

Concise Minutes - Remuneration Board

Meeting Venue:

Meeting date: Thursday, 27 May 2021

Remote - Digital

Meeting time: Times Not Specified

IRB(03-21)

Attendance

Category	Names
Board members:	Dr Elizabeth Haywood (Chair); Ronnie Alexander; Michael Redhouse; Jane Roberts; Hugh Widdis;
Secretariat:	Lleu Williams, Clerk; Ruth Hatton, Deputy Clerk; Anna Daniel, Senior Adviser to the Board; Craig Griffiths, Legal Adviser to the Board; Joanna Adams, Members Business Support; Debbie Suller, Members Business Support; Donna Davies, Head of Pensions, Senedd Commission; Collette Davies, Eversheds Sutherland; Dan Collier, Strategic Transformation, Senedd Commission; Tom Jackson, Strategic Transformation, Senedd Commission; David Lakin, Strategic Transformation, Senedd Commission;

1 Chair's Introduction

1.1 The Chair welcomed everyone to the meeting.

- 1.2 The Board agreed the minutes of the 4 March meeting subject to a revision of the category description of Board members in the attendance grid; and correction of a grammatical error in paragraph 2.4.
- 1.3 The Chair confirmed that Ronnie Alexander had tendered his resignation as a Board member, after four years, in order to take up a another appointment. The Chair led the best wishes expressed to Ronnie for his sterling work on the Board and his presence will very much be missed. Other Board members echoed these sentiments. They also wished to place on record their admiration of his attention to detail and their appreciation for the support he has given to fellow Board members, especially over the last year. Ronnie thanked the Board for their kind words and added that he was grateful for the support provided by Commission officials and other Board members over the last four years. He wished the Board well for the future.
- 1.4 The secretariat provided an update on the process for filling the vacancy caused by Ronnie's resignation. The Board noted that the appointment of a Board member is made by the Clerk and Chief Executive and will need to be approved by the Senedd Commission.
- 1.5 The Board considered an update on support provided to Members in relation to Covid-19. The Board agreed that it was too early in the new Senedd term to evaluate the provisions currently in place. The Board agreed to review these provisions at a future meeting In the meantime they would continue in the same form.
- 1.6 The Board discussed its approach to engaging with Members and support staff and agreed to look at restoring drop-in sessions with Members; continuing with Representative group meetings; and arranging a programme of regular meetings with Members' offices, whether virtually or in person. The Board acknowledged the benefits of physical meetings especially with staff outside Cardiff.
- 1.7 The Board considered some administration arrangements for Board meetings and agreed, in order to aid transparency of its work to stakeholders, to publish a forward work programme on its website. This will be updated on a regular basis to coincide with the cycle of Board meetings.
- 1.8 The Board noted an update on the new Umbraco website and agreed to review final proofs with a view to the new website going live as soon as possible.
- 1.9 The Board noted an update on the use and uptake of security devices for Members at the start of the Sixth Senedd. It agreed to revisit this with Senedd security in six-months' time. This will form part of the annual review of the Determination.
- 1.10 The Board agreed its forward work programme up until January 2022.

Actions: The secretariat to:

- Amend and arrange publication of the March minutes;
- Provide the Board with an update on the recruitment of a new Board member;
- Provide information for the Board to review the provisions available Members and offices, in relation to Covid-19;
- Arrange a programme of visits with Members and their offices;
- Arrange a drop in session with Members;
- Provide the Board with final versions of new website and arrange publication;
- Include further consideration of security devices for Members and the progress made by Senedd security as part of the annual review of the Determination;
- Provide the Board with a public facing forward work programme for publication.

2 Item for discussion: McCloud judgement and Members' Pension Scheme

2.1 The Board considered a paper setting out options for the Board to consider as to whether the Board should adopt a remedy for affected Members of the Pension Scheme, as highlighted by the recent McCloud judgment and to remove any discriminatory provisions within the Scheme.

2.2 The Board received an update from the Pension Board's recent consideration of options for a remedy, along with advice from Commission Legal Services and expert legal advice from Eversheds Sutherland.

