National Assembly for Wales

Business Committee

12 July 2011

Cynulliad Cenedlaethol Cymru
National Assembly for Wales

Committee Portfolios and Responsibilities in the 4th Assembly

Introduction

1. On 22 June, the Assembly approved motions to establish its committee system.

2. The Standing Orders require all areas of government responsibility to be open to scrutiny by the Assembly's committee system. Hence, no areas of ministerial responsibility should be out of bounds for examination by at least one Assembly committee. At the same time, the Business Committee intends the system to allow for cross-cutting examination of all areas of government responsibility. So, whilst this report indicates the lead committee for each broad area of ministerial responsibility, all committees are free to examine any issue from their particular perspective.

3. The core roles of the Assembly's committee system can be summarised as follows:

- scrutinising Bills and other Assembly, UK and EU legislative proposals, reporting to the Assembly with recommendations for their improvement, and considering and making amendments to Bills;
- examining the finance and performance of relevant parts of the Welsh Government, associated public bodies and others of relevance to Wales; and

- examining and reporting on the implementation of Welsh Government policy, legislation and other commitments, including identifying and scrutinising areas of existing or emerging Welsh Government policy, or areas where existing policy is deficient, and making proposals for improvements.

4. This report sets out in more detail the remits of the various committees.

Children and Young People Committee

5. The Children and Young People Committee's role is to consider expenditure, administration, policy and legislative matters within its remit. The main areas of ministerial responsibility falling within the committee's remit are listed below.

The rights and entitlements of children and young people
Child Poverty
Social care for children
Child health
Adoption and fostering services
Play
Parenting and Families
Childcare
Children's Commissioner for Wales;
The Children and Family Court Advisory Support Service (CAFCASS)
Safeguarding children
Schools, including teaching standards, curriculum, governance and effectiveness
Welsh medium and bilingual education
Additional learning needs
Inclusion in schools
Pupil attendance and behaviour
Early years education
14-19 learning
Youth work
Relevant EU policy matters

Environment and Sustainability Committee

6. The Environment and Sustainability Committee's role is to consider expenditure, administration, policy and legislative matters within its remit. The main areas of ministerial responsibility falling within the committee's remit are listed below.

Agriculture, Fisheries and Food
Water resources, control and quality (including the marine environment)
Wildlife, biodiversity and nature conservation
National Parks
Countryside and open spaces
Forestry
Waste management
Energy policy and fuel poverty (including steel and coal)
Animal health and welfare
Planning and Building Regulations
Climate change
Sustainable Development
Common Agricultural Policy
Relevant EU policy matters

Health and Social Care Committee

7. The Health and Social Care Committee's role is to consider expenditure, administration, policy and legislative matters within its remit. The main areas of ministerial responsibility falling within the committee's remit are listed below.

National Health Service
Social care
Mental health services
Public health and health protection
Health improvement
Carers
Social services activities of local authorities
Regulation of residential, domiciliary, adult placements
Aids, adaptations and support at home
Independent living
Care in the community

The Older People's Commissioner for Wales
Food safety
Research and development in health and social care
Prison Service health service
Relevant EU policy matters

Communities, Equality and Local Government Committee

8. The Communities, Equality and Local Government Committee's role is to consider expenditure, administration, policy and legislative matters within its remit. The main areas of ministerial responsibility falling within the committee's remit are listed below.

Housing and housing-related activities
Homelessness and housing advice
Affordable housing (including quality)
Local Government and Communities
Public Service Ombudsman Wales
Public service improvement
Equal opportunities
Domestic violence
Asylum, immigration and migrant workers
Community cohesion
Community Safety
Gypsies and travellers
Culture
Welsh language
Welsh heritage and the historic environment and buildings
Museums, public libraries and archives
Arts
Tourism
Sport, physical activity and active recreation
Fire and Rescue Services
Civil Contingencies
Broadcasting
Relevant EU policy matters

Enterprise and Business Committee

9. The Enterprise and Business Committee's role is to consider expenditure, administration, policy and legislative matters within its remit. The main areas of ministerial responsibility falling within the committee's remit are listed below.

