



SOR 10

## **Business Committee**

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

#### **Wales Council for Voluntary Action**

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WCVA  
Baltic House  
Mount Stuart Square  
Cardiff  
CF10 5FH

### **Introduction to WCVA**

Wales Council for Voluntary Action (WCVA) represents the interests of voluntary organisations, community groups and volunteers in Wales. It has over 2,600 organisations in direct membership and is in contact with many more through national and regional networks.

WCVA's mission is to make Wales a better place by championing the voluntary, community and citizen action at the heart of Wales' third sector, in order to increase economic, social and environmental participation, inclusion, equality, wellbeing and sustainable activity.

WCVA is pleased to be able to respond to this call for evidence. This response is based upon evidence gathered by WCVA's Voices for Change Cymru project which provides a range of services aimed at connecting the third sector in Wales to local and national decision makers. The project provides information to third sector organisations about the National Assembly for Wales, Welsh Assembly Government and other decision making institutions and aims to ensure that the sector is able to access, understand and influence decision making processes in all of these institutions.

The Voices for Change Cymru project began in May 2008 and is funded by the Big Lottery Fund. To date the project has provided a range of services including a dedicated website, information sheets, one to one advice and series of training courses explaining how decision making structures in Wales work.

The Voices for Change Cymru project also facilitates a network of over 60 individuals from within the sector whose work involves policy, campaigning and public affairs. This network (the Assembly Liaison Group) has a strong interest in ensuring that the Assembly's processes are accessible, transparent and offer effective opportunities for engagement. This includes opportunities for the sector to engage with AMs, political parties and Assembly business and to use the range of opportunities that exist across the Assembly's business agenda to raise issues of concern to the third sector in Wales. This response has been compiled in collaboration with the Assembly Liaison Group and reflects many of the issues that they have fed back to us following their experiences of involvement with the National Assembly's processes and procedures.

WCVA's members regularly engage with the National Assembly for Wales and the Welsh Assembly Government and have taken a keen interest in the opportunities presented by Government of Wales Act 2006 to create Wales-specific legislation. The third sector in Wales has a vast amount of experience from its work delivering services and working with communities at a grassroots level, it is important that this experience can be fed into decision making processes and that these groups can have their voices heard. Many third sector groups have little or no capacity to engage in policy and campaigning work and it is essential that decision making structures are as clear and accessible as possible to enable groups and individuals to understand them and work with them.

## **Response**

We have confined our response to the areas of the standing orders which we feel are most relevant for third sector organisations. Some of our comments relate to specific elements of the current Standing Orders (SO), others are more generic and focus on the National Assembly's approach to engaging with third sector organisations based on the experiences of the groups we work with. We are aware that some of the issues we highlight and suggestions that we make may not be suitable for inclusion in a revised Standing Orders document but we feel that it would be highly beneficial for the National Assembly to set out *somewhere* how it seeks to involve civil society (and in particular the third sector) in its work.

We have split our response into four sections focussing on Committees; others ways of engaging external stakeholders; legislation and Government business.

### **Committees**

- There could be more detail in the Standing Orders about how Committees could, and/or should, engage external stakeholders in their work. Little is prescribed about this in the Standing Orders and whilst we would like to see Committees given flexibility to work in a way that suits them we feel that more could be included to encourage committees to consider different and innovative ways of working.
- We believe that external organisations (and those they work with) with first hand experience of the issues that Committees are looking into should be encouraged and enabled to feed into committee inquiries in as many ways as possible. This may involve Committees meeting in different locations, using different techniques to take evidence and working with groups in new ways that move away from the traditional "evidence giving" sessions which can be quite intimidating. We are aware that some work has already been done along

these lines by some Assembly Committees and this is to be welcomed but Committees vary greatly in their approaches and good practice should be shared and replicated.

