



City and County of Swansea

Notice of Meeting

You are invited to attend a Meeting of the

Democratic Services Committee

At: Multi-Location Meeting - Gloucester Room, Guildhall / MS Teams

On: Monday, 7 November 2022

Time: 4.00 pm

Chair: Councillor Lynda James

Membership:

Councillors: P N Bentu, A Davis, M Durke, K M Griffiths, J A Hale, M Jones, E T Kirchner, W G Lewis, P N May, J D McGettrick, B J Rowlands and L V Walton

Watch Online: <https://bit.ly/3eFS7jJ>

Agenda

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3 Minutes. To approve & sign the Minutes of the previous meeting(s) as a correct record.	1 - 3
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Next Meeting: Monday, 6 March 2023 at 4.00 pm

A handwritten signature in black ink that reads 'Huw Evans'.

Huw Evans
Head of Democratic Services
Monday, 31 October 2022

Contact: Democratic Services - (01792) 636923

Agenda Item 3



City and County of Swansea

Minutes of the **Democratic Services Committee**

Multi-Location Meeting - Gloucester Room, Guildhall / MS

Teams

Monday, 11 July 2022 at 4.00 pm

Present: Councillor L James (Chair) Presided

Councillor(s)

P N Bentu
M Jones
J D McGettrick

Councillor(s)

A Davis
W G Lewis
B J Rowlands

Councillor(s)

J A Hale
P N May
L V Walton

Officer(s)

Allison Lowe
Huw Evans
Debbie Smith

Democratic Services Officer
Head of Democratic Services
Deputy Chief Legal Officer

Apologies for Absence

Councillor(s): Nil

1 Election of Vice Chair for the Municipal Year 2022-2023.

Resolved that Councillor Wendy Lewis be elected Vice Chair for the Municipal Year 2022-2023.

2 Disclosures of Personal and Prejudicial Interests.

In accordance with the Code of Conduct adopted by the City & County of Swansea, no interests were declared.

3 Minutes.

Resolved that the Minutes of the Democratic Services Committee held on 14 February 2022 be approved and signed as a correct record.

4 What is the Democratic Services Function? (For Information)

The Head of Democratic Services provided a "For Information" report to give context to the Democratic Services Function, the Head of Democratic Services and the Democratic Services Committee.

5 Democratic Services Committee Annual Report 2021-2022.

The Head of Democratic Services provided the Democratic Services Committee with the Annual Report 2021-2022 for the period 20 May 2021 to 23 May 2022. The report outlined the work of the Democratic Services Committee during that period.

Resolved that the report be forwarded to Council for information.

6 Review of Councillors Induction & Training Programme 2022.

The Head of Democratic Services presented a report in order to review the Councillors Induction & Training Programme 2022.

He outlined the Councillors Induction & Training Programme 2022 which was outlined at Appendix A, together with details of the Market Place Event, outlined at Appendix B.

Comments from the Committee were mainly supportive, and whilst it was a very busy programme, it was acknowledged training had to be delivered as soon as Councillors were elected.

Positives comments mainly focussed on the Market Place Event, which was deemed a resounding success, with many suggesting the time of this event could have been extended or another session scheduled. In relation to the training programme it was pleasing that presentations had been circulated following the sessions for Councillors to refer back to and that at least 2 sessions on different days / times had been provided.

Negatives comments included the fact that some of the sessions were too long, 60-90 minutes should be the maximum. Most sessions were delivered by powerpoint, without many other options. More interactive sessions would have been more engaging. Some of the sessions were too complex, with not enough of the basics being delivered. Often slides were read out by officers as if they were imparting knowledge rather than training.

Other comments included a request for Emergency planning protocol refresher training in respect of Councillors role in an emergency. Practical information for new members would have been useful eg attending meetings for the first time, the process of going through an agenda, how to vote, the cabinet system, how to manage casework. It was acknowledged however, that subject matter experts were not trainers.

The Committee were disappointed that not all Councillors had attended the training provided, including mandatory training. The Head of Democratic Services explained that the Local Government & Elections (Wales) Act 2021 now placed a duty on Group Leaders to ensure they monitored Councillor training attendance. A further report providing more detail would be provided to the next Democratic Services Committee.

