# Council



Title of Report:	Report of the West Suffolk Joint Independent Remuneration Panel – Members' Scheme of Allowances		
Report No:	COU/SE/16/022		
Report to and date:	Council	20 December 2016	
Chairman of the West Suffolk Joint Panel	Karen Forster		
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Purpose of report:	<ul> <li>The purpose of this report is to recommend to Council the allowances to be paid to Members.</li> <li>In accordance with the requirements of the Local Authorities (Members' Allowances) (England) Regulations 2003, the Council at its meeting on 11 May 2016 set up a West Suffolk Joint Independent Remuneration Panel and endorsed the membership of the Panel for a four year term of office, expiring on 21 May 2020.</li> <li>The Council is required to observe, as part of the legislation, the following; 'before an authority makes or amends a scheme, it shall have regard to the recommendations made in relation to it by an independent remuneration panel'.</li> <li>The findings and recommendations of the Joint Panel</li> </ul>		

Recommendations:	It is RECOMMENDED that:		
	IT IS <u>RECOMMENDED</u> that:		
	any of the We Remun A to Re Membe Edmun the Pa	t to the deletion or amendment of the 35 specific recommendations of est Suffolk Joint Independent eration Panel contained in Appendix eport No COU/SE/16/022, the new ers' Allowance Scheme for St dsbury Borough Council devised by nel, as set out in Appendix C to No: COU/SE/16/022, be adopted;	
	<ul> <li>(2) the new Members' Allowance Scheme be applied to cover the four year period of 1 April 2017 to 31 March 2021, subject to the inclusion of any revisions to the Scheme following an interim "light touch" review undertaken by the Panel in 2018 (date to be agreed);</li> <li>(3) as a consequence of the new Scheme being implemented from 1 April 2017, the existing Members Allowance Scheme for St Edmundsbury Borough Council be extended until a date of expiry of 31 March 2017; and</li> </ul>		
	until a	date of expiry of 31 March 2017; and	
	(4) the Co	date of expiry of 31 March 2017; and nstitution be amended to reflect the adopted Scheme accordingly.	
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<i>Are there any <b>equality</b> implications? If yes, please give details</i>	Yes ⊠ No □ The principal issue arising from the review that has equality and diversity implications concerns the recommendation in relation to the Carers' Allowance. The Joint Panel was of the opinion that the proposed uplift in this allowance and the associated discretion would have marginal financial implications and would help to reduce potential barriers to existing Members' full participation and may encourage future prospective candidates to come forward, where they have caring responsibilities.	
Risk/opportunity assessment:	The main risk associated with the review of the Members' Scheme of Allowances is reputational in nature. When considering the findings and recommendations of the Joint Independent Remuneration Panel, Members should evaluate them in the spirit intended and the context to the report of the Joint Independent Remuneration Panel. It is still a matter for the Council to decide whether it adopts the associated recommendations in full or part.	
Ward(s) affected:	All wards	
Background papers:	New Council Constitutions – Guidance on Regulation for Local Authority AllowancesStatutory Instrument 2003 No 1021 – The Local Authorities (Members Allowances) (England) Regs 2003	
Documents attached:	Appendix A – Joint IRP Recommendations	
	Appendix B – Joint IRP Proposals Financial Allowances Appendix C – Proposed Revisions to SEBC Members' Allowances Scheme	

# 1. <u>Introduction</u>

1.1 The West Suffolk Joint Independent Remuneration Panel (the Panel), was appointed for a four- year term from 1 June 2016, and consists of four members:

Sandra Cox; Karen Forster; Clive MacLeod and John (Don) Watson.

The Chairman of the Panel was selected by its members at the start of the first meeting where it was agreed that Karen Forster would be Chairman.

- 1.2 The Panel met on 3 June; 21 July; 15 August; 25 August; 15 September; 5 October, 21 October, 2 November and 25 November 2016 to consider the available evidence before making the recommendations being put to Council and was assisted by the Monitoring Officer and the Democratic Services Officer (Scrutiny).
- 1.3 The Panel noted the Terms of Reference as outlined in section 3 of this report and that the Members' Allowances for both St Edmundsbury Borough Council and Forest Heath District Council to remain as two separate schemes in their own right. The Panel were also appraised of the full range of roles covered by Members in carrying out their duties as District/Borough Councillors in relation to the current Scheme of Members' Allowances.
- 1.4 Consideration was given to the Council's Committees and the frequency they meet as per the published calendar of meetings.
- 1.5 Comparative data on Members' Allowances Schemes throughout Suffolk and Norfolk were also studied to help set a contextual benchmark for Forest Heath Scheme and the St Edmundsbury Scheme.
- 1.6 Consideration was given to the survey responses submitted by Members regarding their workload; ward duties; meeting attendance and any additional duties.
- 1.7 The Panel interviewed a number of members and acknowledges the help received.

