Prydain

The Welsh Policy Centre Canolfan Polisi Cymru

The Quango State We're In

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About the Author

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About the Prydain Centre

The Prydain Centre, also known as the Welsh Policy Centre is a new thinktank established to shape the centre-right agenda in Wales. With a new political landscape emerging as we head into the 2026 Senedd Election, and as we continue to understand what a UK Labour Government means for the country, Prydain strongly believes the centre-right needs to engage in the policy space, to have the well-defined and researched ideas to challenge the progressive left's hegemony in Welsh politics.

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1. An unlovely acronym

- 1.1 The House of Commons Parliament and Constitution Centre defines the acronym term 'Quango' (quasi autonomous non-governmental organisation) as a 'public body that has responsibility for developing, managing and delivering public policy objectives at an 'arm's length' from Ministers' that are wholly or partly appointed with external representatives (that are typically drawn from voluntary groups, businesses and interest groups)¹.
- 1.2 The word quango entered the British political lexicon following Sir Robbin Ibbs' 1988 *Next Steps* report² which advocated arm's length agencies as a means of side-stepping rigid departmental structures, centralising tendencies and risk aversion within the civil service. Notionally quangos offer governments the advantage of de-politicised service delivery, concentration of specialised staff with technical competence, commerciality and independent regulatory functions.
- 1.3 These bodies are now interwoven with government both at the national and devolved levels. The demand for quangos arises from the shortcomings of 'pre-existing institutional capacities', the 'growing complexity of policy problems' and rising public expectations³. This gap has ushered forth bodies in various forms.
- 1.4 Concerns about quango driven government have arisen as a result of the downside consequences of their arm's length character. Over-dependence on quangos undermines accountability and democracy. They act as alibis enabling 'difficult decisions to be hived off to non-governmental bodies'⁴. Nominally independent, they risk empowering technocrats with their own vested interests and political fads. The are susceptible to elite capture by the activist minded seeking a more secure and high status alternative to electoral politics.
- 1.5 Where the policy process receives too many inputs from advisory bodies a 'decline in strategic capacity' may occur as the channels within which each programme or initiative progress become overloaded⁵. The decisiveness of executive decision making is reduced.
- 1.6 The pace of quango formation under the UK Labour government (with one body being created every nine days since the July 2024 General Election) keeps quangos in the national news⁶.
- 1.7 Broken promises devolution would end the quango state, high profile quango governance failures and continued overdependence on arm's length public bodies ensures the continued prominence of this issue in the devolved politics of Wales.
- 1.8 We will see that 'quangoland' became a frontline issue in two referendums, a General Election and several devolved elections. Indeed the quango-driven model of devolved government is likely to remain a source of controversy for the foreseeable future.
- 1.9 This monograph is divided into the following sections.

¹ J MacLeavy, The Quango Debate, (House of Commons Library, 2005), 3

² Improving Management in Government. The Next Steps.

³ R Rawlings, *The closeness of Wales (II)* in *Delineating Wales: constitutional, legal and administrative aspects of national devolution* (University of Wales Press, 2003), 353

⁴ Ibid

⁵ Ibid, J MacLeavy, 9

⁶ G Wright Labour has established new quango every week since election win (Telegraph, 2024)

- Less a bonfire than a damp squib outlines the role of quangos as an issue in recent Welsh political history.
- **Quango state redux** shows how two decades on from the 'Bonfire of the quangos', devolved administrations have nested their own quango state.
- **Fallible servants** provides recent examples of quango state failure in post-'bonfire' devolved Wales.
- What quango-driven government means analyses the downside implications of overdependence on arm's length bodies in Welsh government.
- Wither the quango state sets down recommendations for rolling back the frontiers of the quango state.
- **Further reading** provides the reader with a guide to the literature cited in this paper.

2. Less a bonfire than a damp squib

- 2.1 Despite its unitary character the British state never demanded complete institutional symmetry across the whole of the United Kingdom. Before 1997 multiform national institutions⁷ and territorial offices of state⁸ were understood to be 'consistent with maintenance of the Union'⁹.
- 2.2 Taken together, the recognition of Wales as a unit of government by Whitehall, national sentiment and changes driven from within central government resulted in the creation of specifically Welsh appointed bodies¹⁰.
- 2.3 Quangos have attracted greater controversy in Wales because of its comparatively limited civil society. There role was less controversial in Scotland where 'the overwhelming majority of voluntary bodies are, and always were, autonomous'¹¹ and public bodies were 'drawn into civil society and away from the state'¹². Consequently 'quangos have not generated nearly as much hostility in Scotland as in Wales'¹³.

Quangos in Welsh politics

- 2.4 National governments of both major parties created public bodies in Wales. Since 1922 Labour has won a majority of constituencies in Wales. By contrast since 1945 it has been the party of national government for only 30 out of 80 years.
- 2.5 Welsh Labour politicians in opposition sought to politicise the electoral asymmetry between Wales (where Labour has won a majority of seats) and the party of UK Government (Conservative and Unionist for most of the post-war period). One expression of the territorial legitimacy argument was a criticism of Conservative appointments to nominated bodies.
- 2.6 In words that seem of contemporary relevance, the creation of new ad hoc bodies by the Heath government's Secretary of State for Wales was criticised at the time by the Welsh Parliamentary Labour Group as 'the devolution of centralised power to the executive and not the Welsh people'¹⁴.
- 2.7 During the early 1970s the expansion of the Welsh Office and the growth in nominated bodies was a stock issue for devolutionists. Welsh Labour's submissions to the Royal Commission on the Constitution raised the need to 'extend democratic control over as

⁹ P Madgwick and R Rose (Eds) Union without uniformity in The territorial dimension in government: understanding the United Kingdom (Chatham House Publishers, 1982), 62

¹⁰ D Griffiths Thatcherism and Territorial Politics (Avebury, 1996), 46-47

⁷ J Gilbert Evans *Devolution in Wales: Claims and Responses,* 1937-1979 (University of Wales Press, 2006)

⁸ A Minister for Welsh Affairs was created in 1951. The Welsh Office was established in 1964.

¹¹ R Morgan, *Check Against Delivery Institute of Welsh Affairs* (Sefydliad Gwleidyddiaeth Cymru, 2001). 4-5

¹² The case of Scotland in B Taylor and K Thomson (Eds) Scotland and Wales: Nations Again? (University of Wales Press, 1999), 178

¹³ The case of Scotland in B Taylor and K Thomson (Eds) Scotland and Wales: Nations Again? (University of Wales Press, 1999), 178

¹⁴ Ibid, P Madgwick and R Rose (Eds), 186

many as possible of several nominated committees and statutory boards operating in Wales'¹⁵.

- 2.8 Labour's National Executive Committee paper of 1974 titled *Bringing Power Back to the People* claimed nominated bodies amounted to a form of 'regional government without regional democracy'. Published in the same year *Wales will win with Labour* the paper identified appointed bodies as part of an 'anti-democratic trend'¹⁶.
- 2.9 Despite this rhetoric Labour governments turned out to be prolific appointers to public bodies. As the UCL Constitution Unit's *Commentary on the Welsh White Paper* observed, 'Labour governments have hived off functions to independent bodies just as much as the Conservatives and for the same range of reasons'¹⁷. It was noted that historically 'Welsh Labour has not always taken such an anti-quango stance' indeed 'Labour governments have been the main architects of these quangos, particularly since the 1970s'¹⁸.
- 2.10 In 1975 Labour's Secretary of State for Wales made no fewer than '628 appointments to nominated bodies including 117 made jointly with other ministers'¹⁹. He would observe that "On an all-Wales level of authority we already have a host of nominated bodies exercising enormous powers."²⁰
- 2.11 By 1979 the power of the Welsh Office had been augmented '...by the accretion of associated non-departmental public bodies' such that the Secretary of State for Wales 'stood at the pinnacle of a large and complex array of government organisations', gaining parity with the Scottish Office²¹. For these public bodies 'the Welsh Office, not Whitehall' had become 'effectively their centre'.²²

Nominated bodies in the 1979 Referendum

- 2.12 The role of nominated bodies was a major issue during the 1979 Welsh devolution referendum. The pro-Assembly coalition framed their campaign in terms of 'extending participatory democracy' and reversing the 'trend toward bureaucratisation'²³. They expressly argued that an Assembly in the Cardiff Exchange would 'bring nominated bodies under closer democratic control'²⁴.
- 2.13 The all-party Wales for the Assembly Campaign told voters 'The Assembly will take over appointments to nearly 100 public bodies...'. This would mean that 'Hundreds of government orders affecting our everyday lives which at present go through the House of Commons without discussion will now be properly decided by the Welsh Assembly'²⁵.

¹⁵ K O Morgan (Ed) *The Welsh Veto: The 1978 Wales Act and the Referendum* (University of Wales Press, 1983), 23.

¹⁶ J G Evans *Devolution in Wales: Claims and Responses, 1937-1979* (University of Wales Press, 2006), 143

¹⁷ R Hazel, Commentary on the Welsh White Paper (Constitution Unit of UCL, 1997), 4

¹⁸ K Morgan and S Upton, *Culling the quangos* (School of City and Regional Planning Cardiff University, 2005), 3

¹⁹ Ibid, J G Evans, 184-185

²⁰ Ibid, P Madgwick and R Rose (Eds), 194

²¹ Ibid, D Griffiths, 52

²² Ibid, D Griffiths, 60

²³ Ibid, K O Morgan (Ed), 115

²⁴ Ibid, K O Morgan, 79

²⁵ Ibid, K O Morgan, 141 Wales for the Assembly Campaign: Vote Yes on March 1st

- 2.14 Similarly the Labour Party Wales TUC Campaign claimed 'Wales is run by a vast bureaucracy'. A Welsh Assembly 'would make it responsible to you the voter'²⁶. In its *The Welsh Assembly – Making Our Government Work Better* document it argued that the 'undemocratic appointment of public officials needs to be reformed'. It went on 'There are in Wales some 70 nominated bodies with over 2,500 members and responsibility for spending almost £500 million per year. This is the bureaucracy that needs to be controlled and made fully responsible to the people'²⁷.
- 2.15 In response, the All Party No Assembly Campaign warned voters 'The Assembly would mean yet another tier of government'. The separate Labour No Assembly Campaign told voters '...the Assembly proposals will introduce an extra level of government without effectively adding to democratic control of decisions'²⁸.
- 2.16 From opposite positions both campaigns sought to articulate a remedy for the problem of unelected government and bureaucracy in Wales. After the four-to-one vote against devolution in the 1979 referendum and the subsequent fall of the Callaghan government, Margaret Thatcher's Conservative government repealed the Wales (Devolution) Act.
- 2.17 It has been argued the Thatcher government expanded 'the role of the Welsh Office as a territorial office of central government and set up a raft of new Welsh public bodies' of its own²⁹. By one estimate 'the number of quangos in Wales more than doubled' between 1979 and 1991³⁰.

Continuing 'quango-state' narrative

- 2.18 During the 1980s Welsh Labour devolutionists argued in increasingly nationalistic terms that a 'quango state' had given 'the Conservatives a means of retaining a hold over Welsh public life even though they remained very much a minority in Wales'. They argued that 'an Assembly would ...render these quangos democratically accountable'³¹.
- 2.19 In 1995 Labours' Shadow Welsh Secretary Ron Davies called for a 'bonfire of the quangos'³² (ironically borrowing the phrase first used by Margaret Thatcher in 1979³³). From the Welsh Office in June 1997 Davies pledged to scrap over half of Wales' quangos in the first three years of a Welsh Assembly being created and provide democratic oversight over remaining bodies³⁴.

