



COUNCIL - 19TH JANUARY 2021

SUBJECT **INDEPENDENT REMUNERATION PANEL FOR WALES:
SUPPLEMENTARY REPORT ON THE PRINCIPLES IN RESPECT
OF THE REIMBURSEMENT OF COSTS OF CARE**

REPORT BY: **HEAD OF DEMOCRATIC SERVICES AND DEPUTY MONITORING
OFFICER**

1. PURPOSE OF REPORT

- 1.1 To inform Council of the publication of a Supplementary Report by the Independent Remuneration Panel for Wales (the Panel) entitled The Principles in respect of the Reimbursement of Costs of Care which is attached at Appendix 1 and to ask the Council to endorse the principles and implement the same as a minimum requirement.
- 1.2 To authorise the Head of Democratic Services to update the Schedule of Remuneration to reflect the provisions of the supplementary report where applicable in consultation with the Chair and Vice Chair of the Democratic Services Committee.

2. SUMMARY

- 2.1 The purpose of this report is to inform Council the publication by the Panel of the Supplementary Report the Principles in respect of the Reimbursement of Costs of Care which is attached at Appendix 1.
- 2.2 The Supplementary Report sets out several principles which the Panel expects all authorities to adopt as a minimum. The Principles will assist those Councillors and Co-opted Members with caring responsibilities and may also encourage others to stand as candidates in the forthcoming Local Elections in May 2022.
- 2.3 The principles are key to ensuring that all Members and Co-opted Members have access to the reimbursements of cost for care now and in the future and therefore Council is asked to formally endorse the recommendations set out in paragraph 3 below.

3. RECOMMENDATIONS

Council is asked to

- 3.1 To endorse and implement the principles set out within the Supplementary Report attached at Appendix 1.
- 3.2 To authorise the Head of Democratic Services to update the Members Schedule of Remuneration to reflect the provisions of the Supplementary Report as necessary in consultation with the Chair and Vice Chair of the Democratic Services Committee.

4. REASONS FOR THE RECOMMENDATIONS

- 4.1 To promote awareness and support Members to ensure that they are aware of the provision of financial support available for which Remuneration for Cost of Care can be claimed to enable all Members and Co-opted Members to carry out their roles effectively.

5. THE REPORT

5.1 Supplementary Report – The Principles in respect of the Reimbursement of Costs of Care

- 5.1.1 On the 19th November the Democratic Services Committee received a report (as referred to in the background papers) which in part related to the Supplementary Report on the Reimbursement of the Costs of Care.
- 5.1.2 The Committee considered the provisions of the Supplementary Report and unanimously endorsed a recommendation to note and support the principles set out within the Supplementary Report, which aim to promote and encourage the take up by Members of the financial support in respect of the costs of care. The Committee were advised that a report would subsequently be reported to Council with a recommendation that the principles in the Supplementary Report are formally implemented as a minimum requirement.
- 5.1.3 This report provides Council with an outline of the provisions of the Supplementary Report and the intentions behind the principles which Council is asked to implement.
- 5.1.4 The Supplementary Report was published by the Panel in May 2020 and is attached in Appendix 1. It sets out several principles which the Panel expects all authorities to adopt as a minimum.
- 5.1.5 The Principles will assist those Councillors and Co-opted Members with caring responsibilities and may also encourage others to stand as candidates in the forthcoming Local Elections in May 2022.
- 5.1.6 The Panel believe that *“Democracy is strengthened when the membership of Local Authorities adequately reflects the demographic and cultural make-up of the communities such Authorities serve. The Panel will always take into account the contribution its Framework can make in encouraging the participation of those who are significantly under-represented at Local Authority level.”*
- 5.1.7 The Panel has continued to champion Diversity in Local Government in Wales through its determinations. The principles highlighted within the supplementary report and outlined below are key to ensuring that all Members and Co-opted Members have access to the reimbursements of cost for care now and in the future.

5.1.8 These 7 principles are set out below together with details on the processes in place to promote take up of the provision and what steps can be taken to clarify and improve the process.

1 Be clear who it is for.

Members will note that a Confidential review of the needs of individual members is undertaken annually and when circumstances change.

Members may feel this is adequately addressed by individual members contacting the Head of Democratic Services to seek advice on a confidential basis or with a point of contact within their respective political groups.

2 Raise Awareness.

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.

Currently information is available in a pre-election pack provided by Electoral Services and included in the Members induction pack. The Claim Form is contained on the members' portal. If agreed, to support this principle, the signposting as suggested can be made available on the members portal, communication can be provided to all members at regular intervals and it may be an issue which Group Leaders may wish to draw to their members attention.

3 Promote a Positive Culture.

Encouragement within and across all parties of Relevant Authorities to support members to claim. Agree not to advertise or make public individual decisions not to claim.

Members are reminded that Council at its meeting on 18th April 2018 agreed not to publish individual claims of members.

