

**REPORT OF ADMINISTRATION & DEMOCRATIC SERVICES MANAGER AND
DEPUTY MONITORING OFFICER**

**SUBJECT: INDEPENDENT REMUNERATION PANEL FOR WALES DRAFT
ANNUAL REPORT 2021/22**

Purpose of Report

To inform Members of the consultation draft Annual Report of the Independent Remuneration Panel for Wales (the Panel) on the proposed level of Members' salaries for 2021/22 and to seek their views thereon.

Introduction/Background

The Independent Remuneration Panel for Wales was appointed in January 2008 by the (then) Welsh Assembly Government Minister for Social Justice and Local Government under the provisions of *The Local Authorities (Allowances for Members) (Wales) Regulations 2007*. The Panel was established on a permanent basis to determine the maximum levels of allowances payable by county and county borough councils.

Following the passing of the Local Government (Wales) Measure on the 10th May 2011, the Panel's remit was extended to include National Park Authorities, Fire and Rescue Authorities and 'civic heads' in local authorities. Not only that, Section 142 of the Measure extended the Panel's powers to enable it to prescribe payments rather than determine the maxima as it had done previously.

The Panel has now published its draft Annual Report for 2021/22 and the deadline for responses is the 23rd November 2020. I have been in contact with the Panel Secretariat and they have agreed that we can submit our response (if any) following today's meeting. A copy of this report has been forwarded to the Panel for information.

Draft Annual Report 2021/22

A copy of the draft Annual Report can be found on the Panel's website:

<https://gov.wales/sites/default/files/publications/2020-09/independent-remuneration-panel-draft-annual-report-2021-2022.pdf>. Those extracts of the report that are relevant to this Authority are appended for Members' information but, in essence, the Panel has decided that:

- the Basic Salary will increase by £43 to £4,053 per annum;
- the Senior Salary for the Chair of the Authority will be aligned to that part of a Band 3 Senior Salary received by a Committee Chair of a principal council. Therefore the Chair's Senior Salary will increase by £135 to £12,845 per annum;
- the Senior Salary for the Deputy Chair of the Authority and any other Committee Chairs or other senior posts will increase by £82 to £7,792 per annum;

- the limitation on the number of Senior Salaries that can be paid (currently four) will be removed;
- the fees payable to co-opted Members of the Standards Committee will increase by £12, therefore:
 - the Chair of the Standards Committee will receive a daily fee of £268 (4 hours and over), or £134 (up to 4 hours), and
 - “ordinary” co-opted Members of the Standards Committee will receive a daily fee of £210 per day (4 hours or over), or £105 (up to 4 hours);
- significant changes will be made regarding costs of care (details available in Section 10 in the attached appendix), and
- there are no increases in travel and subsistence costs when on official business.

These changes will be implemented on the 1st April 2021.

Financial considerations

The resource implications associated with the Panel’s determinations can be met from existing budgets.

RECOMMENDATION:

Members’ opinion is sought:

- whether to submit a response to the Independent Remuneration Panel for Wales’ draft Annual Report and, if so**
- the content of such a response.**

Background Documents

Independent Remuneration Panel for Wales’ Annual Report 2021/22: consultation draft

(For further information, please contact Janet Evans, Administration & Democratic Services Manager and Deputy Monitoring Officer on 01646 624834 or by e-mailing janete@pembrokeshirecoast.org.uk)

Author: Janet Evans, Administration & Democratic Services Manager and Deputy Monitoring Officer

Consultees: Tegryn Jones, Chief Executive, Michael Kent, Monitoring Officer and Richard Griffiths, Finance Manager



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
Community & Town Councils

28 September 2020

Dear Colleague

Independent Remuneration for Wales – Draft Annual Report 2021/22

The Panel's draft Annual Report for 2021/22 is attached. We would appreciate and welcome comments during the consultation period which ends on 23 November 2020.