 ²⁶ Ibid, K O Morgan, 143 The Labour Party Wales TUC Campaign: What a Welsh Assembly would mean
 ²⁷ Ibid, 145

²⁸ Ibid, 146-147 All Party No Assembly Campaign: Keep Wales United with Britain and Labour No Assembly Campaign: Declaration

²⁹ M Kenny, Devolving but never quite forgetting in Fractured Union Politics and Sovereignty and the Fight to the UK (Hurst, 2024), 42

³⁰ Ibid, K Morgan and S Upton, 3

³¹ V Bogdanor *Devolution in the United Kingdom* (OUP: 1999), 162

³² BBC 'End of the quango-state' (BBC News Channel, 14 July 2004)

³³ T Gash, I Magee, J Rutter and N Smith *Read before burning - Arm's length government for a new administration* (Institute of Government, 2010), 10

³⁴ WalesOnline *Blair, Davies and Morgan all vowed to cut the quango glut* (WalesOnline, 17th April 2004)

Quangoland in the 1997 Referendum

- 2.20 Nicholas Edwards (Secretary of State for Wales in the first two Thatcher administrations) recalls in his memoires that 'A great assault was launched on the so-called 'quangocracy' by the Blair government³⁵. Indeed the campaign for a Welsh Assembly at one point adopted the moniker 'quango busters'.
- 2.21 Welsh Labour's devolutionists reprised earlier arguments that 'an Assembly was needed to provide democratic control over the nominated executive bodies and to reduce their numbers'. It was even claimed '...quite falsely that the substantial cost of the Assembly would be largely offset by the savings made from abolishing the quangos'.
- 2.22 Parliamentary Under Secretary of State for Wales Peter Hain repeated these claims shortly before the devolution poll³⁶. Critics said this looked 'suspiciously like creative accounting'³⁷ on the basis that the costs of Welsh quangos in 1997 were estimated to be £1-2m a year compared to the £15-20m cost of running an Assembly³⁸.
- 2.23 Edwards couldn't help noting the irony of the 'first three nominated executive bodies to be merged away the Welsh Development Agency, the Development Board for Rural Wales and the Land Authority for Wales' were bodies 'created by previous Labour governments'³⁹.

'Bonfire of the quangos'

- 2.24 During the 1999 Welsh Labour leadership contest Rhodri Morgan put 'the people who get the MBEs and the jobs on the quangos' on notice, promising supporters 'the quango people are quaking in their boots'. It was time to "move forward the devolution project onwards and upwards" with the number of Welsh quangos to be reduced down to "fewer than half a dozen"⁴⁰.
- 2.25 As First Minister Morgan promised "the people of Wales will be able to see that quangoland is starting to come to an end"⁴¹. He added "Wales is too small a country to have a 60member assembly and so many unelected quango boards"⁴². The Institute of Welsh Affairs approved, commenting 'Some will mourn them but at best they represented more of a silver gilt than a golden age for Wales'⁴³.

Civil society responses

2.26 The initial 'cull' was heralded as part of the brave new devolutionary world and an opportunity for the Welsh Assembly Government to cannibalise much needed expertise giving it 'more firepower, more critical mass'⁴⁴. Nevertheless a number of civil society

³⁵ N Crickhowell *Wales, Westminster and Water* (University of Wales Press, 1999), 130

³⁶ BBC TV Wales *Week In Week Out* (BBC, 9th September 1997)

³⁷ Ibid, R Hazel, 4

³⁸ Ibid, R Hazel, 5

³⁹ Ibid, N Crickhowell, 130

⁴⁰ Ibid, WalesOnline, 17th April 2004

⁴¹ WalesOnline *Morgan hails 'end of quango-land'* (WalesOnline, 14th Jully 2004)

⁴² Ibid, BBC News Channel, 14 July 2004

⁴³ R David, G Talfan Davies and J Osmond, *Mourning the Quangos* in, *Agenda, Spring 2006* (Institute of Welsh Affairs, 2006), 1

⁴⁴ Wales Online *Bonfire of the quangos* (Wales Online, 15 July 2004)

voices began expressing concerns 'regarding the possibility of public bodies becoming politicised, particularly within the cultural sector'⁴⁵.

- 2.27 In his submission to the Public Accounts Committee of the House of Commons, Professor Matthew Flinders warned quango rhetoric was prompting a "a backlash because all the different civil society groups that had built very positive working relations with those bodies now say those relationships and accountability channels have been closed down."⁴⁶
- 2.28 Former Yes for Wales campaign chair Professor Kenneth Morgan called the First Minister's quangocide hyperbole 'a new low in the history of political spin in Wales' with the move inhouse leading to a 'a narrow and desiccated form of political accountability'⁴⁷. Merging quangos threatened an 'unprecedented politicisation of economy and society in Wales'⁴⁸. Ironically, Cardiff Bay and Cathays Park was coming to 'assume the roles formerly fulfilled by Westminster and Whitehall' with greater 'centralisation rather than fragmentation of power'⁴⁹.
- 2.29 The Institute for Government echoed these concerns in their *Has devolution worked: The first 20 years* report. Reducing Wales' quango state 'was an important part of the case made for devolution'. Yet far 'from promoting democracy' there has been a 'loss of publicity and transparency in the gestation and implementation of policy'⁵⁰.
- 2.30 Later on the Richard Commission heard how abolition of quangos and their merger into the Welsh Assembly Government 'reduced accountability because functions had been placed back within a highly-politicised, partisan and adversarial environment'⁵¹.

Reconsidering the orthodoxy

- 2.31 Criticism of territorial policy in Wales between 1979 and 1997, electoral asymmetry between Wales and Westminster and criticisms of 'Quangoland' are part of the founding mythos of devolution⁵².
- 2.32 Historian K. O. Morgan's observation that "The Secretary of State for Wales [had] almost a free hand" acting as "Prime Minister, Chancellor and Cabinet rolled into one." There were 1277 appointments made by the Secretary of State to non-departmental public bodies sponsored by the Welsh Office, 'positions few Conservatives in Wales could expect to hold through election'⁵³.
- 2.33 Nevertheless there were significant functional advantages to these arrangements. In his memoires Nicholas Edwards recalled that 'The presence of a Secretary of State on overseas

⁴⁵ Ibid, J MacLeavy, 31

⁴⁶ House of Commons Public Accounts Committee *Smaller Government: Shrinking the Quango State* (The Stationery Office Limited, 2011), 33

⁴⁷ M Shipton *Expert attacks quango mangle* (Wales Online, 1st November 2004)

⁴⁸ K Morgan *Quango Decision: Debate Needed* (Wales Online, 23rd July 2004)

⁴⁹ Ibid, K Morgan and S Upton, 27

⁵⁰ A Paun and S Macrory (Eds) *Has devolution worked: The first 20 years* (Institute for Government, 2019), 66-76.

⁵¹ M Flinders and C Skelcher *Shrinking the quango state: Five Challenges in Reforming Quangos* (Public Money & Management, 2012), 333

⁵² See J Osmond's essay The Democratic Challenge (Gomer Press, 1992)

⁵³ Ibid, D Griffiths, 53

visits opened doors that would otherwise have remained closed⁵⁴. Consequently Wales consistently attracting 'about 20 per cent of all overseas investment to the UK, a remarkable achievement for a country with little over 5 per cent of the total UK population'⁵⁵. By June 1999 'there were 450 overseas companies with investments in Wales and in the fifteen years ending in 1998 amounted to almost £12 billion'⁵⁶.

- 2.34 The 'lead given by the Welsh Development Agency' in this period ensured that a 'venture capital market began to develop to which Welsh businesses could turn'⁵⁷. The agency 'carried out a far more extensive factory-building programme' than elsewhere in the UK. By 1987 the WDA had completed 'well over 10 million square feet of factory space... unoccupied factory stock was down to about 10 per cent'⁵⁸.
- 2.35 In its *Has devolution worked: The first 20 years* paper, the Institute for Government noted 'one function of the WDA was to encourage overseas investment flows into Wales and during the 1980s the agency enjoyed considerable success as Wales received more foreign investment proportionately than any other area of the UK'⁵⁹.
- 2.36 Cardiff University's Professor Brian Morgan called abolition of the Welsh Development Agency in 2006 a 'bizarre piece of political pedantry' and 'the worst policy decision since devolution'. As a consequence 'Wales went from being at the very top of the UK inward investment league table to being bottom... for most of the next eight years from 2005-13'⁶⁰.
- 2.37 Electoral asymmetry between Wales and Westminster was pointed to as part of a 'democratic deficit' trope of arguments. Yet MPs were not elected to represent one of the four home nations. Rather they were elected by their constituents to represent one six hundred and fifty-ninth of the UK Parliament in their nominating constituency.
- 2.38 Westminster governing party supporters were clearly a minority of voters in Wales. Nevertheless during the seventeen years of Conservative rule between 1979 and 1997 around half a million people in Wales voted Conservative⁶¹(save as for the landslide election of 1997). In only one of these General Elections⁶² were the number of votes cast for the Conservative Party surpassed by Welsh Labour's first past the post constituency vote in devolved elections between 1999 and 2021⁶³.
- 2.39 The UK Government conducted territorial policy with nuance. In his memoires Nicholas Edwards recalled that 'under Margaret Thatcher's leadership the government was far more flexible and pragmatic than has usually been acknowledged'⁶⁴. He added 'I received virtually a free hand from Margaret Thatcher to do what I felt was necessary in Wales and I

⁵⁹ Ibid, A Paun and S Macrory (Eds), 67

⁵⁴ Ibid, N Crickhowell, 36

⁵⁵ Ibid, N Crickhowell, 36

⁵⁶ Ibid, N Crickhowell, 37

⁵⁷ Ibid, N Crickhowell, 39

⁵⁸ Ibid, N Crickhowell, 41

⁶⁰ C Kelsey Why Rhodri is so wrong about the abolition of the WDA (Wales Online, 20th January 2016)

⁶¹ Conservative General Election vote in Wales 1979-97: 1979 (526,300), 1983 (499,310), 1987 (501,316), 1992 (499,677), 1997 (317,127)

⁶² The UK-wide landslide for Tony Blair's New Labour in 1997

⁶³ Welsh Labour's first past the post constituency vote in devolved elections 1999-2021: 1999 (384,671), 2003 (340,515), 2007 (314,925), 2011 (401,677), 2016 (353,866), 2021 (443,047).

⁶⁴ Ibid, N Crickhowell, 40

was greatly encouraged by the support that she gave⁷⁶⁵. His successor Peter Walker recalled "I was allowed to do it my way with a range of interventionist policies"⁶⁶. K. O. Morgan said that during this period the Welsh Office was "very un-Thatcherite"⁶⁷.

