



**CYNGOR BWRDEISTREF SIROL
RHONDDA CYNON TAF
COUNTY BOROUGH COUNCIL**

COMMITTEE SUMMONS

C Hanagan
Service Director of Democratic Services & Communication
Rhondda Cynon Taf County Borough Council
The Pavilions
Cambrian Park
Clydach Vale CF40 2XX

Meeting Contact: Emma Wilkins (07385406118)

YOU ARE SUMMONED to a Hybrid meeting of the **DEMOCRATIC SERVICES COMMITTEE** to be held on **MONDAY, 8TH NOVEMBER, 2021** at **5.00 PM**.

AGENDA

**Page
No's**

1. WELCOME

2. DECLARATION OF INTEREST

To receive disclosures of personal interest from Members in accordance with the Code of Conduct

Note:

1. Members are requested to identify the item number and subject matter that their interest relates to and signify the nature of the personal interest: and
2. Where Members withdraw from a meeting as a consequence of the disclosure of a prejudicial interest they must notify the Chairman when they leave.

3. MINUTES

To receive the minutes of the previous meeting of the Democratic Services Committee held on the 27th September 2021 as an accurate record.

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4. MEMBERS SAFETY / SECURITY

To receive the report of the Head of Democratic Services providing Members with an update in respect of Members safety / security following the recent tragic events witnessed with Sir David Amess MP.

11 - 36

5. INDEPENDENT REMUNERATION PANEL FOR WALES DRAFT ANNUAL REPORT

To consider the draft Independent Remuneration Panel [Annual Report 2022 – 2023](#).

37 - 118

6. ELECTED MEMBERS' DATA PROTECTION HANDBOOK

To receive the Joint Report of The Service Director of Democratic Services and Communications and the Director of Finance & Digital Services regarding the Elected Members' data protection handbook.

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7. URGENT BUSINESS

To consider any items, which the Chairman, by reason of special circumstances, is of the opinion should be considered at the meeting as a matter of urgency

Service Director of Democratic Services & Communication

Circulation:-

The Chair and Vice-Chair of the Democratic Services Committee (County Borough Councillor L Hooper and County Borough Councillor M Webber respectively)

County Borough Councillors:

Councillor M Adams, Councillor J Bonetto, Councillor J Brencher, Councillor G Caple, Councillor J Edwards, Councillor H Fychan, Councillor K Morgan, Councillor S Rees, Councillor E Stephens, Councillor G Jones, Councillor W Jones and Councillor S Powderhill

Christian Hanagan, Service Director of Democratic Services & Communication



RHONDDA CYNON TAF COUNCIL DEMOCRATIC SERVICES COMMITTEE

Minutes of the hybrid meeting of the Democratic Services Committee held on Monday, 27 September 2021 at 5.00 pm.

County Borough Councillors - Democratic Services Committee Members in attendance:-

Councillor L Hooper (Chair)

Councillor M Webber	Councillor M Adams
Councillor J Bonetto	Councillor J Brencher
Councillor G Caple	Councillor J Edwards
Councillor H Fychan	Councillor S Rees
Councillor E Stephens	Councillor G Jones
Councillor W Jones	Councillor S Powderhill

Officers in attendance:-

Mr C Hanagan, Service Director of Democratic Services & Communication

19 DECLARATION OF INTEREST

In accordance with the Council's Code of Conduct the following personal and non-prejudicial declarations of interest were made in relation to Agenda item 4:

- County Borough Councillor S Powderhill – 'I am a Town Councillor'
- County Borough Councillor J Brencher - 'I am a Town Councillor'
- County Borough Councillor H Fychan - 'I am a Town Councillor'
- County Borough Councillor J Bonetto - 'I am a Community Councillor'

20 MINUTES

It was **RESOLVED** to approve the minutes of the 6th September 2021 as an accurate reflection of the meeting.

21 SUFFICIENCY OF RESOURCES REPORT - STATUTORY 'OPINION' OF THE HEAD OF DEMOCRATIC SERVICES

The Head of Democratic Services referred Members to his report which looked to confirm to Members the provision of staff, resources, and accommodation available to support Members in their role as required within the Local Government (Wales) Measure 2011.

Members were provided with a detailed overview of the work of the Council Business Unit which supports all Elected Members, including the future challenges presented to the Unit through the new ways of working

identified through the Local Government & Elections Act 2021, with particular reference to the statutory required hybrid and webcasting of meetings.

The Head of Democratic Services positively advised of the recruitment of an apprentice within the Unit to take forward the webcasting provision and the recent creation of an additional role within the Unit to strengthen capacity and resources moving forward. Members were advised that this role was currently out to advert and it was anticipated that the recruitment of this additional GR10 role would support the delivery of the Units service responsibilities over future months, especially in light of the forthcoming Local Government Elections and would enhance the Units ability to maintain the momentum of improvement achieved over the last three years.

Members were advised of the recent resignation of a long standing member of staff and also the temporary reduction in staffing over the next few months in relation to maternity absences. In light of these vacancies Members were advised of the positive internal recruitment undertaken, which provides the opportunity for the successful officer to develop their skills going forward and promotes the 'growing of own talent' within the service. In addition two temporary GR8 roles had also been created and Members were advised that successful recruitment to these temporary posts had been secured using the talent pool of the Council through the Council's graduate scheme.

Going forward, Members were advised that through the good practices performed by the Council, the Head of Democratic Services had been approached by the Programme Director of Cardiff Capital Region City Deal to provide support and guidance to their Committee functions. Funding would be made available by City Deal to provide such administration and discussions in respect of this support arrangements were still ongoing.

The Head of Democratic Services continued his overview by providing Members with an update in relation to accommodation, although stressed the need to reflect on the best arrangements for members and Officers of the Council Business Unit - post Covid-19 - to build upon agile working and the progress made with virtual meeting arrangements over the last eighteen months.

Details of digital support and Member's training were also provided within the report which provided a positive position in respect of support available.

The Head of Democratic Services concluded his report by advising that in his opinion, with the additional resources recently acquired to the Council Business Unit, he was of the view that there would be sufficient resilience within the Council Business Unit to continue supporting non-executive Members, without compromising the level of service provided.

The Chair thanked the Head of Democratic Services for his comprehensive report and welcomed Members comments on the resources available to Members.

The Vice Chair took the opportunity to thank the staff of the Council Business Unit for their support during the pandemic, supporting Members to undertake their role confidently through virtual working and also took the opportunity to congratulate Mrs Jessica Daniels for her successful promotion within the team. The Vice Chair spoke of her concerns with the loss of valuable staff for an interim period as a result of maternity leave at a crucial time with the forthcoming local elections and suggested that a further report on the support provision be made available to Members following the election.

One Member of the Committee commented on the new virtual way of working and suggested consideration be taken forward for the provision of dedicated safe spaces within areas across the County Borough for Members to utilise rather than Members having to travel to Clydach Vale. The Head of Democratic Services welcomed the idea and spoke of the potential use of identified key locations across the County Borough and suggested that a future report on this item be brought back to Committee for consideration.

Members spoke of the lead in time for the newly appointed staff members and took the opportunity to speak highly of the support provided by staff members within the Council Business Unit. The Head of Democratic Services acknowledged the tight timescales and spoke of the acting up arrangements that would also be taken forward to ensure the provision of support to Members and to help develop staff within the Unit.

Following discussions it was **RESOLVED**

- (i) To note the overall support available to elected Members, as set out within the report and the approaches be taken forward;
- (ii) To support the view of the Head of Democratic Services, as set out within the report; and agree that the proposed restructure advised upon within the report, the future levels of staff, accommodation and other resources are adequate at the present time and that a further report be presented to this Committee by the Head of Democratic Services on the sufficiency of resources for Members' support following the Local Government Election in May 2022.
- (iii) That a report in relation to identified key locations for Members to utilise across the County Borough is brought to a future meeting of the Committee

The Head of Democratic Services provided the Committee with an overview of the support provided to the Town and Community Councils within RCT, through the Council Business Unit as supported by the Community Liaison Committee. In his report, Members were reminded of the creation of the Community Liaison Committee, The Charter and the invaluable single point of contact support for each of the councils via the Council Business Unit. Details of regular clerks meetings and Community Liaison Committee meetings were provide as well as the provision and accessibility to Council led Training opportunities.

The Head of Democratic Services informed Members that recently the Council Business Unit had provided further support and assistance to the Councils to assist them with the virtual working arrangements as introduced through the Covid pandemic and further support has been provided to assist in meeting the requirements of the Local Government and Elections Act (Wales) 2021 in respect of holding hybrid meetings. Through the Councils bid to the Welsh Government digital democracy fund, access to funding to implement hybrid meetings was also provided.

The Chair commented on the support provided and its importance as the Community and Town Councils were the grass routes of the community, endorsing the positive working relationship which was gratefully received by the Town & Community Councils, which was echoed by numerous Members of the Committee who also served as Community and Town Councillors.

The Vice Chair, in her capacity as Chair of the Community Liaison Committee spoke of the productive working relationship now established and provided examples of such positive working and the sharing of good practices.

Members of the Committee **RESOLVED:**

1. To note the updates provided within the report and the support provided to Community and Town Council through the Community Liaison Committee and the Council Business Unit;

23 DIGITAL DEMOCRACY FUND UPDATE

Through his report the Head of Democratic Services provided Members with details of the Welsh Government Digital Democracy Fund, and the successful 3 bids taken forward by RCT.

Members were reminded that to enable the Council to undertake the new and statutory required approach to meetings, a new webcasting system had been procured, which had been funded through the Council's 2020/21 Budget, following support provided previously by the Democratic Services Committee. Additional funding has also been sought from Welsh Government in respect of further advancements with webcasting equipment through the Digital Democracy Fund.

Members were provided with the details of the 3 bids submitted, the rationale for each of the bids and the progress to date in respect of each of the projects taken forward resulting from the successful funding received.

In respect of Bid 1, Members were advised of additional funding secured to further the webcasting and hybrid provision so that the Council's 'Committee Room 1' could be utilised as a further meeting room with such built in technology. It is believed that often smaller Committee room settings blend themselves better to some of the discussions taken forward in respect of Scrutiny and smaller committees. Work is currently undergoing with Public in respect of the equipment needed to facilitate such meetings. In addition a speaker management system has also been procured for the Council Chamber to assist the Chair in the smooth running of hybrid meetings within the Council Chamber. This is seen as a welcome investment to help and support Committee Chairs in the important role that they play.

Bid 2 concentrated on the development of an online voting system, again to support Members through the hybrid meeting approach to Members. The introduction of such a system would ensure accessibility and equality without any discrimination for those outside of the Council Chamber.

Members were advised that since the application for the bid further work had been undertaken in respect of voting arrangements. Possibilities include using the bilingual voting app within the Modern Gov system which is utilised by Members to view Committee papers, the use of 'polls' within the zoom platform, using the public I voting system within the Council Chamber and of course the current system of a Committee roll call. It was advised that the Head of Democratic Services will be working with Members of the Democratic Services Committee and Group Leaders to discuss the best approach to take in respect of these developments.

The final bid related to the support and provision that could be provided to Town and Community Council's to assist them in their roll out of hybrid meetings as required by the Local Government & Elections Act 2021.

It was advised that the Council has already supported one of the Councils Community Councils by providing digital advice and support at their first hybrid meeting, reviewing the arrangements in place and producing digital options for consideration, which was discussed at a meeting of the Clerks on the 27th July. Each Community Council was asked to consider their requirements going forward as to how the Council could best support them digitally. Since then each Community Council has come forward with requests for support packages to be in place which the Council Business Unit are currently processing with a view to splitting the funds equally between each of the Councils signed up to the Charter, and then compliment this with corporate IT support over the coming year to facilitate practical implementation.

The Head of Democratic Services concluded his report by advising that although the funding was well received, it should be noted that this was one off funding and further funding arrangements in relation to some of the projects would need to be considered for sustainability of the projects.

The Chair thanked the Head of Democratic Services for submission of the successful bids and the work undertaken to achieve success with 3 bids, which the Head of Democratic Services advised was not witnessed in other Authorities.

Other Members of the Committee commented on the excellent new facilities within the Council Chamber which they felt further promoted the welsh language through the bilingual opportunities provided for and spoke of the benefits of the hybrid system, allowing flexibility for Members. A query was raised in respect of the ongoing cost of the webcasting provision and the Head of Democratic Services confirmed that the one off funding received through the digital democracy fund and the Council' base budget was utilised for initial procurement and installation of the system but did not cover future annual costings.

Following discussions, it was **RESOLVED:**

1. To acknowledge the advancements made with webcasting and hybrid meetings by the Council and the future use of the digital democracy fund to assist in these advancements
2. To acknowledge the support provided to Community and Town Councils with the roll out of hybrid meetings.

24 DIVERSITY IN DEMOCRACY WORKING GROUP

The Head of Democratic Services provided Members with an update in respect of the recent meeting of the Diversity in Democracy Working Group which was held on the 9th September, where Members of the Group considered the following items:

- Representation and a PowerPoint presentation from Race Alliance Wales
- Analysis of the Youth Engagement Campaign undertaken by the Council
- Members Survey
- Monitoring of the Working Groups Recommendations – Implementation Plan
- Future working

Members were advised that due to time implications associated with its work and the positive impact any future recommendations may have on attracting new candidates to becoming a Councillor and the wider diversity campaign, any recommendation put forward by the group would be reported to Committee, rather than presented at final report stage. It was also advised that going forward, the Working Group will concentrate on educating and information sharing and positive development of

policies and action plans such as the Council's Race Equality Action plan. Members will also receive representatives from the 50:50 campaign and Stonewall.

Member's attention was drawn to a draft Memorandum of Understanding, which was a recommendation of the working group in its interim report. The Head of Democratic Services explained that the intended outcome of the statement would be a demonstration of mutual respect to other people with varying political opinions and a show of working together for the benefit of its communities.

The Chair thanked the Officer for the report and the work undertaken by the working group and support officers and welcomed the Memorandum of Understanding and the suggested way forward which was echoed by the Vice Chair and the need for mutual respect between Elected Members.

The Chair of the Working Group commented on the future intentions of the working group and the need to look at 'real life experiences' to the barriers of diversity in democracy.

One member queried whether a definition for 'bullying' could be included within the Memorandum to avoid any ambiguity to which Members of the Committee agreed.

Following discussions, it was **RESOLVED:**

1. To note the areas of discussion taken forward at the meeting of the Diversity Working Group on the 9th September;
2. Approve the resulting recommendations arising out of the meeting as outlined within the report and to allow for these recommendations to be implemented in a timely manner.
3. That the draft 'Memorandum of Understanding' attached as appendix A be presented to the Council's Standards Committee for further comment and endorsement before presentation back to the Democratic Services Committee, subject to the inclusion of a definition of the term 'bullying' being included within.

25 MEMBERS TRAINING

The Head of Democratic Services provided the Committee with an update in respect of the training opportunities that had been made available to Members over the last few months and the active offers of training to be taken forward for Member's consideration.

Members were advised of training opportunities provided following requests through Members PDR processes, requests at Committee and general requests put forward to the Council Business Unit, as well as training opportunities recognised by the Head of Democratic Services.

Recent training had been undertaken in respect of Pre-Retirement

sessions, Refresher training for Scrutiny, Planning & Development and Licensing Committee members following the AGM, which will be taken forward on an annual basis.

Members were advised that Emergency Planning 'interactive training sessions' had been scheduled with the intention for these sessions to take forward interactive sessions to discuss proactive approaches to any emergency within the County Borough.

Further training was being arranged in respect of the subject areas Members Health & Wellbeing, Unconscious bias, Scrutiny Training to Joint Scrutiny Committee Members and virtual bitesize training sessions in respect of the Code of Conduct.

Positive advancements in training opportunities included work being undertaken to offer Members with ICT Bitesize courses, usage of the RCT Source and promotion of welsh language courses to all Members.

The Head of Democratic Services advised of the recent introduction of evaluation forms following such training, to assist the Unit in assessing the training delivered although it was advised that a poor return to such forms had been received.

The Chair and Vice Chair acknowledge the increased training opportunities provided to Members, which assisted Members in their role. The Vice Chair welcomed the opportunities available for all Members to utilise and commented on the flexible approach needed to be undertaken with the delivery of training.

Following discussions, it was **RESOLVED**

1. To acknowledge the training provided to Members since the Council AGM
2. To note the forthcoming training opportunities made available to Members

This meeting closed at 6.00 pm

**CLLR L HOOPER
CHAIR.**



RHONDDA CYNON TAF

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

DEMOCRATIC SERVICES COMMITTEE

8th NOVEMBER 2021

MEMBERS SAFETY / SECURITY

REPORT OF THE SERVICE DIRECTOR, DEMOCRATIC SERVICES & COMMUNICATION.

1. PURPOSE OF REPORT

The purpose of the report is to provide Members with an update in respect of the provisions available to ensure Members safety / security when undertaking their role and to consider any improvements that can be take forward.

2. RECOMMENDATIONS

2.1 It is recommended that Members:

- (i) Acknowledge the support provided to Members to ensure Members safety and security both in a physical and online context
- (ii) Consider the proposals to further advance these support arrangements as outlined within section 6 of the report
- (iii) Consider any additional support arrangements that could be provided to Members.

3. BACKGROUND

3.1 An important role of an Elected Member is to keep in touch with their residents and communities, which includes communication via telephone, email, social media, virtual meetings and face to face contact with constituents, for example, by holding ward surgeries, making visits to people's homes, or when receiving people at their own homes.

3.2 Most Councillors will not experience any problems when meeting with their constituents, and even when they do experience aggression or other forms of unacceptable behaviour, it will usually be of a relatively low level. However, following the recent sad events involving the death of Sir David Amess MP, it is important that we as a Council consider and re - evaluate the support and security provisions available to Elected Members.

4. UNACCEPTABLE BEHAVIOUR

- 4.1 It is important that Elected Members recognise what is unacceptable behaviour. Members throughout their term of office are likely to have to deal with unpleasant or challenging interaction on occasion with residents in their community.
- 4.2 With the rise of usage in social media platforms written and online abuse is another avenue of abuse that Elected Members are potentially subjected to. Whilst most of the aggression councillors experience will usually sit at the 'low to modest' spectrum of unacceptable behaviour, severe abuse can tip into the legal definition of violence even if no physical interaction is involved.
- 4.3 Intimidation affects people differently but can significantly affect an individual's physical and mental health. Intimidation against Elected Members whether in person or through online abuse undermines representative democracy, stifles debate and threatens the integrity of democratic structures. It can also discourage those who may wish to represent their community in being involved in the Council, potentially impairing the diversity and vibrancy of representative democracy.
- 4.4 It is important that if a Member does feel threatened or that they are subject to unacceptable behaviour that they know how to report this behaviour as potentially criminal behaviour. Members are encouraged to contact South Wales Police through the following mechanisms:

- Call 101
- Report online via the South Wales Police Website 'Report' tool at <https://www.south-wales.police.uk/ro/report/>
- Email SWP101@south-wales.police.uk
- Private message via Facebook South Wales Police - Home | Facebook
- Private message via Twitter South Wales Police@SWP101

- 4.5 If a Member feels that any of the behaviours they have endured have had an effect on their wellbeing then Members are again reminded of the support arrangements through the Council's Occupational Health arrangements.

5 SUPPORT PROVISIONS.

- 5.1 The Role of an Elected Member is integral to the running of the Council and the Council, through its Council Business Unit and in partnership with the Police and Community Safety team have taken forward a number of support provisions to ensure Members personal safety.
- 5.2 In 2019 the Democratic Services Committee took forward the drafting of a lone working policy for Members as it recognised the need for guidance for all

Members when working alone. This policy was approved by Committee in 2020 and forms part of the Member Induction Programme booklet.

- 5.3 Personal Alarm devices have been made available to all Members upon request and again will be offered as part of the Members Induction Programme. More bespoke security support can be provided to Members as and when necessary, Member's safety is paramount to the Council and there are no defined parameters in place, however the overriding objective to ensure that the appropriate support is made available to provide the necessary safety arrangements for a member and provide the maximum level of reassurance.
- 5.4 Following the receipt of anti-social and challenging behaviour, security provision has been made available at some Members residential address, as a precautionary safety measure.
- 5.5 Publication of Official addresses - The removal of a Members contact details from the Councillor profile page on the Council website has been taken forward upon request for a number of Members, with the Council Business Unit being the point of contact in the first instance for any public correspondence. This arrangement is reviewed periodically by the Head of Democratic Services to ensure a balance between members safety and the provision of accessibility for the public. Going forward, as part of the Local Government Elections Act 2021 a duty will be placed on principal councils to publish an electronic and postal address for each member of the council on its website. A council office address may be used if the member wishes to protect the privacy of their home address.
- 5.6 Provision of a Council email account and telephone provision - Council policy recommends that Members should use their Council email address when contacting residents and officers within the Council, rather than a personal email address. Members are also offered the opportunity to take forward a Council mobile telephone, to allow the public to use as a key contact provision, rather than using any personal mobile number.
- 5.7 Previously, prior to the virtual way of working, members will be aware that little security provision is available both physically as deterrent or in terms of protection for members and officers. While it is considered that that safety provision available is proportionate currently, the Democratic Services Committee of the next Council, may wish to consider strengthening these arrangements, once hybrid meetings arrangements are fully enabled.
- 5.8 Members have been provided with a number of social media training opportunities to help with the managing of their Council social media accounts. Members are strongly advised to take forward a separate Councillor account and refrain from sharing any personal information on this account with their own personal social media platforms. A social Media policy has also been developed and is shared with Members during induction.
- 5.9 Infographics to assist Members with online civility have been promoted by the Council Business Unit, for Members to utilise.



5.10 Other resources for Councillors to utilise in respect of personal safety and online abuse are listed below:

- **Councillors' guide to handling intimidation | Local Government Association (Welsh version)**
- **Personal safety | Local Government Association (Welsh version)**
- **'Rules of engagement' infographic for councillors** to use on social media to give all users a clear 'code' by which they should operate (also in Welsh)
- **'Rules of engagement' infographic for candidates** to use on social media to give all users a clear 'code' by which they should operate (also in Welsh)
- **'Handling online abuse' infographic** - a quick reference guide for councillors with steps they can take to protect themselves online and seek support where needed. (also in Welsh)
- **Improving digital citizenship: A practical guide for councillors | Local Government Association (Welsh version)**
- **Research and Good Practice Improving digital citizenship: Research and good practice | Local Government Association (Welsh version)**

5.11 Members have been provided with police contact details by the Police / Community Safety Partnership to assist in dealing with any challenging or anti-social behaviour in the first instance and these have been recently circulated to Members following a Members briefing session taken forward on the 2nd November.

5.12 Police guidance as to how to deal with intimidating behaviour has also been provided to Members in respect of the following:

- 'Protect yourself Guide Blue Booklet'
- Crime Prevention Survey - [Accredited Product Search \(securedbydesign.com\)](https://www.securedbydesign.com)
- Safety App's on mobile devices

- Dealing with aggressive behaviour- [skillsyouneed.com/ps/dealing-with-aggression.html](https://www.skillsyouneed.com/ps/dealing-with-aggression.html)
- 5.13 A copy of the presentation is also attached to this report for information and will be shortly circulated to all Members.
6. **REVIEW OF SUPPORT PROVISION**
- 6.1 In light of the support already available, the following review opportunities are suggested to strengthen the support arrangements available. It is also important to note that the provision of security for Members is recognised within the Draft IRP Annual report:
- “As a result of their role as a councillor an elected member’s personal security may become adversely affected. It is the duty of Democratic Services Committees to fund or provide support necessary to enable a councillor to discharge their role reasonably and safely. This may require funding appropriate security measures to protect councillors from personal risk or significant threat. Risk assessment and liaison with relevant bodies such as the police and security services would normally inform the selection of required provision.”*
- 6.2 A Members briefing session in respect of Members Safety, providing details of the support available by the Police and Community Safety Partnership was taken forward on the 2nd November, highlighting the safety provisions available to Members by the Police and the Council including points of contact, as referenced in 5.11 – 5.12 above.
- 6.3 It is suggested that the Elected Members lone working policy developed by the Democratic Services is reviewed to ensure it is updated to reflect current working practices with virtual working and further advancements with social media abuse.
- 6.4 The utilisation of Council Offices across the County Borough for Members to access to undertake aspects of their role including the potential for Member surgeries to be scoped by the Council Business Unit and Corporate Estates and reported back to the Democratic Services. The appropriate Risk Assessments would also need to be carried out in respect of such a working arrangement.
- 6.5 ICT course on ‘Staying Safe in a digital world’ to be taken forward.
- 6.6 Members are contacted to ensure they are happy with the information available in the public domain, in respect of home address / contact details on the Council website.
- 6.7 Propose to assist Members with production of flyers to provide to constituents advising them of how they can contact Members going forward.
- 6.8 The installation of the advised ‘Member Safety tracking App’ by South Wales Police to be installed on all future Member Council Mobile phones.

