

## Notice of Meeting

### Council

Councillor Ms Merry (Mayor) Councillor Gbadebo (Deputy Mayor)  
Councillors Allen, Angell, Atkinson, Dr Barnard, Bettison OBE,  
Bhandari, Bidwell, D Birch, Mrs Birch, Brossard, Brown, Brunel-  
Walker, Dudley, Finch, Ms Gaw, Mrs L Gibson, MJ Gibson, Green,  
Mrs Hamilton, Harrison, Mrs Hayes MBE, Ms Hayes, Heydon,  
Mrs Ingham, Kennedy, Kirke, Leake, Mrs Mattick, Mrs McKenzie,  
Mrs McKenzie-Boyle, McLean, Mossom, Neil, Parker, Porter,  
Skinner, Temperton, Turrell, Virgo and Wade



**Thursday 24 February 2022, 5.30 - 7.00 pm**  
**Council Chamber - Time Square, Market Street, Bracknell,**  
**RG12 1JD**

**Timothy Wheadon**  
Chief Executive

### Agenda

Item	Description	Page
1.	<b>Apologies for Absence</b>	
2.	<b>Declarations of Interest</b>  Members are asked to declare any disclosable pecuniary or affected interests in respect of any matter to be considered at this meeting.  Any Member with a Disclosable Pecuniary Interest in a matter should withdraw from the meeting when the matter is under consideration and should notify the Democratic Services Officer in attendance that they are withdrawing as they have such an interest. If the Disclosable Pecuniary Interest is not entered on the register of Members interests the Monitoring Officer must be notified of the interest within 28 days.  Any Member with an affected Interest in a matter must disclose the interest to the meeting. There is no requirement to withdraw from the meeting when the interest is only an affected interest, but the Monitoring Officer should be notified of the interest, if not previously notified of it, within 28 days of the meeting.	
3.	<b>Financial Plans and Revenue Budgets 2022/23</b>	3 - 10
	To resolve recommendations in respect of: <ul style="list-style-type: none"><li>• Capital Programme 2022/23 –2024/25</li><li>• Revenue Budget 2022/23</li></ul>	

### **EMERGENCY EVACUATION INSTRUCTIONS**

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	<ul style="list-style-type: none"> <li>Council Tax 2022/23</li> </ul> <p>The supporting information has been circulated as a supplement and is available with <a href="#">this agenda on the Council website</a>.</p>	
4.	<b>Report of Independent Remuneration Panel</b>	11 - 50
	To consider how to respond to the recommendations of the Independent Remuneration Panel.	
5.	<b>Appointment of Local External Auditors</b>	51 - 54
	To consider the recommendation from the advisory meeting of the Governance and Audit Committee regarding arrangements for the appointment of local external auditors under the Local Audit and Accountability Act 2014 for the financial years 2023/24 to 2027/28.	
6.	<b>Annual update of the Council's Pay Statement</b>	55 - 86
	To agree the Pay Policy Statement for 2021/22.	
7.	<b>Recruitment of Chief Executive Officer</b>	87 - 90
	To advise councillors of the arrangements to recruit a permanent Chief Executive to provide management direction in the delivery of the Council's strategy and fulfil the statutory position of Head of Paid Service.	

Sound recording, photographing, filming and use of social media is permitted. Please contact Kirsty Hunt, 01344 353108, [kirsty.hunt@bracknell-forest.gov.uk](mailto:kirsty.hunt@bracknell-forest.gov.uk), so that any special arrangements can be made.

Published: 15 February 2022

#### **EMERGENCY EVACUATION INSTRUCTIONS**

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**TO: Council**  
**24 February 2022**

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## **Financial Plans and Revenue Budgets 2022/23** **Executive Director: Resources**

### **1 PURPOSE OF REPORT**

- 1.1 At its meeting on 08 February 2022, the Executive considered the 2022/23 proposals for the revenue and capital budgets. The recommendations on these proposals are submitted to the Council by the Executive and are included in section 2 covering all planned spending, service developments and expenditure reductions for next year.
- 1.2 A separate document presents an overview of the Council's spending plans for 2022/23 and detailed budgets for the General Fund and capital programme. The document reflects the Executive's recommendations and includes the reports considered by it.
- 1.3 In order to set a legal budget the full Council must make a formal Council Tax resolution. The Localism Act 2011 made several changes to the Local Government Finance Act 1992, and now requires the Council to calculate a council tax requirement for the year rather than a budget requirement. The appropriate resolution to give effect to the proposals contained in the separate budget report is included in section 3.
- 1.4 The Council Tax Resolution also refers to the Council's capital programme. The revenue budget proposals allow for a council funded capital programme of £9.274m recommended by the Executive.
- 1.5 The resolution in Section 3 also includes reference to the Council Tax for the Police and Crime Commissioner for the Thames Valley, the Royal Berkshire Fire Authority (RBFA) and all Parish Councils as the precepts of these bodies must be included in this Council's formal Council Tax Resolution. The precept for the RBFA will be agreed at its meeting on 15 February 2022. The Council Tax Resolution assumes a 7.25% (£5 for a Band D property) increase in the RBFA precept; however, should this prove to be incorrect paragraphs 3.5 and 3.6 of the Council Tax Resolution will be revised and re-issued once the precept is agreed.

### **2 RECOMMENDATIONS SUBMITTED BY THE EXECUTIVE**

#### **2.1 Capital Programme 2022/23 - 2024/25**

##### **RECOMMENDED:**

- i) General Fund capital funding of £16.311m for 2022/23 in respect of those schemes listed on pages 184 to 186;
- ii) The inclusion of £7.037m of expenditure to be externally funded (including £1.133m of S106 funding) as outlined in the summary report for Council (page 179) and included on pages 184 to 186;
- iii) That those schemes that attract external grant funding be recommended to the Council for inclusion within the 2022/23 capital

- iv) programme at the level of funding received.
- iv) Capital schemes that require external funding can only proceed once the Council is certain of receiving the grant;
- v) The inclusion of an additional budget of £1m for 'Invest to Save' schemes.

## 2.2 Revenue Budget 2022/23

### RECOMMENDED that:

- i) The budget proposals set out in Table 1 (page 3) of the summary report for Council, subject to the changes identified in sections 3.2 (pages 4), 3.3 (pages 4 to 5), 3.4 (pages 5 to 7), 3.6 (pages 7 to 8), 3.9 (pages 9 to 11), 7.2 (page 20) and 7.3 (page 20) of the report, be agreed;
- ii) Fees and charges as set out in Annexe G (pages 106 to 170) be approved;
- iii) A provision for inflation of £4.368m be approved;
- iv) The commitment budget as set out in Annexe A be approved (pages 23 to 24);
- v) That the Council should make additional funding available for distribution to schools through the local funding formula at the level set out in section 4.1 (pages 11 to 12) of the summary report for Council subject to any minor amendments made by the Executive Member for Children, Young People and Learning following the receipt of definitive funding allocations for Early Years and High Needs pupils;
- vi) A general contingency totalling £1.900m be included, use of which is authorised by the Chief Executive in consultation with the Executive Director: Resources in accordance with the delegations included in the Council's constitution;
- vii) Subject to the above recommendations the revised draft budget proposals be agreed;
- viii) A contribution of £0.775m (after allowing for additional interest from the use of balances) be made from revenue balances to support revenue expenditure;
- ix) Total net expenditure (after use of balances) of £87.337m (page 22), be approved;
- x) The Council's Council Tax requirement, excluding Parish Council precepts, be set at £70.742m;
- xi) The Council Tax for the Council's services for each Valuation Band be set as follows:

Band	Tax Level Relative to Band D	£
A	6/9	977.46
B	7/9	1,140.37
C	8/9	1,303.28
D	9/9	1,466.19
E	11/9	1,792.01
F	13/9	2,117.83
G	15/9	2,443.65
H	18/9	2,932.38

At the meeting on 08 February 2022 the Executive recommended the 2022/23 Treasury Management Strategy Statement and noted that strategy together with the Prudential Indicators and the Minimum Revenue Provision Policy Statement were matters which the Council needed to approve.

- xii) The Council approves the following indicators, limits, strategies and policies included in Annexe E (pages 75 to 98):
- The Prudential Indicators and Limits for 2022/23 to 2024/25 contained within Annexe E(i);
  - The Minimum Revenue Provision (MRP) Policy contained within Annexe E(ii);
  - The Treasury Management Strategy Statement, and the Treasury Prudential Indicators contained in Annexe E(iii);
  - The Authorised Limit Prudential Indicator in Annexe E(iii);
  - The Investment Strategy 2022/23 to 2024/25 and Treasury Management Limits on Activity contained in Annexe E(iv);
- xiii) The formal Council Tax Resolution contained in section 3 be approved.

### **3 COUNCIL TAX RESOLUTION**

- 3.1 That the recommendations of the Executive outlined in sections 2.1 and 2.2 be agreed.
- 3.2 That it be noted that the amounts calculated for the year 2022/23 in accordance with Section 67 of the Local Government Finance Act 1992 are:

(a) **48,249 TAX BASE FOR THE WHOLE COUNCIL AREA**

*being the amount calculated by the Council, in accordance with regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 1992, as amended, as its council tax base for the year*

(b) **TAX BASE FOR PART OF THE COUNCIL'S AREA**

**EACH PARISH AREA**

Binfield	4,482
Bracknell	20,528
Crowthorne	3,087
Sandhurst	8,007
Warfield	5,220
Winkfield	6,925

*being the amounts calculated by the Council, in accordance with regulation 6 of the Regulations, as amended, as the amounts of its council tax base for the year for dwellings in those parts of its area to which one or more special items relate*

3.3 That the following amounts be now calculated by the Council for the year 2022/23 in accordance with Sections 31 to 36 of the Local Government and Finance Act 1992 as amended (the Act):

- (a) £324,342,353 **TOTAL EXPENDITURE INCLUDING GENERAL FUND, PARISH PRECEPTS AND THE COUNCIL'S SHARE OF ANY DEFICIT ON THE COLLECTION FUND**

*being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act*

- (b) £249,764,964 **TOTAL INCOME INCLUDING GOVERNMENT SUPPORT AND THE COUNCIL'S SHARE OF ANY SURPLUS ON THE COLLECTION FUND**

*being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act*

- (c) £74,577,389 **BOROUGH AND PARISH PRECEPTS NET EXPENDITURE TO BE FINANCED FROM COUNCIL TAX**

*being the amount by which the aggregate at 3.3(a) above exceeds the aggregate at 3.3(b) above, calculated by the Council, in accordance with Section 31A(4) of the Act, as its council tax requirement for the year*

- (d) £1,545.68 **AVERAGE BAND "D" COUNCIL TAX FOR WHOLE BOROUGH**

*being the amount at 3.3(c) above, divided by the amount at 3.2(a) above, calculated by the Council, in accordance with Section 31B(1) of the Act, as the basic amount of its council tax for the year (including Parish precepts)*

- (e) £3,835,188 **PARISH PRECEPTS**

*being the aggregate amount of all special items referred to in Section 34(1) of the Act*

(f) £1,466.19 **BOROUGH COUNCIL TAX FOR BAND "D" PROPERTIES**

*being the amount at 3.3(d) above less the result given by dividing the amount at 3.3(e) above by the amount at 3.2(a) above, calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its council tax for the year if there were an area of the Borough to which no special item relates*

(g)	Part of the Council's area	<b>BOROUGH AND PARISH COUNCIL TAX FOR EACH PARISH FOR BAND "D"</b>	<b>£</b>
		Binfield	1,520.75
		Bracknell	1,560.70
		Crowthorne	1,551.13
		Sandhurst	1,540.95
		Warfield	1,510.75
		Winkfield	1,546.63

*being the amounts given by adding to the amount at 3.3(f) above the amounts of the special item or items relating to dwellings in those parts of the Council's area mentioned above divided in each case by the amount at 3.2(b) above, calculated by the Council, in accordance with Section 34(3) of the Act, as the basic amounts of its council tax for the year for dwellings in those parts of its area to which one or more special items relate*

(h) Part of the Council's area **BOROUGH AND PARISH COUNCIL TAX IN EACH PARISH FOR EACH VALUATION BAND**

Parish	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>F</b>	<b>G</b>	<b>H</b>
	£	£	£	£	£	£	£	£
Binfield	1,013.83	1,182.81	1,351.78	1,520.75	1,858.69	2,196.64	2,534.58	3,041.50
Bracknell	1,040.47	1,213.88	1,387.29	1,560.70	1,907.52	2,254.34	2,601.17	3,121.40
Crowthorne	1,034.09	1,206.43	1,378.78	1,551.13	1,895.83	2,240.52	2,585.22	3,102.26
Sandhurst	1,027.30	1,198.52	1,369.73	1,540.95	1,883.38	2,225.82	2,568.25	3,081.90
Warfield	1,007.17	1,175.03	1,342.89	1,510.75	1,846.47	2,182.19	2,517.92	3,021.50
Winkfield	1,031.09	1,202.93	1,374.78	1,546.63	1,890.33	2,234.02	2,577.72	3,093.26

*being the amounts given by multiplying the amounts at 3.3(g) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band*

*divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands*

- 3.4 That it be noted that for the year 2022/23 the Police and Crime Panel have stated the following amounts in precepts issued to the Council regarding the Police and Crime Commissioner for the Thames Valley, in accordance with Section 40 of the Act, for each of the categories of dwellings shown below:

	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>F</b>	<b>G</b>	<b>H</b>
	£	£	£	£	£	£	£	£
Police and Crime Commissioner for the Thames Valley	160.85	187.66	214.47	241.28	294.90	348.52	402.13	482.56

- 3.5 That it be noted that for the year 2022/23 the Royal Berkshire Fire Authority have stated the following amounts in precepts issued to the Council, subject to confirmation by the Fire Authority on 15 February, in accordance with Section 40 of the Act, for each of the categories of dwellings shown below:

	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>F</b>	<b>G</b>	<b>H</b>
	£	£	£	£	£	£	£	£
Royal Berkshire Fire Authority	49.30	57.52	65.73	73.95	90.38	106.82	123.25	147.90

- 3.6 That, having calculated the aggregate in each case of the amounts at 3.3(h), 3.4 and 3.5 above, the Council, in accordance with Section 30(2) of the Act, hereby sets the following amounts as the amounts of council tax for the year 2022/23 for each of the categories of dwellings shown below:

(a) Part of the Council's area	<b>TOTAL COUNCIL TAX FOR EACH VALUATION BAND</b>							
<b>Parish</b>	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>F</b>	<b>G</b>	<b>H</b>
	£	£	£	£	£	£	£	£
Binfield	1,223.98	1,427.99	1,631.98	1,835.98	2,243.97	2,651.98	3,059.96	3,671.96
Bracknell	1,250.62	1,459.06	1,667.49	1,875.93	2,292.80	2,709.68	3,126.55	3,751.86
Crowthorne	1,244.24	1,451.61	1,658.98	1,866.36	2,281.11	2,695.86	3,110.60	3,732.72
Sandhurst	1,237.45	1,443.70	1,649.93	1,856.18	2,268.66	2,681.16	3,093.63	3,712.36
Warfield	1,217.32	1,420.21	1,623.09	1,825.98	2,231.75	2,637.53	3,043.30	3,651.96
Winkfield	1,241.24	1,448.11	1,654.98	1,861.86	2,275.61	2,689.36	3,103.10	3,723.72



#### **4 REASONS FOR RECOMMENDATIONS**

To enable the Council to make a formal Council Tax resolution by setting a revenue budget, Council Tax level and capital budget for 2022/23.

#### **5 ALTERNATIVE OPTIONS CONSIDERED**

- 5.1 Background information relating to the options considered is included in the supporting information.

#### **6 SUPPORTING INFORMATION**

- 6.1 The attached 'Financial Plans and Budget Supporting Information 2022/23' presents an overview of the Council's spending plans for 2022/23 and detailed budgets for the General Fund and capital programme. The document reflects the Executive's recommendations and includes summaries of the reports considered by it.

#### **7 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS**

##### Borough Solicitor

- 7.1 Nothing to add to the report.

##### Executive Director: Resources

- 7.2 The financial implications of this report are included in the supporting information.

##### Equalities Impact Assessment

- 7.3 The Council's budget proposals impact on a wide range of services. A detailed consultation was undertaken on the draft budget proposals published in December to provide individuals and groups the opportunity to provide comments.
- 7.4 None of the budget proposals require specific equality impact assessments to be carried out.

##### Strategic Risk Management Issues

- 7.5 The supporting information sets out the key risks facing the Council's budget and the arrangements in place to manage these risks, including maintaining an appropriate level of reserves and contingency.

##### Climate Change Implications

- 7.6 There are no implications arising from the proposals in this report, which are recommending budget proposals to Council.

#### **8 CONSULTATION**

- 8.1 Details of the consultation process and responses received are included in the supporting information.

Contact for further information

Stuart McKellar - 01344 352180  
[Stuart.McKellar@bracknell-forest.gov.uk](mailto:Stuart.McKellar@bracknell-forest.gov.uk)

Arthur Parker - 01344 352158  
[Arthur.parker@bracknell-forest.gov.uk](mailto:Arthur.parker@bracknell-forest.gov.uk)

To: Council  
24 February 2022

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## Report of the Independent Remuneration Panel Executive Director: Delivery

### 1 Purpose of Report

- 1.1 The Local Authorities (Members Allowances) (England) Regulations 2003 require councils to establish and maintain an Independent Remuneration Panel (IRP) which will broadly have the functions of providing the local authority with advice on its scheme and the amounts to be paid. Local authorities must have regard to this advice.
- 1.2 The Independent Remuneration Panel appointed by the Council met in November at the Council's invitation. The Panel's report and recommendations are appended to this report at Annex A. The Council is asked to consider the Panel's recommendations and to decide whether to make any changes to the current Scheme.

### 2 Recommendations

- 2.1 **That councillors consider their response to the recommendations of the Independent Remuneration Panel, summarised in section 5 below and set out in full in the Panel's report (Annex A).**
- 2.2 **That the list of approved conferences, set out in Annex B, is approved for insertion in the Scheme.**
- 2.3 **That the Council notes that Hilda Johnston has resigned from the Panel and thanks her for the contribution she made.**

### 3 Reasons for Recommendations

- 3.1 The Council must have regard to the recommendations of an Independent Remuneration Panel in respect of the Members' Allowances Scheme. The Panel's reasons for their recommendations are set out in their report.

### 4 Alternative Options Considered

- 4.1 Not applicable.

### 5 Supporting Information

#### Panel Report and recommendations

- 5.1 The Panel's report, including its findings and recommendations is appended to this report as Annex A. The recommendations are set out in bold in that report and summarised in the Executive Summary. The information reviewed by the Panel, listed in Appendix 1 to the Panel's report, is available from Democratic Services.

