

# Agenda – Public Accounts and Public Administration Committee

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Meeting Venue:	For further information contact:
Committee Room 5	Fay Bowen
Meeting date: 10 November 2022	Committee Clerk
Meeting time: 09.00	0300 200 6565
	<a href="mailto:SeneddPAPA@senedd.wales">SeneddPAPA@senedd.wales</a>

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This meeting will be broadcast live on [www.senedd.tv](http://www.senedd.tv)

(Private pre-meeting)

- 1 **Introductions, apologies and substitutions**  
(09.15)
- 2 **Papers to note**  
(09.15 – 09.30)
  - 2.1 **Letter from the Welsh Government to the Auditor General on Net Zero Carbon by 2030**  
(Pages 1 – 3)
  - 2.2 **Letter from the Permanent Secretary on the Public Bodies Unit**  
(Pages 4 – 7)
- 3 **Evidence session with the North Wales Community Health Council**  
(09.30 – 10.30) (Pages 8 – 26)
- 4 **Motion under Standing Order 17.42 to resolve to exclude the public from the meeting for the following business:**  
(10.30)  
The remainder of the meeting
- 5 **Evidence session: Consideration of the evidence received**  
(10.30 – 10.45)



- 6 Legislative Consent Memorandum on the Procurement Bill:  
Consideration of the draft report**  
(10.45 – 11.15) (Pages 27 – 50)
- 7 Scrutiny of Accounts – Senedd Commission – Consideration of the  
draft report**  
(11.15 – 11.45) (Pages 51 – 77)



## Tracey Burke

Cyfarwyddwr Cyffredinol / Director General

Y Grŵp Newid Hinsawdd a Materion Gwledig  
Climate Change and Rural Affairs Group

Llywodraeth Cymru  
Welsh Government

Adrian Crompton  
Auditor General for Wales  
Audit Wales  
24 Cathedral Road  
Cardiff  
CF11 9LJ

26 October 2022

Dear Auditor General

I wanted to take this opportunity to welcome Audit Wales' publication of the findings from the call for evidence on the public sector's readiness for net zero carbon by 2030.

In responding, I want to highlight a few of the points we made in our response and to update you on the progress we continue to make. I also want to thank your team for the positive approach they took to the work which made participation in the process for us and other public bodies much easier.

Audit Wales' involvement and support of this national and global priority provides a positive contribution, helping to create momentum and sustained change in the way we work and live our lives. Whilst the report focuses on the actions to decarbonise our society in response to the climate emergency, it is important to recognise the need to adapt to the inevitable consequences of climate change.

Your findings against the five calls for action are ones we recognise. They are areas we continue to consider as the Welsh Government and in support of the public sector in Wales to reduce our carbon emissions and lead the way for others in Wales. This is in line with our national target and the actions set out in Net Zero Wales, our second carbon budget.

Since taking on this role, I have seen the considerable effort the Welsh Government and the rest of the public sector are making to meet the 2030 ambition, in line with the public sector route map we published last year. This is evident in the increasing number and maturity of decarbonisation plans and the level of resources and people involved. A good example of this is the commitment to report on carbon emissions on an annual basis. The first reporting cycle of this voluntary initiative resulted in returns from 80% of public sector organisations. This year we have already had 95% of organisations respond by the deadline, utilising our revised guidance which implemented valuable lessons from the first two years of reporting. We are hopeful of achieving an even higher final position which demonstrates the



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commitment made by public sector bodies in Wales to individual and collective action.

As an organisation, the Welsh Government is taking urgent action to reduce emissions and build resilience to the inevitable impacts of climate change. This is reflected in the remit of the Climate Change Portfolio Board, which I chair. This provides strategic governance for the development and delivery of climate legislation and policy, taking an informed and joined up view. The Board includes all areas of Welsh Government who contribute to tackling, or are impacted by, climate change. It ensures mandate holders (those with relevant policy or operational responsibilities) are accountable for their actions and that we remain on course to deliver the desired outcomes in accordance with our legislative targets.

We intend to publish the Welsh Government's Net Zero Strategic Plan this month, as a mechanism to recognise the considerable work already made to reduce our emissions, for example the introduction of sustainable travel choices (including the option to lease ultra low carbon vehicles) and the 76% reduction in emissions from our administrative estate over the last 11 years. It will also galvanise further work to achieve the ambition of a collective net zero public sector by 2030, which includes a fully costed action plan. As your report recognises, this will be a challenging ambition to meet, but it remains one of our key priorities and one we are committed to support others to achieve.

