



Cynulliad
Cenedlaethol
Cymru

National
Assembly for
Wales

Cofnod y Trafodion The Record of Proceedings

[Y Pwyllgor Cyllid](#)

[The Finance Committee](#)

19/07/2017

[Agenda'r Cyfarfod](#)
[Meeting Agenda](#)

[Trawsgrifiadau'r Pwyllgor](#)
[Committee Transcripts](#)

Cynnwys Contents

- 4 Cyflwyniad, Ymddiheuriadau, Dirprwyon a Datgan Buddiannau
Introductions, Apologies, Substitutions and Declarations of Interest
- 4 Ymchwiliad i'r Amcangyfrifon Ariannol sy'n Cyd-fynd â Deddfwriaeth:
Sesiwn Dystiolaeth 10
Inquiry into the Financial Estimates Accompanying Legislation:
Evidence Session 10
- 29 Cynnig o dan Reol Sefydlog 17.42 i Benderfynu Gwahardd y Cyhoedd o
Weddill y Cyfarfod
Motion under Standing Order 17.42 to Resolve to Exclude the Public
from the Remainder of the Meeting

Cofnodir y trafodion yn yr iaith y llefarwyd hwy ynddi yn y pwyllgor. Yn ogystal, cynhwysir trawsgrifiad o'r cyfieithu ar y pryd. Lle y mae cyfranwyr wedi darparu cywiriadau i'w dystiolaeth, nodir y rheini yn y trawsgrifiad.

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. Where contributors have supplied corrections to their evidence, these are noted in the transcript.

Aelodau'r pwyllgor yn bresennol
Committee members in attendance

Neil Hamilton Bywgraffiad Biography	UKIP Cymru UKIP Wales
Mike Hedges Bywgraffiad Biography	Llafur Labour
Steffan Lewis Bywgraffiad Biography	Plaid Cymru The Party of Wales
Eluned Morgan Bywgraffiad Biography	Llafur Labour
Nick Ramsay Bywgraffiad Biography	Ceidwadwyr Cymreig Welsh Conservatives
David Rees Bywgraffiad Biography	Llafur Labour
Simon Thomas Bywgraffiad Biography	Plaid Cymru (Cadeirydd y Pwyllgor) The Party of Wales (Committee Chair)

Eraill yn bresennol
Others in attendance

Mark Drakeford Bywgraffiad Biography	Aelod Cynulliad, Llafur (Ysgrifennydd y Cabinet dros Gyllid a Llywodraeth Leol) Assembly Member, Labour (The Cabinet Secretary for Finance and Local Government)
Andrew Hobden	Y Tîm Arfarnu a Dadansoddi Economaidd, Llywodraeth Cymru Economic Appraisal and Analysis Team, Welsh Government
Jonathan Price	Prif Economegydd, Llywodraeth Cymru Chief Economist, Welsh Government

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

Owen Holzinger Y Gwasanaeth Ymchwil
The Research Service

Cath Hunt Ail Glerc
Second Clerk

Georgina Owen Dirprwy Glerc
Deputy Clerk

Dechreuodd rhan gyhoeddus y cyfarfod am 10:17.
The public part of the meeting began at 10:17.

Cyflwyniad, Ymddiheuriadau, Dirprwyon a Datgan Buddiannau
Introductions, Apologies, Substitutions and Declarations of Interest

Simon Thomas: Galwaf y Pwyllgor **Simon Thomas:** I call the Finance
Cyllid i drefn. Committee to order.

Ymchwiliad i'r Amcangyfrifon Ariannol sy'n Cyd-fynd â Deddfwriaeth:
Sesiwn Dystiolaeth 10
Inquiry into the Financial Estimates Accompanying Legislation:
Evidence Session 10

[1] **Simon Thomas:** Rydym ni'n **Simon Thomas:** We turn to the public
troi at y sesiwn gyhoeddus y bore session this morning with the
yma gydag Ysgrifennydd y Cabinet Cabinet Secretary for Finance and
dros Gyllid a Llywodraeth Leol, Mark Local Government, Mark Drakeford. I
Drakeford. Croeso mawr i chi a'ch welcome you and your officials this
swyddogion hefyd. A gaf i jest morning. Could I just remind
atgoffa Aelodau i dawelu unrhyw Members to mute any electronic
ddyfeisiadau electronig? Ac, wrth devices, and, of course, the
gwrs, mae offer cyfieithu hefyd ar translation equipment is available.
gael. Os caf i ofyn ar y cychwyn jest i Could I ask, at the outset, for all of
bawb ddatgan eu henwau ar gyfer y you to state your names for the
cofnod, os gwelwch yn dda. record, please?

[2] **Ysgrifennydd y Cabinet dros** **The Cabinet Secretary for Finance**

Gyllid a Llywodraeth Leol (Mark Drakeford): Bore da, Cadeirydd. Mark Drakeford ydw i, a gyda fi y bore yma—rydych chi wedi clywed yn barod, rydw i'n gwybod, oddi wrth Jonathan Price ac Andrew Hobden.

and Local Government (Mark Drakeford): Good morning, Chair. I'm Mark Drakeford, and with me this morning—you will have heard already, I know, from Jonathan Price and Andrew Hobden.

[3] **Simon Thomas:** Ydym, diolch yn fawr. Rydym ni'n dod at tua diwedd yr ymchwiliad yma lle rydym ni wedi bod yn craffu ar gostau deddfwriaeth ac is-ddeddfwriaeth ac yn edrych ar y ffordd mae'r Llywodraeth yn paratoi. A gaf i ofyn i chi, yn y lle cyntaf, felly, jest yn gyffredinol iawn, a ydych chi'n hapus—efallai wedi gweld y Pwyllgor Cyllid yn edrych ar rai o'r agweddau yma hefyd—a ydych chi yn fodlon gyda'r dull presennol o gyflwyno asesiadau effaith rheoleiddio o fewn Llywodraeth Cymru? Ac a ydych chi wedi canfod unrhyw feysydd lle rydych chi am wella neu ddiwygio'r broses honno?

Simon Thomas: Yes, we have. Thank you very much. We come to the end of this inquiry where we've been scrutinising the costs of legislation and subordinate legislation and looking at the way in which the Government prepares regulatory impact assessments. Could I ask you in the first place, very generally, are you content—perhaps having seen the Finance Committee looking at some of the aspects—are you content with the current method of presenting RIAs within the Welsh Government? And have you found any areas where you want to improve or reform that process?

[4] **Mark Drakeford:** Wel, diolch yn fawr.

