

DRAFT AGENDA

ID	2272
Committee	Pwyllgor Gwasanaethau Democrataidd
Date	22/03/2021
Attendees	<p>Cynghorwyr John C. Morgan (Cadeirydd)</p> <p>Cynghorwyr Bob Summers (Is-gadeirydd)</p> <p>Cynghorwyr Joanne Collins (Aelod Pwyllgor)</p> <p>Cynghorwyr Garth Collier (Aelod Pwyllgor)</p> <p>Cynghorwyr Martin Cook (Aelod Pwyllgor)</p> <p>Cynghorwyr Malcolm Cross (Aelod Pwyllgor)</p> <p>Cynghorwyr Gareth A. Davies (Aelod Pwyllgor)</p> <p>Cynghorwyr Gareth L. Davies (Aelod Pwyllgor)</p> <p>Cynghorwyr Malcolm Day (Aelod Pwyllgor)</p> <p>Cynghorwyr Keith Hayden (Aelod Pwyllgor)</p> <p>Cynghorwyr Stewart Healy (Aelod Pwyllgor)</p> <p>Cynghorwyr Hedley McCarthy (Aelod Pwyllgor)</p> <p>Cynghorwyr Lee Parsons (Aelod Pwyllgor)</p> <p>Cynghorwyr Keith Pritchard (Aelod Pwyllgor)</p> <p>Cynghorwyr Tim Sharrem (Aelod Pwyllgor)</p> <p>Cynghorwyr John Hill (Guest)</p> <p>Cynghorwyr Julie Holt (Guest)</p> <p>Cynghorwyr Clive Meredith (Guest)</p> <p>Cynghorwyr Amanda Moore (Guest)</p> <p>Cynghorwyr Keri Rowson (Guest)</p> <p>Cynghorwyr Stephen Thomas (Guest)</p> <p>Cynghorwyr Haydn Trollope (Guest)</p> <p>Bernadette Elias (Swyddog)</p> <p>Richard Bridge (Swyddog)</p> <p>Andrea Prosser (Swyddog)</p> <p>Gemma Wasley (Swyddog)</p> <p>Gwasanaethau Democrataidd (Notify)</p> <p>Pob Cynghorydd (Notify)</p> <p>Leeann Turner (Secretary)</p>

Item ID	4409
Item Title	Cyfieithu ar y Pryd
Summary	Mae croeso i chi ddefnyddio'r Gymraeg yn y cyfarfod, mae angen o leiaf 3 diwrnod gwaith o hysbysiad ymlaen llaw os dymunwch wneud hynny. Darperir gwasanaeth cyfieithu ar y pryd os gwneir cais.

Item ID	4410
Item Title	Ymddiheuriadau

Summary	Derbyn ymddiheuriadau.
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Item ID	4411
Item Title	Datganiadau Buddiant a Goddefebau
Summary	Ystyried unrhyw ddatganiadau buddiant a goddefebau a dderbyniwyd.

Item ID	4413
Item Title	Cofnodion Pwyllgor Gwasanaethau Democrataidd
Summary	Derbyn cofnodion y cyfarfod o'r Pwyllgor Gwasanaethau Democrataidd a gynhaliwyd ar 9 Tachwedd 2020. (Dylid nodi y cyflwynir y cofnodion er pwyntiau cywirdeb yn unig).

Item ID	4562
Item Title	Adroddiad Blynyddol Pennaeth Gwasanaethau Democrataidd
Summary	Ystyried adroddiad y Prif Swyddog Interim Masnachol/Pennaeth Gwasanaethau Democrataidd.

Item ID	4563
Item Title	Adroddiad Blynyddol Panel Cydnabyddiaeth Ariannol Cymru 2021/22
Summary	Ystyried adroddiad y Pennaeth Datblygu Sefydliadol.

COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO: THE CHAIR AND MEMBERS OF THE DEMOCRATIC SERVICES COMMITTEE

SUBJECT: DEMOCRATIC SERVICES COMMITTEE – 9TH NOVEMBER, 2020

REPORT OF: DEMOCRATIC & COMMITTEE SUPPORT OFFICER

PRESENT: COUNCILLOR J.C. MORGAN (CHAIR)

Councillors B. Summers
 J. Collins
 G.A. Davies
 M. Day
 L. Parsons
 K. Pritchard

ALSO: Scrutiny Chairs & Vice-Chairs

Councillors M. Cook
 J. Hill
 J. Holt
 C. Meredith
 M. Moore
 S. Thomas
 H. Trollope

**AND: Head of Governance & Partnerships
 (Statutory Head of Democratic Services)
 Organisational Development Manager –
 Payroll, Health & Safety**

ITEM	SUBJECT	ACTION
No. 1	<p><u>SIMULTANEOUS TRANSLATION</u></p> <p>It was noted that no requests had been received for the simultaneous translation service.</p>	

<p>No. 2</p>	<p><u>APOLOGIES & ACKNOWLEDGEMENTS</u></p> <p>Apologies for absence were received from Councillors G. Collier, L. Elias and H. McCarthy.</p> <p>The Chair expressed his thanks to Councillor Malcolm Cross for his time as Chair of the Democratic Services Committee.</p>	
<p>No. 3</p>	<p><u>DECLARATIONS OF INTEREST AND DISPENSATIONS</u></p> <p>There were no declarations of interest or dispensations reported.</p>	
<p>No. 4</p>	<p><u>DEMOCRATIC SCRUTINY COMMITTEE</u></p> <p>Consideration was given to the minutes of the meeting held on 16th March, 2020.</p> <p>The Committee AGREED that the Minutes be received as a true record of proceedings.</p>	
<p>No. 5</p>	<p><u>DRAFT REPORT OF THE INDEPENDENT REMUNERATION PANEL FOR WALES 2021/22</u></p> <p>Consideration was given to the report of the Head of Organisational Development which was presented to inform Members of the proposals contained within the draft report of the Independent Remuneration Panel for Wales 2021/22.</p> <p>At the invitation of the Chair, the Organisational Development Manager spoke to the report and highlighted that the report considered the main proposals included within the 2021/22 draft report as they related directly to Blaenau Gwent County Borough Council.</p> <p>The views of Members were, thereupon, sought in relation to the report.</p> <p>A Member enquired regarding the care component in relation to personal expenses. The Organisational Development Manager explained that when reported under the statement of payments made, the bottom entry within the statement of accounts showed the total value</p>	

reimbursed, there was no reference attributed to any elected Member in the detail.

