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FRIDAY, 20 NOVEMBER 2015

TO: ALL MEMBERS OF THE DEMOCRATIC SERVICES COMMITTEE

I HEREBY SUMMON YOU TO ATTEND A MEETING OF THE **DEMOCRATIC SERVICES COMMITTEE** WHICH WILL BE HELD IN THE **CHAMBER, COUNTY HALL, CARMARTHEN AT 10.00 AM. ON FRIDAY, 27TH NOVEMBER, 2015** FOR THE TRANSACTION OF THE BUSINESS OUTLINED ON THE ATTACHED AGENDA

Mark James

CHIEF EXECUTIVE



PLEASE RECYCLE

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**DEMOCRATIC SERVICES COMMITTEE
MEMBERSHIP – 5 MEMBERS**

PLAID CYMRU GROUP 2 MEMBERS

1. Councillor W.T. Evans [Vice-Chair]
2. Councillor D. Price

LABOUR GROUP 2 MEMBERS

1. Councillor T. Davies [Chair]
2. Councillor J.D. James

INDEPENDENT GROUP 1 MEMBER

1. Councillor H.B. Shepardson

A G E N D A

1. APOLOGIES FOR ABSENCE.
2. DECLARATIONS OF PERSONAL INTERESTS.
3. TO APPROVE AND SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON THE 27TH APRIL, 2015. 5 - 8
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Agenda Item 3

DEMOCRATIC SERVICES COMMITTEE

27TH APRIL 2015

PRESENT: Councillor W.T. Evans (Chair);

Councillor. J.D. James.

Councillor A. P. Cooper **Substitute for Councillor D.M. Cundy**

Councillor D.M. Jenkins **Substitute for Councillor D. Price**

Councillor D.W.H. Richards **Substitute for Councillor H.B. Shepardson**

Also present as observers:-

Councillors P.A. Palmer – Executive Board Member for Communities

Councillor L.M. Stephens – Executive Board Member for HR, Efficiencies and Collaboration.

The following officers were in attendance:-

Ms. L. Rees-Jones - Head of Administration and Law;

Ms. G. Morgan – Head of Democratic Services

**(Democratic Services Committee Room, County Hall, Carmarthen 2.30 p.m.
– 3:10 p.m.)**

1. APOLOGIES

Apologies for absence were received from Councillors D.M. Cundy, D. Price and H.B. Shepardson.

2. DECLARATIONS OF PERSONAL INTERESTS.

There were no declarations of interest.

3. MINUTES

UNANIMOUSLY RESOLVED that the minutes of the meeting of the Committee held on the 5th February 2015 be signed as a correct record.

4. INDEPENDENT REMUNERATION PANEL FOR WALES (IRPW) ANNUAL REPORT (FEBRUARY, 2015)

The Committee received for consideration the IRPW's Annual Report (February 2015) that made a number of determinations and recommendations that the Council was required to consider incorporating within its existing Councillors' and Co-opted Member's Allowances Scheme for 2015/16. The Committee noted that the IRPW in setting the level of salaries and allowances for 2015/16 has decided that there would be no increase in remuneration in 2015/16 given the continuing constraints on local government spending.

The Committee was informed that the report provided information on the current payments made to Members and sought its views on payments to Civic Heads and

DEMOCRATIC SERVICES COMMITTEE

27TH APRIL 2015

Deputies, Subsistence and Accommodation allowances, Remuneration of Joint Overview and Scrutiny Committee Chairs, and payment of Co-opted Members' Fees for the 2015/16 Municipal year.

A suggestion was made that the Authority should re-consider the appointment of a Presiding Member, The Head of Administration and Law advised that the Local Government (Democracy) (Wales) Act 2013 introduced legislation to allow principal councils to appoint a Presiding Member, thereby separating the ceremonial duties of the Chair of Council from the constitutional aspect of Chairing Council meetings. She reminded the Committee that the Council at its meeting held on the 8th January 2014 had decided not to appoint a presiding member and the Constitutional Review Working Group had also agreed not to re-consider this issue.

Clarification was requested on the provision of additional Senior Salaries and the Head of Administration and Law advised that the Authority could apply for specific or additional senior salaries that did not fall within the current remuneration framework or could not be accommodated within the maximum number of senior salaries relating to the Authority. If the Council was mindful to seek such a provision, it would need to make a request to the IRPW and provide clear evidence that the post/posts would have additional responsibility demonstrated by a description of the role, function and duration.

It was noted that the Local Government Wales Measure 2011 provided greater prominence to both the Democratic Services and Audit Committees and the Chairs of these Committee were unpaid. The Head of Administration and Law advised that the maximum number of council membership eligible for a senior salary within Carmarthen was 18 and the Council had determined that these should be payable to the Executive Board, and Chairs of the Licensing, Planning and Scrutiny Committees. Should the Council wish to remunerate Chairs of other Committees it would need to make a business case for additional senior salaries or review its current allocation.

UNANIMOUSLY RESOLVED TO RECOMMEND TO COUNCIL THAT the IRPW'S recommendations and determinations be accepted and incorporated within the Council's existing Councillors' and Co-opted Members' Allowances Scheme for 2015/16 subject to the following:

- **Option b) be adopted in relation to the payment of Civic Salaries to the Chair and Vice Chair of Council for 2015/16;**
- **that the previous decision not to allocate the maximum daily rate of £28.00 between different meals be continued and that where accommodation included breakfast, a daily rate of £24.00 be applied i.e. the sum of £4.00 being deducted where breakfast was provided as part of overnight accommodation**
- **to continue with the arrangement that all overnight accommodation for members be arranged through the Council's Democratic Services Unit;**

DEMOCRATIC SERVICES COMMITTEE

27TH APRIL 2015

- **The arrangements for Joint Overview Scrutiny Committees with other authorities be noted and included within the Council's scheme in the event the Council decided to establish Joint Committees during the 2015/16 Municipal Year and to pay a salary**
- **The payment of Co-opted Members' Fees remain capped for 2015/16 at the current level of 10 full day (or 20 half day) meetings.**

5. CROSS PARTY CONSTITUTIONAL REVIEW WORKING GROUP (CRWG) RECOMMENDATIONS

The Committee was reminded the Council at its meeting held on the 12th November 2014 had established a Cross-Party Constitutional Review Working Group (CRWG) to consider recommendations contained within the WLGA Carmarthenshire Peer Review Report November 2014. The Group had referred 3 recommendations to the Democratic Services Committee for consideration, namely recommendations 7, 8 and 11.

The Head of Administration and Law informed the Committee that recommendation 7 of the Peer Review report had recommended that the Member Development Programme and Strategy should be updated and led by members through Democratic Services Committee, she reminded the Committee that it had, at its meeting held on the 16th April 2014 approved the Annual Member Development Programme for 2014/16 and the Personal Development Reviews currently being undertaken by Group Leaders would form the basis for the ongoing Member Development Programme. The Committee was also informed that the Executive Board Member for HR, Efficiencies and Collaboration had been confirmed as the Member Development Lead for the Executive Board and would work alongside the Chair of the Democratic Services Committee to champion and Coordinate member development and support.

The Committee was advised that Recommendation 8 of the Peer review had recommended that Member Personal Development Reviews should be led by members, with appropriate support from Training Managers. The Head of Administration and Law advised that the Corporate Development Advisor had met with the Group Leaders and Deputies and the Chair of the Democratic Services Committee to discuss the Personal Development needs of members and how the Groups would encourage their members to undertake personal development. It was agreed to provide all Group Leaders with a standard template invitation letter and self reflection template for use by the political groups in identifying the personal development needs of their members, and following discussion, the Groups would feed back to a further meeting in July 2015 when development needs and common themes would be identified and a programme of development considered. A report on responses and the type of training sought would be submitted to the Democratic Services Committee in Autumn 2015.

The Committee was informed that the final recommendation (11) stated that all members should produce Annual Reports in order to promote openness and transparency about the role and contributions of councillors. The Head of

DEMOCRATIC SERVICES COMMITTEE

27TH APRIL 2015

Administration and Law reminded the Committee that the Local Government Wales Measure 2011 recommended that each person who was a member of the authority should publish an annual report about their activities during the year and whilst not a mandatory requirement, it should be noted that the Welsh Government White paper on "Reforming Local Government: Power to Local People" proposed to make the production of Annual Reports mandatory for members. The Committee was advised that 51 out of 74 members had, produced annual reports for 2013/14 based on a draft template approved by the Committee at its meeting held on the 15th March 2013.

UNANIMOUSLY RESOLVED that the report be noted and the action previously taken by the Committee be reported to the Constitutional Review Working Group.

SIGNED: _____

DATE: _____

Democratic Services Committee

Date: 27/11/15

Subject: Member Development Plan 2015

Purpose: To highlight any proposed areas for development identified to date and invite the views of DSC on any additions, deletions or amendments to proposal.

Recommendations / key decisions required:

- Any additional topic areas to be covered by Member Development Plan
- Any to be removed from the proposed content.
- Any comments in relation to priorities [e.g. when the development takes place]
- To note that this is a working document and any additional recommendation as a result of the Corporate Assessment findings will be added where relevant.

Reasons:

To contribute to Member Development Plan 2015-16

Relevant scrutiny committee to be consulted Not applicable

Exec Board Decision Required NA

Council Decision Required NA

EXECUTIVE BOARD MEMBER PORTFOLIO HOLDER:- N/A – Cllr Terry Davies Chair of Democratic Services Committee.

Directorate: CEX

Name of Head of Service: Paul R Thomas

Report Author: Marie Edwards

Designations: Corporate Development Advisor

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EXECUTIVE SUMMARY
Democratic Services Committee
27/11/15

Consultation on Member Development Plan

This report outlines the proposed development opportunities to be made available to members during the period Sept 2015 – July 2016 and beyond where appropriate. Comments are welcomed regarding any programmes to be added, deleted, or prioritised.

DETAILED REPORT ATTACHED ?

YES

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: Paul R Thomas

Assistant Chief Executive (PMP)

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
NONE	NONE	NONE	NONE	NONE	NONE	NONE

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Paul R Thomas

Assistant Chief Executive (PMP)

(Please specify the outcomes of consultations undertaken where they arise against the following headings)

1. Scrutiny Committee: N/A

2. Local Member(s)

Individual Members consulted as part of 1-1 Personal Development Meeting with Group Leaders or Deputy Group Leaders.

3. Community / Town Council n/a

4. Relevant Partners n/a

5. Staff Side Representatives and other Organisations n/a

Section 100D Local Government Act, 1972 – Access to Information

List of Background Papers used in the preparation of this report:

THERE ARE NONE

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Draft Member Development Plan 2015/16
Report to DSC 27/11/15

This report outlines the proposed development opportunities to be made available to all members during the period Sept 2015 – July 2016 and beyond where appropriate.

Context

The Local Government Measure 2011 [Section 7A] highlights the responsibility of Local Authorities to provide reasonable development opportunities to its members. CCC's Member Development Strategy sets out our approach to member development and includes a detailed plan of programmes, updated annually, which is designed to meet the identified development needs of its members. This report provides an initial draft of that plan for 2015/16.

Proposed development areas:

The topics listed below have been derived from a variety of sources including meetings with scrutiny committees, DSC, Group Leaders & Deputy Leaders, their one-to-one Individual Learning Plan [ILP] sessions with members and priorities identified by senior council officers.

****Please note that this list is not exhaustive and will be regularly reviewed throughout the year to ensure it responds to and reflects emerging needs and priorities. Also it does not include Scrutiny specific sessions at this time****

It is proposed that these programmes are offered to all members or those with specific responsibilities as outlined above. Scrutiny and other committee- specific development workshops or seminars will be identified separately but where appropriate offered to all members.

Dates, timings & locations of sessions are to be confirmed. Sessions will be delivered internally wherever possible to minimise costs.

Topic	Lead Officer	Date [if known]	How was the need identified?
Dementia Awareness	Rhian Dawson/ Catherine Poulter	Oct 2 nd [Postponed]	Request from Scrutiny Committee
MEP Biennial Review	Gareth Morgans / Rob Sully	5 th Oct 2015	Consultation with HoS
MEP	Gareth Morgans		Consultation with HoS
ALN Reform	Gareth Morgans		Consultation with HoS
Curriculum Review / Donaldson	Aeron Rees		Consultation with HoS
ERW & Carmarthenshire Schools Categorisation & Performance	Gareth Morgans / Alan Walters / Andi Morgan		Request from Scrutiny Committee
Looked After Children	Stefan Smith		Consultation with HoS
Safeguarding	Stefan Smith		WAO Safeguarding Report & Consultation with HoS
Deprivation of Liberty [DoLs]	Anthony Maynard / Mark Evans		Request from Scrutiny Committee
Charges for Non-Residential Social Services for Adults	Jake Morgan / Rhian Dawson / Lyn Walters		Request from Scrutiny Committee
Whistle Blowing	Ann Clarke		WAO Safeguarding Report P&R Scrutiny [11/6/15]
Risk Management	Phil Sexton [TBC]		WAO Safeguarding Report
Wales Transport Strategy Local Transport Plan Leaner Travel Measure Active Travel Act Traffic Regulation Orders	Steve Pilliner		Consultation with HoS
Progress on EU External funding	Helen Morgan		Consultation with HoS
'The Customer Interface with the Council'	Penelope Graepel / Deina Hockenhull		Consultation with HoS
Overview of Corporate Websites [E.g. CCC website / i-local / Council File plan]	Deina Hockenhull / ICT [TBC]		Consultation with HoS & Member request
Social Media: Building on existing awareness for safe and effective use Technical skills to make the most of options available	Deina Hockenhull / ICT [TBC]		Consultation with HoS & Member Request
Chairing Skills [General]	Learning & Development		Member request
Page 14 Making Fair Recruitment Decisions	Rebecca Jones		Member request

IT Skills: Making effective use of Email / Calendar. MS Office software e.g Word / Excel.	ICT [TBC]	1-1 support provided as and when required.	Member request
Using Smartphones: Making best use of your device.	ICT [TBC]		Member request
Academi Wales Leadership Programme	*External*	Nov – March 2015	Promoted by WLGA
Gypsy and Traveller – Elected Member Responsibilities [Joint session with Pembs & Ceredigion]	*External*	Dec 4 th 2015.	Promoted by WG
Alternative Delivery Models for Local Authorities	Ian Jones / TBC		HoS / Member Request

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DEMOCRATIC SERVICES COMMITTEE 27TH NOVEMBER 2015

INDEPENDENT REMUNERATION PANEL FOR WALES DRAFT ANNUAL REPORT - FEBRUARY 2016

Recommendations / key decisions required:

To consider and comment on the determinations made by the Independent Remuneration Panel for Wales in their draft Annual Report for the 2016/17 Municipal Year.

To authorise the Chair of the Committee to submit a response to the IRPW on behalf of the Committee.

Reasons:

The Democratic Services Committee is to be consulted, in accordance with its Terms of Reference, on the implementation of reports issued by the Independent Remuneration Panel for Wales.

Scrutiny committee consulted	Not Applicable
Exec Board Decision Required	NO – not at this stage.
Council Decision Required	NO - not at this stage.

EXECUTIVE BOARD MEMBER PORTFOLIO HOLDER: N/A - Councillor Terry Davies, Chair of the Democratic Services Committee

Directorate

Name of Head of Service:

Linda Rees Jones

Report Author:

Gaynor Morgan

Designations:

Head of Administration & Law

Head of Democratic Services

Tel Nos. 01267 224010

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GMorgan@carmarthenshire.gov.uk

**EXECUTIVE SUMMARY
DEMOCRATIC SERVICES COMMITTEE
27TH NOVEMBER 2015**

**INDEPENDENT REMUNERATION PANEL FOR WALES DRAFT ANNUAL
REPORT - FEBRUARY 2016**

Each year, the Independent Remuneration for Wales (IRPW) determines the rates of payment which are made to elected and co-opted Members of Welsh local authorities for the following municipal year. The IRPW is required to send the draft annual report to County Councils, which this year it did on 5th October, requiring comments by no later than 30th November 2015.

The IRPW is required to take into account the representations which it receives on the draft before issuing its final version of the report in February.

For 2016/17, whilst the basic salary remains at £13,300, the IRPW has made a number of new determinations, most notably there are some significant changes to some senior salaries:

- **Reduction in Deputy Leader Salary** – Reductions as follows: Group A - £200, **Group B £150** and Group C £100
- **Cap on the number of Executive Members who can receive full-salary** – A maximum of 4 Executive Members (or 5 if there is no Deputy Leader) continue to receive the current senior salary, other Executive Members will however receive a 10% reduction in salary. It will be for individual authorities to determine which Executive Members receive which salary:

	Group A (Cardiff, Rhondda Cynon Taf, Swansea)	Group B (Bridgend, Caerphilly, Carmarthenshire , Conwy, Flintshire, Gwynedd, Newport, Neath Port Talbot, Pembrokeshire, Powys, Vale of Glamorgan, Wrexham)	Group C (Blaenau Gwent, Ceredigion, Denbighshire, Merthyr Tydfil, Monmouthshire, Torfaen, Isle of Anglesey)
Band 2 Executive members (up to a maximum of 4 or 5 if no Deputy leader) Other Executive members (to statutory maximum)	£32,000 £28,800	£29,000 £26,100	£26,000 £23,400

- **Introduction of 2 levels of Committee Chairs' remuneration** – Level 1 £22,000 (which is the current level) and a reduced Level 2 of £20,000. It is for individual authorities to determine which level and if any remuneration is appropriate for chairs of various committees.
- **Reduction in Opposition Leader salary** – from £22,000 to £20,000, which is in line with the lower level of salary available to Committee Chairs.
- **Concern 'that there is variation and consistency of support provided to members'**.

It should be noted that, according to the IRP Report, ***'This year, for the first time, The Panel was given a 'remit' letter by its sponsor Minister in which the Minister drew the Panel's attention to the desire of the Welsh Government to reduce the cost of politics to the public purse and pointed to a number of aspects of the current remuneration framework for consideration.'***

DETAILED REPORT ATTACHED ?	YES
	<p>IRPW DRAFT ANNUAL REPORT - FEBRUARY 2016</p> <p>http://gov.wales/docs/dsjlg/publications/151005-irp-draft-report-en.pdf</p>

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: Gaynor Morgan Head of Democratic Services

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
NONE	NONE	YES	NONE	NONE	NONE	NONE

1. Finance

The Budget provision required for payment of Members allowances in 2016/17 is likely to be similar to that in 2015/16.

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Gaynor Morgan Head of Democratic Services

(Please specify the outcomes of consultations undertaken where they arise against the following headings)

1. Scrutiny Committee

Not Applicable

2. Local Member(s)

Not Applicable

3. Community / Town Council

Not Applicable

4. Relevant Partners

Not Applicable

5. Staff Side Representatives and other Organisations

Not Applicable

Section 100D Local Government Act, 1972 – Access to Information

List of Background Papers used in the preparation of this report:

THESE ARE DETAILED BELOW

Title of Document	File Ref No.	Locations that the papers are available for public inspection
IRPW Draft Report		http://gov.wales/docs/dsjlg/publications/151005-irp-draft-report-en.pdf



Leaders and Chief Executives of County and County Borough Councils
Chairs and Chief Executives of National Park Authorities
Chairs and Clerks of Fire and Rescue Authorities
Chair and Chief Executive of One Voice Wales
Leader and Chief Executive of Welsh Local Government Association
Head of Democratic/Members Services of County and County
Borough Councils, National Park Authorities and Fire and Rescue Authorities
Community & Town Councils

5 October 2015

Dear Colleague

DRAFT ANNUAL REPORT FOR 2016/17

In accordance with the requirements of Section 147 of the Local Government (Wales) Measure 2011 (“the Measure”), I am writing to inform you that the Panel’s draft Annual Report setting out the determinations which would have effect for the municipal year 2016/17, has now been published on its website.

<http://gov.wales/irpwsb/home/publication/2016-17/?lang=en>

A copy has also been sent to the Minister for Public Services. Copies of previous reports are available on the Panel’s website at <http://wales.gov.uk/irpwsb/home/?lang=en>

An electronic copy of the draft Annual Report will be available from 5 October 2015. In order to meet the requirement of the Measure to publish this report by 28 February 2016 any representations or comments that you may wish to make about this report should be received no later than 30 November 2015. Representations or comments received after this date may not be considered.

For the first time this year the Panel also received a remit letter from its sponsor Minister which drew to Panel’s attention to the Welsh Government’s desire to reduce the cost of politics.

Last year the Panel decided given that given the continuing constraints on local government spending there would be no increase in remuneration in 2014/15 and it has taken the same approach this year and there will be not increase in remuneration in 2015/16.

The Panel has considered its remuneration framework in depth this year and obtained comparative information and made a number of changes to the payment of senior salaries as a result of its considerations.

The Panel has also given further consideration to the remuneration of members of community and town councils and in light of the additional information obtained, amendments have been made to the remuneration framework as it applies to community and town councils.

Please send your representations and any comments no later than 30 November via the following:

Post: IRP Secretariat
Welsh Government
First Floor, North Wing, M05
Cathay's Park
Cardiff. CF10 3NQ

Email: IRPMailbox@wales.gsi.gov.uk

Yours faithfully



Richard Penn
Chairman
Independent Remuneration Panel for Wales



Independent Remuneration Panel for Wales

Annual Report

DRAFT

February 2016

Page 23



This is our eighth Annual Report since the Panel was established in 2008 and is the fifth Annual Report since the approval of the Local Government (Wales) Measure 2011 ('the Measure')¹.

In 2013 the Panel revisited the 22 principal councils, the 3 national park authorities (NPAs) and the 3 fire and rescue authorities (FRAs) to discuss how our determinations were working in practice and what matters we should address in our Annual Report. This resulted in a number of significant changes to the Panel's remuneration framework in its Annual Report published in February 2014, including a small increase in the Basic Salary.

Last year the Panel decided that given the continuing constraints on local government spending there would be no increase in remuneration in 2015/16. The Panel has taken the same approach this year and has decided that there will be no increase in remuneration in 2016/17.

This year, for the first time, the Panel was given a 'remit' letter by its sponsor Minister in which the Minister drew the Panel's attention to the desire of Welsh Government to reduce the cost of politics to the public purse and pointed to a number of aspects of the current remuneration framework that he felt needed to be given consideration.

This year the Panel has also given further consideration to the remuneration of members of community and town councils in the light of additional information it has obtained about their work, and we have decided to make some amendments to the remuneration framework as it applies to these councils.

The Panel remains concerned at the inconsistency of support provided to members to enable them to discharge their functions effectively. We are also concerned that some councillors have not always fully utilised the support that has been provided through the Panel's remuneration framework and urges all those involved to ensure that the Panel's determinations are fully implemented and that individual councillors are encouraged to access all the support available, including the Care Allowance.

The Welsh Government amended the Local Government (Wales) Measure 2011 by inserting section 143A that enables the Panel to take a view on any change to the salary of the Head of Paid Service (normally the Chief Executive or Chief Fire Officer) or anything in the Pay Policy Statement of an authority that relates to this post. The Welsh Government has subsequently issued guidance on this to the Panel. The Local Government (Wales) Bill currently being considered by the National Assembly proposes additional powers and responsibilities for the Panel. These will, on a temporary basis, extend their functions relating to Heads of Paid Service to Chief Officers of principal local authorities. In addition the Bill provides that the Panel be

¹ <http://www.legislation.gov.uk/mwa/2011/4/contents/enacted>.

given powers to determine remuneration for members of shadow authorities and newly forming principal councils.

The Panel has continued to contribute wherever possible through its determinations to enhancing diversity in local government in Wales. It has also taken steps to help Welsh Government to broaden the Panel's membership when the opportunity occurs, and the Minister has appointed additional women members to the Panel as from 1 January 2016.

The Panel is keenly aware of the way Welsh Government is progressing the work of the Commission on Public Service Governance and Delivery and will be liaising closely with the Local Democracy and Boundary Commission for Wales in preparation for the implementation of the various Acts that will determine the future shape of local government in Wales.

The Panel's determinations for 2016/17 can be found at Annex 1.

It is my last year as Chair of the Panel after eight very interesting and rewarding years in that role. I want to thank my fellow Panel members, past and present, for their support to me during my term of office and for their commitment to the work of the Panel. I am very happy to welcome my colleague, John Bader, as the new Chair of the Panel and to wish him and the other Panel members every success in the future.

Finally, on behalf of the Panel I would like to put on record our appreciation of the support we receive for our work from the Welsh Government officials who constitute our secretariat.

