
REVIEW OF STAFFING SUPPORT

July 2019

The Remuneration Board

The Remuneration Board of the National Assembly for Wales is the independent body responsible for setting the pay, pensions and allowances of Assembly Members and their staff. The Board was established by the National Assembly for Wales (Remuneration) Measure 2010, which received Royal Approval on 22 July 2010.

Members of the Board

- Dame Dawn Primarolo DBE PC (Chair)
- Ronnie Alexander
- Trevor Reaney
- Mike Redhouse
- Dame Jane Roberts

Secretariat to the Board

- Lleu Williams, Clerk
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INTRODUCTION

In its **five-year strategy** for its term in office, the Remuneration Board committed to reviewing the pay and career structure of Assembly Member support staff. Members require a range of high-calibre and skilled staff to support their varied work as elected politicians. Staff assist Members with complex casework on behalf of constituents as well as supporting them to scrutinise government policy. Over the past few years since the devolution of primary law making powers, this support has evolved further to include scrutinising new Welsh law and the first Welsh taxes in over 800 years.

However much has changed, the role of both Members and their staff has also evolved significantly in the twenty years since the Assembly was constituted. The one thing that has remained constant is the excellent support provided to Members by their support staff. The exceptional skills demonstrated by support staff through the course of their work supporting elected representatives in the Assembly was mentioned time and time again throughout this review.

One of the Board's duties is to ensure that Members continue to receive a level of support which allows them to undertake their roles effectively and ensuring that Members are able to retain staff is a key part of that. The Board also needs to ensure that the support provided to Members is transparent and provides value for money for the Welsh taxpayer. This is even more important in the context of challenging public spending settlements and greater public scrutiny on the expenditure of our elected representatives. It is with these factors in mind that we have taken the decisions that we have such as providing more flexibility to Members and groups in how they spend their money, but without increasing the cost to the taxpayer.

This report concludes the review that we have undertaken of the staffing support available to Members. Some of the changes outlined in this document have already taken effect while others will take a while longer before their impact is truly felt. The Board will continue, to ensure that all the decisions it takes are evidence-based and will be reviewed periodically to ensure they are robust and ready to meet the challenges of the future.



Dame Dawn Primarolo

Chair, Independent Remuneration Board of the National Assembly for Wales

1: THE REMUNERATION BOARD

This chapter describes the Board's functions, remit and ways of working.

1.1 The Board's functions

- 1.1.1 The Remuneration Board is an independent body responsible for ensuring that Assembly Members (Members) have the right remuneration and resources available to them to undertake their role whilst demonstrating value for money for the public purse.
- 1.1.2 Full details of the Board's functions and responsibilities are set out in the **National Assembly for Wales (Remuneration) Measure 2010** (the Measure). The Measure sets out three key objectives that the Board must seek to achieve when making a **Determination**. These are to:
- provide Members with a level of remuneration which reflects the complexity and importance of the functions they discharge, and does not deter individuals from seeking election to the Assembly on financial grounds;
 - provide Members with adequate resources to enable them to exercise their functions;
 - ensure probity, accountability, value for money and transparency with regards to the expenditure of public funds.
- 1.1.3 In developing its Determination, the Board consults with those who are likely to be affected by its decisions. This includes Members, staff employed by Members or by party groups, relevant trade unions and any other relevant stakeholders. The Board regularly reviews the effectiveness of the Determination to ensure it remains fit for purpose.
- 1.1.4 In developing its Determination for the next Assembly, the Board aims to ensure that the support available to Members attracts a wide range of capable and diverse candidates to stand for election to the Assembly.

1.2 Principles

1.2.1 The Board's work to date has been underpinned by a set of clearly defined principles:

- the financial support and remuneration for Members should support the strategic purpose of the Assembly and facilitate the work of its Members;
- decisions must be appropriate within the context of Welsh earnings and the wider financial circumstances of Wales;
- the system of financial support for Members must be robust, clear, transparent, sustainable and represent value for money for the taxpayer.

1.2.2 During 2016, the Board developed a set of new governance principles and objectives and subsequently published its **strategy** for delivering its work throughout the Fifth Assembly. The Board reviewed the progress made against its strategic objectives at its March 2018 meeting. A summary of the discussion is available in the **Board's Annual Report for 2017-18**.

2: BACKGROUND AND TERMS OF REFERENCE

This chapter provides an overview of the background and terms of reference of the review.

2.1 Background

2.1.1 In its **strategy for 2016 – 2021** the Board committed to review the pay and career structure of support staff and to consider how best to equip Members with an appropriate level of support to effectively do their job in a maturing political institution. Building on the feedback received as part of the Board's review of the underpinning principles and effectiveness of the Determination the Board launched its **review of staffing support for Members**¹ following its October 2017 meeting.

2.2 Terms of reference

2.2.1 The Board agreed to review existing and new evidence relating to the staffing allowances provided for Members, to ensure that the financial support available supports the strategic purpose of the Assembly and facilitates the work of its Members as well as ensuring that the system of financial support for Member is robust, clear, transparent, sustainable and represents value for the taxpayer.

2.2.2 The review focused on the:

- adequacy of the level of support provided to Members;
- flexibility and prescriptiveness of the current support system for Members;
- suitability of the current terms and conditions of support staff.

2.2.3 In determining the structure of the review, the Board agreed to split the review into two parts:

¹ The final name of the review was changed to "Review of Staffing Support" as it includes changes to the support available to Political Party Groups as well as Members.



3: STAFFING SUPPORT

*This chapter provides an overview of the support that was available to Members before the review was undertaken (as outlined in the **2017-18 Determination**).*

3.1 Staffing allowance for individual Members

- 3.1.1** At the beginning of the review, individual Members were provided with a staffing allowance of £96,995, from which they could employ up to a maximum of three full-time equivalent staff (for a cap of 111 hours per week).
- 3.1.2** All staff are employed on one of four salary bands, Senior Advisor, Band 1, Band 2 or Band 3, and must be appointed and employed in line with the Recruitment Policy issued by the Members' Business Support team.

Table 1: Support staff pay scales for 2017-18

Band	Pay point 1	Pay point 2	Pay point 3	Pay point 4	Pay point 5
Senior Advisor	£32,399	£34,059	£35,805	£37,640	£39,576
Band 1	£24,078	£26,236	£28,594	£31,168	£33,983
Band 2	£20,562	£22,618	£24,886	£27,384	£30,143
Band 3	£18,619	£20,062	£21,616	£23,296	£25,109

- 3.1.3** The 'Potential Maximum Cost' of any combination of staff employed by a Member is equivalent to the salary cost that would be payable were all employees are paid at the top point of their relevant pay band, taking account their contracted hours. Members may employ staff in any combination of bands so long as the potential maximum cost does not exceed the total value of the Staffing Expenditure Allowance. The difference between the Potential Maximum Cost and the total value of the Staffing Expenditure Allowance is known as the 'Remaining Balance'.
- 3.1.4** The Remaining Balance may be used by Members to employ temporary staff (who are not subject to the 111-hour cap) or to be vired (transferred) to their office costs budget (capped at a total of £4,678).

