

## The Assembly Commission

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Meeting Venue:  
**Conference Room 4B – Ty Hywel**

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Meeting date:  
**29 June 2011**

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Meeting time:  
**11:00**

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Cynulliad  
Cenedlaethol  
Cymru

National  
Assembly for  
Wales



For further information please contact:

**Helen Finlayson, 029 2089 8705**  
Secretariat

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**Agenda**  
AC(4)2011(2)

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### **1. Introduction**

**Introduction and apologies**

**Declarations of interest**

**Minutes of the previous meeting** (Pages 1 – 5)

**2. Assembly Commission annual report and accounts** (Pages 6 – 7)

**3. Draft Commission strategy 2011–16** (Pages 8 – 16)

**4. Draft Commission budget strategy** (Pages 17 – 32)

**5. Update on current issues** (Pages 33 – 53)

**6. Schedule of contracts** (Pages 54 – 61)

**7. Minutes of Remuneration Committee** (Pages 62 – 66)

**8. Assembly Commission rolling programme** (Pages 67 – 69)

**9. Any other business**

# Agenda Item 1c

## The Assembly Commission

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Meeting Venue: **Conference Room 4B – Ty Hywel**

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Meeting date: **Thursday, 16 June 2011**

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Meeting time: **13: – 15:00**

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Cynulliad  
Cenedlaethol  
Cymru

National  
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Wales



**Minutes:** AC(4)2011(1)

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**Committee Members:**

**Rosemary Butler (Chair)**  
**Peter Black**  
**Angela Burns**  
**Sandy Mewies**  
**Rhodri Glyn Thomas**

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**Officials present:**

**Claire Clancy, Chief Executive & Clerk of the Assembly (Official)**  
**Adrian Crompton, Director of Assembly Business (Official)**  
**Dianne Bevan, Chief Operating Officer (Official)**  
**Keith Bush, Director of Legal Services (Official)**  
**Craig Stephenson, Principal Private Secretary to the Presiding Officer (Official)**  
**Helen Finlayson, Secretariat (Official)**  
**Ian Summers (Official)**

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**Others in attendance:**

**Mair Barnes, Independent Adviser**  
**David Melding, Deputy Presiding Officer**

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### 1. Introduction

1(i) Introduction and apologies

No apologies were received. The Presiding Officer welcomed the Commission to its first formal meeting of the Fourth Assembly.

## 1(ii) Declarations of interest

Angela Burns AM declared an interest in relation to the discussion of arrangements of rental accommodation for Members with children.

## 1(iii) Minutes of the previous meeting

### **Minutes of meeting – 14 March 2011**

The minutes were formally agreed.

### **Matters arising from the meeting on 14 March 2011**

There were no matters arising.

## **2. Assembly Commission Governance and Procedure**

Ian Summers introduced paper two. He noted that in 2007, the Commission of the Third Assembly agreed principles of governance, ways of working and instruments of delegation to the Chief Executive. He explained that the principles had been updated to reflect current operational experience from the Third Assembly and best practice set out in the Financial Reporting Council's Corporate Governance Code 2010. The updated principles sought to set out clearly the roles and responsibilities of the Assembly Commission, Management Board, Independent Advisers and the Accounting Officer.

The Commission discussed the legal status of Independent Advisers. It asked about the rationale for the ceiling on the delegation of capital expenditure to the Chief Executive and Clerk being set at £1 million, and noted that this covered all capital projects, but that any novel or contentious expenditure would be outside the delegation. The Commission noted that, as part of the budget setting process and in the course of normal business, Commissioners would have a role in overseeing service delivery and expenditure, particularly within their portfolio areas, and in holding management to account for the delivery of services and use of resources.

The Commission agreed that the principle of collective responsibility should be adhered to, and recognised that a key element in the governance principles was to ensure that all Assembly Members were able to engage with the work of the Commission.

The Commission agreed to undertake a formal evaluation of its effectiveness after twelve months, including a review of the governance principles and ways of working. This would be undertaken as part of the annual report and accounts process, and would take account of feedback from Assembly Members.

The Commission agreed that Commissioners would ensure that their Groups were updated on the work of the Commission, and that portfolio holders would be willing to attend Party Group meetings to provide updates or listen to Members' concerns if invited to do so. The Commission noted that staff would be happy to assist Commissioners in responding to any concerns raised by Members, and that feedback was welcomed as it assisted in the refinement and development of services. This included any representations relating to the work of the Remuneration Board, or the implications of its Determination.

The Commission approved the revised governance and supporting provisions and the revised rules for the conduct of Commission business, subject to a formal review after twelve months. The Commission also approved the amended delegation of Commission functions and arrangements for the exercise of the Clerk's functions.

**Action:** An annotated version of the 2007 principles of governance to be circulated to Commissioners, highlighting updates to key areas.

### 3. Assembly Commission Portfolios

The Presiding Officer outlined the proposed portfolio approach, in which each Commissioner would take a particular interest in an area of the Commission's work. The Commission noted that this would give each Commissioner the opportunity to build up their knowledge in particular areas and to work with officials to provide strategic direction on a more regular and thorough basis than Commission meetings alone would allow. Portfolio holders would hold regular meetings with lead officials and have periodic discussions with the Presiding Officer to report to her on progress.