Richard Penn
Chair

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Summary of payments to members and co-opted members of principal councils, community and town councils, national park authorities and Welsh fire & rescue authorities in 2016/17

Table 1: Maximum numbers of council membership eligible for payment of a senior salary

Council	Number of councillors	Number of senior salaries
Group A		
Cardiff	75	19
Rhondda Cynon Taf	75	19
Swansea	72	19
Group B		
Bridgend	54	18
Caerphilly	73	18
Carmarthenshire	74	18
Conwy	59	18
Flintshire	70	18
Gwynedd	75	18
Neath Port Talbot	64	18
Newport	50	18
Pembrokeshire	60	18
Powys	73	18
Vale of Glamorgan	47	18
Wrexham	52	18
Group C		
Blaenau Gwent	42	17
Ceredigion	42	17
Denbighshire	47	17
Isle of Anglesey	30	15
Merthyr Tydfil	33	16
Monmouthshire	43	17
Torfaen	44	17

Table 1 notes

- (i) Following the commencement of the provisions of the Local Government (Democracy) (Wales) Act 2013 there is no longer a need for the Panel to express the limit on senior salaries in percentages. It should be remembered however, that the Measure restricts the maximum number of senior salaries to 50% of the membership of the council, unless Welsh Ministers agree that the

Panel may determine an increased proportion². That has implications for Merthyr Tydfil where the maximum number is 16 and for Isle of Anglesey where the equivalent number is 15 (both of which include civic salaries in respect of the posts of civic head and deputy civic head).

- (ii) The civic salaries in respect of civic head and deputy civic head do not count towards the maximum proportion of senior salaries that a council is allowed to pay (except for the Isle of Anglesey and Merthyr Tydfil).

Table 2: Basic salary and senior salaries shall be payable as follows to all members of principal councils

Basic salary (payable to all elected members) £13,300			
	Group A (Cardiff, Rhondda Cynon Taf, Swansea)	Group B (Bridgend, Caerphilly, Carmarthenshire, Conwy, Flintshire, Gwynedd, Newport, Neath Port Talbot, Pembrokeshire, Powys, Vale of Glamorgan, Wrexham)	Group C (Blaenau Gwent, Ceredigion, Denbighshire, Merthyr Tydfil, Monmouthshire, Torfaen, Isle of Anglesey)
Senior salaries (inclusive of basic salary)			
Band 1			
Leader	£53,000	£48,000	£43,000
Deputy leader	£36,800	£33,350	£29,900
Band 2			
Executive members (up to a maximum of 4 or 5 if no Deputy leader)	£32,000	£29,000	£26,000
Other Executive members (to statutory maximum)	£28,800	£26,100	£23,400
Band 3			
Committee chairs (if remunerated):	Level 1	£22,000	
	Level 2	£20,000	
Band 4			
Leader of largest opposition group ³		£20,000	

² As set out in The Local Government (Wales) Measure 2011: Section 142; sub-section 5.

³ Leader of largest opposition group. See IRPW Regulations, Annex 2, Part 1(2) for a definition of "largest opposition group" and "other political group".

Band 5

Leader of other political groups

£17,000

Table 2 Notes

- (i) The Panel has determined that a council must make a senior salary available to the leader of the largest opposition group (subject to the 10% requirement).

Table 3: Civic salaries (where paid) shall be payable as follows to members of principal councils

Remuneration of civic leaders and deputy civic leaders <i>(inclusive of basic salaries)</i>		
Responsibility Level	Civic leaders	Deputy civic leaders
Level 1	24,000	18,000
Level 2	21,500	16,000
Level 3	19,000	14,000

Table 4: Fees for co-opted members (with voting rights) of local authorities (including national park authorities and fire and rescue authorities)

Chairs of standards committees and audit committees	£256 (4 hours and over) £128 (up to 4 hours)
Ordinary members of standards committees who also chair standards committees for community and town councils	£226 daily fee (4 hours and over) £113 (up to 4 hours)
Ordinary members of standards committees; education scrutiny committee; crime and disorder scrutiny committee and audit committee	£198 (4 hours and over) £99 (up to 4 hours)

Table 5: Basic and senior salaries shall be payable as follows to members of national park authorities (NPAs)

Basic salary	£3,600
Senior salaries (inclusive of basic salary)	
Chair ⁴ (Band 3)	£12,300
Deputy chair/committee chair (see note i)	
Level 1	£7,300
Level 2	£6,000

Table 6: Basic and senior salaries shall be payable as follows to members of Welsh fire and rescue authorities (FRAs)

Basic salary	£1,700
Senior salaries (inclusive of basic salary)	
Chair ⁵ (Band 3)	£10,400
Deputy chair	£5,400
Committee chair (see note i)	£5,400

Tables 5 & 6 notes

(i) A National Park Authority / Fire & Rescue Authority senior salary can be paid to the chair, deputy chair, and up to two other committee chairs.

(ii) National Park Authorities and Fire & Rescue Authorities, as in the case of principal councils, can decide on the maximum number of days for which co-opted members may be paid in any one year.

⁴ Brecon Beacons, Pembrokeshire Coast, Snowdonia.

⁵ Mid & West Wales, North Wales, South Wales.

1. Introduction

- 1.1 This is the eighth Annual Report of the Independent Remuneration Panel for Wales (the Panel), and the fifth published under the requirements of the Local Government (Wales) Measure 2011. The Measure extended the responsibilities of the Panel and its powers under Section 142 to decide (prescribe) payments to members of relevant authorities. This enabled the Panel to move beyond the previous limitation of setting maximum limits for member payments and the Panel has been able to use this power of prescription from April 2012. The Measure also extended the Panel's remit to include responsibility for the remuneration of members of National Park Authorities (NPAs), Fire and Rescue Authorities (FRAs) and Community and Town Councils.
- 1.2 Section 63 of The Local Government (Democracy) (Wales) Act 2013 amended the Local Government (Wales) Measure 2011 by inserting Section 143A. This requires that any principal council or fire and rescue authority that intends to change the salary of its Head of Paid Service must consult the Panel unless the change is in keeping with changes applied to other officers. Section 143A also enables the Panel to take a view on anything in the Pay Policy Statement of an authority that relates to the salary of the Head of Paid Service (normally the Chief Executive or Chief Fire Officer). The Panel's approach to its use of this power is set out in Section 11 of this Report and accords with the guidance issued to the Panel by the Welsh Government that can be found at Annex 6.
- 1.3 The Local Government (Wales) Bill currently being considered by the National Assembly proposes additional powers and responsibilities for the Panel. These will, on a temporary basis, extend their functions relating to Heads of Paid Service to Chief Officers of principal local authorities. In addition the Bill provides that the Panel be given powers to determine remuneration for members of shadow authorities and newly forming principal councils.
- 1.4 The Panel, established by the Welsh Government in 2008, is now in its eighth year. It comprises Richard Penn, John Bader, Anne Abel, Stephen Mulholland and Gregory Owens. Richard Penn is the Panel member appointed as Chair by the Minister and John Bader is the Vice Chair elected by members of the Panel. Richard Penn's eight year term of office as Chair of the Panel terminates at the end of December 2015. The Minister has appointed John Bader to be the Chair of the Panel and his term of office commences on 1 January 2016. The Minister has appointed Julie May as a new Panel member.
- 1.5 In the determinations for this Annual Report the Panel has continued to take into account affordability and acceptability, given the ongoing constraints on local authority budgets.
- 1.6 Although there has been an increase in population throughout Wales, the 2011 census⁶ did not indicate that this has been sufficient to move any principal

⁶ 2011 Census table CP04: Usual resident population all ages, unitary authorities in Wales.

council to a higher population group and the Panel's framework is unchanged in respect of population groups.

- 1.7 As with the Panel's previous Reports, and no less now under the Measure, its determinations on member remuneration are underpinned by a set of principles set out in Section 2 of this Annual Report.
- 1.8 The Panel remains firmly of the view that maintaining the democratic values of local governance cannot be cost-free. Members of local authorities (including co-opted and appointed members) are there to represent the interests of local people, undertake the governance of local communities, and secure value-for-money public services for local tax-payers through effective scrutiny. These are significant and considerable tasks for members of relevant authorities within the Panel's remit. Publicly funded remuneration is made available to encourage a diversity of willing and able people to undertake local governance through their elected, appointed or co-opted roles.
- 1.9 In determining the level of payments to members of local councils, the Panel has sought to meet its principle of '*acceptability*' by ensuring that these are not '*so great as to require a significant diversion of resources from key council priorities*'. But Section 142(8) of the Measure is more explicit on '*affordability*' when it states that "*when setting an amount⁷ ...the Panel must take into account what it considers will be the likely financial impact of doing so on relevant authorities*". Meeting the requirement of the Measure in regard to affordability has been a challenge for the Panel, not least because of public interest in the payments made to members. The Panel acknowledges that the issue of affordability – in relation both to relevant authorities' service budgets and to the electorate's disposable incomes – is likely to exert a powerful impact on the public perception of any increases to members' payments.
- 1.10 As a charge on the public purse, payments to members for their time, worth and responsibility must be, and must be seen to be, fair and affordable. The Panel's determinations in its 2009 Report aligned payments to the median gross earnings of all full-time employees resident in Wales as reported in the Annual Survey of Hourly Earnings (ASHE). The basic salary was set at three-fifths of the All Wales Median Salary and senior salaries were set at multiples of this annual median salary. In setting these salaries the Panel recognised that there was an unpaid public service contribution.
- 1.11 Given the very modest relaxation in the constraints on public sector pay and also to prevent further erosion of the relative levels of remuneration, the Panel decided last year in view of the continuing severe constraints on local government resources not to increase remuneration in 2015/16. There has been no change in that situation in the current year and the Panel has decided not to increase remuneration in 2016/17. This will further compromise the alignment to median gross earnings in Wales that underpinned the basic salary

⁷ <http://www.legislation.gov.uk/mwa/2011/4/contents/enacted>.

set in 2009. This is a matter that the Panel intends to re-examine at an appropriate time in the future.

- 1.12 This year, for the first time, the Panel was given a 'remit' letter (this can be found at Annex 5) by its sponsor Minister in which the Minister drew the Panel's attention to the desire of Welsh Government to reduce the cost of politics to the public purse and pointed to a number of aspects of the current remuneration framework for consideration. The Minister also asked the Panel to consider whether the rates of payment to leaders and executive members is justified when compared with those paid in similarly sized councils in other parts of the UK.
- 1.13 The Panel obtained comparative information on this from a national expert on remuneration and met with him to discuss his findings. As a result the Panel was reassured that its rates of remuneration are justified and appropriate in comparison to other UK nations.
- 1.14 However, the Panel has made a number of changes to the payment of senior salaries as a result of its further consideration of these aspects of the framework.
- 1.15 The Panel circulated a questionnaire to the clerks of all community and town councils in Wales to establish the extent to which those councils had utilised the determination in its December 2012 Annual Report that enabled those councils to make a payment to each of their members of a maximum of £100 per year for costs incurred in respect of telephone usage, information technology, consumables etc. There was a very disappointing response, with less than 11.5% of questionnaires completed and returned, so it was not possible to establish a clear picture of the situation. The Panel has undertaken additional evidence gathering about the work of town and community councils in Wales in 2015 and has decided to make a number of amendments to the remuneration framework as it applies to these councils.
- 1.16 The Panel remains concerned at the wide variation and inconsistency of support provided to members to enable them to discharge their functions effectively. The Panel has determined that such support should be provided without cost to the individual elected member, and that the cost of support must be appropriate, reasonable and publicly declared. Deductions must not be made from members' salaries by the respective authority as a contribution towards those support costs which the authority considers necessary for the effectiveness and/or efficiency of members. However, the Panel is aware that a number of authorities have not fully implemented the Panel's determinations in this regard and last year amendments were made to its previous determinations to ensure there is greater consistency across Wales.

Further to its discussions with members of Democratic Services Committees and Heads of Democratic Services in 2015 the Panel is still concerned that there continues to be variation in the support provided to members. It is important that authorities are aware that insufficient support can undermine the ability of elected members to discharge their basic duties effectively.

- 1.17 The Panel expects that the support provided should take account of the specific needs of individual members. The functions of Democratic Services Committees include a requirement to review the level of support provided to members to carry out their duties and the Panel would expect these committees to carry this out and bring forward proposals to the full council as to what is considered to be reasonable. Members of Democratic Service Committees and Heads of Democratic Services indicated at our meetings with them that it would be beneficial for authorities to be proactive in sharing information and establishing benchmarks for levels of provision and good practice in how authorities support the work of elected members.
- 1.18 The Panel notes that members have not always utilised the support that has been provided through the Panel's remuneration framework, particularly in respect of the care allowance. Some members are reluctant to claim all that they are entitled to claim in support of their work, particularly the care allowance, because of concerns about the adverse publicity this can attract. Democratic Services Committees should take steps to encourage and facilitate eligible members in claiming these allowances.
- 1.19 The Panel urges all those involved to ensure that the Panel's determinations are fully implemented and that individual members are encouraged to access all the available support, including the care allowance.
- 1.20 The Panel has continued to contribute wherever possible to enhancing diversity in local government in Wales through its determinations. It has also taken steps along with the Public Appointments Unit that should help broaden the Panel's membership when the opportunity occurs. The Panel responded to an invitation from the then Minister for Local Government and Government Business to report on its approach to increasing diversity within its membership. The report can be found on the Panel's website⁸.
- 1.21 Section 153 of the Measure empowers the Panel to monitor relevant authorities' compliance with its requirements. An examination of the level of compliance by principal councils revealed that over half of the councils had significant deficiencies in respect of the requirements relating to the Schedule of Member Remuneration and the publication of remuneration as set out in Annual Reports. Although specific concerns were raised with individual authorities and actions taken to address them, the Panel continues to emphasise the importance of providing accurate and timely information about payments to councillors that can be readily accessed by members of the public. Panel members will continue to engage with representatives of Democratic Services Committees and officers to discuss ways to improve the consistency and ease of access to this information in the future.
- 1.22 There are significant issues of non-compliance by town and community councils which will be the subject of detailed examination and appropriate action.

⁸ <http://wales.gov.uk/docs/dsjlg/publications/140926-irp-report-on-local-diversity.pdf>

- 1.23 The Panel recognises the importance that Welsh Government places on effective scrutiny as an essential element of the cabinet system of local government. The Panel will continue to liaise with the Welsh Government's Scrutiny Reference Panel to inform future determinations in relation to the scrutiny function.
- 1.24 The Panel is also very aware of the way Welsh Government is progressing the legislation that will determine the future shape of local government in Wales and the Panel will be liaising closely with the Local Democracy and Boundary Commission for Wales in preparation for its implementation.

2. The Panel's Framework: Principles of Remuneration

Upholding trust and confidence

- 2.1 Citizens rightly expect that all those who choose to serve in public authorities uphold the public trust by embracing the values and ethics implicit in such public service. These principles underpin the contribution that the work of the Panel and its Framework make towards upholding public trust and confidence.

Simplicity

- 2.2 The Framework is clear and understandable. This is essential for the Panel to be able to communicate its determinations effectively to all those who are affected by, or who have an interest in, its work.

Remuneration

- 2.3 The Framework provides for payment to members of public authorities who carry a responsibility for serving their identified communities of geography and of interest. The level of remuneration should not act as a barrier to taking up or continuing in post. There should be no requirement that resources necessary to enable the discharge of duties are funded from the salary. The Framework provides additional recompense for those who are given greater levels of responsibility.

Diversity

- 2.4 Democracy is strengthened when the membership of public authorities adequately reflects the demographic and cultural make-up of the communities such authorities serve. The Panel will always take in to account the contribution its framework can make in encouraging the participation of those who are significantly under-represented at local authority level.

Accountability

- 2.5 Taxpayers and citizens have the right to receive value for money from public funds committed to the remuneration of those who are elected, appointed or co-opted to serve in the public interest. The Panel expects all principal councils to make information readily available about the activities of their members and in particular expects all local authority councillors to produce an annual report of their council-related activity.

Fairness

- 2.6 As an essential test of the framework's fairness, the Panel ensures that its decisions on remuneration for members take account of the earnings of the electorate in Wales. The framework will be capable of being applied consistently to members of all public authorities as a means of ensuring that levels of remuneration are fair, affordable and generally acceptable.

Quality

- 2.7 The Panel recognises that the complex mix of governance, scrutiny and regulatory duties incumbent upon members requires them to engage with a process of continuous quality improvement. The Panel expects members to undertake such training and personal development opportunities as are required to properly discharge the duties for which they are remunerated.

Transparency

- 2.8 Transparency of members' remuneration is in the public interest. Some members receive additional levels of remuneration by virtue of being elected or appointed to more than one public body. The framework serves to ensure that knowledge of all members' remuneration is made easily available to the public.

3. Payments to Elected Members of Principal Councils: Basic, Senior and Civic Salaries

Basic salary for elected members of principal councils

- 3.1 In view of the continuing reduction in public sector funding, the Panel has determined there shall be no increase from spring 2016 in the level of basic salary for members of principal councils.

Determination 1: Basic salary in 2016/17 for elected members of principal councils shall remain at £13,300.

Note to Determination 1:

The Panel originally determined (IRP Annual Report December, 2009) that the payment of basic salary would be aligned to the median gross earnings of all full-time employees resident in Wales as reported in the Annual Survey of Hourly Earnings (ASHE). Given the pressures on public expenditure it was not possible for this alignment to be maintained. The Panel will revisit when appropriate the basis on which the basic salary has been determined.

Senior salaries for elected members of principal councils

- 3.2 The limit on the number of senior salaries payable ('the cap') will remain in place. In 2016/17 the maximum number of senior salaries payable within each council will not be altered and will be as set out in Table 1.

Table 1: Maximum numbers of council membership eligible for payment of a senior salary

Council	Number of councillors	Number of senior salaries
Group A		
Cardiff	75	19
Rhondda Cynon Taf	75	19
Swansea	72	19
Group B		
Bridgend	54	18
Caerphilly	73	18
Carmarthenshire	74	18
Conwy	59	18
Flintshire	70	18
Gwynedd	75	18
Neath Port Talbot	64	18
Newport	50	18
Pembrokeshire	60	18
Powys	73	18
Vale of Glamorgan	47	18
Wrexham	52	18
Group C		
Blaenau Gwent	42	17
Ceredigion	42	17
Denbighshire	47	17
Isle of Anglesey	30	15
Merthyr Tydfil	33	16
Monmouthshire	43	17
Torfaen	44	17

Payments to members of the Executive, Chairs of committees and the Leader of the Opposition

3.3 The Panel has revisited its previous decisions in respect of the senior salaries paid to these post holders.

(i) The Executive:

The visits to all principal councils by the Panel in 2009 produced the general conclusion that Executive members should be considered as working the equivalent of full time (up to 40 hours per week) but not necessarily nine to five. However, we have stressed that in reaching this decision there was recognition that with a potential of nearly 200 Executive members (excluding Leaders) there would be a variety of arrangements and that some portfolio holders would have

greater responsibility and workloads than others. But this was dependent on the specific organisational arrangements of the cabinets of each authority.

We have now given further consideration to this issue following more recent visits as well as views expressed to us as to the appropriateness of paying cabinet members the same salary irrespective of the responsibility of the portfolio held. Although many councils operate with a cabinet of 10, the statutory maximum, others choose to have smaller cabinets and therefore the range of individual portfolios is much greater. We have concluded that this should be reflected in the remuneration framework. It is not the role of the Panel to determine the structure of cabinets of local authorities so the new determinations provide flexibility for each council to decide the appropriate range of portfolios to meet local needs, recognising that there is an inevitable variation on the level of responsibility and workload.

Up to 5 cabinet posts (excluding Leaders) will be paid a salary of:

Group A - £32,000
Group B - £29,000
Group C - £26,000

Deputy Leaders (where appointed) will be one of the 5 posts and the salary will be increased by 15%

Any other cabinet members (up to the statutory maximum) will be paid a salary of:

Group A - £28,800
Group B - £26,100
Group C - £23,400

It will be a matter for individual authorities to decide the implementation of the determinations within their specific cabinet structures.

(ii) Chairs of Committees

The Panel continues to take the view that the responsibility and function of chairing a committee is not generally influenced by population of the authority. However, there is recognition that the specific responsibility and workload of some chairs is greater than others, and this has been a topic of ongoing dialogue and debate. We consider that this should be reflected in the remuneration framework.

The Panel is therefore introducing two levels of remuneration for chairs of committees:

Level 1 chairs will be paid a salary of £22,000
Level 2 chairs will be paid a salary of £20,000

Although it will be a matter for individual authorities to decide which of the chairs (if remunerated) are level 1 or level 2, the Panel expects that the payment of a level 1 salary would be to recognise exceptional responsibility.

The senior salary bands

Determination 2: The Panel has determined that senior salary levels in 2016/17 for members of principal councils shall be as set out in table 2.

Table 2: Basic salary and senior salaries payable to members of principal councils

Basic salary (payable to all elected members) £13,300			
	Group A (Cardiff, Rhondda Cynon Taf, Swansea)	Group B (Bridgend, Caerphilly, Carmarthenshire, Conwy, Flintshire, Gwynedd, Newport, Neath Port Talbot, Pembrokeshire, Powys, Vale of Glamorgan, Wrexham)	Group C (Blaenau Gwent, Ceredigion, Denbighshire, Merthyr Tydfil, Monmouthshire, Torfaen, Isle of Anglesey)
Senior salaries (inclusive of basic salary)			
Band 1			
Leader	£53,000	£48,000	£43,000
Deputy leader	£36,800	£33,350	£29,900
Band 2			
Executive members (up to a maximum of 4 or 5 if no Deputy leader)	£32,000	£29,000	£26,000
Other Executive members (to statutory maximum)	£28,800	£26,100	£23,400
Band 3			
Committee chairs (if remunerated):	Level 1	£22,000	
	Level 2	£20,000	

Band 4 Leader of largest opposition group ⁹	£20,000
Band 5 Leader of other political groups	£17,000

Table 2 notes:

- a. The Panel considers that the leadership and executive roles (Band 1 and 2 salaries respectively) carry the greatest individual accountability and that ‘size of population’ remains a major factor in influencing levels of responsibility and the use of the three population groups (A, B and C) has therefore been retained.
- b. Committee chairs will be paid at Band 3, either Level 1 or 2 (for decision by the authority); although an individual authority may determine not to pay particular chairs.
- c. The Panel is aware of the importance placed by the Welsh Government on the value of the scrutiny function for local democracy and has noted that in total there are currently 91 chairs of scrutiny who receive senior salaries. The Panel believes that this is a clear recognition of the importance of this function and should be maintained.
- d. The stipulation that an opposition group leader or any other group leader must represent at least 10% of the council membership before qualifying for a senior salary remains unchanged.
- e. The Panel has determined that a council must make a senior salary available to the leader of the largest opposition group. The range of responsibility and accountability of the leader of the largest opposition group varies across authorities. Nevertheless, the Panel remains of the view that payment for this position is important for local democracy and that this role should be remunerated at Band 3 level 2.
- f. The Panel has determined that, if remunerated, a Band 5 senior salary must be paid to leaders of other political groups.
- g. See IRPW Regulations, Annex 2, Part 1(2) for a definition of “*largest opposition group*” and “*other political group*”.

Payments to civic heads and deputies (civic salaries)

3.4 The Panel maintains the view that it is appropriate for authorities to set remuneration levels which reflect activity and responsibility of civic heads and

⁹ Leader of largest opposition group. See IRPW Regulations, Annex 2, Part 1(2) for a definition of “*largest opposition group*” and “*other political group*”.

deputies rather than the local population. The Panel is aware but surprised that many councils have set the salaries for their civic heads and deputies to accord with the population groups rather than necessarily reflecting the specific responsibilities attached to the roles. For the removal of doubt, the three established groups of principal councils calculated by population are not required to be applied in relation to payments to civic heads and deputies.

- 3.5 The Panel has set three possible levels of civic salary - higher, mid and lower. Each authority must decide which level (if any) is to be paid for each of these roles according to local factors. For example, the civic head of a small council may be paid at the highest rate, whilst the civic head of a large council may be paid at the lowest rate, rates of payment to deputy civic heads may be similarly varied. This also allows for civic heads and their deputies in the same authority to be paid at different levels.
- 3.6 A council may decide not to apply any civic salary to the posts of civic head and/or deputy civic head.