- 3.1.5 In addition to the staffing provisions outlined, individual Members also have access to a Policy, Research and Communications Fund as well as additional support for staff absences.

3.2 Staffing allowance for political party groups

- 3.2.1 In addition to the provisions available to individual Members, political parties are also eligible for support to assist their work in the Assembly.
- 3.2.2 The Support for Political Parties Allowance can be claimed for employing staff in both an administrative and/or research capacity; it can also be claimed for staff travel and acquiring office equipment.
- 3.2.3 All staff must be employed on one of five pay scales, which are the same as those outlined in Table 1, apart from the salary scale for a Chief of Staff role (of which only one can be employed per group) which is as follows:

	Pay point 1	Pay point 2	Pay point 3	Pay point 4	Pay point 5
Chief of staff	£35,639	£37,464	£39,386	£41,406	£43,532

- 3.2.4 As with individual Members' staffing allowance, Political Parties utilising their allowance may employ staff on any combination of the bands so long as the Potential Maximum Cost does not exceed the total value of the allowance that they are provided with.
- 3.2.5 The total Political Party Support Allowance available at the time was £929,110. The Allowance is distributed among the different parties as follows:
- Any Political Party or Parties represented in the Welsh Government will receive a core administration allowance of £10,000 per Member up to a maximum of £150,000.
 - Any Political Party not represented in the Welsh Government, with three or more Members, will be entitled to a core administration allowance of £50,000.
 - Following the allocation of core administration allowances, the remaining Political Party Support Allowance will be allocated on a per capita basis among all Members whose parties are not represented in the Welsh Government.

3.3 Other staffing support provisions

- 3.3.1 In addition to the provisions outlined above, all staff must be employed on the standardised contract (including terms and conditions). Support staff are also eligible for the support staff pension scheme which has an employer contribution rate of 10 per cent. In addition, a life assurance payment is made for those staff who die in service.
- 3.3.2 Support staff have access to enhanced Maternity, Paternity, Adoption and Shared Parental leave. There are also a number of HR policies and procedures in place to support those staff who work for Members or political parties.
- 3.3.3 The Assembly Commission also provides a wide-ranging Continual Professional Development programme for support staff, tailored specifically to their roles and supporting the different activities they carry out.

4: METHODOLOGY

This chapter provides an overview of the methodology used to inform the review.

4.1 Background

- 4.1.1 In developing the review, the Board agreed it would need to undertake a two phased approach to gathering evidence:
- Phase 1: consider feedback from both Members and support staff on the relevant provisions within the Determination;
 - Phase 2: consider the provisions within its Determination with other UK legislatures, Assembly Commission staff and other similar roles across Wales.
- 4.1.2 The Board agreed to collate the evidence from both phases before issuing any consultations as part of the review.
- 4.1.3 Throughout the review the Board has been monitoring the development of the Assembly reform work being undertaken by the Assembly Commission which may have an effect on the Board's Determination. In light of this, the Board has agreed that it will return to a number of issues raised in this review during its review of the Determination for the Sixth Assembly to ensure the provisions remain fit for purpose in an evolving legislature.

4.2 Phase 1: Methodology

- 4.2.1 The Board was unanimous in its goal to engage with as many Members and support staff as possible during this review. To this aim the Board undertook a number of engagement opportunities during the review. The Board utilised the feedback received during the earlier opportunities to inform its questioning as the review developed. An overview of this approach is provided below.

Representative Group meetings

- 4.2.2 The Board met with both the Member and support staff Representative Group's throughout the review.

- 4.2.3 To ensure the review considered the key issues for both Members and support staff both groups were invited to share their views on the issues that should be considered as part of the review. This included office visits, face to face interviews and surveys.
- 4.2.4 The Board valued the views of both groups in developing the review and their support in encouraging their colleagues to engage with the Board during the review.

Office visits

- 4.2.5 As part of its induction in September 2015 the Board undertook a series of office visits across the north Wales region to meet with Members and support staff. In light of the positive feedback from all involved the Board decided to undertake similar visits as part of this review.
- 4.2.6 In October 2017, the Board met with the staff of 11 Members across the south Wales region, this included meeting staff who are based in the constituency or region and those who work in the Tŷ Hywel offices. The offices selected for these visits were broadly proportional of the demographic of the current membership of the Assembly, this included party representation, gender, length of service, office holder position.
- 4.2.7 To inform the discussions the Board utilised the feedback received from its recent survey on the principles and effectiveness of the Determination to develop a set of questions intended to seek further information on the issues under consideration.

Face-to-face interviews

- 4.2.8 The Board agreed to undertake face-to-face interviews with a randomly selected sample of Members and support staff to gain a deeper understanding of the themes which had arisen during its earlier work.
- 4.2.9 The Board agreed that a sample of 11 Members and 25 support staff would be proportionate to the representative demographic of elected Members and their offices. The Board noted that this sample was smaller than that used by the previous Board when it conducted face-to-face interviews for a **similar review**. However, the Board's approach to this review included multiple engagement opportunities as opposed to the interview only approach adopted by the previous Board which helped mitigate any risks associated with a smaller sample.

- 4.2.10 A total of 15 Members and 32 support staff were invited to interview between January and early February 2018. Of which 7 Members and 18 support staff accepted the invite for face-to-face interview. Reasons for declining the invitation to interview included a preference to complete the online survey, availability and last-minute cancellations.

Survey

- 4.2.11 The survey was launched in order to provide those Members and support staff who hadn't been randomly selected to partake in the office visits or interviews an opportunity to share their views with the Board. The questions which were used during the interviews were adapted for the survey.
- 4.2.12 The survey was open from 5 December 2017 to 8 February 2018 and was available to complete in hard copy or online. The Board ensured both Members and support staff were reminded of how they could share their views with the Board throughout the period the survey was open.
- 4.2.13 In total 21 Members (35 per cent) and 99 support staff (38 per cent) responded to the survey. The Board was aware that the results were not entirely representative of all Members and support staff.

