

EXPLANATORY MEMORANDUM TO
THE WHOLE OF GOVERNMENT ACCOUNTS (DESIGNATION OF BODIES)
ORDER 2011

2011 No. 1268

1. This explanatory memorandum has been prepared by Her Majesty's Treasury and is laid before Parliament by Command of Her Majesty.

2. Purpose of the instrument

2.1 This instrument identifies bodies to be included in the consolidated Whole of Government Accounts for the year ending 31 March 2011. Designating these bodies enables the Treasury to require them to provide it with the necessary audited financial information, in a specified form and to a specified timescale, for the preparation of the Whole of Government Accounts.

3. Matters of special interest to the Joint Committee on Statutory Instruments

3.1 None.

4. Legislative Context

4.1 The Government Resources and Accounts Act 2000 requires the Treasury to prepare a "Whole of Government Account" for a group of bodies that appears to the Treasury to exercise functions of a public nature or which is entirely or substantially funded from public money. In practice, the Treasury primarily include bodies in the account based on their classification to the public sector by the Office for National Statistics. On this basis, the account includes bodies within the central government, devolved administration, local government, public corporation and health sectors during the period covered by the accounts.

4.2 The composition of central government, and to a lesser extent local government and public corporations, changes each year as bodies are created, merged or dissolved. Therefore, a Designation Order must be made annually in respect of each set of accounts to reflect the total number of bodies for the period covered by the accounts.

4.3 Health sector bodies are not included in the designation order since the audited financial information they are required to provide under other legislation for summarised health accounts is also used for Whole of Government Accounts purposes.

4.4 Northern Ireland Bodies that are subject to the requirements of the Government Resources and Accounts (Northern Ireland) Act 2001 are designated by the Northern Ireland Department of Finance and Personnel.

4.5 Bodies whose activities are confined to Scotland are also not covered by this order. The Scottish Executive relies either on administrative powers or the Public Finance and Accountability Act (Scotland) 2001 to collect audited financial information from them.

5. Territorial Extent and Application

5.1 This instrument applies to all of the United Kingdom.

6. European Convention on Human Rights

6.1 As the instrument is subject to the negative resolution procedure and does not amend primary legislation, no statement is required.

7. Policy background

- *What is being done and why*

7.1 Parliament originally requested consolidated accounts for central government in the 1994-95 parliamentary session (Public Accounts Committee Fifteenth Report, Session 1994-95).

7.2 In July 1998, the Treasury published a scoping study report into the development of consolidated public sector accounts. The report concluded that Government should aim to develop a fully-audited set of accounts based on Generally Accepted Accounting Practice (GAAP) adapted as necessary for the public sector context with the approval of the Financial Reporting Advisory Board, and covering the whole of the public sector as far as practically possible. The reasons for preparing WGA include providing better transparency and accountability to Parliament, as well as improved information for fiscal policy.

7.3 The scoping study report also concluded that fully reliable GAAP-based Whole of Government Accounts would take some time to produce and that a staged approach should therefore be adopted, using a process of “dry runs” starting with a consolidation of central government bodies and funds. Following further research on the costs and practical considerations involved in extending the scope of the accounts to include health bodies, local authorities and public corporations, the Government stated in the 2005 Pre-Budget Report its intention to publish GAAP-based Whole of Government Accounts once the significant methodological issues raised had been addressed through the dry-run process.

7.4 Sections 9 to 11 of the Government Resources and Accounts Act 2000 provide the statutory framework for preparing Whole of Government Accounts, obtaining the necessary information, and for scrutiny by the Comptroller and Auditor General.

7.5 During 2011, Whole of Government Accounts will be published for the first time, in respect to the financial year 2009-10.

- ***Consolidation***

7.6 Consolidation is not relevant because the order relates to a single financial year.

8. Consultation outcome

8.1 The Treasury has made the decision to designate bodies for inclusion in the 2010-11 WGA following consultation with the Department for Communities and Local Government, Welsh Ministers, the Office for National Statistics, the National Audit Office and other departments.

9. Guidance

9.1 Guidance will be provided for public sector bodies on the websites of Her Majesty's Treasury, Department for Communities and Local Government, and devolved administrations.

10. Impact

10.1 The impact on business, charities or voluntary bodies is negligible.

10.2 The impact on the public sector is limited, because the information required by the Treasury is largely the same as each body requires in order to prepare its own accounts, and which is already audited by its existing auditors. The additional work for most bodies is restricted to identifying the in-year transaction streams and year-end balances with other bodies within the whole of government account boundary. These must be cancelled out so that the results and year-end position of the whole of government are presented as if it were a single entity. Departments that sponsor non-departmental public bodies must also collect the consolidation returns required by the Treasury from these bodies and produce a sub-consolidation for the departmental group.

10.3 A full, formal, impact assessment has not been prepared for this instrument because no impact on the private or voluntary sector is foreseen. The cost to the public sector is below £5million.

10.4 No equality issues were identified when considering the impact of this instrument. The instrument applies to the technical procedures and rules for financial account practices which will apply to the running of public bodies and not directly to individuals. These provisions will therefore not impact on equality.

11. Regulating small business

11.1 The legislation does not apply to small business.

12. Monitoring & review

12.1 Her Majesty's Treasury and the National Audit Office will monitor compliance with the requirements of this instrument. Review by those same bodies will inform the lists included in similar instruments for subsequent years.

13. Contact

Jim Hughes at Her Majesty's Treasury Tel: 020 7270 5748, or email jim.hughes@hmtreasury.gsi.gov.uk can answer any queries regarding the instrument.