Determination 3: The Panel has determined that (where paid) civic salaries at the following levels are payable (Table 3) and will be applied by principal councils as each considers appropriate, taking account of the anticipated workloads and responsibilities.

Table 3: Civic salaries (where paid) shall be payable as follows to members of principal councils

Remuneration of civic heads and deputy civic heads (inclusive of basic salaries)		
Responsibility Level	Civic heads	Deputy civic heads
Level 1	£24,000	£18,000
Level 2	£21,500	£16,000
Level 3	£19,000	£14,000

Table 3 notes:

- a. The posts of civic head and deputy civic head are not included in the cap (with the exception of Isle of Anglesey and Merthyr Tydfil Councils).
- b. The Panel’s requirement that members should not have to pay for the cost of the support (see determination 7) that is needed to carry out their duties applies also in respect of civic heads. The Panel recognises the range of provision made for civic heads in respect of transport, secretarial support, charitable giving and clothing. The Panel does not consider it appropriate for councils to

expect or require that contributions towards any such provision should be met from the net senior salaries paid to civic heads.

- 3.7. Civic roles are senior posts within councils which are distinct from political or executive leadership. In addition to chairing major meetings the civic head is the authority's 'first citizen' and 'ambassador', representing the council to a wide variety of institutions and organisations, and this requires the post holder to exemplify and promote good citizenship.
- 3.8. Deputy civic heads are often 'civic heads in waiting' for the following year, 'learning the ropes' by participating in a separate schedule of events as well as deputising for the civic head.
- 3.9. The intention of the civic allowance as defined by sections 22(5) and 24(4) of the Local Government Act 1972 remains to allow a council to pay a chair and vice-chair of a council an allowance which it thinks fit for the purposes of meeting the expenses of those offices.
- 3.10. In many instances civic heads receive secretarial support, are provided with transport for official duties and can access a separate hospitality budget which is managed and controlled by council officers.
- 3.11 The level of support given, the personal financial outlay and the level of activity during the year of office varies considerably between authorities and the size of authority does not necessarily relate to the commitment required of, or given by, civic heads.
- 3.12 All principal councils have a number of community councils within their areas and many also include town councils. Where a community council has a particularly active civic head this may have some impact on the workload of the principal council's civic head.
- 3.13 The Local Government (Democracy) (Wales) Act 2013 allows councils to appoint a presiding member whose role it will be to chair meetings of the whole council. Where appointed, there would be a consequential reduction in the responsibilities of the respective civic head.

Payments to presiding members

Determination 4: The Panel has determined that, where appointed and if remunerated, a presiding member must be paid a Band 3 Level 1 senior salary. This post will count towards the cap.

Determination 5: The Panel has determined that the post of deputy presiding member will not be remunerated.

Key factors underpinning the Panel's determinations:

- 3.14 The basic salary, paid to all elected members, is remuneration for the responsibility of community representation and participation in the scrutiny, regulatory and related functions of local governance for the time equivalent of three days a week. Any time commitment beyond three days is an unpaid public service contribution.
- 3.15 The prescribed salary and expenses must be paid in full to each member unless an individual has independently and voluntarily opted in writing to the authority's proper officer to forego all or any element of the payment.

The following must be applied:

- 3.16 An elected member must not be remunerated for more than one senior post within his or her authority (but see section 4 on JOSCs).
- 3.17 An elected member must not be paid a senior salary and a civic salary.
- 3.18 All senior and civic salaries are paid inclusive of basic salary.
- 3.19 If a council chooses to have more than one remunerated deputy leader, the difference between the senior salary for the deputy leader and other executive members should be divided by the number of deputy leaders and added to the senior salary for other executive members in order to calculate the senior salary payable to each deputy leader.
- 3.20 Members in receipt of a Band 1 or Band 2 senior salary cannot receive a salary from any NPA or FRA to which they have been appointed.

Supporting the work of local authority elected members

- 3.21 The Panel held a series of meetings in 2015 with Chairs and members of Democratic Service Committees and Heads of Democratic Services. The Panel remains concerned that there is variation and inconsistency of support provided to members. It is important for authorities to remain aware that insufficient support undermines the ability of members to discharge their basic duties effectively.
- 3.22 The Panel expects that the support provided should take account of the specific needs of individual members. The functions of Democratic Services Committees include a requirement to review the level of support provided to members to carry out their duties and the Panel would expect these committees to carry this out and bring forward proposals to the full council as to what is considered to be reasonable. At the meetings with the Panel in 2015 Heads of Democratic Services suggested that it would be beneficial for authorities to be pro-active in sharing information and establishing benchmarks for levels of provision and good practice in how authorities support the work of elected members.

3.23 The Panel considers it is necessary for each elected member to have ready use of telephone and e-mail services, and to have electronic access to appropriate information via an internet connection. This comprises the necessary provision for a member to be in proper contact with council services and to maintain contact with those they represent. Many councils in Wales are committed to 'paperless working' and without electronic access a member would be significantly limited in his or her ability to discharge their duties. As indicated above it is the responsibility of each council through its Democratic Services Committee to establish its provision of support based on an assessment of the needs of its members. It would not be appropriate for such facilities only to be available within council offices within office hours. When specific training, additional needs or matters of disability apply, each authority will need to assess any particular requirements of individual members.

Determination 6: The Panel has determined that each authority, through its Democratic Services Committee, must ensure that all its members are given as much support as is necessary to enable them to fulfil their duties effectively. All elected members should be provided with adequate telephone and email facilities and electronic access to appropriate information.

Determination 7: The Panel has determined that such support should be without cost to the individual member. Deductions must not be made from members' salaries by the respective authority as a contribution towards the cost of support which the authority has decided necessary for the effectiveness and/or efficiency of members.

Reimbursement of travel, subsistence and care costs when on official business

Reimbursement of mileage costs

3.24 The Panel has determined that there will be no change to mileage rates which members are entitled to claim. All authorities may only reimburse travel costs for their members undertaking official business within and/or outside the authority's boundaries at current HMRC rates which are:

45p per mile	Up to 10,000 miles in a year by car
25p per mile	Over 10,000 miles in a year by car
5p per passenger per mile	Passenger supplement
24p per mile	Motor cycles
20p per mile	Bicycles

- 3.25 Authorities should pay mileage at the prescribed rates to a member who has been a passenger in a vehicle driven by someone else provided the authority is satisfied that a cost has been incurred by the member.
- 3.26 The Panel notes that the UK Government announced in its Autumn Statement 2014¹⁰ that travel expenses paid to councillors by their local authority will be exempt from Income Tax and employee NICs. The exemption will be limited to the Approved Mileage Allowance Payment rates where it applies to mileage payments. This change will take effect from 6 April 2015.

Reimbursement of other travel costs

- 3.27 All other claims for travel must only be reimbursed on production of receipts showing the actual cost and will be subject to any requirement or further limitation that an authority may determine. Members should always be mindful of choosing the most cost effective method of travel.
- 3.28 The Panel noted that in some instances members with disabilities have been reluctant to claim legitimate travel expenses because of an adverse response following the publication of their travel costs. This is not the case in those authorities where travel arrangements are made directly by the authority.

Reimbursement of subsistence costs

£28 per day	Day allowance for meals, including breakfast, where not provided in the overnight charge
£200 per night	London
£95 per night	Elsewhere
£30 per night	Staying with friends and/or family

- 3.29 These rates are in line with Welsh Government rates. Recommended practice is that overnight accommodation should usually be reserved and paid for on behalf of members by the relevant authority, in which case an authority may set its own reasonable limits and the limits which apply when an individual member claims in arrears for overnight accommodation costs do not then apply.
- 3.30 All authorities must continue to reimburse subsistence expenses for their members up to the maximum rates set out above on the basis of receipted claims except for occasions when members stay with friends and/or family.
- 3.31 There may be instances where an authority has determined that travel costs within its boundaries are payable and require a journey to be repeated on

¹⁰ Paragraph 2.61, HM Treasury Autumn Statement 2014

consecutive days. Where it is reasonable and cost effective to reimburse overnight accommodation costs, instead of repeated daily mileage costs, then it is permissible to do so.

- 3.32 It is not necessary to allocate the maximum daily rate (£28 per day) between different meals as the maximum daily rate reimbursable covers a 24 hour period and can be claimed for any meal if relevant, provided such a claim is accompanied by receipts.

Reimbursement of costs of care

Determination 8: All authorities must provide for the reimbursement of necessary costs for the care of dependent children and adults (provided by informal or formal carers) up to a maximum of £403 per month. Reimbursement shall only be made on production of receipts from the carer.

- 3.33 The reimbursement of cost of care allowance is intended to enable any person whose ability to participate as a member of an authority would be limited by their responsibilities as a carer. The Panel recognises that there is some sensitivity concerning the publication of this legitimate expense. However the Panel urges authorities to promote this allowance and encourage greater take-up of this support to facilitate increased engagement amongst authority members.
- 3.34 Such provision would be especially relevant to those individuals in sectors of the population that are currently under-represented in local government but who may become engaged when awareness of the support available for the costs of care becomes more widely known.

Entitlement to family absence

- 3.35 The Regulations relating to Family Absence for elected members of principal councils were approved by the National Assembly for Wales in November 2013.
- 3.36 The Panel considered the implications for the remuneration of such members who are given absence under the terms of the Welsh Government Regulations and the Panel's determinations are set out below.

Determination 9: An elected member is entitled to retain a basic salary when taking family absence under the regulations irrespective of the attendance record immediately preceding the commencement of the family absence.

Determination 10: When a senior salary holder is eligible for family absence, he/she will continue to receive the salary for the duration of the absence.

Determination 11: It is a matter for the authority to decide whether or not to make a substitute appointment. The elected member substituting for a senior salary holder taking family absence will be eligible to be paid a senior salary, if the authority so decides.

Determination 12: If the paid substitution results in the authority exceeding the maximum number of senior salaries which relates to it, as set out in the Panel's Annual Report, an addition to the maximum will be allowed for the duration of the substitution. However, this will not apply to the Isle of Anglesey or Merthyr Tydfil Councils if it would result in the number of senior salaries exceeding fifty percent of the Council membership. Specific approval of Welsh Ministers is required in such circumstances.

Determination 13: When a Council agrees a paid substitution for family absence, the Panel must be informed, within 14 days of the date of the decision, of the details including the particular post and the duration of the substitution.

Determination 14: The Council's schedule of remuneration must be amended to reflect the implication of the family absence.

4. Joint Overview and Scrutiny Committees (JOSC)

- 4.1 The Panel has set out the arrangements for the remuneration of chairs of Joint Overview and Scrutiny Committees and Sub-committees. The payments align with those of chairs of committees of principal councils set out in Section 3 (Level 2).

The following determinations apply:

Determination 15: The chair of a Joint Overview and Scrutiny Committee is eligible for a salary equivalent to that part of a Band 3 Level 2 senior salary that remunerates a committee chair of a principal authority (£6,700).

Determination 16: In cases where the chair is already in receipt of a senior salary for a Band 3, 4 or 5 role the payment will be £3,350.

Determination 17: The chair of a sub committee of a JOSC is eligible for a salary of £1,675.

Determination 18: In cases where the chair of the sub committee is already in receipt of a senior salary for a Band 3, 4 or 5 role the payment will be £837.

Determination 19: Payments to chairs of task and finish sub committees are to be pro-rated to the duration of the task.

Determination 20: Payments made to a chair of a JOSC, or a chair of a sub committee of a JOSC, are additional to the maximum proportion of the authority's membership eligible for a senior salary. It should be noted that the statutory limit of no more than 50% of a council's membership receiving a senior salary applies (Section 142 (5) of the Measure).

Determination 21: A deputy chair of a JOSC or sub committee is not eligible for payment.

Determination 22: Co-optees to a JOSC or to a sub committee are not eligible for a co-opted member fee unless they are appointed by an authority under Section 144(5) of the Measure.

- 4.2 The remuneration of chairs of JOSCs (or a sub-committee of JOSCs) is not prescribed and is a matter for the constituent councils to decide whether such a post will be paid. However, if a senior salary is paid, it must be at the level set out in section 4 of this report.

5. Pension provision for elected members of principal councils

The Local Government (Wales) Measure 2011 (“*The Measure*”) provides a power to the Panel to make determinations on pension entitlement for elected members of principal councils.

Determination 23: The entitlement to join the Local Government Pension Scheme (LGPS) shall apply to all eligible elected members of principal councils.

6. Payments to members of national park authorities

- 6.1 Given the continuing reduction in public sector funding, the Panel has determined there shall be no increase from spring 2016 in the levels of basic salary for members of national park authorities.
- 6.2 The Panel has based its determinations on the following key points:
- NPA members are drawn from two sources. Welsh Government appointees make up one third of the total of members and two thirds are local authority members nominated by constituent authorities.
 - In addition, standards committees of NPAs have co-opted members whose remuneration is included in the framework.
 - Welsh Government appointees and council nominated members are treated equally in relation to remuneration.
 - NPAs manage their work via formal authority meetings, committees and task and finish groups. Each has a Development/Management/Planning Committee and other committees include Performance and Resources and Audit and Scrutiny. Ordinary NPA members are members of at least one committee as well as being involved in site visits and inspection panels.
 - There is an expectation that members will participate in training and development.
 - The chair of an NPA has a leadership and influencing role in the authority, a representational role similar in some respects to that of a civic head and a high level of accountability. The chair is not only the leader of the authority but is also the public face of the particular national park and is the link with the Minister and AMs with whom they have regular meetings. The role requires a high level of commitment and time.

Basic and senior salaries

- 6.3 The Panel has previously determined that the role of ordinary members of a NPA warranted alignment to the basic salary of a member of a principal council, to be paid for a time commitment of 42 days per year. This continues to underpin its determinations.
- 6.4 The payment of NPA and FRA chairs is set on the same basis (See Section 7). The remuneration of the chair has been aligned to that part of a Band 3 Level 1 senior salary received by a committee chair of a principal authority.
- 6.5 The Panel decided in 2014 to provide local flexibility so that an NPA can decide at which of two levels the roles of deputy chair and other committee chairs can be remunerated. An NPA may choose to pay its deputy chair and/or committee chairs a salary of either £7,300 or £6,000, commensurate with the duties to be discharged in a particular role.

6.6 The Panel has determined that up to two NPA committee chairs can be remunerated.

The Panel has made the following determinations:

Determination 24: The basic salary for NPA ordinary members should be £3,600 ($42/156 \times £13,300$)

Determination 25: An NPA senior salary can be paid to the chair, deputy chair, and up to two committee chairs.

Determination 26: The senior salary of the chair of an NPA should be £12,300

Determination 27: The senior salary of a deputy chair and chairs of NPA committees can be paid at either of the following levels to be decided by the authority to reflect the appropriate responsibility:

£6,000 or £7,300

Determination 28: Members must not receive more than one NPA senior salary.

Determination 29: An NPA senior salary is paid inclusive of the NPA basic salary.

Determination 30: Members of principal local authorities in receipt of a Band 1 or Band 2 senior salary cannot receive a salary from any NPA to which they have been appointed.

Reimbursement of travel, subsistence and care costs when on official business

Reimbursement of mileage costs

6.7 The Panel has decided that there will be no change to mileage rates which members are entitled to claim. All authorities may only reimburse travel costs for their members undertaking official business within and/or outside the authority's boundaries at current HMRC rates which are:

45p per mile	Up to 10,000 miles in a year by car
25p per mile	Over 10,000 miles in a year by car
5p per passenger per mile	Passenger supplement
24p per mile	Motor cycles
20p per mile	Bicycles

6.8 Authorities should pay mileage at the prescribed rates to a member who has been a passenger in a vehicle driven by someone else provided the authority is satisfied that a cost has been incurred by the member.

Reimbursement of other travel costs

6.9 All other claims for travel must only be reimbursed on production of receipts showing the actual cost, and are subject to any requirement or further limitation that an authority may determine. Members should always be mindful of choosing the most cost effective method of travel.

6.10 The Panel noted that in some instances members with disabilities have been reluctant to claim legitimate travel expenses because of an adverse response following the publication of their travel costs. This is not the case in those authorities where travel arrangements are made directly by the authority.

Reimbursement of subsistence costs

£28 per day	Day allowance for meals, including breakfast, where not provided in the overnight charge
£200 per night	London
£95 per night	Elsewhere
£30 per night	Staying with friends and/or family

6.11 These rates are in line with Welsh Government rates. Recommended practice is that overnight accommodation should usually be reserved and paid for on behalf of members by the relevant authority, in which case an authority may set its own reasonable limits and the limits which apply when an individual member claims in arrears for overnight accommodation costs do not then apply.

6.12 All authorities must continue to reimburse subsistence expenses for their members up to the maximum rates set out above on the basis of receipted claims except for occasions when members stay with friends and/or family.

6.13 There may be instances where an authority has determined that travel costs within its boundaries are payable and require a journey to be repeated on consecutive days. Where it is reasonable and cost effective to reimburse

overnight accommodation costs, instead of repeated daily mileage costs, then it is permissible to do so.

- 6.14 It is not necessary to allocate the maximum daily rate (£28 per day) between different meals as the maximum daily rate reimbursable covers a 24 hour period and can be claimed for any meal if relevant, provided such a claim is accompanied by receipts.

Reimbursement of costs of care

- 6.15 All authorities must provide for the reimbursement of necessary costs for the care of dependent children and adults (provided by informal or formal carers) up to a maximum of £403 per month. Reimbursement shall only be made on production of receipts from the carer. (See Determination 8)
- 6.16 The reimbursement of cost of care allowance is intended to enable any person whose ability to participate as a member of an authority would be limited by their responsibilities as a carer. The Panel recognises that there is some sensitivity concerning the publication of this legitimate expense. However the Panel urges authorities to promote this allowance and encourage greater take-up of this support to facilitate increased engagement amongst authority members.
- 6.17 Such provision would be especially relevant to those individuals in sectors of the population that are currently under-represented in local government but who may become engaged when awareness of the support available for the costs of care becomes more widely known.

7. Payments to members of Welsh fire and rescue authorities

7.1 Given the continuing reduction in public sector funding, the Panel has determined there shall be no increase from spring 2016 in the levels of salary for members of Welsh fire and rescue authorities.

7.2 Key points that continue to underpin the Panel's determinations for FRA member remuneration in 2016/17 are that:

- The chair has a leadership and influencing role in the authority, and a high level of accountability especially when controversial issues relating to the emergency service arise. In addition to fire authority meetings, all FRAs have committees that include in different combinations: audit, performance management, scrutiny, human resources, resource management as well as task and finish groups and disciplinary panels. As well as attending formal meetings of the authority and committees, members are encouraged to take on a community engagement role, including visiting fire stations.
- There is a strong training ethos in FRAs. Members are expected to participate in training and development. Induction programmes are available as well as specialist training for appeals and disciplinary hearings.
- Training sessions often follow on from authority meetings to make the training accessible.

Basic and senior salaries

7.3 The Panel has previously determined that the remuneration of ordinary members of an FRA should be aligned to the basic salary of a member of a principal council and that the time commitment required is in the region of 20 days per year. This remains the basis of the Panel's determinations.

7.4 The Panel determined that the remuneration of an FRA chair should be aligned to that part of a Band 3 Level 1 senior salary that remunerates a committee chair of a principal council.

7.5 The Panel determined that the remuneration of an FRA deputy chair where there is significant and sustained senior responsibility will be aligned with the Band 5 senior salary.

7.6 The Panel has determined that up to two FRA committee chairs can be remunerated.

The Panel has therefore determined that:

Determination 31: The basic salary for FRA ordinary members should be £1,700 (20/156 x £13,300).

Determination 32: A Fire & Rescue Authority senior salary can be paid to the chair, deputy chair, and up to two chairs of committees.

Determination 33: The senior salary of the chair of an FRA should be £10,400.

Determination 34: The senior salary of a deputy chair of an FRA, with significant and sustained senior responsibility, should be £5,400.

Determination 35: The senior salary of a chair of an FRA committee should be £5,400.

Determination 36: Members must not receive more than one FRA senior salary.

Determination 37: An FRA senior salary is paid inclusive of the FRA basic salary.

Determination 38: Members of a principal council in receipt of a Band 1 or Band 2 senior salary cannot receive a salary from any FRA to which they have been nominated.

Reimbursement of travel, subsistence and care costs when on official business

Reimbursement of mileage costs

7.7 The Panel has decided there will be no change to mileage rates which members are entitled to claim. All authorities may only reimburse travel costs for their members undertaking official business within and/or outside the authority's boundaries at current HMRC rates which are:

45p per mile	Up to 10,000 miles in a year by car
25p per mile	Over 10,000 miles in a year by car
5p per passenger per mile	Passenger supplement
24p per mile	Motor cycles
20p per mile	Bicycles

- 7.8 Authorities should pay mileage at the prescribed rates to a member who has been a passenger in a vehicle driven by someone else provided the authority is satisfied that a cost has been incurred by the member.

Reimbursement of other travel costs

- 7.9 All other claims for travel must only be reimbursed on production of receipts showing actual expense and are subject to any requirement or further limitation that an authority may determine. Members should always be mindful of choosing the most cost effective method of travel.
- 7.10 The Panel noted that in some instances members with disabilities have been reluctant to claim legitimate travel expenses because of an adverse response following the publication of their travel costs. This is not the case in those authorities where travel arrangements are made directly by the authority.

Reimbursement of subsistence costs

£28 per day	Day allowance for meals, including breakfast, where not provided in the overnight charge
£200 per night	London
£95 per night	Elsewhere
£30 per night	Staying with friends and/or family

- 7.11 These rates are in line with Welsh Government rates. Recommended practice is that overnight accommodation should usually be reserved and paid for on behalf of members by the relevant authority, in which case an authority may set its own reasonable limits and the limits which apply when an individual member claims in arrears for overnight accommodation costs do not then apply.
- 7.12 All authorities must continue to reimburse subsistence expenses for their members up to the maximum rates set out above on the basis of receipted claims except for occasions when members stay with friends and/or family.
- 7.13 There may be instances where an authority has determined that travel costs within its boundaries are payable and require a journey to be repeated on consecutive days. Where in such a case it is reasonable and cost effective to reimburse overnight accommodation costs, instead of repeated daily mileage costs, then it is permissible to do so.
- 7.14 It is not necessary to allocate the maximum daily rate (£28 per day) between different meals as the maximum daily rate reimbursable covers a 24 hour period and can be claimed for any meal if relevant, provided such a claim is accompanied by receipts.

Reimbursement of costs of care

- 7.15 All authorities must provide for the reimbursement of necessary costs for the care of dependent children and adults (provided by informal or formal carers) up to a maximum of £403 per month. Reimbursements shall only be made on production of receipts from the carer. (See Determination 8)
- 7.16 The reimbursement of costs of care allowance is intended to enable any person whose ability to participate as a member of an authority would be limited by their responsibilities as a carer. The Panel recognises that there is some sensitivity concerning the publication of this legitimate expense. However the Panel urges authorities to promote this allowance and encourage greater take-up of this support to facilitate increased engagement amongst authority members.
- 7.17 Such provision would be especially relevant to those individuals in sectors of the population that are currently under-represented in local government but who may become engaged when awareness of the support available for the costs of care becomes more widely known.

8. Payments to co-opted members of principal councils, national park authorities and fire & rescue authorities¹¹

- 8.1 The Panel has determined that a daily/half daily fee is appropriate remuneration for the important role undertaken by co-opted members of authorities. The level of payments is equivalent to the current daily rates for chairs and members of the Welsh Government's Band 2 sponsored bodies. The Panel notes there has been no uplift in these payment levels across such bodies since 2010.
- 8.2 Principal councils, NPAs and FRAs can decide on the maximum number of days in any one year for which co-opted members may be paid.
- 8.3 The determinations are set out below:

Determination 39: Principal councils, NPAs & FRAs must pay the following fees to co-opted members (Table 4) (who have voting rights).

Table 4: Fees for co-opted members (with voting rights)

Chairs of standards, and audit committees	£256 (4 hours and over) £128 (up to 4 hours)
Ordinary members of standards committees who also chair standards committees for community and town councils	£226 daily fee (4 hours and over) £113 (up to 4 hours)
Ordinary members of standards committees; education scrutiny committee; crime and disorder scrutiny committee and audit committee	£198 (4 hours and over) £99 (up to 4 hours)

Determination 40: Reasonable time for pre meeting preparation is eligible to be included in claims made by co-opted members the extent of which can be determined by the appropriate officer in advance of the meeting.

