



Report of the Head of Democratic Services

Council – 7 July 2022

Contribution Towards Costs of Care & Personal Assistance (CPA)

Purpose:	To promote the Independent Remuneration Panel for Wales' (IRPW) determination in relation to the Contribution towards Costs of Care & Personal Assistance (CPA) and to encourage take up of the contribution.
Policy Framework:	None.
Consultation:	Access to Services, Finance, Legal.
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For Information	

1. Introduction

- 1.1 The Independent Remuneration Panel for Wales (IRPW) is tasked with setting the remuneration levels for Councils in Wales. Their Annual Report may be viewed at <https://gov.wales/independent-remuneration-panel-wales>
- 1.2 Since the inception of the IRPW in January 2008, each of its Annual Reports has had a Section relating to Care. The aim being to assist Councillors and Statutory Co-opted Members with any caring responsibilities to enable them to carry out their Council related duties.
- 1.3 Council related duties include carrying out Electoral Ward Work; Reading Agenda prior to a Meeting, Attending a Meeting etc., together with Approved Duties.

2. Independent Remuneration Panel for Wales (IRPW) - Contribution towards Costs of Care & Personal Assistance (CPA)

- 2.1 The Contribution towards Costs of Care & Personal Assistance (CPA) is to enable people who have personal support needs and or caring responsibilities to carry out their duties effectively as a member of an authority.
- 2.2 The IRPW believes that additional costs of care required to carry out approved duties should not deter any individual from becoming and remaining a member of an authority or limit their ability to carry out the role.
- 2.3 The IRPW has adopted specific principles related to support for the costs of care which were the subject of a Supplementary Report published in February 2020. <https://gov.wales/sites/default/files/publications/2020-05/supplementary-report-2020.pdf>
- 2.4 The specific principles may be viewed at <https://gov.wales/independent-remuneration-panel-wales-annual-report-2022-2023-html#table8>
- 2.5 The IRPW reviewed the arrangements for this financial support and made the following changes:
- As payments are taxable under the current HMRC rules, full reimbursement is not possible so for clarity this is retitled to “contribution towards the costs of care and personal assistance”. It will still require receipts to accompany claims.
 - Claims can be made in respect of a dependant under 16 years of age, or a minor or adult who normally lives with the member as part of their family and who cannot be left unsupervised.
 - Reimbursement may be claimed for member’s own care or support needs where the support and/or cost of any additional needs are not available or are not met directly by the authority such as Access to Work, Personal Independence Payments, insurance. These could arise when the needs are recent and or temporary.
- 2.6 Councillors & Co-opted Members are entitled to claim towards the Costs of Care and Personal Assistance, for activities that the individual Council has designated official business or an approved duty which might include appropriate and reasonable preparation and travelling time. It is a matter for individual authorities to determine specific arrangements to implement this. Each authority must ensure that any payments made are appropriately linked to official business or approved duty.
- 2.7 For clarification, Care Costs cannot be paid to someone who is a part of a Member’s household.

2.8 In respect of the publication of the contribution towards Costs of Care and Personal Assistance, relevant authorities are only required to publish the total amount reimbursed during the year. It is a matter for each authority to determine its response to any Freedom of Information requests it receives. However, it is not intended that details of individual claims should be disclosed.

2.9 The IRPW determination in their 2022-2023 Annual Report:

“Determination 43: All relevant authorities must provide a payment towards necessary costs for the care of dependent children and adults (provided by informal or formal carers) and for personal assistance needs as follows:

- *Formal (registered with Care Inspectorate Wales) care costs to be paid as evidenced.*
- *Informal (unregistered) care costs to be paid up to a maximum rate equivalent to the Real Living Wage [hourly rates as defined by the Living Wage Foundation](#) at the time the costs are incurred.*

This must be for the additional costs incurred by members to enable them to carry out official business or approved duties. Each authority must ensure that any payments made are appropriately linked to official business or approved duty. Payment shall only be made on production of receipts from the care provider.”

3. Diversity in Democracy

3.1 Contributions towards Costs of Care & Personal Assistance will assist those Councillors and Statutory Co-opted Members with caring responsibilities. This in turn may help to increase diversity in democracy by encouraging people to stand as candidates as the caring responsibility barrier is removed.

3.2 The IRPW believe that *“Democracy is strengthened when the membership of Local Authorities adequately reflects the demographic and cultural make-up of the communities such Authorities serve. The Panel will always take in to account the contribution its Framework can make in encouraging the participation of those who are significantly under-represented at Local Authority level.”*

3.3 The IRPW has continued to contribute to enhancing Diversity in Local Government in Wales through its determinations. They produced a leaflet for prospective candidates on the Remuneration of Members of Councils. This may be viewed at <https://gov.wales/payments-elected-members/principal-councils>.

3.4 The IRPW have also produced a short video entitled [Ever thought about being a Welsh councillor?](#). This may be viewed at <https://www.youtube.com/watch?v=h3o0eKrX2Ds&feature=youtu.be>

4. Promoting Take up of the Contributions towards Costs of Care & Personal Assistance

- 4.1 The IRPW found that very few Councillors / Co-opted Members were utilising the Contribution towards Costs of Care & Personal Assistance.
- 4.2 The report aims to promote this provision so that those with caring responsibilities are encouraged to claim.
- 4.3 The Head of Democratic Services has designed a Contribution towards Costs of Care & Personal Assistance “Claim Form” and a “Receipt” which are aimed at making the process simpler for Councillors and Co-opted Members. These forms are available on request from the Democratic Services Team.

5. Integrated Assessment Implications

- 5.1 The Council is subject to the Equality Act (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure, and must in the exercise of their functions, have due regard to the need to:
- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Acts.
 - Advance equality of opportunity between people who share a protected characteristic and those who do not.
 - Foster good relations between people who share a protected characteristic and those who do not.
 - Deliver better outcomes for those people who experience socio-economic disadvantage.
 - Consider opportunities for people to use the Welsh language.
 - Treat the Welsh language no less favourably than English.
 - Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.
- 5.2 The Well-being of Future Generations (Wales) Act 2005 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the ‘well-being goals’.
- 5.3 Our Integrated Impact Assessment (IIA) process ensures we have paid due regard to the above. It also takes into account other key issues and priorities, such as poverty and social exclusion, community cohesion, carers, the United Nations Convention on the Rights of the Child (UNCRC) and Welsh language.
- 5.4 An IIA screening has been undertaken and no adverse implications have been noted.

6. Financial Implications

- 6.1 Providing a Councillor / Co-opted Member meets the requirement to claim for a Contribution towards Costs of Care & Personal Assistance, they are entitled to claim as outlined above. Potentially, 87 people (75 Councillors & 12 Statutory Co-optees) able to claim; however, history show that only a small number claim. It is difficult to estimate the costs involved; however, it is assumed that it will be manageable within existing budget.

7. Legal Implications

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

Background Papers: None.

Appendices: None