

To: All Members

Cc: All support staff

9 April 2020

Dear Member,

The Remuneration Board met on 2 April 2020. The following is a summary of its discussions and decisions.

### ***Supporting Members in responding to Covid-19***

As outlined in the Board's letter to you on 25 March, we know that this is a difficult period for you and your staff. The Board is committed to being flexible to ensure your needs are supported at this time. The situation has already had a significant impact on your working arrangements and we will keep a close eye on the provisions available to you during the course of this pandemic, to ensure that they remain fit for purpose.

We are grateful to those who have already raised issues with the Board for its consideration, either through the secretariat or directly with Members' Business Support. The Board is also aware of services that have been provided by the Commission to Members during this period. The Board discussed these issues during its meeting and its decisions are outlined below.

#### *Office costs*

The Board considered the potential impacts on office costs and how spend under this allowance may vary as a result of the changes to Member and staff ways of working. The Board considered that it was as yet too early to assess the impact of the pandemic, as well as being early in the financial year. It is of the view that there are, for the time being, sufficient funds available to cover any urgent requirements arising from the current circumstances.

The Board also noted the additional support made available in other UK parliaments, however such provisions are not directly comparable. This is due to the different provisions that are centrally provided to Members in the different legislatures, in particular ICT equipment.

However, the Board is aware that it is likely that pressures will increase on resources, and as such the expenditure against these budgets will be reviewed on a monthly basis. In doing so, this will enable us to monitor the issues you are facing whilst working remotely and engaging with your constituents, to identify additional needs and to resolve any issues promptly. We would encourage you to share your feedback or concerns with Members' Business Support.

#### *Costs of homeworking*

The Board considered feedback that was provided in relation to the additional costs some support staff were now facing as homeworkers, such as increased utilities or broadband costs, for example. The requirement to work from home will affect all support staff in some way or other. As a result, the Board has agreed to make funding available to help meet some of these costs.

A homeworking allowance fund will be set up effective immediately, for a period of up to three months in the first instance. This will be to assist with the costs of homeworking for those support staff who are working from home as a result COVID-19 outbreak. Members will be able to claim for up to £6 per week entitlement (or up to £26 per month for staff paid monthly) per member of support staff (as per the HMRC allowable rates for homeworking). This payment to staff will be tax free. Any approved reimbursements above the entitlement as outlined would be funded from the Member's office costs allowance.

It will be up to each Member whether to enable their staff to receive this payment. The costs of this allowance will be met centrally in order to reduce any pressures on Members' office cost allowances. Guidance on this allowance will be available via MBS and on the Members' intranet on the Covid-19 pages. Members will need to communicate with MBS whether their staff are to receive the allowance.

#### *Guidance for supporting flexible working*

The Board also discussed options Members may wish to introduce in their office to assist them, and their employees to deal with some of the challenges that they may be facing in fulfilling their roles. As outlined in previous correspondence, the Board is of the view that maximum flexibility should be provided in these circumstances.

The Board considered practice elsewhere, including that applicable to the staff of Members of the Scottish Parliament and guidance issued for the civil service.

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The Board agrees that it is important to protect employees from financial hardship and that “no one should be penalised for doing the right thing” where required to do so as a result of Government public health measures.

The Board recognises that support staff may be faced with additional caring responsibilities as a result of the shut down of public services. They may need assistance to manage the balance between their work and their private lives. They may also have responsibilities towards the wider community. Given this, the Board is of the view that, where possible, it’s important to strike an appropriate balance between the needs of both the Member and their support staff in this unprecedented situation.

As a result, the Board agreed to introduce a temporary special leave policy. Members may provide paid “Special Leave” for staff with caring or voluntareering responsibilities.

Special leave can be allowed to cover caring responsibilities due to the cessation of routine caring provisions, or the requirement to care for family members due to illness. The Board agreed that it would be at the Member’s discretion what limit to apply to this type of special leave and that each case should be treated sensitively and on its merits.