Determination 41: Travelling time to and from the place of the meeting can be included in the claims for payments made by co-opted members (up to the maximum of the daily rate).

Determination 42: The appropriate officer within the authority can determine in advance whether a meeting is programmed for a full day and the fee will be paid on the basis of this determination even if the meeting finishes before four hours has elapsed.

¹¹ This section does not apply to co-opted members of community and town councils.

Determination 43: Meetings eligible for the payment of fees include other committees and working groups (including task and finish groups), pre-meetings with officers, training and attendance at conferences or any other formal meeting to which co-opted members are requested to attend.

Reimbursement of travel, subsistence and care costs when on official business

Reimbursement of mileage costs

8.4 The Panel has decided there will be no change to mileage rates which members are entitled to claim. All authorities may only reimburse travel costs for their members undertaking official business within and/or outside the authority's boundaries at current HMRC rates which are:

45p per mile	Up to 10,000 miles in a year by car
25p per mile	Over 10,000 miles in a year by car
5p per passenger per mile	Passenger supplement
24p per mile	Motor cycles
20p per mile	Bicycles

8.5 Authorities should pay mileage at the prescribed rates to a member who has been a passenger in a vehicle driven by someone else provided the authority is satisfied that a cost has been incurred by the member.

Reimbursement of other travel costs

8.6 All other claims for travel must only be reimbursed on production of receipts showing actual expense, and are subject to any requirement or further limitation that an authority may determine. Members should always be mindful of choosing the most cost effective method of travel.

8.7 The Panel noted that in some instances members with disabilities have been reluctant to claim legitimate travel expenses because of an adverse response following the publication of their travel costs. This is not the case in those authorities where travel arrangements are made directly by the authority.

Reimbursement of subsistence costs

£28 per day	Day allowance for meals, including breakfast, where not provided in the overnight charge
£200 per night	London
£95 per night	Elsewhere
£30 per night	Staying with friends and/or family

- 8.8 These rates are in line with Welsh Government rates. Recommended practice is that overnight accommodation should usually be reserved and paid for on behalf of members by the relevant authority, in which case an authority may set its own reasonable limits and the limits which apply when an individual member claims in arrears for overnight accommodation costs do not then apply.
- 8.9 All authorities must continue to reimburse subsistence expenses for their members up to the maximum rates set out above on the basis of receipted claims except for occasions when members stay with friends and/or family.
- 8.10 There may be instances where an authority has determined that travel costs within its boundaries are payable and require a journey to be repeated on consecutive days. Where in such a case it is reasonable and cost effective to reimburse overnight accommodation costs, instead of repeated daily mileage costs, then it is permissible to do so.
- 8.11 It is not necessary to allocate the maximum daily rate (£28 per day) between different meals as the maximum daily rate reimbursable covers a 24 hour period and can be claimed for any meal if relevant, provided such a claim is accompanied by receipts.

Reimbursement of costs of care

- 8.12 All authorities must provide for the reimbursement of necessary costs for the care of dependent children and adults (provided by informal or formal carers) up to a maximum of £403 per month. Reimbursements shall only be made on production of receipts from the carer. (See Determination 8)
- 8.13 The reimbursement of costs of care allowance is intended to enable any person whose ability to participate as a member of an authority would be limited by their responsibilities as a carer. The Panel recognises that there is some sensitivity concerning the publication of this legitimate expense. However the Panel urges authorities to promote this allowance and encourage greater take-up of this support to facilitate increased engagement amongst authority members.
- 8.14 Such provision would be especially relevant to those individuals in sectors of the population that are currently under-represented in local government but who may become engaged when awareness of the support available for the costs of care becomes more widely known.

9. Specific or additional senior salaries

- 9.1 The Panel has allowed for greater flexibility through the provision for authorities to apply for specific or additional senior salaries that do not fall within the current Remuneration Framework, or which could not be accommodated within the maximum number of senior salaries relating to the authority.

Determination 44: The Panel has determined to include a provision for specific or additional senior salaries that do not fall within the current Remuneration Framework.

- 9.2 Guidance to local authorities on the application process was issued in April 2014 and incorporated the following principles:
- a. The total number of senior salaries cannot exceed fifty percent¹² of the membership (this applies to principal councils; different restrictions will apply to national park authorities and fire and rescue authorities).
 - b. Applications will have to be approved by the authority as a whole (this cannot be delegated) prior to submission to the Panel.
 - c. There must be clear evidence that the post/posts have additional responsibility demonstrated by a description of the role, function and duration.
 - d. Each application will have to indicate the timing for a formal review of the role to be considered by the authority as a whole.

¹² Local Government (Wales) Measure 2011 Section 142 (5) The proportion fixed by the Panel in accordance with subsection (4) may not exceed fifty percent unless the consent of the Welsh Ministers has been obtained.

10. Payments to members of community and town councils

- 10.1 The Panel has had responsibility for the remuneration of community and town councils since the Measure of 2011 and its first determinations for such members came into effect in the financial year 2013/2014.
- 10.2 Determinations 45 to 52 are permissive powers, each of which requires a formal decision by each community or town council. Where a community or a town council does make such a decision, it must apply to all its members at the levels determined by the Panel. An individual member may make a personal decision to elect to forgo part or all of the entitlement to any of these allowances by giving notice in writing to the proper officer of the council.
- 10.3 The Panel has made considerable efforts to consult with the 735 community and town councils in Wales over the past three years with limited success. Its survey in 2014 achieved a return rate of only 11.5%. Members of the Panel have researched council websites and have attended conferences of One Voice Wales in order to engage with members. One Voice Wales has undertaken a further survey on behalf of the Panel.

Costs and expenses

- 10.4 In order to compensate members of community and town councils for expenses and costs involved in carrying out their duties, the Panel has determined that councils should be authorised to make a payment to each member. This payment may be taxable – this is a matter for each individual member to establish with her/his tax office.

Determination 45: Community and town councils are authorised to make a payment to each of their members of a maximum amount of £100 per year for costs incurred in respect of telephone usage, information technology, consumables etc.

Senior roles

- 10.5 The Panel recognises that specific member roles within especially the larger community and town councils, such as council chair or committee chair, can involve greater responsibility, it has therefore determined that councils should be authorised to pay up to three senior salaries for specified roles considered appropriate.

Determination 46: Community and town councils are authorised to make an annual payment not exceeding £500 to up to 3 members in recognition of specific responsibilities.

Civic allowance

- 10.6 Recognising that some mayors and chairs of community and town councils and their deputies are very active during their year of office (potentially more active in some respects than the mayors or chairs of the principal councils covering their council area), the Panel has determined that community and town councils should be authorised to pay an allowance for these roles.

Determination 47: Community and town councils are authorised to provide a civic allowance to the mayor/chair and deputy mayor/chair of the council at an amount that they deem appropriate to undertake the functions of that office.

Reimbursement of travel and subsistence when undertaking approved duties

- 10.7 The Panel has decided to change the arrangements under which community and town councils may reimburse travel costs for their members undertaking approved duties both within and outside the authority's boundaries. (Previously community and town councils were only authorised to reimburse travel costs on approved duties outside the area of the council.)

Reimbursement of Mileage

Determination 48: Community and town councils are authorised to make payments to each of their members in respect of travel costs for attending approved duties both within and outside the area of the council.¹³ Such payments must be the actual costs of travel by public transport or the HMRC mileage allowances as below:

- 45p per mile up to 10,000 miles in the year.
- 25p per mile over 10,000 miles.
- 5p per passenger per mile – passenger supplement.
- 24p per mile for private motor cycles.
- 20p per mile for bicycles.

Reimbursement of other travel costs

- 10.8 All other claims for travel must only be reimbursed on production of receipts showing the actual cost and will be subject to any requirement or further

¹³ Authorities should pay mileage at the prescribed rates to a member who has been a passenger in a vehicle driven by someone else provided the authority is satisfied that a cost has been incurred by the member.

limitation that an authority may determine. Members should always be mindful of choosing the most cost effective method of travel.

Reimbursement of subsistence

Determination 49: Community and town councils are authorised to reimburse subsistence expenses to their members for attending approved duties outside the area of the council at the maximum rates set out below on the basis of receipted claims:

- £28 per day allowance for meals, including breakfast where not provided.
- £200 – London overnight.
- £95 – elsewhere overnight.
- £30 – staying with friends and/or family overnight.

Determination 50: Community and town councils are authorised to pay an Attendance Allowance to each of their members for attending approved duties outside the area of the council as follows:

- £16.23 for a period not exceeding 4 hours.
- £32.46 for a period exceeding 4 hours but not exceeding 24 hours.

Determination 51: Community and town councils are authorised to pay a Financial Loss Allowance to each of their members where such loss has actually occurred, for attending approved duties outside the area of the council as follows:

- £30.05 for a period not exceeding 4 hours.
- £60.11 for a period exceeding 4 hours but not exceeding 24 hours.
- £60.11 plus such amount as is payable under (a) and (b) above as appropriate for a period exceeding 24 hours.

Care allowance

10.9 In order to address issues of democratic participation and diversity, the Panel has decided to permit payments to members for the care of dependent children and others whilst attending meetings and other approved duties.

Determination 52: Community and town councils are authorised to provide for the reimbursement of necessary costs for the care of dependent children and adults (provided by informal or formal carers) up to a maximum of £403 per

month. Reimbursement shall only be made on production of receipts from the carer.

Publicity requirements

10.10 There is a requirement on community and town councils to publish details of all payments made to individual members. This information must be published (for example, on council websites) and provided to the Panel by email or by post no later than 30 September following the end of the year to which the payments relate. The Panel notes with concern that this requirement has not been complied with by many councils and draws attention to the requirements stipulated at Annex 4.

These payments are:

- Costs incurred in respect of telephone usage, information technology, consumables etc.
- Responsibility payments
- Allowances made to a mayor/chair and deputy mayor/chair.
- Attendance Allowance.
- Financial Loss Allowance.
- Costs incurred in respect of travel and subsistence
- Care allowance.

11. Salaries of heads of paid service of principal councils and fire and rescue authorities

- 11.1 Section 63 of the Local Government (Democracy) (Wales) Act 2013 amended the Local Government (Wales) Measure 2011 by inserting section 143A. This enables the Panel to take a view on anything in the Pay Policy Statements of these authorities that relates to the salary of the head of paid service (normally the chief executive or chief fire officer).
- 11.2 Following a consultation exercise, the Welsh Government issued guidance on this to the Panel in the spring of 2014. The guidance, which can be found at Annex 5, sets the basis on which the Panel will carry out the function contained in the legislation.
- 11.3 In essence the functions of the Panel and the requirements on authorities established by the legislation and the subsequent guidance are:
- a) If a principal council or fire and rescue authority intends to change the salary of the head of paid service it must consult the Panel unless the change is in keeping with changes applied to other officers of that authority (whether the change is an increase or decrease). 'Salary' includes payments under a contract for services as well as payments of salary under an employment contract.
 - b) The authority must have regard to the recommendation(s) of the Panel when reaching its decision.
 - c) The Panel may seek any information that it considers necessary to reach a conclusion and produce a recommendation. The authority is obliged to provide the information sought by the Panel.
 - d) The Panel may publish any recommendation that it makes. It is the intention that, in the interests of transparency, it will normally do so.
 - e) The Panel's recommendation(s) could indicate:
 - approval of the authority's proposal
 - express concerns about the proposal
 - recommend variations to the proposal
- as long as these comply with any guidance issued by the Welsh Government.
- 11.4 The Panel also has a general power to review the Pay Policy Statements of authorities so far as they relate to the heads of paid service.
- 11.5 It is important to note that the Panel will not decide the amount that an individual head of paid service will receive.
- 11.6 The Panel is very aware that this additional function is significantly different

from its statutory responsibilities in relation to members' remuneration. However, it will ensure that it undertakes this role with clarity and openness, taking into account all the relevant factors in respect of specific individual cases. Authorities are encouraged to consult the Panel at an early stage in their decision making on such matters. This will enable the Panel to respond in a timely manner.

- 11.7 In 2014/15 the Panel made recommendations on Chief Executive pay to Pembrokeshire, the Vale of Glamorgan and the Isle of Anglesey Councils and these letters of notification can be found at Annex 7.
- 11.8 Future Annual Reports will continue to include appropriate information on any recommendation(s) made by the Panel in respect of this function during the previous year.

12. Compliance with Panel requirements

The Panel's remit under the Measure

- 12.1 Section 153 of the Measure empowers the Panel to require a relevant authority¹⁴ to comply with the requirements imposed on it by a Panel Annual Report and further enables the Panel to monitor the compliance of relevant authorities with the Panel's determinations.
- 12.2 A relevant authority must implement the Panel's determinations in this report from the date of its annual meeting.

Monitoring compliance

- 12.3 The Panel will monitor the compliance with the determinations in this Annual Report by all relevant authorities against the following requirements:
- (i) A relevant authority must maintain an annual **Schedule of Member Remuneration** (IRPW Regulations 4 & 5). Guidance at Annex 3 sets out the content which must be included in the Schedule.
 - (ii) A relevant authority must make arrangements for the Schedule's publication within the authority area (IRPW Regulation 46) and send the Schedule to the Panel as soon as practicable and not later than 31 July in the year to which it applies. Annex 4 provides further details of the publicity requirements.
 - (iii) Any amendments to the Schedule made during the year must be conveyed to the Panel as soon as possible after the amendment is made.

Note: The above requirements do not apply to community and town councils at this time.

- (iv) A relevant authority must make arrangements for publication within the authority area of the total sum paid by it to each member and co-opted member in respect of salary (basic, senior and civic), allowances, fees and reimbursements (in accordance with Annex 4 that sets out the content that must be included in the Publicity Requirements) as soon as practicable and no later than 30 September following the close of the year to which it relates. It must be submitted to the Panel no later than that date.

¹⁴ Interpretation of "Relevant Authority" provided in the Independent Remuneration Panel for Wales (IRPW) Regulations, Part 1, 'Interpretation'.

Annex 1: The Panel's determinations for 2016/17

1. Basic salary in 2016/17 for elected members of principal councils shall remain at £13,300.
2. The Panel has determined that senior salary levels in 2016/17 for members of principal councils shall be as set out in table 2.
3. The Panel has determined that (where paid) civic salaries at the following levels are payable (Table 3) and will be applied by principal councils as each considers appropriate, taking account of the anticipated workloads and responsibilities.
4. The Panel has determined that, where appointed and if remunerated, a presiding member must be paid a Band 3 Level 1 senior salary. This post will count towards the cap.
5. The Panel has determined that the post of deputy presiding member will not be remunerated.
6. The Panel has determined that each authority, through its Democratic Services Committee, must ensure that all its members are given as much support as is necessary to enable them to fulfil their duties effectively. All elected members should be provided with adequate telephone and email facilities and electronic access to appropriate information.
7. The Panel has determined that such support should be without cost to the individual member. Deductions must not be made from members' salaries by the respective authority as a contribution towards the cost of support which the authority has decided necessary for the effectiveness and/or efficiency of members.
8. All authorities must provide for the reimbursement of necessary costs for the care of dependent children and adults (provided by informal or formal carers) up to a maximum of £403 per month. Reimbursement shall only be made on production of receipts from the carer.
9. An elected member is entitled to retain a basic salary when taking family absence under the regulations irrespective of the attendance record immediately preceding the commencement of the family absence.
10. When a senior salary holder is eligible for family absence, he/she will continue to receive the salary for the duration of the absence.
11. It is a matter for the authority to decide whether or not to make a substitute appointment. The elected member substituting for a senior salary holder taking family absence will be eligible to be paid a senior salary, if the authority so decides.

12. If the paid substitution results in the authority exceeding the maximum number of senior salaries which relates to it, as set out in the Panel's Annual Report, an addition to the maximum will be allowed for the duration of the substitution. However, this will not apply to the Isle of Anglesey or Merthyr Tydfil Councils if it would result in the number of senior salaries exceeding fifty percent of the Council membership. Specific approval of Welsh Ministers is required in such circumstances.
13. When a Council agrees a paid substitution for family absence, the Panel must be informed, within 14 days of the date of the decision, of the details including the particular post and the duration of the substitution.
14. The Council's schedule of remuneration must be amended to reflect the implication of the family absence.
15. The chair of a Joint Overview and Scrutiny Committee is eligible for a salary equivalent to that part of a Band 3 Level 2 senior salary that remunerates a committee chair of a principal authority, (£6,700).
16. In cases where the chair is already in receipt of a senior salary for a Band 3, 4 or 5 role the payment will be £3,350.
17. The chair of a sub committee of a JOSC is eligible for a salary of £1,675.
18. In cases where the chair of the sub committee is already in receipt of a senior salary for a Band 3, 4 or 5 role the payment will be £837.
19. Payments to chairs of task and finish sub committees are to be pro-rated to the duration of the task.
20. Payments made to a chair of a JOSC, or a chair of a sub committee of a JOSC, are additional to the maximum proportion of the authority's membership eligible for a senior salary. It should be noted that the statutory limit of no more than 50% of a council's membership receiving a senior salary applies (Section 142 (5) of the Measure).
21. A deputy chair of a JOSC or sub committee is not eligible for payment.
22. Co-optees to a JOSC or to a sub committee are not eligible for a co-opted member fee unless they are appointed by an authority under Section 144(5) of the Measure.
23. The entitlement to join the Local Government Pension Scheme (LGPS) shall apply to all eligible elected members of principal councils.
24. The basic salary for NPA ordinary members should be £3,600 ($42/156 \times £13,300$).

25. An NPA senior salary can be paid to the chair, deputy chair, and up to two committee chairs.
26. The senior salary of the chair of an NPA should be £12,300.
27. The senior salary of a deputy chair and chairs of NPA committees can be paid at either of the following levels to be decided by the authority to reflect the appropriate responsibility:

£6,000 or £7,300
28. Members must not receive more than one NPA senior salary.
29. An NPA senior salary is paid inclusive of the NPA basic salary.
30. Members of principal local authorities in receipt of a Band 1 or Band 2 senior salary cannot receive a salary from any NPA to which they have been appointed.
31. The basic salary for FRA ordinary members should be £1,700 ($20/156 \times £13,300$).
32. A Fire & Rescue Authority senior salary can be paid to the chair, deputy chair, and up to two chairs of committees.
33. The senior salary of the chair of an FRA should be £10,400.
34. The senior salary of a deputy chair of an FRA, with significant and sustained senior responsibility, should be £5,400.
35. The senior salary of a chair of an FRA committee should be £5,400.
36. Members must not receive more than one FRA senior salary.
37. An FRA senior salary is paid inclusive of the FRA basic salary.
38. Members of a principal council in receipt of a Band 1 or Band 2 senior salary cannot receive a salary from any FRA to which they have been nominated.
39. Principal councils, NPAs & FRAs must pay the following fees to co-opted members (Table 4) (who have voting rights).
40. Reasonable time for pre meeting preparation is eligible to be included in claims made by co-opted members the extent of which can be determined by the appropriate officer in advance of the meeting.
41. Travelling time to and from the place of the meeting can be included in the claims for payments made by co-opted members (up to the maximum of the daily rate).

42. The appropriate officer within the authority can determine in advance whether a meeting is programmed for a full day and the fee will be paid on the basis of this determination even if the meeting finishes before four hours has elapsed.
43. Meetings eligible for the payment of fees include other committees and working groups (including task and finish groups), pre-meetings with officers, training and attendance at conferences or any other formal meeting to which co-opted members are requested to attend.
44. The Panel has determined to include a provision for specific or additional senior salaries that do not fall within the current Remuneration Framework.
45. Community and town councils are authorised to make a payment to each of their members of a maximum amount of £100 per year for costs incurred in respect of telephone usage, information technology, consumables etc.
46. Community and town councils are authorised to make an annual payment not exceeding £500 to up to 3 members in recognition of specific responsibilities.
47. Community and town councils are authorised to provide a civic allowance to the mayor/chair and deputy mayor/chair of the council at an amount that they deem appropriate to undertake the functions of that office.
48. Community and town councils are authorised to make payments to each of their members in respect of travel costs for attending approved duties both within and outside the area of the council.¹⁵ Such payments must be the actual costs of travel by public transport or the HMRC mileage allowances as below:
 - 45p per mile up to 10,000 miles in the year.
 - 25p per mile over 10,000 miles.
 - 5p per passenger per mile – passenger supplement.
 - 24p per mile for private motor cycles.
 - 20p per mile for bicycles.
49. Community and town councils are authorised to reimburse subsistence expenses to their members for attending approved duties outside the area of the council at the maximum rates set out below on the basis of receipted claims:
 - £28 per day allowance for meals, including breakfast where not provided.
 - £200 – London overnight.
 - £95 – elsewhere overnight.
 - £30 – staying with friends and/or family overnight.

¹⁵ Authorities should pay mileage at the prescribed rates to a member who has been a passenger in a vehicle driven by someone else provided the authority is satisfied that a cost has been incurred by the member.

50. Community and town councils are authorised to pay an Attendance Allowance to each of their members for attending approved duties outside the area of the council as follows:

£16.23 for a period not exceeding 4 hours.

£32.46 for a period exceeding 4 hours but not exceeding 24 hours.

51. Community and town councils are authorised to pay a Financial Loss Allowance to each of their members where such loss has actually occurred, for attending approved duties outside the area of the council as follows:

£30.05 for a period not exceeding 4 hours.

£60.11 for a period exceeding 4 hours but not exceeding 24 hours.

£60.11 plus such amount as is payable under (a) and (b) above as appropriate for a period exceeding 24 hours.

52. Community and town councils are authorised to provide for the reimbursement of necessary costs for the care of dependent children and adults (provided by informal or formal carers) up to a maximum of £403 per month. Reimbursement shall only be made on production of receipts from the carer.

Annex 2: Independent Remuneration Panel for Wales (IRPW) Regulations:

a) for the remuneration of members and co-opted members of relevant authorities

b) for functions relating to the salaries of heads of paid service of local authorities

Introduction

Part 8 (sections 141 to 160) and schedules 2 and 3 of the Local Government (Wales) Measure 2011 (*the Measure*) set out the arrangements for the payments and pensions for members of relevant authorities and the functions and responsibilities of the Independent Remuneration Panel for Wales (the Panel).

Sections 62 to 67 of the Local Government (Democracy) (Wales) Act 2013 amends sections 142, 143, 144, 147, 148 and 151 of the Measure and confers additional powers on the Panel.

The powers contained in part 8 and schedules 2 and 3 of the Measure (as amended) have replaced the following Statutory Instruments:

- The Local Authorities (Allowances for Members of County and County Borough Councils and National Park Authorities) (Wales) Regulations 2002 (No. 1895 (W.196)).
- The Local Authorities (Allowances for Members of Fire Authorities) (Wales) Regulations 2004 (No. 2555 (W.227)).
- The Local Authorities (Allowances for Members) (Wales) Regulations 2007 (No.1086 (W.115)).

The Measure also has replaced the sections of the Local Government Act 1972, the Local Government and Housing Act 1989 and the Local Government Act 2000 relating to payments to councillors in Wales.

Allowances for members of community and town councils are set out in Part 5 of these Regulations. The Local Authorities (Allowances for Members of Community Councils) (Wales) Regulations 2003 (No. 895(W.115)) were revoked from 1st April 2013.

Part 1

General

1. a. The short title of these Regulations is: "IRPW Regulations".

- b. The IRPW Regulations came into force on 1 April 2012. The implementation date for each of the relevant authorities is set out in the Annual Report or Supplementary Report of the Panel.
- c. Authorities are required to produce a schedule of payments to members and co-opted members no later than the 31st July each year, for submission to the Panel and publication (see paragraph 46).

Interpretation

2. In the IRPW Regulations:

- “The 1972 Act” means the Local Government Act 1972.
- “The 2000 Act” means the Local Government Act 2000.
- “The 2013 Act” means the Local Government (Democracy) (Wales) Act 2013.
- “Allowance” means the actual or maximum amount which may be reimbursed to members and co-opted members of a relevant authority for expenses necessarily incurred when carrying out the official business of the relevant authority.
- “Annual report” means a report produced by the Panel in accordance with section 145 of the Measure.
- “Approved duty” in relation to community and town councils has the meaning as set out in Part 5 of these Regulations.
- “Attendance Allowance” in relation to community or town councils has the meaning set out in Part 5 of these Regulations.
- “Authority” means a relevant authority in Wales as defined in Section 144(2) of the Measure, and includes a local authority (county or county borough council), a national park authority and a Welsh fire and rescue authority, a community or town council.
- “Basic Salary” has the same meaning as set out in paragraph 6 of these Regulations, and may be qualified as “LA Basic Salary” to refer to the basic salary of a member of a principal council; “NPA Basic Salary” to refer to the basic salary of a member of a national park authority; and “FRA Basic Salary” to refer to the basic salary of a member of a Welsh fire and rescue authority.
- “Care allowance” has the same meaning as set out in paragraph 21 of these Regulations.
- “Civic Head” is the person elected by the council to carry out the functions of the chair of that council and is designated as mayor or chair.
- “Committee” includes a sub-committee.
- “Community or town council” means in relation to Part 8 of the Measure, a community council as defined in section 33 of the Local Government Act 1972 or a town council in accord with section 245B of the same Act.

