

Agenda



Democratic Services Committee

Date: Thursday, 27 April 2023

Time: 10.00 am

Venue: Committee Room 1 - Civic Centre

To: Councillors D Fouweather (Chair), T Watkins, K Thomas, A Sterry, P Hourahine, T Harvey, A Pimm, M Spencer and E Stowell-Corten

Item	Wards Affected
1	<u>Apologies</u>
2	<u>Declarations of Interest</u>
3	<u>Minutes of Meeting held on 21 February 2023</u> (Pages 3 - 8)
4	<u>Annual Report of the Head of Democratic Services</u> (Pages 9 - 18)
5	<u>Review of Standing Orders</u> (Pages 19 - 24)
6	<u>Independent Remuneration Panel (IRP) Report (Information Only)</u> (Pages 25 - 56)
7	<u>Forward Work Programme</u> Constitution Update- 20 July 2023 Participation Strategy Update- 20 July 2023 Annual Report of the Head of Democratic Services- 23 November 2023
8	<u>Date of next Meeting</u> 20 July 2023 at 10am
9	<u>Webcast of Committee</u> Democratic Services Committee, 27 April 2023 - YouTube

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Date of Issue: Thursday, 20 April 2023

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Draft Minutes

Democratic Services Committee

Date: 21 February 2023

Time: 10.00 am

Present: Councillor D. Fouweather (Chair), T Watkins, K Thomas, A Sterry, P Hourahine, T Harvey, A Pimm, M Spencer and E Stowell-Corten.

In Attendance: Leanne Rowlands (Democratic and Electoral Services Manager), Elizabeth Bryant (Head of Law and Standards), Taylor Strange (Governance Officer), Emily Mayger (Governance Officer)

1. Apologies

None.

Declarations of interests

None.

2. Minutes of the previous meeting held on the 27th of January 2023

The Minutes of the previous meeting were held as a true and proper record.

Councillor Hourahine queried the context of the support to be provided in ward meetings, however the Chair clarified what was covered.

All members agreed with the clarification.

3. Voter ID

This item was presented by the Democratic and Electoral Services Manager.

- The Elections Act 2022 has brought about some key changes with the biggest of those being the introduction of Voter ID. There are also changes in other areas such as EU voters and those overseas, however, the focus of the presentation is on Voter ID.
- The Department of Levelling Up, Housing and Communities state that the aim of Voter ID is to reduce the risk of voter fraud as well as make the electoral process fairer. The Voter ID will also prevent the electoral offence known as personation but there has been some criticism in relation to voter ID creating an obstacle for some to vote.
- From 4th May 2023 the rules will apply to parliamentary elections as well as Police and Crime Commission elections.
- In England it will also apply to local elections and referendums, but not to local elections in Wales.

- There are 23 accepted forms of existing photo ID include passports and driving licenses; expired forms of photo ID can also be accepted if there is a likeness.
- If a person does not have a valid ID, they can apply for Voter ID through their local authority at no cost.
- Voter ID will be provided free from the Electoral Register Office; research carried out by the Electoral Commission expected that around 5% of voters will apply for Voter ID.
- In Wales Voter ID was not being publicised yet but in England it has been publicised due to elections taking place in May 2022 in England first.
- The Application can either be done online or be supported in person.
- A centralised fulfilment centre currently exists however this could potential move to more local fulfilment in the future.
- The physical Voter ID will be an A4 document and will have some security measures such as those used within legal currency.
- The Electoral Commission will publicise the need for the Voter ID before the voting is scheduled to take place as well as providing materials to local councils in order for them to distribute to residents as part of a local communication plan.
- In addition, polling stations must have an appropriate space for people to show their Voter ID in private; grant funding for materials that may be needed for this space will be provided through grants from the Department of Levelling U
- The Presiding Officer within the polling station has the right to refuse a voter if they don't have valid ID, or if they feel the ID provided is not legitimate. The decision to refuse is final, however these refusals can be subject to a post-election review.
- There will be challenges such as raising awareness in order for the residents to have adequate notice and time to get their Voter ID.
- The Electoral Commission is focused on making sure no communities are disenfranchised.
- Further funding will be available in April 2023 and April 2024.

Questions:

A Committee Member queried how many cases of election fraud were reported in Newport.

- The Democratic and Electoral Services Manager confirmed that there were 266 cases reported UK wide when the last national figures were published, but none of the cases that were prosecuted involved personation. The Democratic and Electoral Services Manager confirmed there were none in Newport in the last election, but as they were not part of the election team prior to that the information would be confirmed.

A Committee Member asked what would happen if there were to be a Snap Election.

- The Democratic and Electoral Services Manager noted that the risk had been considered, as this would be challenging, and that measures have been taken to mitigate in the case of such an event.

A Committee Member questioned whether the photo on the Voter ID would be the same quality as other forms of Photo ID.

- The Democratic and Electoral Services Manager highlighted that the key requirement was that the photo showed a likeness to the person.

A Committee Member queried that due to the process of applying for Voter ID being online, why couldn't the resident be emailed the ID.

- The Democratic and Electoral Services Manager explained that the document will be a physical document that will be issued via Royal Mail to the registered address directly from the fulfilment centre. The Democratic and Electoral Services Manager confirmed that a person can apply for voter ID as early as they want to counter any issues with delivery dates, however there will be guidelines on how close to an election a person may apply for one and there are also specific rules around how it is replaced if the document is lost.

A Committee Member requested that the Committee received the PowerPoint slides.

- The Democratic and Electoral Services Manager confirmed they would be sent out to all members of the Committee.

A Committee Member noted that the deadline for registering before an election was 5pm 6 days before, and questioned whether the DWP would be able to meet the demand of verifying Voter ID.

- The Democratic and Electoral Services Manager highlighted that due to England undertaking the use of Voter ID first, that this would give indicator of any issues.

The Chair asked if a person has no form of ID how would they register.

- The Democratic and Electoral Services Manager noted that a person needed to be on the Electoral Register as well as highlighting that there would be a national database that was checked to confirm the person is who they say they are.

The Chair highlighted that he felt the passport system of being able to take photos in booths and uploading them via a code would be better suited for gaining the photo aspect of the photo ID

- The Democratic and Electoral Services Manager affirmed that the England elections would give information regarding successes and drawbacks of the scheme.

The Chair highlighted that there may be confusion due to some elections requiring Voter ID and some not.

- The Democratic and Electoral Services Manager noted that these concerns have been fed back into the consultation.

A Committee Member raised that the issues should be directed through the appropriate channels, as officers are tasked with implementing the national legislation.

The Chair highlighted that with Wales having some elections with Voter ID and some without that it may lead to confusion.

A Committee Member asked whether there was a process to see if residents were deterred from voting due to the Voter ID.

- The Democratic and Electoral Services Manager detailed that this would be scrutinised nationally.

A Committee Member queried the impact on postal votes.

- The Democratic and Electoral Services Manager confirmed that postal vote signatures would be updated more frequently but that no ID would be needed to vote by post.

A Committee Member asked for clarity regarding the timescales for signature renewal of postal votes.

- The Democratic and Electoral Services Manager confirmed that they would provide the Committee with a response in relation to the specific time gaps for renewal.

The Chair queried the length of the renewal period for postal votes.

- The Democratic and Electoral Services Manager confirmed that there may be 2 concurrent postal vote periods in place supporting local and parliamentary elections.

A Committee Member questioned whether political candidates could support residents in their Voter ID applications.

- The Democratic and Electoral Services Manager informed the Committee that they would confirm a response on that matter.

A Committee Member asked whether those without an address could vote.

- The Democratic and Electoral Services Manager informed the member that there were measures in place to support those who were homeless being eligible to vote.

A Committee Member asked who came up with the guidance.

- The Democratic and Electoral Services Manager informed the Committee that the legislation was implemented by the UK government, and the implementation was being overseen by the Department of Levelling Up, Housing and Communities. The Electoral Commission was supporting administrators through the production of guidance supporting the legislative changes.

A Committee Member noted that training may be needed for members, and another Committee Member highlighted that Newport had the lowest interest in voting.

