



Llywodraeth Cymru
Welsh Government

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Welsh Government
Consultation – summary of response

Draft Senedd Cymru (Disqualification) Order 2025

September 2025

Mae'r ddogfen hon ar gael yn Gymraeg hefyd / This document is also available in Welsh
Rydym yn croesawu gohebiaeth a galwadau ffôn yn Gymraeg / We welcome correspondence and telephone calls in Welsh

Overview

Summary of responses received to the consultation on the Draft Senedd Cymru (Disqualification) Order 2025 which took place from 30 May 2025 – 25 July 2025.

Action Required

This document is for information only.

Further information and related documents

Large print, Braille and alternative language versions of this document are available on request.

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Additional copies

This summary of response and copies of all the consultation documentation are published in electronic form only and can be accessed on the Welsh Government's website.

Link to the consultation documentation: [Draft Senedd Cymru \(Disqualification\) Order 2025 | GOV.WALES](#)

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1. Introduction

1.1 The consultation on the draft Senedd Cymru (Disqualification) Order 2025 (“the Disqualification Order”) was published on 30 May 2025. The consultation closed on 25 July 2025.

1.2 The Disqualification Order designates particular offices which disqualify the office holders from being a Member of the Senedd, but not from being a candidate to be a Member of the Senedd.

1.3 Prior to each Senedd election, a new Order is usually made which revokes the previous Order and sets out an updated list of disqualified offices.

1.4 The Disqualification Order applies the same criteria as under the current Senedd Cymru (Disqualification) Order 2020¹. These were adopted from the principles set out in the then [National Assembly’s Constitutional and Legislative Affairs Committee 2014](#) inquiry into disqualification arrangements.

1.5 The Disqualification Order implements a number of changes to reflect recent legislation, including the removal of offices that have now been abolished, the addition of offices that have been created since the previous Order was made, and updates to names where these have changed.

1.6 The following offices have been removed from the Disqualification Order, due to their abolition by recent legislation:

- **The Board of Community Health Councils in Wales.**
The disqualifying offices: Chair, and members appointed by the Welsh Ministers under regulation 34(1)(f) of the Community Health Councils (Constitution, Membership and Procedures) (Wales) Regulations 2010.

The reason for this change is that Community Health Councils were abolished by the Health and Social Care (Quality and Engagement) (Wales) Act 2020².

1.7 The Disqualification Order contains the following offices as new additions, either due to requests from the relevant Welsh Government policy leads or due to their introduction by recent legislation:

- **Agricultural Advisory Panel for Wales**

The disqualifying offices: Chair, and independent agriculture member, and independent education member, appointed by the Welsh Ministers

¹ S.I. 2020/1255

² 2020 asc 1

- **Armed Forces Commissioner(s)**

The disqualifying offices: Commissioner(s)

- **Climate Change Committee**

The disqualifying offices: All members.

- **Community and Town Councils**

The disqualifying offices:

- (a) a paid officer having responsibility, for the purposes of section 151 of the Local Government Act 1972³, for the administration of the financial affairs of the community council; and
- (b) a person holding a paid post that is for the time being specified by the community council in the list maintained in accordance with subsection (2) and any directions under section 3 of the Local Government Act 1972

- **Corporate Joint Committees (CJCs)**

The disqualifying offices: All members

- **Independent Football Regulator**

The disqualifying offices: All members

- **Veterans' Commissioner for Wales**

The disqualifying offices: Commissioner

1.8 The Disqualification Order contains the following offices that have been renamed since the previous 2020 Disqualification Order, with the new name reflected in the Disqualification Order:

- **Emergency Ambulance Services Committee and Welsh Health Specialised Services Committee**

Change of name to: -
NHS Wales Joint Commissioning Committee

- **Higher Education Funding Council for Wales**

Change of name to: -
Commission for Tertiary Education and Research

- **Special Educational Needs Tribunal for Wales**

³ 1972 c. 70

Change of name to: -
Education Tribunal for Wales

- **The Pensions Advisory Service**

Change of name to: -
Money and Pensions Service

1.9 As part of the consultation process, informal consultation was also undertaken with policy officials in Welsh Government and with key stakeholders in the development of the Disqualification Order.

1.10 This document contains a summary of the responses to the consultation exercise.

2. Overview of responses

2.1 A total of 19 responses to the consultation were received via the online form and by email from members of the public and stakeholders.

