

No.

DEMOCRATIC SERVICES COMMITTEE

Minutes of a Remote meeting held on 27th November, 2023.

The Committee agenda is available [here](#).

The Meeting recording is available [here](#).

Present: Councillor Dr. I.J. Johnson (Chair); Councillor S.J. Haines (Vice-Chair); Councillors G.D.D. Carroll, E. Goodjohn, K.P. Mahoney, S.D. Perkes, J. Protheroe and N.C. Thomas.

Also present: Councillors A. Asbrey, G. Bruce, C.P. Franks, W.A. Hennessy, J.M. Norman and E. Williams (Cabinet Member for Social Care and Health).

546 ANNOUNCEMENT –

Prior to the commencement of the business of the Committee, the Principal Democratic and Scrutiny Services Officer read the following statement: “May I remind everyone present that the meeting will be live streamed as well as recorded via the internet and this recording archived for future viewing”.

547 APOLOGY FOR ABSENCE –

This was received from Councillor S.M. Hanks.

548 MINUTES –

RESOLVED – T H A T the minutes of the meeting held on 17th July, 2023 be approved as a correct record.

549 DECLARATIONS OF INTEREST –

Councillors Dr. I.J. Johnson, S.D. Perkes, J. Protheroe and N.C. Thomas declared an interest in Agenda Item No. 4 – Independent Remuneration Panel for Wales Draft Annual Report 2024/25 – Consultation – in that they received a Senior Salary allowance. Councillor Haines advised that Councillor Carroll, who was having difficulty connecting to the meeting and would join as soon as possible, was also in receipt of a Senior Salary allowance, it being noted that the declarations were being made for transparency purposes only.

No.

550 INDEPENDENT REMUNERATION PANEL FOR WALES DRAFT ANNUAL REPORT 2024/25 – CONSULTATION (HDS) –

The Head of Democratic Services presented the report advising that the report set out the determinations to apply to the Vale of Glamorgan Council, Town and Community Councils (TCCs) and, where relevant, Fire and Rescue and National Park Authorities. The Independent Remuneration Panel for Wales (IRPW) were tasked with setting the remuneration levels for Councils in Wales and each year they published a Draft Annual Report which had been circulated for consultation. The Panel for 2024/25 had concentrated on three main areas:

- The continuation to ensure that levels of remuneration were fair and reasonable by aligning levels of remuneration for Elected Members of Principal Councils, National Park and Fire and Rescue Authorities within the context of average Welsh earnings by using the Annual Survey of Hours and Earnings within Wales (ASHE) published by the Office for National Statistics as the main benchmark for setting remuneration.
- The reporting requirements for TCCs and the number of TCC Councillors who decide to forego all or part of their entitlement.
- The method of calculating payments made to co-opted members of Principal Councils, National Park and Fire and Rescue Authorities.

Appendix A to the report detailed the extract of determinations from the IRPW's Draft Annual Report and the Head of Democratic Services' suggested responses to the consultation for the Committee's consideration.

Both Councillor Haines and Councillor Carroll, in commenting on the responses, advised that it was their view that Councillors should not accept an uplift due to the current cost of living crisis with the suggestion that a pay freeze be recommended to the IRPW for 2024/25. The Chair also drew Members' attention to the fact that the Democratic Services Committee were responding on behalf of the Full Council and that some of the determinations within the report related to TCCs and other authorities, e.g. National Park Authorities which he considered to be a matter for those organisations. Councillor Perkes stated that it was important to reflect that not all Councillors' personal circumstances were the same and that it was fair and reasonable for Members to be reimbursed for their work as a Councillor.

Councillor Goodjohn suggested, and other Members commented in a similar manner, that the Committee may wish to consider a pay freeze in respect of the proposed uplift, in line with wording that was used in the previous year's response to the IRPW's recommendations at that time.

Following consideration of the report and having regard to the discussions at the meeting, a vote was taken in respect of the determinations with it subsequently being

RESOLVED –

(1) T H A T the Independent Remuneration Panel for Wales' (IRPW) draft Annual Report 2024/25 proposals be noted.

No.