- 2.40 The Welsh Office had a role that was representational as well as functional. As the first Secretary of State for Wales James Griffiths recalled there was widespread 'pride at the recognition which the appointment of Secretary of State and the establishment of the Welsh Office has brought to our nation'. Harold Wilson told the House of Commons that the office Secretary of State 'would be able to express the voice of Wales and put pressure on the Government and other Welsh Departments to see that Wales gets a fair crack at the whip'⁶⁸.
- 2.41 The Welsh Office had 'a slightly old-fashioned democratic air about it'⁶⁹. It was said that 'the Welsh Office is a 'Westminster' department rather than a 'Whitehall' one', meaning that it had a role in making the 'trappings of government more accessible to people in Wales'. It was a focal point for public meetings. Its recognisable buildings remain a preferred back drop for political choreography and the First Minister and UK Prime Minister were recently photographed on the steps of the old Welsh Office buildings in Cathays Park⁷⁰.
- 2.42 Nor was there a failure to appreciate need for reform of appointments. A Commons Select Committee was set up in this period to scrutinise the Welsh Office. By the mid-1990s tensions emerged between the Welsh Office and other parts of Whitehall over its plans to '...publish details of political offices held by members of government-appointed bodies' applying to all 'local councillors, parliamentary candidates or party agents', proposals Welsh Labour opposed⁷¹.

The quango queen of Wales

- 2.43 In the longer term the vaunted culling of arm's length bodies by Rhodri Morgan's administration did not lead to a slimmed-down form of governance nor the disappearance of unelected quango bodies as an issue in Welsh politics.
- 2.44 No sooner had the 'bonfire' been lit than the Assembly Government began advertising for board members of the Wales Centre of Health, a new quango to be formed the following year. Potential applicants were asked if they were interested in 'serving on an Assembly Sponsored Public Body' at a rate of £175 a day for two days a month⁷².
- 2.45 Shortly after his 'bonfire' announcement of 2004, the Health Minister Jane Hutt was dubbed the 'quango queen of Wales' after it emerged 27 quangos had been created since 1999. Having made so 'much of ending the quango state' devolved government appeared to be replacing it with 'a whole host of new advisory panels'⁷³.

⁶⁵ Ibid, N Crickhowell, 42

⁶⁶ Ibid, D Griffiths, 45

⁶⁷ Ibid, D Griffiths, 45

⁶⁸ H Drucker and G Brown The politics of nationalism and devolution (Longman, 1980), 23-24

⁶⁹ Ibid, D Griffiths, 62

⁷⁰ Ibid, D Griffiths, 62

⁷¹ S Castle *Redwood out on a limb over quango reform* (Independent 13th February 1994)

⁷² Wales Online *New quango on offer as others bite dust* (Wales Online, 24th July 2004)

⁷³ Wales Online *Putting an end to the quango state?* (Wales Online, 21st March 2006)

- 2.46 The Welsh Assembly Government was accused of operating its own patronage system, shoehorning in appointees many of "whom are New Labour cronies" in a quangocracy that was spending more money than local government or the Assembly Government itself⁷⁴.
- 2.47 An Assembly insider in an anonymous letter to the Western Mail a year after the Welsh Assembly Government's vaunted bonfire wrote 'The reality is that merged staff are continually told, 'this is the way we do it' and essentially the (pre-devolution) Welsh Office lives on' ⁷⁵.
- 2.48 A decade later even nationalists were questioning whether devolution's 'bonfire of the quangos' had gotten rid of patronage and unaccountable government. It was argued the Welsh Government was good at "avoiding blame when things go wrong", "keeping ministers out of trouble", "defending the status quo" and "adding management layers". By contrast it was bad at "being accountable⁷⁶.

Towards a new quango state

- 2.49 Devolutionists promised that devolving power to Cardiff Bay would pay off an alleged democratic deficit. A Welsh Assembly would oversee and reduce the number of nominated bodies while reducing the cost of government. We have nevertheless seen how Welsh government developed its own quango state leading to significant growth in the exercise of unaccountable power.
- 2.50 We will now consider how devolved rule has fashioned its own quango state.

⁷⁴ Wales Online *Hutt now 'quango queen of Wales'* (Wales Online, 17th April 2004)

⁷⁵ M Shipton *Quango mergers 'big trouble' for Assembly* (Wales Online, 5th April 2007)

⁷⁶ ITV News Bonfire of Quangos a mistake says Plaid's Adam Price (ITV News, 23 March 2016)

3. Quango state redux

3.1 Rather than a long-term reduction in the number of public bodies Wales has seen a shift from the early devolution clarion calls for a 'bonfire' or a 'cull' of quangos to a new wave of quango formation⁷⁷.

Devolution's new quango state

- 3.2 Comprehensive details of the Welsh Government's unelected bodies are available through the 'All organisations search on the Welsh Government website⁷⁸. Within the search there were a number of bodies that upon examination had been discontinued, a number of UK government bodies, a European network and bodies classified as part of the 'Welsh Government' (that are therefore not at 'arm's length').
- 3.3 Excluding these bodies the population of Welsh government's institutional landscape is as follows:

Type of Welsh Government	Number ⁷⁹
body	
Advisory bodies	175
Welsh Government company	14
Executive bodies	12
Independent Statutory Office	9
Holders	
Tribunals	8
National park authorities	3
Inspectorates	2
Independent Regulator	1
Welsh Government public	1
corporation	
Non-ministerial departments	2
Non-ministerial departments	2
NHS Board / Trust	8
NHS body	9
Other	9
Total	255

⁷⁷ Ibid, R Rawlings, 356

⁷⁸ <u>www.gov.wales/organisation</u>.

 $^{^{79}\,}As$ of 30^{th} January 2025

Anatomy of the devolved quango state

- 3.4 Within this cohort there are presently 12 Welsh Government Executive Bodies⁸⁰ (Rhodri Morgan promised in 1999 when the "Bonfire of the Quangos" was to leave "fewer than half a dozen"⁸¹).
- 3.5 Significantly there is a plethora of 175 Welsh Government advisory bodies. This is the equivalent of 12.5 for each Welsh Government Cabinet Secretary or Minister (of which there are 14, including the First Minister) ⁸²and three for every member of the Senedd (of which there are 60). Most Welsh Government advisory bodies appear to have been created in the last decade.
- 3.6 There are four unelected bodies for every one of the sixty members of the Senedd.
- 3.7 There are 51 unelected bodies for every member of Senedd Public Accounts and Public Administration Committee (of which there are five)⁸³.

Declining strategic capacity through over government

- 3.8 Back in 2014 Sir Paul Williams' Commission on Public Service Delivery and Governance noted that the complexity of Wales' public services meant 'organisations within it spend far too much time having to manage relationships with each other rather than on improving services'⁸⁴. It added the 'Welsh public sector is overly complex and crowded⁸⁵. It recommended reducing complexity by 'removing duplications, streamlining partnerships', collaboration and 'maximising the synergy between organisations'⁸⁶.
- 3.9 The former Auditor General for Wales wrote in a letter to the Senedd Public Accounts Committee in 2018 lamenting that for a nation the size of Wales 'the complex organisational structure of public services hampers co-ordinated service design and efficient delivery'⁸⁷.
- 3.10 The current Auditor General noted last year that 'More than five years on, and ten years since the 'Williams Commission' highlighted similar concerns, the landscape has become even more complex'. Indeed 'We have seen more bodies created' yet these 'do not always align or reflect the practical and capacity realities of implementation'⁸⁸.

⁸⁰ (Arts Council of Wales, Citizen Voice Body for Health and Social Care, Democracy and Boundary Commission Cymru, Medr (Commission for Tertiary Education and Research), National Library of Wales, National Museum Wales, Natural Resources Wales, Qualifications Wales, Royal Commission on the Ancient and Historical Monuments of Wales, Social Care Wales, Sport Wales and Higher Education and Funding Council for Wales).

⁸¹ Ibid, J MacLeavy, 30

⁸² See <u>Cabinet Secretaries and Ministers | GOV.WALES</u>

⁸³ See <u>Public Accounts and Public Administration Committee</u>

⁸⁴ P Williams Commission on Public Service Governance and Delivery (Welsh Government, 2014), 14

⁸⁵ P Williams, Ibid, 15

⁸⁶ P Williams, Ibid, 79

⁸⁷ H V Thomas Auditor General for Wales: valedictory reflections (Audit Wales, 2018), 3

⁸⁸ A Crompton *From Firefighting to Future-proofing – the Challenge for Welsh Public Services* (Audit Wales, 2024), 11

- 3.11 Creating new public bodies comes at a cost. For standalone bodies this includes overheads which 'in some cases are a substantial proportion of bodies' overall operating expenditure'⁸⁹.
- 3.12 Within the overall population of Welsh Government bodies, there is considerable clustering which risks overloading ministerial decision making with competing priorities, short-termism and consequently a decline in strategic capacity.
- 3.13 The same party at the other end of the M4 motorway has made this point in the context of the UK Government. The Deputy Prime Minister has warned of the risks of a delivery-focused Westminster government 'getting bogged down in the weeds'⁹⁰. In this week's landmark 'Fundamental Reform of the British State' speech in Hull, in which he also announced the abolition of NHS England, the UK Prime Minister called out politicians who "hide behind a vast array of quangos, arm's length bodies and regulators", defer to "a cottage industry of checkers and blockers" to "the point you can't get things done"⁹¹ resulting in the state becoming "overcautious and flabby".
- 3.14 The temptation to "outsource and delay decision-making and avoid accountability" results in "more arms-length bodies, quangos and regulators which end up blocking the Government as we're trying to build". Throwing down the gauntlet in this manner is unlikely to have been received well by the devolved wing of his party in Cardiff Bay who have been in power for two and a half decades in which Wales under devolution has arguably become the most over-governed part of Britain.

Health and education delivery logjam

- 3.15 There are no fewer than 29 bodies concerned with health, social care and NHS matters (consisting of 16 advisory bodies, six NHS bodies, two executive bodies, two inspectorates, one company, one tribunal and one inter-ministerial group. These are in addition to NHS Health Boards.
- 3.16 There are 17 Welsh Government bodies operating within the education sector (consisting of 11 advisory bodies, two executive bodies, one tribunal, one regulator, one independent statutory office holder, and one company).
- 3.17 Underperformance in health and education has restricted the Welsh Government's ability to achieve output legitimacy. Two decades on from devolution more people 29% said devolution had made the Welsh NHS worse compared to 23% who thought it had made it better⁹². One nationalist commentator recently speculated whether delivery failures in health 'could break devolution'⁹³.

⁸⁹ A Crompton, Ibid, 12

⁹⁰ J Groves Sir Keir Starmer is accused of smothering Britain in red tape after Labour set up new quango every week since election victory (Daily Mail, 2024)

⁹¹ UK Government *Prime Minister Keir Starmer's remarks on the fundamental reform of the British state* (Prime Minister's Office, 2025)

⁹² ITV Poll shows doubts over devolution after 20 years (ITV, 2019)

⁹³ J Edwards Failing health policy could break devolution (Nation Cymru, 2024)

- 3.18 The former Auditor General warned that new Welsh Government bodies in the education sector 'are adding to the complexity of the picture, rather than necessarily streamlining planning and delivery'⁹⁴. Delivering successful outcomes for school pupils remains elusive with the latest round of OECD Programme for International Student Assessment placing Wales behind every other UK nation in reading, maths and science skills⁹⁵.
- 3.19 There is need of a review of bodies clustering around the healthcare and education portfolios in the interests of streamlining decision making to improve delivery and outcomes.

