

# Agenda – Culture, Welsh Language and Communications Committee

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Meeting Venue:

Committee Room 2 – Senedd

Meeting date: 13 February 2019

Meeting time: 09.30

For further information contact:

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- 1 Introductions, apologies, substitutions and declarations of interest**
  
- 2 Supporting and Promoting the Welsh Language: an Inquiry into the legislative, policy and wider context: Evidence session 11**  
(09.30 – 11.00) (Pages 1 – 23)  
Eluned Morgan AM, Minister for International Relations and the Welsh Language  
Bethan Webb, Deputy Director Welsh Language  
Jeremy Evas, Head of Welsh Language Promotion
  
- 3 Paper(s) to note**
  - 3.1 Welsh Government response to the Committee report: Tuning in, an inquiry into radio in Wales**  
(Pages 24 – 30)
  - 3.2 Welsh Government response to the Committee report: Scrutiny of the Welsh Government Draft Budget 2019–20**  
(Pages 31 – 42)
  - 3.3 Welsh Government response to the Committee report: Brexit, the arts sector, creative industries, heritage and the Welsh language**  
(Pages 43 – 48)



- 3.4 Correspondence from the Welsh Government regarding the National Broadcast Archive for Wales**  
(Pages 49 – 52)
- 3.5 Correspondence from the National Library for Wales regarding the National Broadcast Archive for Wales**  
(Pages 53 – 59)
- 3.6 Correspondence from the Heritage Lottery Fund regarding the National Broadcast Archive for Wales**  
(Pages 60 – 63)
- 3.7 Correspondence from the Department for Culture, Media and Sport regarding the National Broadcast Archive for Wales**  
(Pages 64 – 66)
- 3.8 Supporting and promoting the Welsh Language: Letter to Chair from Public Accounts Committee**  
(Pages 67 – 68)

## **Break**

(11.00 – 11.15)

## **4 National Broadcast Archive for Wales**

(11.15 – 12.00)

(Pages 69 – 77)

Rhodri Talfan Davies, Director, BBC Cymru Wales

Rhys Evans, Head of Strategy and Education, BBC Cymru Wales

## **5 Motion under Standing Order 17.42(vi) to resolve to exclude the public from the meeting for the following business:**

## **6 Private debrief**

(12.00 – 12.30)

Document is Restricted

By virtue of paragraph(s) iv of Standing Order 17.42

Document is Restricted

## Welsh language legislation and arrangements for promoting the Welsh language

### Introduction

1. I welcome the Committee's inquiry into this matter, and welcome the opportunity to contribute evidence as part of the inquiry. The inquiry is being conducted at an important time in the early days of implementing our ambitious strategy, *Cymraeg 2050*,<sup>1</sup> published in July 2017.
2. As a number of witnesses who have contributed to this inquiry have noted, we must focus our attention in the field of language policy on achieving the targets which are in the strategy:
  - 1 million Welsh speakers by 2050;
  - the proportion of the population which speaks Welsh every day, and which can speak more than a few words of Welsh, to increase from 10 percent (2013-15) to 20 percent by 2050.
3. These targets are deliberately ambitious in order to create momentum for working towards the national goal in the Well-being of Future Generations (Wales) Act 2015 of *A Wales of vibrant culture and thriving Welsh language*. This desire to significantly expand the number of people who speak and use Welsh requires a shift in attitude and resources in order to reach a better balance between:
  - regulating in order to give rights to existing Welsh speakers;
  - systematic planning to increase the numbers who learn Welsh; and
  - a programme of work to increase the use of Welsh in family, social and workplace settings.
4. As part of this work, the Welsh Government committed to reviewing the Welsh Language (Wales) Measure 2011 ("the Measure"). *A Call for evidence – Preparing for a Welsh Language Bill*, was conducted in early 2017,<sup>2</sup> and a White Paper, *Striking the right balance: proposals for a Welsh Language Bill*,<sup>3</sup> was published for consultation in the second half of the year. The core of the proposals in the White Paper was a desire to simplify the system of Standards established by the Measure and to establish appropriate structures to achieve the aims of *Cymraeg 2050*, specifically to increase the use of the Welsh language.
5. As Members of the Committee will be aware, on 1 February I issued a Written Statement that the First Minister, Cabinet and myself are in agreement we should not proceed with introducing a Welsh Language Bill at this time. This paper explains the reasons for that in more detail.

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<sup>1</sup> <https://beta.gov.wales/cymraeg-2050-welsh-language-strategy>

<sup>2</sup> <https://gov.wales/topics/welshlanguage/legislation-for-the-welsh-language/preparing-for-a-welsh-language-bill/?skip=1&lang=en>

<sup>3</sup> <https://beta.gov.wales/welsh-language-bill-white-paper>

**Written evidence of the Minister for Welsh Language and International Relations  
Supporting and promoting the Welsh Language: An inquiry into the legislative, policy and wider  
context  
Culture, Welsh Language and Communications Committee**

**Promoting the Welsh language: the importance of outcomes and language planning**

6. There is no unanimity amongst stakeholders on how to interpret “promoting the Welsh language”. The Welsh Government interprets the term according to the outcome we are trying to achieve, that is, to ***increase the use of the Welsh language.***
7. This is consistent with the aims of *Cymraeg 2050*
  - to increase the number of Welsh speakers and
  - to increase the use of the Welsh language.
8. These aims are achieved by using recognised behaviour change techniques which are appropriate for the circumstances, such as encouraging, rewarding, enforcing and so forth. But effective language interventions can only be designed by first engaging in language planning. Language planning permits us to understand the threats and opportunities the language faces in different contexts, and to choose the most effective interventions to stimulate change.
9. It is not necessary therefore for us to define “promotion” as a list of activities but it is essential to be able to show that the activities lead to measurable outcomes. The Welsh Government prefers the term “increasing the use of the Welsh language” as it describes the outcome we are seeking and suggests indicators we can use as a measure of the effectiveness of specific policies.

**Reviewing the Measure**

10. It was inevitable the Welsh Government would review its priorities for the Welsh language following a fall of 20,000 in the number of Welsh speakers in the 2011 Census. As a consequence, we published a new strategy *Cymraeg 2050*, we reviewed the Measure in order to ensure the Commissioner’s role and the system of Standards support the aims of *Cymraeg 2050*, and secured an increase in spending on the Welsh language as part of the agreement with Plaid Cymru of £5 million a year.
11. In the White Paper, *Striking the right balance*, the Welsh Government argues that the policy emphasis has moved too far in the direction of regulation at the cost of work to increase the use of the Welsh language. Proposals are made in the White Paper to simplify the system of Standards and strengthen the arrangements to increase the use of Welsh. The Welsh Government stands by this analysis but by now we have stated we do not intend to introduce new legislation in this Assembly. The following sections explain why we do not wish to legislate and the actions we are planning to deal with the issues identified in the White Paper.

**Written evidence of the Minister for Welsh Language and International Relations**  
**Supporting and promoting the Welsh Language: An inquiry into the legislative, policy and wider context**  
**Culture, Welsh Language and Communications Committee**

**The Standards system**

12. The *Call for evidence* showed considerable discontent amongst bodies under Standards with the complexity and bureaucracy of the system. A number of complicated and lengthy processes were identified which could be simplified, and proposals were made to improve those processes. The main concerns are the number and complexity of Standards, how complaints are dealt with, and the length and bureaucracy of complaints investigations.
13. Having listened to the views of stakeholders, in response to the White Paper and in evidence to this Committee, I am now of the opinion that the majority of stakeholders would prefer to persist with the current system than implementing a new system. I shall not therefore be pressing on with reforms to the Standards system in primary legislation. Despite that, I am determined that the Welsh Government and the Commissioner must respond to stakeholders concerns by simplifying the way we make and enforce Standards within the existing legislation.
14. For example, the Welsh Government can reduce the number and complexity of Standards in regulations. We have already taken steps in this direction. The regulations for health bodies contain 121 Standards compared with the 176 Standards on local authorities. This is not because the Standards on health bodies are lower in some way, it is because we have improved the way we work, by merging Standards and avoiding duplication, for example. I believe it is possible to go further.
15. In addition, the Commissioner has said she would like to adopt a policy of early resolution of complaints. At the request of the Commissioner, I have advised her that the Welsh Government is of the opinion that the Measure does not prevent her from adopting such a policy. This could include a policy of referring a complaint to the relevant body in order for that body to have an opportunity to come to a resolution before the Commissioner decides whether to investigate or not. Even in cases where the Commissioner concludes that it is likely a body has failed to comply, the Commissioner can conclude that it is not possible to justify an investigation on the basis that there is evidence a body has changed its practice, that the ground for complaint has been removed and/or the best use of resources. A decision of the Welsh Language Tribunal in July 2018 (TyG/WLT/18/3) is relevant:<sup>4</sup>

“The Commissioner was entitled, based on her belief, at the relevant time, that the council in question had changed its practice so as to remove the ground for complaint, to decide that an investigation would involve making use of resources in a way which was disproportionate to any beneficial impact on users of Welsh.”
16. It is important to note that such a policy would not affect the rights of the complainant or the powers of the Commissioner.

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<sup>4</sup> <https://gov.wales/docs/wlt/180903-decision-aled-powell-final.pdf>

**Written evidence of the Minister for Welsh Language and International Relations**  
**Supporting and promoting the Welsh Language: An inquiry into the legislative, policy and wider context**  
**Culture, Welsh Language and Communications Committee**

17. So I am proposing that the principles we will have regard to as we implement Standards in the future will be:
- a) keep the number of Standards on any body to the minimum required to achieve the policy objective;
  - b) reduce the requirements on bodies to collect data and prepare reports unless there is a clear reason otherwise;
  - c) the Commissioner to implement a policy of early resolution in order to ensure cases of breach of Standards are corrected quickly and to reduce the number of full investigations.
18. Implementing these improvements will require a mutual understanding between the Welsh Government and the Commissioner of the issues raised by the consultation which need addressing, agreement on the principles set out above and the actions which both bodies must take, and how progress is to be monitored. These are matters which we can progress over the next few months.
19. Although the Welsh Ministers cannot, and do not wish to, give directions to the Commissioner in the exercise of her regulatory functions, it is required of us to ensure the bodies we fund operate in the most efficient and effective manner. I will expect the Commissioner to benchmark his or her performance as a regulator against other bodies which investigate complaints, such as the Public Services Ombudsman for Wales, and to report on that in his or her annual report.

**The impact of Standards – the use of services in Welsh**

20. The Commissioner's reports note improvements in the provision of services in Welsh and awareness of them as a result of the Standards:
- 76% of those asked were of the opinion that public bodies' Welsh language services were improving, and 98% of Welsh speakers were aware they had rights to use the Welsh language.<sup>5</sup>
21. Nevertheless, there is scant evidence that the Standards have led to more use of the Welsh language by the public when using services. This is a matter of concern as the value of the Standards is not just the rights they give people but the use people make of those rights and their impact on choices made by the public.
22. The little evidence we have is in the annual reports of bodies under the Standards. See, for example, local authorities' annual reports for 2017/18:

Swansea Council (11.4% of the population speak Welsh):<sup>6</sup>

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<sup>5</sup> The Commissioner's response to the White Paper consultation – our translation  
<http://www.comisiynyddygyrmaeg.cymru/Cymraeg/Rhestr%20Cyhoeddiadau/20171030%20LL%20C%20Ymat%20Papur%20Gwyn%20CYG%20.pdf>

**Written evidence of the Minister for Welsh Language and International Relations**  
**Supporting and promoting the Welsh Language: An inquiry into the legislative, policy and wider context**  
**Culture, Welsh Language and Communications Committee**

- 1,676 calls in Welsh to the switchboard and Corporate Call Centre out of a total of 435,657 calls, i.e. 0.4%;
- 1,866 calls in Welsh to the Revenue and Benefits Department out of a total of 151,173 calls, i.e. 0.12%.