The draft Report contains proposed changes to our remuneration framework including a modest increase in the basic salary for elected members of principal councils and members of National Park Authorities and Fire and Rescue Authorities. We have also propose significant changes in respect of financial support for care and assistance.

We look forward to receiving comments and will consider all of the responses to this draft prior to producing the final Report for publication in February 2021.

Yours sincerely

John Bader
Chair



Independent Remuneration Panel for Wales

Annual Report

DRAFT

February 2021

Mae'r ddogfen yma hefyd ar gael yn Gymraeg.
This document is also available in Welsh.

ANNUAL REPORT 2021

FOREWORD

As with very many organisations the coronavirus pandemic has impacted on the work of the Panel. However, we have continued to meet regularly to carry out our statutory function via Microsoft Teams.

We completely understand the implications that the pandemic has had and continues to have on all local authorities in Wales, so we have limited the extent of the changes to our Remuneration Framework this year. It is important that the payments to elected members of principal councils should not fall further behind average earnings so this draft report proposes modest increases in the basic salary with appropriate adjustments for members of other organisations.

The membership of the Panel has changed. Roger Symonds' term of office ended on 31 May and two new members, Claire Sharp and Joe Stockley who were appointed from 1 January and 1 June respectively. Sadly, long standing member, Stephen Mulholland passed away earlier this year after a short illness. His contribution to the work of the Panel over many years was significant and he will be missed.

John Bader
Chair

Panel Membership
John Bader, Chair
Greg Owens, Vice Chair
Saz Willey
Claire Sharp
Joe Stockley

Detailed information about the members can be found on the website: [Panel website](#)

Introduction

This is the thirteenth Annual Report of the Independent Remuneration Panel for Wales (the Panel), and the tenth published under the requirements of the Local Government (Wales) Measure 2011 (as amended).

1. Although this draft Report is in respect of the Panel's determinations for 2021/2022 our 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. As with all the Panel's Annual Reports the determinations on member remuneration are underpinned by the principles set out in Section 1. In May 2020 we 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 and will be included in future Annual Reports.
3. The Panel has consistently expressed its view that maintaining the democratic values of local governance cannot be cost free. Members of local authorities (including co-opted and appointed members) are there to represent the interests of local people, undertake the governance of local communities, and secure appropriate value for money public services for local tax-payers through effective scrutiny for which they are accountable to their community. These are significant and important tasks for members of the relevant authorities within the Panel's remit. Payments to members are made available to encourage a diversity of willing and able people to undertake local governance through their elected, appointed or co-opted roles.
4. In determining the level of payments to members of local authorities, the Panel seeks to meet the principle of 'acceptability' by ensuring that these are not 'so great as to require a significant diversion of resources from key council priorities'. But Section 142(8) of the Measure is more explicit on 'affordability' when it states that "when setting an amount¹, the Panel must take into account what it considers will be the likely financial impact of doing so on relevant authorities". The Panel acknowledges that the issue of affordability – in relation both to relevant authorities' service budgets and to the electorate's disposable incomes – is likely to impact on the public perception of any increases to members' payments. It is therefore a matter of balancing issues of affordability and public perception with fairness to members for their time, worth and responsibility.
5. The Panel originally set the basic salary of elected members of principal councils at three-fifths of the All Wales Median Salary and senior salaries were set at multiples of this annual median salary. In setting these salaries the Panel recognised that there was an unpaid public service contribution.
6. The financial constraints on the public sector and particularly on local authorities over many years have meant that the link with average Welsh earnings has not been maintained. The Panel considers that this has undervalued the worth of elected members. To minimise further erosion in relation to average earnings the Panel proposes to increase the basic annual salary by £150. Other payments that are based on the basic salary will be adjusted accordingly.