The main findings and recommendations of the Panel are:

- i) reduce the Special Responsibility Allowance for Chair of Licensing and Safety Committee from £5626 to £4343
- ii) reduce the Special Responsibility Allowance for Vice-Chair of Licensing and Safety Committee from £553 To £434
- iii) increase the Special Responsibility Allowance for Chair of Governance and Audit Committee from £2201 to £2895
- iv) increase the loss of earnings payment for members appointed to the Independent Education Appeals Panels to the new amounts as follows:
  - £61 for a period not exceeding 4 hours
  - £122 for a period between 4 and 24 hours
- v) the Dependant Carers' Allowance (DCA) childcare maximum hourly rate be reset at the National Living Wage and that the claim form is amended so that care staff rather than providing their home address can declare they do not live in the claimant's household
- vi) amend the scheme to include provision for when a Member is claiming out of Borough mileage rates by driving a hybrid or electric vehicle then HMRA mileage rates are applicable.
- vii) indexation of allowances from 2022/23 to 2026/27 as set out below:
  - All allowances updated annually in line with the annual percentage pay increase given to Bracknell Forest Council employees (and rounded to the nearest £) as agreed for each year by the National Joint Council for Local Government Staff (e.g. Basic Allowance, SRAs, Co-optees' Allowances, Civic Allowances and payments to Members of Independent Education Panels)
  - Out of council area mileage indexed to HMRC AMAP rates
  - Other travel and subsistence updated in line with officers' rates
  - DCA: The maximum hourly rates to be indexed to the National Living Wage (childcare) and the Council's hourly rate for a Home Care Assistance (care of other dependants).
- viii) Implementation of recommendations from 1 April 2022 or from any date before then as agreed by the Council.

### Statutory Guidance

- 5.2 In its deliberations the Independent Remuneration Panel has had regard to the Members Allowances Statutory Guidance 2006.

### Background

- 5.3 This review arose out of the requirement under paragraph 10.5 of the 2003 Regulations that Panels must convene at least every four years (known as the '4 year rule') to renew authority for any allowances that have an automatic index applied to them and/or reconsider whether it is applicable to recommend indexing the main allowances. In addition, the Panel considered the overall level of allowances; the remuneration package as a whole; and any other issues that had been drawn to their attention by councillors. The terms of reference for the review are set out in paragraph six of the Panel's report.

### Panel Membership

- 5.4 Before the review commenced, Hilda Johnston advised the Panel of her resignation having served on four reviews since July 2009. The Panel undertook a refresher session before undertaking the full review over 19 and 26 November. The final report was received by the Council in February 2022. This meeting is the first opportunity that Council has had to consider the IRP's proposals.

### Publicity Arrangements

- 5.5 In accordance with the Regulations, copies of the Panel's report are available at the Council's offices and via the Council's website. The Council's website has been updated stating that the Council has received recommendations from an Independent Remuneration Panel about its scheme of allowances and describing the main features of the Panel's recommendations. This will be revised after the Council has considered the Panel's recommendations, setting out the changes to the Scheme.

### Approved Conferences

- 5.6 The list of approved conferences which councillors are able to attend has been reviewed by the Leader of the Council and updated as at Annex B. In addition to this list an established process is in place to request attendance at conferences, training or webinars.

## **6 Consultation and Other Considerations**

### Legal Advice

- 6.1 The legal context for the setting of Members Allowances having regard to the recommendations of the Independent Remuneration Panel are set out in the Panel's report.

### Financial Advice

- 6.2 In recent years the budget has been adjusted to reflect the actual spend rather than the potential cost of the overall scheme. This adjustment takes into account where second Special Responsibility Allowances (SRAs) are not paid as multiple roles are carried out. The proposed changes to SRAs result in a net saving to the overall cost of the scheme of £708. However, when considered against the allowances that are actually paid this results in an increase to what is paid by £694.
- 6.3 It is difficult to quantify the potential impact of the proposed changes to mileage and dependant carers' allowance due to the current low level of claims during the last few years.
- 6.4 No provision has been made in the 2022/23 budget for increased members' allowances and therefore should the Panel's recommendation for future indexing be accepted this will be reported as a pressure on the 2022/23 budget.

### Other Consultation Responses

- 6.5 Throughout the process the Independent Remuneration Panel has sought feedback on the current scheme and invited councillors and co-opted members to discuss this with them.

### Equalities Impact Assessment

- 6.6 One of the purposes of reviewing the Allowances Scheme is to ensure that financial considerations are not a barrier to any person entering public office or assuming a particular role on the Council. By the same token the levels of allowances should be such that financial gain is not seen as an incentive for taking up public office.

### Strategic Risk Management Issues

- 6.7 The guiding principle behind the allowances scheme is to reduce financial barriers to being an elected councillor while ensuring that the remuneration and expenses received by councillors represents value for money. By requesting that the Independent Remuneration Panel (IRP) regularly review the scheme the Council aims to ensure that it remains fit for purpose and adapts to changing democratic functions and expectations of elected councillors.

### Climate Change Implications

- 6.8 The recommendations in Section 2 above are expected to have no impact on emissions of CO<sub>2</sub>. The reasons the Council believes that this will have no impact on emissions are that although the scheme promotes greener travel it does not influence the volume of journeys made.

### Background Papers

None

### Contact for further information

Ann Moore, Democratic & Registration Services - 01344 352260

[Ann.moore@bracknell-forest.gov.uk](mailto:Ann.moore@bracknell-forest.gov.uk)

Annex A – Report

Annex B – Approved Conferences

**A Review  
Of  
Members' Allowances  
For  
Bracknell Forest Council**

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**The Tenth Report**

**By the**

**Independent Remuneration Panel**

**Dr Declan Hall (Chair)  
John Murtagh  
Andrew Stone**

**January 2022**

## Foreword

This is the tenth review by the Independent Remuneration Panel (IRP or Panel) for Bracknell Forest Council. The first review (see January 2001 Report) was undertaken as part of the wider implementation of the modernisation agenda arising out of the Local Government Act 2000, which in turn brought in new roles and responsibilities for Members. The first report made recommendations, which the Council broadly accepted. The 2001 review largely set the framework for the present allowances scheme; it has not altered dramatically since then.

The second review was required under the *Local Authorities (Members' Allowances) (England) Regulations 2003*<sup>1</sup> and subsequent amendments. These Regulations mandated all local authorities to establish and convene an advisory Independent Members' Allowances Remuneration Panel to make recommendations on certain associated allowances such as travel and subsistence, Co-optees' allowances, and pensions for Councillors before 31 December 2003. The 2003 review also tasked a new IRP to review the range and levels of the Basic Allowance and Special Responsibility Allowances (SRAs) in light of experience of the new system of local government.

The third review was of a minor nature, prompted by an invitation by the Council to conduct a post-implementation review of the scheme to consider certain changes in roles of some Members and give further guidance on an issue surrounding the claiming of Members expenses. The fourth review arose out of issues the IRP was not in a position to address in its previous review due to lack of experience of two posts, namely Executive Support Members' and Chairs of the Licensing Panels, with a further consideration on conditions surrounding the mileage allowance. The fifth review arose out of the need to review the indices applied to the various allowances and further minor issues emerging as part of the annual review programme.

The sixth review arose out of the recommendation of the previous review to take the opportunity by the end of 2009 to undertake a fundamental review of the whole scheme in light of emerging legislation that might have affected Members' roles and responsibilities and as it not been thoroughly reviewed for a number of years. Again, it did not result in any significant changes in the Members' Allowances scheme – it was felt that the scheme was still broadly fit for purpose.

The seventh review in late 2011 arose of the need for a fresh authority for another four years to extend the right to join the Pension Scheme to review a number of specific posts and associated allowances and provide advice to the Council on whether the Council should continue with indexation provision.

The eighth review (January 2014) arose out of a number of issues raised by an audit report that require guidance and clarification mainly in relation to Members' expenses that addressed anomalies arising rather than undertaking a fundamental review as the broad framework of allowances in Bracknell Forest Council was still deemed broadly fit for purpose.

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<sup>1</sup> See Statutory Instruments 2003 Nos. 1021, 1022 and 1692 for further details.



The ninth review in late 2017 arose out of the requirement of 2003 Regulations to review allowances scheme at least once every four years to ensure that there is periodic public scrutiny of Members' Allowances. There were only further minor amendments arising from the ninth review mainly regarding Co-optees' Allowances and the Dependants' Carers' Allowance. The driver for this (tenth) review is the also the need to reconvene the IRP at least once every four years.

Finally, the IRP has been mindful of its guiding principle that it has sought to reduce financial barriers to being an elected Member while ensuring that the remuneration and expenses received by Members represents value for money.

Dr Declan Hall  
Chair of the Bracknell Forest Council Independent Remuneration Panel

January 2022

**Executive Summary: Recommendations**

Bracknell Forest Review 2022	Basic Allowance and SRAs: Recommended Maximum Payable 2022/23			
	POSITION	Nos. Paid	Basic Allowance	Total P/Member (BA+SRA)
<b>BASIC ALLOWANCE</b>	42	£8,687	£8,687	£364,854
<b>Special Responsibility Allowances</b>		<b>SRAs 2022/23</b>		
Leader of Council	1	£28,954	£37,641	£28,954
Deputy Leader of Council	1	£17,372	£26,059	£17,372
Cabinet Members	8	£15,926	£24,613	£127,408
Chair Overview & Scrutiny Commission	1	£7,239	£15,926	£7,239
Chairs Overview & Scrutiny Panels	3	£5,791	£14,478	£17,373
Chair Planning Committee	1	£7,239	£15,926	£7,239
Vice Chair Planning Committee	1	£723	£9,410	£723
Chair Licensing & Safety Committee	1	£4,343	£13,030	£4,343
Vice Chair Licensing & Safety Committee	1	£434	£9,121	£434
Chair of Governance & Audit Committee	1	£2,895	£11,582	£2,895
Chair of Employment Committee	1	£2,201	£10,888	£2,201
Member Champions	5	£2,201	£10,888	£11,005
Main Opposition Group Leader	1	£9,651	£18,338	£9,651
Deputy Leader Main Opposition Group	1	£965	£9,652	£965
<b>Sub Total - Basic Allowance</b>	<b>42</b>			<b>£364,854</b>
<b>Sub Total - Standing SRAs</b>	<b>27</b>			<b>£212,467</b>
<b>Total (BA + SRAs)</b>				<b>£577,321</b>

The IRP also recommends that:

**SRAs for Chairs of the Advisory Panels**

The Chairs of the Advisory Panels are not paid an SRA.

**Maintaining the 1-SRA only rule**

The Council maintain the 1-SRA only rule within the Bracknell Forest Council Members' Allowances Scheme so that a Member cannot receive more than one SRA.

### **The Co-optees' Allowance**

There is no change to the scope and level of Co-optees' Allowances.

### **Members appointed to the Independent Education Appeals Panels**

The remuneration for the Members appointed to the Independent Education Appeals Panels is as follows:

- £61 for a period not exceeding 4 hours
- £122 for a period between 4 and 24 hours

### **The Civic Dignitaries Allowances**

There is no change to the Civic Dignitaries Allowances.

### **The Dependants' Carers' Allowance (DCA)**

The DCA childcare maximum hourly rate is reset at the National Living Wage. Furthermore, that the claim form is amended so that care staff rather than providing their home address can declare they do not live in the claimant's household.

### **Travel and Subsistence Allowances – within the Borough**

The Basic Allowance continues to cover all in-Borough travel and subsistence costs.

### **Travel and Subsistence – outwith the Borough**

There are no changes to current terms, conditions and rates by which subsistence can be claimed for attending approved duties outwith the Borough.

The IRP also recommends that the allowances scheme is amended to include provision for when a Member is claiming out of Borough mileage rates by driving a hybrid or electric vehicle then HMRA mileage rates are applicable. The IRP recommends that the other terms, conditions and rates for claiming out of Borough travel be maintained.

### **Indexation of Allowances**

The following allowances are indexed for four years from 2022/23 to 2026/27, the maximum period permitted before the Council is required to seek advice from the IRP, as follows:

- **Basic Allowance, SRAs, Co-optees' Allowances, Civic Allowances and payments to Members of Independent Education Panels:**
  - Updated annually in line with the annual percentage pay increase given to Bracknell Forest Council employees (and rounded to the nearest £) as agreed for each year by the National Joint Council for Local Government Staff.
- **Out of Council Area Mileage Allowance:**
  - Indexed to the Her Majesty's Revenue and Customs (HMRC) Approved Mileage Allowance Payments (AMAP) mileage rates.
- **Out of Council Area Other Travel and Subsistence:**
  - Reimbursement of actual costs taking into account the most cost effective means of transport and/or accommodation available and the convenience of use with the maximum rates indexed to the same periodic percentage

increase that may be applied to Officer Travel and Subsistence Allowances.

- **Dependants' Carers' Allowance (DCA):**
  - The maximum hourly rates to be indexed to the National Living Wage (childcare) and the Council's hourly rate for a Home Care Assistance (care of other dependants).

### **Implementation of Recommendations**

The new Members' Allowances scheme as recommended in this report be implemented from 1 April 2022 or from any date before then as agreed by the Council.

## **A Review of Members' Allowances**

**For**

**Bracknell Council**

**By the**

**Independent Remuneration Panel**

**The Tenth Report**

**January 2022**

### **Introduction: The Regulatory Context**

1. This report is a synopsis of the deliberations and recommendations made by the Independent Remuneration Panel (the IRP) for Bracknell Forest Council to advise the Council on its Members' Allowances scheme. The IRP was convened under *The Local Authorities' (Members' Allowances) (England) Regulations 2003 (SI 1021)* ("the 2003 Regulations"). These regulations, which arise out of the relevant provisions contained in the Local Government Act 2000, require all local authorities to establish and maintain an advisory Independent [Members] Remuneration Panel to review and provide advice on Members' allowances on a periodic basis. All Councils are required to convene their IRP and seek its advice before they make any changes or amendments to their members' allowances scheme. They must 'pay regard' to their IRPs recommendations before setting a new or amended Members' Allowances Scheme.
2. On this particular occasion, the IRP was reconvened under the 2003 Regulations [10. (5)], which states:

Where an authority has regard to an index for the purpose of annual adjustment of allowances it must not rely on that index for longer than a period of four years before seeking a further recommendation from the independent remuneration panel established in respect of that authority on the application of an index to its scheme.
3. It is this mechanism, known as the '4-year rule', that ensures IRPs are convened at least every four years if a council wishes to continue indexing their allowances. Although the main allowances are not currently indexed, some associated allowances are. The 4-year rule also provides an opportunity

for IRPs to publicly scrutinise their councils' allowances schemes and enhance public accountability.

## The IRP

4. Bracknell Forest Council reconvened its Independent Remuneration Panel, constituted of the following members:
  - Declan Hall PhD (Chair):  
A former lecturer at the Institute of Local Government, the University of Birmingham; he is a political scientist by training and is currently an independent consultant specialising in members' allowances. He has taught politics in Illinois and Indiana and worked as political lobbyist in the Chicago area.
  - John Murtagh:  
An Immigration Enforcement Officer with the South Central ICE Team and a local resident
  - Andrew Stone:  
A local businessperson and local resident
5. The IRP was supported by:
  - Ann Moore:  
Head of Democratic and Registration Services, who acted as the 'Panellists' Friend'
  - Kirsty Hunt:  
Principal Democratic Services Officer (Governance) who took the organisational lead in facilitating the work of the Panel

## Terms of Reference

6. The Terms of Reference<sup>2</sup> of the IRP are to make recommendations to the Council that will be applicable from the date of April 2022 on:-
  - I. The amount of basic allowance that should be payable to its elected members and the expenses that it is deemed to include
  - II. The responsibilities or duties which should lead to the payment of a special responsibility allowance and as to the amount of such an allowance
  - III. The duties for which a travelling and subsistence allowance can be paid and as to the amount of this allowance

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<sup>2</sup> Terms of reference based on those laid out in 2006 Statutory Guidance paragraph 61

- IV. The co-optees to be paid a co-optees' allowance and the amount
- V. Whether the authority's allowances scheme should include an allowance in respect of the expenses of arranging for the care of children and dependants and if it does make such a recommendation, the amount of this allowance and the means by which it is determined
- VI. Whether any allowance should be backdated to the beginning of a financial year in the event of the scheme being amended
- VII. Whether annual adjustments of allowance levels may be made by reference to an index, and, if so, for how long such a measure should run
- VIII. Additional expenses and support received by Members
- IX. The payment of a Civic Allowance and the amount of such an Allowance
- X. Any matters that are brought to the attention of the IRP by Members in their consultation with Members and briefings from Officers

In arriving at their recommendations, the IRP shall also take into account:

- A. The views of Members both written and oral
- B. Allowances paid in comparable councils, namely the other Berkshire and CIPFA 10 Nearest Neighbours and South East unitary councils (insofar the latter comparative data is available)

## **Process and Methodology**

7. Due to on-going issues regarding the Covid pandemic and as permitted by the Regulations, the IRP met as a virtual IRP on 19<sup>th</sup> and 26<sup>th</sup> November 2021. These meetings were in private session to enable the IRP to meet with Members and Officers and conduct deliberations in confidence. In accordance with the terms of reference, in arriving at its recommendations, the IRP took into account a wide range of evidence, both oral and written. This included but was not limited to Council and committee meetings schedules and terms of reference, relevant reports and information on the Council's governance arrangements, the 2006 Statutory Guidance on Members' Allowances, etc.
8. All Members who wished to meet with the IRP were accommodated as far as practically possible. In addition, all Members were sent a short questionnaire so that no Member was denied a voice in the course of review. The IRP received nine written responses. The questionnaire was also used as the template for Member interviews to ensure a common set of questions were being asked.

9. The IRP also met with relevant Officers for factual briefings on the Council, governance structures and challenges facing the Council.
10. For full details of whom the IRP met and full range of information reviewed see:
  - Appendix 1: for Members who met with the IRP
  - Appendix 2: for Officers who provided factual briefings to the IRP
  - Appendix 3: for a list of the full range of evidence considered by the IRP
  - Appendix 4: Benchmarking data, namely the Basic and Special Responsibility Allowances (2020/21) paid in other Berkshire unitary councils and Bracknell Forest's 10 Nearest Neighbours as defined by CIPFA (Public Institute of Public Finance and Accountancy) referred to as the benchmarking group<sup>3</sup> and where available data from the South Employers Allowances Survey (2021),

### **Key Message – Only limited change desired**

11. One of the key aspects of the Bracknell Forest Council Members' Allowances Scheme is that the main allowances (Basic and Special Responsibility Allowances) have been frozen since 2011. This is partly a choice of the Council, not wishing to increase their allowances in an era of austerity. This also had a greater appropriateness in the past when Bracknell Forest allowances were generally within the upper third of the comparative spectrum. This is no longer the case; benchmarking shows that the Bracknell Forest SRAs (with a few notable exceptions) are broadly in line with that paid in peer councils. It is less the case with the Basic Allowance.
12. Moreover, by simply following the methodology set out in the 2006 Statutory Guidance the IRP can develop a case to revise the Basic Allowance and some of the current SRAs payable.
13. However, the representation received even where it can be shown where allowances were now on the low side emphasised that there is still no case to alter the allowances payable. The clear message was that the Council should continue to exercise restraint even where there was case to change allowances and the IRP should bear that in mind in making its recommendations. The only exception to this key message was that it was now appropriate to restore the indexation of the main allowances in light of the

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<sup>3</sup> The IRP has maintained its benchmarking group consisting of the other Berkshire unitary councils and CIPFA 10 Neighbours. This produced a benchmarking group of 11 Councils as all other Berkshire unitary councils except Slough were in the 10 Nearest Neighbour group. The South East Employers annual survey of allowances (2021) was only partially utilised for this review, partly due to the unreliability of some of the data, which in turn arises out of the survey being filled in by the councils with no cross referencing for veracity.



fact that Officers have had their annual salary cost of living uplift restored and now that wages were rising generally.

