

**OFFICIAL – SENSITIVE - CABINET**  
*Cabinet will wish to note that these minutes, except those items in italics, will be published in week commencing 18<sup>th</sup> May 2020*

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

Present: Rt. Hon. Mark Drakeford AM (Chair)  
Vaughan Gething AM  
Julie James AM  
Lee Waters AM

Via video link: Rebecca Evans AM  
Lesley Griffiths AM  
Eluned Morgan AM  
Ken Skates AM  
Kirsty Williams AM  
Jeremy Miles AM  
Jane Hutt AM  
Hannah Blythyn AM  
Julie Morgan AM  
Dafydd Elis Thomas AM

Shan Morgan, Permanent Secretary (via video link)  
Des Clifford, Director General Office of the First Minister  
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)  
Dan Butler, Special Adviser (via video link)  
Paul Griffiths, Special Adviser (via video link)  
Clare Jenkins, Special Adviser  

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 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)  
Jonathan Scourfield, Specialist Policy Adviser (via video link)  
Andrew Goodall, Director General Health  
Frank Atherton, Chief Medical Officer (via video link)  
Andrew Jeffreys Director Welsh Treasury (via video link)  
Jo Salway, Director Social Partnership (item 5)  
Tim Render, Director COVID-19 team (via video link)  
Helen Lentle, Director Legal Services (via video link)  
Dylan Hughes, First Legislative Counsel (via video link)  
Jasper Roberts, Deputy Director (via video link)  
Liz Lalley COVID-19 team (via video link)  
Jo Trott, Head of COVID-19 project team (via video link)

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**Item 1: First Minister's items**

**Cabinet Arrangements**

- 1.1 The First Minister *referred to the letter he had sent to Ministers the previous week, where he outlined the arrangements for conducting business as a Cabinet for the immediate future.*
- 1.2 Formal Cabinet meetings on a Monday would continue to be the forum for substantive government decisions. *The response to COVID-19 would be the primary challenge, but there would also be a need to consider non-coronavirus items to maintain continuity of business.*
- 1.3 The COVID-19 Core Group on a Wednesday morning had evolved into the main information sharing meeting for Ministers, with Cllr Andrew Morgan, chair of the WLGA, Paul Davies MS and Adam Price MS also in attendance. In addition to the standing items, a further item would be scheduled each week and Ruth Marks of the WCVA would be attending the next meeting to highlight the state of the Third Sector and its coronavirus contribution. Suggestions for future meetings included a report from the Welsh Government's Chief Economist and an update from the lead Chief Constable on policing and enforcement.
- 1.4 *Given the speed of developments, the First Minister had also introduced a daily Ministerial call at 9am. The focus would be 'on the day' issues that would need to be responded to quickly.*

**Ministerial Responsibilities**

- 1.5 *The First Minister referred to the paper on COVID-19 Policy Co-ordination, which Cabinet would consider formally later in the meeting, and informed Ministers that he had asked the Counsel General and Minister for European Transition to provide the overarching Ministerial lead on the delivery of the work-streams.*
- 1.6 *Given that the Counsel General and Minister for European Transition would also be reviewing the COVID-19 regulations that the government had introduced, the First Minister had asked the Minister for International Relations and Welsh Language to take over his role on the Star Chamber.*

**Section 36**

**Item 2: Senedd Business**

- 2.1 Cabinet noted the Plenary grid, *and agreed that, in addition to the regular statements from the First Minister and Minister for Health and Social Services, other Ministers should be given the opportunity to deliver statements in the coming weeks.*

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- 2.2 It was reported that the virtual Senedd the previous Wednesday had been successful and well received, with other Parliaments looking to replicate the process. The Senedd's Business Committee had agreed, the previous Friday, to double the number of members from each group able to participate at any one time in future proceedings. *This should reduce the prominence of independent members.*
- 2.3 A technical break would be introduced in each meeting to allow for a change of Ministers/Members part way through. In terms of voting, one member would be nominated to cast a weighted vote for their group.
- 2.4 There would be a formal recess the following week, *which would help in the management of statutory instruments, although, the First Minister would have the option of requesting a recall if considered necessary.*

**Section 28**

**Item 3: COVID-19 Workstream Programme**

- 3.1 *The First Minister introduced the paper, which invited Cabinet to agree to the ongoing use of the dashboard to co-ordinate the Welsh Government's response to the pandemic. Ministers were also asked to identify any areas of work not in the policy co-ordination dashboard and any areas where further Welsh Government action was required.*
- 3.2 *The dashboard would collate high-level strands of government activity underway in a simple visual form, to support Ministers through immediate issues and into recovery. This should provide a clear overall picture of all the work being taken forward, and who was leading on each strand, which would allow testing and the assurance that all the necessary activity was in hand.*
- 3.3 *The delivery workstreams had been identified at a thematic-level, and there was a significant number of activities underneath, which were not captured in the dashboard, to deliver the required outcomes. Many of these themes would require contributions from different teams from across the Welsh Government, but needed to be brought together to secure the overall objective.*
- 3.4 *The list was dynamic, some areas of work would be completed and new issues would be identified and included in the dashboard over time. The intention was to update the dashboard weekly, adding and archiving issues as necessary. The dashboard would be presented to Cabinet each week by the Counsel General and Minister for European Transition.*

