

David Rees MS
Chair
Reform Bill Committee

12 April 2024

Senedd Cymru (Electoral Candidate Lists) Bill: written evidence

Dear David,

Thank you for your letter dated 22 March and the opportunity to contribute to the Reform Bill Committee's scrutiny of the Senedd Cymru (Electoral Candidate Lists) Bill.

Your letter details several questions relating to the Board's involvement in the preparations of this Bill as well as whether and how the Board might consider the implications of the Bill on matters within the remit of the Board.

I have detailed my answers to these questions in an annex to this letter.

Yours sincerely,



**Dr Elizabeth Haywood,
Chair, Independent Remuneration Board of the Senedd**

Croesewir gohebiaeth yn Gymraeg neu Saesneg. | We welcome correspondence in Welsh or English.

Annex A: Remuneration Board Response to Reform Bill Committee Questions

Reform Bill Committee: Senedd Cymru (Elected Candidate Lists) Bill

April 2024

- 1. We note that the Welsh Government’s Regulatory Impact Assessment accompanying the SC(ECL) Bill identifies no additional costs to the Senedd Commission (including in respect of Members’ pay and allowances). What involvement has the Independent Remuneration Board had in the development of the Regulatory Impact Assessment? Can you confirm that there are no anticipated quantifiable or unquantifiable costs or savings in respect of Members’ pay and allowances associated with the SC(ECL) Bill?**
 - 1.1. The Board has not had any involvement with the development of the Welsh Government’s Regulatory Impact Assessment (RIA), but given the purpose of the Bill and the minimal impact its provisions would have on the Determination, this is to be expected.
 - 1.2. Based on the published Bill, Explanatory Memorandum and RIA for this Bill, the Board does not anticipate any significant quantifiable or unquantifiable costs or savings in respect of Members’ pay and allowances associated with the Bill. The Determination related costs of an increase in size of the Senedd have already been reflected in the RIA for the Senedd Cymru (Members and Elections) Bill, and are based on an uprating of the existing provisions in the Determination.
 - 1.3. A range of Additional Support for Members is currently provided for in the Determination, including (3A.3) support for Members with childcare and other caring responsibilities and (3A.4) support for Members on parental leave. The Determination (4.4.3h) also includes provision for additional accommodation costs for those Members who have a caring responsibility for a dependent normally resident with them in the Cardiff area. Chapter 3A is designed to be responsive to changing needs and costs claimed under this chapter can change during the course of a Senedd term, or a financial year, as is appropriate to meet the changing circumstances or needs of Members.

- 2. When you appeared before the Committee on 30 November 2023, you indicated that the Board would shortly be discussing its thematic review of Members' pay and personal support. Given the increase in the number and proportion of women elected to the Senedd the SC(ECL) Bill aims to achieve, what assessment has the Board made of the level and effectiveness of the current financial allowance and support package for Members with childcare or caring responsibilities?**

- 2.1. The Terms of Reference for the Board's thematic review on Members' pay and personal support were consulted on during December 2023 and January 2024 and are included at Annex B for information. This work is commencing in Quarter 1 of 2024-25. Any proposals resulting from this review will be consulted on ahead of the publication of the Determination for the Seventh Senedd.
- 2.2. The Review will consider Members' Pay and personal support, including the existing provisions set out in Chapter 3A of the Determination, which includes support for disabled Members, support with caring responsibilities and support for Members on parental leave. Additionally, there are provisions for Members with caring responsibilities in Chapter 4, relating to residential accommodation expenditure (4.4.4 h), which will also be reviewed.
- 2.3. The review will consider relevant data to understand use of these provisions, review these measures in line with best practice, review recent literature on family friendly and inclusive parliaments and carry out engagement with Members to better understand what is working well and whether there are any barriers or challenges the Board should seek to address for the Seventh Senedd.
- 2.4. Equality, diversity and inclusion (EDI) is also a consideration across all of the Board's thematic reviews to ensure that the Determination not only impacts fairly and equitably on Members but also does what it can to advance equality.

3. What consideration has been given to the way in which any levers within the remit of the Board might be used to address barriers arising from the Senedd's ways of working that might otherwise inhibit women and under-represented groups from standing for election or constrain the length of their tenure?