4 Set out the approved duties for which RoCoC can be claimed.

Approved duties are usually a matter of fact. Interpretation of the IRPW Regulations are set out in the Annual Report. "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."

In Caerphilly the approved duties set out in the Schedule of Remuneration are

SCHEDULE 2

Approved duties: -

- attendance at a meeting of the Authority or of any committee of the Authority or of any body to which the Authority makes appointments or nominations or of any committee of such a body;
- attendance at a meeting of any association of authorities of which the Authority is a member;

- attendance at any other meeting the holding of which is authorised by the Authority or by a committee of the Authority or by a joint committee of the Authority and one or more other Authorities;
- a duty undertaken for the purpose of or in connection with the discharge of the functions of Cabinet;
- a duty undertaken in pursuance of a standing order which requires a Member or Members to be present when tender documents are opened;
- a duty undertaken in connection with the discharge of any function of the Authority which empowers or requires the Authority to inspect or authorise the inspection of premises;
- attendance at any training or developmental event approved by the Authority or its Cabinet;
- the following duties which have been approved by Council:
NOTE: The Council has decided not to allow for claims for travel within Members' Wards.]

Members will however note that the Supplementary report refers to both formal meetings and those necessary for a member to do his/her constituency work. It also specifically references travel and preparation time. It advises that this is the minimum a Council should do. In light of these changes Council is asked to authorise the Head of Democratic Services to amend the Schedule of Remuneration as necessary in consultation with the Chair and Vice Chair of the Democratic Services Committee.

5 Be as enabling as possible about the types of care that can be claimed

Members will note the examples set out.

6 Have a simple and effective claim process.

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

The Council's current process for claims for travel expenses involves officers checking for attendance for approved duties; a similar check can be applied for reimbursement of the cost of care claims alongside ensuring that an appropriate receipt is attached and developing ways to receive information online.

7 Comply with IRP publication rules.

Members will note this cross references with section 3 above.

5.2 Conclusion

Council will note the provisions of the Supplementary Report as outlined above.

6. ASSUMPTIONS

- 6.1 No assumptions are necessary as this report reflects the content of the Supplementary Report.

7. LINKS TO RELEVANT COUNCIL POLICIES

- 7.1 Elected Members establish strategic direction and decide upon all policies and strategies so that the Council can achieve all its objectives, as well as monitoring performance against those objectives. Members are entitled to receive remuneration and allowances prescribed by the Panel.
- 7.2 The Panel's Supplementary Report contributes to the Well-being Goals within the Well-being of Future Generations (Wales) Act 2015 by ensuring that Members are encouraged to claim the costs of care so as to encourage a broader spectrum of people to undertake the role and contribute to the following goals:
- A prosperous Wales
 - A resilient Wales
 - A healthier Wales
 - A more equal Wales
 - A Wales of cohesive communities

8. WELL-BEING OF FUTURE GENERATIONS

- 8.1 This Panel report contributes to the Well-being Goals as set out in paragraph 7 above. It is consistent with the five ways of working as defined within the sustainable development principle in the Act to encourage more diverse representation among Councillors and Co-opted Members. A more representative group should be better able to take into account the Wellbeing Goals when reviewing services and policies and consider the positive and negative impacts upon future generations, long term community resilience and economic, environmental and social capital

9. EQUALITIES IMPLICATIONS

- 9.1 No Equalities Impact Assessment has been undertaken as the Independent Remuneration Panel for Wales has the power under the Local Government (Wales) Measure 2011 to issue reports and set Members Allowances.

10. FINANCIAL IMPLICATIONS

- 10.1 The take up of the contribution for the reimbursement of the cost of care has been minimal over the years and so the financial implications have been negligible. However, if the entitlement to claim the costs is taken up above the current budget this will be funded from members reserves.

11. PERSONNEL IMPLICATIONS

- 11.1 There are no personnel implications arising from this report.

12. CONSULTATIONS

- 12.1 Consultation has been undertaken as listed below and no objections were received to the proposals.

13. STATUTORY POWER

13.1 Local Government and Housing Act 1989, the Local Government Act 2000, Local Government Wales Measure 2011, Local Government (Democracy) (Wales) Act 2013 and Family Absence for Members of Local Authorities Wales Regulations 2013.

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Dave Street, Corporate Director of Social Services and Housing
Mark S Williams, Interim Director of Communities
Richard (Ed) Edmunds, Corporate Director for Education and Corporate Services
Robert Tranter, Head of Legal Services and Monitoring Officer
Stephen Harris Head of Financial Services and Section 151 Officer
Dave Roberts Principal Accountant

Appendices:

Appendix 1 Supplementary Report on the Reimbursement of the Costs of Care

Background papers

Report to the Democratic Services Committee on 19th November 2020 entitled Independent Remuneration Panel for Wales: Draft Annual Report 2020/2021 and the Supplementary Report on the Principles in respect of the Reimbursement of the Costs of Care.