

Concise Minutes - Remuneration Board

Meeting Venue:

Meeting date: Thursday, 25 November 2021

Remote - Digital

Meeting time: Times Not Specified

IRB(07-21)

Attendance

Category	Names
Board members:	Dr Elizabeth Haywood (Chair); David Hanson; Michael Redhouse; Dame Jane Roberts; Hugh Widdis;
Secretariat:	Llinos Madeley, Clerk; Ruth Hatton, Deputy Clerk; Anna Daniel, Senior Adviser to the Board; Craig Griffiths, Legal Adviser to the Board; Joanna Adams, Members Business Support; Bethan Davies, Head of Member Support and Engagement; David Lakin, Committee Support Officer; Martin Jennings, Research Team Leader, Financial Scrutiny Unit; Matthew Richards, Head of Legal Services.
Witnesses	Dave Tosh, Director of Resources; Kevin Tumelty, Head of Security; Mark Neilson, Head of ICT and Broadcasting; James Attridge, Senior Security Manager; Joanna Grenfell, Information Governance Manager and the Board's Data Protection Officer.

1 Chair's introduction (9.00 - 9.05)

- 1.1 The Chair welcomed everyone to the meeting.
- 1.2 The Chair provided the Board with a brief update on her recent meeting with Richard Lloyd, Chair of the Independent Parliamentary Standards Authority.
- 1.3 The Board agreed the minutes of the 30 September 2021 meeting.

2 Item for discussion and decision: Security update: Update on support for Members' and support staff's physical and cyber security (9.05 - 10.00)

Paper 2

- 2.1 The Board received an update on Members' physical security from Dave Tosh (Director of Resources), Kevin Tumelty (Head of Security) and James Attridge (Senior Security Manager), and an update on Members' cyber security from Mark Neilson (Head of ICT and Broadcasting).
- 2.2 The Board welcomed the security reviews being undertaken for Members by Senedd Security and the steps being taken to recommend improvements. It noted estimated costs for the anticipated improvements and agreed that sufficient funds must be set aside from the Determination central funds to deliver recommendations deemed essential by Senedd Security for Members' offices, residential accommodation in Cardiff Bay and main homes.
- 2.3 The Board welcomed the proposal for the Commission to appoint a Coordinator(s) to assist Members with implementing Senedd Security recommendations.
- 2.4 The Board clarified that, in relation to the administration of claims for work in Members' main homes, section 2.4.1A of the Determination should be interpreted as the Board's "pre-authorisation" for recommendations deemed essential by Senedd Security to be implemented and funded from Determination central funds, subject to the Determination's overarching tests of value for money and reasonableness. The Board agreed to consult as part of its Annual Review of the Determination for 2022-23 on amending provisions so that it is clear that these claims are no longer dealt with under the exceptional expenses provisions, but handled in the same way as claims for offices/outer area Members' residential accommodation.
- 2.5 The Board agreed to fund one additional personal security device per office (in addition to the one per Member already allocated) and to consider any future advice on – or evidence of – increasing needs of Members and support staff.

- 2.6 The Board reiterated its willingness to cover tax liabilities relating to security enhancements on Members' main homes where costs are met by the Determination central funds. It requested that further work be undertaken to pursue appropriate arrangements in this context with HMRC.
- 2.7 The Board agreed to schedule annual reviews of the security provisions and support available to Members funded by the Determination to ensure that they remain sufficient.
- 2.8 The Board noted an update from Senedd ICT on ongoing work to ensure Members' cyber security.

Actions: The Secretariat to:

- Include in the consultation on the Annual Review of the Determination for 2022-23 a proposal to amend provisions as they relate to security enhancements for Members' main homes so that it is clear that these claims are no longer dealt with under the exceptional expenses provisions but handled in the same way as claims for offices/outer area Members' residential accommodation.
- Programme an annual review of security provisions available to Members funded by the Determination to ensure that provisions remain appropriate.

3 Item for discussion and decision: The Board's approach to cyber security (10.00 - 10.30)

Paper 3

- 3.1 The Board considered an update from Mark Neilson (Head of ICT and Broadcasting) and Joanna Grenfell (Information Governance Manager and the Board's Data Protection Officer) on the current arrangements for the Board in relation to its own cyber security.
- 3.2 The Board agreed to use Senedd e-mail accounts provided by ICT for future Board business.
- 3.3 The Board also agreed to re-visit at a future date whether Senedd supplied hardware would be required, and agreed to consider advice on a case-by-case basis in the interim.

Action: The Secretariat to make the necessary arrangements with Board members and ICT to set up Senedd provided accounts.

4 Item for discussion and decision: Board's strategy 2021-2026 (10:45 - 11:15)

Paper 4

- 4.1 The Board considered a revised Strategy following initial consideration at the September meeting and agreed to consider final minor amendments by email.
- 4.2 The Board agreed to publish its Strategy as soon as possible.

Action: The Secretariat to make the necessary arrangements for publication and promotion of the Strategy in December 2021.

5 Item for discussion and decision: Board mandated requirements – employment policies (11.15 - 12.15)

Paper 5

- 5.1 The Board considered requirements and policies currently mandated by the Board.
- 5.2 The Board gave consideration to the steps needed to improve clarity in relation to Board mandated requirements as part of its Annual Review of the Determination. The Board noted that its aim is to be clear that it will make decisions in relation to particular policies where the relevant matter has a direct financial consequence – any further detail will usually be a matter for the Senedd Commission to provide as additional guidance and/or templates of good practice for Members as employers.
- 5.3 The Board also agreed to:
- consult on the details of mandated requirements for time off for public duties as part of the Annual Review of the Determination for 2022-23 (to be agreed by email after the meeting);
 - give further consideration to key points relating to volunteers at a future date;
 - return to the Board's Disciplinary and Grievance procedures once the current Dignity and Respect Review being undertaken by the Senedd Commission had concluded, given its relevance.

