

Report of the Head of Democratic Services

Council – 24 November 2016

INDEPENDENT REMUNERATION PANEL FOR WALES (IRPW) DRAFT ANNUAL REPORT 2017-2018 - CONSULTATION

Purpose:	To present the recommendations of the Democratic Services Committee held on 18 October 2016 relating to the Independent Remuneration Panel for Wales (IRPW) Draft Annual Report 2017-2018 Consultation process. Council are asked to formally respond to the IRPW by their deadline of 28 November 2016.
Policy Framework:	None.
Consultation:	Access to Services, Finance, Legal.
Recommendation(s):	It is recommended that: 1) The recommendation of the Democratic Services Committee held on 18 October 2016 as outlined in Appendix A of the report form the formal response to the IRPW.
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1. Introduction

- 1.1 The Independent Remuneration Panel for Wales (IRPW) is the body tasked with setting the remuneration levels for Councils in Wales. Each year, they publish a Draft Annual Report which is circulated for consultation.
- 1.2 Their Draft Annual Report is currently out for consultation. The consultation period closes on 28 November 2016.
- 1.3 The final IRPW report will be published in February 2017.
- 1.4 This report sets out the determinations affecting the City and County of Swansea and proposes responses if necessary.
- 1.5 The full IRPW Draft Annual Report may be viewed at <http://gov.wales/docs/dsjlg/publications/161003-irp-draft-report-en.pdf>

2. Determinations within the IRPW Draft Annual Report 2017-2018

- 2.1 The IRPW Draft Annual Report 2017-2018 contains 51 Determinations in all. A large number of these determinations don't directly affect the City and County of Swansea and as such this report does not list them nor does it offer any comments on them.
- 2.2 The Democratic Services Committee considered the Draft IRPW Annual Report 2017-2018 at its meeting on 18 October 2016 and recommends that **Appendix A** forms the Council's formal response to the IRPW.

3. Equality and Engagement Implications

- 3.1 An Equality Impact Assessment (EIA) screening process took place prior to the consultation period. The outcome indicated that it was low priority and a full report was not required.

4. Financial Implications

- 4.1 The IRPW determination to increase Basic Salary by £100 per Councillor will add £7,200 per annum. This can be accommodated within existing budget resources.

5. Legal Implications

- 5.1 There are no specific legal implications associated with this report.

Background Papers: None.

Appendices:

Appendix A	Democratic Services Committee of 18 October 2016 – Proposed Response to the IRPW Draft Annual Report 2017-2018.
Appendix B	Senior Salary Levels 2017-2018 for members of principal councils including Current Levels (2016-2017)

Democratic Services Committee of 18 October 2016 – Proposed Response to the IRPW Draft Annual Report 2017-2018.

NOTE: For ease this report only outlines the salary figures of Group A Council's to which the City and County of Swansea belongs.

Section 3 - Payments to Elected Members of Principal Councils: Basic, Senior and Civic Salaries

Determination 1	Basic Salary in 2017/18 for elected members of principal councils shall be £13,400.
CCS Comments	CCS notes the rise of £100. No further comment.
Determination 2	The Panel has determined that senior salary levels in 2017/18 for members of principal councils shall be as set out in Table 2 (of the IRPW Report). <i>The proposed and current levels are outlined in Appendix B.</i>
CCS Comments	<p>1) The Authority remains concerned at the two levels of payments for Cabinet members and Committee Chairs created in February 2016. The Authority believes that a Leader of a Council would create a balanced Cabinet with collective responsibility. No Cabinet Member is more or less important to the decision making process. Whilst it may appear that some Portfolios are smaller than others, those with smaller budgets will face difficulties as a smaller budget could quite easily mean more drastic outcomes. Equally Council has created Committees with a balanced workload.</p> <p>2) CCS notes that there is no change. No further comment.</p>
Determination 3	The Panel has determined that (where paid) Civic Salaries at the following levels are payable (Table 3 of the IRPW Report) and will be applied by principal Councils as each considers appropriate, taking account of the anticipated workloads and responsibilities.
CCS Comments	CCS notes that there is no change. No further comment.

