

OFFICIAL – SENSITIVE - CABINET

*Cabinet will wish to note that these minutes, except those items in italics, will be published in week commencing 1<sup>st</sup> June 2020*

**The Welsh Government  
Minutes of a meeting of the Cabinet  
20<sup>th</sup> April 2020**

**Present:** Rt. Hon. Mark Drakeford AM (Chair)  
Vaughan Gething AM (from item 5)

**Via video link:** Rebecca Evans AM  
Lesley Griffiths AM  
Julie James AM  
Eluned Morgan AM  
Ken Skates AM  
Kirsty Williams AM  
Jeremy Miles AM  
Jane Hutt AM  
Hannah Blythyn AM  
Julie Morgan AM  
Lee Waters AM

Shan Morgan, Permanent Secretary (via video link)  
Des Clifford, Director General Office of the First Minister  
Andrew Goodall, Director General Health  
Carys Evans, Principal Private Secretary First Minister  
Will Whiteley, Head of Cabinet Division  
Toby Mason, Head of Strategic Communications  
Jane Runeckles, Special Adviser (via video link)  
Madeleine Brindley, Special Adviser (via video link)  
Dan Butler, Special Adviser (via video link)  
Ian Butler, Special Adviser (via video link)  
Paul Griffiths, Special Adviser (via video link)  
Clare Jenkins, Special Adviser (via video link)  
NR Special Adviser (via video link)  
Gareth Williams, Special Adviser (via video link)  
Tom Woodward, Special Adviser (via video link)  
Christopher W Morgan, Cabinet Secretariat (minutes)  
NR Cabinet Secretariat  
NR Specialist Policy Adviser (via video link)  
Frank Atherton, Chief Medical Officer (via video link)  
Tim Render, Director COVID-19 team (via video link)  
Liz Lalley, COVID-19 team (via video link)  
Peter McDonald, COVID-19 team (via video link)  
Gareth Bevington, COVID-19 team (via video link)  
NR, Head of LPGU (via video link)  
Helen Lentle, Director Legal Services (via video link)  
Dylan Hughes, First Legislative Counsel (via video link)  
Jo Trott, Head of COVID-19 project team

**Apologies:** Dafydd Elis Thomas AM

**Item 1: Minutes of the previous meeting**

- 1.1 Cymeradwydd y Cabinet gofnodion y 6 Ebrill / Cabinet approved the minutes of 6 April.

**Item 2: First Minister's items**

- 2.1 *The First Minister reminded Cabinet of the importance of ensuring that actions and decisions were recorded and disseminated, particularly through private offices. This would ensure that actions were assigned to a lead official, followed up expediently, and there was an appropriate audit trail. The latter would also help demonstrate why the Government took decisions at that point in time.*
- 2.2 *The current ways of working resulted in Ministers speaking and emailing individual officials or special advisers directly. In the current environment and pace of decision-making this was necessary, however, this practice should be the exception and always copied to the relevant private office and special adviser. Routine business should continue to be routed through private offices.*
- 2.3 *It was noted that the same message had been delivered to senior officials and special advisers, as it was not just the responsibility of Ministers. Nevertheless, it was important to always check at each meeting that there was someone with the responsibility of taking a note and issuing action points.*

Section 36

**Item 3: Senedd Business**

- 3.1 Cabinet considered the Plenary grid, and noted that the Minister for Health and Social Services and the Minister for Economy, Transport and North Wales would deliver statements to the Senedd on alternate weeks, *which would allow other Ministers to make statements. A four week Plenary grid was being prepared. It was recognised that there would be a need to consider scheduling non COVID-19 related business in due course.*
- 3.2 *The Minister for Finance and Trefnydd informed Cabinet that the Business Committee had considered, the previous Friday, reconvening Senedd Committees. The Business Committee discussed establishing a timetable for Committees to undertake COVID-19 and other critical work.*
- 3.3 *The Llywydd suggested a model where committees could meet to take evidence from external stakeholders, prepare a report or letter to the Government and then hold a debate in plenary where the responsible Minister could respond without having to give evidence to the committee. However, the Llywydd could not direct committees.*

- 3.4 *The Committee Chairs' forum would meet the following day to discuss a draft timetable and this would subsequently be shared with the Business Committee for agreement.*
- 3.5 *Ministers agreed it would be important for Committees to prioritise the Government's legislative proposals.*