Actions: The Secretariat to:

- programme consideration of the Volunteer, Disciplinary, and Grievance policies at a future meeting;
- include in the consultation on the Annual Review of the Determination for 2022-23 details of proposals relating to requirements for time off for public duties.

6 Item for discussion and decision: Annual Review of the Determination (13.00 - 15.15)

Paper 6 – Approach and consultation;

Paper 7 – Residential Accommodation Expenditure;

Paper 8 – Members Remuneration, staffing support and support for political parties;

Paper 9 – Office and Constituent Liaison Fund;

Paper 10 – Miscellaneous amendments to the Determination;

- 6.1 The Board considered a number of issues related to its Determination for the next financial year (2022-23).
- 6.2 In relation to the Residential Accommodation Expenditure the Board agreed to consult on the following proposals:
- For "outer area" Members, an uprate in the allowance in accordance with the September 2021 CPI rate (3.1 per cent);
 - For the "carer's allowance", an uprate in accordance with the September 2021 CPI rate (3.1 per cent);
 - For the "essential repairs" allowance, to maintain it at its 2021-2022 level;
 - For "intermediate area" Members, an uprate in the allowance in accordance with the September 2021 CPI rate (3.1 per cent);
 - To increase the maximum nightly amount that may be claimed for hotel accommodation by 3.1 per cent, in line with the September 2021 CPI rate.
- 6.3 In relation to Members' salaries, the Board noted the latest ASHE figure for Wales, published on 26 October 2021, of 0.4 per cent. The Board further noted that this would result in a 0.4 per cent increase being applied to Members' and office holders' salaries for 2022-23, in accordance with the annual indexation mechanism outlined in section 3.2 of the Determination.
- 6.4 In relation to support staff salaries, the Board agreed that the need to maintain a consistent approach to determining allowances, coupled with the volatility in the relevant indices that exists, makes the continued application of the annual indexation mechanism (including its provision for a minimum and maximum adjustment) appropriate. On that basis, the Board noted that a 0.4 per cent increase (ASHE) will apply to support staff salaries for 2022-23, in accordance with the annual indexation mechanism outlined in sections 7.3 and 8.4 of the Determination.
- 6.5 In relation to the Support for Political Party Allowance, the Board agreed that it should consult using the same methodology as used in 2021-22 for increasing the total value of the allowance, so that: the proportion of the total amount that is spent on salaries (86.3* per cent of the total allowance) is increased by the ASHE index of 0.4 per cent; and the remainder of the allowance (13.7* per cent) is adjusted by the September 2021 CPI rate of

3.1 per cent, meaning an increase in the total value of the Allowance for 2022-23 of 0.77* per cent.

*[*Figures used in the papers considered by the Board were corrected in written correspondence from the Clerk on 17 December 2021 and agreed by the Board via email]*

- 6.6 Reviewing the Office and Constituent Liaison Fund, the Board agreed to consult on a proposal to uprate the Fund by the September 2021 CPI rate (3.1 per cent). The Board further agreed to re-visiting this rate before the Determination for 2022- 23 is finalised and published, in order to take account of the external research it intends to commission about market conditions for office premises in Wales, and to consider whether further adjustments are required in response to utility and energy costs.
- 6.7 As part of the consultation process, the Board also agreed to seek views on the potential for moving the Policy, Research and Communications Fund into the Office and Constituent Liaison Fund and what impact this could have on Members. The Board agreed to give further consideration to this matter at a future meeting and in light of responses received.
- 6.8 The Board agreed that, for the purpose of transparency, it would publish plans in relation to the following two matters in its consultation document for the purpose of the public record, but that consultation was not appropriate:
- for partner and children’s travel, to remove the requirement in the third bullet point of paragraph 5.18.3 of the Determination for a Member to nominate in writing a person living with them as their spouse or civil partner, to avoid any concern relating to discrimination in this context following the Supreme Court’s ruling in the Brewster case;
 - for typographical errors and points of linguistic clarification that have been identified but do not impact the context, meaning or interpretation of the Determination (e.g. incorrect cross references), to correct these errors in the revised Determination for 2022-23 and to publish a list of these changes.
- 6.9 The Board considered a number of pieces of additional correspondence from political parties and the Senedd Commission relating to a number of issues. The Board considered these matters as part of its consultation proposals on the annual review of the Determination where relevant, and agreed to give further consideration to certain matters at its next meeting (January 2022). The Board agreed to respond in writing to each letter.
- 6.10 The Board noted correspondence relating to the proposed Co-operation Agreement between Labour and Plaid Cymru and agreed to consider any impact in relation to areas within the Board’s remit at a future meeting, as necessary.

6.11 The Board agreed its approach to the consultation and to allow the usual six week consultation period.

7 Item for discussion: Update and forward work programme (15.15 - 15.30)

Paper 11

7.1 The Board noted updates on:

- arrangements relating to the Board's Data Protection Officer;
- the impact of Covid-19 arrangements on Senedd business;
- the motion to approve the Commission's Budget for 2022-23;
- the Special Purpose Committee on Senedd Reform;
- the Independent Commission on the Constitutional Future of Wales;
- the Youth vote in Wales;
- written statements from the Welsh Government relevant to the Board's work;
- correspondence to the Llywydd from the Electoral Commission;
- the rules for lobbying in Westminster;
- issues related to the Members' Pension Scheme; and
- a finance update.

7.2 The Board noted its forward work programme.