The Head of Government & Partnerships added that during the last consultation period and the discussion around how the cost of care was reported it had been agreed by this Committee and Council that it would be reported as an aggregated amount and not attributed to individuals.

A Member referred to para 2.12.6 of the report and enquired if the Authority were encouraging diversity and promoting the take-up of contributions towards the costs of care and personal assistance. The Head of Governance & Partnerships said that as Head of Democratic Services she actively supported and encouraged Members to claim a contribution of cost of care. She felt that some Members could benefit from this opportunity, however, it was Members personal choice. This message was also reiterated when the report was presented to Council. If Members wished to discuss this matter with the Head of Democratic Services, she would welcome the opportunity to further encourage take up of this offer.

With reference to paragraph 2.13 Entitlement to Family Absence, a Member enquired if there was a set time period for an elected Member substituting for a senior salary holder. The Head of Governance & Partnerships said that although reference was made to this, there was no specific time limit stated in the report. A few anomalies had been identified during the consultation period and there were elements of the draft report that needed improvement. She felt that if there was an instance where a substitute was appointed to a senior salary role, the duration of that appointment would depend on the personal circumstances of the situation and full Council would decide on what approach should be taken.

A Member enquired regarding remuneration to support Members to improve digital connectivity, broadband speeds etc. The Organisational Development Manager said the draft report made reference to elected Members to have ready use of e-mail services and electronic access to appropriate information via an internet connection. Without adequate connections Members would be significantly limited in their ability to discharge their duties.

The Head of Governance & Partnerships said that the general point from the report was around Members being supported to access appropriate digital ICT equipment and arrangements so they were not disadvantaged and felt that this may not necessarily be a payment for enhanced broadband connectivity. The draft report did not make reference to this in specific terms, the Head of Governance & Partnerships would forward these comments for consideration as part of the consultation process.

The Chair commented that ICT issues were becoming more prevalent going forward.

A Member referred to the significant differences in connectivity in different areas of the borough and was happy to pay for reliable broadband. He felt that consideration should be given to public perception around this issue.

In response to a Member's question regarding mileage expenses and subsistence allowances, the Organisational Development Manager clarified that the Council paid in line with HMRC rates and as long as the payment was equal or less than the HMRC rate, there were no tax implications at all on mileage claims. There were no tax implications on subsistence allowances as this was a reimbursement of actual receipt amounts up to the maximum amount.

The Head of Governance & Partnerships commented that this was an opportunity for Members to make any specific and affirmative observations during the consultation period. The final version of the report was due in February 2021 and would be presented to this Committee at the end of February/early March in line with the Forward Work Programme. The IRP report would be presented to Council with the Panel's determinations set for the Council to abide by.

A Member raised concerns regarding ICT connectivity issues and upon discussion it was proposed that this issue be raised as part of the Democratic Arrangements Year End Progress report on the Forward Work Programme.

The Committee AGREED this course of action.

	<p>Councillor Gareth A. Davies left the meeting at this juncture.</p> <p>Upon a vote being taken it was unanimous that</p> <p>The Committee AGREED to recommend to Council, subject to the foregoing, that the report be accepted and Option 1 be endorsed, namely that the determinations contained in the IRPW Report in Appendix 1 for 2021/2022 be agreed.</p>	
<p>No. 6</p>	<p><u>PROPOSED DEMOCRATIC SERVICES COMMITTEE FORWARD WORK PROGRAMME 2020/21</u></p> <p>Consideration was given to the report of the Chair of the Democratic Services Committee.</p> <p>The Head of Governance & Partnerships spoke to the reports on the Forward Work Programme. This Committee meeting had been delayed due to the pandemic and the next meeting had been proposed for the end of February/early March so Members would have an opportunity to have sight of the final IRP report before being presented to Council. Democratic Arrangements Year End Progress report would give a year end position and tie in with the Annual Report of the Head of Democratic Services. With regard to the Statement of Payments and Schedule of Members Remuneration, statutory obligations remained within the time scale set and this work needed to carry on. The final IRP report would be added to the Forward Work Programme if available.</p> <p>In response to a Member's question regarding SRS colleagues being invited to a future meeting to discuss issues with digital connectivity, the Head of Governance & Partnerships advised Members that due to the pandemic connectivity issues had dramatically moved on since the last debate with Members now accessing formal Committee meetings via Microsoft Teams and online with support from Officers and this was the same picture throughout Wales. ICT issues raised in the previous debate had been very specific and may not be relevant now. Moving forward, Members remote attendance could be considered in future reports.</p>	

	<p>A Member enquired regarding issues accessing exempt items on the Modern.Gov App. The Head of Governance & Partnerships said this may be an issue with functionality and product development on the Modern.Gov App, she would make enquiries to see if any progress had been made regarding this point and provide Members with an update on the report.</p> <p>Another Member commented that there may be cost implications associated with access to exempt items on the Modern.Gov App. The Head of Governance & Partnerships said it may be the case that some additional functions may need to be added to the Modern.Gov App, and would also incorporate this information into the report coming forward.</p> <p>The Committee AGREED this course of action.</p> <p>With regard to the Annual Report of the Head of Democratic Services, a Member expressed his appreciation for the work the Democratic Services Team were doing to support Members. The Chair and the Committee agreed with the Members comments and also expressed their thanks for the support received.</p> <p>The Head of Governance & Partnerships thanked Members for their comments and said it had been an extremely challenging time and Members had been outstanding in the way they had grasped this new way of working, it had been a steep learning curve for everyone.</p> <p>The Committee AGREED, subject to the foregoing, that the report be accepted and the Democratic Services Committee Forward Work Programme be approved.</p>	
<p>No. 7</p>	<p><u>TIME OF FUTURE MEETINGS</u></p> <p>The Committee AGREED that future meetings of the Democratic Services Committee would be held at 10.00 a.m.</p>	

