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# Determination on Members' Pay and Allowances for the Sixth Senedd (Number Two)

**March 2021**

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# The Independent Remuneration Board of the Senedd

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The Independent Remuneration Board of the Senedd makes independent decisions on the pay and direct support for Members of the Senedd to attract a wide range of capable and diverse candidates and to enable those elected as Members to do their jobs effectively, ensuring value for money for the people of Wales. The Board was established by the National Assembly for Wales (Remuneration) Measure 2010.

## Members of the Board

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- Dr Elizabeth Haywood (Chair)
- Ronnie Alexander
- Mike Redhouse
- Dame Jane Roberts
- Hugh Widdis

## Secretariat to the Board

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- Llew Williams, Clerk
- Ruth Hatton, Deputy Clerk

Copies of this Determination can also be obtained in accessible formats including Braille, large print, audio or hard copy from:

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**March 2021**

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# Interpretation

In this Determination:

"the Act" means the **Government of Wales Act 2006**.

"the Senedd" means Senedd Cymru or Welsh Parliament.

"the Senedd Commission" means the Commission which has responsibility for the provision of property, staff and services to support the Members of the Senedd.

"a Business Associate" means a body corporate, firm or trust with which the Member is connected, or a person who is connected with the Member through a body corporate, firm or trust. For these purposes, whether a Member is connected to a body corporate, firm, trust or person is determined in accordance with section 252 of the Companies Act 2006.

"Cardiff area" means any point within a five mile radius centred on the building at Cardiff Bay.

"Central funds" means funding provided through the Determination but which are not part of any of the specific allowances available to Members or Political Parties under this Determination.

"Chief Executive and Clerk" means the Clerk of the Senedd as defined by section 26 of the Act.

"Disability" means an inequality, disadvantage, disempowerment or discrimination which may affect people with impairments as a result of barriers to access and inclusion. Impairments include physical, sensory, cognitive, learning, and mental health impairments.

"Family member" has the same meaning as set out in Standing Order 3.2, Standing Orders of the Welsh Parliament.

"Inner area" means, with the exception of those constituencies located in the intermediate area, the area within the boundaries of the South Wales West, South Wales Central and South Wales East electoral regions as they stand at the beginning of each Senedd.

"Intermediate area" means the constituencies of Gower, Neath, Swansea East and Swansea West, as they stand at the beginning of each Senedd.

"Main home" means the home which a Member has registered with the Senedd Commission's Members' Business Support Team.

"the Measure" means the **National Assembly for Wales (Remuneration) Measure 2010**.

"Member" means a Member of the Senedd.

"Member's duties" means, for the purposes of reimbursing expenditure, parliamentary and constituency or regional business undertaken by a Member arising from their election as a Member of the Senedd.

"Outer area" means the area within the boundaries of the Mid and West Wales and North Wales electoral regions as they stand at the beginning of each Senedd.

"the Members' Business Support Team" means the team that provides advice and guidance to Members of the Senedd and their support staff on all aspects of financial support available to Members to help them in their role as elected representatives on behalf of the Chief Executive and Clerk as Accounting Officer. The Members' Business Support Team is also responsible for issuing advice and guidance to Members in their role as employers.

"Political Party" means (i) a group of Members who belong to the same political party registered with the Electoral Commission, or (ii) a group recognised as a group under Standing Order 1.3(ii), Standing Orders of the Welsh Parliament, or (iii) an individual Member who has notified Members' Business Support that they are a member of a registered political party.

"Receipt(s)" means documentary evidence demonstrating expenditure, including an original receipt and/or invoice.

"Salary" means the gross amount payable to a Member or support staff before any deductions e.g. income tax and National Insurance contributions.

"Staff" means the support staff of Members of the Senedd (unless stipulated otherwise).

"Unpaid placement" means a volunteer, intern or work experience placement.

"Year" means the 12 months ending with 31 March.

All other terms have the same meaning as in the Act, the Measure or, as the case may be, the **Standing Orders** of the Welsh Parliament.

All references to a Standing Order means a provision of the **Standing Orders** of the Welsh Parliament.

# 1. Introduction and principles of financial support

## 1.1. Introduction

**1.1.1.** This Determination is made by the Independent Remuneration Board of the Senedd ("the Board") under section 3 of the Measure. This Determination is called the Independent Remuneration Board of the Senedd's Determination for the Sixth Senedd Number Two.

**1.1.A2.** This Determination replaces the Determination on Members' Pay and Allowances in the Sixth Senedd, published in June 2020.

**1.1.2.** This Determination supersedes the Independent Remuneration Board of the Senedd's Determination for 2020-21 and, unless this Determination is amended by the Board, comes into force from the first day following the next ordinary general election to the Senedd.

## 1.2. Principles of financial support

**1.2.1.** The Code of Conduct for Members of the Senedd includes a number of general principles of personal conduct based on the seven principles identified by the Committee on Standards in Public Life: selflessness, integrity, objectivity, accountability, openness, honesty and leadership. The broad principles set out below are derived from the Code of Conduct and underpin the rules by which payments are administered under this Determination. Members must adhere to the following principles when making claims against allowance entitlements.

## 1.3. Principles

### Expenditure

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**1.3.1.** Claims must only be made for expenditure necessarily incurred in order to enable performance of the Member's duties.

### Usage

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**1.3.2.** Claims must be accurate and must properly reflect actual usage of the resources being claimed.

#### Political parties

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**1.3.3.** Claims must not be made for expenditure relating to party political activity.

#### Other sources

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**1.3.4.** Members must not claim under this Determination for anything that Members are entitled to claim from any other source.

#### Personal benefit

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**1.3.5.** Members must ensure that claims do not give rise to, nor give rise to the perception of, an improper, direct or indirect personal financial benefit to themselves or anyone else, including the benefit of a political organisation.

#### Openness

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**1.3.6.** Members must be committed to the principles of openness and transparency. Members should be aware of the Allowance Publication System, which informs the public about expenditure incurred by Members.

#### Personal responsibility and accountability

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**1.3.7.** Members have full responsibility for all expenses, making claims in accordance with this Determination, maintaining records sufficient to support such claims, and managing their budgets and support staff. This does not preclude Members from delegating the carrying out of those activities to others, but responsibility remains with the Member.

#### Value for money and reasonableness

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**1.3.8.** Members must seek to ensure that any expenditure incurred provides value for money to the taxpayer, represents the most sustainable and reasonable option available and does not have a negative effect on the reputation of the Senedd or its Members.

**1.3.9.** In assessing whether expenditure is reasonable in all the circumstances, regard will be given to the treatment of any similar claims and / or current guidance. The assessment of the reasonableness of a claim will be made against comparable costs in the locality or within Wales as appropriate. For example, a judgement on what is a reasonable office rental cost will be made in the context of local office rental costs (and not, against, for instance, central London office rental costs).

**1.3.10.** It is accepted that in some instances the cheapest option for an individual item of expenditure will not necessarily be the most cost-effective or reasonable option when taken

together with other factors. For example, an earlier and more expensive travel ticket might avoid the cost of an overnight stay and might therefore be the most cost-effective option overall.

## Documentation

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**1.3.11.** Claims must be supported by receipts, except where this Determination confirms that receipts are not required.

### **1.3A The Board's guiding principles**

**1.3A.1.** The Board's functions, as set out in section 3 of the Measure, are to determine the level of remuneration and system of financial support for Members which enables them to perform their Members' duties. The Board has a statutory responsibility to ensure probity, accountability, value for money and transparency with respect to the expenditure of public funds.

**1.3A.2.** In making its Determination, the Board has regard to the following principles:

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

### **1.3B The Role of the Senedd Commission**

**1.3B.1.** The Senedd Commission is responsible for providing the funds required to meet the costs of the remuneration and financial support allowed under the Determination. The Senedd Commission also provides a broad range of support services for Members in addition to that provided for under the Determination. The Chief Executive and Clerk, in their capacity as Accounting Officer, is responsible for oversight of the use and stewardship of public funds and resources. On occasions the Board may also seek or receive advice from the Accounting Officer on issues relevant to their Accounting Officer duties.

**1.3B.2.** The Chief Executive and Clerk ensures that expenditure by Members provided for by the Determination is properly and efficiently administered by Senedd Commission staff and that Members are advised on how to make claims, notwithstanding that Members remain personally responsible for all their claims.

**1.3B.3.** In accordance with the requirement in section 22(2) of the Act, the Senedd Commission is responsible for making information about expenditure incurred by Members accessible to the public.

## **1.4. Appeals process**

**1.4.1.** Any questions of entitlement to an allowance or claim for reimbursement of costs in accordance with this Determination are to be decided, in the first instance, by the Members' Business Support Team, on behalf of the Chief Executive and Clerk as Accounting Officer. If a Member is dissatisfied with the decision, they may request that the matter be referred for a decision by the Chief Executive and Clerk. Before reaching a decision on any such question, the Chief Executive and Clerk may, if it is necessary or desirable to do so, seek clarification about the interpretation of this Determination from the Board. In doing so, the Chief Executive and Clerk must avoid, so far as possible, disclosing the identity of the Member.

**1.4.2.** For the purpose of promoting certainty and consistency in the application of this Determination, the Members' Business Support Team must maintain and publish a record of any question referred to the Chief Executive and Clerk under paragraph 1.4.1, of the decision reached and of the reasons for the decision. The published record must, so far as possible, exclude any information disclosing the identity of the Member.

## **1.5. Guidance**

**1.5.1.** Members may from time to time be referred to guidance notes issued by the Members' Business Support Team or other relevant Senedd Commission service. The guidance notes do not affect the content or interpretation of this Determination; the notes are intended to assist Members to understand this Determination. The Determination at all times takes precedent over any guidance issued.

## 2. Rules for submission of claims

### 2.1. Part year allowances

**2.1.1.** Where an allowance is specified by reference to a financial limit for a year, that limit is reduced, in relation to a Member who enters or leaves the Senedd part way through a year, on a pro-rata basis. Members are not restricted to any limit for claiming on a month by month basis as long as the total they have claimed to date does not exceed the limit for the year. However where a Member ceases to be a Member part way through a financial year this may result in a refund being claimed from that Member (or in the excess being offset against other entitlements) where the amount that the Member has already claimed up to the time of leaving exceeds the reduced pro-rata limit. A pro-rating mechanism will also be applied in the event that a change is made to the financial limit of an allowance during the course of a financial year.

**2.1.2.** Where Political Party membership is changed part way through the year, the amount of funding available as per the Support for Political Parties Allowance for each party and individual Member will be recalculated on a pro-rata basis for the remainder of that year.

### 2.2. Returning Member dies or is otherwise prevented through ill-health from taking the oath of allegiance or making the corresponding affirmation

**2.2.1.** If an individual who ceases to be a Member on dissolution of the Senedd is returned at the subsequent Senedd election but dies before, or is otherwise prevented through ill-health from, taking the oath of allegiance or making the corresponding affirmation required by section 23 of the Act, a Winding Up Allowance is available under the terms set out in Chapter 9 of this Determination.