The Commission discussed the composition of each portfolio, and agreed that portfolio responsibilities should be allocated as follows:

<b>Portfolio</b>	<b>Commissioner</b>
Presiding Officer and Commission Chair, with responsibility for Legal Services	Rosemary Butler AM
Budget, governance, including Audit Committee membership, and links with the Remuneration Board. Improvement of services to Members, employment support and professional development for Members and their staff.	Angela Burns AM
ICT, broadcasting and e-democracy, the Assembly estate, facilities and sustainability. The Commission as the employer of Assembly staff.	Peter Black AM
Education services, front of house, catering and security. The Commission's statutory equality functions and Freedom of Information.	Sandy Mewies AM
Citizen engagement and communications, national and international outreach. The Commission's Welsh language functions and policy.	Rhodri Glyn Thomas AM

In addition, the Commission agreed that the Deputy Presiding Officer should focus on areas which complement his other duties, including constitutional affairs, Assembly business, the Pierhead as a centre for Assembly development and debate, and links with the Wales Governance Centre.

The Commission agreed that an email should be sent to Members by the Presiding Officer to publicise Commissioners' portfolio responsibilities.

#### **4. Communicating Effectively with Assembly Members**

Claire Clancy introduced paper four, highlighting that successful communications between the Commission and Members needed to be two way, in order to build a better understanding among Members of the work of the Commission and the services it provides, but also to ensure that staff understand more clearly the roles of Members and the pressures they face, in order that services can be designed and focused more effectively.

The Commission noted the communication and engagement activities that were undertaken during the Third Assembly, and the improvements that were planned for the Fourth Assembly. The Chief Executive's monthly update would continue, but would be more forward looking in order to help ensure that Members were informed about issues that the Commission would be considering or upcoming consultations. The Commission noted that the new Head of Member Liaison and Professional Development would be providing support to Commissioners and Members in order to assist with communication and engagement, and that relevant officials would be happy to attend Group meetings to communicate and clarify decisions of the Commission. The Commission decided that a general Assembly Member reference group was not currently the right vehicle for consultation, but that, if needed, functional groups would be set up to consider particular issues or large projects. The Support Staff advisory group, consisting of Party Group managers would continue, as the Commission was of the view that this was a valuable line of communication which drew on Support Staff experience to help to test proposals.

The Commission agreed that the Chief Executive and Clerk should continue to meet with Opposition Party Leaders on a regular basis to discuss current and ongoing issues, and asked that she approach the Government Chief Whip to arrange equivalent meetings.

The Commission discussed the communication of its meeting papers and decisions, and agreed that Member briefing sheets should be made fuller and be distributed in a more accessible format. The Commission agreed that minutes of its meetings should be fuller than those produced in the Third Assembly and should reflect its principle of collective responsibility. Commissioners discussed the production of a brief outcome paper following each of its meetings.

The Commission discussed communications with Assembly staff, and agreed that officials should consider involvement of Commissioners in a future all staff meeting.

#### **5. Assembly Commission Legacy Report**

Claire Clancy introduced paper five, and invited the Commission to review the recommendations of the Commission of the Third Assembly, and consider which were priorities that should be reflected in its draft strategy 2011-16.

The Commission discussed public access to the Senedd, and how relationships between Members and the public in the Senedd could be developed, whilst maintaining security and privacy for Members to undertake their roles. It agreed that the location

of the shop and options for provision of wi-fi, accessible to Members and the public, in the Senedd should be considered.

The Commission noted the recommendations relating to the flow of information between the Welsh Government and the Research Service, and the interest that the Remuneration Board had taken in this issue, which it felt was a barrier to Members.

The Commission agreed that consideration should be given to the sustainability of the Assembly estate, and that this should be subject to annual review.

The Commission requested a review of the UNO project, and agreed that the lessons learned from the project should feed into the development of its strategy.

The Commission agreed that it would consider its draft strategy at its next meeting on 30 June, and that any further issues for inclusion should be communicated to officials in the interim.

## **6. Assembly Case Management System (Electoral Registers)**

Peter Black AM introduced paper six, noting that the case management system, which had experienced a number of difficulties in development and implementation, was now up and running. He noted that the database on which the software was intended to run was the unedited electoral register. Under current legislation, Assembly Members are able to request copies of the register from Returning Officers which are then passed to Commission staff to upload the data into the case management system on Members' behalf, but Commission staff are not themselves able to obtain the data direct from electoral registration officers.

The Commission discussed the use of the case management system, and the issues of data protection and security which could arise from use of unrestricted versions of the electoral register, including the involvement of Commission staff in handling it, and the need which would arise for a request to be made to the UK Government for secondary legislation to include the Commission on the list of named bodies if the proposal were to be pursued. Concerns were expressed about the ownership of data, data protection, the potential use of the register for party political purposes, and further investment in software that had already cost more than had been expected. The Commission noted that Members were currently able to request the data, the upload of which onto the system would be facilitated by ICT staff, although the uploading of registers which covered all of Wales was dependent on the requesting of data by relevant Members.