Mark Drakeford: Well, thank you very much.

[5] Chair, I thought maybe I should just begin by explaining that, from a Welsh Government perspective, the responsibilities that I have in the RIA field are relatively narrow and specific. I have some oversight of the work that Jonathon and his team carry out, but that is, as you've heard, just one aspect of the way that RIAs are produced. So, I can talk from that perspective a little. I'm better equipped in some ways to reflect on the wider experience that I have had in taking, now, 10 Bills, I think, through the National Assembly, including two backbench pieces of legislation where I was the Minister that responded to those. So, I had some thoughts and reflections on my own experience of it, but that's no more than just what I've done in my portfolio responsibility.

[6] So, I think the basic architecture of the way that RIAs are produced is the right one. I do think it is right that the portfolio Minister, and the team of people who support them, have a major responsibility for making sure that explanatory memorandums and the regulatory impact assessments that they contain are as close a reflection as possible of the proposals that the Assembly is scrutinising. I think the work that goes on at the centre should not dilute the responsibilities that portfolio Ministers have for making sure that that information is as good as it can be and that it is regularly updated as the process of scrutiny proceeds. I think the work that Jonathan and his team do in scrutinising the methodology that is adopted by teams in preparing RIAs is very reliable and effective in the way that it is provided. I have one other pan-Government view on these things, which is that I also get advice independently of portfolio Ministers from my finance officials on the way in which portfolio Ministers are to deal with the costs that are produced by legislation. So, I do get a slice of advice from my finance officials, just giving me confidence that Ministers aren't going to be coming to me asking for additional resources to cover the cost of legislation when they know perfectly well that I don't have money to help them with that.

[7] So, in this fifth Assembly, the First Minister has instituted a new procedure where, before Bills are finally introduced, there is a forum where senior officials have to come together and provide assurance that the Bill is in a fit state to be introduced, and that reports to a committee of Ministers that the First Minister chairs. The Counsel General is a standing member of that committee, from the legal perspective. Jane Hutt is a standing member of it, because she has to manage the business and how legislation is going to find a timetable to get through the Assembly, and I'm a standing member of that. The advice that I get, and which I then reflect at that co-ordinating committee, comes from Jonathan. So, he tells me whether he thinks that the way RIAs have been produced methodologically stands up to examination, and I get advice from finance officials on how the costs are to be accommodated by the Welsh Government.

[8] I think that degree of oversight from the centre is important and has helped to improve the process. I'm sure you will have questions about how the process can be improved, and I'm not for a minute saying that I don't think that there are lessons that we continue to learn in this still evolving area. But the basic architecture, I think, is the right one, and I would not be persuaded by, I think, some of the things that may have been suggested to you, that RIAs should be taken over by some sort of central unit that would be responsible for producing them across the Welsh Government. I don't

think that would give us the right outcome.

[9] **Simon Thomas:** Diolch am hynny. Mae hynny yn ddefnyddiol iawn. Mewn ffordd, mae e'n, os caf i ddweud, gofyn cymaint o gwestiynau ag y mae'n eu hateb, ond nid yw hynny'n broblem achos dyna bwrpas ymchwilio i mewn i'r peth ac edrych ar yr opsiynau yma. Os caf i jest bod yn glir, felly—ac rydw i'n ddiolchgar i chi am amlinellu pethau fel rydych chi wedi ei wneud, mae gyda chi brofiad, fel rydych chi'n dweud, o gyflwyno'r Mesurau eich hunain. Nid oes yna neb, ar hyn o bryd, fel rydych chi'n dweud, wir yn cydlynu un uned fel y cyfryw, ond mae, yn y Cynulliad hwn, bodolaeth y pwyllgor yma, os liciwch chi. A ydy hynny fel porth olaf i ddeddfwriaeth, fel petai? Y drws olaf i ddeddfwriaeth fynd drwyddo, dyna beth yw pwrpas hynny. Mae'n rhaid iddo groesi'r trothwy yna.

Simon Thomas: Thank you for that. That is very useful. In a way, if I could say, it begs as many questions as it answers, but that's not a problem because that's the purpose of investigating this and looking at these options. So, if I could just be clear, therefore—and I'm grateful that you've outlined these issues, you have experience of introducing these Bills yourself. There's no one, at present, as you said, who actually co-ordinates one unit, as it were, but there is, in the Assembly, this committee. Is that a final port of call for legislation, as it were? The final gateway for legislation to go through, that's the purpose of that. It's got to cross that threshold.

[10] Ond rydych chi hefyd yn gwisgo het fel yr Ysgrifennydd Cabinet cyllid, felly mae'n rhaid bod gyda chi—ac rydych chi newydd amlinellu sut y gall hynny ddigwydd—ddiddordeb yng nghostau cyfan deddfwriaeth, ac, fel rydych chi'n dweud, nid ydych chi eisiau Gweinidog yn dod atoch chi yn gofyn am fwy o arian am eu bod nhw wedi gwneud y symiau'n anghywir. A gaf i jest ofyn, y tu fewn i'r broses yna, felly, ym mha ffordd ydych chi neu'r Llywodraeth yn fwy eang yn gallu cymryd i ystyriaeth cost nid jest deddfwriaeth ei hunain ond y newid

But you also wear the Cabinet Secretary for finance hat, so you have to have, as you've outlined, an interest in the entire costs of legislation, and, as you've said, you don't want a Minister coming to you and asking you for more money because they've done the sums wrong. So, could I just ask you, within that process, in what way you or the Government more broadly can take into consideration costs of not just legislation but the change that stems from legislation? So, what we've heard as a committee in doing this is that, 'The costs were right per

sydd yn deillio o ddeddfwriaeth? unit and so forth, but what we hadn't foreseen was that there would be a culture change or a change in attitude or a change in the way of doing things and, that, in turn, would lead to culture change, in a way, and that that would lead to a system.' Are you in a position to keep track of that—either in terms of the chief economist, or you as the Cabinet Secretary?

A ydych chi mewn sefyllfa i gadw trac ar hynny—naill ai o safbwynt y prif economydd, neu chi fel yr Ysgrifennydd Cabinet?

[11] **Mark Drakeford:** Wel, mae'n anodd, rydw i'n meddwl. Mae e'n bwnc anodd, onid yw e, sut rydym ni'n gallu bod yn glir am y costau pan rŷm ni'n siarad nid jest am beth mae rhywbeth yn mynd i gostio, ond newid ymddygiad, newid meddwl a phethau fel hynny?

