

Constitutional matters

Monitoring Report

September 2026



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This monitoring report is intended to provide Members of the Senedd and interested stakeholders with an update on key policy developments related to constitutional matters.

The report covers the period from **7 May 2026** to **2 September 2026**. As this is the first report of the Seventh Senedd, pre-election developments likely to remain relevant have also been included.





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1. Constitution: Wales

Pre-election:

In March 2026, the previous Welsh Government provided an update on its commitment to “strengthen [the] devolution settlement”.

Within the written statement, the Welsh Government noted:

- it had agreed a **joint statement** with the UK Government, including commitments to devolve responsibilities for funding local youth justice services, and expand the Welsh Government’s oversight role in these services;
- it had agreed, along with the UK Government and Police and Crime Commissioners in Wales, **to produce a Memorandum of Understanding** on probation by the end of 2026;
- it had agreed a **Memorandum of Understanding** with the UK Government on rail reform;
- it had agreed with the UK Government how its commitment to **devolve non-Jobcentre Plus employment support funding** to Wales will be delivered;
- the Group on the Future of the Crown Estate in Wales had **published its interim report**.

The previous Welsh Government noted other agreements with the UK Government prior to the election, including:

- to hold **joint consultation** on the devolution of powers to introduce a Vacant Land Tax to the Senedd; and
- a **Memorandum of Understanding** relating to funding provided to deliver the Local Growth Funds in Wales.

The High Court passed down its judgement in the case of the Greyhound Board of Great Britain v the Welsh Ministers, Senedd Commission and Llywydd.

The Court dismissed a claim for judicial review challenging the decision of the Welsh Ministers to introduce into the Senedd of the **Prohibition of Greyhound**

Racing (Wales) Bill. The Board argued that the Welsh Ministers should have held a public consultation before introducing the Bill.

The judges **said that**, as the Senedd is “in general, the sole arbiter of the procedure to be adopted in enacting legislation” then “in general, it would not be appropriate for the courts to consider procedural complaints about the way that Bill had been considered by the Senedd”.

Post-election:

The Cabinet Minister for Government Effectiveness and the Constitution, Dafydd Trystan Davies MS, set out his priorities in June 2026.

These include developing a school of governance to establish a centre of excellence for leadership and capability in public services, calling for a new Wales Bill to reform the constitutional settlement, and establishing a standing national commission on the constitution.

In June 2026, the Welsh Government published its response to the Crown Estate’s annual report.

The Cabinet Minister for Government Effectiveness and the Constitution said that the Welsh Government will “continue to work constructively with the Crown Estate and the UK Government on our ambition of the full devolution for the Crown Estate”.

The Welsh Government announced a national school of government for Wales – Arwain.

Arwain’s steering board will be chaired by Owen Evans, His Majesty’s Chief Inspector of Education and Training in Wales at Estyn. This was part of Plaid Cymru’s first 100 days of government commitments.

In May 2026, the Welsh Government published the Counsel General’s legal risk guidance.

The guidance is for lawyers advising the Welsh Ministers on whether proposed decisions are lawful.

On 2 September 2026, the Welsh Government published a progress report on the commitments made as part of its first 100 days plan.

Constitution-related commitments in the plan included:

- Pressing the UK government for a new Wales Bill and to ensure it's fit for purpose and implemented as soon as possible;
- Beginning the work to establish a standing National Commission on the Constitution; and
- Pressing the UK government to devise and implement a new needs-based funding formula.

The Welsh Government has **also published a dashboard**, to help track progress on its priorities.

2. Constitution: UK

Andy Burnham MP became Prime Minister of the UK on 20 July 2026.

Key appointments made to his Cabinet relating to Wales include:

- Stephen Kinnock MP as Secretary of State for Wales;
- Anna McMorrin MP as Parliamentary Under-Secretary of State for Wales;
- Claire Hughes MP as Parliamentary Under-Secretary of State in the Wales Office and Junior Lord of the Treasury; and
- Hamish Falconer MP as Minister of State (Minister for Intergovernmental Relations and European Relations) jointly in the Cabinet Office and the Foreign, Commonwealth and Development Office.

Also in July, the Cabinet Office published a policy paper on “rewiring the state”, which set out the UK Government’s vision for delivering “good growth” in every part of the United Kingdom.

The paper focuses primarily on devolution within England but notes that it “must be a strategy for the whole of the United Kingdom” and commits to work with devolved governments and local and regional stakeholders to “explore how the benefits of local empowerment can be spread to all parts of the country”.

In September 2026, the Prime Minister gave an oral statement to the House of Commons on the direction of his government.

He stated “there is interest in what a local model of devolution could look like in each of the home nations, and we will discuss that with them at a special meeting of the [National Economic Council] next month”.

Later in the statement, the Prime Minister stated that there is a “model of local devolution that could be made to work in Scotland, in Wales and possibly in Northern Ireland, and I am ready to support that”.

