

Dafydd Elis-Thomas AM
Chair
Environment and Sustainability Committee
National Assembly for Wales
Cardiff Bay
CF99 1NA

15 November 2013

Dear Committee Chair

Under Standing Order 16, it is the Business Committee's responsibility to consider the number, remit and titles of Assembly committees, and to keep them under review during the course of an Assembly.

At its meeting of 12 November, Business Managers considered the question of committee responsibilities. This discussion arose partly as a result of concerns over the relationship between committee remits and Ministerial portfolios highlighted during the scrutiny of the Government's draft budget.

The remits of our committees¹, agreed at the start of this Assembly, are designed to ensure that all areas of ministerial responsibility are open to scrutiny by at least one Assembly committee. By allowing all committees to examine any issue from their particular perspective, they also enable cross-cutting examination of all areas of government responsibility. The Business Committee believes that this fundamental design of the committee system is sound and we do not propose to alter it radically. Neither do we propose changing the requirement for our policy-based committees to be responsible for both legislative and policy scrutiny.

¹ See the attached report laid by the Business Committee on 12 July 2011

Croesewir gohebiaeth yn y Gymraeg a'r Saesneg/We welcome correspondence in both English and Welsh



Llywydd
Presiding Officer



We do believe, however, that now would be an appropriate time to ask committees whether any more limited alteration to remits should be made, I would ask you to consult your committee and report back to me on any remit changes which you believe would be advantageous to improve the operation of the current structure.

I would be grateful if you could get back to me by Friday 29 November.

Yours sincerely

A handwritten signature in black ink that reads "Rosemary Butler". The script is fluid and cursive, with the first letters of each word being capitalized and prominent.

Rosemary Butler AM
Presiding Officer

Annex A

National Assembly for Wales

Business Committee

12 July 2011

Cynulliad
Cenedlaethol
Cymru

National
Assembly for
Wales



Committee Portfolios and Responsibilities in the 4th Assembly

Introduction

On 22 June, the Assembly approved motions to establish its committee system.

The Standing Orders require all areas of government responsibility to be open to scrutiny by the Assembly's committee system. Hence, no areas of ministerial responsibility should be out of bounds for examination by at least one Assembly committee. At the same time, the Business Committee intends the system to allow for cross-cutting examination of all areas of government responsibility. So, whilst this report indicates the lead committee for each broad area of ministerial responsibility, all committees are free to examine any issue from their particular perspective.

The core roles of the Assembly's committee system can be summarised as follows:

- scrutinising Bills and other Assembly, UK and EU legislative proposals, reporting to the Assembly with recommendations for their improvement, and considering and making amendments to Bills;
- examining the finance and performance of relevant parts of the Welsh Government, associated public bodies and others of relevance to Wales; and
- examining and reporting on the implementation of Welsh Government policy, legislation and other commitments, including identifying and scrutinising areas of existing or emerging Welsh Government policy, or areas where existing policy is deficient, and making proposals for improvements.

This report sets out in more detail the remits of the various committees.

Children and Young People Committee

The Children and Young People Committee's role is to consider expenditure, administration, policy and legislative matters within its remit. The main areas of ministerial responsibility falling within the committee's remit are listed below.

The rights and entitlements of children and young people

Child Poverty

Social care for children

Child health

Adoption and fostering services

Play

Parenting and Families

Childcare

Children's Commissioner for Wales;

The Children and Family Court Advisory Support Service (CAFCASS)

Safeguarding children

Schools, including teaching standards, curriculum, governance and effectiveness

Welsh medium and bilingual education

Additional learning needs

Inclusion in schools

Pupil attendance and behaviour

Early years education

14-19 learning

Youth work

Relevant EU policy matters

Environment and Sustainability Committee

The Environment and Sustainability Committee's role is to consider expenditure, administration, policy and legislative matters within its remit.

The main areas of ministerial responsibility falling within the committee's remit are listed below.

Agriculture, Fisheries and Food

Water resources, control and quality (including the marine environment)

Wildlife, biodiversity and nature conservation

National Parks

Countryside and open spaces

Forestry

Waste management

Energy policy and fuel poverty (including steel and coal)

Animal health and welfare

Planning and Building Regulations

Climate change

Sustainable Development

Common Agricultural Policy

Relevant EU policy matters

Health and Social Care Committee

The Health and Social Care Committee's role is to consider expenditure, administration, policy and legislative matters within its remit. The main areas of ministerial responsibility falling within the committee's remit are listed below.

National Health Service

Social care

Mental health services

Public health and health protection

Health improvement

Carers

Social services activities of local authorities

Regulation of residential, domiciliary, adult placements

Aids, adaptations and support at home

Independent living

Care in the community

The Older People's Commissioner for Wales

Food safety

Research and development in health and social care

Prison Service health service

Relevant EU policy matters

Communities, Equality and Local Government Committee

The Communities, Equality and Local Government Committee's role is to consider expenditure, administration, policy and legislative matters within its remit. The main areas of ministerial responsibility falling within the committee's remit are listed below.