### 2.3. Rules for submission of claims

**2.3.1.** The principles which underpin the reimbursement of expenses are set out in section 1.3 of this Determination. The following rules support those fundamental principles.

**2.3.2.** Members must ensure that the relevant claim form is completed accurately and submitted to the Members' Business Support Team in accordance with the timescales in paragraph 2.3.8 and 2.3.9.

**2.3.3.** The purchase of items costing £750 or more, or any contractual liability with a lifetime value of £750 or more, must be referred to the Members' Business Support Team in writing for

approval, accompanied by at least three competitive quotations for the cost of such items in advance of any cost being incurred or contract entered into. For example, a three year rental agreement/lease of a piece of office machinery with an annual cost of £500 must be referred for approval as its lifetime value is £1,500.

**2.3.4.** Claims must be accompanied by receipts (as appropriate). Such receipts must be addressed either to the Member or their staff. In the event that a receipt is addressed to another person, documentary proof must be produced to satisfy the Members' Business Support Team that the expenditure relates solely to the performance of the Member's duties.

**2.3.5.** Members are not required to provide supporting receipts for the reimbursement of costs associated with mileage claims for use of private vehicles. However, such sums will only be paid where the Member demonstrates that the travel was undertaken to enable the performance of the Member's duties.

**2.3.6.** Receipts must be submitted in support of all other travel related claims. In accordance with the principles set out in paragraphs 1.3.8, 1.3.9 and 1.3.10 and in section 5.2, Members are expected to travel by the most cost effective means. Members will be expected to provide justification to the Members' Business Support Team for any claim for travel which that team considers to fall outside those principles.

**2.3.7.** Failure to provide the necessary documentation and/or receipts may result in a delay or refusal of reimbursement. Members will not be able to claim reimbursement for late payment charges or charges arising from a lack of appropriate documentary evidence or receipts.

**2.3.8.** Claims must be submitted within three months of the end of the month to which the expenditure relates, unless an alternative timescale is given by the Members' Business Support Team (e.g. at the end of the financial year) or a reasonable justification can be provided by the Member. This is especially important if a direct payment to a supplier is required, so that the payment can be made to the supplier in accordance with Senedd Commission policy. Late submission of a claim (after three months), without reasonable justification, may lead to the claim being disallowed. The adequacy of reasons for late claims will be assessed by the Members' Business Support Team, who may refer cases of doubt, or those where novel or contentious issues are involved, to the Chief Executive and Clerk for decision.

**2.3.9.** Members will be notified of any special time limits for making claims at the end of each financial year, which are necessary to allow for the timely completion and audit of the Senedd Commission's annual accounts. This may result in a shorter deadline for claims. Claims not submitted in accordance with these revised time limits may be refused or may be charged to

allowances for the following financial year at the absolute discretion of the Chief Executive and Clerk.

**2.3.10.** Any question of entitlement to an allowance is to be decided, in the first instance, by the Members' Business Support Team. A Member, if dissatisfied with the decision, may request that the matter be referred for a decision by the Chief Executive and Clerk in accordance with the procedure set out in paragraph 1.4.1.

## **2.4. Exceptional expenses**

**2.4.1.** A Member may apply to the Board for reimbursement of any exceptional expenses necessarily incurred, or to be incurred, in connection with the performance of their Member's duties, where those expenses would not otherwise be payable under this Determination.

**2.4.1A.** Members may also claim for any enhanced security measures for their main home deemed necessary by the Senedd Commission's Security Team. The Security Team can advise Members on the range of security measures available, suitable suppliers for any recommended equipment and how Members may purchase equipment. Information on claims for security measures at accommodation other than the Member's main home and constituency/regional offices is dealt with in paragraphs 4.4.5 and 6.5.1 respectively.

**2.4.2.** Normally, the Member should apply for the reimbursement of any exceptional expenses under this section in writing to the Chair of the Board. However, if the matter is urgent, the Member may apply orally; and if the Member is unable to contact the Chair, the Member may apply to any Board member. Oral applications must be confirmed in writing as soon as practicable.

**2.4.3.** Whether the application is written or oral, the Member must give sufficient information to enable the application to be properly determined. The Member should clearly identify any information that the Member wishes to be treated in confidence by the Board member (which can include the Member's name). If the Board member considers that the Member's request for confidentiality cannot be agreed, in view of legal requirements, the Member will be given the opportunity to withdraw the application or to agree that such further information as is necessary for a proper determination can be disclosed to other Board members, and to the Chief Executive and Clerk in their role as Accounting Officer.

**2.4.4.** There is no appeal against the decision of the Board on an application under this section.

**2.4.5.** The Board will consult the Chief Executive and Clerk, in their role as Accounting Officer, before agreeing any reimbursement.

**2.4.6.** The Board may allow virement other than that which is usually permitted, in order to meet the costs of exceptional expenses.

**2.4.6A.** The Board will review any exceptional expenses reimbursed to Members on an annual basis in order to ensure that additional expenses are still required and/or remain appropriate. The Board may require Members to provide supporting evidence to inform its decisions.

**2.4.7.** In accordance with the requirements of the Measure, the Board will publish in its Annual Report details of the numbers and amounts of exceptional payments made in any period. No personal data relating to a Member will be published in this context without the consent of that Member. However, it is possible that some personal data relating to a Member, in the context of exceptional expenses, might have to be disclosed, by law, including in response to a request to the Board under the Freedom of Information Act 2000.

## **2.5. Support from central funds related to Covid-19 pandemic**

**2.5.1.** The Board may, from time to time, make provision for support to Members in addition to that provided under the Determination to meet additional costs arising from the public health requirements of the Covid-19 pandemic. The costs of any such support will be met from central funds.

**2.5.2.** Where the Board makes a decision under this section, the Board will issue a written notice containing details of the financial support that it is making available to Members.

**2.5.3.** The Board may change or stop any support made available under this section at any time. The Board will issue a written notice if it changes or stops support under this section.

**2.5.4.** Chapters 1 and 2 will apply to any support made available under this section.

## 3. Members' remuneration

### 3.1. Amount payable

**3.1.1.** The annual remuneration payable to Members is made up of salary and employer's pension contributions.

**3.1.2.** A Member's salary is £67,649 together with an additional office holder's salary if the Member holds one of the offices listed in Table 1. A Member's remuneration does not become payable until they have taken the oath of allegiance or made the affirmation required by law in accordance with section 23 of the Act.

**3.1.3.** Members who are also Members of Parliament will have their Senedd salary reduced, in accordance with section 21 of the Act, by an amount equal to two thirds of the basic salary which that Member would otherwise be entitled to receive.

**3.1.4.** Members who hold any of the following additional offices are entitled to receive an additional annual salary.

**Table 1: Additional office holder salaries for 2021-22**

<b>Additional office holder salaries</b>	<b>2021-22 Base Salary</b>	<b>2021-22 Additional Salary</b>	<b>2021-22 Total salary</b>
<b>First Minister</b>	£67,649	£80,334	£147,983
<b>Welsh Minister</b>	£67,649	£38,052	£105,701
<b>Counsel General<sup>1</sup></b>	£67,649	£38,052	£105,701
<b>Deputy Minister</b>	£67,649	£22,197	£89,846
<b>Presiding Officer</b>	£67,649	£43,338	£110,987
<b>Deputy Presiding Officer</b>	£67,649	£22,197	£89,846
<b>Senedd Commissioner</b>	£67,649	£13,741	£81,390
<b>Committee chair (higher)</b>	£67,649	£13,741	£81,390

<sup>1</sup> See 3.3 Counsel General who is not a Member.

<b>Committee chair (lower)</b>	£67,649	£9,154	£76,803
<b>Business Committee Member</b>	£67,649	£9,154	£76,803
<b>Leader of a Political Group not in Government<sup>2</sup></b>	£67,649	£13,741 + £1,057 per Member up to £38,052	Range from £84,561- £105,701 <sup>3</sup>

**3.1.5.** A Member who holds more than one of the additional offices specified in Table 1 (including holding an additional office temporarily) is only entitled to receive an additional office holder's salary in respect of one of those additional offices, namely the highest paid of those additional offices.

**3.1.6.** A Member designated under section 46(5) of the Act will be paid the additional office holder salary for the First Minister during the period of designation as notified by the Presiding Officer to the Senedd under Standing Order 8.6.

**3.1.7.** A Member or another person who is not a Member (see paragraph 3.3.1) who is designated under section 49(6) of the Act will be paid the additional office holder salary for the Counsel General during the period of designation as notified by the Presiding Officer to the Senedd under Standing Order 9.9.

**3.1.8.** A Member elected in accordance with Standing Order 6.24 to act as a temporary Presiding Officer will be paid the additional office holder salary of the Presiding Officer for the duration of the period during which they exercise the functions of the Presiding Officer.

**3.1.9.** A Member appointed in accordance with Standing Order 17.22 as a temporary Committee Chair will be paid the additional office holder salary of a Committee Chair for the duration of the period during which they exercise the functions of the Committee Chair, with payment of such salary to commence one calendar month following the date of their appointment. A Member appointed as a temporary Committee Chair will not be eligible to receive payment of the additional office holder salary of a Committee Chair if the period during which they exercise the functions of a Committee Chair is shorter than one calendar month.

<sup>2</sup> Political Group is defined in the Standing Orders of the Welsh Parliament.

<sup>3</sup> The salary of a Leader of a Political Group not in Government is capped at the salary payable to a Welsh Minister.

## **3.2. Annual indexation**

**3.2.1.** Subject to paragraph 3.2.2, the pay of Members and office holders will be adjusted in April of each year by the change in the Annual Survey of Hours and Earnings, annual gross Median Earnings for full-time employee jobs in Wales between April and April of the previous year.

**3.2.2.** The adjustment made by paragraph 3.2.1 will be no lower than zero per cent and no higher than three per cent.

## **3.3. A Counsel General who is not a Member**

**3.3.1.** A Counsel General appointed under section 49 of the Act but who is not a Member is entitled to receive salary at the same level as a Counsel General who is a Member, being the total salary payable in accordance with paragraphs 3.1.1 to 3.1.4 and 3.1.7.

## **3.4. Payment of salaries**

**3.4.1.** Salaries are paid monthly in arrears on the last working day of each month. Payment is made direct to the Member's account by electronic transfer (Bankers Automated Clearing Services - BACS).

## **3.5. Pensions**

**3.5.1.** Members will automatically be enrolled in the Members' Pension Scheme unless they choose to opt out.

## 3A. Additional support

### 3A.1. Purpose

**3A.1.1.** Claims for expenditure made under this Chapter are for the purpose of providing additional support for disabled Members or for engaging with disabled constituents (section 3A.2), Members with childcare or other caring responsibilities (section 3A.3), and Members on parental leave (section 3A.4). No such Member should be unreasonably disadvantaged as a result of their specific needs or circumstances.

**3A.1.2.** A Member must seek approval for any expenditure before it is incurred or any contract (where appropriate) is entered into.

**3A.1.3.** All reimbursements arising from this Chapter will be funded from central funds.

**3A.1.4.** Claims made in relation to these reimbursements will be published annually on an anonymised, aggregated basis for each reimbursement. No personal data relating to an individual Member will be published in this context without the consent of that Member. However, it is possible that some personal data relating to a Member, in the context of the provisions outlined in this section, might have to be disclosed, by law, including in response to a request to the Board under the Freedom of Information Act 2000.