(2) T H A T the draft response to the IRPW Determinations as set out below be forwarded to the IRPW on behalf of the Council:

Determination 1 – Basic Salary in 2023/24 for Elected Members of Principal Councils shall be £18,666

The basic salary will be aligned with three fifths of the All Wales 2022 ASHE (Annual Survey for Hours & Earning), the latest figure available at drafting. This represents a 6.06% increase in the basic salary.

Council's Response

The Council supports the continued linking of remuneration to Elected Members' salaries to ASHE however requests that the IRPW consider a pay freeze for Principal Council Elected Members' salaries for 2024/25.

Determination 2 – Senior Salary Levels in 2024/25 for Members of Principal Councils shall be set out in Table 1 (of the IRPW Annual Report)

The All Wales 2022 ASHE (Annual Survey for Hours & Earnings) applies to Band 1 (Leader of Council and Deputy Leader of the Council) and Band 2 (Executive Members), Band 3 (Committee Chairs), Band 4 (Leader of the largest Opposition Group), Band 5 (Leader of other Political Groups) where pay is frozen and the basic salary increase will apply.

Council's Response

The Council supports the continued linking of remuneration to Elected Members' salaries to ASHE however requests that the IRPW consider a pay freeze for Principal Council Elected Members' salaries for 2024/25.

Determination 3 – The Salary Level for a Chair of a Joint Overview and Scrutiny Committee and Vice-Chair

The proposed amounts are £9,333 and £4,667 respectively.

Council's Response

The Council supports the continued linking of remuneration to Elected Members' salaries to ASHE however requests that the IRPW consider a pay freeze for Principal Council Elected Members' salaries for 2024/25.

Determination 4 – Payments to National Park Authorities and Fire and Rescue Authorities

Payments will be increased as a result of the uplift proposed for Elected Members of Principal Councils. Therefore, there will also be an uplift of 6.06% in the basic salary element.

No.

The remuneration for Chairs will remain linked to a Band 3 senior salary of Principal Councils. Therefore, there will be a small increase to the role element of their pay. Deputy Chairs, Committee Chairs and other senior roles will remain linked to Band 5. Therefore, their role element of pay will remain frozen. The increase in basic salary will apply. Full details of the levels of remuneration for members of National Park Authorities and Fire and Rescue Authorities, is set out in Table 2.

Council's Response

The Authority makes no comment on the increase as it is a matter for those authorities.

Determination 5 – Co-opted Member Payments

The Panel proposes there should be local flexibility for the relevant officer to decide when it will be appropriate to apply a day or a half day rate or to use an hourly rate where it is sensible to aggregate a number of short meetings. The full and half day rates remain unchanged from 2023 to 2024. The only change is the stipulation of hourly rates.

Council's Response

The Authority supports the introduction of the flexibility to use an hourly rate where appropriate.

Determination 6 – Payments towards costs and expenses of Members of Community and Town Councils / Basic payment for extra costs of working from home

All Community / Town Councils must pay Members £156 per year (equivalent to £3 a week) towards extra household expenses (including heating, lighting, power and broadband) of working from home.

Set Payment for Consumables

These Councils must pay their Members £52 a year for the cost of office consumables required to carry out their role, or alternatively Councils must enable Members to claim full reimbursement for the cost of their office consumables. It is a matter for each Council to make and record a policy decision in respect of when and how the payments are made and whether they are paid monthly, yearly, or otherwise. The policy should also state whether and how to recover any payments made to a Member who leaves or changes their role during the financial year.

Council's Response

The Authority makes no comment on the proposal but supports the principle that Members should be reimbursed.

No.

Determination 7 – Compensation for Financial Loss

This is an optional payment and the amount was not increased last year. Previously the Panel determined that an appropriate level of payment be set at the daily rate of ASHE. To maintain this link, the figures for 2024 are now proposed as £119.62 for a full day and £59.81 for a half day.

Council's Response

The Authority makes no comment on the increase.

Determination 8 – Returns in Respect of Mandatory Payments

The Panel proposes that from September 2024, the returns need only show the total amounts aid in respect of the mandatory payments mentioned above. This is the £156 contribution to the costs of working from home and the £52 set rate consumables allowance and the travel and subsistence expenses paid. This brings these in line with the reporting of the costs of care and personal assistance allowances.