In August 2026, the Prime Minister was reported as saying that he is “open to the conversation” on devolving control of policing to Wales.

He reportedly said that with “wider policing reform” going on it was a “good time to look at those issues”.

The House of Lords Constitution Committee is undertaking an inquiry into the UK's constitutional safeguards.

The inquiry will seek to identify:

- the constitutional safeguards that exist within the UK system;
- the most significant strengths, weaknesses and vulnerabilities in how they operate;
- ways in which the UK's network of safeguards can be made more effective.

The inquiry is accepting evidence until 28 September 2026.

On 3 June 2026, the Constitution Committee held an evidence session with the then Minister for the Constitution and European Relations at Cabinet Office, Nick Thomas-Symonds MP.

Discussion included whether devolution has been a success, intergovernmental relations, the memorandum of understanding on the Sewel Convention and common frameworks.

3. Intergovernmental and interparliamentary relations

Intergovernmental relations

Following the appointment of Andy Burnham MP as Prime Minister, the First Minister, Rhun ap Iorwerth MS, welcomed the opportunity to “redefine the relationship between the Welsh and UK governments”.

The First Minister added that he hopes the two can “speak the same language when it comes to devolving powers out of Westminster by strengthening, not bypassing, Wales's national parliament”.

The Prime Minister and First Minister met in Glasgow on 23 July 2026. At the meeting, the Prime Minister “set out his commitment to working cooperatively with the Welsh Government, and to a relationship built on mutual respect”.

The First Minister also met the First Minister of Scotland, John Swinney MSP. The First Minister of Wales stated he was:

...confident that we can build the most productive and positive relationship between the Welsh and Scottish government since the advent of devolution.

A meeting of the Interministerial Standing Committee took place in Belfast in June 2026. The Committee is part of the middle tier of formal intergovernmental structures.

At the meeting, the Welsh Government emphasised its “commitment to cooperation” with the UK and other devolved governments, “whilst pressing the case for a new Wales Bill to give Wales powers on a par with Scotland, and calling for fair funding for Wales”.

The UK Government published quarterly data on intergovernmental meetings in July 2026.

The data shows that, between 1 October 2025 and 31 December 2025:

Ten IGR Review forum meetings took place on topics including health inequalities, public safety, election security, digital innovation in justice, and violence against women and girls. Outside formal IGR

structures, there were a further 102 meetings including bilaterals and ministerial visits.

4. Elections and engagement

Pre-election:

On 10 March 2026, the Senedd approved regulations to remove the open register in Wales.

The regulations disapply the requirement for Electoral Registration Officers to prepare edited registers of local government electors, or supply such registers or part of them to any person on payment of a fee.

This was a requirement before automatic voter registration could be rolled out (see below), under the Elections and Elected Bodies (Wales) Act 2024. The regulations will come into force on 1 October 2026.

On 17 March 2026, the Senedd approved the Representation of the People (Absent Voting and Miscellaneous Amendments) (Wales) Regulations 2026.

The regulations, among other things, make changes to the period for which a person can apply to vote by post at Senedd or local government elections, and enable the online submission of absent voting applications for these elections.

In March 2026, the Welsh Government's Innovating Democracy Advisory Group (IDAG) published a progress report.

The Group focused on democratic education and information, and public involvement between elections. The Group called on the Welsh Government to ensure that the work started by IDAG continues beyond Spring 2026.

The Welsh Government also commissioned two reports, at the request of the Group:

- An **evidence review on mainstreaming participatory and deliberative democracy in Wales**, undertaken by the Democratic Society; and
- An **evidence review on engaging citizens in drafting a statement of constitutional and governance principles for Wales**, undertaken by Dr Alex Prior (London South Bank University).

Post-election:

The Welsh Government has laid regulations to allow for the roll out of automatic voter registration for Senedd and local government elections in Wales.

The Cabinet Minister for Local Government, Housing and Planning, Sian Gwenllïan MS, said the regulations “will help improve both the accuracy and completeness of the local government electoral register, an important step towards strengthening our democracy”. The Local Government, Housing and Planning Committee is taking evidence on the regulations from stakeholders at time of writing.

The Council of Europe sent a delegation to observe the elections held in the UK on 7 May 2026, including the Senedd election.

The delegation reported a positive overall assessment, but noted some concerns, including relating to polling station layout and voter registration.

The Representation of the People Bill is progressing through the UK Parliament. At time of writing, it is at 2nd reading in the House of Lords.

The Bill will make several changes to elections in Wales, including:

- reducing the voting age to 16 for UK Parliament elections;
- updating rules around voter registration;
- reforming election campaigns and political expenditure; and
- extending the Electoral Commission’s enforcement functions.

The Welsh Government laid Legislative Consent Memorandums for the Bill on 16 June 2026 and 4 August 2026. It has not yet given a recommendation on whether the Senedd should consent to the relevant provisions in the Bill.