7 EQUALITY AND DIVERSITY IMPLICATIONS / SOCIO-ECONOMIC DUTY

- 7.1 The role of an Elected Member is integral to the effective running of the Council and it is essential that all Members are provided with any support necessary to undertake their role. The Council have pledged to become a diverse Council and therefore it is important that all Members and any future candidates looking to stand as an Elected Member feel safe in taking forward this role.

8 WELSH LANGUAGE IMPLICATIONS

- 8.1 There are no language implications associated with this report.

9 CONSULTATION

- 9.1 The Council Business Unit consult where necessary with the Community Safety partnership to address any security and safety measures required by a Member.

10. FINANCIAL IMPLICATION(S)

- 10.1 Any financial implications associated with Members Safety will be taken forward through existing budgets.

11. LEGAL IMPLICATIONS

- 11.1 The Local Government and Elections (Wales) Act 2021 outlines a mandatory requirement publication of Official Addresses of Elected Members.

12. LINKS TO CORPORATE AND NATIONAL PRIORITIES AND THE WELL-BEING OF FUTURE GENERATIONS ACT.

- 12.1 The role of an Elected Member links to the Corporate Plan priorities with particular reference to people and the need to ensure the safety of both Elected Members and the residents that they serve within the Communities.

13 CONCLUSION

- 13.1 Although there have been very few major incidents involving violence toward local or national politicians, it is important that we ensure that the safety measures in place for our Elected Members are sufficient and fit for purpose, to ensure Members feel comfortable and safe in taking forward their important role and to demonstrate this safety to any future candidate.

LOCAL GOVERNMENT ACT 1972

AS AMENDED BY

THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

DEMOCRATIC SERVICES COMMITTEE

**REPORT OF THE SERVICE DIRECTOR, DEMOCRATIC SERVICES &
COMMUNICATION**

MEMBERS SAFETY / SECURITY



Elected Members' guide to

Lone Working and Personal Safety

Issue 2

January 2020

1. Introduction

An important role of Elected Members (Councillors) is to be accessible to their constituents. This can include contact via telephone or email, but can also include face to face contact with constituents, for example, by holding ward surgeries, making visits to people's homes, or when receiving people at Council premises or at their own homes.

Most Councillors will not experience any problems when meeting with their constituents, and even when they do experience aggression or other forms of unacceptable behaviour, it will usually be of a relatively low level.

However there may be instances when a meeting becomes adversarial, placing a Councillor at risk of harm.

The aim of this document is to provide Councillors with guidance on how to assess and manage risk when lone working in situations they are likely to encounter, and on what personal safety measures can be taken to prevent and deal with those rare circumstances when they might find themselves in situations where they become anxious for their safety.

2. General Safety Measures to Consider

There are measures that can be taken in advance of any prearranged meeting with constituents that can help protect the safety of a Councillor, such as:

- can a face to face meeting be avoided and instead be carried out by telephone or email?
- where possible, arrange any meetings / surgeries during normal working hours and, preferably, during the hours of daylight;
- ensure that you let ward colleagues, family or similar know where you are going to be and what time you are likely to finish;
- ensure that you have access to a telephone to enable you to contact someone for assistance, and that any mobile phone is charged;
- if the constituent is known to you and you are aware that they have a tendency to violent / aggressive or other forms of unacceptable behaviour, then do not arrange to visit them at their home or to meet them at yours, but instead arrange the meeting elsewhere for a time when you can be accompanied by someone, such as a ward colleague or Police Community Support Officer;
- consider purchasing a personal alarm and ensuring it is charged before leaving home.

3. Visiting Constituents in Their Homes

Councillors will sometimes visit constituents in their homes, particularly if the person is known to them, or is elderly or disabled and mobility or other issues make holding a meeting elsewhere problematic.

However, before arranging lone visits to constituents' homes, Councillors should first consider alternative options, such as:

- can the constituent attend a ward surgery?
- can the meeting be arranged in a public place, such as an area of a sports centre when there are other activities taking place in the centre at the same time?
- can another person accompany you, such as a ward colleague or Police Community Support Officer?

When making a lone visit to a constituent's home, there are a number of measures that can be taken to help protect the safety of a Councillor, such as:

- before entering any garden area or similar, check for any dogs and do not enter if there are any present unless they are secured;
- if the resident answers the door in a state of undress, then do not enter and advise them that you will wait outside until they are clothed, or arrange another appointment – which, preferably, should then be other than a lone home visit;
- before entering the property, hold a brief conversation with the resident and whilst doing so assess if the demeanour of the person is making you feel uneasy – which could be a result of signals your brain is picking up on subconsciously and telling you that something 'isn't right' – and, if so, make an excuse for not going in (prepare an excuse for not entering beforehand prior to any lone home visit, such as having just received a phone call / text requiring you to be elsewhere as a matter of urgency);
- before entering the property, ask the resident that any dogs present in the property be secured in a different room to where the meeting will be held and, for the sake of your health, that anyone present refrains from smoking;
- if the resident attempts to lock the door once you are inside, ask if they would be good enough to leave it unlocked – make an excuse, such as you have some files in the car that you may need to get to refer to;
- once inside, assess the demeanour of any other person(s) present and if they make you feel uneasy, make an excuse and leave (prepare an excuse for leaving a meeting early beforehand prior to any lone home visit, such as having to attend another meeting / having to refer the issue to an appropriate officer of the Council);
- try to avoid meeting in a kitchen – there are too many items present that could be used as a weapon;
- during the meeting, try to remain aware of the 'feel' of the situation and if you think it is deteriorating, make an excuse and leave;

- even if the resident exhibits unreasonable behaviour but then calms down, still make an excuse and leave before the behaviour can return and the situation deteriorate further.

If the meeting deteriorates to the extent that you feel you are at risk of immediate physical violence, or a person actually attempts to physically assault you, then try to take measures to protect your safety, such as:

- place physical barriers between yourself and the person;
- continue talking to the person as long as you can, reassuring them that you mean them no harm, and agreeing to resolve the issue you are meeting them on in their favour (even if that will not actually be the case) if it will allow you to leave safely;
- set off your personal alarm if you have one, or try to attract the attention of others by screaming / shouting;
- your first option should always be to try to escape rather than confront your assailant, but if absolutely necessary and as a last resort, use reasonable force to protect yourself.

4. Meeting Constituents at Your Own Home

So as to keep a degree of separation between their public and private lives, many Councillors may well prefer not to arrange for constituents to call at their homes, but instead advise them to contact them by telephone or email or through ward surgeries.

However some Councillors will be happy for constituents to call at their homes, particularly if they know them.

Where Councillors are willing to accept constituents calling at their homes, there are some basic measures that can be taken to help protect their safety, such as:

- discourage people from calling on you uninvited – try to ensure that they only call when a meeting has been arranged at a time convenient to yourself;
- fit a strong door chain / limiter to the entrance door and open the door with the chain / limiter in place;
- do not invite anyone in until you have checked who's at the door and that either they can identify themselves as the person who made the appointment, or you know and trust them and are happy to invite them in on an unarranged basis;
- do not invite anyone in if there is anything about their demeanour that makes you feel uneasy (prepare an excuse for not inviting them in beforehand prior to any arranged meeting at your home, such as a family member having visited unexpectedly);

- where possible, hold the meeting in a room that can be utilised for that purpose and which can be kept as free as possible from items that could be used as weapons;
- whether the meeting has been arranged or you invite someone in on an unarranged basis, try to ensure that there is someone else at home, such as a family member.

5. Holding Ward Surgeries

When Councillors hold ward surgeries, the arrangements each Councillor makes will vary according to local circumstances and the availability of premises, and it may sometimes be difficult to find a venue that provides the best safety measures for a Councillor whilst being the best accessible for constituents.

The following are safety measures for Councillors to consider when holding ward surgeries:

- do not hold ward surgeries alone in an otherwise empty building. Try and get someone to assist you and / or hold the surgery in an occupied building, such as an area of a sports centre when there are other activities taking place in the centre at the same time;
- if you will be relying on a mobile phone for communication, ensure you have a signal in the interview room;
- try to arrange for someone to check on you occasionally;
- have an excuse prepared beforehand for leaving the interview room early should the constituent's demeanour become such that it makes you feel uneasy (such as having to consult a colleague, make a private phone call, or similar).

The interview room itself should preferably and where practicable:

- have easy access to a land line;
- be free from heavy items that could be used as weapons;
- have a door that is not lockable from the inside and incorporating a vision panel giving a clear view of the reception or a public area;
- have an alarm linked to the reception area or another room that will be occupied whilst the surgery is ongoing.

6. Travelling

The safety measures outlined below are for Councillors to consider when travelling, whether that is to / from constituents' homes, ward surgeries or Council premises.

Whatever your mode of travel, always be alert to the environment and potential dangers.

By car:

- ensure that your car is roadworthy and has sufficient fuel;
- obey the Highway Code and road traffic rules;
- don't give lifts to people you don't know;
- try to park in a well-lit area where you feel safe and as near to your destination as possible.

By taxi:

- only use licensed companies;
- try to pre-book;
- where practicable, share with a friend or colleague and sit in the back;
- try to be picked up and dropped off in a well-lit area where you feel safe and as near to your destination as possible.

By public transport:

- know the times of the services;
- where possible, wait in a well-lit area near other people with whom you feel safe;
- have your pass / money ready and available so that you don't need to bring out your purse / wallet;
- carry enough money so that you can order a taxi if you miss the last service;
- try to arrange for someone to meet you at the bus stop / train station.

By cycle:

- ensure your cycle is in good working order;
- wear suitable clothing that won't get tangled, something fluorescent, such as a hi-viz vest, and a cycling helmet;
- always use lights;
- concentrate on the road whilst cycling and avoid talking / listening to music / using a mobile;
- secure your cycle with a good quality chain and padlock in a well-lit area where you feel safe and as near to your destination as possible.

By foot:

- plan your route so that you know where you are going and you avoid areas where you would feel unsafe, particularly at night – take a longer route if it would be safer;
- keep a secure hold on any bag / keep any wallet in an inside pocket, but give up valuables rather than suffer an assault;
- be mindful of distraction crimes – e.g. someone stopping you to ask the time so that they have a better opportunity to assault / rob you;

- avoid using your mobile, since it can be a distraction for you and a target for any thief;
- carry enough money to enable you to call a taxi or catch a bus or train if you feel threatened;
- wear comfortable shoes that you can move quickly in.

7. Situations Where Alcohol is Consumed

There may be instances where Councillors are in situations where they are in the presence of residents when alcohol is being consumed.

Such situations could include, for example:

- formal events where Councillors are attending in their official capacity as representatives of the Council, such as a charity quiz night held in a pub or club;
- informal social events where Councillors are not attending in their official capacity but as residents themselves, such as being in a pub or club or at a barbecue or similar.

It is accepted that consumption of alcohol can lead to a lack of control / inhibition and increased aggression and more extreme or excessive responses in people, particularly if concerning an issue that is important to them and they feel passionate about it.

As such whenever Councillors are in situations where alcohol is being consumed, whether in an official or private capacity, it is important you keep alert for a change for the worse in the demeanour of any person you are interacting with, and be prepared to make excuses to end the conversation and back away. On some occasions it may even be advisable to leave the premises.

Although it is appreciated that it can be difficult on occasions since residents will sometimes approach Councillors over issues when Councillors are out at social events in a private capacity, try not to engage with residents on Council issues when out socially when alcohol is being consumed. Instead ask them if they would be good enough to contact you during your working day.

8. Further Guidance

Other sources of information which Councillors may find helpful are policies developed by the Council's Corporate Health and Safety Team as guidance for employees, specifically:

- HS 13 – Violence at Work Policy;
- HS 22 – Lone Working Policy.

These policies are accessible on the *RCT Source*, under *A-Z of Policies* and also, along with additional information on *Violence at Work* and *Lone Working*, under the relevant topics in the *Safety* part of the *Health, Safety and Wellbeing* section.

Alternatively, copies of policies are available from the Corporate Health and Safety Team (telephone 01443 425531).

Guidance on personal safety is also available from external organisations, such as the Suzy Lamplugh Trust, accessible on the following link:

www.suzylamplugh.org

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Members Briefing – Members Safety / Security



Provided by the Council Business Unit, Community Safety Partnership and South Wales Police


2.11.21



1

Role of a Member

- Important aspect of an Elected Member role is to keep in touch with their residents and communities.
- Communications can take a variety of different forms.
- It is important that Members feel safe when undertaking this aspect of their role.
- This is even more important following the recent sad events of the death of Sir David Amess MP.
- Important that we as a Council consider and re-evaluate the support and security provisions available to Elected Members.



2

UNACCEPTABLE BEHAVIOUR

- Likely to have to deal with unpleasant or challenging interaction on occasion with residents in your community.
- With the rise of usage in social media platforms written and online abuse is another avenue of abuse that Elected Members are potentially subjected to.
- It is important that if a Member does feel threatened or that they are subject to unacceptable behaviour that they know how to report this behaviour as potentially criminal behaviour.
- If you feel that any of the behaviours you have endured have had an effect on your wellbeing then please seek support through the Council's Occupational Health arrangements.



3

SUPPORT PROVISIONS

- Lone working Policy
- Personal alarm devices
- Security provision at residential addresses / Council Buildings
- Publication of official addresses
- Use of Council email address
- Social Media training and resources / infographics



4



South Wales Police



Support provisions available through SWP / Community Safety Partnership


- Call 101
- Report online via the South Wales Police Website 'Report' tool at <https://www.south-wales.police.uk/ro/report/>
- Email SWP101@south-wales.police.uk
- Private message via Facebook [South Wales Police - Home | Facebook](#)
- Private message via Twitter [South Wales Police @SWP101](#)



5

Identifying Vulnerability

It is important you learn to recognise situations where you are vulnerable




6

At Hustings or public meetings

When at hustings or public meetings, be aware of your surroundings and if something or someone causes you to be concerned for your safety, report it to the police using **999** if the threat or danger is immediate and **101** to report suspicious activity that has already occurred


- Consider your safety when canvassing and visiting voters at the door. While political debate is a key part of our democracy, if you feel unsafe then disengage.
- Carry out visits accompanied, as a minimum tell someone where you are canvassing, and ensure you are making safe decisions on the doorstep.
- Keep records of any intimidating behaviour (what, where, when) – the more details the better.
- Do not engage with individuals who are stalking/harassing you (offline and online).



7

Choosing a location

- Opt for a venue or area you know well.
- Make sure it has good external lighting on the approach to the building.
- Try to select somewhere where there are a lot of people even if you are holding your surgery out of hours, e.g. a community centre or shopping centre as these locations may often have existing security measures.
- Make sure there is more than one entrance/exit.
- Choose somewhere with a lobby area where the individual can be met and supporting staff can gauge the behaviour of the visitor.



8

Arriving and departing

- Park safely – think about your return to your vehicle and take a pocket torch.
- Have your keys ready before arriving at your door/car.
- Remain vigilant and don't walk using your phone or have headphones on, which can distract you from your surroundings.
- Have a quick dial emergency number on your phone.
- Vary your route to and from the venue as much as possible.
- Remember to carry and use your lone worker device, if you have one



9

Preparing for a safe surgery

- Discuss a plan for what you would do in an emergency.
- Consider an appointment system or whether you need to have a face-to-face meeting at all.
- Maintain an incident log to record any incidents. Keep details of date, time and type of unacceptable behaviour.
- Identify a safe area with an escape route which can be used in an emergency.
- Agree a key phrase to someone in the event of an emergency.
- Do not arrange to meet an unknown constituent without another persons knowing where you are, how long you expect to be and how to contact you.
- Use a lone worker device to inform the lone worker device centre where you are and that you are going into a surgery. This is a discreet device which can be carried on you.



10

Meeting people when out and about

- Don't post your movements in advance on social media or share personal information about you or your family.
- Be aware of your surroundings and who is around you.
- If you feel uneasy about an individual or situation, trust your instincts. Leave the area and head towards a safe public place such as a shop.
- Pre-book a licensed cab if required. Never get into an unlicensed mini cab off the street.
- Don't publicly advertise who you are unless you are there in an official capacity, e.g. don't wear a name badge unless you must.
- Always have a charged mobile phone with you.



11

When meeting a constituent

- Have someone with you so that they can call for help if necessary.
- Keep a mobile phone with you.
- Always keep your lone worker device with you.
- Leave the door ajar, make sure you are positioned closest to the exit and never lock yourself in a room with a stranger.
- Position a desk or table between yourself and the constituent.



12

If you think you are being followed

- Try to remain calm.
- Keep to well populated areas.
- Cross and re-cross the road to see if they follow you.
- Keep moving and head to the nearest safe place.
- Call the police when you can.



13

Security at Your Home

- House and Grounds –Boundaries, Gates, Garages
- Doors, Windows and Locks – Pas 24 doors, 5 lever lock
- Key care – keep control of your keys
- Alarms – monitored, audible, speech
- CCTV – Obtaining the right images dialler (panic button)
- Visitors – Positively ID Visitors

Secured by Design: www.SecuredByDesign.com
• Crime Prevention Survey



14

Dealing with aggression

- For information on dealing with aggressive people, visit skillsyouneed.com/ps/dealing-with-aggression.html
- Further advice is also available from the Suzy Lamplugh Trust: www.suzylamplugh.org



15

Social Media

- Your Digital Footprint
- A digital footprint is the data that's left behind whenever a person uses a digital service, or someone posts information about that person online.



16

Digital Footprints – What Should I Do?

- Know what your digital footprint looks like
- What information about you is available online?
- Who else is posting information about you?
- The following websites can help:
 - 192.com
 - Google.com
 - Pipl.com
 - Tinyeye.com
- Review your passwords and privacy settings on devices, apps, and social media accounts.
- Can you delete or edit any sensitive information about yourself that is already online?
- Think carefully about what you share – you don't always know who's looking at it, how it will be protected, or who might see it.



17

How to remove metadata from your photos

- It's simple to remove metadata from pictures, (especially ones taken with phones) before you post them on line.
- Picture metadata commonly stored in Exchangeable Image File (EXIF) data can store information about the location and details of the device you took the photo with.
- **The easiest way of removing EXIF data prior to posting is to simply re-size the photo and save it before you post it on line.**




18

How many of these questions could be answered by someone looking at your social media profiles?

- Where do you live?
- Where do you work?
- Where are you going on holiday? When?
- What time do you leave the house every day?
- What car do you drive?
- Where do you socialise?
- Where are you right now...?

Criminals, violent protest groups, foreign intelligence services, and terrorist groups can all benefit from gaining access to information about us, our work, and who we associate with.



19

Actions to take if targeted :

- Do not reply
- Try to capture the information before it is deleted (Screen shot)
- Inform the Police of the incident / threat immediately


Report intimidation to your Internet Service Provider / mobile phone provider

- Use 'Report Abuse' tools on Social Media platforms or facebook on a post by post basis if necessary
- Block/report trolls. You can disable comments on Instagram
- Conduct an online Health check - review online information and minimise availability of personal information.



20

Thank you and Questions



21

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Independent Remuneration Panel for Wales

Annual Report

DRAFT

February 2022

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

ANNUAL REPORT 2022/2023

FOREWORD

The Covid pandemic continues to impact on the work of the Panel in that we have been unable to meet with authorities and their representative organisations face to face. However, we have continued to meet regularly and have meaningful discussions to meet our statutory obligations via Microsoft Teams or Zoom.

It has been a difficult time for the public sector but local authorities in Wales have demonstrated their resilience and capabilities over the past 18 months. 2022 is an election year for local government and the new five year term provides the opportunity to reset the basic salaries of elected members to align with the average earnings in Wales. This has been eroded in successive years, primarily as a result of austerity measures. We consider that it is important that the payments to elected members of principal councils be fair and at a level that is not a disincentive to potential candidates for election.

We have undertaken a major consultation exercise in respect of the Remuneration Framework for community and town councils and the outcome is contained in [Section 13](#) of this draft Report. I would like to express my appreciation to all the councils and individual members and officers for their involvement in the exercise.

There have been changes to the membership of the Panel. Ruth Glazzard joined the Panel in April and Helen Wilkinson replaced Claire Sharp in July. My personal thanks to Claire for her contribution to the work of the Panel.

The consultation period for this draft Report ends on **26 November 2021**. The Panel would appreciate comments which will be considered prior to the production of the final Report.

John Bader
Chair

Panel Membership
John Bader, Chair
Saz Willey, Vice Chair
Joe Stockley
Ruth Glazzard
Helen Wilkinson

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

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Timescale for Implementation of the Panel's Determinations

The Local Government (Wales) Measure 2011 requires the Panel's Annual Report to take effect from 1 April. In most years, this is in line with financial and administrative arrangements of all authorities. However, when new councils are elected some of the Panel's determinations are to be effective for the new municipal term.

On 9 May 2022, new municipal arrangements will come into effect following local government elections. This Annual Report therefore has two different effective dates as set out below:

1. For the period 1 April 2022 to 8 May 2022, all of the Determinations contained in the Independent Remuneration Panel for Wales' [Annual Report 2021/2022](#) will continue to apply in respect of principal councils and community and town councils.
2. For national park authorities and Welsh fire and rescue authorities the determinations in Sections [7](#) and [8](#) of this Report will apply from the new financial year, 1 April 2022.
3. With effect from 9 May 2022, (the new municipal year) the determinations set out in this Report in Sections [3](#) and [13](#) will apply to principal councils and community and town councils.

Executive Summary

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

1. As Wales emerges from the Covid pandemic, local democracy and public services will have a vital role to play in strengthening the resilience of our local communities and economies. 2022 is a milestone year because of this overarching context.
2. As a Panel our firm belief is that this is a reset moment for Welsh democracy and for valuing our public services; an important opportunity to future proof our democracy and public services. We have therefore taken time to engage with stakeholders, pause and reflect on the impact of the decisions we take and the messages we are communicating in making this year's determinations.
3. From inception, the Panel has consistently and vigorously expressed that local democracy and the governance of public services are not cost free and need to be valued if we are to enable everyone to participate. Levels of remuneration need to be set at a level sufficient to encourage a diversity of willing and able people to undertake local governance through elected, appointed or co-opted roles. It is important to promote a culture which encourages take up of remuneration to ensure that people from all walks of life can participate confidently in our democracy. However, the Local Government (Wales) Measure 2011 requires the Panel to have regard to the financial implication of its decisions. We have discussed the issue of affordability with representatives of the WLGA and the general consensus is that in the context of a council's income and expenditure the Panel's determinations do not have a significant impact. We consider that the proposals set out in this draft Report meet the legislative requirement.
4. Since 2009, remuneration of elected members of local government in Wales has not kept pace with measures of inflation or other possible comparators. These include Retail Prices Index, Consumer Prices Index, NJC (public sector employees), National Living Wage (NLW), [the Living Wage Foundation's Living Wage \(LWF\) rates](#), Members of Senedd Cymru, and MPs and also the Annual Survey of Hourly Earnings (ASHE). This is the result of austerity and pressure on public finances. This has the potential to perpetuate socio-economic disadvantage, adding to perceptions of a democratic deficit.