The Commission requested that further information about the number of Members using the case management system, the resource and cost implications of Commission staff involvement in requesting and obtaining the data direct, and the costs of the case management system to date, be provided to a future meeting.

## **Comisiwn y Cynulliad Assembly Commission**

### **NAFWC 2012 (Paper 2 Part 1) Assembly Commission annual report and accounts 2010–11**

Cynulliad  
Cenedlaethol  
Cymru  
National  
Assembly for  
Wales



**Date:** Wednesday 29 June 2011

**Time:** 11:30–13:00

**Venue:** Conference Room 4B

**Author name and contact number:** Iwan Williams, ext 8039

## **Assembly Commission annual report and accounts 2010–11**

### **1.0 Purpose and summary of issues**

- 1.1. This paper accompanies a draft electronic copy of the National Assembly Commission's annual report and accounts covering 1 April 2010 to 31 March 2011.

### **2.0 Recommendations**

- 2.1. The Commission is invited to approve the report. Subject to the Commission's approval, the report will be published on Thursday 14 July.

### **3.0 Discussion**

- 3.1. The draft version of the annual report, attached at Annex A, is subject to Commissioners' approval and to a final proofing process. It will then be set as an interactive online report. The Statement of Accounts, which will be reviewed by the Assembly Commission Audit Committee on 7 July, will be attached to the report before publication.
- 3.2. The full version of the report, in the form of an interactive timeline, will be made available on the Assembly website on 14 July.
- 3.3. The online version will conform to best practice guidelines on accessibility for websites. It will also be available as a pdf and a text-only document.

- 3.4. A printed summary will be distributed at events and to visitors to the Senedd and Pierhead.



## Comisiwn y Cynulliad Assembly Commission

**NAFWC 2012 (Paper 3 Part 1)**  
**Draft Commission Strategy 2011–16**

Cynulliad  
Cenedlaethol  
Cymru  
National  
Assembly for  
Wales



**Date:** Wednesday 29 June 2011

**Time:** 11:30–13:00

**Venue:** Conference Room 4B

**Author name and contact number:** Claire Clancy, ext 8233

### Draft Commission Strategy 2011–16

#### 1.0 Purpose and summary of issues

- 1.1. The Commission's Strategy, once agreed, will provide a clear focus for the work of the Commission over the next five years. The strategic goals will inform the Commission's financial planning for the term of the Assembly and provide the starting point for Directorate and Service Area planning, and cascading to individual performance objectives.
- 1.2. The document will enable the Commission to communicate its strategic priorities to:
  - provide strategic direction to the Chief Executive and, through her to the staff of the Assembly, from which all planning and delivery will flow;
  - engender understanding and support for the priorities across all Assembly Members;
  - communicate outwardly the work of the Commission; and
  - provide a basis on which the Commission's performance and expenditure will be measured.

## **2.0 Recommendations**

- 2.1. That Commissioners comment on the draft Statement of Purpose and Strategic Goals so that we can ensure that the final version reflects their priorities and ambitions for the Commission. A one page summary is attached at Annex B.

## **3.0 Experience from the Third Assembly**

- 3.1. At the beginning of the Third Assembly, the Commission approved its aims and values and defined its goals for the Third Assembly. At the end of the Assembly, the Commission published a Legacy Report to capture the significant achievements and lessons from the four years. For each of their five strategic goals the Commission provided recommendations to assist the Commission in the Fourth Assembly. Annex A of the paper sets out a summary of this backdrop from the Third Assembly, drawn from the Legacy Report.

## **4.0 Principles to guide the new Strategy**

- 4.1. The Purpose and Strategic Goals for the Third Assembly worked effectively over the course of the four year period. Their scope and ambition proved suitable and they remain relevant. There were some issues with interpretation of the meaning of the goals. For this reason, we recommend that we should keep the strategy and goals relatively short, simple and crisp.
- 4.2. We recommend that the new strategy and goals should be ambitious but at the same time should build on the momentum that has been achieved, particularly in the light of the changed constitutional situation following the referendum result, and the difficult financial context. We believe that during the Fourth Assembly we should:
- strengthen the focus on high quality service delivery for the Assembly and Assembly Members, and particularly delivery of the full range of the Assembly's powers;
  - build on the Assembly's reputation as a body that proactively seeks to engage the Welsh public with its work, established during the successful "Vote 2011" programme;

- make use of the significant amount of work that was done during the Third Assembly to put in place strong foundations and develop particular strategies e.g. e-democracy, branding, asset management, equalities; and
  - reflect our stance on efficiency and budgets by charging us to work smarter, with greater flexibility and effective use of our skills and other resources at a time of serious financial constraint.
- 4.3. The strategy must also reflect the fact that the Government of Wales Act 2006 requires the Commission to have regard to the principles of equality of opportunity, sustainability and equal treatment of the English and Welsh languages when carrying out its functions.
- 4.4. The plans we put in place to deliver the strategic goals must be clear about intended outcomes, be able to map our performance and expenditure against the goals, and measure and provide evidence of progress. We will begin to prepare these detailed, measurable plans as soon as the Commission has confirmed its strategy.

