

Agenda – Y Pwyllgor Cydraddoldeb, Llywodraeth Leol a Chymunedau

Lleoliad:	I gael rhagor o wybodaeth cysylltwch a:
Ystafell Bwyllgora 2 – y Senedd	Naomi Stocks
Dyddiad: Dydd Iau, 21 Medi 2017	Clerc y Pwyllgor
Amser: 09.50	0300 200 6565
	SeneddCymunedau@cynulliad.cymru

Rhag-gyfarfod (09.50 – 10.05)

- 1 Cyflwyniad, ymddiheuriadau, dirprwyon a datgan buddiannau**
- 2 Ymchwiliad i dlodi yng Nghymru: gwneud i'r economi weithio i'r rheini sydd ag incwm isel – sesiwn dystiolaeth 7**
(10.05 – 11.05) (Tudalennau 1 – 26)
Dr Sharon Wright, Uwch-ddarlithydd mewn Polisi Cyhoeddus, Astudiaethau Trefol, Ysgol Gwyddorau Cymdeithasol a Gwleidyddol Prifysgol Glasgow
Dr Lisa Scullion, Darllynydd mewn Polisi Cymdeithasol, Prifysgol Salford Egwyl (11.05 – 11.15)
- 3 Ymchwiliad i dlodi yng Nghymru: gwneud i'r economi weithio i'r rheini sydd ag incwm isel – sesiwn dystiolaeth 8**
(11.15 – 12.15) (Tudalennau 27 – 52)
Ed Evans, Cyfarwyddwr, y Gymdeithas Contractwyr Peirianneg Sifil
Andrew Marchant, Cadeirydd, Cyngahrir Ffederasiwn Adeiladu Cymru
Cinio (12.15 – 13.00)
- 4 Ymchwiliad i dlodi yng Nghymru: gwneud i'r economi weithio i'r rheini sydd ag incwm isel – sesiwn dystiolaeth 9**
(13.00 – 14.00) (Tudalennau 53 – 59)



Mark Drakeford AC, Ysgrifennydd y Cabinet dros Gyllid a Llywodraeth Leol
Sue Moffatt, Cyfarwyddwr, Gwasanaeth Caffael Cenedlaethol

5 Papur(au) i'w nodi

- 5.1 Llythyr gan Ysgrifennydd y Cabinet dros Gymunedau a Phlant mewn cysylltiad â Bil Diddymu'r Hawl i Brynu a Hawliau Cysylltiedig (Cymru)
(Tudalennau 60 – 63)
- 5.2 Llythyr gan y Pwyllgor Cyllid mewn perthynas â chyllideb Llywodraeth Cymru ar gyfer 2018–19
(Tudalennau 64 – 66)
- 5.3 Gwybodaeth ychwanegol gan Oxfam mewn perthynas ag ymagweddau'n seiliedig ar asedau tuag at leihau tlodi
(Tudalennau 67 – 70)
- 5.4 Llythyr at Ysgrifennydd y Cabinet dros Gymunedau a Phlant mewn perthynas â diogelwch Tân mewn tyrau o fflatiau yng Nghymru
(Tudalennau 71 – 80)
- 5.5 Llythyr gan y Comisiwn Cydraddoldeb a Hawliau Dynol mewn perthynas â hawliau dynol yng Nghymru
(Tudalennau 81 – 83)
- 5.6 Llythyr gan y Llywydd mewn perthynas â Gweithredu Deddf Cymru 2017
(Tudalennau 84 – 85)
- 5.7 Llythyr gan Gyngor Ffoaduriaid Cymru mewn perthynas â ffaoaduriaid a cheiswyr lloches yng Nghymru
(Tudalen 86)
- 6 Cynnig o dan Reol Sefydlog 17.42 (vi) i benderfynu gwahardd y cyhoedd o weddill y cyfarfod

- 7 Ymchwiliad i dlodi yng Nghymru: gwneud i'r economi weithio i'r rheini sydd ag incwm isel – trafod y dystiolaeth a gafwyd o dan eitemau 2, 3 a 4**
(14.00 – 14.20)
- 8 Bil Diddymu'r Hawl i Brynu a Hawliau Cysylltiedig (Cymru) – Trefn Ystyried – cytuno mewn egwyddor cyn trafodion Cyfnod 2**
(14.20 – 14.30) (Tudalennau 87 – 92)

Mae cyfyngiadau ar y ddogfen hon

Y Pwyllgor Cydraddoldeb, Llywodraeth Leol a Chymunedau
Equality, Local Government and Communities Committee
ELGC(5)-25-17 Papur 1 / Paper 1

1. This evidence is submitted in a personal capacity¹. It addresses the final topic in the consultation, ‘The role that welfare benefits play in supporting people on low incomes in Wales’ and in particular considers the issues raised by the introduction of Universal Credit.
2. Universal Credit replaces six means-tested benefits (Income-based Jobseeker’s Allowance, Housing Benefit, Working Tax Credit, Child Tax Credit, Income-related Employment and Support Allowance and Income Support) with a single system covering people both in and out of work.
3. Universal Credit is based on a household means test, and is assessed and paid monthly, in a single payment. For employed claimants, there is an automatic adjustment of payments when earnings change (through data supplied by employers), but other changes in circumstances must be reported by claimants and are treated as applying to the whole month.
4. The main aims of Universal Credit are to improve incentives both for people to enter work and for people to make progress in work. It is intended to be a simpler system, easier for people to understand and more straightforward to administer².
5. Universal Credit is also expected to bring about transformational change. The main political architects of the system – Iain Duncan Smith, MP and Lord David Freud – make this very clear: “... what Universal Credit is really about is a sweeping cultural change”.
6. This cultural change applies to **jobcentres** (“vastly improved administration ... allowing Work Coaches to focus on the real task of helping people enter and progress in work”), **local authorities** (“joining up services for the most vulnerable to deliver holistic support that helps people get online and better manage their money”), **businesses** (“recruiting someone part-time, for extra shifts or overtime suddenly becomes a real possibility”), and **individuals** (“no longer trapping people in dependency but providing the incentive and support to secure a better future for themselves and their families”)³.
7. Universal Credit is being rolled out over a period of several years. It is now available to single jobseekers throughout Great Britain. Couples and families with children are currently being brought into the system. Those who claim Universal Credit, or are brought into the system following a change in circumstances, cannot go back and claim the legacy benefits. In Wales, the roll-out to couples and families is just starting⁴.
8. An estimated ten million people in the UK will be in the Universal Credit system when it is fully operational. Thus Universal Credit will be playing a central role in supporting people with low incomes, in and out of work. This is the new environment in which individuals and employers will be operating and making decisions about jobs and working hours.
9. The *level* at which Universal Credit is paid is clearly an important factor affecting incomes and living standards. Various cuts and restrictions have already been

introduced as part of the ‘austerity’ budgets of the Cameron/Osborne governments. These include limiting the child element to two children, the removal of the family element/first child premium, and cuts in access to and the level of the work allowance (the amount that people can keep before their Universal Credit starts to be reduced). The impact of these changes will vary for different family types and circumstances, but the House of Commons Library estimates that working households with children would lose an average of £1,300 in 2020⁵. Alongside other benefits cuts, this means that child poverty rates are predicted to rise over the next few years⁶.

10. But it is not just the level of the benefit that has an impact on people’s lives, it is also the *rules and conditions* attached to people claiming and receiving Universal Credit. Here I focus on areas where the early evidence and reports from on the ground (housing associations, MPs, charities and welfare rights advisors) suggest that some problems are emerging. These may provide an early warning of the challenges that will be faced when families, who tend to have more complex and changeable circumstances compared with single people, are brought into the system.
11. First, there are issues about **accessing the system**. Universal Credit is designed to be ‘digital by default’ and one of the things this means is that, for the majority of people, claims are made online. Help may be available through Jobcentres or local advice services. But many people with low incomes have no access to computers at home, and must rely on friends or public systems in libraries or Jobcentres, which are not always readily available. Others will lack the experience and skills to easily negotiate complicated online forms. Thus some people face barriers to accessing the system, as the DWP evaluation shows⁷.
12. Second, there is the time taken to **assess claims and make payments**. There is a waiting period of seven days for new claims⁸, the assessment period is four weeks, and then up to another week before the first payment is made. Six weeks is a long time and some claims are taking longer than this⁹. (Some people may get an advance, but this has to be paid back over 6 or 12 months.) There is evidence that this time to assess and pay Universal Credit causes significant financial hardship, including debt. Recent evidence to the House of Commons Work and Pensions Committee, pointed in particular to an increase in rent arrears¹⁰. Data on foodbank use from the Trussell Trust also suggest that this long wait for payments has led to increased foodbank use, as well as other hardship indicators¹¹. Many MPs expressed concerns about the impact of these long waits for Universal Credit payments in a House of Commons debate in April 2017¹², and some have suggested the need to delay the roll-out to avoid further hardship¹³.
13. Third, there are also hardship issues arising from the **change to a monthly assessment and single monthly payment**. The monthly payment is intended to give people the opportunity to manage their money in the same way as they would in work. But most means-tested benefits are currently paid fortnightly and many low-paid people are paid weekly¹⁴. So this is a significant change which may not be a good fit to budgeting practices that rely on the receipt of different sources of income at different times. And the single payment to one (nominated) account for couples has raised concerns about the potential impact on women’s access to benefit income¹⁵. Advice on how to access alternative systems of payment (which

are available to certain claimants in some circumstances) and on budgeting and money management is likely to be an important form of support for some claimants.

14. Fourth, Universal Credit includes new rules for **work requirements**, extending these to more people, including to more household members (partners in couple families with children) and to some people in part-time work, who may be required to try to increase their earnings or hours. A new role within DWP – the ‘work coach’ - is being introduced to support people into work and help those in work to increase their hours. But it can be difficult to increase hours without changing jobs, and for some groups, such as lone mothers, stability in work may be more important than more working hours, to enable them to manage work and family responsibilities¹⁶. There is also some evidence to suggest that those in work do not understand, and find it difficult to meet, these work requirements and that sanctions not only cause hardship but are experienced as arbitrary and unjust¹⁷.
15. Universal Credit is a national scheme, not devolved to the Welsh government, so there is no real option to vary the design. However there are some areas where local activity to support the effective implementation of the scheme will make a difference, and where work is already under way.
16. In respect of hardship due to payment delays or sanctions, the Discretionary Assistance Fund and the Discretionary Housing Payments system provide for emergency financial support for some, and monitoring these in relation to Universal Credit would provide information on whether and how people are being affected.
17. In relation to information and advice, the Universal Support delivered locally (USdL) programme provides the framework, allowing the development of local partnerships and the opportunity for innovation and experimentation. Sharing ideas and identifying good practice will be important in making these into effective and joined-up services¹⁸. Self-employed people are eligible to claim Universal Credit, as well as employees, and this requires advice and support tailored to their needs.
18. The extension of the work requirements to people who are already in work and other household members is a significant change, with major implications not just for claimants but also for devolved public services, for example skills and training provision and employment support services. The extent to which these are ready for Universal Credit needs to be assessed and provisions developed as appropriate. Similarly, the impact of monthly payments on systems in the public and third sector (especially in respect of housing costs and council tax) needs to be monitored and systems revised as appropriate.
19. It will also be important to work with business and employers, to provide relevant information about Universal Credit and to support the development of ‘good jobs’. The level of wages is one part of this, and seeking to increase the number of employers paying higher wages would reduce reliance on Universal Credit. The hours of work on offer are also important. Universal Credit work coaches will be expected to work with employers to develop job opportunities, but there are no specific requirements placed on employers to offer job contracts with a minimum, or guaranteed, number of hours, or to enable people to increase their hours of work.

20.Tax credits have become a very significant source of income for many working families over the past two decades. Providing financial support to people with low and variable earnings is important to making the economy work for people on low incomes. Further work to assess the labour market and wider impact of Universal Credit at local level, and on different groups within the labour market, will thus be critical for future policy development.

¹ With thanks to Fran Bennett, Rita Griffiths and Victoria Winckler for comments.

² DWP (2010) *Universal Credit: welfare that works*, London: DWP.

³ Preface to DWP (2015) *Universal Credit at Work spring 2015*, London: DWP.

⁴ The DWP map shows where Universal Credit is available, and the schedule for 2017 and 2018, London: DWP.

⁵ Keen, R. and Kennedy, S. (2016) *Universal credit changes from April 2016*, House of Commons Library.

⁶ Finch, D. (2015) *A poverty of information: Assessing the government's new child poverty focus and future trends*, London: Resolution Foundation.

⁷ DWP (2016) *Evaluation of the Universal Support Delivered Locally trials*. London: DWP.

⁸ This does not apply to those moving to Universal Credit from legacy benefits. DWP (2017) *Universal Credit: different earning patterns and your payments*.

⁹ DWP estimates that 80% of cases were paid in full at the end of the first assessment period. *The Guardian* (25.8.2017)

¹⁰ House of Commons Work and Pensions Select Committee (2017) *Universal Credit update inquiry*.

¹¹ The Trussell Trust (2017) *Early warnings: Universal credit and foodbanks*. The Trussell Trust.

¹² House of Commons Hansard (2017).

¹³ *The Guardian* (2017).

¹⁴ Millar, J. and Bennett, F. (2016) Universal Credit: assumptions, contradictions and virtual reality. *Social Policy and Society*. 16(2):169-182

¹⁵ See Women's Budget Group website.

¹⁶ Millar J. and Ridge T. (2017) *Work and relationships over time in lone-mother families*. Joseph Rowntree Foundation.

Millar, J (2016) Evidence to House of Commons Select Committee inquiry In-work Progress.

¹⁷ Wright, S. (2016) *First wave findings, Universal Credit*.

¹⁸ DWP (2103) *Local Authority Led Pilots: A summary of early learning from the pilots*, London: DWP; Centre for Social Justice (2016) *Next steps for universal support in Universal Credit, Roundtable Report*. London: CSJ.

Y Pwyllgor Cydraddoldeb, Llywodraeth Leol a Chymunedau
Equality, Local Government and Communities Committee
ELGC(5)-25-17 Papur 2 / Paper 2

Written Evidence from: Dr Sharon Wrightⁱ, University of Glasgow, 1st September 2017

For: Equality, Local Government and Communities Committee, National Assembly for Wales

Inquiry into 'Work, Labour Markets, Equalities and Related Issues': Welfare Benefits

1. Social security in Wales

1.1 The major change to social security provision in Wales is the introduction and roll-out of Universal Credit. In addition to this, several policies have impacted people on low incomes, including:

- Household Benefit Cap
- Spare Room Subsidy ('Bedroom Tax')
- Benefit rates, below poverty levelsⁱⁱ, reduced by rate freezes and uprating mechanisms (ensuring year-on-year long-term devaluation of benefits relative to wages and costs of living).

1.2 This written evidence is focused on Universal Credit and back-to-work support.

2. Universal Credit

2.1 Universal Credit (UC) is the new working age benefit that replaces six existing payments (Income-Based Jobseeker's Allowance, Employment Support Allowance Work Related Activity Group, Income Support, Working Tax Credit, Child Tax Credit and Housing Benefit). UC is being rolled out first in full digital service areas (to be completed by September 2018), then these will become live service areas. Roll-out has been delayed, but existing benefit and tax credit claimants are expected to transfer to UC from July 2019 – March 2022. The roll-out for Wales is due to intensify in autumn/winter 2017 and spring/summer 2018ⁱⁱⁱ.

2.2 What might Universal Credit roll-out mean for Wales? Universal Credit (UC) was designed to: simplify working age benefits, particularly to ease the transition between benefits and paid work; to ensure that being in work was more financially viable than being out of work; to provide employers with flexible workers; and to reduce fraud and error^{iv}. Since UC was announced, several changes and cuts have reduced the generosity of the payment (caps, tapers and restriction to only two children^v) and undermined its ability to deliver what was promised^{vi}. Research shows that UC is likely to create challenges for claimants in Wales due to:

- In-built waiting days and long assessment periods lead to payment delays (officially approx. 5 weeks^{vii}, but up to 10 weeks in practice^{viii}) between claiming and receiving the first payment, meaning lengthy periods without income despite entitlement.
- Sanctions
 - UC sanctioning rates are higher than for Jobseeker's Allowance (JSA)^{ix};
 - Multiple UC sanctions hit harder because they are consecutive, rather than concurrent;
 - UC extends sanctioning to partners of claimants and claimants in work (for whom UC replaces Working Tax Credit^x);
 - Sanctions are harsh (up to 3 years or indefinitely until 'recompliance') and disproportionate (e.g. miss an appointment, lose income for a month)^{xi};

- Sanctioned claimants are rarely informed of their right to Hardship Payments and only tiny proportions tend to apply^{xii};
 - Hardship payments are made at a reduced rate, available after a two-week waiting period of no income;
 - newly for UC, Hardship Payments must be repaid;
 - Mandatory reconsideration and administrative delays deter appeals (even for those with good cause that can be evidenced) and claimants may be unaware that penalties ramp up for subsequent sanctions.^{xiii}
- New digital requirements, including Day One Conditionality (e.g. having an email account and using Universal Jobmatch) and the digital by default claims process, make it more difficult for those with language, literacy and dyslexia-type conditions to establish and maintain their claim.
- Lumpy monthly payments that combine income, housing and child components at below-poverty rates that are very low by cross-national standards^{xiv}, making budgeting more difficult, poverty more prevalent and deeper for those in-work^{xv} (particularly couples with children) and out of work and increasing risks of rent arrears, eviction and destitution.
- Dilution of lone parent ‘easements’ – provisions to protect reduced travel distances and working/job-search hours under JSA have been reduced to guidance under UC, meaning that lone parents face greater pressure to prioritise paid employment over caring activities
- 35 hour working/job-seeking model – UC usually requires 35 hours per week of paid work or job search, which disadvantages those impaired by disability/long-term health conditions and carers (disproportionately women), for whom full-time work is not realistic. There are tensions between inflexible Jobcentre Plus conditionality requirements (e.g. fixed appointment times) and contemporary employer practices (e.g. short notice work on zero-hours contracts).