Yearly percentage increases to basic salary, benchmarks and alternative measures 2013 to 2021

Annual Report Year	2013	2014	2015	2016	2017	2018	2019	2020	2021
IRPW Basic	0.00	0.00	0.95	0.00	0.00	0.75	3.49	2.52	1.06
ASHE*	4.00	0.60	1.00	2.70	1.00	2.10	5.10	0.60	Oct-21
NLW	1.90	3.00	3.10	7.50	4.20	4.40	4.90	6.20	2.18
LWF	3.47	2.68	2.61	5.10	2.42	3.55	2.86	3.33	2.15

5. During this period, decision-making and local governance has increased in complexity with increased responsibilities flowing from legal, social, economic, cultural and technological changes. People’s lifestyles (and expectations) have also changed in the last decade with increased requirements and expectations for a flexible approach to support people with family and care pressures to participate and contribute at work and in public life, through job sharing, flexibility and family leave. The diversity in democracy agenda has gained traction, underpinned by the Equality Act with an increased expectation that people with protected characteristics should be encouraged and empowered to participate. Future proofing our democracy and governance also means that young people, those in work and those who are socially and economically disadvantaged are positively encouraged and empowered to participate as it is clear that our public services should be accountable to and delivered by people who reflect the communities they serve. There is evidence that greater diversity will ensure decision-making takes account of a wide variety of perspectives.
6. The Covid pandemic has put unprecedented pressure on our politicians and public servants. It has also highlighted the importance of our local and community infrastructure in developing rapid and innovative solutions. As Wales emerges from the pandemic, there is increased awareness that our nation needs to draw on a diverse talent pool to meet the scale of the ongoing challenges facing the nation. Local governance needs to engage lived experience and knowledge of local people.
7. As noted in this report, payments for councillors in the 22 principal councils in Wales have not kept pace with comparators such as ASHE. Financial constraints on the public sector and particularly on local authorities over many years meant that the link with average Welsh earnings could not be maintained. The Panel considers that this has undervalued the worth of elected members and that it is now time to restore this link as the most appropriate comparator. Members in these 22 principal councils will receive, proportionately, the same as the overall average amount that a Welsh constituent received in 2020. We believe this puts a fair value on the contribution made by local politicians. We hope that over time this will encourage greater diversity and enable potential candidates to consider putting themselves forward for election.
8. Local elections in Wales will take place on 5 May 2022 for a new municipal term and potentially many new local politicians. The 9 May 2022 is therefore the best date in our view to enact this ‘significant reset’ and invest in local democracy in

Wales. Our proposed increase in remuneration levels will therefore come into effect on this date. Further details can be found in [Section 3](#).

9. As a Panel, we are concerned that payment information provided by relevant authorities shows that very few members are utilising the provision in the framework for financial support in respect of care. We believe it is vital that Democratic Services Committees continue to encourage and facilitate greater use of this element of the Remuneration Framework so that members are not financially disadvantaged.
10. We also believe that encouraging take up of this financial support for members with caring responsibilities will send a positive signal that members with these responsibilities are welcome and valued. We hope that it will encourage others with caring responsibilities to consider standing for election.
11. Payments for members of national park authorities and Welsh fire and rescue authorities will increase as a result of the uplift proposed for elected members of principal councils. As indicated above these increases will be effective from 1 April 2022, the new financial year. The Panel considered the alternative for implementation following the annual meeting of each authority, but this could mean a significant delay in individuals receiving the new payments. This would not be equitable.
12. Early in 2021 the Panel commenced a major review of the Remuneration Framework in respect of community and town councils and undertook a comprehensive consultation exercise with the sector. We appreciated the level of engagement from individual councils and their representative organisations. The Covid pandemic limited the Panel's opportunities for face to face engagement in 2020/2021. However, the Panel's digital engagement was considerable. The Panel recognises a wide variation in geography, scope and scale across the 735 community and town councils in Wales, from small community councils with relatively minimal expenditure and few meetings to large town councils with significant assets and responsibilities. Our recommendations for reform and the proposed new framework are set out in [Section 13](#).
13. In reaching our conclusions we have also taken account of:
 - the overarching framework of the [Wellbeing of Future Generations Act](#);
 - the ethos and principle of the [socio-economic duty](#), implemented in Wales in 2020;
 - Welsh Government's ongoing commitment to [equality](#) and [diversity in democracy](#);

2022-2023 Determinations

14. The table below summarises the new and updated determinations in this year's Annual Report informed by our belief and rationale for investing in local democracy and public services and by the principles outlined above.

[Annex 1](#) outlines all of the Panel's determinations for 2022/23.

Summary of new and updated determinations contained in this report
Principal Councils
<i>Determination 1:</i> The basic salary in 2022/23 for elected members of principal councils shall be £16,800.
<i>Determination 2:</i> Senior salary levels in 2022/23 for members of principal councils shall be as set out in Table 4.
<i>Determination 3:</i> Where paid, a civic head must be paid a Band 3 salary of £25,593 in accordance with Table 4.
<i>Determination 4:</i> Where paid, a deputy civic head must be paid a Band 5 salary of £20,540 in accordance with Table 4.
<i>Determination 5:</i> Where appointed and if remunerated, a presiding member must be paid £25,593 in accordance with Table 4.
Assistants to the Executive
<i>Determination 13:</i> The Panel will decide on a case-by-case basis the appropriate senior salary, if any, for assistants to the executive.
National Park Authorities
<i>Determination 23:</i> The basic salary for NPA ordinary members shall be £4,738 with effect from 1 April 2022.
<i>Determination 24:</i> The senior salary of the chair of a NPA shall be £13,531 with effect from 1 April 2022.
<i>Determination 25:</i> A NPA senior salary of £8,478 must be paid to a deputy chair where appointed.
<i>Determination 26:</i> Committee chairs or other senior posts can be paid. This shall be paid at £8,478.
Fire and Rescue Authorities
<i>Determination 30:</i> The basic salary for FRA ordinary members shall be £2,369 with effect from 1 April 2022.
<i>Determination 31:</i> The senior salary of the chair of a FRA shall be £11,162 with effect from 1 April 2022.
<i>Determination 32:</i> A FRA senior salary of £6,109 must be paid to the deputy chair where appointed.
<i>Determination 33:</i> Chairs of committees or other senior posts can be paid. This shall be paid at £6,109.
Community and Town Councils
<i>Determination 48:</i> Each council can decide to introduce an attendance allowance for members. The amount of each payment must not exceed £30. A member in receipt of financial loss will not be entitled to claim attendance allowance for the same event. Councils that intend to introduce a system of attendance allowances must set out the details of the scheme and publish on their website.

1. The Panel's Framework: Principles of Members' Remuneration

Upholding trust and confidence

- 1.1 Citizens rightly expect that all those who choose to serve in local authorities uphold the public trust by embracing the values and ethics implicit in such public service. These principles underpin the contribution that the work of the Panel and its Framework make towards upholding public trust and confidence.

Simplicity

- 1.2 The Framework is clear and understandable. This is essential for the Panel to be able to communicate its Determinations effectively to all those who are affected by, or who have an interest in its work.

Remuneration

- 1.3 The Framework provides for payment to members of authorities who carry a responsibility for serving their communities. The level of payment should not act as a barrier to taking up or continuing in post. There should be no requirement that resources necessary to enable the discharge of duties are funded from the payment. The Framework provides additional payments for those who are given greater levels of responsibility.

Diversity

- 1.4 Democracy is strengthened when the membership of authorities adequately reflects the demographic and cultural make-up of the communities such authorities serve. The Panel will always take in to account the contribution its Framework can make in encouraging the participation of those who are significantly under-represented at local authority level.

Accountability

- 1.5 Taxpayers and citizens have the right to receive value for money from public funds committed to the remuneration of those who are elected, appointed or co-opted to serve in the public interest. The Panel expects all authorities to make information readily and appropriately available about the activities and remuneration of their members.

Fairness

- 1.6 The Framework will be capable of being applied consistently to members of all authorities within the Panel's remit as a means of ensuring that levels of remuneration are fair, affordable and generally acceptable.

Quality

- 1.7 The Panel recognises that the complex mix of governance, scrutiny and regulatory duties incumbent upon members requires them to engage with a process of continuous quality improvement. The Panel expects members to undertake such training and personal development opportunities as required to properly discharge the duties for which they are remunerated.

Transparency

- 1.8 Transparency of members' remuneration is in the public interest. Some members receive additional levels of remuneration by virtue of being elected or appointed to more than one public body. The Framework serves to ensure that knowledge of all members' remuneration is made easily available to the public.

Remuneration of Heads of Paid Service

- 1.9 The Panel applies these principles of fairness, accountability and transparency in all its determinations in relation to remuneration of members of all the authorities that fall within its remit. The same principles also apply when the Panel is required to make recommendations in relation to the remuneration of the heads of paid service of these authorities.

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 13	page 28	page 32	N/A ²
Senior Roles	page 16	page 28	page 32	page 45
Committee Chairs	page 14	page 28	page 32	N/A
Opposition Groups	page 16	N/A	N/A	N/A
Civic Heads and Deputies	page 17	N/A	N/A	page 47
Presiding Members	page 18	N/A	N/A	N/A
Mileage	page 41	page 41	page 41	page 46
Other Travel Costs	page 41	page 41	page 41	page 46
Subsistence Costs	page 42	page 42	page 42	page 46
Contribution towards Costs of Care and Personal Assistance	page 35	page 35	page 35	page 35
Family Absence	page 26	N/A	N/A	N/A
Sickness Absence	page 39	page 39	page 39	N/A
Joint Overview and Scrutiny Committees	page 24	N/A	N/A	N/A
Pension	page 25	N/A	N/A	N/A
Co-optees	page 33	page 33	page 33	N/A
Specific or Additional Allowances	page 20	N/A	N/A	N/A
Payments to Community and Town Councillors	N/A	N/A	N/A	page 43
Compensation for Financial Loss	N/A	N/A	N/A	page 46
Statement of Payments	page 78	page 78	page 78	page 78
Schedule of Remuneration	Page 76	Page 76	Page 76	N/A
Salaries of Head of Paid Services	Page 53	N/A	Page 53	N/A

² Not Applicable

3. Payments to Elected Members of Principal Councils: Basic, Senior and Civic Salaries

Basic salary for elected members of principal councils

- 3.1 In 2009 the Panel decided the average work commitment of an elected councillor of a principal council was three working days. The maximum basic salary was set at £13,868. This reflected three fifths of the then median gross earnings of full-time male employees resident in Wales as reported in the Annual Survey of Hourly Earnings (ASHE) published by the Office of National Statistics. The Panel considered it was appropriate to use this figure, as it was comparable with constituents' pay, adjusted for the part-time nature of the work of a member with no senior responsibilities. At the introduction of austerity measures, the basic salary was reduced to £13,175 and the link to ASHE was broken. Since then, there has been no connection between councillor and constituent pay. In 2019, the Panel took steps to stop the gap widening and reviewed options to move towards reinstating the link with ASHE or another suitable benchmark. A detailed explanatory paper setting out the historical context and analysis is available on the Panel's [website](#). The key issues are:
- 3.1.1 Since 2009, the Panel has met its duty to take account of affordability and acceptability and set amounts for the basic salary that varied but have not kept pace with measures of inflation or other comparators. Table 1 shows the percentage increases to the basic salary and a selection of alternative benchmarks from 2013 to 2021.
- 3.1.2 From 2013 to 2020 the basic salary of other Welsh elected members increased by 9% (£13,175 to £14,368). A Senedd Cymru member's salary increased by 28.6% (£53,852 to £69,272) and an MP's salary increased by 23.4% (£66,396 to £81,932). MS salaries were realigned in 2017 and MPs in 2015.
- 3.1.3 Examining other parts of the United Kingdom, councillors in Scotland receive £18,604 a year and in 2018 councillors in Northern Ireland received £15,486. Comparison with England is more difficult as the structure of local government is different, although there are examples where members are paid significantly more than their Welsh counterparts.
- 3.1.4 Table 1 shows the basic salary of backbench councillors has fallen significantly behind the Welsh average (median) salary and public sector pay.

Table 1 – Yearly percentage increases to basic salary, benchmarks and alternative measures 2013 to 2021

Annual Report Year	2013	2014	2015	2016	2017	2018	2019	2020	2021
IRPW Basic	0.00	0.00	0.95	0.00	0.00	0.75	3.49	2.52	1.06
ASHE*	4.00	0.60	1.00	2.70	1.00	2.10	5.10	0.60	Oct-21
NJC **	1.00	0.43	2.05	1.00	1.00	2.00	2.60	2.75	1.75
MS	0.00	0.00	0.00	1.00	17.70	2.10	3.50	0.00	2.40
MP	1.00	1.00	10.30	1.30	1.40	1.80	2.70	3.10	0.00
RPI***	3.00	2.40	1.00	1.80	3.60	3.30	2.60	1.50	3.80
CPI ****	2.60	1.50	0.00	0.70	2.70	2.50	1.80	0.90	2.00
NLW	1.90	3.00	3.10	7.50	4.20	4.40	4.90	6.20	2.18
LWF	3.47	2.68	2.61	5.10	2.42	3.55	2.86	3.33	2.15

** NJC final employers offer July 2021; *** RPI and CPI**** are for July 2021.

Wales Median Average (median) gross weekly earnings by Welsh local areas and year (£) (gov.wales)

MS [Remuneration Board](#)

MP [Independent Parliamentary Standards Authority](#)

RPI all items [Retail Price Index](#)

CPI [Consumer Price Inflation](#)

NLW [National Living Wage](#)

LWF [Living Wage Foundation](#)

Table 2 - Basic yearly salary and actual full time and 3 day (60%) equivalents of Welsh national average pay 2013 to 2021

Year	IRPW basic salary	Wales Median ASHE	
		full time	3 day
2013	13,175	24,499	14,699
2014	13,175	24,655	14,793
2015	13,300	24,915	14,949
2016	13,300	25,643	15,386
2017	13,300	25,904	15,542
2018	13,400	26,476	15,886
2019	13,868	27,828	16,697
2020	14,218	27,974	16,784
2021	14,368	October 2021	October 2021

- 3.2 When making determinations for this Annual Report, the Panel considered the progression of the variety of benchmark figures outlined above for the period from 2013 to 2021 and the increases.
- 3.3 As outlined in the Executive Summary, the Panel believes that local elections in May 2022 provide an opportune time to rectify the imbalance between the basic salary of councillors and the average salaries of their constituents. The basic salary of councillors of principal councils elected in the May 2022 local elections will be reset to align with the 2020 ASHE. This will be £16,800.

Determination 1: The Basic Salary in 2022/23 for elected members of principal councils shall be £16,800.

Senior Salaries

Senior salaries are payments to members who are executive, chairs of committees and the leader of the opposition.

Number of Senior Salaries

- 3.4 The limit on the number of senior salaries payable (“the cap”) will remain in place and remains unchanged. In 2022-2023 the maximum number of senior salaries payable within each council will be as set out in Table 3.

Senior Salary Payments

- 3.5 All senior salaries include the basic salary payment.
- 3.6 The Panel recognises that years of no or low increases has meant the pay of senior salary holders is significantly and increasingly lower than many relevant comparators.

Leaders

- 3.7 It is widely recognised that the role of leader of a principal council is highly complex and carries a large and increasing level of responsibility. Leaders’ pay is at the lower end of sector market comparators.
- 3.8 The Panel has heard arguments that a leader’s pay should be at or above a backbench MS or a Health Board Chair. The Panel has considered these arguments, but has concluded that although the roles have some similarities, there are significant and crucial differences which are not helpful in making comparisons.
- 3.9 The Panel is very concerned that the current payment levels are often financially

unattractive and are seen as a barrier to participation. For many willing and well-qualified people, a senior salary might necessitate a significant reduction in earnings. This is not in the spirit of diversity, inclusion, or democracy, or efficient for the effective running of principal councils. To start to address this, the Panel has re-set all senior salary payments for 2022-2023. The salary of a leader of the largest (Group A) council will be £63,000. All other payments have been decided in reference to this and are set out in Table 4.

Executive

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

Chairs of Committees

- 3.11 The Panel recognises that there is a significant variance in the responsibilities and functions of chairing different committees. Councils do not have to pay chairs of committees. Each council can decide which, if any, chairs of committees they pay. This allows councils to take account of differing levels of responsibility.
- 3.12 The Panel has considered the role element of the chair's salary. The move to a single level of chair payment in 2019 reduced the differentials with other senior payments. To reset this, the Panel has decided not to change the role element at the 2021 figure of £8,793 for 2022-2023. The basic salary increase will apply.

Determination 2: Senior salary levels in 2022/23 for members of principal councils shall be as set out in Table 4.

Table 3: Maximum numbers of council membership eligible for payment of a senior salary

Council	Number of councillors	Number of senior salaries
Group A (populations over 200,000)		
Cardiff	75	19
Rhondda Cynon Taf	75	19
Swansea	72	19
Group B (populations of 100,000 to 200,000)		
Bridgend	54	18
Caerphilly	73	18
Carmarthenshire	74	18
Conwy	59	18
Flintshire	70	18
Gwynedd	75	18
Neath Port Talbot	64	18
Newport	50	18
Pembrokeshire	60	18
Powys	73	18
Vale of Glamorgan	47	18
Wrexham	52	18
Group C (populations of up to 100,000)		
Blaenau Gwent	42	17
Ceredigion	42	17
Denbighshire	47	17
Isle of Anglesey	30	16
Merthyr Tydfil	33	16
Monmouthshire	43	17
Torfaen	44	17

Table 4: Salaries payable to Basic, Senior, Civic and Presiding Members of Principal Councils:

Basic salary (payable to all elected members) £16,800			
	Group A Cardiff, Rhondda Cynon Taf, Swansea	Group B Bridgend, Caerphilly, Carmarthenshire, Conwy, Flintshire, Gwynedd, Newport, Neath Port Talbot, Pembrokeshire, Powys, Vale of Glamorgan, Wrexham	Group C Blaenau Gwent, Ceredigion, Denbighshire, Merthyr Tydfil, Monmouthshire, Torfaen, Isle of Anglesey
Senior salaries (inclusive of basic salary)			
Band 1 Leader	£63,000	£56,700	£53,550
Deputy Leader	£44,100	£39,690	£37,485
Band 2 Executive Members	£37,800	£34,020	£32,130
Band 3 Committee Chairs (if remunerated):		£25,593	
Band 4 Leader of Largest Opposition Group ³		£25,593	
Band 5 Leader of Other Political Groups		£20,540	

³ Leader of largest opposition group. See IRPW Regulations, Annex 2, Part 1(2) for a definition of “largest opposition group” and “other political group”.

Table 4 notes:

- a. The Panel considers that leadership and executive roles (Band 1 and 2 salaries respectively) carry the greatest individual accountability. A deputy leader salary is set at 70% of their leader and an executive member at 60% of their leader.
- b. The Panel considered arguments for and against changing council groupings. Options included removing or increasing the number of groups

and changing the banding levels. The Panel concluded that 'size of population' remains a major factor in influencing levels of responsibility and has retained the three population groups (A, B and C). For information: Group A Population 200,000 and above; Group B Population 100,001 to 199,999; Group C Population up to 100,000.

- c. Salaries for B group councils will be at 90% of Group A salaries. Salaries for C group councils have been set at around 80% of Group A. Although Group C councils have significantly smaller populations and budgets they face similar duties and challenges as Group A and B councils and they do so with fewer resources. The Panel has therefore decided to reduce the Group differentials. In 2022/2023 salaries for Group C will be at 85% of Group A salaries. The salaries are set out in Table 4.
- d. Committee chairs will be paid at Band 3. A council can decide which, if any, chairs of committees are remunerated. This allows councils to take account of differing levels of responsibility.
- e. The stipulation that an opposition group leader or any other group leader must represent at least 10% of the council membership before qualifying for a senior salary remains unchanged.
- f. The Panel has determined that a council must make a senior salary available to the leader of the largest opposition group.
- g. The Panel has determined that, if remunerated, a Band 5 senior salary must be paid to leaders of other political groups.

Payments to Civic Heads and Deputies (Civic Salaries)

- 3.13 A council may decide not to pay any civic salary to the posts of civic head and or deputy civic head. If paid, civic heads must be remunerated at Band 3 level and deputy civic heads at Band 5. (Determinations 5, 6, 7 and 8).
- 3.14 The posts of civic head and deputy civic head are not included in the cap (with the exception of Isle of Anglesey and Merthyr Tydfil Councils).
- 3.15 Civic heads are senior posts within councils which are distinct from political or executive leadership. In addition to chairing major meetings the civic head is the authorities' 'first citizen' and 'ambassador' representing the council to a wide variety of institutions and organisations. The Panel's requirement that members should not have to pay for the cost of the support (see **Determination 10**) needed to carry out their duties applies also in respect of deputy civic heads.

Determination 3: Where paid, a Civic Head must be paid a Band 3 salary of £25,593 in accordance with Table 4.

Determination 4: Where paid, a Deputy Civic Head must be paid a Band 5 salary of £20,540 in accordance with Table 4.

- 3.16 In many instances civic heads receive secretarial support and are provided with transport for official duties and can access a separate hospitality budget which is managed and controlled by council officers.
- 3.17 The Panel recognises the wide range of provision made for civic heads in respect of transport, secretarial support, charitable giving and official clothing. Funding decisions in relation to levels of such additional support are not matters of personal remuneration, but of the funding required to carry out the tasks and duties. These matters remain entirely a decision for individual councils. Councils remain free to invest in support at whatever levels they deem appropriate for the levels of civic leadership they have in place.
- 3.18 The Local Government (Democracy) (Wales) Act 2013 allows councils to appoint a presiding member whose role is to chair meetings of the whole council. Where appointed, there would be a consequential reduction in the responsibilities of the respective civic head.

Presiding Members

- 3.19 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.

Determination 5: Where appointed and if remunerated, a presiding member must be paid £25,593 in accordance with Table 4.

Determination 6: The post of deputy presiding member will not be remunerated.

Key factors underpinning the Panel's determinations:

- 3.20 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. It is based on a full time equivalent of three days a week.
- 3.21 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 decline 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 decline salaries is avoided.

The following must be applied:

Determination 7:

- 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 8: Members in receipt of a Band 1 or Band 2 senior salary cannot receive a salary from any NPA or FRA to which they have been appointed. They remain eligible to claim travel and subsistence expenses and contribution towards costs of care and personal assistance from the NPA or FRA.

Determination 9: 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. They remain eligible to claim travel and subsistence expenses and contribution towards costs of care and personal assistance from the community or town council. Where this situation applies, it is the responsibility of the individual member to comply.

Supporting the work of local authority elected members

- 3.22 The Panel expects support provided should take account of the specific needs of individual members. Democratic Services Committees are required to periodically review the level of support provided to members to carry out their duties. The Panel would expect these committees to carry this out and bring forward proposals to the full council as to what is required. Any proposals should be made with due regard to Determinations 10 and 11 below. For example, the Panel does not consider it appropriate that elected members should be required to pay for any telephone usage to enable them to discharge their council duties.
- 3.23 The Panel considers it is necessary for each elected member to have ready use of email 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. Access to electronic communications is

essential for a member to be in proper contact with council services and to maintain contact with those they represent. Councils are committed to paperless working and without electronic access members would be significantly limited in their ability to discharge their duties. It is inappropriate for facilities required by members only to be available within council offices within office hours.

- 3.24 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.
- 3.25 As a result of their role as a councillor an elected member's personal security may become adversely affected. It is the duty of Democratic Services Committees to fund or provide support necessary to enable a councillor to discharge their role reasonably and safely. This may require funding appropriate security measures to protect councillors from personal risk or significant threat. Risk assessment and liaison with relevant bodies such as the police and security services would normally inform the selection of required provision.
- 3.26 For co-opted members the support requirements are set out in [Section 9](#) and Determination 42.