Identity corporatism and equalities fatigue

- 3.20 There are 20 bodies concerned with identity politics, equality, diversity and inclusion (including 18 advisory bodies and two statutory office holders).
- 3.21 Firstly, there is duplication of UK Government and UK-wide bodies. The UK's Equality and Human Rights Commission ('the ECHR') provides a Wales-focus advisory service. There are several UK Government equalities bodies operating in this sphere⁹⁶.
- 3.22 There is a reasonable expectation that UK citizens will be treated consistently throughout the UK. Equalities appear to have been used to push into the largely reserved area of equalities.
- 3.23 Gender recognition is a reserved matter. The ECHR intervened over the Welsh Government's Senedd Reform proposals including mandatory gender zipping by party lists⁹⁷ which did not clearly define what a woman is. Separately, the UK Government's Equality Hub expressed concerns about Welsh Government plans for self-identification by register without a certificate⁹⁸.
- 3.24 The External Accountability Group to the Welsh Government's Anti-racist Wales Action Plan is charged with 'challenging the Welsh Government' to follow its stipulations. It draws on the Welsh Government Race Disparity Evidence Unit, an organisation which appears to mirror the UK Government Race Disparity Unit that underpinned Lord Sewell's landmark Commission on Race and Disparities Report of 2021.
- 3.25 There are also several law firms in Wales and more around the UK specialising in employment and discrimination claims available to Welsh litigants (including firms with connections to trade unions) in addition to extensive trades union organisations and nationwide umbrella groups.

⁹⁴ Ibid, H V Thomas, 3

⁹⁵ E Price Senedd to debate calls for urgent improvements to education outcomes in Wales (Nation Cymru, 2024)

⁹⁶ Including the Government Equalities Office, Office for Equality of Opportunity, Academy for Social Justice, Social Mobility Commission and the Windrush Commemoration Committee, Commission on Race and Ethnic Disparities and the Cabinet Office's Race and Equality Unit.

⁹⁷ T Glyn Jones Warning gender quotas could face legal challenge (BBC News, 2024)

⁹⁸ D Martin Welsh government 'trampling over women's rights' with call to loosen trans rules (Telegraph, 2023)

- 3.26 Secondly, these bodies push policy in the direction of controversies that alienate public opinion. The Task and Finish Group to the Audit of Commemoration in Wales has driven contentious policies including audits of statuary, buildings and placenames.
- 3.27 Under the influence of its External Accountability Group Welsh Government policy now includes funding for 'decolonisation training experts' to teach 'anti-racist' library practices, telling galleries and museums to decolonise themselves, politically correct charter marks for universities and dog-free zones to make the countryside less racist⁹⁹.
- 3.28 Welsh Government steps in the direction of gender self-identification and its LGBTQ+ Action Plan were criticised by women's campaign group Merched Cymru for allowing an 'anti-women lobby group' to lead on policy that jeopardised 'the sex-based rights of women and girls in Wales'¹⁰⁰.
- 3.29 Doubling down by unelected activists in public bodies leads to overreach and risks rising 'equalities fatigue' within a public that would prefer government to focus its energies on improving public service delivery¹⁰¹.
- 3.30 Thirdly, public resources are being deflected into ideological boondoggles and activist class priorities. The Budget Improvement and Impact Advisory Group exists to advise Welsh Government 'from an equalities and inclusion perspective' in order to 'ensure that budget and tax processes better align funding to outcomes'.
- 3.31 The Welsh Government's 2025-26 budget includes £10.5 million for 'equality, inclusion and human rights'¹⁰². One report from two years ago estimated that 138 Welsh Government 'woke jobs' cost the taxpayer nearly £9 million¹⁰³. Ideological regulation is driving resources away from the public's priorities.

Duplication in climate change

- 3.32 There are seven Welsh Government advisory bodies concerned with climate change and green issues.
- 3.33 Welsh Government bodies also duplicate UK Government bodies over climate change policy. The Welsh Government's Wales Net Zero 2035 Challenge Group exists to examine 'pathways to net zero by 2035' duplicates and rivals the UK Government's Climate Change Committee and its Net Zero Commission. It implies that the Welsh Government will accomplish net zero carbon emissions fifteen years earlier than the UK Government.

⁹⁹ M Smith *Will anyone save Wales from its virtue-signalling elites* (Conhome, 2024)

¹⁰⁰ Merched Cymru *Welsh Government commits to end women's sex-based rights* (Merched Cymru, 2021)

¹⁰¹ K Ahmed *Men are turning against women's rights in record numbers* (Telegraph, 2025)

¹⁰² D Chakravarty Waste Watch: Senedd spends £8m on international relations while Welsh Ambulance Service declares a 'critical incident' (Telegraph, 2025)

¹⁰³ Orde Order Welsh Government Spending £9million on Woke Jobs (Guido Fawkes, 2023)

- 3.34 The Welsh Government's controversial 20mph speed limit policy cost £34 million to implement¹⁰⁴ before the public backlash brought an end to this policy and with it Mark Drakeford's First Ministership¹⁰⁵ (Drakeford expressed genuine surprise at the level of anger provoked by this policy) and Lee Waters' tenure as Minister for Climate Change and Transport¹⁰⁶. Yet the Welsh Government's Welsh 20mph Taskforce Group still operates.
- 3.35 The cancellation of the M4 Relief Road after £114 million had been committed to the project ¹⁰⁷ owed much to ministerial ineptitude. Yet the Welsh Government has deferred the decision over alternative infrastructure arrangements to the South East Wales Transport Commission quango chaired by a peer and quangocrat whose experience up to the time of his appointment was chairing Ofcom.

International relations overreach

- 3.36 Another example of the Welsh Government deflecting attention away from core competences is its intrusion into foreign policy. First Ministers from Carwyn Jones onwards have been increasingly interested in foreign affairs¹⁰⁸.
- 3.37 There are seven advisory bodies concerned with Britain's departure from the EU. Despite Wales' leave vote the Welsh Government expended significant public resources litigating against the UK Government over the UK's departure from the EU undermining Britain's negotiating position and displayed obstreperousness over the UK Government's Internal Market legislation¹⁰⁹.

Constitution building

- 3.38 There are five bodies that in some way advocate or pitch moves toward radical constitutional change, a separate legal jurisdiction or welfare jurisdiction. There are three advisory bodies concerned with human rights.
- 3.39 The Independent Commission on the Constitutional Future of Wales advocates future constitutional options for Wales including independence (which it claims is viable), devomax (including devolution of justice and policing) and federalism though no re-volution of powers despite Wales' large rejectionist minority.
- 3.40 The Commission on Justice in Wales advocates devolution of the justice system (including powers to run policing, prisons and judicial appointment)¹¹⁰. The Justice Stakeholder Group examines ideas for the 'possible formation of a distinct Welsh legal jurisdiction'. The Committee for Administrative Justice and Tribunals undertakes research

¹⁰⁴ J Grey, C Davies and T Llewllyn *20mps Wales: Some roads to revert to 30mph after backlash* (BBC, 2024)

¹⁰⁵ A Browne and J Grey Mark Drakeford defends 20mph law before stepping down (BBC 2024)

¹⁰⁶ H Harris Welsh Minister who led hated 20mph speed limit rollout quits as fury continues (Express, 2024)

¹⁰⁷ BBC M4 relief road: proposals cost £114m before scheme was axed (BBC, 2024)

¹⁰⁸ Senedd Research Cardiff Airport, the Welsh Government and its International Strategy (Senedd, 2024)

¹⁰⁹ M Smith The hypocrisy of 'devocrats' like Sturgeon imperils the UK economy (CapX 2020)

¹¹⁰ J Rees Justice powers for Wales urged by commission (BBC, 2019)

into a Welsh administrative justice system. While the Streamlining Welsh Benefits Steering Group aims to 'increase uniformity across Welsh benefits'.

- 3.41 The Human Rights Legislative Options Working Group seeks to develop 'bespoke human rights; through Welsh law. The Human Rights Advisory Group purports to examine human rights in the context of austerity and Brexit. While the Strengthening and Advancing Equality Human Rights Steering Group seeks further interpretation of human rights law in a devolved context.
- 3.42 Human rights law is embedded in UK wide legislation. The Equality and Human Rights Commission already exists at the UK Government level. The courts system of England and Wales is integralist. There is an expectation of territorial equity throughout the UK in access to the Courts. The Welsh Government's £10.5 million budget allocation for 'equality, inclusion and human rights' is a sign of further mission creep¹¹¹.

Devolution mission creep

- 3.1 Quango-driven constitution building under Welsh devolution has run well ahead of public opinion and increases the cost of politics.
- 3.2 The Senedd Commission quango requested a 16% uplift to its budget for 2025-26 to finance adjustments to the estate in anticipation of Senedd reform which will increase the number of Senedd members from 60 to 96¹¹². The cost of transitioning to a Senedd with 36 more members has been estimated to take the annual bill to an estimated £100.4 £120.38 million¹¹³.
- 3.3 The Independent Remuneration Board of the Senedd has recommended 6% uplift to Senedd members' salaries¹¹⁴ due to 'changing circumstances and inflationary pressures'¹¹⁵, changes which it nevertheless maintains represents 'value for money'¹¹⁶.
- 3.4 The base salary of Senedd members will be £76,380 with further top ups for specific roles. The plans would mean the First Minister of Wales would earn £167,081 compared to £166,786 for the British Prime Minister¹¹⁷.

Senedd role ¹¹⁸	Base salary plus uplift
	for specific role (£)
	(excluding pension)

¹¹¹ D Chakravarty Waste Watch: Senedd spends £8m on international relations while Welsh Ambulance Service declares a 'critical incident' (Telegraph, 2025)

¹¹² R Mosalski Senedd expansion costs rise as MSs make demands for furniture (Wales Online, 2024)

¹¹³ R Mosalski The huge costs of expanding the Senedd to have 96 members (Wales Online, 2023)

¹¹⁴ R Mosalski *Full list of top Senedd salaries as Wales' First Minister Eluned Morgan and colleagues set for pay rise* (Wales Online, 2025)

¹¹⁵ R Mosalski Senedd members awarded 6% pay rise (Wales Online, 2025)

¹¹⁶ Ibid, R Mosalski

¹¹⁷ Ibid, R Mosalski

¹¹⁸ Reported 8th January 2025

First Minister	£167,081
UK Prime Minister	£166,786
Welsh minister and counsel general	£119,343
Deputy minister	£101,443
Deputy presiding officer	£125,310
Senedd commissioner	£91,894
Committee chair (higher)	£91,894
Member of the House of Commons	£91,346
Committee chair (lower)	£86,716
Business committee member	£86,716
Leader of a group not in government	£119,343 (maximum -
	£15,514 and £1,194 per
	member)
Median gross annual earnings for full-	£32,371
time adults working in Wales ¹¹⁹	

Comparison with Scottish Government public bodies

- 3.43 The Scottish Government's National Public Bodies Directory details national devolved public bodies in Scotland. There are 127 bodies overall¹²⁰. In addition there are nearly 286 active working groups listed on the Scottish Government website¹²¹ which appear to serve a similar function as Welsh Government advisory bodies.
- 3.44 Scottish Conservative Leader Russell Findlay would cut by nearly a third the nearly 300 working groups operating under the executive of the Scottish Government that enables Scottish Government ministers to "sub-contract thinking and decision-making to abstract talking shops"¹²².
- 3.45 There is a similar if not slightly worse problem in Wales as the following comparisons demonstrate.
- 3.46 There are 12.5 advisory bodies for every Welsh Government Cabinet Secretary or Minister compared to 11 working group for every Scottish Government Cabinet Secretary, Minister of Law Officer (of which there are 27)¹²³.

