

PARLIAMENTARY DEBATES

HOUSE OF COMMONS
OFFICIAL REPORT

First Delegated Legislation Committee

DRAFT GOVERNMENT OF WALES ACT 2006
(DEVOLVED WELSH AUTHORITIES)
(AMENDMENT) ORDER 2024

Tuesday 8 October 2024

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Saturday 12 October 2024

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The Committee consisted of the following Members:

Chair: † MARTIN VICKERS

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| † Abbott, Jack (<i>Ipswich</i>) (Lab/Co-op) | † Mayer, Alex (<i>Dunstable and Leighton Buzzard</i>) (Lab) |
| Chadwick, David (<i>Brecon, Radnor and Cwm Tawe</i>) (LD) | † Onn, Melanie (<i>Great Grimsby and Cleethorpes</i>) (Lab) |
| † Egan, Damien (<i>Bristol North East</i>) (Lab) | † Rankin, Jack (<i>Windsor</i>) (Con) |
| † Fox, Sir Ashley (<i>Bridgwater</i>) (Con) | † Swards, Mr Mark (<i>Leeds South West and Morley</i>) (Lab) |
| † Gittins, Becky (<i>Chwyd East</i>) (Lab) | † Tidball, Dr Marie (<i>Penistone and Stocksbridge</i>) (Lab) |
| † Green, Sarah (<i>Chesham and Amersham</i>) (LD) | † Vince, Chris (<i>Harlow</i>) (Lab/Co-op) |
| † Griffith, Dame Nia (<i>Parliamentary Under-Secretary of State for Wales</i>) | Susie Smith, <i>Committee Clerk</i> |
| † Holmes, Paul (<i>Hamble Valley</i>) (Con) | |
| † Lamont, John (<i>Berwickshire, Roxburgh and Selkirk</i>) (Con) | |
| † McEvoy, Lola (<i>Darlington</i>) (Lab) | |
| † McMorrin, Anna (<i>Cardiff North</i>) (Lab) | † attended the Committee |

First Delegated Legislation Committee

Tuesday 8 October 2024

[MARTIN VICKERS *in the Chair*]

Draft Government of Wales Act 2006 (Devolved Welsh Authorities) (Amendment) Order 2024

9.25 am

The Parliamentary Under-Secretary of State for Wales (Dame Nia Griffith): I beg to move,

That the Committee has considered the draft Government of Wales Act 2006 (Devolved Welsh Authorities) (Amendment) Order 2024.

It is a pleasure to serve under your chairmanship, Mr Vickers, and indeed, it is a pleasure to lead my first debate of this nature as a Wales Office Minister. The draft order, which was laid on 21 May 2024, will make modifications to the list of devolved Welsh authorities in schedule 9A to the Government of Wales Act 2006 in the light of the Senedd's Tertiary Education and Research (Wales) Act 2022.

The 2022 Act provided for the establishment of the new Commission for Tertiary Education and Research—also known as Medr—which came into operation from August this year. The commission is now the regulatory body responsible for the funding, oversight and regulation of tertiary education and research, encompassing all post-16 education in Wales. To that end, it took on the functions of the Higher Education Funding Council for Wales, which has been dissolved.

The Government of Wales Act established a delineation between devolved Welsh authorities and reserved public authorities. Devolved Welsh authorities are those that are accountable to Welsh Ministers and to the Senedd. Conversely, reserved public authorities are accountable to the UK Government and to Parliament.

Section 157A of the 2006 Act defines devolved Welsh authorities as a public authority whose functions

“are exercisable only in relation to Wales”

and which

“wholly or mainly...do not relate to reserved matters.”

The Commission for Tertiary Education and Research meets those conditions and is therefore a devolved Welsh authority.

In addition, a public authority is a devolved Welsh authority if it is included in the list in schedule 9A to the 2006 Act. That list also serves helpfully to confirm the public authorities that meet the definition. Section 157A(5) of that Act includes a power to amend that schedule so as to add, remove or revise entries to reflect changes in the landscape of devolved Welsh authorities.

Accordingly, this draft order, which was laid under the previous Administration, will remove the reference to “The Higher Education Funding Council for Wales or Cyngor Cyllido Addysg Uwch Cymru”, which has been dissolved, and replace it with

“The Commission for Tertiary Education and Research or Comisiwn Addysg Drydyddol ac Ymchwil”

to reflect the changes brought about by the 2022 Act. This ensures that the list remains up to date.

In line with requirements in section 157A of the Government of Wales Act, I am pleased to confirm that the draft order was approved by the Senedd on 18 June. I also welcome the positive work that has taken place between the Wales Office and Welsh Government officials in preparing it. I therefore commend the order to the House.

9.28 am

John Lamont (Berwickshire, Roxburgh and Selkirk) (Con): It is a pleasure to serve with you in the Chair, Mr Vickers. While, as we have heard, this is simply a technical instrument to amend schedule 9A of the Government of Wales Act to remove the Higher Education Funding Council for Wales—which no longer exists—from a list of devolved Welsh authorities, my concern is the Welsh Labour Government's record on education and that this latest round of reforms will cause further damage to the education of our children in Wales.

Education attainment in Wales is dreadful, as has been clearly highlighted by the latest PISA—programme for international student assessment—results. The results show a large decline in attainment, declining more in Wales than in any other country in 2022. Wales's performance has fallen to its lowest ever level in maths, reading and science tests taken by 15-year-olds. Wales is at the bottom of the rankings for the whole of the United Kingdom in maths, reading and science. The performance of pupils in Wales has fallen significantly since the last PISA tests in 2019 and it continues to be below the OECD average. For maths, Wales is down by 21 points; for reading, it is down 18; and for science, it is down 15.

But there is absolutely no sign of Labour recognising the problems that it has created or making any attempt to invest in our young people. Labour's budget last year cut £56 million in cash terms and £140 million in real terms from the education budget. This year's supplementary budget has resulted in a further £92 million cut in cash terms to the education budget. Those cuts include £930,000 taken away from additional learning needs and £1.2 million taken away from education infrastructure.

There can be no doubt where this failure rests. It rests solely with Labour and its reforms to the education system in Wales. In Wales, the gap between disadvantaged pupils and other pupils is much wider than it is in England and there has been little to no progress in addressing that since 2009. The gulf between pupils in Wales and in England can be explained only by the difference in policy and approach.

While we will not oppose the instrument, we want to record that we recognise the concerns that parents and communities have in Wales about the failure of the Welsh Labour Government to maintain educational standards.

9.31 am

Dame Nia Griffith: I thank the Opposition spokesperson for his contribution this morning, but I would just like to take issue with this: it is quite extraordinary that he can stand there and talk about funding—of all the

things to talk about. We know that the settlement to the Welsh Government has been very considerably reduced over the last 14 years, and that has to lie at the feet of the former Government. That is entirely their responsibility, and how that very small cake is then divided up is an enormous challenge. But I digress, Mr Vickers, and I am sure that you as Chair would not wish me to dwell further on this issue.

I simply say that the order will make the changes to the list of devolved Welsh authorities in schedule 9A of the 2006 Act to take account of the establishment of the

Commission for Tertiary Education and Research and the dissolution of the Higher Education Funding Council for Wales. I offer my thanks for the productive manner in which the UK and Welsh Governments have worked in preparing this draft order, and I commend it to the Committee.

Question put and agreed to.

9.33 am

Committee rose.