- “Consultation draft” means the draft of an Annual or Supplementary report under Section 146 (7) or 147(8) of the Measure, representations on which must be taken into account by the Panel.
- “Constituent authority” – for national park authorities this is a local authority falling within the area of a national park authority; for Welsh fire and rescue authorities it is a local authority falling within the area of a fire and rescue authority.
- “Controlling group” means a political group in a local authority where any of its members form part of the executive.
- “Co-opted Member” has the meaning contained in section 144 (5) of the Measure, that is those with the right to vote on matters within the purview of the committee on which they serve.
- “Co-opted Member fee” has the same meaning as set out in paragraph 19 of these Regulations.
- “Democratic Services Committee” means the local authority committee established under section 11 of the Measure.
- “Deputy Civic Head” is a person elected by the council to deputise for the mayor or chair of that council.
- “Executive” means the executive of an authority in a form as specified in sections 11(2) to (5) of the 2000 Act, as amended by section 34 of the Measure.
- “Executive arrangements” has the meaning given by section 10(1) of the 2000 Act.
- “Family absence” as defined in Section 142 (2) (b) of the Measure has the meaning given to it by Part 2 of the Measure, and contained in the Regulations relating thereto.
- “Financial Loss Allowance in relation to community or town councils has the meaning as set out in Part 5 of the Regulations.
- “Fire and rescue authority” means an authority constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004 or a scheme to which section 4 of that Act applies.
- “Head of paid service” means as designated under section 4(1) of the Local Government and Housing Act 1989.
- Joint Overview and Scrutiny Committee means a committee or sub committee set up by two or more principal councils under the Local Authority (Joint Overview and Scrutiny Committees) (Wales) Regulations 2013.
- “Largest opposition group” means a political group other than a controlling group which has a greater number of members than any other political group in the authority.
- “Local authority” means a county or county borough council.
- “Member” means in respect of a local authority or a community or town council a person who has been elected to serve as a councillor for that

authority; for a national park authority means a member appointed by a constituent authority and also a person appointed by Welsh Ministers; for Welsh fire and rescue authorities means a member appointed by a constituent authority.

- “National Park authority” means a national park authority established under section 63 of the Environment Act 1995.
- “Official business” has the meaning contained in Section 142 (10) of the Measure in relation to the payment of allowances for care, travel and subsistence as reimbursement of expenses necessarily incurred by members and co-opted members of a relevant authority (excluding community and town councils) when:
 - a. Attending a meeting of the authority or any committee of the authority or any body to which the authority makes appointments or nominations or of any committee of such a body.
 - b. Attending a meeting of any association of authorities of which the authority is a member.
 - c. Attending a meeting the holding of which is authorised by the authority or by a committee of the authority or by a joint committee of the authority and one or more other authorities.
 - d. Attending any training or development event approved by the authority or its executive.
 - e. A duty undertaken for the purpose of or in connection with the discharge of the functions of an executive within the meaning of Part 2 of the 2000 Act, as amended.
 - f. A duty undertaken in pursuance of a standing order which requires a member or members to be present when tender documents are opened.
 - g. A duty undertaken in connection with the discharge of any function of the authority to inspect or authorise the inspection of premises.
 - h. A duty undertaken by members of principal councils in connection with constituency or ward responsibilities which arise from the discharge of local authority functions.
 - i. Any other duty approved by the authority, or any duty of class so approved, undertaken for the purpose of, or in connection with, the discharge of the functions of the authority or any of its committees.
- “Other political group” means a political group other than a controlling group or the largest opposition group (if any) which comprises not less than ten per cent of the members of that authority.
- “Overview and Scrutiny Committee” means a committee of the authority which has the powers set out in sections 21(2) and (3) of the 2000 Act, as amended by Part 6 of the Measure.
- “Panel” means the Independent Remuneration Panel for Wales as set out in section 141(1) and schedule 2 of the Measure.

- “Pay policy statement” means a statement produced by a relevant authority under section 38 of the Localism Act 2011.
- “Presiding Member” means a member of a principal council who has been designated by that council to carry out functions in relation to the chairing of its meetings and proceedings.
- “Principal council” means a county or county borough council.
- “Proper officer” has the same meaning as in section 270(3) of the 1972 Act.
- “Public body” means a body as defined in section 67(b) of the 2013 Act.
- “Qualifying provision” means a provision that makes a variation to a previous decision of the Panel. (Section 65 (c) of the 2013 Act).
- “Qualifying relevant authority” is an authority within the meaning of section 63 of the 2013 Act, required to produce a pay policy statement.
- “Relevant authority” is set out in Section 144(2) of the Measure (as amended) and in section 64 of the 2013 Act and, for the purposes of these Regulations, includes a local authority/principal council, a community or town council, a national park authority and a Welsh fire and rescue authority.
- “Relevant matters” are as defined in Section 142(2) of the Measure.
- “Schedule” means a list setting out the authority’s decisions in respect of payments to be made during the year (as relating to that authority) to all members and co-opted members of that authority.
- “Senior Salary” has the same meaning as set out in paragraph 11 of these Regulations and may be qualified as “Local Authority/Principal council Senior Salary” to refer to the senior salary of a member of a principal council; “National Park Senior Salary” to refer to the senior salary of a member of a National Park authority; or “Fire and Rescue authority Senior Salary” to refer to the senior salary of a member of a Fire and Rescue authority.
- “Supplementary report” has the meaning contained in section 146(4 to 8) of the Measure.
- “Travelling and subsistence allowance” has the same meaning as set out in paragraph 25 of these Regulations.
- “Year” has the following meanings:
 - “financial year” – the period of twelve months ending 31 March;
 - “calendar year” – the period of twelve months ending 31 December;
 - “municipal year” – the year commencing on the date of the annual meeting of the local authority and ending the day before the annual meeting of the following year; for national park authorities and Welsh fire and rescue authorities it is the period of up to twelve months following the annual meeting of the authority.

Part 2: Schedule of member/co-opted member remuneration

Commencement of term of office

3. The term of office of:
 - A member of a local authority or community or town council begins on the date which that member makes a declaration of acceptance of that office under section 83(1) of the 1972 Act.
 - A councillor member of a national park authority begins on the date on which that member is appointed as such by a constituent authority and the term of office of a Welsh Government appointed member begins on the date of that appointment. The term of office of the chair and deputy chair of the national park authority begins on the date of election by that authority to that office.
 - A councillor member of a Welsh fire and rescue authority begins on the date on which that member is appointed as such by a constituent authority and the term of office of the chair and deputy chair of the fire and rescue authority begins on the date of election by that authority to that office.
 - A co-opted member of a relevant authority begins on the date of appointment by the relevant authority.

Schedule of member remuneration (the Schedule) (does not apply to community or town councils – see Part 5)

4. An authority must produce annually, a schedule of payments it intends to make to its members and co-opted members. The amount of those payments must accord with the Panel's determinations made for that year in its Annual or Supplementary Reports. The Schedule must be produced no later than four weeks following the annual meeting of the authority.

Amendment to the Schedule

5. An authority may amend the Schedule at any time during the year (as relating to the authority) provided that such amendments accord with the Panel's determinations for that year.

Basic salary

6. An authority must provide for the payment of a basic salary, as determined by the Panel in its Annual or Supplementary Reports, to each of its members. The amount of the salary must be the same for each member. For principal councils only, this salary remains payable during a period of family absence.
7. A member may not receive more than one basic salary from a relevant authority, but a member of one relevant authority may receive a further basic

salary by being appointed as a member of another relevant authority (except in the case as indicated in paragraph 16).

8. The amount of the basic salary will be set in accordance with Section 142(3) of the Measure and will be one of the following:
 - The amount the authority must pay to a member of the authority.
 - The maximum amount that the authority may pay to a member of the authority.
9. Where the term of office of a member begins or ends other than at the beginning or end of the year (as relating to the authority), the entitlement of that member is to such proportion of the basic salary as the number of days during which the member's term of office subsists during that year bears to the number of days in that year.
10. Where a member is suspended or partially suspended from being a member of an authority (Part 3 of the 2000 Act refers) the part of the basic salary payable to that member in respect of the responsibilities or duties from which that member is suspended or partially suspended must be withheld by the authority (Section 155(1) of the Measure).

Senior salary

11. Subject to paragraphs 12 to 18 an authority can make payments of a senior salary to members that it has given specific responsibilities. Such payments must accord with the Panel's determination for the year (as relating to the authority) that the payments are made and must be set out in the Schedule of that authority. For principal councils only, a senior salary will remain payable during the family absence of the office holder.
12. The Panel will prescribe in its Annual or Supplementary Reports the following:
 - The categories of members eligible for the payment of a senior salary which may not be the same for all authorities or categories of authorities.
 - The discretion available to authorities in relation to the payment of senior salaries which may not be the same for all authorities or categories of authorities.
13. The amount of the senior salaries payable will be in accordance with section 142(3) of the Measure and specify:
 - The amount that a relevant authority must pay to a member of the authority.
 - The maximum amount that a relevant authority may pay to a member of the authority.
14. The Senior Salary will comprise an amalgam of the basic salary and an additional amount for the relevant specific responsibility determined by the

Panel in its Annual or Supplementary Reports. This may not be the same for all authorities or categories of authorities.

15. The Panel in its Annual or Supplementary Reports will determine either the maximum proportion of its membership or the total number of members that an authority can pay as senior salaries. The percentage may not exceed fifty percent without the express approval of Welsh Ministers (Section 142(5) of the Measure). For principal councils only, the maximum proportion or number may be exceeded to include payment of a senior salary to an additional member who is appointed to provide temporary cover for the family absence of a senior salary office holder (subject to the 50% limit). For national park authorities and Welsh fire and rescue authorities, senior salary payments will be restricted to specified post-holders as determined by the Panel in its Annual or Supplementary Reports.
- 15(a) Payments to chairs of Joint Overview and Scrutiny Committees or Sub Committees are additional to the maximum proportion of its membership that an authority can pay as senior salaries subject to the overall maximum of fifty percent as contained in Section 142(5) of the Measure. The Panel will determine the amounts of such payments in an Annual or Supplementary Report.
16. An authority must not pay more than one senior salary to any member. A principal council member in receipt of a senior salary as leader or executive member of a local authority (determined as full-time by the Panel) may not receive a second salary as a member appointed to serve on a national park authority or a Welsh fire and rescue authority.
- 16(a). Paragraph 16 does not apply to payments made to a chair of a Joint Overview and Scrutiny Committee or Sub Committee who is in receipt of a senior salary for a role that is not classified as full time equivalent. It continues to apply to leaders or members of the executive.
17. Where a member does not have, throughout the year specific responsibilities that allow entitlement to a senior salary, that member's payment is to be such proportion of the salary as the number of days during which that member has such special responsibility bears to the number of days in that year.
18. Where a member is suspended or partially suspended from being a member of the authority (Part 3 of the 2000 Act refers) the authority must not make payments of the member's senior salary for the duration of the suspension (Section 155(1) of the Measure). If the partial suspension relates only to the specific responsibility element of the payment, the member may retain the basic salary.

Co-opted member payment

19. A relevant authority must provide for the payment of a fee to a co-opted member as determined by the Panel in its Annual or Supplementary Reports. In

relation to this regulation 'co-opted member' means a member as determined in Section 144(5) of the Measure and set out in paragraph 2 of these Regulations.

20. Where a co-opted member is suspended or partially suspended from an authority (Part 3 of the 2000 Act refers) the authority must not make payment of a co-opted member fee for the duration of the suspension (Section 155(1) of the Measure).

Allowances

Care allowances

21. Authorities must provide for the payment to members and co-opted members of an authority an allowance ("care allowance") in respect of such expenses of arranging the care of children or dependants as are necessarily incurred in carrying out official business as a member or co-opted member of that authority. Payments under this paragraph must not be made:
 - In respect of any child over the age of fifteen years or dependant unless the member/co-opted member satisfies the authority that the child or dependant required supervision which has caused the member to incur expenses that were necessary in respect of the care of that child or dependant in the carrying out of the duties of a member or co-opted member.
 - To more than one member/co-opted member of the authority in relation to the care of the same child or dependant.
 - Of more than one care allowance to a member or co-opted member of the authority who is unable to demonstrate to the satisfaction of the authority that the member/co-opted member has to make separate arrangements for the care of different children or dependants.
22. The maximum amount of the care allowance payable by an authority is to be determined by the Panel in its Annual or Supplementary Reports.
23. Where a member/co-opted member is suspended or partially suspended from being a member or co-opted member of the authority (Part 3 of the 2000 Act refers) the part of the care allowance payable to that member/co-opted member in receipt of the responsibilities or duties from which that member/co-opted member is suspended or partially suspended must be withheld by the authority (Section 155(1) of the Measure).
24. An authority's Schedule must stipulate the maximum amount of the care allowance payable each month and its arrangements for making claims, taking full account of the Panel's determinations in this respect.

Travel and subsistence allowances

25. Subject to paragraphs 26 and 27 below a member or co-opted member is entitled to receive payments from the authority by way of travelling and subsistence allowances at rates determined by the Panel in its Annual or

Supplementary Reports. Such allowances are in respect of expenditure incurred by a member or co-opted member in the performance of the official business of the authority.

(Paragraphs 26 & 27 apply only to principal councils)

26. Payment of a subsistence allowance to a local authority member for the performance of official business within the boundaries of a county or county borough where s/he is a member should only be made when the authority is satisfied that it can be justified on economic grounds. This does not apply in respect of co-opted members of a local authority who live outside that authority.
27. A local authority may make provision, subject to any limitations it thinks fit, for members to claim mileage expenses for official business in connection with constituency or ward responsibilities where they arise out of the discharge of the functions of the county or county borough.
28. Where a member or co-opted member is suspended or partially suspended from being a member or co-opted member of the authority (Part 3 of the 2000 Act refers), travelling and subsistence allowances payable to that member/co-opted member in respect of the responsibilities or duties from which that member is suspended or partially suspended must be withheld by the authority (Section 155(1) of the Measure).

Part 3: Further provisions

Pensions

29. Under Section 143 of the Measure, the Panel may make determinations in respect of pension arrangements for local authority members in its Annual or Supplementary Reports. Such determinations may:
 - Describe the description of members for whom a local authority will be required to pay a pension.
 - Describe the relevant matters in respect of which a local authority will be required to pay a pension.
 - Make different decisions for different principal councils.

Allowances to support the function of a local authority member

30. A local authority must provide for the requirements of a member to undertake their role and responsibilities more effectively. The way in which this support should be provided is determined by the Panel in its Annual or Supplementary Reports.

Payment of expenses for official and courtesy visits

31. The arrangements contained in Section 176 of the Local Government Act 1972 will continue to apply but no payment may be made to a person under that

arrangement when a payment has been made to that person pursuant to any payment made under these Regulations.

Arrangements in relation to family absence

32. Part 2 of the Measure sets out the rights of local authority members in relation to family absence. The Panel will set out its determinations and the administrative arrangements in relation to the payment of salaries and allowances by principal councils in this respect in its Annual or Supplementary Reports.

Part 4: Salaries, allowances or fees

Repayment of salaries, allowances or fees

33. An authority must require that such part of a salary, allowance or fee be repaid where payment has already been made in respect of any period during which the member or co-opted member concerned:
- is suspended or partially suspended from that member's/co-opted member's duties or responsibilities in accordance with Part 3 of the 2000 Act or Regulations made under that Act.
 - ceases to be a member or co-opted member of the authority.
 - or in any way is not entitled to receive a salary, allowance or fee in respect of that period.

Forgoing salaries, allowances or fees

34. Under Section 154 of the Measure, any member or co-opted member may by notice in writing to the proper officer of the authority elect to forgo any part of their entitlement to a salary, allowance or fee under the determination of the Panel for that particular year (as relating to the authority).

Part 5: Specific provisions relating to community and town councils ("the council")

Interpretation

35. For the purposes of this Part the term member means both an elected member and a co-opted member.

Allowances

36. Allowances:
- a) The council can if it so determines make an annual payment to members in respect of costs incurred in carrying out the role of a member. The maximum amount payable will be set out in the Annual or Supplementary Report of the Panel.

- b) The council can if it so determines make payments to members in respect of costs of travel for attending approved duties outside the area of the council. The amounts claimable will be set out in the Annual or Supplementary Report of the Panel.
 - c) The council can if it so determines reimburse subsistence expenses to its members when attending approved duties outside the area of the council. The arrangements for reimbursement will be set out in the Annual or Supplementary Report of the Panel.
 - d) The council can if it so determines pay an Attendance Allowance to its members for attending approved duties outside the area of the council. The Allowance will be set out in the Annual or Supplementary Report of the Panel.
 - e) The council can if it so determines pay a Financial Loss Allowance to its members where such loss has occurred for attending approved duties outside the area of the council. The Allowances will be set out in the Annual or Supplementary Report of the Panel.
 - f) The council can if it so determines pay an allowance to the chair or mayor of the council for the purposes of undertaking the role of that office. The allowance will be set out in the Annual or Supplementary Report of the Panel.
37. A member is not entitled to more than one Attendance Allowance in respect of any period of 24 hours or if that member claims a Financial Loss Allowance for the same period.
38. A member may elect to forgo any part of an entitlement to an allowance under these Regulations by giving notice in writing to the proper officer of the council.
39. A member making a claim for Attendance or Financial Loss Allowance must sign a statement that the member has not made and will not make any other claim in respect of the matter to which the claim relates.
- 40 “Approved Duty” under this Part means:
- i. Attendance at a meeting of the council or of any committee or sub-committee of the council or of any other body to which the council makes appointments or nominations or of any committee or sub-committee of such a body.
 - ii. Attendance at any other meeting the holding of which is authorised by the council or a committee or sub-committee of the council, or a joint committee of the council and one or more councils, or a sub-committee of such a joint committee provided that at least two members of the council have been invited and where the council is divided into political groupings at least two such groups have been invited.
 - iii. Attendance at a meeting of any association of councils of which the council is a member.
 - iv. Attendance at any training or development event approved by the council.

- v. Any other duty approved the council or duty of a class approved by the council for the discharge of its functions or any of its committees or sub-committees.

Part 6: Miscellaneous

Arrangements for payments

41. The Schedule of an authority must set out the arrangements for the payment of salaries, allowances and fees to all members and co-opted members of that authority. Such payments may be made at such times and at such intervals as determined by the authority.

Claims

42. An authority must specify a time limit from the date on which an entitlement to travelling or subsistence allowance arises during which a claim for those allowances must be made by the person to whom they are payable. However, this does not prevent an authority from making a payment where the allowance is not claimed within the period specified.
43. Any claim for payment of travelling or subsistence allowance in accordance with these Regulations (excluding claims for travel by private motor vehicle) shall be accompanied by appropriate receipts proving actual expenses.

Avoidance of duplication

44. A claim for a payment of travelling allowance or subsistence allowance must include, or be accompanied by, a statement signed by the member or co-opted member that the member/co-opted member has not made and will not make any other claim in respect of the matter to which the claim relates.

Records of salaries, allowances and fees

45. An authority must keep a record of the payments made in accordance with these Regulations. Such record must:
 - Specify the name of the recipient and the amount and nature of each payment.
 - Be available, at all reasonable times, for inspection (without charge) by any local government elector (within the meaning of section 270(1) of the 1972 Act) for the area of the authority.
 - Allow a person who is entitled to inspect the record to make a copy of any part of it upon payment of such reasonable fee as the authority may require.

Publicity requirements

(The required content of publicity requirements is given at Annex 4)

46. An authority must, as soon as practicable after determining its Schedule of Remuneration for the year under these Regulations and any Report of the Panel and not later than 31 July of the year to which the Schedule refers, make arrangements for the Schedule's publication within the authority's area. **(This section does not apply to community and town councils).**
47. As soon as practicable and no later than 30 September following the end of a year an authority must make arrangements for the publication within the authority's area, the total sum paid by it to each member/co-opted member in respect of basic salary, senior salary, co-opted member fee, care, travel and subsistence allowances. **(This section applies to all relevant authorities).**
48. In the same timescale and in the same manner, a local authority must make arrangements for the publication of any further remuneration received by a member nominated or appointed to another relevant authority. **(This section applies only to principal councils).**

Publicising the reports of the Panel

49. Under Section 146(7) (a) and (b) of the Measure, the Panel will send a consultation draft of its Annual Report or Supplementary Report to all relevant authorities for circulation to authority members and co-opted members, so that representations can be made by members/co-opted members to the Panel, normally in a period of eight weeks.
50. The Panel will determine in its Annual or Supplementary Reports the arrangements publicising its Reports in accordance with Section 151 and 152 of the Measure.

Monitoring compliance with the Panel's determinations

51. Section 153 of the Measure determines that relevant authorities must comply with the requirements imposed by the Panel in its Annual Reports. It also empowers the Panel to monitor the payments made by relevant authorities and for it to require the provision of information that it specifies. The requirements under this section will be set out in the Annual Report of the Panel.

Annex 3: Schedule of member remuneration

1. Principal councils, national park authorities (NPAs) and Welsh fire and rescue authorities (FRAs) (but not community and town councils) must maintain an annual Schedule of Member Remuneration (the 'Schedule') which is in accord with the Panel's determinations on member salary and co-opted member payments and which must contain the following information:

In respect of a principal council:

- a. Named members who are to receive only the basic salary and the amount to be paid.
- b. Named members who are to receive a Band 1 and Band 2 senior salary, the office and portfolio held and the amount to be paid.
- c. Named members who are to receive a Band 3, Band 4 and Band 5 senior salary, the office and portfolio held and the amount to be paid.
- d. Named members who are to receive a civic salary and the amount to be paid.
- e. Named members who are to receive the co-opted member fee and whether chair or ordinary member and the amount to be paid.
- f. Named members who are to receive a senior salary as a chair of a Joint Overview and Scrutiny Committee or Sub Committee and the amount to be paid.
- g. Named members in receipt of a specific or additional senior salary approved by the Panel and the amount to be paid.

In respect of National Park and Fire & Rescue Authorities:

- a. Named members who are to receive a basic salary and the amount to be paid.
 - b. Named member who is to receive a senior salary as a chair of the authority and the amount to be paid.
 - c. Named members who are to receive a senior salary as deputy chair of a committee and the amount to be paid.
 - d. Named members who are to receive the co-opted member fee and whether a chair or ordinary member and the amounts to be paid.
2. Amendments made to the Schedule during the municipal year must be communicated to the Panel as soon as it is practicable.
 3. Principal councils must confirm in their annual Schedule that the maximum limit of senior salaries set for the council has not been exceeded.

4. Principal councils, NPAs and FRAs must include a statement of allowable expenses and the duties for which they may be claimed for care, travel and subsistence in their annual Schedule which is in accord with the Panel's determinations.
5. The Schedule must set out the arrangements for the payment of salaries, allowances and fees to all members and co-opted members of the relevant authority (IRPW Regulation 35); arrangements for making claims for care, travel and subsistence expenses (IRPW Regulations 24 and 36-37); arrangements for the avoidance of duplication (IRPW Regulation 38) and arrangements for re-payment of salaries, allowances and fees (IRPW Regulation 33). This schedule must also include the duties for which members and co-opted members are able to claim travel, subsistence and care allowances.
6. Principal councils must declare in the Schedule whether:
 - A statement of the basic responsibility of a councillor is in place.
 - Role descriptors of senior salary office holders are in place.
 - Records are kept of councillor attendance.
 - Annual reports are prepared by councillors, and published on the council website.
7. Principal councils, NPAs and FRAs must make arrangements for the publication of the Schedule of Member Remuneration as soon as practicable after its determination and no later than 31 July of the year to which it applies. This should be sent to the Panel no later than this date. The Schedule should be published in a manner that provides ready access for members of the public.
8. The Schedule must also be sent to the Panel Secretariat to be received by 31st July.