Special leave could also be used for volunteering needs arising from the pandemic which may be of particular use for those unable to work all their hours from home. This could be for opportunities to help in the community or to respond to calls for volunteers to help the health service for instance. The Board agreed that up to 5 days special leave could be allowed at the Member’s discretion.

Any paid special leave that is granted by the employing Member would be subject to the usual rules regarding the Use of Assembly Resources i.e. prohibiting staff undertaking, during paid hours, any party political activity, campaigning or electioneering for a particular party or individual.

The Board agreed that these new temporary special leave arrangements would be reviewed after three months.

Beyond these provisions, there are other options which can support a flexible approach to working practices. However, it will be up to each Member as employer to decide whether they wish to utilise any of the arrangements. These options can be found in Annex A of this letter.

Should any Member wish to facilitate any of the options outlined, please contact Members’ Business Support who can provide further advice. For all of these options, it is

recommended that actual working hours be recorded to ensure transparency between the employer and employee.

### ***Review of the Determination for the Sixth Senedd***

The Board considered the 12 responses it received to the consultation and it is grateful to all those who shared their views. The Board decided on which changes to make to the Determination for 2021-26. Its decisions will be published in a final Determination for the Sixth Senedd, and an accompanying report, at the end of May 2020.

### ***Consultation decisions: Change to the support staff Disciplinary and Grievance Procedures***

The Board considered the responses it received to its recent consultation on a change to the support staff Disciplinary and Grievance Procedures. As ever, the Board is grateful to those who responded.

All the responses agreed with the Board's proposal. As such, the Board decided to implement the changes as proposed and for them to take effect immediately. New versions of the procedures will be published in due course.

### ***Other matters***

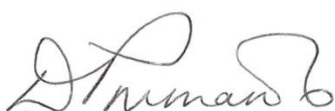
#### *Senedd Clwyd*

The Board noted the Commission decision to not proceed with Senedd Clwyd due to the outbreak of Covid-19. However, should the week be re-organised, the Board agreed that its previous decision that the chosen location in North East Wales may be treated as "Cardiff" for the purposes of sections 5.21 and 5.22 of the Determination, would continue to apply.

If you would like to discuss any matter with me, or with one of my fellow Board members, please do not hesitate to contact me via the [secretariat](#).

This letter will also be published on our website as is our usual practice.

Best wishes,



BWRDD **TALIADAU**  
**REMUNERATION** BOARD

**Dame Dawn Primarolo**

**Chair, Remuneration Board**

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.

### **Annex A: Members' Business Support note on options for adopting a flexible approach to working hours**

Members may consider approving paid special leave to staff as set out in the Board's letter.

Beyond these provisions, there are other options which can support a flexible approach to working practices. However, it will be up to each Member as employer to decide whether they wish to utilise any of the arrangements.

Further guidance may be sought from Members' Business Support on the application of these options to Members' staff.

Taking annual leave in 'hours', as well as 'days' and 'half days': Annual leave is given primarily as a health and safety benefit, and staff should be encouraged to take leave at intervals throughout the year to maintain their wellbeing. Staff could also be allowed to take some of their annual leave in 'hours' which would provide the utmost flexibility, for example should they have caring responsibilities. As staff accrue leave during the year, it is important that leave is used in reasonable allotments rather than storing all leave for when life resumes a more normal routine.

Drawing down annual leave: The option to draw down leave from the next annual leave year may also assist with flexible working. Support staff leave is allocated for a year from the anniversary of their start date. However, some support staff may be in a position where they have exhausted most, if not all of their annual leave prior to the pandemic. Other support staff may want to ease their workload by taking additional leave. Should it be required, support staff could draw down leave from the following year. Support staff must retain the statutory minimum for the following year, which is 20 days' leave for full time workers.

Introduction of a temporary flexi-time system: Some offices may already operate a flexi-time system. If this is not the case, the Member could consider introducing a flexi-time system to assist support staff to vary their working hours with the agreement of the Member. This would also help record accurately the time that they are working. This would enable Members and staff to evaluate whether the remaining contracted hours should be made up by accrued flexi or an agreed number of hours in debit, or any of the other options above (annual leave or special leave).