Determination 10: Each authority, through its Democratic Services Committee, must ensure that all its elected members are given as much support as is necessary to enable them to fulfil their duties effectively. All elected members should be provided with adequate telephone, email and internet facilities giving electronic access to appropriate information.

Determination 11: Such support should be without cost to the individual member. Deductions must not be made from members' salaries by the respective authority as a contribution towards the cost of support which the authority has decided necessary for the effectiveness and or efficiency of members.

Specific or additional senior salaries

- 3.27 The Panel has allowed for greater flexibility which allows for authorities to apply for specific or additional senior salaries that do not fall within the current remuneration framework, or which could not be accommodated within the maximum number of senior salaries relating to the authority. If the proposed addition is approved and results in the council exceeding its cap, this will be included in the approval (with exception of Merthyr Tydfil and the Isle of Anglesey Councils – see footnote 4). Some councils have raised the possibility of operating some senior salary posts on a job share arrangement. The Panel is supportive of this principle, on the basis that it supports diversity and

inclusion, and the process is set out in Paragraph 3.29.

Determination 12: Principal councils can apply for specific or additional senior salaries that do not fall within the current Framework.

- 3.28 Guidance to local authorities on the application process was issued in April 2014 and incorporated the following principles:
- a. The total number of senior salaries cannot exceed fifty percent⁴ of the membership.
 - b. Applications will have to be approved by the authority as a whole (unless this has been delegated within Standing Orders) prior to submission to the Panel.
 - c. There must be clear evidence that the post or posts have additional responsibility demonstrated by a description of the role, function and duration.
 - d. Each application will have to indicate the timing for a formal review of the role to be considered by the authority as a whole.

⁴Local Government (Wales) Measure 2011 Section 142 (5). The proportion fixed by the Panel in accordance with subsection (4) may not exceed fifty percent unless the consent of the Welsh Minister has been obtained.

3.29 Job Sharing Arrangements

Section 58 of the Local Government and Elections Act (Wales) 2021 established new arrangements for job sharing for executive leaders and executive members. The Act makes provision:

- a) requiring local authorities to include in their executive arrangements provision for enabling two or more councillors to share an office on an executive, including the office of executive leader
- b) changing the maximum number of members of an executive when members of the executive share an office and
- c) about voting and quorum where members of an executive share office.

For members of an executive: Each job sharer will be paid an appropriate proportion of the salary group as set out in Table 3.

The statutory maximum, as set out in the Act, for cabinets cannot be exceeded so each job sharer will count toward the maximum.

Under the Measure, it is the number of persons in receipt of a senior salary, not the number of senior salary posts that count towards the cap. Therefore, for all job share arrangements the senior salary cap will be increased subject to the statutory maximum of 50% of the council's membership. Where the arrangements would mean that the statutory maximum would be exceeded the Panel would need to seek the approval of Welsh Ministers.

3.30 Assistants to the Executive

The Local Government and Elections Act also provides for principal councils to be able to appoint elected members to assist the executive in discharging its functions.

Such appointments are made by the leader of the council and can include:

- the number of assistants that may be appointed
- the term of office of the assistants
- the responsibility of the assistants

There are exclusions to the appointments as set out in the legislation and assistants are not members of the cabinet.

The Panel has given initial consideration to matters of remuneration for members appointed as assistants to the executive but has concluded that until there is more information in respect of the responsibilities attached to the posts it is not possible to decide on additional payments, if any. It is therefore

proposed that this will be further considered when a council decides to make appointments and details of the specific responsibility is available.

To give effect to this without the requirement for a further formal report the following determination will apply.

Determination 13: The Panel will decide on a case-by-case basis the appropriate senior salary, if any, for assistants to the executive.

Note: If a senior salary payment is made, each will count towards the cap, however, the cap will be increased by the number of assistants receiving payments subject the statutory maximum of 50 per cent of the council's membership.

4. Joint Overview and Scrutiny Committees (JOSC)

- 4.1 Little use has been made of the arrangements for JOSCs. Therefore, the Panel has decided to delete the payment from the Framework. If, in future, a JOSC is formed by an individual council and it wishes to remunerate, it can apply using the arrangements contained in paragraphs 3.27 and 3.28. The current JOSCs in operation will continue without need for further confirmation. The applicable salaries are set out in the following determinations.

Determination 14: The salary level for a chair of a Joint Overview and Scrutiny Committee shall be £8,793.

Determination 15: The salary level for a vice chair of a Joint Overview and Scrutiny Committee shall be £4,396.

5. Pension Provision for Elected Members of Principal Councils

- 5.1 The Local Government (Wales) Measure 2011 provides a power to the Panel to make determinations on pension entitlement for elected members of principal councils.

Determination 16: The entitlement to join the Local Government Pension Scheme (LGPS) shall apply to all eligible elected members of principal councils.

6. Entitlement to Family Absence

This section applies to elected members of principal authorities.

- 6.1 The Regulations relating to Family Absence for elected members of principal councils were approved by the National Assembly for Wales in November 2013⁵ and cover maternity, new-born, adoption and parental absences from official business.
- 6.2 The Panel considered the implications for the remuneration of such members who are given absence under the terms of the Welsh Government Regulations and the Panel's determinations are set out below.

Determination 17: An elected member is entitled to retain a basic salary when taking family absence under the original regulations or any amendment to the regulations irrespective of the attendance record immediately preceding the commencement of the family absence.

Determination 18: When a senior salary holder is eligible for family absence, they will continue to receive the salary for the duration of the absence.

Determination 19: 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.

Determination 20: 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. However, this will not apply to the Isle of Anglesey or Merthyr Tydfil Councils if it would result in the number of senior salaries exceeding fifty percent of the Council membership. Specific approval of Welsh Ministers is required in such circumstances.

Determination 21: 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.

Determination 22: The Council's schedule of remuneration must be amended to reflect the implication of the family absence.

⁵[The Family Absence for Members of Local Authorities \(Wales\) Regulations 2013](#)

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 a National Park Authority (NPA) for each 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 5.

Table 5: 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 Standards Committees of NPAs also have independent co-opted members whose remuneration is included in the Framework as set out in [Section 9](#).
- 7.5 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 MS' with whom they have regular meetings. The role requires a high level of commitment and time.

Basic and senior salaries

- 7.6 The time commitment on which the remuneration of members is based is 44 days. The salary for members of NPAs will increase to £4,738.
- 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 £13,531.
- 7.8 NPAs can determine the number of senior posts it requires as appropriate to its governance arrangements.
- 7.9 The Panel has made the following determinations:

Determination 23: The basic salary for NPA ordinary members shall be £4,738 with effect from 1 April 2022.

Determination 24: The senior salary of the chair of a NPA shall be £13,531 with effect from 1 April 2022.

Determination 25: A NPA senior salary of £8,478 must be paid to a deputy chair where appointed.

Determination 26: Committee chairs or other senior posts can be paid. This shall be paid at £8,478.

Determination 27: Members must not receive more than one NPA senior salary.

Determination 28: A NPA senior salary is paid inclusive of the NPA basic salary.

Determination 29: 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. Where this situation applies, it is the responsibility of the individual member to comply.

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.

8. Payments to Members of Welsh Fire and Rescue Authorities (FRAs)

Structure of Fire and Rescue Authorities

- 8.1 The three fire and rescue services (FRAs) in Wales: Mid and West Wales, North Wales and South Wales were formed as part of Local Government re-organisation in 1996.
- 8.2 FRAs comprise elected members who are nominated by the Principal Councils within each fire and rescue service area.
- 8.3 The structure of the each of the three FRAs is set out in Table 6.

Table 6: Membership of Fire and Rescue Authorities

Name of Fire and Rescue Authority	Number of Local Authority Members
Mid and West Wales	25: Carmarthenshire County Council – 5 Ceredigion County Council – 2 Neath Port Talbot County Borough Council – 4 Pembrokeshire County Council – 3 Powys County Council – 4 Swansea City and County Council – 7
North Wales	28: Conwy County Borough Council – 5 Denbighshire County Council – 4 Flintshire County Council – 6 Gwynedd Council – 5 Isle of Anglesey County Council – 3 Wrexham County Borough Council – 5
South Wales	24: Bridgend County Borough Council – 2 Blaenau Gwent County Borough Council – 1 Caerphilly County Borough Council – 3 Cardiff City Council – 5 Merthyr Tydfil County Borough Council – 1 Monmouthshire County Council – 2 Newport City Council - 2 Rhondda Cynon Taf County Borough Council - 4 Torfaen County Borough Council – 2 Vale of Glamorgan Council -2

- 8.4 In addition, Standards Committees of FRAs have independent co-opted members whose remuneration is included in the Framework as set out in [Section 9](#).

8.5 In considering remuneration of members of FRAs, the Panel has based its determinations on the following key points:

- The Chair has a leadership and influencing role in the authority, and a high level of accountability especially when controversial issues relating to the emergency service arise. In addition to fire authority meetings, all FRAs have committees that include in different combinations: audit, performance management, scrutiny, human resources, resource management as well as task and finish groups and disciplinary Panels. As well as attending formal meetings of the authority and committees, members are encouraged to take on a community engagement role, including visiting fire stations.
- There is a strong training ethos in FRAs. Members are expected to participate in training and development. Induction programmes are available as well as specialist training for appeals and disciplinary hearings.
- Training sessions often follow on from authority meetings to make the training accessible.

Basic and Senior Salaries

8.6 The time commitment on which remuneration is based is 22 days. The salary for members of FRAs will increase to £2,369.

8.7 The Panel determined that the remuneration of a FRA 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 £11,162.

8.8 The Panel determined that the remuneration of a FRA deputy chair will be aligned with the Band 5 senior salary for principal councils. This will increase to £6,109 and must be paid if the authority appoints a deputy chair.

8.9 FRAs determine the number of senior posts it requires as appropriate to its governance arrangements. Committee chairs and any other senior post if remunerated will be aligned with Band 5. This will increase to £6,109.

Local Pension Boards

8.10 The Panel has considered requests from FRAs to allow them to pay salaries to chairs of local pension boards established under the Firefighters' Pension Scheme (Wales) Regulations 2015. Those Regulations already give FRAs the power to decide how local pension boards are to work and to pay the chair and members if they wish. Therefore, it is not appropriate for the Panel to make a determination empowering FRAs to pay salaries to local pension board chairs. The senior salaries in Determination 31 or 32 cannot be used exclusively for this role.

8.11 The Panel has made the following determinations:

Determination 30: The basic salary for FRA ordinary members shall be £2,369 with effect from 1 April 2022.

Determination 31: The senior salary of the chair of an FRA shall be £11,162 with effect from 1 April 2022.

Determination 32: A FRA senior salary of £6,109 must be paid to the deputy chair where appointed.

Determination 33: Chairs of committees or other senior posts can be paid. This shall be paid at £6,109.

Determination 34: Members must not receive more than one FRA senior salary.

Determination 35: A FRA senior salary is paid inclusive of the FRA basic salary and must reflect significant and sustained responsibility.

Determination 36: Members of a principal council in receipt of a Band 1 or Band 2 senior salary cannot receive a salary from any FRA to which they have been nominated. Where this situation applies, it is the responsibility of the individual member to comply

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 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 38 to 41.
- 9.5 The determinations are set out below. 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 37: Principal Councils, NPAs and FRAs must pay the following fees to co-opted members who have voting rights (Table 7).

Table 7: 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)

Determination 38: 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 39: 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 40: 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 41: 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 42: 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 (CPA)

- 10.1 This section applies to all members of principal councils, NPAs, FRAs 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 set out in Table 8.
- 10.3 The Panel reviewed the arrangements for this financial support and has made the following changes:
- a) As payments are taxable under the current HMRC rules, full reimbursement is not possible so for clarity this is 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) Reimbursement may be claimed for member’s own care or support needs 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 Independence 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 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 paid as evidenced.

- Informal (unregistered) care costs to be paid up to a maximum rate equivalent to [hourly rates as defined by the Living Wage Foundation](#) 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 8

The Panel's principles relating to Care and Personal Assistance (CPA)

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>Claims for personal support 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 accessible 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 email and or training. Signpost to Panel's Payments to Councillors leaflets.
Promote a Positive Culture	Ensure all members understand the reason for CPA 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 CPA 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 Panel’s 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	<p>Members should know how to claim.</p> <p>The claim process should be clear, proportionate and auditable.</p>	<p>Check members understand how to claim and that it is easy to do so.</p> <p>Flexibility to accept paperless invoices</p> <p>Online form</p> <p>Same or similar form to travel costs claim</p>
Comply with Panel's Publication rules	<p>The Panel's Framework states:</p> <p>"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."</p>	

Determination 43: All relevant authorities must provide a payment 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 paid as evidenced.**
- **Informal (unregistered) care costs to be paid up to a maximum rate equivalent to the [hourly rates as defined by the Living Wage Foundation](#) at the time the costs are incurred.**

This 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. Payment shall only be made on production of receipts from the care provider.

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, NPAs and FRAs 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 NPAs.

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

- 12.1 This section applies to members of principal councils, NPAs, FRAs 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 NPAs and FR As 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	Motorcycles
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.

13. Payments to Members of Community and Town Councils

- 13.1 The Panel recognises a wide variation in geography, scope and scale across the 735 community and town councils in Wales, from small community councils with relatively minimal expenditure and few meetings to large town councils with significant assets and responsibilities. This and the fact that not all electoral areas have councils, has made establishing remuneration arrangements more difficult to achieve than for other relevant authorities. For this reason, the Panel decided to undertake a fundamental review ready for implementation effective from the elections on 5 May 2022.
- 13.2 The Panel decided that in carrying out the review it was vital to engage comprehensively with community and town councils and representative organisations together with a commitment to consult on the proposals emanating from the review. The result of this consultation was a significant degree of support for the new proposals and therefore the Panel has decided to introduce the new Framework as set out in this section.
- 13.3 In order to act and carry out duties as a member of a community or town council all persons are required to make a formal declaration of acceptance of office. Following this declaration, members of community or town councils are then holders of elected office and occupy a role that is part of the Welsh local government structure. It is important to note that a person who follows this path is in a different position to those in other forms of activity, for example such as volunteering or charitable work, typically governed by the Charity Commission for England and Wales.
- 13.4 Under the Local Government (Wales) Measure 2011, community and town councils are relevant authorities for the purpose of remuneration.
- 13.5 Consequently, individuals who have accepted office as a member of a community or town council are entitled to receive payments as determined by the Independent Remuneration Panel for Wales. It is the duty of the proper officer of a council (usually the Council Clerk) to arrange for correct payments to be made to all individuals entitled to receive them.
- 13.6 Members should receive monies to which they are properly entitled as a matter of course.
- 13.7 An individual may decline to receive part, or all, of the payments if they so wish. This must be done in writing and is an individual matter. A community or town council member wishing to decline payments must themselves write to their proper officer to do so.
- 13.8 The Panel considers that any member who has personal support needs or caring responsibilities should be enabled to fulfil their role. Therefore, the Panel continues to make the contribution towards costs of care and personal allowance mandatory for all members of community and town councils as set

out in Determination 43.

- 13.9 Each community and town council must ensure that it does not create a climate which prevents persons accessing any monies to which they are entitled that may support them to participate in local democracy. Payments should be made efficiently and promptly.
- 13.10 Members in receipt of a Band 1 or Band 2 senior salary from a principal council cannot receive any payment from any community or town council, other than travel and subsistence expenses and contribution towards costs of care and personal assistance. However, this does not preclude them from holding a senior role (Leader, Deputy Leader) without payment.
- 13.11 Table 12 sets out the actions that community and town councils must take annually in respect of each determination that follows.

Table 9: Community and Town Council Groupings

The current groups are:

Community and Town Council Group	Income or Expenditure in 2020-2021 of:
A	£200,000 and above
B	£30,000 - £199,999
C	Below £30,000

- 13.12 These are based solely on finance. We acknowledge the view of many respondents that this was restrictive and limiting. Therefore 5 Groups will be established based on the size of the council's electorate.

Table 10

Group number	Size of Electorate
Group 1	Electorate in excess of 14,000
Group 2	10,000 to 13,999
Group 3	5,000 to 9,999
Group 4	1,000 to 4,999
Group 5	Under 1,000

- 13.13 In addition, there will be a second factor for determining which group the council will be placed. Where income or expenditure exceeds £200,000 a year, it will be moved upwards to the next group.

Payments towards costs and expenses

- 13.14 The Panel continues to mandate a payment of £150, except for councils in

Group 5 where it will be optional, as a contribution to costs and expenses for members of community and town councils.

13.15 Receipts are not required for these payments.

Determination 44: Community and town councils must make available a payment to each of their members of £150 per year as a contribution to costs and expenses, with the exception of those councils in Group 5 where the payment is optional.

Taxation

13.16 The issue of the taxation of the £150 payment has been raised on many occasions and included in the responses to the recent consultation. As has been made clear the Panel has no remit in respect of matters of taxation but has been kept informed of the discussions between the Welsh Government and HMRC to establish a possible exemption applying to all community and town councils. If there is a positive outcome, it will not be within the timescale of this draft Report. However, if it is achieved before the publication of the final Report the Panel will take the opportunity to restructure the arrangements for this payment and if appropriate adjust by determination the amount to be paid.

Senior roles

13.17 The Panel recognises that specific member roles especially within the larger community and town councils, for example a committee chair, will involve greater responsibility. It is also likely that larger councils will have a greater number of committees, reflecting its level of activity. The Panel has therefore set out the determinations for senior role in table 11 below.

13.18 In all cases, a councillor can only have one payment of £500 regardless of how many senior roles they hold within their Council.

13.19 Where a person is a member of more than one community or town council, they are eligible to receive the £150 and, if appropriate, £500 from each council of which they are a member.

Contribution towards costs of Care and Personal Assistance

13.20 The purpose of this 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's determinations in [Section 10](#) apply to Community and Town Councils.

Reimbursement of travel costs and subsistence costs

13.21 The Panel recognises there can be significant travel and subsistence costs associated with the work of community and town council members, especially

where the council area is geographically large and/or when engaging in duties outside this area. Each council has an option to pay travel and subsistence costs including travel by taxi if this is the only, or most appropriate, method of transport. Where a council does opt to pay travel and subsistence costs, the following determinations apply.

Determination 45: Community and town councils can make payments to each of their members in respect of travel costs for attending approved duties.⁷ Such payments must be the actual costs of travel by public transport or the HMRC mileage allowances as below:

- 45p per mile up to 10,000 miles in the year.
- 25p per mile over 10,000 miles.
- 5p per mile per passenger carried on authority business.
- 24p per mile for private motor cycles.
- 20p per mile for bicycles.

Determination 46: If a community or town Council resolves that a particular duty requires an overnight stay, it can authorise reimbursement of subsistence expenses to its members at the maximum rates set out below on the basis of receipted claims:

- £28 per 24-hour period allowance for meals, including breakfast where not provided.
- £200 – London overnight.
- £95 – elsewhere overnight.
- £30 – staying with friends and/or family overnight.

Compensation for financial loss

13.22 The Panel has retained the facility which councils may pay as compensation to their members where they incur financial loss when attending approved duties. Members must be able to demonstrate that the financial loss has been incurred. Each council has an option to pay compensation for financial loss and where it does the following determination applies.

Determination 47: Community and town councils can pay financial loss compensation to each of their members, where such loss has occurred, for attending approved duties as follows:

- Up to £55.50 for each period not exceeding 4 hours
- Up to £110.00 for each period exceeding 4 hours but not exceeding 24 hours

⁷ 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.

Attendance Allowance

- 13.23 One of the points raised in the responses to the consultation should be the inclusion of an attendance allowance. The Panel acknowledges that in some cases this might be a valuable addition to support the work of a council. It is therefore included as an option for all councils.

Determination 48: Each council can decide to introduce an attendance allowance for members. The amount of each payment must not exceed £30. A member in receipt of financial loss compensation will not be entitled to claim attendance allowance for the same event.

Councils that intend to introduce an attendance allowance must set out the details of the scheme and publish them on their website.

Civic Head and Deputy Civic Head

- 13.24 Civic heads are senior posts within community and town councils. In addition to chairing major meetings the civic head is the ambassador representing the council to a variety of institutions and organisations. The Panel requires that members should not have to pay themselves for any cost associated with carrying out these duties. This requirement also applies in respect of deputy civic heads.
- 13.25 The Panel recognises the wide range of provision made for civic heads in respect of transport, secretarial support, charitable giving and official clothing – we consider these to be the council’s civic budgets.
- 13.26 Funding decisions in relation to these civic budgets are not matters of personal remuneration for the post holder but relate to the funding required for the tasks and duties to be carried out. Councils remain free to set civic budgets at whatever levels they deem appropriate for the levels of civic leadership they have in place.
- 13.27 For the avoidance of doubt, costs in respect of, for example, transport (physical transport or mileage costs), secretarial support, charitable giving (purchasing tickets, making donations or buying raffle tickets) and official clothing are not matters of personal remuneration for the individual holding the senior post. These should be covered by the civic budget.
- 13.28 Recognising that some mayors and chairs of community and town councils and their deputies are very active during their year of office, the Panel has determined that community and town councils can make a payment to the individuals holding these roles.
- 13.29 This is a personal payment to the individual and is entirely separate from covering the costs set out above.
- 13.30 The Panel has determined that the maximum payment to a chair or mayor of

a community or town council is £1,500. The maximum payment to a deputy mayor or chair is £500.

Determination 49: Community and town councils can provide a payment to the mayor or chair of the council up to a maximum of £1,500. This is in addition to the £150 payment for costs and expenses and the £500 senior salary if these are claimed.

Determination 50: Community and town councils can provide a payment to the deputy mayor or deputy chair of the council up to a maximum of £500. This is in addition to the £150 payment for costs and expenses and the £500 senior salary if these are claimed.

Determination 51: The application of the Remuneration Framework by relevant Group.

Table 11

Type of payment	Requirement
Group 1	(Electorate over 14,000)
Basic Payment	Mandatory for all Members
Senior Role Payment	Mandatory for 1 member; optional for up to 7
Attendance Allowance	Optional
Financial Loss	Mandatory
Travel and Subsistence	Optional
Costs of Care	Mandatory
Group 2	(Electorate 10,000 to 13,999)
Basic Payment	Mandatory for all members
Senior Role Payment	Mandatory for 1 member; optional up to 5
Attendance Allowance	Optional
Financial Loss	Mandatory
Travel and Subsistence	Optional
Cost of Care	Mandatory
Group 3	(Electorate 5,000 to 9,999)
Basic Payment	Mandatory for all members
Senior Role Payment	Optional up to 3 members
Attendance Allowance	Optional
Financial Loss	Mandatory
Travel and Subsistence	Optional
Cost of Care	Mandatory
Group 4	(Electorate 1,000 to 4,999)
Basic Payment	Mandatory for all members
Senior Role Payment	Optional up to 3 members
Attendance Allowance	Optional
Financial Loss	Mandatory

Type of payment	Requirement
Travel and Subsistence	Optional
Cost of Care	Mandatory
Group 5	(Electorate less than 1,000)
Basic Payment	Optional
Senior Role Payment	Optional
Attendance Allowance	Optional
Financial Loss	Mandatory
Travel and Subs	Optional
Cost of Care	Mandatory

Making Payments to Members

- 13.31 Table 12 sets out each of the above determinations and if a decision is required by the council in respect of each one.
- 13.32 In respect of the mandated payments where no decision is required by a council, members should receive monies to which they are properly entitled as a matter of course.
- 13.33 Where a decision is required by the council, this should be done at the first meeting following receipt of the Annual Report.
- 13.34 A council can adopt any, or all, of the non-mandated determinations but if it does make such a decision, it must apply to all its members.
- 13.35 When payments take effect from is set out in paragraphs 13.37 to 13.39 below.
- 13.36 On receipt of the draft Annual Report the previous autumn, councils should consider the determinations for the next financial year and use this to inform budget plans.