Mark Drakeford: Well, it is difficult, I think. It's a difficult topic, isn't it, looking at how we can be clear about the costs when we're not just talking about what something is going to cost, but also a change of behaviour and a change of mindset and such like?

[12] I think my own most direct experience in this will probably have been in the organ donation Bill, where there was a very close interest in the costs involved in the organ donation Bill, but there were two very different sorts of change that the Bill sought to bring about. So, in the RIA—which I remember spending many hours in its company—we were able, I felt, to give a pretty precise set of costs around what a single additional donation would have produced, and we were confident that a single extra donation of a kidney would cover all the costs of the Bill, because the costs of dialysis are very significant, and if you accumulated those costs over a five-year period, then, by themselves, they covered the costs of the Bill itself, and we took a relatively precautionary approach in the RIA of using two extra donations, although the Bill itself was expected to produce five extra donations in a single year.

[13] So, on those concrete-type costs, the RIA was very secure, but the Bill was also about bringing about a cultural shift in the way that people think

about donation, and trying to persuade people that presumed consent was every bit as valid as expressed consent and therefore to make the act of donation more likely in those very unusual and incredibly difficult sets of circumstances where it is a possibility. Trying to monetise those costs, and trying to find a way of expressing those in an RIA was much, much more challenging.

[14] So, I've read some of the evidence that you will have had as a committee, and I suppose, my—. When I was thinking about it, my response was that I think it's an effort you've got to go on making, and I know that Jonathan is always pressing his policy colleagues to try to monetise the costs and benefits of cultural change and the aspirational sides of legislation, but I—. Well, two or three things, really. One is that I myself do not think that spurious quantification is a helpful way of doing things. So, I think sometimes you can try and turn these things into numbers in a way that doesn't actually tell you anything very worth knowing.

[15] Secondly, I think it is inherently contestable—those figures. What it costs to provide kidney dialysis is something that I could probably have put on a piece of paper and shared with members of the committee, and you'd probably have agreed that that's a reasonable account of what all that costs. If I tried to quantify cultural change and behavioural change, I could do it and try, but it would be inherently contestable, wouldn't it? Any one person's thoughts about it are probably no more objectively verifiable than anybody else's. So, I think the effort's important and I think we need to keep on doing it, but I think we need a realistic sense of what the limitations will be in trying to turn some of those things into the sort of figure work that an RIA otherwise depends on.

[16] **Simon Thomas:** That's certainly something that's come across in the evidence that we've had. There's a kind of dilemma or quandary in what you set out there, because you say on one hand, 'We'll continue to do it,'—and Jonathan Price told us earlier in the inquiry how he tries to do it—but on the other hand, as you've just said, this is contestable ground. It's contestable from an ideological position as well.

10:30

[17] You could make arguments—. We debated last night the right-to-buy legislation. That's a very clear example where you have this wide range of costs, all depending on whether a cultural change happens or what sort of

cultural change happens. So, in terms of a regulatory impact assessment, is that really something that Government continues to find useful? It's a requirement in the Assembly's Standing Orders, of course, but, you know, is it useful for you, in Government, to be doing this?

[18] **Mark Drakeford:** I don't contest its usefulness, because it makes you focus on important issues and it makes you try and think through some of these important things. It sharpens up your understanding of them. So, that's part of the reason why I think the effort is worth making. It's more for me about having a properly caveated understanding of what that means when you try and reduce it then down to a set of specifics.

[19] **Simon Thomas:** And should that also include a bit more of an analysis of the risk of the different options, if you like?

[20] **Mark Drakeford:** Well, Chair, one of the things that I have read in your evidence and I felt was convincing in the way it was put to you is that we should be more willing to use range evidence rather than trying to reduce it to a single figure. Range allows you to have a different appreciation of risk, doesn't it, because it allows you to say, 'Well, if you take one view of risk, you will have figures at one end of the spectrum, and if you take a different view of risk, you will have figures at the different end of the spectrum, and here is the range that we think is reasonable to produce in an RIA.' Maybe that would be a way of trying to make some of this more contestable area more sensibly visible to people.

[21] **Simon Thomas:** Just a final process question, in a sense, from me at this stage is: you've outlined, certainly in this Assembly, what the steps and the procedure are, and, as you say, you're not convinced that there's a need for a central policy team or a central team to do this. But we do understand there'll be revised guidance and so forth coming forward. Who takes ownership of that, if you like? Is that something that comes from you or the First Minister, or is it a Cabinet thing? How would that be proceeded through with, then, without that central team, if you like?

[22] **Mark Drakeford:** Well, I think the First Minister, in the end, has the final oversight of all of these things, and he will have given his agreement to the production of the new handbook and the revised ways in which we now try and provide advice to policy colleagues. I think the committee will have had sight of that draft new guidance. So, it comes through the First Minister's office, and he, in the end, retains that sort of final oversight of

these things.

[23] **Simon Thomas:** Okay. Mike Hedges.

[24] **Mike Hedges:** To carry on with that, on ranges, are you going to implement it, or are you going suggest it's implemented for future legislation to improve the quality assurance of the numbers we get—that we actually get ranges? It doesn't always fit in nicely with the way, perhaps, we like to do things, but it's how the real world works. So, are you going to try and implement that?

[25] **Mark Drakeford:** I'll ask Jonathan or Andrew to come in on that in a second, but, just to say, my reading of the evidence you've had is that we should move more in that direction. I think the RIAs that you will have seen on tax Bills have had some ranges in them already, so it wouldn't be a completely new way of doing things but of trying to make that way more systematic in the organisation. Andrew will probably know.

[26] **Mr Hobden:** I suppose one of the reasons why perhaps we haven't presented costs and benefits in ranges before is that the interpretation of Standing Orders means that it's a best estimate, and does that mean a specific figure? As the Cabinet Secretary was speaking there, there seemed to be very broad agreement around the table that, actually, the presentation of ranges would be a good step forward. So, I think we will look to do that more, going forward.

[27] **Mike Hedges:** I was going to say, we would hold people to account for inaccurate ranges, so it would probably be unfair to hold people to account for inaccuracy in absolute numbers, because they are just making an estimate inside the range they've already got.

[28] My next question is: let's say that the Government decided to bring in a policy of free car parking in council car parks. They could actually calculate how much is collected in council car parks now and they could say, 'It's going to cost that amount.' But it isn't, is it, because—turning back to Professor Nevin and elasticity of demand—if you make something free, demand will increase dramatically? So, the question I've got is: how do people within their production of RIAs work out elasticity of demand?