14. The IRP has largely accepted this key message. It recognises that it continues to be an economically tough climate for both the Council and the residents of Bracknell Forest. It was reiterated as a key message by all the interviewees with the codicil that the Council was unlikely to accept an overall increase in the current total spend on Members' Allowances. The current economic context cannot be ignored. There is little point in the IRP making recommendations that bear no relationship to economic constraints within which the Council has to operate; otherwise, the review would simply make aspirational recommendations for a future date rather than supporting Members in the present. As the recommendations stand, notwithstanding the recommendation to restore the main indexation, they will be broadly cost neutral.
15. This is not to say the role of the review is to pre-empt decisions properly reserved to the Council and seek to make savings on the current spend on Members' Allowances for the sake of it. If that were the case, the review would simply be making recommendations that would lead to 'a race to the bottom'. Ideally, the purpose of this review is to make recommendations based on knowledge of the current governance structures, an analysis of the evidence and representations and the levels and scope of allowances paid in comparator councils - thus arriving at an evidenced-based judgement on the monetary worth of the roles under consideration.
16. Yet, the IRPs recommendations need to have support of the Council as its Members make the final decision on the scope and levels of remuneration. If the IRP's recommendations do not have a large degree of acceptance amongst the Council then the IRP would be failing in its advisory duties. Furthermore, for Members it is important that, for the recommendations to be accepted, they have to stand up to public scrutiny. The IRP has already addressed this issue regarding the claiming of expenses by Members and the terms and conditions under which they are claimed. These claims no longer attract media coverage or public queries, and when they do, they stand up to public scrutiny.
17. Despite the case to revise some of the main allowances the IRP has taken the advice of the feedback received which emphasised the view that any increases in allowances would not at this juncture stand up to public scrutiny. Nonetheless, the IRP has set out its deliberations regarding some of the main allowances payable to flag up where there may be a case for change and identify the IRPs potential direction of travel in the future.

### **The IRP's Recommendations – the Basic Allowance**

18. To test the robustness of the current (2021/22) Basic Allowance (£8,687) the IRP has recalibrated the Basic Allowance by replicating the original methodology that forms the basis of the current Basic Allowance but with

updated variables This methodology is laid out in the 2006 Statutory Guidance (paragraph 67) which states:

Having established what local councillors do, and the hours which are devoted to these tasks the local authorities will need to take a view on the rate at which, and the number of hours for which, councillors ought to be remunerated.

19. The Statutory Guidance (paragraphs 68-69) expands on the above statement by breaking it down to three variables for IRPs to consider in arriving at a recommended Basic Allowance. Firstly, a time assessment for the roles associated with the Basic Allowance; secondly, an element of public service to be recognised in the Basic Allowance; and thirdly a rate of remuneration upon which to base the Basic Allowance. The IRP has recalibrated the Basic Allowance by bringing the three operative variables up to date as set out below.

### **Time required in carrying out duties associated with the Basic Allowance**

20. The Basic Allowance is primarily a time-based payment (see 2006 Statutory Guidance paragraph 10). Obviously, Members work in different ways and have varying commitments and the time spent on council duties varies. Yet, the Basic Allowance is a flat rate allowance that must be paid equally to all Members so the time assessment is typically taken to be that which is deemed necessary at a minimum to carry out all those duties for which the Basic Allowance is paid. These duties include but are not limited to preparing for and attending meetings of the Council and its committees/panels (formal and informal), addressing constituents' concerns, representing and engaging with local communities, external appointments and other associated work including telephone calls, emails and meetings with Officers.
21. The current Basic Allowance is based on a time estimate of 91.35 days per year (2003), or 14 hours per week on an eight-hour day. The IRP notes that the 2018 LGA Census of Councillors shows that Members who hold "no positions" of responsibility reported that on average they put in 22 hours per week. For recalibration purposes, the IRP has opted for a figure mid-way between the original assessment of 14 hours per week and the LGA Councillors Census average, which equates to 18 hours per week.
22. The IRP has a strong sense that the time demands on Members have increased since the original time assessment of 2003 simply through increased legislative demands placed on Members, the transfer of licensing functions from magistrates to local authorities being but one example. On the other hand, the IRP has taken the view that the Councillor Census average of 22 hours per week has been bumped up as it includes that coterie of backbenchers who have the capacity and wherewithal to put in what often amounts to a full time commitment. Thus, 22 hours per week does not reflect the minimum time required to fulfil the duties for which the Basic Allowance is paid. The IRP is assured that 18 hours per week is a more accurate reflection of the average minimum time required to fulfil backbench duties. The IRP has

translated this as 117 days per year (on a 52-week year with an 8-hour working day).

23. Thus, for the purposes of recalibrating the Basic Allowance the IRP has reassessed the required minimum average input per week for a Member to fulfil all duties associated with the Basic Allowance to be 18 hours per week. This equates to 117 days per year.

### **The Public Service Discount (PSD)**

24. The 2006 Statutory Guidance advises that to recognise there is a public service element to being an elected Member that not all the time expected from Members should be remunerated. To recognise the public service principle an element should be unpaid, known as the Public Service Discount (PSD). The normal range for this public service discount is between 30% - 40%, largely on the basis this is broadly in line with the proportion of time backbenchers spend dealing with constituents and ward issues and local and community matters. The historical PSD that has been applied in Bracknell Forest Council is one third, which in turn is the most common PSD applied across English local government. The IRP received no evidence to revise this historical figure.
25. Thus, of the expected time input of 117 days per year one third of that time, or 39 days per year, are deemed as public service and not paid, leaving 78 remunerated days per year.

### **The rate for remuneration**

26. This variable refers to the worth of a Councillor's time. The original rate of remuneration utilised by the IRP in setting the current basis of the Basic Allowance was £122 per day. This was based on an advisory day rate (2002) that used to be issued to IRPs by the LGA. This advisory day rate was discontinued in 2014. This was in part because it was based on male white earnings and it had reached such a high level it was hard to justify and partly because of the Office of National Statistics through its Annual Survey of Hours and Earnings (ASHE) started to publish average earnings on a council-by-council area about 10 years ago.
27. It was this latter development in particular, that hastened the decline of the LGA daily advisory rate of remuneration. IRPs started to switch to a locally based average, based on the earnings of their constituents, which is a more robust and justifiable rate of remuneration. In 2020 the median daily earnings (excluding overtime) of all full time employees resident in Bracknell Forest is £133.<sup>4</sup>

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<sup>4</sup> This is based on median weekly earnings of £665, which equates to £133 per day when divided by a five-day working week. See Annual Survey of Hours and Earnings (ASHE), Table 8.2a, Weekly pay – excluding overtime – for full time employee jobs (home geography), Office of National Statistics, provisional results 2020. The ONS advises that the median rather than the mean figure is a better measure of the average due handful of very high earners which skews the statistical mean.

28. Following the methodology as set out in the 2006 Statutory Guidance with the updated variables produces the following recalibrated Basic Allowance:

117 days per year minus one-third PSD (39 days)  
 = 78 remunerated days multiplied by £133 per day  
 = £10,374

### Benchmarking the Basic Allowance

29. As a further test of the current Basic Allowance, the IRP has benchmarked it against the Bracknell Forest specific benchmarking group and the South East Employers 2021 allowances survey that included all unitary councils in the South East. Benchmarking produced the following figures:

- Benchmarking group mean Basic Allowance £9,464
- Benchmarking group median Basic Allowance £8,787
- South East Employers Survey 2021 mean Basic Allowance £9,932

30. The IRP also noted that the Basic Allowance (as with all SRAs) has remained static since 2011, as indexation has not been applied since then. If the normal index (the annual percentage increase in salary for local government staff) had been consistently applied over the years then the Basic Allowance would now be £9,306.
31. There is a case to revise the Basic Allowance; it has lost value in regards to the recalibrated and benchmarked Basic Allowance. The IRP has gone through this process to flag up its potential direction of travel in the future. Despite the indicative evidence, **the IRP is not recommending any change to the current Basic Allowance (£8,687) except the application of the recommended index (see below).**

### Expenses deemed included within the Basic Allowance

32. Since the 2014 Review, the Basic Allowance has been deemed sufficient to cover broadband provision, in-Borough travel, in-Borough parking, occasional use of taxis and all incidental expenses not otherwise expressly specified in the allowances scheme.
33. There was some very limited representation arguing that Members now have greater costs, which in turn were mostly related to increased costs of fuel for travel (which has been addressed below).
34. The IRP notes that it is common for the Basic Allowance in the more compact Councils includes in-Borough travel related expenses. It is now common for the same to apply to broadband costs as broadband is now so omnipresent to be perceived as a utility. As such, the IRP has not changed the current range of expenses that the Basic Allowance is deemed to cover.

35. **The IRP recommends that there should be no change to the current range of expenses that the Basic Allowance is deemed to include.**

### **Special Responsibility Allowances**

36. With a few notable exceptions there is a more limited case (than with the Basic Allowance) to revise the current SRAs payable. Benchmarking shows that Bracknell Forest SRAs are more in line with those paid in comparator councils in terms of both level and methodology. Moreover, the IRP was once more cognisant of the general thrust of representation received that even where a case could be made to enhance an SRA now was not the time to do so – with one exception.
37. The IRP has briefly set out below some of its deliberations regarding some of the SRAs where there was some representation received.

### **The Leader's SRA**

38. There was some representation that there was a case to revisit the current SRA (£28,954) for the Leader, it was argued that it is now somewhat on the low side. Being Leader, it was argued is a full time role that excludes any employment in the normal sense of the term. The demands upon the Leader have increased since the last time the Leader's SRA was fundamentally reviewed in 2003. In particular, Local Government and Public Involvement in Health Act 2007, made the strong Leader model of governance the only model available. The Leader now has all executive powers vested in their role and for instance determines the numbers and scope of powers of other Executive Members (although it is acknowledged that some of those powers are in operation mediated through the political group process).
39. The original basis of the Leader's SRA was arrived at by adopting a basket of approaches and the SRA adopted was the mid-point of these approaches. The most common method of arriving at a Leader's SRA is called the 'factor' approach. This approach is one of the methodologies set out in the 2006 Statutory Guidance (paragraph 76) which states:
- One way of calculating special responsibility allowances may be to take the agreed level of basic allowance and recommend a multiple of this allowance as an appropriate special responsibility allowance for either the elected mayor or the leader.
40. Currently the Leader's SRA is a multiple of 3.33 over the current Basic Allowance. Benchmarking shows that the mean Leader's SRA is multiple of 3 times the mean Basic Allowance. This multiple level of three times the Basic Allowance is common across the country. Thus methodologically speaking the Leader's SRA is not that low, but can also be seen as a function of the low Basic Allowance paid in Bracknell Forest.
41. Benchmarking also shows that in monetary terms the Leader's SRA compares favourably with peers:

- Benchmarking group mean Leaders' SRA £28,309
- Benchmarking group median Leader's SRA £26,361
- South East Employers Survey 2021 mean Leader's SRA £24,888

42. The IRP accepts that the Leader's powers have increased since the role was last fundamentally reviewed and it has always seen the role as more or less full time. However, benchmarking does not strongly support a revision of the Leader's SRA. The IRP has also been cognisant of the representation received that now was not the appropriate time to increase SRAs.
43. **The IRP recommends no change to the current SRA (£28,954) to the Leader's SRA, subject to the application of the recommended indexation.**

### **Chairs of Overview and Scrutiny Commission (1) and Panels (3)**

44. There was some representation received querying the current levels of SRAs paid to the Chair of the Overview and Scrutiny Commission (£7,239) and the Chairs of the three Overview and Scrutiny Panels (£5,791). The Bracknell Forest model of Overview and Scrutiny is two tiered with the Overview and Scrutiny Commission while being the Council's statutory Crime and Disorder Committee is also responsible for health scrutiny and for scrutinising budget proposals and Council performance. It undertakes its own crosscutting reviews when required. Moreover, it co-ordinates the work of the three Overview and Scrutiny Panels:
- Education, Skills and Growth
  - Environment and Communities
  - Health and Care
45. This co-ordination role also includes appointing Overview and Scrutiny Panel Members and agreeing their work programmes. The Panels carry out the in-depth reviews and support focused policy development to feed into the Executive. The Chair and Vice Chairs of the three Overview and Scrutiny Panels are automatically appointed to the Overview and Scrutiny Commission.
46. Overview and Scrutiny was reorganised in 2019 with the number of Overview and Scrutiny Panels reduced from four to three and realigned more closely reflecting Council priorities. The Panel Chairs now lead all the reviews of their respective Panel, which was not always the case previously. Moreover, benchmarking shows that the SRA (where similar Overview and Scrutiny arrangements are in place) paid to the Chair of the Overview and Scrutiny Commission and Chairs of the Overview and Scrutiny Panels are in both cases between the mean and median SRAs payable. The mean SRA (£7,136) and median SRA (£7,459) for Chair of main Overview and Scrutiny Committees and £5,986 and £5,502 for Chairs of Overview and Scrutiny Panels.

47. **The IRP is not recommending any changes to the SRAs paid to the Chair of the Overview and Scrutiny Commission and the Chairs of the three Scrutiny Panels, subject to the application of the recommended indexation.**

### **Member Champions (5)**

48. The SRA (£2,201) paid to the five Member Champions is very much a Bracknell Forest specific remunerated post. The IRP could find no examples of similar posts being remunerated in any of the benchmarked councils. There were some questions raised regarding the appropriateness of remunerating such posts.
49. However, the IRP received other representation that these Member Champion roles had settled in over the years. They have become an accepted part of the Council's governance arrangements by acting as a positive focus for the local community at elected Member level in respect of the relevant section of the community or range of activities designated by the Council. Thus making sure that full consideration is given to the impact of Council activities and decisions upon the section of community or range of activities. These roles have role profiles, and each Champion produces an annual report setting out the work they have carried out and progress made each year. There is also an element of succession planning in these roles.
50. **The IRP recommends no change to the current SRA (£2,201) paid to the five Member Champions, subject to the application of the recommended indexation.**

### **Chair of the Licensing and Safety Committee**

51. The current SRA (£5,626) for the Chair of the Licensing and Safety Committee was set (as were most SRAs) by following the 'pro-rata' approach as set out in paragraph 76 of the 2006 Statutory Guidance which states:

Having determined which duties should be acknowledged as significant additional responsibilities, the local authority will need to consider the levels of special responsibility allowance which are attached to each post. A good starting point in determining special responsibility allowances may be to agree the allowance which should be attached to the most time consuming post on the Council (this maybe the elected mayor or the leader) and pro rata downwards for the other roles which it has agreed ought to receive an extra allowance.

52. By definition, the Leader will be 100 per cent in terms of responsibility and workload. Under the pro rata approach other SRAs are assessed as a percentage of the Leader's SRA. The IRP originally set the SRA for the Chair of Licensing and Safety at 20 per cent of the Leader's SRA, which is in line with the mean ratio in the benchmarking group. In addition, the level of SRA is

in line with the mean (£5,558) SRA and median (£5,626) paid in the benchmarking group.

53. However, the IRP felt that the SRA paid to the Chair of Licensing and Safety was out of line with the SRA (£2,201) paid to the Chair of Governance and Audit (see below). The differential between the two SRAs paid was too large. The SRA for the Chair of the Licensing and Safety Committee was set when the transfer of liquor licensing functions from Magistrates to local authorities (after the implementation of the Licensing Act 2003) was expected to keep the Chair of Licensing and Safety Committee particularly active through them chairing Licensing Hearings Panels which determine appeals in relation to licensing applications. This aspect of the work has settled down over the years with seven Licensing Panel hearings in both 2018/19 and 2019/20 and three such meetings in 2020/21. Moreover, there is no consistent pattern of the Chair (or Vice Chair) of the Licensing and Safety Committee chairing the Licensing Panel Hearings which was what the IRP was originally informed was going to be the case. The full Licensing and Safety Committee has met no more than 2-3 times per year the past four years.
54. Consequently (and partly to ensure no increase in overall cost regarding the small increase in the SRA for the Chair of Governance and Audit) the IRP has decided to marginally decrease the SRA for the Chair of Licensing and Safety Committee by resetting it at 15 per cent of the Leader's SRA which equates to £4,343. It is recognised that this is slightly below that paid in benchmarking group but it is line with the mean SRA (£4,233) paid to equivalent posts in the South East Employers 2021 survey of allowances.
55. **The IRP recommends that the SRA for the Chair of the Licensing and Safety Committee be reset at 15 per cent of the Leader's SRA (£28,954), which equates to £4,343, subject to the application of the recommended indexation.**

### **The Vice Chair of the Licensing and Safety Committee**

56. Currently the Vice Chair of the Licensing and Safety Committee receives an SRA of £553, which was originally set at 10 per cent of their Chair's SRA. The Vice Chair of Licensing and Safety Committee is one of only two remunerated Vice Chairs, the other remunerated Vice Chair is that of the Planning Committee. The IRP recognises that the current SRA is not much more than an honorarium but is content with that situation.
57. The IRP has historically supported remuneration for these two Vice Chairs, as they are the two main regulatory committees of the Council. While in practice neither the Vice Chair of the Licensing and Safety and Planning Committees have had to stand in very often for their respective chairs the potential for doing so is the greatest as unlike other committees their meetings cannot be rescheduled. As such, the IRP supports the continuation of these SRAs for the two regulatory committee Vice Chairs maintained at 10 per cent of the SRA paid to their respective chairs.