The Head of Democratic Services would contact Councillors to establish whether they would be interested in attending basic Committee training which could be delivered on a group or 1-2-1 session basis. Alternative Market Place events would also be considered, such as Departmental or Team sessions.

Resolved that the above comments be utilised in order to form the next Induction Programme for 2027.

7 Workplan 2022-2023. (Verbal)

The Head of Democratic Services sought items for the Committee to consider during the 2022-2023 Municipal Year:

The following items were suggested:

- Councillor Training (beyond Induction);
- Revisit the Induction Programme – attendance / lessons learnt;
- Multi-location Meetings;
- Timings of Meetings survey - this would be circulated to all Councillors in January 2023;

Resolved that the following items be included in the Work Plan for 2022-2023:

- Councillor Training (beyond Induction);
- Revisit the Induction Programme – attendance / lessons learnt;
- Multi-location Meetings;
- Timings of Meetings Survey.

The meeting ended at 4.49 pm

Chair

Agenda Item 4



Report of the Head of Democratic Services

Democratic Services Committee – 7 November 2022

Timing of Council Meetings - Survey

Purpose:	To discuss the Timing of Council Meetings – Survey prior to it being circulated to Councillors later in 2022.
Policy Framework:	None.
Consultation:	Access to Services, Finance, Legal.
Recommendation(s):	It is recommended that: 1) The Timing of Council Meetings Survey be agreed.
Report Author:	Huw Evans
Finance Officer:	Ben Smith
Legal Officer:	Tracey Meredith
Access to Services Officer:	Rhian Millar

1. Introduction

- 1.1 Section 6 of the Local Government (Wales) Measure 2011 requires the Authority to undertake a survey of Councillors regarding the timing and frequency of Council meetings at least once during each term of administration. The Local Government (Wales) Measure 2011 - Statutory Guidance is attached as **Appendix A**.
- 1.2 Following the Local Government Elections in May 2022, the Head of Democratic Services chose to delay the Timing of Meetings survey until late 2022 / early 2023 to allow those newly elected Councillors time to understand the requirements of being a Councillor and its time commitment. The Head of Democratic Services plans to conduct the survey later in 2022.

2. Councillor Timing of Council Meetings Survey

- 2.1 The Councillors Timing of Council Meetings Survey seeks agreement for meeting to be held at times, intervals and locations which are convenient to its members and as far as is practicable have regard to equality and diversity issues. Although this process could result in long-serving

Councillors having to make changes to their pattern of working that would be worth doing if it meant that the Council was better able to retain new Councillors with outside responsibilities.

- 2.2 Issues to be considered in conducting a survey could include:
- i) Whether daytime or evening meetings are preferred.
 - ii) Whether times cause difficulties for Councillors with characteristics, such as age, gender, religion, having caring responsibilities or being in employment.
- 2.3 As a result of the survey, local authorities should also consider whether there may be advantages to rotating meeting times due to an impossibility of pleasing all their members all the time. Any such arrangements will, of course, need to be clearly publicised for the benefit of interested members of the public.
- 2.4 The questions used in the 2017 survey are set out in **Appendix B**.
- 2.5 The Committee is asked to consider the questions to assist with the creation of the 2022 survey.
- 2.6 The outcomes of the survey will be considered by the Democratic Services Committee in due course and a recommendation made to Council.

3. Integrated Assessment Implications

- 3.1 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.
- 3.2 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'.

3.3 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.

3.4 An IIA screening has been undertaken and no adverse implications have been noted.

4. Financial Implications

4.1 Any financial implications will be funded within existing budget.

5. Legal Implications

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

Background Papers: None.