That support includes the work colleagues in Health and Local Government are providing. They have established effective programmes to support the collective vision, through leadership, advice and financial assistance. For example, since 2019 the Welsh Government has funded the WLGA to run a support programme for Local Authorities (LAs), focussing on leadership as the key driver for change, and supporting the development of key LA commitments. Welsh Ministers have confirmed continued funding for the next three years in recognition of the importance of that work and to support the delivery of those commitments.

Our support for the sector extends to the Welsh Government Energy Service, which Welsh Ministers have committed to continue; the procurement of the new service to be completed by April 2023. The specification for the services recognises the continued need for technical and financial assistance to help public bodies and community enterprises to bring forward and deliver effective programmes. It also recognises the significant increase in resources which the sector have themselves invested in this important issue and of the experience gained from this. The new programme is expected to make more of this shared learning.

The Welsh Government also continues to provide financial assistance to the sector through a variety of mechanisms, such as the Wales Funding Programme which provided £16m of investment in public sector and community-based projects in 2021-2022. Whilst there is increasing budgetary pressures, for example from the consequences of Covid and the cost of living crisis, we continue to place importance on this investment to enable the Welsh Government and public sector to progress our collective ambition.

As we set out in our response to the call for evidence and above, the five calls for action are areas the Welsh Government is and will continue to invest in to support the collective responsibilities of the public sector in Wales and as an organisation within that sector. The evidence provided will help shape our actions and the support we provide.

Whilst there is a lot to do, the momentum gained can only be seen as a positive and one which will help us on our pathway to a net zero public sector by 2030.

A handwritten signature in black ink, reading "Tracey Burke." The signature is written in a cursive style with a period at the end.

**Tracey Burke**

Director General, Climate Change and Rural Affairs Group

# Agenda Item 2.2

**Dr Andrew Goodall**  
Ysgrifennydd Parhaol  
Permanent Secretary



Llywodraeth Cymru  
Welsh Government

**Mark Isherwood MS**

Chair, Public Accounts and Public Administration Committee  
Welsh Parliament  
Cardiff Bay  
CF99 1SN

31 October 2022

Dear Mr Isherwood

Further to our earlier letters, I wish to tell you and the Committee that the Register of Devolved Public Bodies in Wales was updated on 30 June 2022 following review by the Public Bodies Unit and colleagues. A similarly updated list and diagram, showing the relationship between PBU and the Partnership Teams which oversee our Arm's Length Bodies, is attached. As I stated in March, the Register will be reviewed and updated as necessary at least once every six months and will aim to add new bodies as soon as PBU is told of their creation.

**Evaluation of the work**

The evaluation of the work around arm's-length bodies and the work of the PBU has commenced under Liz Lalley, an interim Director currently working on COVID Recovery and Restart. The review has completed its first stage and the final report is expected shortly.



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## **Progress in Delivering Public Appointments and the Diversity Strategy for Public Appointments**

For 2021 – 2022, 32 regulated campaigns were run totalling 55 appointments and following a decrease in the diversity of appointments a year earlier, particularly due to a lack of recruitment activity as a result of Covid 19, it is reassuring to see the headline diversity rates for key protected groups returning to trend. Over the period 56.4% appointments (excluding re-appointments) were female, 16.4% disabled people and 10.9% from ethnic minority communities. Recruitment has continued at pace over the last six months, and up to the end of September 24 campaigns have been completed or are ongoing - this has included a number of significant appointments which has attracted a pre-appointment hearing with the preferred candidate by the relevant Senedd Committee.

The Diversity and Inclusion Strategy for Public Appointments is a Ministerial priority setting out a vision and actions aimed at improving the diversity of leadership in public life. Whilst Covid 19 has adversely impacted its implementation, progress has been made and there will be a sharp focus on delivery over the next 12 months and beyond. A cohort of Senior Independent Panel Members continue to support recruitment panels. Members offer varied and diverse experience and perspectives which is proving invaluable to the recruitment process.

In April this year, a suite of training development programmes was rolled out. Training is focused on diversity and inclusion, fair recruitment practices and induction. The development programmes are focused on near ready leaders and public leaders of the future and initially aimed at individuals from ethnic minority communities and disabled people. The initiatives will be evaluated in the months ahead, with a view to further rollout in 2023 – 24.

### **Timetable for Tailored Reviews**

The draft for the Programme of Tailored Review will be completed by the end of November and will include a few themed approaches, relevant to many of our public bodies.