58. In the case of the Vice Chair of the Licensing and Safety Committee 10 per cent of their Chairs' revised SRA (£4,343) is now £434.
59. **The IRP recommends that the SRA for the Vice Chair of the Licensing and Safety Committee be reset at £434, which is 10 per cent of the recommended SRA (£4,343) for the Chair of the Licensing and Safety Committee, subject to the application of the recommended indexation.**

### Chair of the Governance and Audit Committee

60. The Chair of the Governance and Audit Committee receives an SRA (£2,201) on a par with that paid to the Member Champions. This was originally set at 7.5 per cent of the Leader's SRA. Benchmarking shows that the Bracknell Forest SRA for the Chair of Governance and Audit is the most out of line with peer councils with average SRA paid as follows:

- Benchmarking Group Chair of Audit mean SRA £4,613
- Benchmarking Group Chair of Audit median SRA £3,658
- South East Employers Survey Chair of Audit mean SRA £4,824

61. The IRP has decided that the Chair of the Governance and Audit Committee merits uplift to their SRA, not to the level suggested by benchmarking – partly to ensure the IRP's recommendations are broadly cost neutral. In settling on the appropriate level, the IRP has decided to reset it at 10 per cent of the Leader's SRA, which equates to £2,895.
62. **The IRP recommends that the SRA for the Chair of the Governance and Audit Committee be reset at 10 per cent of the Leader's SRA (£28,954) which equates to £2,895, subject to the application of the recommended indexation.**

### The Chair of the Planning Committee

63. The IRP received representation that the SRA (£7,239) for the Chair of Planning should be increased. The rationale was that this SRA was reduced a number of years ago as planning applications dealt with by the Planning Committee had decreased whereas now they have increased. However, the evidence presented to the IRP showed that the number of planning applications dealt with by the Planning Committee has consistently decreased over the last five years with 80 applications considered in 2016/17, with 63 applications considered in 2020/21 – the latter figure being consistent over the past four years.
64. Benchmarking lent some weight to the argument to increase the SRA for the Chair of Planning which shows the following:

- Benchmarking Group Chair of Planning mean SRA £8,952
- Benchmarking Group Chair of Planning median SRA £8,489
- South East Employers Survey Chair of Planning mean SRA £6,557

65. However, on the basis that the number of planning applications has not increased in the last five years and the key message for any recommendations to be broadly cost neutral **the IRP is not recommending any change to the current SRA (£7,239) for the Chair of the Planning Committee, subject to the application of the recommended indexation.**

### **The Vice Chair of the Planning Committee**

66. The IRP also received representation that the SRA (£723) for the Vice Chair of the Planning Committee was too low. The IRP acknowledges that it is low, being set at 10 per cent of the SRA paid to the Chair of the Planning Committee. The IRP consciously set it at such a low level for when the Vice Chair has to stand in for the Chair of the Planning Committee, which as a regulatory committee cannot reschedule meetings when the Chair is unavailable. The IRP obtained figures on how often the Vice Chair of the Planning Committee has stood in for the Chair of the Planning Committee since 2016/17 and it has averaged once a year since then. In this context, the argument to increase the current SRA paid to the Vice Chair of the Planning Committee is not a strong one.
67. **The IRP is not recommending any change to the current SRA (£723) for the Vice Chair of the Planning Committee, subject to the application of the recommended indexation.**

### **SRAs for Chairs of the Advisory Panels**

68. There was representation to the IRP suggesting that there was a strong case to remunerate the Chairs of the Advisory Panels, with the Climate Change Advisory Panel being quoted as a particularly high profile Panel. The Advisory Panels are appointed to provide advice to the Executive before decisions are made and the relevant Executive Member is usually appointed to them, and in several cases chair them. They are often appointed for a time-limited period, have no decision-making powers, nor are they part of the formal structures of the Council. As such, **the IRP has not accepted the case to recommend SRAs for the Chairs of the Advisory Panels.**

### **Other SRAs currently payable**

69. The IRP received no evidence to reconsider the other SRAs currently payable. Therefore, **the IRP recommends that the other SRAs currently remain unchanged, subject to the application of the recommended indexation.**

### **Maintaining the 1-SRA only rule**

70. The 2003 Regulations do not prohibit the payment of multiple SRAs to Members. However, since SRAs are not insignificant sums, Councils typically

have adopted the '1-SRA only' rule. In other words, regardless of the number of remunerated posts individual Members may hold they can only be paid one SRA.

71. Bracknell Forest Council has adopted a 1-SRA only rule and no evidence was received to change this position. **The IRP recommends that the Council maintain the 1-SRA only rule within the Bracknell Forest Council Members' Allowances Scheme so that a Member cannot receive more than one SRA.**

### **The Co-optees' Allowance**

72. The 2003 Members' Allowances Regulations provides authority to pay a Co-optees' Allowance to non-elected appointees to Council Committees. Currently Bracknell Forest pays the following Co-optees' Allowances:

- 2 Diocesan and 2 Parent Governor Co-optees on O&S           £305
- Governance and Audit Co-optee                                       £305
- + Co-optee preparing and attending Code of Conduct Panel
  - £32 up to 4 hours/£62 over 4 hours

73. The IRP received no evidence that the current scope and levels of Co-optees' Allowances required revision. **The IRP recommends no change to the scope and level of Co-optees' Allowances, subject to the application of the recommended indexation.**

### **Members appointed to the Independent Education Appeals Panels**

74. The Council also appoints non-elected people to sit on its Independent Education Appeals Panels that deal with such issues as school admissions and exclusions. The Regulations governing the appointment and remuneration of these appointees now place their remuneration within the remit of Council statutory IRPs.

75. Currently Independent Education Appeals Panels Members can be paid "for actual loss of earnings" up to the following limits:

- £31 for a period not exceeding 4 hours
- £60 for a period between 4 and 24 hours

76. The IRP heard that the Council did have some issues of being able to recruit Members to its Independent Education Appeals Panels. Moreover, as the remuneration is designed to compensate for loss of earnings the IRP has decided that it would be more appropriate to relate their level of payments to the median daily salary for all full time employees (excluding overtime) resident within the Council area as set out in ASHE table 8.2a Home Geography 2020, which is £122 per day.

77. **The IRP recommends that the remuneration for the Members appointed to the Independent Education Appeals Panels as follows:**
- £61 for a period not exceeding 4 hours
  - £122 for a period between 4 and 24 hours
78. **The IRP also recommends that the allowances paid to appointees to the Independent Education Appeals Panels should be subject to the application of the recommended indexation.**

### **The Civic Dignitaries Allowances**

79. Currently the Council pays Civic Dignitaries Allowances as follows:
- Mayor £12,703
  - Deputy Mayor £4,234
80. This is an allowance paid under the Local Government Act 1972 (s3(5) and s5(4)) that can be determined by the Council to pay their Council Chair and Vice Chair at a level it thinks reasonable for the purpose of meeting the expenses of holding those offices. It is outwith the remit of the IRP but the Council (as many councils do) has asked the IRP to provide advice on this allowance in the absence of any other means of external validation.
81. The IRP received no evidence that the Civic Dignitaries allowances is not meeting its purpose and there does not require revision. **The IRP recommends no change to the Civic Dignitaries Allowances, subject to the application of the recommended indexation.**

### **The Dependants' Carers' Allowance (DCA)**

82. The Dependants' Carers' Allowance is given express authority under the 2003 Members' Allowances Regulations and is an allowance that can be claimed by Members who have dependants to assist with the cost of care of those dependants while undertaking statutorily defined approved duties.
83. As is often the case the Council makes a DCA available for two different categories of care at the following maximum rates;
- Childcare: capped at hourly minimum wage applicable for the carer
  - Medical/Social Care: capped at hourly rate charged by Social Services for a home help carer
84. Although it is not claimed very often the IRP did receive overall support for the continuation of the DCA in the representation received. The IRP notes that the DCA is now almost universally available across English local government. The IRP also notes that many councils have now set the childcare rate that is at least pegged to the National Living Wage and that Bracknell Forest is committed as an employer to paying as a minimum the National Living Wage,

£9.50 per hour from April 20022. This is also a more realistic reflection of the actual costs of childcare. As such, the IRP feels it is appropriate to reset the maximum hourly rate for which childcare can be claimed to the National Living Wage.

85. Furthermore, the IRP received representation that the current DCA does not cover subscription or booking fees when a babysitting agency service is used. In addition, that some agency staff are not comfortable putting their home addresses on receipts as required by the current terms and conditions for claiming the DCA. To make the DCA more flexible the IRP feels that the claim form should be amended so that care staff can declare that they do not live in the claimant's household rather than having to give their home address.
86. **The IRP recommends that the DCA childcare maximum hourly rate be reset at the National Living Wage. Furthermore, that the claim form is amended so that care staff rather than providing their home address can declare they do not live in the claimant's household.**

### **Travel and Subsistence Allowances – within the Borough**

87. Since the January 2014 review, the IRP has discontinued the right of Members to claim any travel and subsistence allowances for undertaking approved duties within the Borough. The Basic Allowance was deemed sufficient to cover these types of costs. This is common practice within geographically compact authorities. The IRP received no evidence to alter this situation.
88. **The IRP recommends that the Basic Allowance continues to cover all in-Borough travel and subsistence costs.**

### **Travel and Subsistence – outwith the Borough**

89. In the 2014 review, the IRP tightened up considerably the terms and conditions for which Travel and Subsistence can be claimed for undertaking approved duties outwith the Borough. These conditions seem to have bedded down with the IRP receiving no evidence or representation that they required revisiting.
90. There was some representation arguing the overnight accommodation rates are too low particularly in relation to London. Currently they are as follows:
- £158 overnight stay in London
  - £100 overnight stay outside London
91. The IRP notes that these rates are higher than what are available in the other Berkshire councils. Moreover, it would only be a rare instance that a Member would be required to stay overnight in London. Finally, the scheme provides for limited exceptions to these rates, particularly in relation to attendance at approved conferences and seminars. **The IRP does not recommend any**

**changes to current terms, conditions and rates by which subsistence can be claimed for attending approved duties outwith the Borough.**

92. There was some further representation arguing that as fuel costs have increased and therefore the mileage rates should be increase. Currently, the mileage rates are linked to HMRC Approved Mileage Allowance Payments (AMAP). This is now common practice across not only local government but the public sector and if they were increased beyond the current HMRC rates then the whole rate would be subject to tax and national insurance. There may be an issue whether current HMRC mileage rates are now sufficient but to diverge from those rates would not be good practice.
93. Although the issue was not raised with the IRP, it has decided to future proof the mileage allowances for when a Member travels by hybrid or electric vehicles. The Office for Low Emission Vehicles advises that when claiming business mileage rates then HMRC AMAP rates are applicable. The scheme should be clarified to include this scenario for when a Member is claiming mileage rates by driving a hybrid or electric vehicle.
94. **The IRP recommends that the allowances scheme is amended to include provision for when a Member is claiming out of Borough mileage rates by driving a hybrid or electric vehicle then HMRA mileage rates are applicable. The IRP recommends that the other terms, conditions and rates for claiming out of Borough travel be maintained.**

### **Indexation of Allowances**

95. The 2003 Regulations permit allowances to be indexed on an annual basis but for no longer than a period of 4 years before a Council is required to reconvene and seek a view from their IRP before it can be renewed for another four years. The main allowances (Basic Allowance and SRAs) have not been indexed since 2011. The non-indexation was on the advice of the IRP up to the last review in 2017. The rationale behind this recommendation was to show that by freezing Members' allowances it demonstrated to staff and the electorate that Members were sensitive to the adverse economic conditions.
96. In the 2017 review, the IRP on the basis that Officers had had their annual cost of living salary increased restored recommended that indexation for the main allowances should be restored. The Council choose not to accept that recommendation, as it wanted to make a point of principle in a time of austerity.
97. The IRP remains even more convinced of the appropriateness of restoring indexation of the main allowances lest they start to lag behind peers which is already the case with the Basic Allowance. The historical index recommended by the IRP for the main allowances, which is also utilised by almost all English councils, is the same percentage annual salary increased applied to staff as agreed each year by the National Joint Council for Local Government Staff, known as the NJC index.

98. The IRP confirms and recommends that the following allowances are indexed for four years from 2022/23 to 2026/27, the maximum period permitted before the Council is required to seek advice from the IRP, as follows:

- **Basic Allowance, SRAs, Co-optees' Allowances, Civic Allowances and payments to Members of Independent Education Panels:**
  - Updated annually in line with the annual percentage pay increase given to Bracknell Forest Council employees (and rounded to the nearest £) as agreed for each year by the National Joint Council for Local Government Staff.
- **Out of Council Area Mileage Allowance:**
  - Indexed to the Her Majesty's Revenue and Customs (HMRC) Approved Mileage Allowance Payments (AMAP) mileage rates.
- **Out of Council Area Other Travel and Subsistence:**
  - Reimbursement of actual costs taking into account the most cost effective means of transport and/or accommodation available and the convenience of use with the maximum rates indexed to the same periodic percentage increase that may be applied to Officer Travel and Subsistence Allowances.
- **Dependants' Carers' Allowance (DCA):**
  - The maximum hourly rates to be indexed to the National Living Wage (childcare) and the Council's hourly rate for a Home Care Assistance (care of other dependants).

### Implementation of Recommendations

99. It is recommended that the new Members' Allowances scheme as recommended in this report be implemented from 1 April 2022 or from any date before then as agreed by the Council.

## **Appendix One: Members who met with the IRP**

### **Elected Members:**

Cllr N. Allen:	Chair of the Governance and Audit Committee and Education Employment Sub-Committee and Vice Chair of the Employment Committee (Conservative)
Cllr Bettison (OBE):	Leader of the Council and Conservative Group and Chairman of the Executive, Executive Member for Council Strategy and Community Cohesion and Vice Chair Executive Committee: Commercial Property
Cllr D. Birch:	Deputy Leader of the Council, Executive Member for Adult Services, Health and Housing and Chair of the Health and Wellbeing Board (Conservative)
Cllr G. Birch:	Chair of the Education, Skills and Growth Overview & Scrutiny Panel (Conservative)
Cllr C. Dudley:	Chair of the Planning Committee (Conservative)
Cllr L. Gibson:	Backbench Member (Conservative)
Cllr T. Parker:	Backbench Member (Liberal Democrat)
Cllr M. Temperton:	Leader of Opposition (Labour) Group



## **Appendix Two: Officers who met with the IRP**

### **Officers:**

Ann Moore: Head of Democratic & Registration Services

Kirsty Hunt: Governance and Scrutiny Manager

**Appendix Three: Papers and other Written Material Received by the IRP**

Item	Description
1.	2006 Members Allowances Statutory Guidance (extract)
2.	Briefing for Panel
	IRP Briefing/Training power point presentation which will include: <ul style="list-style-type: none"> <li>• Reviewing Allowances</li> <li>• the Bracknell model</li> <li>• an overview</li> <li>• issues and options</li> </ul>
3.	2003 Members' Allowances Regulations
4.	2017 Independent Remuneration Panel Report
5.	Minutes recording Council's decision on 2017 recommendations
6.	BFC Members Allowances Scheme 2021/22
7.	Flowcharts for claiming <ul style="list-style-type: none"> <li>• overnight accommodation</li> <li>• taxis</li> <li>• mileage</li> </ul>
8.	Councillors' allowances and expenses 2020-21
9.	Survey results report
10.	Paper showing what BA and main SRAs would be if indexed had been applied since 2014 review
11.	Diagram of Bracknell Forest Council Committee Structure
12.	Role profiles
	All of the Councillor role profiles are set out at <a href="https://www.bracknell-forest.gov.uk/councillor-roles">Councillor roles   Bracknell Forest Council (bracknell-forest.gov.uk)</a>
13.	Committee membership list
14.	Schedule of Council meetings 2021/22
15.	Terms of reference for Committees, Panels etc

	<p>The terms of reference of:</p> <p>The Executive and Executive Committees</p> <ul style="list-style-type: none"> <li>• <a href="#">Bracknell Town Centre Regeneration Committee</a></li> <li>• <a href="#">Executive</a></li> <li>• <a href="#">Executive Committee: Commercial Property</a></li> <li>• <a href="#">Joint Waste Disposal Board</a></li> </ul> <p>Regulatory Committees</p> <ul style="list-style-type: none"> <li>• <a href="#">Code of Conduct Panel</a></li> <li>• <a href="#">Education Employment Sub Committee</a></li> <li>• <a href="#">Employment Committee</a></li> <li>• <a href="#">Governance &amp; Audit Committee</a></li> <li>• <a href="#">Licensing and Safety Committee</a></li> <li>• <a href="#">Licensing Panel</a></li> <li>• <a href="#">Planning Committee</a></li> </ul> <p>Overview &amp; Scrutiny Commission</p> <p><a href="#">Overview and Scrutiny Commission</a></p>
16.	Overview and Scrutiny Annual Report
17.	Champions Annual Report
18.	Councillor Development Annual Report
19.	Real time benchmarking against other Berkshire Unitaries and CIPFA 10 Nearest Neighbours (2014 model)
20.	CIPFA Nearest Neighbour model (2014)
21.	Summary of hours worked (mean per week) by Councillors (Census of Councillors 2018)
22.	Bracknell median & mean weekly pay (all full time jobs excluding overtime), Annual Survey of Hours & Earnings (ASHE), ONS 202016 Table 7.2a work geography
23.	National Employers for Local Government Services: Local Government Pay Offer July 2021, 27 July 2021
24.	Office for Low Emission Vehicles, Ultra Low Emission Vehicles Tax Benefits 2018
25.	Number of Licensing Panel Hearings per year (2016/17 – 2020/21) including who chaired them (highlighted when Chaired by Licensing & Safety Committee Chair or

	Vice Chair)
26.	Licensing Committee meetings per year (2016/17 – 2020/21) and who chaired them
27.	Planning Committee meetings per year (2016/17 – 2020/21) setting out the number of applications considered and who chaired them
28.	The process for escalating applications to the Planning Committee
29.	Planning applications dealt with by the planning department (2016/17 – 2020/21)
30.	Overview and Scrutiny Commission number and lengths of meetings (2018/19 – 2021/22)
31.	Overview and Scrutiny Panels number of meetings and outputs (2018/19 – 2021/22)

### Appendix Four: Benchmarking Data Summary

BM1 Bracknell Forest BM Group - CIPFA 10 Nearest Neighbours & Other Berks Unitaries: BA + Exec + Scrutiny SRAs (21/22 unless indicated)									
Comparator Council	Basic Allowance	Leader or Elected Mayor	Leader Total	Deputy Leader	Executive Members	Assistant or Deputy Execs	Chair Main O&S	Chairs/Lead Scrutiny	V/Chairs Scrutiny
West Berks (19/20)	£7,697	£19,242	£26,939	£11,545	£9,622		£4,810		
Bedford	£10,425	£52,127	£62,552	£12,511	£10,452			£5,213	
Milton Keynes	£10,924	£31,836	£42,760	£15,918	£9,809		£7,959	£4,776	
Swindon	£8,787	£26,361	£35,148	£16,256	£13,181		£6,590	£6,590	
Windsor & Maidenhead	£8,306	£24,918	£33,224	£13,705	£12,459			£4,984	
Central Bedfordshire (20/21)	£10,996	£31,337	£42,333	£25,070	£18,802	£6,267		£10,655	
45 Reading	£8,447	£19,009	£27,456	£11,611	Committee system			£3,124	£1,104
Thurrock (19/20)	£9,200	£32,500	£41,700	£16,560	£11,500			£6,900	£1,380
South Gloucs (20/21)	£12,196	£23,172	£35,368	NA	£12,196		£8,537	£8,537	
Slough	£8,434	£21,939	£30,373	£15,357	£12,066		£7,679	£3,291	
Bracknell Forest	£8,687	£28,954	£37,641	£17,372	£15,926		£7,239	£5,791	
Mean	£9,464	£28,309	£37,772	£15,591	£12,601		£7,136	£5,986	
Median	£8,787	£26,361	£35,368	£15,638	£12,131		£7,459	£5,502	
SEE 2020 Survey	£9,932	£24,888	£34,820	NA	£12,060		NA	NA	
Highest	£12,196	£52,127	£62,552	£25,070	£18,802		£8,537	£10,655	
Lowest	£7,697	£19,009	£26,939	£11,545	£9,622		£4,810	£3,124	
Mean Ratios	Leader = 3 X BA	100%		55%	45%		25%	21%	