¹¹⁹ See <u>https://www.gov.wales/annual-survey-hours-and-earnings</u>

¹²⁰ See: National public bodies: directory - gov.scot

¹²¹ See: <u>Groups - gov.scot</u>

¹²² Ibid

¹²³ See: Cabinet and Ministers - gov.scot

- 3.47 There are four advisory bodies for each member of the Senedd (of which there are 60) compared to two Scottish Government working groups for each member of the Scottish Parliament (of which there are 129).
- 3.48 There is one Welsh Government body for every 12,000 people in Wales. There is one Scottish Government body for every 13,000 people in Scotland¹²⁴.

Conclusions

- 3.49 Clustering of public bodies around the health and education portfolios erodes strategic capacity as decision making is overwhelmed with to too many inputs.
- 3.50 Certain of these advisory bodies are of an obviously technical nature. However a large number are concerned with policy and in some instances contentious political issues.
- 3.51 Momentum in policy and legislation appears to be driven by an array of unelected advisory bodies rather than Cabinet Secretaries and Ministers (the executive) and Senedd Members (legislators) who are democratically elected.
- 3.52 The role of the Senedd, the independent part of civil society and ultimately the public has been sidelined.
- 3.53 Mission creep is eroding the devolutionary boundaries between devolved and reserved areas.
- 3.54 These problems drive wasteful spending and are often alienating of the Welsh public.

¹²⁴ See: <u>Population estimates for the UK, England, Wales, Scotland and Northern Ireland - Office for</u> <u>National Statistics</u>

4. Fallible servants

4.1 Devolution was to oversee the "the end of quango-land". Despite express promises of a 'bonfire of the quangos', the institutional landscape of devolved Wales remains pockmarked with quango-related governance problems, competency failures and institutional politicisation, as the following examples demonstrate.

Public Services Ombudsman for Wales

- 4.2 The Ombudsman was set up to investigate complaints made by the public about public bodies and councillors accused of breaking their code of conduct in a politically unbiased way. This necessarily impartial office was recently convulsed by the resignation of a senior investigator following expletive anti-Conservative comments undermining "people's trust and confidence in our work"¹²⁵.
- 4.3 The Ombudsman initially appointed a barrister to conduct this review until it emerged that his half a century involvement with the Labour Party included being a former leader of Brent Council and Labour Parliamentary candidate¹²⁶. Surprisingly the Ombudsman was unaware of this despite his ongoing chairmanship of a Society of Labour Lawyers sub-group. The Northern Ireland Assembly Standards Commissioner has been brought in to independently review between 670 and 700 cases where the public's complaints had not been investigated to check whether the office's processes are "sound and free from political bias"¹²⁷.
- 4.4 The then Secretary of State for Wales said that he had no confidence in the watchdog and called for the Ombudsman to be replaced¹²⁸. Separately, a previous ombudsman had been criticised for an alleged 'power grab' after a public spat with a Senedd member over a pitch to take over the Welsh Language Commissioner's role¹²⁹.

Senedd Commission

- 4.5 The Senedd Commission is the corporate body that manages the Senedd. It is chaired by the Presiding Officer of the Senedd, a position that is similar to the Speaker of the House of Commons. The Westminster convention is that the Speaker's party alternates. The Speaker becomes a neutral figure and effectively leaves their party. Ex officio they resile from party politics.
- 4.6 Senedd practise is different. The current Presiding Officer is a member of Plaid Cymru. She remains a member of this party's group in the chamber¹³⁰ and has employed staff drawn from her party¹³¹. In nearly three decades the Presiding Officer has only every been held by a Plaid Cymru or Welsh Labour member.
- 4.7 There are concerns about impartiality. In a heated exchange the Presiding Officer "inappropriately" told the leader of the Welsh Conservatives to "tone down" his questions

¹²⁵ A Browne I don't believe my office is biased, says watchdog (BBC News, 2024)

¹²⁶ G Lewis Ombudsman: Tories question credibility of watchdog review (BBC News, 2024)

¹²⁷ A Browne, Ibid

¹²⁸ G Lewis Wales ombudsman official resigns after Tory abuse row (BBC News, 2024)

¹²⁹ BBC News Facebook spat sparks row over Public Services Ombudsman for Wales (BBC News 2017)

¹³⁰ Plaid Cymru *Plaid Cymru's team in the Senedd*

¹³¹ BBC News Welsh assembly presiding officer accused of bias (BBC News, 2017)

on the basis they risked 'inflaming discrimination' while calling for national inquiry into child sexual abuse¹³². Previously the Brexit Party accused the Presiding Officer of "tilting the playing field"¹³³.

- 4.8 In 2023 the Senedd Commission banned GB News from its internal free view TV system (the roll out of which cost taxpayers £233,000¹³⁴) in a move that was "nothing short of censorship from a supposed democratic institution."¹³⁵ The Presiding Officer claimed GB News was "contrary to our parliament's values". Banning it was necessary to "protect men and women working in the Senedd"¹³⁶.
- 4.9 The Presiding Officer declined to represent the Senedd at the Coronation of Charles III. A former Labour Welsh Government minister pointed out she is "not there to exercise her own prejudices but to represent the whole of our parliament and our nation"¹³⁷. The Presiding Officer effectively banned images of national flags from Senedd proceedings after a Conservative Senedd member joined remote session with a Union flag in the background¹³⁸.

Natural Resources Wales

- 4.10 Natural Resources Wales (NRW) is the Welsh Government's chief advisor on environmental matters and natural resourcing and its largest quango being amalgamated from the Countryside Council for Wales, Environment Agency Wales and Forestry Commission Wales. In 2018 it was reported that NRW had sold timber to sawmills for £1million less than it was worth with no one at the organisation facing disciplinary action¹³⁹.
- 4.11 Later that year the NRW's Chief Executive admitted the quango had unlawfully awarded 13 timber contracts and that this was due to incompetence rather than corruption. Despite this the outgoing responsible Chief Executive received severance payments of up to £40,000¹⁴⁰.
- 4.12 In the three years to 2019, the Wales Audit Office declined to sign off the super quango's accounts. In 2018 the former Auditor General found NRW had entered 59 contracts with three firms without inviting other companies to bid¹⁴¹. A review by Grant Thornton identified weaknesses in financial stewardship and contract governance¹⁴².

- ¹³⁸ ART Davies The Senedd is wrong to bar politicians from displaying the Union Jack (Conhome, 2021)
- ¹³⁹ R Mosalski *A public body has sold wood for less than* £1 *million than it is worth* (Wales Online, 2018)

¹⁴¹ Ibid, IR Mosalski

¹³² D Davies Tone down grooming gangs rhetoric, top Tory told (BBC News, 2025)

¹³³ BBC News Welsh assembly presiding officer accused of bias (BBC News, 2017)

¹³⁴ M Cooke Welsh parliament spent 'eyewatering' £233,000 on software later used to block GB News (GB News, 2024)

 ¹³⁵ J Walters End of free speech in Wales: GB News 'permanently banned' in Senedd in major 'censorship' (GB News, 2024)

¹³⁶ G Lewis Welsh Parliament: Banning GB News protects staff, says boss (BBC News, 2023)

¹³⁷ BBC News Coronation: Senedd presiding officer Elin Jones not attending event (BBC news, 2023)

¹⁴⁰ M Shipton *Natural Resources Wales chief admits incompetence but not corruption over timber sales scandal* (Wales Online, 25th September 2018)

¹⁴² R Mosalski *The vast sums squandered when Wales created a giant superquango called Natural Resources Wales* (Wales Online, 4th March 2019)

- 4.13 Following an HMRC investigation into the hiring of specialist contractors last year the Welsh Government found itself stepping in to settle a £19 million tax bill for its 'national champion' superquango¹⁴³.
- 4.14 The organisation's objectives include promoting 'our learning on emissions reductions across Wales'. Yet freedom of information requests revealed that in the three years to 2022, NRW had spent £1.6million buying and hiring vehicles. Most of these vehicles were petrol or diesel fuelled¹⁴⁴.

Museum Wales

- 4.15 Museum Wales is responsible for seven Welsh museum sites including the iconic National Museum Cardiff building now closed due to safety concerns¹⁴⁵. It has been reported that MW cannot account for over 2,000 of its items¹⁴⁶. There around repairs to sites in the order of £65 million placing artifacts at risk which in some cases are housed in crumbling buildings¹⁴⁷. The organisation is in the process of axing 90 jobs¹⁴⁸.
- 4.16 Despite this NMW has racked up £750,000¹⁴⁹ on the settlement of an employment dispute which saw both the President and Director General of the Museum Wales leave their positions and an external review by the Auditor General¹⁵⁰. Despite accusations levelled at the outgoing President, the same official (who had previously chaired Cardiff International Airport) was lined up by the Welsh Government to oversee a review of heritage body Cadw. The move prompted the Public Accounts and Public Administration Committee to conclude that the appointments process is insufficiently robust, transparent or accountable¹⁵¹ and raises "serious questions about its [the Welsh Government's] governance of arm's length bodies"¹⁵². A "light touch approach" had led to a "paralysis of decision making processes"¹⁵³.
- 4.17 The outgoing Director General was awarded £325,000 as part of the settlement. The Auditor General expressed "significant concern" over the museum's "approach to decision-making during this period"¹⁵⁴. His report flagged 'weaknesses in governance and relationships at the most senior level of an important public institution'¹⁵⁵. The Auditor General was not satisfied that the trustees had "discharged their legal responsibility to

¹⁴⁵ D Deans Closed museum's contents safe, minister tells Senedd (BBC News Wales, 5th February 2025)

 ¹⁴³ D Davies Welsh ministers pay £19m to settle unpaid tax bill (BBC News Wales, 22 October 2024)
 ¹⁴⁴ Countryside Alliance Natural Resources Wales branded 'wasteful' and 'hypocritical' following

spending investigation (Countryside Alliance, 24th November 2022)

¹⁴⁶ A Jones *Wales' national museums are missing almost 2,000 items* (BBC News Wales, 8th October 2023)

 ¹⁴⁷ BBC Museum Wales: Treasures at risk from £65m repair backlog (BBC News Wales, 7th April 2023)
 ¹⁴⁸ N Horton Museums cut 90 jobs and may close Cardiff building (BBC News, 2024)

¹⁴⁹ A Wightwick Watchdog criticises £750k employment dispute bill involving former head of Wales' national museum (Wales Online, 9th November 2023)

¹⁵⁰ D Deans and L Vladev *Museum Wales: Bullying row over ex-WRU boss cost taxpayers* £600,000 (BBC Wales News, 9th November 2023)

¹⁵¹ Senedd News *Museum Wales: weakness in Welsh Government's management of public bodies* (Senedd, 2024)

¹⁵² Ibid, A Wightwick

¹⁵³ C Haines Alarm over 'light-touch' response after £750k museum row (Caerphilly Observer, 2024)

¹⁵⁴ A Matthews and L Valdev *National Museum Wales: Payment of £325k to ex-chief questioned* (Wales Online, 16th October 2023)

¹⁵⁵ Ibid, A Wightwick

make sound and informed decisions" in the best interests of Museum Wales¹⁵⁶. The Thurley Review found a complete breakdown in the relationship between the Welsh Government and Museum Wales with the latter too dependent on central grants¹⁵⁷.

