

**Board Meeting: 17 December 2021**

**AGENDA ITEM: 2**

<b>Title of paper:</b>	<b>Programme for Government and the Co-operation Agreement</b>
<b>Purpose of paper:</b>	To confirm the commitment to the updated Programme for Government and update the Board on the Co-operation Agreement.
<b>Action required by the Board:</b>	The Board is asked: to note the publication of an extended Programme for Government that incorporates the Co-operation Agreement and to provide any comment on the implications of the Co-operation Agreement.
<b>Official presenting the paper:</b>	Rachel Garside-Jones, Deputy Director- Co-operation Agreement and Catrin Sully, Head of Cabinet Office
<b>Paper prepared by / cleared by:</b>	Rachel Garside-Jones/ Catrin Sully <b>Cleared by Des Clifford</b>
<b>TUS engagement/ Viewpoint</b>	Trade Unions were engaged in the run up to signing of the Agreement and will continue to be engaged as it is delivered.
<b>Date submitted to Secretariat:</b>	<b>Friday 10<sup>th</sup> December</b>

## 1. Background

In June, the Welsh Government published its *Programme for Government* which contained 245 commitments. The document was split into 96 commitments that were collectively owned by Cabinet with the remainder being the responsibility of individual portfolio Ministers.

On 1 December the Welsh Government entered into a Co-operation Agreement with Plaid Cymru covering 46 areas of common interest where they will work together to develop and oversee delivery over a three-year period.

Plaid Cymru will not be represented by Ministerial appointments in the Welsh Government and the formal and legal responsibility for decision-making will rest with Welsh Ministers.

## 2. Programme for Government - Update

To maintain a single set of government priorities, an updated Programme for Government has been developed and this was published on the 7 December. The First Minister made a statement to the Senedd on the 7 December making it clear that the [Programme for Government – Update](#) is the only government programme.

The extended Programme for Government contains 284 commitments. 115 of these are collectively owned by Cabinet with delivery of the remaining 169 being the responsibility of individual portfolio Ministers.

It contains 70 commitments that cover the areas in the Co-operation Agreement on the delivery of which the Government has committed to working with Plaid Cymru. Incorporating these commitments into the Programme for Government provides a single framework within which both the civil service and delivery partners can focus their efforts. The [Co-operation Agreement: mechanisms](#) document sets out the arrangements for joint working. The Programme for Government does not replace the detail in the Welsh Labour manifesto or in the Co-operation Agreement, with both documents supplying more detail on the delivery expectation. To note that as well as the high-level Co-operation Agreement published on 22 November, there is a more detailed policy table published on 1<sup>st</sup> December with further background detail.

The extended Programme for Government will be monitored using information from BIRT and reported to Cabinet and ExCo. Those commitments that fall within the scope of the Co-operation Agreement will continue to be part of the overarching monitoring arrangements, but will also be the focus of the mechanisms developed to oversee the Agreement.

Access to Plaid Cymru Designated Members for all areas in the Programme for Government covered by the Agreement will be facilitated by the new Co-operation Agreement Unit within the Welsh Government.

### **3. Co-operation Agreement - Update**

3.1 One Lead Designated Plaid Cymru Member – Sian Gwenllian- was announced by Plaid Cymru on 1<sup>st</sup> December and the expectation is that initially only one more Designated Member will be appointed given that Plaid Cymru also continues to be an Opposition party with spokespeople across policy areas, many of which are outside the Agreement. At time of writing, the Plaid Special Advisers are yet to be confirmed. The Mechanics document setting out how the agreement should operate has been published as have FAQs/ Guidance for Civil Servants on the Intranet.

