



**Report of the
Independent Remuneration Panel
Appointed to make recommendations
on the scheme of
Members' Allowances at Breckland Council**

January 2013

1. BACKGROUND

1.1 Breckland Council has appointed an Independent Remuneration Panel to consider and recommend a scheme of allowances that complies with the requirements of the Local Government and Housing Act 1989, the Local Government Act 2000 and associated regulations.

1.2 This is the fourth panel appointed reporting in the second year of its three year term. Membership is as follows:

- § Andrew Egerton-Smith (Chairman)
- § Diane Foster
- § Jeff Prosser
- § Ian Vargeson
- § Alistair Skipper

1.3 The Panel has been supported by Rory Ringer, Democratic Services Team Leader, and Teresa Smith, Committee Services Officer.

1.4 The Panel has looked at all areas within its remit under the regulations, which ask that recommendations be made to the Council:

- § On the amount of basic allowance that should be payable to its Elected Members
- § About the responsibilities or duties which should lead to the payment of a special responsibility allowance and the amount of such an allowance
- § About the duties for which a travelling and subsistence allowance can be paid and the amount of this allowance
- § As to the amount of any co-optees' allowance
- § As to whether the authority's scheme should include an allowance for the expense of arranging for dependant and child care, the amount of such allowance and the means by which it is determined
- § On whether any allowance should be backdated to the beginning of the financial year in the event of a scheme being amended
- § As to whether annual adjustments of allowance levels may be made by reference to an index and, if so, how long such a measure should run
- § On allowances for Town and Parish Councils
- § As to which members are to be entitled to pensions in accordance with a scheme made under Section 7 of the Superannuation Act 1972
- § As to treating basic and special responsibility allowances as amounts in respect of which such pensions are payable.

1.5 The findings of the Panel on matters relating to pensions are binding upon the Council. Otherwise, the Council must have regard to the Panel's recommendations before agreeing a scheme.

2. DOCUMENTATION, EVIDENCE AND ACKNOWLEDGEMENTS

2.1 The Panel met on two occasions, on 4th December 2012 and 7th February 2013, and took account of the following documentation:

- § The Panel's previous report (November 2011)
- § Details of the existing scheme of allowances and comments made by the Council when adopting it
- § Comparative information from other local authorities
- § Member attendance at Committees
- § Member Development and Training

2.2 The Panel interviewed Mr William Nunn, Leader of the Council, and Mr Michael Wassell, Deputy Leader and Executive Member for Finance and Democratic Services and was grateful to them for the information they provided.

2.3 Following the interview with the Leader and Deputy Leader, the Panel received copies of 'Member Diaries' which had been produced as part of the Submission for the forthcoming Boundary Review.

3. CONTEXT OF THE REVIEW

Current Scheme

3.1 The current scheme of allowances, which runs from 1st January 2012 to 31st March 2013, was based upon the recommendations contained in the November 2011 report of the Panel. The scheme set allowances for one year only, rather than extending the index-linked scheme, given the economic uncertainty at this time.

Further Developments

General

3.2 The Panel was familiar with the culture of Breckland and had previously made it clear what was expected in terms of performance in recognition of the levels of allowance

recommended. In reaching its conclusions, the Panel took note of the following key developments during the past year:

- § **Joint Shared Management Structure** – Breckland and South Holland Councils have committed to and implemented a joint management structure across the two authorities. This had proven to be successful and had also received positive press coverage.
- § Due to the Chief Executive having recently left the organisation, Breckland were temporarily sharing a Chief Executive across three Authorities in three different Counties. This gave time for Breckland to consider its position on a Shared Management arrangement with a third Authority.
- § **Financial Situation** – The Council had continued to achieve the financial cuts required by the Government Comprehensive spending review, and were proud of the fact that this had been achieved without affecting front line services.

There was continual financial pressure on the Council to achieve budgetary savings.

4. GENERAL PRINCIPLES AND OBSERVATIONS

- 4.1 The Panel confirmed its wish to work with the Council to achieve satisfactory outcomes, taking account of the authority's entrepreneurial culture and position on Council Tax, customer satisfaction and commitment to the shared management structure with South Holland District Council.
- 4.2 Although the regulations do not provide for performance related pay for Members, the Panel remained of the view that receipt of allowances should be dependent upon compliance with performance measures and commitment to member development and training.
- 4.3 Breckland maintained the lowest Council tax in the Country, and continued to provide good rates of public satisfaction with its services.
- 4.4 In reaching its conclusions, the Panel had taken note of Government advice that an element of time given by Members should be considered to be voluntary.
- 4.5 Taking into account comparators and the current economic situation (including the impact upon staff pay), the Panel started from the point of recommending that the

basic allowance be unchanged for another year, with special responsibility allowances (except where workloads had changed) also held back.