In March 2026, the UK Government published the report of the independent review into countering foreign financial influence and interference in UK politics (the Rycroft Review).

The Report makes 17 recommendations, mostly relating to matters reserved to the UK Parliament. The UK Government published its response in July 2026, accepting the recommendations either in full or in principle.

Also in July 2026, the **House of Commons debated** foreign interference in UK politics. The then UK Government committed to “work at pace with law enforcement, the Electoral Commission, prosecuting authorities, devolved Governments and political parties to develop proposals”.

5. UK Internal Market Act and common frameworks

Pre election:

In February 2026, the previous Welsh Government provided an update on the second phase of bans on single-use plastic products.

The written statement said that the Welsh Government was “committed to working collaboratively via the Common Framework processes to agree the necessary [UK Internal Market Act 2020] exclusion for this legislation”. It added that, because of this, there was not time to implement the bans before the end of the previous Senedd term.

In March 2026, the Senedd approved regulations to enable a Deposit Return Scheme – for the return of drinks containers for recycling and reuse.

In February 2026, the previous Welsh Government’s written statement on the regulations noted that, because the previous UK Government “chose to diverge” from the agreed scope of including glass within the scheme, the Welsh Government had to seek an exclusion from the UK Internal Market Act. The UK Government agreed to the exclusion.

In March 2026, three common frameworks were finalised: late payment; blood safety and quality; and organs, tissues and cells (apart from embryos and gametes). This brought the total of finalised frameworks involving the Welsh Government to four out of twenty six.

The former Welsh Government said that it was “hopeful that further Frameworks within this category, including Fertilisers, Public Procurement and Radioactive Substances will be able to be finalised and agreed by all four governments in the coming months”.

In January 2026, the former UK Government suggested that 10 other frameworks were “ready to be progressed for publication”.

In March 2026, the former Welsh Government responded to the recommendations of the Legislation, Justice and Constitution Committee, made in its report on Common Frameworks in May 2023.

The Welsh Government accepted 13 recommendations in full, accepted 5 in principle, and rejected 3.

The Office for the Internal Market published its fourth annual report in March 2026.

The report considers that the “operation of the UK internal market is stable and the internal market, taken as a whole, continues to function effectively overall”. It added that there “remains a need for close collaboration between governments in relation to specific sectors where we have observed the potential for regulatory differences to emerge”.

Post election:

In July 2026, the Office for the Internal Market published a review of the interaction between the UK Internal Market Act 2020’s Market Access Principles (MAPs) and England’s Air Quality (Domestic Solid Fuels Standards) Regulations 2020.

The review found that:

...if the current regulatory status quo is maintained then customers in England will continue to purchase increasing quantities of uncertified fuels, with a consequent risk of worsening air quality in England.

It added that an exclusion from the MAPs would “be a necessary condition to enable the DSF Regulations to have their desired impact”.

In August 2026, the Welsh Government confirmed the appointment of Exchange for Change as the Deposit Management Organisation for the Deposit Return Scheme (DRS) for drinks containers in Wales.

Exchange for Change will also run the DRS schemes in the rest of the UK. The Cabinet Minister confirmed that the scheme will include plastic (PET), metal and glass drinks containers from day one but that, in line with the regulations approved by the Senedd, a four-year transition period will apply to glass containers exempting them from labelling requirements and they will carry a zero pence deposit.

6. Legislative consent and law-making

Pre election:

In February 2026, the Welsh Government Permanent Secretary, Dr Andrew Goodall, wrote to the then Chair of the Public Accounts and Public Administration Committee, Mark Isherwood MS, with information on the development and delivery of legislation.

The letter noted that a central Legislation Division led by a Senior Civil Servant has been introduced.

It also noted the themes of the civil service's ongoing reform agenda in this area, including developing a better understanding of the statute book, and ensuring smaller, more focused legislation.

Post election:

In July 2026, the First Minister, Rhun ap Iorwerth MS, set out the “first phase of legislation” that the Welsh Government will introduce to the Senedd.

The statement included commitments relating to water reform, housing and developing a community right-to-buy. Senedd Research has produced a summary of the commitments.

In July 2026, the Counsel General published updated Welsh Government principles on UK legislation in devolved areas.

On the Sewel Convention, the Counsel General noted:

...[the Welsh Government's] position remains that a statutory safeguard is ultimately needed to protect the devolution settlement, we will also engage with the UK Government on its manifesto commitment to develop a Memorandum of Understanding on the Sewel Convention

Following a Freedom of Information request, the Welsh Government released a report into its capability and capacity to develop legislation, undertaken in 2022.

The report found that “Ministers’ legislative ambitions ha[ve] been hampered by a combination of skills and capacity issues, as well as possible inefficiencies in process”. It suggests 25 ‘options’ for change, including 5 ‘key options’.