

15 July 2019

Dear all

Re: Decisions on part one of the Review of the Determination for the Sixth Assembly

I am writing to you with a summary of the Board's decisions following its consideration of the responses received from the [first consultation](#) arising from its review of the Determination for the Sixth Assembly. The Board is very grateful to those who shared their views as part of the consultation process. Having carefully considered the responses it received, the Board's final decision on each of the proposals is outlined under the relevant proposal below:

Proposal 1: To remove, from the next dissolution which is likely to be in April 2021, the transitional arrangements in place for Members to claim mortgage interest payments and funding for essential repairs on a property they own.

The Board considered the responses received, which largely disagreed with the Board's proposal. One respondent said that this proposal would increase the cost to the taxpayer. Another stated that Members had entered into long-term mortgage agreements in good faith with every expectation that the arrangements would continue until the end of their period in office. The Board noted that, while there was no end date to the original transitional arrangements, Members who rely on this provision could reasonably expect its continuity.

However, on balance and mindful of its principle of ensuring accountability for the use of public funds, the Board decided that there should be an end date to the transitional arrangements. In light of its discussions, the Board decided to amend its original proposal. The Board decided that this provision will now cease at the end of the Sixth Assembly. Members who currently claim mortgage interest payments will continue to be able to do so in the Sixth Assembly, but not beyond. In addition, to ensure that there is no increased cost to the taxpayer during this period, the Board agreed that the total amount of mortgage interest payment that may be claimed by Members in the Sixth Assembly will be fixed as the amount claimed on the first day of that Assembly. The only exception to this principle is that the Board will allow for subsequent interest rate increases and decreases

as per the Bank of England base rate. The Board believes this decision is fair both to the taxpayer and to Members who currently rely on this provision.

Proposal 2: To introduce a provision requiring Members to return any refunds from rental agreements to Members' Business Support.

All respondents agreed with the Board's second proposal and, as such, the Board decided to implement this proposal in full for its Determination for the Sixth Assembly.

Proposal 3: To introduce the mandatory principles for offices funded through the Determination which were:

- ***Esteem of the Assembly: All offices should reflect status and importance of the Assembly as a national institution and be mindful that the office is the local face of the Assembly;***
- ***Safe and secure: All offices should be safe, secure, visible and reachable via public transport and accessible spaces for all those who use them;***
- ***Open and welcoming: All offices should be staffed by paid employees.***

All the responses to this proposal, while welcoming it in principle, did raise some concerns.

Responses to the consultation raised concerns over the use of the word "mandatory" with regards to implementing the principles. On reflection, the Board decided to remove "mandatory" and replace it with a less prescriptive approach. However, the Board agreed that it would be up to Members to use their own judgement and to confirm to Members' Business Support that their offices meet and comply with these principles.

In light of other concerns, the Board agreed to replace "Esteem of the Assembly" with "Reputation of the Assembly" as it believed that this would provide more clarity to Members. The Board also agreed to remove the wording "via public transport" from the first principle. The Board noted the concerns raised that the variation in public transport provision in different parts of Wales could have an impact. The Board decided to amend the wording to ensure that all offices must be reachable for members of the public and be accessible spaces to ensure that there are no barriers to engagement with constituents.

As the Board decided to amend its original proposal, the wording for the Determination for the Sixth Assembly will now read as follows:

All offices funded through the Determination should follow these principles:

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- *Reputation of the Assembly: All offices should reflect the status and importance of the Assembly as a national institution and be mindful that the office is the local face of the Assembly;*
- *Safe and secure: All offices should be safe, secure, visible and reachable by the public and should be accessible spaces for all those who use them;*
- *Open and welcoming: All offices should be staffed by paid employees.*

Proposal 4: To formalise the existing guidance for acquiring offices.

Proposal 5. To introduce a provision requiring Members to undertake a cost valuation on their office and deposit a copy of the lease with Members' Business Support as outlined.

Following consideration of the responses received on these two proposals, the Board decided to implement them in full.