<b>BM2 Bracknell Forest BM Group - 10 Nearest Neighbours + Berks Unitaries: Regulatory SRAs (20/21 unless indicated)</b>									
<b>Comparator Council</b>	<b>Chair of Planning</b>	<b>V/Chair of Planning</b>	<b>Chair of Licensing</b>	<b>V/Chair Licensing</b>	<b>Chair of Audit &amp;/or Governance</b>	<b>V/Chair Audit</b>	<b>Chair Standards</b>	<b>V/Chair Standards</b>	<b>Chair Employment or Personnel</b>
<b>West Berks (19/20)</b>	£9,620		£2,887		£2,887				£2,887
<b>Bedford</b>	£5,213		£5,213		£5,213		£1,563		
<b>Milton Keynes</b>	£8,489		£8,489		£5,836		£3,183		
<b>Swindon</b>	£6,590		£6,590		£6,590		£6,590		
<b>Windsor &amp; Maidenhead</b>	£18,690		£6,230		£4,984				
<b>Central Bedfordshire (20/21)</b>	£13,162	£2,507	£2,507		£10,655				
<b>Reading</b>	£6,243	£1,104	£6,243	£1,104	£3,124	£1,104	£3,124	£1,104	£3,124
<b>Thurrock (19/20)</b>	£9,200	£2,300	£5,520	£5,060	£2,300				
<b>South Gloucs (20/21)</b>	£8,537		£8,537		£3,658				
<b>Slough</b>	£5,485	£1,828	£3,291	£1,097	£3,291				£2,194
<b>Bracknell Forest</b>	£7,239	£723	£5,626	£553	£2,201				£2,201
<b>Mean</b>	<b>£8,952</b>	<b>£1,692</b>	<b>£5,558</b>	<b>£1,954</b>	<b>£4,613</b>		<b>£3,615</b>		<b>£2,602</b>
<b>Median</b>	<b>£8,489</b>	<b>£1,828</b>	<b>£5,626</b>	<b>£1,101</b>	<b>£3,658</b>		<b>£3,154</b>		<b>£2,544</b>
<b>SEE Survey 2020</b>	<b>£6,557</b>		<b>£4,233</b>		<b>£4,824</b>				<b>NA</b>
<b>Highest</b>	<b>£18,690</b>	<b>£2,507</b>	<b>£8,537</b>	<b>£5,060</b>	<b>£10,655</b>		<b>£6,590</b>		<b>£3,124</b>
<b>Lowest</b>	<b>£5,213</b>	<b>£723</b>	<b>£2,507</b>	<b>£553</b>	<b>£2,201</b>		<b>£1,563</b>		<b>£2,194</b>
<b>Mean Ratios Leaders' SRA</b>	<b>32%</b>		<b>20%</b>		<b>16%</b>		<b>13%</b>		<b>9%</b>
<b>BM3 Bracknell Forest BM Group - CIPFA 10 Nearest Neighbours + Berkshire Unitaries: Opposition &amp; Other SRAs (20/21 unless indicated)</b>									

Comparator Council	Main Opposition Leader	Main Opposition Deputy Leader	Opposition Lead or Shadow Exec	Other Opposition Group Leaders	Chair Council	Vice Chair Council	Other SRAs/Comments
West Berks (19/20)	£7,697		£2,309	£1,902	£5,773	£1,156	Planning Chairs SRA £9,620 = 2 Planning Chairs at £4,810
Bedford	£188 p/Mbr	£94 p/Mbr	£94 p/Mbr	£188 p/Mbr	£7,298	£2,398	Chairs General Purposes + (Licensing Act 2003) Licensing Committees £5,213 + Members of Licensing Act (2003) Subs £26 1/2 day & £52 full day
Milton Keynes	£658 p/Mbr			£658 p/Mbr			Chairs Scrutiny Working Groups £4,776
Swindon	£6,590			£2,197			Chair/Vice Chair Swindon & Wiltshire Police & Crime Panel £6,590/£2,197
Windsor & Maidenhead	£4,792			£1,437	£3,121	£1,040	Deputy Chair Cabinet £13,705, Mbrs Appeals Panel £34 up to 3 hours/£67 over 3 hours meeting, Chair Berkshire Pension Fund £4,984, Planning Chair SRA £18,690 = 3 Planning Chairs at £6,230
Central Bedfordshire (20/21)	£9,698			£3,649			Exec Mbrs without Portfolio £10,655, Chair General Purpses £5,014
Reading	£6,243						Lead Mbrs £9,761, Vice Chair Personnel + Mbrs Fostering Panel £1,104
Thurrock (19/20)	£9,200	£2,300		£2,300			Chair Corporate Parenting £2,300
South Gloucs (20/21)	£8,537			£8,537	£6,098	1829	Cabinet Mbr for Children & Young People £14,634, Chair Strategic Sites £8,537, Minority Lead Mbrs on Health Scrutiny, Regulatory, Development Management & Strategic Sites £4,878
Slough	£6,582			£4,388			Vice Chair Main O&S £1,536, Chair Trustee Committee £2,194
Bracknell Forest	£9,651	£965					<i>Cllr Champions (x5) £2,201</i>
Mean	£7,666			£3,487	£5,573	£1,606	
Median	£7,697			£2,300	£5,936	£1,493	
SEE Survey 2020	£7,261			NA			
Highest	£9,698			£8,537	£7,298	£2,398	
Lowest	£4,792			£1,437	£3,121	£1,040	
Mean Ratios to Leaders' SRA	27%			12%	20%	29%	

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### SCHEDULE 3

#### APPROVED CONFERENCES

<u>Conference</u>	<u>Delegate</u>
Centre for Public Scrutiny Annual Conference	Chair of the Overview & Scrutiny Commission
CIPFA	Leader or relevant Executive Member
Institute of Licensing Conference	Licensing & Safety Committee Chair
LGA Annual Conference	Leader, Leader of the Opposition and one other majority group Member
LGA / ADASS – the National Children’s and Adult Services Conference	Executive Members for Adult and Children’s Services
LGA Annual Culture & Tourism Conference	Relevant Executive Member

#### **Guidelines for Attendance at Non-Approved Conferences**

1. Applications to attend a conference not on the approved list should be made to the Head of Democratic and Registration Services.
2. Members should complete a standard proforma which will require the following information:
  - Conference details (i.e. topic, venue, date(s), cost)
  - Reasons for wishing to attend
  - Likely benefits to the authority
  - Whether an officer would be attending
3. Democratic and Registration Services staff will check whether there is sufficient budget provision available before passing the proforma to be countersigned by the Leader of the Council and the Executive Director: Delivery. In the case of a request from the Leader of the Council, the proforma will be passed to the Chief Executive to be counter-signed.
4. Where there is no identifiable source of funding the application may still be approved in exceptional circumstances, in particular if the Council would be disadvantaged if a Councillor did not attend.

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TO: Council  
24 February 2022

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## Appointment of Local External Auditors Executive Director: Resources

### 1 PURPOSE OF REPORT

- 1.1 To consider the recommendation from the advisory meeting of the Governance and Audit Committee regarding arrangements for the appointment of local external auditors under the Local Audit and Accountability Act 2014 for the financial years 2023/24 to 2027/28.

### 2 RECOMMENDATIONS

- 2.1 **That Bracknell Forest remains part of the Public Sector Auditor Appointments (PSAA) collective procurement arrangement to appoint an External Auditor from the 2023/24 financial year on the grounds that this approach is most likely to achieve best value in a restricted market and avoids the need and cost of the Council itself undertaking a complex and time-consuming procurement process.**
- 2.2 **That the Executive Director: Resources be authorised to progress discussions with other s151 officers in Berkshire and the PSAA around whether a single audit firm should be appointed to cover all authorities in the county area.**

### 3 REASONS FOR RECOMMENDATIONS

- 3.1 To ensure that arrangements are agreed for procuring local external auditors in time for the 2023/24 accounting year.

### 4 ALTERNATIVE OPTIONS CONSIDERED

- 4.1 The options of the Council undertaking its own procurement or doing so in partnership with one or more local council, which would include establishing an independent Auditor Panel to advise on the selection process, have been evaluated but are not recommended, for the reasons detailed in the report.

### 5 SUPPORTING INFORMATION

#### Background

- 5.1 Under the Local Audit and Accountability Act 2014, following the closure of the Audit Commission, local authorities are responsible for appointing their own external auditor. The appointment process needs to be undertaken in accordance with procurement rules which specify particular stages and timescales. There are five key stages of the process which are likely to be common across authorities:
- i) decide on the appointment process (a decision for Council whether to use the sector led body or appoint independently)
  - ii) (if appointing independently) determine the important criteria to be considered when selecting the auditor and invite expressions of interest against these
  - iii) evaluate expressions received
  - iv) final evaluation of tenders

v) recommendation to the authority.

- 5.2 Having reviewed the options available and in common with almost all local authorities, the Council in February 2017 decided to opt in to the ‘appointing person’ national auditor appointment arrangements established by Public Sector Audit Appointments (PSAA) for the period covering the accounts for 2018/19 to 2022/23.
- 5.3 PSAA is specified as the ‘appointing person’ for principal local government under the provisions of the Act and the Local Audit (Appointing Person) Regulations 2015 and is now undertaking the work needed to invite eligible bodies to opt in for the next appointing period (2023/24 – 2027/28) and to complete a procurement for audit services. The national opt-in scheme provides the following:
- The appointment of a suitably qualified audit firm to conduct audits for each of the five financial years commencing 1 April 2023.
  - Appointing the same auditor to other opted-in bodies that are involved in formal collaboration or joint working initiatives to the extent this is possible with other constraints.
  - Managing the procurement process to ensure both quality and price criteria are satisfied. PSAA has sought views from the sector to help inform its detailed procurement strategy.
  - Ensuring suitable independence of the auditors from the bodies they audit and managing any potential conflicts as they arise during the appointment period.
  - Minimising the scheme management costs and returning any surpluses to scheme members.
  - Consulting with authorities on auditor appointments, giving the Council the opportunity to influence which auditor is appointed.
  - Consulting with authorities on the scale of audit fees and ensuring these reflect scale, complexity, and audit risk.
  - Ongoing contract and performance management of the contracts once these have been let.
- 5.4 When audit contracts were last awarded in 2017 the audit market was relatively stable, there had been few changes in audit requirements, and local audit fees had been gradually reducing over a long period. During 2018 a series of financial crises and failures in the private sector year led to questioning about the role of auditors and the focus and value of their work. Four independent reviews were commissioned by Government: Sir John Kingman’s review of the Financial Reporting Council (FRC), the audit regulator; the Competition and Markets Authority review of the audit market; Sir Donald Brydon’s review of the quality and effectiveness of audit; and Sir Tony Redmond’s review of local authority financial reporting and external audit. The recommendations are now under consideration by Government, with the clear implication that significant reforms will follow. A new audit regulator (ARGA) is to be established, and arrangements for system leadership in local audit are to be introduced. Further change will follow as other recommendations are implemented.
- 5.5 A national drive to improve audit quality has created a major pressure for audit firms to ensure full compliance with regulatory requirements and expectations in every audit they undertake. Firms have asked their audit teams to undertake additional work to gain deeper levels of assurance. However, additional work requires more time, posing a threat to the firms’ ability to complete all their audits by the target date for publication of audited accounts. While changes to working practices arising from the Covid pandemic have been a factor in delayed audit opinions in recent times, timescales were increasingly under pressure prior to 2020. Additional audit work

costs more and as a result, many more fee variation claims have been needed than in prior years.

- 5.6 These challenges have not been unique to local government audit, although the complexity of local government financial statements together with increasingly innovative responses to funding reductions have played a part.
- 5.7 Against this backdrop, the arguments in favour of participating in a sector-wide collective approach to appointing a local auditor rather than doing this independently are felt to be even stronger than in 2017. Supporting the sector-led body also offers the best way of ensuring there is a continuing and sustainable public audit market into the medium and long-term. It is therefore proposed that the Council accepts Public Sector Audit Appointments' invitation to opt into the sector-led option for the appointment of external auditors to principal local government and police bodies for five financial years from 1 April 2023. The deadline for submission of opt-in documents to PSAA is 11 March 2022, with a decision to participate required by a meeting of Full Council prior to that date.
- 5.8 Indications from Berkshire s151 Officers are that all their authorities plan to sign up to the PSAA process. Early discussions have also highlighted that there would be some advantages of having the same firm appointed to cover the Berkshire area, due to the links between authorities such as a shared Pension Fund and joint arrangements covering some authorities including the Waste PFI and Public Protection Partnership, which Bracknell Forest is party to. Currently reliance needs to be placed on the findings of different audit firms for such issues, which can cause complexity and delays in audit signing offs. Against this, resourcing the audit would potentially be difficult for a single firm, with all authorities facing the same certification deadline. Members are asked to endorse a continuation of discussions between Section 151 Officers and engagement with PSAA should this issue be felt worth pursuing.

## **6 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS**

### Borough Solicitor

- 6.1 As set out in the report the Local Audit and Accountability Act 2014 Act creates a legal framework enabling the Government to nominate a 'person' to act as a joint procurement body for local audit and to give that body the powers and duties to operate collective procurement arrangements. Such a body is required to appoint auditors to those local authorities which 'opt in' to the collective procurement arrangement. Any decision to opt in would be reserved to Full Council and not the Executive.

### Financial Advice

- 6.2 The Borough Treasurer recommends the Council opting in to the PSAA collective arrangements, for the reasons detailed in the report.

### Equalities Impact Assessment

- 6.3 Not applicable

### Strategic Risk Management Issues

- 6.4 There is a risk costs may potentially rise if the procurement option chosen does not maximise economies of scale. There are also risks that authorities cannot attract sufficient independent individuals with relevant experience to sit on the Panels.

### Other Officers

- 6.5 Not applicable

## **7 CONSULTATION**

### Principal Groups Consulted

- 7.1 An advisory meeting of the Governance and Audit Committee considered and recommended these proposals on 26 January 2022.

### Background Papers

none

### Contact for further information

Stuart McKellar, Executive Director: Resources - 01344 352180  
stuart.mckellar@bracknell-forest.gov.uk

To: **Council**  
**24 February 2022**

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## **Annual Update of the Council's Pay Statement** **Assistant Director: HR and Organisational Development**

### **1 Purpose of Report**

- 1.1 Since 2012, and in accordance with the 2011 Localism Act, the Council has been required to publish an annual Pay Statement. The Statement is also aligned with the requirements of the Transparency Regulations.
- 1.2 This report is required to be agreed by Council.

### **2 Recommendation**

- 2.1 That the Pay Policy Statement be agreed for 2021/22.**

### **3 Reasons for Recommendation**

- 3.1 To comply with the Department of Communities and Local Government (DCLG) guidance and 2014 Transparency Code requirements.
- 3.2 To highlight the Councils commitment to transparency and equity in pay.

### **4 Alternative Options Considered**

- 4.1 None. It is a legal requirement to produce and publish the statement.

### **5 Supporting Information**

- 5.1 The Pay Policy Statement is attached.
- 5.2 The report should be considered at Employment Committee prior to going through to Council. Given the delay in the Employment Committee to 2 March 2022 this has resulted in the need to take through to Council for approval first to meet the 31 March deadline.

### **6 Consultation and Other Considerations**

#### Legal Advice

- 6.1 Section 38 (1) of the Localism Act 2011 requires local authorities to produce a pay statement to be agreed by Members before the beginning of each financial year. The Act does not apply to local authority schools. This document meets the requirements of the Act for the Bracknell Forest Council. This Pay Policy Statement presents the expected position at 1 April 2022.

The provisions of the Localism Act require that local authorities are more open about their own local policies and how their local decisions are made. The Code of Recommended Practice for Local Authorities on Data Transparency enshrines the principles of transparency and asks Authorities to follow three principles when publishing data they hold: responding to public demand, releasing data in open formats available for re-use, and, releasing data in a timely way. This includes data on senior salaries and the structure of the workforce.

#### Financial Advice

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

#### Other Consultation Responses

- 6.3 None, though the statement will be discussed at the Local Joint Committee and Employment Committee.

#### Equalities Impact Assessment

- 6.4 Discussed across the document.

#### Strategic Risk Management Issues

- 6.5 Failure to explicitly respond to guidance on the content of published information will run the risk of challenge from the DCLG.

#### Climate Change Implications

- 6.6 The recommendations in Section 2 above are expected to:  
Have no impact on emissions of CO<sub>2</sub>.

#### Background Papers

None

#### Contact for further information

Paul Young, Assistant Director HR and Organisational Development, Resources  
[Paul.young@bracknell-forest.gov.uk](mailto:Paul.young@bracknell-forest.gov.uk)



## **Bracknell Forest Council**

### **PAY STATEMENT FOR THE FINANCIAL YEAR 2021/22**

#### **INTRODUCTION**

##### **Source and scope of pay statement**

This Pay Statement has been produced in accordance with Sections 38 to 43 of the Localism Act 2011 (the Act), which, from 2012 onwards, require local authorities to publish an annual statement of their approach to pay for the relevant financial year in relation to:

- The remuneration of their most senior employees (which the Act defines as the head of paid service (Chief Executive), the Monitoring Officer, the Assistant Directors (or Directors), and the Assistant Directors (i.e. managers who report directly to a Director));
- The remuneration of their lowest-paid employees; and
- The relationship between the remuneration of the most senior employees and that of other employees.

The statement is for the financial year 2021/22. Data on existing salaries, job roles and statistics contained within the statement are based as at 1 April 2021. It is noted that a pay award due from April 2021 has yet to be agreed with an offer made to trade union bodies which has yet to be accepted.

The Secretary of State has produced guidance on the Act's provisions relating to openness and accountability in local pay, which local authorities must have regard to in preparing and approving their annual pay policy statements and the Council's statement takes full account of this guidance to date as well as the provisions of the Act.

It also takes account of:

- Local Government Transparency Code 2014
- Guidance issued by the Joint National Council (JNC) for Local Authority Chief Executives on pay policy statements, published in November 2011
- Guidance under section 40 of Localism Act 2011, published by DCLG
- Employment and equalities legislation affecting local authority employers, where relevant.

To aid transparency, this statement also contains or refers to information which the Council is already required to publish under other legislation, i.e.

- Information on the actual level of remuneration paid to senior managers, as required by The Accounts and Audit (Amendment No. 2) (England) Regulations 2009
- Policies on the exercise of its discretions over payments upon termination of employment under the Local Government Pension Scheme, as required by Local Government Pension Scheme Regulations
- Policies on the exercise of its discretions over payments upon termination of employment under the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006, as required by Regulation 7 of those regulations.

The Government's guidance on the Localism Act's pay provisions states that it is open to Councils to include in this Statement their policies on the remuneration of employees who are neither the most senior officers nor the lowest paid. Accordingly, this Policy Statement also gives details of:

- The policies applied to employees earning in excess of £50,000, as required by Local Government Transparency Code 2014
- Elements of remuneration which apply to all employees, regardless of their pay level, status or grading within the Council.

As such, this Statement draws together all the relevant existing policies and can therefore be seen as a comprehensive document covering all relevant aspects of pay and remuneration within the Council.

### **Status of pay statement**

In line with the requirements of the Localism Act, the Pay Statement will need to be reviewed on an annual basis, with a new version approved before the start of each subsequent financial year, which will need to be complied with during that year.

The Pay Statement can also be amended during any financial year, but only by a resolution of the full Council. If it is amended during the year to which it relates, the revised version of the statement will be published as soon as reasonably possible after the amendment is approved by the Council.

### **Transparency and autonomy**

It is important to recognise that, whilst producing national legislation relating to their pay policies, the Government also explicitly recognises that each local authority remains an individual employer, and, as such, has the autonomy to make decisions on pay that are appropriate to local circumstances and deliver value for money for local taxpayers.

## **SECTION 1: REMUNERATION OF STATUTORY AND NON-STATUTORY DIRECTORS, ASSISTANT DIRECTORS, MONITORING OFFICER AND OTHER SENIOR POSTS**

### **1.1 REMUNERATION COVERED IN THIS SECTION OF THE POLICY**

This section covers the Council's policies in relation to the remuneration of its senior employees, including:

- Its Chief Executive;
- Its Executive Directors and who report to and are directly accountable to the Chief Executive – this includes both statutory and non-statutory Directors;
- Its Assistant Directors, who report to and are directly accountable to Executive Directors;
- Its Section 151 Officer (the Executive Director of Resources), who is also a Director and remunerated as such;

- Its Monitoring Officer (the Borough Solicitor, who is the officer responsible for ensuring the Council's compliance with the law in all its activities) is also an Assistant Director and is remunerated as such.