Agenda Item 5

Executive Committee and Council only

Date signed off by the Monitoring Officer:

Date signed off by the Section 151 Officer:

Committee: **Democratic Services Committee**
Date of Meeting: **22nd March 2021**
Report Subject: **Annual Report of Head of Democratic Services**
Portfolio Holder: **Executive Member Corporate / Leader of the Council**
Report Submitted by: **Bernadette Elias, interim Chief Officer Commercial**

Reporting Pathway								
Directorate Management Team	Corporate Leadership Team	Portfolio Holder / Chair	Audit Committee	Democratic Services Committee	Scrutiny Committee	Executive Committee	Council	Other (please state)
w/c 03/21	04/03/21	w/c 8 th March		22/03/21			25/03/21	

1. Purpose of the Report

- 1.1 To present the 2020/21 annual report of the Head of Democratic Services.

2. Scope and Background

- 2.1 The annual report of the Head of Democratic Services (HDS) outlines the comprehensive range of arrangements in place to support Elected Members to enable them to fulfil their roles.

3. Options for Recommendation

That the Democratic Services Committee:

3.1 Option One

Considers the report and recommends it to Council for approval.

3.2 Option Two

Considers the report and makes specific recommendations to Council for consideration prior to approval.

4. Evidence of how does this topic supports the achievement of the Corporate Plan / Statutory Responsibilities / Blaenau Gwent Well-being Plan

- 4.1 The role of HDS is set out in the Council's Constitution.

5. Implications Against Each Option

Impact on Budget (short and long term impact)

- 5.1 The Council must provide the HDS with resources that, in its opinion, are sufficient to allow the functions of the role set out in the Measure to be discharged.

- 5.1.2 The Member Development budget is £5,880.

5.2 **Risk including Mitigating Actions**

5.2.1 There are potential risks associated with option two if the levels of support arrangements for Members are deemed by Council not to be sufficient. The Democratic Services Committee is able to recommend to Council a review of resources and/ or support if felt necessary.

5.3 **Legal**

5.3.1 The Local Government (Wales) Measure 2011 requires the Council to designate an officer to the post of Head of Democratic Services (HDS). The role is set out in the Council's Constitution as a statutory function.

5.4 **Human Resources**

5.4.1 The interim Chief Officer Commercial is the appointed Head of Democratic Services.

5.4.2 The role of the HDS is to:

- carry out the Local Authority's function of designated Head of Democratic Services;
- keep under review the adequacy of provision of staff, accommodation and other resources made available to discharge the democratic services functions of the Authority; and
- make reports, at least annually, to the full Council in relation to these matters.

5.4.3 The HDS is able to make recommendations including with regard to the appointment, organisation and management of staff discharging democratic functions. The HDS may arrange for the discharge of democratic functions by staff and can delegate functions to staff as they feel appropriate.

5.4.4 Following a review of the Democratic Services team functions, additional support for Committees and a dedicated support for Members has been established, informed by feedback received from members.

6. **Supporting Evidence**

6.1 A summary of current service and support for Elected Members is provided below.

6.2 Members have been supported in the move to more **agile working** as the Council responded to the pandemic.

6.3 On 23 March 2020, the UK Government announced an unprecedented UK-wide 'lockdown' in order to limit the spread of the Covid-19 virus. Along with other Local Authorities, the decision was taken to suspend the full schedule of formal Council Committees at the end of March 2020. The AGM was held, virtually, on 2nd April and Executive, Planning and Full Council met virtually before the Summer Recess. The full committee cycle was re-established from September 2020.

6.4 Along with other Local Authorities across Wales, Elected Members have responded to the need to move to more agile working, and have done this at a pace. During the

initial implementation phases there were inevitably some ‘teething’ problems experienced.

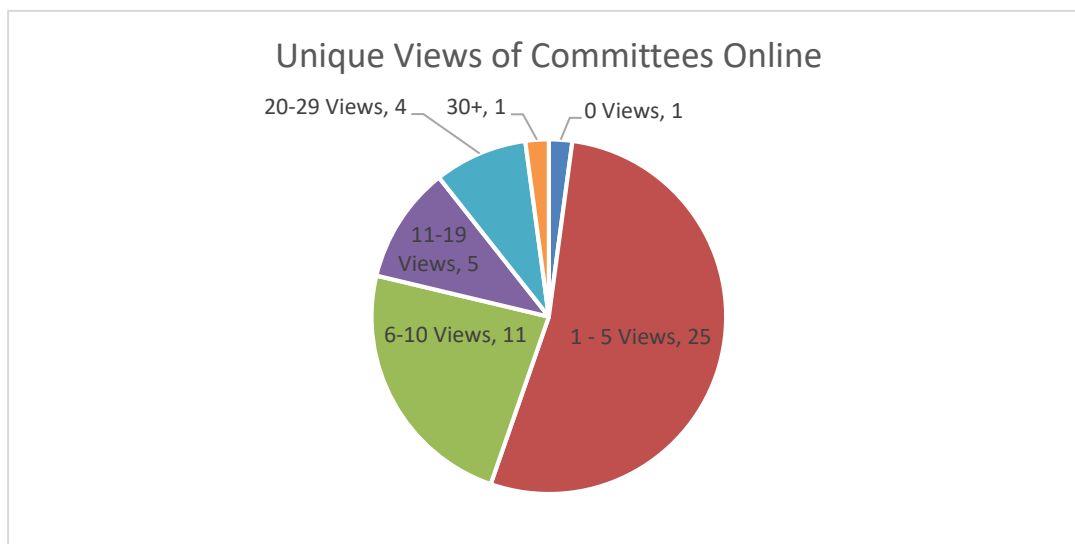
- 6.5 To support Members to move to more agile working a number of activities were undertaken, including:
- Sourcing, distribution and set up of laptops for all members;
 - Council implementation of Microsoft Teams;
 - Specific guidance on how to set up laptops to enable the use of Microsoft Teams;
 - Test session held prior to the formal Planning Committee which was the pilot for the use of Teams;
 - Chairs and Vice Chairs of Scrutiny meeting held where, ‘how to run a virtual meeting’ was included on the agenda;
 - Specific guidance and support on using emails, diary management and accessing documents;
 - Offers for ‘buddying’ with officers of the Democratic Services Team to support members who felt this would be of value;
 - Ongoing support to check in with members on any issues they were experiencing to access committee meetings; and
 - Specific on guidance on using Teams in the committee environment.
- 6.6 The council will continue to maximise the use of Teams to support the committee arrangements.
- 6.7 Requirements of the **Local Government and Elections (Wales) Act** will continue to see agile and blended committee arrangements being established.
- 6.7.1 The table below shows a comparison of the number of meetings held and member attendance from 1st September 2020 to 28th February 2021 compared to the same period in the year 2019/20.