A Committee Member asked whether there had been much research into whether it had deterred voters.

- The Democratic and Electoral Services Manager confirmed that the Committee would receive a further update following the publication of any studies or analysis following the elections in England in May 2023.

4. Member Training

The Democratic and Electoral Services Manager presented this topic.

- The Democratic Services Committee was responsible for making sure Members have reasonable training and development.
- The goal of the training and support was to help councillors in performing their duties.
- The focus was to give members information when needed so that they would not be overwhelmed.
- The sessions were designed to be interactive as well as providing expertise from both within and outside the council.

- An example was given whereby members were given financial training during December due to the budget consultation.
- Most training sessions were recorded, with those recordings stored in a shared file on teams.
- IT drop-in sessions were also arranged to help members with any technical issues.
- Details of attendance for the training was provided to the members.
- There have also been other training modules run such as those on Violence against Women.
- The Democratic and Electoral Services Manager asked whether the committee would like a general survey to be carried out on the training provided.

Questions

The Chair asked if members of the Licencing and Planning Committee were required to complete their respective training.

- The Democratic and Electoral Services Manager informed the chair that they would check to see if all Members had completed the training.

A Committee Member highlighted that there were 6 Members that had yet to complete their code of conduct training and asked were they enrolled on the next available course.

- The Democratic and Electoral Services Manager confirmed that the 6 members were registered to complete the final session of training for Code of Conduct.

A Committee Member asked whether the Members could be reminded of the Code of Conduct training course they had at further opportunities. The Democratic and Electoral Services Manager confirmed that this was being looked at in terms of how this could be supported through the development of e-learning modules for the future.

A Committee Member noted that Councillors were often asked by the public to advocate for them regarding housing issues and requested training on how best to advise them.

- The Democratic and Electoral Services Manager stated that this could be accommodated and a further member training session would be arranged.

A Committee Member felt that not a lot of people undertook the Carbon Literacy Training.

- The Democratic and Electoral Services Manager clarified to the member that numbers were limited to 15 places on each course, further course for members would be offered in the next few months.

5. Update on Appointments to Regional Scrutiny Committee for the Gwent Public Services Board

Presented by the Democratic and Electoral Services Manager

- The Committee would focus on the work of the Gwent Public Service Board as stated in section 35 of the Wellbeing and Future Generations Act 2015.
- In the November Partnerships Scrutiny Committee, the terms of reference for the committee were resolved, with 2 representatives recommended to full Council.
- The Wellbeing and Future Generations Act 2015 came into force in April 2016, to improve the Social Economic, Environmental, and Cultural Wellbeing of Wales. The goal was to develop a plan to meet the needs of Wales in current times without hindering the potential needs of the future generations.

- The Gwent PSB accepted terms in a report drafted by Blaenau Gwent Council.
- The members recommended for these positions could not hold Executive or Cabinet roles.
- Under the Councils Constitution appointment of representatives to outside bodies must go through full Council unless the appointment was an Executive function.
- Reflecting the political proportionality, the two member representatives would be nominated from the Labour Party.

Agreed:

The Members of the Committee agreed with the recommendations of the report.

Forward Work Programme

The Chair noted that they would like the procedure of the Leaders absence in Council as it relates to Question and Answer session within Council to be brought to the next meeting. Other queries around Standing Orders raised in the previous Council meeting will also be brought to the next committee meeting.

Further updates on legislative queries raised in the meeting that took place today would be brought to the following meeting.

The Democratic and Electoral Services Manager also noted bringing back the feedback from the first year of the participation strategy to a meeting later in the year.

The Democratic and Electoral Services Manager also noted bringing information on democratic services staffing to the following meeting.

The Democratic and Electoral Services Manager noted further updates on legislation concerning elections can be brought to a later meeting.

Questions

The Chair reminded the members to consider any items they feel would be important to raise for future meetings.

A Committee Member queried whether training sessions could have E-Learning Modules online to aid councillors who were not able to attend the meeting in person.

- The Democratic and Electoral Services Manager noted this good point and that this was an item that was currently being discussed.

Date of Next Meeting

27th of April at 10am-Committee Room 1.



Report

Democratic Services Committee

Part 1

Date: 27th April 2023

Subject Annual Report of the Head of Democratic Services

Purpose To present the Annual Report of the Head of Democratic Services

Author Head of Law & Standards/Democratic Services Manager

Ward All wards

Summary Under the Local Government (Wales) Measure 2011, the Democratic Services Committee is required to keep under review the provision of staff, accommodation and other resources made available to the Head of Democratic Services, to ensure that adequate resources are provided for the responsibilities of the post.

The attached annual report provides an outline of the resources made available in support of these functions, so that the Committee can fulfil its responsibilities under the Measure

Proposal The Committee is asked:

- (i) To consider and comment upon the Annual Report;
- (ii) To endorse the view of the Head of Law & Standards and Democratic Services Manager that the provision of staff, accommodation and other resources by the Council is adequate to discharge the statutory requirements in relation to decision making, democratic administration and scrutiny; and
- (iii) To ask the Democratic Services Manager to keep under review the provision of staff, accommodation and other resources made available to members to ensure that statutory requirements and any changing needs of elected members are met, and to present a report to this Committee should any review be required.

Action by Head of Law and Regulation and Democratic Services Manager
Timetable Immediate

This report was prepared after consultation with:

- Chief Executive
- Head of Finance
- Head of People, Policy and Transformation

Background

Under the Local Government (Wales) Measure 2011, the Democratic Services Committee is required to keep under review the provision of staff, accommodation and other resources made available to the Head of Democratic Services, to ensure that adequate resources are provided for the responsibilities of the post.

The attached annual report of provides an outline of the resources made available in support of these functions, so that the Committee can fulfil its responsibilities under the Measure.

The Democratic Services Manager is the designated Head of Democratic Services and fulfilled this statutory role in accordance with the requirements of the 2011 Measure.

The Democratic Services Manager is responsible for discharging the statutory roles and responsibilities of the Head of Democratic Services under the Measure and is responsible for the management and supervision of all staff within the Governance and Scrutiny Teams.

The statutory functions of the Head of Democratic Services are set out in the Measure and relate to the provision of advice and support to non-executive members as part of the democratic process, and all councillors when carrying out their representational role. In effect this covers Committee services, scrutiny and governance, and general member support services.

Financial Summary

Staff costs are met from existing budget allocated to the service.

Risks

Risk	Impact of Risk if it occurs* (H/M/L)	Probability of risk occurring (H/M/L)	What is the Council doing or what has it done to avoid the risk or reduce its effect	Who is responsible for dealing with the risk?
Non-compliance with the requirements of the Local Government Measure	M	L	This report allows the Committee to consider and review the adequacy of staff, accommodation and resources in line with the requirements of the Measure.	Democratic and Electoral Services Manager / Head of Law and Regulation.

* Taking account of proposed mitigation measures

Links to Council Policies and Priorities

Consideration of this report meets the requirements of the Local Government (Wales) Measure 2011.

Proposal

The Committee is asked:

- (i) To consider and comment upon the Annual Report;
- (ii) To endorse the view of the Head of Law & Standards and Democratic Services Manager that the provision of staff, accommodation and other resources by the Council is adequate to discharge the statutory requirements in relation to decision making, democratic administration and scrutiny; and

- (iii) To ask the Democratic Services Manager to keep under review the provision of staff, accommodation and other resources made available to members to ensure that statutory requirements and any changing needs of elected members are met, and to present a report to this Committee should any review be required.

Comments of Chief Financial Officer

There are no financial implications arising from the annual report of the Head of Democratic Services. The report confirms that the cost of the current team is met from existing revenue budgets and that any change to the statutory requirements would necessitate a further review. At that point, any financial implications would need to be considered prior to a change being implemented.

Comments of Monitoring Officer

In accordance with the Local Government (Wales) Measure 2011, the Head of Democratic Services has a statutory responsibility to ensure that non-executive Members are provided with sufficient support and advice to enable them to discharge their roles as Councillors. Democratic Services Committee is required to review the adequacy of the staffing and other resources available to discharge this responsibility. The annual report confirms that the current staffing arrangements are sufficient to meet these statutory responsibilities under the Measure and to support members. The Democratic Services Manager post has been extended to include that of the Electoral Services Manager. A further review of the Electoral Services Team will be required to reflect the electoral changes brought about by the Elections Act 2022.