Appendices:

Appendix A Local Government (Wales) Measure 2011 - Statutory Guidance
Appendix B Timings of Council Meetings Survey - 2017

Local Government (Wales) Measure 2011 – Statutory Guidance

Chapter 1. Timing of Council Meetings

- 1.1 Part 1 of the Measure contains provisions related to the strengthening of local democracy. More specifically, Chapter 1 of this Part deals with “promoting and supporting membership of local authorities” and section 6 relates to the timing of meetings.
- 1.2 These provisions flowed from proposals developed in the report of the Councillor Commission Expert Panel *Wales Are We Being Served?* published in 2009. It included several recommendations aimed at making local government service more attractive to a more diverse cross-section of the adult population. These included laying greater emphasis on the roles of “backbench” councillors, including through the introduction of remote access to council meetings, a review of councillors’ time commitments, a bi-annual survey to establish councillors’ support needs and engaging with employers to try and attract more candidates from the employed workforce.
- 1.3 In this context, the times at which meetings of the local authority take place is of considerable significance as it can affect the extent to which individuals may contemplate standing for election.
- 1.4 This is statutory guidance issued in accordance with section 6 (1) of the Measure. By virtue of section 6 (2) of the Measure, local authorities must have regard to this guidance in respect of the times and intervals at which meetings of a local authority are held. The relevant meetings in the context of this guidance are meetings of the full council and any committee or sub-committee of the council.
- 1.5 Only members of council executives are considered to be “full-time” Councillors, and this is reflected in the levels of payments that they are currently entitled to for their special responsibilities. By contrast, non-executive members are considered to undertake the equivalent of a part-time role, which will, in many cases, need to be fitted around whatever other commitments councillors may have.
- 1.6 The Expert Panel found that, although many councillors are retired, others had difficulty in marrying their work commitments with those of their council duties, or, in other cases, did so at the expense of any meaningful personal time.
- 1.7 For many prospective councillors in full-time employment, the extent to which their employers are supportive of their new commitment is a vital concern. Although employment legislation entitles councillors to time off for public duties, operating that in practice may be more difficult.

- 1.8 The timing and frequency of meetings is the most problematic issue in this respect. Other duties may be fulfilled at times which suit the individual, but a meeting is at a set time and (subject to any arrangements made for remote attendance) at a set venue.
- 1.9 It is neither practical nor desirable for the Welsh Government to prescribe the times and frequency of meetings of the full council, committees and sub-committees as these are matters for each local authority to consider in individual circumstances. However, it is important that local authorities do not simply continue to hold their meetings at the same time as they always have done simply out of inertia. What may have been tradition or an arrangement which suited the previous generation of councillors will not necessarily serve the interests of the new intake.
- 1.10 All local authorities should review the times at which meetings are held at least once in every term, preferably shortly after the new council is elected. The rule of thumb should be that meetings will be held at times, intervals and locations which are convenient to its members and as far as is practicable have regard to equality and diversity issues. Councils should find ways of surveying their members, at least after each election, to assess their preferences and should be committed to act on the conclusions. The survey should be carried out within three months of ordinary elections. It will be for each authority to decide on the regularity of such surveys.
- 1.11 Although this process could result in long-serving councillors having to make changes to their pattern of working that would be worth doing if it meant that the council was better able to retain new councillors with outside responsibilities.
- 1.12 Issues to be considered in conducting a survey could include:
- Whether daytime or evening meetings are preferred.
 - Whether times cause difficulties for councillors with characteristics, such as age, gender, religion, having caring responsibilities or being in employment.
- 1.13 As a result of the survey, local authorities should also consider whether there may be advantages to rotating meeting times due to an impossibility of pleasing all their members all the time. Any such arrangements will, of course, need to be clearly publicised for the benefit of interested members of the public.

Timings of Council Meetings Survey

1. Do you prefer Morning, Afternoon, Evening, or meetings at any time? (*xx Responses*)

Morning	Afternoon	Evening	Anytime

2. What times are you available for Morning, Afternoon and Evening Committee meetings (Not Council)? (Please tick all that apply)

Morning (*xx Responses*)

08.00	09.00	10.00	Other (Give Time)

Afternoon (*xx Responses*)

14.00	15.00	16.00	Other (Give Time)

Evening (*xx Responses*)

17.00	17.30	18.00	Other (Give Time)

3. Do you have difficulty in attending a meeting at a specific day or time? If yes, what are those day(s) / time(s)?

4. What issues do you have that causes those difficulties? (e.g., Age, Gender, Religion, Having Caring Responsibilities or being in employment?)