Support staff pop-up

- 4.2.14 The Board agreed to undertake its first 'pop-up' event with support staff following the success of similar opportunities for Members. This provided an opportunity for support staff to speak with Board members informally on a face-to-face basis. The 'pop-up' formed the final part of the engagement strategy for evidence gathering and was intended as a way for support staff to feed in any further issues which had come to light during the course of the review.
- 4.2.15 As the pop-up took place in Tŷ Hywel, support staff based in Members' constituency and regional offices were invited to contact the secretariat to discuss alternative ways of speaking with the Board. No such request was received.
- 4.2.16 With only five support staff attending the pop-up, turnout was much lower than comparable events with Members. The Board agreed it would need to discuss with the Representative Groups how it could increase the attendance rate should it be appropriate to hold a similar event in the remainder of its term in office.

4.3 Phase 2: Methodology

- 4.3.1 The Board was aware that the roles of support staff in the Assembly can be compared with those of support staff in other UK legislatures, and to a lesser degree with Assembly Commission staff and other roles in Wales. To this end, the Board undertook three evaluation exercises.

Assembly Commission staff

- 4.3.2 The interviews undertaken as part of the review contained a series of questions based on the framework adopted by the Civil Service to review the similarities and differences between roles. To assess the similarities and differences a selection of individuals within the Assembly Commission were also invited to interview. The sample included a cross section of all pay bands and key roles for both support staff and Commission staff.

Terms and conditions of support staff in other legislatures

- 4.3.3 The Board agreed to consider the terms and conditions of support staff against similar roles in the other UK legislatures. This exercise was conducted by analysing the rules set out in each legislature's scheme or determination for support staff and the Assembly Commission's policies for Commission staff.

Salaries of support staff in other legislatures and similar roles across Wales

- 4.3.4 The final exercise was to assess the variations of support staff salaries against other UK Parliamentary support staff, comparators from the Annual Survey of Hours and Earnings (ASHE) survey, other approximate benchmarks from other sources and Assembly Commission pay grades.

4.4 Evidence received

- 4.4.1 The Board agreed to consider the evidence received from Members and support staff in tandem with the information gathered from its exercise, undertaken as part of phase two of this review, to ensure that its decisions were supported by both first hand evidence and best practice.

5: EVIDENCE CONSIDERED

This chapter provides an overview of the evidence the Board considered in its discussions on a range of issues arising from the review.

5.1 Background

- 5.1.1 As outlined in chapter four, the methodology for the review considered a wide range of different evidence from different sources and as such in-depth discussions were had on a variety of different issues.
- 5.1.2 Throughout those discussions, a summary of which is outlined in this chapter, the Board considered which changes it could make now and which issues required further reflection. In total the Board considered issues under eight separate headings which are detailed below.

5.2 Calculating the Staffing Allowance and 111 hour employment cap on permanently employed staff

- 5.2.1 The Board considered the matter of how the Staffing Allowance is calculated as well as the 111 hour employment cap on permanently employed staff.

Consideration of evidence

- 5.2.2 In 2017, over half of Assembly Members (57.9 per cent), who were surveyed², rated the staffing expenditure allowance and the staff combinations the allowance enabled them to put in place as either 'poor' or 'very poor'. Further to this, over three fifths of Members who were surveyed rated the 111 hour cap also as either 'poor' or 'very poor'.
- 5.2.3 These sentiments were supported by support staff where similar percentages of support staff indicated the same view as Members on both the 111 hour cap and calculating the staffing allowance.

² Remuneration Board survey on the effectiveness of the Determination

- 5.2.4 Many Members told the Board informally that the current staffing budgets were “inadequate” or “too rigid”. One Member told the Board:

“I would welcome more flexibility in the Determination e.g. by removing the 111 hours cap. In my view it is harder for regional Members to be able to staff their offices with a sufficient number of staff as they need two offices to cover the larger geography.”

- 5.2.5 One group of staff in a Member’s office told the Board:

“the ability to vire more may help the office manage the budgets however the pay grades can limit the flexibility of how much can be vired.”

- 5.2.6 There was also some support for removing the 111 hour cap from both Members and support staff during the interviews and surveys undertaken as part of the review of staffing support for Members. One support staff told the Board:

“The limit on hours is frustrating. Casework takes up a lot of time for 2 people, we would love to have more flexibility.”

Conclusion

- 5.2.7 Following the feedback calling for more flexibility within the system and to address pressure points, the Board agreed to proposed to introduce a series of solutions. Firstly, the Board proposed to allow the remaining balance of the Staffing Allowance for a Member to be calculated at actual cost rather than potential maximum cost. This would also potentially create some additional resource for Members without increasing the cost to the taxpayer.

- 5.2.8 Alongside this proposal the Board also proposed to publish the expenditure each individual Member makes on their Staffing Allowance. This would be an annual publication of a Member’s total spend during a financial year on staffing. The Board agreed that this proposal would increase the transparency around the expenditure of public funds by Members.

- 5.2.9 Finally, in order to allow Members to employ more staff without increasing the cost to the taxpayer, the Board proposed to remove the 111 hour cap on permanently employed staff. As a result the amount of hours and the band of any additional staff that a Member may wish to employ would depend on the remaining balance of their Staffing Allowance (as per paragraph 5.2.7) when all contractual annual pay rises have been accounted for.

- 5.2.10 Further detail on the outcomes of this consultation can be found in paragraphs 6.1.1-6.1.4 of this report.

5.3 Viring between budgets

- 5.3.1 The Board considered the provisions in place that allow Members to vire (transfer) money from the Staffing Expenditure Allowance to their Office Costs Allowance.

Evidence considered

- 5.3.2 The majority of Members rated the value for money and reasonableness to the public purse of the Determination as either 'good' or 'very good'. However, when the Board asked Members how they would rate the office costs allowance, just under a third (30.0 per cent) rated the provision as 'good' or 'very good', with 45 per cent of those surveyed stating it was "okay".

- 5.3.3 A greater proportion of support staff in the same survey (47.2 per cent) stated that the provision was either 'good' or 'very good'.

- 5.3.4 One Member told the Board that:

"it would be more beneficial to members if there was the ability to transfer monies from office costs into staffing. This flexibility would allow members with lower office cost expenditure to use the surplus to increase their staffing resource which isn't currently permitted under the Determination."

Conclusion

- 5.3.5 The Board considered the feedback gathered during this review and its review of the effectiveness of the Determination, both of which indicated a preference towards greater flexibility between the allowances. As such the Board considered what further changes it could make in addition to those proposed for the staffing allowances without increasing the cost to the taxpayer.

- 5.3.6 The Board proposed to allow Members to vire up to 25 per cent from their Office Cost Allowance into their Staffing Allowance. In addition, the Board proposed to allow Members to vire the funding available to them through the Policy, Research and Communications Fund into their Staffing Allowance (up to a total of £2,500).

These proposals would be in addition to the existing provisions already available to Members.

- 5.3.7 The detail on the final outcomes of these proposals can be found in paragraphs 6.1.1-6.1.4 of this report.

