Written evidence from the National Assembly for Wales – RIS0054
National Assembly for Wales committees

1. This paper has been prepared by National Assembly for Wales Commission officials to provide information for the House of Lords Liaison Committee about Assembly committees to assist with its Review of investigative and scrutiny committees.

2. The Commission is chaired by the Llywydd (Presiding Officer) and is responsible for providing property, staff and services to the Assembly.

Review of committee support in the Fourth Assembly

3. In December 2013, the Assembly Commission published a report of its review of committee support, noting that “for a small institution support for committees is well resourced” and that it was “incumbent upon us” to review that support and to “make sure the services we provide are directed to have the most effect and to be of the highest possible quality” given that it “accounts for a substantial proportion of the Commission’s budget each year”.

4. As well as describing the various specialist services offered and how they should develop for the future, and emphasising the importance of integration, the report set out a vision for committees and the key responsibilities of chairs. These have subsequently been endorsed by the Fifth Assembly’s Commission, Business Committee and Chairs’ Forum and are set out in Annexes A and B.

Committees in the Fifth Assembly

5. Following the election in 2016, the Business Committee’s committee system proposals, which took on board its predecessor’s legacy report, were agreed by the Assembly in Plenary on 28 June of that year. This resulted in more committees -14, compared with 12 active in the Fourth Assembly. Two new committees were established to cover Culture, Welsh Language and Communications and External Affairs and Additional Legislation, and other remits were adjusted as a consequence.
Election of chairs

6. Standing Orders were **changed** on 28 June 2016 to provide for the election of committee chairs. The process involves:

   - Business Committee proposing which party groups have which chairs (subject to a two-thirds majority of votes in Plenary);
   - the Llywydd during Plenary inviting nominations, which can only be made from within the relevant party group (which must be seconded if the group has more than 20 members) and can only nominate a Member for one committee chair; and
   - a secret ballot of all Members where there is more than one nomination for a chair.

7. A committee can remove its chair with the agreement of a majority of committee members, comprising more than one party group, but subject to agreement in Plenary. (This procedure has not been deployed as yet.)

Appointment of chairs and their role

8. For the first time, each chair in the Fifth Assembly received a **letter of appointment** from the Llywydd setting out the Assembly’s vision for committees, chairs’ responsibilities and the support available from the Assembly Commission.

9. Chairs also now make **statements in Plenary** on their committees’ work.

10. The Chairs’ Forum, which met at the end of the Fourth Assembly, now meets informally every term to consider strategic issues around the operation of committees. It is chaired by the Llywydd. Brexit is a standing item, but chairs have also emphasised the importance of public engagement and interparliamentary working, for example.

11. The chairs and their committees are supported by a comprehensive Continuous Professional Development programme and many have taken advantage of external facilitation to assist with strategic planning and performance.

Committee remits

12. The committees of the Fifth Assembly are:

<table>
<thead>
<tr>
<th>Committee remit</th>
<th>Chair</th>
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<tbody>
<tr>
<td>Business Committee (organisation of business and procedures)</td>
<td>Llywydd</td>
</tr>
<tr>
<td>Children, Young People &amp; Education</td>
<td>Lynne Neagle – L</td>
</tr>
</tbody>
</table>
Climate Change, Environment & Rural Affairs     Mike Hedges – L
Constitutional & Legislative Affairs          Mick Antoniw – L
Culture, Welsh Language & Communications     Bethan Sayed – PC
Economy, Infrastructure & Skills              Russell George – C
Equality, Local Government & Communities      John Griffiths – L
External Affairs & Additional Legislation    David Rees – L
Finance                                        Simon Thomas – PC
Health, Social Care & Sport                   Dai Lloyd – PC
Petitions                                      David Rowlands – U
Public Accounts                                 Nick Ramsay – C
Scrutiny of the First Minister                Ann Jones, as Deputy Presiding Officer – L
Standards of Conduct                           Jayne Bryant – L

L – Labour C – Conservative PC – Plaid Cymru U – UKIP

Membership of committees

13. Most committees are smaller in the Fifth Assembly (but as there are more committees, the number of committee places is about the same):

<table>
<thead>
<tr>
<th>Committee type or name</th>
<th>Fourth Assembly size</th>
<th>Current size</th>
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<tr>
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<td>L</td>
<td>C</td>
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<tr>
<td>Policy and legislation committees</td>
<td>5</td>
<td>2</td>
</tr>
<tr>
<td>Constitutional &amp; Legislative Affairs</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Finance; PAC</td>
<td>4/1</td>
<td>2/1</td>
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<tr>
<td>Scrutiny of the First Minister</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Petitions</td>
<td>1</td>
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<tr>
<td>Standards</td>
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</tbody>
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L – Labour C – Conservative PC – Plaid Cymru LD – Liberal Democrat U – UKIP

*For the first time, the membership comprises all the committee chairs.