## 5.0 Proposed new Strategy 2011–16

### Draft Statement of Purpose

- 5.1. The National Assembly for Wales is the democratically elected body that represents the interests of Wales and its people, makes laws for Wales and holds the Welsh Government to account.
- 5.2. The Assembly Commission serves the National Assembly to foster a strong, accessible and forward looking democratic institution and legislature that delivers effectively for the people of Wales.

### Draft Strategic Goals

- 5.3. The Assembly Commission's strategic goals for 2011–16 are to:
- **Provide outstanding parliamentary support**  
Outcome: Assembly Members are seen to be effectively fulfilling their strategic responsibilities to represent the

interests of Wales and its people, make laws for Wales and hold the Welsh Government to account.

- **Engage actively and widely with the people of Wales**

Outcome: People in Wales become interested in the work of the Assembly and can easily understand and participate in the Assembly's roles of legislating, scrutiny and representation, and the Assembly benefits from the creative energy generated by such engagement.

- **Earn the confidence of Assembly Members and the people of Wales in the way we deliver services and manage costs**

Outcome: Members and the public recognise and trust that we are making good use of tax-payers' money, managing resources so as to deliver a vital public service with improved efficiency and value for money.

5.4. How we deliver these goals is also important. We will:

- act with integrity, fairness and impartiality, respecting everyone and treating people equally;
- strengthen the bilingual ethos of the Assembly;
- deliver all aspects of the Commission's responsibilities with pace, professional expertise and a strong service ethos;
- set high standards and keep our promises;
- be open and transparent, expose ourselves to the most intense scrutiny, and provide measurable evidence of our achievements;
- invest in sustainability and efficiency-enhancing technology; and
- demonstrate our absolute commitment to Welsh parliamentary democracy and our pride in the Assembly.

## **Background from the Commission of the Third Assembly's legacy report**

1. The last Commission agreed that its overarching purpose should be: "To make the Assembly an accessible and effective parliamentary body that inspires the confidence of the people of Wales".

### **Five Strategic goals for the Third Assembly**

#### ***We will promote and widen engagement in devolution***

2. The last Commission wanted to demonstrate that the Assembly is working for all citizens and encouraging greater and more active participation in the democratic process, and emphasising the positive impact of the Assembly upon the lives of people in Wales. With greater incremental devolution through the 2006 Act, and the referendum for greater legislative competence, we wanted to demonstrate that we were ready to grasp these challenges enthusiastically. The Legacy Report recommended that the next Assembly Commission should concentrate on the following high-level issues in relation to this strategic goal:
  - work with Members on communications activities to enable and empower them to act as ambassadors for the Assembly's work;
  - concentrate on basics in terms of messaging, e.g. the distinction between Government and Assembly which continues, despite our efforts, to cause confusion to the detriment of the citizen's experience of Welsh democracy;
  - deliver clear messages about the work of the Assembly following the 'yes' vote; and
  - keep up the effort on key strategies such as branding, e-democracy and the Pierhead, so that we realise the full benefits of the foundation work that was done during the Third Assembly.

#### ***We will show unity, leadership and a bold response to constitutional change***

3. The last Commission wanted the Assembly to show confidence and competence in embracing its new powers. Our focus was to secure

scrutiny and legislation of the best quality, and to support Members in all that they did as elected representatives. The Legacy Report recommended that the next Assembly Commission should concentrate on the following high-level issues in relation to this strategic goal:

- ensure that resources are in place to meet the future requirements of the Assembly following the 'yes' vote and the decisions of the Business Committee/Assembly in respect of the organisation of Plenary and committee business;
- liaise with the Remuneration Board to ensure that Commission and Board decisions complement each other wherever possible; and
- engage with the Welsh Government to ensure that individual Members and committees have a prioritised right of access to factual information held by the Welsh Government.

***In all our work, we will demonstrate respect, probity and good governance***

4. The last Commission recognised that all that we did had to be capable of intense external scrutiny, be transparent and that we should reflect the diverse nature of Wales and its languages in how we dealt with and involved the citizen. The Legacy Report recommended that the next Assembly Commission should concentrate on the following high-level issues in relation to this strategic goal:

- consider carefully the appropriate balance between economies and service delivery to avoid damaging essential services to Members and wasting energy and resources on defending decisions that Members find unacceptable;
- ensure that equality and diversity do not suffer during tough economic times;
- proceed with new arrangements to strengthen our delivery of bilingual services, including an Official Languages Scheme; and
- support the Audit Committee in its work to maintain high standards of governance right across the organisation, including in the areas of procurement and contract management.