5. What times are you available for Council Meetings? (Please tick all that apply).

Morning (*xx Responses*)

08.00	09.00	10.00	Other (Give Time)

Afternoon (*xx Responses*)

14.00	15.00	16.00	Other (Give Time)

Evening (*xx Responses*)

17.00	17.30	18.00	Other (Give Time)

6. What weekdays are you available to attend Meetings? (Please tick all that apply).

Monday	
Tuesday	
Wednesday	
Thursday	
Friday	

Agenda Item 5



Report of the Head of Democratic Services

Democratic Services Committee – 7 November 2022

Councillors Annual Report

Purpose:	To inform Councillors of their right to produce a Councillors Annual Report.
Policy Framework:	None.
Consultation:	Access to Services, Finance, Legal.
Recommendation(s):	It is recommended that: 1) The report be noted and circulated to all Councillors.
Report Author:	Huw Evans
Finance Officer:	Ben Smith
Legal Officer:	Tracey Meredith
Access to Services Officer:	Rhian Millar

1. Introduction

- 1.1 Section 5 of the Local Government (Wales) Measure 2011 contains provisions intended to strengthen local democracy. Section 5 requires each Local Authority to ensure that their Councillors can make an Annual Report on their Council activities during the previous year and Cabinet Members to report on their Executive duties. This information is to be published on the Authority's website.
- 1.2 The Authority has arrangements in place allowing Councillors to produce Annual Reports; however, it is a personal matter for Councillors whether they wish to publish an Annual Report.
- 1.3 The Authority has placed a link to a Councillors Annual Report from the Authority's website detailing information on individual Councillors. Councillors Annual Reports may be viewed at www.swansea.gov.uk/councillors

2. Councillor Annual Report Templates

- 2.1 The Statutory Guidance relating to Councillors Annual Reports is set out in **Appendix A**. The Guidance states that Annual Reports should avoid promoting political achievements, be written in the past tense, and limited to 2 sides of A4.

The Authority limits a Councillor in receipt of a Civic or Senior Salary to 3 sides of A4 to allow them space to outline their special responsibility work.

- 2.2 The Guidance states that “*Annual Reports might be expected to include Role and responsibilities (membership of internal and external committees, panels, groups, and organisations); Constituency Activity; Initiatives and Special Activities, Learning & Development; and Other Activities*”.
- 2.3 The Councillor Annual Report Template is set out in **Appendix B**. Basic Salary Councillors are permitted 2 x Sides of A4 whilst Civic / Senior Salary Councillors are permitted 3 x Sides of A4.
- 2.4 Section 2 “Councillor Attendance at selected Council Body Meetings” and Section 5 “Learning and Development” are populated with a relevant weblink by the Democratic Services Team.
- 2.5 As Section 2 “Councillor Attendance at selected Council Body Meetings”, Section 5 “Learning and Development” and Section 7 “Councillors Remuneration” will be prepopulated, the Democratic Services Team publish the Councillors Annual Reports in June / July each year regardless of whether a Councillor has completed the other sections. The rationale behind this being that the relevant sections of interest to the public will be listed.

3. Guidance to Councillors on Producing Annual Reports

- 3.1 These are some quick tips to assist Councillor in producing Councillor Annual Reports.
 - 1) The Authority has defined the Annual Report to run for a Municipal Year i.e., from the Annual Meeting of Council until the day before the next one.
 - 2) Content must be in the past tense.
 - 3) Max of 2 sides of A4 for a Basic Salary Councillor.
 - 4) Max of 3 sides of A4 for a Civic or Senior Salary Councillor.
 - 5) Content must avoid promoting political achievements.
 - 6) Councillors are advised to compile their Annual Reports throughout the year, as it is so easy to forget the work carried out.
 - 7) Annual Reports should be published in May, June, or July. Although late additions are permissible.
 - 8) Councillor Annual Reports will be translated into Welsh and English prior to being published online.

4. Integrated Assessment Implications

- 4.1 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.

4.2 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'.

4.3 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.

4.4 An IIA screening has been undertaken and no adverse implications have been noted.

5. Financial Implications

5.1 Any financial implications will be funded within existing budget.

6. Legal Implications

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

Background Papers: None.