**3A.1.5.** The reimbursement of any costs incurred due to the need for additional support in respect of health conditions or impairments, caring for dependants or parental leave should be claimed under the relevant provisions in this Chapter. This includes seeking reimbursement of costs for activities which are generally provided for in another Chapter of the Determination, for example Member's travel or office costs.

### 3A.2. Support relating to disabilities

**3A.2.1.** Support under this section may be claimed by any Member for any additional expenses incurred in order to enable the performance of that Member's duties, which reasonably arise as a result of health conditions or impairments. These expenses may relate to: a Member's health conditions or impairments; a member of staff's health conditions or impairments; or to facilitate engagement with disabled constituents.

**3A.2.2.** There is no limit on the amount that can be claimed under this provision. Each claim will be considered on a case by case basis. When making a decision as to whether the adjustment is reasonable, consideration will be given to whether the adjustment would ameliorate the

disabled person's disadvantage and the reasonableness of the cost of the adjustment to the public purse.

**3A.2.3.** A claim may require additional supporting evidence such as a medical note or an assessment by a medical or occupational health professional. Where this is required, the Member will be informed in advance of the Board's determination on such a claim. Any costs of obtaining the additional supporting evidence may be claimed under this provision.

**3A.2.4.** All claims may be subject to periodic review. Should an additional claim be made for a new reason, this would require the completion of a new claim.

### **3A.3. Support for Members with childcare and other caring responsibilities**

**3A.3.1.** Support under this section is to enable a Member who has caring responsibilities for either a child / children or adult dependant(s) to continue to perform their Member's duties. For the purpose of this Chapter, an 'adult dependant' means:

- a. a spouse, partner, parent or other person who lives in the same household as the Member (otherwise than by reason of being an employee, tenant, lodger or boarder), or
- b. a person who reasonably relies on the Member for their care or to make arrangements for their care.

**3A.3.2.** A Member may claim the reimbursement of costs up to a maximum of £297 per month for the care of their children or adult dependants, where such additional care is specifically required to enable the performance of the Member's duties.

**3A.3.3.** Claims made under this provision should only be made:

- a. in respect of any child under the age of 16 years;
- b. in respect of any adult dependant as defined in paragraph 3A.3.1.

**3A.3.4.** Members may claim the reimbursement of the costs of care provided by registered care providers. The Members' Business Support Team is available to provide advice to Members on eligibility for this allowance.

**3A.3.5.** Claims for reimbursement of care costs may only be made for costs incurred during the Senedd's sitting weeks and outside of its usual working hours as set out in Standing Order 11.10 (9am – 6pm on working days).

### **3A.4. Support for Members on parental leave**

**3A.4.1.** Support under this section is available to Members who choose to take a form of parental leave. For the purposes of this Chapter, parental leave means maternity leave, paternity leave or adoption leave. During the course of such leave the Member will remain on their full salary including any additional office holder salary to which they are entitled.

**3A.4.2.** Maternity and paternity leave may be taken prior to the birth of a child or to care for an infant child (i.e. a child less than 12 months old). Adoption leave may be taken to care for an adopted child within the first 12 months following adoption.

**3A.4.3.** Members who choose to take parental leave are entitled to claim for the reimbursement of reasonable costs of either an additional member of staff or other additional resource as required, for a total duration of up to 12 months. Such resource is provided in order to allow for continuity in the performance of the Member's duties other than those which relate to formal Senedd business which can be undertaken only by the Member themselves e.g. attending Plenary meetings.

**3A.4.4.** Should a Member wish to claim support under this provision they must submit a written request to the Members' Business Support team outlining the resource required and how it will be used.

**3A.4.5.** Any claim for support made under this provision should be accompanied by relevant documentation to evidence the leave being taken e.g. MATB1 for maternity or paternity leave and Matching Certificate for adoption leave.

**3A.4.6.** Any claim made under this provision, where possible, should be made in advance of the Member taking their period of parental leave.

**3A.4.7.** If a Member intends to make a claim in accordance with this section, the Member must inform the Members' Business Support team of their intention to take parental leave in advance of their leaving date i.e. the date of the first day of their intended period of parental leave. In instances of maternity or paternity leave this should be no later than 23 weeks before the due date. In instances of adoption leave, this should be as soon as the Member has begun the process of applying to adopt and timely updates should be provided on the progress of their application.

## 4. Residential Accommodation Expenditure

### 4.1. Purpose

**4.1.1.** Payments under this Chapter are for the purpose of reimbursing Members for additional expense which they necessarily incur in staying overnight away from their main homes in connection with the performance of their Member's duties.

**4.1.2.** Sections 4.2, 4.3 and 4.4 of this Chapter relate to the expense of a Member staying overnight in the Cardiff area in connection with the performance of their Member's duties. Section 4.2 applies to Members whose main homes are located within the inner area but outside the Cardiff area. Section 4.3 applies to Members whose main homes are located in the intermediate area. Section 4.4 applies to Members whose main homes are located in the outer area.

**4.1.3.** In borderline cases, Members may apply to the Members' Business Support Team for their main homes to be deemed located in a different area where the Member believes this would be reasonable.

**4.1.4.** Section 4.5 of this Chapter applies to all Members and relates to the expense of staying overnight in connection with the performance of their Member's duties at locations other than their main homes or any accommodation whose expense is reimbursed under sections 4.2, 4.3 or 4.4.

### 4.2. Members whose main homes are located within the inner area

**4.2.1.** Members whose main homes are located in the inner area may apply to the Members' Business Support Team, in exceptional circumstances, for reimbursement of the cost of hotel stays in the Cardiff area.

### 4.3. Members whose main homes are located within the intermediate area

**4.3.1.** Members may claim up to a maximum of £6,840 for overnight accommodation in the Cardiff area in each year. The maximum amount that may be claimed for hotel stays each night is the same as the maximum that may be claimed under section 4.5. Any claim under paragraphs 4.5.5(b) and 4.5.6 is in addition to the maximum annual amount that may be

claimed under this section. Alternatively, Members may use the allowance towards the costs of a rental property and/or bills in the Cardiff area.

**4.3.2.** In exceptional circumstances the Chief Executive and Clerk may approve re-imbusement of the cost of overnight stays in the Cardiff area which exceed the amount which may be claimed under paragraph 4.3.1. In considering such a claim regard will be had to the principles in section 1.3 and any decision will be at the discretion of the Chief Executive and Clerk.

#### **4.4. Members whose main homes are located within the outer area**

**4.4.1.** Members may claim under Option A, Option B, Option C or (where applicable) Option D, as set out below. Claims may not be made under more than one Option in relation to the same period but a Member may at any time notify the Members' Business Support Team in writing of a change of Option and the date when it is to take effect, which must be not less than a calendar month after the date when notice is given.

##### Option A – expense of renting furnished property

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**4.4.2.** The property in relation to which the claim is made:

- a. must be in the Cardiff area;
- b. must have been rented through an agency approved by Members' Business Support Team;
- c. must not be sublet;
- d. must only provide accommodation that is appropriate to the Member's reasonable needs.

**4.4.3.** The expenses to be reimbursed in relation to the property are:

- a. rent (including any management charge or ground rent which is also payable) up to a maximum of £9,720 in each year in respect of any one property (irrespective of how many Members reside there);
- b. council tax (subject to paragraph 4.4.4);
- c. utility bills (i.e. gas, electricity, water and sewerage, telephone);
- d. broadband subscription;
- e. television licence;

- f. insurance;
- g. the cost of any enhanced security precautions (subject to paragraph 4.4.5);
- h. subject to approval of a business case, Members who can demonstrate having caring responsibilities for a dependant who is normally resident with them in the Cardiff area may in addition claim up to £1,440 a year to cover the higher cost of suitable accommodation.

**4.4.4.** If the property is in council tax Band G, H or I, the amount of council tax which will be reimbursed is that which would have been payable had the property been in Band F.

**4.4.5.** A claim may be made for the purpose of enhancing security at the property for appropriate measures arising from the recommendations of Senedd Commission security advisors, and must be in line with those recommendations. Any request which falls outside the scope of those measures will be assessed on a case-by-case basis.

**4.4.5A.** Any refunds received after a rental agreement has finished, for instance for a tenancy deposit which was funded by this Determination, must be returned to the Senedd Commission.

Option B – expenses in relation to a home in the Cardiff area provided at the Member's own expense

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**4.4.6.** The property in relation to which the claim is made:

- a. must be in the Cardiff area;
- b. must not be the Member's main home;
- c. must not be sublet.

**4.4.7.** The expenses to be reimbursed are the same as those listed in paragraphs 4.4.3(b) to (h) (and are subject to paragraphs 4.4.4 and 4.4.5).

Option C – expenses in relation to other overnight accommodation

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**4.4.8.** The cost of overnight stays in the Cardiff area may, with the prior written approval of the Members' Business Support Team be claimed instead of Options A or B. The maximum amount that may be claimed for each night is the same as the maximum that may be claimed under paragraphs 4.5.5(b) and 4.5.6 but the maximum that may be claimed in each year under this section is £9,720.

Option D – transitional

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**4.4.9.** This Option is only applicable to Members who:

- a. were Members immediately before the dissolution of the Third Assembly;
- b. have not ceased to be Members since (other than solely by reason of that, or another, dissolution);
- c. have at no time opted to make claims under Options A, B or C;
- d. were, immediately before the dissolution of the Third Assembly, either claiming reimbursement of rent or mortgage interest on a home in the Cardiff area under section 3.3 (Higher Level Additional Cost Allowance) of Chapter 3 of the determination then in force;
- e. continue to satisfy the conditions on which entitlement to reimbursement under that Chapter were based;
- f. there has been no change, since dissolution of the Third Assembly, in the terms on which the home in question is being rented or, as the case may be, in the terms of repayment of the mortgage debt. For these purposes a rent increase under a contractual rent review or a variation in mortgage interest in accordance with the terms of the mortgage agreement are not to be regarded as changes in those terms.

**4.4.10.** A Member to whom paragraph 4.4.9 applies:

- a. may claim a maximum of £9,720 towards the total expenditure incurred under (b) and/or (c) below in each year in respect of the property (irrespective of how many Members reside there);
- b. may continue to be reimbursed the rent or mortgage interest on the property (including in either case any management charge or ground rent which is also payable);
- c. may claim a sum not exceeding £882 to cover essential repairs that are required to the property (for example returning a broken heating system to good working order) where that expenditure has been approved by the Members' Business Support Team in advance of being incurred;
- d. may, in addition, be reimbursed the same expenses as those listed in paragraph 4.4.3(b) to (g) (and is subject to paragraphs 4.4.4 and 4.4.5);

- e. where mortgage interest is claimed must, at least once in any twelve month period, submit a statement of interest paid in order that any adjustment in interest rates may be accounted for;
- f. where mortgage interest is claimed during the Sixth Senedd, the amount claimed can be no higher than the interest rate as outlined at the beginning of the Sixth Senedd, unless there are changes in the Bank Rate (otherwise known as the Bank of England's base rate).
- g. will not be able to claim for this provision beyond the dissolution of the Sixth Senedd.