14. Out of 60 Members, 43 sit on committees. Three committee chairs also sit on two other committees, and eight chairs sit on one other committee. Of the remaining members, four sit on three committees and 18 sit on two committees.
15. There are four Members who are not part of a political group. Each is entitled to one committee place. The two who do not have committee places are members of the Government.

Timetabling

16. To accommodate the additional committees, three (instead of the one previously) were allocated the Monday afternoon meeting slot:

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<thead>
<tr>
<th></th>
<th>Monday</th>
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<th>Wednesday</th>
<th>Thursday</th>
<th>Friday</th>
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<tbody>
<tr>
<td>a m</td>
<td>Business Committee</td>
<td>Committees (7</td>
<td>Committee s (7 alternating Wednesday am and</td>
<td>Constituency business</td>
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<td></td>
<td>Committees (2 Party</td>
<td>alternating</td>
<td>Thursday am and Thursday all day)</td>
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<td>p m</td>
<td>Committee s (3)</td>
<td>Plenary</td>
<td>Plenary</td>
<td>Plenary</td>
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</tbody>
</table>

Integrated support services

17. Almost every committee has a clerking team of four staff, comprising the Clerk/Team Leader, a Second Clerk, a Deputy Clerk and a Committee Support Officer. This team works in an integrated way with specialists from other service areas, including research, legal, communications, and translation and interpretation. The integrated team also supports legislative scrutiny of Bills within their committee’s remit at all stages of the process.

Committee scrutiny of primary legislation

18. Policy and legislation committees, as well as the Finance Committee, consider policy, expenditure and legislation within their remits. They undertake inquiries including public engagement to examine the general principles of Bills (Stage 1), and debate and vote on amendments at (Stage 2) before consideration of amendments (Stage 3) and a final vote (Stage 4) in Plenary.

Interparliamentary working

19. From time to time committees make use of the provision in the Assembly’s _Standing Orders_ that they “may meet concurrently with any committee or joint committee of any legislature in the UK”, and there are strong networks across legislatures in some policy areas. Most recently, the Chairs of the External Affairs and Additional Legislation and the Constitutional and Legislation Affairs (CLA) Committees have been participating in the Interparliamentary Forum on Brexit.
20. In its ‘UK governance post Brexit’ report, the CLA Committee recommended that “the Llywydd seeks to establish with the other Speakers and Presiding Officers of UK legislatures, a Speakers’ Conference with the aim of determining how best to develop UK interparliamentary working, particularly as a means of scrutinising the impact of withdrawal from the European Union on the constitutional framework of the UK”.

21. The Committee also endorsed the 2016 recommendation of the House of Commons Public Administration and Constitutional Affairs Committee “that the House of Commons’ Standing Orders are amended to allow more interaction between parliamentary committees across the UK, be this a systematic standing arrangement or on a more ad hoc basis”.

Performance and impact

22. The Commission’s performance indicators include the following proxies for service delivery to and about committees:

- Percentage of committee papers issued by deadline agreed with each committee (latest available score was 96.7% against a target of 100%).
- Committee Record of Proceedings published within 5 working days (latest 96.6% / 100%).

23. We also provide regular opportunities for Members and their support staff to rate our services through a survey. “Overall support for Assembly Committees” received a score of 8.5 out of 10 in the latest survey against a target of 8.

24. We track committee impact on a more informal basis. Recent examples include:

- Prompted by evidence to an Equality, Local Government and Communities Committee inquiry, and before the report was published, the Welsh Government decided to expand the role of its Syrian Operations Board to include all refugees and asylum seekers, and the Home Office contracted provider of asylum accommodation decided to engage with the Welsh Refugee Coalition about housing quality complaints.
- The Welsh Government accepted a range of recommendations from the Economy, Infrastructure and Skills (EIS) Committee to increase the independence of the National Infrastructure Commission, including pre-appointment hearings for the chair, a three-year reporting cycle (divorced from the political cycle), and not sharing a building with the Minister’s department.
The CLA Committee’s report on the **UK Government’s Wales Bill** was used and referred to by politicians in debates in both the House of Commons and House of Lords. The report was used by the House of the Lords Constitution Committee in the preparation of its report on the Wales Bill.

In response to the Health, Social Care and Sport (HSCS) Committee’s **recommendations** on the Public Health Bill, the Minister tabled amendments which added “sexual offences” to the list of offences which would prevent someone from being issued with a licence to undertake special procedures, and set the age of consent for intimate body piercing at 18 rather than 16.