Table 1: The number of respondents by type across all survey formats

Type of Respondent	Number of respondents	Percentage
Member of the public	5	26.3%
Electoral administrator	4	21.1%
Statutory body / Representative body / Professional Body or Association	9	47.4%
Third Sector	0	0%
Other	1	5.3%

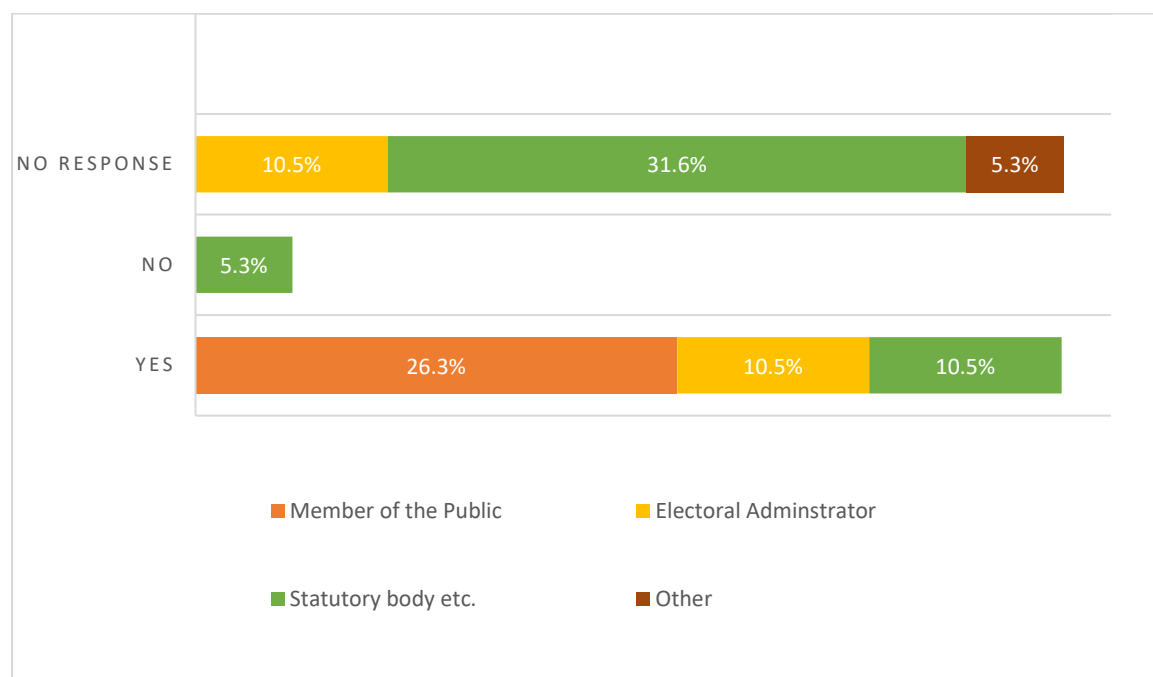
2.2 A list of all respondents is included at Section 5. Percentages throughout this document are rounded to one decimal point and therefore may not add up to 100%.

2.3 A summary of responses to the questions asked in the consultation is provided in Section 3.

2.4 Some responses did not answer specific questions but instead gave an overall response. These responses are accounted for under the relevant question where applicable, or in the summary of responses to the more general question (number 4).

3. Summary of Responses to Consultation Questions

Question 1 – Do you agree that the offices set out in this document should be included in the next Disqualification Order?