## **4.5. Other overnight accommodation outside the Cardiff area**

**4.5.1.** If it is necessary for a Member, in connection with the performance of the Member's duties, to stay overnight, other than at the Member's main home or in accommodation whose expense is reimbursable under sections 4.2, 4.3 or 4.4, the expense of doing so may be reimbursed in accordance with this section.

**4.5.2.** Members whose main homes are located within the inner or intermediate areas and who are able to claim the cost of a stay under paragraph 4.2.1 or 4.3.1 (or who could have done so had they not already claimed the maximum amount for overnight stays under those paragraphs) may not claim the cost of that stay under this section.

**4.5.3.** Subject to paragraph 4.5.8, no claim may be made under section 4.5 unless the Member has:

- a. in the case of an overnight stay outside Wales, received the prior written approval of the Members' Business Support Team to incur the expense of the accommodation in question. The Member must, when seeking approval, provide the Members' Business Support Team with such information as it reasonably requires for the purpose of considering whether approval should be given;
- b. in the case of an overnight stay outside the UK, received the approval referred to in paragraph (a) before making arrangements to travel.

**4.5.4.** Where the need for an overnight stay is in connection with the business of a Senedd committee, the references in paragraph 4.5.3 to the Members' Business Support Team are to be read as references to the officials of the relevant committee.

**4.5.5.** The maximum nightly amount that may be claimed for hotel accommodation (inclusive of breakfast and parking) is:

- a. £150 if the hotel is in London;
- b. £95 elsewhere.

**4.5.6.** This can only be exceeded with the prior written approval of the Members' Business Support Team which will only be given in exceptional circumstances.

**4.5.7.** A Member who stays overnight at a hotel may, in addition to the cost of the accommodation, be reimbursed the cost of an evening meal for the Member, subject to a maximum of £20 per night. The amount claimed may not include the cost of any alcoholic drinks.

**4.5.8.** Where, instead of staying at a hotel, a Member stays overnight with a friend or relative, the Member may claim a flat rate of £25 per night.

**4.5.9.** A claim which is made without the requirements of paragraph 4.5.3 having been complied with may be reimbursed if:

- a. it was not reasonably practicable to comply with those requirements;
- b. the Member provides the Members' Business Support Team with a written explanation of why it was not reasonably practicable to comply with those requirements;
- c. the claim is approved by the Chief Executive and Clerk.

## 5. Members' travel

### 5.1. Introduction

**5.1.1.** This chapter deals with four types of travel on Senedd business by Members;

- travel within Wales (referred to as "normal travel");
- travel elsewhere in the UK but outside of Wales (referred to as "extended travel");
- travel outside of the United Kingdom (referred to as "international travel").

**5.1.2.** It also deals with travel undertaken by Members' partners, children under the age of 18 and staff.

**5.1.3.** Subject to the general principles in section 5.2 and paragraph 5.4.2, a Member may travel by road, rail, air or sea on permitted journeys at the expense of the Senedd provided that the journey is necessarily undertaken to enable the performance of the Member's duties.

**5.1.4.** Permitted journeys are those specified in paragraphs 5.3.1, 5.3.2, 5.11.1 and 5.15.1.

**5.1.5.** A Member may only claim reimbursement for any journey if it is not reimbursed by another source, even though a particular journey may cover business on behalf of the Senedd and other organisations.

**5.1.6.** Notwithstanding the references to "Members" in section 5.2 and paragraph 5.4.2 below, the general principles set out in those provisions apply to travel undertaken by any staff and the general principles set out in section 5.2 apply to travel undertaken by a partner or any child (under the age of 18) of a Member.

### 5.2. General principles

**5.2.1.** Members are expected to travel by the most cost effective means, taking into account the actual cost of the travel and the cost of any overnight stay expenses. However, the time involved in a journey may also be taken into account and where benefits from savings in a journey time can be demonstrated, it may be possible to claim at a higher rate of reimbursement. A Member who, in the opinion of Members' Business Support Team (or the Chief Executive and Clerk where decisions on such claims are escalated) does not travel by the most cost effective means may have the amount of their claim abated by an appropriate amount.

**5.2.2.** Members are expected to seek the most cost effective travel ticket for the particular journey, travel method and class of travel they are making, taking account of any discounts available. In addition, Members holding rail cards or having access to other concessionary fares should use these.

**5.2.2A.** For the purpose of this section, cost effective travel means a method or class of travel which is appropriate in meeting the reasonable requirements of Members in respect of any disability.

**5.2.3.** Members should have regard to the Senedd's Environmental Management System, which is aimed at encouraging Members, their staff and Senedd Commission staff to use public transport, bicycles or communal transport for travel into and from work and on business.

Normal travel – within Wales

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### **5.3. Normal travel – general principles**

**5.3.1.** Subject to the general principles in section 5.2 and paragraph 5.4.2, a Member is entitled to claim travel expenses when travelling to enable the performance of the Member's duties by any reasonable route.

**5.3.2.** Members may also claim for travel between their main home, the Senedd and constituency or regional offices.

**5.3.3.** Members may not claim for the refund of any parking charges levied by the Senedd Commission for the provision of parking facilities at/near Tŷ Hywel.

### **5.4. Travel by road**

**5.4.1.** Subject to paragraphs 5.2.1 and 5.2.3, a Member may undertake normal travel by car and claim a mileage allowance based on the actual mileage travelled.

**5.4.2.** Before embarking on any road travel subject to paragraph 5.4.1, Members should aim to travel in the most sustainable way that is possible and appropriate. Members should consider both the feasibility of car sharing with another Member, a member of staff or a member of Senedd Commission staff, and/or of using any approved external car sharing scheme of which the Senedd is a registered member. Full guidance on existing car share initiatives is available from the Members' Business Support Team.

## **5.5. Mileage rates**

**5.5.1.** Travel by car, motor cycle and bicycle will be paid at the [HM Revenue and Customs approved mileage rates](#).

**5.5.2.** Where a Member shares a journey with another Member, a member of staff (whether their own or another Member's) or a member of Senedd Commission staff in their own vehicle on official business, subject to paragraphs 5.2.1 and 5.2.3, they are entitled to claim a supplement for each passenger per mile, in accordance with [HM Revenue and Customs approved mileage rates](#).

## **5.6. Allowable return journeys**

**5.6.1.** When a Member uses a vehicle for travel from their main home to the nearest suitable railway station, bus station or airport and it is necessary to return the vehicle to the main home, the cost of the return journey may be claimed. A similar return journey is allowed where the Member is driven to their constituency or region from the main home and then travels on to the Cardiff area by public transport.

## **5.7. Travel by taxi**

**5.7.1.** Subject to paragraphs 5.2.1, 5.2.3, 5.4.2, 5.7.2 and 5.7.3, if a Member undertakes normal travel by taxi to enable the performance of the Member's duties, they are entitled to claim reimbursement not exceeding the higher rate of the motor mileage allowance specified in paragraph 5.5.1.

**5.7.2.** If it was not reasonably practicable for the Member to travel other than by taxi, they are entitled to claim the actual level of expense incurred by them.

**5.7.3.** The maximum amount that a Member can claim under this allowance is the actual level of expense incurred by them.

## **5.8. Travel by hire car**

**5.8.1.** Subject to paragraphs 5.2.1, 5.2.3 and 5.4.2, the expense incurred in using hire cars will only be reimbursed in exceptional circumstances and with the prior approval of the Members' Business Support Team. Where such travel is undertaken, the Member is entitled to claim the actual level of expense incurred by them.

## **5.9. Rail travel**

**5.9.1.** Subject to paragraphs 5.2.1, 5.2.2 and 5.2.3, Members are entitled to claim the actual level of expense incurred by them. In order to demonstrate financial responsibility, Members are expected to choose standard class travel unless they are able to satisfy the Members' Business Support Team that there is a demonstrable need to do otherwise.

## **5.10. Travel by air**

**5.10.1.** Subject to paragraphs 5.2.1 and 5.2.2, a Member is entitled to claim the cost of travel by scheduled air transport for normal travel. A Member is entitled to claim the cost of travel by private or chartered aircraft for normal travel arrangements up to a maximum cost of the journey had it been made by scheduled air transport.

Extended travel – elsewhere in the UK

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## **5.11. Extended travel**

**5.11.1.** A Member may travel outside of Wales but within the UK at public expense to enable the performance of the Member's duties, provided that the reason for the journey meets one of the criteria under paragraph 5.1.3 and only where the journey to which the claim relates has been agreed in advance with the Members' Business Support Team. The acceptability of any other claims for extended travel allowance not so agreed will be at the discretion of the Chief Executive and Clerk. In all other respects, the levels of allowance and the general principles and conditions subject to which claims for normal travel are paid will apply to claims for extended travel.

Travel outside the United Kingdom

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## **5.12. [Removed]**

## **5.13. [Removed]**

## **5.14. [Removed]**

## **5.15. International travel**

**5.15.1.** A Member may apply to the Members' Business Support Team to travel to a country outside the United Kingdom.

**5.15.2.** In advance of the journey, Members must send a business case to the Members' Business Support Team for approval explaining the rationale for visiting that particular country,

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the number of overnight stays required, how the visit would meet the requirements of paragraph 5.1.3 and how it:

- would benefit the individual in their role as a Member of the Senedd and the wider Senedd;
- would allow them to gather new ideas that would benefit the Senedd;
- would enable them to promote Wales and the work of the Senedd, and to enhance the reputation of the Senedd in an international context.

**5.15.3.** Subject to paragraphs 5.2.1 and 5.2.2, a Member is entitled to claim the actual cost to them of travel expenses incurred and an entitlement to a subsistence allowance subject to the following maxima:

- the cost of the return air fare, plus
- five nights' accommodation, meals and incidental travel.

**5.15.4.** A Member not travelling by air may claim actual travelling costs within the maximum set out in paragraph 5.15.3.

**5.15.5.** The acceptability of any other claims for this allowance not so agreed will be at the discretion of the Chief Executive and Clerk.

**5.15.6.** Members must, within a reasonable period of their return, draft a visit report and send it to the Members' Business Support Team to be published on the Senedd's website.

## **5.16. Travel on committee business**

**5.16.1A.** Arrangements and reimbursements for travel on committee business is a matter for the Senedd Commission and is not covered by this Determination.

## **5.17. Recall of the Senedd or committee**

**5.17.1.** A Member is entitled to claim any travel costs incurred by them which are necessarily attributable to them in undertaking travel to enable them to attend a Plenary meeting of the Senedd summoned to consider a matter of urgent public importance in accordance with Standing Order 12.3.

**5.17.2.** A Member is entitled to claim any travel costs incurred by them which are necessarily attributable to them in undertaking travel to enable them to attend a meeting of a committee of the Senedd in accordance with Standing Order 17.46.