2.3 Noting the advice provided by Eversheds Sutherland in January 2021, the Board agreed that there were strong arguments that the Board has a duty to amend the Scheme to remedy the discriminatory provisions.

2.4 Noting the information provided at the meeting, the Board agreed to consult on the basis that a remedy should be adopted and that affected Members should be given an immediate choice. The Board agreed to outline its proposal in its usual update letter and to explain its reasoning on who was being consulted in the consultation document.

2.6 The Board agreed that:

- consultation should be undertaken with the (27) affected Members together with the Commission;
- a copy of the consultation should be provided to the Pension Board for information; and
- the Board's proposals should be simultaneously shared with the Treasury in order to assist with the need to obtain Treasury consent before the Scheme's rules could be varied (in accordance with section 30 of the Public Service Pensions Act 2013).

2.7 The Board agreed to consider at a later date the possibility of making a contribution to the costs of affected Members' obtaining independent financial advice.

Actions: The secretariat to:

- draft the consultation document and instruct Eversheds Sutherland to review the consultation document before it is issued to the Board;
- provide the Board with the draft consultation document for consideration by email before it is sent to affected Members and the Commission, and to schedule a meeting of the Board to discuss if necessary;
- provide a copy of the consultation to the Pension Board for information;
- share the proposals with the Treasury in order to assist with the need to obtain Treasury consent before the Scheme's rules could be varied; and
- issue the consultation in July, with a deadline for responses set for August 2021 (exact timetable to be agreed as part of approval of the consultation document).

3 Item for discussion: 2021 Senedd election results

3.1 The Board received a presentation outlining the results of the recent election. It also considered information on the implications of the results for its work.

3.2 The Board noted that early business conducted to date in the Senedd including the election of the Presiding Officer and Deputy Presiding Officer, the Business Committee and the appointment of the First Minister, Counsel General and Welsh Ministers.

3.3 As part of the update the Board noted that a temporary Committee for Statutory Instruments has been established and that the Chair for that temporary committee was the Deputy Presiding Officer.

3.3 The Board agreed to consider remuneration of committee chairs once the Business Committee has agreed the Committee structure for the Sixth Senedd. It also agreed to consider this outside a formal Board meeting if required.

Actions: The secretariat to:

- Provide the presentation received on the Senedd election results to Board members for ease and future reference;
- Update the Board on the agreed Committee structure and provide the necessary information on the Committee remits and responsibilities in order for the Board to consider the pay of committee chairs.

4 Item for discussion: Board strategy planning

1 The Board welcomed Tom Jackson to the meeting.

4.2 The Board participated in a scenario planning workshop to consider the implications of the Senedd remaining at its current size and the impact of this on the Board's work, and any actions that would be required.

4.3 Following completion of the scenario planning exercises the Board considered options for its strategy planning meeting in July.

4.4 The Board agreed to hold the next meeting between 7 and 8 July 2021 with a view to considering its strategy and also to conduct urgent Board business. Depending on Covid-19 restrictions at that time, the Board agreed to hold the meeting on a hybrid basis.

4.5 If it is possible to hold a meeting on the Senedd Estate, the Board agreed to consider options for engaging with Members before and after the meeting.

4.5 The Board agreed to approve the arrangements for the meeting, including the appointment of an external facilitator for the strategy planning sessions, by email.

Actions: The secretariat to:

- Provide the Board with possible candidates for appointment as an external facilitator; an outline for the strategy planning sessions; approach and arrangements for the meeting as well as engagement opportunities;
- Make the necessary arrangements to facilitate the strategy sessions as well as routine Board business, at the next meeting.

5 Any other business

5.1 The Board considered an exceptional expense claim from a Member to fund the shortfall of their share of the office's Non-Domestic Rates Bill for 2020-21. The Board considered the claim and the evidence supplied. The Board agreed that the secretariat should explore the possibility of the Member reclaiming the expenditure their 2021-22 Office and Constituent Liaison allowance. The Board was of the firm view that it would not approve such a claim in future.

Actions: The secretariat to:

- Draft a response to the Member in relation to the Exceptional Expense claim for Board agreement.
- Consider alternative methods of circulating claims for Exceptional Expenses taking into consideration cyber security and data protection issues.