Council's Response

The Authority supports the principle of alignment with reporting of the costs of care and personal assistance allowance.

(3) T H A T with regard to the Survey at Appendix B to the report, that the responses to the questions be as follows :

- **Question 1 – Uplift of remuneration using the Annual Survey of Hours and Earnings (ASHE)**

The Panel is fully aware of the current constraints on public funding and the impact its decisions will have on the budgets of Principal Authorities. The Panel is also mindful of our Aims and Objectives to provide a fair and reasonable remuneration package to support elected members and to encourage diversity of representation. We therefore propose to uplift their remuneration based on the average earnings of their constituents.

Do you think that the Panel has struck the right balance between affordability and adequate remuneration for representatives? If not, do you have other suggestions?

Council's Response

Yes but would comment that the Council maintains its support for the continued linking of remuneration for Elected Members' salaries to ASHE however, the Panel could consider a freeze in Member remuneration in exceptional circumstances.

No.

- **Question 2** – Local flexibility for payments to co-opted individuals

The Panel has received evidence that it would be more cost effective and fairer to provide for flexibility in paying those who are co-opted to serve on committees of Principal Councils, National Park Authorities and Fire and Rescue Authorities.

The Panel has therefore proposed there should be local flexibility for the relevant officer to decide when it will be appropriate to apply a day or half day rate or to use an hourly rate where it is sensible to aggregate a few short meetings.

Do you agree with this proposal? If not, do you have any suggested alternatives?

Council's Response

Yes and the Council accepts the stance taken by the IRPW to review existing payment methods to reflect agile working arrangements and changing demands on Co-opted Members.

- **Question 3** – Encouraging sustainable travel

The Panel would like to ensure that we support environmental sustainability in our decisions about remuneration. We are aware that there are schemes in many bodies in Wales which encourage sustainable travel and we have advised that, if possible, elected members should be encouraged to participate in these schemes.

Do you have any examples of good practice or other ideas of ways in which we might use our powers to encourage more sustainable travel among members?

Council's Response

No, the Council however supports the principle of encouraging the use of sustainable travel. The Council is currently looking to review information that is provided to its Members to raise awareness of the initiatives that they may wish to take advantage of.

- **Question 4** – Awareness of the entitlements of representatives

The Panel has seen evidence of a lack of awareness amongst local elected members of the payments to which they are entitled. We would like to find out if this is a significant issue, and if so, we will aim to raise awareness further, targeted at areas where this may be a problem.

No.

**Please identify which type of body you serve
What is your status?**

*Principal Council
Response of the
Committee*

Did you know that you may be entitled to some of or all of the following:

Remuneration for your role	Yes
Pension (Principal Councils only)	Yes
Reimbursement of expenses	Yes
Reimbursement for caring responsibilities	Yes
Family absence payments (Principal Councils only)	Yes

What steps does your council or authority take to make its elected members and co-opted members aware of their entitlements?

Council's Response

Information relating to Member Remuneration is published in the Elected Member Handbook. Members have also been provided practical workshops on how to claim expenses via its digital portal.

- **Question 5** – Publication of consolidated sums for Community and Town Councils

Community and Town Councils are required to submit an annual statement of payments to the Panel by 30 September each year, and also publish this on their website. The Panel have provided a template return for clerks to use. The Panel have discussed and considered changing the requirements for Community and Town Councils when submitting their statement of payment returns. The Panel's aim is to simplify administration and encourage Councils to ensure all mandatory payments are made to individual members.

The Panel proposes that from September 2024, the returns need only show the total amounts paid in respect of the mandatory payments mentioned above. That is the £156 contribution to the costs of working from home, the £52 set rate consumables allowance and the travel and subsistence expenses paid.

This brings these in line with the reporting of the costs of care and personal assistance allowances.

Do you agree that these figures may be published as a global total rather than individually?

Council's Response

No View

No.

What are the reasons for your view?

Council's Response

Whilst this is a matter for Town and Community Councils, the Council supports the Panel's proposal to encourage all Members to take appropriate remuneration for carrying out their duties.

