



Report of the Head of Democratic Services

Council - 22 November 2018

Independent Remuneration Panel for Wales (IRPW) Draft Annual Report 2019-2020 - Consultation

Purpose:	To approve the recommendations of the Democratic Services Committee as the Authority's response to the Independent Remuneration Panel for Wales (IRPW) Draft Annual Report 2019-2020.
Policy Framework:	None.
Consultation:	Access to Services, Finance, Legal.
Recommendation(s):	The Democratic Services Committee recommended that: 1) The comments and observations as set out in Appendix A of the report form the Authority's formal response to the IRPW.
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1. Introduction

- 1.1 The Independent Remuneration Panel for Wales (IRPW) is tasked with setting the remuneration levels for Councils in Wales. Each year, they publish a Draft Annual Report which is circulated for consultation. The Draft Report may be viewed at <https://gov.wales/docs/dsjlg/publications/181002-irp-draft-report-en.pdf>. The consultation period closes on 27 November 2018. The final IRPW report will be published in February 2019.
- 1.2 This report sets out the determinations affecting the City and County of Swansea and proposes responses as necessary.
- 1.3 The Democratic Services Committee considered the Independent Remuneration Panel for Wales' Draft Annual Report 2019 at its meeting on 6

November 2018 and recommended that Council adopt its comments and observations as the Authority's formal response to the consultation.

2. Determinations within the IRPW Draft Annual Report 2019

- 2.1 The IRPW Draft Annual Report contains a number of determinations that don't affect the City and County of Swansea and are omitted from this report.
- 2.2 An "Extract of the Determinations of the IRPW Draft Annual Report and City and County of Swansea's Comments" is appended as **Appendix A**. The Appendix seeks to stimulate debate and ultimately a formal response to the IRPW consultation.

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 has proposed an increase of 1.97% to the Basic Salary in order to avoid further erosion in relation to average earning. The overall change proposed by the IRPW sees Civic Salaries and Senior Salaries ranging negatively and positively from (-7.13%) to 2.48%.
- 4.2 The total theoretical financial cost envelope as a result of these draft IRPW determinations is £22,152 and this will need to be fully reflected in future budgets from 2019-2020. The actual cost in any one year will depend upon who holds any of the Civic or Senior Salary Offices in year (i.e. where one Councillor might discharge two roles but only receive one higher allowance).
- 4.3 The IRPW determinations suggest a number of increases and decreases to a number of Salaries as outlined below:
- **Basic Salary.** £268 Increase per Councillor;
 - Senior Salaries:**
 - Band 1 (Leader & Deputy Leader). £800 Increase (Inclusive of £268);
 - Band 2 (Executive / Cabinet Members). £800 Increase (Inclusive of £268);
 - Band 3 (Committee Chairs). £268 Increase (Inclusive of £268);
 - Band 4 (Leader of Largest Opposition Group). £268 Increase (Inclusive of £268);
 - Band 5 (Leader of Other Political Groups). £268 Increase (Inclusive of £268);
 - Civic Salaries:**
 - Civic Salary (Civic Head). £1,732 Decrease.
 - Civic Salary (Deputy Civic Head). £732 Decrease.

5. Legal Implications

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

Background Papers: None.

Appendices:

Appendix A Extract of the Determinations of the IRPW Draft Annual Report and City and County of Swansea's Comments.

Appendix A

Extract of the Determinations of the IRPW Draft Annual Report 2019 and the City and County of Swansea's Comments

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

General Observations

1)	Use of the terms "Elected Member" and "Elected Members. The Authority suggests that the terms "Councillor" and "Councillors" be used instead, to make the document more user friendly for the public.
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Section 3 - Payments to Elected Members of Principal Councils: Basic, Senior and Civic Salaries

Determination 1	Basic salary in 2019/20 for elected members of principal councils shall be £13,868.
Comments	This is a rise of £268 per Councillor. No comment.