**Examples of innovation**

25. Recent committee work has included:

- Going beyond the traditional approach of consulting stakeholders about forward work programmes, the Culture, Welsh Language and Communications Committee decided – in an Assembly first - to select an inquiry by public vote. The inquiry chosen was on **funding for and access to music education**.

- The **Finance Committee** has been scrutinising Statutory Instruments on taxation – the first to be scrutinised by the Assembly in 800 years, on land transactions and landfill disposals – and committees have been consulted on the procedure for devolving new taxes.

- A range of innovations by the EIS Committee, such as:
  - **Post-legislative scrutiny** on the Active Travel (Wales) Act 2013, with an emphasis on public engagement. 2,500 people completed our survey on attitudes to walking and cycling. The Committee also held 5 focus groups among non-cyclists to look in more detail at the barriers to active travel.
  - A photographic competition to promote engagement in its **State of Roads inquiry**.
  - Parallel inquiries by Welsh and Scottish committees on **City Deals**.
  - A joint inquiry with the Public Accounts Committee (PAC) on digitalisation is planned for the Autumn.

- Committee-initiated work (i.e. not emanating from Auditor General reports) by PAC, including an innovative long-term, multi-phased inquiry on **Care**
Experienced Children and Young People that is a rolling programme of scrutiny of this policy area.

- Academic fellowships piloted during 2017 have now produced outputs for committees, including on the future of the North Wales economy, Brexit implications for Bovine TB, bilingual dementia services, and suicide prevention.

- For its inquiry on loneliness and isolation, the HSCS Committee held focus groups in Newport as part of the ‘Senedd@’ series of week-long events which takes the Assembly on tour around Wales to promote engagement.

- First committee Bill, introduced by the Finance Committee to extend the powers of the Public Services Ombudsman for Wales, following comprehensive consultation in the previous Assembly. As the Welsh Government is a public body subject to scrutiny by the Ombudsman it was considered more appropriate for the Assembly to lead on any legislative change.

- An enhanced role for committees in budget scrutiny, underpinned by a protocol, to reflect the new role of the Assembly in approving tax income, borrowing and expenditure.

- Changes to petitions procedures, requiring a petitioner to be resident in Wales, or in the case of organisations have a base in Wales; removing the distinction between petitions from organisations and individuals, so that all petitions require 50 signatures; and setting a threshold of 5,000 signatures for a petition to be automatically considered for a debate in Plenary.

- More pre-appointment hearings, most recently for the Chair of the new National Infrastructure Commission for Wales.

- More use of stakeholder panels, including by the Climate Change, Environment and Rural Affairs Committee (expert panel on climate change) and the CLA Committee (a citizen panel for its UK governance post-Brexit inquiry).
Strategic changes affecting committees

Assembly reform

26. The Wales Act 2017 gave the Assembly powers to address some important constitutional issues including autonomy over its internal and electoral arrangements. The Assembly Commission has been leading a reform programme, including considering the capacity issues facing the Assembly as a result of its small size. To ensure that any legislative proposals brought forward by the Commission are based on robust, politically impartial, independent advice, the Llywydd established an Expert Panel on Assembly Electoral Reform to review the evidence and make recommendations to her and the Commission. The Panel reported in December 2017 and made reference to the committee system:

"We believe that the Assembly is too small to carry out its responsibilities effectively. An increase in the size of the Assembly would increase the capacity of the institution to fulfil its policy, legislative and financial scrutiny roles. Much of this capacity gain would be seen in the work of Members on committees, as the need for Members to sit on multiple committees would be reduced. However, the extent to which this will be realised in practice will depend on how the Assembly deploys the additional resource. It is not our role to prescribe how the Assembly should structure itself, whether in terms of the committees it establishes or the office holders it appoints. We are clear, however, that if the Assembly does not exercise restraint—for example in relation to the maximum size of the Welsh Government, the number of committees and the size of committees—the additional capacity and the subsequent benefits for the quality and quantity of scrutiny may not be realised, and the rationale which underpins our recommendations will be significantly weakened.”

27. Mandated by the Assembly, the Commission consulted the public on the Panel’s recommendations and other potential reforms between February and April 2018 and is currently considering the next steps.

Brexit

28. The Assembly Commission, the Chairs’ Forum and the Business Committee have been undertaking strategic planning for Brexit scrutiny, alongside the many individual inquiries being pursued by Committees. The Llywydd wrote to all Committee Chairs to ask them to assess the impact of Brexit scrutiny on their
work programmes. The responses will be used to inform resource allocation and prioritisation as well as to review timetabling. Procedural work is underway to examine changes needed to Standing Orders. Alongside clerks and lawyers, the Research Service is providing specialist support, working closely with academics and other stakeholders as well as with other legislatures, and including through our EU office which continues to facilitate committee visits.