[29] **Mark Drakeford:** Jonathan would be better placed than me to respond to that, but the issue's a real one, I absolutely understand that. So, in the

social services Bill, for example, this was a very real question. We know from the Scottish experience that, when they abolished charges for homecare, the cost to the Scottish Government was far in excess of what they originally estimated because there was this huge reservoir of latent demand that had been suppressed by charging. When charging was removed, suddenly, far more people came through the door than was expected. So, that's an issue I absolutely recognise in the way that we have to calculate policy choices. Jonathan will have a better grasp than me of how, methodologically, we account for it.

[30] **Mr Price:** Yes, I think that the point is that there's no general answer to this, but in assessing any change in a policy in one of these areas that is subject to a demand response, it would be central to the development of the policy in the first place that one would have to look at elasticity effects. So, I think this brings us back to a point that the Cabinet Secretary's made, and which we've made before, about the development of impact assessments being really integral to the policy-making process—in thinking about developing policy in this area you'd have to be addressing the question of elasticity.

[31] The question of how you do it is quite case-specific, obviously. An area where policy's been under development in Wales and in Scotland for a number of years is minimum unit pricing on alcohol. Elasticity of alcohol demand is clearly central to that, and a very sophisticated modelling exercise is undertaken to try to estimate what elasticity responses would be to different kinds of price measures. In that area, there is a big established field of research, there is some cross-country evidence that you can bring to bear. In other areas, where you're doing something for the first time, it's much more difficult, but drawing on experience from other jurisdictions, from other areas, is obviously central to the way you try and approach that kind of issue. But, yes, in principle, absolutely, that would be central to both policy development and then the documenting of that policy in an impact assessment.

[32] **Mike Hedges:** I think Nick wants to come in.

[33] **Simon Thomas:** Sorry. Sorry, Nick.

[34] **Nick Ramsay:** That's all right. On what you were just saying, we took evidence in north Wales—last week, I think it was—and I think it was the chief exec of Gwynedd county council who said that the very act of putting

something on a statutory footing, which local authorities might have been doing anyway—as soon as you put it on a statutory footing the expectations are raised and the foot is taken off the demand and it rises in a way that is quite unpredictable. I think that was the point you were just making about raising expectations.

[35] **Mark Drakeford:** Yes, exactly that, Chair. There is this sort of hidden, latent demand. Different things you do can bring that to the surface. Turning something from a voluntary to a statutory basis can send a signal out to people that, somehow, that is a right that they now have in a way that they might not have thought of previously.

[36] **Nick Ramsay:** So, your initial estimates of the demand that is there can actually be quite wrong, even though they seem to be a very easy thing to ascertain at the start.

[37] **Mark Drakeford:** The answer definitely is that if what you do is count what's happening at the moment and you simply think that that will happen in the future, that's a very poor guide in some areas. Welsh-medium education would probably be the most obvious example where, for many years, what authorities did was do a survey in an area and ask people, 'If there were a Welsh-medium school here, would you take advantage of it?' You would get a figure—you know, 30 families would like it; you then provide an actual school there and 60 families turn up. That's because, when there's an actual supply, people act differently than if you're asking them prospectively when there isn't a supply. So, all sorts of things make a difference to the real demand compared to the assessed demand. I think we've learnt with Welsh-medium education, quite certainly, that you've got to assess demand in a more sophisticated way than we used to once upon a time.

[38] **Mike Hedges:** Also, with education, you've got to take the nearness of school—. Even if people are not particularly keen on having a Welsh-medium education, if the school is two doors away from them and the nearest English-medium school is a mile away from them, they may well take the Welsh-medium school for ease of getting to school, and also the other way round.

[39] The last question I've got is this: should the Finance Committee or do you think it's reasonable for the Finance Committee to have a mechanism whereby, if an RIA is significantly amended after Stage 1 it should be recalled

to be considered by the Finance Committee? What would you consider to be a substantial change or significant amendment—10 per cent, 50 per cent, 10 per cent plus a minimum of £1 million?

[40] **Simon Thomas:** And, of course, we may have a current example of this.

[41] **Mike Hedges:** Yes, but it's just—.

[42] **Mark Drakeford:** Well, Chair, I'm reluctant, in many ways, to advise you on the best way for you to do the committee's business because you're much better placed than me. It seems to me that the current Standing Orders don't prevent you from doing that, and you'll have an opportunity, if you want to, in relation to the Additional Learning Needs and Education Tribunal (Wales) Bill, which is the one we're thinking of here. As I say, reluctant as I am to give advice at all, maybe what I would say is that there may be a parallel here. I am reluctant to put myself in a position, ministerially, where colleagues could hand over responsibilities to me for things for which I think they ought to be responsible. So, as I've said, I think policy Ministers ought to be responsible for RIAs, and one of the dangers of having a central system is that people start thinking, 'Well, I don't need to worry about. It's somebody else's job now to be worrying about that.' I think there is a relationship between the Finance Committee and subject committees to think of here as well. I think the way, Mike, you put it, which is a sort of backstop power for this committee to be able to take an interest in RIAs where there have been significant changes and have another chance to look at them—I think, put that way, that's a reasonable and sensible thing. If that tipped over into a feeling that subject committees might have that 'Here's a difficult area', which they now needn't worry about, they could spend their time doing much more interesting things on policy and stuff like that, I think, in a way, that will be a less useful lesson to have sent out. As far as I know, the current Standing Orders allow you to do what you've just said, and I think that's a useful role for the committee to play. Formalising it, extending it, giving it more prominence could have unintended consequences in relation to how subject committees regard their responsibilities, too.

[43] **Mike Hedges:** You probably won't answer this but surely subject committees should be more interested in opportunity costs, which are being lost by the additional cost of bringing in legislation rather than saying, 'This is a good idea. They're probably going to go ahead with it without actually realising they're going ahead with X, which means you're just taking £20

million off Y'.

[44] **Mark Drakeford:** I think my experience of being in front of subject committees is probably a bit better than that. When I was taking public health legislation, for example, through, I felt the committee took a very direct interest in some of those questions, and we spent a lot of time on the RIA in relation to public health issues, where opportunity costs—. But other issues—. I had a disagreement with the chief economist over methodological issues in relation to the RIA on the public health Bill, for example. So, my experience is probably a little bit stronger than Mike Hedges is suggesting. I have found that committees generally have taken a serious interest in the explanatory memorandum and the regulatory impact assessment, and I'd be reluctant to design a system that somehow took that attention away from them.

[45] **Simon Thomas:** Okay. Neil Hamilton.