**5.17.3.** The provisions relating to travel in section 5.2 to 5.10, apply to these cases. In addition, the actual level of any overnight costs incurred may be claimed if it was necessary to stay overnight during the course of travelling to the Senedd . A Member may also claim travel costs incurred in order to resume a holiday following a recall, should this be feasible.

Partner and children's travel

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## **5.18. Limit on number of journeys**

**5.18.1.** Subject to the general principles in section 5.2, a Member is entitled to claim for the cost to them of their partner and/or any child under the age of 18 making a journey by public transport between the Cardiff area and their constituency or region, or the Cardiff area and the Member's main home. Members do not need to travel with their family. However, Members may only claim for 12 single journeys in each year for members of their family.

**5.18.2.** A return journey counts as two single journeys.

**5.18.3.** A partner is defined for the purposes of this allowance as:

- a spouse;
- civil partners as defined in the Civil Partnership Act 2004;
- a person living with the Member as the Member's spouse or civil partner and who has been nominated in writing to the Members' Business Support Team as the Member's partner.

**5.18.4.** A child for the purpose of this allowance includes a step child, an adopted child, a foster child, or any other child living as one of the Member's family who has not yet reached the age of 18.

## **5.19. Travel by car**

**5.19.1.** The partner of a Member and/or any child under the age of 18 may travel by car as an alternative to travelling by public transport between the Cardiff area and the Member's constituency or region, or the Cardiff area and the Member's main home. In such cases the Member may claim the appropriate mileage rate. The mileage rates applied will be those applicable to Members. Such claims should be made separately from the Member's own car

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travel. Any such journey counts against the total entitlement of 12 single journeys for the year. A partner or child may not claim for journeys made if they travel in the same car as the Member.

## **5.20. Direct payment to partner or child**

**5.20.1.** The Member may instruct the Members' Business Support Team to pay any amount claimed under this allowance directly to the partner or child concerned.

Travel by Members' staff

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## **5.21. Limit on number of journeys**

**5.21.1.** Subject to the general principles in section 5.2 and paragraph 5.4.2, each Member is entitled to claim the cost to them of members of their staff making up to a total of 18 return journeys by public transport each year between the Cardiff area and the Member's constituency or region. For this purpose, "staff" means those who are paid on the Member's behalf from the Staffing Expenditure Allowance, Additional Support Allowance, Support for Political Parties or Temporary Staffing Allowance.

## **5.22. Travel by car**

**5.22.1.** Subject to the general principles in section 5.2 and paragraph 5.4.2, a Member is entitled to claim the cost to those staff making car journeys between Cardiff and the Member's constituency or region. A Member may claim the cost to those staff making car journeys between Cardiff and the Member's constituency or region at HM Revenue and Customs approved mileage rates. Any such journey counts against the total entitlement of 18 return journeys for the year.

## **5.23. Direct payment to staff**

**5.23.1.** The Member may instruct the Members' Business Support Team to pay any amount claimed under this allowance directly to the member of staff concerned.

## 6. Office and Constituent Liaison Fund

### 6A.1. Office accommodation – principles

**6A.1.1.** Members are entitled to claim reimbursement of all reasonable costs relating to the running of an office and engaging with constituents, known as an Office and Constituent Liaison Fund. Receipts or proof of expenditure must be submitted with all claims.

**6A.1.2.** Members who wish to acquire an office must ensure that the premises are suitable for their needs.

**6A.1.3.** All offices funded through this Determination should follow these principles:

- reputation of the Senedd: all offices should reflect the status and importance of the Senedd as a national institution and be mindful that the office is the local face of the Senedd;
- safe and secure: all offices should be safe, secure, visible and reachable by the public;
- accessible: offices should be accessible spaces for all those who need to use them;
- open and welcoming: all offices should be staffed by paid staff.

**6A.1.4.** A Member must show regard to the guidance issued by the Members Business Support Team on how to acquire a constituency or regional office if it is to be funded from this Determination.

**6A.1.5.** Members are responsible for ensuring that all leases, contracts and other relevant documents related to this allowance comply with the law of England and Wales and conform with the principles of financial support set out in Chapter 1. Members must provide the Members' Business Support Team with copies of such documentation. The Members' Business Support Team retains this documentation only for the purpose of recording information.

### 6.2. Purpose and amount

**6.2.1.** Members are not entitled to a reimbursement from the Office and Constituent Liaison Fund of any costs arising from using their home as a constituency or regional office.

**6.2.2.** Subject to paragraph 6.1.1, a Member may claim an amount from the Office and Constituent Liaison Fund not exceeding the following in the year commencing 1 April 2021.

- a. £20,060 where the Member maintains an office in the Member's constituency or region, or
- b. £6,712 where the Member undertakes constituency or regional duties exclusively from the office facilities in Tŷ Hywel, Cardiff Bay.

**6.2.3.** A Member may not claim reimbursement from the Office and Constituent Liaison Fund in respect of the costs of an office, or part thereof which is leased or rented from a family member or business associate.

**6.2.4.** A Member who rents or leases an office or part thereof from an organisation (including a trust) in which the Member, (or a family member or business associate of the Member) has a pecuniary interest may not claim reimbursement from the Office and Constituent Liaison Fund in respect of the rent or lease of the office or part thereof unless the Members' Business Support Team has agreed the proposal in advance of the agreement having been entered into.

**6.2.5.** Approval may be given under paragraph 6.1.4 where the Member, family member, or business associate has either a very small holding in a listed company or is a beneficiary of a major pension fund. The decision as to the size of a holding or a pension fund is at the discretion of the Members' Business Support Team. If a Member is dissatisfied with the decision made by the Members' Business Support Team, they may request that the matter be referred for a decision by the Chief Executive and Clerk in accordance with the procedure set out in paragraph 1.4.1.

### **6.3. Office costs**

**6.3.1.** Members can make a claim for reimbursement from the Office and Constituent Liaison Fund for reasonable costs associated with maintaining an office and engaging with their constituents. Any costs claimed for from this Fund must take account of the principle on political party activity outlined in Chapter 1. In case of doubt, advice on making claims from this fund should be sought from the Members' Business Support Team.

**6.3.2.** All individual items of office equipment costing £100 or more must be recorded on an inventory held by the Members' Business Support Team. All items paid for using Senedd Commission resources are provided to assist Members in the performance of their Member's duties but remain the property of the Commission and should be returned to the Commission

when they are no longer required. The value of any items not returned will be set-off as against any sums due to the Member under this Determination.

**6.3.3.** The purchase of furniture or other individual items costing £750 or more, or any contractual liability with a lifetime value of £750 or more, must be referred to the Members' Business Support Team for approval, accompanied by at least three competitive quotations for the cost of such items in advance of any expenditure being incurred or contract being entered into. For example, a three year rental agreement/lease of office furniture with an annual cost of £500 must be referred as its lifetime value is £1,500.

**6.3.4.** The costs of repaying a mortgage, including mortgage interest, cannot be claimed from this Fund.

**6.3.5.** Receipts for office rent must contain the address of the property being rented.

**6.3.6.** Members are entitled to claim a reimbursement of the cost of mobile telephone calls where such costs relate solely to the performance of the Member's duties. Claims for reimbursement must not be made for the cost of personal calls.

## **6.4. Office start-up allowance**

**6.4.1.** Members who wish to establish a constituency or regional office for the first time are entitled to make a one-off requisition of office furniture in order to equip that office. Members may also use the allowance to help set the office up for business. This may include minor changes to layout or redecoration, providing costs are reasonable and in line with the principles of financial support set out in Chapter 1. Other allowances are available for the purpose of improving the accessibility (see section 3A.2) and security of the office (see section 6.5).

**6.4.2.** The Members' Business Support Team is available to provide advice on the selection of furniture and other matters relating to the establishment of a first office. Eligible Members must submit a written request for approval by the Members' Business Support Team for the items they wish to requisition or other related costs. The approved costs will be met from central funds (and not from the Office and Constituent Liaison Fund), subject to a maximum cost of £5,000.

**6.4.3.** Subject to paragraph 6.3.5. below, a claim for reimbursement against this provision must be made by the end of the financial year which follows the financial year during which the Member was returned, either at an election or by-election. This provision is not available for the relocation of an existing office or the establishment of an additional office.

**6.4.4.** Members beginning a third (or greater) consecutive Senedd in office are entitled to refresh some of their office furniture. A Member may claim under this allowance in the first year of their third (or subsequent) term and every third (or subsequent) consecutive term after an allowance under this paragraph has been paid. Members must submit a written request for the items they wish to requisition for approval by the Members' Business Support Team. The cost of the approved items will be met from central funds (and not from the Office Costs and Constituent Liaison Fund), subject to a maximum cost of £1,000.

## **6.5. Approved suppliers of office equipment and stationery**

**6.5.1.** Subject to paragraph 6.4.2 below, Members can only purchase or hire photocopiers from approved suppliers. A list of these approved suppliers is held by the Members' Business Support Team.

**6.5.2.** If photocopiers are purchased or hired from an unapproved supplier, the Members' Business Support Team may refuse reimbursement, or direct payment, of the claim to the extent it exceeds the highest price quoted by the approved suppliers for the actual, or a comparable, item.

**6.5.3.** Members must have regard to any guidance issued by the Members' Business Support Team in relation to the purchase of other office equipment and stationery, including guidance on the use of approved suppliers.

**6.5.4.** Where such guidance lists an approved supplier or suppliers for a particular category of office equipment or stationery, Members must provide evidence of value for money and seek approval from the Members' Business Support Team to purchase items, within these categories, from unapproved suppliers.

**6.5.5.** Members who wish to purchase additional Information and Communications Technology equipment for their office must submit a written request for such items to the Members' Business Support Team, prior to purchase. To maintain compatibility with the Senedd's Information and Communications Technology systems and cyber security protections it is strongly recommended that this equipment is purchased through the Senedd Commission. The costs will be met from the Members' allowance.

## **6.6. Office security**

**6.6.1.** Members may make a claim for the reimbursement of costs incurred for the purpose of enhancing security at their constituency/regional offices, where such measures have been recommended by the Senedd Commission's security advisors. Such costs will be met from

central funds. Any request which falls outside the scope of those measures will be assessed on a case-by-case basis.

## **6.7. Health and safety**

**6.7.1.** An additional amount is available to fund any expenditure by Members of more than £500 in any financial year in respect of health and safety precautions at their premises, where such measures have been recommended by an appropriate person approved by the Chief Executive and Clerk. Such recommendations must be in writing and at least three competitive quotations for the cost of carrying out such works must be submitted to the Members' Business Support Team for approval in advance of any expenditure being incurred.

**6.7.2.** No Member will be required to fund more than £500 from their Office and Constituent Liaison Fund in respect of paragraphs 6.6.1. Any amount over £500 will be funded from central funds.

## **6.8. Leasing, sub-letting and sharing**

**6.8.1.** A Member who rents an office within their constituency or region may not claim reimbursement in respect of the rent of that office unless:

- a. the Member has, before entering into the agreement to rent the office, notified the Members' Business Support Team of the proposal;
- b. a qualified valuer has advised the Members' Business Support Team that the proposed rent is reasonable;
- c. legal advice on the suitability of their office lease has been received prior to agreement;
- d. a copy of the executed rental agreement has been deposited with the Members' Business Support Team.

