

Appointment of the Non-Executive Members and Chair of the Wales Audit Office

January 2023



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About the Committee

The Committee was established on 23 June 2021. Its remit can be found at:
www.senedd.wales/SeneddFinance

Current Committee membership:



Committee Chair:
Peredur Owen Griffiths MS
Plaid Cymru



Peter Fox MS
Welsh Conservatives



Mike Hedges MS
Welsh Labour



Rhianon Passmore MS
Welsh Labour

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Conclusions and Recommendations

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1. Background

- 1.** On 5 March 2013, the Welsh Parliament passed the **Public Audit (Wales) Act 2013** (the Act). The Act sets out accountability and governance arrangements relating to the Auditor General for Wales and the Wales Audit Office (WAO). The Act received Royal Assent on 29 April 2013.
- 2.** The Act confers several responsibilities upon the Welsh Parliament, including the appointment of five Non-Executive Members to the WAO (including the Chair) and the making of their remuneration arrangements.
- 3.** Oversight of the WAO falls within the remit of the Finance Committee (the Committee). Under **Standing Orders 18.10(v), 18.10(vii) and 18.10(viii)** the Committee is responsible for carrying out the Welsh Parliament's functions relating to the appointment of the Non-Executive Members of the WAO (other than the Chair), and determining the terms of appointment (including remuneration) of the Non-Executive Members.

2. Non-executive Members of the WAO

Role of the Finance Committee

4. The appointment of Non-Executive Members is delegated to the Committee in **Standing Order 18.10(v)**. However, the Welsh Parliament is responsible for appointing the Chair from amongst the Non-Executive Members.¹ In accordance with Standing Order 18.10(iv), the Committee recommends a Non-Executive Member to the Welsh Parliament for appointment as Chair.

5. In accordance with the Act, Non-Executive Members of the WAO and the Chair may be appointed for a term of office of up to four years, and may serve a maximum of two terms.²

Current Non-Executive membership

6. The current Chair is Lindsay Foyster and her second and final term of office expires on 15 March 2023, creating a vacancy for a new Non-Executive Member and Chair.

7. Another Non-Executive Member, David Francis, is approaching the end of his first term of office on 15 March 2023 and is, therefore, able to be appointed and serve a second term (subject to satisfying the eligibility requirements in the Act). Of the three remaining Non-Executive Members, one is currently serving their second term of office until 30 June 2025, and the other two are serving their first term of office until 30 September 2024 and 16 October 2024.

8. All serving Non-Executive Members were invited to consider applying for the position of Chair of the WAO for the remainder of their current term of office.

The recruitment process

9. The roles were advertised on 27 July 2022 and the closing date for applications was 16 September 2022.

10. To encourage a strong and diverse field of candidates, the Committee agreed to appoint **Penna Consulting**, an executive search agency, to support the recruitment process.

¹ Public Audit (Wales) Act 2013, Schedule 1, paragraph 5

² Public Audit (Wales) Act 2013, Schedule 1, paragraph 6

11. The role was advertised using, electronic publications, social media and personal contacts. The advertisement was placed in a range of locations, including Fish4jobs; Times online; Guardian online; Golwg 360; and Senedd and Penna websites.

12. The panel members were:

- Peredur Owen Griffiths MS, Chair of the Finance Committee
- Professor Alan Alexander, Chair of the Audit Scotland Board
- Lowri Williams, Head of Human Resources, Welsh Parliament

13. 36 applications were received from 12 women and 23 men (1 candidate did not complete the accompanying diversity form). 6 candidates were subsequently interviewed, including the incumbent Non-Executive Member eligible to serve a second term of office.

14. Interviews took place on 27 and 28 October 2022, at which candidates were questioned on the criteria set out in the job description.

15. Unfortunately, Professor Alexander was unable to attend the interviews due to illness, however, they went ahead with the remaining members of the panel. Owain Roberts, Clerk to the Finance Committee, was also in attendance during the interviews as an independent observer. A report summarising the interviews and the panel's decision was considered and approved by Professor Alexander at a later date.

Consultation on remuneration and terms of appointment

16. The Act requires the Welsh Parliament to consult with "an appropriate person with oversight of public appointments" before setting remuneration arrangements and other terms of appointment for the Non-Executive Members (including the Chair).³ Accordingly, the Finance Committee consulted with Peter Kennedy, Director, Chief Operating Officer's Group at the Welsh Government, who responded on 7 September 2022⁴ with no specific views to share.

17. Additionally, in accordance with the requirements of the Act⁵, prior to setting the terms and conditions of appointment for the Chair, the Committee consulted the First Minister and received no response.

³ [Public Audit \(Wales\) Act 2013, Schedule 1, paragraph 9\(1\)](#)

⁴ [Letter from the Public Appointments Division, Welsh Government: Consultation on the remuneration arrangement and terms of appointment for Non-Executive Members, 7 September 2022](#)

⁵ [Public Audit \(Wales\) Act 2013, Schedule 1, paragraph 7\(2\)](#)

Appointment of Non-Executive Members

18. Following the recruitment process, two candidates were chosen to take up the role of Non-Executive Members, for a maximum period of four years.

19. The following candidates were successful:

- David Francis; and
- Dr Kathryn Chamberlain.

