



WALES AUDIT OFFICE

Wales Audit Office / Swyddfa Archwilio Cymru

SWYDDFA ARCHWILIO CYMRU

Date: 20 December 2012
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Ms Jane Hutt AM
 Minister for Finance and
 Leader of the House
 Welsh Government
 Cardiff Bay CF99 1NA

Dear Jane

Thank you for your letter of 4 December 2012, and thank you for your kind recognition of our discussions regarding the Bill during the Stage 1 plenary debate. I am reassured by your helpful indication that you would bring forward Government amendments to address many of the recommendations of the Public Accounts Committee's Stage 1 report. I am also grateful that you have indicated that you would consider further amendments in relation to data matching and the composition of the proposed WAO Board. I think that getting the right Board composition is a key factor in ensuring the success of the new body.

The extent of TUPE-like protection clearly remains as an issue. As the current employer and potential chief executive of the new employer, I need to ensure that staff are not exposed to detrimental effects, especially as I have had to spend a great deal of time since my appointment dealing with the unintended consequences of previous transfers and re-organisations. I have sought to provide reassurance to staff by, for example, emphasising in Q&A briefing that transfer will not terminate employment and that there will be continuity of service under the Bill, but I cannot realistically give assurances about protections that are absent from the Bill. Such points would not escape the attention of a work-force of auditors.

In order to address the concerns of staff and their trade unions, I think it may be helpful if you could therefore provide something in writing to set out how protection of staff is to be achieved, particularly in respect of variations to employment contracts, collective agreements, trade union recognition and prevention of dismissal by reason of the transfer.

My staff dealing with the Bill continue to stand ready to engage with your officials in respect of these and other Bill-related issues.

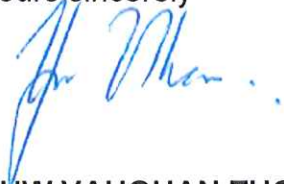
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So as to provide continuity, I am copying this letter to the Chair of PAC.

Yours sincerely



HUW VAUGHAN THOMAS
AUDITOR GENERAL FOR WALES

cc Mr Darren Millar AM, Chair, PAC