Business and enterprise, including inward investment / exports Research, development and innovation Higher education Technology and Science Strategic, physical and legacy regeneration Employment Workforce development Skills Vocational qualifications NEETS Adult community learning and work based learning Employability and careers advice Welfare reform ICT Infrastructure Transport Social Enterprise EU structural funds programmes Relevant EU policy matters

Finance Committee

10. The Finance Committee's role is to carry out the functions of the responsible committee set out in Standing Order 19. This includes consideration of the use of resources by the Assembly Commission or Welsh Ministers and in particular reporting during the annual budget round. The Committee may also consider any other mater relating to expenditure out of the Welsh Consolidated Fund.

11. In respect of the examination of the financial implications of Bills the Business Committee considers that the Committee should be selective, focusing its scrutiny on Bills of greatest financial significance, and take a strategic overview of financial matters relating to legislation.

Public Accounts Committee

12. The Public Accounts Committee's role is to carry out the functions of the responsible committee set out in Standing Order 18. The Committee will consider reports prepared by the Auditor General for Wales on the accounts of the Welsh Government and other public bodies, and on the economy, efficiency and effectiveness with which resources were employed in the discharge of public functions. Its remit also includes specific statutory powers under the Government of Wales Act 2006 relating to the appointment of the Auditor General, his or her budget and the auditors of that office.

Constitutional and Legislative Affairs Committee

13. The Constitutional and Legislative Affairs Committee's role is to carry out the specific functions of the responsible committee in Standing Order 21 and to consider any other constitutional or governmental matter within or relating to the competence of the Assembly or Welsh Ministers. This includes the consideration of statutory instruments, draft statutory instruments, any other subordinate legislation laid before the Assembly, Assembly and UK Bills as well as a wider remit to consider the subsidiarity implications of draft European Union legislation and other constitutional matters. In particular they also have an overview of the First Minister's functions as they relate to constitutional or overarching governmental matters.

Petitions Committee

14. The Petitions Committee's role is to consider all admissible petitions which are submitted by the public. Its specific functions are set out in Standing Order 23

Standards Committee

15. The Standards committee's role is to carry out the functions set out in Standing Order 22. These include the investigation of complaints referred to it by the Standards Commissioner, consideration of any matters of principle relating to the conduct of Members, establishing the procedures for the investigation of complaints and the arrangements for the Register of Members' interests and other relevant public records determined by Standing Orders.

European and External Affairs

16. The Business Committee agreed to mainstream European policy matters across committees rather than have a single, dedicated committee. The Constitutional and Legislative Affairs Committee will be responsible for subsidiarity monitoring checks as well as considering any other constitutional or governmental matter within or relating to the competence of the Assembly or Welsh Ministers.

Review

17. The Business Committee has agreed that it will review the operation of the committee system in 2012. As part of that review, it will consider the impact of the decision to mainstream European matters.

The role of committee chairs

18. Committee chairs play a vital role in the delivery of the strategic objectives of the Assembly. Given this, and the fact that each Chair is elected by the Assembly as whole, we feel it is appropriate to set out in more detail the role that committee chairs must fulfil on behalf of the Assembly.

19. The key responsibilities of committee chairs are to:

- set the strategic direction of the committee and ensure the transparent prioritisation of its activity so as to deliver a balanced, comprehensive and effective programme of legislative, policy and financial scrutiny;
- maximise the relevance and influence of the committee whilst maintaining its clear independence from the Welsh Government;
- act impartially at all times, decisively, fairly and in a manner that maintains the confidence of the committee;
- command the confidence of Members, witnesses and the public at large through knowledge of the subject matter of the committee's remit; demonstration of effective legislative, policy and financial scrutiny techniques; maintenance of order; and the application of all relevant legal and procedural requirements on the committee;

- secure the commitment and engagement of all committee members and build cross-party consensus wherever possible;
- build the culture and skills mix within the committee required to maximise its effectiveness as a scrutiny body;
- ensure that the committee receives the expert advice, information and other support it requires to fulfil its objectives effectively;
- drive the delivery of all aspects of the committee’s work with pace and quality;
- represent the committee publicly, in the media and in formal Assembly business; and
- ensure critical analysis and evaluation of the committee’s work and drive innovation in its operation so as to increase effectiveness, public engagement and impact.