Comments of Head of People, Policy and Transformation

The Annual Report outlines that the provision of staff, accommodation and other resources by the Council is adequate to discharge statutory requirements. Part of the statutory requirements placed on the Council is to discharge its duties and ways of working under the Wellbeing of Future Generations (Wales) Act 2015. There are no direct staffing implications arising from the report.

Fairness and Equality Impact Assessment:

- **Wellbeing of Future Generation (Wales) Act**
- **Equality Act 2010**
- **Socio-economic Duty**
- **Welsh Language (Wales) Measure 2011**

The Annual Report outlines that the provision of staff, accommodation and other resources by the Council is adequate to discharge statutory requirements. Part of the statutory requirements placed on the Council is to discharge its duties and ways of working under the Wellbeing of Future Generations (Wales) Act 2015. Through ensuring the effectiveness of the Council's corporate governance and decision-making processes, the Council will ensure that requirements of the Wellbeing of Future Generations (Wales) Act 2015 are met and the following principles of the act are able to be properly embedded within the Council's governance and decision making structures:

- Long term: the importance of balancing short- term needs with the need to safeguard the ability to also meet long – term needs
- Prevention: How acting to prevent problems occurring or getting worse may help us meet our objectives
- Integration: Consider how the proposals will impact on our wellbeing objectives, our wellbeing goals, other objectives or those of other public bodies
- Collaboration: have you considered how acting in collaboration with any other person or any other part of our organisation could help meet our wellbeing objectives
- Involvement: The importance of involving people with an interest in achieving the wellbeing goals, and ensuring that those people reflect the diversity of the City.

Consultation

Comments from Democratic Services Committee will be included as part of the final report to Council.

Background Papers

The Local Government (Wales) Measure 2011
Local Government and Elections (Wales) Act 2021
Elections Act 2022

Dated: 12th April 2023



Head of Democratic Services Annual Report 2022

1. Introduction

Following the introduction of the Local Government (Wales) Measure 2011, the Council is required to designate one of its officers to the statutory post of Head of Democratic Services and provide that officer with sufficient staff and support to discharge the role. The Head of Democratic Services is a politically restricted post, and the Democratic Services Committee is responsible for designating this role.

The Democratic Services Manager is the designated Head of Democratic Services and fulfilled this statutory role in accordance with the requirements of the 2011 Measure.

The Democratic Services Manager is responsible for discharging the statutory roles and responsibilities of the Head of Democratic Services under the Measure and is responsible for the management and supervision of all staff within the Governance and Scrutiny Teams

Under the Measure, the Democratic Services Committee is required to keep under review the provision of staff, accommodation and other resources made available to the Head of Democratic Services, to ensure that adequate resources are provided for the responsibilities of the post.

2. Functions and requirements of the statutory role

The functions of the Head of Democratic Services are set out in the Measure and relate to the provision of advice and support to non-executive members as part of the democratic process, and all councillors when carrying out their representational role. In effect this covers Committee services, scrutiny and general member support services.

The Measure specifically provides that the Head of Democratic Services should not be providing advice and support directly to executive members, although there is no issue with him or her providing administrative support.

The Guidance specifically provides that the Head of Democratic Services can perform other roles apart from the statutory non-executive support functions prescribed by the Measure (as with the Monitoring Officer). Therefore, there is nothing to prevent the Head of Democratic Services having line management responsibility for the staff that support other functions

The Measure also provided that the role of the Head of Democratic Services had to be separate from the designated Monitoring Officer role, although there was nothing to prevent the Monitoring Officer from having line management responsibility for democratic services. However, the Local Government and Elections (Wales) Act 2021 removes this requirement as it is now recognised that the Monitoring Officer and Head of Democratic Services roles are not mutually exclusive and can be jointly provided. However, given that the current arrangements are working satisfactorily, then it is not considered necessary for the Committee to review the allocation of functions and responsibilities at the present time.

3. Provision of staff

There were no changes to the existing provision of staff during the reporting period.

A part-time Governance Officer retired in November 2021, and the Governance Officer making up the other part of that job-share role also retired in November 2022.

A full time Scrutiny Officer left the Council for another role in April 2022. This left a vacancy that was advertised, and the post was successfully filled with an internal candidate from the Governance team on a temporary basis. This job was advertised in January 2023 as a permanent role and following assessment processes, the Scrutiny Officer who had covered the role previously was permanently appointed.

The vacant posts in the Governance Officer team created by retirement and career progression were advertised as fixed term contracts. These posts have both been advertised on a permanent basis, and the interviews will take place in the next few weeks.

Following the retirement of the Elections Manager, responsibility for this area was transferred to sit under the Democratic Services Manager responsibilities in January 2022. The role became the Democratic and Electoral Services Manager, and the key objective at this time was to successfully deliver the local elections in May 2022, and subsequently to provide induction and support services to those members appointed.

The polling day and count took place on 5th/6th May 2022, and the Annual General Meeting of the Council took place on 17th May, alongside the Mayor Making Ceremony. New members were supported through a planned programme of induction and training, including appointments to governance and scrutiny committees, and representing the Council on external boards and bodies.

4. Scrutiny and Governance

The Scrutiny and Governance team provides all committee administration, scrutiny, and general member support services. The Democratic and Electoral Services Manager provides overall management for the scrutiny and governance functions.

The Scrutiny Advisers continue to provide advice, guidance and research to the scrutiny committees and members.

The Governance Officers, under the direction and supervision of the Governance Team Leader, provide all administrative support to committees and general support to members. The structure was designed to allow more resilient, flexible support for the democratic process, and additional capacity for general member support and development activities.

5. Adequacy of staffing

The staffing structure was designed following a full review of the resources needed for the effective discharge of these functions. This is a relatively small team and, therefore, it is important that the available resources are directed in the most efficient way. The pooling of committee and member support within a five-strong team of generic administrators has allowed for more flexible support to be provided, and greater resilience within the team. As well as giving clearer lines of delineation, separating general member support from the executive function has helped to ensure that both executive and non-executive members are provided the dedicated support they require.

During the period for reporting, there was no change to the numbers of staff providing support for members and no net reduction in the available resources.

Whilst there have been some leavers and new members of the team, there was a full complement of staff within the Democratic services team during the reporting period. Therefore, the provision of staff, accommodation and other resources under this structure is considered to be adequate to discharge democratic services functions, as they currently exist.

In accordance with the requirements of the Measure the staffing and resources available to discharge these democratic functions will need to be kept under regular review, to ensure that they remain adequate and effective. This will include reviewing the provision of staffing in Electoral Services in consideration of the changes to legislation under the Elections Act 2022 that start to impact operations in 2023.

The biggest challenges for Democratic Services during this period has been the provision of support to newly elected members, and the adoption of hybrid meetings. Hybrid meetings are a legislative change required under the Local Government and Elections (Wales) Act 2021 and have been running since the Council Annual General Meeting in May 2022. The Act required the Council to introduce the technology to hold “hybrid” meetings as from May 2022, as part of its democratic decision-making processes. This requirement provides flexibility for members to join meetings remotely in order to encourage a more diverse and representative make-up of the Council.

In addition to developing the capacity to support hybrid meetings, Democratic Services staff have been heavily involved in member training and development. Participation in remote meetings has required a fundamental change in culture and, therefore, elected members needed to be fully trained and confident in using the technology in order to contribute effectively to the debate and decision-making. A significant amount of training was delivered to Councillors prior to the first remote Council AGM in July 2020, but there were many newly elected Councillors in May 2022 elections. This required hybrid meetings to be an integral part of the comprehensive programme of induction training, tailored to the particular needs and roles of individual members and Committees. This was overseen by the Democratic Services Committee as part of their member training and development role.

