The Commissioner has worked within the current system and there have been no major conflicts to date, but that is purely down to the will of both parties to make the arrangement work.'

[241] I find it difficult to understand, and I think the public would find it difficult to understand, how a commissioner who is technically paid for and appointed by the Welsh Government is not in any way accountable to them. Now, I understand the point about independence, but this is not an independence that is set up in the structure of the commissioner's appointment. This is an independence that's been achieved because of the will of both parties involved, isn't it?

[242] **The First Minister:** Well, no. I mean, the commissioners are similar to judges. Judges are appointed by Government, they're paid for by Government, but they're not controlled by Government. It's not an exact comparison, but it's similar to the situation with the commissioners.

11:00

[243] **Eluned Parrott:** I don't think it is—. You're right, it's not an exact comparator, but I think that the public would understand the commissioners being set up—. You've just described them as financially accountable to the Minister whose department they sit within; I think the public would understand that as being, essentially, a paid employee. Now, I'm used to this idea of freedom of expression. I come from a university background where I had an

academic contract that protected my right to freedom of speech. It was enshrined in my contract, like it was for anyone else on an academic contract, but I think, if I was sending out weekly press releases criticising the body that was paying me, then it might have career-limiting implications for me. People will find it difficult to understand that if the independence is not enshrined by the way that these people are appointed and by the way that they are held accountable—. People find it difficult to understand how someone paid by you is not answerable to you and is not—is entirely independent of you. Do you not think that there's a conflict there?

[244] **The First Minister:** Either they're not answerable to me or they're independent, I mean, the two things are not—or they're independent of me; the two things contradict each other. The point is—and this is a pattern that's repeated in other countries around the world—that an appointment is made and, once the appointment is made, that person is then free to express their views and to champion the group of people, or the particular policy area, that they've been asked to champion. There's no question of people being in some way penalised for expressing their views. I would expect the commissioners to be free to criticise as they see fit and to praise where they see fit. There's no difficulty with that.

[245] **Eluned Parrott:** In which case, if that's what you're trying to do, what can you do to improve the independence, to enshrine the independence, of the commissioners in the way that they are established? They are established through law, so I assume there must be some statutory way of enshrining their independence.

[246] **The First Minister:** Well, they are clearly independent in terms of what they say. Unless there's any evidence of them being, in some way, constrained by Government in terms of what they say, in terms of the recommendations that they make, then I don't see that there's any issue here in terms of their independence. I don't think any of them would say that they don't feel that they're independent.

[247] **Eluned Parrott:** No. I'm sure that none of them would. However, one of the commissioners has told us that that's down to the will of both parties to make the arrangements work, it is not because of the technical way in which—. There is a danger, there is a conflict, in the technical way in which they have been established that, if the personalities were to change, then that independence is not protected by law.

[248] **The First Minister:** Commissioners can't be sacked at the drop of a hat. That's the point. Because of that protection, they are able to say what they feel they should say. It's very difficult to go behind the statement that was made and understand what the evidence was to suggest that it's only because of the will of both parties. I don't know what that statement means as far as the maker of the statement is concerned, nor indeed what drove the person to make that statement, but I do take note of the fact that nobody is suggesting that, in some way, the independence of the commissioners has been compromised.

[249] **David Melding:** Could I offer a way out here?

[250] **Eluned Parrott:** Thank you.

[251] **David Melding:** I think we are dealing with perceptions now and we touched on some of this in terms of the appointment process. I also think—. I haven't seen evidence that, on the actual policy role and, you know, the championing role that the various commissioners have, there's been any interference from Government or a sense you're accountable for the policy choices you're making. Yet I think there is a public question about financial accountability, because public funds should be properly spent and, if that rests with Government, it kind of makes things slightly murky in that they're doing an important public service, but people could see that as some way of then affecting the actual functions of the

office. Whereas if the financial scrutiny rested in the Assembly, you may want to argue later that that's a more transparent and less risky way of doing that. But I think this issue of financial accountability is interesting, because we can't create, presumably, public bodies that have, you know, no accountability for how the money is spent. In extreme cases, you could then get scandals and the like, not that we've been in that situation, but perhaps we can discuss this. I'm not sure the First Minister's going to help, any further, us find a solution.

[252] **Eluned Parrott:** May I just continue with the accountability more generally of the commissioners? You've said a couple of times that you can't sack a commissioner at the drop of a hat. If a commissioner were failing in some quite fundamental way, how would they be removed?

[253] **The First Minister:** We would need to follow a process. It's similar to the kind of process you see in similar appointments elsewhere. There would have to be an element of misconduct, almost, or something equally as serious, but it certainly wouldn't be the case that somebody would cease to be a commissioner purely because of what they'd said, or a criticism they'd offered of the Government.