7. Payments for members of National Park Authorities and Fire and Rescue Authorities will increase as a result of the uplift proposed for principal councils. One other change proposed for these authorities is to remove the limitation on the number of senior salaries that can be paid.
8. The payment information provided by relevant authorities show that still very few members are utilising the provision in the framework to reimburse the costs of care. We reiterate the importance that Democratic Services Committees encourages and facilitates greater use of this element of our framework so that members concerned are not financially disadvantaged. We are proposing significant changes regarding the costs of care which are set out in Section 10.
9. The Panel has continued to contribute wherever possible to enhancing diversity in local government in Wales through its determinations. The Panel produces leaflets for prospective candidates on the remuneration of members of councils. We are pleased that several councils include this leaflet on their websites. In addition we have produced a short film [Ever thought about being a Welsh councillor?](#) This can be viewed on our website.
10. We continue to engage with community and town councils and have met with numerous representative groups. Unfortunately the extent of engagement has been curtailed as a consequence of COVID 19. For 2021/2022 we are not proposing any specific changes to payments in respect of community and town councils.
11. The Panel's Regulations have been updated to reflect changes to the remit (see Annex 2).
12. One issue that has arisen again, particularly in the context of the pandemic lockdown is the action of the Council in respect of the Reports of the Panel which it receives. When the Panel's Annual Report is issued, principal councils must comply with the statutory requirements and apply all the relevant determinations. The proper officer of the council must put in place mechanisms for all eligible council members to receive payments as determined by the Panel. There are currently no options relating to levels of remuneration by principal councils that require a decision by full council. Levels of payments to which members are entitled cannot be varied by a vote of a principal council.
13. Only an individual member may communicate in writing to the proper officer if, as *an individual*, they wish to decline all or part of the payment to which they are entitled.

14. How the IRPW Annual Report is formally received or noted by full council is not a matter that is within the Panel's statutory remit. Individual constitutions or standing orders of councils may vary as to matters that may be submitted to full council for consideration. It is for each council to decide how they wish to manage receipt of the IRPW statutory Annual Report and if appropriate seek the advice of their legal officers. However, all council members and officers should take care that no misleading statements are made or reported in media, in particular, an indication that a council has taken a decision to reduce or vary levels of payments. There are no powers that permit a principal council to take such action.

¹ [Local Government \(Wales\) Measure 2011](#)

2. Annual Report Summary Page

Type of Payment	Type of Authority			
	Principal Councils	National Park Authorities	Fire and Rescue Authorities	Community and Town Councils
Basic Salary	page 11	page 25	page 28	N/A ²
Senior Roles	page 14	page 25	page 28	page 41
Committee Chairs	page 13	page 25	page 28	N/A
Opposition Groups	page 14	N/A	N/A	N/A
Civic Heads and Deputies	page 15	N/A	N/A	page 44
Presiding Members	page 16	N/A	N/A	N/A
Mileage	page 38	page 38	page 38	page 42
Other Travel Costs	page 38	page 38	page 38	page 42
Subsistence Costs	page 39	page 39	page 39	page 42
Costs of Care	page 32	page 32	page 36	page 32
Family Absence	page 23	N/A	N/A	N/A
Sickness Absence	page 36	page 36	page 30	N/A
Joint Overview and Scrutiny Committees	page 21	N/A	N/A	N/A
Pension	page 22	N/A	N/A	N/A
Co-optees	page 30	page 30	page 30	N/A
Specific or Additional Allowances	page 18	N/A	N/A	N/A
Payments to Community and Town Councillors	N/A	N/A	N/A	page 40
Compensation for Financial Loss	N/A	N/A	N/A	page 43
Statement of Payments	page 73	page 73	page 73	page 73
Schedule of Remuneration	Page 71	Page 71	Page 71	N/A
Salaries of Head of Paid Services	Page 49	N/A	Page 49	N/A

² Not Applicable

7. Payments to Members of National Park Authorities (NPAs)

Structure of National Park Authorities

7.1 The three National Parks in Wales - Brecon Beacons, Pembrokeshire Coast and Snowdonia were formed to protect spectacular landscapes and provide recreation opportunities for the public. The Environment Act 1995 led to the creation of the three corresponding National Park Authorities (NPAs). These have two main statutory purposes, to:

- protect and improve the natural beauty, wildlife and cultural heritage;
- promote opportunities for the public to understand and enjoy the National Park's special features.