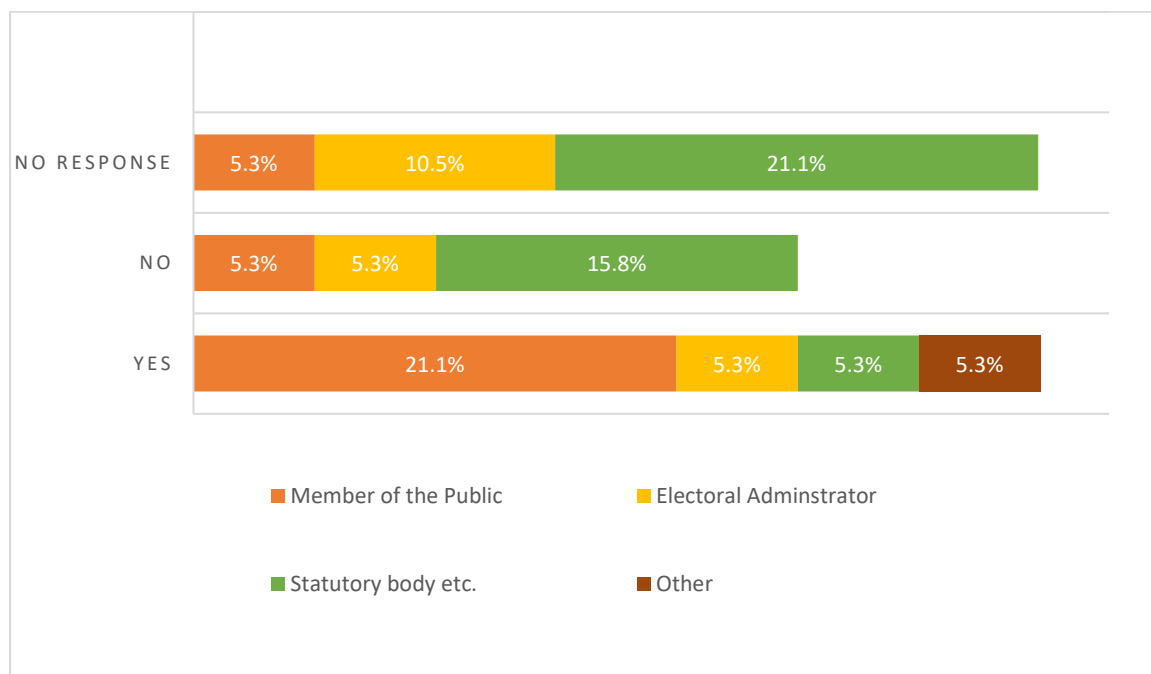


3.1 Half of those respondents who answered 'yes' were members of the public, and no respondent who answered the question provided any further comments. Half of those who responded to the consultation did not provide a response to this question.

3.2 The respondent who answered 'no' set out that one of the offices listed in the consultation had been abolished and should therefore be removed from the draft Disqualification Order. This has been noted, and the relevant office has been removed.

3.3 Specific comments received related to the updated names of an office contained within the draft Disqualification Order. Both Cwm Taf Morgannwg University Health Board and Hywell Dda University Health Board noted that the Welsh Health Specialised Services Committee should be removed from the Order, as this Committee ceased to exist on 31 March 2024 and the NHS Wales Joint Commissioning Committee has replaced it. This response has been noted, and the final draft Order amended to reflect this update.

Question 2 – Are there any other offices not included in the draft Disqualification Order, (that are not otherwise disqualified under the Government of Wales Act 2006 or other legislation), that you believe should be disqualified from membership of the Senedd?



3.4 Most of the respondents who answered ‘yes’ to this question provided further comments. Four respondents expressed a preference for the charity Sustrans to be added to the draft Disqualification Order, and/or lobby or activist groups.

3.5 Whilst the concerns of respondents are noted, Members of the Senedd are covered by a Code of Conduct that establishes standards of conduct by which they must comply. In addition to this Code, Members must comply with the Standing Orders of the Senedd, including those that relate to the declaration and registration of financial and other interests and membership of societies. Alleged breaches of these Standing Orders can be referred to the Senedd Commissioner for Standards for investigation.

3.6 It is therefore considered that any potential conflicts of interest for Members of the Senedd relating to membership of activist or lobby groups, or other bodies such as Sustrans, is effectively managed through other measures. It is consequently not considered necessary to add these bodies to the draft Order.

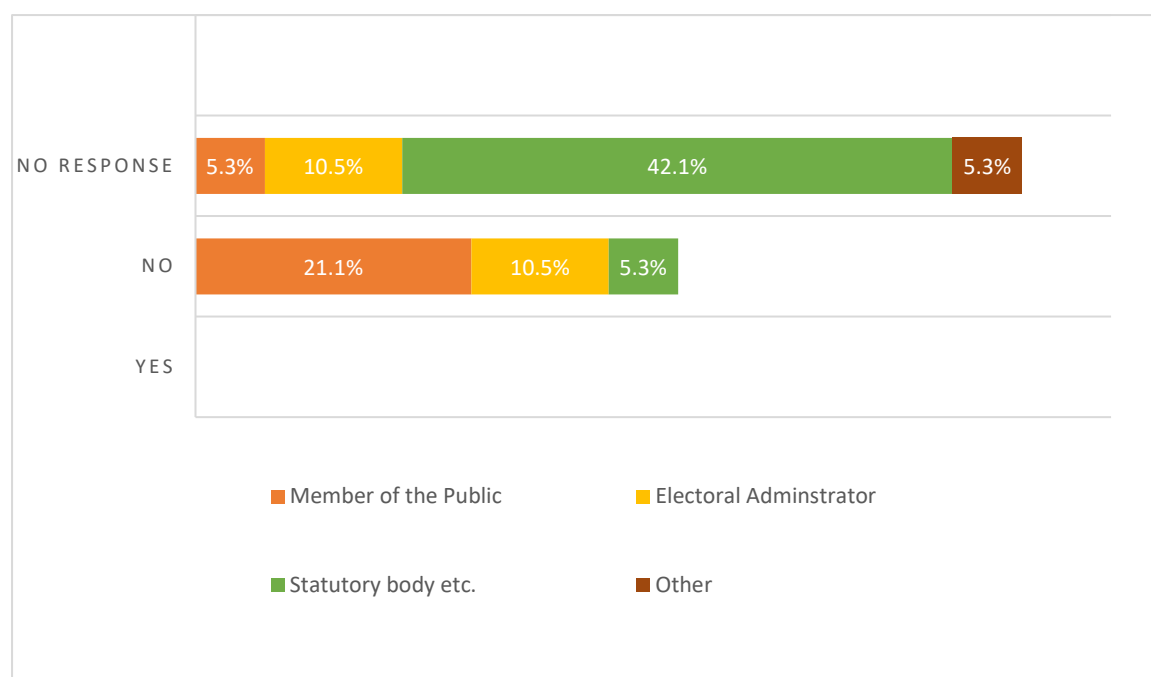
3.7 A further respondent suggested descriptions of bodies already included in the Disqualification Order should be amended to extend to other members, to ensure political neutrality. The response suggested that executive members of Citizen Voice Body should be disqualified, and the disqualifying offices for Local Health Boards should be amended to reference all members, whether