Appendices:

Appendix A	Statutory Guidance relating to Councillors Annual Reports
Appendix B	Councillor Annual Report Template



Statutory Guidance from the Local Government Measure 2011

Section 5 Annual Reports

May 2013

Annual Reports by Members of a Local Authority

Statutory Guidance made under Section 5 of the Local Government (Wales) Measure 2011

Introduction

1.1 Part 1 of the Local Government (Wales) Measure 2011 (“the Measure”) contains provisions intended to strengthen local democracy. Chapter 1 of that Part concerns the support provided to members of a local authority and section 5 within that chapter provides for the production of annual reports for these members.

1.2 This statutory guidance is issued under section 5(4) of the Measure. The guidance relates to local authorities making arrangements for the production of annual reports.

What the Measure requires.

1.3 Section 5 requires county and county borough councils (local authorities) to ensure that all their elected members are able to make an annual report on their council activities during the previous year. This includes enabling any member of the council’s executive to be able to report on their executive activities also. Any reports produced by members of a county or county borough council must be published by that council.

A local authority is free to set conditions/limits on what is included in a report.

A local authority must publicise what arrangements it has for publishing annual reports and in drawing up these arrangements must have regard to this guidance in so doing.

Guidance

Duties of a local authority

1.4 A local authority must make the arrangements enabling its members to produce annual reports. This means it must tell its members how and by when to do this. The Measure, at section 8 *et seq*, provides for a Head of Democratic Services (HDS) to carry out democratic services functions as defined in section 9. This includes the provision of support and advice to members to assist them in the carrying out of their functions and organisation of the annual report process would fall within this. The Measure prevents the HDS from providing support and advice to a member of an executive in relation to the carrying out of that member’s executive functions, but production of an annual report, even if it made reference to the member’s executive activities, is not an executive function in itself.

Publication of reports

1.5 How a local authority decides to publish Members annual reports is a matter for that authority to decide upon. The minimum requirement would be for the authority to include a link to a member's annual report on that part of the authority's website which carries details of individual members. There is no requirement for any publicity beyond this, and authorities should be careful that, if they decide to provide any further publicity for the reports, the same provision is provided for all members. Therefore, should a member request that his/her report is given any greater publicity, that request should be declined unless carried out in respect of all members.

Local authorities should ensure also that their website includes information about the introduction of annual reports and how members of the public can access them.

Content of reports

1.6 The central purpose of the reports is for members of the public to find information about their local councillor's activity.

In considering its approach a local authority should have regard to the resource implications of supporting all local Members to prepare for publication of their annual report. In order to contain the scale of the task, an authority may wish to create a standard annual report template that acknowledges the need to strike a balance between resources and output, whilst taking into account the requirements of the Data Protection Act.

Local Authorities should ensure that Annual reports avoid promoting political achievements, are written in the past tense, and limit the report template to two sides of A4.

The template for Members Annual Reports might be expected to include; Role and responsibilities (membership of internal and external committees, panels, groups and organisations); Constituency Activity; Initiatives and Special Activities, Learning & Development; and Other Activities.

1.7 Local authorities may place their own restrictions on content in reports. Annual reports should include only factual information. In the main that would suggest information on meetings, events and conferences etc. attended, training and development received. While it might be acceptable to record information such as "made representations on behalf of the campaign to save the local hospital in the following ways", it would not be acceptable to say "succeeded in saving local hospital by my efforts on my constituents' behalf".

1.8 Similarly, care should be taken to avoid including in reports information concerning activities when the member concerned is not operating in the role of councillor. So, whereas it would be acceptable to include information concerning,

for instance, a speech made at a conference where the member was attending because of their council role, it would not be acceptable to refer to a speech made to, for instance, a Party conference, where the member was a delegate from their local party organisation.

1.9 Care should also be taken not to include information which could be interpreted as critical of another member. For instance, it would not be acceptable for a member to compare his/her attendance or activities with that of another member or members.