Wrexham County Borough Council (12.9% speak Welsh):<sup>7</sup>

- 1,387 calls/visits to the Contact Centre out of a total of 250,952 calls/visits, i.e. 0.6%, compared with 0.5% in 2016/17 and 0.1% in 2015/16;
- 11,613 transactions in Welsh on the website out of a total of 1,318,807 transactions, i.e. 0.9%, no significant change from 1% in the previous two years.

Bridgend County Borough Council (9.7% speak Welsh):<sup>8</sup>

- 5 face to face interactions in Welsh the Customer Contact Centre out of a total of 26,578 interactions, i.e. 0.02%;
- 301 calls in Welsh to the Telephone Contact Centre out of a total of 160,528 calls, i.e. 0.2%.

Neath Port Talbot County Borough Council (15.3% speak Welsh):<sup>9</sup>

- 1,303 calls in Welsh via the main telephone number out of a total of 125,094 calls, i.e. 1%;
- 24,192 hits on Welsh language web pages out of a total of 2,845,526 hits, i.e. 0.9%, compared with 0.8% in the two previous years.

23. This evidence may not be entirely reliable. The sample is small – just 4 out of 22 local authorities report on service use – and it is possible these cases are in some way unusual. Nevertheless, it is not possible to ignore this evidence until more complete data about the use of services in Welsh is available. I will expect the Commissioner to prioritise the task of identifying a set of comparative measures for the use of local authorities’ Welsh language services and to collect this data and report on it annually, starting from the next financial year, 2019/20. I will expect the Commissioner to do the same for Local Health Boards as soon as their Standards become operational.

24. The Welsh Government accepts the general argument that it will take time for the availability of services in Welsh under the Standards to have an impact on the behaviour of the public. We also accept the argument that the Standards make an important contribution towards by raising awareness of the importance of the Welsh language and its official status in workplaces and organisations.

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<sup>6</sup> <https://www.swansea.gov.uk/cymraeg>

<sup>7</sup> <https://www.wrexham.gov.uk/english/council/documents/welsh-language-standards.htm>

<sup>8</sup> <https://www.bridgend.gov.uk/my-council/equalities-and-engagement/welsh-language/>

<sup>9</sup> <https://www.npt.gov.uk/1507>

**Written evidence of the Minister for Welsh Language and International Relations**  
**Supporting and promoting the Welsh Language: An inquiry into the legislative, policy and wider context**  
**Culture, Welsh Language and Communications Committee**

25. However, it is clear that the contribution of the Standards towards increasing the use of Welsh by the public is limited and only a small proportion of Welsh speakers choose to use services in Welsh at the present time. Changing the behaviour of Welsh speakers in this regard is a priority. I will expect the Commissioner to invest in actions to increase the use of services in Welsh by the public, in order to reinforce the efforts of the bodies themselves, whether they are under Standards or not, and to report on the success of those actions in his annual report.

**Increasing the use of Welsh**

26. Some stakeholders have argued in favour of establishing a new body or agency to promote the Welsh language. The Welsh Government does not accept these arguments, on the basis of complexity and efficiency. An additional body operating in the field of promoting the Welsh language would create confusion for the public with a high risk of duplicating functions. It would also create additional costs and overheads, taking scarce funding from programmes and services which would be of direct benefit to increasing the use of Welsh. It is important that the bodies subject to Standards see the Commissioner's office as a body that will be able to provide leadership and advice to ensure they can comply with Standards rather than being language police only.

27. In the White Paper, our concern about giving wider responsibilities for promoting the use of Welsh to the Commissioner related to the governance arrangements of the body as a corporation sole rather than a corporation aggregate. The Measure secures the independence of the Commissioner in relation to his or her regulatory functions and that is entirely appropriate. The same arguments do not stand up in the context of the Commissioner's general functions to increase the use of the Welsh language, for the following reasons.

28. Any body leading on increasing the use of the Welsh language must work in partnership and harness the energy of all the bodies, communities and individuals which work for the benefit of the Welsh language. It must operate in a manner which is transparent (for example, where bodies are relying on the grant decisions of the body) and inclusive (drawing on the skills, expertise and advice of others), and it must foster a rich and meaningful relationship with the people of Wales. It is not clear to me that the Commissioner's office meets these requirements at the present time. This is the reason we proposed to establish a Commission as a corporation aggregate, drawing on a range of expertise and with wider horizons than regulating Standards. However, it is clear there is no agreement amongst stakeholders with this proposal. This is one of the reasons I have decided not to proceed with the proposal to establish a Commission. The Commissioner must work in a transparent and inclusive way and in order to ensure that there isn't too much power in the hands of one individual. We believe that there is a need to look at the Commissioner's governance arrangements. This is something we will discuss with the new Commissioner.

29. Recent discussions with the current Commissioner and early discussions with the new Commissioner have led me to believe that it is possible to take significant action within the

**Written evidence of the Minister for Welsh Language and International Relations**  
**Supporting and promoting the Welsh Language: An inquiry into the legislative, policy and wider context**  
**Culture, Welsh Language and Communications Committee**

current legislation to address the relevant issues. It is worth noting the Commissioner says in her response to the White Paper (2.10), “I believe that Option 2, a Welsh Language Commissioner with a Governing Board, offers continuity and the necessary clarity whilst developing accountability arrangements... The Governing Board would be a means to ensure additional expertise and accountability especially when implementing promotion plans.”

30. The challenge I am setting the Commissioner, therefore, is to put in place transparent and inclusive governance arrangements, such as a Governing Board with clear and firm responsibilities, as an essential preliminary step to prepare the body for taking responsibility and being accountable for, programmes of work to increase the use of the Welsh language. This will not affect the independence of the Commissioner in exercising his or her regulatory functions.
31. If I am reassured the Commissioner has met these conditions over the next year, I will be prepared to consider transferring some responsibilities and their associated resources from the Welsh Government to the Commissioner. This will put in place the foundations for enabling the Commissioner to accomplish its principal aim of promoting and facilitating the use of the Welsh language in a more comprehensive and balanced way. I am confident there is no conflict between regulatory and promotion functions and, indeed, that is made clear in the the Measure which states “*The principal aim of the Commissioner in exercising his or her functions is to promote and facilitate the use of the Welsh language*” (section 3(1)).
32. In considering what responsibilities might be transferred if the conditions I have set out above are met, it is necessary first to have clarity about the respective responsibilities of the Welsh Government and the Commissioner. The starting point is our strategy, *Cymraeg 2050*, and the contribution each body can best make to achieving our aims. The basic principle is that the Welsh Government must lead on Theme 1 (increasing the number of Welsh speakers) and Theme 3 (creating favourable conditions for the Welsh language), whilst the Commissioner should be chiefly responsible for Theme 2 (increasing the use of the Welsh language). As these themes overlap, it will be necessary to discuss the details with the Commissioner, to take the advice of the Partnership Council, and to listen to the views of wider stakeholders – including considering the report of the Culture, Welsh Language and Communications Committee – before making final decisions.
33. However, I wish to make it clear at the outset that one of the top priorities will be to strengthen local and regional language planning, and the importance I place on language planning as a rational basis for designing policies to increase the use of the Welsh language. In many important respects, the success of *Cymraeg 2050* is in the hands of local communities, local groups and local authorities. *Cymraeg 2050* is a challenging and ambitious national strategy, and that ambition must be reflected in the local strategies and the work of local partnerships. For example, there is often only a tenuous connection between those strategies and the Welsh in Education Strategic Plans. Aled Roberts, the next Commissioner, is in a unique position to get to grips with this field, based on his experience of reviewing the most recent cycle of Welsh in Education Strategic Plans.

**Written evidence of the Minister for Welsh Language and International Relations  
Supporting and promoting the Welsh Language: An inquiry into the legislative, policy and wider  
context  
Culture, Welsh Language and Communications Committee**

34. Raising the quality of local and regional language planning is an essential step to realising the ambition in *Cymraeg 2050*. The Government will discuss with the Commissioner and other stakeholders what additional steps are required to add to the language planning work and who should have the main responsibilities for this. .

**The private sector**

35. The current Measure permits us to place Standards on some parts of the private sector, such as companies operating in some utilities markets which were once part of the public sector, e.g. water, gas and electricity, telecommunications, buses and trains, the Post Office and Royal Mail, and others. This list does not include banks.

36. I have stated that we will restart the programme of making Standards regulations and we will bring forward Standards regulations for those sectors in turn. I am not going to make promises about the timetable at present because of the uncertainty over Brexit and the potential impact on the timetable of Government business.

37. As we no longer intend to make primary legislation, it will not be possible to extend the Standards to other parts of the private sector, such as banks and supermarkets. This will not prevent us from redoubling our efforts and setting out clearly and simply what our expectations of these sectors are and to push hard for them to do more. The Commissioner has led on this work in the past and it is a priority that that work continues, with the full support of the Welsh Government.

**The Welsh Language Tribunal**

38. The White Paper noted some essential changes which are required to correct deficiencies in the Measure relating to the Welsh Language Tribunal, such as matters relating to the appointment, discipline and removal of Tribunal members. These changes derive from correspondence between the Lord Chief Justice and the First Minister at the time the Measure was passed, and the creation of the office of President of Welsh Tribunals under the Wales Act 2017. Primary legislation is required to make changes to the organisation and powers of the Tribunal.

39. On 23 July 2018, the First Minister announced that the Law Commission is to undertake a new project to review the law governing the operation of the devolved Welsh tribunals and make suggestions for reform.<sup>10</sup> The project will consider matters such as the appointment and discipline of Tribunal judges and other members, and the appointment of Presidents/Deputies. The project will consider issues relating to a new Tribunals Bill for Wales, designed to regulate

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<sup>10</sup> <https://beta.gov.wales/written-statement-welsh-tribunals-law-commission-project>

**Written evidence of the Minister for Welsh Language and International Relations**  
**Supporting and promoting the Welsh Language: An inquiry into the legislative, policy and wider context**  
**Culture, Welsh Language and Communications Committee**

the operation of a single system for tribunals in Wales. I foresee that matters relating to the Welsh Language Tribunal could be dealt with in that Bill, if it is introduced in due course.

40. In the meantime, the Welsh Government will continue with the practical arrangements which are operating at the moment.

**Reviewing progress**

41. This paper sets out the basis for a new partnership between the Welsh Government and the Commissioner in order to deal with the issues identified in the White Paper and in order to ensure we work effectively towards achieving the aims in *Cymraeg 2050*.
42. I intend that the priorities that have been identified and any further priorities identified in discussion between us are to be included in a Framework Agreement between the Welsh Government and the Commissioner. The Framework Agreement will be subject to review at our regular quarterly meetings.
43. I will monitor progress over the rest of this Assembly and report on it in due course in our *Cymraeg 2050* annual reports.