[254] **Eluned Parrott:** No, indeed. I'm not suggesting that that would be the case. What I'm questioning is, in terms of the work that the commissioners do on behalf of the people of Wales, on behalf of the public, if they were not performing that role, how would it come to light? Where is the accountability of the role performance?

[255] **The First Minister:** Well, that's a very objective viewpoint, of course, in terms of whether they are performing in terms of their role.

[256] **Eluned Parrott:** But any employee is subject to that.

[257] **The First Minister:** Yes, but it's dangerous ground to say that somebody should lose their position because of some objective—or subjective, rather, assessment of them not performing the role that they're meant to perform. At the end of the day, I see no reason to suggest that they don't perform the roles that they've been called upon to perform. I think if we were to have a situation where somebody could lose their position as a commissioner because of a fairly nebulous concept, that's very difficult.

[258] **Eluned Parrott:** Though, actually, in human resources terms, if someone is failing to perform, then there will be performance management issues that would be brought to bear. There are procedures for dealing with that in terms of other employees of public bodies. We have HR procedures to look at those kinds of things. But I'm talking about accountability here. If we are considered as politicians not to be performing our role, the accountability there is simply the public will vote for somebody else the next time around. It's a fairly clear route for the public to have their say. But the public—the people who these people, the commissioners, are serving—have no ability to influence the selection of their commissioners and they've got no ability, either, to comment, have they, on the priorities or the role that they're performing? They're not very transparently accountable, are they, the commissioners?

[259] **The First Minister:** Are you suggesting they should be directly elected?

[260] **Eluned Parrott:** No, I'm not suggesting that at all. What I'm questioning is how the public might have an improved role in the accountability of the commissioners.

[261] **The First Minister:** Well, ultimately, of course, accountability lies in this body. It may be that, I suppose, accountability is indirect, in the sense that commissioners have a certain accountability to Ministers, and Ministers, in turn, then, are accountable to Assembly committees and to the Assembly as a whole as to how they deal with that. I see no evidence to

suggest that the commissioners hide away. I think their engagement with the public is very good. I think the public do have the ability to influence commissioners and to bring issues to the attention of commissioners.

[262] **Eluned Parrott:** But they're not accountable to this body.

[263] **David Melding:** Could I offer another interpretation here? It's because they're such exceptional offices. I think you're right, to some extent, and they used to be called a corporation sole—I'm not sure, is that still the expression? To me, it implies why we've really got to get the appointments process right, because if you get a fairly mediocre appointment, then you don't want a system that says after 18 months, 'Oy, we want to shift you and we want to reappoint.' So, this independence thing reduces any direct accountability you can put into these appointments, it seems to me. I'm not sure the First Minister is able to give us an answer to this fundamental conundrum.

[264] **The First Minister:** I think you've answered it, Chair. With respect, that's the reality. If you're going to have independent bodies, you have to accept that there's a limit to what you can do from then on in. The appointments process is the important process in terms of ensuring that the right person is there in the job.

[265] **David Melding:** That's where I do think an Assembly committee, with some reasonable oversight—you know, with reports coming from a relevant commissioner—does ask questions, such as 'What are the internal HR arrangements?' I think some of those process things that are up to each independent office would be a valid point of accountability in terms of questioning. I don't want us to get too philosophical about all this—

[266] **Jocelyn Davies:** No, no. I'm not going to ask—

[267] **David Melding:** —because I think we've had a very interesting session. Some doors are opening slightly and we may want to build on that now when we go into private session.

[268] **Jocelyn Davies:** It was just, really, a comment that it just seems to me that commissioners have to hold the confidence of this place, the Government and the public in order to survive that tenure, but it does seem that what we're hearing is that you could be rubbish at your job and still manage to keep your tenure, but if you did something that was improper you'd lose it. It just seemed that perhaps it is a balance thing.

[269] **David Melding:** It is an interesting area.

[270] **Jocelyn Davies:** It's an interesting area.

[271] **David Melding:** I'm not sure we're going to solve it. That's what I was trying to say.

[272] **Jocelyn Davies:** No, but you still have to keep the confidence of this place.

[273] **David Melding:** Indeed, indeed.

[274] **The First Minister:** Can I suggest, Chair, that we write to the committee with detail on how the issue of potential dismissals are dealt with and what the process is, so that Members are aware?