***We will work sustainably***

5. The last Commission wanted to show leadership in how we managed our work and estate, and we aimed to provide the highest achievable level of sustainability in both. The Legacy Report recommended that the next Assembly Commission should concentrate on the following high-level issues in relation to this strategic goal:
- recognise and build upon the Commission's leadership in securing sustainable working for the Assembly when deciding priorities for the Fourth Assembly;
  - identify ways to maintain momentum when the economic climate could make direct investment in sustainability more difficult to achieve;
  - make our achievements in environmental policies and our wish to sustain the momentum a key part of communications with and education of users of the Assembly estate, visitors and wider Wales; and
  - as part of this approach, prioritise sustainability policies carefully to achieve desired outcomes without inappropriate impact upon Members and others who use the Assembly estate.

***We will ensure that the Assembly has the best service, provided in the most effective way***

6. The last Commission wished to take the services provided for Members and the people of Wales to a higher level, while demonstrating wise and effective use of its resources and value for money. The ethos of service, to Members and anyone who engages with the Assembly, was a driver in everything that we did. The Legacy Report recommended that the next Assembly Commission should concentrate on the following high-level issues in relation to this strategic goal:
- engage closely with Members and their support staff on the services they need and the quality of the services we provide;
  - review the Merlin contract (work is underway) and the benefits realisation and value for money aspects of the UNO project; and

- maintain the strongest governance arrangements in order not to compromise our ability to deliver or our reputation.



## Assembly Commission Strategy 2011–16

### Statement of Purpose

The National Assembly for Wales is the democratically elected body that represents the interests of Wales and its people, makes laws for Wales and holds the Welsh Government to account.

The Assembly Commission serves the National Assembly to foster a strong, accessible and forward looking democratic institution and legislature that delivers effectively for the people of Wales.

### Strategic Goals

- **Provide outstanding parliamentary support**  
Outcome: Assembly Members are seen to be effectively fulfilling their strategic responsibilities to represent the interests of Wales and its people, make laws for Wales and hold the Welsh Government to account.
- **Engage actively and widely with the people of Wales**  
Outcome: People in Wales become interested in the work of the Assembly and can easily understand and participate in the Assembly's roles of legislating, scrutiny and representation, and the Assembly benefits from the creative energy generated by such engagement.
- **Earn the confidence of Assembly Members and the people of Wales in the way we deliver services and manage costs**  
Outcome: Members and the public recognise and trust that we are making good use of tax-payers' money, managing resources so as to deliver a vital public service with improved efficiency and value for money.

How we deliver these goals is also important. We will:

- act with integrity, fairness and impartiality, respecting everyone and treating people equally;
- strengthen the bilingual ethos of the Assembly;
- deliver all aspects of the Commission's responsibilities with pace, professional expertise and a strong service ethos;
- set high standards and keep our promises;
- be open and transparent, expose ourselves to the most intense scrutiny, and provide measurable evidence of our achievements;
- invest in sustainability and efficiency-enhancing technology; and
- demonstrate our absolute commitment to Welsh parliamentary democracy and our pride in the Assembly.

# Agenda Item 4

This paper has been deemed not suitable for publication in line with the Commission's rules for conduct of business.

Document is Restricted

# Agenda Item 5

## Comisiwn y Cynulliad Assembly Commission

Cynulliad  
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Wales



**NAFWC 2011 (Paper 5)**  
**Current issues update**

**Date:** Wednesday 29 June 2011

**Time:** 11:30–13:00

**Venue:** Conference Room 4B

**Author name and contact number:** Claire Clancy, ext 8233

### Current issues update

#### 1.0 Purpose

1.1 This paper is to provide the Commission with an update on a number of key issues which are currently ongoing.

#### 2.0 Flow of information

2.1 Since 2007, the Research Service has been subject to an arrangement, put in place by the Government, whereby no direct contact can be made with Welsh Government officials in relation to information requested on behalf of Members.

2.2 Each request, irrespective of content or complexity, has to be submitted, in writing, via the relevant ministerial private office. When the private office is satisfied with the wording, it passes the request onto policy officials, who send their response back to the private office for ministerial clearance.

2.3 The Research Service approaches the Government for only about 12 per cent of the total number of enquires with which it deals. The average response time from the Government is 17 working days. As a route for Members to factual information held by the Government, the Research Service, therefore, is slower and more restricted than those available to the public in general. No other legislature in the UK or, so far as we can ascertain, anywhere in the Commonwealth, operates in this way.

2.4 In view of the impact of this restriction on the services available to Members to fulfil their strategic functions, the Chair of the Remuneration Board has corresponded with the First Minister about this issue. The Board subsequently made a recommendation to the effect that the Commission consider engaging with the Welsh Government to

put in place arrangements equivalent to those in other UK parliamentary institutions. This would be a service based on the principles that individual Members and committees have a prioritised right of access to information held by the Welsh Government and that Research Service staff, working on behalf of Members, should be able to communicate directly with Welsh Government officials.