Determination 2	The Panel has determined that senior salary levels in 2019/20 for members of principal councils shall be as set out in Table 4 (of the IRPW Report). <i>The proposed and current levels are outlined below for ease.</i>
Comments	Senior Salaries include the Basic Salary element. They have all raised by £268 in line with Determination 1. However Senior Salary Payments in Band 1 and Band 2 have increased by £800 per Councillor (Inclusive of the £268 Basic Salary amount quoted above). There has been no further change to Senior Salaries. No comment. Determination 2 of the IRPW would have the following effect:

Senior Salaries (inclusive of basic salary) - Group A Councils	Current 2018/19	Proposed 2019/20
Band 1		
Leader	£53,300	£54,100
Deputy Leader	£37,300	£38,100
Band 2		
Executive Members	£32,300	£33,100
Band 3		
Committee Chairs (if remunerated)	£22,300	£22,568
Band 4		
Leader of the Largest Opposition Group	£22,300	£22,568
Band 5		
Leader of Other Political Groups	£17,300	£17,568

Determination 3	The Panel has determined that (where paid) a Civic Head must be paid a Band 3 salary of £22,568 and (where paid) a Deputy Civic Head must be paid a Band 5 salary of £17,568.
Comments	Civic Salaries include the Basic Salary element. They have all raised by £268 in line with Determination 1. There were formally 3 Responsibility Levels set for Civic Salaries; however following feedback from Council's the IRPW have agreed to remove these. They are now replaced by single fixed payment which is lower than the current Level 1 which this Authority pays. This determination would lead to the Civic Head (Lord Mayor) seeing a £1,732 reduction and the Deputy Civic Head (Deputy Lord Mayor) seeing a £732 reduction. No comment.

Civic Salaries (inclusive of Basic Salary)	Current 2018/19		Proposed 2019/20	
Responsibility Level	Civic Leader	Dep Civic Leader	Civic Leader	Dep Civic Leader
	£24,300	£18,300	£22,568	£17,568

Determination 4	The Panel has determined that, where appointed and if remunerated, a Presiding Member must be paid a Band 3 senior salary of £22,568.
Comments	This determination does not alter the salary of a paid Presiding Member other than the element of £268 included in the Basic Salary. The Presiding Member within the City and County of Swansea is not remunerated. No comment.

Determination 5	The Panel has determined that the post of Deputy Presiding Member will not be remunerated.
Comments	No Change. Agreed.

Determination 6	The Panel has determined that each Authority, through its Democratic Services Committee, must ensure that all its Elected 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, email and internet facilities giving and electronic access to appropriate information.
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.
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.
Comments	No Change. Agreed.

Section 5 - Pension provision for Elected Members of Principal Councils

Determination 9	The entitlement to join the Local Government Pension Scheme (LGPS) shall apply to all eligible elected members of principal councils.
Comments	No Change. Agreed.

Section 6 – Entitlement to Family Absence

Determination 10	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.
Comments	No Change. Agreed.

Determination 11	When a senior salary holder is eligible for family absence, they will continue to receive the salary for the duration of the absence.
Comments	No Change. Agreed.

Determination 12	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.
Comments	No Change. Agreed.

Determination 13	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.
Comments	No Change. Agreed.

Determination 14	When a Council 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.
Comments	No Change. Agreed.

Determination 15	The Council's schedule of remuneration must be amended to reflect the implication of the family absence.
Comments	No Change. Agreed.

Section 7 - Payments to Members of National Park Authorities

Determinations 16-22 relate to Members of National Park Authorities. The Authority does not have any Councillors that are Members of National Park Authorities. No comment.

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

Determination 23	The basic salary for FRA ordinary members shall be £1,780.
Comments	There are 7 Swansea Councillors that are Members of Welsh Fire and Rescue Authorities. This determination would lead to an increase of £35 per Councillor. No comment.
Determination 24	The senior salary of the Chair of an FRA shall be £10,480.
Comments	This determination would lead to an increase of £35 per Councillor. No comment.
Determination 25	An FRA senior salary can be paid to the Deputy Chair and up to two Chairs of committees where there is significant and sustained responsibility. This shall be paid at £5,480.
Comments	This determination would lead to an increase of £35 per Councillor. No comment.
Determination 26	The Panel has determined to include a provision for FRAs to apply for specific or additional senior salaries that do not fall within the current Remuneration Framework.
Comments	No Change. Agreed.
Determination 27	Members must not receive more than one FRA senior salary.
Comments	No Change. Agreed.
Determination 28	An FRA senior salary is paid inclusive of the FRA basic salary and must reflect significant and sustained responsibility.
Comments	No Change. Agreed
Determination 29	Members of a principal council in receipt of a Band 1 or Band 2 senior salary cannot receive a salary from any FRA to which they have been nominated.
Comments	No Change. Agreed.