**6.8.2.** A Member who rents an office (or part of an office) from a party political organisation or a trade union may not claim from the Office and Constituent liaison Fund in respect of the rent of that office unless:

- a. the Member has, before entering into the agreement to rent the office, notified the Members' Business Support Team of the proposal;
- b. a qualified valuer has advised the Members' Business Support Team that the proposed rent is reasonable;

- c. a copy of the executed agreement has been deposited with the Members' Business Support Team.

**6.8.3.** A Member who rents part of an office to a party political organisation or trade union (or to any other organisation or business) may not claim reimbursement in respect of the costs of that office unless:

- a. the Member has, before entering into the agreement to rent that part of the office, notified the Members' Business Support Team of the proposal;
- b. a qualified valuer has advised the Members' Support Team that the proposed rent is reasonable;
- c. a copy of the executed agreement has been deposited with the Members' Business Support Team.

**6.8.4.** If a valuer has advised on a rent:

- a. under paragraph 6.7.1(b) a Member may not claim from the Office and Constituent Liaison Fund in respect of any increase to that rent unless the increase has been notified to the Members' Business Support Team and the Members' Business Support Team is satisfied that the increase will not mean that the rent exceeds that which is reasonable.
- b. under paragraph 6.7.2(b) a Member may not reduce that rent, whilst still claiming from the Office and Constituent Liaison Fund in respect of the office, unless the proposed decrease has been notified to the Members' Business Support Team and the Members' Business Support Team is satisfied that the decrease will not mean that the rent is less than that which is reasonable.

**6.8.5.** The Members' Business Support Team may, in order to enable them to consider an increase or decrease notified to them under sub-paragraph (a) or (b), require that the advice of a valuer notified by them be obtained.

**6.8.6.** The cost of obtaining the advice of a valuer or legal advice for the purposes of paragraphs 6.7.1(b), 6.7.1(c), 6.7.2(b) or 6.7.3(b) may be claimed from the Office and Constituent Liaison Fund.

**6.8.7.** A Member who proposes to enter into an arrangement to share an office with a Member of Parliament may not claim reimbursement in respect of the rent of that office unless:

- a. the Member has, before entering into the arrangement to share the office, notified the Members' Business Support Team of the proposal;
- b. a draft agreement, setting out the terms of the proposed arrangement, including those relating to the method of sharing the costs of the office, has been deposited with the Members' Business Support Team;
- c. the Members' Business Support Team has approved the proposed arrangement.

**6.8.8.** Any proposed variation to an arrangement of the kind referred to in paragraph 6.7.6 must be notified to the Members' Business Support Team. Any variation to such an arrangement may not be put into effect by a Member who is claiming from the Office and Constituent Liaison Fund in respect of the office, without the prior approval of the Members' Business Support Team.

**6.8.9.** A Member who claims from the Office and Constituent Liaison Fund in respect of the rent of an office:

- a. which is shared with a Member of Parliament; or
- b. part of which is rented to another person;
- c. is only entitled to claim from the fund in respect of the net rent of the office i.e. the difference between the amount paid by the Member by way of rent of the office and the amount received by the Member as a contribution towards the rent or as rent for part of the office, as the case may be.

**6.8.10.** A Member who rents part of an office (in respect of which funds are being claimed from the Office and Constituent Liaison Fund) to a party political organisation must ensure that no other part of the office is used for party political, including electioneering, purposes.

## **6.9. Viring**

**6.9.1.** Members may vire up to 25 per cent of their Office and Constituent Liaison Fund to their Staffing Allowance where excess funds exist. Members may also vire up to the same amount from their Staffing Allowance to the Office and Constituent Liaison Fund where excess funds exist.

**6.9.2.** In exceptional circumstances, a Member may draw money from the following year's allowance subject to prior agreement from the Members' Business Support Team. Any such money will be deducted from their budget for the following year.

**6.9.3.** The limit on the amount that may be drawn down under paragraph 6.8.2 is 25 per cent. Members may not however carry funds forward to a future financial year, i.e. seek to add unused funds from a previous financial year to a new financial year.

**6.9.4.** Viring in accordance with paragraph 6.8.2 will not be permitted in the 12 month period before an ordinary general election.

## 7. Staffing support for Members

### 7.1. Staffing Expenditure Allowance

**7.1.A1.** Each Member is an employer. The Board's role is to provide each Member with a staffing allowance as well as setting the employment framework by providing pay scales, standardised contracts and mandated policies for all employees relating to areas for which funding can be provided through the Determination.

**7.1.1.** A Member is entitled to claim staffing expenditure costs, up to a maximum of £107,350, for persons employed by them where those costs are wholly, exclusively and necessarily incurred to enable the performance of the Member's duties.

**7.1.2.** The total annual expenditure each Member makes on this allowance will be published to the Senedd's website. In addition, the name, role, relationship and salary band of all family members employed by a Member and the average weekly overtime payments made to family members over the course of the financial year will also be published.

**7.1.3.** A Member may claim an allowance to cover the salaries of their staff. The related employer National Insurance contributions will be paid centrally and will not be deducted from the Staffing Expenditure Allowance.

**7.1.4.** All staff will be 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.

**7.1.5.** The full-time equivalent salary scales for these posts for 2021-22 are set out below.

**Table 2: Staff salary scales for 2021-22**

Band	Pay point 1	Pay point 2	Pay point 3	Pay point 4	Pay point 5
<b>Senior Advisor</b>	£35,858	£37,694	£39,629	£41,659	£43,802
<b>Band 1</b>	£26,650	£29,037	£31,648	£34,497	£37,612
<b>Band 2</b>	£22,757	£25,032	£27,543	£30,307	£33,356
<b>Band 3</b>	£20,607	£22,203	£23,924	£25,783	£27,790

## **7.2. Progression through the pay points**

**7.2.1.** All new staff are expected to enter on the scale minimum for the appropriate band. A higher starting salary for new staff may be determined by the employing Member. Members must follow advice provided by the Members' Business Support Team on starting salary criteria to demonstrate the justification for a higher starting salary.

**7.2.2.** Save where paragraph 7.2.3 applies, individual staff will, subject to satisfactory performance, move up the incremental scale one point at a time on the anniversary of their commencement of employment until they reach the scale maximum for their band.

**7.2.3.** Where new staff commence employment on pay point 1 and show satisfactory performance throughout their probation period, Members may, following the completion of the probation period, move the staff member up the incremental scale to point 2, in advance of the anniversary of the commencement of employment. In doing so, Members must have due regard to advice provided by the Members Business Support Team on starting salary criteria. In such cases, the trigger date for future annual reviews will be the date on which pay at pay point 2 commenced (instead of the date of commencement of employment).

**7.2.4.** Staff bonuses may not be paid from this (or any other) allowance.

## **7.3. Annual indexation**

**7.3.1.** Subject to paragraph 7.3.2, the pay of staff will be adjusted in April of each year by the change in the Annual Survey of Hours and Earnings, estimated gross Median Earnings for full-time employee jobs in Wales between April and April of the previous year.

**7.3.2.** The adjustment made by paragraph 7.3.1 will be no lower than zero per cent and no higher than three per cent.

## **7.4. Staff combinations**

**7.4.1.** Members may employ staff in any combination of salary bands so long as the actual cost of salaries payable in a year does not exceed the total value of the Staffing Expenditure Allowance. It is the Member's responsibility to ensure that the total staff pay remains affordable within the Member's available allowance in future years, taking account of movements up the incremental pay scales.

**7.4.2.** The difference between the actual salaries of staff and the total value of the Staffing Expenditure Allowance is known as the 'Remaining Balance'.

**7.4.3.** The Remaining Balance may be used to cover the costs outlined in sections 7.5 to 7.8 and also other staff related costs such as approved redundancy costs (where section 7.13 is not applicable), incidental costs of work placements, staff and interns, etc.

## **7.5. Temporary support**

**7.5.1.** Where a Member requires additional temporary support which cannot be met from the Temporary Staffing Allowance provide for in section 7.12, they may use the Remaining Balance for this purpose. Any contracts longer than six months in duration must be subject to an open and fair recruitment process as outlined in the Recruitment Policy. Fixed term contracts cannot be longer than 18 months in length.

**7.5.2.** Where a Member provides opportunities for unpaid placements they must abide by the Unpaid Placement Policy.

**7.5.3.** Where a Member provides an intern placement which is longer than four full weeks in duration, the intern must be placed on a fixed term contract with the Member and paid the scale minimum of a Band 3 member of staff.

## **7.6. Employment of family members**

**7.6.1.** From 1 April 2019, a Member is not entitled to claim from this (or any other) allowance the funding for the salaries of family members.

**7.6.2.** Paragraph 7.6.1 does not apply to family members who were appointed before 1 April 2019. They will continue to have their salaries funded from the Determination until the end of the Sixth Senedd. During the transition period (which ends at the end of the Sixth Senedd) the contracts of family members may not be enhanced by the employing Member (family members will receive the annual adjustment to their salary as provided for in paragraph 7.2).

## **7.7. Life assurance provision for Members' staff**

**7.7.1.** A payment will be made in respect of any staff member who was in employment at the date of death.

**7.7.2.** The payment will be twice the final pay in the last year of employment, or, if higher, the year prior to the last year of employment.

**7.7.3.** Where employees have worked less than a calendar year, any payment will be based on salary paid to date.

**7.7.4.** Full details are set out in the Life Assurance Provision for Members' Support Staff, which is available from Members' Business Support.

## **7.8. Virement**

**7.8.1.** Those Members who had viring arrangements in place before 1 October 2018 from their Staffing Allowances to the Support for Political Parties allowance are permitted to continue viring during the Fifth Senedd. From 1 October 2018 no new viring arrangement will be approved by the Members' Business Support Team.

**7.8.2.** Members may vire up to 25 per cent of their Office and Constituent Liaison Fund to their Staffing Allowance where excess funds exist. Members may also vire up to the same amount from their Staffing Allowance to the Office and Constituent Liaison Fund where excess funds exist.

Contract, payment of salaries and pension provision details

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## **7.9. Contracts of employment**

**7.9.1.** Members are required to provide each of their employees with a standard written statement of the terms and conditions of employment that has been issued by the Members' Business Support Team. Members must provide a signed copy to the Members' Business Support Team within one month of the commencement of the employment.

**7.9.2.** In support of Member's role as an employer of staff, the Board has agreed mandated policies, including a policy to allow Members to give their staff time off for public duties.

## **7.10. Payment of salaries**

**7.10.1.** Staff salaries are paid monthly in arrears on the last working day of each month. Payment must be made direct to the individual's account by electronic transfer (Bankers Automated Clearing Services – BACS).

**7.10.2.** Staff may request one advance of their pay per year.

## **7.11. Pension provision for Members' staff**

**7.11.1.** A Member is entitled to claim an allowance in respect of the cost to them of contributions made to the personal pension plan of any staff paid from:

- Staffing Expenditure Allowance, or
  - Office and Constituent Liaison Fund in respect of directly employed cleaning staff.
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**7.11.2.** The maximum amount payable is 10 per cent of the actual salary paid to the relevant member of staff. This allowance is not taken from either the Staffing Expenditure Allowance or the Office and Constituent Liaison Fund.

