

First Minister  
cc Counsel General  
cc Cabinet Secretary for Health and Social Services  
cc Llywydd

7 December 2018

Dear Carwyn,

### Government engagement with Financial Scrutiny of Members' bills

The Committee has today reported on the financial implications of the Autism (Wales) Bill, introduced by Paul Davies AM. I wish to draw your attention to Conclusion 4 of our report:

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Conclusion 4. The Committee is unable to make a decision on the validity or not of this Regulatory Impact Assessment. Members have not received any substantial financial reason for the legislation not to go forward, but we have been unable to ascertain whether there is any value for money in this legislation due to the lack of financial information.

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The lack of financial information provided by the Welsh Government on the cost of delivering current Autism Spectrum Disorder services, means the Committee was unable to effectively scrutinise the figures presented by the Member in Charge. This has hindered the process of scrutiny.

Should the Assembly vote in favour of motion in accordance with 26.91, the Committee believes that the Welsh Government has a responsibility to provide AMs producing Member-led legislation with relevant financial information prior to a Bill being introduced, as it is generally the main source of such information.



Consequently, the Committee has recommended:

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Recommendation 1. In future, should the Assembly vote in favour of the motion tabled in accordance with Standing Order 26.91 the Committee recommends that the Welsh Government commits to providing information to ensure that costs in an explanatory memorandum are as comprehensive and detailed as possible, utilising cost information which the Welsh Government has available.

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Though the recommendation is contained in the Financial implications of the Autism (Wales) Bill report, the recommendation itself sits outside of the Cabinet Secretary for Health and Social Services' remit. I'm, therefore, copying the recommendation to yourself and the Counsel General directly for response. The Committee looks forward to the Government's formal response to this recommendation.

Yours sincerely



Llyr Gruffydd AM

Chair of the Finance Committee





Ein cyf/Our ref: MA-L-FM-0875-18

Llyr Gruffydd AM  
Chair of Finance Committee  
National Assembly for Wales

[SeneddFinance@assembly.wales](mailto:SeneddFinance@assembly.wales)

20 December 2018

Dear Llyr,

I am writing in response to your letter of 7 December and the Finance Committee's recommendation about the Welsh Government's engagement with Assembly Member Bills made in the committee's report about the financial implications of the Autism (Wales) Bill.

In line with National Assembly for Wales' guidance, the responsibility for preparing supporting documentation for an Assembly Member Bill rests with the Member in Charge. This includes the development of the Regulatory Impact Assessment (RIA).

Where a Member in Charge requests data from the Welsh Government to support the development of an RIA, the Welsh Government will provide that data provided it is centrally held, readily available and there are no barriers to sharing the data (for example data protection).

It is not the role of Welsh Government officials to undertake additional data gathering to supplement the information it holds or undertake bespoke analysis in response to the Member in Charge's request.

In relation to the specific circumstances of costs associated with the Autism (Wales) Bill, the Cabinet Secretary for Health and Social Services – now the Minister for Health and Social Services – set out in his evidence to the Finance Committee, and in a subsequent letter, that the information needed to assess the cost of the Bill was not held centrally by the Welsh Government.

Assessing the current costs associated with delivering autism spectrum disorder services and the enhanced diagnostic services proposed in the Bill would require engagement with university health boards; the gathering of detailed data from their management information

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:  
0300 0604400  
[YP.PrifWeinidog@llyw.cymru](mailto:YP.PrifWeinidog@llyw.cymru) • [ps.firstminister@gov.wales](mailto:ps.firstminister@gov.wales)

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

systems and further analysis of that data. It is the responsibility of the Member in Charge of the Bill to undertake or commission this work.

I am copying this letter to the Counsel General, the Minister for Health and Social Services and the Llywydd.

Yours Sincerely

A handwritten signature in black ink, appearing to read 'Mark', with a stylized, cursive script.

**MARK DRAKEFORD**