# 2. <u>Terms of Reference</u>

2.1 The Regulations provide that the Panel can make recommendations to the Council on the following mattes:

To make recommendations to Forest Heath District Council and St Edmundsbury Borough Council on Members' Allowances as set out in the Local Authorities (Members' Allowances) (England) Regulations 2003.

To consider the existing scheme of allowances for Members and to prepare a report for submission to the District and Borough Councils recommending a scheme of allowances encompassing:

- 1. Basic allowance of Members.
- 2. Special responsibility allowances for Members who have special responsibilities.
- 3. Travel and subsistence allowances.
- 4. Child Care and Dependent Carers' allowances.
- 5. Co-optees allowances.
- 6. Annual adjustment/increase of allowances.
- 7. Any other issues that the Panel deem to be appropriate.

In addition, the Panel may wish to consider the following criteria when taking into account the review the allowances:

- 1. Comparisons with allowances paid by other Suffolk Authorities and other local authorities with a similar size in East Anglia.
- 2. Workload and level of responsibility.
- 3. Affordability.

**Note:** The Members' Allowances for both Forest Heath District Council and St Edmundsbury Borough Council to remain as two separate schemes.

# 3. <u>Issues Considered and the Joint Panel's Conclusions</u>

3.1 The issues under consideration and the Panel's conclusions were as follows:

#### 3.2 Basic Allowance

The "New Council Constitution: Guidance on Regulation for Local Authority Allowances", sets out what allowances can be paid to members:

- Basic allowance
- Special responsibility allowance
- Dependents' carers' allowance
- Travelling and subsistence allowance.

Within the Guidance there was no mention of a separate allowance for Broadband or IT and therefore the Panel understands that it must be included in the basic allowance.

The current scheme for St Edmundsbury provides for a payment of a basic allowance, in the sum of  $\pounds$ 5,405.00 per annum (pa) and was currently ranked fourth in Norfolk and Suffolk.

The Basic Allowance is intended to reflect time committed for all councillors for ward work; meetings with officers; and attendance at committee meetings, training and group meetings. It is also a contribution towards the expenses incurred for the use of home and IT and communications.

The aim of the Panel was to ensure that Members were achieving the hourly rate that was appropriate. The Panel used the current living wage as a one-off benchmark. They calculated the hourly rate and incorporated 40% voluntary which provided a broad brush rate for comparison.

After receiving evidence in respect of both committee and ward roles and reviewing comparative data schemes across Suffolk and Norfolk, the Panel concluded that the current basic allowance was achieving our benchmark, when incorporating a 40% voluntary element.

The Panel agreed that it would also be helpful to allocate some of the basic allowance to specific areas such as "use of home; including IT and communications expenses" and "training engagement". Once an agreed amount was allocated to these areas, the remaining amount would provide an indication of what was voluntary and what Members would receive an allowance for.

It was agreed that  $\pm 1,500$  pa be allocated for the "use of home; including IT and communications", and  $\pm 500$  pa be allocated for training engagement.

	Proposed		
Use of home; including IT and	£ 1,500.00		
communications expenses			
Training engagement	£ 500.00		
Councillor Duties (30% of remainder)	£ 1,075.50		
Ward Duties (70% of remainder)	£ 2,509.50		
Total	£ 5,585.00		
	(incorporates £180 broadband payment)		
12 hours p.w.			
624 hours p.y			
hourly rate	£ 5.75		

This proposal equates to a "no net increase" in the basic allowance as the figure of £5,585.00 incorporates the £180 into the basic allowance. (*Current basic allowance* £5,405 + £180 = £5,585.00).

It was hoped that by allocating £500 towards training engagement, it reflected the Panel's recognition of the need for ongoing training, and the attendance and effort required by councillors. This is linked to the Council's current Member Development Charter.