Annex 4: Publicity requirements

In accordance with Section 151 of the Measure the Panel requires that:

Relevant authorities must make arrangements for the publication within the authority area of the remuneration received by its members and co-opted members (including chairs of JOSCs or sub-committees of JOSCs). This information must be published and provided to the Panel no later than 30 September following the end of the year to which the payments relate. The following information must be provided:

- a. The amount of basic salary, senior salary, civic salary and co-opted member fee paid to each named member/co-opted member of the relevant authority, including where the member had chosen to forego all or part of the salary, or fee for the municipal year in question. Where a senior salary has been paid, the title of the senior office held is to be provided.
- b. The payments made by community and town councils to named members as:
 - Costs incurred in respect of telephone usage, information technology, consumables etc.
 - Responsibility payments
 - Allowances made to a mayor/chair and deputy mayor/chair
 - Attendance Allowance.
 - Financial Loss Allowance.
 - Costs incurred in respect of travel and subsistence
 - Care allowance.
- c. All care, travel and subsistence expenses and other payments received by each named member and co-opted member of the relevant authority, with each category identified separately.
- d. The amount of any further payments received by any named member nominated to, or appointed by, another relevant authority or other public body as defined by Section 67 of the Local Government (Democracy) (Wales) Act 2013, namely:
 - a local health board
 - a police and crime panel
 - a relevant authority
 - a body designated as a public body in an order made by the Welsh Ministers.
- e. Names of members who did not receive basic or senior salary because they were suspended for all or part of the annual period to which the Schedule applies.

Annex 5: Ministerial Remit Letter to the Independent Remuneration Panel for Wales (See next page)

Leighton Andrews AC / AM
Y Gweinidog Gwasanaethau Cyhoeddus
Minister for Public Services



Llywodraeth Cymru
Welsh Government

Ein cyflwr ref SF/LA/0859/15

Richard Penn
Chair
Independent Remuneration Panel for Wales

irpmailbox@wales.gsi.gov.uk

26 March 2015

Dear Richard,

I was pleased to receive a copy of your Annual Report for 2015. It is clear from your determinations that you are taking account of the ongoing pressures on finances and the need to be mindful of public expectations in relation to the remuneration of elected members and public sector pay more generally.

With this in mind, your recent recommendations in relation to the salaries of the Head of Paid Services at Pembrokeshire and Anglesey councils indicate a readiness to take into account realistic comparisons with salary levels across England and Wales, which I welcome.

I recognise also the efforts of the Panel to address the need to improve diversity in local government, most particularly through the care allowance and the message to local authorities that they should encourage qualified members to take it up.

I am aware that you recently gave evidence to the Assembly Committee considering the Local Government (Wales) Bill 2015. The Bill contains provisions which would enable the Welsh Ministers to direct the Panel to consider the appropriate remuneration for members of shadow authorities and new principal councils. I would expect the Panel to be giving consideration as to how it might approach this new responsibility over the next year.

You will note also the proposed extension of the Panel's responsibilities in relation to the salaries of Heads of Paid Service to additionally encompass chief officers for the period from the enactment of the Bill until 2020, a year after new councils would be expected to have become fully operational. I would welcome the Panel's opinion as to how you might approach this.

The Bill will also increase the size of the Panel from 5 to 6, in recognition of your increased workload. I very much hope that the creation of this additional position, together with the

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recruitment exercise which will take place over this year and next to refresh the Panel's membership, will result in a more equitable gender representation than is currently the case.

Finally, you will be aware of the proposals in the White Paper, *Reforming Local Government: Power to Local People*, which is the subject of consultation at present. I would draw your attention to the desire of Welsh Government to reduce the cost of politics to the public purse and, in particular, for consideration to be given as to whether all local authority cabinet posts should be treated as full-time commitments, whether all cabinet members in an authority should be paid the same and that rates of payment of leaders and cabinet members should be justifiable when compared with those paid in similarly-sized councils in other parts of the UK.

The White Paper also includes proposals for Area Boards, which would see elected members in leadership positions within their communities. This has implications for the way they would work and their relationship with their council. I would ask the Panel to give early consideration to this.

I shall look forward to your next draft report to see the extent to which these matters have been taken into account.

Yours sincerely,


Leighton Andrews AC / AM
Y Gweinidog Gwasanaethau Cyhoeddus
Minister for Public Services

Annex 6: Guidance to the Independent Remuneration Panel for Wales on the salaries of local authority chief executives

Background

- 1.1. The Local Government (Democracy) (Wales) Act 2013 (“the 2013 Act”) received Royal Assent on 30 July 2013. Its prime purpose was to reform the structure and functions of what is now known as the Local Democracy and Boundary Commission for Wales. There were, however, other provisions concerning Local Government and related issues. They included:
 - Allowing principal councils to appoint Presiding Members to chair their meetings, in preference to the traditional civic chair or mayor;
 - Enabling Local Authorities to promote or oppose private Bills in the National Assembly, rather than Parliament, if it is the appropriate legislature;
 - Requiring Town and Community Councils to publish information on the Internet;
 - Amending provisions within the Local Government (Wales) Measure 2011 (“the 2011 Measure”) relating to remote attendance at Council meetings and the constitution of audit and democratic services committees, and
 - Enabling Local Authorities to establish joint standards committees.
- 1.2. In addition, the responsibilities of the Independent Remuneration Panel for Wales (“the Panel”) within the 2011 Measure were amended by the 2013 Act in a number of ways but particularly in relation to the pay of Heads of Paid Service of certain Local Authorities.
- 1.3. Heads of Paid Service are statutory posts introduced under the Local Government and Housing Act 1989. Principal councils and some other Local Authorities are required to designate one of their officers as the Head of Paid Service. This is usually the Council’s Chief Executive Officer. This officer is required to advise the Council with respect to the discharge of its functions and as to the number and organisation of its staff. For the purpose of this guidance, the term Chief Executive (“CEO”) is to be considered as a reference to the Head of Paid Service and/or a Chief Fire Officer.

The Panel’s responsibilities in relation to CEO pay

- 2.1. Section 63 of the 2013 Act amends the 2011 Measure by inserting a new section 143A. Sections 141 to 160 of the 2011 Measure deal with Local Authority members’ payments and pensions and the powers of the Panel in relation to them. The new section 143A enables the Panel to take a view, in relation to principal councils and Fire and Rescue Authorities (FRAs), on anything in their Pay Policy Statement (PPS) which relates to the salary of their CEO. For the purpose of this guidance, salaries include payments made by a relevant Authority to a Head of Paid Service who is not an employee of the Authority under a contract for provision of services, as well as payments of salary made to an employed Head of Paid Service under an employment contract. The Panel’s power to do so, however, is related only to Authorities which must produce Pay Policy Statements (principal councils and FRAs).

Section 64 of the 2013 Act, which enables Welsh Ministers to specify a public body which could be added to the Panel's responsibilities, does not apply in relation to Chief Executives' pay.

- 2.2. Pay Policy Statements are a requirement under the Localism Act 2011 (sections 38 to 43), to be published on an annual basis. The purpose of the statement is to provide transparency with regard to a Local Authority's approach to setting the pay of its employees, by identifying the methods by which salaries are determined. In particular, it must include:
 - a) Policies on all aspects and elements of the remuneration of Chief Officers;
 - b) The approach to the publication of, and access to, information relating to all aspects of the remuneration of Chief Officers;
 - c) The Council's policy on the remuneration of its lowest paid employees;
 - d) The relationship between the remuneration of its Chief Officers and other employees.
- 2.3. The Welsh Government has issued guidance to Local Authorities on this matter.
[\[http://wales.gov.uk/topics/localgovernment/finandfunding/publications/payaccount/?lang=en\]](http://wales.gov.uk/topics/localgovernment/finandfunding/publications/payaccount/?lang=en).
- 2.4. Pay Policy Statements (PPSs) are designed to cater for decision-making in relation particularly, to the pay of Chief Officers and the lowest paid staff. The position of Welsh Government, expressed in the PPS guidance, is decision-making on PPSs takes place in public, is open to scrutiny and is subject to a vote of all Council Members. This is reinforced by the Local Authorities (Standing Orders) (Wales) Regulations 2014, which the Welsh Government proposes to revise to require a principal council to advertise publicly where it proposes to appoint a Chief Officer and the remuneration it proposes to pay in respect of that role is £100,000 per annum or greater.
- 2.5. Section 63 of the 2013 Act goes on to say the Panel may make recommendations in respect of any proposal to change the salary of a Chief Executive. Principal councils and Fire and Rescue Authorities are obliged to have regard to any recommendation the Panel makes in relation to what is in their PPS concerning Chief Executives' pay.
- 2.6. Should a principal council or FRA wish to change the salary of their CEO, they will have to consult the Panel, unless the change being considered is commensurate with a general pay increase or cut for other officers. (For the purposes of section 63 of the 2013 Act, "salary" includes payments made to a CEO under a contract for services as well payments of salary under an employment contract). The Council or FRA must have regard to the Panel's recommendation when reaching their decision.
- 2.7. The Panel may request any information they need to assist them to reach a conclusion on the matter and the Council/FRA will be obliged to provide it. The Panel may publish any recommendation they decide to make.

- 2.8. The Panel's recommendation could express approval of the Local Authority's proposal, express criticism of or concerns about the proposal, or recommend variations of the proposals but it cannot make any recommendations without taking into account this guidance issued by the Welsh Government.

The Panel's deliberation

- 3.1. When considering the issue of Chief Executives' salaries, it is important the Panel fully appreciates they are in a fundamentally different position to that in relation to the remuneration of Members of Local Authorities. In the latter situation, the Panel are the final arbiters in the matter. The Panel has the power to set precisely what a member of a Local Authority should receive, unless it confines itself to setting maxima instead. However, even in this situation it is the Panel, not the Local Authority or Welsh Government, who has the power to make the decisions.
- 3.2. In contrast, in relation to Chief Executives, the Panel's role is limited to taking a view and making a recommendation. Although the Local Authority/Authorities concerned must have regard to this opinion, they are not obliged to follow it. It is true other legislation will require any such decision to be made through a vote of full Council. It is also the case the decision would be open to scrutiny, not only by the Authorities' internal scrutiny processes, but also by external regulators such as the Wales Audit Office. The Authority would need to explain why they did not agree with the Panel's recommendation, if that is what has occurred.
- 3.3. Nevertheless, the Panel does not decide what an individual Chief Executive is paid. This should avoid any need for the Panel to be pulled into negotiations with Trade Unions or professional associations, for instance. Although one cannot rule out the possibility of a legal challenge to a recommendation by the Panel, it is less likely because of the indirect nature of the Panel's relationship to the final decision.
- 3.4. The Panel is being asked to use its own experience and expertise to arrive at a recommendation in each case that arises. Local Authorities are required to provide the Panel with any information it may reasonably require in reaching a conclusion and that provides the Panel with considerable power to gather necessary information. The sort of information the Panel may require could include the following:
- Papers or reports prepared by the Authority in relation to the matter;
 - Reports or other information provided to the Authority by any consultancy, Trade Union or professional association;
 - Details of the total package available, or under consideration, for the Chief Executive. This could include the length of contract on offer, pension arrangements, severance package, returning officer fees, performance bonuses, provision for annual and other leave, payment in kind (i.e. cars) and relocation costs;

- Information concerning the remuneration on offer to other Local Authority Chief Executives. (*Note: the Panel are not restricted to only requiring information from the local authority considering a variation in salary*).
- 3.5. It is also likely the Panel would wish to take into account more general data relating to prices and incomes, which they may well have available through its relevance to the remuneration of Local Authority members.
 - 3.6. The legislation does not restrict the Panel to a purely reactive role. If it wished, the Panel could use its power to make recommendations relating to provisions within Local Authorities' PPSs irrespective of any proposal to vary the pay of a Chief Executive provided the recommendation "related to" the salary of the Chief Executive. The Panel would, however, need to consider whether it had the time and resource to carry out such an exercise and bear in mind the policy driver behind the provisions in the 2013 Act was related to control over what were viewed as unacceptable decisions in relation to pay increases. Exercising the power in a way that was inconsistent with its purposes, could give rise to legal challenge. However, it does mean any individual or organisation could refer an issue concerning the Chief Executive's pay to the Panel for its consideration and the Panel could decide to act on that reference if it felt it necessary.
 - 3.7. The Panel needs to be consulted if there is a downward variation being proposed for a Chief Executive's pay (unless, as in the case of an increase, it is commensurate with a general approach to officers pay in that Authority). The Panel is likely to take the same type of evidence requirements into account.
 - 3.8. Finally, what factors should the Panel take into account in reaching a recommendation? It is for the Panel to make its own assessment of what factors are relevant to the exercise of its discretion in any particular case and how much weight is to be given to them. However, the following paragraphs cover what Welsh Ministers consider to be key factors to be taken into account by the Panel.
 - 3.9. When recruiting Chief Executives, public sector bodies are obliged to consider what remuneration will be required to recruit and retain the most suitably qualified persons. That is why there is often a large differential between the highest paid individual officer at Chief Executive level and the next level within an Authority. Particularly in relation to Chief Fire Officers, the Panel needs to recognise the professional expertise required for the post and will need to refer to the National Joint Council for Brigade Managers of Local Authority Fire and Rescue Services ("the Gold Book").
 - 3.10. The Panel will need to be sensitive to this but also take a balanced approach. Public acceptability is a legitimate factor for the Panel to take into account, but it should not be given undue weight. Although perceived excesses in remuneration of politicians and public officials have given rise to public controversy, it is understandable any significant increase in pay for an already

well-paid post may be criticised at a time when economic circumstances are difficult for many families.

- 3.11. Salary levels for Chief Executives within comparable Local Authorities need to be taken into account. In addition, there is a tendency to set arithmetic limits on the differential between the highest and lowest paid staff in an organisation, as well as the differential between the highest and second highest paid. It will be for the Panel to decide whether to take cognisance of this and how much weight to give it.
- 3.12. The Panel will also be able to take into account whether the salary under consideration is reasonable for the area concerned.
- 3.13. In conclusion, the Panel will want to satisfy itself the Local Authority concerned has made a clear business case for a proposed change and examined the options. The view of the Panel should be taken at the end, not the beginning of the process, in order that the Panel is able to see all the evidence the Authority has taken into account in making their proposal. This will be particularly important when an urgent appointment is being considered. If the Panel's view is required quickly, it will need to have all the background information readily available.

Annex 7: IRPW Recommendations made on the Salaries of Heads of Paid Service



Eich cyf . Your ref : CE/IRP

Ein cyf . Our ref :

Ceri Davies
Head of Human Resources
Pembrokeshire County Council
County Hall
Haverfordwest
Pembrokeshire
SA61 1TP

1 December 2014

Dear Mr Davies,

Proposed Salary of Head of Paid Service (Chief Executive)

The Independent Remuneration Panel for Wales has considered the salary proposed for the new Head of Paid Service submitted by your Council on the 17 November, in accordance with Section 143A of the Local Government (Wales) Measure 2011.

The Panel met on the 28th November 2014; the members present were John Bader, Stephen Mulholland and Gregory Owens. The Chair of the Panel, Richard Penn was not present nor took any part in the consideration of the submission as he had declared a possible conflict of interest. The Panel meeting was chaired by the Vice Chair, John Bader and was quorate.

The Panel members were grateful for the information provided which was understood to be the basis for the Council's proposal. The Panel has examined this information along with other information relating to demographics and finances of all Welsh principal councils. The guidance to the Panel from the Welsh Government in respect of this function states that the Panel could indicate:

- a) Approval of the proposal
- b) Express concerns about the proposal

c) Recommend a variation to the proposal

Following consideration of all the information available the Panel has decided to recommend a variation to your Council's proposed salary for the new Chief Executive, and it recommends to the Council that the salary be set at £130,000.

The reasons for this decision are set out below:

1. The population of Pembrokeshire is the 13th largest (out of 22) of the principal councils in Wales.
2. The revenue budget of the Council is approximately 15th largest of the 22 councils.
3. The number of staff employed by the Authority is also around the average for Welsh councils.
4. The proposal would mean that Pembrokeshire's Head of Paid Service would be the second highest in Wales which cannot be justified from the position of the Council as indicated in points 1, 2 and 3.

The Panel acknowledges that the Council's proposed salary represents a significant reduction from that paid to the previous Chief Executive but nevertheless considers that the salary should reflect the relative position of Pembrokeshire to other Welsh councils.

The legislation requires the authority to have regard to the recommendation of the Panel when reaching its decision.

The Panel will normally publish its recommendations in exercising its function and in this case will do so, in the interests of transparency.

Yours sincerely,



John Bader
Vice Chair
Independent Remuneration Panel for Wales



Cllr Neil Moore
Leader
Vale of Glamorgan Council
Civic Offices,
Holton Road,
Barry
CF63 4RU

Eich cyf . Your ref :

Ein cyf . Our ref :

17th December 2014

Dear Cllr Moore,

Review of Senior Management Arrangements

In response to correspondence received from your officers on 4th December 2014 the Independent Remuneration Panel for Wales, at its meeting on 10th December 2014, discussed the options being considered by the Vale of Glamorgan Council in a review of your senior management arrangements.

It is the Panel's understanding from the correspondence and report received that the Council's preferred option is option 3, which does not represent a substantive change to the remuneration of the Head of Paid Service. If this option is favoured by the Council then the Panel accepts the Council's proposal and has no further comment to make.

However, if the Council opts for one of the other options listed in the report, which would result in an increase or decrease in the salary of the Head of Paid Service, the Panel requests that the Council refers this matter back to them with detailed information on the preferred option in that instance.

Yours Sincerely

Richard Penn

Chairman



Carys Edwards
Head of Human Resources
Isle of Anglesey County Council

CarysEdwards@anglesey.gov.uk

13th February 2015

Dear Carys

Proposed Salary of Head of Paid Service (Chief Executive)

The Independent Remuneration Panel for Wales has considered the salary proposed for the new Head of Paid Service submitted by your Council on 6th February, in accordance with Section 143A of the Local Government (Wales) Measure 2011.

The Panel met on the 11th February 2015; the members present were John Bader, Stephen Mulholland and Gregory Owens. The Chair of the Panel, Richard Penn was not present nor took any part in the consideration of the submission as he had declared a possible conflict of interest. The Panel meeting was chaired by the Vice Chair, John Bader and was quorate.

The panel members acknowledge the information provided in the report which it understands to be the basis for the Council's proposal. A particular query was raised in advance of the meeting relating to a reference in the report "comparing salaries in similar authorities" whether this applied to authorities outside of Wales. The secretariat was advised that this reference was specifically about Welsh councils. The Panel has examined the information provided along with other information relating to demographics and finances of all Welsh principal councils. The guidance to the Panel from the Welsh Government in respect of this function states that the Panel could indicate:

- a) Approval of the proposal
- b) Express concerns about the proposal
- c) Recommend a variation to the proposal

Following consideration of all the information available the Panel has decided to recommend a variation to your Council's proposed salary for the new Chief Executive, It recommends to the Council that the salary be set at up to £110,000 p.a..

The reasons for this decision are set out below:

1. The population of the Isle of Anglesey is the 19th largest (out of 22) of the principal in Wales.
2. The revenue budget of the Council is approximately 19th largest of the 22 councils.
3. The proposal would mean that the salary of Anglesey's Head of Paid Service would be greater than six authorities with larger populations and revenue budgets.

The Panel acknowledges that the Council's proposed salary represents a significant reduction from that paid to the previous Chief Executive but nevertheless considers that the salary should reflect the relative position of the Isle of Anglesey to other Welsh councils.

The legislation requires the authority to have regard to the recommendation of the Panel when reaching its decision.

The Panel will normally publish its recommendations in exercising its function and in this case will do so in due course, in the interests of transparency.

Yours sincerely,



John Bader
Vice Chair
Independent Remuneration Panel for Wales

**Independent Remuneration Panel for Wales
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The Report and other information about the Panel and its work is available on our website at:

www.remunerationpanelwales.org.uk

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DEMOCRATIC SERVICES COMMITTEE

27th NOVEMBER 2015

Carmarthenshire County Council's Scrutiny Function – Annual Report 2014/15

Recommendations / Key decisions required:

- That the Democratic Services Committee considers and receives the Scrutiny Function's Annual Report for 2014/15.

Reasons:

- To provide the Democratic Services Committee with an overview of the Council's Scrutiny Function and the respective Scrutiny Committees' work during the 2014/15 municipal year.

Relevant scrutiny committee to be consulted: NOT APPLICABLE
Executive Board Decision Required: NO
Council Decision Required: NO

Executive Board Member Portfolio Holder:
 Cllr. Pam Palmer (Communities and Council Business Manager)

Directorate:	Designations:	Tel Nos. / E-Mail Addresses:
Chief Executive's		
Name of Head of Service: Linda Rees Jones	Head of Administration & Law	01267 224010 lrjones@carmarthenshire.gov.uk
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EXECUTIVE SUMMARY

DEMOCRATIC SERVICES COMMITTEE 27th NOVEMBER 2015

Carmarthenshire County Council's Scrutiny Function – Annual Report 2014/15

Scrutiny plays a key role in promoting accountability in the decision making process of local authorities. It is also useful in ensuring that council policies reflect current priorities, as well as promoting efficiency and encouraging partnership working with external agencies.

All non-executive elected members can be appointed to at least one scrutiny committee, depending on their specialist interests or expertise. Carmarthenshire County Council has 5 scrutiny committees:

- Policy & Resources
- Community
- Education & Children
- Environmental & Public Protection
- Social Care & Health

The committees normally meet on a 6 weekly basis to consider issues and reports included in a scrutiny forward work programme, which is developed at the beginning of the municipal year. Additional meetings are sometimes arranged if required and special or joint meetings may be held to consider urgent or cross-cutting issues.

The attached report provides an overview of the Council's Scrutiny Function and the respective scrutiny committees' work during the 2014/15 municipal year and includes details of:

- Key Achievements in 2014/15
- The scrutiny committees and their activities
- Other scrutiny-related activities
- The year ahead

DETAILED REPORT ATTACHED?

YES

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report.

Signed: Linda Rees Jones Head of Administration & Law

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
YES	YES	NONE	NONE	YES	NONE	NONE

1. Policy, Crime & Disorder and Equalities

The Scrutiny function has an important role in helping the Council to achieve its expressed aims:

- People in Carmarthenshire are healthier
- People in Carmarthenshire fulfil their learning potential
- People who live, work and visit Carmarthenshire are safe and feel safer
- Carmarthenshire's communities and environment are sustainable
- Carmarthenshire has a stronger and more prosperous economy

2. Legal

Article 6.2 of the County Council's Constitution states that a scrutiny committee must:

"Prepare an annual report giving an account of the Committee's activities over the previous year."

Each Committee has prepared individual annual reports which have been combined in this report of scrutiny activity during 2014/15 to the Democratic Services Committee.

3. Risk Management

- An ineffective scrutiny function could undermine the Council's corporate governance arrangements and lead to poor quality decision making.
- Lack of progress in enhancing the role of scrutiny will impact on its effectiveness and esteem within the Council.

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below:

Signed: Linda Rees Jones Head of Administration & Law

1. Scrutiny Committee – This report contains information from the individual scrutiny committee annual reports, received by the relevant committees during their meetings in May / June 2015.