- **Question 6** – Publication of consolidated sums for other bodies

In future reports, we are thinking of allowing consolidation of the travel and subsistence expenses of members of principal councils, National Park Authorities and Fire and Rescue Authorities and would be interested in your views.

Do you agree that these figures may be published as a global total rather than individually?

Council's Response

No.

What are the reasons for your view?

Council's Response

The Council supports the principle of publishing travel and subsistence expenses on an individual basis.

Reason for decisions

(1-3) Having considered Appendices A and B and following discussions at the meeting.

551 SECTION 8(1A) OF THE LOCAL GOVERNMENT (WALES) MEASURE 2011 – RESEARCH SUPPORT FOR COUNCILLORS (HDS) –

Part 2 of the Statutory and Non-Statutory Guidance (the Guidance) published by Welsh Government in June, July and August 2023 relating to the Local Government Act 2000, the Local Government (Wales) Measure 2011 (the Measure), and the Local Government and Elections (Wales) Act 2021 referred to Research Support for Councillors under Section 8(1A) of the Measure. The Guidance stated that “all Elected Members should be able to access a range of information and support” in order to undertake their roles effectively.

The Head of Democratic Services, in presenting the report, advised that the new Statutory Guidance recommended that Councils undertook an internal review / audit of the existing research support provided to Councillors and evaluate against the examples set out within the Guidance.

No.

The report therefore suggested that a review of the provision of information to Members would allow the Democratic Services Committee and the Council to establish whether support services and sources of information could be better co-ordinated, promoted and access to information improved.

Appendix A to the report provided the Committee with details of the information relating to the support that was currently being provided to Members. In order to understand the demand for additional support above that that was already being provided to Members, a draft survey was attached at Appendix B for the Committee's comment and approval. The Guidance also suggested that Councils should take the opportunity to work with its Councillors to identify any gaps or issues with the existing processes, reviewing how this support and its parameters could be developed over time.

Following completion of the survey the Committee a report would subsequently be presented to Democratic Services Committee to review the findings of the survey.

Councillor Carroll commented that in his view, the research support provided to Members was currently insufficient as again, in his view there was not much separation of powers between backbench Members and the Administration. Unfortunately, he stated that the officers who provided support to the Executive also provided support to backbench Members and it was important in his view that independent support and advice be provided.

Councillor Goodjohn enquired as to the process involved in obtaining the research support as outlined within the report, with the Chair asking the Head of Democratic Services to provide a written answer to Councillor Goodjohn and that the response be copied to all Members of the Committee.

Councillor Mahoney recognised the support received from Democratic Services Team, however commented that on many occasions he had difficulty in receiving responses to calls throughout the remainder of the Council and he had taken this matter up with the Chief Executive.

Councillor Perkes stated that all officers, in her opinion, provided an impartial view to Members and that it was important that officers were questioned.

Councillor Protheroe, in referring to Councillor Mahoney's comments, stated that she had not had any issues in receiving responses from officers to emails and encouraged Councillor Mahoney to do the same.

Councillor Dr. Johnson also stated that he contacted officers by email and where appropriate following consideration of those responses if necessary, requested further information and / or followed up with further emails as appropriate.

Having considered the report, it was subsequently

No.

RESOLVED –

- (1) T H A T the current level of support provided to Members as outlined at Appendix A to the report be noted.
- (2) T H A T the draft Members Research Support Survey attached at Appendix B to the report be approved for circulation to all Elected Members in order to identify what additional support was required and how this support could be developed over time.

Reasons for decisions

- (1) In order to comply with the requirements of Section 8(1A) of the Local Government (Wales) Measure 2011 and the recently published new consolidated Statutory Guidance 2023.
- (2) To identify if there was a case for the provision of additional resources to support the promotion of the Member Research Support facility to all Elected Members of the Council.

552 MATTER WHICH THE CHAIR HAD DECIDED WAS URGENT –

RESOLVED – T H A T the following matter which the Chair had decided was urgent for the reason given beneath the minute heading be considered.

553 HYBRID MEETING PLATFORM UPDATE (CX) –
(Matter which the Chair has decided is urgent by reason of the need to agree a preferred option to inform key decisions required to be made in proceeding with hybrid public meetings and the Committee’s recommendation be referred to Cabinet for further consideration.)

