

## Audit Committee

- Date:** Wednesday 22 September 2004
- Time:** 12.45 to 1.30pm
- Venue:** Committee Room 2, National Assembly Building

## Appointment of Auditor General for Wales

### Purpose

1. To decide which three Audit Committee Members will fill the remaining places on the selection panel for the appointment of the Auditor General for Wales.

### Background

2. The Office of the Auditor General for Wales is a statutory appointment made by Her Majesty The Queen under the Government of Wales Act 1998. The Assembly Parliamentary Service will conduct the selection process on behalf of the Crown.

3. The appointment panel of six will be chaired by the Chair of the Audit Committee and comprise three other Members of the Committee, the Auditor General for Scotland, and the Director of the Welsh Local Government Association. An Office of the Commissioner for Public Appointments (OCPA) nominated independent assessor will observe the process to ensure that it adheres to the spirit of the Nolan principles.

### Panel vacancies

4. The remaining three of four Audit Committee places on the panel need to be filled. Plaid Cymru has the existing place, by virtue of the Chair's membership of the panel.

5. As the Audit Committee is gender balanced, Members may wish to reflect this in its nominees; this would mean nominating one female and two male members. The panel of six currently comprises one woman (the Chair) and two men; overall gender balance could be achieved should the Committee nominate two females and one male to the panel.

## Options

6. The composition of panels making recent appointments are summarised in the Annex. Options for filling the three remaining places seem to be:

- All party representation – in addition to the Chair (Plaid Cymru), this option involves selecting one member each from the Conservatives, Labour and Liberal Democrats. This would deliver a gender balance of Committee nominees if the Labour member was female. However, this option could not deliver an overall gender balanced panel;
- Party balance – in addition to the Chair, this option involves selecting one Conservative and two Labour members. The gender balance of Committee nominees could be achieved by selecting one female and one male Labour member. The overall gender balance of the panel could be achieved by selecting two female Labour members;
- Random selection – in addition to the Chair, this option involves drawing three names out of a hat at random. The gender balance of Committee nominees could be achieved by selecting one name from a hat containing names of female members, two from a hat containing names of male members. Overall gender balance of the panel could be achieved by selecting two female names and one male name.

## Timing

7. Committee nominees must be determined at today's meeting, to ensure that the appointment timetable can be met.

8. The successful candidate needs to be in post by 1 April 2005; the appointment timetable allows for checks, consideration by plenary, consideration by Secretary of State for Wales, recommendation to Her Majesty, and working a notice period with the current employer. The closing date for applications is 23 September, with sift of applications on 1 October. Candidates have been advised that interviews will be held on 22 October.

## Recommendation

9. I recommend that we aim for a gender balance of Committee nominees, which could be achieved by all options above.

10. In line with the Assembly's commitment to equality of opportunity, I suggest we also consider the desirability of an overall gender-balanced panel. This could be achieved either by opting for party balance or random selection.

## **Janet Davies AM Committee Chair**

Contact: Siwan Davies, Committee Clerk, ext 8501

**Annex**

### **Composition of panels making recent appointments**

The Auditor General for Scotland was appointed by Her Majesty on the recommendation of the Scottish Parliament. [At time of writing we do not have information on the composition of the selection panel]. Since this appointment, the Scottish Parliament has amended its Standing Orders to introduce a procedure for Crown appointments. Selection panels are chaired by the Presiding Officer, comprise a relevant committee convenor plus four to seven MSPs; they are party balanced .

Public Service Ombudsman - this was also a Crown appointment, with the competition conducted on Her Majesty's behalf by the Welsh Assembly Government. The five member panel was chaired by a former Ombudsman and comprised another independent member, the Permanent Secretary, Head of the Wales Office, and an independent assessor. There were no AMs on the panel. There were three male and two female panel members.

Public appointments - the Code of Practice on Public Appointments adopted under Standing Order 22 requires Subject Committees to select two nominees to scrutinise the processes of making public appointments within its portfolio. The nominees must be party balanced across Subject Committees and one member must be from a different political party to the Minister. This has been achieved by each Subject Committee electing its chair plus a member from another party to the chair, which also delivers a gender balance.

Children's Commissioner - the panel of ten comprised the Minister, Subject Committee Chair, three other AMs, two external adult members, two children and a Welsh Assembly Government official. There were five AMs on the panel, including the Minister: two Labour and one from each of the three other parties. This broadly reflected the balance of parties in the Assembly at the time, and all parties were represented. The panel had seven female and three male members, including four female and one male AM.