2.3 These features are likely to worsen the financial circumstances of many claimants in Wales and be detrimental to the Welsh economy (since low income households spend a high proportion of income locally). Unmanageable debt and housing arrears are likely to increase, along with increased risks of eviction, destitution and food poverty^{xvi}.

2.4 Recommendations:

1. Universal Credit information and take-up campaigns are launched in Wales, designed to reduce stigma and to mitigate the disentitlement strategy pursued by the UK Government. This will maximise income for households (both in and out of work) rightfully entitled to UC and support the Welsh economy.
2. Mitigating action is taken to reduce the financial impact of welfare reform in Wales, including the costs of Universal Credit, sanctions and likely reductions in those with entitlement making claims (in the medium-term this will include in-work recipients who would otherwise claim Working Tax Credit, including public sector employees)^{xvii}.
3. The Assembly for Wales and local authorities work collaboratively with the Department for Work and Pensions and Jobcentre Plus to minimise sanctioning (e.g. by creating more positive cultures of enablement) and create good practices that ensure dignity and respect for claimants and JCP work coaches (e.g. flexible appointment times for workers, parents

and disabled people/those with long-term health conditions, including those with learning difficulties and mental health difficulties).

4. Investment in welfare rights advice to ensure that those who are entitled, do make and retain their claim.
 - New forms of flexible (online and phone) support and advocacy for Mandatory Reconsiderations and appeals.
5. The National Assembly for Wales lobby the UK Government for greater welfare powers to make changes to Universal Credit administration, most crucially to ensure:
 - claimant choice over whether payments are made weekly or monthly;
 - default payment of the housing element to social and private landlords, with claimant choice to opt in to receiving the housing element directly;
 - default payment to the main carer, rather than the main earner to ensure that children's needs are put first and to minimise financial abuse.
6. The National Assembly for Wales lobby the UK Government to:
 - ease the sanctions regime (for example, to reduce penalties in proportion with the 'offence' e.g. non-financial or shorter duration and/or lower benefit reductions for common service sector occurrences such as missed appointments)
 - reinstate lone parent 'easements' as duties rather than guidance.

3. Back-to-work support

3.1 There are several weaknesses inherent in the design of reserved welfare-to-work programmes, like the UK Government's Work and Health Programme, which are detrimental to people living on low incomes in Wales and to the Welsh economy. Inbuilt disincentives, including harsh sanctions, deter use of the programmes and benefit claims. This is likely to worsen under Universal Credit, meaning that essential benefit income will be lost to individual households and local economies, contributing to more prevalent and deeper experiences of poverty, deprivation and destitution. Several issues create challenges for benefit claimants in Wales:

- Underfunding and disinvestment, UK active labour market programmes are the most frugally funded in Europe^{xviii}.
- Very little support is offered, meaning that the system operates mainly on a coerced self-help basis^{xix}
- The combination of profit-based service commissioning (payment by results in a market dominated by large multi-national providers) and punitive social security reforms creates strong disincentives to claiming benefits and using services.
- Recent Work Programme evaluations show underperformance in Wales, with the hardest to help benefitting least, which reinforces inequalities.

3.2 Recommendations:

1. That the National Assembly for Wales lobby the UK Government for greater welfare powers, to achieve parity with the Scottish Parliament's legislative and administrative powers relating to social security and back-to-work support. Greater Welsh control could enable:
 - Locally-informed design of employability programmes (to replace the Work and Health Programme), based on user experiences and research evidence, rather than ideology or myth^{xx};

- Funding allocation based on the principle of social investment (rather than ‘work first’ deterrence), which could result in more meaningful and sustainable outcomes for service users, especially those facing multiple barriers.
 - Removal of the profit motive from employment service design could redirect resources to services based in Wales, reduce fraud and ensure that services are designed to deliver what users need rather than what shareholders can profit from;
 - Removal of employability programme sanctions on the rationale that high quality services can attract users because they deliver what claimants need.
2. That bespoke Welsh back-to-work support services be developed in local areas, particularly for lone parents, disabled people and those with long-term health conditions and in-work Universal Credit claimants, on a voluntary basis, ensuring dignity and respect, practical support (e.g. help with form-filling) and a focus on user-defined long-term outcomes (including training, job retention).
 3. That the National Assembly for Wales engage with employers to promote the employment of part-time carers, disable people and those with long-term health conditions.
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Appendix One: Universal Credit Roll-Out in Wales

Month	Local Authority	Jobcentre Plus Area
July 2017	Torfaen	Cwmbran, Pontypool
Oct 2017	Neath Port Talbot	Neath, Port Talbot
Dec 2017	Swansea	Gorseinon, Morriston, Swansea
Feb 2018	City of Cardiff	Cardiff Alex House, Cardiff Charles Street
	Carmarthenshire	Ammanford, Carmarthen, Llanelli
	Isle of Anglesey	Amlwch, Holyhead, Llangefni
	Merthyr Tydfil	Merthyr Tydfil
	Monmouthshire	Abergavenny, Caldicot, Chepstow
April 2018	Blaenau Gwent	Abertillery, Ebbw Vale
	Gwynedd	Bangor, Caernarfon, Dolgellau, Porthmadog, Pwllheli
May 2018	Caerphilly	Bargoed, Blackwood, Caerphilly
	Ceredigion	Aberystwyth, Cardigan
June 2018	Gwynedd	Machynlleth
	Powys	Brecon, Llandrindod Wells, Newton, Machynlleth, Welshpool, Ystradgynlais
	Vale of Glamorgan	Barry
July 2018	Rhondda Cynon Taf	Aberdare, Llantrisant, Pontypridd, Porth, Tonypandy, Treorchy

Appendix Two: British Benefit Sanctions (2012-present)^{xxi}

Benefit/programme	Low e.g. non-attendance at Jobcentre Plus or Work Programme	Medium e.g. failure to be available for work	High e.g. failure to apply for a job or refusal of Mandatory Work Activity
Jobseeker's Allowance	Benefit stopped or reduced for: 1st/2nd 'offence' = 28 days 3rd = 91 days		1st/2nd = 91 days Then = 182 days– 1,095 days
Universal Credit	Benefit stopped until re-compliance, or reduced for: 1st = 7 days 2nd = 14 days 3rd = 28 days	1st = 28 days 2nd/3rd = 91 days	1st = 91 days 2nd = 182 days 3rd = 1,095 days
Employment and Support	Benefit stopped until re-compliance, then 1st = 7 days 2nd = 14 days 3rd = 28 days		

Allowance Work Related Activity Group	
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- ⁱ Senior Lecturer in Public Policy, Urban Studies, 25 Bute Gardens, University of Glasgow, G12 8RS, 0141 330 3782, sharon.wright@glasgow.ac.uk @DrSharonEWright Dr Wright leads the University of Glasgow contribution to the 'Welfare Conditionality: sanctions, support and behaviour change' (2013-18) research project: [@WelCond](http://www.welfareconditionality.ac.uk) Views expressed in this briefing are the author's own.
- ⁱⁱ Kenway P (2009) *Should Adult Benefit for Unemployment now be Raised?* York: Joseph Rowntree Foundation.
- ⁱⁱⁱ See Appendix One; DWP (2016) *Universal Credit: Transition Rollout Schedule – July 2017-September 2018:* <https://www.gov.uk/government/publications/universal-credit-transition-to-full-service>
- ^{iv} DWP, 2010a, 21st century welfare, London: The Stationery Office; DWP, 2010b, Universal Credit: Welfare that works, London: The Stationery Office
- ^v <https://www.gov.uk/universal-credit/what-youll-get>
- ^{vi} Finch, D (2016) Universal challenge: making a success of Universal Credit Resolution Foundation.
- ^{vii} <https://www.gov.uk/government/publications/universal-credit-different-earning-patterns-and-your-payments/universal-credit-different-earning-patterns-and-your-payments-payment-cycles>
- ^{viii} Wright S Dwyer P McNeill J and Stewart ABR (2016) First Wave Findings: Universal Credit: <http://www.welfareconditionality.ac.uk/wp-content/uploads/2016/05/WelCond-findings-Universal-Credit-May16.pdf>
- ^{ix} Webster D (2017) *Benefit Sanctions Statistics: JSA, ESA, Universal Credit and Income Support for Lone Parents :* <http://www.cpag.org.uk/david-webster>
- ^x Dwyer P and Wright S (2014) 'Universal Credit, ubiquitous conditionality and its implications for social citizenship', *Journal of Poverty and Social Justice*, 22 (1) 27-35.
- ^{xi} Wright *et al.* (2016), see note viii; See Appendix Two
- ^{xii} DWP (2013a) *The Jobcentre Plus Offer: Final Evaluation Report* London: DWP; National Audit Office (2016) *DWP Benefit Sanctions*, London: National Audit Office.
- ^{xiii} Webster D (2016) *Explaining the rise and fall of JSA and ESA sanctions 2010–16:* <http://www.cpag.org.uk/david-webster> ;
- ^{xiv} Esser I, Ferrarini T, Nelson K, Palme J and Sjöberg O (2013) *Unemployment Benefits in EU Member States*. Geneva: European Commission; Kenway P (2009) *Should Adult Benefit for Unemployment now be Raised?* York: Joseph Rowntree Foundation.
- ^{xv} Bailey, N (2016) Exclusionary employment in Britain's broken labour market. *Critical Social Policy* 36, 1, 82-103
- ^{xvi} Fitzpatrick S Bramley G, Sosenko F Blenkinsopp J Johnsen S Littlewood M Netto G and Watts B (2016) *Destitution in the UK*, York: Joseph Rowntree Foundation.
- ^{xvii} Williams E and Carter L (2015) *The Impact of Welfare Reforms on Housing Policy in Wales: A Rapid Evidence Review* Public Policy Institute for Wales
- ^{xviii} Bonoli G (2010) The political economy of active labour market policy *Politics & Society* 38(4): 435–457.
- ^{xix} Fletcher D R and Wright S (2017) 'A hand up or a slap down? Criminalising benefit claimants in Britain via strategies of surveillance, sanctions and deterrence', *Critical Social Policy*, (forthcoming)
- ^{xx} Wright S (2016) *'I don't want your benefits!' Welfare reforms fail to understand the day-to-day lives of those on benefits* LSE blog; Newman I (2011), 'Work as a route out of poverty: a critical evaluation of the UK welfare-to work policy', *Policy Studies*, 32: 2, 91–108.
- ^{xxi} p28–31, DWP (2010b) Universal Credit: Welfare that works. London: HMSO; DWP (2015b) Work Programme Provider Guidance: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/505310/wp-pgchapter-3a.pdf
- Citizen's Advice (2017) Benefits for People Looking for Work: https://www.citizensadvice.org.uk/benefits/in-work-or-looking-for-work/benefits-for-people-looking-for-work/#h_jobseekers_allowance_and_sanctions

Written evidence from the Welfare Conditionality: Sanctions, Support and Behaviour Change Project

Submission to Equality, Local Government and Communities Committee,
National Assembly for Wales

Inquiry:
Making the economy work for people on low incomes

September 2017

Peter Dwyer, Lisa Scullion, & Sharon Wright

1 Introduction

1.1 Our five-year (2013-2018) project *Welfare conditionality: sanctions support and behaviour change*, is funded by the Economic and Social Research Council. It involves researchers from six universities, and is exploring the ethics and effectiveness of welfare conditionality, including sanctions and support in the benefits system.

1.2 We are particularly investigating the effects of sanctions and support on the lives of nine groups: unemployed people, those claiming Universal Credit, lone parents, disabled people, social tenants, homeless people, individuals/families subject to antisocial behaviour orders/family intervention projects, offenders and migrants.

1.3 Our First Wave Findings were published in 2016ⁱ. Final research findings will be available in summer 2018.

1.4 This submission was prepared by Professor Peter Dwyer, University of York, Dr Lisa Scullion, University of Salford and Dr Sharon Wright, University of Glasgow, on behalf of the Welfare Conditionality Project.

1.5 We address our comments and evidence specifically to Committee's terms of reference concerning 'The role that welfare benefits play in supporting people on low incomes in Wales', particularly in relation to our expertise on welfare conditionality within the UK social security system.

2 Background

2.1 Conditionality is currently embedded in a broad range of policy arenas and its use has been extended over time to previously exempt groups (e.g. lone parents with children over the age of three, the majority of disabled people in receipt of ESA). Additionally, since the introduction of an enhanced sanctions regime in October 2012, tough penalties for non-compliance are now routinely applied to the majority of social security benefit claimants who fail to punctually attend mandatory work focused interviews (WFIs), or who do not meet their personalised work preparation or job search requirements as set out in their Claimant Commitment. Benefit sanctions range from a 100% loss of benefit for four weeks, for an initial low level transgression (e.g. non-attendance at a specified interview with an adviser), to up to three years' loss of entitlement for a repeat, third, high level offence such as failure to apply for a job.ⁱⁱ Subsequently, the number of benefit sanctions initially increased rapidly, before falling again post-2013. As the transition to Universal Credit (UC) continues, UC sanction rates are higher than for Jobseeker's Allowance (JSA) claimantsⁱⁱⁱ.

2.2 However, policymakers' assumptions about conditionality and its effects remain largely untested. Our research seeks to answer detailed questions about how the systems work in practice, which groups are affected, why and how.

2.3 Our qualitative research project is the largest of its kind in the UK. It involves interviews with 52 policy stakeholders, 27 focus groups conducted with practitioners and three repeat qualitative longitudinal interviews (n.481 people at wave 1 interview) with nine groups of welfare service users (benefit recipients) in England and Scotland. Although our research does not include respondents from Wales, as the welfare benefit system is substantially UK-wide we believe our evidence and findings have wider resonance and applicability to Wales.

3 Our research findings

3.1 Our first wave research findings, published in 2016, include extensive evidence on the negative effects of welfare conditionality, i.e. linking the receipt of social security benefits to mandatory behavioural requirements (such as compulsory WFs and training, extensive job search), under threat of benefit sanction. Key findings include:

- Most respondents report negative experiences of welfare conditionality within the social security system. The threat of sanction for non-compliance led to widespread anxiety and feelings of disempowerment among benefit recipients.
- The impacts of benefit sanctions are universally reported by benefit recipients as profoundly negative. Routinely, sanctions had severely detrimental financial, material, emotional and health impacts on those subject to them. There was evidence of certain individuals being pushed toward survival crime or disengaging from services.
- Most benefit recipients reported negative experiences of support from Jobcentre Plus or Work Programme providers. However, there were some examples of good practice, and of mandatory support helping people to improve their work or personal situations.
- Many of those in receipt of social security benefits believe that the focus of Jobcentre and Work Programme staff has shifted away from providing appropriate support and help in finding employment and is now primarily concerned with the monitoring of work search and other behavioural requirements and the application of benefit sanctions.

3.2 Additionally, our first wave findings suggest that those with specific vulnerabilities and/or complex needs, (e.g. disabled people, lone parents, migrants homeless people) have been disproportionately affected by intensifying welfare conditionality. Examples include:

- Disabled people in receipt of Employment and Support Allowance widely condemned the Work Capability Assessment (WCA) process. At best it was seen as inappropriately conducted, at worst unfit for purpose.
- Many respondents with mental health issues think that their impairments are not taken seriously and that responses to their situations and needs are often inappropriate.
- Lone parents report doing everything they can to minimise the impact of sanctions on their children, but concerns about damaging effects on innocent third parties are widespread.
- Some frontline staff who administer benefits to migrants fail to fully understand the complex regulations that apply. Flawed interpretation of the rules can lead to very negative outcomes for individual migrants who are inappropriately denied benefits and services.
- European Economic Area (EEA) migrants spoke of being denied support due to additional residency and ‘genuine prospect of work’ requirements. Practitioners and policy stakeholders working with refugees and asylum seekers emphasised concerns about highly qualified migrants being ‘forced into low-paid, low-skilled jobs’ rather than supported to make use of their pre-existing skills.
- Respondents reported that ‘easements’ within the social security system designed to reduce or remove work search and training requirements placed on specific groups (e.g. homeless people, lone parents) in recognition of their particular circumstances /vulnerabilities were on occasions not implemented.