Welsh Youth Parliament

29. On 31 May this year, the Llywydd officially launched the opening of the voter registration period for the inaugural Welsh Youth Parliament election, which will be held over a three week period in November.

30. Registration is open to young people between the ages of 11-18, and they can also stand for election, with the nomination process opening in September. 40 young people will be elected following online elections, across the 40 Welsh constituencies, and a further 20 will be returned by 10 partner organisations to ensure a representation of diverse groups of young people. Organisations who work with young people will apply to become Welsh Youth Parliament partners, and will be responsible for returning two young people each. The term will last for two years, and will involve a mixture of regional meetings, events and three meetings of all 60 Welsh Youth Parliament Members in Cardiff Bay.

31. In developing plans we have consulted with young people, and sought the advice and feedback of an external advisory group made up of groups and individuals in the youth sector and young people.

32. This initiative is very much youth-led, so we look forward with eager anticipation to helping the Youth Parliament engage with, and add value to, scrutiny by the Assembly and its committees.

Digital News and Information Task Force

33. On 21 June 2017, a Task Force of experts from the field of digital communications convened by the Llywydd published its report ‘Creating a Digital Dialogue’.

34. Among the Task Force’s recommendations was that “All Assembly staff should consider themselves as content producers”. They elaborated in the report:

“Anything published for public consumption from the date and time of Plenary meetings, press releases, Tweets communicating Senedd opening times, committee reports, legislation flowcharts and business forward work programmes must be communicated with the external audience in
mind. It will impact some more than others. The traditional roles within the Assembly mostly mirror the wider parliamentary landscape. However, in the modern era where we are trying to make the Assembly more open and easier to access, we need to rethink the purpose and responsibilities associated with these roles. For example, the committee clerk is now perhaps more of a project manager with responsibility for considering outreach and engagement from the beginning of the process.”

35. The Task Force also recommended that there should be “a proper forward planning, editorial and scheduling process for the production of committee reports. Authority needs to be asserted over this process directly by the Llywydd and her team to rule on publication decisions for committee reports in line with the overall communications strategy of the National Assembly.”

36. The Llywydd welcomed the report and we are using it to inform the future development of digital and communications services, including through MySenedd (see below).

MySenedd

37. Through our digital transformation programme, MySenedd, we have deployed new technology to provide an improved internal and external user experience for the Table Office and the Record of Proceedings. Improvements to our website, as well as for Plenary and the petitions system, and in due course committees, are planned.

Capacity review

38. In Autumn 2017, the light of new and increasing demands for Commission services, and a recognition that continuing pressures on public finances meant the size of the organisation could not continue to grow, we instigated a capacity review. The purpose of the review was to understand how resources are currently allocated within the organisation and to evaluate whether we can be more effective and efficient in our deployment of resources, to deliver the Commission’s goals and priorities for the Fifth Assembly and beyond. An initial findings report was presented to the Assembly Commission and the Assembly’s Finance Committee in January 2018, and we have conducted a series of staff engagement sessions. We are undertaking a second phase of work to consider the findings in more detail and to develop approaches to delivering our services more efficiently and effectively.

19 June 2018
Annex A – Key responsibilities of chairs

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.
Annex B – Vision for committees

The Commission’s vision is that the committees of the Assembly should demonstrably improve the quality of policy outcomes, legislation, public services and government spending for society as a whole in Wales. They should be respected, influential and accessible, acting with integrity and independence. Their work should be strategic and rigorous.

This means that Assembly committees will:

- have a clear, agreed, strategic plan for their work that prioritises their activities and focuses their use of time and resource;
- be a top priority for the Members who serve on them;
- be guided by Chairs who fulfil all of the expectations set for them by the Assembly;
- be respected and listened to by the Welsh Government because of the quality of their inquiries and scrutiny, the rigour of their questioning, the depth of their analysis and the value of their legislative amendment. The Government will be mindful of the reaction of committees as it formulates its policy, spending and legislative plans;
- scrutinise policy, spending and legislation within their portfolio in the round, not as isolated aspects of their responsibilities;
- offer and expect constructive engagement with the Welsh Government but retain their detachment and ability to offer objective criticism;
- not be limited by constraints on access to Ministers, information or witnesses and will be able to draw on the expert advice and support they require;
- engage with a wide diversity of people, be seen by stakeholder groups as important, influential players and as the natural place to go to with concerns and ideas, and undertake work that enhances the public reputation of the Assembly. Their outputs will be accessible to as wide an audience as possible;
- ensure that those who contribute to their work see the value of their participation; and
- seek critical analysis and evaluation to improve their performance.