Hybrid meetings are facilitated through Microsoft Teams, and the Public-i webcasting system has been upgraded using grant funding from Welsh Government to enable hybrid meetings to be broadcast live. Screens were upgraded in the Chambers and other meeting rooms to enable members who are dialling-in remotely to be seen and heard at all times by those members who are sitting in the meeting rooms. The Constitution was amended during this period to reflect the Arrangements for Multi-Location Meetings developed to meet the legislative requirement.

The Council’s AGM and Mayor Making ceremony in May 2022 was the first held at the Civic Centre since May 2019. As a result of team changes, the majority of the Democratic Services team had not supported the AGM and Mayor Making before, and this was one of many challenges during 2022 that helped to grow the experience and capability of officers. Experienced officers from the team and other service areas, provided support and worked in a collaborative way to ensure the event was a success.

Staff were working from home up until December 2021, but from January 2022 onwards it was necessary to adopt a hybrid approach to staff working in order to facilitate the planning and organisation required for local elections later that year. In May 2022, hybrid meetings were adopted under the Local Government and Elections (Wales) Act 2021. Since then, Officers have continued to work on a hybrid basis which meets business needs and provides a balanced approach. Officers attend the Civic Centre 2-3 times per week to facilitate meetings, member support and electoral registration tasks. During the remainder of the week, home working lends itself to preparation for meetings, writing minutes and other tasks requiring concentration. Officers are accessible via Teams, email and phone during office hours. This approach is in alignment with the Council’s Flexible Working Policy adopted in August 2022.

The final draft of the statutory Public Participation and engagement strategy, including a Petition Scheme, was developed in 2022 with guidance from the Democratic Services Committee. The Council was required to publish the strategy and scheme by May 2022 in accordance with the 2021 Act.

In September 2022, the Democratic Services team supported the civic arrangements for the period of public mourning following the announcement of the death of Queen Elizabeth II. The team also facilitated the proclamation of King Charles III for the Gwent area, and welcomed dignitaries to the Civic Centre to hear the decree. As with the AGM, support from other services such as the Destination Development Team was crucial in ensuring the smooth delivery of proceedings.

Training

During this period specialist training has been provided by Public Governance Wales on democratic accountability, governance and scrutiny, and from the Association of Electoral Administrators on all aspects of Electoral Administration.

New staff have received training and support as part of their induction. There has also been a programme of cross-training and handover between staff to ensure that there is resilience and shared knowledge of processes and protocols.

There is an ongoing focus on learning and development, with training plans in place on an individual and team basis.

Any changes in statutory requirements and/or the needs of members will also need to be kept under review and will be reported to the Democratic Services Committee. Potential pressures could include:

- The impact of the Elections Act 2022
- Any changes to the demands and needs of elected members
- Any changes in statutory requirements, e.g. Welsh Language Standards; Wellbeing of Future Generations Act / PSB Scrutiny.
- Increased day to day demands
- Any further demands from regulatory bodies
- The impact of the cost of living crisis on resource and demands

Finally, we would like to take this opportunity to recognise the work of the staff within Democratic Services during this challenging year of many 'firsts' and record our personal gratitude for their unstinting support.

Head of Law & Standards and Democratic and Electoral Services Manager

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Report

Democratic Services Committee

Date: 27th April 2023

Subject **Review of Standing Orders**

Purpose To consider the referral from Council regarding the review of Standing Orders

Author Head of Law and Standards

Ward General

Summary At the Council meeting on 24th January 2023 it was resolved that Democratic Services Committee consider Standing Orders in place under Part 4: Rules of Procedure of the Constitution regarding Questions at Council to the Leader of the Council.

Any proposed changes to the Standing Orders resolved by the Committee will be referred to full Council to vote on proposals as per 3.1.1(a) Terms of Reference of the Council's Constitution.

Proposal **To consider the Standing Orders and to determine whether the Committee wish to make any referrals to Council for amendments.**

Action by Head of Law and Standards

Timetable In line with the consultation deadline

This report was prepared after consultation with:

- Chief Executive
- Monitoring Officer
- Head of Finance
- Strategic Director – Transformation and Corporate

Background

1. As part of the democratic framework that supports transparency and accountability, the Council's Standing Orders already have a number of provisions through which elected members can ask questions of, and receive answers from, the Leader, Cabinet Members and Committee Chairs. This provision allows for questions to be submitted and answered at any time, not just during meetings of full Council.
2. A notice of motion was tabled and moved at Council on 24th January 2023 to consider Council Standing Orders under Part 4: Rules of Procedure. This was proposed to clarify the proceedings of the Council meeting when the Deputy Leader is called on to deputise for the Leader in her absence. The current Standing Orders do not specify proceedings for occasions when it is necessary for the Deputy Leader to deputise for the Leader at Council, specifically concerning Standing Order 4.2 regarding Questions at Council to the Leader of the Council, and Standing Order 4.2(f) concerning Leader's announcements.
3. In addition, at their meeting on 27th January 2023, members of the Democratic Services Committee wished to debate the time limit for Leader's questions under the same Standing Order 4.2, as they felt that the time allotted did not afford a sufficient opportunity for Opposition members to ask questions of the Leader in Council.

Standing Orders: Deputisation for the Leader at Council

4. The current Standing Orders under Part 4: Rules of Procedure do not reference any specific provision regarding the role of the Deputy Leader in Leader's questions, including Leader's announcements, on such occasions when the Deputy Leader is deputising in the Leader's absence at Full Council meetings. Article 2.2.1, Framework Member Role Descriptions and Person Specification, outlines the role of the Deputy Leader which include;
 - To fulfil the duties of the Leader in his or her absence
 - To assist the Leader in specific duties as required
5. Clarification of the requirements of the Deputy Leader when deputising for the Leader in full Council would require a new Standing Order to confirm the correct rules of procedure concerning Leader's announcements and Leader's questions.

Standing Orders: Questions to the Leader

6. Newport City Council currently takes a unique approach to Leader's questions at Council whereby questions do not have to be submitted in advance; other Local Authorities in Wales require questions to be submitted in writing in advance of the Council meeting.
7. Under the current standing orders, each opposition group is allocated one question each, to be asked in order of group membership, with the largest opposition group going first, followed by the second largest opposition group and so on. Each of the Group Leaders or their appointed deputies are invited to put their questions to the Leader in turn and they are allowed one supplemental question to clarify anything arising from the response. After all the allocated opposition group questions are completed, questions are opened up to all members and are allocated according to a ballot. Councillors wishing to ask a question of the Leader must notify the Governance Team in writing by midday on the day of the Council meeting. The content of the

question does not need to be submitted in advance. Question notifications are grouped according to opposition/majority party members and the order for questions is then selected by a ballot, with the questions alternating between opposition and majority party members. The Leader's question time ends when the allotted 15 minutes is over, or when the list of balloted questions is complete, whichever is the earliest.

