

To: Council
24 February 2022

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 CO₂. 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

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Annex A – Report

Annex B – Approved Conferences