# Agenda Item 3.1

## **Written Response by the Welsh Government to the report of the Culture, Welsh Language and Communications Committee – Tuning In – Inquiry into Radio in Wales.**

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We welcome the findings and offer the following response to the recommendations in the report.

**Recommendation 1. The Minister should reassess his approach to engaging with the DCMS over the deregulation of commercial radio and should seek to shape the powers and duties of Ofcom as well as trying to influence the issues it takes into account.**

### **Response: Reject**

The Welsh Government continues to engage with DCMS when appropriate in relation to a number of broadcasting issues including the deregulation of commercial radio.

The Memorandum of Understanding which outlines the relationship between the UK Government, the Welsh Government, the National Assembly for Wales and Ofcom, commits Ofcom to consulting the Welsh Government and appropriate committees of the National Assembly for Wales on its draft annual plan and sets out the process for Welsh Ministers to appoint a member for Wales to the Ofcom Board. This is a new post, the recruitment for which is being conducted for the first time at present. The appointment will be confirmed in the near future. The Memorandum also reinforces Ofcom's accountability to the National Assembly for Wales.

**Financial Implications – None**

**Recommendation 2. The DCMS should consider introducing a regulatory requirement for commercial radio stations in Wales to report on distinctly Welsh news, as well as local and UK news as part of its reform of commercial radio.**

### **Response: Not a recommendation for the Welsh Government**

It is vital that commercial radio stations in Wales report on distinctly Welsh news and we will continue to raise this with the UK Government and with Ofcom, as appropriate.

**Financial Implications – None**

**Recommendation 3. Ofcom should explore the issue of competition in the commercial radio industry in Wales to see how greater market diversity and ownership can be encouraged.**

### **Response: Not a recommendation for the Welsh Government**

The issues of plurality in the media sector in Wales are well understood; we agree that greater market diversity and ownership should be encouraged and may have a positive impact in that regard. We would be happy to discuss this directly with Ofcom as part of any review it chooses to conduct

**Financial Implications – None**

**Recommendation 4. We recommend that, in relation to Wales, Ofcom should maintain the current “approved areas” and the minimum number of locally-made hours local commercial radio stations should provide.**

**Response: Not a recommendation for the Welsh Government**

This is matter for Ofcom, but the Welsh Government has emphasised to Ofcom and the UK Government that we would not wish to see further relaxation or removal of the current localness rules on commercial radio. It is vital that there is an appropriate level of localness provision, in particular with regard to local news. This is even more important in Wales considering the weakness of the print media in Wales and the lack of coverage of Welsh affairs in UK newspapers.

In addition, as we informed the Committee in our evidence, when television and radio licenses for stations in Wales are awarded or reviewed, due consideration should be given to the bilingual nature of Wales and the importance of the Welsh language in the context of the Welsh Government’s aim of having one million Welsh speakers by 2050. This should be done by specifying in the contract that a set number of hours be broadcast in Welsh, along with a statement about Welsh-language web content such as text, streams and clips. Linguistic diversity, especially the Welsh language in services for Wales, should be set as a target when granting and regulating services for Wales.

**Financial Implications – None**

**Recommendation 5. The Welsh Government should publish its evaluation of the Community Radio fund and, drawing on any lessons learned, consider introducing a new fund, taking account of any synergies between Community Radio and other hyperlocal news providers.**

**Response: Accept**

A review of the Welsh Government’s Community Radio Fund was undertaken and is already available on the Welsh Government website<sup>1</sup>. This was forwarded to the Committee Secretariat after it was requested during the Minister’s evidence session on 26 April 2018.

We would need to consider any proposals to re-establish the Fund in line with other competing priorities. A compelling case would need to be made that a new Fund

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<sup>1</sup> <http://gov.wales/docs/drah/publications/120724commradiofundreviewen.pdf>

would significantly add value to the availability and impact of community radio across Wales.

**Recommendation 6. Ofcom should do more to publicise the availability in Wales of the Community Radio Fund that it operates on behalf of the DCMS.**

**Response: Not a recommendation for the Welsh Government**

This is a matter for Ofcom. However, we are aware that Ofcom Wales officials do already promote the availability of its fund to relevant community radio stations on a regular basis.

**Financial Implications – None**

**Recommendation 7. The Welsh Government should place more government advertising, particularly public information campaigns, with Community Radio stations and provide guidance to other public sector bodies in Wales to draw their attention to the possibilities of using the sector more.**

**Response: Accept**

Radio is often a key channel for our campaigns; depending on the particular objectives of the campaign, community radio stations may be recommended. The Welsh Government is aware that the community radio sector faces some challenges in terms of commercial engagement with agencies. These include the visibility of stations themselves, access to a co-ordinated point for buying advertising space across community stations and, often, a lack of robust audience data through RAJAR. Agencies therefore often look for alternative ways of engaging with the community radio sector. For example, by providing information about a campaign when it launches and seeking support on air - this is the approach that has been taken for the recent *Parenting. Give it Time* campaign. We recognise that a potential revenue stream for the sector is not being exploited to the fullest.

The Welsh Government has commissioned its own report covering audience reach in order to establish figures for the sector. This will be re-circulated to agencies on the Welsh Government roster and both agencies and communication staff within the Welsh Government will be reminded of the need to consider ways of engaging with community radio stations to work on campaigns as appropriate. This includes thinking more creatively about how the community radio sector can be involved in paid-for campaign work.

**Financial Implications – None.** Any costs will be drawn from existing programme budgets.

**Recommendation 8. The UK Government should consider how its current financial restrictions on Community Radio are working in practice and whether some of the current restrictions are unnecessarily restricting the development of the sector in Wales.**

### **Response: Not a recommendation for the Welsh Government**

This is matter for the UK Government, but it is vital that the current financial restrictions do not restrict the development of the sector in Wales. That said, the restrictions exist in part to ensure that these services remain based in and focussed on the communities they serve – as the Committee acknowledges in its report. Therefore any changes would have to be considered carefully.

**Financial Implications** – None

**Recommendation 9. The Community Radio sector in Wales should consider how best to measure success, including number of listeners and RAJAR ratings. To facilitate this, the Committee intends to organise a symposium for Community Radio stations in Wales to provide an opportunity for them to get together and consider a range of common issues, including use of RAJAR listening figures.**

### **Response: Not a recommendation for the Welsh Government**

We welcome the Committee's intention to organise a symposium for community radio stations in Wales to discuss a number of issues including the use of RAJAR ratings services.

**Financial Implications** – None

**Recommendation 10. The BBC should pursue further options available to it to provide a Wales news opt-out on network radio services and should prioritise investment to help overcome the technical issues that are currently preventing this.**

### **Response: Not a recommendation for the Welsh Government**

This is matter for the BBC. We recognise the key role played by the BBC as a provider of news coverage, about Wales and for the people of Wales. Having a Wales news opt-out on Radio 2 and Radio 1 could be a way to increase the numbers of people in Wales receiving news about Wales, but we note and accept the explanation provided by BBC Cymru Wales to the Committee that this is not currently possible for technical reasons. We agree that this should be kept under review as broadcast platforms and the underlying technology evolves, and if a solution becomes available its early deployment should be considered.

**Financial Implications** – None

**Recommendation 11. The BBC should set itself more stretching targets for UK network radio content from Wales. BBC Cymru Wales should be more assertive in promoting news stories from Wales and Welsh music for the UK networks.**

### **Response: Not a recommendation for the Welsh Government**

This is a matter for the BBC, but we agree with these proposals and this was reflected in our evidence to the Committee. In the same way as television, we are concerned that Wales continues to be particularly under-represented on the main UK radio networks. Very little of the BBC's commissioning for UK network radio appears to come from Wales. We would like to see a greater contribution to the radio network being commissioned from BBC Cymru Wales. This would be fully in line with the strengthened duties to Wales set out in the BBC's Charter.

**Financial Implications – None**

**Recommendation 12. That, in view of the lack of challenge posed for the BBC by Ofcom's new operating licence, the BBC treats these regulatory conditions as a floor rather than a ceiling, and seeks to grow:**

- the volume of news and current affairs coverage on Radio Wales and Radio Cymru; and
- the volume of network radio production made in Wales

**Response: Not a recommendation for the Welsh Government**

This is matter for the BBC, but we agree with these proposals. The Welsh Government has been clear that it is vital that the BBC delivers over the next BBC Charter period against its strengthened mandate and duties to the people of Wales, as well as to the other nations and regions of the UK. This includes its radio output.

In our written evidence to the Committee we noted that in the Welsh Government's detailed response in July 2017 to Ofcom's consultation on its first Operating Licence for the BBC, we raised a number of concerns about the draft Licence, which we urged Ofcom to address to create a final Licence that was fit for purpose. It was disappointing that the Licence was not amended to reflect a number of important improvements which were suggested and explained in detail by the Welsh Government in its response to the consultation.

We will continue to liaise constructively with Ofcom, to ensure that the BBC is properly held to account for the delivery of its services. The Welsh Government and the National Assembly will both be closely monitoring the BBC's progress against the requirements of the Service Licence.

We welcome Ofcom's assurance that the Operating Licence and performance measures will evolve over time and that it expects the BBC to continue improving how it delivers against its remit.

We expect the new Ofcom Board Member for Wales to take these issues forward as a matter of priority.

**Financial Implications – None**

**Recommendation 13. Ofcom should use its new duties of ensuring that audiences in Wales are “well served” with “...more distinctive output and services” to ensure that more music by Welsh artists is played on the radio in Wales.**

**Response: Not a recommendation for the Welsh Government**

This is matter for Ofcom, but the Welsh Government is fully supportive of Welsh artists and wishes to see them gaining greater exposure across the public and commercial radio sectors, both in Wales and across the UK.

The Welsh Government’s direct input to the BBC Charter Review process was vital and gives the BBC a much stronger public purpose to reflect, represent and serve the diverse communities of Wales and the other nations and regions of the UK. In doing so, it must now also support creative economies across the UK – including the thriving creative industries we have here in Wales. This means that we can expect more and better content and programming made for Wales, about Wales – and in Wales – across the BBC’s services. We therefore expect that one outcome of Ofcom’s new duties is this area should be that more music by Welsh artists will be played on the BBC’s radio services, both in Wales and across the network.

**Financial Implications – None**

**Recommendation 14. DCMS should not take any decision on digital switchover until the relative lack of digital coverage in Wales has been improved.**

**Response: Not a recommendation for the Welsh Government**

The Welsh Government fully agrees with this and has consistently stressed to DCMS that we would not be in favour of digital switchover for radio until there is a guarantee of at least 97% coverage for DAB throughout Wales. The DAB service in Wales should not be worse than Welsh AM/FM radio coverage at present and should be available in areas where currently the national radio stations can only be received on the AM spectrum.

Despite improvements in coverage of DAB in some parts of Wales, there is still a long way to go before it would be appropriate to consider digital radio switchover in Wales. The Welsh Government continues to be concerned that even when the proposed criteria for radio switchover are met on a UK basis, there would almost certainly be a significantly lower level of DAB penetration in Wales.

**Financial Implications – None**

**Recommendation 15. Ofcom should review competition concerns arising from Arqiva having a virtual monopoly over transmission in Wales.**

**Response: Not a recommendation for the Welsh Government**

This is matter for Ofcom, but we would agree that the issue of whether costs of transmission are unusually prohibitive in Wales is worthy of consideration - and, if so, what might be done to address this.