In addition to fulfilling the National Park's purposes, it is the duty of the National Park Authority to foster the economic and social wellbeing of local communities within the Park.

7.2 National Park Authorities comprise Members who are either elected members nominated by the Principal Councils within the National Park area or are members appointed by the Welsh Government through the Public Appointments process. Welsh Government appointed and council nominated members are treated equally in relation to remuneration.

7.3 The structure of the Members' Committee at each of the three national parks is set out in Table 4.

Table 4: Membership of Welsh National Park Authorities

National Park Authority	Total Membership	Principal Council Members	Welsh Government appointed Members
Brecon Beacons	18	12: Blaenau Gwent County Borough Council – 1 Carmarthenshire County Council – 1 Merthyr Tydfil County Borough Council – 1 Monmouthshire County Council – 1 Powys County Council – 6 Rhondda Cynon Taf County Borough Council - 1 Torfaen County Borough Council – 1	6
Pembrokeshire Coast	18	12: Pembrokeshire County Council – 12	6
Snowdonia	18	12: Conwy County Borough Council – 3 Gwynedd Council – 9	6

- 7.4 In addition, Standards Committees of NPAs have independent co-opted members whose remuneration is included in the Framework as set out in Section 9.
- 7.5 In considering remuneration of members of NPAs, the Panel has based its determinations on the following key points:
- NPAs manage their work via formal authority meetings, committees and task and finish groups. Each has a Development, Management and or Planning Committee, and other committees include Performance and Resources and Audit and Scrutiny. Ordinary NPA members are members of at least one committee as well as being involved in site visits and inspection Panels.
 - There is an expectation that members will participate in training and development.
 - The Chair of an NPA has a leadership and influencing role in the authority, a representational role similar in some respects to that of a civic head and a high level of accountability. The chair is not only the leader of the authority but is also the public face of the particular national park and is the link with the Minister and MSs with whom they have regular meetings. The role requires a high level of commitment and time.

Basic and senior salaries

- 7.6 In the time commitment on which the remuneration of members is based is 44 days. The salary for members of NPAs will increase to £4,053.
- 7.7 The Panel has determined that the remuneration of a NPA Chair should be aligned to that part of a Band 3 senior salary received by a committee chair of a principal council. This salary will increase to £12,845.
- 7.8 The Panel has previously determined that up to two other committee Chairs can be remunerated. If the NPA considered this was restrictive, there was an option to apply for additional Senior Salary. It is proposed that this restriction is removed and that NPAs determine the number of Senior posts it requires as appropriate to its governance arrangements. The determination relating to the application for additional senior salaries is removed.
- 7.9 The Panel has made the following determinations:

Determination 19: The basic salary for NPA ordinary members shall be £4,053 with effect from 1 April 2021.

Determination 20: The senior salary of the Chair of a NPA shall be £12,845 with effect from 1 April 2021.

Determination 21: A NPA senior salary of £7,792 must be paid to a Deputy Chair where appointed.

Determination 22: Committee chairs or other senior posts must be paid a salary of £7,792.

Determination 23: Members must not receive more than one NPA senior salary.

Determination 24: A NPA senior salary is paid inclusive of the NPA basic salary.

Determination 25: Members of a principal council in receipt of a Band 1 or Band 2 senior salary cannot receive a salary from any NPA to which they have been appointed.

Note: Family absence does not apply to Welsh Government appointed members and local authority nominees are covered by their principal council so NPAs are not required to make any arrangements in this respect.