8. The current Constitution/Standing Orders make provision for elected members to submit questions in a number of different ways. Standing Order 4.3; Questions to Cabinet Members and Committee Chairs supports elected members to ask a question of Cabinet Members or Committee Chairs. Councillors wishing to ask a question of a Cabinet Member or Chair of Committee are required to provide questions in writing to the Governance team no later than 4pm three working days before the Council meeting. The question is then asked orally at the Council meeting and an oral answer is given at the Council meeting. The question and the answer are appended to the Council minutes and published to the Council's website. A time limit of 10 minutes for Questions to each Cabinet Member is set out in the Standing Orders. This means that there is provision for up to 80 minutes of time dedicated to Questions to Cabinet Members at each Council. Questions to Committee Chairs are submitted less frequently, but could potentially represent another hour and 40 minutes of Questions in Council.
9. Elected Members can also submit questions to the Leader and Cabinet Member at any time, under Standing Order 4.8 Formal Questions at any other time, known as Questions At Any Time, or QAAT. This process means that elected members can submit a question at any time, without the need to wait up to 6 weeks for the next Council meeting to take place. Written questions can be forwarded to any Cabinet Member (including the Leader) at any time, although any submitted at weekends or later than 4pm on any working day will not be deemed to have been received for the purposes of response times until the next working day. Answers to questions submitted under this process will be provided within 10 working days of the receipt of the question by the Cabinet Member. The question and answer is copied to all Members of the Council via email and is published on the Council's website for the purposes of transparency and engagement. The question must be forwarded in writing to Democratic Services, and the question must be identified as a formal question or QAAT to the Leader or Cabinet Member to be dealt with in accordance with this standing order.
10. The Standing Order for Questions to the Leader could be aligned with the approach taken in other Local Authorities in Wales. This is the same approach that Newport presently uses for Questions to Cabinet Members and Committee Chairs under Standing Order 4.3. Questions could be submitted in writing to the Governance team before the Council meeting. Questions would be reviewed in the same way as Cabinet Member questions; elected members would be advised by Democratic Services and Monitoring Officer if the question is of an operational nature or is part of the Cabinet Member portfolio rather than the Leader. Questions accepted under this process could then be asked orally at the Council meeting and an oral answer given at the Council meeting. The question and the answer would then be appended to the Council minutes and published to the Council's websites.
As with other LA's, adopting this approach would still require a time limit and an order in which questions are asked to ensure proceedings are clear. Adopting a new process would require a longer lead time in order to support officers providing administrative support to meet the new requirements. Aligning the new Questions to the Leader process, and the Questions to Cabinet Member and Committee Chairs process with a new timeline, requiring questions to be submitted by 4pm 10 working days in advance of the Council meeting would ensure that there is sufficient time to process the questions and gather any necessary information to inform the response.
11. Council meetings are usually around 2 hours and 30 minutes long with present arrangements. Given that this will extend the provision of time in the current Standing Orders for questions at Council, that already includes up to 80 minutes for Questions to Cabinet Members, and potentially up to 1 hour and 40 minutes for Questions to Committee Chairs, it may be necessary to begin Council meetings earlier, in order to accommodate the extended period of time for Questions to the Leader and full provisions in the Standing Orders. Changes to the start time for

Council may have further reaching impacts for elected members who may have other employment or caring responsibilities.

Summary

12. The Committee is asked to consider the referrals from Council, and the previous meeting of the Democratic Services Committee as set out above, and to determine any recommendations to be considered by full Council as listed below.

Financial Summary

There are no financial implications in relation to the Standing Orders.

Risks

Failure to consider the referral from Council and Democratic Services Committee will have a reputational impact on the openness and transparency of the governance processes and will not meet the legislative requirements of the Constitution.

Links to Council Policies and Priorities

The principles of open and transparent governance support the Council's Corporate Plan 2022-27. They are also enshrined in the well-being plan and objectives under the Well-being of Future Generations (Wales) Act.

Options Available and considered

The Committee is asked to consider the referral from Council and Democratic Services Committee and to determine any recommendations that they wish to be considered by full Council. In particular, the Committee is to consider recommendations regarding Standing Order 4.2 and 4.2(f) as follows:

a. Deputisation for the Leader at Council

Option 1a

The Committee recommends that Standing Orders are updated to specify that the Deputy Leader conducts Leader's announcements and responds to Leader's questions when called upon to deputise for in the Leader's absence at full Council meetings.

Option 2a

The Committee recommends that Standing Orders are updated to specify that Leader's announcements and Leader's questions are not part of proceedings when the Deputy Leader is called upon to deputise in the Leader's absence at Council meetings. In this circumstance, questions to the Leader would be submitted in writing with written responses being provided within 10 working days following the Council meeting.

b. Questions to the Leader

Option 1b

Standing Order 4.2 is not amended; Questions to Leader are asked verbally, and responded to verbally at the Council meeting, and the time limit remains 15 minutes.

Option 2b

Standing Order 4.2 is amended to align with the process for Questions to Cabinet Members. Questions are submitted in writing to Democratic Services ahead of the meeting, no later than 4pm three working days before the meeting. Accepted questions are then asked verbally and responded to verbally at the meeting within a time limit of 30 minutes. The timeline for submitting questions, to the Leader or to Cabinet Members, would be by 4pm 10 working days in advance of the Council meeting. Consideration would be given to changing the times of Council to start earlier, to allow for the increased time for responding to questions.

Preferred Option and why

Options 2a and 1b are the preferred options.

Comments of Chief Financial Officer

There are no financial implications of undertaking the review of standing orders

Comments of Monitoring Officer

Set out in the report.

Comments of Head of People, Policy and Transformation

There are no HR implications. The principles of open and transparent governance are consistent with the Council's Corporate Plan and objectives under the Well-being of Future Generations (Wales) Act, ensuring that members are able to attend meetings at changed times will continue to be important.

Local Issues

Not applicable.

Equalities Impact Assessment and the Equalities Act 2010

No applicable.

Wellbeing of Future Generations (Wales) Act 2015

Considering referrals from Council as per the Constitution support transparent and open governance arrangements which underpin the Equality Plan 2020-2024 objective;

1. Leadership, Governance and Involvement.

Consultation

Not applicable.

Background Papers

Local Government & Elections (Wales) Act 2021 and associated guidance
Constitution

Dated: 6th April 2023

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REPORT

Independent Remuneration Panel for Wales: annual report 2023 to 2024

Sets the range and level of payments for the financial year
2023 to 2024.

First published: 27 February 2023

Last updated: 27 February 2023

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Introduction

This is the final Annual Report of the Independent Remuneration Panel for Wales, setting the Decisions and Determinations on pay, expenses and benefits for elected members of principal councils, community and town councils, National Park Authorities and Fire and Rescue Authorities for implementation from April 2023.

This is my first Report as Chair of the Panel, having been appointed in June 2022. I would like to take this opportunity to thank John Bader, the outgoing Chair, for his service over many years and who led the Panel through 2 significant pieces of work last year, the **Independent 10 Year Review of the Panel** and restoring the link between elected members salaries and average earnings in Wales. I also thank Joe Stockley for his service and I am pleased to announce the appointment of Bev Smith in June this year. Saz Willey, Vice Chair, and Ruth Glazzard continued to lead the work of the Panel during this period of change and I thank them for the support they have given both Bev and I, as new members. Ruth Glazzard stood down from the Panel at the end of 2022, when she took up a new public appointment. The Public Bodies Unit is currently recruiting for a new Panel member.

This year the Panel has continued to focus on and take forward the recommendations from the **10 Year Review**. There are 4 key strands to this work, review the way we work, set out a 3 year strategy for the Panel, improve how we communicate and engage with stakeholders and build a robust evidence base to inform decisions.

We have embarked on the recommended Effectiveness Review of the way we work and have started developing our longer-term strategy with Panel development days in August and February. We have agreed that our mission is to deliver a fair and accountable reward framework for Wales, to support communities to have their voices heard within our local democratic bodies. We

will use our expertise and professionalism to build trusting, sustainable partnerships to inform our work and deliver the changes Wales needs.

We aim to improve the way we communicate and engage both with our immediate stakeholders and the general public. As a first step we now publish a summary of our monthly meetings on our [website](#), but recognise there is much more to do. We aim to improve the accessibility and ease of use of our website and develop it into a more useful resource tool for people. We intend it to be an easy-to-use store of information on our Determinations, and, building on our current [frequently asked questions](#) page, develop our guidance on how all decisions should be applied.

Whilst we are an independent body, we will continue to work collaboratively with key stakeholders engaged in promoting participation in local democracy. The Welsh Government published research exploring the barriers to standing for elected office and the changing role of the councillor and held a series of events across Wales to highlight and discuss the findings.

We took an active part in these events, hosting seminars on remuneration and the changing role of local councillors. We welcomed the opportunity to share knowledge, experience, and best practice across a range of subjects and particularly the focus on developing a shared understanding of how we can take collective action to increase diversity in local democracy.

The Panel has decided that this year will be a year of consolidation. Major changes were put in place last year, and a significant uplift in salary levels was agreed. We wish to allow time for last year's Determinations to bed in and to allow the Panel to continue its development of a research and evidence base to inform future decisions and move to a longer term planning cycle. This report reflects that decision.