3.3 Our research has also identified a series of issues over the implementation of sanctions.

- Harsh, disproportionate or inappropriate sanctioning was frequently reported by benefit recipients.
- The application of sanctions created deep resentment and feelings of injustice among benefit recipients.

3.4 According to a recent report by the National Audit Office^{iv}, the DWP ‘expects the possibility of sanctions to encourage people to comply more with conditions, and lead to faster entry into employment for those able to work’, To date, our study has found little evidence of the application of conditionality and the use of sanctions bringing about the positive effects UK government intends:

- The common thread linking stories of successful transitions into work, or the cessation of problematic behaviour, was not so much the threat or experience of sanction, but the availability of appropriate individual support.
- There was limited evidence of welfare conditionality bringing about positive behaviour change. Evidence of it working to move people nearer to the paid labour market was rare. A minority of practitioners and benefit recipients did acknowledge some positive outcomes.
- One common change in behaviour was a heightened vigilance in meeting the demands of conditionality that did not necessarily equate with improving the prospects of finding work. Participants would, for example, ensure they arrived for appointments earlier, to avoid the risk of being sanctioned if they were delayed. Others applied for jobs they did not have adequate qualifications for, to ensure they applied for an adequate number of jobs for that fortnight.

3.5 In fact, our research has uncovered a range of counterproductive effects of behavioural conditionality and sanctions or the threat of sanctions.

- For many, the struggle to meet the requirements placed on them and coping with the secondary effects triggered by potential non-compliance negated the opportunities for achieving positive behaviour change. The application of welfare conditionality to those with caring responsibilities, ill health, disability, addiction or language difficulties was especially problematic.
- The applications of sanctions undermines the process of recovery from addiction or mental or physical health problems.
- Applying behavioural conditionality appeared to push some people away from engagement with the social security system, sometimes with grave consequences including increased homelessness, severe poverty, having no food and worsening health problems.
- Some respondents reported mandatory work search requirements as counterproductive to their entry into paid work. In this context, the online jobsearch tool Universal Job Match was particularly criticised as ineffective, a distraction from more effective job search methods, and a tool of surveillance rather than support.
- Respondents reported variable quality of and satisfaction with support. Some disabled respondents spoke of being treated like 'a number' and felt that the 'one-size fits all' approach to supporting disabled people into work was inappropriate. However, there were some examples of good practice and of mandatory support helping people to improve their work or personal situations. These included empathetic Jobcentre Plus and Work Programme

advisers, some of whom were supportive and flexible in their response to individuals' circumstances, and whose support was appreciated.

3.6 In respect of Universal Credit, our work to date show a range of experiences concerning the frequency of Universal Credit payments, with many interviewees finding the monthly payment problematic to manage because the level of payment was insufficient to meet all basic needs. In contrast, they noted that fortnightly payments made it easier to budget, particularly for ensuring that they had enough food to last them between payments. There were also particular difficulties with long delays between people making a claim and receiving their first payment (up to 10 weeks was reported by benefit recipients in our study).

3.7 While a number of respondents reported they had no problem with the housing element of UC being paid directly to them (as they had set up a direct debit to pay their rent), others found direct payment of the housing element of UC more problematic. These UC recipients expressed a strong preference for the housing element of UC to be paid directly to the landlord. This assisted with their budgeting decisions as they struggled to balance the competing costs of meeting housing and other basic needs (e.g. fuel and food) whilst living in poverty. Direct payment of the housing element provided peace of mind in respect of paying their rent and maintaining security in respect of their tenancy.

3.8 Linked to the above, direct payments were seen as being especially beneficial in potential crisis situations such as those triggered by the application of a benefit sanction. On such occasions benefit recipients reported the necessity of using their remaining 'rent money' to meet other basic needs, exacerbating rent arrears and placing tenancies at risk.

3.9 The UK Government's approach to in-work Universal Credit recipients is particularly criticised by participants in our research. Recipients think they should not be subject to similar sanctions to unemployed people, particularly in relation to missing appointments due to work commitments. Our evidence suggests a mismatch between the design of conditionality and its application to in-work claimants of UC. The job search requirements on them currently do not fit their lived experience, as they already provide evidence of their willingness to work by being in paid employment. A further mismatch exists with the fluctuating expectations of employers and changing workforce norms (including zero hours contracts that make exact working hours and times unpredictable) and the inflexible requirements of conditionality.

4 Concluding comments

4.1 Vulnerabilities of the kinds found in our study have brought into question key premises upon which conditional welfare interventions are based. Advocates of welfare conditionality, including the UK government, assume that people are able to make decisions and respond to both sanctions and support in rational and future-orientated ways. But many of our respondents had a very limited comprehension of the sanction, support or behavioural requirements placed on them. Some benefit recipients reported that they did not know the reason why they had been sanctioned. In such cases the rationale underpinning welfare conditionality, that its application will bring about positive behaviour change, and increased or enhanced engagement with paid work, is fundamentally undermined.

5 Our recommendations

5.1 We recommend:

The National Assembly of Wales lobby the UK government to:

- **undertake a fundamental review** of the proportionality and appropriateness of applying benefit sanctions, particularly to disabled people, lone parents with young children and in-work recipients of Universal Credit.
- **adopt a more graduated approach to sanctions** that could involve a warning system and incremental increases in any sanction applied. In the Netherlands, for example, only a percentage of benefit is withdrawn from sanctioned recipients, rather than all benefit^v.
- For powers to **vary UC payments**, for a default position of:
 - Twice-monthly UC payments, if requested by claimants
 - Housing costs paid to social and private landlords (with claimant choice to receive the housing element directly)
 - Within joint claims payments to be made to the main carer, rather than the main earner (with claimant choice to opt in for main earner to receive the payment).
 - **Recalibrating the operation of in-work UC** to remove the threat of financial sanction from those already in paid employment and ensure that claimants are not sanctioned for: non-attendance at Jobcentre Plus interviews due to their existing paid or unpaid work (e.g, caring) commitments; or inability to apply for extra employment when that is incompatible with existing employment contracts.

- The National Assembly for Wales works with DWP to **expedite the administration of Universal Credit** to ensure that initial payments are made in a timely fashion.
- **Action is taken to ease the negative effects** of sanctions, improve the support, and improve implementation.
- **A reformed approach to in-work Universal Credit recipients.** Our initial findings suggest some practical approaches could be taken to overcome counterproductive effects in the UC ‘in-work progression’ system. We therefore recommend for further exploration approaches including:
 - **Improving the quality and level of support** available to in-work UC recipients to build a relationship of trust and enhance access to meaningful, sustainable and better quality work opportunities.
 - **Increasing the availability, range and quality** of training and educational opportunities for in-work UC claimants.
- **Improving the quality and level of support** available to benefit recipients benefit recipients to enhance access to meaningful, sustainable work. Some states in the US, for example, have scaled down large-scale, universal workfare programmes in preference for ‘softer’ and more flexible models that offer greater support to those with the most barriers to work^{vi}. There is some evidence that monitoring work search activities has a positive impact of itself. A study from Northern Ireland found that this was independent of adjustments in sanctions or other aspects of conditionality^{vii}.
- **Better implementation** within the social security system to ensure greater fairness and consistency, proper communication with service users, transparency and accountability, and attention to people’s individual needs and circumstances. Robust monitoring and reporting of sanctions is needed, particularly given the variability of sanction rates geographically and the serious impacts sanctions can have.

For more detailed analysis of the issues raised in this submission please refer to our [first wave findings](#) documents (10). We are currently engaged in ongoing analysis of subsequent waves of new data and will be pleased to feed into the committee’s work in the future.

For further information on this submission, please contact project Impact Officer Janis Bright in the first instance: janis.bright@york.ac.uk

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- ⁱ <http://www.welfareconditionality.ac.uk/publication-category/initial-main-report/>
- ⁱⁱ DWP (2012) Changes to Jobseeker's Allowance sanctions from 22 October 2012, London: Department for Work and Pensions
- ⁱⁱⁱ Webster D (2017) Benefit Sanctions Statistics: JSA, ESA, Universal Credit and Income Support for Lone Parents : <http://www.cpag.org.uk/david-webster>
- ^{iv} NAO (National Audit Office) 2016. Benefit sanctions. London: NAO <https://www.nao.org.uk/report/benefit-sanctions/>
- ^v Abbring, J. H., Berg, G. J., & Ours, J. C. (2005). The effect of unemployment insurance sanctions on the transition rate from unemployment to employment. *Economic Journal*, 115(505), 602-630.
- ^{vi} Crisp, R., & Fletcher, D.R. (2008). *A comparative review of workfare programmes in the United States, Canada and Australia*. DWP Research Report No.533. London: DWP
- ^{vii} McVicar, D. (2010). Does job search monitoring intensity affect unemployment? Evidence from Northern Ireland. *Economica*, 77, 296-313.

Mae cyfyngiadau ar y ddogfen hon

FAO John Griffiths AM

Dear Mr Griffiths,

11th August 2017

EQUALITY, LOCAL GOVERNMENT AND COMMUNITIES COMMITTEE (NATIONAL ASSEMBLY FOR WALES)

Inquiry into making the economy work for people on low incomes

Ymateb gan Gymdeithas Contractwyr Peirianneg Sifil Cymru / Evidence from the Civil Engineering Contractors Association (CECA) Wales

Thank you for the opportunity to provide evidence to the Equality, Local Government and Communities Committee on your Inquiry into making the economy work for people on low incomes.

As Director for the Civil Engineering Contractors Association (CECA) Wales I feel that, if we are prepared to be bold and drive through a cultural change in the way public and private sectors work together in Wales on infrastructure matters, we have an opportunity to significantly increase the social value that can be delivered through investment in infrastructure and construction in its broader sense. It is by doing this that we can help to ensure that all of our people benefit from investment in infrastructure including those on low incomes.

As an organisation which represents 60 of Wales' largest and smallest civil engineering contracting businesses we see, on a day to day basis, the positive impacts that investment in infrastructure can bring for our communities. With a cumulative annual turnover in excess of £1bn and employing over 6,000 people directly, as well as many others through extended supply chains, these businesses play a huge part in supporting communities across Wales and they make a significant contribution to the economic prosperity of our nation. Our members are also major providers of training and apprenticeship opportunities and, on a more fundamental level, it is our members who will build the infrastructure that our nation needs to prosper. However, on a less positive note, it is also our members who witness poor practices and lost opportunities to better support those in our communities through this investment. This is no more evident than in the public sector procurement process which, when implemented sensitively and collaboratively, can deliver huge benefits to our communities, but, when delivered less sensitively and in a transactional environment can lead to a considerable loss of value. These poor practices, I suspect, have a disproportional impact on our less affluent communities through lost opportunity.

I realise that making the economy work for people on low incomes can take many forms. However, I have restricted my submission to :

1. opportunities to improve economic wellbeing for those on low incomes by increasing social value through the public procurement process;
2. streamlining the procurement process and making it more accessible to Welsh SMEs
3. how the Wellbeing of Future Generations Act could support those on low incomes - but only if we are willing to significantly transform our approach to procurement.

1. Making the economy work for people on low incomes – increasing social value through public sector procurement

The community benefits or social value agenda is an integral element of Welsh Government Procurement Policy and has been a familiar feature of the construction industry in Wales for many years. It comprises a range of opportunities including targeted recruitment, training and upskilling, engagement with schools and colleges and community interventions.

Current delivery, despite some examples of better practice, is largely based on the public sector seeking community benefits via individual projects either voluntarily by asking for an “offer” from a supplier or contractually by prescribing what they want via contractual conditions. In the voluntary case, this often ends up with a “mixed bag” offer which is rarely enforced and rarely produces tangible and long-term benefits. In the contractual case, targets are rarely well thought out and suppliers, particularly smaller ones, struggle to deliver meaningful results. Both approaches are difficult to apply, manage and measure and, as a result the impacts are highly variable. For many, this laudable aim is stagnating in its current form and, at worst, those involved in its implementation are experiencing (and sometimes exhibiting) increased cynicism!

However, there is some room for optimism. The Wellbeing of Future Generations Act offers a golden opportunity to rethink the processes for the procurement of infrastructure and construction works. The current drive towards regional collaboration across the Welsh public sector (notwithstanding this having been an aspiration for many over, at least, the last 15 years or so!) now has a greater impetus given the desire of the Cabinet Secretary for Finance, Mark Drakeford, for this to happen, with or without legislation. There is also the establishments of Local Service Boards and the creation of City/Growth Deals covering north, southeast, southwest and mid Wales to drive economic development and greater prosperity. The private sector has a crucial role to play in all these scenarios but success will only be achieved through a more collaborative partnership. Effective procurement is key to this, not least in supporting an increase in social value. If we are to increase social value a number of issues need to be considered :

a. Current arrangements

With the exception of some high-profile projects, current arrangements involve a relatively transactional approach to community benefits where clients set out their “requirements” in contracts documents, suppliers bid for the contract and (potentially!) make allowances in their tender to meet the “requirements”, and then successful bidders are expected to deliver the “requirements”. These “requirements” may be considered “core” to the contract in which case they are contractually binding or “non-core” in which case they are voluntary. In the former case, there is rarely a penalty for non-delivery and in the latter case there is no formal obligation to deliver.

Is this a satisfactory way to deliver such important social benefits?

b. Commitment

The level of commitment by public sector clients is highly variable despite it being a requirement of Welsh Government Procurement Policy and being continually highlighted as a key feature of the work of individual public bodies and the City/Growth Regions/Deals.

Why are all public sector clients not fully engaged with this agenda?

Is there a disconnect between policy makers, politicians and senior executives and those who procure and deliver construction projects?

Or is there a disconnect within client organisations, between those procuring works and those responsible for delivery?

c. Measurement

Measures of success are poorly understood. This is not helped by a lack of performance data. The Welsh Government's own Community Benefits Measurement Tool, which is administered by Value Wales, is not used on all projects. It is currently under review.

Why is its use not mandated on all projects? Why is there not greater clarity on social value expectations?

At CECA Wales we believe that a new model is needed to increase social value, a model that is both strategic and client/public sector led.

Despite being part of the public-sector landscape for many years it is becoming clear that, with the exception of some high-profile examples, the level of commitment to community benefits and, hence, our ability to improve economic conditions for those on low pay is not as widespread as it needs to be. Arguably, although the policy has delivered some good results, the current method of implementation, based on a transactional and contract based approach, is limited and not suitable for achieving the widespread results needed across Wales.

Given that the real beneficiaries of a successful social value programme are our people and our communities across Wales then this agenda must be owned and managed strategically by the Welsh public sector and not delegated to the private sector in a transactional and contract-specific manner which leads to fragmentation, a loss of consistency and continuity and, ultimately, a loss of benefit to communities.

A new model to increase social value from construction investment needs to be based on a strategic and client led approach, delivering social value requirements at a programme/regional level over a long term rather than a local/contract-specific level over a short term.

It needs to be client-led rather than supplier led (although suppliers will continue to have a key role in delivery).

It will need support structures/mechanisms to be established by client organisations at a regional level so that successful suppliers for individual contracts (or frameworks) can utilise these arrangements as and when they successfully “win” contracts.

The current approach is short term, disruptive and ineffective but a strategically coordinated, regional/programme based approach driven by the client would give continuity, longevity and better results. The key is that it's client led and supplier supported – and underpinned by a collaborative ethos where there are no losers!

2.Streamlining the procurement process and making it more accessible to Welsh SMEs

For every £1 invested in infrastructure and construction projects current research estimates that a further £2.84 is generated through employment and purchasing via extended supply chains. Welsh civil engineering and construction SME's, particularly the smaller ones, by their very nature tend to work very locally, delivering services within their regions. They employ significant numbers of local people and are seen as good employers within their communities. As well as employing professional people they also employ skilled tradesmen, labourers and administrative staff. Jobs are also well-paid relative to Welsh averages. They provide high quality training and upskilling opportunities and, as long as there is a strong “pipeline” of work, they are able to provide long term employment opportunities.