**7.11.3.** In addition to the 10 per cent employer pension contribution currently paid and referred to in paragraph 7.11.2, where a member of staff chooses to make a personal contribution to their pension, those personal contributions will be matched by an employer contribution up to a maximum of three per cent of actual salary paid. This cost is paid from central funds.

## **7.12. Temporary Staffing Allowance (TSA)**

**7.12.1.** Where a person to whom a salary is paid by a Member from the Staffing Expenditure Allowance is prevented through illness, maternity leave, shared parental leave, paternity leave or adoption leave from providing assistance to the Member, a claim may be made for a Temporary Staffing Allowance. Any such claim may only be made for the costs of additional expenses wholly, exclusively and necessarily incurred in order to enable the performance of the Member's duties.

**7.12.2.** Temporary Staffing Allowance can only be claimed if the member of staff for whom cover is required:

- is absent from work because of illness; extended leave on compassionate grounds; maternity leave, paternity leave, shared parental leave or adoption leave; and continues to be employed by the Member via their Staffing Expenditure Allowance;
- is not employed on a casual or temporary basis;
- in the case of illness or extended leave on compassionate grounds, is absent for a continuous period that exceeds two weeks;
- submits supporting medical certificates for periods of sickness, a maternity certificate (MATB1 form) showing the expected week of confinement for maternity or paternity leave or a matching certificate in the case of adoption leave or paternity leave (to be taken on adoption);
- has a valid contract of employment specifying the periods of paid sickness, maternity, paternity, shared parental or adoption leave.

**7.12.3.** Where a Member makes a claim for Temporary Staffing Allowance due to the absence of a member of staff through illness, the Member must abide by the terms of the Sickness Absence policy for short or long term absences.

**7.12.4.** Where a member of staff is absent whilst under paid suspension and the terms of the suspension have been agreed with the Members' Business Support Team, an application may be made to the Board for Temporary Staffing Allowance.

**7.12.5.** The maximum Temporary Staffing Allowance entitlement will be based on the amount of the absent employee's gross salary for a specified period (shown below).

**7.12.6.** Members are encouraged to ensure that all staff providing the temporary cover have pension arrangements in place in line with good employment practice.

**7.12.7.** Absences for illness, maternity, paternity, shared parental and adoption leave are treated as completely separate for the purposes of calculating Temporary Staffing Allowance. Therefore a Member who has an employee who has been on maternity, paternity, shared parental or adoption leave and (unrelated) sick leave will have access to two separate budgets for Temporary Staffing Allowance.

**7.12.8.** When an individual is absent through illness, the maximum allowance available will be based on six months full-pay and six months half-pay (including employer's National Insurance contributions and pension costs) of each absent qualifying employee.

**7.12.9.** Once an individual has been absent, owing to illness, for a continuous period exceeding two weeks, Temporary Staffing Allowance will be retrospective to the first day of absence.

**7.12.10.** When an individual is absent due to maternity, paternity, shared parental or adoption leave, the maximum allowance available is equivalent to 26 weeks of the absent employee's gross salary (including employer's National Insurance contributions and pension costs).

**7.12.11.** Where a claim for temporary assistance to cover sickness absence of an employee utilises the maximum period allowed in these arrangements, any extension of the temporary assistance should be claimed against the Remaining Balance. The permanent employee will have reached the contractual limit for salary entitlement and the costs of the replacements will no longer be additional to the normal salary costs.

**7.12.12.** If a subsequent claim for assistance arises in respect of an employee who has had 12 months paid sickness absence, then that claim may only be admitted if a period of 12 months has elapsed from the end of the previous claim.

Redundancy

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## **7.13. Redundancy payments to staff who are paid from the Staffing Expenditure Allowance**

**7.13.1.** A Member is entitled to claim for the cost to them of redundancy payments to qualifying staff, where the Member ceases to be a Member for any reason.

**7.13.2.** To qualify, staff must have at least two years' service with the Member on the date at which they cease to be employed by the former Member

**7.13.3.** Redundancy payments will be calculated on the basis of statutory entitlement uprated by 50 per cent (unless paragraph 7.13.4 below applies).

**7.13.4.** Where staff fall within the following circumstances, redundancy payments will be calculated on the basis of statutory entitlement uprated by 100 per cent if the employing Member:

- a. dies;
- b. ceases during a Senedd to be a Member (but see paragraph 7.13.5 below);
- c. is defeated at an ordinary general election to the Senedd;
- d. resigns due to ill-health;
- e. undertakes a restructure of their staffing complement during the Senedd.

**7.13.5.** Paragraph 7.13.4(b) does not apply where the employing Member made it publicly known that they intended to stand down from the Senedd at least one month before doing so.

**7.13.5a.** The funding for redundancy arising from a restructure as referred to in paragraph 7.13.4(e), will be deducted from the Staffing Expenditure Allowance. In all other cases described, the redundancy will be paid out of central funds and will not be deducted from the Staffing Expenditure Allowance.

## **7.14. Policy, Research and Communication Fund**

**7.14.1.** A Member may claim a maximum of £2,500 (inclusive of VAT) towards the cost of obtaining external expertise to advise or assist, for a fixed period, to deliver a specific piece of research work or for engaging with constituents ("the work").

**7.14.2.** The fund may be used for research into:

- Policy development

- Exploration of issues of significance to constituents
- Scrutiny of policy, legislation or finance.

**7.14.3.** Members may also use the Fund for procuring external pieces of work to create content for engagement with their constituents. Typical examples of work that may be undertaken are:

- Develop resources that make connections between the Senedd's responsibilities, local issues and the Member's activity;
- Assist with the development of a professionally produced Annual Report;
- Produce regular newsletters.
- It may not be used for party political engagement. It may not be used to cover the cost of dissemination of the content.
- It may not be used for the costs of printing and signage.

**7.14.4.** Members may combine the £2,500 budget with other Members to create an enhanced fund. Members can also vire funds to the party to create a larger fund for research purposes only. A Member may also supplement the Fund with additional funds from their own staffing budget.

**7.14.5.** The titles of any research for which the fund has been used, along with the cost and the name of the service provider will be published annually by the Board.

**7.14.6.** Use of the Fund is not allowed four months prior to an ordinary general election (i.e. from January in an election year where the election is scheduled in May).

**7.14.7.** Member wishing to claim must:

- a. send the Members' Business Support Team a written proposal which outlines the duration, cost and purpose of the work with sufficient detail to enable the request to be considered;
- b. receive approval from the Members' Business Support Team before the work is commenced; and
- c. ensure that at all times the principles of financial support set out in this Determination are met, including but not limited to the principle that no work may relate to party political activity (as set out in paragraph 1.3.3).

**7.14.8.** *[Removed]*

## 8. Support for Political Parties

### 8.1. Purpose

**8.1.A1.** Each Political Party Leader is an employer. The Board's role is to provide each Political Party with an allowance as well as setting the employment framework by providing pay scales, standardised contracts and mandated policies for all employees relating to areas for which funding can be provided through the Determination.

**8.1.1.** Support for Political Parties exists to assist parties in the undertaking of their work in the Senedd. The Support for Political Parties' Allowance ('the allowance') is payable only in respect of costs which are incurred by Members wholly, exclusively and necessarily for the purpose of the performance of their duties as Members.

**8.1.2.** It is not possible to produce an exhaustive list of admissible items, but the following examples may assist in deciding whether or not a claim may be made (in cases of doubt reference should be made to the Members' Business Support Team):

- employing staff in an administrative capacity;
- employing staff to undertake research;
- the costs of overtime, travel, etc.;
- acquiring office equipment and hire of facilities.

**8.1.3.** Expenditure under this allowance may be authorised by the Political Party Leader or such other Member to whom authority has been designated by the Leader. The total annual expenditure each Political Party makes on this allowance will be published to the Senedd's website.

**8.1.4.** A Member responsible for employing Political Party staff is required to provide each of their employees with a standard written statement of the terms and conditions of employment that has been issued by the Members' Business Support Team. Political Parties and individual Members must provide a signed copy to the Members' Business Support Team within one month of the commencement of the employment.

**8.1.4A.** In support of Member's role as an employer of staff, the Board has agreed mandated policies, including a policy to allow Members to give their staff time off for public duties.

**8.1.5.** The related employer National Insurance contributions for any staff funded under any of the provisions of the Political Parties Support Allowance will be paid from central funds and will not be deducted from this allowance.

**8.1.6.** The purchase of furniture or other items costing £750 or more, or any contractual liability with a lifetime value of £750 or more, must be referred to the Members' Business Support Team for approval, accompanied by at least three competitive quotations for the cost of such items in advance of any cost being incurred or contract entered into. For example, a three year rental agreement/lease of office furniture with an annual cost of £500 must be referred as its lifetime value is £1,500.

**8.1.7.** Political Party Staff bonuses may not be paid from this (or any other) allowance.

## **8.2. Staff combinations**

**8.2.1.** Political Parties may employ staff in any combination of the salary bands so long as the actual salaries of all staff payable in that financial year does not exceed the total value of the allowance as follows:

- a. the total Support for Political Parties' Allowance available is £1,018,450;
- b. any Political Party or Parties represented in the Welsh Government will receive a core administration allowance of £11,190 per Member up to a maximum of £167,790;
- c. any Political Party not represented in the Welsh Government, with three or more Members, will be entitled to a core administration allowance of £55,390;
- d. following the allocation of core administration allowances, the remaining Support for Political Parties Allowance will be allocated on a per capita basis among all Members whose parties are not represented in the Welsh Government.

**8.2.2.** The difference between the actual salaries of all staff and the total value of the allowance is known as the "Remaining Balance". It is the Political Party's responsibility to ensure that the total staff pay remains affordable within the Political Party's available allowance in future years, taking account of movements up the incremental pay scales.

**8.2.3.** The Remaining Balance may be used to cover the costs outlined in sections 8.6 to 8.8, and also other staff related costs such as approved redundancy costs (where section 8.9 is not applicable), travel, hire of facilities, etc.

**8.2.4.** All staff must be employed on a salary point of one of five salary bands, Chief of Staff, Additional Group Support, Band 1, Band 2 or Band 3, (as set out in Table 4), and must be employed in line with the Recruitment Policy issued to Members by the Members' Business Support Team.

**8.2.5.** No more than one full time equivalent (37 hours) position may be funded from the Chief of Staff band.

**8.2.6.** The full time equivalent salary scales for these posts in 2021-22 are set out below.

**Table 3: Political Party staff salary scales for 2021-22**

<b>Band</b>	<b>Pay point 1</b>	<b>Pay point 2</b>	<b>Pay point 3</b>	<b>Pay point 4</b>	<b>Pay point 5</b>
<b>Chief of Staff</b>	£39,444	£41,465	£43,592	£45,826	£48,179
<b>Senior Advisor</b>	£35,858	£37,694	£39,629	£41,659	£43,802
<b>Band 1</b>	£26,650	£29,037	£31,648	£34,497	£37,612
<b>Band 2</b>	£22,757	£25,032	£27,543	£30,307	£33,356
<b>Band 3</b>	£20,607	£22,203	£23,924	£25,783	£27,790

### **8.3. Progression through the pay points**

**8.3.1.** All new staff are expected to enter on the scale minimum of the appropriate pay band. However, a higher starting salary for new staff may be determined by the employing Political Party Leader in line with the guidance on starting salary criteria. Political Party Leaders must follow the guidance to justify a higher starting salary.