Conclusion 1. The Committee appoints David Francis as Non-Executive Member of the Wales Audit Office, from 16 March 2023 until 15 March 2027.

Conclusion 2. The Committee appoints Dr Kathryn Chamberlain as Non-Executive Member of the Wales Audit Office, from 16 March 2023 until 15 March 2027.

3. Chair of the Wales Audit Office

20. The Act requires the Welsh Parliament to appoint the Chair from amongst the Non-Executive Members.⁶ Therefore, the Committee must make a recommendation to the Welsh Parliament for approval.⁷

21. The Committee received 7 applications for the position of Chair from 2 women and 5 men. 3 candidates were subsequently selected for interview.

22. Following the recruitment process, the Committee is recommending Dr Kathryn Chamberlain for the appointment of Chair of the Wales Audit Office (Dr Chamberlain's career history is annexed to this report).

23. In accordance with the Act, the Committee has consulted the First Minister on the appointment of the Chair.⁸ The First Minister responded on 24 November 2022⁹ and raised no objections with the proposed candidate.

Recommendation 1. The Committee recommends that the Welsh Parliament appoints Dr Kathryn Chamberlain as Chair of the Wales Audit Office from the Non-Executive Members, from 16 March 2023 until 15 March 2027.

⁶ [Public Audit \(Wales\) Act 2013, Schedule 1, paragraph 5](#)

⁷ [Standing Order 18.10\(iv\)](#)

⁸ [Public Audit \(Wales\) Act 2013, Schedule 1, paragraph 5\(2\)](#)

⁹ [Letter from the First Minister: Consultation on the appointment of the Chair, 24 November 2022](#)

Annex: Career History – Dr Kathryn Chamberlain

SUMMARY

I have spent many years working in senior strategic roles which require a high degree of personal and public accountability. I have experience acting as ambassador and spokesperson for organisations in order to provide a strong and credible image and raising awareness of their role. This includes engaging with the media and directly with the citizens that I have represented.

I have built successful organisations from scratch, as well as turning around organisations. During 2020 I set up a new public body, the Independent Monitoring Authority for the Citizens' Rights Agreements, recruiting all staff and building a positive and capable workforce. Between 2013 and 2020 I transformed the approach of Healthcare Inspectorate Wales (HIW) following a critical review by the Health and Social Care Committee of the National Assembly for Wales in 2013. I therefore have direct experience of developing and of delivering strategy.

I have experience of good governance in a range of environments: I have set up the governance arrangements for two new public bodies and as their Chief Executive was a member of the Board of each; as Chief Executive of HIW I have led reviews of governance in health bodies in Wales; I have been an independent member of two Audit and Risk Committees. I have experience of non-executive and executive roles and an appreciation of the value a strong and complementary relationship between the Board and the Executive can bring. My regulatory background also means that I am comfortable challenging organisations on their performance and in working with them to arrive at practical proposals for development.

EDUCATION

1985-1988	PhD 'The use of sample spacings in parameter estimation – with applications' Awarded: February 1990, University of Wales, Cardiff
1981-1985	BSc (Hons) 'Statistics with Management Science Techniques' Awarded: 1st Class (July 1985), University of Wales, Cardiff

EMPLOYMENT

April 2021-present	Chief Executive, Independent Monitoring Authority for the Citizens' Rights Agreements (IMA)
March 2020 to April 2021	Interim Chief Executive, IMA <i>Chief Executive and Accounting Officer for the IMA</i> <i>Responsible to the Board for the operational performance of the organization.</i> <i>Responsible to the Ministry of Justice for good governance and the effective use of public money.</i>
Key achievements:	Building a new organisation from scratch within a period of 10 months. With the support of a programme team provided by the Ministry of

Justice I led all aspects of the creation of a new body. I was subsequently appointed to lead the organisation on a permanent basis

2013 to Mar 2020

Chief Executive, Healthcare Inspectorate Wales (HIW)

Responsible for regulation and inspection of all healthcare in Wales, both independent and NHS.

Specific responsibilities for the Mental Health Act Review Service.

2009-2012

Director, Knowledge and Analytical Services (and Chief Statistician), Welsh Government

Management of statistical services; economic advice; social research; operational research; geographic information; library and archive services; technical infrastructure in support of the above.

Chief Statistical Adviser to the Welsh Government

2003-2009

Chief Statistician, Welsh Government

Management of statistical services;

Chief Statistical Adviser to the Welsh Government

2001-2003

Chief Executive, Local Government Data Unit, Wales

Setting up and leading the organisation

1990-2001

Audit Commission (Wales)

Leading a team of auditors and consultants reviewing corporate governance and public services across Wales and the Marches.

1988-1990

British Gas

Research and development in support of corporate planning and operational service departments

OTHER ROLES

2021-present

Joint Audit Committee of South Wales Police Commissioner and South Wales Police, Independent Member

2019 - 2020

Independent member of Welsh Government (Economy, Skills and Natural Resources (ESNR)) Audit and Risk Committee

2015 – 2017

Welsh Government Representative, Pembrokeshire Public Services Board

2014 – present

Member, Glas Cymru Holdings Limited

Aug '11 and Aug '12

Volunteer in Cwmdru Community Café

2001 - 2004

Treasurer, Brecon and District Disabled Club