[46] **Neil Hamilton:** I'd like to ask a question about stakeholder engagement in the preparation of legislation and the formulation of RIAs. In the evidence that the Welsh Government gave to the fourth legacy inquiry, they said explicitly that there was scope for improvement in engaging with people, and the audit office has also said the same thing: that you could be much more proactive in terms of consulting at an early stage and being as open as possible, and also explaining what the real policy intent behind the legislation is. So, I'd like to ask you, in general terms, whether you think that there is scope for improving existing guidance, and also whether there's any weakness in the current approach, which you've identified, that you can correct or improve upon.

10:45

[47] **Mark Drakeford:** Well, thank you for that set of questions, which I think are important ones that have come up in the inquiry. I tried to say to the Chair in the beginning that while I think the broad parameters of the current system are the right ones, that doesn't mean to say that there aren't areas where it should be improved, and I think this is one where we would agree that we could learn from what is still a very recent experience of legislating in the Assembly, and find better ways of doing things.

[48] So, Chair, I think the draft chapter that you will have seen tries to improve the RIA process in a number of different ways, and one of the

significant ways, I think, it tries to do that is to put a greater emphasis on the production of RIAs earlier in the process, at the consultation end of legislative development. So, we've tended to focus RIA activity around the publication of the Bill itself, and one of the ways I think that we've learned about stakeholder engagement is that, if we were to publish a draft RIA, either alongside a draft Bill or even alongside a White Paper, then there would be much better opportunities for stakeholders to be able to see the way the thinking is developing, and then to be able to provide their advice as to whether or not we are identifying the right costs, the right benefits, and whether we are attaching values to those in a way that stakeholders would regard as reasonable.

[49] So, I'm agreeing that there are ways in which we can improve it. I think the draft chapter tries to grapple with that issue by moving RIA production earlier in the process. It ought to provide stakeholders with different and better opportunities.

[50] **Neil Hamilton:** The Welsh Local Government Association has said that RIAs are usually presented to them as a kind of fait accompli, and so I think the approach that you've just outlined would probably satisfy them that their criticisms have been taken into account in the changes.

[51] So, what level of detail do you think that you could include in an RIA at that stage? Presumably—you've just been talking about ranges of values at that stage, I suppose, an early stage of legislation, which may of course change in the process of scrutiny—you would have much wider ranges then later in the day.

[52] **Mark Drakeford:** I think, Chair, you would have wider ranges in terms of possible cost estimates, but you ought to, I think, have wider ranges of policy options as well, earlier in the process. A second benefit, we think, of the new process in the chapter is that if you have a wider range of policy options at draft RIA stages, by the time we come to the actual Bill, the RIA in the Bill would be able to focus more on the option that has now been decided upon for the Bill. So, I think another criticism that you have heard and which, again, I think we recognise and would like to respond to, is that if you reserve your RIA until the Bill period, they can often be very unwieldy, because they've got to not simply show the preferred option; they've got to show the do-nothing option, and sometimes they've got two or three other options as well. From the point of view, certainly, of a general reader, they can be very unwieldy and difficult to find your way through. So, if we were to

move to a wider exploration of RIA possibilities earlier in the process, we'd then be able to focus more in the final RIA on the preferred option and the do-nothing option, and therefore they ought to be more accessible and easier for committees and other stakeholders to follow.

[53] **Neil Hamilton:** We had evidence from the Residential Landlords Association in connection with the Housing (Wales) Act 2014 where the fee scheme that was originally envisaged was a kind of registration scheme, but actually morphed into a licensing scheme, and the fee levels were dramatically different from those that were originally proposed. So I think that that came like a rabbit punch to many people, and if the option had been available at an earlier stage, clearly set out, 'It could be this, it could be that', then the process of scrutiny of the legislation and indeed the putative costs of it would have been much more open.

[54] **Mark Drakeford:** Well, I agree that a range of choices exposes potential cost consequences more clearly.

[55] **Neil Hamilton:** The other question I wanted to ask is: what forums do you envisage existing to engage with stakeholders about the costs of legislation, and the opportunities that they allow for them to provide information and feedback as well—because that's the important thing in this, isn't it, in the process—on the actual financial implications of legislation? I appreciate that these, at an early stage, are speculative and possibly even hypothetical, and there are different methodological issues that are involved, many of which are highly technical. But the more you can consult openly, the more people can contribute to these technical responses, the better legislation is going to be at the end of the day, because we can then decide whether the costs match the benefits or not.

[56] **Mark Drakeford:** Well, Chair, I definitely think that consultative forums play a very useful part in the development of legislation. I suppose I tend to think that, in the way that Jonathan said earlier, they tend to be specific to the piece of legislation. So, in the Landfill Disposal Tax (Wales) Bill that you will have seen, there was a very specific landfill site operators group, and that was relatively easy because there aren't many of them in Wales. So, we were able to get almost all of them around the table together. They provided a very useful forum in a very technical area, where—you know, the expertise often lies with the people who are doing it every day, rather than with people who are helping to shape legislation. And they were a very useful forum indeed, because they were able to speak with more or less a united voice on

these things.

[57] My experience of the Social Services and Well-being (Wales) Bill was almost at the opposite end of the spectrum, where there was such a plethora of potential stakeholders that the stakeholders themselves decided that what they would do was that they would form a single forum in which, before they came in front of committees and things, they would have hammered out between themselves what they thought the key messages that they wanted to get over during the passage of the Bill would be. Otherwise, there was a real risk—.

[58] Sorry, I should go back one step and say one of the things maybe we haven't said yet, of course, is that stakeholders speak with a plethora of voices. So, we're talking about stakeholder engagement as though all you're doing is capturing a single perspective. Now, in the landfill disposal arena, we probably weren't far off that. The social services Bill—the interests of third sector organisations representing disabled adults were very different from third sector organisations representing children in need, for example. The forum idea still worked very well, but it largely worked because they themselves—stakeholders themselves—recognised that, if they wanted to have an impact on the Bill, they needed to get together, thrash out what they thought were the key messages, and then try to speak to Government and committees with a single voice, rather than a sort of Tower of Babel approach to stakeholder engagement where you can't hear the message for the noise.

[59] **Neil Hamilton:** Good. Thank you very much.

[60] **Simon Thomas:** Just to follow up on that, do you think there's a risk or a reality, really, that we do perhaps, in the current approach—? Though I welcome what you've said about an alternative earlier engagement in RIAs, there's a risk of rather duplicated work in committee, where you're looking at options that are actually not going to be the option that the Government is likely to deliver, you're spending time analysing those, asking questions around them, and, really, you're almost using the RIA at that stage as a furtherance of the consultation, and that could have been done earlier and some of these issues could have been sorted out earlier in the process. That's basically what you're saying.