However, the ability of smaller companies to access opportunities through the public sector in infrastructure and other sectors is impacted by unnecessarily lengthy, costly and bureaucratic procurement processes. We have championed the principles set out in the Welsh Government's Procurement Policy Statements for many years and believe that, if fully and sensitively applied, would support the efforts of local businesses to access public sector contracts. ***We would recommend that the current procurement practices of public bodies be reviewed in the specific context of the construction sector given the amount of expenditure involved and the significant opportunities for people on low incomes and from disadvantaged communities.***

CECA Wales and its partners across the UK recently produced its “CECA Procurement Report - Directions in Policy for the UK Construction Sector” which we have shared with a number of major infrastructure clients across Wales. The report contains recommendations for improving the procurement process which continues to be far too bureaucratic and costly across, not just Wales, but the UK as a whole. Since this report was published CECA Wales have prepared their own Welsh specific report in partnership with the Association of Consulting Engineers and the County Surveyors Society (CSS) Cymru to draw out any specific lessons for the public sector in Wales. I have appended the draft report (we hope to have finalised the report by the time this Committee sits) but have highlighted 3 key opportunities for the future :

1. Many of the challenges and recommendations for improvement depend on having an “**informed public sector client**”, adequately resourced and sufficiently competent to make sensible and sensitive decisions over procurement strategies, “lotting” strategies for frameworks and encouraging the participation and growth of SMEs as a result of public infrastructure investment.

2. The need for **regular and high quality engagement and communication** between all parties to the delivery of infrastructure at all stages is clear. This is not a difficult issue to address.
3. Specific attention needs to be given to **growth opportunities for Welsh based SMEs** via the public sector procurement process. Although a cornerstone of Welsh Government Procurement Policy the focus on this area varies considerably across Wales with successful practices in some areas counterbalanced by little or no attention paid in others. The role of an “intelligent public sector client” is key to this.

We feel that these 3 opportunities must be addressed if we are to improve the process of construction procurement for the benefit of people on low incomes.

3.The implications of and opportunities arising from the Wellbeing of Future Generations Act

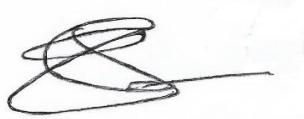
How the Wellbeing of Future Generations Act could support those on low incomes – but only if we are willing to significantly transform our approach to procurement.

The Wellbeing of Future Generations Act offers a huge opportunity to change the way we procure goods and services across the Welsh public sector. Whilst the Act is viewed by many as public sector focused its impacts should be felt across the Welsh economy and especially amongst private sector suppliers to the public sector – through the procurement process. If the Act is applied sensitively and intelligently there is an opportunity to improve the economic wellbeing of people on low incomes through better procurement and improved social value – as considered above. However, if it is seen by public sector procurers as a “tick box” exercise for them to gain “approval to proceed” and then merely “codify” the requirements of the Act into a set of contractual conditions which are inserted into tendering documents for the private sector to decipher and put a price on them then we will all have failed and, in effect, we will have exacerbated the two issues mentioned above. We will have further complicated an already onerous procurement process and further complicated the social value process.

We would like to see a bottom up approach taken to this whereby the private sector is fully engaged with the public sector to shape a procurement process which delivers for the Welsh economy, which delivers for those on low incomes and which embraces the goals within the Wellbeing of Future Generations Act.

I trust that these views and observations are helpful to you and your Committee but please contact me should you wish to discuss these matters in greater detail.

Yours sincerely



Ed Evans
Director, CECA Wales/Cymru



Wales Construction Federation Alliance [WCFA]

EQUALITY, LOCAL GOVERNMENT AND COMMUNITIES COMMITTEE (NATIONAL ASSEMBLY FOR WALES)

Inquiry into making the economy work for people on low incomes

Submission from the Welsh Construction Federation Alliance [WCFA]

THE WCFA

1. The WCFA comprises the following trade bodies representing a cross-section of construction in Wales:
 - Specialist Engineering Contractors' (SEC) Group Wales/Cymru
 - Civil Engineering Contractors Association (CECA Wales)
 - Federation of Master Builders (FMB Cymru)
 - Home Builders' Federation (HBF Wales).
 - Mineral Products Association (Wales).
 - Builders Merchants Federation (Wales)

Together these bodies represent the vast majority of Welsh construction (by value).

THIS SUBMISSION

2. This submission to the Equality, Local Government and Communities Committee focuses on how construction procurement might be harnessed to help people on low incomes and, thus, reduce levels of poverty. Additionally, it seeks to promote the means by which the Wales Governments' Community Benefits Policy and Social Values might be delivered. It should be emphasised that some 99% of firms in Welsh construction are SMEs and, given the implementation of efficient procurement processes, secure cash-flow and fair competition, they will be the better able willingly to continue playing their part in alleviating poverty and delivering Community Benefits in line with Wales Government Policy. The majority of SMEs are involved in the delivery of construction works as sub-contractors in the supply chain. There are approximately 13,000 firms employing 130,000 people, involved in the design and delivery of construction-related

activity across Wales.

PROCUREMENT

3. We have fully supported the Welsh Government's desire (through the Wales Procurement Policy) to use procurement as a strategic tool to improve the overall well-being of people in Wales. In fact, four years ago, the construction industry in Wales developed a Construction Procurement Strategy with this overall goal in mind. This strategy had the total endorsement of Welsh Government with the (then) Minister for Finance, Jane Hutt AM commenting that: "we can use intelligent procurement policy to deliver cost effective outcomes that also provide social, economic and environmental benefits to Wales."
4. The Construction Procurement Strategy was produced by the Construction Procurement Strategy Steering Group comprising, but not exclusively, representation from the public sector, WGLA, Constructing Excellence in Wales and, significantly, Value Wales, the construction procurement arm of Welsh Government, as well as representatives from the supply chain. The Strategy set out a bold objective for achieving radical reform of construction procurement in Wales:

"Clients will form a procurement policy that uses ethical sourcing, enables best value to be achieved and encourages the early involvement of the supply chain. Integrated project teams will be used to work together to achieve the best possible solution in terms of design, buildability, environmental performance and sustainable development."

5. Implementation of the above objective would realise **two** major benefits that would ultimately improve the lives of people in Wales on low incomes:
 - efficiency savings gained through better value procurement can be diverted by Welsh Government to programmes that will help and support people on low incomes to improve their position, not least including Community Benefits:
 - Improved procurement practices will help displace bad practices - especially those associated with unfair risk transfer along the supply chain - that severely impinge upon the ability of SMEs to employ and, significantly, to train people in their communities.

Moreover best value procurement strategies help to sustain economic growth the benefits of which, in turn, permeate down to the less well-off.

6. But progress on achieving this objective, by general consensus, has been slow. The key to unlocking greater efficiencies and, thus, savings, is to engage the supply chain much earlier in the procurement process. This significantly reduces waste. A study carried out by the (then) Defence Estates Organisation in 1999 indicated that early supply chain involvement could save up to 69% on materials and labour costs. Currently significant waste is incurred by supply chains in having to make designs "work" or in rectifying work because of poor design or the lack of adequate information about the design. This, then

breeds disputes and provides reasons for denying payments to firms in the supply chain.

7. To overcome this fragmentation in the delivery process (which generates substantial wasted costs) the Construction Procurement Strategy calls for the use of integrated project teams from the outset. It recommends the piloting of a radical procurement option referred to as Integrated Project Insurance (IPI). IPI is already being trialled by the UK Government. It aims to achieve savings of up to 20% on construction works through eliminating process waste. IPI requires that the whole of the delivery team is appointed at the outset to agree with the client on the design solutions and how best to manage risk. The client and the team then finalise the cost plan which is then insured. If there is an overrun on the cost plan the insurance policy - a financial loss policy - meets the overrun subject to an excess shared in pre-agreed proportions amongst the delivery team.
8. The previous Minister for Finance, Jane Hutt AM, has suggested potential piloting of IPI on a two of projects within the 21st Century Schools Framework. It is vitally important that, given Welsh Government's ambitious economic and social infrastructure pipeline, that Welsh Government prioritises construction procurement reform. The only way in which this can be achieved is through a national agency that drives the reform process against measured targets, progress milestones and assessment of outcomes. Such agency should also have the power to challenge poor practices (that usually engender unnecessary costs) by both public sector clients and the supply side.
9. Whilst on the subject of wasted costs, Value Wales estimates that £20 million p.a. is wasted on the prequalification process. SMEs regularly complain that they have to repetitively complete prequalification questionnaires before becoming eligible to compete for contracts. These questionnaires either come from public sector organisations or from tier 1 contractors. Each questionnaire is different and this process, therefore, often imposes a substantial financial burden on small firms. Welsh Government has sought to standardise the process by publishing its supplier Qualification Information Database (SQuID). Unfortunately this is only being used by 50% of local authorities in Wales and there is no insistence that it is used by tier 1 contractors when selecting their sub-contractors. Our view is that we need to save the £20 million so that the monies can be re-directed to needier projects, such as are being considered by this Committee.

OUR PROPOSALS

We invite the Committee to consider recommending:

1. **The setting up of a National Construction Procurement Agency to drive procurement reform and challenge poor practices with the objective of achieving up to 20% savings in the cost of construction/infrastructure. Central to this should be the piloting of the IPI option (as is already recommended within the Construction Procurement Strategy but has yet to be implemented).**
2. **The same Agency should have a general remit to challenge wasteful and unnecessary expenditure with particular regard to the prequalification process. It should have powers to mandate any necessary changes (perhaps through the**

withdrawal of grant-aid). The use of SQuID should be mandated across the public sector construction, up and down the supply chain.

CASHFLOW

10. The ability of SMEs in Wales to support their local communities through providing training, upskilling of their workforces and providing employment opportunities is critically hampered by poor payment practices. These are particularly prevalent in the supply chain where large tier 1 contractors tend to bolster their ailing balance sheets by insisting on lengthy payment periods or by finding spurious reasons for non-payment. A particular abuse is associated with the regular practice of withholding monies from progress payments, ostensibly as a hedge against failure of a firm to return to remedy defects. In practice this system of cash retentions is used, again, to bolster the working capital of those withholding the monies. Often the monies are not released until 2 or 3 years after handover of the work. Furthermore public bodies in Wales use retentions to finance other capital works* or, in some cases, to invest in the overnight money markets. Approximately £30 million worth of retentions is outstanding at any one time in Welsh public sector construction. The bulk of these monies are funded by small firms.

**Evidenced by surveys of Local Authorities obtained by SEC Group Wales in 2014 and 2016 using the Freedom of Information Act.*

OUR PROPOSALS

We invite the Committee to:

1. Endorse the imminent announcement by Welsh Government that project bank accounts (PBAs) will be mandated for public sector projects worth over £2 million. (PBAs will enable monies to be paid directly from a public sector client to SMEs in the supply chain through a ring-fenced bank account; this will enable payments to be made within 12 to 15 days.)
2. Urge Welsh Government to introduce a statutory requirement that retention monies withheld on construction works in Wales are held in a protected scheme until release (such legislation already exists in North America, Europe and Australasia).

A LEVEL PLAYING FIELD FOR COMPETITION

11. The inevitable “race to the bottom” where lowest price trumps technical proficiency and reputation favours businesses which have little interest in investing in people and their communities. This issue was highlighted in Professor John Cole’s inquiry into the defects resulting in the closure of 17 Edinburgh schools last year and is likely to be raised again in the public inquiry into the Grenfell Tower tragedy. There is little incentive for reputable firms to provide the necessary investment in their own communities when they are operating in a very uneven competitive environment.

12. The overwhelming majority of US States and some Australian States have licensing schemes. Licensing provides evidence that a business is technically competent (often because it invests in training and developing the necessary skills) and has a good health and safety record. Many trade associations in Wales operate arms-length schemes that verify a firm's technical capability.

OUR PROPOSAL

We invite the Committee to urge Welsh Government to establish a joint Government/WCFA task force with a remit to actively consider solutions such that a more level 'playing field' is created for all construction and allied sector firms in Wales. Perhaps also with a remit to consider licensing schemes abroad and distil the benefits into a licensing scheme for Welsh construction. A national licensing scheme for Wales would have the added benefit of dispensing with the pre-qualification process, with the ensuing benefits in the reduction of waste.

SUMMARY

13. We firmly believe that, in taking radical action in the three areas we have identified could place the Welsh construction industry, together with the Welsh public sector, in a far stronger position to contribute to alleviating the incidence of poverty in Wales and assisting in meaningfully delivering Community Benefits. That notwithstanding, construction SMEs in Wales will continue to play their part in supporting their local communities, but some strong recommendations from the Committee may help to remove some of the barriers, such that, overall, wasteful practices in public sector procurement are eradicated, facilitating assistance to Wales Government in delivery of its' Community Benefits Policy and adding to real Social Value.

21/08/17 – AM/RK.

Y Pwyllgor Cydraddoldeb, Llywodraeth Leol a Chymunedau

Sesiwn graffu ar Dlodi yng Nghymru, 21 Medi 2017

1. Cefndir

- 1.1 Mae polisi caffael y sector cyhoeddus yng Nghymru yn rhan o bortffolio Ysgrifennydd y Cabinet dros Lywodraeth Leol a Chyllid.
- 1.2 Mae sector cyhoeddus Cymru yn gwario tua £6 biliwn y flwyddyn ar nwyddau, gwasanaethau a gwaith. Mae'r amcangyfrif o wariant gan bob rhan o'r sector cyhoeddus fel a ganlyn:
 - Llywodraeth Leol - £ 3.3 biliwn;
 - GIG Cymru - £1.3 biliwn;
 - Llywodraeth Cymru - £0.67 biliwn
 - Addysg Uwch - £0.33 biliwn;
 - Yr heddlu - £0.14 biliwn;
 - Cyrff a Noddir gan Lywodraeth Cymru - £0.08 biliwn
 - Addysg Bellach - £0.05 biliwn; a
 - Gwasanaethau Tân ac Achub - £0.05 biliwn.
- 1.3 Gall y dull o ymrwymo'r gwariant hwn gael effaith fawr ar greu a chynnal cyflogaeth, gan helpu i drechu tlodi yng Nghymru.
- 1.4 Amlinellir yr egwyddorion y disgwyllir i sector cyhoeddus Cymru eu dilyn wrth gaffael yn Natganiad Polisi Caffael Cymru. Mae'r Datganiad Polisi Caffael yn amlinellu sut y gall y dull budd cymunedol a pholisiau caffael helpu i fynd i drechu tlodi a hyrwyddo arferion cyflogaeth foesegol ymyst busnesau.

2. Cyflwyno'r Cod Ymarfer ar Gyflogaeth Foesegol mewn Cadwyni Cyflenwi

- 2.1 Mae'r Cod Ymarfer ar Gyflogaeth Foesegol mewn Cadwyni Cyflenwi ('y Cod ') yn gynnyrch partneriaeth gymdeithasol, a chytunwyd arno mewn cydweithrediad ag aelodau o Gyngor Partneriaeth y Gweithlu.
- 2.2 Lansiwyd y Cod ym mis Mawrth 2017 gan Ysgrifennydd y Cabinet dros Gyllid a Llywodraeth Leol yng Nghyngor Partneriaeth y Gweithlu.
- 2.3 Ymateb Cymru yw hwn i;
 - y ddarpariaeth ar gyfer y gadwyn gyflenwi yn y Ddeddf Caethwasiaeth Fodern (2015);
 - pryderon ynglŷn â phroblemau parhaus gydag arferion cyflogaeth annheg, gan gynnwys hunangyflogaeth ffug, cosbrestru gweithwyr sy'n aelodau o undebau, defnydd annheg o gynlluniau cyflogaeth ymbarél a chontractau dim oriau annheg;

- ymrwymiad Llywodraeth Cymru i hyrwyddo Cyflog Byw y Living Wage Foundation.
- 2.4 Mae 12 ymrwymiad y Cod yn cynnwys rhoi polisiau ar waith; gofyn cwestiynau wrth caffael; ychwanegu amodau at gontactau lle mae hynny'n angenrheidiol; a chynnal asesiadau risg rheolaidd ar categoriâu gwariant, gyda chamau penodol lle y canfyddir problemau.
- 2.5 Cefnogir y broses o gyflawni'r Cod gan ganllawiau ac enghreifftiau o gwestiynau caffael ac amodau contract, sydd ar gael drwy [wefan Llywodraeth Cymru](#).
- 2.6 Mae Llywodraeth Cymru wedi ymrwymo i'r Cod ac felly hefyd Gyngor Caerdydd a'r sector Addysg Uwch cyfan. Mae'r Heddluoedd yn bwriadu cadarnhau eu hymrwymiad yn fuan a chytunwyd gyda Chymdeithas Llywodraeth Leol Cymru y dylai'r 21 o gynghorau sy'n weddill ymrwymo i'r Cod erbyn diwedd 2017.
- 2.7 Dylai prynwyr ym mhob sector gynnwys cwestiynau ac amodau contract penodol lle bo hynny'n berthnasol.
- 3. Cyflawni Polisi Caffael Budd Cymunedol er budd pobl ar incwm isel**
- 3.1 Mae polisi Budd Cymunedol yn annog canolbwntio ar helpu pobl gyda rhwystrau cymhleth sy'n eu hatal rhag gweithio i ddod o hyd i swyddi, drwy gynnwys cymalau mewn contractau i ddarparu cyfleoedd cyflogaeth a hyfforddiant.
- 3.2 Mae'r Datganiad Polisi Caffael yn nodi y dylai'r sector cyhoeddus yng Nghymru gymhwys o polisi Budd Cymunedol i bob contract perthnasol sy'n rhoi cyfle i gyflawni gwerth cymdeithasol ac economaidd ehangach.
- 3.3 Cefnogir y gwaith o gyflwyno'r polisi ar draws y sector cyhoeddus yng Nghymru gan ganllawiau ac enghreifftiau o gymalau i'w cynnwys mewn contractau. Mae Llywodraeth Cymru hefyd yn cysylltu digwyddiadau rhwydweithio er mwyn gallu rhannu arferion gorau.
- 3.4 Mae Llywodraeth Cymru yn hyrwyddo cymhwys o'r polisi wrth gyflawni contractau lle ceir elfen o arian grant, er enghraift, Rhaglen Ysgolion yr 21^{ain} Ganrif
- 3.5 Caiff effaith y polisi Budd Cymunedol ei fesur drwy offer mesur sy'n cael eu cwblhau ar draws y sector cyhoeddus yng Nghymru.
- 3.6 Mae mesuriad o 339 o broiectau â gwerth cyffredinol o £1.4 biliwn lle mae cymalau budd cymunedol wedi'u hymgorffori ynddynt yn dangos bod bron i £300m o'r gwariant hwn wedi'i dalu fel incwm i breswylwyr Cymru. Yn rhan o hyn, cafodd 2,117 o bobl gymorth i ddod o hyd i

gyflogaeth a darparwyd bron i 46,000 o wythnosau o hyfforddiant gan alluogi pobl i feithrin sgiliau newydd er mwyn camu ymlaen yn eu gyrrfa.

