

# Comisiwn y Cynulliad Assembly Commission

## NAFWC 2014 (Paper 2 Part 1) Supporting Assembly Members (SAM) – draft implementation plan and Assembly Measure

Cynulliad  
Cenedlaethol  
Cymru

National  
Assembly for  
Wales



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**Venue:** Room 4B

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## Supporting Assembly Members (SAM) - draft implementation plan and Assembly Measure

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### 1.0 Purpose and summary of issues

1.1 To update the Commission of progress in the implementation of recommendations in the report of the Independent Review Panel on financial support for Assembly Members, 'Getting it Right for Wales', and to seek the Commission's agreement to the next steps.

1.2 Key points to note are:

- the first phase of recommendations will take effect from 2 November 2009, and Members will be given a notice period of at least one month; and
- the intranet will be used to inform Assembly Members, their support staff and NAW staff of progress on a monthly basis, with supplementary meetings and 'drop-in' sessions as required.

1.3 The proposed project management structure and phasing schedule is at Annex 1; the proposed Assembly Measure is at Annex 2; the Explanatory Memorandum is at Annex 3; an outline of the proposed communication strategy is at Annex 4; the proposed Determination is at Annex 5 and the associated guidance is at Annex 6.

### 2.0 Recommendations

2.1 The Commission is invited to endorse the proposed method for managing the Supporting Assembly Members (SAM) project, including

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the communications strategy and the proposed phasing of the implementation of the recommendations.

2.2 The Commission is also asked to comment on and agree the draft National Assembly for Wales (Remuneration) Measure 2009 and the revised Salaries and Allowances Determination 2009 and associated guidance.

2.3 In line with panel recommendation 13, the office holder supplements payable to committee chairs and to office holders who are linked to Chairs will be increased to £12,000 and £8,000 per year. The Commission is asked to consider two issues:

- to confirm that the new allowance of £12,000 should be paid to the Committees listed in Part I of the Annex to the Determination and £8,000 to those listed in Part II.
- whether the supplement payable to the Chair of the Subordinate Legislation Committee should be increased to the higher level (see paragraph 3.4 below).

### **3.0 Discussion**

3.1 The Commission approved all the recommendations in the independent review panel's report on 7 July and the Presiding Officer made a statement to the Assembly the following day. Since then, Chris Reading and his team have started planning the implementation phase. The details of the steering group and various working groups are given at Annex 1. These groups have held initial meetings and each recommendation has been allocated to a person responsible for delivering it.

3.2 Keith Bush has made good progress in drafting the **Assembly Measure** required to establish the National Assembly for Wales Remuneration Board. The Board will set the salary levels for Assembly Members after the next election and will also keep the whole system of financial support for Members under review, and make decisions when required. The aim is for the Measure to receive Royal assent before the summer recess next year, so that the Board members can be recruited during the summer and can hold their first meeting in the autumn.

3.3 In order to deliver some of the recommendations (for example, recommendation 51 concerning strategic capacity), it will be necessary to **engage with party leaders or representatives of party groups**. Owing to the sensitive and protracted nature of these discussions, these recommendations will not take effect until after the next election. The proposed phasing of the implementation of the recommendations is set out in Annex 1, together with notes on the comments and concerns raised with us by Assembly Members, party groups and AMSS on each recommendation.

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- 3.4 The role of the **Subordinate Legislation Committee** so far has been a limited one – considering technical aspects of the drafting of Statutory Instruments (SIs), a task which the Committee has performed in short weekly meetings early on Tuesday mornings. The remit of the Committee extends much further from the start of the Autumn term, and the role and profile of the Committee will be significantly enhanced. It will, amongst other things, examine the secondary legislation content of Assembly Measures and UK Bills and the merits of SIs made by Welsh Ministers. The Committee also has a general power to consider 'any legislative matter of a general nature or relating to the competence of the Assembly or Welsh Minister'. In order to undertake this role, the Committee is timetabled to meet each week in one of the 'core' slots alongside the other legislation and main scrutiny committees. The output, impact and profile of the Committee will increase accordingly and, with that, the demands and responsibility placed on the Chair. On this basis, the Commission may consider that the Chair's allowance should be £12,000, in line with that of the Chairs of other Committees in 'core' slots.
- 3.5 The **changes to the Determination** (see **Annex 5** for the full text) give effect to the panel recommendations which we aim to **implement from 2 November 2009**. The parts of the Determination that have changed are in the numbered clauses listed below, together with the relevant panel Recommendation to which the change refers :
- 2.1.1 sets the base pay of Assembly Members at £53,108 and so removes the automatic link between the pay of Assembly Members and that of Members of Parliament. (Recommendations 8 & 9)
- 2.1.3 sets out the exact salaries of Additional Office Holders and thus similarly removes the automatic link between the pay of Assembly Members who are also Additional Office Holders and that of Ministers in the Westminster government (Recommendation 8). This paragraph also confirms the new rates of pay for Committee Chairs and Additional Office holders entitled to the same supplement (i.e. Commissioners, Leaders of parties without an executive role other than the opposition leader, opposition chief whip) (Recommendation 13)
- 3.3.6 sets out what may be reimbursed under the Additional Costs Allowance where a Member from the defined 'outer area' maintains a second home. This paragraph replaces the original paragraph 3.3.6 which allowed Members to claim a flat rate of £30.65 for expenses necessarily incurred in an overnight stay away from their main home on Assembly business (Recommendations 23, 27 & 29)
- 4.8.1 states that the use of hire cars may only now occur in exceptional circumstances (Recommendation 92)

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- 3.6 Regarding **consultation with all Members**, the actual changes to the Determination are clear and give effect to the panel recommendations, which have been accepted. The principle, therefore, should not be the subject of consultation. However, there is scope to consult all Members on the timing of this part of the implementation if the Commission wishes to do this. In addition, the Guidance attached to this paper (Annex 6) lists matters of detail that are needed to support the above recommendations. It is our intention to consult Members about the clarity and practicality of the guidance over a two week period before issuing it alongside the changes to the Determination on 2 November.
- 3.7 An initial estimate has been made of the **cost implications** of the project and these have been incorporated in the Commission's draft budget.