



# Local Government (Wales) Act 2015

2015 anaw 6

*Other provisions relating to Independent Remuneration Panel for Wales*

## **39 Temporary extension of functions of Panel relating to heads of paid service to chief officers**

(1) Section 143A of the Local Government (Wales) Measure 2011 (functions of Panel in relation to salaries of heads of paid service) has effect in relation to salary for service or services during the relevant period paid to a chief officer of a principal local authority other than the head of paid service as in relation to salary paid to that head of paid service.

(2) In subsection (1)—

“chief officer” (“*prif swyddog*”), in relation to a principal local authority, has the same meaning as in section 43(2) of the Localism Act 2011;

“head of paid service” (“*pennaeth gwasanaeth cyflogedig*”) and “salary” (“*cyflog*”) have the meanings given by section 143A(7) of the Local Government (Wales) Measure 2011;

“the relevant period” (“*y cyfnod perthnasol*”) means the period beginning with the day on which this section comes into force and ending with 31 March 2020.

(3) The Welsh Ministers may issue guidance about the exercise of its functions under section 143A of the Local Government (Wales) Measure 2011 in accordance with subsection (1); and in exercising those functions in accordance with that subsection the Panel must have regard to any guidance issued under this subsection.

## **40 Changes to duty to have regard to Panel recommendations about salaries**

(1) Section 143A of the Local Government (Wales) Measure 2011 (functions of Panel in relation to salaries of heads of paid service) is amended as follows.

(2) After subsection (3) insert—

“(3A) But a qualifying relevant authority that has consulted the Panel about a proposed reduction in salary may make the reduction before receiving a recommendation from the Panel if the contract under which the salary is payable does not prevent the authority from changing the salary after receiving a recommendation.

(3B) A qualifying relevant authority that makes a change to the salary of its head of paid service in accordance with subsection (3A) and subsequently receives a recommendation from the Panel about the change—

- (a) must reconsider the salary, and
- (b) when doing so, must have regard to the recommendation.”

(3) After subsection (4) insert—

“(4A) The Panel must notify the Welsh Ministers of every recommendation it makes under this section.”

(4) After subsection (5) insert—

“(5A) A qualifying relevant authority—

- (a) must notify the Panel and the Welsh Ministers of its response to a recommendation made by the Panel about a change to the salary of its head of paid service before the end of the period of 14 days starting with the day on which the authority determines the response, and
- (b) must not make a change to the salary before—
  - (i) the end of the period of eight weeks starting with the day on which the authority notifies the Welsh Ministers under paragraph (a), or
  - (ii) if, before the end of that period, the Welsh Ministers notify the authority that they will not be giving the authority a direction under subsection (5B), the day on which that notice is received.

(5B) If the Welsh Ministers consider that a qualifying relevant authority’s response to a recommendation made by the Panel about a change of salary means that the authority will pay (or, under subsection (3A), is paying) a salary which is inconsistent with the recommendation, the Welsh Ministers—

- (a) may direct the authority to reconsider the salary, and
- (b) may specify in the direction the time by which the authority must do so.”

#### **41 Panel membership**

- (1) Paragraph 1 of Schedule 2 to the Local Government (Wales) Measure 2011 (membership of Panel) is amended as follows.
- (2) In sub-paragraph (1), for “five” substitute “not fewer than 3, and not more than 7”.
- (3) Omit sub-paragraph (5) (employees of local authorities etc. not disqualified from membership).