5.4 Recruitment and employment of family members

- 5.4.1 In the Assembly, family members and partners can be appointed through the recruitment process as outlined. The Board considered the provisions surrounding the employment of family members in its entirety.

Evidence considered

- 5.4.2 As part of its review, the Board undertook visits to some constituency offices to better understand the work of support staff in those offices. During these visits, the Board received a mixed response to the employment of family members by their employers. Different groups of staff in different offices stated that the “recruitment process should be as transparent as possible.” The general consensus amongst one of these offices was that Members shouldn’t employ family members as support staff but they noted that in some instances they may have the right experience, skill set and relationship to undertake the role. Another office raised concerns over the public perceptions of employing family members, but they also said that employment of family can be beneficial as well as detrimental to professional relationships.
- 5.4.3 Another office noted that the recruitment procedures for the employment of family members should mirror those in other parliaments.
- 5.4.4 During consideration of recruitment practices in the other legislatures, the Board noted that the provisions for the recruitment of family members varies between the different UK legislatures.
- 5.4.5 In the Northern Ireland Assembly, only one family member is allowed to work for a Member. Since 2017, Westminster have prevented the recruitment of new family members although those already employed were allowed to continue. The rules, however, do not stop MPs from employing family members, but they will not be funded from the public purse. The Scottish Parliament stopped the employment of family members in 2008.

- 5.4.6** The Board also received comments in relation to the appropriateness of the recruitment of family members. The issue was also raised in the context of the work undertaken in response to the recent changes to the National Assembly's Dignity and Respect arrangements. The issues particularly related to the Disciplinary Procedure and the Grievance Procedure, and the importance of ensuring a fair process and avoiding any perceived or actual conflict of interest when family members or partners are involved.

Conclusions

- 5.4.7** Following detailed consideration of the issues surrounding the employment of family members, the Board recognised that a family member can provide effective support to Members while employed as one of their staff. However, the Board was of the view that, where the use of public funds is concerned, transparency, openness, and good governance in employment relations, without the perception of or an actual conflict of interest arising, are the priority. In particular, the Board agreed that a reasonable question can be posed as to whether or not a Member is fettered in taking performance management steps as regards to family members.
- 5.4.8** As part of its consideration on this issue, the Board referred to the principles of financial support which underpin the rules set out in the Determination, they include openness, lack of personal benefit, value for money and reasonableness. The Board's view was that the importance of public trust in, and perception of the, reputation of the Assembly may need to lead to a stricter application of these principles.
- 5.4.9** Taking all the issues outlined into consideration, the Board decided to introduce proposals that would ensure the provisions were open, transparent and would encourage people from all backgrounds to work in the Assembly. As such it agreed to consult on a proposal to remove the ability of Members to fund the employment of family members and partners from the allowances available to them through the Determination. Details of the Board's final decision on this proposal can be found in paragraphs 6.3.1-6.3.6 of this report.

5.5 Recruitment and starting salary criteria

- 5.5.1** To assist both Members and support staff, a formal Recruitment Policy is in place for the recruitment of support staff. The central principles of this policy are: a transparent process based on fairness; openness; and appointment on merit. In

addition to this policy there are set procedures, standard job descriptions and other documentation to facilitate the process.

5.5.2 The majority of support staff who begin working for Members will usually commence their employment at the minimum pay point for their relevant pay band. However, the Board's Determination also includes a provision which allows for new members of support staff to commence on a higher pay point should there be compelling reasons to justify doing so.

5.5.3 The Board considered these provisions as part of the review and whether there was any case for amending them.

Evidence considered

5.5.4 During its review, the Board considered the provisions available in the Assembly against provisions in the other UK legislatures. The comparison showed that the approaches were different in each institution with no 'one size fits all' approach. For instance, in Northern Ireland, candidates are expected to be appointed on merit and best practice guidance is available. While at Westminster, IPSA provides a suite of job descriptions and recruitment assistance can be provided by the Members' HR Service.

5.5.5 A survey of Members and support staff undertaken by the Board for this review showed that four fifths of respondents welcomed the recruitment policy and standardised employment policies.

5.5.6 With regards to starting salary criteria, the Board was informed by some Members and support staff that the criteria was too inflexible. As one Member mentioned when discussing the starting salary criteria:

"I believe the rules are too rigid, flexibility is key."

5.5.7 Some respondents noted that, in some cases, while an individual may have a sufficient skill set to be appointed to a higher pay point, the skills did not meet those listed in the criteria and therefore they were not able to start at a higher pay point. When discussing such an example, a Member further explained:

"If we were able to progress people up the points within the bands... from a budget points of view this would help maintain the balance of the budget and not prove an additional expense whilst obviously satisfying the staff member's ability to feel valued in the job and provide an incentive to stay in the role."

Conclusions

- 5.5.8 As outlined above, the majority of the feedback shows that Members and staff are content on the whole with the Board's recruitment policies. As such the Board did not think there was a need to make adjustments at this stage as it was clear that the processes in place were working well, on the whole.
- 5.5.1 Few raised the criteria with regard to starting salary. The Board did not make any changes at this stage.

5.6 Role of support staff and their pay

- 5.6.1 The role of support staff varies to meet the needs of individual Members. To accommodate this variety there are around ten job descriptions with equivalent remuneration packages. All staff are employed on one of five salary bands and must be appointed and employed in line with the Recruitment Policy.
- 5.6.2 The Board looked at the different types of roles support staff undertake and considered the suitability of their salaries.

Consideration of evidence

- 5.6.3 The Board received mixed comments from both Members and support staff in relation to pay scales and salaries of staff. Around half of both Members and support staff noted that they were fair. One staff member told the Board they were:

"Broadly happy with salary."

- 5.6.4 While one Member said;

"Based on the number of applications I receive for the roles I've advertised I think the salary is fine"

- 5.6.5 However nearly half of the respondents were also of the view that the salary for support staff should be increased to meet the demands of the role. It was also queried by some support staff as to why their pay bands were not directly comparable to those of Commission staff:

"However I would welcome comparison against Commission staff – I understand a team leader in research receives higher than someone with same level of responsibilities working for Members/Group. Think it may help with retention if salaries were increased.", member of support staff."

- 5.6.6** In addition to gathering the views of Members and support staff, the Board considered current support staff salaries against a range of other similar roles. The exercise analysed support staff salaries against other UK parliamentary support staff, similar comparators from the ASHE survey, approximate benchmarks from other sources and Assembly Commission pay grades.

