



Welsh Parliament

[Business Committee](#)

July 2020

Amending Standing Orders: Chair of the Wales Audit Office (WAO) Board

Purpose

1. In accordance with Standing Order 11.7(iv), the Business Committee is responsible for making recommendations on the general practice and procedures of the Senedd, including any proposals for the re-making or revision of Standing Orders.
2. The report recommends amendments to Standing Order 18.10. The proposals for new Standing Orders are at Annex A.

Background

3. In 2014 the then Business Committee recommended and the Senedd agreed a series of changes to Standing Orders following the passing of the Public Audit (Wales) Act (“PAWA”). The changes delegated many of the functions of the Senedd under the Act to a Senedd committee.

4. It is recommended that a further amendment be made to ensure there is provision made to enable the responsible committee to consult with the First Minister on the appointment of the proposed Chair for the WAO Board as required by Schedule 1 5(2) of PAWA.¹ Currently, this function has not been delegated by Standing Orders, and so under the Act it rests with the Senedd as a whole. It is not clear how the Senedd as a whole could carry out such a consultation, and so it is proposed that the function be delegated to a committee.
5. Business Committee agreed that this function, like other functions under PAWA relating to the oversight of the Auditor General for Wales (“AGW”) and WAO, be delegated to the “responsible Committee” under Standing Order 18 (currently the Finance Committee).
6. Standing Orders 18.10 and 18.11 delegate various responsibilities to the “responsible Committee” in relation to the governance of the WAO and AGW. These delegations include functions relating to the appointment of the AGW and the WAO Board, as such it makes sense to delegate the function of consulting the First Minister on the appointment of the Chair to the same committee.
7. Standing Order 18.10 identifies the provisions the responsible committee must exercise, whilst Standing Order 18.11 identifies the provisions the responsible committee may consider. It is recommended that the new Standing Order delegation be added to SO 18.10, as it is a statutory obligation; the First Minister must be consulted before the Senedd can approve the Chair’s appointment.

¹ Schedule 1 5(2): But no appointment can be made until the First Minister has been consulted.

Action

8. The Business Committee formally agreed the changes to Standing Orders on 6 July 2020 and the Senedd is invited to approve the proposals at Annex A.

Annex A

18.10 A responsible committee must:

- (i) exercise the functions set out in section 20 of the Public Audit (Wales) Act 2013 relating to the estimate of income and expenses for the Wales Audit Office jointly laid by the Auditor General and the Wales Audit Office for each financial year;
- (ii) consider any supplementary budget motions tabled under section 126 of the Act that seek to amend amounts previously authorised by a budget resolution or supplementary budget resolution in respect of the Wales Audit Office;
- (iii) consider and report to the Senedd on any use of resources in excess of that authorised or deemed to be authorised that is recorded in the audited accounts of the Wales Audit Office, recommending whether the Senedd should authorise the excesses retrospectively by supplementary budget resolution;
- (iv) ~~in accordance with Standing Order 10,~~ advise the Senedd in the exercise of its functions under the Public Audit (Wales) Act 2013 and under Standing Order 10 relating to the appointment and removal from office of the Auditor General and the chair of the Wales Audit Office and to exercise the function set out in paragraph 5(2) of Schedule 1 to that Act about consulting the First Minister on the proposed candidate for appointment as Chair of the Wales Audit Office,
- (v) exercise the functions under the Public Audit (Wales) Act 2013 relating to the appointment and removal from office of the non-executive members of the Wales Audit

Office other than the chair, and the designation of a temporary Auditor General. Standing Order 10 does not apply to these appointments;

(vi) exercise the functions under Paragraph 34 of Schedule 1 to the Public Audit (Wales) Act 2013 relating to the appointment of the auditor of the accounts of the Wales Audit Office. Standing Order 10 does not apply to this appointment;

(vii) exercise the functions set out in the Public Audit (Wales) Act 2013 relating to the making of remuneration arrangements in respect of the Auditor General, and of the chair and other non-executive members of the Wales Audit Office;

(viii) exercise the functions set out in Paragraphs 8 and 9 of Schedule 1 to the Public Audit (Wales) Act 2013 relating to the determining of other terms of appointment to the Wales Audit Office;

(ix) exercise the functions set out in Paragraph 1(4) of Schedule 2 to the Public Audit (Wales) Act 2013 relating to the approval of a Code of Practice dealing with the relationship between the Auditor General and the Wales Audit Office;

(x) exercise the functions set out in section 24(7) of the Public Audit (Wales) Act relating the approval of a scheme for charging fees by the Wales Audit Office;

(xi) exercise the functions set out in section 5(3) of the Public Audit (Wales) Act 2013 relating the publication of a list of offices, positions, agreements and other arrangements specified for the purposes of section 5(2) of that Act.