- 4.18 NMW has not been shy of politicising public spaces. The Big Pit National Coal Museum was told to 'decolonise' to recognise 'historic injustices' despite coal miners having toiled in appalling conditions¹⁵⁸. The National Museum of Wales offered £12,000 to 'reframe the colonial narrative' around Thomas Picton's portrait¹⁵⁹ when the National Museum Cardiff is in a state of serious disrepair.
- 4.19 Previously the outgoing Director General had drawn criticism for declared that Britain is not "great", opining that Brexit was "collective delusional madness" while suggesting it is the role of museums to pose challenging questions and encourage debate¹⁶⁰. During his tenure NMW had displayed political placards, Extinction Rebellion exhibits and an installation celebrating a short lived anti-Conservative and anti-Brexit newspaper.
- 4.20 Despite the quango's progressive vibing a project manager for 'decolonising collections' resigned citing institutionalised racism, "unresolved racism and bullying", "white fragility" and a "know your place" culture"¹⁶¹.

Arts Council of Wales

- 4.21 Arts Council of Wales (ACW) distributes funding to around 60 groups¹⁶². ACW's decision to cancel 100% of its funding of the National Theatre of Wales led to its demise¹⁶³. The decision was criticised for 'disrespecting the principle of independent review and conveying a worrying lack of transparency and accountability'¹⁶⁴. An independent panel concluded ACW had failed to follow 'its own procedures "fairly and transparently"'¹⁶⁵.
- 4.22 The demise of National Theatre of Wales (founded only two decades earlier) was described as an 'absolute national scandal that the Arts Council bears some responsibility for'. Cuts to Welsh National Opera were said to threaten the "dismantling of one of Wales' finest national institutions devastating for the nation"¹⁶⁶.

¹⁵⁶ J Walters 'Woke' museum under fire for huge payout to ex-boss for 'injured feelings' (GBN, 16th October 2023)

¹⁵⁷ H Thomas *National Museum Wales and government need clean slate* (BBC News Wales, 24th January 2018)

¹⁵⁸ C Simpson Wales tells its National Coal Museum to find 'historical injustices' to teach (Telegraph, 2024)

¹⁵⁹ C Simpson Portrait of Waterloo 'hero' removed from gallery as it awaits 'youth-led' colonial reinterpretation (November 2024)

¹⁶⁰ H Thomas *National Museum Wales head accused of 'rant against Britishness'* (BBC News Wales, 22nd February 2018)

¹⁶¹ A Wightwick *Museum of Wales accused of institutional racism as project manager of decolonising collections resigns* (Wales Online, 1st September 2023)

¹⁶² D Deans No crisis in Wales' culture sector, says minister (BBC News Wales, 4th February 2025)

 ¹⁶³ L Prichard Final curtain goes down on National Theatre Wales (BBC News Wales, 18th December 2024)
 ¹⁶⁴ N Bevan National Theatre Wales shocked by 100% funding cut (BBC News Wales, 19th December 2023)

¹⁶⁵ D Deans National Theatre Wales says it wins funding appeal (BBC News Wales, 7th December 2023)

¹⁶⁶ A Thomas Welsh National Opera: Wales' top artists criticise cuts (BBC, 2024)

4.23 The ACW has elsewhere financed controversial drag shows and 'decolonisation' projects¹⁶⁷. With Welsh Government backing it is financing a 'Plan for Climate Justice and the Arts'. Previously in 2021, in an act akin to an institutionalised struggle session, the ACW commissioned a report accusing itself of institutionalised racism¹⁶⁸.

Higher Education Funding Council for Wales

4.24 At a time when universities across Wales are facing a £70 million black hole¹⁶⁹ in their finances, many lecturers and staff face redundancy and teaching is disrupted by strikes, few will be reassured to know that the Higher Education Funding Council for Wales made £3 million available to Welsh universities to assist them in appointing special advisors to assess their progress on decolonising courses in order to chief its political correct 'charter mark'¹⁷⁰.

National Infrastructure Commission for Wales

4.25 The Senedd's Environment Committee was told that it is not clear whether the National Infrastructure Commission for Wales (which exists to determine Wales' infrastructure needs over the next 80 years) will operate beyond the end of the Senedd term. It is unclear why a body with this remit has been created if its future is uncertain¹⁷¹.

Citizen Voice Body for Health and Social Care

4.26 The Citizen Voice Body for Health and Social Care (CVBHSC) replaced independent community health councils (CHCs) that in some cases had existed for nearly half a century. Patient watchdogs raised concerns about this transition when little detail of how the CVBHSC would operate was given in advance. CHCs questioned whether the CVBHSC would genuinely represent the public as well or hold health providers to account. CHCs had the power to investigate hospital wards and refer major decisions effecting provision to ministers. CVBHSC will not exercise these powers¹⁷². Senedd politicians criticised this for diminishing the voice of patients¹⁷³.

NHS Boards

- 4.27 During the current First Minister's tenure as the Welsh Government's health minister, three health boards were subjected to increased scrutiny.
- 4.28 The entire Hywel Dda University Health Board in west and mid Wales was subject to targeted intervention due to financial and planning "challenges". Swansea Bay University Health Board was subject to targeted intervention for "performance and outcomes". While

¹⁶⁷ C Simpson Welsh National Theatre closes after entire funding is withdrawn (Telegraph online, 18 December 2024)

¹⁶⁸ Ibid, A Wightwick

¹⁶⁹ A Wrightwick Urgent warning as Welsh universities face £70m black hole (Wales Online, 2025)

¹⁷⁰ C Simpson Plan to force 'decolonisation' on Welsh universities sparks opposition (Telegraph, 2022)

¹⁷¹ C Haines Uncertain future for Welsh infrastructure commission (Nation Cymru, 2024)

¹⁷² O Clarke *NHS Wales and care patients given new 'citizen voice' body* (BBC News Wales, 17th June 2019)

¹⁷³ G Pennant *Community Health Council watchdogs set to be scrapped* (BBC News Wales, 22nd August 2017)

the Aneurin Bevan Health Board in Gwent was subject to monitoring for performance outcomes.

4.29 Previously Betsi Cadwaladr University Health Board was in special measures while Cardiff and Vale, Powys and Cwm Taf Morgannwg health boards were under enhanced monitored for planning and finance.

The cost of quango state failure

- 4.30 The cost of weak governance and financial management is not only reflected in legal fees and consultancy charges. As the Auditor General observes 'the biggest detrimental impact is how these issues can deflect organisations from their core objectives and services to the public'¹⁷⁴.
- 4.31 When standards slip there is an 'erosion of public trust and confidence'. One might add that through elite capture politicisation and progressive signalling further alienates swathes of the Welsh public¹⁷⁵.

Quangoland remuneration

4.32 These examples of quango state failure along with an ongoing cost of living crisis explains why the remuneration of leading quangocrats remains controversial. A WalesOnline report from 2022 drew on StatsWales data in order to identify some of the best paid bureaucrats in Wales set reproduced in the following two tables¹⁷⁶:

Welsh Government/Quango Chief Executive ¹⁷⁷	Basic Salary (£) (excluding pension)
Chief executive of Development Bank of Wales	216,264
Director general of Health and Social Services for NHS Wales	205-210,000
Chief medical officer, NHS Wales	200-205,000
Chief executive of Public Health Wales	160-165,000
UK Prime Minister ¹⁷⁸	157,372
Public Services Ombudsman for Wales	150-155,000
First Minister of Wales ¹⁷⁹	153,033

¹⁷⁴ A Crompton From Firefighting to Future-proofing – the Challenge for Welsh Public Services (Audit Wales, 2024), 10

¹⁷⁵ Ibid

¹⁷⁶ L Clements *Wales' public sector rich list: The best paid officials in the nation* (Wales Online, 30th January 2022)

¹⁷⁷ Reported 30th June 2022

¹⁷⁸ Reported 30th March 2023, see: https://researchbriefings.files.parliament.uk/documents/CBP-9763/CBP-9763

¹⁷⁹ D Deans Senedd politics get maximum 3% pay rise (BBC, 2023)

Chief executive and clerk of the Senedd	145-150,000
Chief executive of Natural Resources Wales	140-145,000
Chief executive of Higher Education Funding Council Wales	130-135,000
Chief executive Qualifications Wales	130-135,000
Deputy chief executive and executive director of operations and finance for Public Health Wales	130-135,000
Chief inspector of education and training in Wales, Estyn	115-120,000
Chief executive of Social Care Wales	118,500
Director general, National Museum Wales	105-110,000
Chief executive of Education Workforce Council	95-100,000
Welsh Language Commissioner	95-100,000
Chief executive of Welsh Revenue Authority	95-100,000
Chief executive at Sport Wales	95-100,000
Median gross annual earnings for full-time adults working in Wales ¹⁸⁰	£32,371

4.33 Leading Welsh NHS quangocrats are similarly well remunerated:

NHS Board Executive ¹⁸¹	Basic Salary (£) (excluding pension)
Executive medical director at Cardiff and Vale health board	£225-230,000
Chief executive of Cardiff and Vale health board	£210-215,000
Chief executive of Aneurin Bevan health board	£205-210,000
Chief executive of Hywel Dda health board	£195-200,000
Executive medical director/ deputy chief executive of Hywel Dda health board	£175-180,000

 ¹⁸⁰ <u>https://www.gov.wales/annual-survey-hours-and-earnings</u>
 ¹⁸¹ Reported 30th June 2022

Swansea Bay health board medical director£175-180,000Chief executive of Powys health board£170-175,000Medical director at Health Education and Improvement Wales£165-170,000Chief executive of Welsh Ambulance Service£160-165,000UK Prime Minister182157,372Director of Public Health & Strategic Partnerships at Aneurin Bevan health board£155-160,000First Minister of Wales183153,033Interim director of Swansea Bay health board£140-145,000Director of nursing at Aneurin Bevan health board£130-135,000Director of nursing, midwifery and patient care at Cwm Taf health board£130-135,000Director of nursing and midwifery at Powys health board£105-110,000Executive director of quality and nursing at Welsh Ambulance Service£105-110,000Median gross annual earnings for full-time adults working in Wales184£32,371		11
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	Welsh Ambulance Service	
adults working in Wales ¹⁸⁴	Median gross annual earnings for full-time	£32,371
	adults working in Wales ¹⁸⁴	

4.34 One would be forgiven for asking why anyone would want to seek elected office when quango and quango-adjacent roles offer more power, prestige and remuneration in an accountability-lite environment.

¹⁸² Reported 30th March 2023, see: https://researchbriefings.files.parliament.uk/documents/CBP-9763/CBP-9763

¹⁸³ Ibid, D Deans

¹⁸⁴ https://www.gov.wales/annual-survey-hours-and-earnings

5. What quango-driven government means

- 5.1 The peculiarly quango-driven nature of devolved government is to a large extent a consequence of the absence of an institutional armada preceding the establishment of Welsh devolution in 1997.
- 5.2 Limited civil society engagement and severe levels of public apathy can lend a Potemkin village quality to devolved politics.

