

NATIONAL ASSEMBLY FOR WALES
REPORT FROM THE FINANCE COMMITTEE

Report on Proposed National Assembly for Wales Commissioner for Standards Measure

Background:

1. Standing Order 14.2 states:

14.2 *The [Finance] Committee may also consider and, where it sees fit, report on:*

- (i) financial information in explanatory memoranda accompanying proposed Assembly Measures;*

Consideration

2. The Committee considered the Proposed National Assembly for Wales Commissioner for Standards Measure at its meeting on 1 April 2009.

What the proposed Measure would do

3. The primary purpose of the proposed Measure is to place the position of the Commissioner for Standards in the National Assembly for Wales on a statutory basis. It will ensure that the Commissioner, once appointed, is seen to be totally independent of the Assembly and therefore able to investigate complaints against Assembly Members with complete objectivity. It will also provide the Commissioner with powers to enable him or her to investigate complaints rigorously, including the power to require third parties to provide relevant information. In addition, it provides for the Commissioner to be able to give advice to the Assembly on any matter relating to the promotion of high standards of conduct in public life. Overall it will contribute to the maintenance of high standards of public life in the conduct of business in the National Assembly for Wales.

Current costs

4. The Explanatory Memorandum (EM) states that the costs associated with the office of the Commissioner for Standards during 2007-08 were:

	£
Staff Costs	10,250
Accommodation Costs	3,062
Commissioner (inc NI)	22,929
Total	36,241

5. The main item of expenditure is the Commissioner's remuneration – which is provided on the basis of £320 per day plus an annual “retainer” of £4,500. Travel & subsistence is paid in accordance with National Assembly staff rates. The Commissioner is required to work such hours as may be necessary to enable to discharge his or her duties. On the basis of 8

hour days the Commissioner has averaged just over 4 full days per month in the last eighteen months.

6. Accommodation and staff are currently provided by the National Assembly for Wales and the costs are estimated on the basis of an accepted methodology.

Costs associated with the Proposed Measure

7. The Explanatory Memorandum states that it is not possible to make a reasonable estimate of costs if a Measure is introduced. However there is no reason to expect substantial change. It says that the estimates of costs for the current Commissioner for Standards provide a general idea of the likely costs of a statutory post and that the majority of the costs derive from the level of activity needed to undertake investigations into complaints received.
8. The Explanatory Memorandum notes that there are aspects of the Measure which might incur some additional costs as they are different from the current position eg the payment of reasonable allowances to witnesses. There is also the (new) ability to give advice to the Assembly on the promotion of high standards of conduct in public life. These could lead to increased levels of activity and increased costs however these are not likely to be significant.
9. By way of comparison, total salary costs for the Scottish Parliamentary Standards Commissioner in 2007-08 were £54,665 (he works from home and there are no additional staff or accommodation costs.)
10. The Explanatory Memorandum concludes that there is little reason to believe that the creation of a statutory Commissioner for Standards [in Wales] would in itself create a significant increase in cost. The most significant influence on the cost is the level of activity, which will vary year on year whether the role is statutory or not.

Discussion

11. The costs incurred by the current Commissioner for Standards in the National Assembly for Wales were in 2007-08, amount to some £36,000. The purpose of the proposed Measure is primarily to ensure the independence and objectivity of the Standards Commissioner and to provide him or her with additional powers to allow him to investigate complaints more rigorously. While, in theory, the power to investigate complaints more thoroughly might lead to more work – it might equally, if it leads to information being disclosed more readily, reduce workloads. It would have been interesting to know whether there was any discernible effect when the Scottish Parliamentary Standards Commissioner was made a statutory post in 2002.
12. The Explanatory Memorandum is silent on whether the change is likely to have any effect on the number of complaints made but there is no evidence of any reluctance to make complaints on the grounds that of dissatisfaction with the way they are investigated. It seems reasonable to conclude that the total number of complaints is unlikely to increase.
13. Notwithstanding the uncertainties, the sums involved with the proposed Measure are relatively small. On the assumption that the rates of remuneration, for the Commissioner and for expenses etc, remain broadly the same, it is difficult to see that funding the

proposed Measure will have any significant impact on other programmes. Moreover, if costs do rise because levels of demand increase, then this is probably to be welcomed.

Conclusion

14. The Finance Committee has considered the costs presented in the Explanatory Memorandum to the proposed *National Assembly for Wales Commissioner for Standards Measure*. It notes the uncertainties attached to the estimates but, even allowing for these, concludes that the impact of the Measure, in financial terms, has been reasonably assessed. While the Measure might result in an increase in expenditure this should be small and have little any impact on other programmes providing rates of remuneration and expenses remain largely unchanged. From a financial perspective the Committee has no objection to the proposed measure.

Angela Burns
Chair, Finance Committee