9. Payments to Co-opted Members of Principal Councils, National Park Authorities and Fire & Rescue Authorities⁶

- 9.1 The Panel has determined that a daily or half daily fee is appropriate remuneration for the important role undertaken by co-opted members of authorities with voting rights.
- 9.2 The number of days in any one year for which co-opted members may be paid varies and reflects the specific work discharged by the relevant committee. This context for payment therefore differs from that for elected members of principal councils which provides a monthly payment. Many elected members of principal councils report that they rely on this as part of a core income without which they would be unable to continue in the role.
- 9.3 In dialogue with the Panel, co-opted members acknowledge the importance of fees they receive but do not identify these payments as an income for living upon which they depend. Panel determinations in relation to co-opted member fees occur in this context and any uplifts are therefore not comparable with the changes to salaries of elected members.
- 9.4 The Panel proposes an increase of £12 to £210 daily rate for ordinary co-opted members and for those with additional responsibility.
- 9.5 Recognising the important role that co-opted members discharge, payment must be made for travel and preparation time; committee and other types of meetings as well as other activities, including training, as set out in Determinations 34 to 37.
- 9.6 The determinations are set out below and principal councils, NPAs and FRAs must tell co-opted members the name of the appropriate officer who will provide them with the information required for their claims; and make the appropriate officer aware of the range of payments that should be made.

Determination 33: Principal councils, NPAs and FRAs must pay the following fees to co-opted members who have voting rights (Table 6).

Table 6: Fees for co-opted members (with voting rights)

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

Community and town councillors sitting on principal council standards committees	£210 (4 hours and over) £105 (up to 4 hours)
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Determination 34: Reasonable time for pre-meeting preparation is to be included in claims made by co-opted members the extent of which can be determined by the appropriate officer in advance of the meeting.

Determination 35: Travelling time to and from the place of the meeting is to be included in the claims for payments made by co-opted members (up to the maximum of the daily rate).

Determination 36: The appropriate officer within the authority must determine in advance whether a meeting is programmed for a full day and the fee will be paid on the basis of this determination even if the meeting finishes before four hours has elapsed.

Determination 37: Fees must be paid for meetings and other activities including other committees and working groups (including task and finish groups), pre-meetings with officers, training and attendance at conferences or any other formal meeting to which co-opted members are requested to attend.

Support for co-opted members

Determination 38: Each authority, through its Democratic Services Committee or other appropriate committee, must ensure that all voting co-opted members are given as much support as is necessary to enable them to fulfil their duties effectively. Such support should be without cost to the individual member.

⁶This section does not apply to co-opted members to community and town councils.

10. Contribution towards costs of care and personal assistance

- 10.1 This section applies to all members of principal councils, National Park Authorities, Fire and Rescue Authorities and to Co-opted members of these authorities. The same provision applies to Community and Town Councils.
- 10.2 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. These principles are replicated in the [supplementary report](#).
- 10.3 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.
- 10.4 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.
- 10.5 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

- 10.6 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.

Table 7

The Panel's principles relating to care and personal assistance

The Minimum Authorities should do		How this could be done
Be clear who it is for	<p>Members with primary caring responsibilities for a child or adult and or personal support needs where these are not covered by statutory or other provision.</p> <p>For personal support. This might also include a short term or recent condition not covered by the Equality Act 2010, access to work, Personal Payments, insurance or other provision.</p>	A Confidential review of the needs of individual members annually and when circumstances change
Raise Awareness	Ensure potential candidates, candidates and current members are aware that financial support is available to them should their current or future circumstances require.	Ensure clear and easily found information is available on website and in election and appointment materials, at Shadowing and at induction and in the members' "handbook". Remind serving members via e-mail and or training. Signpost to IRPW Payments to Councillors leaflets.
Promote a Positive Culture	Ensure all members understand the reason for RoCoC and support and encourage others to claim where needed.	Encouragement within and across all parties of Relevant Authorities to support members to claim.