Member Attendance at Scrutiny Committees							
	Agreed Committee Membership	Total Members Due to Attend Sep 20 to Feb 21	Actual Members in Attendance Sep 20 – Feb 21	% of Members in attendance Sept 20- Feb 21	% of Members in attendance Sept 19 - Feb 20	Number of Meetings Held Sep 20 to Feb 21	Number of Meetings Held Sep 19 to Feb 20
Community Services	15	75	57	76	64	5	5
Corporate Overview	15	45	29	64	55	3	5
Education and Learning	15	60	51	85	82	4	6
Regeneration	15	90	69	77	70	6	4
Social Services	15	60	50	83	85	4	4
Total	75	330	256	78	71	22	24

Joint Safeguarding	23	23	15	65	61	1	1
Joint Finance	32	96	72	75	53	3	2
PSB	15	15	10	67	33	1	2
Total	70	134	92	69	50	5	5
Overall	145	464	348	75	66	27	29

6.8 The Council has been recording all of the virtual committee meetings held and these have been uploaded onto the internet. This process is due to continue as it reflects the requirements of the Local Government and Elections (Wales) Act for the broadcasting of meetings. It also promotes openness and transparency as well as engagement with the Council's democratic processes. The graph below provides the number of unique views* for the committee meetings held from June 2020 to the end of January 2021.

***Unique views** - the number of the unique users that click on a video. If a single user views 5 times on a link, the server will 1 unique view.



6.8.1 The top most viewed committees to date are:

BGCBC Committee Name and Meeting Date	Unique Viewers
Ordinary Meeting of the Council - 26 November 2020	32
Ordinary Meeting of the Council - 23 July 2020	28
Planning, Regulatory and General Licensing Committee - 25 June 2020	27
Executive Committee Meeting - 24 June 2020	26
Planning Regulatory and General Licensing Committee - 03 September 2020	26

6.9 Council has agreed a **Personal Development Review (PDR)/ Competency Framework**. The commitment to the PDR process remains strong and PDRs have been undertaken with all senior responsibility salary holders for 2020/21 despite the

challenges faced by the Council in response to the pandemic. The sessions were held with an external facilitator and the HDS, and there continues to be very positive feedback from the Members involved in the externally facilitated sessions. The HDS has also undertaken a one to one follow up session with each Member to discuss their personal action plan and discuss any other support that they feel would be of value to them. Any new training needs identified as part of this process will be incorporated as part of the Member Development Programme going forward.

- 6.10 **Councillor Skills: E-Learning for Members in Wales** work is currently being undertaken in conjunction with the NHS, Welsh Local Government Association and all local authorities across Wales to upgrade the All Wales Academy e-learning platform in order that it continues to be fit for purpose with particular emphasis on improving accessibility and content. Each Local Authority area has agreed to progress one module each. In Blaenau Gwent the module has been developed by Democratic Services and OD on, 'managing stress and coping with bullying and harassment'. The module will be sent to the WLGA to be included in the overall programme which will be taken forward nationally.
- 6.11 **An electronic Member library** has been established. This dedicated resource is available on the intranet for Members. This research function includes key documentation and information including resources from the Member Development and Training sessions. In quarter 4 a review of the library to ensure the main corporate strategies are included is to be undertaken.
- 6.12 **A Member training and development programme** is in place. The programme reflects key areas for support, including those identified by Members (e.g. through the PDR process), topics identified from the forward work programmes of the Scrutiny committees and support related to training required for specific roles on committee e.g. Planning. The briefing sessions for Members were re-established from September 2020 after a pause during the initial response to the pandemic.
- 6.13 The Council has been successful in achieving **level 1 of the Welsh Local Government (WLGA) Charter award for Member development and support**, the WLGA presented the award at full Council in November 2018. The feedback on the submission was very positive, and the Council was encouraged to work towards applying for the advanced level charter in future. Initial work to consider the areas for development required to submit an application for the advanced level charter was considered in early 2020 but has been paused due to the emergency response to the Covid 19 pandemic. Work to review areas for development to submit an application for the advanced level charter will restart in 2021 which will need to take account of any changes and developments to the award criteria.
- 6.14 The Constitution includes **role descriptions** for Members. A Member **Constitutional Working Group** has been established supported by relevant officers.
- 6.15 **A Mentoring Scheme for Members** is established. Members self-select and participate in the scheme, and a number of Members have taken the opportunity to be involved. On-going advice and guidance from the HDS has been provided to support the Mentoring scheme. HDS is planning to gain feedback from Members who

have participated during 2020/21 to inform any review or proposed amendments to the scheme.

6.16 **Support arrangements for Members appointed who sit on outside bodies** have been established and implemented. This area of support had been identified by Members. Reports from Members who sit on outside bodies now form part of the Council agenda on a periodic basis. Feedback from Members who have participated in the arrangement suggests that they feel there is value in giving Members the opportunity to report back to Council. The support arrangements also include the identification of a link officer for Members aligned to their role on outside bodies. The pause to the full committee cycle has had an impact and reporting arrangements are to be re established post AGM.