Workshops to support the HART (Handy Risk Assessment Tool), a model which considers each organisation's residual risk will commence in November. The HART model's risk score allows consideration of the level of Partnership engagement as well as its priority within the Tailored Review Programme. As the HART model will only be embedded by 2023, scores will not be considered for the current programme being developed.



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## Tailored Review of the National Museum

The five members of the Review panel were appointed in August and met late in August. The appointed Chair is David Allen - former Chair of HEFCW, with Vice-Chair Efa Gruffudd Jones - Chief Executive National Centre for Learning Welsh, and members include Catherine Heaney - Chair, National Museum Ireland, Laura Pye - Director, National Museums Liverpool and Sir Paul Silk - former Chair of the Commission on Devolution and Clerk to the (then) National Assembly for Wales. Following Efa Gruffudd Jones' recent appointment as Welsh Language Commissioner she has resigned from the panel and has been replaced by Tegryn Jones, CEO of the Pembrokeshire Coast National Park Authority.

The Tailored Review Team provides secretariat support to the Review Team throughout the process and act as a conduit for all relevant communication. We received a progress report focussing on process, and confirming the themes for the agreed remit as follow:

- Corporate governance, including culture, relationships, compliance and accountabilities.
- Effectiveness, efficiency and economy.
- Opportunities for growth, investment and shared services.
- Performance and structures.
- Equality, diversity and inclusion.
- Partnerships and relationships.

The Panel stated that a further interim report will be shared by Christmas and advises that the review will conclude no later than 1 March 2023, although working to an earlier completion date, dependent on scheduling the necessary interviews within Panel members' availability. Publication will follow after scrutiny by the Welsh Government Challenge Panel.

I hope that these responses are helpful to the Committee in its work.

Sincerely,

Yours,  
*Andrew Goodall*

### Dr Andrew Goodall

Ysgrifennydd Parhaol/ Permanent Secretary  
Llywodraeth Cymru/ Welsh Government



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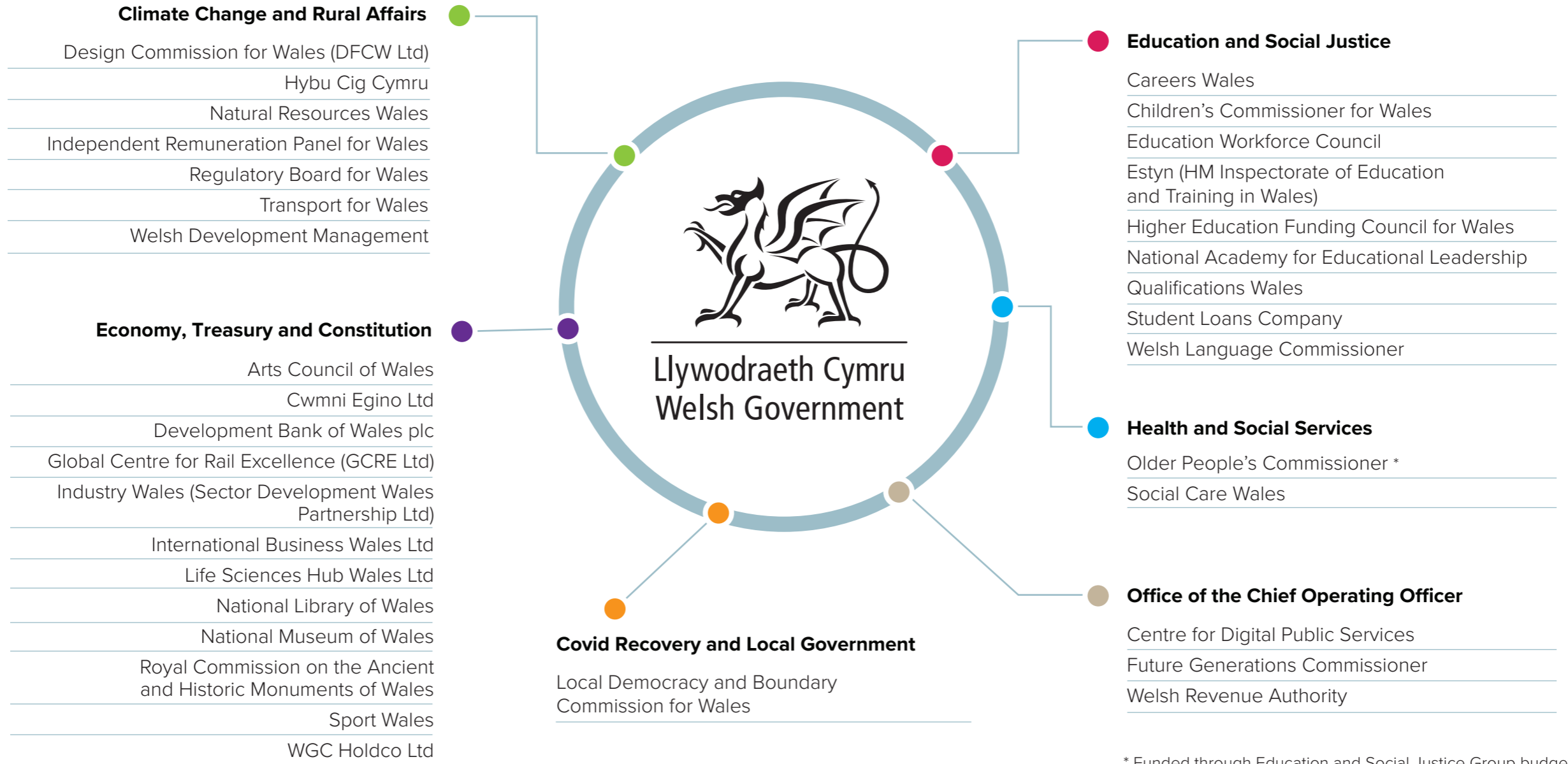
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# WELSH GOVERNMENT ARM'S LENGTH BODIES