- We would also like to see something included in the Standing Orders about how committees decide which issues to undertake inquiries into. We believe that third sector organisations could provide valuable ideas and information for committees as they consider the current and forthcoming issues that they might wish to investigate further. This could include suggesting topics for which the committee may wish to undertake a general inquiry as well as more targeted areas of work and examples of Government policy that are not being implemented effectively. At present the process for deciding what inquiries are undertaken appears to be done in a very ad hoc way with little scope for external stakeholders to influence decisions or suggest topics.
- Committee processes could be more clear and transparent so that stakeholders know how topics are chosen for inquiry, how organisations get chosen and invited to give evidence and a clear idea of what to expect when giving oral evidence or submitting a written response.
- We would also like to see a commitment to providing useful feedback to those organisations who take the time to provide written or oral evidence. Sometimes this is obvious from the written report of the Committee but not always and it would be useful for organisations to be told how and where their comments have made a difference and influenced the committee's thinking.
- Many third sector organisations regularly submit evidence to committee inquiries and are often asked to give oral evidence. Preparing for this takes a considerable amount of time and capacity particularly for those organisations that do not have a dedicated Policy / Public Affairs Officer. Anecdotal evidence from those attending committees would suggest that the levels of support offered by Committee staff can vary and there does not seem to be a consistency of approach across Committees in terms of whether questions can be provided in advance and how soon these are available. A consistent approach across committees that assists organisations who may have limited capacity but very valuable evidence to give would be helpful.
- We are also aware of organisations that have attended oral evidence sessions (some with service users) and have been a little disappointed at the low attendance of Assembly Members with the committee being only just quorate. We are very aware of the constraints on AM's time but this needs to be addressed in order to ensure that those who put effort into giving evidence to committees feel valued and respected. We are also aware that AMs can occasionally be un-prepared for the evidence sessions and not sufficiently engaged with the issues. Again we appreciate that this is difficult to address but it does not create a positive experience for external organisations and may put them off further engagement in the future.
- In order to improve the scrutiny process it may be beneficial to consider other models of scrutiny that involve using some external organisations as co-scrutineers rather than just as witnesses. The third sector could provide additional scrutiny capacity to assist AMs in their work. This may not be appropriate in all cases but it could certainly work well in some areas. The approach to engaging with external organisations for scrutiny work needs to be reconsidered to ensure that they can (if appropriate) help AMs scrutinise the Government rather than be made to feel like they themselves are under scrutiny.

- It may also be useful to consider other ways of gathering opinions and views when undertaking inquiries and alternative ways of using third sector “experts.” Experts are not simply those with academic qualifications but it may be more appropriate to consider some individuals who deal with an issue day to day as experts in their area, committees could think about new and innovative ways of accessing those voices which could be factored into Standing Orders or a less formal guide to engagement.

### **Other ways of engaging external stakeholders**

- Short Debates (SO 7.64 – 7.66): There should be more detail in this section about when ballots are to be held in order to assist organisations who may wish to liaise with Assembly Members about ideas for a short debate. It may also be beneficial to give AMs more notice that they have been drawn out in the ballot so that they have longer to consider what topic to put forward. This could allow them more time to consult and liaise with external organisations over suggestions for topics.
- Petitions (SO 28): The National Assembly’s petitions process is a very positive example of effective engagement and many third sector organisations have used it as a campaigning vehicle since it was launched. It is interesting to note how little there is within the SO about how the petitions system and petitions committee in particular actually operate. The committee takes a much more outward facing approach than many of the scrutiny / standing committees and we would like to see this replicated and built upon. It may be that keeping the Standing Orders to a minimum and allowing flexibility is considered appropriate but it is then hard for external organisations to understand why committees work in different ways and what to expect. Lesson learnt by the petitions committee should be fed into other committees in terms of ways of working and this should all be documented somewhere that is easily accessible.
- Statements of Opinion (SO 9.9 – 9.10) We would like to see Statements of Opinion given more prominence and meaning and used as a way to trigger ideas for further debate / scrutiny. Perhaps any Statement of Opinion that receives more than a set number of signatures should be debated in Plenary or passed to a committee or put into a ballot for debate. These could also then be publicised more as an effective way for groups to raise their issues along the same lines as the petitions system.
- Cross Party Groups – these are not mentioned in Standing Orders but it may be useful for some basic minimum requirements for the operation of a Cross Party Groups to be included in order to assist organisations who may wish to set one up or work with an existing group. Some Cross Party Groups seem to be a lot more active than others and there should be a requirement that the Assembly’s website is kept up to date with relevant groups and does not include those that have not met in quite some time.
- Assembly Business should be published as far in advance as possible to enable external organisations to engage with debates and committee work, prepare briefings for AMs and plan their own work accordingly.