Sections 28 & 36

**Item 4: COVID-19 Policy Co-ordination Dashboard CAB(19-20)48**

- 4.1 *The Counsel General and Minister for European Transition introduced the paper, which invited Cabinet to consider the updated policy co-ordination dashboard, particularly the RAG ratings of projects and to indicate whether any additional action was required. Ministers were also asked to note the new Welsh Government Data Monitor.*
- 4.2 *There had been a great deal of work on the dashboard, particularly to identify any gaps in the deliverables. The dashboard not only helped identify where cross-portfolio work was required, it also demonstrated the need to reflect on the interconnectivity between many of the workstreams.*
- 4.3 *The dashboard included brief objectives under each section to help illustrate the activities underway that would deliver the Government's priorities.*
- 4.4 *Following a review by Ministers and officials a number of deliverables had been red-flagged. These included: the challenges facing rail, the bus network and Cardiff Airport; the continued supply of PPE; and the Economic Crisis Fund being oversubscribed. There would be a need to clearly identify and describe what the issues were, which would help identify workable solutions.*
- 4.5 *Work on preparation for future recovery had been removed from the dashboard, as this would be taken forward separately.*
- 4.6 *A new Welsh Government Data Monitor had been produced. It was a single source of critical data relating to the Government's response to COVID-19 and would be shared with Cabinet on a weekly basis.*
- 4.7 *Cabinet welcomed the update and agreed that there would be a need for further discussion on the cross-over areas, such as how to support those that had been classed as vulnerable but not shielded and digital inclusion. In terms of digital it would be important to consider future design, not just exclusion.*
- 4.8 *There was some discussion on the 'RAG' ratings and it was agreed that lead Ministers and policy officials would need to revisit the ratings under a number of the workstreams.*



- 4.9 *Ministers noted the Data Monitor Report and suggested that information on the number of people reporting hate crime and those contacting the Live Fear Free helpline should be included in future.*
- 4.10 *Cabinet approved the paper, subject to officials taking into account comments made by Ministers.*

***Officials to take into account comments made by Minister and specifically, to check that the RAG ratings are correct and ensure that data on Hate Crime and the number of people who contact the Live Fear Free helpline was included in future Data Monitoring Reports.***

Sections 35 & 36

***Item 5: Response to COVID-19: Preparation for future recovery CAB(19-20)50***

- 5.1 *The First Minister introduced the paper, which invited Cabinet to endorse the general approach to the work preparing for future recovery after COVID-19 and the establishment of an expert group for continuity and recovery.*
- 5.2 *Consideration of issues such as social justice, fair work and environmental sustainability would need to inform the Government's approach to recovery and particular regard should be had for those who were economically or otherwise disadvantaged.*
- 5.3 *The work should seek to identify and encourage the sources of economic prosperity in the economy after COVID-19, having regard for the current programme for government and also consider any implications for existing delivery structures and stakeholder relationships. Where there was strong evidence that underlying assumptions may have fundamentally changed as a result of the crisis, these should be challenged.*
- 5.4 *The proposed External Advisory Group would provide external perspective and constructive challenge to assist with the task of planning for the recovery, whilst informing the development of a work programme and supporting Ministers in their oversight of that work.*
- 5.5 *Given the range of the impact of COVID-19, the membership of the External Group would need to reflect an appropriate breadth of experience. Individuals would be appointed for their personal contribution and capacity to offer relevant expertise and insight, rather than as representatives of the organisations for which they worked. The membership would be kept under review and could be supplemented, if necessary, to reflect emerging challenges and Ministerial priorities.*
- 5.6 *The Counsel General would chair the Group and ensure that Ministers and officials could draw upon the emerging advice and outputs to inform their work.*

- 5.7 *The Group would begin with one or two introductory roundtable sessions involving a slightly wider cohort of participants, to assess interpersonal skills. A focused Group would then be established to devise a forward work programme.*
- 5.8 *It was noted that the work programme previously agreed with the Welsh Centre for Public Policy should be repurposed to enable them to focus their work on the impact of COVID-19 and preparations for recovery.*
- 5.9 *Ministers agreed that the membership of the expert group should be limited to six to eight individuals. However, officials would need to consider how expertise from existing networks, such as equality, diversity and social care fora, and Ministerial Advisory Boards, particularly those relating to the economy, could feed into the work of the Group.*
- 5.10 *Cabinet approved the paper, subject to officials taking into account comments made by Ministers.*

***Officials to take into account comments made by officials and specifically consider how the existing networks could feed into the work of the Ministerial Advisory Group.***