## 1.2 CONTEXT

These senior employees are responsible for working with elected politicians to determine the overall strategic direction of the Council, to develop the scale, nature, efficiency and effectiveness of all the services provided by the Council, and to provide day-to-day leadership and management of those services.

In relation to other organisations in all sectors across the UK, the Council is a large, complex organisation providing a very diverse range of services. Many of those services are vital to the wellbeing of individuals and groups of residents in the local community and are delivered in very challenging circumstances, taking account of levels of need and the availability of resources to meet them.

The Council's senior employees are responsible for:

- 3192 employees (equivalent to 2767.8 full-time equivalent (FTE) employees). These numbers are as at 1 April 2021 and include schools
- Services to an estimated 122,549 residents within the local community (source: ONS 2018 via <https://bracknell-forest.berkshireobservatory.co.uk/population/>)
- Total Gross Expenditure of £263.9 million, which was the Council's Total Gross Outturn Expenditure in 2019/20
- The following services to the local community:
  - Adult social services
  - Children and families social services
  - Countryside and open space management and maintenance
  - Education and schools
  - Elections and local democracy
  - Environmental including pest control
  - Environmental Services, including refuse collection, recycling, street cleaning and waste disposal
  - Housing and welfare
  - Housing and Council tax benefits
  - Leisure and Arts provision
  - Libraries
  - Planning
  - Roads, transport, street lighting and car parking
  - Youth and Community Services
  - Public Health
  - Regeneration and economic development
  - Community Safety
- The following facilities:
  - 34 schools (including one Pupil Referral Unit and one special school)
  - two respite services (overnight and daytime)
  - 4 Children's Centres
  - 9 libraries
  - Over 80 park sites totalling over 1,000 acres of land
  - 24 play areas, plus wheeled sports areas, tennis courts, soccer pitches, a baseball diamond and a sports pavilion
  - 14 community centres
  - One town centre office and the commercial centre

- The Council:
  - Is responsible for the education of around 17,000 children
  - Deals with around 1,200 planning applications per year
  - Manages and maintains around 456 kilometres of roads, 700+ kilometres of paths and cycleways, 200+ bridges, underpasses and other structures
  - Manages and maintains cutting almost 2.5 million square metres of grass and manages and maintains approximately 625,000 square metres of woodland
  - Is responsible for around 142 looked-after children
  - Licences 255 premises and clubs and 296 taxis
  - Currently has over 1,640 open cases on adults and provided long term services to over 1,263 people.

The Council must compete with other employers in the area (and, in many cases, in the country) to recruit and retain managers and staff who are capable of meeting the challenges of delivering this diverse range of services to the required standards. This has an important bearing on the levels of remuneration it offers which has been kept under review on a regular basis by the Employment Committee. At the same time, the Council is under an obligation to secure the best value for money for its residents and tax-payers in taking decisions on pay levels. In recent years the Employment Committee has sought to strike a fair balance between these competing pressures.

### 1.3 RESPONSIBILITIES OF SENIOR ROLES

To give further contextual information for remuneration levels, the main accountabilities of the Chief Executive and Executive Directors are set out below.

- **Chief Executive**

The Chief Executive is the Council's most senior employee who leads and takes responsibility for the work of the Council. It is a full time appointment and post holders are selected on merit, against objective criteria, following public advertisement.

The role of Chief Executive is complex with ultimate responsibility for managing expenditure of 263.9 million of public funds, serving around 122,549 people in the Council's area.

As head of the paid service of the Council's employed staff, the Chief Executive is a non-political post. Whilst the elected councillors provide the policies, Council paid employees put them into practice. The Chief Executive is responsible to and accountable to, the Leader of the Council, the Executive and the whole Council in delivering their political and policy objectives.

The Chief Executive works closely with elected councillors to deliver:

**Leadership:** to ensure strong and visible leadership and direction, encouraging and enabling managers to motivate and inspire their teams;

**Strategic direction:** ensuring all staff understand and adhere to the strategic aims of the organisation and follow the direction set by elected councillors;

**Policy advice:** acting as the principal policy adviser to the elected councillors to lead the development of workable strategies which will deliver the political objectives set;

**Partnerships:** leading and developing strong partnerships across the local community to achieve improved outcomes and better public services for local people;

**Operational Management:** overseeing financial and performance management, risk management, people management and change management within the Council.

Staff under indirect management responsibility: 3191

- ***Executive Director – People***

This post has a statutory role in relation to both adult and children's social care, and is responsible and accountable for assessing local needs and ensuring the availability and delivery of a full range of services, and ensure that children and young people achieve the best possible outcomes for their lives through education

The directorate provides advice and information about the range of services that may be available to support individuals or families. Practitioners will work with individuals and their carers to identify needs for care and support and/or housing and how those needs can be met. If people are not eligible, the department can give them information about other ways of accessing support and organisations where they could go to get help. There is joint work with Children's Services to ensure support is in place when the young person reaches 18 years of age.

The focus of support is to enable people to maximise their ability and retain their independence, which will mean people can stay in their own homes for as long as possible. Support may be needed for a crisis or a longer period, and the directorate will generally commission this. Depending on assessed needs, a range of services could be provided in partnership with other organisations to meet the social care needs of adults and older people. Services include home support, day opportunities, the provision of equipment for daily living and residential and nursing care. The Directorate also has a responsibility to ensure that the needs of "informal" carers (usually family or friends) are identified, and appropriate support is offered to enable them to continue in their caring role, should this be what they wish.

The post is also responsible for ensuring the provision of Housing Advice and Homelessness Prevention as well as the provision of Housing and Council Tax Benefits.

The Welfare and Housing Service aims to maximise customers' income and independence. The Welfare Service provides national and local welfare payments to households in the Borough and provides advice to households so that they can maximise their income including budgeting advice and employment opportunities. The Housing service provides advice to households so that they can resolve their housing need, provides advice and if necessary, accommodation for homeless households and overall helps customers secure a home that meets their needs. The Forest care service provides an emergency and re-assurance service to its customers so that they can maintain their independence in their home and feel safe and secure in the knowledge that if an emergency occurs there is help to call upon.

Its duties include specific support for the following:

**Children's Social Care**

- Child Protection / Safeguarding
- Looked After Children
- Specialist Support

- Youth Offending Service

#### **Adult Social Care**

- Adult Community Team (ACT)
- Learning Disabilities
- Safeguarding

#### **Mental Health and Out of Hours**

- Mental Health
- Emergency Duty Team
- Forestcare
- Drug and Alcohol Services (DAAT)

#### **Early Help and Communities**

- Housing
- Strategy, Resources and Early Help

#### **Education and Learning**

- School Advisory team
- School Sufficiency and Commissioning
- Community Learning
- Governor Services
- Targeted Services
- Education Centre and Education Library Service
- Education Psychology & SEN
- Education Capital & Property

#### **Commissioning**

- Financial Assessments (Support Hub)
- Financial Assessments (Income)
- Joint Commissioning
- Performance Management & Governance

#### **Public Health**

- Shared Team

Staff under direct or indirect line management responsibility: 660 (excluding schools)

- ***Executive Director – Delivery***

The directorate is responsible for the strategic planning and operational delivery of services covering a wide range of functions and activities. It targets its services to meet the high standards residents, local businesses and visitors expect. Some of these services are delivered directly, others in partnership with the voluntary and charitable sectors and some through contracts with private companies. The directorate operates with 5 service divisions as follows:

- Customer Experience
  - Digital Services
  - Libraries, Arts & Heritage
  - Transport and Support
- Legal Services

- Democratic Services
  - Elections
  - Registrars
- ICT
- Contract Services
  - Environmental services
  - Leisure Services
  - Operational Support
  - Cemetery and crematorium
- Property

The Director also acts as Statutory Overview & Scrutiny Officer

Staff under direct or indirect line management responsibility: 186

- ***Executive Director – Place, Planning and Regeneration***

This post is responsible and accountable for the effective planning and delivery of the regeneration, development and future infrastructure of the Borough, within the statutory policy guidelines and planning framework agreed by the Council. The directorate targets its services to meet the high standards residents, local businesses and visitors expect.

The directorate operates with 6 service divisions including:

- Town and country planning
- Building Control and land charges
- Transport Development
- The Look Out Discovery Centre
- Highway Asset Management
- Parks and countryside management
- Regeneration and economy
- Public Health – Local Team

Staff under direct or indirect line management responsibility: 153.

The Directorate includes the Bracknell Forest Public Health Team. Public Health work aims to improve the health and wellbeing of the population, tackle health inequalities and reduce premature mortality. The team commissions a range of services including health visiting and school nurses, stop smoking support, weight management, health checks, sexual health, falls prevention, mental health and substance misuse treatment. The team also provides support and advice on health matters direct to the community via campaigns, events and social media, as well as providing support to other professional agencies on issues such as infectious disease control or patterns of health and healthcare outcomes within the local population. Collaboration is central to work of the Public Health team, particularly with colleagues in social care, the NHS and the voluntary sector. In addition to the Bracknell Forest Public Health team, the Directorate also hosts the Berkshire-wide 'Shared' Public Health team which provides strategic, contracting and data support to the six unitary authority Public Health teams across the county. This team is led by the Strategic Director of Public Health.

- ***Executive Director – Resources***

This role fulfils the statutory obligations of the Chief Financial Officer, as set out in Section 151 of the Local Government Act 1972, Sections 112, 113 and 114 of the Local Government Finance Act 1988 and the Accounts and Audit Regulations 2015, in order to ensure that the financial affairs of the Authority are properly administered. This role is the prime adviser to the Council on financial matters including the development and monitoring of financial strategies, policies, programmes and procedures. This role is also responsible for the strategic implementation of Organisational Development and Human Resources to support the Council Plan, Service Plans and associated budgets.

Areas of responsibility include:

- Accountancy
- Audit
- Finance & Business Services
- Procurement
- Revenue Services
- Human Resources
- Organisational Development

Staff under direct or indirect line management responsibility: 95



## **1.4 OVERALL POLICY ON REMUNERATION FOR SENIOR ROLES**

The Council's overall approach to remuneration for its senior employees is based on:

Compliance with equal pay, discrimination and other relevant employment legislation, plus recognition of the demanding nature of the challenges which the Council faces, and the requirement to offer competitive remuneration in relation to the rest of the local government and public sectors, in order to secure the most talented managers. This means that, on the advice of the Employment Committee, the Council has always taken account of:

- pay levels in the local area, including neighbouring public sector employers
- the relative cost of living in the local area, particularly housing costs
- the responsibilities and accountabilities of posts which may be exceptionally demanding.

The Council seeks to maintain this overall approach by carefully monitoring pay data provided by the Joint National Councils (JNCs) for Chief Officers and Chief Executives, the Local Government Association/Employers, and other relevant pay surveys.

In terms of pay differentials, the Council recognises that the role of Chief Executive leads the organisation's workforce and has the greatest level of accountability, and so warrants the highest pay level in the organisation.

At Executive Director level:

- The Council recognises that all its Executive Directors have a collective and corporate responsibility for contributing to and delivering the overall strategy of the organisation, however the size and scope of their responsibilities differ and therefore an appropriate grade from the senior salaries structure is determined through a job evaluation conducted by Korn Ferry.

At Assistant Director level:

- The Council recognises that certain roles are more demanding than others and has identified those with a greater level of accountability through job evaluation, (which provides a careful analysis of job demands) and offers them higher remuneration than other Assistant Director posts. Evaluation is based upon the Hay system and evaluations are carried out independently by the Korn Ferry Group including the Director of Public Health.

Below Assistant Director level, the Council recognises that the demands on and accountabilities of different management roles vary considerably and seeks to align pay levels with the relative importance and responsibilities of jobs, using a process of job evaluation, and including Market Premia where applicable to match certain posts with the market rate for similar jobs. There are, additionally, some posts which are on other national payscales such as the teaching payscales, NHS payscales or Soulbury conditions. Some of the posts below Assistant Director level are specifically listed later in this report as earning more than £50,000 pa because they either receive a Market Premia payment or are subject to other national payscales.

## **1.5 SPECIFIC REMUNERATION OFFERED TO SENIOR EMPLOYEES**

At Chief Executive, Executive Director and Assistant Director level, the Council offers only an annual salary and access to the Local Government Pension Scheme. No other cash

benefits or benefits in kind are offered - except any benefits purchased by the employee under the Council's Flexible Benefits scheme under which all employees may purchase benefits from a range offered to all staff. The only one of these benefits which gives an opportunity to increase income is the selling of annual leave, which is available to most employees but not to those at Assistant Director level and above (see section 4). Other than the five Executive Director posts, the Council does not offer performance related payments or bonuses to its senior employees.

Geographical/location allowance (local weighting) is not payable to the Chief Executive, Executive Directors or Assistant Directors.

The Chief Executive, Executive Directors and Assistant Directors are not eligible to participate in the Council's flexible leave scheme whereby employees are able to "buy and sell" annual leave within certain parameters (See section 4, below).

### **Annual salaries**

Annual salary levels for senior employees are fixed in accordance with the overall principles set out in section 1.4. At Chief Executive, Executive Director and Assistant Director level and for other senior managers, they consist of a grade range which is determined locally by the Council. This grade range consists of several incremental salary points. Progression through to the top of the grade is dependent on annual performance ratings, until the top of the grade is reached.

### **Remuneration of senior employees on recruitment**

The Council's policy is that any newly appointed senior employee will normally commence employment at the lowest pay point in the pay range for their job, other than when taking account of the successful applicant's current salary and the market requirements. Any decision to appoint a senior employee on a higher pay point within the relevant pay range would be made by the Appointments Committee.

### **Pay progression**

Pay progression within a specific grade is normally by annual increment, payable from 1 April, until the employee reaches the top pay point of their grade. However, for employees at Executive Director grade and above progression is dependent on annual performance ratings.

- Pay progression is based on the period the employee has served in that grade, subject to performance as evidenced by annual performance ratings.
- Senior employees who are considered to have demonstrated exceptional performance may receive accelerated incremental progression within the grade at the discretion of the Chief Executive or relevant Executive Director or, in the case of the Chief Executive, at the discretion of the Leader of the Council.

### **Pay awards**

The salaries of senior employees are reviewed annually in line with any pay award agreed in the Joint National Councils (JNCs) for Chief Executives/Chief Officers, the National Joint Council (NJC) for Local Government Services, NHS or Soulbury conditions, as appropriate for the contracts of the senior managers. Periodic reassessments will benchmark the grades against market rates for similar roles in the region.

### **Bonuses**

The Council does not pay bonuses to any of its employees.

### **Local Government Pension Scheme (LGPS)**

The Council offers all its senior employees' access to the Local Government Pension Scheme, in accordance with the statutory provisions of the scheme, on the same basis as all its employees. Any pension payments made to its senior employees on termination of employment either on grounds of redundancy, in the interests of the efficiency of the service or on grounds of ill health are made within the statutory terms of the LGPS.

- The employer's contribution rate for senior employees who join the scheme is the same as for all other employees, as set out in Section 4 "**POLICIES COMMON TO ALL EMPLOYEES**"
- The discretions which the Council can apply under the scheme upon termination of employment are the same for senior employees as for all other employees who are LGPS members and are set out in Section 4 "**POLICIES COMMON TO ALL EMPLOYEES**".

### **Payments on Termination of Employment**

Other than payments made under the LGPS, the Council's payments to managers whose employment is terminated on grounds of redundancy or in the interests of the efficiency of the service will be in accordance with the policy the Council has adopted for all its employees in relation to the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006, as set out in Section 4 "**POLICIES COMMON TO ALL EMPLOYEES**".

Other than payments pursuant to the LGPS (including the exercise of the Council's discretions) or payments in accordance with the Council's policies under the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006, the Council's policy is not to make any other termination payments to its senior employees. The only exception to this, which is very rarely used, is where it has received specific legal advice to the effect that a payment is appropriate to settle proceedings in an Employment Tribunal or court of law or may be required to eliminate risk of claims against the Council. Any severance payment of £100,000 or more which falls outside the agreed policy parameters will be referred to full Council for approval.

### **Election fees**

Election fees are paid separately. Returning Officer fees for national elections are set by central government. Local election fees are paid in accordance with a scale of fees which is based on national election rates and agreed locally.

## **1.6 RE-ENGAGEMENT OF SENIOR MANAGERS**

### **Re-engagement of Chief Executives, Executive Directors and Assistant Directors who have left Bracknell Forest Council with a severance or termination payment**

#### ***Re-engagement as employees***

(1) Subject to any relevant provisions in employment and equalities legislation, the Council's policy is not to re-employ *in any capacity* any former Chief Executive, Executive Director or Assistant Director who was in receipt of a severance or termination payment for any reason other than compulsory redundancy, for a period of three years from the date of termination of employment.

(2) Where a Chief Executive, Executive Director or Assistant Director's employment has been terminated compulsorily on grounds of redundancy, they will not be re-employed *in the same or a similar post* for a period of three years following the date of termination of employment. If they are re-employed in another post within four weeks after the effective

date of redundancy, they will lose their right to a redundancy payment, including any enhancements under the provisions of the LGPS or the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006. Any re-employment will be subject to the Council following the strict application of the normal process of competitive selection for employment. New legislation has been introduced regarding a cap on Local Government exit payments. The cap includes introducing a limit on the salary used for redundancy calculations (£80,000) and ensuring the exit package does not exceed £95,000 (including pension strain costs).

(3) Any former Chief Executive, Executive Director or Assistant Director who is employed by the Council who has previously received a severance, termination or redundancy payment from this or any other Council or related body will not have previous service counted when determining any further entitlements to notice periods, sickness payments, annual leave or other benefits/entitlements based on continuous service.

***Re-engagement under a contract for services***

The Council's policy is not to re-engage under a contract for services any former Chief Executive, Executive Director or Assistant Director who left the Council for any reason and was in receipt of a redundancy, severance or termination payment, for a period of three years from the cessation of employment.

***Policy variation***

This re-engagement policy may be varied only in exceptional circumstances and then subject to the agreement of the Employment Committee.

**Employment of those in receipt of an LGPS pension**

***General:***

Policy is set out in Section 4 **POLICIES COMMON TO ALL EMPLOYEES.**

***Flexible retirement:***

The LGPS regulations permit the Council to offer flexible retirement to employees (including Chief Executive, Executive Directors, Directors and Assistant Directors) aged 55 or over, so that they can reduce their hours of work, and receive a pension in respect of the proportion of full-time hours they are no longer required to work. This policy is set out in Section 4 **POLICIES COMMON TO ALL EMPLOYEES.**

**1.7 PUBLICATION OF DETAILS OF EMPLOYEE REMUNERATION**

In accordance with 39 (5) of the Localism Act, this policy will be published on the Council's website.

The Council is also required to publish information about the remuneration of senior officers under The Accounts and Audit (Amendment No. 2) (England) Regulations 2009, and the Local Government Transparency Code 2015.

For ease of reference, remuneration data for posts identified under these Regulations is set out below, individual annual salaries for staff in post can be found on the Council's website.

The table below indicates the grades at 1 April 2021.