Housing and housing-related activities

Homelessness and housing advice

Affordable housing (including quality)

Local Government and Communities

Public Service Ombudsman Wales

Public service improvement

Equal opportunities

Domestic violence

Asylum, immigration and migrant workers

Community cohesion

Community Safety

Gypsies and travellers

Culture

Welsh language

Welsh heritage and the historic environment and buildings

Museums, public libraries and archives

Arts

Tourism

Sport, physical activity and active recreation

Fire and Rescue Services

Civil Contingencies

Broadcasting

Relevant EU policy matters

Enterprise and Business Committee

The Enterprise and Business Committee's role is to consider expenditure, administration, policy and legislative matters within its remit. The main areas of ministerial responsibility falling within the committee's remit are listed below.

Business and enterprise, including inward investment / exports

Research, development and innovation

Higher education

Technology and Science

Strategic, physical and legacy regeneration

Employment

Workforce development

Skills

Vocational qualifications

NEETS

Adult community learning and work based learning

Employability and careers advice

Welfare reform

ICT Infrastructure

Transport

Social Enterprise

EU structural funds programmes

Relevant EU policy matters

Finance Committeeⁱ

The Finance Committee's role is to carry out the functions of the responsible committee set out in Standing Order 19. This includes consideration of the use of resources by the Assembly Commission or Welsh Ministers and in particular reporting during the annual budget round. The Committee may also consider any other matter relating to expenditure out of the Welsh Consolidated Fund.

In respect of the examination of the financial implications of Bills the Business Committee considers that the Committee should be selective, focusing its scrutiny on Bills of greatest financial significance, and take a strategic overview of financial matters relating to legislation.

Public Accounts Committeeⁱⁱ

The Public Accounts Committee's role is to carry out the functions of the responsible committee set out in Standing Order 18. The Committee will consider reports prepared by the Auditor General for Wales on the accounts of the Welsh Government and other public bodies, and on the economy, efficiency and effectiveness with which resources were employed in the discharge of public functions. Its remit also includes specific statutory powers under the Government of Wales Act 2006 relating to the appointment of the Auditor General, his or her budget and the auditors of that office.

Constitutional and Legislative Affairs Committee

The Constitutional and Legislative Affairs Committee's role is to carry out the specific functions of the responsible committee in Standing Order 21 and to consider any other constitutional or governmental matter within or relating to the competence of the Assembly or Welsh Ministers. This includes the consideration of statutory instruments, draft statutory instruments, any other subordinate legislation laid before the Assembly, Assembly and UK Bills as well as a wider remit to consider the subsidiarity implications of draft European Union legislation and other constitutional matters. In particular

they also have an overview of the First Minister's functions as they relate to constitutional or overarching governmental matters.

Petitions Committee

The Petitions Committee's role is to consider all admissible petitions which are submitted by the public. Its specific functions are set out in Standing Order 23

Standards Committee

The Standards committee's role is to carry out the functions set out in Standing Order 22. These include the investigation of complaints referred to it by the Standards Commissioner, consideration of any matters of principle relating to the conduct of Members, establishing the procedures for the investigation of complaints and the arrangements for the Register of Members' interests and other relevant public records determined by Standing Orders.

European and External Affairs

The Business Committee agreed to mainstream European policy matters across committees rather than have a single, dedicated committee. The Constitutional and Legislative Affairs Committee will be responsible for subsidiarity monitoring checks as well as considering any other constitutional or governmental matter within or relating to the competence of the Assembly or Welsh Ministers.

Reviewⁱⁱⁱ

The Business Committee has agreed that it will review the operation of the committee system in 2012. As part of that review, it will consider the impact of the decision to mainstream European matters.

The role of committee chairs

Committee chairs play a vital role in the delivery of the strategic objectives of the Assembly. Given this, and the fact that each Chair is elected by the Assembly as whole, we feel it is appropriate to set out in more detail the role that committee chairs must fulfil on behalf of the Assembly.

The key responsibilities of committee chairs are to:

- set the strategic direction of the committee and ensure the transparent prioritisation of its activity so as to deliver a balanced, comprehensive and effective programme of legislative, policy and financial scrutiny;

- maximise the relevance and influence of the committee whilst maintaining its clear independence from the Welsh Government;
- act impartially at all times, decisively, fairly and in a manner that maintains the confidence of the committee;
- command the confidence of Members, witnesses and the public at large through knowledge of the subject matter of the committee's remit; demonstration of effective legislative, policy and financial scrutiny techniques; maintenance of order; and the application of all relevant legal and procedural requirements on the committee;
- secure the commitment and engagement of all committee members and build cross-party consensus wherever possible;
- build the culture and skills mix within the committee required to maximise its effectiveness as a scrutiny body;
- ensure that the committee receives the expert advice, information and other support it requires to fulfil its objectives effectively;
- drive the delivery of all aspects of the committee's work with pace and quality;
- represent the committee publicly, in the media and in formal Assembly business; and
- ensure critical analysis and evaluation of the committee's work and drive innovation in its operation so as to increase effectiveness, public engagement and impact.

ⁱ The remit of the Finance Committee was amended on 15 October 2013 so that it is now responsible for the functions set out in Standing Orders 18.10 and 18.11 in relation to oversight of the Wales Audit Office and Auditor General for Wales.

ⁱⁱ The remit of the Public Accounts Committee was amended on 15 October 2013 so that it is no longer responsible for any functions relating to the oversight of the Wales Audit Office and Auditor General for Wales.

ⁱⁱⁱ A Committee for the Scrutiny of the First Minister was established in March 2012 "To scrutinise the First Minister on any matter relevant to the exercise of the functions of the Welsh Ministers and the Counsel General."