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- 3.5 *Cabinet welcomed the paper and recognised the importance of the dashboard in identifying the cross-cutting issues across portfolios. It was suggested that some thought should be given to the wider needs of under-represented groups, particularly the vulnerable.*
- 3.6 *Ministers acknowledged that the dashboard was an internal facing document and agreed that a workstream on excess deaths should be added to the list.*
- 3.7 *It was noted that the Counsel General and Minister for European Transition would be in touch with Ministers over the coming days to understand the lines of activity that they have a portfolio interest in and to consider any other important issues that may need to be included in the dashboard.*
- 3.8 *Cabinet approved the paper, subject to officials taking into account comments made by Ministers.*

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

**Sections 35 & 36**

***Item 4: Update on Star Chamber Process***

- 4.1 *The Minister for Finance and Trefnydd introduced the paper, which outlined how the Star Chamber process would operate. It was an advisory group, which would identify issues and concerns before spending decisions were taken and ensure that the government's strategic priorities were promoted. It was not a decision making body.*
- 4.2 *The purpose was essentially iterative, it provided comments on issues it believed needed to be addressed before funding was approved by the relevant Ministers. It was noted that a guidance note on how the Star Chamber would operate had been sent to private offices and, in future, the notes of each Star Chamber meeting would be shared with Ministers.*
- 4.3 *Cabinet put on record its thanks to the Counsel General and Minister for European Transition and all those that had been involved in the Star Chamber process, and stressed the importance of decisions being taken as quickly as possible.*
- 4.4 *It was important to continue to re-profile resources to help respond to the crisis, particularly given that in the UK the number of people claiming Universal Credit had increased by one million in one week and the Development Bank of Wales had received 1,000 applications for its loan fund in the past week.*



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- 4.5 *Cabinet noted that the Minister for Finance and Trefnydd had written to the Chief Secretary to the Treasury to seek clarification on whether the UK wide job retention scheme would apply to certain arms-length bodies in Wales. A copy of the letter would be shared with Ministers.*

**Sections 29 & 36**

***Item 5: Social Distancing in the workplace: Regulations and Guidance***

- 5.1 *The First Minister introduced the paper, which asked Cabinet to approve the draft guidance on social distancing in the workplace and note the process and timescale for the necessary review of the regulations in the coming weeks.*
- 5.2 *The previous Friday, Welsh Ministers had made regulations, which amended the Health Protection (Coronavirus Restrictions) (Wales) Regulations 2020 to extend into workplaces the requirement to apply all reasonable measures to ensure that a two metre distance was maintained between people. The regulations would come into effect at 12.01am the following day.*
- 5.3 *This was in response to concerns about safe practices in the workplace, and the confusion arising from the lack of consistency across different settings, including the place of work.*
- 5.4 *It was recognised that specified retail and services premises, which were public facing in nature, were already subject to a duty to take all reasonable measures to ensure two metre distancing was put in place, but this did not extend to other workplaces.*
- 5.5 *Ministers had noted that both the UK and Scottish Governments had held back from legislating, relying on guidance only. However, the legislative option was considered to send a clearer message, as there was no defensible basis for excepting any particular sectors or projects. Therefore, it had been agreed that there was an urgent need to act to make clear that the requirement to keep a distance of two metres from other people should apply in the workplace*
- 5.6 *Compliance would present real challenges for some workplaces, therefore a continuation of the proportionate approach, which required all reasonable measures to be put in place, was essential.*
- 5.7 *The guidance set out the range of qualifying premises to which the new duty would apply and confirmed that there were no exemptions. It also addressed the question of ‘reasonable measures’, which was the key issue as the duty itself was universal, applying to all businesses.*

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- 5.8 *The regulations would need to be reviewed by the Counsel General and Minister for European Transition by 16<sup>th</sup> April and this process would continue every 21 days thereafter, up until the they were no longer in place.*
- 5.9 *It was noted that the regulations relating to coronavirus restrictions would need to be reconsidered the following week and if there was no direction through COBR, Welsh Ministers, along with their Scottish and Northern Irish counterparts may need to act independently of UK Ministers.*
- 5.10 *Ministers agreed that there was a need to avoid giving mixed signals while ensuring that certain employers, particularly those in the fast-food sector, were able to demonstrate that they had considered the requirements of the regulations. It was reported that any business in receipt of a grant would be required to demonstrate how they had complied with the regulations.*
- 5.11 *It was noted that the reasonable measures would need to apply to a number of key sectors, such as the police, fire and rescue services, refuse collectors and those that worked in a social care setting.*
- 5.12 *There was some concern about the reaction of certain teaching unions to the implications for childcare settings, given that the guidance now placed the onus on the person responsible for the work being undertaken in the work place, rather than, as it was in the past, the relevant Local Authority.*
- 5.13 *Cabinet agreed that officials would need to consider the comments made by Ministers and ensure a consistent approach, subject to this, Ministers approved the paper.*

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

**Section 35**

**Item 6: Any other business**

- 6.1 *Ministers noted that the First Minister would be writing to the new shadow Secretary of State for Wales and it was suggested that other Ministers could write to the relevant shadow Cabinet members.*

**Section 36**

- 6.2 *Cabinet put on record its best wishes to Alun Davies MS who had been hospitalised as a result of becoming infected with the COVID-19 virus.*

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**Action points and outcomes from a meeting of Cabinet on  
6<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 3: COVID-19 Workstream Programme</i>	<i>Officials to take into account comments made by Ministers</i>	<i>As the Dashboard is developed</i>	<i>Tim Render / Liz Lalley</i>
<i>Item 5: Social Distancing in the workplace: Regulations and Guidance</i>	<i>Officials to take into account comments made by Ministers</i>	<i>As soon as possible</i>	<i>Jo Salway, Helen Lentle, Dylan Hughes, Jasper Roberts</i>