

Report from Workshop 3: A Framework for Discussion: Parliaments Executives and Integrity Agencies: How can public servants' accountability to Parliament be improved?¹

*Discussion*²

The workshop established that fundamentally (i) public servants are accountable to the executive government and their role is largely to provide information; (ii) that parliaments need control of how information is presented to parliament as well as quality information to enable them to ask the right questions; and (iii) that parliaments rely on statutory office holders for information.

¹ Report from Australasian Study of Parliament Group, 28th Annual Conference, Wellington, New Zealand, 28–30 September 2006, Parliamentary Control of the Executive: the People and the Money; Rapporteur: Nonie Malone, Queensland Chapter, ASPG.

² The participants in this workshop were:
Steven Mitchell, Office of Committees, New Zealand
Jean-Christopher Somers, Office of Committees, New Zealand
Wendy Venter, Office of the Auditor-General, New Zealand
Phillippa Smith, Office of the Auditor-General, New Zealand
Ken Travers, Legislative Council, Western Australia
Matt Benson, Legislative Council, Western Australia
Cheryl Scarlett, House of Representatives, Australia
Peter Banson, House of Representatives, Australia
Fenella Formoa, UNDP, Fiji
Jan Paniperis, Legislative Council, Western Australia
Bronwyn Barnard, New Zealand Chapter, ASPG

Why do parliaments need to control how information is presented to them?

A major function of parliaments is the scrutiny of budget information. Over the past decade and a half, there have been changes at relatively short intervals to the presentation of financial information in budgets arising from the adoption of accrual accounting and output budgeting by the public service in most, if not all, jurisdictions. The parliamentarians who must scrutinise the budget information have not been party to the changes, and have no means of enforcing the presentation of parallel information to enable meaningful comparisons with previous years' information after the changed information is presented. The results is that accounting is taking precedence over accountability, as discussed in Rosemary Laing's paper. In the face of changed and non-comparable financial information, parliaments are reliant on statutory office holders' analyses as the basis of scrutiny.

How can parliaments obtain from public servants the quality information they need?

Following some debate about ownership of information generated by and held by the public service, it was suggested that information is generally the preserve of executive governments. Parliamentarians need access to information that they seek and they need to be able to test the information/advice they are given. They need information to be readily available and to be effective in analysing and using information provided, parliamentarians need ready access to alternate advice (such as legal opinions), especially in the scrutiny of legislation.

To serve parliaments' needs, public servants must have sound knowledge of parliamentary processes and needs and of the relationship between the public service and the parliament. A high level of understanding of parliamentarians' information needs often results in the provision of extremely useful information, often beyond the question asked by the committee. It also tends to produce better legislation.

The level of knowledge of parliamentary processes is highly variable across jurisdictions and across agencies within jurisdictions. It was noted that officers in government owned corporations often have little knowledge of their relationship to parliament. The variations tends to arise from different corporate cultures within government agencies, the relative experience of public servants, and the presence or absence of seminars and other communications offered by parliaments for public servants.

How can parliaments' statutory office holders' roles be strengthened?

Public accounts and public administration committees rely very heavily on briefings from auditors-general for government agency financial management and performance information. Adequate resourcing of statutory office holders is an important foundation for parliamentary scrutiny of executive action. Parliamentary

control of appointment processes for statutory office holders is equally important. Workshop participants noted that, in stark contrast to many other jurisdictions, New Zealand has an appointment and budgeting process removed from Executive control. In this model, a parliamentary committee chaired by the Speaker and comprising two Government members and three non-Government members recommends statutory office-holder appointments and budgets and that these are forwarded for ratification to the Governor-General and incorporated in the Government's budget without question.

Recommendations:

Parliamentarians' need for information that is comparable over time be considered in the adoption of changed financial reporting arrangements;

Parliaments support public servants in their understanding of parliamentary processes and requirements through the provision of regular seminars and careful communication of the purposes behind any request for information; and

Acquisition of knowledge of parliamentary procedures be required professional development for middle to senior ranking public servants.

It was suggested that note be taken of the New Zealand model for parliamentary control of statutory office holders' appointments and budgets. ▲