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

Determination 30	Principal Councils, NPAs and FRAs must pay the following fees to Co-opted Members (who have voting rights)
Comments	The Authority welcomes the amendment in the table below which clarifies that a payment can only be made to Community / Town Councillors sitting on Principal Council Standards Committees. 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)
Community and Town Councillors sitting on Principal Council Standards Committees	£198 (4 hours and over) £99 (up to 4 hours)

Determination 31	Reasonable time for pre meeting preparation is 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.
Comments	Minor change aimed at strengthening the determination. Agreed.

Determination 32	Travelling time to and from the place of the meeting is to be included in the claims for payments made by co-opted members (up to the maximum of the daily rate).
Comments	Minor change aimed at strengthening the determination. Agreed.

Determination 33	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.
Comments	No Change. Agreed.

Determination 34	Fees must be paid for meetings and other activities including 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.
Comments	Minor change aimed at strengthening the determination. Agreed.

Determination 35	The Panel has determined that each authority, through its Democratic Services Committee or other appropriate committee, must ensure that all voting co-opted members are given as much support as is necessary to enable them to fulfil their duties effectively. Such support should be without cost to the individual member.
Comments	This is a new determination aimed at ensuring that Co-opted Members receive appropriate support from the Authority in the same way that a Councillor would. The Authority already complies with this determination. Agreed.

Section 10 – Reimbursement of Costs of Care

Determination 36	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 must be for the additional costs incurred by members in order for them to carry out their approved duties. Reimbursement shall only be made on production of receipts from the carer.
Comments	No Change. Agreed.

Section 13 - Payments to Members of Community and Town Councils

Determinations 37-45 relate to Community / Town Councils. They are listed below for information only. No Comment.

Determination 37	All community and town councils must make available a payment to each of their members of £150 per year as a contribution to costs and expenses.
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Determination 38	Community and town councils in Group A must make available an annual payment of £500 each to a minimum of 1 and a maximum of 5 members in recognition of specific responsibilities. This is in addition to the £150 payment for costs and expenses.
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Determination 39	Community and town councils in Groups B or C can make an annual payment of £500 each to up to 5 members in recognition of specific responsibilities. This is in addition to the £150 payment for costs and expenses.
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Determination 40	<p>Community and town councils can make payments to each of their members in respect of travel costs for attending approved duties. Such payments must be the actual costs of travel by public transport or the HMRC mileage allowances as below:</p> <ul style="list-style-type: none"> • 45p per mile up to 10,000 miles in the year. • 25p per mile over 10,000 miles. • 5p per mile per passenger carried on authority business. • 24p per mile for private motor cycles. • 20p per mile for bicycles.
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Determination 41	<p>If a community or town council resolves that a particular duty requires an overnight stay, it can authorise reimbursement of subsistence expenses to its members at the maximum rates set out below on the basis of receipted claims:</p> <ul style="list-style-type: none">• £28 per 24-hour period allowance for meals, including breakfast where not provided.• £200 - London overnight.• £95 - elsewhere overnight.• £30 - staying with friends and/or family overnight.
Determination 42	<p>Community and town councils can pay financial loss compensation to each of their members, where such loss has actually occurred, for attending approved duties as follows:</p> <ul style="list-style-type: none">• Up to £54.00 for each period not exceeding 4 hours.• Up to £108.00 for each period exceeding 4 hours but not exceeding 24 hours.
Determination 43	<p>All community and town councils 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 must be for the additional costs incurred by members in order for them to carry out their approved duties. Reimbursement shall only be made on production of receipts from the carer.</p>
Determination 44	<p>Community and town councils can provide a Civic Head payment to the mayor/chair of the council up to a maximum of £1,500. This is in addition to the £150 payment for costs and expenses and the £500 senior salary if these are claimed.</p>
Determination 45	<p>Community and town councils can provide a Deputy Civic Head payment to the deputy mayor/deputy chair of the council up to a maximum of £500. This is in addition to the £150 payment for costs and expenses and the £500 senior salary if these are claimed.</p>