Cynulliad Cenedlaethol Cymru

Y Pwyllgor Busnes

12 Gorffennaf

Portffolios a Chyfrifoldebau'r Pwyllgorau yn y 4ydd Cynulliad

Rhagymadrodd

1. Ar 22 Mehefin, cymeradwyodd y Cynulliad gynigion i sefydlu ei system o bwyllgorau.

2. Mae'r Rheolau Sefydlog yn ei gwneud yn ofynnol i holl feysydd cyfrifoldeb y llywodraeth fod yn agored ar gyfer gwaith craffu o dan system bwyllgorau'r Cynulliad. Gan hynny, ni ddylai maes cyfrifoldeb yr un Gweinidog fod y tu allan i gyrraedd o leiaf un o bwyllgorau'r Cynulliad i gael ei archwilio. Ar yr un pryd, mae'r Pwyllgor Busnes yn bwriadu caniatáu ar gyfer archwiliadau trawsbynciol yn holl feysydd cyfrifoldeb y llywodraeth. Felly, er bod yr adroddiad hwn yn nodi'r prif bwyllgor ym mhob un o feysydd bras cyfrifoldebau'r Gweinidogion, mae pob pwyllgor yn rhydd i ystyried unrhyw fater o'u safbwynt penodol nhw.

3. Gellir crynhoi rolau craidd system bwyllgorau'r Cynulliad fel a ganlyn:

- craffu ar Filiau ac ar gynigion deddfwriaethol eraill y Cynulliad, y Deyrnas Unedig a'r Undeb Ewropeaidd, gan gyflwyno adroddiadau i'r Cynulliad gydag argymhellion ynghylch gwella'r rhain, ac ystyried a gwneud gwelliannau i Filiau;
- edrych ar gyllid a pherfformiad rhannau perthnasol o Lywodraeth Cymru, y cyrff cyhoeddus perthynol a chyrff eraill sy'n berthnasol i Gymru; ac

- ystyried a chyflwyno adroddiadau ar weithredu polisïau, deddfau ac ymrwymiadau eraill Llywodraeth Cymru, gan gynnwys nodi a chraffu ar feysydd polisi presennol neu newydd Llywodraeth Cymru, neu feysydd lle mae'r polisi presennol yn ddiffygiol, a gwneud cynigion ar gyfer gwelliannau.

4. Mae'r adroddiad hwn yn nodi cylchoedd gorchwyl y gwahanol bwyllgorau'n fanylach.

Y Pwyllgor Plant a Phobl Ifanc

5. Rôl y Pwyllgor Plant a Phobl Ifanc yw ystyried y materion gwariant, gweinyddiaeth, polisi a deddfwriaeth yn eu cylch gorchwyl. Mae prif feysydd cyfrifoldeb y gweinidogion sy'n dod o dan gylch gorchwyl y pwyllgor wedi'u rhestru isod.

Hawliau a hawlogaethau plant a phobl ifanc Tlodi plant Gofal cymdeithasol i blant Iechyd plant Gwasanaethau mabwysiadu a maethu Chwarae Rhieni a theuluoedd Gofal plant Comisiynydd Plant Cymru Gwasanaeth Cynghori a Chynorthwyo Llys i Blant a Theuluoedd (CAFCASS) Amddiffyn plant Ysgolion, gan gynnwys safonau addysgu, cwricwlwm, llywodraethiant ac effeithiolrwydd Addysg cyfrwng Cymraeg a dwyieithog Anghenion dysgu ychwanegol Cynhwysiant mewn ysgolion Presenoldeb ac ymddygiad plant Addysg y blynyddoedd cynnar Dysgu 14-19 Gwaith ieuenctid Materion polisi perthnasol yr UE

Pwyllgor yr Amgylchedd a Chynaliadwyedd

6. Rôl Pwyllgor yr Amgylchedd a Chynaliadwyedd yw ystyried y materion gwariant, gweinyddiaeth, polisi a deddfwriaeth yn eu cylch gorchwyl. Mae prif feysydd cyfrifoldeb y gweinidogion sy'n dod o dan gylch gorchwyl y pwyllgor wedi'u rhestru isod.