1.10 The following areas are proposed as standard items to be included:

- Role and responsibilities – to include details of membership of committees and outside bodies, attendance records for these and full council.
- Local activity – details of surgeries held, representations made on behalf of electors and the results of these
- Major projects – involvement in local, county or regional initiatives or projects.
- Learning and development – details of training and development events attended or undertaken, conferences and seminars attended.

Appendix B

City & County of Swansea - Councillor's Annual Report – 20xx-20xx

This Councillor's Annual Report outlines their activities over the year ending **xx May 2023**. It is provided for the information of all constituents and for no other purpose. The views expressed in this report are those of the Councillor and do not necessarily reflect the views of the City and County of Swansea.

Councillor:		Electoral Ward:	
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Civic / Senior Salary Position (if applicable):	
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Section 1: Constituency activities

This section covers your activities on behalf of your constituents. Please list, or comment on, such activities as, the number of surgeries you have held and other support given to constituency initiatives. If there have been major campaigns please list these in Section 4.

Section 2: Councillor attendance at selected Council body meetings

Attendance at Council body meetings is only one of the important elements of a Councillor's duties. Councillors are also active by holding surgeries, attending meetings, and dealing with general electoral ward enquiries.

Web Link provided by DS Team.

Section 3: Councillors role and responsibilities

This section covers Council responsibilities, e.g. Committees not listed in 2 above. Please list positions of responsibility you have held during the year. Attendance at non Council recorded meetings may be included here too.

Appendix B

City & County of Swansea - Councillor's Annual Report – 20xx-20xx

Section 4: Initiatives and Special activities

This section covers major initiatives or special projects carried out on behalf of constituents or the City & County of Swansea. For example you may have been involved in, or even headed, a working party or action group to study or report on some major activity. Please give a summary of the activity, the work involved and, if concluded, the outcome.

Section 5: Learning and Development

This section covers the special knowledge or skills that you bring to the role of Councillor. For example, you may be a specialist planner or have particular experience of one facet of Council activities. Please indicate if there is anything special you bring to the role or there is any special training that you have received that helps you in your role.

Web Link provided by DS Team.

Section 6: Other activities and issues

This section is for you to write anything else about which you feel your constituents should be aware.

Section 7: Councillors Remuneration

Councillors travel and subsistence claim forms can be viewed here:

<http://democracy.swansea.gov.uk/ecCatDisplay.aspx?sch=doc&cat=13266&path=0&LLL=0>

Councillors annual expenses and allowances can be viewed here:

<http://democracy.swansea.gov.uk/ecCatDisplay.aspx?sch=doc&cat=13284&path=0&LLL=0>

Date:	
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Agenda Item 6



Report of the Head of Democratic Services

Democratic Services Committee – 7 November 2022

Independent Remuneration Panel for Wales (IRPW) Draft Annual Report 2023-2024 - Consultation

Purpose:	To consult and comment on the Independent Remuneration Panel for Wales (IRPW) Draft Annual Report 2023-2024. The comments of the Democratic Services Committee will lead to a Council report proposing a formal reply to the IRPW.
Policy Framework:	None.
Consultation:	Access to Services, Finance, Legal.
Recommendation(s):	It is recommended that the Committee: 1) Notes the IRPW draft Annual Report 2023-2024 proposals and considers any consultation response to the proposals for consideration by full Council.
Report Author:	Huw Evans
Finance Officer:	Ben Smith
Legal Officer:	Tracey Meredith
Access to Services Officer:	Rhian Millar

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/independent-remuneration-panel-wales>
- 1.2 The consultation period closes on 1 December 2022; however, the IRPW have given Swansea Council an extension until 4 December 2022 to allow Council to consider the Draft Report at its Meeting on 3 December 2022. The final IRPW report will be published in February 2023.
- 1.3 This report sets out the determinations affecting the City and County of Swansea and proposes responses as necessary.

2. Determinations within the IRPW Draft Annual Report 2022-2023

- 2.1 The IRPW Draft Annual Report 2023-2024 takes on a new format in that it only includes changes to the previous Annual Report. Whilst this does make the Annual Report shorter, it will require searching for earlier determinations in several locations. It is proposed that the IRPW be asked to include a list of all determinations in one document, to ensure clarity and ease.
- 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**.
- 2.3 The IRPW’s Annual Report takes effect from 1 April.

