

# Pre-appointment hearing

## The preferred candidate for Welsh Language Commissioner

October 2022

### 1. Introduction

#### Pre-appointment hearings

- 1.** Welsh Ministers make a range of public appointments across all aspects of public life. These appointments are high profile and offer the opportunity to shape and inform many of the public services accessed by the people of Wales. Welsh Ministers must make regulated public appointments in accordance with the principles set out in the [Governance Code on Public Appointments](#). The [Commissioner for Public Appointments](#) is responsible for providing independent assurance that appointments comply with the Code.
- 2.** Welsh Ministers and the Senedd have agreed to introduce pre-appointment scrutiny by Senedd committees of certain public appointments which are of significant public interest or which will have a significant impact on the public. The aim is to further improve the scrutiny and transparency of the public appointment making process. Pre-appointment scrutiny generally takes the form of a public pre-appointment hearing with the preferred candidate. For appointments to these agreed roles, it is for the relevant committee to decide whether or not it wishes to carry out a pre-appointment hearing.



**3.** A list of ministerial appointments that may be subject to pre-appointment hearings has been approved by the Welsh Government, and will be reviewed regularly. The Welsh Language Commissioner is included on that list.

## **The Welsh Language Commissioner**

**4.** The [Welsh Language \(Wales\) Measure 2011](#) (“the Measure”) confirmed the official status of the Welsh language in Wales, created a new regulatory system of Welsh language standards, and created the role of the Welsh Language Commissioner (“the Commissioner”). The appointment of the Commissioner is made by the First Minister.<sup>1</sup> The term of office of the Commissioner is 7 years and is non-renewable.

**5.** The Commissioner’s powers and responsibilities are set out in the Measure. The Commissioner’s principal statutory aim is to promote and facilitate the use of the Welsh language. In doing so, the Commissioner must work towards increasing the provision of Welsh language services and other opportunities to use the language. The Commissioner must also have regard to:

- the official status of the Welsh language in Wales;
- the duties to use the Welsh language which have been set by the Welsh Language Standards, and the rights which arise from enforcing those duties;
- the principle that the Welsh language should be treated no less favourably than the English language in Wales;
- the principle that persons in Wales should be able to live their lives through the medium of the Welsh language if they choose to do so.<sup>2</sup>

**6.** The Commissioner has a [strategic plan](#) for the period 2022 to 2025, which outlines the office’s vision and values, statutory powers and strategic objectives.

**7.** Detailed information on the role, along with the person specification for the role, is available in the [information pack that was published for job applicants](#) in May 2022.

---

<sup>1</sup> While the First Minister appoints the Commissioner, the Welsh Language (including the Welsh Language Commissioner) is the responsibility of the Minister for Education and Welsh Language.

<sup>2</sup> Welsh Language Commissioner, [Our strategic objectives and vision](#), accessed 11.10.22.

---

## 2. The recruitment process

**8.** The Welsh Language Commissioner role was advertised on both the Welsh Government and the Cabinet Office websites between 6 May and 17 June 2022.

**9.** The Welsh Government circulated details of the appointment through stakeholder lists held by its Public Bodies Unit (PBU) and posted the vacancy on the Welsh Government public appointments website and the UK Cabinet Office website. The vacancy was promoted via Safle Swyddi (online only), Golwg 360 (online only), and Lleol (online only).

**10.** Members of the Assessment Advisory Panel were:

- Bethan Webb, Deputy Director Welsh Language, Welsh Government;
- Craig Stephenson, Senior Independent Panel Member;
- Rhian Huws-Williams, Independent Panel Member;
- Delyth Jewell MS<sup>3</sup>.

**11.** A total of nine applications for the role were received. The sift meeting took place on 7 July 2022 and four candidates were recommended for interview. The Assessment Advisory Panel considered there to be one appointable candidate following interviews on 23 September 2022.