How we got here

- 5.3 The shortcomings of Wales' devolved political system is a localised expression of the 'regions without regionalism' ¹⁸⁵ problem. In his *Check Against Delivery* speech of 2001 Rhodri Morgan said that the 'challenge is to develop the Welsh political culture and the Welsh policy-making capacity and a peculiarly Welsh set of political processes'¹⁸⁶.
- 5.4 Welsh devolution was 'struggling against a very long tradition where there is no an experience of autonomous policy-making' ¹⁸⁷. Scotland by contrast was 'well used to policy-making for their own bodies'. This framing of the problem of Welsh devolution remains valid.
- 5.5 Third sector organisations, trade unions, party apparats, campaigners, taxpayer funded think tanks and academics frequently convening through quangos, have been invited by Welsh governments to substitute for 'the long-standing tradition of not having policy-making capability in Wales'¹⁸⁸.
- 5.6 Welsh devolution's return to quangocracy is in part a response to the difficulties of creating a functioning political process in what is otherwise a vacuum.

The Cardiff Bay village

- 5.7 The devolved governing class emerges from elites that are in many ways disconnected from the surface reality of life in modern Wales.
- 5.8 In *Delineating Wales* Professor Richard Rawlings uses the term 'The closeness of Wales' to describe the interconnectedness of Cardiff Bay¹⁸⁹. The term 'Cardiff Bay Village' has been used to describe the policy community that clusters around the devolved institutions.
- 5.9 There is a tendency for 'Welsh Government and public appointments to be drawn from this policy 'village'' that is 'small, insular and lacking in ideas''. This insularity is given to 'uneven access to the politicians' in a way that is 'neither open nor transparent'¹⁹⁰.

¹⁸⁵ M Keating, P Cairney and E Hepburn *Territorial Policy Communities and Devolution in the United Kingdom* (Cambridge Journal of Regions, Economy and Society, 2009)

 ¹⁸⁶ R Morgan, Check Against Delivery Institute of Welsh Affairs (Sefydliad Gwleidyddiaeth Cymru, 2001). 4 5

¹⁸⁷ Ibid, R Morgan, 4-5

¹⁸⁸ Ibid, R Morgan, 6

¹⁸⁹ Ibid, R Rawlings, 328

¹⁹⁰ R Deacon, A Denton and R Southall *Civil Society, Pressure Groups, Lobbying and Local Government in The Government and Politics of Wales* (Edinburgh University Press, 2018), 179

5.10 The pool of appointees is somewhat homogenous. As First Minister Rhodri Morgan told the Committee on Standard in Public Life, bias in appointments to public bodies was a reflection of the smallness of Wales with inevitable favouritism based on age group and educational background. This partiality was part of the "human condition"¹⁹¹.

Exacerbating the democratic deficit

- 5.11 Devolved politics is characterized by severe levels of voter disengagement. fewer than half of Welsh voters have ever participated in a devolved election¹⁹². Consequently, the ruling party in Cardiff Bay secured less than a fifth¹⁹³ of eligible voters¹⁹⁴ in support of its policies.
- 5.12 In this context the dependence on Welsh Government Cabinet Secretaries and Ministers on advisory bodies for decision making is especially problematic. These bodies are not directly scrutable by the Senedd despite exerting considerable influence on the direction of policy, particularly when there is a high turn-over of Welsh Government Cabinet Secretaries and Ministers. An updated variation on Juvenal's question *Quis custodiet ipsos custodes*¹⁹⁵ might be "who guards us against the quangocracy".
- 5.13 An off-hand comment from one Quango chief speaks to an ideation of quangos as guardians when he lamented 'We could go further and faster, we could have greater ambition' yet the 'Welsh Government is more responding to external influences'¹⁹⁶. Yet it is precisely the external influence of public opinion that should be intruding into decision making.
- 5.14 There is a general sense amongst voters in Wales that too much decision making and advice proffering is provided by officials that no one can vote out, conducted by organisations that do not answer for failures. This may go some way in explaining the severely low levels of public engagement with devolved government.

Unaccountable government

- 5.15 Back in the 1970s, the Welsh Labour Parliamentary Group criticised a Conservative Secretary of State for Wales claiming that appointed bodies enabled 'the devolution of centralised power to the executive and not the Welsh people'. These words are of continuing relevance in the context of the new quango state under devolution.
- 5.16 Outsourcing power to quangos allows Welsh Government ministers to avoid direct accountability thereby diminishing the scrutiny function of the Senedd¹⁹⁷. It also increases the input of technocrats into legislation and policy making thereby negating Senedd Members¹⁹⁸.

¹⁹¹ Wales Online *Quangos lacking in experience* (Wales Online, 8 July 2004)

¹⁹² G Lewis Senedd voter turnout worries remain after 25 years (BBC, 2024)

¹⁹³ S Pilling Senedd Cymru/Welsh Parliament elections 2021 (House of Commons Library, 2021)

¹⁹⁴ https://www.gov.wales/electoral-roll-march-2020

 $^{^{\}rm 195}$ Who guards us against the guardians

¹⁹⁶ C Haines 'Irony' over committee tasked with looking at Wales' future (Wales Online, 2025)

¹⁹⁷ Ibid, Dr R Norrie, 18

¹⁹⁸ Ibid, Dr R Norrie, 74

5.17 Advisory bodies are subject to 'less scrutiny and accountability' and do not 'suffer for their maladministration'¹⁹⁹. The alibi effect of ministers deferring to appointed bodies reduces the scope of what is politically possible and constitutes a defensive barrier against public expectations²⁰⁰.

Shadow government

- 5.18 A functioning democracy requires a viable possibility of incumbents losing power. Quangocrats 'normally reflect the views of those appointing them'²⁰¹. The 'in' party of Welsh politics has been in power for longer than any government in Britain. If the ruling party loses power any incoming government may face 'resistance from the quango sector to the will of the government it is supposed to serve'²⁰².
- 5.19 Four Senedd members from the ruling party had worked for quangos before being elected²⁰³. With a quarter of its 30 Senedd members stepping down ahead of the next 2026 Senedd election, a role in a Welsh quango may be one of the few jobs that they possess the skills and the mindset to undertake.
- 5.20 An incoming devolved administration of any colour will have to ensure that they 'do not have their own agendas which are diametrically opposed to what the government is attempting to achieve or perpetuate perceived or real inertia'²⁰⁴.

Personnel is policy

- 5.21 Quango sinecures are highly attractive for progressive careerists, risking elite capture. Quangocrats are overwhelmingly drawn from the graduate elite whose 'ostentatious political objectives' would in other circumstances be frustrated at the ballot box²⁰⁵. An array of advisory bodies acts as an echo chamber in which policies crafted and validated by the politically adjacent rather than through an authentic feedback loop contributing to a sense of government being out of touch with the people.
- 5.22 Freedom of Information requests show that between 1999 and 2015 nearly 200 appointees to public bodies in Wales had links to the ruling Welsh Labour Party, four times the number with connections to Plaid Cymru, five times the number of Lib Dems and nine time the number with Conservative Party affiliations²⁰⁶. While only a minority of appointees had identifiable party affiliations, the progressive signalling of Welsh Government quangos suggests many of the majority non-party affiliated appointees also lean leftwards.

¹⁹⁹ Ibid, Dr R Norrie, 7

²⁰⁰ S Webb, I Mansfield and P Richards, *Getting a Grip on the System – Restoring the Authority of Ministers over the Machine* (Policy Exchange, 2024), 35

²⁰¹ A Potts, *Why Wales needs a quango clear-out* (Nation Cymru, 11 Sep 2020)

²⁰² Ibid, Dr R Norrie, 15

²⁰³ Alun Davies MS worked for Head of Public Affairs at the UK Atomic Energy Authority and S4C. Jane Hutt MS was a non-executive director of the Cardiff Community Health Care Trust. Rhianon Passmore MS served on the BBC Broadcasting Council Wales and the executive body of the National Books Council for Wales. Joyce Watson MS was a senior member of the NHS Equality Reference Group.
²⁰⁴ Ibid, A Potts

²⁰⁵ Ibid, Dr R Norrie, 14

²⁰⁶ Aberdare Online Welsh Conservatives call for a review of appointments to public bodies in Wales (Aberdare Online, 2015)

Over government

- 5.23 The 'politician's fallacy' made famous by Yes Prime Minister ('we must do something, this is something, therefore we must do this') has played out in the form of accelerating quango formation over the last ten years. Yet an array of advisory bodies and quangos risks overloading decision making resulting in immobilism.
- 5.24 Cabinet Secretaries and Ministers may face a declining strategic capacity in Welsh Government as a result of too many inputs to decision making channels frustrating delivery. With 29 bodies concerned with health, social care and NHS matters (not including NHS Boards) and 17 Welsh Government bodies operating within the education sector there is a very real risk of this occurring within the two most sensitive devolved areas.
- 5.25 Quango-driven policy points in the direction of more government. It has been noted there are twice the number of public bodies in Wales as there are supermarkets²⁰⁷. In 2018 Welsh Government Sponsored Bodies along with Scrutiny Bodies and Commissioners had a staff pay bill of £211.4 million²⁰⁸. Quangos add to the public sector pay bill yet the influence they exert invariably favours more government and bureaucracy.

Revolving doors

- 5.26 Wales' quango state is an integral part of the revolving-door character of devolved politics. The sector is exacerbating Cardiff Bay's democratic deficit and favours a rising activist class. Burgeoning quangocracy is also part of the problem of over government in Wales. Welsh Government delivery may also be undermined as too many advisory body inputs immobilise decision making.
- 5.27 In the next section we set out proposals for how the problems of devolution's outsized quango sector may be addressed.

²⁰⁷ ITV News Report calls for reduction in number of Welsh councils 20th January 2014

²⁰⁸ G Ifan and C Sion *The Public Sector in Wales* (Cardiff University, 2018)

6. Wither the quango state

- 6.1 The next Welsh Government will be faced with a 'first one hundred days' challenge of dismantling the devolution's quango state.
- 6.2 The following proposals are submitted to assist in gearing administration toward delivery and the avoidance of elite capture.

Reigning in the quango state

- 6.3 **Quango Sector Review**: A comprehensive quango sector review should be undertaken in accordance with a best value and a public interest test to identify which arm's length bodies that can be discontinued. Indicative signs that a body should be disbanded would include evidence of 'institutional capture, excessive ambition, recency, and costly mistakes'²⁰⁹.
- 6.4 In its 2021 manifesto the main opposition party in the Senedd pledged 'to look at each and every one of the almost two hundred quangos, agencies and advisory bodies' the Welsh Government had presided over 'to maintain its grip on the levers of power²¹⁰' setting a clear precedent for this policy.
- 6.5 Any new quangos should have time-framed sunset clauses with a presumption of discontinuation in order to focus decision making on performance outcomes.
- 6.6 **An 'ap Musk' Auditor General in a new Welsh Agency of Value and Efficiency**: The Quango Sector Review should be run by a new Welsh Agency of Value and Efficiency to examine the wider problem of over government and wasteful spending in Wales.
- 6.7 This body should be run by Wales own 'ap Musk', a respected figure drawn from Wales' private sector with no connections to the Cardiff Bay Village and no political class credentials who can search for efficiencies in Welsh Government and identify waste without fear or favour.
- 6.8 This new Auditor General should sit within the new Welsh Agency for Value and Efficiency. Both the Auditor General and WAVE should be properly resourced.
- 6.9 Full compliance with the National Fraud Initiative in Wales: The UK Public Sector Fraud Authority estimates at least £33 billion of taxpayers' money is subject to fraud and error every year. By implication hundreds of millions if not billions of pounds of taxpayers' money is lost to public services in Wales.
- 6.10 Public bodies must engage with Audit Wales' National Fraud Initiative as part of the UKwide collaboration sharing data in order to identify instances of fraud and error in accounting. Bodies that do not co-operate fully or fail to provide access should be decommissioned.
- 6.11 **End dependence on Advisory bodies**: Welsh Government over-dependence on advisory bodies is such that there is a danger of decision making being sub-contracted to abstract talking shops.