Chief Executive	£169,784 - £185,112
Executive Director - People	£141,487 - £164,544
Executive Director - Delivery	£118,430 - £137,295
Executive Director- Resources	£118,430 - £137,295
Executive Director: Place, Planning and Regeneration	£118,430 - £137,295
Director of Public Health	£92,228 - £107,949
Asst Director: Adult Social Care	£92,228 - £107,949
Asst Director: Children's Social Care	£92,228 - £107,949
Asst Director: Early Help & Communities	£92,228 - £107,949
Asst Director: Education and Learning	£92,228 - £107,949
Asst Director: Commissioning	£92,228 - £107,949
Borough Solicitor	£92,228 - £107,949
Assistant Director: Mental Health & Out of Hours	£92,228 - £107,949
Asst Director: Contract Services	£92,228 - £107,949
Asst Director: Customer Experience, ICT & Digital Services	£92,228 - £107,949
Asst Director: Property	£86,695 - £91,643
Consultant in Public Health	£86,695 - £91,643
Assistant Director: HR and OD	£79,850 - £86,395
Assistant Director: Chief Executives Office	£79,850 - £86,395
Assistant Director: Special Projects	£79,850 - £86,395
Assistant Director: Highways and Transport	£79,850 - £86,395
Assistant Director: Planning	£79,850 - £86,395
Chief Accountant	£79,850 - £86,395
Head of Finance and Business Services	£79,850 - £86,395

Figures as at 1 April 2021 and are inclusive of supplements and/or market premia where payable. Teaching staff not included.

## **SECTION 2: REMUNERATION OF LOWEST PAID EMPLOYEES**

This section sets out the Council's policies in relation to the remuneration of its lowest-paid employees, as defined in this Pay Policy Statement.

### **2.1 ORGANISATIONAL CONTEXT**

The Council considers it is important that its policy with regard to the remuneration of its lowest paid employees is seen within the broader organisational context, in particular the range and diversity of services for which it is responsible, either directly or indirectly, the number of residents within the local community, the level of its financial responsibilities and the numbers of staff directly employed.

### **2.2 OVERALL REMUNERATION POLICY: LOWEST PAID EMPLOYEES**

#### **Aims, Objectives and Key Principles**

The Council aims to develop, implement and maintain fair and equitable remuneration arrangements which enable it to recruit, retain, motivate and develop staff with the skills and

capabilities necessary to ensure the continued provision of high-quality services and which are cost effective and provide value for money.

The Council's remuneration policy complies with all equal pay, discrimination and other relevant employment legislation.

When setting pay levels for specific posts the Council takes account of both internal differentials, as measured by job evaluation, and external relativities, as measured against the relevant employment market. The Council aims to ensure its pay rates for specific posts are set at a level which enables it to recruit and retain staff with the appropriate knowledge, skills and capabilities necessary for the role.

### **2.3 DEFINITION OF LOWEST PAID EMPLOYEES**

The definition of the "lowest-paid employees" adopted by the Council for the purposes of this statement is as follows:

The lowest paid employees within the Council paid on the Council's lowest hourly pay rate.

The current annual full-time equivalent value of this pay level, based on a 37-hour standard working week and including local weighting, is £18,468.

### **2.4 REMUNERATION OF LOWEST PAID EMPLOYEES**

#### **Pay structure**

The Council's lowest paid employees are on a grade range derived from the national pay spine, as set out in the National Joint Council for Local Government Services National Agreement on Pay and Conditions of Service. This grade range consists of a number of incremental salary points through which employees may progress until the top of the grade is reached.

#### **Pay Progression**

Pay progression is normally by annual increment, payable from 1 April.

Pay progression is based on the period the employee has served in that grade, subject to satisfactory performance. Directors may accelerate incremental progression within the grade for employees who are considered to have demonstrated exceptional performance.

#### **Annual Pay Review**

The basic pay of the Council's lowest paid employees is reviewed annually at a national level, with any cost-of-living, or other, increase normally applied on 1 April in each year.

Any increase will normally be applied in accordance with that agreed by the National Joint Council for Local Government Services.

#### **Pension Provision**

The Council's lowest paid employees may participate in the Local Government Pension Scheme in accordance with the statutory terms of that scheme.

Contributions are made to this scheme in respect of each participating employee as set out in Section 4, **Policies Common to all Employees**.

Any increases in or enhancements to the pension entitlement of the Council's lowest paid employees would be made in accordance with the discretions available to it under the

statutory provisions of the Local Government Pension Scheme, as exercised by the Council and set out in the relevant policy statement (see Section 4 of this Pay Policy Statement, **Policies Common to all Employees**).

#### **Termination or Severance Payments**

Any termination or severance payments made by the Council to its lowest paid employees, either on grounds of redundancy, in the interests of the efficiency of the service or on grounds of permanent ill-health, will be made in accordance with the statutory terms of the Local Government Pension Scheme, as applicable, and/or in accordance with the discretions available to it under that Scheme or under the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006, as set out in the relevant policy statement (see Section 4 of this Pay Policy Statement, **Policies Common to all Employees**).

Other than payments pursuant to the LGPS (including the exercise of the Council's discretions) or payments in accordance with the Council's policies under the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006, the Council's policy is not to make any other termination or severance payments to its lowest paid employees, other than where it has received specific legal advice to the effect that a payment may be necessary to eliminate risk of claims against the Council.

#### **Other elements of remuneration**

The other elements of remuneration which it is the Council's policy to offer to its lowest paid employees (where applicable) are listed below and are as set out in section 4, "Policies common to all employees":

***Recruitment/retention payments***

***Reimbursement of removal/relocation costs/mortgage subsidy on appointment***

***Geographical/location allowance (local weighting)***

***Car allowances/mileage rates***

***Payment of professional subscriptions or membership fees***

***Subsistence or other expenses allowance***

***Provision of mobile telephones/personal devices***

***Honorarium/acting up/additional responsibility payments***

***Payment for reduced leave entitlement***

In addition, the Council's lowest paid employees may have access to the following payments where patterns of work make them appropriate:

### ***Working arrangements***

Employees on national conditions, who are required to work beyond the Council's normal full-time equivalent working week of 37 hours and/or work other non-standard working patterns, as listed below, will receive payment in accordance with the provisions of the National Joint Council for Local Government Services National Agreement on Pay and Conditions of Service for:

- Additional hours
- Saturday and Sunday working
- Night work
- Public and Extra Statutory holidays
- Sleeping-in duty

### ***Standby and/or call-out payments***

Employees who are required to be on standby at times which are outside their normal working week and/or who may be called-out to attend to an issue at the Council's premises or other location may receive an additional payment in accordance with the provisions of the relevant Council policy.

## **2.5 OTHER TERMS AND CONDITIONS**

The other terms and conditions which apply to the Council's lowest paid employees are as set out in the National Joint Council for Local Government Services National Agreement on Pay and Conditions of Service, as amended and/or supplemented by any local agreements which may apply.

## **2.6 REMUNERATION OF EMPLOYEES WHO ARE PAID MORE THAN THE LOWEST PAID EMPLOYEES BUT WHO ARE NOT ASSISTANT DIRECTORS**

The Council's policy and practice with regard to the remuneration of employees who are paid more than its lowest paid employees but who are not Assistant Directors is the same as that which applies to its lowest paid employees, other than where any differences are indicated in this policy statement. Some specific groups of employees are paid on nationally determined Soulbury Conditions or Youth and Community Conditions.

## **2.7 EMPLOYEES WHO ARE PAID LESS THAN THE COUNCIL'S LOWEST PAID EMPLOYEES, AS DEFINED IN THIS PAY POLICY STATEMENT**

The following categories of employees *may* be paid less than the Council's lowest paid employees, as defined in this Pay Policy Statement:

- Apprentices
- Some casual workers

The Council may apply a lower pay rate and/or different remuneration arrangements to these categories of employees, which reflects the nature and/or duration/frequency of their employment.



### SECTION 3: PAY RELATIONSHIPS

This section sets out the Council's overall approach to ensuring pay levels are fairly and appropriately dispersed across the organisation, including the current pay multiples which apply, and its policy toward maintaining acceptable pay multiples in the future.

The Council believes that the principle of fair pay is important to the provision of high quality and well-managed services and is committed to ensuring fairness and equity in its remuneration practices. The Council's pay policies, processes and procedures are designed to ensure that pay levels are appropriately aligned with and properly reflect the relative demands and responsibilities of each post and the knowledge, skills and capabilities necessary to ensure they are undertaken to the required standard, as well as taking account of relevant market considerations. This includes ensuring that there is an appropriate relationship between the pay levels of its senior officers, as defined in this Pay Policy Statement, and of all other employees.

The Council has adopted several policies and practices to ensure fairness in the overall pay relativities within the Authority. These include:

- Using an analytical job evaluation scheme to determine the grading of all posts below Assistant Director level
- Jobs at Assistant Director level and above are also subject to measurement using a separate job evaluation scheme – evaluated externally
- Applying a clear and objective methodology for evaluating all new and changed jobs to ensure they are properly graded and that pay levels properly reflect their level of responsibility
- Establishing a defined procedure for employees who wish to request a review of their job grade or who wish to appeal against their grading outcome
- Providing for additional payments and allowances, with clearly defined eligibility criteria, to recognise and reward any working arrangements or requirements not reflected in basic pay levels
- Undertaking corporate monitoring of the application of pay progression arrangements to ensure these are applied and operated on a fair and consistent basis across the organisation
- Reviewing the roles and responsibilities of individual posts on a regular basis, for example, as part of the annual appraisal process, when a vacancy arises, as part of any organisational restructuring
- Undertaking an equal pay audit at intervals, investigating and addressing the outcomes, as appropriate

Under the provisions of the Code of Recommended Practice for Local Authorities on Data Transparency, issued by the Department for Communities and Local Government under Section 2 of the Local Government Planning and Land Act 1980, the Council is required to publish its "pay multiple", i.e. the ratio between the highest paid salary and median full time equivalent salary of the whole of the local authority's workforce. The current pay multiple, based on full time equivalent earnings in the financial year ending 31 March 2021 including base salary, overtime pay, and any lump sum car allowances is 6.3 (Last year's multiple was 6.3).

The figures are not a direct comparison because of the number of hours actually worked; for example, senior officers do not have a specific number of required work hours/week in their contract of employment and will often work more than the standard 37 hours used in non-senior contracts.

The median salary is the salary value at which 50% of the full-time equivalent salaries which apply to the whole of the Council's workforce are below that salary value and 50% are above it. The lowest pay point in the overall salary range which has been used by the Council in calculating the median salary is that which applies to its lowest paid employees, as defined in section 2 of this Pay Policy Statement.

If the mean salary is used in the above calculations instead of the median, the pay multiple is 5.5. (Last year's multiple based on mean was 5.7).

The Council considers that the current pay multiple, as identified above, represents an appropriate, fair and equitable internal pay relationship between the highest salary and that which applies to the rest of the workforce and has adopted the following actions to ensure an acceptable level is maintained:

Periodic benchmarking against the market rate for the Chief Executive will continue to take place and changes such as job evaluation outcomes or outsourcing of functions may impact on the median payment levels; both may affect the pay multiple. However, the multiple will be reviewed annually by means of this document to ensure it remains acceptable.

#### **SECTION 4: POLICIES COMMON TO ALL EMPLOYEES**

The following elements of remuneration are determined by corporate policies or arrangements which apply to all permanent employees of the Council (including its Chief Executive, Executive Directors, Directors and Assistant Directors), regardless of their pay level, status or grading within the Council:

##### ***Contracts of Employment***

It is the Council's policy to engage all of its permanent employees on standard contracts of employment and to apply Pay As You Earn taxation arrangements to all remuneration under those contracts in accordance with HMRC rules.

##### ***Access to Local Government Pension Scheme***

The Council offers all its employees' access to the Local Government Pension Scheme in accordance with the statutory provisions of the scheme (except where the Teachers' Pension Scheme applies). The employers' contribution rate for employees who join the scheme is currently 15.5% of salary for all employees. The employee contribution rate ranges from 5.5% to 12.5% dependent on salary. All employees, including casuals and those on very short-term contracts, have a right to be in the scheme.

##### ***Local Government Pension Scheme (LGPS) - discretions on termination of employment***

Any termination or severance payments made by the Council to all its employees, either on grounds of redundancy, in the interests of the efficiency of the service or on grounds of permanent ill-health, will be made in accordance with the statutory terms of the Local Government Pension Scheme, as applicable, and/or in accordance with the discretions available to it under that Scheme.

The Council's policies on the exercise of these discretions under the LGPS are set out in the policies it has published under the requirements of the Local Government Pension Scheme Regulations. These are shown in Appendix A1.

##### ***Payments on Termination of Employment***

Other than payments made under the LGPS, the Council's payments to any employee whose employment is terminated on grounds of redundancy or in the interests of the efficiency of the service will be in accordance with the policy the Council has adopted for all

its employees in relation to the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006. This policy has been published in accordance with the requirements of Regulation 7 of these regulations and, in summary, is:

- Actual weekly pay is used in all redundancy calculations
- Those with immediate access to pension are paid in accordance with the statutory number of weeks' pay
- Those with no immediate access to pension are paid 1.75 times the statutory number of weeks' pay

New regulations were expected to be announced on a proposed cap on severance payments which would limit any severance payment. The decision to proceed on this basis was revoked and any further movement on this area will be subject of a separate report to Employment Committee.

#### ***Employment of those in receipt of an LGPS pension***

Subject to the administering authority's policy, pension benefits built up under regulations in force prior to 1 April 2014 (i.e. final salary benefits) may be subject to abatement where an individual in receipt of such a pension is re-employed. However, the policy of the administering authority to the Berkshire Pension Fund is not to abate pensions in these circumstances.

The only occasion where a re-employed pensioner may suffer some abatement to their pension is where they have previously been awarded compensatory added years in accordance with regulations 16 or 19 of the Local Government (Early Termination of Employment) (Discretionary Compensation) (England & Wales) Regulations 2000.

#### ***Flexible retirement***

The LGPS regulations permit the Council to offer flexible retirement to employees aged 55 or over, so that they can reduce their hours of work, and draw a pension in respect of the proportion of full-time hours they are no longer required to work. The Council uses this discretion in the same way for all employees. The Council will consider requests for flexible retirement on a case by case basis. Approval will be sought through the Employment Committee for any flexible retirement where there is a cost to the Council, and all costs and business benefits will be made explicit before any decision is taken on whether to grant flexible retirement. Where the flexible retirement is at no cost to the Council, it may be granted by an Executive Director, considering the business benefits.

#### ***Market Premia***

The job evaluation scheme does not recognise market pay rates when determining the grade for a job. If Directors identify market scarcity through difficulty with recruitment and/or a lack of success with advertising, they may discuss the need for a market premium with the Assistant Director: HR and Organisational Development who will seek approval through CMT or Employment Committee as appropriate.

#### ***Recruitment/retention payments***

Recruitment payments are a recruitment incentive which can be used for positions where there is a nation/regional/local shortage of qualified persons. They are used to induce an individual to take up employment within the Council and are in the form of a one-off lump sum. These are infrequently used and are repayable on a sliding scale if the individual leaves within 3 years of appointment.

Key staff retention payments may be given where it is important to retain the services of an employee to the end of a specific project. The period of tie in will not normally exceed three years and any lump sum payment will not be made if the employee leaves before the relevant date. Employees in some children's social work teams and Approved Mental Health Practitioners are currently in receipt of retention payments as part of strategies to retain these key staff in a recruitment shortage area.

#### ***Geographical/location allowance (local weighting)***

The Council applies London and Fringe Area Allowances in accordance with the provisions of and rates agreed by the National Joint Council for Local Government Services National Agreement on Pay and Conditions of Service, or Soulbury or Youth and Community Conditions as appropriate. There are certain employees whose pay is determined locally who do not receive this type of allowance, and it is not payable to the Chief Executive, Executive Directors or Assistant Directors.

#### ***Reimbursement of removal/relocation costs on appointment***

The Relocation Scheme provides assistance to people moving house in order to take up an appointment with the Council. The scheme will not necessarily cover the full expenses of moving and is not intended to do so. The maximum amount payable under the relocation scheme is £8,000, plus mortgage subsidy where appropriate. The scheme does not apply to all advertised roles, only to those where there is less likelihood of recruiting suitable staff locally.

#### ***Honorarium or ex gratia payments/acting up/additional responsibility allowances***

The Council pays honoraria or *ex gratia* payments to employees only in accordance with its corporate scheme for such payments, and all such payments are made only with the express approval of the relevant Executive Director. Where employees are required to "act-up" into a higher-graded post or take on additional responsibilities beyond those of their substantive post for a temporary/time-limited period, they may receive an additional payment. Merit payments are like honoraria payments but are generally paid as a "one off" sum. They can be for a variety of reasons including examination success or for a particularly demanding or meritorious piece of work.

#### ***Car provision – employees using their own cars on Council business***

The Council compensates:

- Employees who are required to use their own car on Council business paying an Essential Car User payment of £963pa plus mileage at below the HMRC rate; and
- Employees who are otherwise authorised to use their own car on Council business by paying a casual user mileage rate based on the HMRC rate.

#### ***Payment of professional subscriptions or membership fees***

The Council will pay one professional subscription or membership fee on behalf of any employee where the subscription or membership is appropriate to the duties of the post.

#### ***Subsistence or other expenses allowance***

The Council reimburses expenditure on meals and overnight accommodation and any other expenses necessarily incurred by employees on Council business, in line with the Council's Expenses policy.

#### ***Flexible benefits***

The Council offers a range of flexible benefits which enable employees to elect to buy certain benefits from their salary. The only part of the range which enables employees to

increase their pay is a flexible leave scheme whereby employees can “buy and sell” annual leave within certain parameters. Under this scheme, employees may be able to receive a day’s additional pay for each day of leave they “sell” to the Council and agree to work. Assistant Directors and above may not participate in this scheme, although they may elect to buy other flexible benefits in the range. The maximum number of days that can be sold is 5 (pro rata for those working less than 5 days per week.)

***Provision of mobile telephones and personal devices***

Chief Executive, Directors and Assistant Directors are issued with mobile phones and are required to be on an emergency duty list, other staff are issued phones in accordance with their workstyle in order to be more effective. Usually this means that Free workers will be issued with a mobile phone. The council funds the phone.

All employees working flexibly are issued with a softphone and a business case needs to be made if a mobile phone/device is required in addition to this.

**SECTION 5: CONTRACTORS AND OTHER ORGANISATIONS WORKING FOR THE COUNCIL**

There may be occasions where the Council procures, commissions or contracts-out one or more of the services for which it is responsible. This section sets out the Council’s approach to and policies on the pay policies of contractors, partners and other organisations who may undertake work for, or on behalf of, the Council.

The terms and conditions of employment by contractors of their workers are non-commercial matters, so we are required to procure without reference to them (S17 (1) and (5) LGA 1988).

Where any of the Council’s services are contracted-out or re-tendered or where a previously outsourced service returns to the Council, any matters relating to the remuneration of the transferred employees will be managed, as appropriate, in accordance with the relevant provisions of the Transfer of Undertakings (Protection of Employment) Regulations 2006 as amended by the Collective Redundancies and Transfer of Undertakings (Protection of Employment) (Amendment) Regulations 2014.

Any payments to agency workers who may undertake work for the Council will be made in accordance with the terms and conditions of the contract between the Council and the relevant agency provider, having due regard to the relevant provisions of the Agency Workers Regulations 2010 and any other relevant employment legislation.