Table two: Salary ranges across the UK legislatures 2017-18

Job role	Salary range
HoC Junior Secretary	16,478 – 24,472
HoC Senior Secretary	21,951 – 30,328
HoC Office Manager	27,815 – 39,915
HoC Caseworker	19,641 – 27,876
HoC Senior Caseworker	23,938 – 35,465
HoC Parliamentary Assistant	20,420 – 31,311
HoC Senior Parliamentary Assistant	30,290 – 43,105
NI Grade 1	16,500 – 19,000
NI Grade 2	19,750 – 22,500
NI Grade 3	22,750 – 27,500
Wales Band 3	18,619 – 25,109
Wales Band 2	20,562 – 30,143
Wales Band 1	24,078 – 33,983
Wales Additional Group Support	32,399 – 39,576
Wales Chief of Staff	35,639 – 43,532
Scot. Administration level 1	17,237 – 21,187

Scot. Casework 1 - Communications 1	20,725 – 25,343
Scot. Administration 2	22,213 – 25,343
Scot. Researcher	22,777 – 29,447
Scot. Casework 2 – Communications Mgr	26,573 – 32,935
Scot. Office Manager	26,573 – 33,755
Scot. Senior Researcher	30,883 – 36,423
Scot. Head of Office/Senior Adviser	35,443 – 41,553

5.6.7 As outlined in table one, the exercise showed that while there was a broader range of roles in other UK legislatures, the salary range for support staff across the UK legislatures was broadly similar.

The Board also considered support staff roles against a limited selection of roles that appear to have similar levels of responsibility elsewhere in Wales as identified within the ASHE survey. The exercise provided a broad sense check and did not suggest that support staff salaries were uncompetitive with similar roles across Wales with the only exception being for the Band 1 median, which only includes “Wales Office Managers” type of roles. The average support staff salary was above the mean and median comparators from ASHE 2017 in all four other bands as the table below shows.

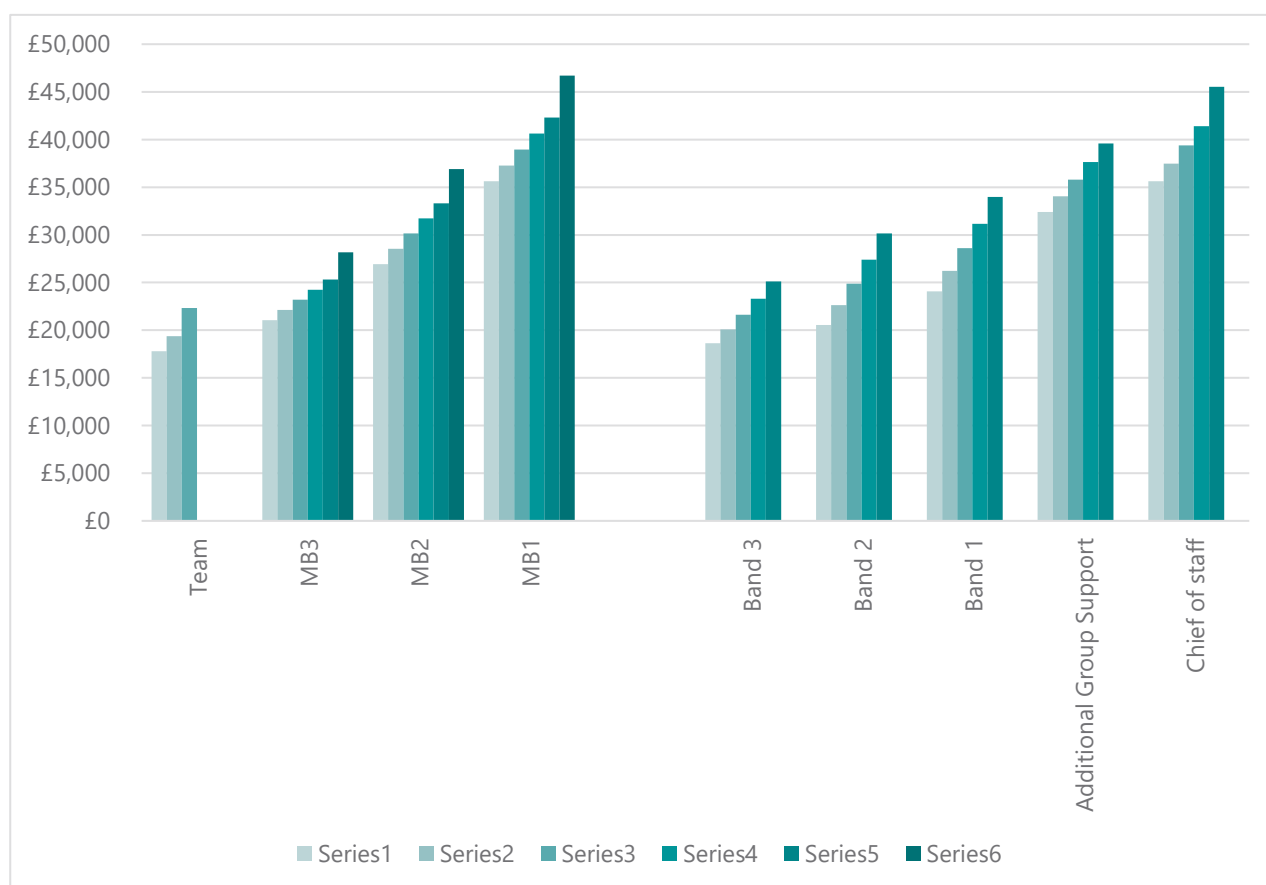
Table three: Support staff salaries against ASHE average salaries

	Support staff in November 2017	ASHE Average	
	Actual average FTE	Mean	Median
Band 1	£31,876	£29,901	£32,179
Band 2	£27,344	£20,634	£22,362
Band 3	£22,287	£19,586	£21,561
Senior Advisor	£36,604	£34,560	£34,283
Chief of Staff	£39,991	£34,560	£34,283

5.6.8 The exercise also considered the pay scales of Assembly Commission staff against those of support staff. The salaries for support staff at lower ranges tend to be higher than Commission staff, while the opposite is true for the higher bands as outlined in chart one. However, further evidence considered by the Board showed that while in some instances tasks carried out by both groups of staff could be deemed similar, especially at the lower grades, that is not universally the case and therefore there seems to be justification for the different salary rates.

5.6.9 During the review the Board also considered the Senior Advisor post. However the Board decided this needed further consideration and agreed that it would be looked at again in the review of the Determination for the Sixth Assembly.