they are an employee of the Board or not. This would be a change to the drafting in the 2020 Order.

- 3.8 This suggestion has been explored further, and it is not considered necessary to add further members as there are other measures in place to manage this risk. Many bodies have measures in place to ensure political neutrality of employees and other members, such as terms of appointment and standards frameworks. Therefore, it is not considered necessary to amend the Disqualification Order on this basis.
- 3.9 Another similar response related to the inclusion of co-opted members of Police and Crime Panels, however, due to the terms of appointment and guidance associated with membership of these panels, it is considered that this risk is managed through other means. It is therefore not considered necessary to add co-opted members of Police and Crime Panels to the Disqualification Order.
- 3.10 Another respondent advised that there was not consistency of disqualification relating to membership of the Electoral Management Board (EMB), in relation to non-commissioner members. This suggestion was explored further, and the implications considered. The draft Disqualification Order has been amended to ensure consistency with EMB Membership, and to 'future proof' the legislation.

Question 3 – In your opinion, could the draft Order be formulated or changed so as to:

- **have positive effects or more positive effects on using the Welsh language and on not treating the Welsh language less favourably than English; or**
- **mitigate any negative effects on using the Welsh language and on not treating the Welsh language less favourably than English?**

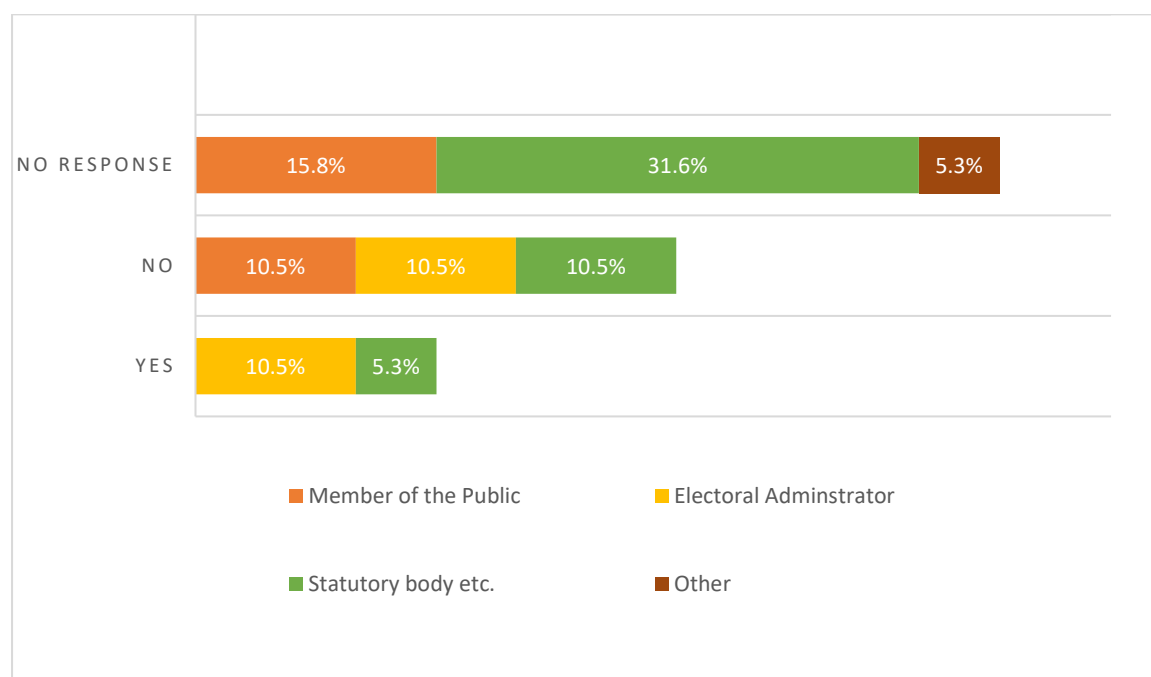


3.11 Over 60% of respondents to the consultation did not provide a response to this question.

3.12 A number of respondents, 35%, gave the answer of 'no' and provided comments that they believed the Disqualification Order is sufficient in its current form.

3.13 No further comments or feedback were provided in answer to this question.

Question 4 – We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please report them.



3.14 Over 50% of respondents to the consultation did not provide a response to this question, and of those respondents who did answer the question, 30% answered 'no'.

3.15 Of the respondents who answered 'yes', several comments were received relating to the draft Disqualification Order. However, some comments received fall outside the remit of this consultation.

3.16 One respondent raised concerns regarding the legal drafting of the draft Disqualification Order. The respondent commented that there is a mix of 'legal' and 'known as' names related to the offices/bodies disqualified. For example, the Sports Council of Wales 'known as' Sports Wales is listed in the Disqualification Order, whereas the Wales Audit Office and the British Tourist Authority (amongst other bodies) do not have their 'known as' names listed.