**Financial Implications – None**

**Recommendation 16. The Welsh Government should set out clearly its strategy for ensuring that Radio in Wales meets the Welsh Government’s own policy objectives.**

**Response: Accept**

The importance of the radio sector in Wales was clearly reflected in the Welsh Government’s written and oral evidence to the Committee.

The Welsh Government’s position in relation to the devolution of broadcasting policies is clear and has not changed. In a rapidly evolving digital environment, where the broadcasters play a vital role in creating a common cultural citizenship for people across the UK, the Public Service Broadcasting system would not be strengthened at present by dividing up the overall responsibility for broadcasting. However, that does not mean that broadcasters and the regulator should only be accountable to Westminster.

The Welsh Government continues to believe that broadcasting or elements of broadcasting should not be devolved. There are also significant financial risks to devolving broadcasting as there is no guarantee that budgets would be transferred as well.

We want to improve the accountability of broadcasting institutions to the National Assembly and viewers and listeners in Wales.

The governance of broadcasting structures should reflect the reality of devolution. The Welsh Government worked hard to ensure that the new BBC Charter mandates the BBC to deliver a lot more for the people of Wales including increased obligations *regarding* portrayal and commissioning in the nations and regions. The BBC now has appropriate accountability to the National Assembly for Wales. As we prepare to appoint the member for Wales to the Ofcom Board for the first time, we are conscious of the need to ensure similar arrangements for the other broadcasters as well as Ofcom itself.

**Financial Implications – None**

**Written response by the Welsh Government to the Culture, Welsh Language and Communications Committee report on the Welsh Government Draft Budget 2019-20. The Committee met on 08/11/2018 and 14/11/2018 to discuss these matters.**

We would like to thank the Committee for their time and for their comments in the report sent on 27 November 2018. Our responses to the individual recommendations are set out below.

**Detailed Responses to the report's recommendations are set out below:**

**Recommendation 1 (paragraph 11)**

**The Committee was unclear of the extent to which the Welsh Government is evaluating changes in ways of working following the inclusion of the instruction on delivering the wellbeing goals in the relevant remit letters. The Committee would like to see the Welsh Government provide further information to the Committee on this point**

**Response:** Accept.

Progress against the priorities set out in the Remit Letters is monitored by means of reviewing the quarterly performance reports which sponsored bodies submit to the sponsor teams in the Welsh Government, including discussion at the Quarterly Monitoring meetings. The principles set out in the Well-being of Future Generations Act have always been central to the way in which these bodies work. Culture is about preserving our past for the benefit of future generations, and promoting and encouraging participation. Discussions with the bodies at these meetings cover the ways in which the bodies preserve their properties and collections, collaborate with each other and with other organisations, and enable access and involve people in their work.

The precise ways in which the bodies demonstrate how they comply with the requirements of the Act varies. For example, each of Arts Council for Wales' target areas detailed in the annual Operation Plan now include a specific checklist against the seven well-being goals. The National Museums' well-being statement, *Inspiring People, Changing Lives*, provides a clear view of how they will meet the well-being goals through their work, and how the five ways of working will be employed to do so; and the National Library identifies how it will contribute within its strategy for 2017-2021: *The Nation's Memory: Informing the Future*.

**Recommendation 2 (paragraph 14)**

**The Committee was concerned that the capital investment by the Minister's Department should be shared across Wales. The Minister agreed to provide a note on the geographical spread of capital funding for Culture and the Arts.**

**Response:** Accept.

Capital funding across the portfolio is geographically spread focusing on projects which will deliver benefits not just locally but for wider benefits for the people of Wales.

Capital funding for the Arts is in general provided by the Arts Council for Wales as the lottery distributor. In addition, the Welsh Government has provided capital investment for major projects, most notably in recent years the Glyn Vivian Museum in Swansea and the Pontio Centre in Bangor.

Capital funding for the National Museums is also provided for major projects. The redevelopment of St. Fagan's is now complete. We are in discussions with the National Museums about proposed developments at the National Slate Museum in Llanberis, and at the Roman Legion Museum in Caerleon.

There is also a Capital Transformation Grant scheme, which is open to all public libraries and accredited local museums and archives. A total of £1.38m per year is available to support service improvements. It is a competitive process and the fund is heavily over-subscribed each year. Over the past two financial years, funding has been awarded to projects in 14 separate local authority areas across the breadth of Wales.

### **Recommendation 3** (paragraph 19)

**The Committee would like to see greater clarity from the Welsh Government on the extent to which grants will be available to owners of listed buildings and scheduled monuments, and what steps have been taken to communicate this policy to them**

**Response:** Accept.

The focus of Cadw's grants for historic building repair schemes is on helping to save listed buildings which are at risk and/or stimulate regeneration opportunities and deliver benefits to Welsh communities. One of the ways in which these benefits can be provided is through skills development and access opportunities. Any investment is based on a partnership approach, with Cadw funding up to 50% of grant eligible works. We seek assurances on other available sources of funding through our application process and encourage innovative solutions and collaboration. Our eligibility criteria and requirements are set out on our website and this will be updated with information on the next round of funding shortly.

### **Recommendation 4** (paragraph 24)

**The Committee would like to be updated on the outcome of this research. The Committee would also like additional information on where responsibility for £100,000 fund lies, how it is being promoted, what are the expected outcomes from the spending and how these will be evaluated.**

**Response:** Accept in principle.

The Welsh Government has committed to providing £100k in 2018-19 and £100k in 2019-20 to support journalists seeking to set up their own business in hyper-local news. This is additional to the existing support for businesses through Business Wales. This funding is within the portfolio of the Minister for Economy and Transport, and any further questions should be directed to the Minister.

**Recommendation 5** (paragraph 26)

**The Committee understands the current constraints on funding, however the Committee is concerned that the cash flat budget may not allow sufficient progress toward the Welsh Government’s ambitious target of 1 million Welsh speakers by 2050.**

**Response:** Accept.

We accept that the target of reaching 1 million Welsh speakers is ambitious.

However, the additional £6.5 million revenue in 2019-20 (which forms part of the two year Budget agreement with Plaid Cymru) and the capital funding for the Welsh in Education Strategic Plans (WESPs) and the Childcare Offer has given us the opportunity to lay the foundations in supporting the Work Programme between now and 2021. We have been able to focus on prioritising the work of developing provision in the following areas: child care, post-16 and in the workplace.

Whilst the majority of funding comes from three BELS (Welsh Language, Welsh in Education, Welsh Language Commissioner), additional resources from other funding streams also support the implementation of the strategy. These additional resources include activities funded through the Education MEG and include the evaluation of projects undertaken by the WLD (which relate to statutory education), financial support offered for the Welsh language sabbatical scheme and projects in support of Welsh medium Initial Teacher Training provision. As the Welsh language is a cross Government priority, all policy areas have to consider how they support the aims of *Cymraeg 2050*.

We will continue to review progress against the targets and our budgets carefully and will refine accordingly.

**Recommendation 6** (paragraph 32)

**(i) The Welsh Government has agreed to provide further details on the expected outcomes of the Sabbatical Scheme to the Committee including the numbers of participants on the short courses, the “Welsh in a Year” course and the evaluation of the language abilities of participants once they return to their schools.**

**Response:** Accept.

The purpose of the Welsh language Sabbatical Scheme (WLSS) is twofold:

- to develop the Welsh language skills of practitioners in the English-medium sector to enable them to deliver Welsh as part of the Curriculum.
- to up skill practitioners in bilingual and Welsh-medium schools to enable them to teach more subjects through the medium of Welsh or to improve their language skills in order to develop the Welsh literacy skills of learners across the curriculum.

Courses are provided on three levels. The objectives and details of the courses are described below:

<b>Course</b>	<b>Target Audience</b>	<b>Duration</b>	<b>Objectives</b>
Entry – Mynediad	TAs from English- medium primaries	5 weeks	<p>The aim of the course is to provide participants with the vocabulary and language patterns they need to:</p> <ul style="list-style-type: none"> <li>• help their teacher colleagues to deliver the Developing Welsh AoLE in the Foundation Phase.</li> <li>• help their teacher colleagues to teach Welsh in Key Stage 2.</li> <li>• introduce Welsh into all aspects of school life whenever the opportunity arises, whether in the classroom, on the yard or during extracurricular activities.</li> </ul>
Foundation – Sylfaen	Teachers from English- medium primaries	11 weeks	<p>The aim of the course is to:</p> <ul style="list-style-type: none"> <li>• teach the grammar and vocabulary of the language to practitioners.</li> <li>• develop practitioners' confidence in using Welsh in a wider range of contexts in school.</li> <li>• give practitioners the language resources and confidence to deliver Welsh as a second language to learners up to at least level 5 of the National Curriculum.</li> <li>• equip practitioners to deliver some lessons or parts of lessons on other curriculum subjects through the medium of Welsh.</li> <li>• instil accuracy so that teachers are good language models for learners.</li> <li>• share good practice with regard to teaching Welsh as a second language.</li> <li>• develop the teachers' knowledge of the methodology of second language teaching.</li> <li>• expand knowledge of suitable resources and of other recent</li> </ul>

			<p>developments in teaching Welsh and developing progressive subject leaders.</p> <ul style="list-style-type: none"> <li>• produce confident Welsh speakers.</li> </ul>
Advanced – Uwch	Teachers and TAs from Welsh-medium and bilingual schools	20 days (over 1 academic term)	<p>The Advanced courses are aimed at practitioners who already speak Welsh and who wish to:</p> <ul style="list-style-type: none"> <li>• extend their language skills in a professional context, both orally and on paper.</li> <li>• reinforce and develop their personal language skills in teaching, conducting assessments and carrying out various administrative tasks.</li> <li>• develop their knowledge of Welsh medium and bilingual teaching methodology.</li> <li>• have confidence they can discuss the terminology of their subject effectively and correctly.</li> <li>• be confident in checking pupils' work.</li> </ul>
Welsh in a Year	Teachers from English-medium primaries	1 academic year	<p>The aim of the course is to:</p> <ul style="list-style-type: none"> <li>• teach the grammar and vocabulary of the language to practitioners.</li> <li>• develop practitioners' confidence in planning the use of Welsh across the curriculum in line with consortium / local authority strategic requirements.</li> <li>• provide practitioners with the language resources and the confidence to deliver Welsh to pupils.</li> <li>• prepare practitioners to deliver lessons or parts of cross-curricular lessons through the medium of Welsh.</li> <li>• foster accuracy so that teachers provide pupils with a good language model.</li> <li>• share good practice in teaching Welsh.</li> <li>• discuss the methodology of teaching Welsh as a second language.</li> <li>• develop, prepare and share appropriate resources and to foster innovative subject leaders.</li> <li>• produce confident Welsh speakers.</li> </ul>

The current contracts started in September 2013 and will end in July 2020. Contracts were awarded through a procurement exercise, and the successful providers were

Cardiff University, Bangor University and University of Wales Trinity Saint David. The number of participants on the various courses at the three locations since the start of the current contracts can be found in the table below:

	<b>Entry</b>	<b>Foundation</b>	<b>Advanced</b>	<b>Welsh in a Year</b>	<b>Total</b>
<b>2013/14</b>					
Bangor University	9	11	39		59
University of Wales Trinity St David	36	30	13		79
Cardiff University	34	29	21		84
<b>2014/15</b>					
Bangor University	0	7	8		15
University of Wales Trinity St David	29	38	26		93
Cardiff University	42	28	11		81
<b>2015/16</b>					
Bangor University	12	14	29		55
University of Wales Trinity St David	42	38	23		103
Cardiff University	39	25	23		87
<b>2016/17</b>					
Bangor University	12	14	22		48
University of Wales Trinity St David	25	34	48		107
Cardiff University	43	27	40		110
<b>2017/18</b>					
Bangor University	10	10	20	11	51
University of Wales Trinity St David	39	33	49	14	135
Cardiff University	42	28	22	11	103
<b>2018/19</b>					
Bangor University	28	14	28	13	55
University of Wales Trinity St David	28	14	28	27	97*
Cardiff University	28	0	14	26	68

\*UW TSD will also pilot a course on intermediate level in the summer term with an expected attendance of 14 teachers.

