

# Comisiwn y Cynulliad Assembly Commission

Cynulliad  
Cenedlaethol  
Cymru  
National  
Assembly for  
Wales



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

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## 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.