3.2 The Co-operation Agreement Unit has been established and includes office support for the Designated Member who is already leading the initial engagement with Ministers and their officials. The first Oversight Board was held on 3<sup>rd</sup> December where the First Minister and Leader of Plaid Cymru agreed the Terms of Reference, the principle of having one Programme for Government, and to having four Joint Policy Committees mirroring the four themes of the Agreement. The Unit has met with the 17 Directors across Welsh Government who are responsible for areas within the Agreement and is facilitating both introductory and follow-up meetings with Ministers to discuss specific commitments and how the two parties will work jointly over the three-year period. Discussions over the Welsh Government Budget have been a central element of the negotiations since the outset. The agreement reached in this area will be the main item to be covered in the first meeting of the Finance Committee before the budget is announced.

3.3 The next steps are establishing and holding the first meetings of the four Joint Policy Committees; providing early advice on timelines and initial priorities; deepening the engagement with Ministers and their officials on the key priority areas; and leading the work of widening the understanding of the implications of the Agreement across Government and cementing it as part of the wider Programme for Government.

3.4 The arrival of the agreement presents important new challenges for staff in those policy areas covered by the document agreed with Plaid Cymru. These will be different in nature to those associated with coalition agreements which have emerged in the past. This is not a coalition agreement but policy development in areas covered by the Agreement will now need to include making appropriate arrangements for Plaid representatives to be consulted before decisions are made by Ministers. Members of Plaid Cymru will also expect to be associated with the communication of the outcome of that policy development in due course. It will be important for teams to be aware of this both in relation to planning of work and in dealing with scrutiny whether in the Senedd or elsewhere.

3.5 It will be equally important that staff are aware of the mechanisms and codes which it is intended should govern the conduct of the Agreement. In the early days there will be an important role for the Unit in communicating these arrangements and making sure that the operation of the Agreement reflects the principles agreed between the First Minister and Leader of Plaid Cymru. The guidance which has been developed for staff reflects those same principles. The Permanent Secretary was asked by the First Minister to contribute towards the final stages of the negotiations. That provided an important opportunity to make sure that the machinery being contemplated was able to take into account the role of the Civil Service. It also helped to ensure that the duties placed on Ministers with regard to the Civil Service could also be applied to Plaid Cymru Designated Members.

#### **4. Resource implications**

3.1 The Co-operation Agreement Unit is being led at Director level with Deputy Director and G7 support and initially a further three more members of staff who will take up post in January following a successful expressions of interest exercise. In line with our wider policies for encouraging the use of Welsh in the workplace, we are intending that the Unit will conduct its internal business in Welsh. We will continue to consult with the Trade Union Side (TUS) on any implications of the Agreement in coming weeks.

#### **4. Risks**

4.1 The development of the agreement represents a new challenge for Welsh Government staff. The proposed working arrangements have been designed in a manner which is intended to reflect the duties placed on civil servants to provide objective and impartial advice in support of the business of government. A number of the items contained in the Agreement will in addition generate new challenges for teams. We have sought to ensure that these have been accommodated within a single Programme for Government but it will be important that teams continue with the work already underway to make sure that the resources necessary to deliver on the Programme for Government are in place.

#### **5. Communication**

5.1 It is important that the delivery of the updated Programme for Government is the focus of our work. This will ensure that there is no confusion on the priorities and that effort is galvanised around its delivery.

5.2 The Permanent Secretary has taken early opportunities to make sure that implications of the Agreement have been a prominent feature of his engagement with senior managers over recent weeks. Both the Co-operation Agreement Unit and Cabinet Office will be looking for opportunities to build on this to ensure that the Agreement becomes

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part of everyday departmental business in pursuit of delivering the Programme for Government.

## **6. General Compliance Issues**

- 6.1 The Code for non-Ministers published alongside the Agreement is closely based on the existing Code for Ministers. The development of the machinery for effective delivery of the Agreement has also been informed by the requirements of the Civil Service Code.

## **Recommendation(s)**

**7.1 The Board is asked: to note the publication of an extended Programme for Government that incorporates the Co-operation Agreement and to provide any comment on the implications of the Co-operation Agreement.**

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## **Publication**

This paper (including Annexes) should be published in full as none of the exemptions in the Code of Practice on Public Access to Information apply.