Amaethyddiaeth, pysgodfeydd a bwyd
Adnoddau, rheolaeth ac ansawdd dŵr (gan gynnwys yr amgylchedd morol)
Bywyd gwyllt, bioamrywiaeth a chadwraeth natur
Y Parciau Cenedlaethol
Cefn gwlad a mannau agored
Coedwigaeth
Rheoli gwastraff
Y polisi egni a thlodi tanwydd (gan gynnwys dur a glo)
Iechyd a lles anifeiliaid
Cynllunio a Rheoliadau Adeiladu
Newid yn yr hinsawdd
Datblygu cynaliadwy
Y Polisi Amaethyddol Cyffredin
Materion polisi perthnasol yr UE

Y Pwyllgor Iechyd a Gofal Cymdeithasol

7. Rôl y Pwyllgor Iechyd a Gofal Cymdeithasol yw ystyried y materion gwariant, gweinyddiaeth, polisi a deddfwriaeth yn eu cylch gorchwyl. Mae prif feysydd cyfrifoldeb y gweinidogion sy'n dod o dan gylch gorchwyl y pwyllgor wedi'u rhestru isod.

Y Gwasanaeth Iechyd Gwladol
Gofal cymdeithasol
Gwasanaethau iechyd meddwl
Iechyd y cyhoedd a diogelu iechyd
Gwella iechyd
Gofalwyr
Gweithgareddau'r awdurdodau lleol ym maes gwasanaethau cymdeithasol
Rheoleiddio lleoliadau preswyl, lleoliadau mewn cartrefi a lleoliadau i oedolion
Cynorthwyon, addasiadau a chymorth yn y cartref

Byw yn annibynnol Gofal yn y gymuned Comisiynydd Pobl Hŷn Cymru Diogelwch bwyd Ymchwilio a datblygu mewn iechyd a gofal cymdeithasol Gwasanaeth iechyd y gwasanaeth carchardai Materion polisi perthnasol yr UE

Y Pwyllgor Cymunedau, Cydraddoldeb a Llywodraeth Leol

8. Rôl y Pwyllgor Cymunedau, Cydraddoldeb a Llywodraeth Leol yw ystyried y materion gwariant, gweinyddiaeth, polisi a deddfwriaeth yn eu cylch gorchwyl. Mae prif feysydd cyfrifoldeb y gweinidogion sy'n dod o dan gylch gorchwyl y pwyllgor wedi'u rhestru isod.

Tai a gweithgareddau sy'n gysylltiedig â thai Digartrefedd a chyngor ar dai Tai fforddiadwy (gan gynnwys eu hansawdd) Llywodraeth Leol a Chymunedau Ombwdsmon Gwasanaethau Cyhoeddus Cymru Gwella'r gwasanaethau cyhoeddus Cyfle cyfartal Trais domestig Lloches, mewnfudo a gweithwyr mudol Cydlynedd cymunedau Diogelwch cymunedau Sipsiwn a theithwyr Diwylliant Y Gymraeg Treftadaeth Cymru a'r amgylchedd hanesyddol ac adeiladau Amgueddfeydd, llyfrgelloedd cyhoeddus ac archifau Y celfyddydau Twristiaeth Chwaraeon, gweithgarwch corfforol a hamdden weithredol Gwasanaethau Tân ac Achub Argyfyngau Sifil Darlledu Materion polisi perthnasol yr UE

Y Pwyllgor Menter a Busnes

9. Rôl y Pwyllgor Menter a Busnes yw ystyried y materion gwariant, gweinyddiaeth, polisi a deddfwriaeth yn eu cylch gorchwyl. Mae prif feysydd cyfrifoldeb y gweinidogion sy'n dod o dan gylch gorchwyl y pwyllgor wedi'u rhestru isod.

