

Bwrdd Taliadau Cynulliad
Cenedlaethol Cymru

—
Remuneration Board of the
National Assembly for Wales

24 November 2016

Dear Assembly Member,

On 16 and 17 November, the Remuneration Board met to discuss its strategy for the Fifth Assembly in preparation for developing a Determination for the Sixth Assembly. In addition to this, we considered issues around the Residential Accommodation Expenditure and issues raised with Members' Business Support.

Residential Accommodation Expenditure

We considered the matter of the Residential Accommodation Expenditure and the responses to our consultation on whether to amend the Determination so that Members whose main home is outside Wales are eligible for residential accommodation expenditure.

Neither the Government of Wales Act 2006, nor any other legislation or common law governing elections, requires an eligible candidate for membership of the Assembly to live in Wales.

In coming to our decision, therefore, we were guided primarily by our remit and duties under the National Assembly for Wales (Remuneration) Measure 2010 to ensure that no Member is impeded from undertaking the role they have been elected to do by putting in place a system of financial support that enables them to carry out their work effectively.

At present the Determination sets out the rules for payments for the purpose of reimbursing Members for additional expense which they necessarily incur in staying overnight in Cardiff in connection with the performance of their role as Assembly Members. The Determination provides for Members whose main home is within Wales, it does not make any provision to support Members whose main home is outside Wales.

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Croesewir gohebiaeth yn y Gymraeg a'r Saesneg/We welcome correspondence in both English and Welsh

The Board received 41 consultation responses and noted that there was significant opposition to the proposal by the Board to amend the Determination. These responses have been published on the Board's website. Many of those argued that, as a matter of principle, Assembly Members should live within the boundary of Wales, preferably within the constituency that they represent.

It may or may not be desirable that eligibility to stand to be an Assembly Member should depend on residence in Wales, or indeed in the part of Wales which the AM represents. We are not taking a view on this. It is a matter for the legislature in setting eligibility requirements for candidates to be an AM, and a matter of judgement for the electorate in deciding whom to elect. It is not a matter over which the Board has authority. Our functions are limited to setting reasonable allowances for those who have been elected.

Taking into account the overwhelming view from our consultation that we concluded that we would not change the Determination. We decided to exercise our discretion to deal with the exceptional circumstances of a Member whose main home is outside Wales on a case by case basis by paying for any expenses necessarily incurred in connection with the performance of their role as a Member. We will continue any temporary arrangements put in place pending our decision on the consultation. We will reimburse hotel accommodation where necessarily incurred in connection with Assembly duties in Cardiff. These arrangements have been working satisfactorily to date. There are well established controls in place to ensure that such claims are reasonable and provide value for money.

Introducing a residency qualification for Members is clearly a politically sensitive matter and a decision for legislators. We note that this is a live issue and amendments are being considered by the House of Lords during scrutiny of the Wales Bill and we will follow proceedings with interest.

Our strategy to deliver a Determination fit for the Sixth Assembly

At our strategy meeting in Colwyn Bay in September, we agreed to develop a strategy document which would set out our key objectives and strategic priorities for the Fifth Assembly, in preparation for developing a Determination which would be fit for the Sixth Assembly.

Last week we agreed our draft strategy document, which we will publish shortly. We are publishing our strategy at the beginning of the Fifth Assembly in order to be transparent about our work and to enable productive dialogue with Members and those who take an interest in our work and the future capacity of Wales' democracy.

Issues arising from the application of the Determination

The Board considered a number of issues which have arisen in applying the Determination since the start of the Assembly's autumn term. These issues will inform our strategic discussions for creating a Determination fit for the Sixth Assembly

Future Work

At our meeting we scoped future pieces of work which will inform our thinking for the remainder of our remit.

One of our immediate priorities is to gain an understanding of aspects that may deter individuals from standing for election to the Assembly and aspects that attract people to the job. Therefore we will conduct research to explore the incentives and barriers for anyone with the appropriate skills and interest to running for election to the Assembly.

In line with our commitment to constantly review the performance of the Board and the impact of our decisions, we will conduct reviews into the existing provisions which were put into the Determination for the Fifth Assembly and whether the existing principles underpinning the Determination are fit for purpose.

These reviews will be conducted over the course of 2017 and will inform our decisions for the Determination in the Sixth Assembly.

We will begin this work in the New Year and will ensure that Members, their support staff and other key stakeholders are fully abreast of our progress and involved at key stages.

We continue to meet many of you informally and hope to attend your party group meetings. We are currently in the process of setting up an AM and AMSS Representative Group meeting, which we hope will take place in the New Year.

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

If you would like to discuss this matter with me, or with one of my fellow Board members, please do not hesitate to contact me via the secretariat.

Best Wishes,



Dame Dawn Primarolo
Cadeirydd / Chair Bwrdd
Taliadau/Remuneration Board