[275] **David Melding:** I think we will want to enter into correspondence with you, so perhaps you might wait for our initial letter. I'm sure that when we go into private session we will want to take some of these issues a little further, but we welcome your intention to respond productively. Lynne, did you—

[276] **Lynne Neagle:** It was just on this issue of, I suppose, what the commissioners are delivering. I mean, I've said publicly that I've got very frustrated with the children's commissioner because, having been on the committee for donkey's ears, we hear the same issues coming out as areas of concern constantly, such as CAMHS and school toilets. You know, I could practically write the report myself every year. I just wondered what your views are on how the Assembly could put in place structures because, clearly, something isn't working, is it? If you've got the same issues that are coming out over and over again, something isn't working with that particular post. Now, I don't have the same issues with the Commissioner for Older People in Wales because I think things have been nailed down more effectively by the way that she operates. I'm just wondering whether you think there should be changes to the committee structure, or what do you think could be put in place to ensure that that doesn't happen? It does get very frustrating, and I think it undermines confidence in the role.

[277] **The First Minister:** So, you're making the point that the same issues are raised regularly by the children's commissioner.

[278] **Lynne Neagle:** Yes, not particularly to, you know—

[279] **David Melding:** That's your interpretation, which you have the right to make.

[280] **Lynne Neagle:** Yes. Things aren't being resolved, are they? So, you've got a commissioner who isn't delivering change in particular areas. How do we stop that happening in the future?

[281] **The First Minister:** I think the answer is that it wouldn't be for a commissioner to deliver change; it's for Government to deliver change.

[282] **Lynne Neagle:** No, it's for the Government, but the system isn't getting there, is it?

[283] **David Melding:** I'm sorry to intervene once more, but I think the model with the auditor general is that he does make a statement to the committee on the priorities for the next year. That's open. I think that's a public discussion. Now, he then has a duty to listen to representations that the audit committee makes, to consider them properly, but then ultimately what his priorities are are a matter for him. So, I think there are, you know, ways of doing this, and we may want to, in our report, say that some of these things need to be looked at more comprehensively. We've talked about things like whether a single Act is required or a single policy on these positions. I imagine you've got reflections on that, First Minister, but it seems to me that the First Minister's indicated he's keen to enter into a dialogue with us on these things, so we're not going to solve all these nitty-gritty sort of issues this morning, I suspect. I'll give you the last word on this, First Minister, if you want.

[284] **The First Minister:** No, I think there are some issues that Members have raised that would be useful to examine in the future in terms of the relationship of the commissioners, particularly with Assembly committees, and whether the current structure is able to provide that level of transparency—even though I suspect it's indirect at the moment compared to what might be possible in the future.

[285] **David Melding:** Can I just conclude this section by actually talking about public appointments in general? I just thought the Welsh Language Commissioner made an interesting comment about the fact that Cabinet Office—which obviously makes UK-wide appointments, but some of those are specific to Wales or will have functions in Wales—doesn't have a Welsh language scheme. Now, this does strike me as slightly strange because some of those offices would involve the welfare and the future of the Welsh language. So, are

you puzzled that they don't have a Welsh language scheme?

11:15

[286] **The First Minister:** I am puzzled. If they operated in Wales, there would be certain requirements put on them. But, yes, I think it's fair to say that the public in Wales would expect the Cabinet Office to have such a scheme when considering appointments that affect Wales.

[287] **David Melding:** Okay. First Minister, thank you very much for your attendance this morning. I think we've covered some very interesting ground. I think it's been a very open session and very candid. I particularly welcome the fact that you're keen to enter into a dialogue, and I think we've got some quite focused things we will want to highlight and perhaps recommend in terms of taking these two vital issues forward. Diolch yn fawr, Brif Weinidog, and thank you for your attendance this morning.

[288] **Y Prif Weinidog:** Croeso. **The First Minister:** You're welcome.

11:15

**Cynnig o dan Reol Sefydlog 17.42 i Benderfynu Gwahardd y Cyhoedd o'r
Cyfarfod
Motion under Standing Order 17.42 to Resolve to Exclude the Public from the
Meeting**

[289] **David Melding:** I now move the relevant Standing Order that we conduct the rest of the meeting in private, unless any Member objects.

Cynnig:

Motion:

y pwyllgor yn penderfynu gwahardd y cyhoedd o weddill y cyfarfod yn unol â Rheol Sefydlog 17.42(vi).

the committee resolves to exclude the public from the remainder of the meeting in accordance with Standing Order 17.42(vi).

Cynigiwyd y cynnig.

Motion moved.

[290] **David Melding:** I don't see any Member objecting, so please switch off the broadcasting equipment and clear the public gallery.

Derbyniwyd y cynnig.

Motion agreed.

*Daeth rhan gyhoeddus y cyfarfod i ben am 11:16.
The public part of the meeting ended at 11:16.*