

Huw Vaughan Thomas
Auditor General for Wales

07 November 2017

Dear Huw,

PUBLIC SERVICES OMBUDSMAN (WALES) BILL

Thank you for your letter of 16 October 2017, in relation to the Public Services Ombudsman (Wales) Bill. You also refer to a letter sent to the Presiding Officer, dated 8 June 2016. Unfortunately, this letter was not formally received by the National Assembly and I would like to apologise that you did not receive a response.

Explanatory Memorandum – Charge on the Welsh Consolidated Fund

You raise the issue that paragraphs 9 and 10 of Schedule 1 to the Bill contain provisions for direct charges on the Welsh Consolidated Fund and that in order to comply with Standing Orders a report setting out your views on whether those charges are appropriate is required. Thank you for offering to prepare this report, I would be grateful to receive this at your earliest convenience.

On the other issues you raised, as the Bill has now been introduced I believe these are a matter for the Equality, Local Government and Communities Committee (ELGC) to consider as part of its Stage 1 scrutiny of the Bill. I have copied this letter to the Chair of ELGC for its consideration.

However, I thought it might be helpful to clarify why the approach was taken in the Bill in relation to each of your points:

Inclusion of the Wales Audit Office in Schedule 3

The WAO was included in Schedule 3 of the Bill, as recommended by the Finance Committee of the Fourth Assembly in its report on the draft Bill (March 2016).



Section 68

The section 68 regime was taken directly from the Public Services Ombudsman (Wales) Act 2005, and that same regime has simply been extended to cover the Auditor General for Wales.

Arrangements for securing economy, efficiency and effectiveness

During evidence on the draft Bill, you raised the issue that to ensure consistency in audit legislation, a provision should be included in the Bill for the Auditor General to be satisfied as to whether the Ombudsman has made arrangements for securing economy, efficiency and effectiveness. However, the Finance Committee of the Fourth Assembly did not take it any further and therefore it was not included in the Bill.

Nevertheless, the Finance Committee is willing to revisit these issues again following publication of the Stage 1 report by the ELGC Committee. Should evidence support your views, we would consider bringing forward the necessary amendments at Stage 2.

Yours sincerely



Simon Thomas AM

Chair

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.