Table 12

Determination Number	Is a decision required by council?
44 Community and town councils must make available a payment to each of their members of £150 per year as a contribution to costs and expenses, with the exception of those councils in Group 5 where the payment is optional.	No - the payment of £150 is mandated for every member unless they advise the appropriate officer that they do not want to take it in writing. This does not apply to councils in Group 5. The council must decide whether to adopt the payment and if so, it must be available for all members.
45 Community and town councils can make payments to each of their members in respect of travel costs for attending approved duties.	Yes – the payment of travel costs is optional.

Determination Number	Is a decision required by council?
<p>46 If a community or town council resolves that a particular duty requires an overnight stay, it can authorise reimbursement of subsistence expenses to its members.</p>	<p>Yes – the payment of overnight subsistence expenses is optional.</p>
<p>47 Community and town councils can pay financial loss compensation to each of their members, where such loss has actually occurred, for attending approved duties.</p>	<p>Yes – the payment of financial loss compensation is mandatory if claimed</p>
<p>48 Determination 47: Each council can decide to introduce an attendance allowance for members. The amount of each payment must not exceed £30.</p> <p>A member in receipt of financial loss will not be entitled to claim attendance allowance for the same event.</p> <p>Councils that intend to introduce a system of attendance allowances must set out the details of the scheme and publish on their website.</p>	<p>Yes – the payment of attendance allowance is optional.</p>
<p>49 Community and town councils can provide a payment to the mayor or chair of the council up to a maximum of £1,500.</p>	<p>Yes – the payment to a civic head is optional.</p>
<p>50 Community and town councils can provide a payment to the deputy mayor or deputy chair of the council up to a maximum amount of £500.</p>	<p>Yes – the payment to a deputy civic head is optional.</p>
<p>51 The application of the Remuneration Framework by relevant Group</p>	
<p>52 Members in receipt of a Band 1 or Band 2 senior salary from a principal council (that is leader, deputy leader or executive member) cannot receive any payment from any community or town council, other than travel and subsistence expenses and contribution towards costs of care and personal assistance.</p>	<p>No - Members in receipt of a Band 1 or Band 2 senior salary from a principal council (that is leader, deputy leader or executive member) can only receive travel and subsistence expenses and contribution towards costs of care and personal assistance; if they are eligible to claim, and wish to do so.</p>

13.37 All members are eligible to be paid the £150 as set out in Determination 44 and Table 11 from the start of the financial year; unless they are elected later in the financial year, in which case they are eligible for a proportionate payment from that date.

13.38 Other amounts payable to members in recognition of specific responsibilities or as a civic head or deputy civic head as set out in Determinations 49 and 50 are payable from the date when the member takes up the role during the financial year.

13.39 It is a matter for each council to make, and record, a policy decision in respect of:

- when the payment is actually made to the member;
- how many payments the total amount payable is broken down into;
- and whether and how to recover any payments made to a member who leaves or changes their role during the financial year.

13.40 Payments in respect of Determinations 45, 46, 47 and 48 are payable when the activity they relate to has taken place.

13.41 As stated in paragraph 13.7 any individual member may make a personal decision to elect to forgo part or all of the entitlement to any of these payments by giving notice in writing to the proper officer of the council.

Determination 52: Members in receipt of a Band 1 or Band 2 senior salary from a principal council (that is Leader, Deputy Leader or Executive Member) cannot receive any payment from any community or town Council, other than travel and subsistence expenses and contribution towards costs of care and personal assistance.

Publicity requirements

13.42 There is a requirement on community and town councils to publish details of all payments made to individual members in an annual Statement of Payments for each financial year. This information must be published on council noticeboards and or websites (with easy access) and provided to the Panel by email or by post no later than 30 September following the end of the previous financial year. The Panel draws attention to the requirements stipulated at [Annex 4](#). The Panel is concerned that a significant number of councils are still in breach of this requirement.

14. Compliance with Panel Requirements

The Panel's remit under the Measure

- 14.1 Section 153 of the Measure empowers the Panel to require a relevant authority⁸ to comply with the requirements imposed on it by an Annual Report of the Panel and further enables the Panel to monitor the compliance of relevant authorities with the Panel's determinations.
- 14.2 A relevant authority must implement the Panel's determinations in this report from the date of its annual meeting or a date specified within the Annual Report.

Monitoring compliance

- 14.3 The Panel will monitor compliance with the determinations in this Annual Report by relevant authorities against the following requirements:
- (i) A relevant authority must maintain an annual **Schedule of Member Remuneration** (IRPW Regulations 4 and 5). Guidance at Annex 3 sets out the content which must be included in the Schedule.
 - (ii) A relevant authority must make arrangements for the Schedule's publication within the authority area (IRPW Regulation 46) and send the Schedule to the Panel as soon as practicable and not later than 31 July in the year to which it applies. Annex 4 provides further details of the publicity requirements.
 - (iii) Any amendments to the Schedule made during the year must be notified to the Panel as soon as possible after the amendment is made.

Note: The above requirements do not apply to Community and Town Councils at this time.

The following applies to all authorities including Community and Town Councils.

- (iv) A relevant authority must make arrangements for publication within the authority area of the total sum paid by it in the previous financial year to each member and co-opted member in respect of salary (basic, senior and civic), allowances, fees and reimbursements in a Statement of Payments (in accordance with Annex 4 that sets out the content that must be included in the Publicity Requirements). This must be published as soon as practicable and no later than 30 September following the end of the previous financial year- **and must also be submitted to the Panel no later than that date.**

⁸ Interpretation of "Relevant Authority" provided in the Independent Remuneration Panel for Wales (IRPW) Regulations, Part 1, 'Interpretation'.

15. Salaries of Heads of Paid Service of Principal Councils and Fire and Rescue Authorities and Chief Officers of Principal Councils

- 15.1 Section 63 of the Local Government (Democracy) (Wales) Act 2013 amended the Local Government (Wales) Measure 2011 by inserting section 143A. This enables the Panel to take a view on anything in the Pay Policy Statements of these authorities that relates to the salary of the head of paid service (normally the Head of Paid Service or chief fire officer). Section 39 of the Local Government (Wales) Act 2015 further amended the Measure extending this function to include Chief Officers of Principal Councils. However, this function ceased on 31 March 2020.
- 15.2 The Welsh Government issued amended guidance to the Panel which can be found at [Amended Guidance to the Independent Remuneration Panel for Wales under Section 143A of the Local Government \(Wales\) Measure 2011 and Section 39 of the Local Government \(Wales\) Act 2015](#). This sets the basis on which the Panel will carry out the function contained in the legislation.
- 15.3 The functions of the Panel and the requirements on authorities established by the legislation and the subsequent guidance are:
- a) If a principal council intends to change the salary of the head of paid service, or if a fire and rescue authority intends to change the salary of its head of paid service it must consult the Panel unless the change is in keeping with changes applied to other officers of that authority (whether the change is an increase or decrease). 'Salary' includes payments under a contract for services as well as payments of salary under an employment contract.
 - b) The authority must have regard to the recommendation(s) of the Panel when reaching its decision.
 - c) The Panel may seek any information that it considers necessary to reach a conclusion and produce a recommendation. The authority is obliged to provide the information sought by the Panel.
 - d) The Panel may publish any recommendation that it makes as long as these comply with any guidance issued by the Welsh Government. It is the intention that, in the interests of transparency, it will normally do so.
 - e) The Panel's recommendation(s) could indicate:
 - approval of the authority's proposal
 - express concerns about the proposal
 - recommend variations to the proposal
- 15.4 The Panel also has a general power to review the Pay Policy Statements of

authorities so far as they relate to the heads of paid service.

15.5 It is important to note the Panel will not decide the amount an individual head of paid service will receive.

15.6 The Panel is very aware that this function is significantly different from its statutory responsibilities in relation to members' remuneration. However, it undertakes this role with clarity and openness, taking into account all the relevant factors in respect of specific individual cases. Authorities are encouraged to consult the Panel at an early stage in their decision-making on such matters. This will enable the Panel to respond in a timely manner.

Pay Policy Statements

Paragraph 3.7 of the guidance to the Panel from the Welsh Government states that "The legislation does not restrict the Panel to a reactive role". It allows the Panel to use its power to make recommendations relating to provisions within local authorities' Pay Policy Statements.

Changes to the salaries of chief executives of principal councils – Panel decisions 2021

Letters issued to the Local Authorities notifying them of the Panel decision can be found on the [Panel website](#).

Name of Local Authority	Proposal	Panel decision
Wrexham County Borough Council	Chief Executive pay proposal	Approved
Ceredigion County Council	Review of Chief Executive salary	Approved

Annex 1: The Panel's Determinations for 2022/23

Principal Councils	
1.	The Basic Salary in 2022/23 for elected members of principal councils shall be £16,800.
2.	Senior salary levels in 2022/23 for members of principal councils shall be as set out in Table 4.
3.	Where paid, a civic head must be paid a Band 3 salary of £25,593 in accordance with Table 4.
4.	Where paid, a deputy civic head must be paid a Band 5 salary of £20,540 in accordance with Table 4.
5.	Where appointed and if remunerated, a presiding member must be paid £25,593 in accordance with Table 4.
6.	The post of deputy presiding member will not be remunerated.
7.	<p>a) An elected member must not be remunerated for more than one senior post within their authority.</p> <p>b) An elected member must not be paid a senior salary and a civic salary.</p> <p>c) All senior and civic salaries are paid inclusive of basic salary.</p> <p>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.</p>
8.	Members in receipt of a Band 1 or Band 2 senior salary cannot receive a salary from any NPA or FRA to which they have been appointed. They remain eligible to claim travel and subsistence expenses and contribution towards costs of care and personal assistance from the NPA or FRA.
9.	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. They remain eligible to claim travel and subsistence expenses and contribution towards costs of care and personal assistance from the community or town council. Where this situation applies, it is the responsibility of the individual member to comply.
10.	Each authority, through its Democratic Services Committee, must ensure that all its elected members are given as much support as is necessary to enable them to fulfil their duties effectively. All elected members should be provided with adequate telephone, email and internet facilities giving electronic access to appropriate information.

11.	Such support should be without cost to the individual member. Deductions must not be made from members' salaries by the respective authority as a contribution towards the cost of support which the authority has decided necessary for the effectiveness and or efficiency of members.
Specific or Additional Senior Salaries	
12.	Principal councils can apply for specific or additional senior salaries that do not fall within the current Remuneration Framework.
Assistants to the Executive	
13.	The Panel will decide on a case-by-case basis the appropriate senior salary, if any, for assistants to the executive.
Joint Overview and Scrutiny Committees (JOSC)	
14.	The salary level for a chair of a JOSC shall be £8,793.
15.	The salary level for a vice chair of a JOSC shall be £4,396.
Local Government Pension Scheme	
16.	The entitlement to join the Local Government Pension Scheme (LGPS) shall apply to all eligible elected members of principal councils.
Family Absence	
17.	An elected member is entitled to retain a basic salary when taking family absence under the original regulations or any amendment to the regulations irrespective of the attendance record immediately preceding the commencement of the family absence.
18.	When a senior salary holder is eligible for family absence, they will continue to receive the salary for the duration of the absence.
19.	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.
20.	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. However, this will not apply to the Isle of Anglesey or Merthyr Tydfil Councils if it would result in the number of senior salaries exceeding fifty percent of the Council membership. Specific approval of Welsh Ministers is required in such circumstances.
21.	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.

22.	The Council's schedule of remuneration must be amended to reflect the implication of the family absence.
National Park Authorities	
23.	The basic salary for NPA ordinary members shall be £4,738 with effect from 1 April 2022.
24.	The senior salary of the chair of a NPA shall be £13,531 with effect from 1 April 2022.
25.	A NPA senior salary of £8,478 must be paid to a deputy chair where appointed.
26.	Committee chairs or other senior posts can be paid. This shall be paid at £8,478.
27.	Members must not receive more than one NPA senior salary.
28.	A NPA senior salary is paid inclusive of the NPA basic salary.
29.	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. Where this situation applies, it is the responsibility of the individual member to comply.
Fire and Rescue Authorities	
30.	The basic salary for FRA ordinary members shall be £2,369 with effect from 1 April 2022.
31.	The senior salary of the chair of a FRA shall be £11,162 with effect from 1 April 2022.
32.	A FRA senior salary of £6,109 must be paid to the deputy chair where appointed.
33.	Chairs of committees or other senior posts can be paid. This shall be paid at £6,109.
34.	Members must not receive more than one FRA senior salary.
35.	A FRA senior salary is paid inclusive of the FRA basic salary and must reflect significant and sustained responsibility.
36.	Members of a principal council in receipt of a Band 1 or Band 2 senior salary cannot receive a salary from any FRA to which they have been nominated. Where this situation applies, it is the responsibility of the individual member to comply.
Co-opted Members	
37.	Principal councils, NPAs and FRAs must pay the fees to co-opted members (who have voting rights) as set out in Table 7.

38.	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.
39.	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).
40.	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.
41.	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.
42.	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.
Contribution towards costs of Care and Personal Assistance	
43.	<p>All relevant authorities must provide a payment 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 Inspectorate Wales) care costs to be paid as evidenced. • Informal (unregistered) care costs to be paid up to a maximum rate equivalent to hourly rates as defined by the Living Wage Foundation at the time the costs are incurred. <p>This 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. Payment shall only be made on production of receipts from the care provider.</p>
Community and Town Councils	
44.	Community and town councils must make available a payment to each of their members of £150 per year as a contribution to costs and expenses, with the exception of those councils in Group 5 where the payment is optional.

45.	<p>Community and town councils can make payments to each of their members in respect of travel costs for attending approved duties. ⁹ Such payments must be the actual costs of travel by public transport or the HMRC mileage allowances as below:</p> <ul style="list-style-type: none"> • 45p per mile up to 10,000 miles in the year. • 25p per mile over 10,000 miles. • 5p per mile per passenger carried on authority business. • 24p per mile for private motor cycles. • 20p per mile for bicycles.
46.	<p>If a community or town council resolves that a particular duty requires an overnight stay, it can authorise reimbursement of subsistence expenses to its members at the maximum rates set out below on the basis of receipted claims:</p> <ul style="list-style-type: none"> • £28 per 24-hour period allowance for meals, including breakfast where not provided. • £200 – London overnight. • £95 – elsewhere overnight. • £30 – staying with friends and or family overnight.
47.	<p>Community and town councils can pay financial loss compensation to each of their members, where such loss has occurred, for attending approved duties as follows:</p> <ul style="list-style-type: none"> • Up to £55.50 for each period not exceeding 4 hours. • Up to £110.00 for each period exceeding 4 hours but not exceeding 24 hours.
48.	<p>Each council can decide to introduce an attendance allowance for members. The amount of each payment must not exceed £30. A member in receipt of financial loss will not be entitled to claim attendance allowance for the same event.</p> <p>Councils that intend to introduce a system of attendance allowances must set out the details of the scheme and publish on their website.</p>
49.	<p>Community and town councils can provide a payment to the mayor or chair of the council up to a maximum of £1,500. This is in addition to the £150 payment for costs and expenses and the £500 senior salary if these are claimed.</p>
50.	<p>Community and town councils can provide a payment to the deputy mayor or deputy chair of the council up to a maximum of £500. This is in addition to the £150 payment for costs and expenses and the £500 senior salary if these are claimed.</p>
51.	<p>The application of the Remuneration Framework by relevant Group.</p>

52.	Members in receipt of a Band 1 or Band 2 senior salary from a principal council (that is leader, deputy leader or executive member) cannot receive any payment from any community or town council, other than travel and subsistence expenses and contribution towards costs of care and personal assistance.
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⁹ 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.

Annex 2: Independent Remuneration Panel for Wales (IRPW) Regulations:

- a) For the remuneration of members and co-opted members of relevant authorities**
- b) For functions relating to the salaries of Heads of Paid Service of Principal Councils and Fire and Rescue Authorities**

Introduction

Part 8 (sections 141 to 160) and schedules 2 and 3 of the Local Government (Wales) Measure 2011 (*the Measure*) set out the arrangements for the payments and pensions for members of relevant authorities and the functions and responsibilities of the Independent Remuneration Panel for Wales (the Panel).

Sections 62 to 67 of the Local Government (Democracy) (Wales) Act 2013 amends sections 142, 143, 144, 147, 148 and 151 of the Measure and confers additional powers on the Panel.

The powers contained in part 8 and schedules 2 and 3 of the Measure (as amended) have replaced the following Statutory Instruments:

- The Local Authorities (Allowances for Members of County and County Borough Councils and National Park Authorities) (Wales) Regulations 2002 (No. 1895 (W.196)).
- The Local Authorities (Allowances for Members of Fire Authorities) (Wales) Regulations 2004 (No. 2555 (W.227)).
- The Local Authorities (Allowances for Members) (Wales) Regulations 2007 (No.1086 (W.115)).

The Measure also has replaced the sections of the Local Government Act 1972, the Local Government and Housing Act 1989 and the Local Government Act 2000 relating to payments to councillors in Wales.

Payments for members of community and town councils are set out in Part 5 of these Regulations. The Local Authorities (Allowances for Members of Community Councils) (Wales) Regulations 2003 (No. 895(W.115)) were revoked from 1 April 2013.

Part 1

General

1. a. The short title of these Regulations is: "IRPW Regulations".
b. These IRPW Regulations came into force on 1 April 2021 and replace

those in force from 1 April 2012. The implementation date for each of the relevant authorities is set out in the Annual Report or Supplementary Report of the Panel.

- c. Authorities are required to produce a schedule of payments to members and co-opted members no later than the 31 July each year, for submission to the Panel and publication (see paragraph 46).

Interpretation

2. In the IRPW Regulations:

- “The 1972 Act” means the Local Government Act 1972.
- “The 2000 Act” means the Local Government Act 2000.
- “The 2013 Act” means the Local Government (Democracy) (Wales) Act 2013.
- “Payment” means the actual or maximum amount which may be paid to members and co-opted members of a relevant authority for expenses necessarily incurred when carrying out the official business of the relevant authority.
- “Annual Report” means a report produced by the Panel in accordance with section 145 of the Measure.
- “Approved duty” in relation to community and town councils has the meaning as set out in Part 5 of these Regulations.
- “Authority” means a relevant authority in Wales as defined in Section 144(2) of the Measure and includes a principal council (county or county borough council), a national park authority and a Welsh fire and rescue authority, a community or town council.
- “Basic Salary” has the same meaning as set out in paragraph 6 of these Regulations, and may be qualified as “LA Basic Salary” to refer to the basic salary of a member of a principal council; “NPA Basic Salary” to refer to the basic salary of a member of a national park authority; and “FRA Basic Salary” to refer to the basic salary of a member of a Welsh fire and rescue authority.
- “Chief Officer” of a principal council has the meaning as defined in the Localism Act 2011.
- “Civic Head” is the person elected by the council to carry out the functions of the chair of that council and is designated as mayor or chair.
- “Committee” includes a sub-committee.
- “Community or town council” means in relation to Part 8 of the Measure, a community council as defined in section 33 of the Local Government Act 1972 or a town council in accord with section 245B of the same Act.

- “Consultation draft” means the draft of an Annual or Supplementary report under Section 146 (7) or 147(8) of the Measure. The Panel must take account of these representations.
- “Constituent authority” – for national park authorities this is a principal council falling within the area of a national park authority; for Welsh fire and rescue authorities it is a principal council falling within the area of a fire and rescue authority.
- “Contribution to Costs of Care and Personal Assistance” has the same meaning as set out in paragraph 21 of these Regulations.
- “Controlling group” means a political group in a principal council where any of its members form part of the executive.
- “Co-opted Member” has the meaning contained in section 144 (5) of the Measure, that is those with the right to vote on matters within the remit of the committee on which they serve.
- “Co-opted Member payment” has the same meaning as set out in paragraph 19 of these Regulations.
- “Democratic Services Committee” means the principal council committee established under section 11 of the Measure.
- “Deputy Civic Head” is a person elected by the council to deputise for the mayor or chair of that council.
- “Executive” means the executive of an authority in a form as specified in sections 11(2) to (5) of the 2000 Act, as amended by section 34 of the Measure.
- “Executive arrangements” has the meaning given by section 10(1) of the 2000 Act.
- “Family absence” as defined in Section 142 (2) (b) of the Measure has the meaning given to it by Part 2 of the Measure, and the related Regulations
- “Financial Loss Allowance in relation to community or town councils has the meaning as set out in Part 5 of the Regulations.
- “Fire and rescue authority” means an authority constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004 or a scheme to which section 4 of that Act applies.
- “Head of paid service” means as designated under section 4(1) of the Local Government and Housing Act 1989.
- Joint Overview and Scrutiny Committee means a committee or subcommittee set up by two or more principal councils under the Local Authority (Joint Overview and Scrutiny Committees) (Wales) Regulations 2013.
- “Largest opposition group” means a political group other than a controlling group which has a greater number of members than any other political group in the authority.

- “Member” means a person who serves on an authority.
 - For a principal council or a community or town council a “Member” may be:
 - An “Elected Member” which means a person who has been elected to serve as a councillor for that authority. It is possible for a person to hold an elected office if, further to the completion of an election, no candidate has presented and a person holds that office subject to proper process.
 - A “Co-opted Member” which means a person who has been placed into membership of a council committee or to discharge a function subject to proper process.
 - For a national park authority, a “Member” means a person appointed by a constituent authority and a person appointed by Welsh Ministers.
 - For Welsh fire and rescue authorities a “Member” means a person appointed by a constituent authority.

- “National Park Authority” means a national park authority established under section 63 of the Environment Act 1995.

- “Official business” has the meaning contained in Section 142 (10) of the Measure in relation to the reimbursement of care, travel and subsistence costs necessarily incurred by members and co-opted members of a relevant authority (excluding community and town councils) when:
 - a. Attending a meeting of the authority or any committee of the authority or any other body to which the authority makes appointments or nominations or of any committee of such a body.
 - b. Attending a meeting of any association of authorities of which the authority is a member.
 - c. Attending a 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.
 - d. Attending any training or development event approved by the authority or its executive.
 - e. A duty undertaken for the purpose of or in connection with the discharge of the functions of an executive within the meaning of Part 2 of the 2000 Act, as amended.
 - f. A duty undertaken in pursuance of a standing order which requires a member or members to be present when tender documents are opened.
 - g. A duty undertaken in connection with the discharge of any function of the authority to inspect or authorise the inspection of premises.
 - h. A duty undertaken by members of principal councils in connection with constituency or ward responsibilities which arise from the discharge of principal council functions.

- i. 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.
- “Other political group” means a political group other than a controlling group or the largest opposition group (if any) which comprises not less than ten per cent of the members of that authority.
- “Overview and Scrutiny Committee” means a committee of the authority which has the powers set out in sections 21(2) and (3) of the 2000 Act, as amended by Part 6 of the Measure.
- “Panel” means the Independent Remuneration Panel for Wales as set out in section 141(1) and schedule 2 of the Measure.
- “Pay policy statement” means a statement produced by a relevant authority under section 38 of the Localism Act 2011.
- ‘Political group’ may be formed from members of a recognised political party or be a group of independent members unaffiliated to any recognised political party. “Presiding Member” means a member of a principal council who has been designated by that council to carry out functions in relation to the chairing of its meetings and proceedings.
- “Principal Council” is as defined by the 1972 Act and means a county or county borough council.
- “Proper officer” has the same meaning as in section 270(3) of the 1972 Act In community and town councils, the ‘Proper Officer’ may be the clerk or other official appointed for that purpose. “Public body” means a body as defined in section 67(b) of the 2013 Act.
- “Qualifying provision” means a provision that makes a variation to a previous decision of the Panel. (Section 65 (c) of the 2013 Act).
- “Qualifying relevant authority” is an authority within the meaning of section 63 of the 2013 Act, required to produce a pay policy statement.
- “Relevant authority” is set out in Section 144(2) of the Measure (as amended) and in section 64 of the 2013 Act and, for the purposes of these Regulations, includes a principal council, a community or town council, a national park authority and a Welsh fire and rescue authority.
- “Relevant matters” are as defined in Section 142(2) of the Measure.
- “Schedule” means a list setting out the authority’s decisions in respect of payments to be made during the year (as relating to that authority) to all members and co-opted members of that authority.
- “Senior Salary” has the same meaning as set out in paragraph 11 of these Regulations and may be qualified as “Principal council Senior Salary” to refer to the senior salary of a member of a principal council; “National Park Senior Salary” to refer to the senior salary of a member of a national park authority; or “Fire and Rescue authority Senior Salary” to refer to the senior salary of a member of a Fire and Rescue authority.
- “Sickness absence” means the arrangements as set out in the Annual Report.