6.17 The Council has undertaken a review of its **Member Champion** roles. Lead support officers have been identified to support each of the Champions and arrangements are in place to provide support when working within these roles.

6.18 The Member Champions are identified at the Annual General Meeting. For 2019/20 they were:

- Community Safety
- Children & Young People
- Older Persons
- Equalities & Diversity
- Armed Forces
- Natural Environment & Biodiversity
- Digital Champion

There is also an identified lead member for safeguarding:

- Executive Member - Social Services

6.19 The arrangements to support **the agenda management of committees** is in place. In accordance with requirements under the Local Government Measure, each committee has considered the **timings of meetings** to establish Members preference, and this has informed the timings of the current cycle of meetings.

6.20 Work to develop the **Forward Work Programmes for 2020/21** began during February / March 2020, however, owing to the COVID 19 pandemic and officers being redeployed to support emergency work, the FWP development stopped and recommenced in June / July to support the restarting the Committee meeting cycle in September 2020. Work included:

- Meetings with the Chairs and Vice-Chairs and Officers using Microsoft Teams to further develop the FWPs. The Executive Members were also invited to observe these meetings.
- Informal Scrutiny Member Briefing Sessions were held via MS Teams with each Scrutiny Committee during July 2020, to discuss and finalise the Draft FWPs with individual scrutiny committees.
- The FWPs were formally signed off by each of the Scrutiny Committees during September 2020, then translated and made available for public view on the BG website.

6.21 The Council is actively involved in the **Joint Scrutiny Committee of the Cardiff Capital Region City Deal (CCRCD)**. Each of the 10 local authorities is represented on the Committee. Activity has continued during 2020/21 and Blaenau Gwent Council is now represented by the Chair of Regeneration Scrutiny Committee being the Primary member and the Vice-Chair of Regeneration Scrutiny Committee the deputy member. Two formal meetings have been held to date during September and December 2020, and an informal meeting held in November 2020. A further meeting is planned for February 2021.

6.2 ***Expected outcome for the public***

6.2.1 By providing a democratic function that has been identified as having sufficient support and resources means that Elected Members are provided with the support that they need to operate effectively, which in turn should support them in their role with the community.

6.3 ***Involvement (consultation, engagement, participation)***

6.3.1 Opportunities to maximise engagement in the range of training and support arrangements by Members will assist them in meeting future demands of their roles.

6.4 ***Thinking for the Long term (forward planning)***

6.4.1 The Member support arrangements look to the longer term and in recognition of the increasing complexity of the roles Members undertake.

6.5 ***Preventative focus***

6.5.1 The content of the member development programme is aimed to give Members a solid grounding and prepare them to meet their roles and responsibilities for the future.

6.5.2 The role of HDS is to undertake a review of the support provided to members and identify if further support is required in order to prevent ineffective delivery of the democratic function.

6.6 ***Collaboration / partnership working***

6.6.1 The training and development programme for Members includes elements of both internal and external support. Training is offered on a regional basis in some instances e.g. Education Achievement Service, Joint Scrutiny Committee of the CCRCD.

6.7 ***Integration (across service areas)***

6.7.1 All Council services are involved with the democratic functions of the Council. Forward Work Programmes and agendas are developed jointly with Members and Officers.

6.8 ***EqIA (screening and identifying if full impact assessment is needed)***

6.8.1 The Member development programme has been subject to an Equality impact assessment screening with no adverse impact on the protected characteristics identified.

6.8.2 Language preference for Members has been established.

7. **Monitoring Arrangements**

7.1 The HDS presents an annual report to Democratic services and Council. Regular monitoring reports on the democratic arrangements are also presented as part of the committee forward work programme.

Background Documents /Electronic Links

- None

Agenda Item 6

Executive Committee and Council only

Date signed off by the Monitoring Officer:

Date signed off by the Section 151 Officer:

Committee: The Chair & Members of the Democratic Services Committee

Date of meeting: **22nd March 2021**

Report Subject: **Annual Report of the Independent Remuneration Panel for Wales 2021/22**

Portfolio Holder: **Councillor N.J. Daniels**

Report Submitted by: **Andrea J Prosser
Head of Organisational Development**

Reporting Pathway								
Directorate Management Team	Corporate Leadership Team	Portfolio Holder / Chair	Audit Committee	Democratic Services Committee	Scrutiny Committee	Executive Committee	Council	Other (please state)
	X			X			X	

1.0 Purpose of the Report

1.1 To inform Members of the proposals contained within the annual report of the Independent Remuneration Panel for Wales for 2021/22.

2.0 Scope and Background

2.0.1 The report considers the main proposals included within the 2021/22 annual report of the Independent Remuneration Panel for Wales (the Panel) as they relate to Blaenau Gwent County Borough Council.

2.0.2 The Local Government (Wales) Measure 2011 extended the responsibilities of the Independent Remuneration Panel for Wales (the Panel) and its powers under Section 142 to decide (prescribe) payments to members of relevant authorities.

2.0.3 On an annual basis the Panel publish its report on Members remuneration. The annual report for 2021/22 (attached at Appendix 1, point 7.2 – published February 2021) details the determinations for the upcoming year.

2.0.4 Although the annual IRPW report is in respect of the Panel's determinations for 2021/2022, the consideration has inevitably been influenced by the impact of the coronavirus pandemic. The ongoing issues affect the operation of all local authorities and will continue to do so for the foreseeable future.

2.0.5 As with all the Panel's Annual Reports the determinations on member remuneration are underpinned by the principles set out within Section 1 of the report within appendix 1. In May 2020 the Panel published a Supplementary Report that set out specific principles relating to the provision of financial support for care needs. These are incorporated in Section 10 of appendix 1 and will be included in future Annual Reports.

2.1 **Basic & Senior Salaries**

2.1.1 The Panel remains aware that the key activities required of an elected member of a principal council vary. Duties undertaken should enable all members to discharge their core non-executive responsibilities in the governance of their council and in representing those living in their ward.