**SECTION 6: DECISION MAKING ON PAY**

The Council recognises the importance of ensuring openness, transparency and high standards of corporate governance, with clear lines of accountability, in its pay decision-making processes and procedures. Any pay-related decisions must be capable of public scrutiny, be able to demonstrate proper and appropriate use of public funds and ensure value for money. The arrangements adopted by the Council are designed to reflect these requirements, as well as ensuring compliance with all relevant legislation and other statutory regulation.

The Council has agreed that the following roles and responsibilities about decision-making in remuneration matters will apply within the Authority as follows:

Full Council: consideration and approval of the annual Pay Policy Statement, as required under the Localism Act 2011. Approval of both the senior salary pay structure, within which

senior appointments are made, and the severance policy, within which severance payments are made. Approval of any salary or severance payment over £100,000 which is not consistent with these policies.

Employment Committee: responsible for decisions relating to changes to terms and conditions of employment other than those dictated by employment law/statute, including scrutiny of this statement.

The provisions of this Pay Policy Statement will apply to any determination made by the Council in the relevant financial year in relation to the remuneration or other terms and conditions of senior officers of the Authority and of its lowest paid employees, as defined in this statement, and other employees who are paid more than the lowest paid employees but who are not senior officers.

The Council will ensure that the provisions of this Pay Policy Statement are properly applied and fully complied with in making any such determination.

This Pay Policy Statement has been approved by full Council.

The full Council will approve the appointment or dismissal of the Chief Executive (Head of Paid Service) following the recommendation of such an appointment by a Committee or Sub-Committee of the Council, which will include at least one Member of the Executive. Council will resolve that the post is remunerated in accordance with the Senior Salary Pay Structure.

For Executive Director posts, unless otherwise directed by the Council, a Committee or Sub-Committee of the Council, the Council will appoint. The Committee or Sub-Committee will include at least one Member of the Executive. Council will resolve that the post is remunerated in accordance with the Senior Salary Pay Structure.

For Assistant Director posts, the Chief Executive or his nominated representative, with the relevant Executive Member or members and the Leader of the Council, may determine whether any appointment to an Assistant Director post is to be made exclusively from the Council's existing officers. Where the Chief Executive or his or her nominated representative, determines that it is to be made from existing Officers, the appointment may be made by the Chief Executive or his/her representative. Where a recruitment process is undertaken involving external candidates, a Committee or Sub-Committee will be appointed to interview the shortlisted candidates and make the final appointment. That Committee or Sub Committee will include at least one member of the Executive.

The above arrangements ensure that the Council meets the requirement of the Localism Act that any proposal to offer a new appointment on terms and conditions which include a total remuneration package of £100,000 or more, including salary, bonuses, fees or allowances which would routinely be payable to the appointee and any benefits in kind to which the officer would be entitled as a result of their employment (but excluding employer's pension contributions), will be referred to the full Council for approval before any confirmed offer is made to a particular candidate, if they fall outside the scope of the agreed senior salary pay scales.

## **SECTION 7: AMENDMENTS TO THIS PAY POLICY STATEMENT**

This Pay Policy Statement relates to policy for the financial year 2021/22.

The Council may agree any amendments to this Pay Policy Statement during the financial year to which it relates in accordance with the decision-making arrangements set out in the introduction to this document.

## **SECTION 8: PUBLICATION OF AND ACCESS TO INFORMATION**

The Council will publish this Pay Policy Statement on its website as soon as is reasonably practicable after it has been approved by the Council. Any subsequent amendments to this Pay Policy Statement made during the financial year to which it relates will also be similarly published.

The information advised to be published by the Council in accordance with the requirements of the Local Government Transparency Code 2014 and in accordance with the requirements of the Accounts and Audit (Amendment No. 2) (England) Regulations 2009, as referred to in this Pay Policy Statement, is also available on its website.

The Council's policies in relation to the exercise of discretions under the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006 and under the Local Government Pension Scheme Regulations 2013, are set out in this policy statement.

For further information about this Pay Policy Statement, please contact the Council as follows:

**Paul Young**  
**Assistant Director: HR and Organisational Development**  
[paul.young@Bracknell-forest.gov.uk](mailto:paul.young@Bracknell-forest.gov.uk)

**EMPLOYER DISCRETIONS****PART A – Formulation of COMPULSORY policy in accordance with Regulation 60 of the****Local Government Pension Scheme Regulations 2013****Regulation 16 – Additional Pension Contributions**

The Scheme employer may resolve to fund in whole or in part any arrangement entered into by an active scheme member to pay additional pension contributions by way of regular contributions in accordance with **Regulation 16(2)(e)**, or by way of a lump sum in accordance with **Regulation 16(4)(d)**.

The Scheme employer may enter into an APC contract with a Scheme member who is contributing to the MAIN section of the Scheme in order to purchase additional pension of not more than the additional pension limit (£6,500 from 1<sup>st</sup> April 2014 subject to annual increase in line with the Pensions (Increase) Act 1971).

The amount of additional contribution to be paid is determined by reference to actuarial guidance issued by the Secretary of State.

Consideration needs to be given to the circumstances under which the Scheme employer may wish to use their discretion to fund in whole or in part an employee's Additional Pension Contributions.

**Scheme Employer's policy concerning the whole or part funding of an active member's additional pension contributions**

**The Employing Authority has resolved not to adopt this discretion**

**Regulation 30(6) – Flexible Retirement**

An active member who has attained the age of 55 or over and who with the agreement of their employer reduces their working hours or grade of employment may, with the further consent of their employer, elect to receive immediate payment of all or part of the retirement pension to which they would be entitled in respect of that employment as if that member were no longer an employee in local government service on the date of the reduction in hours or grade (*adjusted by the amount shown as appropriate in actuarial guidance issued by the Secretary of State – separate policy required under Regulation 30(8)*).

As part of the policy making decision the Scheme employer must consider whether, in addition to the benefits the member may have accrued prior to 1 April 2008 (which the member must draw), to permit the member to choose to draw all, part or none of the pension benefits they built up after 31 March 2008 and before 1 April 2014 and all, part or none of the pension benefits they built up after 1 April 2014.

Due consideration must be given to the financial implications of allowing an employee to draw all or part of their pension benefits earlier than their normal retirement age.



### **Scheme Employer's policy concerning flexible retirement**

**The Employing Authority will consider requests for flexible retirement on a case by case basis. Approval will be sought through the Employment Committee where all costs and benefits will be explicit; requests which carry no costs to the Employing Authority will be dealt with by officers and reported back to the Committee.**

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### **Regulation 30(8) – Waiving of Actuarial Reduction**

Where a Scheme employer's policy under regulation 30(6) (flexible retirement) is to consent to the immediate release of benefits in respect of an active member who is aged 55 or over, those benefits must be adjusted by an amount shown as appropriate in actuarial guidance issued by the Secretary of State (commonly referred to as actuarial reduction or early payment reduction).

A Scheme employer (or former employer as the case may be) may agree to waive in whole or in part and at their own cost, any actuarial reduction that may be required by the Scheme Regulations.

Due consideration must be given to the financial implications of agreeing to waive in whole or in part any actuarial reduction.

### **Scheme Employer's policy concerning the waiving of actuarial reduction**

**The Employing Authority has resolved to examine such issues on a case by case basis.**

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### **Regulation 31 – Award of Additional Pension**

A Scheme employer may resolve to award

- (a) an active member, or
- (b) a member who was an active member but dismissed by reason of redundancy, or business efficiency, or whose employment was terminated by mutual consent on grounds of business efficiency,

additional annual pension of, in total (including any additional pension purchased by the Scheme employer under Regulation 16), not more than the additional pension limit (£6,500 from 1<sup>st</sup> April 2014 subject to annual increase in line with the Pensions (Increase) Act 1971).

Any additional pension awarded is payable from the same date as any pension payable under other provisions of the Scheme Regulations from the account to which the additional pension is attached.

In the case of a member falling within sub-paragraph (b) above, the resolution to award additional pension must be made within 6 months of the date that the member's employment ended.

### **Scheme Employer's policy concerning the award of additional pension**

The Employing Authority resolves to use the scheme for awarding additional pension in cases of redundancy, efficiency of the service and severance, only in exceptional circumstances.

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### **Local Government Pension Scheme (Transitional Provisions and Savings) Regulations 2014**

#### **Schedule 2 – paragraphs 2 and 3**

Where a scheme member retires or leaves employment and elects to draw their benefits at or after the age of 55 and before the age of 60 those benefits will be actuarially reduced unless their Scheme employer agrees to meet the full or part cost of those reductions as a result of the member otherwise being protected under the 85 year rule as set out in previous Regulations.

So as to avoid the member suffering the full reduction to their benefits the Scheme employer can 'switch on' the 85 year rule protections thereby allowing the member to receive fully or partly unreduced benefits but subject to the Scheme employer paying a strain (capital) cost to the Pension Fund

### **Scheme Employer's policy concerning the 'switching on of the 85 year rule**

The Employing Authority resolves not to adopt this discretion.

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## **PART B – Formulation of RECOMMENDED policy in accordance with the**

### **Local Government Pension Scheme Regulations 2013**

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#### **Regulation 9(1) & (3) – Contributions**

Where an active member changes employment or there is a material change which affects the member's pensionable pay during the course of a financial year, the Scheme employer may determine that a contribution rate from a different band (as set out in Regulation 9(2)) should be applied.

Where the Scheme employer makes such a determination it shall inform the member of the revised contribution rate and the date from which it is to be applied.

### **Scheme Employer's policy concerning the re-determination of active members' contribution bandings at any date other than 1<sup>st</sup> April**

The Employing Authority has resolved to make changes to employee contribution rates throughout the year from the effective date of any change in employment or material change to the rate of pensionable pay received.

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### **Regulation 17(1) – Additional Voluntary Contributions**

An active member may enter into arrangements to pay additional voluntary contributions (AVCs) or to contribute to a shared cost additional voluntary contribution arrangement (SCAVCs) in respect of an employment. The arrangement must be a scheme established between the appropriate administering authority and a body approved for the purposes of the Finance Act 2004, registered in accordance with that Act and administered in accordance with the Pensions Act 2004.

The Scheme employer needs to determine whether or not it will make contributions to such an arrangement on behalf of its active members.

#### **Scheme Employer’s policy concerning payment of Shared Cost Additional Voluntary Contributions**

**The Employing Authority has resolved not to adopt this discretion**

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### **Regulation 22 – Merging of Deferred Member Pension Accounts with Active Member Pension Accounts**

A deferred member’s pension account is automatically aggregated with their active member’s pension account unless the member elects within the first 12 months of the new active member’s pension account being opened to retain their deferred member’s pension account.

A Scheme employer can, at their discretion, extend the 12 month election period.

#### **Scheme Employer’s policy concerning merging of Deferred Member Pension Accounts with Active Member Pension Accounts**

**The Employing Authority has resolved not to extend the 12 month election period**

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### **Regulation 100(6) – Inward Transfers of Pension Rights**

A request from an active member to transfer former pension rights from a previous arrangement into the Local Government Pension Scheme as a result of their employment with a Scheme employer must be made in writing to the administering authority and the Scheme employer before the expiry of the period of 12 months beginning with the date on which the employee first became an active member in an employment (or such longer period as the Scheme employer and administering authority may allow).

#### **Scheme Employer’s policy concerning the extension of the 12 month transfer application period**

**The Employing Authority has resolved to examine such issues on a case by case basis**

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## Regulation 21(5) – Assumed Pensionable Pay

A Scheme employer needs to determine whether or not to include in the calculation of assumed pensionable pay, any 'regular lump sum payment' received by a Scheme member in the 12 months preceding the date that gave rise to the need for an assumed pensionable pay figure to be calculated.

### **Scheme Employer's policy concerning inclusion of 'regular lump sum payments' in assumed pensionable pay calculations**

**The Employing Authority has resolved that "Regular lump sum payments" will always be included in the calculation of assumed pensionable pay**

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## Regulation 74 – Applications for Adjudication of Disagreements *(see guidance note 9 in employer's guide)*

Each Scheme employer must appoint a person ("the adjudicator") to consider applications from any person whose rights or liabilities under the Scheme are affected by:

- (a) a decision under regulation 72 (first instance decisions); or
- (b) any other act or omission by a Scheme employer or administering authority,

and to make a decision on such applications.

Responsibility for determinations under this first stage of the Internal Disputes Resolution Procedure (IDRP) rests with "the adjudicator" as named below by the Scheme employer:

Name: Tim Wheadon  
Job Title: Chief Executive  
Full Address: Time Square, Market Street, Bracknell  
Post Code: RG12 1JD  
Tel No: 01344 355609

Adjudicator's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Or alternatively:

Name: Stuart McKellar  
Job Title: Director of Resources  
Full Address: Time Square, Market Street, Bracknell  
Post Code: RG12 1JD  
Tel No: 01344 355605

Adjudicator's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## APPENDIX B1 – EMPLOYER DISCRETIONS: INJURY ALLOWANCE

### Formulation of COMPULSORY policy in accordance with Regulation 14 of the

### Local Government (Discretionary Payments) (Injury Allowances) Regulations 2011

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#### Regulation 3 - Reduction in remuneration

Whilst an employee is receiving reduced pay as a direct result of an injury or disease contracted in the course of carrying out their employment, a relevant employer may consider paying the employee an allowance while the reduction in pay continues.

The relevant employer shall from time to time determine whether the employee should be entitled to continue to receive the allowance.

Any allowance payable must be paid directly by the relevant employer and, when added to the value of the reduced pay being received by the employee, must not be of a value that means the employee receives total pay in excess of the pay that they would normally expect to have received but for their injury or disease.

#### **Employer's policy concerning the award of an allowance due to reduction in remuneration**

**The Employing Authority has resolved to examine such issues on a case by case basis in line with its existing Standing Orders.**

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#### Regulation 4 – Loss of employment through permanent incapacity

Where an employee ceases employment due to permanent incapacity as a direct result of injury or disease contracted in the course of carrying out their employment, a relevant employer may consider paying the employee an allowance not exceeding 85 per cent of the employee's annual rate of remuneration at the point the employment ceased.

The relevant employer shall from time to time determine whether the employee should be entitled to continue to receive the allowance.

Any allowance payable must be paid directly by the relevant employer and, where the employee was receiving no pay or reduced pay at the time the employment ended because of absence, the employer must assess the remuneration on the basis of the pay the employee would have received but for being absent.

The relevant employer may suspend or discontinue the allowance if the (former) employee secures gainful employment (paid employment for not less than 30 hours in each week for a period of not less than 12 months).

#### **Employer's policy concerning the award of an allowance due to loss of employment**

**The Employing Authority resolves not to adopt this discretion.**

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To: **Council**  
**24 February 2022**

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## **Recruitment of Chief Executive Officer Executive Director: Resources**

### **1 Purpose of Report**

- 1.1 The purpose of this report is to advise councillors of the arrangements to recruit a permanent Chief Executive to provide management direction in the delivery of the Council's strategy and fulfil the statutory position of Head of Paid Service.

### **2 Recommendations**

- 2.1 **To note the process by which a new Chief Executive is to be recruited, as set out in paragraphs of this report**
- 2.2 **To agree that an Advisory Appointment Committee be appointed to support the Council in this appointment process as set out in paragraphs 5.2 to 5.4**

### **3 Reasons for Recommendations**

- 3.1 To advise the Council of the process to be followed to recruit a new Chief Executive and to seek agreement to the establishment of an Advisory Appointment Committee to support the process

### **4 Alternative Options Considered**

- 4.1 The appointment of the Advisory Appointment Committee is required to fulfil the Officer Employment Procedure rules. Failure to do so will prevent the Council from proceeding with this recruitment.

### **5 Supporting Information**

- 5.1 The Chief Executive has announced his intention to retire from the Council in September after 19 years in the position. Discussions have already taken place with Councillors covering the options available for fulfilling the role and the decision has been made to seek a direct replacement for Chief Executive.
- 5.2 By law the decision to appoint a new Chief Executive is reserved to full Council. This legal requirement is reflected in the Council's Constitution. The Officer Employment Procedure Rules state that the Council's Appointment Committee will assist the Council in this recruitment process if so requested by the Council. Though the final decision is for full Council, if it does not request the Appointment Committee to carry out this function, then the Council needs to put in place other practical arrangements to assist it in relation to this appointment.
- 5.3 Members may now wish to consider appointing an Advisory Appointment Committee of 6 Councillors to assist in this process to include the following Members:
- Leader of the Council

- Chair of Employment Committee
  - Vice Chair of Employment Committee
  - Executive Member for Children, Young People & Learning
  - Executive Member for Adult Services, Health and Housing
  - Leader of the Labour Group
- 5.4 The proposed terms of reference for the Advisory Appointment Committee would be to shortlist and interview candidates for the post of Chief Executive and, with professional support from the external advisors and the Assistant Director: HR and Organisational Development, to report to full Council with a recommendation concerning the appointment of a new Chief Executive.
- 5.5 The Councils commitment to fairness and equality will be followed to ensure that every effort is made in the recruitment process to allow for a broad range of appropriately qualified candidates, representing the diverse background of our Borough.
- 5.6 Given the importance of the position to the Council, it is proposed that a recruitment agency will be used to identify high calibre candidates. Adverts would be placed very soon after Council approval is obtained to proceed, with a closing date in March 2022, providing sufficient time to attract quality applications from a wide field of candidates.
- 5.7 It is proposed that the agency submit a long list of candidates to the Appointment Committee who would prepare a shortlist of their preferred candidates, with assistance from the agency and Assistant Director: HR and Organisational Development. It is envisaged that the shortlisting process will be completed by the end of March 2022, with formal interviews scheduled to take place in April 2022. Stakeholders will also be involved in the process to allow candidates to meet some of our key partners as well as enabling partners to give feedback on candidates.
- 5.8 The appointment of a Chief Executive would require a formal Council decision and the need to follow statutory process so, if the recruitment process does not fit with the existing Council timetable, an additional meeting of Council may need to be called towards the beginning of May 2022.
- 5.9 If an appointment were made, there would then be a need to obtain clearances, and for formal offer and acceptance before the successful candidate (if external) could serve notice to terminate their current employment, which may be 3 or 6 months depending on their existing contractual position. It is possible therefore, if an external appointment were made, that a new Chief Executive may not be in post until November 2022.
- 5.10 The recruitment will be based on the existing salary (Senior Grade 8 - range £170k to £185k) and terms and conditions of employment as these remain competitive with the local market for this role.



5.11 The following timetable is proposed:

Appoint recruitment consultants	Mid – February
Advertise nationally	w/c 28 February
Closing date	Sunday 20 March
Agree long list	w/c 21 March
Agree short list	w/c 18 April
Interviews	w/c 25 April
Appointment considered by Council	May 2022 Extraordinary Council meeting

## **6 Consultation and Other Considerations**

### Legal Advice

6.1 As stated in the report the final decision for appointment is reserved to Council

### Financial Advice

6.2 No sought at this stage

### Other Consultation Responses

6.3 Discussions have taken place with councillors resulting in support for the direct replacement of the Chief Executive role.

### Equalities Impact Assessment

6.4 The recruitment processes will comply with Council responsibilities for meeting equalities legislation

### Strategic Risk Management Issues

6.5 Failure to appoint an advisory appointment committee will result in the council being unable to recruit to a new Chief Executive. An alternative arrangement would need to be considered to fulfil the role of Head of Paid Service in the Council.

### Climate Change Implications

6.6 The recommendations in Section 2 above are expected to:

Have no impact on emissions of CO<sub>2</sub>.

### Background Papers

None

Contact for further information

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