- “Supplementary report” has the meaning contained in section 146(4 to 8) of the Measure.
- “Travelling and subsistence payment” has the same meaning as set out in paragraph 25 of these Regulations.
- “Year” has the following meanings:
 - “financial year” – the period of twelve months ending 31 March;
 - “calendar year” – the period of twelve months ending 31 December;
 - “municipal year” – the year commencing on the date of the annual meeting of the authority and ending the day before the annual meeting of the following year; for national park authorities and Welsh fire and rescue authorities it is the period of up to twelve months following the annual meeting of the authority.

Part 2: Schedule of member or co-opted member payments

Commencement of term of office

3. The term of office of:
 - An elected member of a principal council or community or town council begins 4 days following the election subject to making the declaration of acceptance of that office under section 83(1) of the 1972 Act.
 - A councillor member of a national park authority begins on the date on which that member is appointed as such by a constituent authority and the term of office of a Welsh Government appointed member begins on the date of that appointment. The term of office of the chair and deputy chair of the national park authority begins on their acceptance of that office further to being either elected or appointed as a chair or deputy chair of a national park authority.
 - A councillor member of a Welsh fire and rescue authority begins on the date on which that member is appointed as such by a constituent authority and the term of office of the chair and deputy chair of the fire and rescue authority begins on the date of election by that authority to that office.
 - A co-opted member of a relevant authority begins on the date of appointment by the relevant authority.

Schedule of payments to members (the Schedule) (does not apply to community or town councils – see Part 5)

4. An authority must produce annually, a schedule of payments it intends to make to its members and co-opted members. The amount of those payments must accord with the Panel’s determinations made for that year in its Annual or Supplementary Reports. The Schedule must be produced no later than four weeks following the annual meeting of the authority.

Amendment to the Schedule

5. An authority may amend the Schedule at any time during the year (as relating to the authority) provided that such amendments accord with the Panel's determinations for that year.

Basic salary

6. An authority must provide for the payment of a basic salary, as determined by the Panel in its Annual or Supplementary Reports, to each of its members. The amount of the salary must be the same for each member. For principal councils only, this salary remains payable during a period of family absence.
7. A member may not receive more than one basic salary from a relevant authority, but a member of one relevant authority may receive a further basic salary by being appointed as a member of another relevant authority (except in the case as indicated in paragraph 16).
8. The amount of the basic salary will be set in accordance with Section 142(3) of the Measure and will be one of the following:
 - The amount the authority must pay to a member of the authority.
 - The maximum amount that the authority may pay to a member of the authority.
9. Where the term of office of a member begins or ends other than at the beginning or end of the year (as relating to the authority), the entitlement of that member is to such proportion of the basic salary as the number of days during which the member's term of office subsists during that year bears to the number of days in that year.
10. Where a member is suspended or partially suspended from being a member of an authority (Part 3 of the 2000 Act refers) the part of the basic salary payable to that member in respect of the responsibilities or duties from which that member is suspended or partially suspended must be withheld by the authority. Payment must also be withheld if directed by the Welsh Ministers (Section 155(1) of the Measure).

Senior salary

11. Subject to paragraphs 12 to 18 an authority can make payments of a senior salary to members that it has given specific responsibilities. Such payments must accord with the Panel's determination for the year (as relating to the authority) that the payments are made and must be set out in the Schedule of that authority. For principal councils only, a senior salary will remain payable during the family absence of the office holder.
12. The Panel will prescribe in its Annual or Supplementary Reports the following:
 - The categories of members eligible for the payment of a senior salary

which may not be the same for all authorities or categories of authorities.

- The discretion available to authorities in relation to the payment of senior salaries which may not be the same for all authorities or categories of authorities.
13. The amount of the senior salaries payable will be in accordance with section 142(3) of the Measure and specify:
 - The amount that a relevant authority must pay to a member of the authority.
 - The maximum amount that a relevant authority may pay to a member of the authority.
 14. The Senior Salary will comprise an amalgam of the basic salary and an additional amount for the relevant specific responsibility determined by the Panel in its Annual or Supplementary Reports. This may not be the same for all authorities or categories of authorities.
 15. The Panel in its Annual or Supplementary Reports will determine either the maximum proportion of its membership or the total number of members that an authority can pay as senior salaries. The percentage may not exceed fifty percent without the express approval of Welsh Ministers (Section 142(5) of the Measure). For principal councils only, the maximum proportion or number may be exceeded to include payment of a senior salary to an additional member who is appointed to provide temporary cover for the family absence of a senior salary office holder (subject to the 50% limit).
 - 15(a). For, Fire and Rescue Authorities and National Park Authorities the maximum proportion or number may be exceeded to include the payment of a senior salary to an additional member who is appointed to provide temporary cover for the sickness absence of a senior salary holder as determined in the Annual Report or a Supplementary Report.
 - 15(b). Payments to chairs of Joint Overview and Scrutiny Committees or Sub Committees are additional to the maximum proportion of its membership that an authority can pay as senior salaries subject to the overall maximum of fifty percent as contained in Section 142(5) of the Measure. The Panel will determine the amounts of such payments in an Annual or Supplementary Report.
 16. An authority must not pay more than one senior salary to any member. A principal council member in receipt of a senior salary as leader or executive member of an authority (determined as full-time by the Panel) may not receive a second salary as a member appointed to serve on a national park authority or a Welsh fire and rescue authority.
 - 16(a). Paragraph 16 does not apply to payments made to a chair of a Joint Overview and Scrutiny Committee or Sub Committee who is in receipt of a senior salary for a role that is not classified as full time equivalent. It continues to apply to leaders or members of the executive.

17. Where a member does not have, throughout the year specific responsibilities that allow entitlement to a senior salary, that member's payment is to be such proportion of the salary as the number of days during which that member has such special responsibility bears to the number of days in that year.
18. Where a member is suspended or partially suspended from being a member of the authority (Part 3 of the 2000 Act refers) the authority must not make payments of the member's senior salary for the duration of the suspension (Section 155(1) of the Measure). If the partial suspension relates only to the specific responsibility element of the payment, the member may retain the basic salary. Payment must also be withheld if directed by the Welsh Ministers.

Co-opted member payment

19. A relevant authority must provide for payments to a co-opted member as determined by the Panel in its Annual or Supplementary Reports. In relation to this regulation 'co-opted member' means a member as determined in Section 144(5) of the Measure and set out in paragraph 2 of these Regulations.
20. Where a co-opted member is suspended or partially suspended from an authority (Part 3 of the 2000 Act refers) the authority must not make payment of a co-opted member fee for the duration of the suspension (Section 155(1) of the Measure).

Payments Contribution to Costs of Care and Personal Assistance

21. Authorities must provide for the payment to members and co-opted members of an authority the reimbursement in respect of such expenses of arranging the care of children or dependants or for the individual member as are necessarily incurred in carrying out official business as a member or co-opted member of that authority. Payments under this paragraph must not be made:
 - In respect of any child over the age of fifteen years or dependant unless the member or co-opted member satisfies the authority that the child or dependant required supervision which has caused the member to incur expenses that were necessary in respect of the care of that child or dependant in the carrying out of the duties of a member or co-opted member.
 - To more than one member or co-opted member of the authority in relation to the care of the same child or dependant for the same episode of care.
 - Of more than one reimbursement for care to a member or co-opted member of the authority who is unable to demonstrate to the satisfaction of the authority that the member or co-opted member has to make separate arrangements for the care of different children or dependants.

22. The arrangements in respect of the contribution to cost of care and personal assistance payable by an authority is to be determined by the Panel in its Annual or Supplementary Reports.
23. Where a member or co-opted member is suspended or partially suspended from being a member or co-opted member of the authority (Part 3 of the 2000 Act refers) the part of the contribution to the cost of care and personal assistance payable to that member or co-opted member in receipt of the responsibilities or duties from which that member or co-opted member is suspended or partially suspended must be withheld by the authority. Payment must also be withheld if directed by the Welsh Ministers for reasons other than suspension (Section 155(1) of the Measure).
24. An authority's Schedule must stipulate the arrangements regarding the contribution towards costs of care and personal assistance payable and its arrangements for making claims, taking full account of the Panel's determinations in this respect.

Travel and subsistence payments

25. Subject to paragraphs 26 and 27 below a member or co-opted member is entitled to receive payments from the authority by way of travelling and subsistence payments at rates determined by the Panel in its Annual or Supplementary Reports. Such payments are in respect of expenditure incurred by a member or co-opted member in the performance of the official business within or outside the boundary of the authority.

(Paragraphs 26 & 27 apply only to principal councils)

26. Payment of a subsistence payment to a principal council member for the performance of official business within the boundaries of a county or county borough where they are a member should only be made when the authority is satisfied that it can be justified on economic grounds. This does not apply in respect of co-opted members of a council who live outside that authority.
27. A principal council may make provision, subject to any limitations it thinks fit, for members to claim mileage expenses for official business in connection with constituency or ward responsibilities where they arise out of the discharge of the functions of the county or county borough.
28. Where a member or co-opted member is suspended or partially suspended from being a member or co-opted member of the authority (Part 3 of the 2000 Act refers), travelling and subsistence payments payable to that member or co-opted member in respect of the responsibilities or duties from which that member is suspended or partially suspended must be withheld by the authority. Payment must also be withheld if directed by the Welsh Ministers for reasons other than suspension (Section 155(1) of the Measure).

Part 3: Further provisions

Pensions

29. Under Section 143 of the Measure, the Panel may make determinations in respect of pension arrangements for principal council members in its Annual or Supplementary Reports. Such determinations may:
- Define which members for whom the principal council will be required to pay a pension.
 - Describe the relevant matters in respect of which a local authority will be required to pay a pension.
 - Make different decisions for different principal councils.

Payments to support the function of an authority member

30. An authority must provide for the requirements of a member to undertake their role and responsibilities more effectively. The way in which this support should be provided is determined by the Panel in its Annual or Supplementary Reports.

Arrangements in relation to family absence

31. Part 2 of the Measure sets out the rights of principal council members in relation to family absence. The Panel will set out its determinations and the administrative arrangements in relation to these payments in its Annual or Supplementary Reports.

Sickness Absence

32. Arrangements for long-term sickness absence of senior salary holders of principal councils, Fire and Rescue Authorities and National Park Authorities will be as set out in the Panel's Annual Report or Supplementary Report.

Part 4: Payments

Repayment of payments

33. An authority can require that such part of a payment be repaid where payment has already been made in respect of any period during which the member or co-opted member concerned:
- a. is suspended or partially suspended from that member's or co-opted member's duties or responsibilities in accordance with Part 3 of the 2000 Act or Regulations made under that Act.
 - b. ceases to be a member or co-opted member of the authority.

- c. or in any way is not entitled to receive a salary, allowance or fee in respect of that period.

Forgoing payments

- 34. Under Section 154 of the Measure, any member or co-opted member may by notice in writing to the proper officer of the authority elect to forgo any part of their entitlement to a payment under the determination of the Panel for that particular year (as relating to the authority).

Part 5: Specific provisions relating to community and town councils (“the council”)

Interpretation

- 35. For the purposes of this Part the term member means both an elected member and a co-opted member.

Payments

- 36. Payments
 - a) The Annual Report or a Supplementary Report determines the arrangements and amount of an annual payment to members in respect of costs incurred in carrying out the role of a member and if appropriate take account of the variation in size or financial circumstances of different councils.
 - b) The council may make payments to members in respect of costs of travel for attending approved duties within or outside the area of the council. The amounts claimable will be set out in the Annual or Supplementary Report of the Panel.
 - c) The council may reimburse subsistence costs to its members when attending approved duties within or outside the area of the council. The arrangements for reimbursement will be set out in the Annual or Supplementary Report of the Panel.
 - d) The council may pay compensation for Financial Loss to its members where such loss has occurred for attending approved duties within or outside the area of the council. The payments will be set out in the Annual or Supplementary Report of the Panel.
 - e) The council may make a payment to the chair or mayor and deputy chair or mayor of the council for the purposes of undertaking the role of that office. The payment will be set out in the Annual or Supplementary Report of the Panel.
 - f) The Annual Report or a Supplementary Report determines the arrangements for payments to members of a council who undertake senior roles and if appropriate take account of the variation in size or financial circumstances of different councils.

- g) The council must reimburse the contribution to costs of care and personal assistance to a member if claimed, as determined in the Annual Report of the Panel.
37. A member may elect to forgo any part of an entitlement to payment under these Regulations by giving notice in writing to the proper officer of the council.
38. A member making a claim for compensation for Financial Loss must sign a statement that the member has not made and will not make any other claim in respect of the matter to which the claim relates.
39. “Approved Duty” under this Part means
- i. Attendance at a meeting of the council or of any committee or sub-committee of the council or of any other body to which the council makes appointments or nominations or of any committee or sub-committee of such a body.
 - ii. Attendance at any other meeting the holding of which is authorised by the council or a committee or sub-committee of the council, or a joint committee of the council and one or more councils, or a sub-committee of such a joint committee provided that at least two members of the council have been invited and where the council is divided into political groupings at least two such groups have been invited.
 - iii. Attendance at a meeting of any association of councils of which the council is a member.
 - iv. Attendance at any training or development event approved by the council.
 - v. Any other duty approved by the council or duty of a class approved by the council for the discharge of its functions or any of its committees or sub-committees.

Part 6: Miscellaneous

Arrangements for payments

40. The Schedule of an authority must set out the arrangements for payment to all members and co-opted members of that authority. Such payments may be made at such times and at such intervals as determined by the authority.

Claims

41. An authority must specify a time limit from the date on which an entitlement to travelling or subsistence payments arise during which a claim for must be made by the person to whom they are payable. However, this does not prevent an authority from making a payment where the allowance is not claimed within the period specified.

42. Any claim for payment of travelling, subsistence or care costs in accordance with these Regulations (excluding claims for travel by private vehicle or bicycle) shall be accompanied by appropriate receipts proving actual cost.

Avoidance of duplication

43. A claim for a payment of travelling, subsistence or care costs must include, or be accompanied by, a statement signed by the member or co-opted member that the member or co-opted member has not made and will not make any other claim in respect of the matter to which the claim relates.

Records of payments

44. An authority must keep a record of the payments made in accordance with these Regulations as set out in an Annual or Supplementary Report.

Publicity requirements

(The required content of publicity requirements is contained in an annex to the Annual Report)

45. An authority must, as soon as practicable after determining its Schedule of Remuneration for the year under these Regulations and any Report of the Panel and not later than 31 July of the year to which the Schedule refers, arrange for the Schedule's publication within the authority's area and to notify the Panel. **(This section does not apply to community and town councils).**
46. As soon as practicable and no later than 30 September following the end of the financial year **all relevant authorities** must publicise within the authority's area and notify the Panel:
- the total sum paid by it to each member or co-opted member in respect of basic salary, senior salary, co-opted member fee, travel and subsistence payments.
 - the total expenditure on contribution towards costs of care and personal assistance.
47. In the same timescale and in the same manner, an authority must publicise any further remuneration received by a member nominated or appointed to another relevant authority. **(This section applies only to principal councils).**

Publicising the reports of the Panel

48. Under Section 146(7) (a) and (b) of the Measure, the Panel will send a consultation draft of its Annual Report or Supplementary Report to all relevant authorities for circulation to authority members and co-opted members, so that representations can be made by members and co-opted members to the Panel, normally in a period of eight weeks.
49. The Panel will determine in its Annual or Supplementary Reports the arrangements publicising its Reports in accordance with Section 151 and 152 of the Measure.

Monitoring compliance with the Panel's determinations

50. Section 153 of the Measure determines that relevant authorities must comply with the requirements imposed by the Panel in its Annual Reports. It also empowers the Panel to monitor the payments made by relevant authorities and for it to require the provision of information that it specifies. The requirements under this section will be set out in the Annual Report of the Panel.

Annex 3: Schedule of Member Remuneration

1. Principal councils, national park authorities (NPAs) and Welsh fire and rescue authorities (FRAs) (but not community and town councils) must maintain an annual Schedule of Member Remuneration (the 'Schedule') which is in accord with the Panel's determinations on member salary and co-opted member payments and which must contain the following information:

In respect of a principal council:

- a. Named members who are to receive only the basic salary and the amount to be paid.
- b. Named members who are to receive a Band 1 and Band 2 senior salary, the office and portfolio held and the amount to be paid.
- c. Named members who are to receive a Band 3, Band 4 and Band 5 senior salary, the office and portfolio held and the amount to be paid.
- d. Named members who are to receive a civic salary and the amount to be paid.
- e. Named members who are to receive the co-opted member fee and whether chair or ordinary member and the amount to be paid.
- f. Named members who are to receive a senior salary as a chair of a Joint Overview and Scrutiny Committee or Sub Committee and the amount to be paid.
- g. Named members in receipt of a specific or additional senior salary approved by the Panel and the amount to be paid.

In respect of National Park and Fire and Rescue Authorities:

- a. Named members who are to receive a basic salary and the amount to be paid.
 - b. Named member who is to receive a senior salary as a chair of the authority and the amount to be paid.
 - c. Named members who are to receive a senior salary as deputy chair of the authority or a committee chair and the amount to be paid.
 - d. Named members who are to receive the co-opted member fee and whether a chair or ordinary member and the amounts to be paid.
2. Amendments made to the Schedule during the municipal year must be communicated to the Panel as soon as it is practicable.
 3. Principal councils must confirm in their annual Schedule that the maximum limit of senior salaries set for the council has not been exceeded.

4. Principal councils, NPAs and FRAs must include a statement of allowable expenses and the duties for which they may be claimed for care, travel and subsistence in their annual Schedule which is in accord with the Panel's determinations.
5. The Schedule must set out the arrangements for the payment of salaries, allowances and fees to all members and co-opted members of the relevant authority (IRPW Regulation 35); arrangements for making claims for care and personal assistance, travel and subsistence expenses (IRPW Regulations 24 and 36-37); arrangements for the avoidance of duplication (IRPW Regulation 38) and arrangements for re-payment of salaries, allowances and fees (IRPW Regulation 33). This schedule must also include the duties for which members and co-opted members are able to claim reimbursement towards travel, subsistence and care and personal assistance costs.
6. Principal councils must declare in the Schedule whether:
 - A statement of the basic responsibility of a councillor is in place.
 - Role descriptors of senior salary office holders are in place.
 - Records are kept of councillor attendance.
7. Principal councils, NPAs and FRAs must make arrangements for the publication of the Schedule of Member Remuneration as soon as practicable after its determination and no later than 31 July of the year to which it applies. The Schedule should be published in a manner that provides ready access for members of the public.
8. The **Schedule** must also be sent to the Panel Secretariat to be received by 31 July.
9. Any changes to the schedule during the year must be promptly publicised in the above manner and all changes notified to Panel Secretariat promptly.
10. Retention. The time limit for the schedule to be retained should be consistent with the council's policy on document retention.

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.
3. Retention. The time limit for the publications to be retained should be consistent with the council's policy on document retention.

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: The basic salary in 2022/23 for elected members of principal councils shall be £16,800.
Determination 2: Senior salary levels in 2022/23 for members of principal councils shall be as set out in Table 4.
Determination 3: Where paid, a civic head must be paid a Band 3 salary of £25,593 in accordance with Table 4.
Determination 4: Where paid, a Deputy Civic Head must be paid a Band 5 salary of £20,540 in accordance with Table 4.
Determination 5: Where appointed and if remunerated, a presiding member must be paid £25,593 in accordance with Table 4.
Assistants to the Executive
Determination 13: The Panel will decide on a case-by-case basis the appropriate senior salary, if any, for Assistants to the Executive.
National Park Authorities
Determination 22: The basic salary for NPA ordinary members shall be £4,738 with effect from 1 April 2022.
Determination 23: The senior salary of the Chair of a NPA shall be £13,531 with effect from 1 April 2022.
Determination 24: A NPA senior salary of £8,478 must be paid to a Deputy Chair where appointed.
Determination 25: Committee Chairs or other senior posts can be paid. This shall be paid at £8,478.
Fire and Rescue Authorities
Determination 29: The basic salary for FRA ordinary members shall be £2,369 with effect from 1 April 2022.
Determination 30: The senior salary of the Chair of a FRA shall be £11,162 with effect from 1 April 2022.
Determination 31: A FRA senior salary of £6,109 must be paid to the Deputy Chair where appointed.
Determination 32: Chairs of Committees or other senior posts can be paid. This shall be paid at £6,109.
Community and Town Councils
Determination 47:

Summary of new and updated determinations contained in this report

Each council can decide to introduce an attendance allowance for members. The amount of each payment must not exceed £30.

A member in receipt of financial loss will not be entitled to claim attendance allowance for the same event.

Councils that intend to introduce a system of Attendance Allowances must set out the details of the scheme and publish on their website.

Determination 51:

The application of the Remuneration Framework by relevant Group.

Independent Remuneration Panel for Wales

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The Report and other information about the Panel and its work are available on our website at:

[Independent Remuneration Panel for Wales](#)



RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

DEMOCRATIC SERVICES COMMITTEE

8TH NOVEMBER 2021

ELECTED MEMBERS' DATA PROTECTION HANDBOOK

JOINT REPORT OF THE SERVICE DIRECTOR OF DEMOCRATIC SERVICES & COMMUNICATIONS AND THE DIRECTOR OF FINANCE & DIGITAL SERVICES

1. PURPOSE OF THE REPORT

The purpose of this report is to introduce the draft Elected Member Data Protection Handbook.

2. RECOMMENDATIONS

It is recommended that Members:

- 2.1 Review the Elected Member Data Protection Handbook attached at Appendix I and determine whether the draft guide meets the requirements of Members; and
- 2.2 Subject to 2.1 above, approve the Elected Member Data Protection Handbook for use and publication.

3. REASONS FOR RECOMMENDATIONS

- 3.1 To provide additional guidance and support to Elected Members in complying with the requirements of data protection legislation.

4. BACKGROUND

- 4.1 At its meeting on the [19th March, 2019](#), Members received the Principal Information Management & Data Protection Officer, who provided Members with an overview of the GDPR Requirements for Elected Members (Casework). During discussions at the meeting the Manager discussed the intentions to create a GDPR handbook for Members to assist them with the GDPR requirements, and this intention was formally supported by the Overview & Scrutiny Committee at its meeting on the [4th April 2019](#)
- 4.2 At the Overview & Scrutiny Committee held on the [10th February 2020](#) the Data Protection & Improvement Officer delivered a progress update on the handbook and welcomed any further input to the guidance.
- 4.3 The Draft handbook is attached at Appendix 1 for Member's comment.

5. CONCLUSION

- 5.1 It is considered that the guidance in the form of a handbook will assist Members in carrying out their role more efficiently, support their understanding of data protection laws and the fair and proper use of personal data.

6. EQUALITY AND DIVERSITY IMPLICATIONS INCLUDING SOCIO ECONOMIC DUTY

- 6.1 There are no Equality and Diversity implications arising from this report and no Equality Impact Assessment is deemed necessary for the purposes of this report.

7. WELSH LANGUAGE IMPLICATIONS

- 7.1 A bilingual version of the handbook once endorsed by Members will be made available to Members.

8 CONSULTATION

- 8.1 Consultation with key stakeholders with regard to the requirements for the Elected Member Data Protection Handbook has been undertaken.

9 FINANCIAL IMPLICATIONS

- 9.1 There are no financial implications arising from this report.