An evaluation of the Sabbatical Scheme has been commissioned, with work expected to commence in January 2019. The evaluation has two aims. The first is to examine how, and to what extent, the Sabbatical Scheme contributes to change in the way that Welsh is taught or used as a medium of teaching in schools. The second aim is to assess the contribution of the Sabbatical Scheme to professional development provision for practitioners to develop their Welsh language skills or to teach through the medium of Welsh. The evaluation findings will provide the basis for the strategic development of the Sabbatical Scheme and practitioner training in future.

**(ii) The Committee believes that the Welsh Government's targets for increasing Welsh-medium early years education provision should be sufficiently ambitious to meet the overall strategy for reaching a million Welsh speakers by 2050. The Committee will continue to monitor the delivery of Welsh-medium nursery settings against the interim targets set by the Minister to deliver the total of 150 settings by 2050.**

**Response:** Accept.

*Cymraeg 2050* refers to the importance of the early years, so it is vital to ensure that the strategy's targets in this area set firm foundations to build on.

Targets have been set to establish:

- 40 new Welsh medium nursery groups by 2021 (*Cymraeg 2050* – Work Programme 2017-21).
- 150 new Welsh medium nursery groups by 2027 (*Cymraeg 2050* – A Million Welsh Speakers).

Whilst the targets in *Cymraeg 2050* are on the basis of numbers of additional nursery groups, there is significant variation in the size of childcare settings. Officials have therefore been working with Mudiad Meithrin to gain a clearer understanding of numbers of children attending Cylchoedd Meithrin. We will monitor the progress against the number of settings as well as children attending settings to ensure the childcare sector provides a sound footing to realise the other aspects of the trajectory set out in *Cymraeg 2050*.

A number of factors will influence the precise journey towards one million Welsh speakers. Therefore we will continuously review progress against all of the strategy's targets and revisit the trajectory as necessary.

**Recommendation 7** (paragraph 34)

**The Committee questioned if this additional funding would be sufficient to deliver the action plan priorities given that the action plan has not yet been published. The Committee has requested further details on the priorities in the action plan, and the funding supporting them, when this information is available.**

**Response:** Accept.

On 11 December, Coleg Cymraeg Cenedlaethol published its Further Education and Apprenticeship Welsh-medium Action Plan.

The plan sets out short, medium and long term actions, with the following priorities:

- Ensure learners are provided with support and information to progress along the Welsh language continuum in post-16 education and training and onto post-19 where appropriate.
- Create an improved infrastructure to enable learners to increase the level of learning undertaken through the medium of Welsh.
- Build and extend existing staff development opportunities to enable post-16 education and training providers to increase the level of Welsh-medium provision.
- Engage effectively with employers to enable effective skills planning to take place.

In 2018-19, £150,000 was allocated to enable Coleg Cymraeg Cenedlaethol to start working in areas where early influence was possible to improve and create infrastructure that could be developed further in future. For 2019-20, Coleg Cymraeg Cenedlaethol will introduce Action Plan based priorities to be agreed with the Welsh Government, and £150,000 will be available to this end. In addition to this specific budget, other budgets within the Welsh Language Division will support the Welsh medium post-16 sector.

**Recommendation 8** (paragraph 37)

**(i) The Committee would like a firmer undertaking from the Welsh Government that it is their intention to underwrite any costs from tribunal activities by the Welsh Language Commissioner's office which cannot be met from its funding reserves.**

**Response:** Accept.

The Minister with responsibility for the Welsh Language meets with the Welsh Language Commissioner quarterly, and officials meet on a regular basis. Any financial pressures would be raised at those meetings. If funding legal proceedings associated with implementing the Measure would lead to financial pressures, the Welsh Ministers would have to consider whether additional funding would need to be allocated to the Commissioner.

**(ii) The Committee were keen to understand the process by which the budget proposals were agreed between the Minister for Welsh Language and Lifelong Learning and the Welsh Language Commissioner. The Committee will be asking the Welsh Government to set out the communication between the Minister, officials and the Welsh Language Commissioner. In particular, the**

**Committee would like to understand the timing and nature of the Commissioner's revisions to her budget.**

**Response:** Accept.

The Commissioner's budget has its own Welsh Language Commissioner Budget Expenditure Line (BEL) within the overall Welsh Language Action which makes the annual allocation clear.

The Minister with responsibility for the Welsh Language meets with the Welsh Language Commissioner quarterly, and officials meet on a regular basis. Budgetary matters are discussed in those meetings.

Paragraph 17 of Schedule 1 to the Welsh Language (Wales) Measure 2011 places a duty on the Commissioner to prepare an estimate of the income and expenses of the Commissioner's office and to submit the estimate to the Welsh Ministers at least five months before the beginning of the financial year to which it relates. The Welsh Ministers must examine an estimate submitted to them and must then lay the estimate before the National Assembly for Wales with the modifications (if any) they think appropriate. Usually, the estimate is presented to Ministers in October and Ministers consider the estimate before deciding what the Commissioner's budget allocation should be. As well as that document, Ministers consider the discussions that have been held with the Commissioner during the year. After the Assembly has approved the budget, the Minister writes to the Commissioner to confirm the budget for the following financial year.

As a new Commissioner will start on 1 April 2019, the Minister will meet with the incoming Commissioner early in 2019 to discuss the 2019-20 budget and spending priorities.

**Recommendation 9** (paragraph 40)

**(i) The Committee would like a much firmer commitment from the Welsh Government as to when a Welsh Language Bill will be introduced.**

**Response:** Reject.

The then First Minister confirmed in his statement on the Legislative Programme on 17 July 2018 that the Welsh Language Bill would not be introduced in year 3 of this Assembly (September 2018 – July 2019).

The schedule for this Bill and other bills in the Legislative Programme is a matter for the First Minister's consideration, based on Cabinet priorities and other pressures such as legislation that has become necessary due to Brexit. Year 4 bills will be published in the next statement on the Legislative Programme before the end of the summer term, as usual. In light of these factors, it is not possible to give a firmer commitment in relation to the timetable of the Bill.

**(ii) It is also important that commercial organisations, such as public utilities do not use the lack of Welsh language standards, as an excuse to diminish or stall their Welsh language provision.**

**The Welsh Government needs to ensure the private sector continues to invest in Welsh language provision. In this context, consideration should be given to providing greater information on the likely provisions of the new legislation to allow private sector organisations to prepare.**

**Response:** Accept.

The Welsh Government consulted on proposals for the private sector in the consultation on our White Paper. The Welsh Government agrees that the private sector should continue to invest in Welsh language provision. We are working on specific projects to this end.

#### Network of officials to promote the Welsh language in the private sector

A project to increase the use of the Welsh language in business, managed by the Welsh Government through the Mentrau Iaith co-ordinator and a network of 11 business officials. This work began in November 2017. The work includes:

- practical support and advice to enable the private sector to increase the use of the Welsh language, orally, on social media and visually (signs etc).
- projects including training, events and awards.
- holding or co-operating on relevant campaigns by the Welsh Government and others.
- establishing and attending local strategy forums to include key partners.
- co-operating with the Welsh language centers to enhance community language effects.
- monitoring through the pilot 'before and after' data base created with the Welsh Government (that could be a pilot to measure the effect of other language interventions if successful).

#### Language 'Contact Point'

In a Ministerial Statement in April 2017, Alun Davies promised to establish a 'Welsh language contact point' to assist the private and voluntary sectors to increase their use of the Welsh language. The service will offer free translations for up to 50 words, and includes the Welsh Language Commissioner's proofreading service. It will also respond to various enquiries regarding the Welsh language, and refer people to relevant sources of support.

This is a significant project managed by the Welsh Language Division, with the support of the Welsh Government's Business Wales Department. It will be possible to get in touch by phone, e-mail, text message, webchat, and eventually through a bilingual bot-chat using artificial intelligence.

The contact point will be a center point between the Government, the network of business officials, Business Wales, the Welsh Language Commissioner and the private sector. It will use Business Wales' 'call centre' computer system. It will be launched in the spring of 2019.

Both these projects will be financed through the Welsh Language BEL.

The Minister for Welsh Language and Lifelong Learning announced on 5 June 2018 that there was a delay in preparing regulations regarding the standards as work continues to develop the Welsh Language Bill. Officials will be holding extensive discussions with the private sector as standards affecting them are prepared, ensuring a preparation period is provided before they have to comply with the standards. All standards need to be reasonable and proportionate for all bodies to comply with them.

**Recommendation 10** (paragraph 41)

**The Committee will wish to return to this investment to seek to establish the outcomes of the spending during the next budget round.**

**Response:** Accept.

We accept the Committee's proposal to return to this investment to seek to establish the outcomes of the spending during the next budget round, as we will be expecting post-completion information following delivery of the project.

Building on the Budget agreement with Plaid Cymru, the £2.75m investment against the £5.5m project will see an improvement in facilities at both Glan-Ilyn and Llangrannog. Specifically, adaptation and extension of the Glan-Ilyn Isaf Educational Centre to provide specialist facilities and accommodation for groups looking for a 'more independent' experience, separate from the main camp; renovation and upgrade of the Glan-Ilyn Water Activities Training Centre to provide water-activity training facilities; and transformation of the 'Heart of the Centre', Llangrannog to improve the usability and flexibility of the camp and to attract new visitors.

These improvements will enhance the current capacity of both camps to meet increasing demand for Welsh-medium experiences in second-language schools; improve buildings in poor condition; meet the demands of visiting school and educational groups; and ensure the camps' educational setting is consistent with the Welsh-medium teaching and learning continuum linked to the emerging Curriculum for Wales.

**Eluned Morgan AM**

**Minister for International Relations and the Welsh Language**

**Dafydd Elis-Thomas AM**

**Deputy Minister for Culture, Sport Tourism**

# Agenda Item 3.3

## Written Response by the Welsh Government to the report of the Culture, Welsh Language and Communications Committee entitled: Brexit, the arts sector, creative industries and the Welsh language

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I would like to thank the Chair and members of the Culture, Welsh Language and Communications Committee for its considered report and recommendations. I agree that our creative industries, arts, cultural and heritage organisations in Wales benefit significantly from membership of the EU, not just because of EU funding but also in relation to access to skilled workers and freedom of movement, the single market for goods and services and participation in European programmes and partnerships, amongst other things. We continue to work closely with the UK Government and continue to plan for all possible outcomes during this uncertain period.