3. Consultation on Draft Report - Questions

- 3.1 In addition to the determinations, the IRPW asks 5 consultation questions relating to the Draft Annual Report. It is proposed that the Authority responds as follows.

Question 1

The Panel has continued to use the Annual Survey of Hours and Earnings (ASHE) published by the Office for National Statistics as the benchmark for setting the basic salary of elected members of principal councils. There is a corresponding proportionate increase proposed for the members of National Park and Fire and Rescue Authorities. The Panel has continued to refer to the last published ASHE which was 2021. Do you agree that the basic salary element should be referenced to the ASHE 2021 data?

Yes	No	No Opinion
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Any Additional Comments

The Authority believes that linking salaries to the AHSE 2021 ensures an independence and clarity for payments to Councillors. It helps ensure that the former ‘Race to the Bottom’ approach by Authorities will not be returned to by putting in place a clear mechanism of how salaries are calculated.

Question 2

The Panel has made changes to the payment of costs and expenses of members of community and town councils. Do you agree with the addition of the “consumables” element?

Yes	No	No Opinion
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Any Additional Comments

It ensures that Community / Town Councillors are reasonably remunerated for such costs.

Question 3

The Panel will gather evidence from principal councils to explore whether and how the workload of elected members has changed to inform future Determinations. Are you content that the Panel should build this review into its future work plan and build the evidence base to support decisions?

Yes	No	No Opinion
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Any Additional Comments

The creation of evidence-based decisions ensures that remuneration levels are appropriate and reasonable.

Question 4

We have significantly reduced the size of the report this year to concentrate on key decisions made and intend to make more use of the website to provide easy to use guidance to users. This approach is also in line with our efforts to respect the challenges facing us in protecting our planet.

How would you like to access information and guidance from the Panel?
(choose all that apply)

Summary report with links to detailed guidance		Social media	
Easy to use guidance notes		Information events	
Frequently asked questions		Other	
Website		-	-

If Other, Please Specify:

--

The views of the Committee are sought. It is suggested that detailed, easy to use guidance notes together with frequently asked questions on the IRPW website would be welcomed.

Question 5

The Panel intend to undertake a series of engagements with all relevant stakeholders over the next year as part of the development of its forward planning and building of its evidence and research strategy.

Have you any comments that would help the Panel shape this engagement?

For example, a preference for online polls, the holding of engagement events, virtual or face to face, which groups should be involved, how do we engage with prospective candidates etc.

The views of the Committee are sought.

4. Integrated Assessment Implications

4.1 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.

4.2 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’.

4.3 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.

4.4 There are no integrated assessment implications in relation to this report.

5. Financial Implications

5.1 The IRPW proposes setting the salaries to avoid further erosion in relation to average earnings:

Description	Current	Proposed 2023/24
Basic Salary (x54)	£16,800	£17,600
Senior Salaries	-	-
These are inclusive of Basic Salary		
Band 1 (Group A)	-	-
Leader of Council (x1)	£63,000	£66,000
Deputy Leader of Council (x1)	£44,100	£46,200
Band 2 (Group A)	-	-
Executive Members (x8)	£37,800	£39,600
Band 3 (If Remunerated)	-	-
Committee Chairs (x8)	£25,593	£26,400
Civic Head (x1)		
Presiding Officer (Not Remunerated)		
Band 4	-	-
Leader of Largest Opposition Group (x1)	£25,593	£26,400
Band 5	-	-
Leader of Other Political Groups (Not Remunerated)	£20,540	£21,340
Deputy Civic Head (x1)		

5.2 There are no further changes to the payments and benefits paid to Elected Members and therefore all other Determinations from 2022 to 2023 still stand and should be applied in 2023 to 2024, including those covering:

- Travel and subsistence.
- Care and Personal Assistance.
- Sickness Absence.
- Corporate Joint Committees.
- Assistants to the Executive.
- Additional salaries and Job-sharing arrangements.
- Co-opted Members.

5.3 The total theoretical financial cost of these draft IRPW determinations in relation to Salaries is £71,570. This will need to be fully reflected in future budgets. 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 salary).