**8.3.2.** Save where paragraph 8.3.3 applies, individual staff will, subject to satisfactory performance, move up the incremental scale one point at a time on the anniversary of their commencement of employment until they reach the scale maximum for their band.

**8.3.3.** Where new staff commence employment on pay point 1 and showed satisfactory performance throughout their probation period, Political Party Leaders may, following the completion of the probation period, move the staff member up the incremental scale to point 2 in advance of the anniversary of the commencement of employment. In doing so, Political Party Leaders must have due regard for the guidance provided to them. In such cases, the trigger date for future annual reviews will be the date on which pay at pay point 2 commenced (instead of the date of commencement of employment).

## **8.4. Annual indexation**

**8.4.1.** Subject to paragraph 8.4.2, the pay of Political Party staff will be adjusted in April of each year by the change in the Annual Survey of Hours and Earnings, gross Median Earnings for full-time employee jobs in Wales between April and April of the previous year.

**8.4.2.** The adjustment made by paragraph 8.4.1 will be no lower than zero per cent and no higher than three per cent.

## **8.5. Employment of family members**

**8.5.1.** From 1 April 2019, a Political Party is not entitled to claim from this (or any other) allowance the funding of the salaries of family members.

**8.5.2.** Paragraph 8.5.1 does not apply to family members of the Party Leader who were appointed before 1 April 2019. They will continue to have their salaries funded from the Determination until the end of the Sixth Senedd. During the transition period (which ends at the end of the Sixth Senedd) the contracts of family members of the Party Leader may not be enhanced by the employing Political Party (family members will receive the annual adjustment to their salary as provided for in paragraph 8.4.1).

Remaining balance

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## **8.6. Office equipment and stationery**

**8.6.1.** Political Parties may use the Remaining Balance to purchase or hire office equipment and stationery, but all such purchases must be made in accordance with the requirements of Chapter 6 of this Determination.

## **8.7. Life assurance provision for Political Party staff**

**8.7.1.** A payment will be made in respect of any staff member who was in employment at the date of death.

**8.7.2.** The payment will be twice the final pay in the last year of employment, or, if higher, the year prior to the last year of employment.

**8.7.3.** Where employees have worked less than a calendar year, any payment will be based on salary paid to date.

**8.7.4.** Full details are set out in the Life Assurance Provision for Members' Support Staff, which is available from the Members' Business Support Team.

## **8.7A Policy and research**

**8.7A.1.** Political Parties may use the Remaining Balance to bring in external expertise, for a fixed period, to advise or assist in delivering a specific piece of research ("the work").

**8.7A.2.** The fund may be used for research into:

- Policy development;
- Exploration of issues of significance to constituents;
- Scrutiny of policy, legislation or finance.

**8.7A.3.** A party wishing to use their Support for Political Parties Allowance in this way must:

- send to the Members' Business Support Team a written proposal which outlines the duration, cost and purpose of the work with sufficient detail to enable the request to be considered;
- receive approval from the Members' Business Support Team before the work is commenced;
- ensure that at all times the principles of financial support set out in this Determination are met, including but not limited to, the principle that no work may relate to party political activity (as set out in paragraph 1.3.3).

**8.7A.4.** The titles of any research for which the fund has been used, along with the cost and the name of the service provider, will be published annually by the Board.

**8.7A.5.** Use of the Fund is not allowed four months prior to an ordinary general election (i.e. from January in an election year where the election is scheduled in May).

Other arrangements

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## **8.8. Pension provision for Political Party staff**

**8.8.1.** Political Parties are entitled to claim reimbursement of the cost to them of contributions made to the personal pension plan of any Political Party staff member.

**8.8.2.** The maximum amount payable is 10 per cent of the actual salary paid to the relevant member of staff. This cost is paid from central funds and does not count against the Support for Political Parties Allowance.

**8.8.3.** In addition to the 10 per cent employer pension contribution currently paid, and referred to in paragraph 7.11.2, where a member of staff chooses to make a personal contribution to their pension, those personal contributions will be matched by an employer contribution up to a maximum of three per cent of actual salary paid. This cost is paid from central funds.

## **8.9. Redundancy arrangements**

**8.9.1.** These redundancy arrangements apply to Political Parties comprised of Members returned to the Sixth (and any subsequent) Senedd.

**8.9.2.** A Political Party is entitled to claim for the cost of redundancy payments to qualifying staff where the party composition changes, for the following reasons:

- a. As a result of an election;
- b. where a Member of a Political Party ceases to be a Member of the Political Party during the Senedd, or
- c. some other reason, such that it reduces or removes entitlement to the Political Parties Support Allowance in paragraph 8.2.1.

**8.9.3.** To qualify, staff to whom payments will be made must have at least two years' service with the employing Political Party on the date at which they cease to be employed by the party (or former party). Redundancy payments will be calculated on the basis of the statutory entitlement under the current employment legislation, uprated by 50 per cent (but see paragraphs 8.9.4 to 8.9.5). Such sums will be paid out of central funds and will not be deducted from the Support for Political Parties Allowance. However, when redundancies result from a restructure by the Political Party, funds will be deducted from the Support for Political Parties Allowance.

**8.9.4.** Where staff fall within the following circumstances, redundancy payments will be calculated on the basis of statutory entitlement uprated by 100 per cent.

- a. a Member (or Members) of the party dies;
- b. a Member (or Members) of the party ceases during a Senedd to be a Member (but see paragraph 8.9.5 below);
- c. a Member (or Members) of the party is defeated at an ordinary general election to the Senedd;
- d. a Member (or Members) resigns due to ill-health;

- e. the employing Political Party undertakes a restructure of their staffing complement during the Senedd term (but see paragraph 8.9.3).

**8.9.5.** Paragraph 8.9.4(b) does not apply where the Member of the party made it publicly known that they intended to stand down from the Senedd at least one month before doing so.

## 9. Members leaving office

### 9.1. Winding up allowance

**9.1.1.** A person who, for whatever reason, has ceased to be a Member (a "former Member") is entitled to claim an allowance in respect of the cost incurred wholly, exclusively and necessarily in completing any work that was in progress at the time that person ceased to be a Member.

**9.1.2.** A Member ceases to be a Member (or be treated as a Member in the case of (d)) on the date of any of the following:

- a. the resignation of the Member,
- b. the death of the Member,
- c. the dissolution of the Senedd if the Member is not a candidate for election to the new Senedd, or
- d. polling day if the Member is a candidate for election to the new Senedd but is not elected (as provided for under section 22(4) of the Act).

**9.1.3.** The amount that can be claimed is to be governed by a written winding up plan agreed between the Members' Business Support Team and the former Member. The amount is calculated by reference to the period agreed for the winding up and the Office and Constituent Liaison Fund, Residential Accommodation Expenditure and that part of the Staffing Expenditure Allowance which provides for the actual salaries in payment to staff employed by the former Member on the day that the former Member ceased to be a Member. The agreed winding up plan is (subject to paragraph 9.1.5) to have a maximum duration of three months and no claim will be considered in relation to costs incurred after the expiry of the period of the plan.

**9.1.4.** The amount payable under this allowance is reduced by the amount by which the Office and Constituent Liaison Fund, Residential Accommodation Expenditure and that part of the Staffing Expenditure Allowance referred to in paragraph 9.1.3 may have been over claimed (applying the pro-rating described in paragraph 2.1.1).

**9.1.5.** In respect of a deceased Member:

- a. this allowance has effect as if references to the former Member are taken, where appropriate, as references to the personal representatives of the deceased Member;

- b. the maximum duration of three months referred to in paragraph 9.1.3 does not apply but the plan must provide for the winding up to be completed as soon as is reasonably practicable under the circumstances.

## **9.2. Work undertaken and expenses**

**9.2.1.** A claim for work undertaken and expenses which have been incurred in accordance with paragraphs 9.1.1 and 9.1.3 can include the following:

- salary and employer's National Insurance contributions of staff who continue to be employed together with related pension contributions;
- contractual liabilities for staff;
- contractual liabilities for the payment of equipment hire or accommodation leasing agreements;
- postage, stationery and telephone costs;
- travel costs.

**9.2.2.** Redundancy payments under sections 7.13 and 8.9 do not fall within the scope of this allowance.

## **9.3. Resettlement Grant**

**9.3.1.** A person who immediately before a dissolution of the Senedd is a Member of the Senedd and that person is a candidate for re-election but it is not re-elected, is entitled to claim a Resettlement Grant.

**9.3.2.** In the preceding paragraph, "candidate for re-election" includes a person on a list of candidates of a registered political party; and "re-elected" includes a person returned for a Senedd electoral region.

**9.3.3.** Members who also are, or have also been, Members of Parliament and who have, or have had, their Senedd salary reduced by two-thirds in accordance with paragraph 3.1.2 of this Determination, will have their Resettlement Grant calculated by reference to the unabated salary level.

**9.3.4.** The amount of the Resettlement Grant payable is one calendar month's salary (at the rate payable to Members immediately before the dissolution) for each completed year of service subject to a maximum payment equal to six months' salary.

**9.3.5.** Members who have at any time during their period of service (calculated in accordance with paragraph 9.5.1) held an additional office as specified in paragraph 3.1.4 will be entitled to receive an additional payment by way of a Resettlement Grant. The payment will be equal to the amount of salary paid to the holder of that additional office in the three months before they ceased to hold that additional office. If a Member held more than one additional office during that period, the amount of salary on which this payment is based will be the higher, or as the case may be, the highest amount paid to that Member. However, where a Member has chosen not to draw an additional salary to which they are entitled, or has chosen to draw a reduced sum, the additional payment under this paragraph will be calculated by reference to the unabated salary.

#### **9.4. [Removed]**

### **9.5. Calculating years of service**

**9.5.1.** In calculating the number of years of service (for the purpose of paragraph 9.3.4) a period of tenure as a Member is not to be taken into account on more than one occasion; any period of service that was disregarded when determining a previous Resettlement Grant payment is disregarded. Any fraction of a year is also disregarded except where a Member who was first elected at an ordinary general election fails to complete a year because the date of dissolution prior to the next ordinary general election is less than a year after the date on which the Member was first elected. In such a case the Member is regarded as having served a complete year.

### **9.6. Ill Health Retirement Grant**

**9.6.1.** Any Member whose health precludes their continued participation as a Member of the Senedd is entitled to claim an Ill Health Retirement Grant on ceasing to be a Member. The level of grant payable is calculated on the same basis as a claim for a Resettlement Grant under section 9.3.

**9.6.2.** A Member who claims an Ill Health Retirement Grant is not entitled to claim a Resettlement Grant at the time of the next dissolution of the Senedd.