[61] **Mark Drakeford:** I think that's a very fair way of putting it. By the time we publish a Bill, we do always identify our preferred option—

[62] **Simon Thomas:** Yes, but there are still several others often there.

[63] **Mark Drakeford:**—but, at the moment, we still feel we have to rehearse a number of other possibilities that, in many ways, you have already tested through consultation. And this way of doing it would formalise that more, and, I think, allow committees to focus more on what the Government is now actually coming forward with.

[64] **Simon Thomas:** Because, actually, you can lose focus on what the real costs are in this plethora of options. Okay, we'll move on with Eluned Morgan.

[65] **Eluned Morgan:** Can I follow up on the stakeholder issue? Just in terms of when and whether you provide some kind of compensation, effectively, for people who will be affected by legislation, are there any examples where that has happened?

[66] **Mark Drakeford:** Well, I suppose, Chair, I haven't thought of it quite like that, but, if we identify costs that fall directly on other sectors, so the Nurse Staffing Levels (Wales) Bill that Kirsty Williams promoted, and I was the Member in charge from the Government's point of view—there is no doubt that that Bill will generate costs for the health service. So, as a Government, we have to be willing to meet the costs of new burdens that we create, and that will be true of local government as well. So, yes, if we're taking legislation through the National Assembly, and it will generate costs for public services, we have to find a way of accommodating that. Now, that doesn't necessarily mean that we do it by just providing more money for them to do it. So, in the public health Bill, where we require local government to carry out a higher level of inspection of tattoo parlours, for example, we compensate local authorities for that by allowing a full cost-recovery mechanism through the fees and charges that they can levy. So, it isn't just a matter always of saying, 'The Government will find the money'. The Government can find other ways in which those costs can be absorbed.

[67] **Eluned Morgan:** Okay. Can I ask you about where, potentially, we could be making further savings where we're perhaps not? So, something like the social services and well-being Act, it included, as I understand it, more inspections, so I've been speaking to some care home owners who now say, actually, they have three different inspectors going in, doing effectively the same work, which is effectively a cost to those private care homes. How do you calculate that, or do you—how was that included in the impact

assessment, or not?

[68] **Mark Drakeford:** Well, no, Chair, it absolutely ought to be captured in an impact assessment and in an RIA. So, that would have been in the Regulation and Inspection of Social Care (Wales) Bill that went through a committee that David Rees chaired throughout that Bill. Here's an interesting conundrum, Chair, which we didn't touch on earlier, which is that costs are often easy to quantify and benefits are more difficult to pin down. So, of course, a care home that has an inspection, there is a cost to it of the inspection. But the benefit to the care home of a regulatory regime, where they can demonstrate to the public that the service that they provide is of the right standard, and, if they are looking for customers, as they are, they will use the report that is produced by the regulator as part of the way that they provide information to the public, and therefore persuade people that this is a good home to opt for—. Quantifying the benefits to the sector of that regime is harder to do, but the benefits are very real.

[69] **Eluned Morgan:** It's not that—. I accept that the benefits are very real. The difficulties for the care homes is that, actually, they feel like they're being inspected three times for the same things, which is a cost to them.

[70] **Mark Drakeford:** I absolutely understand that point, and I was agreeing with the point that Eluned Morgan made that, in weighing up a Bill, then looking at whether the burdens, if that's the right word, that the Bill produces, are proportionate and commensurate, and take into account other actions that Government has already agreed elsewhere—I think that is very proper stuff for an RIA to explore.

[71] **Eluned Morgan:** So, if we take that as an example, if you were to consider that Bill again, was there a missed opportunity in terms of the regulatory impact assessment to say, 'Well, look, actually, let's not ask—if we're going to ask that as a Welsh Government, let's tell local authorities and the other inspectorates, the care inspectorates, that they don't have to do it', so that there is not a duplication? Was that a missed opportunity?

11:00

[72] **Mark Drakeford:** No, I don't think I would say that, because that would have been explored during the passage of the Bill, and it doesn't depend on a Bill to have that sort of conversation. So, there are—as you will know, in the Green Paper that was published on health matters, there was a real set of

questions there about whether we ought to have two inspectorates: a health inspection Wales and a Care and Social Services Inspectorate Wales, or whether we would be better off with a single inspectorate that could simplify and make more efficient the use of our time and its impact on—. So, I'm just saying that I don't think the opportunity was missed and I don't think the opportunity relies on legislation to solve that problem.

[73] **Eluned Morgan:** Can I ask you about the Standing Order—the table, which I think is very useful, actually? There does seem to be one area that is missing. In one of the tables, it suggests there should be a private sector impact, and, in the other, it doesn't seem to be there. Is that something you'd be willing to look at?

[74] **Mark Drakeford:** I'm happy to look at that. I've seen that point. We will look to see whether we should bring those tables together in a more coherent way.

[75] **Eluned Morgan:** Can I just ask you, finally—? On the Public Policy Institute for Wales report, there are a series of suggestions and it seems like the Welsh Government, in principle, agrees with lots of them. But there's also a suggestion that it's going to take two years to implement. I just wonder why on earth it takes so long to implement something like that.

[76] **Mark Drakeford:** Of course, the Welsh Government commissioned the PPIW report, so we are genuinely interested in its conclusions. PPIW were asked to look at impact assessments, not RIAs, although there is a clear crossover between the two. Its advice on trying to have a more proportionate and coherent way in which we use impact assessments is something we are very keen to take forward. It is taking a while. It probably is taking longer than we would have liked—. There are always reasons, Eluned, as you will know, why: intervening elections, retirement of one Permanent Secretary, recruitment of another. I think what I'd like to say to the committee is that I believe there is a new energy behind the implementation of some of the recommendations in the PPIW report and that the interest that this committee has taken in it will have played its part in that. I now feel confident that we do have a purposeful plan to make sure that we're able to respond to the recommendations of that report.

[77] **Simon Thomas:** Thank you for that. I think it's fair to say the committee was quite impressed with the report, though we haven't yet come to conclusions, which we will by the autumn. Nick Ramsay.

[78] **Nick Ramsay:** Diolch. Turning to the issue of subordinate legislation and the costings of that, I understand that you're intending to strengthen RIA—I find it difficult to say—guidance relating to the costing of legislation. What advice and guidance are you giving to policy teams, when creating the RIAs for relevant primary legislation, to try and estimate what the subordinate legislation's going to cost?