10 LINKS TO CORPORATE AND NATIONAL PRIORITIES AND THE WELLBEING OF FUTURE GENERATIONS ACT

10.1 The role of the Democratic Services Committee is to ensure that Members are provided with the support and materials necessary for them to undertake their role appropriately. The production of a handbook ensures Members deal appropriately with the GDPR requirements needed and can therefore continue their important role of supporting the Council with its corporate priorities and objectives .

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INFORMATION MANAGEMENT GUIDANCE

Elected Member Data Protection Handbook V1.1 DRAFT – November 2021



MAE EICH DATA O BWYS

YOUR DATA MATTERS

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About this guidance

This guidance has been developed at the request of Members. It serves as a useful reference to support Members in complying with the requirements of data protection legislation by providing practical advice, information and guidance on the collection, use and storage of personal data.

The advice and guidance contained in this document is primarily aimed at Members when representing the Council. However, the guidance may also be adopted by Members when collecting and using personal data for the purpose of casework (should they wish to do so). It is entirely up to Members to decide whether or not this guidance is adequate in this regard and to adopt it for casework purposes.

Whilst this guidance mirrors the key topics and themes covered in the formal Data Protection training that is provided to Members, it should be noted that the guidance is not intended to replace this training, nor the specialist advice that is available from the Information Management team. Members should continue to consult the Information Management team directly should they have a specific query or concern that is not covered in this guidance.

The document signposts to a number of supporting Council policies, procedures and guidance. Whilst these documents are primarily aimed at officers, their content and good practice applies equally to Members when handling personal information and may be adopted by Members.

Definitions

The following terms appear regularly throughout this document. Their definitions are below:

- **Official Council duties:** The work undertaken by a Member when representing the Council, for example attending or chairing a committee.
- **Casework:** The work undertaken by a Member when representing a constituent. This may include a direct query, complaint, service request, community issue, etc. (as described in the Local Government Association – [Handling Casework Councillor Workbook](#)).
- **Data protection legislation:** Refers to current data protection legislation within the UK.
- **Data Controller:** The individual or organisation that determines the purpose for which personal data is collected and used. The Controller is ultimately accountable for the personal data.
- **Processing:** In relation to personal data, this can be any activity involving (but not limited to) the collection, use, storage, sharing, and disposal, etc. of the personal data.
- **Device:** Any ICT device that may be used by a Member including a laptop, tablet, office PC, mobile phone, etc.

Good information handling principles

Data protection legislation sets out good information handling principles that Members must follow. The key principles are summarised below and are covered in more detail within this guide:

1. Keeping people informed

You must be open, honest and transparent with people about the way you use their personal data and provide them with appropriate privacy information.

2. Specified Purpose

You must collect and use personal data for a specified purpose and stick to that purpose.

3. Minimisation

You must only collect the personal data that is absolutely necessary in relation to the purpose.

4. Accuracy

You must take reasonable steps to ensure that personal data is correct and kept up-to-date where required.

5. Retention

You must not keep personal data for longer than is needed in relation to the purpose.

6. Information Security

You must ensure that personal data is kept safe and secure.

7. Information Rights

You must ensure that people are made aware of their information rights and are able to exercise them.

Section 1:

How data protection applies to Members

How data protection applies to Members



This section aims to explain how data protection legislation applies to Members when collecting and using personal data when undertaking official Council duties, casework and when representing a political party.

The role of the Member

Elected Members typically have three key roles:

- 1) They will act as a member of the Council, for example, as a cabinet member or a member of a committee.
- 2) They will represent the residents of their ward, for example, when undertaking casework.
- 3) They will represent a political party, particularly at election time.

Members will process personal data for different purposes depending on which of the above roles they are undertaking.

Who is accountable for the personal data when undertaking these roles?

Official Council duties

When a Member collects, uses and stores personal data when undertaking official Council duties such as attending a Committee, **the Council is the Data Controller** and is accountable for ensuring that the data processed by the Member is used in the right way. The Council may do this by providing Members with training, awareness, policies, procedures and guidance so that they know how to handle personal data properly and lawfully.

Undertaking Casework

When a Member collects, uses and stores personal data when undertaking casework, **the Member is the Data Controller**. The Member is accountable for the data it processes and must ensure that it is used in the right way.

Representing a Political Party

When representing a political party, for example when campaigning at election time, **the political party is the Data Controller** and is accountable for ensuring that the data processed by the Member is used in the right way. The Political Party may do this by providing its Members with appropriate training, awareness, policies, procedures and guidance.

Segregation of Duties & Personal Data

Data protection legislation requires that you have a very clear specified purpose for collecting and using personal data.

Once collected for a specific purpose, personal data cannot generally be used for any other purpose unless:

- the new purpose is compatible with the original,

OR

- you get the consent of the individual to use their data for another purpose,

OR

- you are required to use the information in another way by law (e.g. reporting a safeguarding concern).

For Members, the purpose for processing the personal data is linked directly to the role they are undertaking. For example, when representing a constituent, any personal data collected and used is for the specific purpose of dealing with the enquiry or complaint, and must not be used for any other purpose, e.g. political campaigning.

It is therefore important that Members segregate any personal data held for different purposes and roles.

Hints & Tips

You should not use personal data obtained in one line of business for another.

Organise your records - keep documents separate for the different roles that you undertake.

Clearly label files, folders, records and documents so you know in what capacity you obtained the personal data and for what purpose it should be used.

Remember this applies to electronic records, paper records and emails.

Section 2:

Keeping People Informed



This section explains what information you must provide to individuals when you collect their personal data. It covers the responsibilities of the Council when Members process personal data when representing the Council, and the responsibilities of Members when undertaking casework.

What data protection law requires

Data Protection law requires that you are open and honest with people about the use of their personal data. This is especially important in situations where the individual has a clear choice about whether they wish to enter into a relationship with you (for example, where a constituent is considering asking you to represent them on a particular matter) or the use of their data may be unexpected.

When you collect personal data from an individual it's important that you provide them with an explanation as to how their data will be used and for what purpose. By providing this information, individuals will know from the outset how their personal data will be used and the likely implications for them. This is likely to prevent complaints or concerns being received from individuals about the way you are using their personal data.

What information must I provide to individuals?

The law sets out what information must be provided to individuals when you collect their personal data. At a minimum, and as a starting point you must always tell them:



- Who you are;
- Why you need their information;
- What you are going to do with it;
- Who it will be shared with.

The information that you provide to individuals about the way their personal data will be used is often referred to as 'privacy information'. In written form it is referred to as a 'privacy notice'.

How and when should I provide privacy information to individuals?

Data protection law does not specify how privacy information should be provided to individuals. Good practice is to use a blended approach using a number of communication methods and techniques. The following outlines how privacy information is/should be provided to individuals when you are representing the Council or undertaking casework.

Official Council duties

Who is responsible for providing individuals with privacy information?

In relation to the personal data you may process when undertaking official Council duties, it is the responsibility of the Council to ensure that citizens, service users, customers and visitors are informed about how the Council, via its Members and Officers use their personal data when providing them with services.

How does the Council provide individuals with privacy information?

The following outlines the key ways in which the Council provides privacy information to individuals. This is in addition to any verbal privacy information that officers may provide to individual when they make contact directly with the Council.

❖ Main Privacy Notice

The main Privacy Notice is published on the Council's website under the [Data Protection](#) section. The notice consists of a series of webpages that provides individuals with information on the following topics:

- [How we use your personal information – An Overview](#)
Introductory page about the way the Council uses personal data and the ways in which we protect people's privacy.
- [How we use your personal information – frequently asked questions](#)
Answers to commonly asked questions about the Council's use of personal data.
- [Your information rights](#)
Provides information on an individual's information rights and how they may be exercised.
- [Concerns or complaints about the way the Council is handling your personal information](#)
Provides information on how an individual can raise a concern or make a complaint about the way the Council is handling their personal data.

❖ **Service Privacy Notice**

Each Service has developed a more detailed privacy notice to compliment the main privacy notice. Service Privacy Notices are also [published](#) on the Council's website. They include specific information about what personal data each service collects, where the data comes from, who the data is shared with and how long it is kept for.

❖ **Forms and Applications**

Forms and applications used to capture personal data from citizens, residents and applicants contain a short privacy statement that explains to individuals how the personal data requested on the form will be used by the Council. The statement also signposts individuals to the Council's website for more detailed information.

Keeping people informed - What do I need to do when representing the Council?

- **Familiarise yourself with the privacy information contained on the Council's website.**
- **Be aware that if you chair a committee where the public are present and are able to participate in the meeting, an Officer will read a short privacy statement at the start of the meeting so that the public are aware of how their personal data will be captured, recorded and used during and following the meeting. This is especially important where the meeting is being recorded.**
- **In the unlikely event that an individual contacts you directly with an enquiry about the way the Council or you as a Member (when undertaking official council duties) uses their personal data, you should signpost them to the Council's website for further information or advise them to contact the Information Management Team (contact information is provided in Section 11 of this guide).**

Who is responsible for providing privacy information to constituents?

When undertaking casework, the Member (as the Data Controller) has a direct responsibility under data protection law to provide privacy information to constituents.

How should I provide constituents with privacy information?

You may provide privacy information to constituents in a number of ways:

❖ **Face-to-face or on the phone**

When liaising with constituents in person or on the telephone, it is good practice to summarise during the call what information you've recorded about them and what you intend to do with that information, e.g. who you intend to share it with. In most cases this will be obvious, but for the avoidance of doubt it doesn't harm to clarify things.

To support you in this area a suggested script is contained within the [Guidance for Elected Members on the requirement to provide privacy information to constituents when undertaking casework](#) (page 6).

❖ **Councillor Privacy Notice**

As agreed by Members at the Democratic Services Committee, each Member has a Councillor Privacy Notice published on the Council's website under their individual Member webpage.

The privacy notice is equivalent to the Council's 'service' privacy notice and explains to constituents in detail how you may use their personal data when undertaking casework on their behalf.

❖ **Poster/signage**

Good practice is to display notices in public areas so people can see that you are taking privacy seriously, and they know how to contact you in the event of a query or concern about the way you are using their personal data. At the request of Members, we have created a poster template that you may wish to display in surgery waiting areas or meeting rooms, etc.

The poster is also available in Appendix II of the [guidance](#) or copies can be obtained via Members' Services.

Keeping people Informed when undertaking casework Hints & Tips

- Familiarise yourself with the content of your privacy notice (your Member webpage on the Councils website).
- Signpost constituents to your privacy notice when required.
- When communicating with constituents, whether in person, over the telephone or by email get into the habit of confirming how you will use their personal data.
- If holding a surgery, etc. consider displaying a privacy poster to demonstrate to constituents that you take data protection and their privacy seriously.
- Familiarise yourself with the [Guidance for Elected Members on the requirement to provide privacy information to constituents when undertaking casework](#).

Section 3:

Casework - Authority to Act



This section provides guidance on whether a Member needs authority from an individual to represent them or to discuss their concern with an organisation.

Do I need written authority from a constituent to represent them?

Data protection law does not require a Member to have written authority from a constituent to represent them. However, some Members may prefer to have something in writing, particularly in situations where the query or concern is of a sensitive nature. That way there can be no doubt that the constituent has requested your assistance in resolving their concern.

At the request of Members, an 'Authority to Act' form has been developed. The form may be used by Members should they wish to obtain written confirmation from a constituent to act on their behalf. The form can be accessed [here](#). Members are free to make changes to the form to suit their individual requirements.

For indirect enquiries, do I need the consent of the individual who the enquiry is about before I take on the casework?

Example: An indirect enquiry is usually referred to as an enquiry received from a third party on behalf of an individual. For example - a daughter acting on behalf of her frail elderly mother contacts you for support regarding her mother's benefit claim.

In the above example, you would need confirmation from the mother that she is happy for the daughter to act on her behalf. This could be achieved through a simple phone call to the mother.

If the mother is incapable of confirming this, for example, if she suffers with dementia and does not have capacity, you should request proof from the daughter that she has authority to act on her mother's behalf (e.g. proof of power of attorney, confirmation that her mother's finances are in her name (bank statement), etc.). This authority should not be assumed even if the individual is known to you.

If in doubt as to what is considered sufficient proof, or if you have any concerns regarding this please feel free to contact the Information Management team for advice.

Do I need to provide proof of authority to act when requesting information from an organisation?

Sometimes. When undertaking casework you may be required to contact organisations to assist you in resolving the enquiry or concern. These organisations may include (but are not limited to) services within the Council, Local Health Board, GP Practice, Job Centre, Department for Work and Pensions, etc.

Often, as part of that organisation's data protection procedures, especially where a Member is not known to the organisation, the organisation may ask you to provide proof that you have authority (sometimes referred to as consent) to act on the constituent's behalf. In addition, the organisation may ask you to confirm your identify as an Member.

This request for authority / proof should not be perceived as a barrier or the organisation being obtrusive, but good practice that ensures personal data is not discussed or disclosed to someone acting under a false pretence.

Casework – Authority to Act Hints & Tips

- **Use the Authority to Act form if you prefer to have something in writing from a constituent confirming that they are happy for you to represent them.**
- **For indirect enquiries, always confirm with the individual (who the enquiry is about) that they are happy for a representative (e.g. a family member) to act on their behalf.**

Section 4:

Data Quality

(Minimisation, Accuracy & Retention)

Data Quality



This section covers what is commonly referred to as the 'data quality' principles. It includes good practice, hints and tips relating to data minimisation, keeping personal data accurate and up-to-date and retention.

Data minimisation

Data protection law requires that:

- a) You collect enough personal data to sufficiently fulfil the purpose for which the personal data is being processed;
- b) The personal data is relevant to the purpose for which it is being collected; and
- c) It is limited to what is necessary in relation to that purpose.

Here are some hints and tips to help you comply with this requirement when undertaking casework:

Hints & Tips:

- **Ensure you have a clear reason for collecting and holding the personal data and can justify this if challenged.**
- **Collect and hold no more data than you need – always the minimum amount.**
- **Don't collect or hold personal data "just in case" it might be needed.**
- **Consider each enquiry on a case by case basis and carefully decide what personal data you need to resolve that particular enquiry.**
- **Look for alternatives – do you need someone's date of birth or is their age enough?**
- **If you've collected personal data that you didn't actually need, delete it.**

Accurate & Up-to-date



- You must take reasonable steps to ensure the accuracy of the personal data that you collect and record.
- You should consider whether the personal data you collect and record needs to be kept up-to-date.
- If you discover that the personal data is incorrect or misleading, you must take reasonable steps to correct or erase the personal data as soon as possible.

Here are some hints and tips to help you comply with this requirement when undertaking casework:

Hints & Tips:

- **When a constituent makes contact with you, get into the habit of checking that any contact information you hold for them is current, accurate and up-to-date.**
- **When collecting personal data, take care recording the data and confirm/repeat the information back to the individual to ensure that you have recorded it correctly.**
- **Where personal data changes, update your records promptly and double check the information that you have entered.**
- **Watch out for typing errors, especially when entering house and telephone numbers and email addresses!**
- **If receiving personal data via a third party, take reasonable steps to verify the accuracy of the data where required. Don't assume it's always right!**
- **Correct incorrect information promptly.**

Retention



You must not hold personal data for longer than is needed in relation to the purpose for which it was collected. You must also be able to justify the length of time you are keeping personal data for.

Official Council duties

The vast majority of personal data held by Members in relation to their official Council duties are likely to be **copies** of master records held by Democratic Services and/or that are published on the Council's website, for example copies of committee agendas, reports and minutes, etc. These copies may therefore be routinely disposed of after they have served their purpose.

Casework

In relation to casework, it was agreed by Members that records would be kept for no longer than 3 years from the date the matter was brought to a close. This is reflected in each Member's privacy notice. However records should be regularly reviewed and weeded to ensure that only essential information is kept for that period of time.

Hints & Tips:

- **Review the personal data that you hold regularly whether it's held in electronic or paper format.**
- **Delete personal data that does not need to be kept for the full 3 years or at all. As a rule, this usually applies to information that is duplicated, unimportant or with no significant value. Examples may include:**
 - **Working copies or drafts leading to a final item of correspondence.**
 - **Follow-up emails, etc. that add no value or bearing on the outcome of the enquiry or any decision made etc.**
 - **Requests for everyday information.**
 - **Correspondence where you have been 'copied in' for information only.**
 - **Information that is duplicated e.g. a printed copy of a letter that is also held in electronic format.**
 - **Remember to securely dispose of any information using a cross cut shredder or via confidential waste (see Section 8 for further information).**

Section 5:

Communicating with individuals

Communicating with individuals



This section highlights the main risks associated with sending personal, sensitive or confidential information by email, letter, fax or social media messages. Members should select the most appropriate method of communication taking into consideration the volume and sensitivity of the information being communicated.

By Email

When undertaking official Council duties, Members **must** use their Council email account, i.e. <name>@rctcbc.gov.uk for all communications.

When undertaking casework, Members may use their Council email account to communicate with constituents should you wish to do so. Such use would be considered 'personal use' of the Council's email system.

Any use of the Council's email system, whether a Member is using it for official Council duties or for personal use, must be used in line with terms set out in the [Elected Member ICT, Internet and Email Acceptable Use Policy](#).

Are Council emails 'secure'?

Internal emails:

Emails sent internally within the Council (from an <name>@rctcbc.gov.uk email account to an <name>@rctcbc.gov.uk.) are considered 'secure'. This means that the email is unlikely to be intercepted as the email never leaves the Council's network.

Emails to other public bodies:

Emails to and from an <name>@rctcbc.gov.uk email account and other local authorities in Wales and key partner organisations such as Welsh Government, WLGA, South Wales Police, South Wales Fire & Rescue Service, Cwm Taf Morgannwg University Health Board are considered secure as the messages are encrypted in transit. This means, if the email is intercepted it's unlikely that the content of the email can be read by others because it is encrypted.

External emails:

Emails sent from an <name>@rctcbc.gov.uk email account to an external recipient (e.g. Gmail, Hotmail or private business accounts, etc.) cannot be guaranteed as being secure, as it depends on the security measures that have been implemented by the email provider of the recipient.

Are private / free email accounts secure?

Emails sent to and from private/free email accounts such as Gmail, Hotmail, etc. cannot be guaranteed as secure as it depends on the security measures that have been implemented by the email provider.

Before signing up to a private/free email account it is advisable to check the provider's terms and conditions and read their privacy notice to find out:

- What level of security they offer.
- In which country your emails will be stored.
- Whether they scan the content of your emails and if so why.
- Whether they use your information for any other purpose other than to manage your account.

In addition, before utilising a private/free email account to communicate personal data, Members should consider the following and form a view on the adequacy and appropriateness of using email to facilitate the enquiry:

- The nature of the enquiry.
- The sensitivity of the information.
- The number of individuals the information relates to.
- The potential impact on the individuals should the email be intercepted and the information contained within the email becomes known to others etc.

Should a member have a specific query or concern regarding the use of email for communicating personal information they may contact the Information Management team.

Should a Member decide to use their personal email account for casework it is recommended that the Member:

- Has a dedicated email account for casework.
- Does not use a shared (e.g. family) email account as any personal or confidential information contained within email communications to and from constituents may be seen by family members.
- Creates a strong password for the email account.
- Does not share their email password with others including family members.
- Ensures that they fully signed-out of their email account when not in use, especially if the device is used by others.

Sending personal information by email?

Email

In addition to the 'technical' risks mentioned above (i.e. email being intercepted whilst in transit) and the risk of a phishing attack (covered in Section 6), the biggest risks associated with using email for communicating personal, sensitive or confidential information are:



- The email could be sent to the wrong email address.
- Recipients could be copied in by mistake.
- The wrong attachment could be sent with the email.

How can I reduce those risks?

Email Address:

- Double check that you have the right email address.
- Double check that you have typed in the email address correctly. Ensure that you have included all letters, numbers and symbols.
- When selecting the recipient from the Council's global address list or the auto-populate list, ensure that you have selected the right person and be aware of users with the same/similar names.
- Check that you have not 'copied in' anyone by mistake.

Multiple Recipients:

- If using a distribution list, make sure that the members are up-to-date. Remember - distribution lists are managed by you, not ICT.
- When sending an email to multiple recipients who are not known to each other, use the 'Blind Carbon Copy (BCC)' function to protect the confidentiality of the recipients email addresses.
- When sending personal, sensitive or confidential information to a 'generic' inbox, such as customerservices@rctcbc.gov.uk, be mindful that the email may be seen by any recipient who has access to that mailbox. If in doubt, check who has access before sending the email.

Attachments:

- Be careful when inserting attachments – ensure you have attached the right document(s).
- Once attached to the email, open the attachment and double check it is the right document before you send.

And finally, be careful and take your time when composing the email. Double check everything before you press send!

What if I send an email containing personal or confidential information to the wrong person?

Email errors involving personal information are one of the most common causes of personal data breaches. Despite anyone's best efforts, mistakes will happen and when they do it's important that you deal with the error promptly. The following steps should be taken in the event of an email containing personal or confidential information being sent to the wrong person:

- 1) Immediately recall the message in Outlook.
- 2) If you can, obtain the contact number of the recipient. Contact them to request that the email be deleted. Ask them to confirm by email that this has been done, and also as then to confirm that the email content has not been forwarded or disclosed to anyone else.
- 3) Notify the Council's Monitoring Officer and/or the Information Management Team of the error.
- 4) Keep copies of any relevant correspondence to show you have taken all relevant steps to recover the email (this may be needed for any Information Management investigation that may be required).



[Procedure for dealing with emails that have been sent in error.](#)

By Letter

What are the risks?



- The wrong address and/or recipient could be written on the envelope.
- The wrong information could be included in the envelope.
- The letter could be lost in transit - delivery and receipt of the letter can't be guaranteed in all cases.
- Information could be delivered to wrong address even if the right address is on the envelope.
- Information in paper form is not protected if lost, stolen or seen by others.

How can I reduce the risks?

Name & Address:

- Double check that you have the correct address
- Ensure the address is correct on the envelope and clearly stated.
- Always include a postcode.
- Always address the letter to a named individual.
- When sending to a company, where possible mark the envelope for the attention of a named individual and their department.

Envelope & Content:

- Ensure the envelope is fit for purpose and can withstand transit. Use tamper proof envelopes where required or seal the information in a double envelope.
- Ensure a return address and contact name is marked on both the outer and inner envelope so that it can be returned to you by the mail service in the event of non-delivery.
- Double check that correct information is enclosed.
- Ensure the information enclosed is also addressed

Postal Method:

- Select the most appropriate postal method for the letter based on the sensitivity and volume of the information being sent, e.g. special delivery if you require full tracking and proof of delivery, etc.
- For further information on delivery options please contact the Business support Unit on XXXXXX

Confirm Receipt:

- It is good practice to let the recipient know when and how you are sending the information then and to ask them to confirm receipt.

By fax

What are the risks?



- The fax number could be misdialled.
- Delivery is not guaranteed.
- If the fax is sent to the wrong number it can be difficult to identify who the fax has gone to.
- Fax machines are often in shared office spaces (e.g. reception). The fax could therefore be seen or collected by others.

How can I reduce the risks?

The use of facsimiles for transmitting personal information is not advisable. Should you have no alternative other than to use fax, the following guidance should be followed:

Fax Number:

- Use a tested pre-programmed fax number wherever possible.
- If this is not possible double check that you have the right fax number and be careful when dialling.

Content:

- Double check that the correct information is being faxed.
- Check all pages front and back.

Contact the recipient ahead:

- Telephone the recipient ahead to let them know that the fax is being sent. Ask them to wait for the fax by the fax machine and acknowledge safe receipt.

Fax cover sheet:

- Always use a fax cover sheet.
- Ensure the fax cover sheet is fully completed and addressed to an individual rather than a company or department.
- Ensure you state the number of pages included in the fax on the cover sheet.

Fax confirmation sheet

- Check the fax confirmation sheet to ensure that:
 - The fax has been successfully transmitted;
 - All pages have been successfully transmitted; and
 - The document has been transmitted to the correct fax number.
- Make sure that you take all copies of any documents that you fax away with you - some faxes will automatically print a copy of what you have sent after they have finished sending the document.