²⁰⁹ Ibid, Dr R Norrie, 77

²¹⁰ Ibid, Welsh Conservative Party

- 6.12 It is not necessary for there to be a permanent advisory body as a stand-by for each subject. There is an expectation that ministers with their ample staffing resources should possess sufficient drive, vision and judgement to conduct policy making themselves.
- 6.13 Advisory bodies should be abolished unless they offer narrowly defined technical or scientific expertise that cannot be met from within the Senedd or from UK Government sources.
- 6.14 **Defund the Wales Centre for Public Policy**: It is not appropriate for policy formation to be driven by external organisations that allow the executive to sidestep voters and their elected representatives. Welsh Government should not be engaging reliably progressively-minded 'good chaps' in a search for 'some alternative reality Welsh society'²¹¹.
- 6.15 The policy agenda should sit with democratically elected politicians answerable to reality-based communities and voters. If they cannot do this Welsh government should adopt a more modest and less over-ambitious approach to government.

Focusing on delivery

- 6.16 **De-cluster to improve strategic capacity**: There is a risk of declining strategic capacity in government through too large a number of public bodies convening around the same government portfolio. There are 29 bodies concerned with health, social care and NHS matters in addition to NHS Boards. There are 17 Welsh Government bodies operating within the education sector. In the interests of avoiding governmental logjam these two groups of bodies should be streamlined to better focus on delivery in health and education.
- 6.17 **A reformed Welsh Development Agency**: Professor Brian Morgan said abolition of the WDA was "the worst policy decision of the past twenty years" ²¹². The two largest opposition parties in the Senedd (Welsh Conservatives²¹³ and Plaid Cymru²¹⁴) have advocated re-introduction of a reformed WDA. The OECD called for restoration of a reformed WDA²¹⁵.
- 6.18 A new statutorily independent WDA should operate under an obligation to work closely with the UK Government's economic and trade departments as well as the Welsh Government to maximise economics gains for Wales. The new WDA should assume the functions of the National Infrastructure Commission for Wales, the Development Bank of Wales and Regeneration Investment Fund for Wales and Industry Wales.

Improving accountability

6.19 **Replace the Public Services Ombudsman for Wales**: In the interests of restoring confidence in its function a new Ombudsman should be appointed by the Crown following

²¹¹ Ibid, Welsh Conservatives

²¹² Ibid R Strachan

 ²¹³ BBC Tories promise to bring back Welsh Development Agency (BBC Wales Politics, 18th February 2021)
 ²¹⁴ BBC Economy could be boosted by new WDA, Plaid Cymru says (BBC Wales Politics, 13th January 2016)

²¹⁵ M Shipton, *Leaked report calls for the return of the Welsh Development Agency* (Business Live, 10th September 2020). The report stated 'By creating a horizontal agency, potentially housed within the proposed Office for Regional Development and Investment, but not responsible to any individual line minister or department, it can operate across sectors and across silos'.

consultation with the Senedd and a new leadership team assembled. Findings from the review overseen by the Northern Ireland Assembly Ombudsman should be applied in future on a 'lessons learned' basis²¹⁶.

- 6.20 A Quango Subcommittee of the Senedd Public Account and Public Administration Committee: A dedicated Quango Subcommittee for the purposes of scrutinising and reviewing the operations of arm's length bodies in Wales should be created to end the 'light touch' oversight of arm's length public bodies. Greater scrutiny may assist bodies such as Natural Resources Wales and National Museum Wales to improve internal governance
- 6.21 **Reform the Senedd Commission and office of Presiding Officer**: Upon becoming the Senedd's Presiding Office a member should be required to leave their Party group, desist from employing staff from their own party and agree to leave the Senedd following the end of their term. The role of Presiding Officer should alternate between the party of Welsh government and the main opposition party. The Presiding Officer should no longer chair the Senedd Commission. The Senedd Commission remit should be limited to avoid constitution building.
- 6.22 **Making remuneration accountable**: In considering the benefits of a role in a public body and in public office, the relationship between salary remuneration and the privilege of public service should be recalibrated. Future appointment should carry lower salaries and be subject to annual performance review. Severance payments should be limited. The salaries of senior politicians in Cardiff Bay should be subject to a similar review.

Reducing costs

- 6.23 **De-merge Natural Resources Wales**: Natural Resources Wales should be split into successor organisations focusing narrowly on regulatory and commercial functions.
- 6.24 **Discontinue the Development Bank of Wales and National Infrastructure Commission for Wales:** The bodies should be merged into a reformed Welsh Development Agency. Given existing ambiguities over the continuation of the National Infrastructure Commission for Wales whose purpose is long-term infrastructure planning it is averred this would be better conducted by a statutorily independent WDA²¹⁷.
- 6.25 Merge the Welsh Government's National Procurement Service with its UK Government counterpart: Significant savings in procurement through scale could be achieved by the Welsh Government if it sought to merge this institution with UK Government procurement benefiting public services users in Wales and across the UK.
- 6.26 **Transfer Cardiff International Airport and the Global Centre for Rail Excellence to the commercial sector**: Cardiff International Airport should be sold off to commercial operators and taken off the Welsh Government's books. In due course options should be explored to transfer the Global Centre for Rail Excellence to the commercial sector.
- 6.27 **Integrate equalities**: Radical identity politics distracts from delivery in core areas. Welsh Government should not create quangos that fully or in part shadow and rival what UK Government bodies are already doing. Controversial attempts to push against the devolutionary boundaries into the largely reserved equalities domain should be stopped.

²¹⁶ G Lewis Wales ombudsman official resigns after Tory abuse row (Wales Online, 2024)

²¹⁷ C Haines 'Irony' over committee tasked with looking at Wales' future (Wales Online, 2025)

- 6.28 **Scrap politically correct non-jobs**: The £9 million spent by Welsh Government on ideologically inspired roles is not only wasteful in itself²¹⁸. They are a gateway to wider unwanted influences on government. The proliferation of taxpayer funded activist roles with no demonstrable value are a cause of consternation for the taxpayer and wider public should be discontinued.
- 6.29 **Clean up green politics**: Environmental policy would benefit from slimming down the number of arm's length bodies in this area. As a first step the Bus Decarbonisation Task and Finish Group, the Clean Air Advisory Panel and the Decarbonisation of Homes in Wales Advisory Group should be merged. Duplication with UK Government bodies should be avoided. The Wales Net Zero 2035 Challenge Group which duplicates the UK Climate Change Committee should be scrapped. The Welsh 20mph Taskforce Group is concerned with a derailed policy and should be discontinued.
- 6.30 **Ban advertising by quangos**: Quangos should be prevented from spending money on public relations and public affairs agencies in order to prevent active campaigning against policy, promoting vested interests or otherwise justifying their own existence.

Ending devolution mission creep

- 6.31 **End mission creep into international relations:** Foreign policy and UK-EU relations are reserved policy matters. The seven Brexit-related bodies should be merged into one 'hub' to work jointly with UK Government bodies to minimise confusion.
- 6.32 **End constitution building**: Calls for the devolution of youth justice and policing has been driven in part by the influence of arm's length bodies. Attempts to form a parallel human rights agenda is unwelcome duplication. The Commission on Justice in Wales, the Independent Commission on the Constitutional Future of Wales, the Human Rights Advisory Group, the Human Rights Legislative Options Working Group and the Strengthening and Advancing Equality and Human Rights Steering Group should be scrapped.
- 6.33 **Referendum on Senedd Reform**: No one outside Cardiff Bay has been given a say on Senedd reform the details of which have been extensively shaped by arm's length bodies. Constitution building under devolution is running well ahead of public opinion and risks losing public support. Senedd reform should only proceed after a popular vote on proposals has taken place.

Improving the culture of appointment

- 6.34 **Reform ministerial appointments process**: Appointments to public bodies should be subject to enhanced Senedd confirmation hearings to check executive influence over public appointments.
- 6.35 **Viewpoint diversity**: Welsh Government should adopt a presumption against appointing former elected office holders (at all levels) and party staffers to arm's length bodies for two years following the end of their tenure or employment contracts.

²¹⁸ Order Order Welsh Government Spending £9million on Woke Jobs (Guido Fawkes, 2023)

- 6.36 **Rolling back political class patronage**: There should be a further presumption against lobbyists, public affairs professionals, salaried campaigners and third sector employees being appointed for a similar period in order to put clear water between the Cardiff Bay Village and appointments.
- 6.37 **Genuine breadth of representation**: A concerted effort should be made to recruit appointees who are neither graduates nor academics. Similarly raising participation from those with lower socio-economic backgrounds should be priorities.
- 6.38 **Reducing metropolitan bias**: An overview should be taken based on the need to ensure that appointees a drawn on a geographically proportionate basis from length and breadth of Wales to mitigate Cardiff Bay Village bias.
- 6.39 **Retain the UK Commissioner on Public Appointments**: Brief the UK Commissioner to recalibrate existing trends in public appointments in Wales as a priority during the duration of the next Senedd term.

For Wales see Scotland

- 6.40 These proposals are not made in anticipation of any particular party being in power in Cardiff Bay after 2026. All parties have an interest in restoring democracy against unelected power.
- 6.41 The 'in party' of devolved politics in Wales has been in power for 26 years. It is hoped that this week's speech by their own party's UK Prime Minister is read as a wake-up call by devolved government politicians who have for too long chosen "to outsource and delay decision-making and avoid accountability"²¹⁹.
- 6.42 If it is ignored Wales will fall behind the 'vibe shift' taking place across the West as governments (including their own party in Westminster) seek efficiencies, a rolling back of unelected officialdom and greater accountability to voters.
- 6.43 Overlong incumbency has not prevented the Holyrood governing party of 14 years considering public sector cost reduction. The opposition Scottish Conservatives and Scottish Labour have advanced their own agendas for efficiency in Scottish Government²²⁰.
- 6.44 Devolved government in Wales needs to join the vibe shift and 'take back control of itself with democratically elected politicians in power as much as possible'²²¹.
- 6.45 These proposals are intended to strengthen scrutiny and align the priorities of government with those living in reality-based communities across Wales.
- 6.46 These steps are necessary though not sufficient to overcome the severe levels of disengagement with devolved government in Wales.

²¹⁹ D Martin Starmer: I will tackle our flabby state (Telegraph, 2025)

²²⁰ C Deerin Scotland must tame its bloated state (New Statesman, 2024)

²²¹ Ibid, Dr R Norrie, 2

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