[79] **Mark Drakeford:** Well, Chair, I think we probably remain committed to the basic strategy here, which is that, in producing RIAs for primary legislation, we try, as much as possible, to provide an estimate of the costs of subordinate legislation as well. That isn't always feasible, as you know. So, at the risk of reminding Members here of loss-on-ignition testing—you will remember that this was a particularly obscure part of the LDT legislation—

[80] **Nick Ramsay:** Emission testing?

[81] **Mark Drakeford:** Loss-on-ignition testing—which is a way of trying to work out whether 'fines', that's the small remaining material, should be taxed as part of that regime. It was very controversial and so on.

[82] When the Bill was in front of this committee, this loss-on-ignition test was something that was in an early stage of development, but is now being used in England and Scotland. I said to you that I wanted to take a secondary legislative power to develop a similar regime for Wales, but I wasn't able to give you much by way of firm costings of that at the primary legislation stage, because it is, by definition, very new and the technology and the results of it are still being developed. I think that the comfort, in a way, that the committee has is that when secondary legislation under the affirmative procedure, as that one will be, will be brought forward, then there is a separate RIA that is produced for secondary legislation too. So, there are two bites of the cherry here. There is the effort that I think we should go on to making—to provide RIA material for secondary legislation in the primary legislation round—but there will be occasions when the Assembly will get a second look at the cost of secondary legislation with a separate RIA produced at that time. We're committed to doing that, and there is, in the chapter that you saw, new advice, not from Jonathan now but from the chief social research officer of the Government, to give policy colleagues new guidance to produce RIAs in relation to secondary legislation.

[83] **Nick Ramsay:** When you say 'the Assembly', does that mean this

committee, or do you think that where the costs are significantly different because of the secondary legislation the Finance Committee should be informed?

[84] **Mark Drakeford:** Apologies, I hadn't thought of that point. At the moment, a piece of secondary legislation goes to the subject committee that that would fall to.

[85] **Simon Thomas:** I don't think there's anything in Standing Orders that stops the Finance Committee looking at an RIA on secondary legislation, it's just—

[86] **Nick Ramsay:** I suppose it's just an issue, though, isn't it?

[87] **Mark Drakeford:** It's a very good point and it hadn't occurred to me.

[88] **Nick Ramsay:** If it's not a particular difference in cost, then it's probably not so relevant, but if you're talking about a really major difference, which I suppose could occur, then—

[89] And there is the—I can't say it, it's a speech impediment—

[90] **Simon Thomas:** I think we should say that we had a witness that kept calling them the IRA and it's led us down—

[91] **Nick Ramsay:** There's an enormous temptation to put the 'I' first, isn't there? But the IRA is a totally different code.

[92] The RIA code that exists for subordinate legislation—should that be applied to primary legislation as well?

[93] **Mark Drakeford:** Well, Chair, the code is, in our terms, fairly elderly. It was produced in 2009. It is being revised. It needs to be revised. There's been lots more experience since then, and I'm happy to say today that we'll take the opportunity of that revision to look actively at the question of whether or not it should apply not just to secondary but to primary legislation too.

[94] **Simon Thomas:** David, I know some of your areas might have been covered. Do you have any questions?

[95] **David Rees:** Just two, I think. In your response to Eluned Morgan on the report of the PPIW, you said you were looking at the recommendations. Obviously, Dr Clive Grace also said that the issue relating to the Well-being of Future Generations (Wales) Act 2015 would be an overarching issue. Are you going to be looking and using the well-being of future generations Act as guidance in your future considerations? And, if you are, are you going to look at the national indicators that are also there for that process?

[96] **Mark Drakeford:** Well, on the first part of that question, I think the answer is 'yes'. I've had a recent discussion with the future generations commissioner on some ideas that she wants to suggest, first, to experiment with—. I think, to be fair, she was clear that she thought that these would need to be tested and tried, but she was offering, I thought, some helpful advice on how we would use the lens of the well-being of future generations Act as our primary lens, and then maybe be more selective in the way that the various impact assessments—that we would allow some professional judgment to be applied as to which of that long list you would try and capture in a significant way and which are the ones where you might be willing to say, at the beginning, having used the lens of the well-being of future generations Act, that you could see that some of those would be more peripheral to the particular issue under consideration. So, I think that's a useful set of suggestions from her, in trying to see whether it would help what we might want to take forward.

[97] The national indicators—I think I'd be slightly more wary of how useful they could be. They are at a very high level. They are intended to capture not just the impact of Welsh Government decisions, but the impact of decisions made well beyond the Welsh Government. While they provide a useful framework for the way that these things could be done, trying to draw a mechanical or direct line between actions that were set out in a Bill and rehearsing an RIA and the national indicators—I think that might turn out to be not an exercise that would throw a lot of light on the debate.

[98] **David Rees:** Okay. This is the final question. You've often talked about the benefits being very difficult to assess and quantify. I understand that totally, and the future generations aspect also looks at how that improves the lives of our future generations. Standing Order 26.6 clearly identifies the type of financial information that would be required. It was amended in March 2016 to include benefits to an extent. Do you think it's actually sufficient, at this point in time, to deliver the information required within an RIA? Should it need to be amended, taking into consideration the guidance you're issuing

as well?

[99] **Mark Drakeford:** Chair, I thought the 2016 changes were helpful and a step in the right direction. Again, I just want to be careful; I don't think it's for the Government to trespass too much into the way that the legislature organises itself. What I think I'm happy to say is that, if this committee were to conclude, as a result of your discussions, that that Standing Order needed to be looked at again, then the Government would be very happy to come to the table and be a party to those discussions.

[100] **David Rees:** So, my impression is that you think it could actually be enhanced to provide improved information.

[101] **Mark Drakeford:** I think we've been very open to a discussion, but I think it's for the legislature to initiate that discussion because these are the legislature's Standing Orders. So, it's not for the Government to trespass into them too much. But you've been looking at this very actively, Chair, I know, in your discussions, and if one of your conclusions was that that discussion ought to be opened up, I'm just saying that we would be very happy to be part of it.

[102] **Simon Thomas:** Can I just ask—? I was just interested in your reply to David Rees around—not an experiment, but something with the future generations commissioner, looking at this from the lens of the future generations Act. Does that mean we might see two versions of an EM or an RIA, so that we could see the difference it would make? Is that what you might have in mind?