- 3.7 Mae dadansoddiad o'r manteision cyffredinol hyn yn dangos bod y polisi'n cael ei gymhwysyo yn unol ag amcanion gwaith Tasglu'r Cymoedd. Mae mesuriad o 79 o brosiectau a gyflawnwyd yn rhanbarth y Cymoedd gwerth £366m yn dangos bod £88m o'r gwariant hwn wedi ei dalu fel incwm i drigolion Cymru. Fel rhan o'r effaith hon, mae 566 o bobl dan anfantais wedi cael cymorth i ddod o hyd i waith.
- 3.8 Mae'r polisi Budd Cymunedol yn annog cyrff cyhoeddus i weithio gyda'r cyflenwyr sy'n cael eu contractio i hyrwyddo undebau credyd i helpu gyda materion yn ymwneud â chynilo a darparu benthyciadau rhatach i weithwyr cyflogedig.

4. Monitro a Gorfodi Polisiau Caffael Moesegol Llywodraeth Cymru

- 4.1 Nid yw ymrwymo i'r Cod yn orfodol, ac ni fydd yn un o'r amodau contract neu gyllid grant. Fodd bynnag, *disgwyllir* i bob sefydliad sy'n derbyn cyllid gan Lywodraeth Cymru, yn uniongyrchol neu drwy grantiau neu gontactau, ymrwymo iddo.
- 4.2 Mae Llywodraeth Cymru yn annog sefydliadau sy'n ymrwymo i'r Cod i gyhoeddi eu datganiadau Gwrth-Gaethwasiaeth, lanlwytho dogfennau allweddol a chwblhau holiadur byr ar y [Gofrestr TISC](#).
- 4.3 Mae ymrwymo i'r Cod yn golygu cyhoeddi diweddariadau rheolaidd sy'n galluogi Llywodraeth Cymru i weithio gyda chyrff cyhoeddus i ddatblygu eu cynlluniau i ymgorffori ei hymrwymiadau'n llawn.
- 4.4 Mae gweithio'n agos gyda'r Undebau mewn sectorau allweddol megis adeiladu yn fod o nodi enghrefftiau o arferion da a gwael a chydlyn u cefnogaeth i gymhwysyo'r Cod yn effeithiol. Hefyd, mae [Gwasanaeth Gwrando ar Gyflenwyr](#) Llywodraeth Cymru yn gyfrwng i ofyn am adborth ynglŷn â chymhwysyo'r Cod.

5. Elfen Gaffael y fenter Swyddi Gwell yn Nes Adref

- 5.1 Cyflwynwyd y fenter Swyddi Gwell yn Nes Adref gan TUC Cymru drwy Gyngor Adnewyddu'r Economi. E nod oedd ymchwilio i gyflwyno rhaglen a allai helpu i drechu tlodi; datblygu gweithwyr medrus; defnyddio polisi caffael arloesol; a chefnogi busnesau i dyfu.
- 5.2 Mae tîm traws-lywodraethol wedi gweithio gyda TUC Cymru i nodi cyfleoedd ar gyfer cynlluniau peilot yng ngwariant caffael cyffredinol y sector cyhoeddus yng Nghymru lle y gallai dulliau wedi'u targedu helpu i drechu tlodi; datblygu gweithwyr medrus; defnyddio polisi caffael arloesol; a chefnogi busnesau i dyfu drwy greu cyfleoedd cyflogaeth a hyfforddiant mewn ardaloedd lle ceir gwariant uchel ar amddifadedd economaidd.

- 5.3 Mae'r rhaglen Swyddi Gwell yn Nes Adref yn dod o dan Dasglu'r Cymoedd a'r Rhaglen Cyflogadwyedd Bob Oed.
- 5.4 Mae'r cynlluniau peilot y cytunwyd arnynt, pob un wedi'i leoli yn rhanbarth Tasglu'r Cymoedd, fel a ganlyn:
- Cynllun Peilot 1 - Lifrai a Dillad wedi'i leoli yng Nglynebwyl. Nod y cynllun peilot hwn yn ceisio sefydlu uned weithgynhyrchu i weithredu fel Marchnad Lafur Ganolraddol, gan ddarparu sgiliau i weithwyr a fydd yn cyd-fynd â chyfleoedd yn y farchnad lafur ehangach;
 - Cynllun Peilot 2 - Arwyddion wedi'i leoli yng Nglynebwyl. Mae'r cynllun peilot hwn yn canolbwytio ar gadw swyddi a chreu swyddi drwy gynyddu'r galw am arwyddion a gynhyrchir gan fenter gymdeithasol. Mae'r dull hwn wedi bod yn llwyddiannus ac mae archebion yn cael eu cyflwyno drwy'r fenter gymdeithasol bresennol;
 - Cynllun Peilot 3 - Paent wedi'i ailgylchu y bwriedir ei leoli ym Mryn Pica yn Abercynon, Rhondda Cynon Taf. Mae hyn yn golygu cael trwydded ar gyfer menter gymdeithasol yng Nghymru i ailgylchu paent;
 - Cynllun peilot 4 - Papur wedi'i ailgylchu yn cynnwys menter gymdeithasol bresennol, ym Mhentrebach, Merthyr Tudful. Mae'r gwaith hwn wedi arwain at gynnydd yn y galw am fwydion gwastraff papur a gynhyrchir gan y fenter gymdeithasol er mwyn galluogi'r sefydliad i fod yn hunangynhaliol.
- 5.5 Mae Cynlluniau Peilot 1 a 3 yn dal i gael eu datblygu ac maent yn cael cymorth y wladwriaeth a chyngor caffael. Bwriedir i'r cynlluniau peilot hyn fod yn weithredol o fis Ebrill 2018 ymlaen ac ar ôl hynny byddant yn cael eu gwerthuso. Os byddant yn llwyddiannus, y bwriad yw efelychu pob un o'r dulliau peilot ar draws meysydd gwariant eraill a rhannau eraill o Gymru.
- ## 6. **Mentrau cydraddoldeb rhywiol a Chaffael Moesegol**
- 6.1 Fel rhan o Ddeddf Cydraddoldeb 2010, daeth dyletswydd cydraddoldeb newydd i rym ar gyfer y sector cyhoeddus. Mae'r ddyletswydd yn ei gwneud yn ofynnol i awdurdodau cyhoeddus fynd i'r afael â gwahaniaethu a hyrwyddo cyfartal.
- 6.2 Mae'r rheolau caffael cyhoeddus yn caniatáu i faterion sy'n ymwneud â chydraddoldeb gael eu hystyried yn y broses gaffael lle maent yn berthnasol i bwnc y contract, neu ei berfformiad.
- 6.3 Yng nghyd-destun gwasanaeth cyhoeddus neu swyddogaeth gyhoeddus ar gcontract, mae angen i ddarparwyr gadarnhau eu bod yn bodloni gofynion dyletswydd cydraddoldeb y sector cyhoeddus. Mae cyrff cyhoeddus y mae'r ddyletswydd cydraddoldeb yn berthnasol iddynt yn parhau i fod yn atebol am gydymffurfio â'r ddyletswydd.

- 6.4 Mae canllawiau i gefnogi'r sector cyhoeddus yng Nghymru i gydymffurfio â'r Ddeddf Cydraddoldeb a'r ddyletswydd ar gael drwy'r [Canllaw Cynllunio Caffael](#) ar-lein.
- 6.5 Anogir cyrff cyhoeddus hefyd i ystyried cydraddoldeb rhywiol ym maes caffael drwy gymhwys o'r polisi Asesiad Risg Cynaliadwyedd a'r polisi Budd Cymunedol.
- 6.6 Mae'r Asesiad Risg Cynaliadwyedd yn annog cyrff cyhoeddus i ystyried a oes unrhyw risgiau i'r gadwyn gyflenwi yn gysylltiedig â chydraddoldeb rhywiol mewn perthynas â threfniadau caffael unigol ac os felly, mae'n annog datblygu dulliau i liniaru'r risgiau hynny.
- 6.7 Cydnabyddir Llywodraeth Cymru yn adroddiad 100 Cyflogwyr Gorau 2016 Stonewall. Mae'r adroddiad yn ystyried deg maes polisi ac ymarfer cyflogaeth, gan gynnwys lleoli drwy gaffael.
- 6.8 Mae Budd Cymunedol yn annog canolbwytio ar ddarparu cyfleoedd cyflogaeth neu hyfforddiant lle y nodir y gallai'r contract dan sylw gefnogi person 'dan anfantais' sy'n gweithio mewn sector lle mae anghydbwysedd rhwng y rhywiau o leiaf 25% yn uwch na'r anghydbwysedd cyfartalog rhwng y rhywiau ar draws y sector hwnnw.
- 7. Effaith polisiau caffael moesegol ar fusnesau, yn enwedig busnesau bach a chanolig**
- 7.1 Nid yw caffael moesegol yn gysyniad newydd. Mae gan lawer o fusnesau ac elusennau mewn nifer o sectorau gwahanol brofiad helaeth o'r systemau a'r prosesau i nodi achosion o gamddefnyddio llafur mewn cadwyni cyflenwi. Mae rhai sectorau yn fwy datblygedig nag eraill yn hyn o beth.
- 7.2 Ymgynghorwyd â sefydliadau yn y sector cyhoeddus, y sector preifat a'r trydydd sector wrth ddatblygu'r Cod. Bydd parodrwydd pob sefydliad i ddysgu oddi wrth ei gilydd drwy rannu gwybodaeth, data a phrofiad yn allweddol i'w lwyddiant.
- 7.3 Mae'r Cod wedi'i ddylunio i'w ddefnyddio'n hyblyg. Mae'r canllawiau sy'n cyd-fynd ag ef yn rhoi enghreiftiau defnyddiol o bolisiau, cwestiynau caffael a thelerau contract y gellir eu teilwra i anghenion sefydliadau a sectorau unigol. Mae'r Cod yn cynnwys canllawiau ar weithredu, sy'n pwysleisio na fydd disgwyl i fusnesau bach a chanolig a sefydliadau bach eraill roi mesurau ar waith mor gyflym â sefydliadau mwy. Mae'r Cod hefyd wedi'i gynllunio i'w gymhwys o'n gymesur a thros amser. Mae ymrwymo i'r Cod yn golygu ymrwymo i gymryd camau i fynd i'r afael â'r materion a gwmpesir, ac nid yw'n arwydd bod popeth eisoes ar waith.
- 7.4 Er nad yw manteision ymrwymo i'r Cod wedi cael eu mesur eto gan rai dim ond yn ddiweddar y cafodd ei lansio, mae digon o dystiolaeth i

awgrymu y gall cyflogaeth gyfrifol a moesegol arwain at fanteision busnes. Mae'r staff a gyflogir yn deg yn fwy ymgysylltiedig, ac mae tystiolaeth yn awgrymu y gall cynhyrchiant gynyddu, y gall absenoldeb a throsiant staff leihau a bod ansawdd y gwasanaeth yn gwella pan fydd termau ac amodau cyflogaeth yn gwella, gan leihau straen i weithwyr.

- 7.5 Bydd y Gwasanaeth Caffael Cenedlaethol a Llywodraeth Cymru yn olrhain y cyflenwyr a fydd yn ymrwymo i'r Cod drwy weithgarwch contractio ac yn sicrhau bod yr wybodaeth hon ar gael i'r sector cyhoeddus ehangach yng Nghymru.
- 7.6 Er y gall busnesau fod angen talu rhai costau ymlaen llaw wrth roi prosesau newydd ar waith, mae'r rhan fwyaf o'r materion a gwmpesir gan y Cod yn ymwneud ag arferion anghyfreithiol, anghyfreithlon ac anfoesol na ddylent fod yn digwydd. Mae'r Cod yn ymwneud â rhoi systemau ar waith i sicrhau nad yw'r arferion hyn yn bresennol mewn cadwyni cyflenwi.
- 7.7 Nid yw'r sector cyhoeddus yng Nghymru yn unigryw o ran gofyn i'w gyflenwyr, beth bynnag eu maint, ddilyn polisiau caffael moesegol. Gall mabwysiadu'r dulliau caffael moesegol hyn helpu i wella gallu busnesau bach a chanolig i ennill contractau preifat a busnes o'r tu hwnt i Gymru.

8. Caffael moesegol yn y sector gofal cymdeithasol

- 8.1 Nodweddir llawer o'r sector gofal cymdeithasol gan dâl isel a gwaith ansicr ac mae Llywodraeth Cymru wedi bod yn gweithio ers tro i fynd i'r afael â'r heriau hyn.
- 8.2 Mae Llywodraeth Cymru wedi cyhoeddi egwyddorion a chanllawiau ar y defnydd teg o drefniadau contractau dim oriau mewn gwasanaethau cyhoeddus datganoledig ar ôl i'r Comisiwn Staff Gwasanaethau Cyhoeddus ystyried y mater. Mae'r Cod Ymarfer ar Gyflogaeth Foesegol mewn Cadwyni Cyflenwi yn gyson â'r canllawiau hyn.
- 8.3 Ar hyn o bryd mae Llywodraeth Cymru yn dadansoddi'r ymatebion i ymgynghoriad ar gynigion ynghylch defnyddio contractau dim oriau a diogelu amser gofal yn y sector gofal cymdeithasol. Bydd adroddiad yn cael ei gyhoeddi ar y dadansoddiad hwn. Nod y cynigion hyn yw cynyddu sicrwydd i staff, gan sicrhau y bydd gweithwyr yn gallu dewis symud i gyswilt rheolaidd ar ôl tri mis o gyflogaeth. Mae'r cynigion hefyd wedi'u cynllunio i wella ansawdd a pharhad gofal y mae pobl yn ei gael yn eu cartrefi, drwy ei gwneud yn ofynnol i ddarparwyr wahaniaethu rhwng amser teithio ac amser darparu gwasanaeth wrth drefnu gwasanaethau, gan sicrhau nad yw "cwtogi galwadau" yn digwydd.

- 8.4 Er mai ychydig iawn o dystiolaeth ymchwil sydd ar gael ar effaith talu'r Cyflog Byw mewn gofal cymdeithasol, mae dystiolaeth anecdotaidd yn awgrymu bod gwelliannau mewn safonau gwasanaeth a chynhyrchiant a throsiant staff is lle mae darparwyr gofal cymdeithasol yn talu Cyflog Byw y Living Wage Foundation. Daeth ymchwil a gomisiynwyd gan Lywodraeth Cymru drwy Brifysgol Metropolitan Manceinion i'r casgliad bod perthynas uniongyrchol rhwng gweithlu cadarn, hyfforddedig sy'n cael cyflog da a phatrwm gwaith priodol a'n gallu i reciwtio a chadw gweithwyr gofal i ddarparu gofal cartref o ansawdd uchel.

