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## PUBLIC ACCOUNTS COMMITTEE (PAC)

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### INTRODUCTION

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**3.1** This section gives an overview of the procedures, practicalities, and powers of the Committee. More detailed guidance for Accounting Officers and other senior officials is given in the following chapters.

### BACKGROUND

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**3.2** The Public Accounts Committee (the Committee) was set up in 1861 as one of the measures taken to give Parliament a better control over the expenditure of public funds. The Committee is appointed for the examination of accounts for funds granted by Parliament to meet public expenditure.

**3.3** The Committee consists of 16 members of the House of Commons, four being a quorum, drawn from all parties. Traditionally, the Chairman is from the largest Opposition party. The Committee normally confines its examinations to officials but has widened the range of witnesses called in recent years to include “expert witnesses”, such as private contractors.

**3.4** It adopts a non-party attitude in its work and seeks to reach dispassionate findings and recommendations whatever government is in power. Although the Committee has no executive power and can only make recommendations or expressions of opinion, its reports to Parliament carry considerable weight. Around 90% of recommendations are accepted. Members of the Committee may follow these up, for example, by asking Parliamentary Questions on a department’s progress in implementing its recommendations.

### WORKING METHODS

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**3.5** The Committee usually meets on Monday and Wednesday afternoons from November to July (when the House is sitting). However, in recent years, it has also been meeting in September and October. Most meetings are held in public although some may be in private if commercially confidential or security classified matters are to be discussed.

### ORAL EVIDENCE

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#### Timing of Hearing

**3.6** The Committee determines three times a year which of the reports they will take evidence on. They select from all published and imminent NAO vfm reports and major reports on accounts. This means that some meetings are set before the report is published. The NAO aims to ensure that their reports are published about three weeks before the PAC hearing on the issue in order to enable Committee Members, Accounting Officers and other witnesses to have at least two weekends to prepare and brief themselves. However, there have been extremely rare occasions when this convention has not been followed, often due to lateness in agreeing and publishing the NAO report.

## Place

**3.7** Oral evidence sessions usually take place in one of the committee rooms at the House of Commons. It is not normally possible to confirm the room number until the end of the preceding week. On the day of the meeting room numbers are displayed in the Central Lobby on lists in the Committee Corridors. Entrance to the House is through St. Stephen's Entrance, opposite Westminster Abbey (see map at the end of the chapter). Access for those with disability is via New Palace Yard. As much notice as possible should be given to the Committee if such access is required. For Committee contacts see **Chapter 10**.

## Time to arrive

**3.8** No special passes are required for witnesses but at least ten minutes should be allowed to get through the security arrangements. (Witnesses should identify themselves as such and ask to be directed to the committee room). To avoid delay, departmental officials can, if they wish, apply for House of Commons passes through their respective Parliamentary branches. Sometimes the Committee takes evidence from more than one set of witnesses successively at a single meeting; in this case it is helpful if the witnesses to be called second attend the whole of the hearing so that if necessary they can be asked for their comments on the earlier evidence.

## Likely Questions

**3.9** The Committee attaches great importance to the fact that NAO reports are agreed by the Accounting Officer as well as the C&AG before the hearing. The PAC conducts its examinations on that basis. It is helpful to check in advance with the Clerk whether the Committee has agreed to give some informal indications of possible lines of inquiry, but witnesses should not expect Members to restrict themselves to these or even the NAO report that is subject to the hearing. The Committee will try to inform witnesses in advance when some research or gathering of information or views might be necessary.

## Supplementary written evidence

**3.10** In the event that an Accounting Officer wishes to draw the Committee's attention at the hearing to additional documentary evidence, he or she should consult the C&AG and inform the Clerk to the Committee as soon as reasonably possible, and copies should be sent to the Clerk at least eight days before the hearing. The NAO needs time to consider the material and provide relevant briefing to the Committee in advance of the hearing. This can sometimes involve needing to be certain that the information is correct which can require additional investigation by the NAO. This should be the rule but if, exceptionally, it is not possible to meet this deadline, the Clerk's advice should be sought on how best the information can be made available to the Committee. For example, In a recent PAC hearing on Regional Development Agencies, the Chair of the PAC objected to the Department supplying additional material that had not been "verified" by the NAO (because of insufficient time) even though it had been copied to them beforehand and the PAC Clerk had agreed to the material being given to the Committee.

## Witnesses

**3.11** The Accounting Officer or Chief Executive of the department or body concerned is the chief witness. He or she can be supported by other officials but their numbers should be kept to a minimum (usually up to six). The Clerk to the Committee will be able to advise as necessary. The Committee may, however, request the attendance of specific individuals or post holders. The names (including the forename by which they are usually known) of those who will be attending to answer questions, with their proper titles within the organization, should be e-mailed to the Committee if possible one week before the evidence session. (It is not necessary to list those who will be accompanying the witnesses either to watch or to pass them information). The Comptroller & Auditor General (C&AG) and the Treasury Officer of Accounts (or his Deputy) is also present, and the Committee may direct questions to them.