- 2.5 Following consultation with Cabinet colleagues, the First Minister has agreed to the Board's recommendation that the Research Service should have direct access to Welsh Government officials. The Research Service will be able to contact officials at branch head level or above for clarification purposes or to ascertain the location of previously published material and will be able to e mail officials directly for all other requests rather than submit requests to private offices. All responses will be copied to the relevant private office on despatch by Government officials to ensure that Ministers and Deputy Ministers are aware of the information being provided and the Government will publish all questions and responses to a disclosure log on their website.
- 2.6 The Head of Research Service will now meet with Government officials to agree a protocol based on these principles with the aim of having it in place from September onwards.

### **3.0 Security issues**

- 3.1 The Security service aims to secure best value services consistent with the need for business efficiency, effectiveness, flexibility, value for money and high staff morale.
- 3.2 Following increases in the number of events and the weekend opening of the Pierhead we undertook a review of service structures and working hours, and it was clear that current work patterns meant that the security service was not operating in the most efficient way. During term time there are insufficient numbers of Security staff to support core business activities, events and weekend opening across the Assembly estate. Conversely during recess there are excess numbers of staff.
- 3.3 As a result, overtime costs totalled £110,800 for the 2010–11 financial year. Overtime relies on volunteers, is expensive and cannot be sustained longer term. The reliance on overtime has meant that there have been occasions when buildings had to be closed during published opening hours.

- 3.4 Discussions with Security staff and the Trade Unions of options for change started in October 2010, with the aim of developing a more flexible service that can respond positively to the different patterns of activity across the Assembly estate, and to ensure effective support for the Fourth Assembly.
- 3.5 Currently only 17 of the 35 Security Officers affected by these changes have agreed to the new terms and conditions. Each of the 17 has received a compensatory payment of £2,000.
- 3.6 Discussions with the remaining 18 Security Officers have continued, in particular with a view to understanding individuals' concerns about home/work balance and identifying how these may be accommodated within a more flexible working pattern.
- 3.7 A further review of our proposals has identified that the new working patterns could be implemented if a further 12 officers agree to the new terms and conditions. This would enable us to eliminate the majority of overtime. The remaining staff could then remain on their existing working patterns and be accommodated within the new structure.
- 3.8 If we are unable to secure the required number of Officers on the new terms and conditions, further steps will be needed. Further information on the options available to the Commission is detailed in Annex A.

#### **4.0 Grant of catering contract**

- 4.1 In line with reductions in public expenditure, the last Commission identified the need to reduce the subsidy and cost of contracted services, including catering. They recognised the likely adverse impact of such a reduction on contractor staffing and noted that successful contractor would have to play a major role in assisting the Assembly to achieve the necessary savings.
- 4.2 Through a review of the specification, the catering tender sought to maintain quality of service over the life of the contract but, in order to achieve financial savings, sought to reduce services in some areas.
- 4.3 The revised specification identified two main options. The first option was to provide, as a minimum, the basic services currently provided. The second option included a 40 per cent reduction in Assembly subsidy over the first three years of the contract.
- 4.4 In either option, the successful contractor would be expected to work closely with the Commission to progressively redefine the catering

provision, and to move away from a subsidised service towards a more commercial approach in terms of both pricing and service.

- 4.5 The specification identified that the Assembly was keen to explore all options in order to achieve best value and, in addition to its two main options, encouraged tenderers to submit a third option demonstrating an alternative approach of their choice. This would allow commercially creative proposals to be made.
- 4.6 The evaluation of the tender bids and contractor presentations included an assessment of quality and cost. Given the challenging nature of the catering contract and the requirement to achieve savings, a further risk assessment of the tenderers' financial proposals was carried out.
- 4.7 The financial risk assessment for option two (40 per cent reduction in subsidy over three years) identified higher financial risks associated with a number of the bids in relation to sales projections, food, labour and sundry costs in order to achieve the percentage savings.
- 4.8 The underlying objective of the specification was to maintain quality whilst reducing cost. However, even if the Commission were to decide not to proceed with reductions to the catering subsidy, the results of the evaluation identified Charlton House as the most successful in both tender options.
- 4.9 The new contract has therefore been awarded to Charlton House on the basis that the bid provided the best match with Commission requirements in terms of quality and cost. The contract will commence on 4 September 2011 and will run for a period of five years.

## **5.0 Bilingual services**

- 5.1 Following a request from the Welsh Language Board (WLB) to meet to discuss the findings of its investigation into the Commission's Welsh Language Scheme, the Presiding Officer, Chief Executive and Head of Communications met with the WLB's Chief Executive and Chair on 15 June.
- 5.2 The meeting was extremely constructive and focused on how the WLB and Commission can work together in partnership to develop our bilingual services for the Fourth Assembly. They placed particular emphasis on how the WLB could help the Commission to find effective, resource efficient means of making proceedings readily accessible in both languages, for example by exploring the use of technology.

5.3 The WLB published its report on 16 June, with an accompanying press release which made reference to their intention to work with the Commission on the way forward. The report is available on the WLB's website, and copies can be made available to Commissioners on request.

5.4 At its July meeting, the Commission will consider the main recommendations of the WLB report and its response to its findings; a draft Bill on Official Languages and draft Official Languages plan; and proposals for public consultation this summer.