- 3.1. As outlined above, EDI is a consideration across all of the Board's thematic reviews as well its day-to-day work.
- 3.2. We have also noted above how the particular thematic review relating to Members' personal support will be undertaken, which includes provisions to support disabled Members and those with caring responsibilities.
- 3.3. The Board is mindful of how changing ways of working and a hybrid Senedd may change the needs of Members and their staff, and how this may interact with issues of EDI. Several of these matters will relate to procedural arrangements or the parliamentary estate or facilities, which will be considered by the Business Committee and the Senedd Commission respectively. These considerations will inform the Ways of Working review that is being led by Sir David Hanson, which considers how Members might engage and work within and from their constituencies.
- 3.4. Job sharing has previously been explored by Committees and the Expert Panel as an issue which might help reduce barriers to participation. The Board notes that the Reform Bill Committee in its Stage 1 report recommended that the Business Committee should consider proposing the establishment of a new committee in this Senedd to explore issues relating to job sharing and temporary holding of an office, or asking an existing Senedd Committee with a relevant remit to undertake the work. The Board has not considered job sharing to date and would consider the implications on Members' salaries or senior additional office holder

salaries following any legislation or any Senedd decision to bring forward the introduction of job sharing.

- 3.5. A further lever that the Board will be considering as it makes decisions for the Seventh Senedd is the level of flexibility that can be provided to Members under the Determination. The Board recognises that the Determination needs to provide adequate flexibility for Members to respond to their own differing or evolving needs.

4. How does the Board intend to engage with Members and stakeholders on potential changes to the Determination for the Seventh Senedd aimed at supporting women and under-represented groups?

- 4.1. The Board will consult on proposals for the Seventh Senedd, as it is required to do by the National Assembly for Wales (Remuneration) Measure 2010. It will also continue to engage with Members and support staff through representative groups and Member drop-ins. Consultation and engagement will also be undertaken at different times as thematic reviews progress. The Board will encourage Members to use these opportunities to feed in views and evidence on what works and what could be done differently, particularly in the context of Senedd reform.
- 4.2. The Board will also consult wider stakeholders, particularly those with expertise in the EDI field, so will be taking steps to encourage people and organisations to feed into consultations on policy proposals and the draft Determination for the Seventh Senedd.

Annex B:

Remuneration Board

Thematic Review

Members' Remuneration and Personal Support Terms of Reference

March 2024

Purpose

1. This document sets out the terms of reference for the Member's Remuneration and Personal Support Thematic Review.

Objectives

2. The review will seek to ensure the Determination for the Seventh Senedd reflects the statutory objectives of:
 - providing Members of the Senedd with a level of remuneration
 - which fairly reflects the complexity and importance of the functions which they are expected to discharge, and
 - does not, on financial grounds, deter persons with the necessary commitment and ability from seeking election to the Senedd,
 - and providing Members of the Senedd with resources which are adequate to enable them to exercise their functions as Members of the Senedd

Principles

3. All work undertaken by the Independent Remuneration Board is underpinned by a set of principles:
 - Financial support and remuneration for Members should support the strategic purpose of the Senedd and facilitate the work of its Members

- Decisions must be appropriate within the context of Welsh earnings and the wider financial circumstances of Wales
- The system of financial support for Members must be robust, clear, transparent, sustainable, inclusive and represent value for money for the taxpayer

Terms of Reference

4. The review will consider Members' salaries, additional office holder salaries, personal support, Members' travel and Residential Accommodation Expenditure, support to Members who leave office. Travel and Residential Accommodation Expenditure, although not pay or remuneration, is included within this review as it helps balance Members' personal and caring commitments, where applicable, whilst enabling and supporting their work-related travel and accommodation needs.
5. The review will have a particular focus on Members' personal support with a view to reducing barriers, promoting accessibility and supporting diversity and equality in the new Senedd and smoothing the transition to life after the Senedd.
6. It will also explore issues related to these areas of support such as flexibility, carbon neutrality, and safety and wellbeing of Members.
7. The review will be organised into three distinct workstreams:
 - **Workstream One:** Member's Pay and Conditions (covering provisions in Chapter 3 and 3A of the Determination on Member's Pay and Allowances)
 - **Workstream Two:** Residential Accommodation and Travel (Chapters 4 and 5 of the Determination)
 - **Workstream Three:** Member's Leaving Office (Chapter 9 of the Determination)
8. In conducting the review, the Board will:
 - Consider any changes to Members' roles and responsibilities in recent Senedd terms
 - Consider the implications of Senedd reform in terms of numbers of Members, their responsibilities and the range of 'additional office holders' entitled to additional salary
 - Seek views of Members on any changes required to the Determination for the Seventh Senedd
 - Seek the views of the Senedd Commission, public and stakeholders, gather comparative evidence and consider methodologies from other parliaments in the UK and internationally.