Despite the pandemic, Panel members continue meeting with the Chairs of Democratic Services Committees, their officers and councillors. The Panel has also, through varied correspondence with councils and individual council members and others, maintained its ongoing dialogue. The position generally expressed by councillors and officers remains that the basic workload discharged by all elected members is substantial and exceeds 3 days per week.

2.1.2 When making financial determinations for the Annual Report, the Panel has considered the progression of the variety of benchmark figures for the period from 2012 to 2020. Any adjustments in recent years have been in keeping with the Panel's principle that its determinations should be affordable and acceptable. This principle is maintained in the proposed increase for 2021/2022 an increase in the basic salary of elected members of £150.

2.1.3 This salary shall be paid by each principal authority in Wales from 1st April 2021 to each of its elected members unless any individual member opts personally and in writing to receive a lower amount

2.2 **Executive**

2.2.1 Many Councils operate with a cabinet (Executive) of 10 (the statutory maximum) others choose to have a smaller cabinet and the range of individual portfolios is much greater. The Panel's previous determinations contained flexibility for each council to decide the appropriate range of portfolios to meet local needs and to adjust payments within the Executive to reflect responsibility.

2.2.2 The Panel continues to take the view that Executive members should be considered as working the equivalent of full time (around 40 hours per week) but not necessarily nine to five. Continued discussions with members and officers in recent years have reinforced this conclusion.

2.3 **Chairs of Committee**

2.3.1 There is a significant difference in the responsibilities and functions of chairing different committees. Councils do not have to pay chairs of committees and it is a matter for each council to decide which, if any, are remunerated. This allows councils to take account of differing levels of responsibility.

2.3.2 Where chairs of committees are paid then the remuneration for 2021/22 will be £23,161.

2.3.3 Payment of basic & senior salaries for 2021/22 are therefore: -

	2020/21 £	2021/22 £
Basic Salary	14,218	14,368
Senior Salaries		
Leader	44,450	44,921
Deputy Leader	31,450	31,783
Executive Members	27,450	27,741
Committee Chairs	22,918	23,161
Leader of Largest Opposition Group	22,918	23,161
Leader of other political groups	17,918	18,108

2.4 **Leader of Largest Opposition Group**

2.4.1 The Panel remains of the view that a council must make a senior salary available to the leader of the largest opposition group and has determined that this role should be remunerated at £23,161.

2.5 **Civic Heads and Deputies**

2.5.1 The Panel had previously allowed councils to vary salaries of civic heads and deputy civic heads to reflect the specific responsibilities attached to the roles. However, Councils strongly expressed to the Panel that elected members do not wish to make decisions and as such, the choices and options were removed in 2019.

In the case of civic salaries, if paid, the payment for Band 3 is set at £23,161 for a civic head and at the Band 5 salary of £18,108 for a deputy civic head (Determination 3). A council may decide not to apply any civic salary to the posts of civic head and or deputy civic head.

2.6 **Presiding Member**

2.6.1 Councils are reminded that if a presiding member is appointed they do not have to be remunerated. If they are remunerated the post will count towards the cap and be paid at a Band 3 senior salary of £23,161.

2.7 **Specific or additional senior salaries**

2.7.1 Councils can apply for specific or additional salaries that do not fall within the current Remuneration Framework or which could not be accommodated within the maximum number of senior salaries.

2.8 **Job Share Arrangements**

2.8.1 Some Councils have also raised the possibility of operating some senior salary posts on a 'job share' arrangement. The Panel is supportive of this principle and have determined that: -

- For members of an executive each 'share' will be paid 50% of the appropriate salary
- The Statutory maximum for cabinets cannot be exceeded and both job sharers will count towards the maximum

- It is the number of persons in receipt of a senior salary, not the number of senior salary posts that count towards the cap
- The Panel must be informed of the details of any job share arrangements

2.9 **Supporting the Work of Elected members**

2.9.1 The Panel expects the support provided should take account of the specific needs of individual members. The functions of Democratic Services Committees include a requirement to review periodically the level of support provided to members to carry out their duties and the Panel would expect these committees to carry this out and bring forward proposals to the full council as to what is considered to be reasonable. Any proposals should be made with due regard to Determinations 9 and 10 of the report.

2.9.2 The Panel considers it is necessary for each elected member to have ready use of e-mail services, and electronic access to appropriate information via an internet connection. The Panel does not consider it appropriate that elected members should be required to pay for internet related services to enable them to discharge their council duties as a ward member, committee member or cabinet member.

Councils are committed to 'paperless working' and without electronic access members would be significantly limited in their ability to discharge their duties. It is not appropriate for facilities required by members to be available only within council offices within office hours.

2.9.3 The responsibility of each council through its Democratic Services Committee to provide support should be based on an assessment of the needs of its members. When members' additional needs or matters of disability apply, or there are specific training requirements indicated, each authority will need to assess any particular requirements of individual members.

2.10 **Key Factors underpinning the Panel's determinations**

2.10.1 The basic salary, paid to all elected members, is remuneration for the responsibility of community representation and participation in the scrutiny, regulatory and related functions of local governance for the time equivalent of three days a week. Any time commitment beyond three days is an unpaid public service contribution.

2.10.2 The prescribed salary and expenses must be paid in full to each member unless an individual has independently and voluntarily opted in writing to the authority's proper officer to forego all or any element of the payment. It is fundamental there is transparency in this process so any possible suggestion that members are put under pressure to forego some of the salaries is avoided.

2.10.3 The following must be applied:
Determination 6:

- a) An elected member must not be remunerated for more than one senior post within their authority.
- b) An elected member must not be paid a senior salary and a civic salary.
- c) All senior and civic salaries are paid inclusive of basic salary.
- d) If a council chooses to have more than one remunerated deputy leader, the difference between the senior salary for the deputy leader and other executive members should be divided by the number of deputy leaders and added to the senior salary for other executive members in order to calculate the senior salary payable to each deputy leader.

