

7 February 2020

Dear Members

The Remuneration Board met on 16 January 2020. The following is a summary of its discussions and decisions.

Review of the Determination for the Sixth Assembly

The Board's review is now nearing its final stages as we aim to meet our objective of publishing the Determination for the Sixth Assembly in May 2020.

The Board considered a final draft of the full Determination at this meeting which was issued for consultation on 5 February 2020.

Proposed change to the support staff Disciplinary and Grievance Procedure

You may recall that last year the Board revised the support staff Disciplinary and Grievance Procedures. The main purpose of those changes was to ensure compatibility with the Assembly Commission's Dignity and Respect policy. One of the changes made by the Board was to introduce the provision of an independent investigator to undertake investigations, where appropriate.

Appeals are allowed by the procedures in accordance with the ACAS code. The Board considered that appeals should be allowed in circumstances where there was a reasonable ground for an appeal. The Board considered those grounds to be (i) where there had been a failure of process, (ii) new evidence had come to light, or (iii) there was evidence of undue bias on the part of the investigator. The Board believes that its intention when revising the procedures is not clear from the current drafting. As such, the Board are proposing to clarify the wording to expressly indicate what grounds exist for appeal.

The current clause enabling a member of support staff to raise an appeal to the outcome of a disciplinary is phrased as follows:

Where an AMSS feels that the disciplinary penalty applied is wrong or unjust they may appeal against the decision.

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The current clause enabling a member of support staff to raise an appeal to the outcome of a grievance is phrased as follows:

Where an AMSS feels that their grievance has not been satisfactorily resolved they should appeal. They should let their Grievance Officer know the grounds for their appeal in writing.

The Board is proposing to insert the following text into both Disciplinary and Grievance procedures:

An appeal to the disciplinary penalty/grievance outcome may be lodged when an AMSS has cause to believe that one of the following grounds have been met:-

- a) where there has been a failure to follow process;*
- b) where new evidence had been brought to light which could not have reasonably been known at the time of the grievance hearing;*
- c) where there is evidence of undue bias.*

They should let their AM/Grievance Officer know the grounds for their appeal in writing.

The Board's proposal would apply to all appeals including those undertaken by an independent investigator. As stated above, the Board believes that expressly setting out its intention in this way will provide the necessary clarity.

Proposal: The Board is to amend the appeals sections of the support staff Disciplinary and Grievance Procedures as outlined.

Please let us have any responses to the above proposals by **24 March 2020** to inform the Board's deliberations at its following meeting.

Please note there will be an opportunity for both the Member and support staff representative groups to discuss this issue and any other matters with Board members in February.

Other matters

Review of support staff handbook

As you will be aware, the Board has introduced several policies for support staff since its inception in 2010, the most recent example being a new Compassionate Leave policy in 2019. The Board discussed the evolution of support staff policies over the past few years and agreed it would now be prudent to consider how to make Members (as employers)

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and support staff (as employees) aware of the various policies in place. As such the Board agreed to further consider how to enhance the role of the support staff Handbook at its next meeting.

Security measures

The Board discussed whether further security measures are required for Members and their offices. The Board is content that the provisions available at the current time are sufficient. The Board would like to take this opportunity to remind Members that they have a duty of care, as an employer, for their support staff by ensuring they are safe and secure at all times when undertaking their jobs. Should any further reviews of security be required, the Board would encourage Members to speak to the Assembly Commission's Security Team who can provide advice on staying safe and secure at all times.

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,



Dame Dawn Primarolo

Chair, Remuneration Board

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.