The Panel was not specifically recommending courses; but is suggesting training on diversity and equality; a broad overview of planning and licensing and an understanding of financial documents for all councillors.

The Panel further recommends that as part of the established Member Development Programme, Members continue to develop their own personal development plans with their Group Leaders and officers, which will be resourced from within the existing budget for Member Development and monitored by officers.

The Panel discussed IT provision and support for Members, as well as the current payment of a Broadband allowance, in the sum of £180 pa. The Act did not allow for this payment, therefore, the Panel agreed that this allowance should be incorporated within the full allowance.

The proposed  $\pounds$ 1,500 being allocated for use of home expenses should include the  $\pounds$ 180 broadband payment, and other items such as the cost of printing, additional communications, utilities, office furniture and wear and tear.

The Panel agreed that it was appropriate that Members' allowances remained index linked to the staff National Joint Council (NJC) pay award.

#### **Recommendations:**

- That the basic allowance should incorporate the £180 broadband payment as stipulated by the statutory regulations, resulting in a Basic Allowance of £5,585.00 pa;
- 2) That as part of the established Member Development Programme, Members continue to develop their own personal development plans with their Group Leaders and officers, which will be resourced from within the existing budget for Member Development and monitored by officers.
- 3) That the scheme should remain index linked to officers' National Joint Council (NJC) pay awards.

# 3.3 Special Responsibility Allowances

The Panel developed a methodology for evaluating Members Allowances, taking into account the member role for the various positions.

Using a scoring criteria on a spreadsheet (from 0 - 5) the Panel came to a collective score for each of the Special Responsibility Allowances.

SRAs are calculated as a multiplier of the basic allowance. The Panel considered this to be an appropriate way to calculate SRAs and concluded that it should continue.

SRAs can be paid to those members of the Council who have significant additional responsibilities over and above the generally accepted duties of a councillor.

Due to the broadband allowance being incorporated within the basic allowance using the multiplier system the SRAs have marginally increased.

The Panel considered the full range of responsibilities that could attract the payment of an SRA under executive arrangements.

#### 3.3.1 Leader of the Council

The Leader currently received a special responsibility allowance of  $\pm 10,809.02$ . The Panel noted the role of the Leader and the importance of the role.

# **Recommendation:**

That the SRA for the Leader of the Council should be calculated by way of a multiplier of x2 the basic allowance, resulting in a special responsibility allowance of  $\pounds 11,170.00$ .

# 3.3.2 **Deputy Leader of the Council**

The Deputy Leader currently received a special responsibility allowance of  $\pounds 6,486.22$ .

# **Recommendation:**

That the SRA for Deputy Leader of the Council should be calculated by way of a multiplier of x1.20 the basic allowance, resulting in a special responsibility allowance of £6,702.00.

# 3.3.3 Cabinet Member with Portfolio

Cabinet Members with portfolio currently received a special responsibility allowance of  $\pounds$ 5,948.90. The Panel had regard to the roles and responsibilities of Cabinet Members.

# **Recommendation:**

That the SRA for Cabinet Members with Portfolio should be calculated by way of a multiplier of x1.10 the basic allowance, resulting in a special responsibility allowance of £6,143.50.

# 3.3.4 Chairmanship of Committees – Overview and Scrutiny; and Performance and Audit Scrutiny

Currently, these members received a special responsibility allowance of  $\pounds$ 3,246.14.

#### **Recommendation:**

That the SRA for the Chairmanship of the Overview and Scrutiny Committee and the Performance and Audit Scrutiny Committee should be calculated by way of a multiplier of x0.80 the basic allowance, resulting in a special responsibility allowance of £4,468.00.

# 3.3.5 Vice-Chairmanship of Committees – Overview and Scrutiny; and Performance and Audit Scrutiny

Currently, the Vice-chairman of these committees received a special responsibility allowance of  $\pounds$ 1,624.08.

#### **Recommendation:**

That the SRA for the Vice-Chairmanship of the Overview and Scrutiny Committee and the Performance and Audit Scrutiny Committee should be calculated by way of a multiplier of x0.40 the basic allowance, resulting in a special responsibility allowance of £2,234.00.

# 3.3.6 **Chairman of Development Control Committee**

Currently, the Chairman of Development Control receives a special responsibility allowance of £4,324.82.