Chart one: Assembly Commission staff salaries against support staff



Conclusions on role and salaries of support staff

- 5.6.10** The Board noted that due to the nature of working in small offices, support staff roles are sometimes interchangeable and require a range of different tasks to be carried that may be beyond their actual roles. However the Board agreed that the overlapping of salary bands and the previous introduction of the Temporary Staffing Allowance have allowed for offices to manage the impact of such issues.
- 5.6.11** Having considered the different approaches to structuring the roles of support staff across other legislatures, the Board is of the view that the current degree of flexibility should be retained. The reason for this is that the suite of different job descriptions available at each support staff salary band provides enough flexibility for Members to appoint individuals to meet their needs at an appropriate pay band.

- 5.6.12** The analysis which looked at the level of support staff salaries against other UK legislatures and similar roles elsewhere in Wales was conclusive in showing that support staff are fairly paid for their roles. The evaluation of support staff roles against Commission staff roles suggests that there is some overlap but due to different nature of roles the Board is of the view that it is hard to draw a direct comparison.
- 5.6.13** Following careful consideration of all aspects of these issues, the Board concluded that there is insufficient evidence to support changing the salaries of support staff. The Board agreed it will continue to keep this issue under review and consider any new and robust evidence it receives on the matter.
- 5.6.14** The Board was also of the view that there is justification in indexing support staff salary increases to the ASHE index as happens with Members' salaries. As such, the Board proposed to formalise the arrangement by proposing that support staff salaries are adjusted in April of each year by the change in the ASHE (Annual Survey of Hours and Earnings), gross Median Earnings for full-time employee jobs in Wales between March in one year and March of the previous year. The final decision implemented by the Board on this proposal can be found in paragraphs 6.3.1- 6.3.6.

5.7 Terms and conditions

- 5.7.1** All support staff are employed on standardised contracts with the same contractual terms and conditions. The Board considered these provisions in the round and how some employers may utilise additional support at their own discretion (such as compassionate leave).

Consideration of evidence

- 5.7.2** The feedback received from both Members and support staff during the review was broadly supportive of the terms and conditions available to support staff. One support staff shared their view on the current terms and conditions by describing them as:

"Good. They compare well to law firms where I have worked."

5.7.3 While another member of support staff said:

"Good terms and conditions - comparatively better than the UK parliament."

5.7.4 However, a number of concerns were raised on the disparity between some elements of the terms and conditions between support staff and Commission staff. One staff member said:

"I would also welcome a comparison with Commission staff terms and conditions again to try and secure some fairness and consistency across the institution."

5.7.5 The Board considered the terms and conditions of support staff against those in the other UK legislatures as well as Assembly Commission staff. The exercise showed that the number of policies available to support staff at the Assembly were favourable in comparison to those based in other legislatures. However the exercise also demonstrated that Assembly Commission staff have a marginally higher number of policies than those for Members' support staff.

Conclusion

5.7.6 The Board is of the view that offering support staff enhanced terms and conditions is essential to recruiting and retaining support staff. The evidence shows clearly that the offer that is available to support staff is either comparable or exceeds what is offered to their equivalents in the other UK legislatures.

5.7.7 However, while the terms and conditions on offer to support staff are favourable in comparison to many other workplaces, the Board was of the view that it could be enhanced further. As such the Board proposed to introduce a privilege day policy and formalising the arrangements for compassionate leave for support staff. This will ensure that all staff are able to be supported if such unfortunate incidents arise. The decision on whether or not to introduce these proposals can be found in paragraph 6.3.1-6.3.6 of this report.

5.8 Career progression and learning opportunities

- 5.8.1 While there are no provisions within the Determination for career progression aside from salary progression, the Board considered what support is made available by the Assembly Commission as well as considering the scope for career advancement.

Consideration of evidence

- 5.8.2 The Board considered the provisions for the career development of support staff in the Assembly against the provisions in place in other UK legislatures. While all UK legislatures offer opportunities for career progression and learning opportunities, it is offered in different ways. The Assembly Commission has a designated team in place to deliver and coordinate the learning and development programme of support and is demand led while other legislatures have allocated funding per Member for staff training.

- 5.8.3 Both Members and support staff were broadly supportive of the learning opportunities offered to support staff. One Member told the review that:

"I believe the Assembly has upped its game on the training available to staff. It's not compulsory for my staff to attend training courses, but I do encourage them to attend."

- 5.8.4 However, both groups of respondents queried whether accredited courses could be provided to support staff to help their career development. For example, one member told the review:

"the training needs to be appropriate for their current role. The ability to attend externally accredited courses would also help."

- 5.8.5 The feedback received on the opportunities for career progression was not conclusive, with a similar number of Members and support staff stating there are opportunities for progression as those who said there was no opportunity to do so. The Board also noted that for others, career progression was not of importance, while some viewed it as part of a pathway towards standing for election. Both Members and support staff noted that the narrow staffing structure within the offices was a contributing factor to limited career progression.

Conclusion

- 5.8.6** The Board considered the options available to it with regards to career progression and learning opportunities. The Board agreed that while career progression may continue to be an issue for some, there was insufficient evidence from the review to warrant any changes. The Board also noted that there are sometimes unavoidable restrictions for career progression within small offices. The Board agreed that the learning opportunities in place for support staff were sufficient and that it would work with the Assembly Commission to raise more awareness and re-emphasise the offer that is currently in place for support staff.

5.9 Staff travel

- 5.9.1** The Board's Determination includes a provision which entitles each Member to claim up to 18 return journeys on public transport for their staff between their constituency/region and Cardiff Bay.

Consideration of evidence

- 5.9.2** During the course of its review, the Board considered the usage made by Members' offices of the current allowance. During 2016/17 the Board noted that not a single Member's office used its entire allocation in relation to this allowance.
- 5.9.3** During the review, both Members and support staff were asked if their support staff/they are required to travel between the constituency/regional offices and Cardiff Bay. Of the eight Members who responded to the question, seven noted that their support staff are required to travel between the constituency or region offices and Cardiff Bay for work. Almost three quarters of support staff who responded indicated that they are required to travel between the offices for work.
- 5.9.4** The variety of comments shared with the Board indicate that the usage of this provision is mixed. The survey on the effectiveness of the Determination in 2017 showed that over half of support staff thought the provision was insufficient, while others mentioned the need for the allowance to consider geography. One support staff told the review that there should be:

"Greater flexibility for constituency staff to come to Assembly in terms of their expense claims."

Conclusion

- 5.9.5 The Board noted that the use of this allowance does vary from office to office, dependent on need as the feedback illustrates. However, the previous year's data on usage showed that the current limits in place were sufficient. As this allowance is not based on cost, the Board agreed to maintain the status quo.

5.10 Representative Groups

- 5.10.1 There are no formal provisions within the Determination regarding representation for support staff i.e. trade union recognition or other staff associations. However, the Board regularly engages with the Assembly Member support staff Representative Group. In addition, support staff also have access to HR procedural support and advice through the Members Business Support team.