The Committee considered a report on the revised Multi-Location Meetings (MLM) Policy at its meeting on 17th July, 2023 and recommended to Cabinet the same for approval subject to several amendments including that all Scrutiny Committees be included within the revised draft Policy to be undertaken on a hybrid basis and broadcast live. The reference from the Committee was considered by Cabinet on 7th September, 2023, with Cabinet noting that there was an increased level of complexity and resources required for the administration of hybrid meetings as physical attendance needed to be planned as well as setting up remote equipment, increased numbers of staff to support meetings and the inclusion of simultaneous Welsh translation.

Cabinet, on 7th September, 2023, resolved that the MLM Policy be adopted but that there be a trial period of six months for Scrutiny Committee meetings being undertaken on a hybrid basis and broadcast live.

The report therefore provided the Committee with an update in relation to the implementation of the Easy Conf hybrid system for Committee meetings, with

No.

Committee also being informed that following discussion with the Chief Executive and the Leader of the Council, it had been agreed that the phased approach below would be taken to introduce hybrid public meetings:

- Cabinet – 30th November, 2023
- Scrutiny Committees, Governance and Audit and Planning Committees during December 2023 / January 2024 and
- Full Council Special meeting – 15th January, 2024.

The Head of Democratic Services further advised Committee that the Easy Conf hybrid meeting solution had been installed and commissioned in September 2023 and a programme of snagging had followed to ensure the system was ready to be thoroughly tested ahead of the soft launch with Members. The report also drew attention to the number of functionalities within the system that had been tested which included the simultaneous Welsh language translation function, hybrid voting and the radio frequency identification card (RFID). A number of Member training sessions had been scheduled and were being worked through as highlighted within paragraphs 2.13 to 2.22 of the report.

In addition to the implementation of the technical platform to enable hybrid meetings to be held work was required within the Council Chamber to accommodate various meetings of different capacities. Members were reminded that the size of the overall Council membership at the last Local Government elections had increased from 47 to 54 Members. The Chamber's dimension and shape posed a challenge in accommodating the maximum in person capacity of Elected Members and officers while aligning with statutory regulations, notably the Health and Safety at Work Act 1974, the Regulatory Reform (Fire Safety) Order 2005 and the Equalities Act 2010. Furthermore it was noted that design considerations to anticipate and accommodate potential forthcoming proposals from the Boundary Commission for Wales would add further complexity in terms on capacity requirements. An evaluation of the existing power infrastructure had also been conducted to inform the design process. Paragraph 2.31 of the report provided details of the options in respect of capacity for the Committee's consideration.

The Head of Democratic Services drew attention to Option D which would require the purchase of new equipment and furniture at a cost of approximately £136k with a lead time of eight weeks with the existing furniture and chairs being reused in other Council meeting accommodation. However, for Option F, the existing furniture would be utilised in a compliant layout enabling a large proportion of the current Council membership to be accommodated alongside a number of key officers to support meetings. This would be a minimal cost of £3,500 associated with electrical and minor repair works and a lead time of four weeks to achieve the option. The report therefore proposed that Option F be supported. It being further noted that there was uncertainty as to the number of Members who would decide to attend in person meetings or elected to attend remotely, a trial would enable numbers to be run and attendance monitored during the period with minimal expenditure being incurred and that a further review be undertaken in due course to inform the optimal approach.

Councillor Mahoney stated that in his view the Chamber should have enough room to accommodate all Members of the Council.

No.

Councillor Haines was also of the view that all Members of the Council should be present in the Chamber for Council meetings and had been disappointed as to how long the introduction of the hybrid solution had taken.

Councillor Perkes stated that in her view Option F should be the preferred option, with the option to review at a later stage.

Councillor Protheroe concurred with that view, as did Councillor Goodjohn in regard to health and safety concerns.

Following a vote, it was subsequently

RESOLVED –

(1) T H A T the progress made to date in respect of the implementation of the Council's hybrid solution platform to be used at Council meetings be noted.

(2) T H A T Option F be referred to Cabinet as the preferred option for hybrid public meetings.

Reasons for decisions

(1) Having regard to the progress made to date.

(2) In order to inform decisions to be made by Cabinet.