The Panel acknowledges that this committee had a heavier workload than the others due to the meeting schedule which included pre-meetings and site visits. The length of the meetings together with the amount of time the Chairman spent on reading documents and liaising with planning officers meant that they had a much heavier workload than other committee chairmen.

# **Recommendation:**

That the SRA for the Chairman of the Development Control Committee should be calculated by way of a multiplier of x1 the basic allowance, resulting in a special responsibility allowance of £5,585.00.

# 3.3.7 Vice-chairmen (x2) of the Development Control Committee

The Development Control Committee has historically appointed two vicechairmen to the Committee. Each vice-chairman currently receives a special responsibility allowance of £1,624.08. The Panel considered these to be unusual arrangements, and that it also has budgetary implications.

The Panel agreed that there should only be one payment to a vice-chairman of any Committee. However, if a Committee wanted two or more vice-chairmen, then the SRA should be split between the vice-chairmen, equally.

#### **Recommendation:**

That the SRA for the two Vice-Chairmen of the Development Control Committee should be calculated by way of a multiplier of x0.50 the basic allowance, resulting in a special responsibility allowance of £2,792.50, split equally (£1,396.25 each).

# 3.3.8 **Chairmanship and Vice-Chairmanship of Committees – Licensing and Regulatory; and Standards**

Currently, the chairman of these two committees received a special responsibility allowance of  $\pounds$ 1,078.68

The Panel was advised of the significant reduction in workload for both Committees due to changes in Government Legislation. The Panel therefore proposed to reduce the multipliers to reflect this.

Currently the vice-chairmen of these committees do not receive an SRA. This is inconsistent with other vice-chairmen of other committees. Consequently the Panel recommends an amount be paid at the same ratio to other committees.

# **Recommendations:**

- 1) That the SRA for the Chairmanship of the Licensing and Regulatory Committee and the Standards Committee should be calculated by way of a multiplier of x0.20 the basic allowance, resulting in a special responsibility allowance of  $\pounds$ 1,117.00.
- 2) That a new SRA for the Vice-Chairmanship of the Licensing and Regulatory Committee and the Standards Committee be applied and calculated by way of a multiplier of x0.10 the basic allowance, resulting in a special responsibility allowance of £558.50.

# 3.3.9 **Chairman of Sustainable Development Working Party**

Currently the Chairman of the Sustainable Development Working Party received a special responsibility allowance of £2,161.40.

The Panel noted that SRAs were not paid to chairmen of other Working Parties and that it was also the intention for this Working Party to be disbanded in the near future. Therefore the Panel agreed that the SRA payment for the Chairman of the Sustainable Development Working Party should be removed at the end of the 2016-2017 financial year.

The Panel also agreed that in future the Chairman of any Working Party should not receive an SRA, which was in line with other local authorities.

#### **Recommendation:**

That the SRA for the Chairman of the Sustainable Development Work Party should be removed at the end of the 2016-2017 financial year.

# 3.3.10 Mayor and Deputy Mayor of the Council

The Panel was informed that Mayor had a budget which was used to fund expenses for this ceremonial role, but did not receive an SRA for chairing meetings of Full Council on a regular basis. Likewise the Deputy Mayor does not receive an SRA.

The Panel felt that the role of the Mayor in chairing meetings of Full Council or the Deputy Mayor should be acknowledged.

#### **Recommendations:**

- 1) That an SRA for the Mayor of the Council be applied, and calculated by way of a multiplier of x0.50 the basic allowance, resulting in a new special responsibility allowance of  $\pounds 2,792.50$ .
- That an SRA for the Deputy Mayor of the Council be applied, and calculated by way of a multiplier of x0.25 the basic allowance, resulting in a new special responsibility allowance of £1,396.25.

# 3.3.11 **Group Leaders with 10 or more Members**

A Leader of a political group with 10 or more members currently received a special responsibility allowance of £3,246.14.

#### **Recommendation:**

That the SRA for Group Leaders with 10 or more members should be calculated by way of a multiplier of x0.60 the basic allowance, resulting in a special responsibility allowance of £3,351.00.

#### 3.3.12 **Group Leaders with between 5 to 9 Members**

A Leader of a political group with between 5 to 9 members currently received a special responsibility allowance of  $\pounds$ 1,624.08.