During the past few years, we have been considering the structure of our reports and how we can make them more accessible to all. We have concluded that

much of the information published replicates previous years, often without significant change. For this report we decided to focus on the changes made as a result of the proposals. We have therefore decided that the majority of the content set out in previous reports will be removed from the report and placed on the Panel's website. We will make arrangements for those who are unable to access the website.

This change has significantly reduced the size of the report and made it more manageable to navigate. This approach is also in line with our efforts to respect the challenges facing us in protecting our planet.

We included an online survey in this year's draft annual report for the first time and would like to thank everyone who took the time to complete this, or send in written responses to our consultation questions and comments on the draft report.

Panel Membership

- Frances Duffy, Chair
- Saz Willey, Vice Chair
- Bev Smith

Detailed information about the members can be found on the [Panel website](#).

Role and responsibilities of the Panel

Role of the Panel

The Panel is responsible for setting the levels and arrangements for the remuneration of members of the following organisations.

- Principal councils, county and county borough councils
- Community and town councils
- National Park Authorities
- Fire and Rescue Authorities
- Corporate Joint Committees

The Panel is an independent body and is able to make decisions about:

- the salary structure within which members are remunerated
- the type and nature of allowances to be paid to members
- whether payments are mandatory or allow a level of local flexibility
- arrangements in respect of family absence
- arrangements for monitoring compliance with the Panel's decisions

The Panel is an independent organisation and the organisations listed above are required, by law, to implement the decisions it makes. There is no requirement set by the Panel for principal councils to vote on the Determinations. The Panel also sets out guidance on how its Determinations should be applied, and all councils must have due regard to this Guidance. The current guidance is set out in the [2022 to 2023 Annual Report](#), Annex 2 "The Regulations". This guidance is still applicable.

The Panel is also consultee for proposed changes to the pay of principal council Chief Executives.

Principles

The work of the Panel is underpinned by a set of principles which guides its approach, methodology and decision making. They are:

- upholding trust and confidence: citizens rightly expect that all those who choose to serve in local authorities uphold the public trust by embracing the

values and ethics implicit in such public service

- simplicity: the Framework is clear and understandable
- remuneration: the Framework provides for payment to members of authorities who carry a responsibility for serving their communities. The level of payment should not act as a barrier to taking up or continuing in the post
- diversity: democracy is strengthened when the membership of authorities adequately reflects the demographic and cultural make-up of the communities such authorities serve
- accountability: 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
- fairness: the Framework will be capable of being applied consistently to members of all authorities within the Panel's remit as a means of ensuring that levels of remuneration are fair, affordable and generally acceptable
- quality: 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
- transparency: transparency of members' remuneration is in the public interest

Summary of deliberations and determinations

Methodology

Each year the Panel engages with members of the bodies for which it sets remuneration levels, officers within those organisations and clerks. The Panel also engages with relevant membership bodies including Welsh Local Government Association, One Voice Wales and the Society for Local Council Clerks. It does this through a range of meetings which, at the moment, remain mostly online. The Panel has continued with these discussions. They provide an

opportunity for the Panel to explore views about existing arrangements, the impact decisions are having on individuals, how the arrangements are operating in practice and any issues or concerns individuals wish to raise. They have also provided an opportunity for discussion about emerging situations which the Panel has considered in its decision making.

The draft report was published widely and members of the public encouraged to and have provided valuable feedback and we welcome this. This year, the Panel had the opportunity to engage with a wider group of stakeholders at the 3 Welsh Government “Diversity in Democracy” events and workshops.

The Panel also considers feedback from the publishing of the Annual Report in the previous year. The changes made in last year’s Report, in particular the uplift in the basic salary, seem to have been well received by stakeholders. The issues raised with the Panel have all been centred around the detail of the Determinations, asking for guidance on how they should be applied or asking for points of clarification where the text of the Report was unclear.

The Panel has therefore agreed to review the format and structure of the main Report and make better use of the Panel website to provide information and guidance.

The Panel has a duty to set payments that are fair and that encourage and enable democratic participation. It must also take account of affordability and acceptability.

In making its determinations the Panel considered a range of benchmarks, including past, current and projected indices and actual figures and the known and forecast extent and impact of multiple economic and social factors. These included post Brexit and COVID work environments and the cost of living, energy and climate crises.

Consultation on the draft Annual Report

The Panel produced and issued a draft report on 6 October 2022 for an 8 week consultation, which closed on 1 December 2022.

In addition, as part of the consultation process, stakeholders were invited to answer 5 questions using an online survey or by return email. A total of 89 responses were received online, whilst 44 were submitted by email to the IRP Mailbox. The Panel would like to thank everyone who contributed to the consultation. A summary of the responses is included in section 4.

Overall, the responses supported the Panel's determinations and so no changes have been made in the final Determinations. In some areas the wording of the Determinations has been strengthened to clarify areas of uncertainty raised through the consultation, primarily a restatement of the ability for members, on an individual basis, to opt out of part or all of their remuneration.

In addition, the consultation responses, highlighted a few areas that the Panel will consider in their forward work programme for this year. The forward work programme will be published on the Panel's website at the end of March.

Following consideration of the views received in response to its consultation the Panel now makes its final determinations.

Panel's Determinations for 2023 to 2024

Basic salary for elected members of principal councils: Determination 1

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. It is based on a full time equivalent of 3 days a week. The Panel regularly reviews this time commitment and no changes are proposed for 2023 to 2024.

Last year the Panel reset the basic salary to align with the [2020 Annual Survey of Hours and Earnings \(ASHE\)](#) published by the Office of National Statistics. This reduced the imbalance that had arisen between the basic salary of members of principal councils and the average salaries of their constituents. The change took effect from the May 2022 local elections. The rationale for this significant step can be found in last year's annual report and a detailed explanatory paper setting out the historical context and analysis is available on the Panel's [website](#).

Building on this decision the Panel has determined that for the financial year 1 April 2023 to 31 March 2024 it is right to retain a link between the basic salary of councillors and the average salaries of their constituents. The basic salary will be aligned with 3 fifths of the all Wales [2021 ASHE](#), the latest figure available at drafting. This will be £17,600. This will represent a 4.76% increase in the basic salary.

Salaries paid to Senior, Civic and Presiding members of principal councils: Determination 2

The limit on the number of senior salaries payable (“the cap”) will remain in place. At the 2022 local elections boundary reviews changed the number of members for some councils. The Panel adjusted the senior salary cap for these councils in its 2022 to 2023 Annual Report. As there are no further changes for 2023 to 2024, the maximum number of senior salaries payable within each council remains as set out in the 2022 to 2023 [Report](#).

All senior salaries include the basic salary payment. The different levels of

additional responsibility of and between each role is recognised in a banded framework. The framework was revised last year after a review of differentials and market comparators. No changes to banding are proposed this year. Early next year the Panel will gather evidence from principal councils to explore whether and how the workload of elected members has changed.

The **ASHE 2021** increase applies to the role element of Band 1 and Band 2 salaries, leader, deputy leader and executive members.

To complete the last year's realignment of the framework, Band 3 and Band 4 salary holders will receive a small increase to the role element of their pay and the role element of Band 5 pay will remain frozen. The increase in basic salary will apply.

The salary of a leader of the largest (Group A) council will therefore be £66,000. All other payments have been decided in reference to this and are set out in Table 1.