3.17 The issue of consistency of drafting 'legal' and 'known as' names is noted. However, there are a number of reasons why there is a mix of 'legal' and 'known as' names in the order, some are due to how the body itself was established. Other reasons include if the body or office does not commonly use its legal name, or if there are lots of other bodies with similar names, and so is it useful to include both for clarity. A further amendment to add the 'known as' name to the Wales Audit Office has been accepted, as this is considered a useful addition.

- 3.18 The 'legal' and 'known as' names of each body or office have been considered on its merit, and it is not considered that 'known as' names need to be used in all cases as the current drafting is considered to be sufficient.
- 3.19 A further respondent to this question provided comments in relation to the disqualification of members of Corporate Joint Committees (CJCs), as Council Leaders make up the membership of CJCs (as per the requirements of the Local Government and Elections (Wales) Act 2021). The respondent commented it seemed likely that some Council Leaders may have ambition to stand for election to the Senedd, and disqualification on this basis could have a knock-on effect on the running of CJCs and potentially Councils in the short-medium term.
- 3.20 The concern of the respondent is noted; however, this is a risk that falls outside the remit of this consultation. It should also be noted that whilst the Disqualification Order will disqualify members of CJCs from becoming a Member of the Senedd, it will not disqualify those members from being a candidate to being a member of the Senedd. This distinction means that individuals can stand in the forthcoming election and should help mitigate any risk in the running of CJCs and councils. Furthermore, CJCs are predominantly made up of elected Council Leaders who are already disqualified from becoming a Member of the Senedd, and a candidate to being a Member of the Senedd, under Section 16(1) of the Government of Wales Act 2006.

4. Next steps

- 4.1 Following the consultation, the Welsh Government intends to lay the Disqualification Order before the Senedd in September 2025. It is intended that the Disqualification Order will be made in November 2025, following approval of the Privy Council.
- 4.2 The Welsh Government values all the views expressed in response to this consultation which will help ensure the final Disqualification Order is fit for purpose. We will continue to work closely with our stakeholders around the implementation of the Order ahead of the 2026 Senedd elections.
- 4.3 Any changes to the Disqualification Order will be set out in the Explanatory Memorandum which will be published at the same time as the Order.

5. List of respondents

Responses were received from the following organisations and individuals.

- 5 Anonymous responses
- Association of Electoral Administrators
- Carmarthenshire County Council
- Ceredigion County Council
- Constituency Returning Officer (CRO) for Afan Ogwr Rhondda
- Cwm Taf Morgannwg University Health Board
- Democratic Boundary Commission Cymru
- Hywel Dda University Health Board
- Flintshire County Council
- Independent Adjudicator to Local Authorities
- Judicial Appointments Commission (JAC)
- Leader of the Welsh Conservative Party
- North Wales Fire and Rescue Service
- Pension Protection Fund
- UK Statistics Authority