Detailed responses to the report's recommendations are set out below:

**Recommendation 1.** The Welsh Government should continue to lobby the UK Government to remain part of Creative Europe, Horizon 2020 and Erasmus+ once we leave the EU. If this is not possible then the Welsh Government should pursue the option of membership using the precedent set by Quebec's participation in Horizon 2020.

Accept: Creative Europe is the EU's framework programme for support to the culture and audio-visual sectors. The programme provides significant funding for independent production companies in Wales. The UK whitepaper notes that the UK is open to continued involvement in Creative Europe to support the cultural, creative and audio-visual sectors. The Welsh Government will continue to seek confirmation that this will be possible and how the UK Government intends to facilitate this. Given this is a scheme in which we have a direct interest, providing advice directly to Welsh applicants, the Welsh Government needs to be active in the decision making process. The UK Government cannot make this decision in isolation. We need a commitment for transparency in the decision making process and joint agreement on the positive case to be put forward.

Erasmus+ which also has provided considerable support to cultural activities across each of the sectors. The end of the implementation period coincides with the natural end of the scheme, and the UK white paper notes that the UK is open to exploring participation in the successor scheme. The Welsh Government will continue to lobby for this.

The Welsh Government supports full association to the Horizon 2020 programme and meets regularly with relevant officials in UK government on this subject. The UK government has stated that it would like to explore the option of association to Horizon 2020/Horizon Europe.

Quebec takes part in Horizon 2020 as a part of Canada, which is a third country (not associated). Quebec operates a provincial support scheme for international

cooperation. The scheme is able to fund the participation of organisations from Quebec who take part in Horizon 2020 consortia as a third country. The UK has such a [provision](#) already in place through the extension to the funding guarantee. The UK scheme could offer advantages over the Quebec scheme if it maximises alignment with Horizon 2020 in terms of timing, funding rates and other provisions.

**Financial implications:** None. Any additional costs will be drawn from existing programme budgets

**Recommendation 2.** The Welsh Government should continue to make the case for the freest possible arrangements for the movement of labour which is essential for the economic and cultural productivity of Wales' creative industry.

Accept: The Welsh Government priority is for a new migration system that links migration more closely to employment so we can recruit the workers we need, while protecting employees from exploitation. We recognise is a very real risk that skills shortages in the UK will be made worse - at least in the short to medium term if the UK Government implement a more restrictive immigration system. Many freelancers in the sector will have relied on freedom of movement as the route into the UK and may not be able to get a Tier 2 visa in a future.

Any proposals to review the immigration and visa rules must be based on understanding specific needs of the cultural and creative industries where the value of a young musician or early-stage app designer is not necessarily commensurate with the salary or qualification thresholds recently recommended by the Migration Advisory Committee's report on EEA migration to the UK Government.

**Financial implications:** None. Any additional costs will be drawn from existing programme budgets

**Recommendation 3.** The Welsh Government should ensure that any future arrangements for enabling European workers to come to Wales and vice versa will not be financially and administratively prohibitive for small employers. The arrangements should also take into account the fact that the arts sector is more likely to employ people on.

Accept. We recognise the needs of the cultural and creative industries in terms of atypical work contracts, and welcome the UK Government's commitments in the Brexit strategy whitepaper that it is prepared to allow EU citizens to travel freely without a visa in the UK for tourism and temporary work and allow EU students to study in the UK. But we would welcome further detail from the UK Government on how migration arrangements could work after Brexit, and await the long-delayed white paper on migration which has been promised in the autumn.

**Financial implications:** None. Any additional costs will be drawn from existing programme budgets.

**Recommendation 4.** That the Welsh Government should prepare information and advice for the industry on the possible impact of restriction of the movement of goods and services. This should include a “one stop shop” for touring companies with information on European requirements for employment contracts, visas, transport of equipment, insurance and taxation.

Accept in Principle : We have launched the Preparing Wales/Paratoi Cymru website as an online platform to provide up to date information to help businesses, people and industry prepare for Brexit, including in a no deal scenario. This includes links to other sources of information and material, including to that prepared by the UK Government.

However, the responsibility for the development of much of this advice and information lies with the UK Government – for example, information about visas and insurance is not devolved post-Brexit and has been developed by the UK Government. Preparing Wales/Paratoi Cymru can and will signpost individuals and organisations to such information.

**Financial implications:** None. Any additional costs will be drawn from existing programme budgets.

**Recommendation 5.** In negotiations with the UK Government the Welsh Government should continue to make the case for remaining part of a common regulatory framework with Europe. The Welsh Government should ensure that there is no dilution of protection for intellectual property once we leave the EU.

Accept: In June last year the Welsh Government wrote to the UK Government about its engagement with the EU on proposals to change copyright rules in the digital single market. We said then that cross border protection of copyright is vital to Welsh companies and that remains the case. Whether the UK is part of the EU or not, Welsh businesses need clear, enforceable rules in this area to enable unhindered cross border digital working, strong protection of their intellectual property across all markets and to implement a robust method of policing piracy and IP theft.

**Financial implications:** None. Any additional costs will be drawn from existing programme budgets

**Recommendation 6.** The Welsh Government should undertake a risk assessment on the impact of Brexit on Welsh speaking communities; the Welsh language and language learning in schools and universities in Wales.

Accept: There are two aspects to this recommendation:

- the impact of Brexit on Welsh-speaking communities and the Welsh language more generally; and
- the impact of Brexit on language learning in schools and universities in Wales

In relation to the **impact of Brexit on Welsh-speaking communities and the Welsh language more generally:** Our approach in terms of assessing the risk of the impact of Brexit on Welsh speaking communities and on the Welsh language more generally will be to do so on a continuous basis as part of our *Cymraeg 2050* strategy programme monitoring. This will not be a quantitative study of impacts on the Welsh language, but rather an approach which identifies the key risks to the delivery of various aspects of our strategy. This reflects the cross-cutting nature of the Welsh language and that, for the most part, the impact of Brexit on the Welsh language will be indirect as a result of possible changes to socio-economic make up of communities.

For example, any impact on the agriculture sector and rural economy will challenge the resilience of Welsh-speaking communities. A vibrant economy is integral to creating the social conditions where Welsh speakers can stay in Welsh-speaking communities, or return to live and work in those communities: a key aspect of our *Cymraeg 2050* strategy.

As such, we are committed to ensuring that our response to Brexit across Government takes full account of potential implications on Welsh-speaking communities and the Welsh language. For example, we are committed through the changes proposed in the recent consultation '*Brexit: Our Land*' to keeping farmers on the land, and to working with them to create a better, more prosperous future for their sector. We have already committed to undertaking a Welsh Language Impact Assessment on our final proposals following consideration of consultation responses. We will do likewise for other policy changes that will be required as a consequence of Brexit.

The Minister for International Relations and the Welsh Language has been in correspondence with the Welsh Language Commissioner in relation to the potential impact of Brexit on the Welsh language, and discussions with the Commissioner on this issue will continue.

With regard to the **impact of Brexit on language learning in schools and universities in Wales:** Learning other languages is an important element in the education of children and young people. Research shows that it broadens horizons, introduces learners to other cultures and provides them with the experiences and skills that they need to succeed in the new global economy. Awareness of the diversity of languages in learners' homes and schools helps build and develop connections across communities and therefore increases community cohesion. It is important that all young people from all backgrounds understand the benefits of, and have the opportunity to learn a language. It is for this reason that languages will play

a prominent part in Wales's new curriculum. The Languages, Literacy and Communication Area of Learning and Experience in the new curriculum for Wales will bring together Welsh, English and international languages. International languages include modern languages, community languages, classical languages and British Sign Language. Pupils will learn Welsh and English from age 3-16. They will start learning international language(s) from primary schools. This will include learning about languages and learning about identity and culture through language. Welsh will no longer be divided into separate programmes of study for Welsh first and second language.

When Wales exits the EU, for the health of our economy there will be a need to establish and maintain international trade partnerships with other countries. For this to be successful we will need linguists able to broker these deals. Current provision and exam entry figures suggest that there will not be the supply to meet the demand. British Council's *Language Trends Survey 2018*, Gorwel's *Mind your language* report, and Professor Claire Gorrarra's (Cardiff University Professor of French and Academic lead for the MFL Mentoring Project) paper *Speaking from Wales: Building a Modern Languages Community in the Era of Brexit* all draw the link between Brexit and the increased need for Welsh linguists.

However across the UK there has been a decline in the numbers of learners studying a MFL at examination level. The increased competition for subject time in school timetables and the perceived dominant position of English as the language of global business have all contributed to this decline. The approach within the new curriculum aims to address this decline however it is also important that we assess the impact that Brexit may have on the current situation in relation to language learning in schools and universities in Wales. Further consideration will need to be given to ensure that the impact assessment aligns with other research already planned on language learning and teaching in Wales.

**Financial implications:** None in relation to the risk assessment on Welsh-speaking communities and the Welsh language.

**Recommendation 7.** The Welsh Government should carry out a survey of the "soft" benefits to cultural organisations of membership of informal and formal European networks and develop options for continued membership of these networks to raise the profile of our arts, heritage and cultural organisations on the international stage.

Accept: Membership of EU cultural groups and networks provide intelligence and information about international markets and opportunities. Such intelligence will be vital if we are to influence future debate and develop new cultural and trading relationships in Europe and further afield.

**Financial implications:** None. Any additional costs will be drawn from existing programme budgets

## Lord Dafydd Elis-Thomas AM

Minister for Culture, Tourism and Sport

14 January 2019

Dear Dafydd,

### National Broadcast Archive for Wales

Thank you for attending the meeting of the Culture, Welsh Language and Communications Committee on 10 January 2019 to discuss the National Broadcast Archive.

I am sure you will agree that establishing a National Broadcast Archive ('the Archive') in Wales will give the people of Wales a unique opportunity to access their social history.

The bid for funding from the Heritage Lottery Fund (HLF) to enable this project to go ahead is one which we support and Members of the Committee are very keen to see a successful resolution to the outstanding issues on the Business Case which were discussed at the meeting.

It would help our understanding if you could set out the nature of the difficulties with the Business Case which have yet to be resolved. Your officials mentioned that they still had fundamental concerns, which suggests the situation is more serious than the picture we were given at our meeting with the President and National Librarian on 6 December 2018.

You also mentioned that you felt the BBC should provide more than their promised £20,000 plus approximately £40,000 of in-kind support, for the Archive. This is on the basis that the BBC Archive in Perivale received £9 million of funding, and Wales should receive a contribution which is proportionate to that investment. As was discussed with Members during the meeting, this concern was not raised in correspondence with the National Library to date or mentioned in your response to Dai Lloyd AM in Plenary on 28 November.

Please can you tell us when you first raised the issue of the BBC's funding contribution with the BBC, and, specifically, if you cautioned that the bid for the project was at risk if a proportionate share of funding is not forthcoming?

What correspondence have you had with the Department for Culture, Media and Sport on the issue of a proportionate share of BBC funding being allocated to the Archive in Wales?

We understand that any investment of public money can only be made on the basis of a robust Business Case and you told the Committee you are still not convinced that the scheme is financially viable. However, Members would like to know what is your principal concern regarding this project. Is it the size of the contribution from the BBC, or the long-term financial viability of the proposal?

Please can you clarify the Welsh Government's commitment of £1 million to support the bid? During the meeting you said that the money is currently dependent on resolving the Welsh Government's concerns with the Business Case. Does this mean that, in the event the bid to HLF is not accepted this financial year, the £1 million will be available in the next financial year?