**Mark Drakeford AM/AC
Ysgrifennydd y Cabinet dros Gyllid a Llywodraeth Leol
Medi 2017**



Ein cyf/Our ref: MA - L/CS/0496/17

Llywodraeth Cymru
Welsh Government

John Griffiths AC

Cadeirydd

Y Pwyllgor Cydraddoldeb, Llywodraeth Leol a Chymunedau
Cynulliad Cenedlaethol Cymru

17th
Medi 2017

Annwyl John

BIL DIDDYMU'R HAWL I BRYNU A HAWLIAU CYSYLLTIEDIG (CYMRU)

Hoffwn ddiolch i chi a'ch cydweithwyr ar y Pwyllgor Cydraddoldeb, Llywodraeth Leol a Chymunedau am eich ystyriaeth o Fil Diddymu'r Hawl i Brynu a Hawliau Cysylltiedig (Cymru) yn ystod proses graffu Cyfnod 1.

Rwyf wedi ystyried argymhellion y Pwyllgor gyda'r bwriad o ymateb yn gadarnhaol i gynifer ohonynt â phosibl, naill ai drwy welliannau gan y Llywodraeth neu drwy ddulliau eraill, megis darparu canllawiau. Nodir fy ymateb i'r argymhellion unigol isod:

Argymhelliad 1. Rydym yn argymhell bod y Cynulliad yn cefnogi egwyddorion cyffredinol y Bil. Roedd un Aelod o'r Pwyllgor yn anghytuno.

Croesawaf gefnogaeth y Pwyllgor i egwyddorion cyffredinol y Bil a'i waith craffu manwl ar y ddeddfwriaeth arfaethedig.

Argymhelliad 2. Rydym yn argymhell bod Ysgrifennydd y Cabinet yn diwygio'r Bil yng Nghyfnod 2 i'w gwneud yn ofynnol i Weinidogion Cymru ddarparu sefydliadau perthnasol eraill gyda chopi o'r ddogfen wybodaeth.

Rwy'n rhannu dymuniad y Pwyllgor i sicrhau bod pob sefydliad perthnasol, megis gwasanaethau cynghori a chyrrf tenantiaid, yn cael copi o'r ddogfen wybodaeth pan gaiff ei rhoi i landlordiaid cymdeithasol. Derbyniaf yr argymhelliad a byddaf yn cyflwyno gwelliant yng Nghyfnod 2 yn unol â hynny.

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

Tudalen y pecyn 60

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

Argymhelliaid 3. Rydym yn argymhelliaid bod Ysgrifennydd y Cabinet yn diwygio'r Bil yng Nghyfnod 2 i nodi'r wybodaeth y mae'n rhaid i landlordiaid cymwys ei darparu i bob un o'u tenantiaid perthnasol er mwyn cyflawni eu dyletswyddau o dan adran 8(3)(a). Er enghraifft, y dyddiadau y bydd y cyfyngiadau a'r diddymiad llawn yn dod i rym.

Rwy'n derbyn argymhelliaid y Pwyllgor. Rwy'n rhannu'r pryder na allai rhai tenantiaid fod mor wybodus ag eraill ac rwy'n bwriadu cyflwyno gwelliant yng Nghyfnod 2 i nodi'r wybodaeth sylfaenol am effeithiau'r Bil y mae'n rhaid i bob landlord cymdeithasol ei darparu i denantiaid.

Argymhelliaid 4. Rydym yn argymhelliaid bod Ysgrifennydd y Cabinet yn gwneud darpariaeth yn y Bil i sicrhau bod landlordiaid cymwys yn cyfleo'r wybodaeth sy'n ofynnol o dan adran 8(3) i denantiaid yn y ffordd fwyaf priodol a hygrych i ddiwallu eu hanghenion amrywiol.

Rwy'n gwerthfawrogi pryder y Pwyllgor y dylai'r ddogfen Gwybodaeth i Denantiaid fod ar gael i denantiaid ym mha ffyrdd bynnag sy'n angenrheidiol i ddiwallu eu hanghenion ac rwy'n cytuno â'r egwyddor y tu ôl i'r argymhelliaid hwn.

Fodd bynnag, nid wyf yn credu bod angen gwneud darpariaeth ar gyfer hyn yn y Bil gan fod landlordiaid eisoes yn ymgysylltu â'u tenantiaid yn effeithiol iawn. Fel rhan o'r ymgynghoriad a lansiwyd ym mis Gorffennaf ar ddarparu gwybodaeth i denantiaid, cynhwyswyd cwestiwn ar gyfathrebu priodol a hygrych gyda thenantiaid. Byddaf hefyd yn rhoi cyngor i landlordiaid cymdeithasol ar ledaenu'r wybodaeth os caiff y Bil ei basio gan y Cynulliad Cenedlaethol.

Argymhelliaid 5. Rydym yn argymhelliaid bod Ysgrifennydd y Cabinet yn gweithio gyda gwasanaethau cynghori perthnasol i fonitro ac adolygu effaith y Bil ar y galw am wasanaethau gyda'r bwriad o ddarparu cymorth ariannol ychwanegol cyn y diddymu, os bydd yr angen yn codi.

Bydd Llywodraeth Cymru yn gweithio gyda'r gwasanaethau cynghori ac yn monitro effaith y Bil.

Nid wyf yn rhagweld yr angen am adnoddau ychwanegol, ond rwy'n fodlon adolygu hyn.

Argymhelliaid 6. Rydym yn argymhelliaid bod Ysgrifennydd y Cabinet yn profi'r ddogfen wybodaeth ddrafft gyda thenantiaid cyn iddi gael ei chwblhau er mwyn sicrhau ei bod yn addas at y diben.

Rwy'n rhannu dymuniad y Pwyllgor i sicrhau bod y ddogfen wybodaeth mor eglur â phosibl er mwyn diwallu anghenion tenantiaid a lansiais ymgynghoriad ar y ddogfen ar 19 Gorffennaf.

Fel rhan o'r ymgynghoriad, mae Gwasanaeth Ymgynghorol Cyfranogiad Tenantiaid Cymru wedi cynnal cyfres o ddigwyddiadau ymgysylltu â thenantiaid i ganfod barn tenantiaid a bydd yn ein hysbysu o'r canlyniadau. Yn dilyn yr ymgynghoriad, byddwn yn ystyried yr ymatebion ac yn diwygio'r ddogfen wybodaeth, fel y bo'n briodol, i sicrhau ei bod yn addas at y diben.

I gloi, rwy'n gobeithio bod y llythyr hwn yn ddefnyddiol o ran amlinellu ymateb Llywodraeth Cymru i adroddiad y Pwyllgor a hoffwn ailadrodd fy niolch i'r Aelodau am eu hystyriaeth fanwl o'r Bil.

Yn gywir



Carl Sargeant AC/AM

Ysgrifennyd y Cabinet dros Gymunedau a Phlant
Cabinet Secretary for Communities and Children

Eitem 5.2

Cadeirydd y Pwyllgor Plant, Pobl Ifanc ac Addysg
Cadeirydd y Pwyllgor Newid Hinsawdd, Amgylchedd a Materion Gwledig
Cadeirydd Pwyllgor Diwylliant, y Gymraeg a Chyfathrebu
Cadeirydd Pwyllgor yr Economi, Seilwaith a Sgiliau
Cadeirydd y Pwyllgor Cydraddoldeb, Llywodraeth Leol a Chymunedau
Cadeirydd y Pwyllgor Iechyd, Gofal Cymdeithasol a Chwaraeon
Cadeirydd Y Pwyllgor Materion Allanol a Deddfwriaeth Ychwanegol

20 Gorffennaf 2017

Annwyl Gadeiryddion y Pwyllgorau

Cyllideb Ddrafft Llywodraeth Cymru 2018-19

Yn ein cyfarfod ar 19 Gorffennaf, cytunodd y Pwyllgor Cyllid ei ddull o graffu ar y gyllideb. Rwy'n ysgrifennu at holl Gadeiryddion y Pwyllgorau i rannu ein syniadau ac i annog eich pwyllgorau i ystyried sut y gallwch gyfrannu at gyflawni'r gwaith craffu mwyaf rhesymegol ac effeithiol ar gynlluniau gwariant y Llywodraeth.

Fel y gwyddoch dyma'r flwyddyn gyntaf y byddwn yn craffu ar y gyllideb ddrafft o dan y Rheolau Sefydlog diwygiedig a'r protocol cysylltiedig. Rwyf wedi trafod hyn gyda Chadeiryddion y Pwyllgorau yn y fforwm Cadeiryddion ar 12 Gorffennaf,

Rhoi sylw i'r gyllideb

Rydym wedi cytuno i barhau â'r dull a ddilynwyd yn ystod blynnyddoedd blaenorol, lle mae craffu ar y gyllideb yn canolbwytio ar y pedair egwyddor o ran craffu ariannol: fforddiadwyedd, blaenoriaethu, gwerth am arian a phroses. Yr egwyddorion yw:

- **Fforddiadwyedd** – edrych ar y darlun mawr o ran cyfanswm y refeniw a gwariant, ac a oes cydbwysedd priodol;
- **Blaenoriaethu** – a yw'r dyraniadau wedi'u rhannu rhwng sectorau/rhagleni gwahanol mewn ffordd resymol y gellir ei chyflawnhau?

- **Gwerth am arian** – yn y bôn, a yw cyrff cyhoeddus yn gwario eu dyraniadau yn dda – economi, effeithlonrwydd ac effeithiolrwydd (hynny yw) canlyniadau; a
- **Phrosesau'r gyllideb** – a ydynt yn effeithiol ac yn hygrych ac a oes integreiddio rhwng cynllunio corfforaethol a chynllunio gwasanaethau, a rheoli perfformiad a rheoli ariannol?

Yn dilyn digwyddiad i randdeiliaid yng Ngogledd Cymru, rydym wedi nodi nifer o feysydd yr hoffem weld y gwaith craffu yn canolbwytio arnynt, sef:

- *Cyllido byrddau iechyd lleol a gwasanaethau iechyd a gofal cymdeithasol*
- *dull gweithredu o ran gwariant ataliol, a sut y cynrychiolir hyn wrth ddyrannu adnoddau.* (*Gwariant ataliol = gwariant sy'n canolbwytio ar atal problemau a lliniaru ar y galw am wasanaethau yn y dyfodol, drwy ymyrryd yn gynnar*);
- *Cynaliadwyedd gwasanaethau cyhoeddus, arloesi a thrawsnewid gwasanaethau*
- *polisiau Llywodraeth Cymru i leihau tlodi a lliniaru effeithiau'r diwygiadau i'r gyfundrefn les*
- *Cynllunio a pharodrwydd Llywodraeth Cymru ar gyfer gadael yr Undeb Ewropeaidd*
- *Sut y dylai Llywodraeth Cymru ddefnyddio pwerau newydd ynghylch trethi a benthyca*
- *Sut y mae tystiolaeth yn llywio gwaith Llywodraeth Cymru o osod blaenoriaethau a dyraniadau cyllid*
- *Sut y mae Deddf Llesiant Cenedlaethau'r Dyfodol yn dylanwadu ar y gwaith o lunio polisiau*

Anogir chi i ddefnyddio rhai o'r meysydd hyn fel ffocws eich gwaith craffu ar y gyllideb.

Ymgynghoriad ar y gyllideb ddrafft

Yn ôl yr arfer, byddwn yn cynnal ymgynghoriad ar ran yr holl Bwyllgorau yn ystod toriad yr haf a bydd yr ymatebion yn cael eu rhannu gyda chi yn yr hydref er mwyn helpu eich gwaith craffu ar y gyllideb ddrafft.



Amserlen

Fel y gwyddoch erbyn hyn, mae'r dyddiadau ar gyfer y gyllideb ddrafft bellach wedi'u cytuno fel a ganlyn:

- Gosod amlinelliad o'r Gyllideb Ddrafft – 3 Hydref
- Gosod y Gyllideb Ddrafft fanwl – 24 Hydref
- Dyddiad cau ar gyfer adroddiad y Pwyllgor Cyllid – 28 Tachwedd
- *Y ddadl ar y Gyllideb Ddrafft – 5 Rhagfyr*
- Cyflwyno Cynnig y Gyllideb Flynyddol – 19 Rhagfyr

Fel y gwyddoch mae'r darpariaethau mewn perthynas ag adrodd gan bwyllgorau polisi wedi newid, ac rydych yn gallu adrodd yn eich rhinwedd eich hun yn awr (os dymunwch), a gall eich adroddiadau gael eu defnyddio fel dogfen ategol i'r ddadl ar y gyllideb ddrafft. Fel Pwyllgor, rydym yn ystyried sut y gallwn gynnal rôl strategol, oruchwyliol mewn perthynas â chraffu ariannol, ond yn y cyfamser, os oes gennych unrhyw gwestiynau am unrhyw agwedd ar broses y gyllideb ddrafft, mae croeso i chi gysylltu â mi neu Bethan Davies, Clerc y Pwyllgor Cyllid ar 0300 200 6372, neu Bethan.Davies@cynulliad.cymru.

Yn gywir



Simon Thomas

Cadeirydd





SHUSU
SUSTAINABLE HOUSING
& URBAN STUDIES UNIT

Evaluation of DWP & Oxfam Livelihoods Training Project

Interim Report

Dr Lisa Scullion, Dr Mark Wilding
Katy Jones, Philip Martin

June 2017



Department
for Work &
Pensions

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OXFAM

Adran Gwaith
a Phensiynau

Executive summary



1 Introduction

In August 2016, Oxfam Cymru in partnership with the Department for Work and Pensions (DWP) commissioned the Sustainable Housing & Urban Studies Unit (SHUSU) at the University of Salford to carry out an evaluation of the Livelihoods Training Project. The overall aim of the Project is to embed understandings of poverty within the DWP service across Wales, to enable DWP staff to better understand the needs of customers, and consequently be better placed to provide appropriate support and solutions to meet their needs. It is hoped that this more personalised approach will reduce the need for sanctions and improve outcomes in terms of sustainable employment. The Project aims to provide training to around 600 DWP staff across Wales by September 2017.

The evaluation is using a mixed-methods approach to document and evaluate the operation of the Project and its impact on DWP staff and customers, and participating community partners. The evaluation has three linked objectives:

1. To understand how the Project was delivered, assessing to what extent the Theory of Change for the Project was fulfilled, and the factors affecting success;
2. To set out the difference the Project made in terms of quantitative (statistically measurable) impact for key Project outcomes; and
3. To present an assessment of how the benefits of the Project relate to the costs.

This Interim Report provides an overview of some of the initial findings of the on-going evaluation. It is not our intention to present definitive findings; rather the purpose is to provide insights from the data collected to date to support the on-going delivery of the Project.

2 Methods

This Interim Report is informed by four key sources of data:

1. Facilitator notes: Analysis of flip-chart notes made by the training facilitator during each training session, which log key issues raised by participants in relation to use of the tools.
2. Surveys of DWP staff: This includes an Oxfam Post-Training Feedback questionnaire, distributed at the end of training sessions between 28th June 2016 and 31st January 2017 (200 anonymous responses fed into this report; a response rate of 97.09%); and a follow-up questionnaire administered by the DWP, up to six months after the training (27 anonymous responses).
3. Qualitative case study: The evaluation includes a case study in each Welsh district, to provide a more in depth understanding of the process and outcomes of the training. Within each case study, data is derived from semi-structured interviews with DWP customers and a focus group with DWP staff who have received the training. The findings in this interim report are based on

one case study comprising of seven DWP staff and five customers.

4. Consultation with a community partner: To date, a small number of community partners (approximately eight) are playing an important role in the Project and three organisations collaborate actively by volunteering on the Project and assisting in co-training, where possible. This Interim Report includes consultation with one community partner.

3 Findings

- Responses to the Oxfam administered survey were very positive and highlighted the immediate impact of the training.
- Overall, responses for the likelihood of being able to use the tools were positive (based upon a mean score of 6.74 out of 10).
- Responses relating to the effects of the training on awareness of poverty, supporting customers, and using livelihoods approaches at work were positive across the board and scores were clearly higher at the end of the training than at the start (there was a net gain of at least 2.5 points out of 10 for each question).
- A large majority of participants reported that, as a result of the training, they had new ideas on ways to support customers (87%), and that the tools were directly relevant for their job role (77%).
- After returning to work, participants reported the continued impact of the training on awareness of poverty in particular. Respondents also felt that the training had a positive impact on their work in terms of feeling more effective (7.25/10), interested in work (6.75/10), a sense of accomplishment (7.08/10), and they have subsequently recommended the training to colleagues (8.00/10).
- However, there was a big decrease in participants stating that they have been able to come up with new ideas and apply these ideas in their work. Several participants explained this was due to lack of time. The figures after returning to work

were 30% and 33%, respectively.