5.4 It is important to put the proposed salary for Councillors into context. An Independent Member of a Welsh Health Board would currently earn £15,936 p.a. in line with Welsh Government set remuneration levels, based on a minimum commitment of 4 days per month. The IRPW have based a Councillors salary on 3 days per week.

6. Legal Implications

6.1 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.

Extract of the Determinations of the IRPW Draft Annual Report 2023-2024 and the City and County of Swansea's Comments

Note: This report only outlines the salary figures of Group A Council's to which the City and County of Swansea belongs.

Determination 1	Basic Salary for elected members of principal councils shall be £17,600
Comments	<p>The basic salary will be aligned with three fifths of the All Wales 2021 ASHE (Annual Survey for Hours & Earnings), the latest figure available at drafting. This represents a 4.76% increase in the basic salary. https://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/earningsandworkinghours/bulletins/annualsurveyofhoursandearnings/2021 This is in line with the IRPW stated aims.</p> <p>The Authority makes no comment on the increase.</p>
Determination 2	Salaries paid to Senior, Civic & Presiding Member of Principal Councils
Comments	<p>The All Wales 2021 ASHE (Annual Survey for Hours & Earnings) applies to Band 1 (Leader of Council & Deputy Leader of Council) & Band 2 (Executive Members). All other Bands have been decided in reference to this.</p> <p>The Authority makes no comment on the increase.</p>
Determination 3	The salary level for a Chair of a Joint Overview and Scrutiny Committee shall be £8,800 & Vice-Chair will be £4,400
Comments	<p>The current amounts are £8,793 & £4,396 respectively. The Authority makes no comment on the increase.</p>
Determination 4	<p>Payments towards costs & expenses of Members of Community & Town Councils</p> <p>Basic payment for extra costs of working from home All Councils must pay members £156 per year (equivalent to £3 a week) towards extra household expenses (including heating, lighting, power & broadband) of working from home.</p> <p>Set payments for consumables Councils must pay their members £52 a year for the cost of office consumables required to carry out their role, or alternatively councils must enable members to claim full reimbursement for the cost of their office consumables. It is a matter for each Council to make and record a policy decision in respect of when and how the payments are made and whether they are paid monthly, yearly, or otherwise. The policy should also state whether and how to recover any payments made to a member who leaves or changes their role during the financial year.</p>
Comments	<p>The Authority makes no comment on the increase.</p>

Determination 5	Payments to National Park Authorities & Fire and Rescue Authorities
Comments	<p>Payments will increase as a result of the uplift proposed for elected members of principal councils. Therefore, there will also be an uplift of 4.76% in the basic salary element.</p> <p>The remuneration for Chairs will remain linked to a Band 3 senior salary of principal councils. Therefore, there will be a small increase to the role element of their pay. Deputy Chairs, Committee Chairs and other senior roles will remain linked to Band 5. Therefore, their role element of pay will remain frozen. The increase in basic salary will apply. Full details of the levels of remuneration for members of National Park Authorities and Fire and Rescue Authorities, is set out in Table 3.</p> <p>The Authority makes no comment on the increase.</p>

Summary of Determinations:

Determination 1:

The basic level of salary for elected members of principal councils will set at £17,600.

Determination 2:

The salary of a leader of the largest (Group A) council will be £66,000. All other payments have been decided in reference to this.

Determination 3:

The salary of a chair of a Joint Overview and Scrutiny Committee will be £8,800.

The salary of vice-chair will be £4,400.

Determination 4:

Members of Community and Town Councils will be paid £156 a year (equivalent to £3 a week) towards the extra household expenses (including heating, lighting, power and broadband) of working from home. And Councils must either pay their members £52 a year for the cost of office consumables required to carry out their role, or alternatively councils must enable members to claim full reimbursement for the cost of their office consumables.

Determination 5:

The basic pay of members of National Park Authorities and Fire and Rescue Authorities has been increased by 4.76%. All payments are set out in Table 3.

Determination 6:

All other Determinations set out in the 2022 to 2023 Annual Report of the Panel remain valid and should be applied.