### **Legislation**

- We appreciate that legislation committees are obviously required to work in a different way to scrutiny committees and may not always be able to offer long consultation periods due to time constraints imposed upon them. However, sufficient time should be given for external organisations to feed into the

scrutiny of both LCOs and Measures and the consultation invitation should be as clear as possible given that the current legislative system is complex.

- There should be more opportunity for the National Assembly for Wales to scrutinise framework powers being given to Wales via UK Bills and for engaging with external organisations to inform this scrutiny.
- There should be greater scrutiny of secondary legislation at the Assembly and a greater attempt to engage with external organisations to inform this scrutiny. It was suggested at the Standing Orders event on 2<sup>nd</sup> July that one way to increase scrutiny of secondary legislation would be to allow AMs to amend it rather than simply affirm it – we would support this suggestion. We also feel that more could be done to encourage external organisations to understand the importance of secondary legislation and how they could influence it.
- If we move to Part 4 of the Government of Wales Act issues around effective scrutiny of Acts of the National Assembly for Wales will become very important. It is essential that any revision of Standing Orders takes this into account and allows for effective legislative scrutiny under Part 3 and Part 4 of the Act.
- The opportunity for backbench AMs to progress legislation is welcome and has had some success but the reliance on Government support and issues surrounding the negotiations between Wales and Whitehall on LCOs have made this less of an opportunity for the third sector than it could be.

### **Government Business**

- It is not uncommon for a plenary session to run over time and we appreciate that in many cases this cannot be prevented. However, often questions or debates run on for far longer than their allotted times and this causes the delay. Many organisations hold awareness raising events in the Senedd after Plenary sessions and sessions that run-over by a considerable time can have a hugely detrimental effect on the attendance at these events especially as the Senedd has to close at a set time. Where this is avoidable more should be done to ensure plenary finishes on time and events can be run successfully.
- Some of the answers to Ministerial questions are quite vague and unhelpful. In order to make the answers (and therefore the purpose of questions) more meaningful it might be good to explore a mechanism whereby a Minister can be recalled or re-questioned at the end of Plenary if it is felt that a sufficient answer has not been given.

It is also worth pointing out that this is a tricky subject to get people to engage with and we cannot assume that everyone will understand Parliamentary procedures or terminology or the opportunities that engaging with Assembly business can offer. Once the Standing Orders have been revised we suggest that it might be useful to undertake a piece of work to “bring them to life” and highlight what the Assembly does and how. This could include a summarised version of the Orders and some other associated information. The Voices for Change Cymru project and the Assembly Liaison Group would be happy to work with the Commission on this.

### **Conclusion**

Many of the comments in our response relate to the processes that the National Assembly use to conduct its business rather than strictly to the procedures i.e. the Standing Orders. Whilst we appreciate that this means that the response goes beyond the remit of the Business Committee’s inquiry we feel that as we approach

the fourth Assembly there is a timely opportunity to consider some of these wider issues. The experiences of the Assembly Liaison Group and the Voices for Change Cymru project's work with large and small charities across Wales indicates that more could be done to engage the third sector in the Assembly business. The sector provides access to voices that are often marginalised and can provide evidence of the impact of policies and legislation, these voices should be enabled to feed into the Assembly's scrutiny function. We believe that a document setting out how the National Assembly will work with the third sector with some key commitments that could be reflected in Standing Orders would be very beneficial to both the sector and the National Assembly.

A great deal of good work has been undertaken by Assembly committees and outreach teams and this needs to be built upon to help as many organisations and individuals as possible understand and engage with the Assembly's work. WCVA would welcome the opportunity to act as a key strategic partner in the development and promotion of this work. We believe that the lessons learned and evidence gathered by the Voices for Change Cymru project could provide a useful platform for taking this forward and we would welcome the opportunity to discuss this further with the Business Committee and/or the Assembly Commission.

**MM**  
WCVA  
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