

SOR 7

## **Business Committee**

### **Response to the Review of Standing Orders**

#### **Public Affairs Cymru**



July 2010

#### **About**

Public Affairs Cymru (PAC) is a membership organisation for public affairs professionals in Wales. Established in October 2006, PAC aims to raise awareness of the public affairs industry and to promote good practice.

Membership of PAC is open to all individuals within public affairs and government relations in Wales. We currently have close to 200 members drawn from the private, public and voluntary sectors from organisations of every size and specialism. We run a wide range of events throughout the year and members can also take advantage of a range of useful benefits.

The daily management of PAC is the responsibility of the Executive Committee who are elected on an annual basis at the AGM.

#### **Introduction**

This review response is based on consultation with, and evidence from, Public Affairs Cymru members and member organisations, in particular issues and suggestion from members of Public Affairs Cymru's executive committee.

This submission covers general principles regarding National Assembly proceedings and rules, specific recommendations on the working of the Assembly (in plenary and committee), the Assembly (and parliamentarians') relationship with the government and how standing orders can underpin public engagement with the work of the Assembly.

The points and recommendations made in this submission seek to support increased opportunities for democratic engagement with the National Assembly, ensure that government is properly held to account, but is also (subject to scrutiny and approval) able to govern effectively as part of the parliamentary process, that each AM has appropriate opportunity to effectively represent their constituents, views and parties within the Assembly's proceedings and the role of the Assembly in facilitating an informed and educated citizenry.

This submission is written in a simple, point-by-point form, divided into different areas of the National Assembly's work. Some comments focus on specific areas within Standing Orders and others are more general comments on the operation of the National Assembly. We are happy to submit further evidence, answer any queries or appear before the Business Committee as part of any further consultation.

### **Plenary Meetings**

- Consideration should be given to strict time limits for ministerial question time (or a limit to the number of questions taken). This would provide clarity for the public in knowing when questions will take place, start and finish, as well as equity in time for scrutiny of each Minister. For Public Affairs Cymru members it would also assist in reducing the total time of Wednesday plenary sessions, which regularly run over, in planning public and awareness raising events at the Senedd.
- Consideration should be given for formally time-tabling opposition leaders' questions during First Minister's Questions. This could help provide improved scrutiny of the First Minister, ensuring that the opposition leaders don't have to follow supplementaries on other questions, as well as providing a guaranteed time and focus for the leaders' scrutiny of the First Minister. For example the main opposition leader could have three questions scheduled after the Oral Question 1, the second opposition leader could have three questions scheduled after Oral Question 3 and the third opposition leader could have three questions after Oral Question 5.
- Maiden speeches provide an opportunity for new parliamentarians to introduce themselves, their constituency and their politics to the legislature (and the nation). It can serve as a useful contribution to the parliamentary calendar and as a statement of the parliamentarian's ambitions for the term, constituency and government as well as a

chance to articulate issues raised during the campaign and election. The website of the House Of Representatives in Australia has MPs' first speech on their profile pages, accompanying their biography. This could be an example to follow for the National Assembly. For example a new AM could request that 10 minutes were set aside during a debate relevant to their region/constituency (or portfolio/committee area) for them to make their maiden speech.

- Short Debates should be more than a title. There should also be a short explanation of the intention. For example the recent debate on "Hope" was impossible to predict and therefore those with an interest in rugby league were ultimately excluded from engaging with the debate. Extending the time between the ballot and the debate, giving AMs more opportunity to both consider their topic and engage with stakeholders and constituents, is also worthy of consideration.
- Responses to requests during the Business Statement are not always clear, often it is unclear whether requests have been accepted or refused. Perhaps the Forward Look produced the following week could also include a short statement from the Business Minister on each of the requests made.
- Consideration should also be given to returning to votes at the end of the relevant debate. If the public and interested/affected parties are attending a debate, they are likely to want to see/know the outcome straight after. It may provide a better flow to Assembly proceedings and make it easier for those watching to engage with debates and their outcomes.

### **Statements of Opinion**

- Statements of Opinion (can) provide a useful mechanism for AMs to highlight issues of local, national and international concern, and gain cross-party support. A formal link to Assembly business, for example a certain number of signatures (on a cross-party basis) triggering a timetabled debate in plenary, would increase their value and give backbenchers an additional avenue to raising issues on the Senedd floor.

### **Legislation**

- Consideration should be given to producing simplified policy briefings to accompany all Measures and LCO – a shortened and simplified version of the Explanatory Memorandum. It could be modelled on the Policy Memorandum that accompanies each

bill of the Scottish Parliament or the briefing that accompanied the Mental Health legislation in the National Assembly.

- Although it is ultimately an issue for the UK Parliament and UK government, there should be a mechanism for the National Assembly to scrutinise and contribute to the process of framework powers being given to Wales via Acts of Parliament. It is inconsistent that, despite the sometime lengthy scrutiny of LCOs, framework provisions which provide the same legislative transfers can avoid any specific scrutiny.

### **Committees**

- Consideration should be given to following the Scottish Parliament – Scottish Government protocol on establishing an expected time for the government to respond to ‘relevant recommendations contained in (committee) reports’. In the Scottish example, it is two months, but where it takes longer the government writes to the committee “explaining the reasons and indicating the likely timescale.”
- There is variability across Committees on the timing of the publication of agendas; the timing of the publication of Committee papers; and the level of detail in Forward Work Programmes. The Enterprise and Learning Committee is an exemplar of good practice, not least in its production of newsletters which are genuinely informative and engaging.
- Committees should, when planning their forward work programme, be expected in standing orders to include a regular scrutiny session of the relevant Minister(s), who has to attend. These could be (for example) on a bi-monthly or quarterly basis. There currently isn't enough opportunity to question Ministers in the third Assembly through committee structures.
- Legislative Scrutiny Committees generally work well but there is an issue around the overlap at Committee stage between LCOs and Stage 1 of a Measure, not least in the evidence gathered and presented. A clearer distinction may be necessary.
- As the current standing orders on verbatim record of plenary meetings and committee meetings both say they will be available “as soon as reasonably practicable after each plenary meeting”, this suggests a parity in time which is not borne out in reality. As committee records of proceedings are not available as soon as plenary meetings, it

should be clear in standing orders that they are expected to be published within a certain time frame, for example 5 working days.

- Consideration should be given to ensuring more transparency in how committees decide which issues to undertake inquiries into. This could support organisations and the public wishing to input into the process, offering ideas and issues worthy of the committee's time. Equally, other committee processes such as how organisations are chosen to give evidence, feedback on evidence, could be more transparent and support further democratic engagement from outside the National Assembly.

### **Cross Party Groups**

- There is a lack of consistency on cross party group information and activity. The National Assembly's website should be kept up to date with relevant groups and there is a requirement for better regulation of groups, ensuring for example that they meet at regular intervals, perhaps once a term. Indeed, some registered groups on the Assembly website list as members people who ceased to be AMs in 2007. This does not aid transparency and accuracy.