[103] **Mark Drakeford:** I don't think I've got quite as far as that. To be fair, I must be clear that my discussion with the future generations commissioner was not about explanatory memorandums and RIAs. It was about the advice that comes to Ministers routinely—the ministerial advice folders, where you get advice on the substance and then you get, at the end, this long list of, you know, 'We have looked at all these things'. The commissioner's view is that, having looked at them herself, these are not always productive exercises, and would we be better—her question—applying the well-being of future generations Act lens clearly and then saying, of all those impact assessments, 'These are the ones that are most relevant to this piece of advice.'

[104] **Simon Thomas:** But there is a read across to legislation then, isn't

there?

[105] **Mark Drakeford:** There would be, but I haven't discussed that with her.

[106] **Simon Thomas:** I understand. But we've had evidence from her on that as well. Steffan Lewis.

[107] **Steffan Lewis:** Thank you, Chair. I wonder whether the Cabinet Secretary can tell us whether you believe there is a need for a formalised mechanism for reviewing the actual costs of legislation and whether you think that there's a role for the economic appraisal and analysis team in that cross-cutting governmental sense.

[108] **Mark Drakeford:** Chair, in going back to what I said at the very beginning about areas where I think the system could be improved, then I think this is one of the ones we do definitely recognise. There is a varied pattern of how post-legislative evaluation has been planned into the pieces of legislation that have gone through the National Assembly. Sometimes, it is a very integral part of the way that legislation is set up, and the organ donation legislation was certainly that. There was a very strong interest from Assembly Members and others as to how we would track the impact of changing the law in the way that we did, and there was a very clear evaluation strategy agreed from the very beginning and known to Assembly Members as part of their decision on whether or not to support the legislation. Here, as Steffan will certainly know, amendments were moved to make sure the tax legislation—

[109] **Steffan Lewis:** Very good ones.

[110] **Mark Drakeford:** Ones the Government was very willing to accept, as you know—to provide a six-year horizon over which the cumulative impact of—. Even where there has been a clear evaluation strategy from the beginning, the focus has been, I think, more on policy impacts than on tracking whether the costs that were set out in RIAs turn out to be the costs that are incurred on implementation. So, it's one of the things we think we can do better at. It would be more for Steve Marshall and his team—the chief social research officer's team—to advise policy colleagues on how to capture that information, and part of the work that they are doing on the revised chapter is to draw that more to the surface and make that a more routine part of the way that we do evaluation in the future.

11:15

[111] **Steffan Lewis:** So, would it be fair to say that you think it's something that, perhaps, needs more thinking but not necessarily a centralised one-size-fits-all, off-the-shelf application of how to evaluate the costs, because the policy consideration generally is the most important consideration—?

[112] **Mark Drakeford:** I'd make the same point from a slightly different angle. I think what is important is that we are more systematic in saying that evaluation of legislation should always include a look at whether the costs that were anticipated are reflected in the costs that are incurred. I don't think we should do that by a single way of doing it, because I think the method you would need to use would be very different in an organ donation Bill than a landfill disposal Bill. But the effort should be made each time.

[113] **Steffan Lewis:** Okay. Are there any reviews of legislation that you are currently planning that are going to consider the actual cost of legislation?

[114] **Mark Drakeford:** There are a number of pieces of legislation—and I think I refer to them in the letter I sent to you, Chair; I hope, anyway, if I'm remembering right—where a review of the costs of legislation is being planned into the process. Jonathan, you may be able to remind me more specifically of—. Andrew, there we are.

[115] **Mr Hobden:** I can certainly tell you that, for the social services and well-being Act, a stakeholder evaluation group has been established. It's met a couple of times to inform an evaluation strategy, which will be published early in 2018. The actual costs of that piece of legislation will be part of that evaluation.

[116] **Steffan Lewis:** So, it will be for policy teams to lead, rather than the appraisal team—the economic appraisal or analysis team.

[117] **Mark Drakeford:** Yes, and it wouldn't be the first one, Chair, because when I was the health Minister, I was responsible for publishing the evaluation of the mental health Measure that was passed in the third Assembly, and that, as well as providing a whole range of information about new services provided, the number of people using them and so on, also included a reflection on the costs that were anticipated when the Measure was passed and how the additional investment that was provided as a result of the Measure had then been deployed in practice.

[118] **Nick Ramsay:** LCOs and Measures.

[119] **Mark Drakeford:** LCOs and Measures—another set of initials.

[120] **Steffan Lewis:** Just finally, do you have any plans to expand the information in the draft budget narrative regarding costs of legislation in particular?

[121] **Mark Drakeford:** Chair, what I intend to do there is to, I hope, deliver what I said I would when the committee asked me about this during the scrutiny of the budget. We will provide a table as part of the budget narrative that will set out the costs of implementation of legislation. While legislation is in implementation, it will appear in that table. I continue to believe that once implementation is over, and these costs are steady state costs that are having to be absorbed as part of the ongoing work of legislation, that that should fall out of the table at that point. Obviously, new pieces of legislation will be coming in, so they will be added to the table. From a budgetary point of view, in terms of my responsibilities there, I think that's a fair way for me to report it—that's where my interest lies. Once these are routine costs of a department, it's for them to be scrutinised on those.

[122] **Simon Thomas:** Just to confirm, your letter to us did indeed set out some of the evaluation for some of the Bills that we've been particularly looking at, so thank you for that.

[123] Felly, diolch yn fawr iawn. A Therefore, may I thank you very much, Cabinet Secretary and your officials, for your assistance to the ymchwiliad y bore yma ac, wrth gwrs, inquiry this morning? Of course, a ddweud bod yna drawsgrifiad i'w transcript will be made available for wirio hefyd? Diolch yn fawr iawn i chi. checking for accuracy. Thank you very much.

11:20

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

Cynnig:

Motion:

*bod y pwyllgor yn penderfynu that the committee resolves to
gwahardd y cyhoedd o weddill y exclude the public from the remainder
cyfarfod yn unol â Rheol Sefydlog of the meeting in accordance with
17.42(vi). Standing Order 17.42(vi).*

Cynigiwyd y cynnig.

Motion moved.

[124] **Simon Thomas:** A ydych chi'n hapus, fel pwyllgor, o dan Reol Sefydlog 17.42, i fynd i gyfarfod preifat? Hapus? Pawb yn hapus. Diolch yn fawr.

Simon Thomas: Are you content, as a committee, under Standing Order 17.42, to move to a private session? Content? Everyone's content. Thank you.

Derbyniwyd y cynnig.

Motion agreed.

Daeth rhan gyhoeddus y cyfarfod i ben am 11:20.

The public part of the meeting ended at 11:20.