The Minimum Authorities should do		How this could be done
		Agree not to advertise or make public individual decisions not to claim.
Set out the approved duties for which CCCPA can be claimed	<p>Meetings – formal (those called by the Authority) and those necessary to members’ work (to deal with constituency but not party issues) and personal development (training, and appraisals.)</p> <p>Travel – in connection with meetings.</p> <p>Preparation – reading and administration are part of a member’s role. Some meetings and committees require large amounts of reading, analysis or drafting before or after a meeting.</p> <p>Senior salary holders with additional duties may have higher costs.</p>	<p>Approved duties are usually a matter of fact. Interpretation of the IRPW Regulations are set out in the Annual Report.</p> <p>“Any other duty approved by the authority, or any duty of class so approved, undertaken for the purpose of, or in connection with, the discharge of the functions of the authority or any of its committees.”</p>
Be as enabling as possible about the types of care that can be claimed	<p>Members should not be “out of pocket” subject to the limit set in the Annual Report.</p> <p>Models of care and needs vary. Members may use a combination of several care options.</p> <p>Patterns of care may alter over the civic and academic year.</p> <p>Not all care is based on hourly (or part hourly) rates.</p> <p>Where a whole session must be paid for, this must be reimbursed even where the care need is only for part of a session.</p> <p>Members may need to:</p> <ul style="list-style-type: none"> • book and pay for sessions in advance • commit to a block contract: week, month or term • pay for sessions cancelled at short notice <p>Where care need straddles two sessions both should be reimbursed.</p>	

The Minimum Authorities should do		How this could be done
Have a simple and effective claim process	Members should know how to claim. The claim process should be clear, proportionate and auditable.	Check members understand how to claim and that it is easy to do so. Flexibility to accept paperless invoices Online form Same or similar form to travel costs claim
Comply with IRPW Publication rules	The IRPW Framework states: “In respect of the publication of the reimbursement of the costs of care, the Panel has decided that relevant authorities should only publish the total amount reimbursed during the year. It is a matter for each authority to determine its response to any Freedom of Information requests it receives. However, it is not intended that details of individual claims should be disclosed.”	

Determination 39: All relevant authorities must provide for the reimbursement of the contribution towards necessary costs for the care of dependent children and adults (provided by informal or formal carers) and for personal assistance needs as follows:

- **Formal (registered with Care Inspectorate Wales) care costs to be 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.**

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

11. Sickness Absence for Senior Salary Holders

- 11.1 The Family Absence Regulations (approved by the National Assembly in 2014) are very specific relating to entitlement and only available for elected members of principal councils. Absence for reasons of ill-health is not included.
- 11.2 Instances have been raised with the Panel of senior salary holders on long term sickness and the perceived unfairness in comparison with the arrangements for family absence. In consequence, councils are faced with the dilemma of:
- Operating without the individual member but still paying them the senior salary.
 - Replacing the member who therefore loses the senior salary (but retains the basic salary).
- 11.3 The Panel's Framework provides specific arrangements for long term sickness as set out below:
- a) Long term sickness is defined as certified absences in excess of 4 weeks.
 - b) The maximum length of sickness absence within these proposals is 26 weeks or until the individual's term of office ends, whichever is sooner (but if reappointed any remaining balance of the 26 weeks will be included).
 - c) Within these parameters a senior salary holder on long term sickness can, if the authority decides, continue to receive remuneration for the post held.
 - d) It is a decision of the authority whether to make a substitute appointment, but the substitute will be eligible to be paid the senior salary appropriate to the post.
 - e) If the paid substitution results in the authority exceeding the maximum number of senior salaries payable for that authority, as set out in the Annual Report, an addition will be allowed for the duration of the substitution. (However, this would not apply to Merthyr Tydfil or the Isle of Anglesey councils if it would result in more than 50% of the membership receiving a senior salary. It would also not apply in respect of a council executive member if it would result in the cabinet exceeding 10 posts - the statutory maximum).
 - f) When an authority agrees a paid substitution, the Panel must be informed within 14 days of the decision of the details including the specific post and the estimated length of the substitution. The authorities' Schedule of Remuneration must be amended accordingly.
 - g) It does not apply to elected members of principal councils who are not

senior post holders as they continue to receive basic salary for at least six months irrespective of attendance and any extension beyond this timescale is a matter for the authority.