#### **Recommendation:**

That the SRA for Group Leaders with between 5 to 9 members should be calculated by way of a multiplier of x0.30 of the basic allowance, resulting in a special responsibility allowance of £1,675.50.

#### 3.3.13 **Co-opted members**

Co-opted members of the Standards Committee would currently receive an allowance of £213.11, although there are no co-opted members at present.

The Panel recommends that co-opted members to any committee should receive an SRA which should be determined by each committee as the need arises to a maximum of x0.015 the basic allowance per meeting attended.

In the current scheme there is no reference in relation to co-opted members being able to claim a subsistence allowance or travelling allowance to the meeting venue.

The Panel felt that all co-opted members should be able to claim expenses for travel; subsistence; carer's allowance, and that a new Schedule 6 should be created.

#### **Recommendations:**

- That the SRA for Co-opted Members of Committees to be determined by each Committee as the need arises to a maximum of x0.015 the basic allowance per meeting attended;
- 2. That a new a Schedule 6: "Subsistence and Travelling Expenses for Coopted members", be created to include:

#### Committee and other Council Meetings

- Attendance at Committee Meetings of which they are a member and other Council / Committee meetings (if required to do so):

- No subsistence allowance payable
- Travelling allowances payable to meeting venue from home address and also from Council Offices back home.

<u>Meetings/Conferences outside of the St Edmundsbury Borough Council</u> <u>Area</u>

- Provided attendance at the meeting / conference is expressly agreed by the Monitoring Officer beforehand and is both appropriate and necessary for the Co-opted Committee Member concerned, travelling and subsistence allowances may be claimed. Travelling allowances may be claimed from the Member's home address to the meeting/conference and for the return journey.
- All co-opted members shall be paid and able to claim expenses for travel; subsistence; carers allowance, and that a new Schedule 6 should be created.

The current subsistence and travelling allowances payable are set out in Schedule 4.

# 3.4 Carer's Allowance

The Panel considered the different caring roles and agreed that these should be reflected in the payments. For example, the rate for child care should be lower than that for specialist care. The Panel agreed that these payments would not include a family member or neighbour looking after a dependent. They also reiterated that receipts should be provided for all claims for care.

#### **Recommendations:**

1. To recommend that the carers' allowance should be uplifted and set at two levels:

£10 per hour for child care; £20 per hour for specialist care. (These payments would not include a family member or neighbour looking after a dependent).

- 2. To recommend that the payment of a carers' allowance should only be paid on provision of a receipt.
- 3. The carers' allowance be monitored against market led increases.

# 3.5 Travel Allowance

The current scheme is based upon nationally set rates that are payable in respect of meetings and attendance in relation to rightful responsibilities or representation of views, for example, meetings of the Council; site visits; outside organisations.

The Panel reviewed all of the travel allowances currently in place:

Form of Transport	Current Travel Allowances	
Private Vehicle	45.0 pence a mile	
Train or Bus	Actual standard fare incurred	
Taxi	Actual fare incurred plus gratuity	
Motor Cycles	24.0 pence a mile	
Bicycle	20.0 pence a mile	
Car parking fees	Actual expenditure incurred	

The Panel agreed that these payments should be simplified, and also reiterated that receipts should be provided for claims, where possible.

# **Recommendations:**

- 1. Private vehicle to be reworded to "All cars". No change to the current payment of 45.0 (pence) a mile.
- 2. To recommend the inclusion of:

"Carriage of passengers" (carriage of councillors in car for the same purpose): 5.0p per mile

- 3. Motor cycles and bicycles to be combined and reworded "Motor cycles and bicycles: 28.0p per mile"
- 4. Train or Bus to be reworded "actual standard fare incurred with receipt"
- 5. Taxi to be reworded "actual expenditure incurred on receipt. (*Taxi to be used in exceptional circumstances*)".
- 6. Car parking fees No change.

# 3.6 **Subsistence**

The Panel reviewed the existing subsistence allowance, which is outlined below:

Breakfast (before 11 am)	£6.88
Lunch (11am to 3pm)	£9.50
Tea (3pm to 6pm)	£3.76
Evening meal (including a period ending after 7pm	£11.77

The Panel agreed that payments for breakfast should be removed.