## **6.0 Vulnerable witness protocol**

6.1 A draft protocol, attached at Annex B, has been developed to set out how National Assembly staff, Assembly Members, and Assembly Members' support staff should deal with vulnerable persons, in particular those who attend and appear before Assembly committees and sub-committees as witnesses. The protocol would be particularly helpful for those who come into regular contact with witnesses. Parts of this protocol are also relevant and applicable to issues that arise, and events that occur, outside formal Assembly committee meetings.

6.2 The objectives of this protocol include ensuring that Assembly Members and staff:

- are aware of the principles of equality of opportunity in the treatment of those who interact with Assembly committees;
- consider the most appropriate ways of gathering information from witnesses, and utilising appropriate special arrangements;
- are aware of the need to protect vulnerable witnesses and to support their individual needs so far as is both appropriate in the circumstances and reasonably practicable;
- take responsibility for and understand their role in the protection of vulnerable witnesses;
- understand their responsibility to identify and report possible cases of abuse or harm so that vulnerable witnesses are safeguarded from further harm;
- are broadly aware of the existence of other relevant external partners and referral agencies such as the Children's Commissioner, Police, NSPCC, Social Services etc; and

- receive training appropriate to their roles and responsibilities.
- 6.3 The protocol would sit alongside the Assembly's statutory duty to ensure Equality of Treatment, the Single Equalities Scheme and Strategic Equality Statement, as well as any child protection protocol and training/training materials provided.
- 6.4 The Commission is asked to endorse the protocol attached at Annex B. If endorsed by the Commission, all Assembly staff and Assembly Members would be encouraged and expected to comply with the protocol.



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## Comisiwn y Cynulliad Assembly Commission

NAFWC 2012 (Paper 6 Part 1)  
Schedule of contracts

Cynulliad  
Cenedlaethol  
Cymru  
National  
Assembly for  
Wales



**Date:** Wednesday 29 June 2011

**Time:** 11:30–13:00

**Venue:** Conference Room 4B

**Author name and contact number:** John Grimes, ext 8225

### Schedule of contracts

#### 1.0 Purpose and summary of issues

1.1 At their recent informal meeting Commissioners requested further information about the Assembly's schedule of contracts.

#### 2.0 Recommendation

2.1 Commissioners are invited to note the attached schedule and consider how the Commission might take a more active role in the Assembly's approach to procurement. Some options are set out at the end of this paper.

#### 3.0 Assembly's schedule of contracts

3.1 A summary of the Assembly's schedule of contracts is attached at Annex A.

3.2 The schedule shows the contracts over £25,000 that are due for renewal each year. It gives summary details of each contract and, in particular, the start and finish dates. The column headed 'Framework' indicates those contracts which are let under a public sector 'framework' and for which simpler tendering arrangements are in place.

3.3 The schedule assists with the forward planning of future procurement.

#### **4.0 Wider procurement issues**

4.1 The schedule is also published on the Assembly's internet site so that potential suppliers can be aware of the business the Assembly contracts to external providers. In doing this we provide an indication of the contracts likely to be offered for tender in the future although there can be no guarantee that a particular contract will be renewed in its existing form or, indeed, at all. This contributes to the Assembly's policy to encourage and support small and medium-sized enterprises through its procurement policy and provides information both to suppliers who might wish to tender for these contracts and also to small and medium-sized enterprises who might wish to develop their business by acting as a sub-contractor to a main supplier.

4.2 Procurement is a complex process and a tightly controlled element of the Assembly's business. As well as the underlying need to meet business requirements efficiently and effectively, procurement is influenced by legal requirements and Assembly policies in relation to:

- encouraging small and medium sized enterprises;
- sustainability;
- social responsibility;
- open and fair competition;
- European law (the single market); and
- ensuring value for money.

4.3 It is worth noting that on occasions these factors can work in opposite directions. For example, drivers to reduce costs through collaboration and cooperation between authorities encourage the letting of large contracts. Conversely, policies to encourage small and medium-sized enterprises can point towards smaller contracts. One way to reconcile these is by building opportunities for sub-contractors into larger contracts and the contracts schedule assists with this.

Schedule of contracts

- 4.4 It is also worth noting that policies directed solely at encouraging local companies would be illegal under EU single-market provisions. The European Union does encourage policies for the development of small and medium-sized enterprises which, of their nature, tend to be 'local' to the contracting authority but procurement practice must ensure that opportunities are not restricted geographically.
- 4.5 Procurement is a highly litigious area and the law provides opportunities for potential suppliers who feel they have been unfairly treated to seek redress through the courts. These powers have recently been enhanced by the new EU Remedies Directive which has both strengthened the powers of the courts and increased the penalties for compliance failure.
- 4.6 In any contract, procurement is only the start of the process. If contracted services are to be delivered successfully there is a need to maintain effective working relationships with the contractor to ensure adherence, on both sides, to contract requirements while enabling a flexible approach to changing needs and circumstances. The improvement of contract management is one of our development priorities.
- 4.7 The Assembly Commission's Audit Committee has considered a number of internal audit reports on procurement and contract management, which have identified important lessons to be learned and recommendations for developing our controls and expertise. The Committee has been broadly satisfied with the progress made in taking forward recommendations from the internal audit reports, but wants to see further evidence that we are embedding the planned changes over the year ahead. The Committee plans to monitor carefully the progress on implementing the improvements.
- 4.8 The Assembly Commission may wish to discuss and explore aspects of procurement and procurement policy further. Some options for closer involvement of Commissioners include the following:
- Commissioners may wish to take an interest in more significant contracts of particular relevance to their portfolio, to be involved in the specification of the service, to be consulted about the procurement process and keep