By Social Media



Social media is an increasingly popular means of communication that allows people greater freedom and choice in how they communicate both socially and for business purposes. For many it is now the preferred way of finding out what's going on in the local area or contacting a business or organisation.

Using Social Media when undertaking Council duties

Any use of social media by a Member when undertaking official Council duties must be in keeping with terms of use set out in the Council's [Social Media Policy](#).

Personal social media accounts and messaging services such as Facebook, Messenger, WhatsApp, etc. must not be used to conduct official Council Business.

Using Social Media for casework

Members are free to decide whether they wish to use social media as a platform to communicate with constituents when undertaking casework. Should a Member wish to use social media it is recommended that the following guidance is observed:

Open groups/forums/chatrooms:

- Never communicate with constituents on personal matters in a public forum etc.
- Should a constituent contact you via an open forum regarding a personal matter you should advise them to contact you directly via a more appropriate private communication channel (e.g. email, telephone, in person, etc.)

Separating personal from professional

Some Councillors choose to have separate social media profiles for personal use and a Facebook page for their Councillor use. This separation of personal and professional will provide you with greater privacy and may provide you with greater engagement, allowing your local residents to engage with you as a Councillor without the need to become your 'friend'. It also will allow you to undertake casework without using your personal social media account.

You can make use of stringent privacy settings if you do not want your personal social media account to be accessed by the press or public. However, it's important to note that even the strictest privacy settings are no guarantee for posts or actions to remain private.

Private messaging:

As with personal email accounts, messages sent and received via social media messaging services such as Facebook messenger, WhatsApp etc. cannot be guaranteed as secure as it depends on the security measures that have been implemented by social media platform provider. Before utilising a private social media messaging service to communicate with constituents, you should consider the

following and form a view on the adequacy and appropriateness of using social media to facilitate the enquiry:

- The nature of the enquiry.
- The sensitivity of the information.
- The number of individuals the information relates to.
- The potential impact on the individuals should the message be intercepted and the information contained within it become known to others etc.

Members should also be mindful that all social media messages in relation to casework, whether in an open forum or through a private message can be disclosed under subject access rights (see Section 10). If using social media to communicate with individuals, Members should consider how they would provide such information in response to a request.

Section 6:

Cyber Security

Cyber Security



Cyber threats and attacks are one of the biggest risks the Council now faces. Whilst the Council takes proactive measures to reduce the likelihood of an attack happening, inevitably, with scams becoming more and more sophisticated, it's important that Members are aware of the dangers and know how to protect themselves.

This section of the guide focusses on one of the biggest known cyber risks the Council and its User face today - 'Phishing' email attacks. The advice in this section may equally to Members in their home life as it does in their work life.

Phishing Emails

What is Phishing?

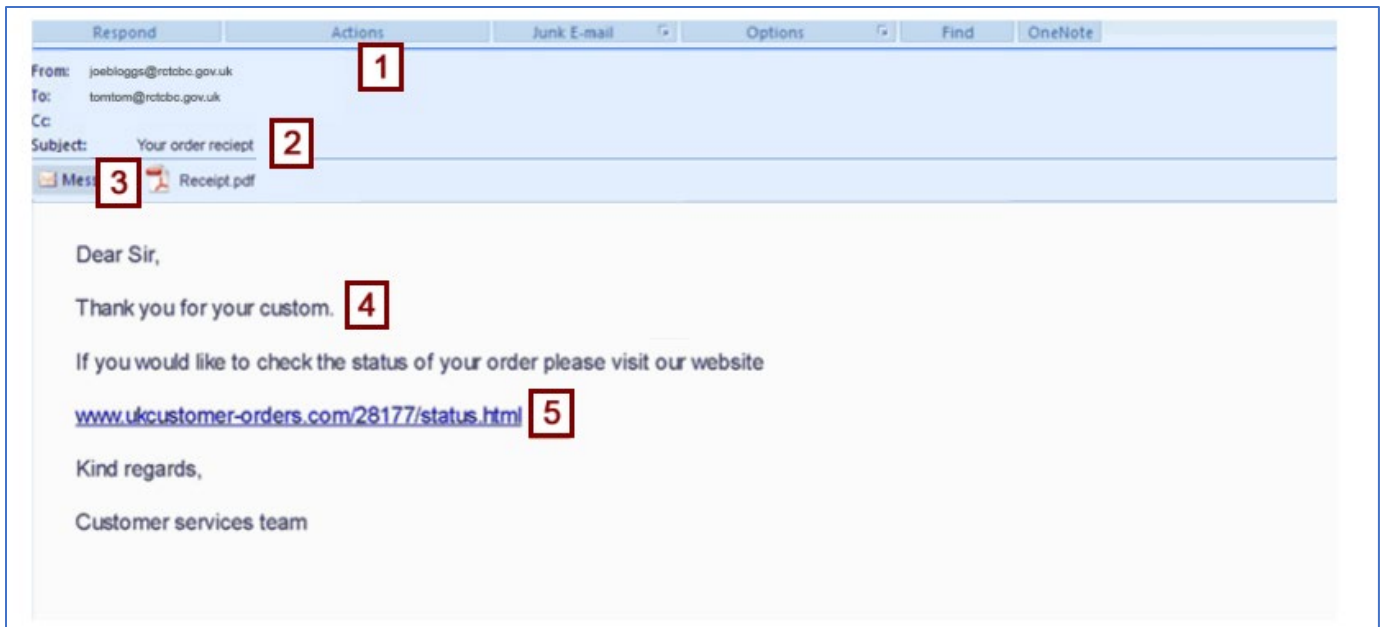
Phishing is a type of online scam where perpetrators send out fraudulent email messages that appear to come from a legitimate source. The email is designed to steal your data by tricking you into entering confidential information such as, account numbers, passwords, pin numbers or personal information such as your date of birth or national insurance number, etc. into a fake website by clicking on a link. The perpetrators are then likely to use this information to commit identity fraud or sell it on to a third party.

Top tips to spot a Phishing attack:

Identifying a phishing email has become a lot harder than it used to be as perpetrators have honed their skills and become more sophisticated in their attack methods. The phishing emails that we receive in our inbox are increasingly well written, personalised, contain the logos and language of brands we know and trust and are crafted in such a way that it is difficult to distinguish between an official email and a malicious email drafted by a scammer.



Whilst the Council has a number of ICT technical controls in place that block any suspected malicious e-mails reaching a Members inbox, it's important that Members are aware of the dangers and know how to protect themselves.



1. Sender

- Do you know this person? Is this their usual email address? Were you expecting this email?
- Not recognising the sender isn't necessarily cause for concern but look carefully at the sender's name and email address – does it sound legitimate, or is it trying to mimic something you are familiar with?
- Double (left) click on the senders' name. Check the actual email address the email come from in the pop-up box.

2. Subject

- Does the email subject look unusual? Is it meaningful in relation to the message? Does it contain excessive punctuation, capital letters, etc.?
- Subject lines are often alarmist and use excessive punctuation, hoping to scare the recipient into an action without much thought. Conversely subject lines can also be left blank enticing the recipient to open the email to find out its content.

3. Attachments

- Do I recognise the attachment format (e.g. doc, pdf or jpeg)? Does the email mention the attachment? Are you expecting an attachment?

4. Content

- Be wary of emails that refer to you by a generic name, or in a way you find unusual, such as the first part of your email address, generic greetings such as ‘Dear member’ or ‘Dear user’
- Look out for spelling errors, bad grammar, poor word choice, impersonal and/or odd/disjointed written emails but bear in mind modern phishing looks a lot better than it used to.
- Be mindful of short, vague or odd-sounding messages and those with promises that sound too good to be true!
- Be wary of emails that ask you to carry out an action like clicking on a link, opening an attachment or replying to the email with personal information.

5. Links

- Check links closely as they can easily be disguised to take you to malicious websites.
- Hover your mouse over the top of the link to reveal the actual hyperlink address. If the address is different from the address displayed in the email, the message is probably fraudulent or malicious.
- Look out for slight alterations or misspelling such as a missing forward slash (/) or subtle changes like an additional or missing full stop (.) or letter.

6. Other things to look out for

- No matter how realistic and official an email might look, it’s always a bad sign if the sender requests personal information from you. A reputable company should never send an email asking for your account number, password, credit card number, or the answer to a security question.
- Be aware of emails that seem too good to be true – they usually are!
- Be aware of emails inviting you to donate to a worthy cause after a natural disaster or other tragedy. Go to the charity’s official website should you wish to make a donation.
- Check the time and date of the email – has it been sent during normal office hours (e.g. Mon-Fri, 9.00-5.00) or out of hours or at the weekend? If the email has been sent/received at an unusual time this could be cause for concern.
- Check the logo, it may be of a low quality if the sender has simply cut and pasted from a website.
- Be wary of common phrases and offers that are enticing you to take action ‘verify your account information’, ‘you have won a prize’, ‘your account has been frozen – take action now’.

How to protect yourself

- Familiarise yourself with our guidance for [Staying safe when using email](#).
- Be alert!
- Never click on suspicious links.
- Never open suspicious attachments.
- If using a personal device (PC, laptop, tablet etc.) for conducting casework, ensure it has anti-virus installed.
- If using a personal email account for conducting casework check that the provider has web-filtering.
- Contact the ICT Service Desk if in doubt.



More detailed guidance: [Staying safe when using email](#)

Section 7: **Out and About & Working from Home**

Out & About & Working from Home

When travelling and working with personal information outside of the normal office environment, information becomes more vulnerable and susceptible to loss, theft and compromise. Extra care must be taken to protect the confidentiality of personal information and measures taken to avoid unnecessary risks to that information and the people it is about.

Information in paper format:



Personal information in paper format cannot be protected if lost, mislaid or stolen and is therefore potentially accessible by anyone who comes across it.

Top tips:

- Limit the amount of personal data you carry in paper format.
- Only take what's absolutely necessary.
- Never carry personal data on the off-chance you might need it, or look at it if you have the time - this is just creating extra risk for no real purpose.
- Don't leave paper records lying around for others to see, even when at home.
- Store paper records securely and out of sight when not in use.

Information Disposal:

Make sure you dispose of personal data in paper format securely – i.e. shred it using a cross cut shredder. If you do not have a shredder at home, make sure you utilise the office shredder or confidential waste bags. Never dispose of personal data in a recycling bag or public waste bin unless it has been shred.

Information in electronic format:

When undertaking Council business, wherever possible, personal data should be transported in electronic format using a **Council approved electronic encrypted device** such as a laptop, tablet or USB memory stick.



Telephone Conversations:

Ensure that confidential information is kept confidential:

- Avoid discussing anything sensitive where people might overhear.
- Pay attention to who is around you when on the telephone.

On-lookers:

- Make sure your device screen is not visible to others.
- Position your work in such a way so that others cannot see.

Housekeeping:

- Work tidily and with care.
- Ensure no information is on display.
- Check that you haven't left anything behind when you leave.
- Never leave your device or any source of sensitive information unguarded. It should always stay close to you.

Transporting information:

- Reasonable measures should be taken to safeguard personal data and equipment whilst in transit. These measures include reducing visibility to others and maintaining control of the data at all times.
- Electronic devices and paper records should be concealed and placed in a bag or briefcase, etc. For added security, the bag should be locked if possible.
- If you are visiting a number of places during the working day, you should carefully consider the risks associated with leaving the personal data your car (e.g. risk of theft/break in, etc.) against the risk of taking the personal data with you, for example into a constituent's home (e.g. risk of the documents being misplaced or left behind when you leave, etc.). If you decide to leave the personal data and/or your device in your car, you it should be securely locked in the boot of the vehicle.
- If travelling by public transport, personal data will become more vulnerable, and may be susceptible to opportunist crime, etc. You must ensure that the data remains in your possession at all times. Be aware of the risk of theft and ensure that nothing has been left behind when you leave.

Storing Information:

- When not in use, personal data and devices should be stored securely in your home out of sight of any visitors, etc.
- It is advisable to store information in paper format separate from your device.
- You must not leave your device or any information in your car overnight.



For more information see [Protecting personal information outside the normal office environment.](#)

Section 8:

General Security

Printing



Only print documents that contain personal, sensitive or confidential information when absolutely necessary.

When printing always:

- Attempt a test print when using a printer for the first time to make sure that it prints out in the place you are expecting it to.
- Collect documents promptly.

Should you come across any unclaimed printouts, ensure they are disposed of securely.

Information Disposal

Paper documents and records containing personal, confidential or commercially sensitive data must be shredded using a cross cut shredder, or disposed of in confidential waste. Such records must never be placed in a recycling bag or bin unless the information has been shredded.



All Council issued ICT devices must be disposed of securely via the ICT Service Desk.



For more information see [Procedures for secure disposal of personal and commercially sensitive information](#).

Clear Desk



- Don't leave paper records lying around; store them away when they're not being used whether you are working from the office or at home.
- If you expect to be away from your workstation for a long period of time ensure all documents that contain personal data are securely stored.
- Work tidily and with care.
- Limit the amount of documents you print.
- Consider scanning paper documents that need to be kept.
- Securely dispose of information you no longer require.

Privacy when on the telephone

Always remember that a telephone conversation may be overheard by others, especially in an open-plan office, public area or when conducting business from home. You should avoid discussing private or confidential matters over the telephone when you are within earshot of anyone who does not need to know the information.

Voicemails & Messages



Leaving a voicemail for an individual or a telephone message with a family member or friend is a handy way of keeping someone updated on progress where you are unable to speak to them directly. But leaving a voicemail or message carries the risk of breaching an individual's confidentiality.

When leaving a voicemail or message for an individual with others you should:

- Check that you have permission from the individual to leave a voicemail and on what number it can be left (mobile phone, landline, etc.).
- Seek permission from the individual to leave messages with others. Do not assume permission, even if they have been involved in the enquiry.
- Be especially mindful of leaving a message on a landline as the message may be picked up by family members, etc.
- Ensure that you have the right telephone number and have dialled it correctly!
- Keep voicemails brief and to the point. Do not leave a detailed a message or any specific information concerning the nature of the enquiry, etc. especially if it's of a sensitive nature!

Email Calendars

Good business practice is to share email calendars with colleagues so they can easily check your whereabouts, availability and arrange meetings. However, email calendar entries such as meeting requests and appointments often contain personal or confidential information in the subject line or body. Remember to mark any such items as 'private'.



Passwords



Create strong passwords with a minimum standard of:

- ✓ At least **eleven** characters in length
- ✓ Contains characters from three of the following four categories
 - Uppercase characters (A through Z)
 - Lowercase characters (a through z)
 - Base 10 digits (0 through 9)
 - Non-alphabetic characters (for example, !, \$, #, %) (*Please note, '£' cannot be used.*)

Avoid weak passwords:

- ✗ Do not use your login (user ID) name in any form (as-is, reversed, capitalised, doubled etc.).
- ✗ Do not use your full, first, middle or last name in any form.
- ✗ Do not use your spouse's or child's name.
- ✗ Do not use personal information about yourself or family members that can easily be obtained about you. This includes generic information such as, vehicle license plate number, telephone number, birth date, the name of the street you live on, and so on.
- ✗ Do not use a password that contains all digits, or all the same letters.
- ✗ Do not use days of the week, months of the year, seasons of the year, sporting teams
- ✗ Do not use adjacent keys on the keyboard like "qwertyui".
- ✗ Do not use consecutive letters or numbers like "abcdefgh" or "123456789".
- ✗ Do not use a well-known abbreviation e.g. RCTCBC.
- ✗ Do not contain obvious substitutions e.g. '\$' for 's', '@' for 'a', '1' for 'l' etc.
- ✗ Do not use the same password for all systems.

Protect passwords at all times:

- ✗ Never reveal your passwords to anyone.
- ✗ Never let anyone else access your account.
- ✗ Never write your passwords down or store them where they are open to theft.
- ✗ Never store your passwords in a computer system without encryption.
- ✗ Never use the 'remember password' function on a shared or public device.
- ✓ Beware of someone looking over your shoulder when entering your password.



For more information see [Password Management Standard](#)

Locking your device

An unattended device may provide an opportunity for unauthorised access.

Whether you are working in an office, at home or at a meeting, get in the habit of locking your device every time you leave it unattended. It only takes a couple of seconds and is one of the most effective ways of keeping the information stored on your device secure.

Control, Alt and Delete before you leave your seat!

USB & Removable Media



USBs (or pen drives as they are more common known) and removable media devices are a convenient way for Members to access personal and business information on the go. However, due to their portable nature these devices carry greater security risks than other ICT devices.

As they are small, users tend to carry them in their pockets, handbags or leave them lying around on their desks etc. As such they are often mislaid, lost or even stolen.

Top Tips:

- Should you wish to save information to a removable media device such as a USB you must ensure that the device is encrypted. Should you wish to purchase an encrypted USB please contact the Councils Monitoring Officer who will arrange this for you.
- Create strong password for the device and keep them safe and secure.
- Ensure the device is properly removed from your PC, laptop or tablet after you've finished using it.
- Store the device securely when not in use.
- It is not recommended that master copies of data are stored to USB's. USB's are not backed up and in the event the device becomes corrupted ICT will not be able to restore the data for you.
- If someone gives you a USB to view or uploaded information ensure that it's from a trusted source. USB's are susceptible to viruses and a seemingly harmless USB has the potential to trigger a cyber-attack. If in doubt ask the individuals to provide you with the information via another source (e.g. email) or contact the ICT Service Desk who will download the data for you.

Section 9:

Personal data breaches



This section outlines what responsibilities the Council and Members (in relation to casework) have in relation to personal data breaches and what to do in the event of a breach.

What is a personal data breach?

A personal data breach is an incident that affects the confidentiality, integrity and / or availability of personal data.

It is not possible to detail every single incident that may result in a breach, but instances would typically include:

- The theft or loss of personal data or devices that hold such data.
- Inappropriate disclosure of personal data (e.g. an email being sent to the wrong recipient, wrong information in a letter).
- Unlawful access to personal data (e.g. an officer accessing a service user's record with no legitimate business reason for doing so).
- A computer virus that affects Council data.

What does the law require in the event of a personal data breach?

The controller must investigate any breach of personal data and keep a record of that breach.

Where there has been a serious breach, the controller may also be required to inform the Information Commissioner's Office, and in some instances the individual whose personal data has been affected. This must be done within 72 hours of becoming aware the breach.

Controller must also keep a record of any personal data breach regardless of whether the ICO and/or individual is informed.

What should I do if I encounter a personal breach?

Should you encounter a potential, suspected or actual breach of personal data you must report the matter immediately to the Council's Monitoring Officer, who will report the matter to the ICT Service Desk and the Information Management team on your behalf. It is recommended that this be done by telephone rather than an email to ensure that the matter is dealt with promptly.

When reporting, you should provide as much information as possible so that the Information Management team can assess the severity of the breach and make an informed decision on whether the matter is to be reported to the ICO and the individual who is affected by the breach. This should include:

- A description of the data breach
- The type and sensitivity of the information affected by the breach.
- Number of individuals affected.
- Whether the breach could put anyone at risk.
- Any action taken to recover/contain the situation.

Personal Data Breaches - What I need to know:

- Know how to recognise a personal data breach.
- Know how to report a personal data breach
- Familiarise yourself with the [Procedures for reporting information security incidents and events](#).
- Unsure if something constitutes a personal data breach? Report it anyway just in case.
- In the event of a breach, support the Council's Monitoring Officer and Information Management team with their investigation and work with them to put things right and stop the same thing happening again.

Who is responsible for undertaking the investigation?

If the personal data breach relates to casework, as Data Controller, it is the Member's responsibility to investigate the breach and where required to notify the ICO and/or the individual who has been affected by the breach.

How should a Member investigate a personal data breach?

The following suggests the key steps that may be taken by Members when investigating a breach. Alternatively, the Member may contact the Council's Monitoring Officer who, guided by the Information Management team, can either undertake the investigation on the Member's behalf or support the Member in undertaking the investigation themselves.

- **Step 1** – Establish key facts – what went wrong, nature and sensitivity of the information, who is affected, how they are affected, what are the risks?
- **Step 2** – Contain the situation.
- **Step 3** – Decide if the matter needs to be reported to the ICO.
- **Step 4** – Decide if the individual whose personal information has been compromised need to be informed.
- **Step 5** – Identity measures to stop or reduce the risk of the same thing happening again in the future.
- **Step 6** – Document the breach.
- **Step 7** – Ensure any recommendations / actions are implemented.

Section 10:

Information Rights

Information Rights



Data protection legislation gives rights to individuals. There are several rights including the right to be informed, right of access, right to rectification, right to erasure.

This section focuses on the right of access which is one of the most commonly exercised rights. It explains how a request can be made and how it should be handled.

For details on the other rights please see the ICO's [website](#) or contact the Information Management team. Please note that the right to be informed has already been covered in Section 2 of the guide.

What is the right of access?

Individuals have the right to access the personal data that a Controller holds about them. Such a request is commonly referred to as a Subject Access Request (SAR). Individuals are not entitled to the information of anyone else under this right.

A SAR can be made in writing, e.g. mail, letter or through the completion of a SAR form. A SAR can also be made verbally, e.g. in person or over the telephone.

Once a request has been made and the identity of the requestor verified, the Controller has one month to provide the information.

Subject Access Requests for personal data held by the Council that relates to Members official Council duties

Who is responsible for responding to a SAR?

It is the responsibility of the Council to respond to any SAR for personal data that is held by the Council. This includes any personal data that may held by a Member for the purpose of undertaking their official Council duties.

What should I do if I receive a SAR from an individual for their personal data?

Should a Member receive a SAR directly from an individual, the request must be forwarded (without delay) to the Information Management team by [email](#) (where possible). Upon receipt of the SAR, the Information Management team will validate and acknowledge the request to the individual. Should the scope of the request include information held by a Member (for the purpose of official Council duties), the Information Management team and the Council's Monitoring Officer will work with the Member to identify the requested information and respond to the individual within the relevant timescale.



For more information see [Procedure for handling requests from individuals for their personal information](#).

Who is responsible for responding to a SAR?

It is the responsibility of the Member to respond to any request received from an individual for personal information that is held by a Member in relation to casework.

How should a Member respond to a SAR?

The following suggests the key steps that may be taken by Members when responding to a request. Alternatively, the Member may wish to contact the Council's Monitoring Officer who, guided by the Information Management team, will support the Member in responding to a SAR:

- **Step 1** - Confirm the identity of the requestor, calculate the deadline for response and formally acknowledge the request.
- **Step 2** – Locate the information, searching all electronic and paper records held. Collate the information covered by the request.
- **Step 3** - Review the information, redacting any information relating to others.
- **Step 4** – Decide how you will provide the information to the individual explaining anything that they may not understand (abbreviations, etc.).
- **Step 5** – Review and double check the information ready for release.
- **Step 6** – Provide the information to the individual. Keep a record of the information provided for any future enquiry.



The following guidance has been published to support Council Officers in responding to Subject Access Requests. Whilst the guidance is aimed at Officers, its content may also be useful for members when responding to SAR's.

[Procedure for SAR Co-ordinators on dealing with requests from individuals for their personal information.](#)

Section 11:

Help & Support

Help & Support

Should you require any information, support or guidance on any data protection matter please do not hesitate to contact a Member of the Information Management team.



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[Inform > Support Services > Information Management](#)

Useful links:

- [WLGA – GDPR Guidance for Members \(June 2018\)](#)
- ICO [Advice for elected and prospective councillors](#)
- ICO [Constituency casework of members of Parliament and the processing of sensitive data](#)
- ICO [MP's correspondence](#)
- ICO [Disclosure of personal information by local authorities to councillors](#)
- ICO [Guidance on political campaigning](#)
- ICO [Guide to the GDPR](#).

Document Approvals

This document and subsequent revisions require the following approvals:

- 1. Overview & Democratic Services Committee (initial document only)
- 2. Democratic Services Committee

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