

Concise Minutes - Remuneration Board

Meeting Venue:

Meeting date: Thursday, 27 January 2022

Remote via Microsoft Teams

Meeting time: 09.00 - 12.00

IRB(01-22)

Attendance

Category	Names
Board members:	Dr Elizabeth Haywood (Chair); Rt Hon Sir David Hanson; Michael Redhouse; Dame Jane Roberts; Hugh Widdis.
Officials:	Llinos Madeley, Clerk; Joanna Adams, Second Clerk; Ruth Hatton, Deputy Clerk; Anna Daniel, Senior Adviser to the Board; Craig Griffiths, Legal Adviser to the Board; 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.

1 Chair's introduction (9.00 - 9.15)

Papers 1-3

- 1.1 The Chair welcomed everyone to the meeting.
- 1.2 The Chair welcomed Joanna Adams to her first meeting as Second Clerk to the Board.

- 1.3 The Chair provided the Secretariat with a brief update on the Board's recent meetings with party groups as part of the consultation process on the Annual Review of the Determination 2022-23.
- 1.4 The Board agreed the minutes of the 11 November; 25 November; and 8 December 2021 meetings.

Action: The Secretariat to prepare letters to party groups to thank them for their time, to summarise the discussions held, and to outline the Board's next steps;

2 Further consideration of the impact of the Co-operation Agreement on areas within the Board's remit (9.15 - 10.30)

Paper 4

Correspondence from the Permanent Secretary and the Plaid Group

- 2.1 The Board returned to its consideration of the impact of the Co-operation Agreement, further to its initial consideration at its meeting on 8 December 2021.
- 2.2 The Board considered in more detail the Agreement and Mechanisms documents (as published by the Welsh Government on 1 December 2021), the joint legal advice of Lord Pannick QC and Marlina Valles, and correspondence received both from the Plaid Cymru and Welsh Conservatives Group.
- 2.3 The Board also considered correspondence from the Welsh Government's Permanent Secretary. This correspondence was received in response to the Board's request for information to help it assess the likely expenditure of public funds on the Agreement and the impact (if any) of the additional support provided by the Welsh Government for the Co-operation Agreement on the work of political parties and office holders in the Senedd..
- 2.4 The Board agreed that much uncertainty remains in relation to how the Agreement will operate in practice, and what impact it will have on Senedd business (including the role of e.g. Designated Members, Party Leaders, backbench Members and party groups). The Board concluded that the information currently available is too limited to enable it to draw reasonable and robust conclusions about the Agreement's impact on provisions within the Determination.
- 2.5 Having considered the joint legal advice, and in light of its view that the current evidence base remains too limited to draw any robust conclusions, the Board agreed that it was too early to decide whether changes to the allocation of Determination funds are appropriate as a result of the Co-operation Agreement.
- 2.6 The Board agreed to review this matter again at its first meeting of the autumn term by which point the evidence of the Agreement's impact may be clearer. The Board also agreed

that this will provide time for all relevant stakeholders to share their views over the summer recess, to inform the Board's consideration.

Action: The Secretariat to:

- prepare draft correspondence to party groups and the Permanent Secretary to update them on the Board's decisions;
- programme further consideration of the impact of the Co-operation Agreement on areas within the Board's remit for the October meeting; and
- make arrangements to write to all stakeholders to gather views over the summer recess period.

3 Follow up from November meeting - Party Groups obtaining legal advice funded by the Determination (10.45 - 11.30)

Paper 5

- 3.1 The Board considered further advice relating to correspondence (previously considered at its November meeting) requesting clarity in relation to the question of whether Determination funds could be used by party groups to obtain external legal advice.
- 3.2 The Board agreed that there is no automatic bar on Members or Party Group Leaders seeking external legal advice, or on the costs being claimed via Determination funds, as long as the reason for requiring provision of external legal advice falls into one of the allowances and meets the principles set out in section 1.3 of the Determination.
- 3.3 The Board also noted that whether the Commission is able to provide legal advice to Members is a matter for the Commission.

Action: The Secretariat to prepare draft correspondence to reply to the queries raised and to notify the Commission of the Board's consideration.

4 Briefing note on the Policy, Research and Communications Fund (11.30 - 12.00)

Paper 6

- 4.1 The Board considered a further briefing about the practical implications of rolling the Policy, Research and Communications Fund (PRCF) into the Office and Constituent Liaison Fund, as set out in proposal 8 of its consultation on the Annual Review of the Determination for 2022-23. The Board explored the proposal's practical implications for matters such as viring, pooling and other supplementary provisions, in readiness for its consideration of consultation responses at its next meeting (10 March).

- 4.2 The Board requested further information about how the PRCF has been used by Members for viring and/or pooling in the past, to reassure itself that any future approach does not result in unintended consequences.
- 4.3 The Board agreed to give final consideration to the matter at its next meeting in March, alongside all consultation responses, in readiness for the publication of the 2022-23 Determination.

Action: The Secretariat to provide further information for the Board's meeting in March about how the PRCF has been used by Members for viring and/or pooling in the past.

5 The Future Workplace and consequential Health and Safety considerations (13:00 - 14.15)

Paper 7

- 5.1 The Board considered the current arrangements in place to support Members and staff who work from home/from the office/in a hybrid arrangement. The Board considered the division of responsibility between Determination-funded support and Commission-supplied equipment and services, and the range of mechanisms through which health and safety provisions can be accessed via the Determination.
- 5.2 The Board agreed that a wider review of these matters is needed in order to meet its strategic objective to be responsive to the changing needs of Members, as well as to provide more streamlined and simplified arrangements within the Determination.
- 5.3 The Board agreed that to ensure that the provisions put in place are fit for purpose, it will be essential to build a better understanding of Members plans for their future ways of working. The Board agreed to gather further information over the coming months to inform its proposals for change.
- 5.4 The Board also agreed that where possible, it will work with the Commission to avoid any duplication of effort for Members and support staff.

Action: The Secretariat to include the timing of this wider review in the Board's consideration of its strategic forward work plan at the next meeting.

6 Update and forward work programme (14.15 - 14.45)

Paper 8

Correspondence relating to the Commission's dignity and respect review

- 6.1 The Board noted updates on:
 - board staffing arrangements;

- the impact of Covid-19 arrangements on Senedd business;
- the Board's Member engagement programme;
- arrangements for publishing the Board's Declarations of Interest;
- the work of the Special Purpose Committee on Senedd Reform;
- the Members' Pension Scheme;
- the dignity and respect review; and
- finance.

6.2 The Board noted its forward work programme, and agreed to schedule its next formal meeting for Thursday 10 March.