It is clear that your officials have been working with the National Library to progress this project to ensure that Wales benefits from £5 million of Lottery Funding and secures a valuable resource for the Library. The Committee supports this effort. We understand the importance of financial due diligence when investing public money but there is a real danger that Wales could lose this opportunity to secure this investment and some of the issues which you raised at our meeting have not arisen until recently.

To progress our work on this issue, I would be grateful if you could respond to my questions by 25 January 2019,

Yours sincerely,



Bethan Sayed

**Chair of the Committee**



Ein cyf/Our ref: MA-P-DET-0206-19

Bethan Sayed AM  
Chair,  
Culture Welsh Language & Communications Committee  
National Assembly for Wales

29 January 2019

Dear Bethan

Thank you for your letter of 14 January, and for the opportunity to provide the Committee members with an update on the progress of the National Broadcast Archive (NBA) project.

Since I attended the Committee meeting on 10 January, I have met with BBC Cymru Wales to discuss the NBA and, following this meeting, my officials convened a meeting with BBC Cymru Wales and the National Library on 18 January. This was a positive and constructive meeting, and discussions with both the BBC and the Library are continuing.

My principal concern has always been the long term sustainability of the NBA and the impact it could have on the financial position of the National Library, and on the unique functions and activities of the Library. On the advice of my officials, in an effort to address these very real concerns, over the summer I asked the National Library to review the project design with the aim of ensuring that the on-going costs will be manageable, and to demonstrate that a realistic plan for sustaining the NBA from 2024 had been considered. As part of this, the National Library was requested to discuss the level of contribution from BBC Cymru Wales. My officials have also raised this issue directly with the BBC. I did not raise the matter with the Department for Culture, Media and Sport.

As you are aware, by November of last year I did not feel the concerns regarding sustainability had been addressed sufficiently to enable me to lend Welsh Government support to the project. However, I am pleased to report that at the meeting which took place on 18 January both the National Library and the BBC were clearly committed to achieving an acceptable solution to ensure the delivery and sustainability of the NBA. While these discussions are still underway, including internal discussions at the National Library and the BBC, I hope you will appreciate that it would not be appropriate for me to go into detail.

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:  
0300 0604400

[Gohebiaeth.Dafydd.Elis-Thomas@llyw.cymru](mailto:Gohebiaeth.Dafydd.Elis-Thomas@llyw.cymru)  
[Correspondence.Dafydd.Elis-Thomas@gov.wales](mailto:Correspondence.Dafydd.Elis-Thomas@gov.wales)

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

I expect these discussions to progress quickly now, and for my officials soon to be in a position to provide me with the advice to enable me to take a decision on Welsh Government support for the NBA. This will include the issue of the £1m contribution from the Welsh Government.

Yours sincerely

A handwritten signature in black ink, appearing to read 'P. Elis-Thomas'.

**Yr Arglwydd Elis-Thomas AC/AM**

Y Dirprwy Weinidog Diwylliant, Chwaraeon a Thwristiaeth  
Deputy Minister for Culture, Sport and Tourism

Linda Tomos

National Librarian

National Library of Wales

14 January 2019

Dear Linda,

## **National Broadcast Archive**

As you know, Members discussed the National Library of Wales' bid for £5 million from the Heritage Lottery Fund (HLF) to establish a National Broadcast Archive at the meeting of the Culture, Welsh Language and Communications Committee on 6 December 2018.

At our meeting on 10 January 2019 we had the opportunity to discuss the bid with Deputy Minister for Culture, Tourism and Sport, Lord Dafydd Elis-Thomas. We were also provided with copies of correspondence to the Library which are published on our [website](#). The meeting can be viewed on [Seneddtv](#).

We were encouraged to hear that the Deputy Minister supports the development of an Archive in Wales, although he cautioned that any project must go forward on the basis of the best use of public funds.

Committee Members are keen to ensure that this project comes to fruition, we feel it is vital to safeguard our social history and make it available to be viewed by people in Wales. It would therefore be helpful if you could clarify some issues which arose.

## **Outstanding issues relating to the Business Case**

During the meeting we heard that the Welsh Government is still seeking reassurances from the Library on the Business Case for the bid. Please can you confirm that the Welsh Government has been provided with the additional information they requested for the Business Case?

You indicated at our meeting in December that the bid will be signed off at the National Library's Board meeting in February. Committee Members are keen to ensure that any issues which remain are resolved in advance of this.


### **Discussions with the Welsh Government**

Can you clarify the dates of all meetings on this topic between the National Library – either yourself, or the President – and the Deputy Minister for Culture, Tourism and Sport to date?

I understand you are due to meet the Deputy Minister in February. Do you anticipate that you will have made sufficient progress with the Business Case by the time of this meeting? If not, do you have a contingency plan in place to ensure that the HLF bid will still be considered if it is not presented by the end of this financial year?

I would be grateful for your response to these and any other issues raised on 10 January you wish to address by 25 January. With apologies for the short deadline,

Yours sincerely,



Bethan Sayed

**Chair of the Committee**

Dear Chair

Many thanks for your letter dated 14 January 2019. The President and myself are extremely grateful to the Committee for its interest in progressing this exciting development and we welcome all opportunities to ensure that an application for second round funding to establish the National Broadcast Archive can be submitted to the Heritage Lottery Fund following scrutiny by the Library Board of Trustees on 1 and 15 February 2019. We have reminded Welsh Government officials that time is now short to receive a response by 1 February which could be considered by the Library's Trustees.

We would also be grateful if the Committee could note that mention of a potential deficit of £900k in 2024 relates to a situation where the Welsh Government would not have provided any funding to the Library between 2019 and 2024 for a pay uplift in line with any pay award for civil servants. Clearly the Board of Trustees would not allow this deficit to be incurred and, in the absence of any response from the Welsh Government, a medium term forward financial plan will be implemented which, regretfully, is likely to involve the loss of posts. This situation will be incurred regardless of whether the NBA project is progressed or not. The NBA project is fully funded until 2024. After 2024, the estimated annual cost of the NBA, on a shared cost basis, is £237k which will be identified over the next five years, informed by the experience of implementing the project.

With regard to the specific points raised in your letter,

- We have provided all information requested by the Welsh Government and have consistently asked whether further information is required. I enclose two e-mails together with the response from the official who does not request any further details. We have always recognised that it is in Library's best interests to share information with the Welsh Government.
- The only invitation from the Deputy Minister to the President to attend a meeting relates to a forthcoming meeting to be held on 14 February 2019. The usual 6 monthly Ministerial meetings with the President have not been held since the Deputy Minister was appointed. I have attended the usual regular monitoring meetings with the sponsor division and two meetings organised by Welsh Government officials to discuss the NBA project on 27 July and 19 December 2018. I enclose an e-mail sent to the Deputy Minister's private office on 19 July requesting an urgent telephone call between the Minister and the President following receipt of the Deputy Minister's letter on 19 July 2018. No reply was received.
- The current proposal will need to be scrutinised by the Board of Trustees on 1 February with a decision taken at the full Board meeting on 15 February. The application would then need to be agreed with HLF Wales Office and submitted by 31

March 2019. If a response is not received from the Welsh Government, the Board has previously agreed that the current proposal would not be submitted as this position would seriously weaken its chances in a very competitive second funding round. Any new proposal would then need to be discussed at the Library Board meeting on 26 April 2019. Our understanding is that the final submission date under the current programme which accepts applications up to £5 million is 31 March 2019. Any later submission would be subject to lower maximum levels of grant support.

I hope that this information addresses the queries in your letter. Please do not hesitate to contact me if members require any further details.

Cofion gorau

A handwritten signature in black ink, appearing to read 'Linda Tomos', with a stylized flourish at the end.

**Linda Tomos**

Chief Executive and Librarian

Enc.

## Appendix

### E-mail 1

**From:** Linda Tomos <xxxxxxxxxxxxxx>

**Sent:** 06 November 2018 16:22

**To:** xxxxxxx (ESNR - Culture - Arts) <xxxxxxxxxxxxxx>

**Cc:** Rhodri Glyn-Thomas <xxxxxxxxxxxx>; Lee Yale-Helms <xxxxxxxxxxxx>

**Subject:** Re: Confidential: 2 Draft Briefing Reports

Annwyl xxxxx

Following our very constructive call yesterday, I enclose 2 draft briefing papers being prepared for the November Board meeting. Please treat these as confidential as they have not yet been discussed by the Board. However, I hope that they demonstrate that we are all working hard to address the issues raised in the Minister's July letter. Please note that there is one figure in yellow in the financial paper for which I am awaiting confirmation and I will confirm the figures tomorrow. I am keen to ensure that you feel that you have received all the required information to prepare advice for the Minister on this issue and therefore please do not hesitate to contact me to discuss any matters further.

Cofion gorau

Linda

**Subject:** RE: Confidential: 2 Draft Briefing Reports

**Date:** Tue, 6 Nov 2018 16:35:19 +0000

**From:** xxxxxxx (ESNR - Culture - Arts) <xxxxxxxx>

**To:** Linda Tomos <xxxxxxxx>

**CC:** Rhodri Glyn Thomas <xxxxxxxx>, Lee Yale-Helms <xxxxxxxx>

Thanks Linda - we will start looking at this straight away, as discussed.

Cofion gorau

xxxxxxx

### E-mail 2

**Subject:** National Broadcast Archive Papers

**Date:** Mon, 12 Nov 2018 09:59:32 +0000

**From:** Carol Edwards <xxxxxxxx>

**To:** xxxxxxxx, (ESNR - Culture - Arts) <xxxxxxxx>

**CC:** LINDA TOMOS <xxxxxxxx>, DAVID MICHAEL <xxxxxxxx>, PEDR AP LLWYD <xxxxxxxx>

Linda, xxxxxx

Linda has prepared the enclosed papers for the Board of Trustees and has asked me to forward them to you for information. I confirm that all relevant papers as regard the Broadcast Archive have now been sent to you.

Kind regards

Carol

--

**Carol Edwards**

Rheolwr Llywodraethiant a Chlerc Bwrdd yr Ymddiriedolwyr | Governance Manager and Clerk to the Board of Trustees

Llyfrgell Genedlaethol Cymru | The National Library of Wales  
Aberystwyth, Ceredigion SY23 3BU

xxxxxxxxxxx | xxxxxxxxxxxxxx | [www.llyfrgell.cymru](http://www.llyfrgell.cymru)

**Subject:** Re: National Broadcast Archive Papers

**Date:** Mon, 12 Nov 2018 11:36:33 +0000

**From:** xxxxxx (ESNR - Culture - Arts) <xxxxxxxxxx>

**To:** Carol Edwards <xxxxxxxxxx>, xxxxxxxx

**CC:** Linda Tomos <xxxxxxxxxx>, David Michael <xxxxxxxxxx> Pedr ap Llwyd <xxxxxxxxxx>

Many thanks Carol - we will prepare advice for the Minister asap.

xxxxxxx

**Request for an Urgent Telephone Call**

**Subject:** Galwad brys gyda'r Gweinidog - Archif Ddarlledu Llyfrgell Genedlaethol Cymru

**Date:** Thu, 19 Jul 2018 12:18:33 +0100

**From:** Carys Dafydd <xxxxxxxxxxxxxxxx>

**To:** [PS.MinCTandS@gov.wales](mailto:PS.MinCTandS@gov.wales)

Annwyl Elin,

Yn dilyn llythyr y Gweinidog at ein Llywydd Rhodri Glyn Thomas bore ma, hoffai Rhodri drefnu galwad ffôn brys gyda'r Gweinidog os gwelwch yn dda. Rhowch wybod pryd fyddai'n gyfleus.