Sections 35 & 36

***Item 6: Delivery of the Legislative Programme in light of COVID-19 CAB(19-20)49***

- 6.1 *The First Minister introduced the paper, which asked Cabinet to agree its approach to primary and subordinate legislation in light of the pandemic's impact on the Government's ability to progress legislation, and the capacity of the Senedd to scrutinise that legislation.*
- 6.2 *The paper set out the current position and brought together advice submitted to individual Ministers in order for Cabinet to consider the programme as a whole and take the necessary decisions.*
- 6.3 *The First Minister proposed that, given the time available, Cabinet should focus on primary legislation, with discussions on subordinate legislation taking place at the regular Ministerial calls.*
- 6.4 *Cabinet agreed there was a need to prioritise and seek to take forward legislation before the summer recess, should arrangements in the Senedd make that possible. However, there would be a need to clearly set out why the Government was taking this forward while responding to the COVID-19 pandemic.*
- 6.5 *It was noted that Senedd Committees were considering whether to reconvene and this would give some of them substantive business to consider.*

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- 6.6 *In terms of individual items of legislation, Cabinet agreed to proceed with the Local Government and Elections (Wales) Bill and the Curriculum and Assessment (Wales) Bill in line with the timelines set out in the paper.*
- 6.7 *As the Tertiary Education and Research (Wales) Bill had already been submitted to the Llywydd for determination and both the FE and HE sectors were aware of its contents, Ministers agreed that the proposed legislation should be introduced before the Summer recess. It was recognised there would be a need to explain why this Bill was being introduced at this stage, given previous commitments on legislative priorities. If was unable to progress both education Bills, the Curriculum and Assessment (Wales) Bill remained the Government's priority.*
- 6.8 *It was important to take forward the Renting Homes (Amendment) (Wales) Bill in line with the revised timetable in the paper to ensure that the Bill was passed before the end of the current Senedd. However, it was recognised that implementation of the amended 2016 Act would be left until the next Senedd.*
- 6.9 *Given that the Government still intended to consult before the Senedd elections on draft regulations to establish the Corporate Joint Committees, under the Local Government and Elections (Wales) Bill, Ministers agreed that work on the Bus Services (Wales) Bill should continue. With the industry suffering because of COVID-19, and public transport being fundamental to the recovery of the economy, the legislation should be progressed in reverse order to the proposed options within the paper, starting with a full Bill. This was on the understanding that there may be a need to reduce the scope of the Bill should circumstances change.*
- 6.10 *Cabinet noted the current position with the draft Social Partnership Bill and agreed to keep its development and prioritisation under review in the context of the Government's priorities.*
- 6.11 *Ministers discussed whether there was a need for a specific Bill in relation to COVID-19, similar to that introduced by the Scottish Government. However, this would have a significant impact on the current programme and other legislative priorities would need to be re-prioritised. Given that a large amount of the Scottish legislation related to criminal justice, which was not devolved to Wales, Ministers should first focus on what could be achieved through existing powers. It was recognised that clear communications on this decision would be required.*
- 6.12 *Cabinet agreed its preferred approach to handling primary legislation, in line with comments made by Ministers, and noted the proposals for considering priorities for subordinate legislation. Once finalised there would be a need to consider the required resources.*

**Officials to take into account comments made by Ministers**

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Action points and outcomes from a meeting of Cabinet on  
20<sup>th</sup> April 2020

OFFICIAL SENSITIVE – Cabinet, Policy and Commercial in Confidence

<i>Item</i>	<i>Action / Outcome</i>	<i>Outcome/ Deadline</i>	<i>Officials</i>
<i>Item 4: COVID-19 Policy Co-ordination Dashboard CAB(19-20)48</i>	<i>Officials to take into account comments made by Minister and specifically, to check that the RAG ratings are correct and ensure that data on Hate Crime and the number of people who contact the Live Fear Free helpline was included in future Data Monitoring Reports.</i>	<i>Asap</i>	<i>Tim Render / Gareth Bevington / Liz Lalley &amp; Glyn Jones</i>
<i>Item 5: Response to COVID-19: Preparation for future recovery CAB(19-20)50</i>	<i>Officials to take into account comments made by officials and specifically consider how the existing networks could feed into the work of the new Group.</i>	<i>Asap</i>	<i>Peter McDonald</i>
<i>Item 5: Delivery of the Legislative Programme in light of COVID-19 CAB(19-20)49</i>	<i>Officials to take into account comments made by Ministers</i>	<i>Asap</i>	<div>Name Redacted</div>