2. Local Member(s) – N/A

3. Community / Town Council – N/A

4. Relevant Partners – N/A

5. Staff Side Representatives and other Organisations – N/A

**Section 100D Local Government Act, 1972 – Access to Information
List of Background Papers used in the preparation of this report:**

THESE ARE DETAILED BELOW:

Title of Document	File Ref No. / Locations that the papers are available for public inspection
Scrutiny Committee Annual Reports for 2014/15	<p>Community Scrutiny Committee (22nd June 2015) – http://online.carmarthenshire.gov.uk/agendas/eng/COMM20150622/REP10.HTM</p> <p>Education & Children Scrutiny Committee (18th May 2015) – http://online.carmarthenshire.gov.uk/agendas/eng/EDUC20150518/REP07.HTM</p> <p>Environmental & Public Protection Scrutiny Committee (15th May 2015) – http://online.carmarthenshire.gov.uk/agendas/eng/ENMT20150515/REP06.HTM</p> <p>Policy & Resources Scrutiny Committee (11th June 2015) – http://online.carmarthenshire.gov.uk/agendas/eng/POLI20150611/REP06.HTM</p> <p>Social Care & Health Scrutiny Committee (22nd May 2015) – http://online.carmarthenshire.gov.uk/agendas/eng/SOCI20150522/REP05.HTM</p>
Centre for Public Scrutiny (CfPS)	http://www.cfps.org.uk
Local Government (Wales) Measure 2011	<p>English – http://www.legislation.gov.uk/mwa/2011/4/pdfs/mwa_20110004_en.pdf</p> <p>Cymraeg – http://www.legislation.gov.uk/mwa/2011/4/pdfs/mwa_20110004_we.pdf</p>

Title of Document	File Ref No. / Locations that the papers are available for public inspection
Scrutiny Committee Agendas and Minutes	<p>Community Scrutiny Committee Cymraeg – http://arlein.sirgar.gov.uk/agendas/cym/CYMU.asp English – http://online.carmarthenshire.gov.uk/agendas/eng/COMM.asp</p> <p>Education & Children Scrutiny Committee Cymraeg – http://arlein.sirgar.gov.uk/agendas/cym/ADDY.asp English – http://online.carmarthenshire.gov.uk/agendas/eng/EDUC.asp</p> <p>Environmental & Public Protection Scrutiny Committee Cymraeg – http://arlein.sirgar.gov.uk/agendas/cym/DIOG.asp English – http://online.carmarthenshire.gov.uk/agendas/eng/ENMT.asp</p> <p>Policy & Resources Scrutiny Committee Cymraeg – http://arlein.sirgar.gov.uk/agendas/cym/POAD.asp English – http://online.carmarthenshire.gov.uk/agendas/eng/POLI.asp</p> <p>Social Care & Health Scrutiny Committee Cymraeg – http://arlein.sirgar.gov.uk/agendas/cym/GOFA.asp English – http://online.carmarthenshire.gov.uk/agendas/eng/SOCI.asp</p>
Carmarthenshire County Council's Constitution (Revised as at Council 15th May 2013)	<p>Cymraeg – http://www.carmarthenshire.gov.uk/Cymraeg/cyngorademocratiaeth/CyarfodydPwylIgor/Pages/TheCouncilsConstitution.aspx</p> <p>English – http://www.carmarthenshire.gov.uk/english/council/councillors/pages/councilsconstitution.aspx</p>
Local Government (Wales) Measure 2011 – Welsh Government Explanatory Memorandum and Guidance for Principal Authorities and Community and Town Councils	<p>Cymraeg – http://wales.gov.uk/topics/localgovernment/publications/lgmeasure11/?skip=1&lang=Cy</p> <p>English – http://wales.gov.uk/topics/localgovernment/publications/lgmeasure11/?lang=en</p>

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Carmarthenshire County Council's Scrutiny Function Annual Report 2014/15

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Foreword

I am pleased to present this Annual Report for Carmarthenshire County Council's Scrutiny Function for the 2014/15 municipal year.

The Annual Report provides a useful opportunity to reflect on the work of the Council's Scrutiny Committees during the past year.

One of the highlights of the past year's work programme was the conclusion of the joint Scrutiny investigation into the impact of Welfare Reform which was fully endorsed by the Executive Board last June and the recommendations implemented by the Executive Member led Welfare Reform Programme Board. This will continue to be a high priority for Scrutiny going forward in light of increasing levels of poverty in the county as well as the further cuts in benefits announced following the general election.

Empty homes are increasing in number and a blight on the landscape across the county and amongst our communities. The Community Scrutiny Committee knew that we were one of the best performers in Wales in terms of bringing numbers of empty homes back into use however the scale of the problem was getting significantly worse. It decided to investigate the issue in depth to see what more could be done and research best practice. This work is now completed and the Task & Finish Group has made links with increasing the delivery of affordable housing, another top priority for people and households in this county.

Efficiency and making the most effective use of our shrinking resources has been a key area for Policy & Resources Scrutiny which has looked at spend on third sector services, external expertise and the activity of the Council's Transform, Innovate & Change Team.

Ensuring we provide the best opportunities for our children and young people to realise their potential continues to be a key focus for Education & Children Scrutiny. The implementation of Education through Regional Working (ERW) and its impact on supporting schools to improve and raise the standards achieved by our children and young people has been a key area for Scrutiny, which has also been involved in establishing a co-ordinated and consistent approach to Scrutiny across the region.

I would like to take this opportunity to thank all members of our Scrutiny Committees for their constructive input during the course of the year as well as my colleagues on the Chairs & Vice-Chairs of Scrutiny Forum. I would also like to take this opportunity to express my sincere thanks and appreciation to our partners' participation in Scrutiny through formal reports and their engagement in our detailed investigations.

Finally I would like to thank all the officers who have provided support, advice and guidance throughout the year, particularly those in the Scrutiny and Consultancy and Democratic Services teams.

*Cllr. Hugh Richards
Chair of Chairs & Vice-Chairs of Scrutiny Forum
and Carmarthenshire County Council's
Scrutiny Champion*

Scrutiny in Carmarthenshire

Scrutiny plays a key role in improving the services that the people and children of Carmarthenshire use. The majority of decisions are made by the Executive Board of 10 county councillors. Scrutiny offers the other 64 councillors an opportunity to influence those decisions and act as a “critical friend”. It is also useful in ensuring that Council policies reflect current priorities, as well as promoting efficiency and encouraging effective partnership working with external bodies. Scrutiny Committees’ main roles and responsibilities are to:

- Examine how well the Executive Board and Council are performing.
- Hold the Executive Board to account and seek to promote open and transparent decision-making.
- Monitor the performance of the Council’s services and functions.
- Review decisions made by the Executive Board where appropriate.
- Assist the Executive Board in the development, monitoring and review of policy.
- Scrutinise, as a key element of the consultation process, the proposed revenue budget strategy and capital investment programmes.
- Enable the participation of external organisations and partners in consideration of issues that may impact upon the delivery of Council and countywide priorities.

All non-executive councillors can be appointed to at least one Scrutiny committee, depending on their specialist interests or expertise. Carmarthenshire County Council has 5 Scrutiny Committees:

- Policy & Resources
- Community
- Education & Children

- Environmental & Public Protection
- Social Care & Health

The Committees normally meet 8 times a year on a 6 weekly basis to consider issues and reports included in a scrutiny forward work programme, which is developed at the beginning of the municipal year. Additional meetings are sometimes arranged if required and special or joint meetings may be held to consider urgent or cross-cutting issues.



The Scrutiny Committees are politically balanced to reflect, as far as possible, the political composition of the Council as a whole. The Chairs and Vice-Chairs of Scrutiny Committees are appointed at the beginning of each municipal year for a period of one year (e.g. May 2015 to April 2016) by Council. They also participate in the Chairs and Vice-Chairs of Scrutiny Forum which meets on a quarterly basis to oversee the strategic direction of Scrutiny.

Key Achievements in 2014/15

Implementation of the 'Effective Scrutiny Action Plan'

The Chairs & Vice-Chairs of Scrutiny Forum has continued to oversee the implementation of the effective scrutiny action plan developed following the Wales Audit Office (WAO) Improvement study, 'Good Scrutiny? Good Question!' Progress is outlined below:

WAO Recommendations	Progress
Further develop and promote the understanding of Scrutiny outside the Authority	<ul style="list-style-type: none">• A Communications Strategy to promote and raise awareness of the work of Scrutiny has been agreed with the Press Team.
Continue to develop public engagement and involvement in Scrutiny	<ul style="list-style-type: none">• A review of the information about Scrutiny in Carmarthenshire available on the corporate website and how to get involved is planned following the launch of the new corporate website.
Strengthen the links between scrutiny work and audit / regulators	<ul style="list-style-type: none">• The Chair of the Audit Committee and relevant officers have attended a Forum meeting to discuss their respective roles, forward work programmes and key priorities. They have agreed to meet on a regular basis.• The Forum invited the Council's WAO Performance Audit Manager to attend a meeting to give feedback following his observations of Committee meetings and discuss the WAO work programme for the year. Scrutiny officers are also in regular contact with him.• CSSIW's comments about scrutiny arrangements in its Performance Evaluation Report 2013/14 were, "Scrutiny arrangements are effective and officers provide elected members with detailed information, with members providing officers with robust challenge to ensure decisions are made effectively".• ESTYN inspectors will be meeting with the Chair of Education & Children during 2015/16.

WAO Recommendations

Progress

Further develop the expertise of scrutiny members

- 41 non-executive members attended outcome focused questioning and listening skills development sessions delivered in-house during January 2015.
- 21 members attended a chairing skills development session facilitated through the Welsh Local Government Association (WLGA) in March 2015.
- Development needs were discussed with all Committees at their informal FWP planning sessions. A number of scrutiny-specific and all member information briefings were identified and informed the overall member development strategy confirmed by the Democratic Services Committee. Site visits will continue to be provided as appropriate and at the request of Committees to enhance their understanding of key scrutiny priorities.
- The Forum was consulted with regarding the scrutiny and chairing aspects of the WLGA Councillor Guidance on Continuing Professional Development 2014 and its feedback was provided to the WLGA.

Further develop scrutiny of the Local Service Board

- Policy & Resources Scrutiny Committee continues to monitor the Local Service Board (LSB) through an annual report which includes an update on the Integrated Community Strategy. It also is consulted with on the LSB priorities for the coming year.
- Members of the Committee have also observed meetings of the LSB and have agreed to set up a rota of a small group of Members to continue this in the coming year.

National Scrutiny Issues

During November 2014 Welsh Government announced that it was discontinuing the WLGA Improvement Grant from 1st of April 2015. The WLGA support for Members will continue with some free core services however there are now charges for coaching, training and workshops. The national Member Support Network will continue albeit at a reduced level. More information on councillor development and support services can be found at: www.wlga.gov.uk

The Scrutiny & Consultancy Team had been working with the WLGA to provide some workshops for Scrutiny Committees following the delivery of the outcome focused questioning and listening skills development sessions in January 2015 and a subsequent internal peer review utilising aspects of the 'national characteristics of effective scrutiny'*. This work was put on hold following the announcement of the cessation of the WLGA's Improvement Grant.

During February 2015 Welsh Government announced that funding for the Centre for Public Scrutiny (CfPS) Wales programme and the Scrutiny Development Fund were being discontinued from 1st of April 2015. Whilst the formal scrutiny national and regional networks will therefore cease, scrutiny officers continue to communicate and look for best practice through their electronic network.

** Developed by the National Scrutiny Officer Network following the WAO Improvement Study 2013.*



The Scrutiny Committees



Community Scrutiny Committee

The Community Scrutiny Committee has 13 members and its remit covers:

- **Public and private housing**
- **Regeneration**
- **Economic development**
- **Recreation and leisure**
- **Sport**
- **Libraries/Arts/Theatres**
- **Museums/Archives**
- **European grants/ External funding**
- **Planning policy**

Committee meetings – During 2014/15 the Committee considered reports on a wide range of topics including:

- Externally Funded Projects
- Local Development Plan (LDP)
- The Carmarthenshire Homes Standard Plus
- Contractor Partnering Framework
- The tender for Minor Building Works Frameworks under £150,000
- Cultural Services
- Swansea Bay City Region
- Progress on the implementation of the Joint Scrutiny Task & Finish Review on the Impact of Welfare Reform
- Annual Revenue Budget Consultation (2015/16 to 2017/18)
- Annual Capital Programme Consultation (2015/16 to 2019/20)
- The new European Funding Programmes 2014-20
- Affordable Homes and confirmation of Right to Buy suspension
- Economic Development
- Countryside Unit
- Sports & Leisure Unit
- Carmarthenshire Supporting People Local Commissioning Plan 2015-2018
- Fee structure for Mobile Home Site Licensing / Recovery of costs for the serving of

Statutory Notices

- Community Infrastructure Levy

The Committee was also consulted on the following issues:

- Carmarthenshire County Council's Annual Report 2013/14 and Improvement Plan 2014/15
- The New Local Authority Housing Financing System (HRAS Reform): Welsh Government Consultation Paper
- Carmarthenshire Homes Standard Plus Business Plan 2015-18 and the Reform of the Housing Revenue Account Subsidy System

Joint Meetings – The Committee held the following joint meetings during 2014/15:

Joint meeting with the Policy & Resources Scrutiny Committee – In May 2014, both Committees met to consider and endorse the findings and recommendations of the Joint Task and Finish Group's review of Welfare Reform, undertaken by members from both committees. The report was presented to the Executive Board on the 30th of June 2014 which endorsed all the recommendations and referred them to the Welfare Reform Programme Board for implementation.

Joint meeting with the Planning Committee – In June 2014, the Committees met to discuss the findings and recommendations of the Community Scrutiny Committee's Task & Finish Group's review of the Planning Enforcement Policy and Protocols. Three members of the Planning Committee had been co-opted as members of the Task & Finish Group. The Committees agreed the report and recommendations which were presented to the Executive Board on the 28th of July 2014.

Task & Finish Review 2014/15 – The Committee agreed to investigate the Council’s approach to bringing empty properties back into use in light of housing need and the high volume of empty properties. The main aims of the review were:

- To identify and evaluate the current activities undertaken by the Housing & Public Protection Division.
- To identify potential improvements and alternative delivery models.
- To identify cost effective best practice by other authorities, agencies and providers.

The Group held 7 meetings between November 2014 and June 2015 as well as a site visit (pictured below) to view some of the empty homes already known to the Authority. The review linked with the results of the public consultation regarding the delivery of affordable housing, the results of which supported bringing empty properties back into use.

The Community Scrutiny Committee endorsed the final report on the 22nd of June 2015. The Executive Board endorsed the final report and recommendations at its meeting on the 27th July 2015.



Site Visits – Following discussions about Burry Port Harbour at different meetings during the summer of 2014, the Committee undertook site visits to Pembrey County Park and Burry Port Harbour on Thursday 30th October 2014. The purpose of the visits was to give members the opportunity to view the facilities/developments in the Country Park as well as visiting the harbour in order to see and discuss the problems relating to the silting (pictured below).



The Committee also received a presentation from representatives of the Burry Port RNLI Lifeboat Team, outlining their vision for future facilities at the harbour. The Committee will continue to monitor conditions at the Harbour and options for its future management.

Development Sessions – No scrutiny-specific development sessions were held for the Committee during the municipal year but members attended other all-member development sessions (see Page 20).

Education & Children Scrutiny Committee

The Education & Children Scrutiny Committee has 18 members and its remit covers:

- Schools
- Children's Services
- **Youth Service**
- **Inclusion / Special Educational Needs**
- Adult Community Learning

Committee meetings – During 2014/15 the Committee considered reports on a wide range of topics including:

- Monitoring of the Local Authority's Education Services for Children and Young People (LAESCYP): ESTYN Inspection Action Plan
- Results of the 2014 Teacher Assessment and External Examinations
- Enhancing democratic scrutiny and monitoring of Education & Children's Services to support improvements in standards and safeguarding
- School Balances
- Carmarthenshire 14-19 Learning Network and Youth Engagement and Progression Framework Update
- Task & Finish Group Action Plan Monitoring: Review of the Youth Service's Youth Club Provision
- Modernising Education Programme (MEP) Annual Report 2013/14 and Programme for 2014/15
- Carmarthenshire Adult & Community Learning Service
- Youth Services Update Report
- The Youth Justice Plan Cymru 2015/16 – Carmarthenshire YOP Service
- Education through Regional Working (ERW) School Effectiveness Update
- Education & Children Scrutiny Committee Site Visit Activity Report 2013/14
- School Performance and Achievement 2013/14

- Annual Report of the Statutory Director of Social Services on the effectiveness of Social Care Services in Carmarthenshire 2013/14
- Carmarthenshire Local Safeguarding Children Board Annual Report 2013/14
- Care & Social Services Inspectorate Wales' (CSSIW) Inspection, Evaluation and Review of Local Authority Social Services 2013/14
- Integrated Family Support Strategy
- Looked after Children Strategy 2013-2017 Update
- Annual Revenue Budget Consultation (2015/16 to 2017/18)
- Annual Capital Programme Consultation (2015/16 to 2019/20)
- Modernising Education Programme: Ysgol Bryn Teg Evaluation Report
- Childcare Sufficiency Duty
- Play Sufficiency Duty
- Early Years Education Provision Review
- Welsh Language and Bilingualism for children with Additional Learning Needs

It was also consulted on the following policy matters:

- Carmarthenshire County Council's Annual Report 2013/14 and Improvement Plan 2014/15
- Carmarthenshire's Welsh in Education Strategic Plan 2014-2017
- Proposal to discontinue Copperworks and Lakefield
- Schools and establish a new primary school
- Proposal to discontinue Llanfynydd Voluntary Aided Primary School

Task & Finish Review – The Committee did not undertake a task and finish review during 2014/15.

Joint Scrutiny – Following the implementation of ERW from 1st of April 2014 and the appointment of key personnel, scrutiny officers across the region have met regularly on an informal basis with the ERW Managing Director. The aim of the discussions has been to ensure a consistent and co-ordinated approach to scrutiny of ERW and standards and performance in schools as well as sharing of best practice. The officer group has agreed that more formal arrangements are inappropriate at this stage. A seminar for lead Scrutiny Chairs and Vice-Chairs has been planned for the 22nd of September 2015 hosted by Neath Port Talbot. The seminar will focus on producing guidance on key lines of enquiry on the following 3 areas:

- Pupil Performance and Categorisation
- Support, Challenge and Intervention for Schools
- Other Activities for School Performance

Site Visits – In addition to its regular meetings, the Committee also continued with the programme of school visits and visited 18 schools during the 2014/15 municipal year (visits to Ysgol Y Felin and Ysgol Llansadwrn pictured right), as well as two Integrated Children’s Centres.

Co-opted Members – Only the Education & Children Scrutiny Committee has co-opted members. There are places for 5 co-optees - 3 Parent Governors and 1 representative from both the Church in Wales and the Roman Catholic Church. There is currently one vacancy for a Parent Governor position.

Development Sessions – A scrutiny-specific development session was held in September 2014 for members of the Committee. The objectives of the briefing session were:

- To give an overview of the Local Authority Education Services for Children and Young People (LAESCYP) - ESTYN inspection process
- To give the background of the Authority’s statutory powers over schools
- To brief members on Carmarthenshire’s inspection history and progress made
- To give an overview of developments in recent years in relation to our systems and processes for assessing, monitoring and challenging school performance (DAWN, TREM)
- To give examples of how we support schools to improve standards and achievements

Committee members also attended other all-member development sessions (see Page 20).



Environmental & Public Protection Scrutiny Committee

The Environmental & Public Protection Scrutiny Committee has 14 members and its remit covers:

- **Visible front-line services (e.g. highways, street cleaning, waste and recycling services, town-centre management, grounds maintenance, public conveniences, bus shelters and maintenance of car parks)**
- **Regional Waste Plan**
- **Transport**
- **Vehicle Maintenance**
- **Road Safety**
- **On/Off Street and Residents' Car Parking**
- **Conservation**
- **Consultancy & Design Services**
- **Shoreline Management**
- **Coastal Protection**
- **Contaminated Land**
- **Air Pollution**
- **Trading Standards**
- **Community Safety**
- **Environmental Health**
- **Environmental Enforcement (e.g. litter, dog fouling)**
- **Pest control**
- **Planning Enforcement**

Committee meetings – In addition to its regular monitoring reports, the Committee requested and received a number of reports on areas of specific concern and interest, such as:

- Area Planning Board Report on Drug and Alcohol Misuse Strategy and Development 2013/14
- Public Transport Update
- Hydrology Contract with Dŵr Cymru-Welsh Water
- Task & Finish Group Action Plan Monitoring: Review of Enforcement Services
- Community Safety Partnership Annual Report 2013/14

- Public Health Services Annual Report 2013/14
- Trading Standards and Animal Health Services Annual Report 2013/14
- Annual Revenue Budget Consultation (2015/16 to 2017/18)
- Annual Capital Programme Consultation (2015/16 to 2019/20)
- Street-Scene Divisional Update on Highway Condition and Backlog / Bridge Strengthening
- Update on No Cold Calling Zones and Associated Initiatives
- Rural Conservation Business Unit Annual Report 2014
- Road Safety Strategy (Investment Programme)
- Delivering With Less: The Impact on Environmental Health Services and Citizens – Wales Audit Office Study

It was also consulted on:

- Carmarthenshire County Council's Annual Report 2013/14 and Improvement Plan 2014/15
- Environmental Enforcement & Dog Control Orders
- Contaminated Land Strategy
- Local Air Quality Management (LAQM): Detailed Assessment of Air Quality in Llanelli and Carmarthen

Task and Finish – The Committee did not undertake a task and finish review during 2014/15.

Site Visits – The Committee undertook 3 site visits during 2014/15.

Two separate visits to different coastal locations were arranged for the Committee to view the work being undertaken to protect the county's coastline and discuss the options for protecting the shoreline from future erosion (visit to Pendine pictured right).

A third visit was arranged to CWM Environmental's Household Waste Recycling Centre and landfill site at Nant-y-Caws to view the new facilities and developments undertaken since the Committee's last visit in 2013 (pictured below).

Development Sessions – No scrutiny-specific development sessions were held for the Committee during the municipal year but members attended other all-member development sessions (see Page 20).



Policy & Resources Scrutiny Committee

The Policy & Resources Scrutiny Committee has 13 members and its remit covers:

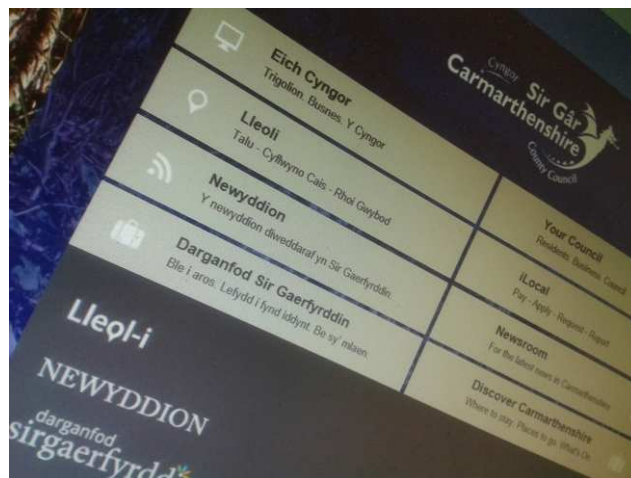
- **Monitoring authority wide policy and performance issues and scrutiny of the Local Service Board**
- **Cross-cutting issues**
- **Sustainable Development**
- **Finance**
- **Property**
- **Information Technology**
- **Communications**
- **Customer Services**
- **Audit**
- **Procurement**
- **Non-housing maintenance**
- **Organisational Development**
- **Human Resources**
- **Markets**
- **Emergency Planning**

Committee meetings – Reports considered by the Committee this year included:

- Quarterly Treasury Management and Prudential Indicator Monitoring reports
- Annual Treasury Management and Prudential Indicator Report 2013/14
- Welsh Language Scheme Annual Report 2013/14
- Procurement Progress Report 2014
- Strategic Equality Plan Annual Report 2013/14
- Tackling Poverty Position Statement and Action Plan
- Spend on External Legal Advice (1st April 2013 to 1st October 2014)
- Spend on External Consultants 2013/14
- Annual Revenue Budget Consultation (2015/16 to 2017/18)
- Annual Capital Programme Consultation (2015/16 to 2019/20)
- Carmarthenshire Local Service Board

Update 2014

- Third Sector Funding Review Update
- Asset Management and Co-Location
- The Welsh Language within Social Services for Older People
- Welsh Language Standards and Regulations
- The Well-Being of Future Generations (Wales) Bill
- Transform, Innovate & Change (TIC) Programme Annual Report 2014
- Joint Community and Policy & Resources Scrutiny Committee Task and Finish Group Final Report 2012/13
- Policy & Resources Scrutiny Committee Task & Finish Group Final Report 2013/14: Review of the Council's Engagement Mechanisms



It was also consulted on:

- Carmarthenshire County Council's Annual Report 2013/14 and Improvement Plan 2014/15
- Revised Corporate Health & Safety Policy
- Corporate Smoke-Free (Workplaces and Premises) Policy
- Revised Alcohol and Substance Misuse Policy
- Revised Stress Management Policy
- Corporate ICT Strategy 2015-18

- Dyfed Pension Fund Governance: Local Pension Board
- Treasury Management Policy and Strategy 2015/16
- Revised Press & Media Protocol

Joint Meeting – A joint meeting with the Community Scrutiny Committee was held in May 2014. Both committees met in order to consider the findings and recommendations of the Joint Task and Finish Group’s review of Welfare Reform, undertaken.