Determination 4	The Panel has determined that, where appointed and if remunerated, a Presiding Member must be paid a Band 3 Level 1 Senior Salary. This post will count towards the cap.
CCS Comments	The Presiding Member within the City and County of Swansea is not remunerated. No further comment.
Determination 5	The Panel has determined that the post of deputy presiding member will not be remunerated.
CCS Comments	No Change. Agreed
Determination 6	The Panel has determined that each authority, through its Democratic Services Committee, must ensure that all its members are given as much support as is necessary to enable them to fulfil their duties effectively. All elected members should be provided with adequate telephone and email facilities and electronic access to appropriate information.
CCS Comments	No Change. Agreed
Determination 7	The Panel has determined that such support should be without cost to the individual member. Deductions must not be made from members' salaries by the respective authority as a contribution towards the cost of support which the authority has decided necessary for the effectiveness and/or efficiency of members.
CCS Comments	No Change. Agreed
Determination 8	The Panel has determined to include a provision for specific or additional senior salaries that do not fall within the current Remuneration Framework.
CCS Comments	No Change. Agreed.

Section 4 - Joint Overview and Scrutiny Committees (JOSC)

Determination 9	The chair of a Joint Overview and Scrutiny Committee is eligible for a salary equivalent to that part of a Band 3 Level 2 senior salary that remunerates a committee chair of a principal authority (£6,700).
CCS Comments	No Change. Agreed
Determination 10	In cases where the chair is already in receipt of a senior salary for a Band 3, 4 or 5 role the payment will be £3,350.
CCS Comments	No Change. Agreed
Determination 11	The chair of a sub committee of a JOSC is eligible for a salary of £1,675.
CCS Comments	No Change. Agreed
Determination 12	In cases where the chair of the sub committee is already in receipt of a senior salary for a Band 3, 4 or 5 role the payment will be £837.
CCS Comments	No Change. Agreed
Determination 13	Payments to chairs of task and finish sub committees are to be pro-rated to the duration of the task.
CCS Comments	No Change. Agreed
Determination 14	Payments made to a chair of a JOSC, or a chair of a sub committee of a JOSC, are additional to the maximum proportion of the authority's membership eligible for a senior salary. It should be noted that the statutory limit of no more than 50% of a council's membership receiving a senior salary applies (Section 142 (5) of the Measure).
CCS Comments	No change. Agreed
Determination 15	A deputy chair of a JOSC or sub committee is not eligible for payment.
CCS Comments	No Change. Agreed

Determination 16	Co-optees to a JOSOC or to a sub committee are not eligible for a co-opted member fee unless they are appointed by an authority under Section 144(5) of the Measure.
CCS Comments	No Change. Agreed

Section 5 - Pension provision for Elected Members of Principal Councils

Determination 17	The entitlement to join the Local Government Pension Scheme (LGPS) shall apply to all eligible elected members of principal councils.
CCS Comments	No Change. Agreed

Section 6 – Entitlement to Family Absence

Determination 18	An elected member is entitled to retain a basic salary when taking family absence under the regulations irrespective of the attendance record immediately preceding the commencement of the family absence.
CCS Comments	No Change. Agreed

Determination 19	When a senior salary holder is eligible for family absence, he/she will continue to receive the salary for the duration of the absence.
CCS Comments	No Change. Agreed

Determination 20	It is a matter for the authority to decide whether or not to make a substitute appointment. The elected member substituting for a senior salary holder taking family absence will be eligible to be paid a senior salary, if the authority so decides.
CCS Comments	No change. Agreed

Determination 21	If the paid substitution results in the authority exceeding the maximum number of senior salaries which relates to it, as set out in the Panel's Annual Report, an addition to the maximum will be allowed for the duration of the substitution. However, this will not apply to the Isle of Anglesey or Merthyr Tydfil Councils if it would result in the number of senior salaries exceeding fifty percent of the Council membership. Specific approval of Welsh Ministers is required in such circumstances.
CCS Comments	No Change. Agreed
Determination 22	When an authority agrees a paid substitution for family absence, the Panel must be informed, within 14 days of the date of the decision, of the details including the particular post and the duration of the substitution.
CCS Comments	No Change. Agreed
Determination 23	The Council's schedule of remuneration must be amended to reflect the implication of the family absence.
CCS Comments	No Change. Agreed

Section 7 - Payments to Members of National Park Authorities

Determinations 24-30 relate to the National Park Authorities. The Authority has no comments on those determinations.

Section 8 - Payments to Members of Welsh Fire and Rescue Authorities

Determinations 31-37 relate to the National Park Authorities. The Authority has no comments on those determinations.