- 11.4 This arrangement applies to members of principal councils, National Park Authorities and Fire and Rescue Authorities who are senior salary holders, including Welsh Government appointed members, but does not apply to co-opted members.

Note:

The Family Absence Regulations apply to elected members in cases of maternity, new born, adoption and parental absences from official business. They do not apply to Welsh Government appointed members of National Park Authorities.

12. Reimbursement of Travel and Subsistence Costs when on Official Business

- 12.1 This section applies to members of principal councils, National Park Authorities, Fire and Rescue Authorities and to co-opted members of these authorities. (Similar provision for Community and Town Councils is contained in section 13 as there is a different approach to such members, principally that the provision is permissive.)
- 12.2 Members may claim reimbursement for travel and subsistence (meals and accommodation) costs where these have arisen as a result of undertaking official business or approved duties.
- 12.3 Expenses reimbursed to members of principal councils, by their principal council are exempt from Income Tax and employee NICs. Members of National Park Authorities and Fire and Rescue Authorities may be subject to other arrangements as determined by HMRC.
- 12.4 The Panel is aware that in some instances members with disabilities have been reluctant to claim legitimate travel expenses because of an adverse response following the publication of their travel costs. As an alternative, travel arrangements could be made directly by the authority in such circumstances.
- 12.5 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:

Reimbursement of mileage costs

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 on authority business
24p per mile	Motor cycles
20p per mile	Bicycles

- 12.6 Where a member who is on official business or an approved duty is driven by a third party (not a member or officer of that authority), the member can claim mileage at the prescribed rates plus any parking or toll fees provided the authority is satisfied that the member has incurred these costs.

Reimbursement of other travel costs

- 12.7 All other claims for travel, including travel by taxi if this is the only, or most

appropriate, method of transport, must only be reimbursed on production of receipts showing the actual cost and will be subject to any requirement or further limitation that an authority may determine. Members should always be mindful of choosing the most cost-effective method of travel.

Reimbursement of subsistence costs

£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	Staying with friends and or family

- 12.8 These rates are in line with Welsh Government rates. Recommended practice is that overnight accommodation should usually be reserved and paid for on behalf of members by the relevant authority, in which case an authority may set its own reasonable limits and the limits which apply when an individual member claims in arrears for overnight accommodation costs do not then apply.
- 12.9 All authorities must continue to reimburse subsistence expenses for their members up to the maximum rates set out above on the basis of receipted claims except for occasions when members stay with friends and/or family.
- 12.10 There may be instances where an authority has determined that travel costs within its boundaries are payable and require a journey to be repeated on consecutive days. Where it is reasonable and cost effective to reimburse overnight accommodation costs, instead of repeated daily mileage costs, then it is permissible to do so.
- 12.11 It is not necessary to allocate the maximum daily rate (£28 per day) between different meals as the maximum daily rate reimbursable covers a 24-hour period and can be claimed for any meal if relevant, provided such a claim is accompanied by receipts.

Car Parking for Members

Several councils have specific arrangements for their members in respect of car parking. The Panel considers that it is a matter for individual councils to determine arrangements including payments to and from members providing that it is a decision made formally by the council.

Annex 4: Publication of Remuneration – the Panel’s Requirements

In accordance with Section 151 of the Wales (Local Government) Measure 2011 the Panel requires that:

1. Relevant authorities must publish a Statement of Payments made to its members for each financial year. This information must be published in a form and location that is easily accessible to members of the public no later than 30 September following the end of the previous financial year and in the same timescale also provided to the Panel. The following information must be provided:
 - a. The amount of basic salary, senior salary, civic salary and co-opted member fee paid to each named member or co-opted member of the relevant authority, including where the member had chosen to forego all or part of the salary, or fee for the municipal year in question. Where a senior salary has been paid, the title of the senior office held is to be provided.
 - b. The payments made by community and town councils to named members as:
 - Payments in respect of telephone usage, information technology, consumables etc.
 - Responsibility payments
 - Allowances made to a mayor or chair and deputy mayor or deputy chair
 - Compensation for Financial Loss
 - Costs incurred in respect of travel and subsistence
 - c. All travel and subsistence expenses and other payments received by each named member and co-opted member of the relevant authority, with each category identified separately.
 - d. The amount of any further payments received by any named member nominated to, or appointed by, another relevant authority or other public body as defined by Section 67 of the Local Government (Democracy) (Wales) Act 2013, namely:
 - a local health board
 - a police and crime Panel
 - a relevant authority
 - a body designated as a public body in an order made by the Welsh Ministers.
 - e. Names of members who did not receive basic or senior salary because they were suspended for all or part of the annual period to which the Schedule applies.
 - f. In respect of the publication of the contribution towards costs of care and personal assistance, relevant authorities are only required to

publish the total amount reimbursed during the year. It is a matter for each authority to determine its response to any Freedom of Information requests it receives. However, it is not intended that details of individual claims should be disclosed.

2. Nil returns are required to be published and provided to the Panel by 30 September.

Annex 5: Summary of new and updated determinations contained in this report

The numbers of most of the determinations contained within this report have changed from previous reports.

To assist authorities, this table sets out the determinations in this report which are entirely new or have been updated.

Summary of new and updated determinations contained in this report	
Principal Councils	
Determination 1: This Determination has been updated	Basic salary in 2021/22 for elected members of principal councils shall be £14,218 with effect from 1 April 2021.
Determination 2: The amounts payable under this Determination have been updated	Senior salary levels in 2021/22 for members of principal councils shall be as set out in Table 3 with effect from 1 April 2021.
Determination 3: This Determination has been updated	Where paid, a civic head must be paid a Band 3 salary of £23,161 and where paid a deputy civic head must be paid a Band 5 salary of £18,108 with effect from 1 April 2021.
Determination 4: This Determination has been updated	Where appointed and if remunerated, a presiding member must be paid a Band 3 senior salary of £23,161.
National Park Authorities	
Determination 19: This Determination has been updated	The basic salary for NPA ordinary members shall be £4,053 with effect from 1 April 2021.
Determination 20: This Determination has been updated	The senior salary of the Chair of a NPA shall be £12,845 with effect from 1 April 2021.
Determination 21: This Determination has been updated	A NPA senior salary of £7,792 must be paid to a Deputy Chair where appointed. Any additional senior posts that are paid must be at £7,792.
Fire and Rescue Authorities	
Determination 27: This Determination has been updated	The basic salary for FRA ordinary members shall be £2,026.
Determination 28: This Determination has been updated	The senior salary of the Chair of a FRA shall be £10,818.
Determination 29: This Determination has been updated	A FRA senior salary of £5,765 must be paid to the Deputy Chair where appointed.
Determination 30: This Determination has been updated	Chairs of Committees can be paid. This shall be paid at £5,765. Any additional senior posts that are paid must be at £5,765
Contribution towards costs of care and personal assistance	
Determination 39: This Determination has been updated.	<p>All relevant authorities must provide for the reimbursement of the contribution towards necessary costs for the care of dependent children and adults (provided by informal or formal carers) and for personal assistance needs as follows:</p> <ul style="list-style-type: none"> • Formal (registered with Care

Summary of new and updated determinations contained in this report	
	<p>Inspectorate Wales) care costs to be reimbursed in full.</p> <ul style="list-style-type: none"> • 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. <p>Reimbursement must be for the additional costs incurred by members to enable them to carry out official business or approved duties. Each authority must ensure that any payments made are appropriately linked to official business or approved duty. Reimbursement shall only be made on production of receipts from the carer.</p>

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[Independent Remuneration Panel for Wales](#)