Table 1: salaries payable to basic, senior, civic and presiding members of principal councils

Group A

- Cardiff
- Rhondda Cynon Taf
- Swansea

Description

	Remuneration
Basic salary (payable to all elected members)	£17,600
Band 1: leader	£66,000
Band 1: deputy leader	£46,200
Band 2: executive members	£39,600
Band 3: committee chairs, civic head and presiding officer (if remunerated)	£26,400
Band 4: leader of the largest opposition group	£26,400
Band 5: leader of other political groups and deputy civic head	£21,340
Band 5: deputy presiding member (no role payment)	£17,600

Group B

- Bridgend
- Caerphilly
- Carmarthenshire
- Conwy
- Flintshire
- Gwynedd
- Newport

- Neath Port Talbot
- Pembrokeshire
- Powys
- Vale of Glamorgan
- Wrexham

Description

	Remuneration
Basic salary (payable to all elected members)	£17,600
Band 1: leader	£59,400
Band 1: deputy leader	£41,580
Band 2: executive members	£35,640
Band 3: committee chairs, civic head and presiding officer (if remunerated)	£26,400
Band 4: leader of the largest opposition group	£26,400
Band 5: leader of other political groups and deputy civic head	£21,340
Band 5: deputy presiding member (no role payment)	£17,600

Group C

- Blaenau Gwent

- Ceredigion
- Denbighshire
- Merthyr Tydfil
- Monmouthshire
- Torfaen
- Isle of Anglesey

Description

	Remuneration
Basic salary (payable to all elected members)	£17,600
Band 1: leader	£56,100
Band 1: deputy leader	£39,270
Band 2: executive members	£33,660
Band 3: committee chairs, civic head and presiding officer (if remunerated)	£26,400
Band 4: leader of the largest opposition group	£26,400
Band 5: leader of other political groups and deputy civic head	£21,340
Band 5: deputy presiding member (no role payment)	£17,600

There are no further changes to the payments and benefits paid to elected members and therefore all other Determinations from 2022 to 2023 still stand and should be applied in 2023 to 2024, including those covering:

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- travel and subsistence
- care and personal assistance
- sickness absence
- Corporate Joint Committees
- assistants to the Executive
- additional salaries and job sharing arrangements
- co-opted members

Salaries for Joint Overview and Scrutiny Committees: Determination 3

The salary of a chair of a Joint Overview and Scrutiny Committee will be £8,800.

The salary of vice-chair will be £4,400.

There are no other changes.

Contribution to costs and expenses of members of Community and Town Councils: Determination 4

Last year the Panel carried out a major review of the remuneration framework for community and town councils and undertook a comprehensive consultation exercise with the sector. The Framework was updated then and this year the Panel has decided to make limited but important changes.

The Panel recognise that all members of community and town councils necessarily spend time working from home on council business. This was the case before and during COVID and is continuing. As a result, members have extra domestic costs and also need office consumables.

The Panel considers members should not be out of pocket for carrying out their duties. However, an individual may decline to receive part, or all, of the

payments if they so wish. This must be done in writing and is an individual matter. A community or town council member wishing to decline payments must themselves write to their proper officer to do so. Each community and town council must ensure that it does not create a climate which prevents persons accessing any monies to which they are entitled that may support them to participate in local democracy. Payments should be made efficiently and promptly.

Reimbursement for extra costs of working from home

All councils must pay their members £156 a year (equivalent to £3 a week) towards the extra household expenses (including heating, lighting, power and broadband) of working from home.

Reimbursement for consumables

Councils must either pay their members £52 a year for the cost of office consumables required to carry out their role, or alternatively councils must enable members to claim full reimbursement for the cost of their office consumables.

It is a matter for each council to make and record a policy decision in respect of when and how the payments are made and whether they are paid monthly, yearly or otherwise. The policy should also state whether and how to recover any payments made to a member who leaves or changes their role during the financial year.

Guidance on taxation

It is not within the remit or authority of the Panel to provide specific advice on

matters of taxation. Advice can be provided by One Voice Wales and guidance is available on the HMRC website.

The £156 should fall under the statutory provisions of section 316A ITEPA **Income Tax (Earnings and Pensions) Act 2003** and the current amount that can be paid without attracting a tax liability is £6 per week **Expenses and benefits homeworking: Homeworking expenses and benefits that are exempt from tax.**

The level of payments is set out in Table 2.

Table 2: Payments to Community and Town Councils

Type of Payment	Group	Requirement
Extra costs payment	1 (Electorate over 14,000)	Mandatory for all members
Senior role	1 (Electorate over 14,000)	Mandatory £500 for 1 member; optional for up to 7
Mayor or chair	1 (Electorate over 14,000)	Optional: up to a maximum of £1,500
Deputy mayor or deputy chair	1 (Electorate over 14,000)	Optional: up to a maximum of £500
Attendance allowance	1 (Electorate over 14,000)	Optional
Financial loss	1 (Electorate over	Optional

Type of Payment	Group	Requirement
	14,000)	
Travel and subsistence	1 (Electorate over 14,000)	Optional
Costs of care or personal assistance	1 (Electorate over 14,000)	Mandatory
Extra costs payment	2 (Electorate over 10,000 to 13,999)	Mandatory for all members
Senior role	2 (Electorate over 10,000 to 13,999)	Mandatory for 1 member; optional up to 5
Mayor or chair	2 (Electorate over 10,000 to 13,999)	Optional: up to a maximum of £1,500
Deputy mayor or deputy chair	2 (Electorate over 10,000 to 13,999)	Optional: up to a maximum of £500
Attendance allowance	2 (Electorate over 10,000 to 13,999)	Optional
Financial loss	2 (Electorate over 10,000 to 13,999)	Optional
Travel and subsistence	2 (Electorate over 10,000 to 13,999)	Optional

Type of Payment	Group	Requirement
Costs of care or personal assistance	2 (Electorate over 10,000 to 13,999)	Mandatory
Extra costs payment	3 (Electorate over 5,000 to 9,999)	Mandatory for all members
Senior role	3 (Electorate over 5,000 to 9,999)	Optional up to 3 members
Mayor or chair	3 (Electorate over 5,000 to 9,999)	Optional: Up to a maximum of £1,500
Deputy mayor or deputy chair	3 (Electorate over 5,000 to 9,999)	Optional: Up to a maximum of £500
Attendance allowance	3 (Electorate over 5,000 to 9,999)	Optional
Financial loss	3 (Electorate over 5,000 to 9,999)	Optional
Travel and subsistence	3 (Electorate over 5,000 to 9,999)	Optional
Costs of care or personal assistance	3 (Electorate over 5,000 to 9,999)	Mandatory
Extra Costs Payment	4 (Electorate over 1,000 to 4,999)	Mandatory for all members

Type of Payment	Group	Requirement
Senior Role	4 (Electorate over 1,000 to 4,999)	Optional up to 3 members
Mayor or Chair	4 (Electorate over 1,000 to 4,999)	Optional: Up to a maximum of £1,500
Deputy Mayor or Deputy Chair	4 (Electorate over 1,000 to 4,999)	Optional: Up to a maximum of £500
Attendance Allowance	4 (Electorate over 1,000 to 4,999)	Optional
Financial Loss	4 (Electorate over 1,000 to 4,999)	Optional
Travel and Subsistence	4 (Electorate over 1,000 to 4,999)	Optional
Costs of Care or Personal Assistance	4 (Electorate over 1,000 to 4,999)	Mandatory
Extra Costs Payment	5 (Electorate less than 1,000)	Mandatory for all members
Senior Role	5 (Electorate less than 1,000)	Optional up to 3 members
Mayor or Chair	5 (Electorate less than 1,000)	Optional: Up to a maximum of £1,500

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Type of Payment	Group	Requirement
Deputy Mayor or Deputy Chair	5 (Electorate less than 1,000)	Optional: Up to a maximum of £500
Attendance Allowance	5 (Electorate less than 1,000)	Optional
Financial Loss	5 (Electorate less than 1,000)	Optional
Travel and Subsistence	5 (Electorate less than 1,000)	Optional
Cost of Care or Personal Assistance	5 (Electorate less than 1,000)	Mandatory

There are no further changes to the payments and benefits paid to elected members and therefore all other Determinations from 2022 to 2023 still stand and should be applied in 2023 to 2024, including those covering:

- payments for undertaking senior roles
- contributions towards costs of care and personal assistance
- reimbursement of travel and subsistence costs
- compensation for financial loss
- attendance allowance
- co-opted members

Payments to National Parks Authorities and Fire and Rescue Authorities: Determination 5

The 3 national parks in Wales, Brecon Beacons, Pembrokeshire Coast and Snowdonia were formed to protect spectacular landscapes and provide recreation opportunities for the public. **The Environment Act 1995** led to the creation of a National Park Authority (NPA) for each park.