Regarding lunch payments, the Panel agreed that lunch was usually provided if Members were attending a conference or lengthy meeting. However, they did not want Members to lose out financially so it was agreed to increase the lunch payment to a maximum of £10 on production of a receipt, where a lunch was not provided. The Panel agreed that the payment for tea should be removed as refreshments were usually provided at meetings.

It was felt that the current payment for an evening meal was too low and that it should be increased to reflect the price that a Member may have to pay in a restaurant. It was agreed that the allowance for an evening meal should be raised to a maximum of  $\pounds 20$ , on provision of a receipt.

It was also agreed that all bookings for conferences and accommodation will be organised by Council officers, in order to maximise any discounts that could be achieved.

# **Recommendations:**

- 1. That the current allowance of £6.88 for breakfast be removed.
- 2. That the current allowance of  $\pounds$ 9.50 for lunch be removed and replaced with:

In exceptional circumstances, subject to the agreement of the Assistant Director (HR, Legal and Democratic Services), lunch to be paid to a maximum of £10 on the production of a receipt.

- 3. That the current allowance of £3.76 for tea be removed.
- 4. That the current allowance of £11.77 for evening meal be increased to a maximum of £20, on production of a receipt.

#### 3.7 **Overnight subsistence**

The Panel reviewed the overnight subsistence allowance and felt the current payment was adequate. However, it was agreed that reference should be included that officers should book overnight accommodation in order to maximise any discounts.

The Panel reviewed the allowance for "meals provided free of charge" (paragraph 2.7) and "meals on trains" (paragraph 2.8) and felt these should be removed from the scheme.

# **Recommendations:**

- 1. That accommodation be booked by officers in order to maximise any discounts that could be achieved, except in exception circumstances.
- 2. That paragraph 2.7 "meals provided free of charge" to be removed.
- 3. That paragraph 2.8 "meals on trains" to be removed.

# 3.8 Approved Duties (Schedule 2)

During the interview of members, the Panel noted that St Edmundsbury members were not paid mileage to attend Parish Council meetings as a Ward Member. The Panel felt that so as to align the scheme with other District Councils who did pay mileage, that an additional paragraph should be included within Schedule 2 – Approved Duties of the St Edmundsbury Member's Allowance Scheme.

# **Recommendation:**

That attendance at Parish Council meetings in the capacity of a Ward Member (but not where they are attending a Parish Council of which they are a Member, except when seconded by the Borough Council in special circumstances).

# 3.9 **Renunciation of Allowances**

The Regulations state that there can only be one rate of basic allowance paid.

The Panel strongly agreed that all Members should be paid the full amount of the basic allowance and that renunciation of either part or whole of the allowance should no longer occur.

#### **Recommendations:**

- 1) That all Members will receive the same basic allowance.
- 2) That reference to renunciation to be removed from the Scheme of Allowances.

# 3.10 **Provision of Pensions**

The Panel were advised that a change in legislation in 2014 had resulted in the removal of the option for Members to have access to the Local Government Pension Scheme. In light of this information, it was agreed that no changes were required to the current position.

#### Recommendation

That reference to the Local Government Pension Scheme be removed from the Members' Scheme of Allowances.

#### 3.11 **Implementation Date of the Scheme**

The existing scheme expires on 31 December 2016. The Panel decided to recommend that the proposed scheme be implemented from 1 April 2017, and would not be back dated.

#### **Recommendation:**

That the proposed scheme be implemented from 1 April 2017, and would not be back dated.

#### 4. Future Reviews

The Panel recognised that there is potential imminent change due to government legislation and other local issues, which might result in increased workloads. Therefore it was agreed that a 'light touch' review should be undertaken in two years' time to ensure that the allowances fully reflected the workload and commitments of Members.

# **Recommendation:**

That a further review of Members' allowances should be undertaken in 2018.

# 5. Appendices

- 5.1 Attached to the report at **Appendix A** are the West Suffolk Joint Independent Remuneration Panels recommendations.
- 5.2 Attached to the report at **Appendix B** are the West Suffolk Joint Independent Remuneration Panels financial proposals. Appendix B sets out the current allowances paid; proposed allowances and the variance for each allowance.
- 5.3 Attached to the report at **Appendix C** are the proposed revisions to the St Edmundsbury Borough Councils Members' Allowances Scheme.