## Privilege

**3.12** Witnesses appearing before the Committee are protected by Parliamentary privilege. Article 9 of the Bill of Rights 1689 provides “That the freedom of speech and debates or proceedings in Parliament ought not to be impeached or questioned in any court or place out of Parliament”. This provision remains the law of the land. It ensures that witnesses have absolute privilege in parliamentary proceedings and are not liable in the courts for answers they give to the questions put to them. This protection must not be abused. Witnesses should answer questions put to them by the Committee carefully, fully and honestly. Deliberately attempting to mislead the Committee is contempt of the House, which the House has the power to punish.

## Powers

**3.13** The Committee has the power to require witnesses to answer questions but, in practice, evidence taken before the Committee is conducted with a degree of informality and the wide powers of the House to require a witness to co-operate are seldom used. If witnesses consider that a particular question is unfair, or that they are not the appropriate people to answer it, or that they would like time to consider the answer or to seek advice they may appeal to the Chair. However, if the Committee, collectively, considers that the question is proper, the witness must attempt to answer it.

## Public/Private Evidence

**3.14** The Committee nearly always takes evidence in public; representatives of the press will usually be there and the proceedings are often recorded for broadcast on radio or television. If there are particular reasons why a witness wants to give some or all of the evidence in private, the Clerk should be approached about this at an early stage. The Committee is prepared to consider representations by the Accounting Officer that secret or confidential information given in private session or by note need not be published. This procedure is known as "sidelining".

## Evidence on Oath

**3.15** The Committee has power to take evidence on oath. This rarely happens but if the procedure is used witnesses are liable to the laws under perjury Act 1911.

## Matters before a Court

**3.16** When giving evidence in public to the Committee witnesses should take care not to comment on matters currently before a court of law. The same consideration may apply in certain cases where proceedings are imminent. If witnesses think this is likely to be a problem or that evidence they may give is likely to breach an injunction or order of a court of law, they should discuss the matter in advance with the Clerk to the Committee.

## Proceedings

**3.17** Members sit around a horseshoe table, with the Chairman at the centre, the Comptroller & Auditor General and the Treasury Officer of Accounts at the either end of the table. The witnesses sit at a straight table at the end of the horseshoe; their assistants may sit immediately behind. The other seats behind are for the public. There are sometimes microphones around the table; these are to record the proceedings (for broadcast or to assist with the transcript), and do not make voices louder; witnesses are therefore encouraged to speak up. The Committee prefers answers that are to the point and reasonably brief. When hearings have been recorded for television purposes, unedited video recordings may subsequently be purchased through the **Parliamentary Recording Unit** (Tel. 020 721 95511).

**3.18** Each Committee member is given 10 minutes to ask questions and a further 5 minutes of follow up questions, once the first round of questions is completed. The length of the hearing depends on the number of members present. The Chair opens and closes the rounds of questions.

## Transcript

**3.19** A few days after the hearing, witnesses will be sent, normally by e-mail, a transcript of what was said, so that they can correct it and identify any supplementary information asked by members of the Committee. The transcript will be accompanied by a letter giving details of the very limited type of corrections which are acceptable, and the time within which they should be sent. Failure to keep to the timetable for corrections may mean that the evidence is published without correction. It is helpful if any supplementary material can be sent in at the same time as the corrections.

## Publication of Uncorrected and Corrected Transcripts

**3.20** Transcripts of evidence taken at each public meeting will appear at the PAC website. Where witnesses have given their consent, an **uncorrected** transcript will be placed here as soon as practicable (usually within nine working days). Where witnesses have expressed a preference to correct any inaccuracies in the typing or reporting of the evidence, a **corrected** transcript will be placed here once their corrections have been received (usually within 14 working days).

## Training

**3.21** The Centre for Management and Policy Studies (CMPS), formerly Civil Service College, can provide tailored training to officials appearing before a PAC hearing, contacts are given in Chapter 8 at the end of the Guide. The BBC Parliamentary Channel “BBC Parliament” holds an archive of previously but recently broadcasted hearings. These can be accessed on-line and provides useful introduction to the style and intensity of questioning officials can expect. Another source is “Parliament online” at [www.parliament.uk](http://www.parliament.uk), look for Parliament Live. The Treasury Officer of Accounts or his deputy are always prepared to meet and discuss with Accounting Officers the issues for their hearing.

## Relevant Guidance

Accounting Officer Memorandum, Annex 4.1 of Government Accounting. On the web at:

- [www.government-accounting.gov.uk/current/content/ga\\_04\\_4.htm](http://www.government-accounting.gov.uk/current/content/ga_04_4.htm)

Accounting Officer Memorandum for Non Departmental Public Bodies, Annex 8.2 of Government Accounting. On the web at:

- [www.government-accounting.gov.uk/current/content/ga\\_08\\_8.htm](http://www.government-accounting.gov.uk/current/content/ga_08_8.htm)

## Map

