

Public Accounts Committee

PAC(4) 02-11 Paper 1

Issues of governance and accountability of the Auditor General for Wales

Purpose

1. The Committee is to discuss mechanisms to consider the issues of governance and accountability in relation to the Auditor General for Wales, in particular proposals to establish a sub-committee.

Standing Orders

2. Standing Order (SO) 17 enables committees to establish sub-committees. SO 17.17 states that the resolution should set out its membership, chair, remit and duration of sub-committees. The sub-committee is then governed by Standing Orders which relate to the parent committee, and any outputs from the sub-committee's work must be considered by the parent committee before publication. The naming of a sub-committee is at the discretion of the parent committee.
3. In the third Assembly, two sub-committees were established; the Broadcasting Sub-Committee by the Communities and Culture Committee and the Rural Development Sub-Committee by the Sustainability Committee. These two sub-committees were distinct in their purpose and lifespan. The Broadcasting Sub-Committee was established to undertake specific work and the establishing motion gave a timeframe for completion. The sub-committee was dissolved when the inquiry was completed. The Rural Development Sub-Committee was established with a broader remit and the remit and work of the sub-committee was reviewed on an annual basis by Sustainability Committee.

Key issues to consider when deciding approach

Membership

4. Under Standing Order 17.18, no sub-committee may consist only of Members from the political group or groups with an executive role and every sub-committee must contain at least one Member from a political group with an executive role.
5. Previous Assembly sub-committees have had cross-party representation and this is widely regarded to be best practice.
6. The Chair of the Public Accounts Committee has agreed to be the Chair of the sub-committee.

Privilege

7. Formal committee business is covered by parliamentary privilege. While it is more limited than Westminster parliamentary privilege it provides protection to both Assembly Members and witnesses giving oral evidence along with any written evidence published by the Assembly against actions for defamation.

Proceedings

8. The sub-committee would receive the same support services¹ as any Assembly committee and has flexibility in deciding whether it wishes to undertake work informally or formally. This provides greater flexibility to ensure that the work of the group is undertaken in a way which best suits the individual task and does not restrict the committee's choices.

¹ Support services include interpretation, translation, broadcasting and reporting (record of proceedings), security and ushers.

Motion for the establishment of a sub-committee

9. A draft motion for formal establishment of the sub-committee is provided in Annex A.
10. Establishing the sub-committee under Standing Orders will provide it with the flexibility to undertake the work either formally and informally and will provide the protection of parliamentary privilege and the support of the Assembly's parliamentary support services.

Action for the Committee

11. The Committee is invited to:
 - agree the Terms of Reference of the sub-committee
 - agree the title of the sub-committee
 - agree the membership of the sub-committee
 - agree the draft motion for the establishment of the sub-committee

Annex A

Draft motion to establish a sub-committee on governance and accountability of the Auditor General for Wales under Standing Order 17.17

That the committee resolves to establish a sub-committee of the Public Accounts Committee to consider the issues of governance and accountability in relation to the Auditor General for Wales (AGW);

that the remit of that sub-committee is to advise the Assembly on the appointment of auditors to the accounts of the AGW; consider the annual estimate and accounts of the AGW; consider matters relating to governance and accountability of the AGW; consider matters relating to the nomination for appointment of an AGW; consider other matters remitted to it by the Public Accounts Committee.

that the membership of the sub-committee comprises Darren Millar AM, (Insert: Labour AM), (Insert: Liberal Democrat AM), and (Insert: Plaid Cymru AM) with Darren Millar AM elected as a Chair.