an overview of service standards under the contract. For example, the current ICT service from Siemens (our biggest external contract) is due to end in 2014 and planning our approach has started. This will be a complex process and is key to services for the Assembly;

- a Commissioner could lead for the Commission on our current review of procurement policies and process, with a view to reporting back on changes and improvements in the autumn; and
- a comprehensive policy review of the Commission's approach to insourcing and outsourcing services could be undertaken, with a Commissioner providing oversight, and leading on consultation. This could have wider implications about the way Assembly services are provided and how much they cost.

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# Agenda Item 7

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# Agenda Item 8

## Comisiwn y Cynulliad Assembly Commission

Cynulliad  
Cenedlaethol  
Cymru

National  
Assembly for  
Wales



**NAFWC 2011 (Paper 8)**

**Assembly Commission rolling programme**

**Date:** Wednesday 29 June 2011

**Time:** 11:30–13:00

**Venue:** Conference Room 4B

**Author name and contact number:** Commission Secretariat, ext 8705

### Assembly Commission rolling programme

Meeting date	Agenda item	Portfolio holder/lead official
July 11	Bilingual services	Rhodri Glyn Thomas/Non Gwilym
	Commission strategy 2011–16	Presiding Officer/Claire Clancy
	Commission budget strategy 2012–13	Angela Burns/Steve O'Donoghue
	Case management system	Peter Black/Connie Cockburn
	Commission effectiveness review methodology/timescale	Presiding Officer/Claire Clancy
	Annual report of the Assembly Commission Audit Committee	Angela Burns/Steve O'Donoghue
	Rolling programme	Secretariat
September 11 (first week of term)	Draft Commission budget 2012–13	Angela Burns/Steve O'Donoghue
October 11	Vote 2011 campaign feedback	Rhodri Glyn Thomas/Non Gwilym
	Tŷ Hywel sub-lease	Peter Black/Dianne Bevan
	UNO benefits and savings six monthly review	Peter Black/Dianne Bevan
	Royal opening debrief	Rhodri Glyn Thomas/Non Gwilym
	Fourth Assembly Programme final report	Presiding

**NAFWC 2011 (Paper 8)**

**Assembly Commission rolling programme**

<b>Meeting date</b>	<b>Agenda item</b>	<b>Portfolio holder/lead official</b>
		Officer/Dianne Bevan
	Bilingual services	Rhodri Glyn Thomas/Non Gwilym
	Portfolio holder updates	Portfolio holders
	Management Board report to the Commission	Claire Clancy
	Rolling programme	Secretariat
<b>November 11</b>	Bilingual services	Rhodri Glyn Thomas/Non Gwilym
	Finance Committee report on draft Commission budget	Angela Burns/Steve O'Donoghue
	Carbon management strategy annual report	Peter Black/Connie Cockburn
	Management Board report to the Commission	Claire Clancy
	Rolling programme	Secretariat
<b>January 12</b>	Assembly staff remuneration?	Peter Black/Steve O'Donoghue
	Equalities scheme 2012-16	Sandy Mewies/Steve O'Donoghue
	Review of Freedom of Information processes?	Sandy Mewies/Non Gwilym
	Portfolio holder updates	Portfolio holders
	Management Board report to the Commission	Claire Clancy
	Rolling programme	Secretariat
<b>March 12</b>	Assembly staff remuneration?	Peter Black/Steve O'Donoghue
	UNO benefits and savings six monthly review	Peter Black/Connie Cockburn
	Framework for annual report and accounts 2011-12	Angela Burns/Rhodri Glyn Thomas/Non Gwilym/Steve O'Donoghue
	Management Board report to the Commission	Claire Clancy
	Rolling programme	Secretariat

**NAFWC 2011 (Paper 8)****Assembly Commission rolling programme**

<b>Meeting date</b>	<b>Agenda item</b>	<b>Portfolio holder/lead official</b>
<b>May 12</b>	Draft budget strategy 2013-14	Angela Burns/Steve O'Donoghue
	Review of Assembly Commission effectiveness	Presiding Officer/Claire Clancy
	Portfolio holder updates	Portfolio holders
	Management Board report to the Commission	Claire Clancy
	Rolling programme	Secretariat
<b>July 12</b>	Sign off annual report and accounts 2011-12	Presiding Officer/Claire Clancy
	Draft budget strategy 2013-14	Angela Burns/Steve O'Donoghue
	Management Board report to the Commission	Claire Clancy
	Rolling programme	Secretariat