Section 9 - Payments to Co-opted Members of Principal Councils, National Park Authorities and Fire and Rescue Authorities

Determination 38	Principal Councils, NPAs and FRAs must pay the following fees to Co-opted Members (who have voting rights)
CCS Comments	No Change. Agreed
Chairs of Standards, and Audit Committees	£256 (4 hours and over) £128 (up to 4 hours)
Ordinary members of Standards Committee who also Chair Standards Committees for Community / Town Councils	£226 daily fee (4 hours and over) £113 (up to 4 hours)
Ordinary members of Standards Committees; Education Scrutiny Committee, Crime and Disorder Scrutiny Committee and Audit Committee	£198 (4 hours and over) £99 (up to 4 hours)
Determination 39	Reasonable time for pre meeting preparation is eligible to be included in claims made by co-opted members the extent of which can be determined by the appropriate officer in advance of the meeting.
CCS Comments	No Change. Agreed
Determination 40	Travelling time to and from the place of the meeting can be included in the claims for payments made by co-opted members (up to the maximum of the daily rate).
CCS Comments	No Change. Agreed
Determination 41	The appropriate officer within the authority can determine in advance whether a meeting is programmed for a full day and the fee will be paid on the basis of this determination even if the meeting finishes before four hours has elapsed.
CCS Comments	No Change. Agreed

Determination 42	Meetings eligible for the payment of fees include other committees and working groups (including task and finish groups), pre-meetings with officers, training and attendance at conferences or any other formal meeting to which co-opted members are requested to attend.
CCS Comments	No Change. Agreed

Section 10 – Reimbursement of Costs of Care

Determination 43	All authorities must provide for the reimbursement of necessary costs for the care of dependent children and adults (provided by informal or formal carers) and for personal assistance needs up to a maximum of £403 per month. Reimbursement shall only be made on production of receipts from the carer.
CCS Comments	<p>The Authority welcomes the Panel’s change to use the term “reimbursement of costs of care” to replace care allowance, as a result of discussion with the WLGA leadership.</p> <p>The Authority shares the IRPW’s concerns that take up of the Care Allowance has been low and accepts that this is likely due to the sensitivity of the Allowance. The Authority therefore supports the IRPW proposal to amend “Annex 4: Publication of Remuneration – The Panel’s Requirements” of the Annual Report.</p> <p>This amendment would allow an Authority to either:</p> <ul style="list-style-type: none"> a) Publish the details of the amounts reimbursed to named Members; or b) Publish the total amount reimbursed by the Authority during the year but not attributed to any named Member. <p>However, the Authority is concerned that without support from the Information Commissioners Office (ICO), the Freedom of Information (FOI) Act could render this amendment meaningless as the Act could be used as a legislative tool forcing an Authority to release the information. The Authority suggests that the IRPW liaise with the ICO in order to seek formal guidance on this issue prior to it becoming an issue for an Authority.</p>

Section 11 – Sickness Absence for Senior Salary Holders

No Determination	The IRPW proposes to amend the Family Absence Regulations Framework to provide specific arrangements for Senior Salary Holders that are suffering long term sickness. The arrangements are set out within the IRPW Draft Annual Report.
CCS Comments	The Authority welcomes the Panel's proposals.

Section 12 – Reimbursement of Travel and Subsistence Costs when on Official Business

No Determination	No Change
CCS Comments	No Comment.

Section 13 - Payments to Members of Community and Town Councils

Determinations 44 - 51 relate to Community / Town Councils. The Authority has no comments on those determinations.

Appendix B

Senior & Civic Salary Levels 2017-2018 for members of principal councils including Current Levels (2016-2017)

Senior Salaries (inclusive of basic salary) - Group A Councils	Proposed 2017/18		Current 2016/17	
Band 1 Leader Deputy Leader	£53,100 £37,100		£53,000 £37,000	
Band 2 Executive Members (up to a maximum of 4 or 5 if no Deputy Leader) Other Executive Members (to statutory maximum)	Level 1	£32,100	Level 1	£32,000
	Level 2	£28,900	Level 2	£28,800
Band 3 Committee Chairs (if remunerated)	Level 1	£22,100	Level 1	£22,000
	Level 2	£20,100	Level 2	£20,000
Band 4 Leader of the Largest Opposition Group	£22,100		£22,000	
Band 5 Leader of Other Political Groups	£17,100		£17,000	

Civic Salaries (inclusive of basic salary)	Proposed 2017/18		Current 2016/17	
Responsibility Level	Civic Leader	Dep Civic Leader	Civic Leader	Dep Civic Leader
Level 1	£24,100	£18,100	£24,000	£18,000
Level 2	£21,600	£16,100	£21,500	£16,000
Level 3	£19,100	£14,100	£19,000	£14,000