- Qualitative consultation with DWP staff highlighted a number of positive responses in relation to the training, particularly around the skills of the training facilitator and the post-training support, as well as the impact it had had on how they approached particular customers.
- However, some staff had yet to fully utilise the tools (despite the training taking place a few months ago).
- Time constraints and organisational barriers were highlighted as key issues impacting on the ability to use the tools. However, personal barriers were also relevant, whether that related to the confidence of staff or the perception that they would find it difficult to use on certain customers.
- Feedback suggested that 'buy in' from senior DWP staff would be vital for embedding the tools within current working practices.

4 Next steps

This Interim Report presents emerging findings from the data collected up to February 2017. The evaluation will be on-going until September 2017, at which point a full final evaluation report will be produced. The final evaluation report will incorporate the following data:

- The full DWP staff survey;
- A survey of DWP customers who are supported by staff who have received the training, to be compared with existing customer insights surveys undertaken by the DWP;
- Post-training questionnaires and facilitator notes;
- A minimum of three qualitative case studies, including consultation with both DWP staff and customers;
- Consultation with all community partners; and,
- Consultation with Oxfam and DWP staff responsible for the delivery of the Project.

The final evaluation report will provide a process, impact

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Y Pwyllgor Cydraddoldeb, Llywodraeth Leol a Chymunedau
Equality, Local Government and Communities Committee
ELGC(5)-25-17 Papur 10 / Paper 10

Carl Sargeant AC
Ysgrifennydd y Cabinet dros Gymunedau a Phlant

15 Awst 2017

Annwyl Carl

Diogelwch Tân mewn tyrau o fflatiau yng Nghymru

Diolch am gytuno i roi dystiolaeth lafar i'r Pwyllgor ar 27 Medi. Mae hyn yn dilyn ein sesiynau ar 13 Gorffennaf, lle cawsom dystiolaeth gan gynrychiolwyr o'r canlynol:

- Y Gwasanaeth Tân ac Achub yng Nghymru;
- Cyrff proffesiynol;
- Tenantiaid;
- Awdurdodau lleol; a
- Landlordiaid Cymdeithasol Cofrestredig.

Roedd y sesiynau'n cwmpasu ystod eang o faterion, y mae rhai ohonynt wedi'u hamlygu yn y llythyr hwn. Ceir hefyd feysydd y byddem yn gwerthfawrogi mwy o eglurder arnynt gan Lywodraeth Cymru.



Ymateb y sector cyhoeddus yn dilyn y Tân yn Nhŵr Grenfell

Cawsom ein calonogi gan ymatebolwydd yr holl bartneriaid yng Nghymru ar ôl y Tân erchyll yn Nhŵr Grenfell. Clywsom sut yr oedd darparwyr tai cymdeithasol wedi gweithio'n agos gyda'r Gwasanaeth Tân ac Achub i ddarparu sicrwydd i denantiaid a phreswylwyr; ac i wirio diogelwch adeiladau.

Dyweddodd y darparwyr tai cymdeithasol wrthym, yn gyffredinol, fod y wybodaeth a'r arweiniad a ddarparwyd gan Lywodraeth Cymru wedi bod yn effeithiol ac yn amserol. Yn benodol, clywsom fod y sesiwn frifio ar y cyd i'r cyfryngau wedi bod yn werthfawr yn ceisio chwalu mythau a sicrhau bod digwyddiadau yn cael eu nodi'n gywir.

Fodd bynnag, tynnodd Cyngor Abertawe sylw at bryderon am y llif gwybodaeth rhyngddo ef, Llywodraeth Cymru; Adran Llywodraeth y DU dros Gymunedau a Llywodraeth Leol; a'r Sefydliad Ymchwil Adeiladu. Nodwyd hefyd fod hyn yn ffynhonnell o rwystredigaeth i Lywodraeth Cymru, a byddem yn hoffi gwybod a yw'r materion hyn wedi'u cywiro erbyn hyn. Mae hyn yn amlwg yn dal i fod yn fater byw, fel, ar adeg ysgrifennu, mae goblygiadau'r profion system gyfan o'r deunyddiau cladin gan y Sefydliad Ymchwil Adeiladu yn aneglur o hyd. Yn dilyn canlyniadau diweddaraf y profion system gyfan a oedd ar gael ar 2 Awst, nad oedd y deunyddiau a ddefnyddiwyd yn Newport City Homes yn pasio, byddem yn croesawu rhagor o wybodaeth am y gefnogaeth a gaiff ei rhoi gan Lywodraeth Cymru i Newport City Homes, ac unrhyw landlord arall y mae canlyniadau profion yn y dyfodol yn effeithio arnynt.

Cawsom ein calonogi hefyd gan y datganiadau gan bob un o'r Gwasanaethau Tân ac Achub bod ganddynt y capaciti a'r offer i ymdrin â digwyddiad tebyg yng Nghymru.

Gorchymyn Diwygio Rheoleiddio (Diogelwch Tân) 2005 ('y Gorchymyn')
'Person cyfrifol'



Gwnaethom ofyn i dystion am y Gorchymyn a'i effeithiolrwydd. Un o'r materion a godwyd gan y rhan fwyaf o'r tystion oedd y diffiniad yn y Gorchymyn o 'berson cyfrifol'. Fel y dywedodd Gwasanaeth Tân ac Achub Gogledd Cymru wrthym:

"The limitation from my perspective is that of the person considered to be a responsible person. There is no specific qualification, accreditation or level of skill or knowledge defined in the legislation for that person."

Mae hwn yn fwlch posibl yn y fframwaith rheoleiddio sy'n sail i ddiogelwch Tân. Roedd yn amlwg bod y landlordiaid y gwnaethom siarad â hwy yn cymryd eu cyfrifoldebau o ran y mater hwn o ddifrif, fodd bynnag, rydym yn gwybod yn y sector preifat efallai nad yw hyn bob amser yn wir. Credwn fod rhinwedd mewn archwilio ymarferoldeb newidiadau i'r fframwaith rheoleiddio a fyddai'n sicrhau bod yn rhaid i'r 'person cyfrifol' fodloni lefel ofynnol o gymhwyster, sgiliau neu brofiad perthnasol. Byddem yn croesawu eich sylwadau ar y mater hwn.

Rydym yn gwerthfawrogi, er nad oes gan y Cynulliad gymhwysedd deddfwriaethol ar hyn o bryd i ddiwygio'r Gorchymyn neu gyhoeddi rheoliadau newydd, unwaith y bydd Deddf Cymru 2017 wedi dod i rym bydd gan y Cynulliad gymhwysedd i wneud newidiadau i'r fframwaith rheoleiddio ar ddiogelwch Tân.

Ymhellach i'r mater hwn, mae'r mater sylfaenol o'r Gwasanaeth Tân ac Achub yn nodi pwy yw'r person cyfrifol. Er nad yw hyn yn ymddangos fel problem yn y sector tai cymdeithasol, clywsom ei fod yn fwy cymhleth yn y sector preifat. Mae hyn yn destun pryder inni o ystyried bod diogelwch Tân o'r pwys mwyaf yn y sector preifat hefyd. Byddem yn croesawu eich sylwadau ar y ffordd orau o fynd i'r afael â'r mater hwn.

Canllawiau cysylltiedig

Cyfeiriodd nifer o dystion at adolygiad gan Lywodraeth Cymru o'r canllawiau sy'n cyd-fynd â'r Gorchymyn; 'Fire safety in purpose-built blocks of flats'. Credai'r tystion fod yr adolygiad hwn bron wedi'i gwblhau. Byddem yn croesawu



diweddariad ar pryd y cyhoeddir y canllawiau diwygiedig, ac os bydd yn ystyried unrhyw un o'r datblygiadau sy'n deillio o Dŵr Grenfell.

Awdurdod Tân sylfaenol

Tynnodd Cartrefi Cymunedol Cymru sylw at y ffaith bod ei aelodau weithiau wedi cael cyngor gwahanol gan bob Gwasanaeth Tân ac Achub. Mae'n cynnig cael awdurdod Tân sylfaenol ar gyfer byw mewn tyrau o fflatiau, a fyddai'n sicrhau cyngor cyson ledled Cymru, yn ogystal â galluogi'r awdurdod hwnnw i ddatblygu arbenigedd penodol yn y maes hwn. Awgrymwyd y byddai cael awdurdod sylfaenol o'r fath wedi'i gwneud yn haws, yn dilyn Grenfell, cael data cywir ar dyrau o fflatiau yng Nghymru yn gynt. Byddem yn croesawu eich sylwadau ar yr awgrym hwn.

Mesurau diogelwch Tân

Roedd llawer o'r dystiolaeth yn canolbwytio ar y canlynol:

- mesurau diogelwch Tân sydd eisoes ar waith mewn tyrau o fflatiau yng Nghymru;
- yr heriau a wynebir gan landlordiaid i sicrhau lefelau digonol o ddiogelwch Tân; a
- mesurau pellach y gellid eu cymryd.

Pwysigrwydd rhannu yn adrannau

Roedd hon yn thema gref. Clywsom am y ffyrdd gwahanol y gall rhannu yn adrannau gael ei leihau, yn aml drwy waith gwella ar raddfa fach o fewn fflatiau unigol. Mae'r Gwasanaeth Tân ac Achub wedi gwneud yn glir bod ei gyfrifoldebau a'i bwerau gorfodi yn stopio mewn drysau ffrynt ar gyfer fflatiau a'u bod ond yn gyfrifol am ardaloedd cymunedol. Mae ymdrin ag unrhyw doriadau o fewn unedau unigol, yn fater i'r awdurdod lleol. A ydych yn hyderus bod gan awdurdodau lleol yr adnoddau a'r sgiliau i asesu a gorfodi gofynion diogelwch Tân o fewn fflatiau unigol yn ddigonol?

Dyweddodd yr awdurdodau lleol wrthym fod ymdrin ag addasiadau o fewn fflatiau yn fater i'r fflatiau hynny sydd wedi'u gwerthu. Un mater penodol oedd



lesddeiliaid yn gosod drws ffrynt newydd, a all gael effaith andwyol sylweddol ar sicrhau nad yw tanau'n lledaenu y tu hwnt i un cartref.

Roedd landlordiaid cymdeithasol yn hyderus nad oedd gwaith adnewyddu sylweddol yn effeithio ar rannu yn adrannau, a diogelwch tân yn ehangach. Fodd bynnag, roedd ganddynt bryderon yngylch gwaith ar raddfa fach y gellir ei wneud gan breswylwyr, neu wasanaethau cyfleustodau fel cwmnïau telathrebu, nad ydynt o bosibl yn sylweddoli y gall mân newidiadau effeithio ar rannu yn adrannau, a diogelwch tân.

Byddem yn croesawu eich sylwadau ar y ffordd orau o fynd i'r afael â'r materion hyn.

Archwiliadau Diogelwch Tân yn y Cartref

Roeddem yn synnu clywed bod rhai preswylwyr yn gwrthod archwiliadau diogelwch tân yn y cartref am ddim a gynigiwyd yn dilyn y tân yn Nhîr Grenfell. Er ein bod yn deall y gall fod amrywiaeth o ffactorau sy'n dylanwadu ar y penderfyniad hwn, gan gynnwys diffyg ymddiriedaeth gyffredinol mewn cyrff cyhoeddus, neu bryderon y gall peiriannau gael eu cymryd i ffwrdd. Tynnodd y Gwasanaeth Tân ac Achub sylw at waith cyrff megis Electrical Safety First, a galwodd ar weithgynhyrchwyr i fod yn fwy rhagweithiol wrth alw offer yn ôl pan fydd problemau'n codi gyda hwy.

Byddai gennym ddiddordeb mewn gwybod beth arall y gellir ei wneud i annog preswylwyr yn well i fanteisio ar yr archwiliadau diogelwch tân yn y cartref, ac a oes angen rhagor o wybodaeth gyhoeddus am beryglon tân mewn cartrefi unigol.

Ôl-ffitio systemau chwistrellu a gwaith adferol arall

Clywsom bryderon sylweddol gan landlordiaid cymdeithasol yngylch y gost gynyddol o osod systemau chwistrellu mewn tyrau, a gwaith adferol arall, megis ailosod cladin, yn dilyn y tân yn Nhîr Grenfell. Nododd landlordiaid fod hyn o ganlyniad i gynydd yn y galw ledled y DU. Rydym yn pryderu y bydd yn arwain at y rhai sy'n gallu talu fwyaf yn cael y gwaith hwn wedi'i wneud yn gyntaf, yn



hytrach na dull sy'n seiliedig ar risg o nodi lle mae'r angen mwyaf. Byddem yn croesawu rhagor o wybodaeth am y trafodaethau sy'n cael eu cynnal gyda Llywodraeth y DU a'r diwydiant ar hyn, er mwyn sicrhau bod landlordiaid cymdeithasol yn gallu gosod y mesurau diogelwch angenrheidiol am bris nad yw'n artiffisial o uchel, ac mewn modd amserol.

Mynegyd pryderon hefyd gan gynrychiolwyr tenantiaid y bydd y bobl sydd fwyaf agored i niwed mewn cymdeithas o bosibl yn gorfol talu am fethiannau adeiladu ar y lefel fwyaf sylfaenol, a chwestiynwyd tegwch hyn. Hoffem wybod a fydd unrhyw gymorth ariannol yn cael ei gynnig i landlordiaid cymdeithasol i sicrhau nad oes rhaid i denantiaid ariannu'r rhan fwyaf o'r gwaith adfer sy'n deillio o'r tân yn Nhŵr Grenfell a'r angen am fwy o ddiogelwch tân.

Yn gysylltiedig â'r mater hwn, clywsom hefyd bryder penodol gan Bron Afon a Merthyr Valleys Homes ynghylch effaith cyfyngu ar Fudd-dal Tai mewn tai cymdeithasol i gyfradd y Lwfans Tai Lleol, sy'n is na'r rhent y mae'r cymdeithasau tai hyn yn ei godi ar hyn o bryd. Dywedodd Merthyr Valleys Homes erbyn 2019, pryd y disgwylir i'r cynnig ddod i rym, y gallai'r bwlch fod yn tua £7 yr wythnos. Bydd hyn yn cael effaith ar ei allu i sicrhau bod y rhent y mae'n ei dderbyn yn cynnwys cost mesurau diogelwch tân. Er y cydnabyddir nad yw hwn yn bolisi Llywodraeth Cymru, byddem yn hoffi gwybod pa drafodaethau yr ydych wedi'u cael gyda Llywodraeth y DU ar y mater hwn ac a oes unrhyw gamau y gall Llywodraeth Cymru eu cymryd i liniaru'r effaith o gyfyngu ar Fudd-dal Tai mewn tai cymdeithasol i gyfraddau Lwfans Tai Lleol, yn arbennig mewn perthynas â sicrhau bod y mesurau diogelwch tân priodol yn cael eu rhoi ar waith mewn tyrau ledled Cymru.

Rheoliadau Adeiladu 2010 (Rheoliadau)

Trafodwyd materion mewn perthynas â'r Rheoliadau a'r Dogfennau Cymeradwy sydd wedi'u cynhyrchu o dan y Rheoliadau. Nodwyd nad yw'n ofyniad (er ei fod yn digwydd weithiau o ganlyniad i gydberthnasau gwaith da rhwng y partïon) y dylid ymgynghori â'r Gwasanaeth Tân ac Achub ar ddiogelwch tân a chydymffurfio â'r



Rheoliadau wrth adeiladu tyrau o fflatiau. Byddem yn ddiolchgar o'ch cyngor ynghylch a fyddwch yn ystyried adolygu'r fframwaith statudol a/neu'r Dogfennau Cymeradwy i'w gwneud yn ofynnol cynnwys y Gwasanaeth Tân ac Achub yn y broses hon.

Hefyd, a ydych yn bwriadu addasu neu ailwampio'r Rheoliadau mewn perthynas â diogelwch Tân yn gyffredinol mewn tyrau o fflatiau (rydym yn cydnabod, er bod gan Lywodraeth Cymru bwerau gweithredol yn y maes hwn, ni fydd y Rheoliadau o fewn cymhwysedd deddfwriaethol y Cynulliad Cenedlaethol hyd nes y bydd Deddf Cymru 2017 yn dod i rym).

Nodwn fod Llywodraeth y DU wedi cyhoeddi adolygiad annibynnol o reoliadau adeiladu a diogelwch Tân ar 28 Gorffennaf. Wrth gyhoeddi'r adolygiad, dywedodd Llywodraeth y DU y bydd yr adolygiad yn gweithio'n agos gyda'r gweinyddiaethau datganoledig, a byddem yn croesawu rhagor o wybodaeth am sut y bydd yr adolygiad hwn yn rhyngweithio â gwaith Llywodraeth Cymru a Grŵp Ymgynghorol Diogelwch Tân Cymru.