Consideration of evidence

- 5.10.2 During its review, the Board considered what representation and support is available to support staff in the other UK legislatures. At the UK Parliament, there is a HR support service available to Members but there is nothing specific for support staff though there is trade union representation. The Scottish Parliament provides an information only service to support staff. In Northern Ireland there is no official service, though signposting does take place.

- 5.10.3 A significant majority of Members (83 per cent) and support staff (63 per cent) who engaged with the review believed that support staff have adequate representation in their role. One Member told the Board that:

"The representative group works well to ensure the voices of my staff are heard. If they need support they know they can go to MBS, who are very helpful, or other colleagues who they may feel more comfortable in sharing their concerns."

- 5.10.4 However, due to the small size of offices, and the distance of the regional/constituency offices from the face-to-face support accessible in Cardiff Bay, a number of support staff were concerned as to how they would be able to raise issues or concerns should they arise. One member of support staff told the review:

"Clearly staff like me based in Constituency Offices are at somewhat of a disadvantage e.g. regular meetings of AMSS are held in Cardiff."

While a Member said:

"I feel that my staff based in the constituency office don't have as much representation as those based in Tŷ Hywel. The pressures of work often mean they don't have the time to travel to Tŷ Hywel as I like my constituency office to be open throughout the day."

Conclusion

- 5.10.5** The Board considered the views shared during the review on staff representation and concluded, that on the whole, the current system worked well. However the Board agreed that it would work with the staff representative group to identify ways to ensure the views of non-Cardiff based staff can be heard.
- 5.10.6** It should be noted that the Board considered this issue during a time when the Assembly Commission was undertaking extensive work on its Dignity and Respect Policy. The Board is fully signed up to this policy and agreed to make any necessary changes to support staff working policies to further support this agenda and ensure staff are able to feel safe and respected in their working environments. The Board is aware that support staff representatives have fed in to this work and helped improve the Dignity and Respect policy itself and guidance that accompanies it.

6: CONSULTATION PROPOSALS AND FINAL DECISIONS

This chapter provides an overview of the consultation proposals and decisions issued by the Board.

6.1.0 During the review the Board issued three consultations across the breadth of the terms of reference. The consultation proposals were staggered as the Board was of the view that following the consideration of the evidence it had gathered at its March meeting that some matters required further consideration but that others could be consulted upon immediately. The issues consulted upon are referred to in section five.

6.1 Consultation on the flexibility of the allowances for Assembly Members

6.1.1 The first consultation was issued by the Board on 27 March 2018 and sought views on the following proposals: Full details are available in the **Board's consultation letter** and are summarised below:

- budgeting Member's Staffing Expenditure Allowance at actual pay points;
- publishing the expenditure each individual Member makes on their Staffing Allowance;
- removing the 111 hour cap on permanently employed support staff;
- increasing the flexibility of viring between different budgets.

6.1.2 The Board was of the view that the proposals would address the concerns raised by Members that the current provisions of the Determination didn't allow them to fully utilise the allowances available to them as noted in sections 5.2 and 5.3 of this report. To this aim, the Board proposed the above changes to allow Members to utilise the full allowance available to them without increasing the cost to the public purse.

- 6.1.3 To strengthen the principles of openness, transparency and accountability the Board was of the view that Members spend on this allowance should be published in the same manner as costs incurred with other allowances. The Board was unanimous in its view that the publication of this information would contain relevant safeguards to ensure the salaries of individual members of staff could not be identified.

Decision

- 6.1.4 The consultation closed on 11 May 2018 and the Board considered the responses received at its meeting on 24 May. The Board agreed to implement all the proposals in a phased approach to provide sufficient time for Members to prepare for the change and consider how they may utilise the increased flexibility. The Board also noted that this approach would allow for Assembly Commission staff to implement appropriate system to reflect the changes.

6.2 Consultation on the flexibility of the allowances for Political Parties

- 6.2.1 The second consultation was launched on 6 June 2018, and sought views on the Board's proposals to introduce a degree of parity in the flexibility of the provisions for both Members and political parties. To this aim, the consultation proposals mostly mirrored those of the first consultation and were formed using the same principles and evidence base. Full details are available in the Board's **consultation letter** and are summarised below:

- budgeting Support for Political Parties Allowance at actual pay points;
- publishing the expenditure each Political Party makes on its Support for Political Parties Allowance;
- removing the provision within the Determination which allows for the virement of funds from the Member's Staffing Allowance to the Support for Political Parties Allowance.

Decision

- 6.2.2 The consultation closed on 20 July 2018 and the Board considered the responses at its meeting on 11 October 2018. The Board agreed to implement all of its proposals.

Again, these changes would be phased in to allow political parties and Members sufficient time to prepare for the changes.

6.3 Consultation to amend the funding arrangements for Assembly Members who employ family members and amending the terms and conditions of support staff

6.3.1 The third consultation as part of the review was issued on 24 October 2018, and coincided with the Board's consultation on its proposals to amend the Discipline Procedure and Grievance Procedure. Full details of the proposals are available in **the Board's third consultation document**.

6.3.2 Having considered the evidence received the Board sought the views on the following changes to the terms and conditions of support staff:

- adjusting support staff salaries in April of each year by the change in the Annual Survey of Hours and Earnings;
- introducing privilege days for support staff;
- introducing a new compassionate leave policy for support staff.

6.3.3 The Board was of the view that the changes proposed above would ensure there was a degree of constituency in the terms and conditions provided to all support staff. The proposal to introduce an automatic adjustment to salaries was to formalise a process that was already being used by the Board for a number of years when deciding the adjustment of support staff salaries.

6.3.4 The Board was also seeking views on its proposals to amending the funding arrangement for the Members who employ family members:

- removing, from the next dissolution, the funding for Assembly Members to employ family members and partners.
- removing, from April 2019, the funding for any new family members appointed (or promoted or have changes made to their current contract) after 24 October 2018.

- 6.3.5 The Board agreed that consulting on the above proposals would address concerns raised in paragraphs 5.4.2 to 5.4.4. as well as ensuring that public trust in the Assembly was maintained.

Decision

- 6.3.6 The consultation closed on 13 December 2018. The Board considered the responses received at its meeting on 17 January 2019, and agreed to implement its proposals in full regarding the changes to the terms and conditions of support staff. However, having carefully considered the responses received on amending the funding arrangements for Members who employ family members, the Board agree to revise its original proposals as outlined below:

- From 1 April 2019, funding will not be given for employment of family members who were not already employed before this date (so the date referenced in the consultation: 24 October 2018 is no longer relevant);
- There will be transitional protection³ for those employed before 1 April 2019. The transitional protection will cease as at the date of the dissolution of the Sixth Assembly (expected to be in 2026);
- The transitional protection only covers staff to remain in their current post and on their current working hours. In other words, there will be no funding for the additional cost of increasing the hours of work or of promoting those individuals who are transitionally protected;
- An employee who becomes a family member will be covered by the same transitional protection until the dissolution of the Sixth Assembly regardless of when they become (or became) a family member of their employer;
- For those who become a family member after the dissolution of the Sixth Assembly, funding will be withdrawn on the day on which they become a family member. They may be entitled to a resettlement package depending on the terms of the Determination at that time.