Diolch yn fawr,

Carys

--

**Carys Dafydd**

Swyddog Gweithredol y Prif Weithredwr a Llyfrgellydd | Operational Officer for the Chief Executive and Librarian

Llyfrgell Genedlaethol Cymru | The National Library of Wales  
Aberystwyth, Ceredigion SY23 3BU

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Richard Bellamy

Head of Heritage Lottery Fund, Wales

14 January 2019

Dear Richard,

### **National Broadcast Archive for Wales**

The Culture, Welsh Language and Communications Committee has been discussing the National Library of Wales' bid for funding from the Heritage Lottery Fund (HLF) for a National Broadcast Archive for Wales.

At our meeting on 6 December 2018 we discussed the bid with the President of the National Library of Wales, Rhodri Glyn Thomas, and the National Librarian, Linda Tomos. They told us that they are hoping to sign off the bid at their Board meeting in February. As you know, the bid is dependent on a funding commitment from the Welsh Government of £1 million.

We had the opportunity to discuss the proposal with the Welsh Government's Deputy Minister for Culture, Tourism and Sport, Lord Dafydd Elis-Thomas AM on 10 January 2019. He said that there are some issues with the Business Case which have yet to be resolved.

The Committee are keen to ensure that Wales benefits from £5 million of Lottery Funding and secures a valuable resource for the Library. We understand that there is pressure to secure the HLF funding this financial year because the policy on supporting bids of this size is due to change. During that meeting it was suggested that far fewer large grants will be made from April 2019 onwards.

It would help our understanding of this issue, and the nature of the time pressures which are escalating it, if you can confirm your funding policy will be changing in the next financial year.

With apologies for the short deadline, would you be able to respond by 25 January 2019? This is a live issue for our Members who are worried about the risk to this unique project which would allow the people of Wales to access to their social history.

Yours sincerely,

A handwritten signature in cursive script that reads "Bethan Sayed." The signature is written in black ink on a white background.

Bethan Sayed

**Chair of the Committee**

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Bethan Sayed  
Chair of the Culture, Welsh Language & Communications Committee  
National Assembly for Wales

25<sup>th</sup> January 2019

Dear Bethan,

### **National Broadcast Archive for Wales**

Towards the end of January 2019 the Heritage Lottery Fund will begin a new, five-year Strategic Funding Framework that sets out how we will distribute National Lottery good causes money for heritage. In addition, the UK Government has recently published its Tailored Review of our performance. It recommended new ways of working, including simplifying our grant giving processes and operating even more efficiently, getting the most value from National Lottery funding.

This year 2018-2019 is a transitional year and we have begun to simplify our grant programme portfolio ahead of the new Strategic Funding Framework. Last November we announced that Heritage Grants and Heritage Enterprise programmes would close to new applications in mid-August as we prepare to open the new Strategic Funding Framework in late January 2019. These programmes are now closed with the exception of second round applications from applicants holding first round passes as is the case with the award made to the National Library of Wales for the National Broadcast Archive for Wales.

In late January 2019, as we publish our new Strategic Funding Framework, we will open our new funding portfolio. This will be a simpler and more flexible funding offer, with a single open programme for all types of heritage project, with new resources and digital guidance on our website to support applicants. We will continue to offer grants from £3000 to £5million, with proportionate processes and requirements at different levels.

We will strongly encourage applications for projects that will engage a wider range of people with heritage, and also welcome the types of projects we previously supported through targeted programmes, such as those focusing on landscapes or parks, engaging young people, or increasing the resilience of heritage organisations, through the new open programme. We expect strong competition at all levels of grant and will introduce a new Expression of Interest stage for larger grants (over £250,000) to give an early steer on whether you are invited to apply.

The expression of interest has been introduced in response to feedback received as part of our recent consultation. Increased competition, for grant requests between £2million to £5million has resulted in a drop in the number of awards the Heritage Lottery Fund has been able to make at this level. Applicants therefore requested that they received an earlier indication of the likelihood of success of any potential submission for funding before time and resources were committed to the task of putting together a full application.

In response to lower levels of income generated by the National Lottery, the Trustees of the Heritage Lottery Fund made the decision to protect, as far as possible, the funding budgets dedicated to the Country and regional committees across the UK who make decisions on grants between £3,000 and £2million. The budget for grants between £2million to £5million decided by the UK Board of Trustees therefore has been the level that has seen the greatest increase in competition.

To provide context, when the National Library of Wales was awarded a First Round Pass of £4,751,000 in March 2017 towards the cost of developing a National Broadcast Archive for Wales, the UK annual budget available for awards of this size was £178million. In this financial year 2018 - 2019 the available budget was £85million. Whilst we are committed to retaining the ability to make awards up to £5 million over the course of the next five years of our next Strategic Funding Framework, it will be increasingly challenging for projects to secure that level of funding in the future within the realities of our budgets.

That said, over the next five years, we expect to invest around £1.2 billion in the UK's heritage. The Trustees of the Heritage Lottery Fund are committed to Wales receiving its proportionally fair share of this investment. This is a huge opportunity to build on the past 25 years of achievement, and a great responsibility. Our ambition for the money raised by National Lottery players is to inspire, lead and resource the UK's heritage to create positive and lasting change for people and communities.

Yours sincerely

A handwritten signature in black ink, appearing to read 'R Bellamy', written in a cursive style.

Richard Bellamy  
Pennaeth, Cronfa Dreftadaeth y Loteri Cymru | Head of the Heritage Lottery Fund, Wales

The Rt Hon Jeremy Wright MP  
Secretary of State for Digital, Culture, Media and Sport

14 January 2019

Dear Secretary of State,

### **National Broadcast Archive for Wales**

The National Assembly's Culture, Welsh Language and Communications Committee has been discussing the National Library of Wales' bid for funding from the Heritage Lottery Fund (HLF) for a National Broadcast Archive for Wales.

At our meeting on 10 January we discussed the proposal with the Welsh Government's Deputy Minister for Culture, Tourism and Sport, Lord Dafydd Elis-Thomas AM. He confirmed that the BBC has committed funding to this project, which would see the BBC archives available to the people of Wales. He also said that he would be meeting the BBC within the next two weeks to discuss the level of support.

We understand that the BBC has committed £20,000 from 2024, plus approximately £40,000 of in-kind support.

During our discussions, the Deputy Minister told the Committee he felt that the support from the BBC to establish the Archive in Wales should be proportionate to the funding for the BBC Archive Centre in Perivale, which received £9 million. The Deputy Minister stressed the importance of the size of the BBC's contribution to the Welsh Government's support for the bid.

Given the critical role this issue now plays in the delivery of this bid, I would be grateful if you could confirm whether the Welsh Government has made any representations to you, at official or Ministerial level, on this.

The bid will be signed off by the National Library at their Board meeting in February in order to meet the HLF deadline for this financial year.

Given the timing of these meetings and the imminent deadline for the bid, please can you respond by 25 January 2019? With apologies for the short deadline,

Yours sincerely,

A handwritten signature in cursive script that reads "Bethan Sayed." The signature is written in black ink on a white background.

Bethan Sayed  
**Chair of the Committee**



Department for  
Digital, Culture,  
Media & Sport

Margot James MP  
Minister for Digital and the Creative  
Industries  
4th Floor  
100 Parliament Street  
London SW1A 2BQ

E: [enquiries@culture.gov.uk](mailto:enquiries@culture.gov.uk)

[www.gov.uk/dcms](http://www.gov.uk/dcms)

29<sup>th</sup> January 2019

Bethan Sayed  
Chair of the Culture, Welsh Language and  
Communications Committee  
[SeneddCWLC@assembly.wales](mailto:SeneddCWLC@assembly.wales)

Our Ref:  
MC2019/00560/SD

Dear Bethan,

Thank you for your correspondence of 14 January to the Secretary of State for Digital, Culture, Media and Sport, the Rt Hon Jeremy Wright QC MP, regarding the work to establish a National Broadcast Archive for Wales. I am responding as the minister responsible for this policy area.

The government recognises the cultural significance and value of archiving high quality content from our national broadcasters. That is why we have required the BBC in its Charter to make arrangements for the maintenance of BBC archives. It is the BBC's responsibility to deliver this obligation and ensure archive arrangements are kept safely and to commonly accepted standards, with reasonable opportunities for public access.

I can confirm that neither the Secretary of State nor I have received any representations from the Welsh government on this issue, either at ministerial or official level. I should note that given the BBC's independence, the level of BBC funding to support the National Broadcast Archive for Wales is a matter for the BBC, not the UK government.

I hope this information is helpful.

Best wishes  
Margot

Margot James MP  
Minister for Digital and the Creative Industries

PS I am sorry that I was not  
able to respond in time for  
your deadline

Bethan Sayed AM  
Chair, Culture, Welsh Language and Communications  
Committee  
National Assembly for Wales

5 February 2019

Dear Bethan,

## Supporting and promoting the Welsh Language

The Public Accounts Committee considered the Annual Report and Accounts of the Welsh Government in October as part of our wider scrutiny of accounts, and we are due to report shortly. The Welsh and English versions of the Welsh Government consolidated accounts were not laid concurrently, with the Welsh language version published on 15 October 2018 – 12 days after the English. The Committee is very concerned about the failure to publish a Welsh version of the accounts alongside the English language version. It is particularly disconcerting that senior Welsh officials suggested the delay was a result of typographical errors.

As you will be aware, failure to publish simultaneously the accounts in English and Welsh contravenes the standards set out in the The Welsh Language Standards (No. 1) Regulations 2015. These require that, in the conduct of public business in Wales, the English and Welsh languages should be treated on a basis of equality. We are of the view that the publication of the Welsh language version of the accounts on the day of the evidence session, approximately two weeks after laying the English version, is not acceptable and is a worrying indicator with regards to the Welsh Government's culture around the Welsh language.



Alongside the specific issue around the publication of the Welsh language version of the accounts, the Committee raised wider concerns about the Welsh Government's commitment to promote and facilitate the use of the Welsh language in its internal arrangements. The Permanent Secretary confirmed that she had delayed publishing the final report of the Welsh Government's working group for the facilitation and promotion of the Welsh language since there was, in her view, further work to be done. She informed the Committee that she had asked for reviews to be undertaken in respect of the definition of bilingualism, best practice in Welsh language standards and the Welsh language training available to Welsh Government staff.

We understand that the Culture, Welsh Language and Communications Committee is undertaking an inquiry into Supporting and Promoting the Welsh Language looking at the legislative, policy and wider context. We wanted to draw these issues to your attention and ask that you consider inviting the Permanent Secretary to give evidence as part of your inquiry. As a significant employer of Staff, with substantial delegated responsibility from Welsh Ministers, we believe that there are some significant questions to ask around the approach to bilingualism in the Welsh Government and the commitment to delivering the standards set out in the legislation.

Yours sincerely,

A handwritten signature in black ink that reads "Nick Ramsay". The signature is fluid and cursive, with a long horizontal flourish at the end.

**Nick Ramsay AM**  
Chair



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