Task & Finish Reviews – The Committee did not undertake a task and finish review during 2014/15 however it completed its review of the Council’s engagement mechanisms following consideration of some additional information prior to submission to Executive Board in January 2015. The Executive Board noted the recommendations and referred them to the Constitutional Working Group for consideration.

Development Sessions – Two development sessions were held for the Committee during 2014/15. The sessions were:

- Treasury Management (16th June 2014)
- Sickness Absence (3rd February 2015)

Committee members also attended other all-member development sessions (see Page 20).

Press & Media Protocol Focus Group – At its meeting in March 2014, the Committee requested that a cross-party focus group be established to review the existing Press & Media Protocol. A cross-party group of six members from the Committee was subsequently established and it met on three occasions, in October and December 2014 and then again in February 2015. The Group presented its recommendations to the main Committee at its

meeting in March 2015.



NEWYDDION THE NEWSROOM

Local Service Board observation – Committee members attended and observed meetings of the Local Service Board (LSB) in order to further enhance their understanding of the Board and its work.

Social Care & Health Scrutiny Committee

The Social Care & Health Scrutiny Committee has 14 members and its remit covers:

- **Social services for older people**
- **Adults with learning disabilities**
- **Mental health services**
- **Nutritional standards**
- **Delayed Transfers of Care (DToC)**

Committee meetings – Reports considered by the Committee this year included:

- Annual Report of the Statutory Director of Social Services on the effectiveness of Social Care Services in Carmarthenshire 2013/14
- Residential Social Services: Practice & Policy
- The Welsh Language within Social Services for Older People
- COASTAL End of Project Report
- Annual Report on Adult Safeguarding, Commissioning and Complaints (2013-14)
- Progress in implementing the 'A Positive Future: Making person centred care a reality in Carmarthenshire'
- Care & Social Services Inspectorate Wales' (CSSIW) Inspection, Evaluation and Review of Local Authority Social Services 2013/14
- Supporting People with Learning Disabilities
- Delayed Transfers of Care
- Support for People who have Dementia
- Developments in Carmarthenshire relating to identification, assessment and care management of the frail older adult which promote well-being, independence and reduce the risk of falls
- Mental Health Support Services
- Services for Older People: Promoting Independent Lives
- The Nutrition Action Plan for Older People
- Annual Revenue Budget Consultation (2015/16 to 2017/18)
- Annual Capital Programme Consultation (2015/16 to 2019/20)

It was also consulted on:

- Carmarthenshire County Council's Annual Report 2013/14 and Improvement Plan 2014/15
- To consider and agree new charges for non-residential Social Services for Adults which are currently free and the general rules applicable to the financial assessment and application of the charge
- Carmarthenshire Carers Action Plan 2014-2017
- The future model of delivery for Coleshill Centre for Economic Inclusion: Options Appraisal

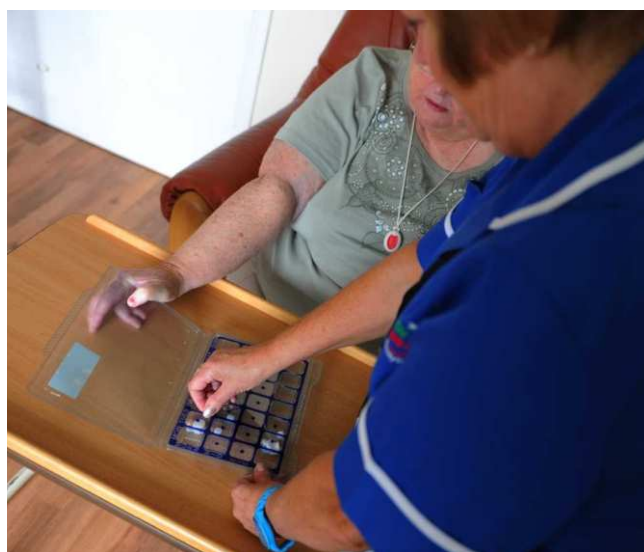


Task & Finish Review – During 2014/15, the Committee's Task & Finish Group established in May 2013 to review Social Care Services for Older People, continued its work. The review focussed on the range of services provided for older people aged 65 + from low level befriending schemes to residential care services. The Group held 10 meetings between September 2013 and October 2014. The Group concluded its evidence gathering of in October 2014 and agreed to feed its findings into the future work of the Joint Scrutiny Forum in relation to unscheduled care.

Joint working with the Hywel Dda Community Health Council – During 2014/15 the Social Care & Health Scrutiny Committee continued to work with the Carmarthenshire Branch of the Hywel Dda Community Health Council, as part of the Carmarthenshire Joint Health & Social Care Scrutiny Forum (the Forum). The Forum held 3 meetings during the reporting period.

Development Sessions – No scrutiny-specific development sessions were held for the Committee during the municipal year but members attended other all-member development sessions (see Page 20).

Site Visit – Following discussions at its meeting in November 2014, the Committee agreed that members of the Committee (one from each political group), would accompany the Director and relevant local members on a visit to the Glanmarlais and Tegfan Care Homes. The visit took place on the 22nd December 2014.



Other activities during 2014/15

Chairs & Vice -Chairs of Scrutiny Forum

The Chairs and Vice-Chairs of the Council's Scrutiny Committees meet on a quarterly basis to discuss issues relating to the scrutiny function. The Forum, which was established in 2004, is chaired by the Chair of the Policy & Resources Committee, who is also the Council's 'Scrutiny Champion'. During 2014/15, the Forum met on 4 occasions.

Scrutiny Member Development and Training 2014/15

Briefings and development opportunities continued to be held to enhance scrutiny members understanding of their remits and their role. There are strong links between Scrutiny member development and the overall Member Development Strategy. During 2014/15, the following development sessions were held for all scrutiny members:

- Questioning and Listening Skills – 26th and 27th January 2015 (*pictured right*)
- Chairing Skills training session – 17th March 2015

Wales Overview & Scrutiny Officers Network and CfPS Events

Scrutiny Chairs and officers attended the following national and regional events during 2014/15

- 6th of June 2014 - Gwent Scrutiny Challenge Conference; focusing on the role of auditors and independent regulators.
- 26th of June 2014 – CfPS National Scrutiny Conference; launching the “Raising the

stakes – financial scrutiny in challenging times” guide developed by Grant Thornton, which cites our budget consultation approach as good practice.

- 28th of November – CfPS M&WW Regional Seminar; Evidence based accountability for better decision making in challenging times.
- 10th of December 2014 – WAO, CfPS and Grant Thornton National Seminar; Mirror Mirror...reflecting on good governance.
- 27th of March 2015 – WG, CfPS and Cardiff Business School National Conference; on Scrutiny, Partnership, Collaboration and Regulation and also launching the “Step by Step to Joint Scrutiny - A Handbook for Scrutineers”. Carmarthenshire's joint Social Care & Health Scrutiny and Carmarthenshire branch of the Hywel Dda Community Health Council Forum is used as a case study in the handbook.



Local Government (Wales) Measure 2011

The Scrutiny & Consultancy Team continues to advise and support the implementation of the requirements of the Local Government (Wales) Measure 2011 as guidance is published.

Looking ahead to 2015/16

Each Scrutiny Committee must develop and publish a forward work programme for the forthcoming year and an annual report of what it has done through the previous year.

Under the Local Government (Wales) Measure 2011, Scrutiny Committees have a duty to engage with the public and other stakeholders in developing their forward work programmes.

The Scrutiny Committees agreed their respective Forward Work Programmes for 2015/16 at their meetings in May/June 2015. The work programmes are available to view online at:

www.carmarthenshire.gov.wales/scrutiny

The Council continues to face serious budgetary pressures and needs to identify and achieve more than £45m of savings and efficiencies over the next three years.

A key achievement for the Authority will be to maintain and deliver improvements to services, whilst meeting the required savings targets. Scrutiny Committees will continue to contribute and challenge in a constructive way to support the Council in meeting these challenges.

Other key areas that the Committees will be focussing on will be:

Community – Increasing the provision of affordable housing (with Social Care & Health) and the implementation of the Community Infrastructure Levy.

Education & Children – Improving standards and performance in schools and closing the attainment gap for pupils receiving free school meals.

Environmental & Public Protection – School Transport Policy (with Education & Children),

reviews of the Licensing and Gambling Policies, Highways and Cleansing reviews as well as car parking charges.

Policy & Resources – Efficiency and making the most effective use of our shrinking resources, a revised Procurement Strategy and the new Welsh Language Standards.

Social Care & Health – Developing a 10 year plan for services for Older People (with Community), Charges for Flexi-Bed Placements and the Corporate Safeguarding Policy.

Support for the Scrutiny Function

Scrutiny & Consultancy Team

The role of Carmarthenshire County Council's Scrutiny & Consultancy Team, based in the People Management & Performance Division of the Chief Executive's Department, is to assist in the management of change on an authority wide basis by providing independent and objective advice. The Team is responsible for providing two services to the Authority, namely, Management of Change and Improvement / Corporate Support and Scrutiny Support.

Its **Scrutiny Support** includes:

- Provides support and constitutional advice to the Council's Scrutiny Committees and to members of those Committees as well as producing minutes of their meetings and ensuring items arising from those meetings are actioned
- Gives support and advice in relation to the functions of the Council's Scrutiny Committees to executive and non-executive members of the Council and its officers
- Manages the strategic development of Scrutiny in Carmarthenshire through engaging in national and regional Scrutiny networks and initiatives, supporting the Chairs and Vice-Chairs of Scrutiny Forum, and the Scrutiny Chairs and Vice-Chairs Executive Board Forum
- Advises and supports the implementation of the requirements of the Local Government (Wales) Measure 2011 as guidance is published
- Manages the co-ordination and development of the Scrutiny forward work programmes in conjunction with Scrutiny members

- Manages and co-ordinates Scrutiny review work, including the operation of scrutiny task and finish groups, authoring reports in conjunction with the groups, and assisting in the implementation and monitoring of completed reviews
- Manages the Scrutiny member development programme.

The team members who support the Authority's scrutiny function have specific responsibility for one or more committee, as outlined below:

- Bernadette Dolan (Senior Consultant) with the strategic lead responsibility for the Scrutiny function and specific responsibility for the Community and Education & Children Scrutiny Committees
- Cheryl Reynolds (Senior Consultant) with specific responsibility for the Policy & Resources and Social Care & Health Scrutiny Committees
- Matthew Hughes (Assistant Consultant) with specific responsibility for the Environmental & Public Protection Scrutiny Committee whilst assisting the Senior Consultants in supporting their committees

Democratic Services Team

A team of 4 Democratic Services Officers provide a high quality support service for meetings of the Council, Executive Board, Scrutiny, Regulatory, Other Committees and Panels. This includes the following specific support for Scrutiny Committees:

- Despatching agendas for Scrutiny Committee meetings a minimum of 4 working days prior to the meeting and making Scrutiny Committee minutes available to members, officers and the public to view within 10 working days of the meeting.
- Ensuring that the Council's constitution, registers of elected members and officers' interests and declarations of gifts and hospitality are kept up to date and to continuously review and recommend any amendments to those.
- Ensure that information relating to Councillors is timely and available to the public.
- To draw up and maintain the Council's diary of meetings, including all Scrutiny Committee meetings.

During the latter part of the year, a review of the two functions was undertaken and the decision made to merge the Scrutiny Function within Democratic Services under a new Head of Democratic Services (who was appointed on the 6th of March 2015). This merger will be a priority for the service in 2015/16.

Chairs & Vice-Chairs during 2014/15

Policy & Resources



Cllr. Hugh Richards
Chair
(Felinfoel)
Independent



Cllr. Jan Williams
Vice-Chair
(Lliedi)
Labour

Community



Cllr. Deryk Cundy
Chair
(Bynea)
Labour



Cllr. Edward Thomas
Vice-Chair
(Llandeilo)
Independent

Education & Children



Cllr. Eirwyn Williams
Chair
(Cynwyl Gaeo)
Plaid Cymru



Cllr. Ryan Bartlett
Vice-Chair
(Betws)
Labour

Environmental & Public Protection



Cllr. Peter Cooper
Chair
(Saron)
Labour



Cllr. Ivor Jackson
Vice-Chair
(Llandovery)
Independent

Social Care & Health



Cllr. Gwyneth Thomas
Chair
(Llangennech)
Plaid Cymru



Cllr. Sue Allen
Vice-Chair
(Whitland)
Independent



18 schools and 2 family centres visited by the Education & Children Scrutiny Committee

6
development sessions held

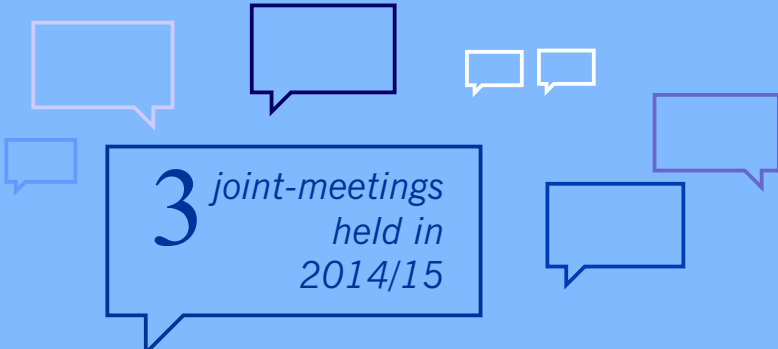
4
Chairs & Vice-Chairs Forum meetings held




7 site visits held by the other committees during 2014/15

41 committee meetings held in 2014/15

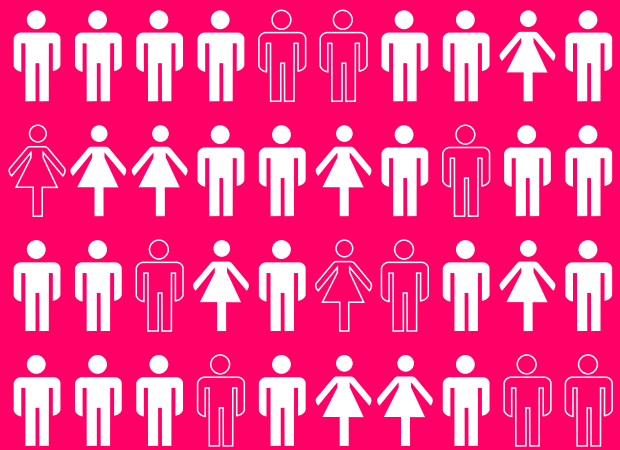
3 joint-meetings held in 2014/15



157
formal recommendations / requests for information recorded during 2014/15



3 task and finish reviews completed during 2014/15



75% attendance at committee meetings during 2014/15

Glossary of Terms

CfPS - Centre for Public Scrutiny

COASTAL - Creating Opportunities And Skills Teams Alliance was a regional project across South West Wales with the aim of supporting people who were not able to work due to illness, disability or social exclusion to secure employment or training.

CP - Community Primary (School)

CSSIW - Care & Social Services Inspectorate Wales

CWM Environmental - A wholly owned subsidiary of Carmarthenshire County Council, established under the 1990 Environmental Protection Act as a Local Authority Waste Disposal Company to manage the waste disposal in the County.

DAWN - Pupil tracker software system in primary schools

DToC - Delayed Transfers of Care

ESTYN - The Office of Her Majesty's Inspectorate for Education and Training in Wales

ERW - Education through Regional Working

FWP - Forward Work Programme

HRA - Housing Revenue Account

HRAS - Housing Revenue Account Subsidy

ICT - Information & Communication Technology

LAESCYP - Local Authority Education Services for Children and Young People

LAQM - Local Air Quality Management

LDP - Local Development Plan

LSB - Local Service Board

M&WW - Mid & West Wales

MEP - Modernising Education Programme

PSMW - Public Service Management Wales

RCP - Roman Catholic Primary (School)

RNLI - Royal National Lifeboat Institution

TIC - Transform, Innovate & Change

TREM - Pupil assessment / monitoring software system for schools

VAP - Voluntary Aided Primary (School)

WAO - Wales Audit Office

WG - Welsh Government

WLGA - Welsh Local Government Association

DEMOCRATIC SERVICES COMMITTEE 27TH NOVEMBER 2015

DEMOCRATIC SERVICES HALF YEARLY ANNUAL REPORT 1ST MAY 2015 -23RD NOVEMBER 2015.

Recommendations / key decisions required:

That the Committee considers the information contained within the report and notes the support and services provided to Elected Members.

Reasons:

To outline for Members the resources available to support the Democratic Services function (as provided for under the Local Government (Wales) Measure 2011) and a summary of how the resource is utilised.

Scrutiny Committee consulted – Not applicable

Exec Board Decision Required NO

Council Decision Required YES

EXECUTIVE BOARD MEMBER PORTFOLIO HOLDER:- N/A – Cllr Terry Davies Chair of Democratic Services Committee.

Directorate

Name of Head of Service:

Linda Rees Jones

Report Author:

Gaynor Morgan

Designations:

Head of Administration & Law

Head of Democratic Services

Tel Nos. 01267 224028

E Mail Addresses:

GMorgan@carmarthenshire.gov.uk

**EXECUTIVE SUMMARY
DEMOCRATIC SERVICES COMMITTEE
27th NOVEMBER 2015**

**DEMOCRATIC SERVICES HALF YEARLY ANNUAL REPORT 1ST MAY 2015 – 23RD
NOVEMBER 2015**

Members will be aware of the requirement under the Local Government (Wales) Measure 2011 ("the Measure") for the Council to establish a Democratic Services Committee. The Measure also requires the Council to designate one of its officers to the statutory post of "Head of Democratic Services" and provide that officer with sufficient resources to discharge these statutory functions.

The purpose of this report is to provide the Committee with an outline of the staff resources existing within Democratic Services and a summary of the wide range of duties and services provided to elected members over the past 6 months.

DETAILED REPORT ATTACHED ?

YES

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: Linda Rees Jones Head of Administration & Law
 Gaynor Morgan Head of Democratic Services

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
NONE	YES	YES	NONE	NONE	YES	NONE

Legal

The Local Government (Wales) Measure requires a local authority to designate one of its officers to discharge the Democratic Services Functions and provide that officer with such staff, accommodation and other resources which in its opinion are sufficient to allow those functions to be discharged.

The Head of Democratic Services may arrange for the discharge of democratic services functions by staff prescribed under the Democratic Services Function.

Finance

No additional budgetary implications at this time, the revised staffing arrangements can be accommodated within the Division's existing budget.

Staffing Implications

The Local Government Wales Measure requires local authorities to include within their standing orders provisions concerning the management of staff provided to the Head of Democratic Services. Section 10 "Management of Staff" does not include the appointment of staff or dismissal of staff or the taking of other disciplinary action against staff.

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Linda Rees Jones
Gaynor Morgan

Head of Administration and Law
Head of Democratic Services

1. Scrutiny Committee

Not applicable

The Chair of the Democratic Services Committee is regularly updated on service issues.

2. Local Member(s)

Not applicable

3. Community / Town Council

Not applicable

4. Relevant Partners

Not applicable

5. Staff Side Representatives and other Organisations

Not applicable

Section 100D Local Government Act, 1972 – Access to Information

List of Background Papers used in the preparation of this report:

THERE ARE NONE

Title of Document	File Ref No.	Locations that the papers are available for public inspection

Report of the Head of Democratic Services

27th November 2015

DEMOCRATIC SERVICES UNIT HALF YEARLY ANNUAL REPORT FOR THE PERIOD 1ST MAY 2015 – 23RD NOVEMBER 2015

Head of Service & Designation. Linda Rees Jones Head of Administration & Law	Directorate Chief Executive	Telephone No. 01267 224010
Author & Designation Gaynor Morgan Head of Democratic Services Cllr Terry Davies – Chair of the Committee	Directorate Chief Executive	Telephone No 01267 224026

Members will be aware of the requirement under the Local Government (Wales) Measure 2011 ("the Measure") for each local authority to establish a Democratic Services Committee. The Measure also requires the Council to designate one of its officers to the statutory post of "Head of Democratic Services" and provide that officer with sufficient resources to discharge these statutory functions. This report provides the Committee with an outline of the staff resources existing within Democratic Services and a summary of the wide range of duties undertaken, ongoing developments and plans for the future to support Members in their respective roles.

Staff and resources in Democratic Services

As part of a review of the Democratic Services and Scrutiny functions and in order to strengthen the function in terms of resilience and flexibility, staff from Scrutiny and Executive Board support transferred to the Democratic Services Unit in July 2015 under a new Democratic Services Manager and the nominated Head of Democratic Services. As a result of these changes the structure was revised in order to ensure that the Democratic function was robust and able to meet the requirements of the Local Government Measure.

The Structure seeks to strengthen the support provided to Scrutiny Committees by allocating a lead Democratic Services Officer to each of the 5 scrutiny committees. Each lead officer would also have non-scrutiny committees to administer which will expand their existing breadth of knowledge across the whole political spectrum and bridge the gap between the executive and the scrutiny function.

The transfer of Executive Board Support Staff to the Democratic Services Division will also strengthen the support provided to all members and will allow greater capacity and flexibility in the support provided to the Executive Members, Non-Executive Members and the Leader of the main Opposition Party.

The service is split into two divisions namely Committee Support and Civic & Member Support.

- **Committee Support:-**

This is a team of 6 staff, comprising a Principal Democratic Services Officer (new post which will be advertised shortly) and 5 Democratic Services Officers. The team provides a wide range of services to the Executive, Regulatory and Scrutiny Committees together with the administration of partnership agencies i.e. ERW and the Dyfed Powys Police & Crime Panel . The team provides advice and support in relation to the Council Constitution, law and practice relating to committee administration, advice on the role of Councillors, protocols and code of conduct and supports the democratic function in the production of handbooks, research and liaison with external bodies as part of Scrutiny Task and Finish reviews.

The Committee Support team have supported the following official meetings over the past 6 months:-

Council Meetings - 8
Executive Board & EBM Meetings - 37
Regulatory & Other Meetings - 34
Scrutiny Committees - 24

The Democratic Services Officers also process School admission appeals and facilitate the work of the Independent Admission Appeals Panel having processed over 160 appeals in the last 6 months.

- **Civic & Member Support**

This is a team of 7 staff, comprising a Principal Democratic Services Officer, a Senior Member Support Officer, 4 x Member Support Officers (one of which is a new post which will be advertised shortly) and 1 x part-time Official Car Driver.

The Team is the designated point of contact for all elected member enquiries and provides a comprehensive support function to the Chair of Council, and all elected members. The team also assists the Executive Board Members and the Leader of the main opposition Group with research and information gathering and diary co-ordination. Member Support Officers also administer the Councillor Enquiry system, members expenses, members' day to day correspondence including local surgery notices, support Members with production of their annual reports, arrange attendance at Conference and Seminars and operate the Authority's webcasting of Council meetings.

The Member Support team have processed over 900 Councillor Enquiries and webcast 24 meetings over the past 6 months.

Member Accommodation

Leaders Office – Carmarthen, Llanelli, Ammanford
Executive Board Member accommodation x 5 - Carmarthen
Opposition Group Leaders' Office – Llanelli
Opposition Group Room – Carmarthen
Members' Lounge – Carmarthen & Llanelli
Chairmans Room – Carmarthen & Llanelli

A small meeting room is also available within County Hall for Elected members to use by appointment.

ICT Equipment for Elected members

In July 2015 the ICT division provided tablet devices to all members who had expressed an interest in receiving a companion device and this facility was provided in addition to members' existing Laptops or PC 's.

To coincide with the roll out of the tablet devices, the Democratic Services Unit also introduced 'Modern.gov' a committee decisions management system in a move towards less paper and faster and easier access to key information, this allows Members to perform their duties as efficiently as possible.

Feedback in respect of both the tablet devices and Modern.gov are extremely positive.

Members training and development

A number of Member training and development sessions have also been held as part of the Member Development Programme. An updated draft programme is included as a separate item on the Agenda. The Member Development Programme is delivered by the People Management and Performance Learning & Development Team.

Conclusion

Having taking into account the extremely difficult economic pressures facing the Council generally, and the need to strengthen the Democratic Services function in terms of resilience and flexibility, the new Democratic Services structure is considered to be appropriate and the Chair of the Committee has been fully briefed and supports the structure as detailed within Appendix 1 below.

DEMOCRATIC SERVICES STAFFING STRUCTURE