National Park authorities comprise members who are either elected members nominated by the principal councils within the national park area or are members appointed by the Welsh Government through the Public Appointments process. Welsh Government appointed and council nominated members are treated equally in relation to remuneration.

The 3 fire and rescue services (FRAs) in Wales: Mid and West Wales, North Wales and South Wales were formed as part of Local Government re-organisation in 1996. FRAs comprise elected members who are nominated by the Principal Councils within each fire and rescue service area.

Payments will increase as a result of the uplift proposed for elected members of principal councils. Therefore, there will also be an uplift of 4.76% in the basic salary element.

The remuneration for Chairs will remain linked to a Band 3 senior salary of principal councils. Therefore there will be a small increase to the role element of their pay. Deputy Chairs, Committee Chairs and other senior roles will remain linked to Band 5. Therefore their role element of pay will remain frozen. The increase in basic salary will apply. Full details of the levels of remuneration for members of National Park Authorities and Fire and Rescue Authorities, is set out in Table 3.

Table 3: Payments to National Parks Authorities and Fire and Rescue Authorities

National Parks Authorities

	Amount
Basic salary for ordinary member	£4,964
Chair	£4,964
Deputy Chair (where appointed)	£8,704
Committee Chair or other senior post	£8,704

Fire and rescue authorities

	Amount
Basic salary for ordinary member	£2,482
Chair	£11,282
Deputy Chair (where appointed)	£6,222
Committee Chair or other senior post	£6,222

All other Determinations for 2022 to 2023 will still stand and should be applied in 2023 to 2024, including those covering:

- contributions towards costs of care and personal assistance
- reimbursement of travel and subsistence costs
- compensation for financial loss
- co-opted members
- restrictions on receiving double remuneration where a member holds more than 1 post

Consultation: summary of responses

The Panel produced and issued a draft report on 6 October 2022 for an 8 week consultation, which closed on 1 December 2022.

The website link and pdf version of the draft report was sent to:

- One Voice Wales
- Welsh Local Government Association
- Society for Local Council Clerks
- Principal councils
- Fire and Rescue Authorities
- National Park Authorities and
- Community and Town Councils

Determination 1: basic salary increase

Not all councils commented. Three highlighted whether it was correct that members be given an increase during the current cost of living crisis. However, these accepted that personal circumstances of members need to be considered

and therefore it should be a personal matter for members to determine themselves whether or not they accept the pay rise or make the choice to opt-out. The Panel considered this feedback, and, whilst mindful of the overall impact on council budgets, agreed that the increase in basic salary was an important factor in encouraging and supporting a diverse group of people to stand for election.

Determination 2: senior salaries

There were 2 key issues raised by stakeholders; firstly whether the level of remuneration adequately recognises the increasing responsibilities of principal council members and secondly whether the current maximum number of senior salaries ought to be reviewed. The Panel noted these points and will consider whether this area should be a focus of the future workplan.

Determination 3: salaries for Joint Overview and Scrutiny Committees

No representations were received in relation to the salaries for Joint Overview and Scrutiny Committees.

Determination 4: payments towards costs and expenses of members of Community and Town Councils

Over half of the responses highlighted a concern that the payments were mandatory and that their council did not wish to increase their precept to meet these costs. The fact that the Report did not restate that members can choose to decline their entitlement to payments was not helpful. However, other responses supported the payments.

Ten per cent of the responses received raised concerns about the costs of administration and 15 responses raised questions about the correct treatment for tax purposes. One clerk also asked if the payments that members receive could be published globally, similar to how the contribution to costs of care and personal assistance is publicised.

Other comments mentioned the need to encourage “green” travel and 1 queried the need for payments to be made for senior positions.

The Panel considered these responses and agreed to reiterate the policy on individual opt outs in the Final Report and to provide a link to helpful HMRC websites.

The Panel will continue to work with stakeholders to improve support and advice to Community and Town Councils.

Determination 5: Payments to National Parks Authorities and Fire and Rescue Authorities

No representations were made in relation to payments to members of National Parks Authorities and Fire and Rescue Authorities.

In addition, as part of the consultation process, stakeholders were invited to answer 5 questions via an online survey or by return email. A total of 89 responses were received online, whilst 48 were submitted by email to the IRP Mailbox.

Question 1

The Panel has continued to use the Annual Survey of Hours and Earnings (ASHE) published by the Office for National Statistics as the benchmark for

setting the basic salary of elected members of principal councils. There is a corresponding proportionate increase proposed for the members of National Park and Fire and Rescue Authorities. The Panel has continued to refer to the last published ASHE which was 2021. Do you agree that the basic salary element should be referenced to the **ASHE 2021** data.

Responses

90% of those who answered this question agreed that the Panel should reference the basic salary element to the ASHE 2021 data. 3% did not agree whilst 7% had no opinion on this question.

Question 2

The Panel has made changes to the payment of costs and expenses of members of community and town councils. Do you agree with the addition of the “consumables” element?

Responses

72% agreed to the addition of the ‘consumables’ element, whilst 25% did not agree to this additional payment.

The most common theme in the answers given to question 2 was whether this payment was now mandatory or if the payment was optional and that Councillors had the choice to forgo. The same question was asked of the £156 payment.

Question 3

The Panel will gather evidence from principal councils to explore whether and how the workload of elected members has changed to inform future Determinations. Are you content that the Panel should build this review into its future work plan and build the evidence base to support decisions?

Responses

97% of those who responded to this question agreed.

The majority of the answers highlighted the additional work that elected members now undertook in their role.

Community and town councils welcomed this as it would recognise the amount of work that the sector does.

Question 4

We have significantly reduced the size of the report this year to concentrate on key decisions made and intend to make more use of the website to provide easy to use guidance to users. This approach is also in line with our efforts to respect the challenges facing us in protecting our planet.

How would you like to access information and guidance from the Panel?
(choose all that apply)

Responses

- summary report with links to detailed guidance: 84
- easy to use guidance notes: 71
- frequently asked questions: 49
- website: 54
- social media: 16
- information events: 25
- other: 14

If other, please specify:

The proposed summary report, detailed guidance notes and frequently asked questions were welcomed. Other answers included seminars, online meetings and an information event.

Have you experienced any challenges accessing or understanding our guidance and information through our website? Please let us know how we can make it easier for you?

A simplified report and separate guidance document will help stakeholders find the information they require.

No stakeholders experienced any challenges accessing or understanding the guidance and information through the website.

Question 5

The Panel intend to undertake a series of engagements with all relevant stakeholders over the next year as part of the development of its forward planning and building of its evidence and research strategy.

Have you any comments that would help the Panel shape this engagement?

For example, a preference for online polls, the holding of engagement events, virtual or face to face, which groups should be involved, how do we engage with prospective candidates etc.

Responses

The most popular answers given to this question were:

- online polls
- virtual meetings
- face to face meetings

There was a mixture of support for both online and in-person events. Some responses proposed that the Panel held regional engagement events so that several Councils could attend at the same time. Other comments received suggested these events would help to discuss any issues with the Panel in depth and for the Panel to receive a broader viewpoint and more comprehensive feedback on any proposals.

One Voice Wales offered support to the Panel in arranging any events in the Community and Town Council sector.

Summary of Determinations

Determination 1

The basic level of salary for elected members of principal councils will set at £17,600.

Determination 2

The salary of a leader of the largest (Group A) council will be £66,000. All other payments have been decided in reference to this and are set out in Table 1.

Determination 3

The salary of a chair of a Joint Overview and Scrutiny Committee will be £8,800.

The salary of vice-chair will be £4,400.

Determination 4

Members of Community and Town Councils will be paid £156 a year (equivalent to £3 a week) towards the extra household expenses (including heating, lighting, power and broadband) of working from home. And councils must either pay their members £52 a year for the cost of office consumables required to carry out their role, or alternatively councils must enable members to claim full reimbursement for the cost of their office consumables.

Determination 5

The basic pay of members of National Park Authorities and Fire and Rescue Authorities has been increased by 4.76%. All payments are set out in Table 3.

Determination 6

All other Determinations set out in the 2022 to 2023 [Annual Report](#) of the Panel remain valid and should be applied.

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