³ *Transitional Protection" means that the funding will continue to be given for employing those individuals until the dissolution of the Sixth Assembly.*

- The Board will also publish the following:
 - The name, role, relationship and salary band of all family members ;
 - the average weekly overtime payments made to family members over the course of the financial year (from April 2019 with a view to commencing publication on an annual basis from 2020).

7: HORIZON SCANNING

This chapter details some of the issues its successor Board may wish to consider in the Sixth Assembly.

- 7.1.1** As outlined previously in this report the Board has committed to reviewing the impact of the changes to the removal of the 111 hour employment cap on permanently employed support staff, the new viring arrangements and budgeting of staffing allowances at actual cost after six and 12 months of the changes being implemented. Subject to the outcome of these assessments, our successor Board may wish to undertake further reviews which could lead to further changes to the relevant provisions of the Determination.
- 7.1.2** Throughout this review the Board has been monitoring the development of the Commission's Assembly Reform Programme, in particular the issues which are contained within the second phase of the programme which will look at the size of the Assembly. Should the number of Members increase it would be prudent for any Remuneration Board to consider if the staffing structures which are currently in place remain fit for purpose for a larger Assembly. This would be an extensive undertaking by any Board but would be vital to ensuring that Members are properly supported and that public resources are used wisely
- 7.1.3** The next Remuneration Board may wish to consider the recommendation made by the **Expert Panel on Assembly Electoral Reform in its 2017 report**, which outlined:
-
- The Remuneration Board and Assembly Commission should consider how the total staffing support, services and financial resources provided to Members can be altered in the case of a larger Assembly, so that the cost of implementing our recommendations is kept to an absolute minimum.
-
- 7.1.4** At the time of publishing this report, the Commission was yet to introduce legislation to amend the electoral systems for the Assembly. The Board is aware, that such a change would need to be considered against the Determination as a whole and not simply against individual allowances. As such the Board will need to undertake a significant amount of work on this topic should proposals for more Members

materialise which may in turn affect the decisions taken in this report, and other reports, taken by the Board.

APPENDIX A: MEMBERS OF THE BOARD



Dame Dawn Primarolo (Chair)



Dame Dawn Primarolo, DBE, is a British Labour Party politician who was the Member of Parliament for Bristol South from 1987 until 2015, when she stood down. She was Minister of State for Children, Young People and Families at the Department for Children, Schools and Families from June 2009 to May 2010 and a Deputy Speaker of the House of Commons from 2010. She was appointed Dame Commander of the Order of the British Empire (DBE) for political service.

Born in London, Dawn was raised in Crawley, West Sussex. Returning to London in 1973 for work, she joined the Labour Party whilst employed as a legal secretary in an east London Law Centre.

She moved to Bristol in 1974 and her son, Luke, was born in 1978. As a mature student and single parent she studied a BA (Hons) in social science at Bristol Polytechnic, following which she conducted Ph.D. research into women and housing.

Dawn was first elected to Parliament at the 1987 general election and has held the following positions:

1992–1994: Opposition Spokesman for Health

1994–1997: Opposition Spokesman for the Treasury

1997–1999: Financial Secretary to the Treasury

1999–2007: Paymaster General

2007–2009: Minister of State for Public Health

2009–2010: Minister of State Children and Young People

Dawn was conferred a Peerage of the United Kingdom for Life in August 2015.

Ronnie Alexander (July 2017 onwards)



Ronnie is a former Chief Environmental Health Officer for Welsh Government. He is appointed as a Consumer Advocate for the Consumer Council for Water and is a member of the Welsh Food Advisory Committee. In addition, he is a Non - Executive Director for Estyn, Independent Chair of the Standards Committee at Blaenau Gwent County Borough Council and has membership of the Standards Committees for the South Wales Fire and Rescue Service and the Vale of Glamorgan Council.

Ronnie had a civil service career spanning over 20 years when the issues of climate change and sustainability were particular interests. Prior to that, he worked for a number of local authorities in Northern Ireland and England in areas such as enforcement and strategic support services. He has a considerable track record of engaging with the public, professionals and politicians at all levels to influence policy.

Trevor Reaney



Trevor Reaney served as Clerk and Chief Executive to the Northern Ireland Assembly from August 2008 until his retirement in June 2016. Trevor began his career in the hospitality industry and has held a number of management positions in both the private and public sectors. Before joining the Assembly, Trevor served as Chief Executive of the Northern Ireland Policing Board from January 2004 and, prior to that, he held the post of Chief Executive of Craigavon Borough Council from 1996 to 2003.

Trevor now undertakes freelance consultancy work and is involved with a number of organisations:

- Board Member of the Security Industry Authority
- Member of the Police and National Crime Agency Pay Review Body
- Fellow of the Institute of Management
- Trustee of Tree Aid (an international development charity)

Michael Redhouse



Michael Redhouse is currently Principal of EMES Consulting, which he founded in 2002, helping many major organisations with their remuneration and benefits issues. Michael graduated in mathematics from the Open University, and his career included spells as a Partner at Ernst and Young, and as Employment Policy Director at Diageo. Michael currently serves as a Trustee of the APEX Trust, which supports offenders returning to work, and as Chair of Trustees of St. Luke's Hospice in Harrow.

Michael is a Member of the School Teachers' Review Body (STRB), which looks into pay, professional duties and working time of school teachers in England and Wales and reports to the Secretary of State.

Dame Jane Roberts



Jane is Research Fellow in Public Leadership at The Open University Business School.

Jane was Leader of the London Borough of Camden Council from 2000 to 2005 following which she has served in a range of non-executive roles including as Chair of the Councillors Commission for the Department of Communities and Local Government, Chair of Parenting UK, a member of the Ofsted board, Chair of New Local Government Network and currently Chair of the charity, Living Streets. She is also a member of the Advisory Group of the Welsh Centre for Public Policy. Appointed DBE 2004.

Professionally, she is a medical doctor and is an Honorary Consultant Child and Adolescent Psychiatrist with experience of senior healthcare management in the NHS.

Jane has published a number of academic articles in paediatrics, psychiatry and politics. She co-edited 'The Politics of Attachment' (1996) with Sebastian Kraemer and is the author of 'Losing Political Office' (2017).
