

28 November 2023

Dear

ATISN 19231

Thank you for your request which I received on 31 October 2023. I have set out in Annex 1, my response to each of the questions you submitted.

If you are dissatisfied with the Welsh Government's handling of your request, you can ask for an internal review within 40 working days of the date of this response. Requests for an internal review should be addressed to the Welsh Government's Freedom of Information Officer at:

Information Rights Unit
Welsh Government
Cathays Park
Cardiff
CF10 3NQ

or e-mail: Freedom.ofinformation@gov.wales

Please remember to quote the ATISN reference number above.

You also have the right to complain to the Information Commissioner. The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Telephone: 0303 123 1113

Website: www.ico.org.uk

However, please note that the Commissioner will not normally investigate a complaint until it has been through our own internal review process.

Yours sincerely

Annex 1

You clarified that you were seeking information relating to every department.

The following responses provide information at the individual Group levels of Welsh Government where it is held – where information is not held to this level, the total Welsh Government position is provided.

What is the total amount of money given to staff network groups within your department?

Individual information is not held / allocated to each of our five formal staff networks. However, £2,500 per annum is allocated corporately to each of our five formal staff networks.

What is the total amount of staff time spent on staff network groups (for example if each member of the committee spends a certain amount of their time on the group) within your department?

Chairs and co-chairs of formal staff networks are supported to spend up to 20% of their working week on corporate network activity, as agreed with their line manager. Chairs and co-chairs of informal staff groups are supported to spend up to 10% of their working week on staff group activity, as agreed with their line manager.

What is the total estimated amount of staff time preparing Equality Impact Assessments?

Information not held. Welsh Government does not record staff time against this area of work.

How much union facility time is allocated to staff within your department?

We have full time trade union officers for our three recognised trade unions and provide other facility time to trade union officials to undertake their duties.

How much staff time is given to Diversity, Equity and Inclusion (DEI) training within your department?

Our complete EDI learning offer comprises around 35 hours of learning activity, available to everyone working within Welsh Government on a self-selection basis.

Has there been any assessment of compliance with political impartiality where external providers have been recruited to deliver training to staff within your department? Please confirm if none is available.

All training is quality assured prior to roll out to ensure content complies with our standards around political neutrality.

What is the total number of different genders and gender identities the Welsh Government recognises? Please include a full list of all gender identities recognised.

- Wales is made up of diverse communities, languages, identities and cultures. All people, whatever their identity or wherever they live, should be able to feel a sense of belonging both to their community and to Wales.
- The Welsh Government want's all LGBTQ+ people to be safe and to love and live authentically as themselves.
- We believe that trans women are women, trans men are men, and non-binary identities are valid.
- The LGBTQ+ Action Plan for Wales, which seeks to improve the lives of all LGBTQ+ people in Wales, contains a glossary of terms which you may find helpful.
- LGBTQ+ is defined within the plan as follows: Refers to lesbian, gay, bisexual/bi, transgender/trans people, queer or questioning. Other letters can be added to the acronym to include other groups, orientations and identities, such as I (intersex) and A (asexual/aromantic). The + (plus) in the acronym is used as a shorthand to include and acknowledge other diverse terms people identify with and use to describe their identities and orientations, including intersex, asexual and aromantic people.

Please provide any documents or meeting minutes in relation to the flying of pride flags.

I have reached the conclusion that it will cost more than the appropriate limit established in the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 to consider your request. The appropriate limit specified for central government is £600. When calculating whether or not your request exceeds appropriate limit, I am allowed to consider the time it is likely to take to establish if we hold the information, locate the information, retrieve the information and extract it. If these tasks are estimated to take more than 24 hours of working time, the limit will have been exceeded.

An initial scoping exercise was undertaken on our Welsh Government database, iShare. This is the corporate repository for the majority of information created and received by Welsh Government Officials.

A simple search on iShare was carried out as follows:

- Search period – 2023
- Search term “Pride”
- Search term “Pride Flag”
- Search term “Flag”
- Search results – initially limited to 500 documents.

For each of the above search terms, the minimum 500 documents were identified therefore 1500 documents in total. There could be more that 500 documents against each of the search terms if the limit is not restricted to 500 but even for the initial 1500, not all of the results would be within the scope of your request.

Taking an estimated 30 seconds to investigate each of the 1500 document to see if it contains any relevant information to your request and to then extract it would take in excess of 24 hrs. The appropriate limit would be further exceeded by any requirement to increase the time frame of your request. I have therefore decided not to process this part of your request.

You may wish to refine your request by narrowing its scope and defining a time frame (describing in more detail the exact information you are seeking and avoiding broad terms

such as “any”). Please note that any narrowed scope may still require a similar exercise to be carried out to locate, extract and retrieve any information held.

Any refinement of your question will be treated as a new request.

What are the current planning regulations as they relate to the flying of pride flags? (Please include any documents or meeting minutes relating to plans to change planning regulations to facilitate the flying of pride and gender identity flags)

The current planning legislation relating to the flying of flags are the Town and Country Planning Act 1990 and the Town and Country Planning (Control of Advertisements) Regulations 1992 (Statutory Instrument number 1992/666) as amended by:

- Planning and Compensation Act 1991 (c.34)
- Local Government (Miscellaneous Provisions) Act 1982 (c.30)
- Town and Country Planning (Control of Advertisements) (Amendment) Regulations 1994/2351
- Gas Act 1995 (Consequential Modifications of Subordinate Legislation) Order 1996/252
- Local Government Reorganisation (Wales) (Consequential Amendments) Order 1996/525
- Town and Country Planning (Control of Advertisements) (Amendment) Regulations 1999/1810
- Postal Services Act 2000 (Consequential Modifications No. 1) Order 2001/1149
- Transport Act 2000 (Consequential Amendments) Order 2001/4050
- Communications Act 2003 (Consequential Amendments) Order 2003/2155
- Railway (Licensing of Railway Undertakings) Regulations 2005/3050
- Town and Country Planning (Control of Advertisements) (Amendment) (Wales) Regulations 2012/791
- Natural Resources Body for Wales (Functions) Order 2013/755
- Town and Country Planning (Control of Advertisements) (Amendment) (Wales) Regulations 2017/553
- European Parliamentary Elections Etc. (Repeal, Revocation, Amendment and Saving Provisions) (United Kingdom and Gibraltar) (EU Exit) Regulations 2018/1310
- Town and Country Planning (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2019/456

These can all be viewed on the website www.legislation.gov.uk

The latest proposals to amend planning legislation relating to advertisements in Wales result from work undertaken by the Law Commission relating to the accessibility of planning law. A copy of the Law Commission’s final report can be found on their website at: <https://lawcom.gov.uk/document/planning-law-in-wales-final-report/>

A copy of the Welsh Government’s response to the Report can be found on our website at: <https://www.gov.wales/detailed-response-law-commission-report-planning-law-wales> Chapter 14 deals with advertisements but it does not specifically mention pride and gender identity flags.