## 3. The Welsh Government's preferred candidate

**12.** The First Minister's preferred candidate for the position of Welsh Language Commissioner is Efa Gruffudd Jones.

**13.** Information provided by the Welsh Government's PBU explained that Efa Gruffudd Jones is also the Minister for Education and Welsh Language's preferred candidate. The PBU stated that, as his remit includes the work of the Commissioner, the Minister was consulted on the job description and person specification, and received updates throughout the process.

---

<sup>3</sup> Delyth Jewell MS participated in the sift but had to withdraw from the interview panel and was replaced by Heledd Fychan MS.

---

**14.** Efa Gruffudd Jones is currently Chief Executive of the National Centre for Learning Welsh, the body funded by the Welsh Government to provide a strategic lead for Welsh for Adults learning in Wales. Prior to that, she was the Chief Executive of Urdd Gobaith Cymru (2004-2015).

## 4. The pre-appointment hearing

### Before the hearing

**15.** In advance of the pre-appointment hearing, the Welsh Government's PBU provided the Committee with a briefing summarising the recruitment process and setting out diversity data of the candidates who applied for the post, and a copy of the information pack that was provided to candidates who applied for the post. The preferred candidate's application form, CV and personal statement was also shared privately with the Committee.

**16.** The Committee asked the preferred candidate to complete a short questionnaire in advance of the hearing to inform Members' questioning.

**17.** Delyth Jewell MS, the Committee's Chair, and Heledd Fychan MS, a member of the Committee, participated in the candidate sift and interviews respectively. Given their roles in the process, they absented themselves from all Committee proceedings relating to this pre-appointment process.

### The hearing

**18.** The hearing took place on Thursday 13 October 2022. The preferred candidate was asked a range of questions about how she intends to fulfil the role of Welsh Language Commissioner. These questions explored in further detail the information provided in her written questionnaire, and covered matters including:

- her motivation for applying for the role of Commissioner;
- her knowledge and experience;
- measuring the success of her future work as Commissioner;
- balancing her role as both advocate for the Welsh language and a regulator;
- the Commissioner's independence from the Welsh Government and scrutiny.

**19.** A full transcript of the hearing is available online.

## 5. The Committee's view

**20.** In line with the guidance on pre-appointment hearings agreed between the Welsh Government and the Senedd, the Committee's role is to set out its views on the suitability of the Welsh Government's preferred candidate.

**21.** Based on her written answers to the Committee's questionnaire and her responses during the pre-appointment hearing, the Culture, Communications, Welsh Language, Sport and International Relations Committee is content to endorse the Welsh Government's preferred candidate, Efa Gruffudd Jones, for the role of Welsh Language Commissioner.

**22.** The Committee welcomes the preferred candidate's statement that contributing to work to increase the use of Welsh would be her key priority, and that she would be committed to identifying meaningful and effective indicators to measure progress in this area. While the Committee recognises that the Commissioner is appointed to serve all age groups, her stated aim of increasing children and young people's use of Welsh is also to be welcomed. If appointed, the Committee looks forward to holding the preferred candidate to account in relation to her functions and priorities as Commissioner. One Member, Sioned Williams MS<sup>4</sup>, also wishes to note the Commissioner's functions in relation to developing and protecting the rights of Welsh speakers.

**23.** The Committee notes the preferred candidate's relevant and long-standing professional experience and knowledge. It welcomes her stated intention, if appointed, to draw on these in order to exercise the Commissioner's functions in a co-operative and supportive, yet robust, manner. The Committee recognises the Commissioner's statutory functions as both advocate and regulator, and the importance of striking an appropriate balance between them. It will monitor this closely as part of its scrutiny of the Commissioner's work, and that of the office of the Commissioner, during the course of this Senedd.

**24.** Subject to the appointment of the preferred candidate by the First Minister, the Committee looks forward to inviting the proposed Commissioner to attend in Spring 2023 as part of the ongoing programme of scrutiny of statutory commissioners and public appointments that fall within its remit.

---

<sup>4</sup> Sioned Williams MS participated in the pre-appointment hearing as a substitute for Plaid Cymru, as both Delyth Jewell MS and Heledd Fychan MS absented themselves from proceedings for the reasons given in paragraph 17 of this report.

---