Determination 7: Members in receipt of a Band 1 or Band 2 senior salary cannot receive a salary from any National Parks Authority or Fire Rescue Authority to which they have been appointed. They remain eligible to claim travel and subsistence expenses and reimbursement of costs of care.

Determination 8: Members in receipt of a Band 1 or Band 2 salary cannot receive any payment from a Community or Town Council of which they are a member other than travel and subsistence expenses and reimbursement of costs of care.

2.11 **Reimbursement of Mileage, Other Travel & Subsistence Costs**

2.11.1 The Panel has determined there will be no change to mileage rates which members are entitled to claim. All authorities may only reimburse travel costs for their members undertaking official business within and or outside the authority's boundaries at the current HM Revenue and Customs (HMRC) rates which are: -

45p per mile	Up to 10,000 miles in a year by car
25p per mile	Over 10,000 miles in a year by car
5p per mile	Per passenger carried
24p per mile	Motor cycles
20p per mile	Bicycles

2.11.2 The Subsistence rates will be as follows; these rates are in line with Welsh Government Rates: -

£28 per day	Day allowance for meals, including breakfast, where not provided in the overnight charge
£200 per night	London
£95 per night	Elsewhere
£30 per night	Stay with friends / family

2.11.3 Recommended practice is that overnight accommodation should usually be reserved and paid for on behalf of members by the Authority, in which case the authority may set its own reasonable limits. – we would not normally divert from these levels.

2.12 **Contribution towards costs of care and personal assistance**

2.12.1 The purpose of this section 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. The Panel 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. The Panel has adopted specific principles related to support for the costs of care which were the subject of a Supplementary Report published in February 2020.

2.12.2 The Panel has reviewed the arrangements for this financial support and proposes the following changes:

- a) As payments are taxable under the current HMRC rules, full reimbursement is not possible so for clarity this will be retitled to “Contribution towards the costs of care and personal assistance”. It will still require receipts to accompany claims.
- b) 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.
- c) Clarification in respect of a member’s own care or support needs: Reimbursement may be claimed 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 Payments, Insurance. These could arise when the needs are recent and or temporary

2.12.3 Members, including 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.

2.12.4 The Panel has reviewed the maximum monthly payment in recognition that this has not changed for several years. Information indicates that monthly costs and claims vary considerably. These can depend on the number of dependants, their ages and other factors. Therefore, the monthly cap will be replaced with the following arrangements:

- Formal (registered with Care Inspectorate Wales) care costs to be reimbursed in full.
- Informal (unregistered) care costs to be reimbursed up to a maximum rate equivalent to the Real Living Wage at the time the costs are incurred.

For clarification, care costs cannot be paid to someone who is a part of a member’s household. Reimbursement shall only be made on production of receipts from the carer.

2.12.5 The Panel continues to recognise the issues relating to the publication of this legitimate expense and has retained the requirements for publication set out in Annex 4. To support current members and to encourage diversity the Panel urges authorities to promote and encourage greater take-up of the contribution towards costs of care and personal assistance

2.13 **Entitlement to Family Absence**

2.13.1 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.

2.13.2 When a senior salary holder is eligible for family absence, they will continue to receive the salary for the duration of the absence.

2.13.3 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.

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.

2.13.4 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.

2.14 **Sickness Absence for Senior Salary Holders**

2.14.1 The Family Absence Regulations are very specific relating to entitlement, absence for reasons of ill health is not included. The Panel has considered this and is amending the framework to provide specific arrangements for long term sickness of Senior salary holders.

2.14.2 A senior salary holder on long term sickness can, if the authority decides, continue to receive remuneration for the post held (the maximum length of sickness absence is proposed as 26 weeks or until the individual's term of office ends).

2.14.3 It will be a decision for the Council whether to make a substitute appointment but the substitute will be eligible to be paid the senior salary appropriate to the post.

2.14.4 If the paid substitution results in the authority exceeding the maximum number of senior salaries payable an addition will be allowed for the duration of the substitution. The Panel must be informed within 14 days of

the decision and the authority's Schedule of Remuneration amended accordingly.

2.15 **Payments to Co-opted Members**

2.15.1 The Panel has determined that a daily/half daily fee remains appropriate remuneration for the role undertaken by co-opted members of the Council as follows: -

Chairs of Standards and Audit Committees	£268 (4 hours & over) £134 (up to 4 hours)
Ordinary members of standards committees who also chair standards committees for community & town councils	£238 (4 hours & over) £119 (up to 4 hours)
Ordinary members of standards committees, education scrutiny committee, crime & disorder scrutiny committee and audit committee	£210 (4 hours & over) £105 (up to 4 hours)

2.15.2 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.

2.15.3 Travelling time to and from the place of the meeting can be included in the claims for payments made by the co-opted member (up to the daily rate).

2.15.4 The appropriate officer within the authority can determine in advance whether the meeting is programmed for a full day and the meeting will be paid on this basis even if the meeting finishes before four hours has elapsed.

2.15.5 Meetings eligible for the payment of fees include other committees and working groups (including task & 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.

2.15.6 The Council can decide on the maximum number of days in any one year for which co-opted members may be paid. Blaenau Gwent County Borough Council has previously decided that 10 days is the maximum.

3. **Options for Recommendation**

3.1 Democratic Services Committee to consider and agree the annual IRPW proposals for 2021/2022 prior to Consideration by full Council.

Option 1:

Agree with the determinations set out in the annual IRPW report in Appendix 1 for 2021/2022

Option 2:

Do not agree with the determinations set out in the annual IRPW report in Appendix 1 for 2021/2022

4. **Evidence of how does this topic supports the achievement of the Corporate Plan / Statutory Responsibilities / Blaenau Gwent Well-being Plan**

5. **Implications Against Each Option**

5.1 **Impact on Budget (short and long term impact)**

Based upon current arrangements, the additional costs for 2021/22 are estimated to be £12,000.

5.2 **Risk including Mitigating Actions**

Failure to comply with the Panel's determinations will result in reputational damage for the Council. This is mitigated by Democratic Services Committee and Council considering and agreeing the determinations.