Cladin allanol

Amlygodd Cyngor Sir y Fflint, er bod y wyddoniaeth a'r arbenigedd ynghylch diogelwch rhag Tân mewnol wedi cael eu datblygu dros nifer o ddegawdau:

"Externally, cladding and the types of systems that we've got now are quite a new science...it is a new science that maybe we haven't got enough knowledge about...

...basically, we're putting something on the outside of a building, and we've set light to a building from the external side, and yet, not from the inside. We've got good fire protection measures on the inside, generally, across most buildings, but we're moving into a new science, a new area of technology, that maybe, collectively, a lot of people haven't got a lot of knowledge about.



Mae'n bosibl bod hyn yn ffactor yn yr oedi wrth symud i brofi system gyfan, y nodwyd yn gynharach.

Clywsom hefyd, er y gall cladin fodloni'r holl safonau a rheoliadau pan gafodd ei osod am y tro cyntaf, y gall ei effeithiolrwydd gael ei leihau drwy heneiddio, achosion o dorri'r cladin oherwydd gwaith gwella a'r tywydd.

Rydym yn teimlo y byddai hwn yn faes a allai gael budd o ystyriaeth fanylach gan Grŵp Ymgynghorol Diogelwch Tân Cymru. Byddai gennym ddiddordeb mewn gwybod a yw Llywodraeth Cymru a Llywodraeth y DU yn edrych i weithio gyda'r Sefydliad Ymchwil Adeiladu, y diwydiant a landlordiaid er mwyn helpu i wella dealltwriaeth o dechnoleg cladin, a sut y mae'n effeithio ar ddiogelwch Tân.

Y sector preifat

Roedd ein dystiolaeth yn canolbwytio ar y sector tai cymdeithasol, ond hefyd yn ystyried materion o fewn y sector preifat, fel y nodwyd yn gynharach. Rydym yn croesawu'r ffaith bod y sector preifat bellach yn cael ei gynrychioli ar Grŵp Ymgynghorol Diogelwch Tân Cymru a'i gynnwys yng nghylch gorchwyl y Grŵp. Hoffem gael rhagor o wybodaeth am sut arall yr ydych wedi ymgysylltu â'r sector preifat (gan gynnwys, yn benodol, llety myfyrwyr, sy'n gynyddol mewn tyrau o fflatiau sydd dan berchnogaeth a rheolaeth breifat), a pha gamau ychwanegol, os o gwbl, yn eich barn chi sy'n angenrheidiol i sicrhau bod lefelau o mesurau diogelwch Tân yn debyg rhwng y sector cymdeithasol a'r sector preifat.

Tenantiaid a phreswylwyr

Cawsom ein calonogi gan weithgareddau landlordiaid cymdeithasol yn syth ar ôl Grenfell i ddarparu gwybodaeth, cyngor a sicrwydd i'w tenantiaid a'u preswylwyr. Roedd yn amlwg y cafodd hyn ei gymryd o ddifrif gan bawb dan sylw, ac rydym yn cymeradwyo'r gwaith hwn.

Ond yn fwy eang, clywsom fod diffyg cymorth ffurfiol i denantiaid herio landlordiaid. Er bod llawer o waith wedi'i wneud o ran helpu tenantiaid i graffu ac ymgysylltu â landlordiaid, dadleuodd Steve Clark o Tenantiaid Cymru yn gryf fod



angen llais cynrychioliadol cenedlaethol ar gyfer tenantiaid i herio landlodiaid yn allanol.

Mewn perthynas â hyn, roedd cynnydd y sector rhentu preifat, nad oes ganddo'r strwythurau ffurfiol i ymgysylltu â thenantiaid sy'n cael eu hymgorffori yn y sector tai cymdeithasol. Awgrymodd Steve Clark fod methu â chael corff tenantiaid cenedlaethol yn tanseilio unrhyw ymdrechion i helpu tenantiaid preifat i lywio datblygiad y sector hwn.

A yw Llywodraeth Cymru yn cytuno bod bwlch o ran corff tenantiaid cynrychioliadol cenedlaethol? Os felly, beth y gall Llywodraeth Cymru ei wneud er mwyn helpu i sefydlu a chefnogi corff o'r fath?

Cyngor i denantiaid a phreswylwyr

Archwiliwyd gyda'r holl dystion ddigonolrwydd y cyngor a roddwyd i breswylwyr, ac yn arbennig rheoli unrhyw newid mewn cyngor os bydd tân yn digwydd.

Clywsom y gall fod yn anodd rhoi cyngor sy'n cwmpasu pob posibilrwydd, yn enwedig gan fod pob adeilad, a phob tân yn wahanol.

Byddem yn croesawu barn Llywodraeth Cymru ar ddigonolrwydd y cyngor a roddwyd i denantiaid a phreswylwyr, a'r ffordd orau o gyfleo newidiadau mewn amgylchiadau, yn yr achos annhebygol o dâñ, i breswylwyr.

Fel rwy'n siŵr y gallwch werthfawrogi, nid yw'r llythyr hwn yn ymdrin â phob un o'r materion a godwyd yn ystod y sesiwn. Er cyflawnder, amgaeaf gopi o'r trawsgrifiad o'r sesiwn ar 13 Gorffennaf.

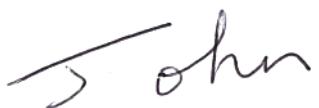
Er mwyn helpu i lywio ein sesiwn gyda chi ar 27 Medi, byddwn yn gwerthfawrogi ymateb i'r llythyr hwn erbyn 15 Medi.

Rwy'n anfon copi o'r llythyr hwn at y Pwyllgor Newid Hinsawdd, Amgylchedd a Materion Gwledig, ynghyd â'n pwyllgorau cyfatebol yn San Steffan a Senedd yr Alban, sef y Pwyllgor Cymunedau a Llywodraeth Leol a'r Pwyllgor Llywodraeth Leol a Chymunedau (yn y drefn honno).



Edrychaf ymlaen at drafod y materion hyn ymhellach gyda chi ar 27 Medi.

Yn gywir



John Griffiths AC
Cadeirydd

Croesewir gohebiaeth yn Gymraeg neu'n Saesneg.

We welcome correspondence in Welsh or English.



Tudalen y pecyn 80

8 Awst 2017

John Griffiths AC
Cadeirydd, Pwyllgor ELGC
Cynulliad Cenedlaethol Cymru
Bae Caerdydd
CF99 1NA.

Pwnc: Hawliau Dynol yng Nghymru

Annwyl John,

Pleser oedd eich gweld yn ddiweddar yn ein trafodaeth gyda rhanddeiliaid ynglŷn â blaenoriaethau hawliau dynol yng Nghymru.

Roedd y digwyddiad yn rhan o ymrwymiad y Comisiwn i weithio ar y cyd ag eraill i lunio cynllun gweithredu hawliau dynol yng Nghymru. Blaenoriaeth y cynllun gweithredu hwn yw ymwriddio egwyddorion hawliau dynol ym maes cyflenwi gwasanaeth cyhoeddus. Rydym yn disgwl gallu rhannu'r cynllun gweithredu hwn gyda'ch Pwyllgor yn ystod y misoedd i ddod, gan ein bod yn cydnabod pwysigrwydd eich cefnogaeth wrth lunio a hybu'r cynllun.

Roeddem hefyd am roi'r newyddion diweddaraf i chi ar drafodaethau a gynhaliom ers ein sesiwn tystiolaeth lafar gyda'r Pwyllgor ym mis Ebrill. Yn y sesiwn honno, ymgymeroedd Cadeirydd ein Pwyllgor Cymru, June Milligan, â thrafodaeth gyda Phwyllgor Cymru ynglŷn â'n rôl wrth hybu hawliau dynol mewn lleoliadau addysg yng Nghymru. Bu Pwyllgor Cymru'n trafod y mater hwn yn ei gyfarfod yn ddiweddar.

Mae Pwyllgor Cymru o'r farn bod gennym yr effaith fwyaf wrth inni weithio mewn partneriaeth ag eraill, megis Comisiynydd Plant Cymru. Er enghraift, rydym wedi nodi cyfleoedd i weithio ar y cyd gyda'r Comisiynydd Plant ar fwlio

ar sail hunaniaeth. Mae hyn wedi cynnwys darparu cyngor ar sut i gynnwys Dyletswydd Cydraddoldeb y Sector Cyhoeddus yn argymhellion eu hadroddiad diweddar 'Stori Sam: gwrando ar brofiadau plant a phobl ifanc o fwlio yng Nghymru'.

Byddwn yn cyfarfod eto â'r Comisiynydd Plant i drafod sut y gallwn chwarae ein rhan wrth hyrwyddo Y Ffordd Gywir: Dull gweithredu seiliedig ar Hawliau Plant i addysg yng Nghymru. Mae'r canllaw hwn, a lansiwyd yn ddiweddar gan y Comisiynydd Plant, yn ymwneud â gosod y Confensiwn ar Hawliau'r Plentyn yn ganolog i brofiad addysg y plentyn ac i gynlluniau ysgolion, y dysgu, wrth wneud penderfyniadau, llunio polisiau a'r arfer. Drwy weithio gyda'r Comisiynydd Plant byddwn yn gallu mynd i'r afael â rhai pryderon a gododd eich Pwyllgor. Rydym hefyd yn ymgysylltu â Llywodraeth Cymru wrth iddi ddyfeisio cwricwlwm newydd i Gymru, sydd i fod ar gael erbyn mis Medi 2018. Byddwn yn parhau i ddadlau'r achos y dylai hawliau plant fod yn ganolog i'r cwricwlwm yng Nghymru.

At hynny, yn ein rôl fel y Sefydliad Hawliau Dynol Cenedlaethol i Brydain, bydd y Comisiwn yn cyflwyno cyflawniadau i Bwyllgor y CU ar Hawliau'r Plentyn ynglŷn â sut y caiff hawliau plant eu hybu yng Nghymru a ledled Prydain. Rydym yn flaenorol wedi amlyu rhan hollbwysig addysg wrth hyrwyddo hawliau'r plentyn. Bydd cyflwyniad â'r wybodaeth ddiweddaraf yr ydym yn ei anfon i Bwyllgor y CU yn ddiweddarach eleni yn ail bwysleisio'r pwyt hwn.

Rydym yn edrych ymlaen at weithio'n agos gyda'ch Pwyllgor pan fydd eich Ymchwiliad i hawliau dynol yng Nghymru yn ail gychwyn yn yr Hydref. Bydd eich canfyddiadau a'ch argymhellion yn hanfodol wrth helpu i osod blaenoriaethau ar gyfer hawliau dynol yng Nghymru. Os bydd ein cynllun gweithredu ac argymhellion eich Ymchwiliad yn ategu ei gilydd, bydd hynny'n werthfawr iawn.

Yn olaf, yn dilyn fy mhenodiad diweddar fel Pennaeth Cymru yn y Comisiwn yng Nghymru, byddwn yn croesawu'r cyfle i gwrdd â chi i drafod yr Ymchwiliad Hawliau Dynol a ffyrdd eraill y gall y Comisiwn ddarparu cyngor i'r Pwyllgor. Gwnaf gysylltu â'ch swyddfa i weld a ellir dod o hyd i ddyddiad dros doriad yr haf neu yn y tymor newydd.

Yr eiddoch yn ddiffuant,

Ruth Coombs

Pennaeth Cymru,
Comisiwn Cydraddoldeb a Hawliau Dynol.

Cadeiryddion y Pwyllgorau
Cynulliad Cenedlaethol Cymru
Bae Caerdydd
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18 Awst 2017

Annwyl Gadeirydd

Deddf Cymru 2017: Prif Ddiwrnod Penodedig

Diolch i chi am drafod ymgyngoriad Ysgrifennydd Gwladol Cymru ar yr uchod yn eich Pwyllgor.

Gweler yn atodedig fy ymateb i Ysgrifennydd Gwladol Cymru. Yn sgil y sylwadau a ddaeth gan y Pwyllgor Cyllid a thrafodaethau gyda swyddogion Llywodraeth Cymru, rwyf wedi awgrymu newid y dyddiad y bydd y model cadw pwerau yn dod i rym o 6 Ebrill 2018 i 1 Ebrill 2018, i gyd-fynd â'r dyddiad y bydd y trethi datganoledig newydd yn dod yn weithredol. Bydd Ysgrifennydd Gwladol Cymru yn nodi'r Prif Ddiwrnod Penodedig mewn Rheoliadau.

Byddaf yn eich rhoi gwybod i chi am unrhyw ohebiaeth bellach gan Ysgrifennydd Gwladol Cymru ar y mater hwn.

Yn gywir



Elin Jones AC
Llywydd

Amg



Elin Jones AC, Llywydd

Cynulliad Cenedlaethol Cymru

Elin Jones AM, Presiding Officer

National Assembly for Wales

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18 Awst 2017

Annwyl Alun

Diolch am eich llythyr dyddiedig 10 Gorffennaf yn cynnig 6 Ebrill 2018 fel y Prif Ddiwrnod Penodedig lle bydd y model cadw pwerau i Gymru yn dod i rym.

Rwyf wedi ystyried y cynigion rydych yn eu cyflwyno ac wedi ymgynghori â phwyllgorau'r Cynulliad. Ar y sail honno, rwy'n cytuno â chi y dylai'r trefniadau newydd ddod i rym ym mis Ebrill 2018 ar yr un diwrnod y bydd y trethi datganoledig newydd yn dod i rym - y Dreth Trafodiadau Tir a'r Dreth Gwareidiadau Tirlenwi. Rwyf ar ddeall y bydd hyn yn digwydd ar 1 Ebrill 2018. Felly, byddwn i'n awgrymu y dylai'r Prif Ddiwrnod Penodedig fod ar 1 Ebrill 2018. Byddai hyn yn golygu bod y model cadw pwerau yn dod i rym ar Sul y Pasg.

Gwnaethoch hefyd nodi yn eich llythyr bod eich swyddogion yn ystyried a fyddai'r sesiwn seneddol dwy flynedd yn arwain at unrhyw oblygiadau i'r Cynigion Cydsyniad Deddfwriaethol a allai fod angen. Edrychaf ymlaen at gael y wybodaeth hon maes o law.

Yn gywir

Elin Jones AC
Llywydd

cc Cadeiryddion Pwyllgorau'r Cynulliad

Croesewir gohebiaeth yn Gymraeg neu Saesneg / We welcome correspondence in Welsh or English

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Tudalen y pecyn 85

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John Griffiths AM
National Assembly for Wales
Cardiff Bay
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CF99 1NA

18 August 2017

Dear Mr Griffiths

I am writing as chair of the Welsh Refugee Coalition in follow up to the ELGC Committee's 'I used to be someone' report. The Coalition is delighted that your Committee focused on so many of the important issues affecting asylum seekers and refugees and recommended concrete steps to make Wales a 'Nation of Sanctuary'.

Following an all-Wales conference in April we have formed a Nation of Sanctuary Steering Group, chaired by Rebecca Scott, to make that idea a reality, working with the voluntary sector, Welsh and local Government, local health boards and other service providers, communities and the private sector. Following your recommendation 12, and as one of the 'seven steps' to sanctuary, the Coalition are also formulating proposals for practical steps to tackle destitution in Wales.

Finance is obviously critical in any re-invigorated approach and we welcome your assurance at the Report's launch that your committee would be scrutinising the relevant spending lines throughout the forthcoming Welsh Government budget negotiations.

Some of the key costs arising from your committee's recommendations include support to expand ESOL provision, fund university fees, expand the role of community cohesion co-ordinators, address needs in mental health, of the destitute and of unaccompanied asylum seeking children and ensuring (the re-named) Asylum Rights programme has sufficient provision of legal advice and mental health support.

We would like the next Welsh Refugee and Asylum Seeker Delivery Plan to be co-produced with those involved, especially refugees and asylum seekers themselves, and welcome Mark Drakeford's support for co-production as one of the most exciting opportunities we have to bring together the knowledge, experience and contributions of those who work in our public services and those who use them. The level of engagement required would affect the speed with which the plan could be developed, but we believe that if genuine partnership can be achieved this will yield substantial benefits in terms of long-term impact and buy-in from a wide range of partners in Wales. I am pleased to report there is positive engagement between civil servants working on the Delivery Plan revision and Coalition members to further this ambition.

Your continuing support on the above issues is clearly critical. Can I suggest a meeting to discuss how your Committee will be following up your report over the Summer and Autumn and any suggestions you may have on how the Coalition and its project teams could work with you to best effect?

Yours sincerely

Rocio Cifuentes

Rocio Cifuentes
Chair, Welsh Refugee Coalition

Tudalen y pecyn 86

Mae cyfyngiadau ar y ddogfen hon