Busnes a menter, gan gynnwys buddsoddi o'r tu allan / allforio
Ymchwilio, datblygu ac arloesi
Addysg uwch
Technoleg a gwyddoniaeth
Adfywio strategol, adfywio ffisegol ac adfywio'r gwaddol
Cyflogaeth
Datblygu'r gweithlu
Sgiliau
Cymwysterau galwedigaethol
NEETS
Dysgu cymunedol i oedolion a dysgu yn y gwaith
Cyflogadwyedd a chyngor gyrfaoedd
Diwygio lles
Seilwaith TGCh
Cludiant
Menter gymdeithasol
Rhaglenni cronfeydd strwythurol yr UE
Materion polisi perthnasol yr UE

Y Pwyllgor Cyllid

10. Rôl y Pwyllgor Cyllid yw cyflawni swyddogaethau'r pwyllgor cyfrifol a nodir yn Rheol Sefydlog 19. Mae hyn yn cynnwys ystyried sut mae Comisiwn y Cynulliad neu Weinidogion Cymru'n defnyddio adnoddau ac yn benodol cyflwyno adroddiadau yn ystod cylch y gyllideb flynyddol. Mae'r Pwyllgor hefyd yn cael ystyried unrhyw fater arall sy'n ymwneud â gwariant o Gronfa Gyfunol Cymru.

11. O ran archwilio goblygiadau ariannol Biliau, mae'r Pwyllgor Busnes o'r farn y dylai'r Pwyllgor ddewis a dethol, gan hoelio sylw ar graffu ar y Biliau sydd â'r arwyddocâd ariannol mwyaf, a chymryd trosolwg strategol ar faterion ariannol sy'n ymwneud â deddfwriaeth.

Y Pwyllgor Cyfrifon Cyhoeddus

12. Rôl y Pwyllgor Cyfrifon Cyhoeddus yw cyflawni swyddogaethau'r pwyllgor cyfrifol a nodir yn Rheol Sefydlog 18. Bydd y Pwyllgor yn ystyried adroddiadau a baratoir gan Archwilydd Cyffredinol Cymru ynghylch cyfrifon Llywodraeth Cymru a chyrff cyhoeddus eraill, ac ynghylch darbodaeth, effeithlonrwydd ac effeithiolrwydd wrth ddefnyddio adnoddau i gyflawni swyddogaethau cyhoeddus. Mae cylch gorchwyl y Pwyllgor hefyd yn cynnwys pwerau statudol penodol o dan Ddeddf Llywodraeth Cymru 2006 ynglŷn â phenodi'r Archwilydd Cyffredinol, cyllideb yr Archwilydd Cyffredinol ac archwilwyr y swydd honno.

Y Pwyllgor Materion Cyfansoddiadol a Deddfwriaethol

13. Rôl y Pwyllgor Materion Cyfansoddiadol a Deddfwriaethol yw cyflawni swyddogaethau penodol y pwyllgor cyfrifol yn Rheol Sefydlog 21 ac ystyried unrhyw fater cyfansoddiadol neu lywodraethol o fewn cymhwysedd y Cynulliad neu Weinidogion Cymru neu ynglŷn â'r cymhwysedd hwnnw. Mae hyn yn cynnwys ystyried offerynnau statudol, offerynnau statudol drafft, unrhyw is-ddeddfwriaeth arall a gyflwynir gerbron y Cynulliad, Biliau'r Cynulliad a'r Deyrnas Unedig yn ogystal â chylch gorchwyl ehangach i ystyried goblygiadau deddfwriaeth ddrafft yr Undeb Ewropeaidd ar gyfer sybsidiaredd a materion cyfansoddiadol eraill. Yn benodol, mae gan y Pwyllgor drosolwg hefyd ar swyddogaethau Prif Weinidog Cymru fel y mae'r rheiny'n ymwneud â materion cyfansoddiadol neu faterion cyffredinol y llywodraeth.

Y Pwyllgor Deisebau

14. Rôl y Pwyllgor Deisebau yw pwyso a mesur yr holl ddeisebau derbyniadwy a gyflwynir gan y cyhoedd. Mae swyddogaethau penodol y Pwyllgor wedi'u nodi yn Rheol Sefydlog 23.