5.3 **Legal**

The report outlines the plans of the IRPW in terms of elected member remuneration which will become regulation.

It is also the responsibility of the Council to establish our position on how to respond to any Freedom of Information requests we receive in relation to reimbursement of costs of care. The IRPW states within annex 4 of appendix 1, that it is not the intention to disclose details of individual's claims.

5.4 **Personnel**

There are no direct staffing implications from this report.

6. **Supporting Evidence**

Independent Remuneration Panel for Wales Annual Report 2021/22
<https://gov.wales/sites/default/files/publications/2021-02/Independent%20Remuneration%20Panel%20for%20Wales%20-%20Annual%20Report%202021.pdf>

6.1 **Performance Information and Data**

Not applicable to this report

6.2 **Expected outcome for the public**

Not applicable to this report

6.3 **Involvement (consultation, engagement, participation)**

Not applicable to this report

6.4 **Thinking for the Long term (forward planning)**

Not applicable to this report

6.5 **Preventative focus**

Not applicable to this report

6.6 **Collaboration / partnership working**

Not applicable to this report

6.7 **Integration (across service areas)**

Not applicable to this report

6.8 **EqIA(screening and identifying if full impact assessment is needed)**

Not applicable to this report

7. **Monitoring Arrangements**

7.1 *State how the work will be monitored e.g. through scrutiny or directorate performance management arrangements*

7.2 **Background Documents /Electronic Links**

Appendix 1

- <https://gov.wales/sites/default/files/publications/2021-02/Independent%20Remuneration%20Panel%20for%20Wales%20-%20Annual%20Report%202021.pdf>



To:

Leaders and Chief Executives of County and County Borough Councils
Chairs and Chief Executives of National Park Authorities
Chairs and Clerks of Fire and Rescue Authorities
Chair and Chief Executive of One Voice Wales
Leader and Chief Executive of Welsh Local Government Association
Head of Democratic/Members Services of County and County
Borough Councils, National Park Authorities and Fire and Rescue Authorities
Clerks to Community & Town Councils

25 February 2021

Dear Colleague

Independent Remuneration Panel for Wales – Annual Report 2021/2022

Attached is the finalised Annual Report in respect of 2021/2022 which is effective from 1 April. My thanks to the individuals and organisations who responded to the draft Report issued in September last year. The Panel has considered the views and comments that were expressed and have been taken in to account in reaching the conclusions reflected in the Report.

The Panel has confirmed the increases in the salaries for elected members of principal councils, with consequential increases for members of National Park and Fire and Rescue Authorities. There are no other substantive changes to the draft Report. I also confirm that there are no changes to the remuneration of community and town councils. However, the Panel will be undertaking a review of the current remuneration framework for this sector and any changes will be reflected in the next draft Annual Report.

I would also remind all relevant authorities of the obligation to comply with the decisions of the Panel, in particular the publication of the Schedule of Member Remuneration (Annex 3) and the Publication of Remuneration (Annex 4). There has been a significant increase in the number of authorities who have not complied with these statutory requirements.

Yours sincerely

A handwritten signature in black ink that reads "John Bader". The signature is written in a cursive style with a prominent loop at the end of the last name.

John Bader

Chair



At:

Arweinwyr a Phrif Weithredwyr Cyngorau Sir a Chynghorau Bwrdeistref Sirol
Cadeiryddion a Phrif Weithredwyr Awdurdodau Parciau Cenedlaethol
Cadeiryddion a Chlercod Awdurdodau Tân ac Achub
Cadeirydd a Phrif Weithredwr Un Llais Cymru
Arweinydd a Phrif Weithredwr Cymdeithas Llywodraeth Leol Cymru
Pennaeth Gwasanaethau Democrataidd/Aelodau Cyngorau Sir a Chynghorau
Bwrdeistref Sirol, Awdurdodau Parciau Cenedlaethol ac Awdurdodau Tân ac
Achub
Clercod Cyngorau Cymuned a Chynghorau Tref

25 Chwefror 2021

Annwyl Gydweithiwr

**Panel Annibynnol Cymru ar Gynabyddiaeth Ariannol – Adroddiad Blynyddol
2021/2022**

Amgaeir Adroddiad Blynyddol terfynol 2021/2022 a fydd yn dod i rym ar 1 Ebrill. Diolch i'r unigolion a'r sefydliadau a ymatebodd i'r Adroddiad drafft a gyhoeddwyd fis Medi y llynedd. Mae'r Panel wedi ystyried y safbwyntiau a'r sylwadau a fynegwyd ac wedi rhoi sylw iddynt wrth ddod i'r casgliadau a adlewyrchir yn yr Adroddiad.

Mae'r Panel wedi cadarnhau'r cynnydd yng nghyflogau aelodau etholedig prif gynghorau, gyda chynnydd canlyniadol i aelodau Awdurdodau Parciau Cenedlaethol a Tân ac Achub. Nid oes unrhyw newidiadau sylweddol eraill i'r Adroddiad drafft. Rwyf hefyd yn cadarnhau nad oes unrhyw newidiadau i gynabyddiaeth ariannol cyngorau cymuned a chynghorau tref. Fodd bynnag, bydd y Panel yn cynnal adolygiad o'r fframwaith cydnabyddiaeth cyfredol ar

gyfer y sector hwn a chaiff unrhyw newidiadau eu hadlewyrchu yn yr Adroddiad Blynyddol drafft nesaf.

Hoffwn atgoffa'r holl awdurdodau perthnasol hefyd o'r rhwymedigaeth i gydymffurfio â phenderfyniadau'r Panel, yn enwedig cyhoeddi'r Rhestr Cydnabyddiaeth Ariannol Aelodau (Atodiad 3) a Chyhoeddi Cydnabyddiaeth Ariannol (Atodiad 4). Bu cynnydd sylweddol yn nifer yr awdurdodau nad ydynt wedi cydymffurfio â'r gofynion statudol hyn.

Yn gywir



John Bader

Cadeirydd