The Board noted the concerns raised by respondents with regards to funding these proposals. The Board's view is that providing an additional allowance for these changes could be disorderly and confusing. Instead, the Board will be mindful of the additional costs when it fixes the Office Costs allowance for the Sixth Assembly. This will be included in the final draft of the Determination which will be consulted upon next year.

Proposal 6: To amend the supply of office furniture allowance as outlined.

The Board considered the responses received to this proposal which all highlighted concerns related to Members' ability to purchase furniture locally rather than through a contracted supplier. The Board noted that there is no requirement for Members to purchase through the pre-agreed suppliers and that they are free to use their Office Costs Allowance to purchase from whoever they choose. However, Members are expected to follow the principles outlined in chapter one of the Determination when making any purchases for their offices, including furniture. The Board agreed to review the wording and clarify this within the Determination. Members are reminded that should they choose to purchase any furniture from other suppliers, they bear full responsibility for that furniture and will not be provided with the additional construction or maintenance costs that the Assembly Commission would otherwise have to meet.

The Board decided to implement its original proposal in full.

Proposal 7: To make it a requirement that all additional ICT equipment is purchased through the Assembly Commission to ensure its compatibility with the Assembly's ICT systems

All respondents agreed in principle with the Board's original proposal. However, some concern was raised that this proposal could increase the overall cost to the taxpayer and that it may limit the choices available to Members. The Board considered the benefit of its original proposal in ensuring that products are compatible with Assembly Commission systems. This included reducing the risk of cyber-attacks and providing better security of data for Members' offices. The Board also agreed with its previous view that the overall costs of this proposal would be cheaper due to the costs of ensuring "off the shelf" products are compatible with Assembly ICT infrastructure. However, the Board decided that in light of the comments raised in the consultation, it would amend the proposal slightly and change "requirement" to "recommendation". The Board is clear that should Members choose not to follow its recommendation, they should not expect support from the Assembly Commission for their ICT purchases.

Following this decision, the Board decided to introduce the following amended paragraph at 6.4.4 of the Determination for the Sixth Assembly:

Members who wish to purchase additional Information and Communications Technology equipment to support the work of their office must submit a written request for the items prior to purchase to the Members' Business Support team. It is recommended that this equipment is purchased through the Assembly Commission to ensure compatibility with the Assembly's information and communications technology systems and cyber security protections.

Proposal 8: To amend the list of permissible items.

All respondents agreed with the Board's original proposal therefore the Board decided to implement the proposal in full.

Proposal 9: To amend the clauses for travel on committee business.

The majority of respondents agreed with the Board's proposal to amend the section in the Determination on travel for committee business. One respondent disagreed with the Board's proposal noting that it was unnecessary and likely to increase the burden on Commission staff. However, as the Determination does not fund committee travel, the Board has decided that the provisions should be changed.

One respondent suggested a slight amendment to the wording proposed by the Board which noted that the wording "and the committee secretariat" should be removed. The

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Board agreed with this suggestion and decided the new wording, which will be implemented at paragraph 4.3 in the Determination for the Sixth Assembly will now read as follows:

Arrangements and reimbursements for travel on committee business is a matter for the Assembly Commission and is not covered by the Determination.

Other issues

The Board noted the concern raised by one respondent in calling for additional support for Members who find themselves situated in areas with high office rental costs. The Board has considered this issue previously and has not found any pattern for high cost rental areas across Wales. Due to the significant number of factors which dictate local office rental costs, it is difficult to design a provision which would address this issue. Should Members find themselves in such a position, the Board would encourage them to apply through the exceptional expenses process as per paragraph 2.4 of the Determination for additional support.

The Board also discussed the point that was raised during the consultation with regards to Members' ability to pay for office cost and residential accommodation bills through direct debit. Whilst this is not a matter for the Board it agreed that it will ask the Assembly Commission to look at the feasibility of allowing Members to do so.

The Board will be publishing a final report on the review and a final consultation on the whole Determination in early 2020.

This letter will also be published on the review section of our website.

Best wishes,



Dame Dawn Primarolo

Chair, Remuneration Board

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.