Y Pwyllgor Safonau

15. Rôl y Pwyllgor Safonau yw cyflawni'r swyddogaethau a nodir yn Rheol Sefydlog 22. Mae'r rhain yn cynnwys ymchwilio i gwynion a gyfeirir ato gan y Comisiynydd Safonau, ystyried unrhyw faterion o egwyddor ynglŷn ag ymddygiad Aelodau, sefydlu'r gweithdrefnau at ymchwilio i gwynion a'r trefniadau ar gyfer y Gofrestr o Fuddiannau'r

Aelodau a chofnodion cyhoeddus eraill a bennir gan y Rheolau Sefydlog.

Materion Ewropeaidd ac Allanol

16. Cytunodd y Pwyllgor Busnes i brif-ffrydio materion polisi Ewropeaidd ar draws y pwyllgorau yn hytrach na chael un pwyllgor dynodedig. Y Pwyllgor Materion Cyfansoddiadol a Deddfwriaethol fydd yn gyfrifol am wiriadau i fonitro sybsidiaredd yn ogystal ag ystyried unrhyw fater deddfwriaethol neu lywodraethol arall o fewn cymhwysedd y Cynulliad neu Weinidogion Cymru neu ynglŷn â'r cymhwysedd hwnnw.

Adolygu

17. Mae'r Pwyllgor Busnes wedi cytuno i adolygu sut mae'r system bwyllgorau'n gweithio yn 2012. Fel rhan o'r adolygiad, bydd yn ystyried effaith y penderfyniad i brif-ffrydio materion Ewropeaidd.

Rôl cadeiryddion y pwyllgorau

18. Mae cadeiryddion y pwyllgorau'n chwarae rhan hanfodol i wireddu amcanion strategol y Cynulliad. O gofio hynny, a'r ffaith bod pob Cadeirydd yn cael ei ethol gan y Cynulliad cyfan, rydyn ni o'r farn ei bod yn briodol nodi'n fanylach y rôl y mae'n rhaid i gadeiryddion y pwyllgorau ei chyflawni ar ran y Cynulliad.

19. Cyfrifoldebau allweddol cadeiryddion y pwyllgorau yw:

- pennu cyfeiriad strategol y pwyllgor a sicrhau bod yna flaenoriaethau tryloyw i'w weithgareddau er mwyn gwireddu rhaglen gytbwys, gynhwysfawr ac effeithiol o waith craffu ar ddeddfau, polisïau a chyllid;

- codi perthnasedd a dylanwad y pwyllgor i'r eithaf gan gadw ei annibyniaeth bendant oddi wrth Lywodraeth Cymru;

- gweithredu'n ddiduedd bob amser, yn bendant, yn deg ac mewn modd sy'n ennyn hyder y pwyllgor;

- ennyn hyder Aelodau, tystion a'r cyhoedd yn gyffredinol drwy feistroli'r pwnc sydd o dan sylw yng nghylch gwaith y pwyllgor; dangos technegau effeithiol mewn gwaith craffu ar ddeddfau,

polisïau a chyllid; cadw trefn; a chymhwyso'r holl ofynion cyfreithiol a gweithdrefnol sy'n berthnasol i'r pwyllgor;

- sicrhau ymroddiad ac ymrwymiad pob aelod o'r pwyllgor ac adeiladau consensws ar draws y pleidiau pryd bynnag y bo modd;

- adeiladu'r cymysgedd o ddiwylliant a medrau yn y pwyllgor sy'n angenrheidiol i'w wneud mor effeithiol â phosibl fel corff sy'n gwneud gwaith craffu;

- sicrhau bod y pwyllgor yn cael y cyngor arbenigol, yr wybodaeth a'r cymorth arall y mae arno ei angen i gyflawni ei amcanion yn effeithiol;

- rhoi hwb i gyflawni pob agwedd ar waith y pwyllgor gyda chyflymder ac ansawdd;

- cynrychioli'r pwyllgor yn gyhoeddus, yn y cyfryngau ac ym musnes ffurfiol y Cynulliad; a

- sicrhau bod gwaith y pwyllgor yn cael ei ddadansoddi a'i gloriannu'n feirniadol gan sbarduno arloesed yn ei waith er mwyn cynyddu ei effeithiolrwydd, ei ymgysylltiad cyhoeddus a'i effaith.