PARTNERSHIP GROUPS FOR ALBs (those in remit of Public Bodies Unit) as of 30 June 2022

Pack Page 7



\* Funded through Education and Social Justice Group budgets

Details may change

# Agenda Item 3

By virtue of paragraph(s) vi of Standing Order 17.42

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Ein cyf/Our ref

Mark Isherwood MS  
Public Accounts and Public Administration Committee

2 November 2022

Dear Mark,

At the Public Accounts and Public Administration Committee on 21 September 2022, I was asked to provide a note on any divergences between the responses put forward by Welsh local government and the English Local Government Association (“LGA”) to the UK Government’s “Transforming Public Procurement” consultation.

My officials have considered responses from both the LGA and Welsh Local Government Association (“WLGA”), as well as responses from individual Welsh local government organisations where appropriate. Overall, there was broad alignment in the consultation responses provided, and a general consensus that procurement systems and processes could benefit from being reformed to secure better procurement outcomes.

It was anticipated that there would be some areas of divergence in the responses provided due to geographical location and organisational and cultural differences, and these were largely reflected in the responses provided. It should be noted, however, that where responses may have differed, in many cases these were requests for further information rather than points of real divergence from the key principles proposed.

The key areas of difference between the responses are summarised below:

- The potential impact on cross-border procurement of regulatory differences between England and Wales and the impact this may have on suppliers working across borders was a key theme for the WLGA.
- Concerns regarding the application of Welsh legislative priorities (such as Well-being of Future Generations (Wales) Act 2015, the Social Partnership & Public Procurement (Wales) Bill and the Wales Procurement Policy Statement) were raised as the WLGA consider the green paper to be less ambitious than current Welsh policy direction, which could hinder the ability of Welsh Contracting Authorities to fully pursue Welsh policy goals.

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- Welsh Local Authorities highlighted concerns that certain proposals in the Bill did not give sufficient consideration of the Welsh language (for example: Welsh language representation on the panel for the procurement review unit).
- Welsh respondents noted that whilst a simplified supplier registration process administered through a global registration system is a good ambition, there is a need to consider possible contradictions between the priorities and requirements of different contracting authorities.
- The WLGA raised concerns about whether the UK Central Platform was compulsory for Wales as they were concerned about impacts on Sell2Wales.

As a result of the close relationship that has developed between officials in Cabinet Office and the Welsh Government during the development of this Bill, we have sought to highlight and address many of the concerns identified during the drafting process. Additionally Welsh Government have secured equivalent regulation-making powers in most areas of the legislation, meaning we are able to develop our own Welsh secondary legislation. This will help to address some of the specific differences highlighted above, such as in relation to issues raised regarding the use of the Welsh language in procurement and sign-on systems, which will be mitigated in Welsh policy instructions mandating the use of our own bilingual procurement platforms. These systems will then push data into the UK government's central platform, to remain compliant with the Bill, while still providing Wales the flexibility to collect separate data relating to Welsh policies and provide services in Welsh.

I trust this response will meet with the Committee's satisfaction, and I look forward to further discussions with Members as the Legislative Consent Memoranda continue their journey through the Senedd.

Yours sincerely,



**Rebecca Evans AS/MS**  
Y Gweinidog Cyllid a Llywodraeth Leol  
Minister for Finance and Local Government

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