4.6 The Panel were pleased that the level of attendances had increased, but were still disappointed to see that some were under the recommended 75% attendance level.

4.7 The Panel had been informed by Mr Nunn on how the role of the Elected Councillor was changing due to the Shared Management changes, and in particular a cultural change in the way councillors worked. Councillors could no longer 'pop in' to see an Officer, and were required to plan ahead and diarise meetings with Officers.

5. BASIC ALLOWANCE

5.1 "The basic allowance is intended to recognise the time commitment of all councillors, including such inevitable calls on their time as meetings with officers and constituents and attendance at political group meetings. It is also intended to cover incidental costs such as the use of their homes." (Government Guidance on Consolidated Regulations for Local Authority Allowances).

5.2 The Panel believed that using the basic allowance as a "building block", as in previous times was the best way to construct a scheme.

5.3 Holding the existing basic allowance at £5,200 for another year was still considered by the Panel a reasonable recompense based on the current economic climate.

6. SPECIAL RESPONSIBILITY ALLOWANCES

6.1 Before finalising its recommendations on Special Responsibility Allowances, the Panel met with William Nunn, Leader of the Council on 7th February 2013. As well as Mr Nunn's thoughts on Members' roles generally, the Panel had been particularly interested in his views on the work levels of each area of Special Responsibility and how, if at all, these had changed. The Panel had specifically flagged the role of Chairman of Planning Committee and the Chairman of Overview and Scrutiny Commission.

6.2 With regard to the role of Chairman of Planning Committee, the Panel noted that this role had increased in terms of workload and responsibility, and there was immense pressure on the Chairman regarding the wellbeing of the District. On this basis, the Panel recommended that the Special Responsibility Allowance for this position should be increased to £11,050 (an increase of £236 per annum).

- 6.3 The Panel considered the role of Chairman of Overview and Scrutiny Commission and felt that the allowance should remain unchanged.
- 6.4 As mentioned in the November 2011 report, the Panel agreed to review the role of Chairman of Licensing when it next reviewed the scheme. Having spoken to the Leader of the Council, the Panel maintains the view that the role has not significantly changed as first thought, and therefore the allowance would remain unchanged.
- 6.5 The Panel agreed that the gearing of the different levels of special responsibility allowance were still appropriate and the detailed figures recommended are set out in Appendix 'A' to the report.

CO-OPTED MEMBERS AND SPECIALIST ADVISERS

Background

- 6.6 Regulations now permit provision within schemes of allowances for payments to co-opted members. Whereas the basic allowance for Elected Members was intended to acknowledge their wider duties, payments to co-optees are designed to cover the costs of attendances at meetings and conferences. Government guidance says that an element of the contribution of co-opted Members, like that of Elected Councillors, should be considered voluntary.

Audit Committee

- 6.7 The Panel remained of the view that a fee of £200 per meeting should continue to apply to specialist advisers enlisted by the Committee, to cover the cost of a session and preparation for it.

Standards Committee

- 6.8 Following the recent Government changes and the introduction of the Localism Act 2011, the Council dissolved the Standards Committee from 1st July 2012.
- 6.9 This resulted in a saving of a Special Responsibility Allowance of £5,200 and subsequent Standards Sub-Committee meetings of £115 per meeting chaired.
- 6.10 During 2012 the Remuneration Panel had been consulted on the allowance to be paid for the Independent Person in support of the Councils Standards requirements. This was set at £42 per meeting.

7. CHILDCARE AND CARERS' ALLOWANCES

- 7.1 The Panel recommended increasing the allowance for Childcare to £7.50 per hour, (subject to a maximum £75.00 per authorised duty) as it wanted to ensure any Councillor would not be unable to carry out their duties due to low childcare allowance.
- 7.2 As far as specialist care was concerned, it can vary in scope and nature and it should be left to the Council to pay an appropriate rate upon application to ensure reasonable costs were reimbursed, rather than trying to set a standard rate.
- 7.3 The Panel were anxious to support carer's allowances and would not wish anyone to be deprived of the opportunity to serve as result of inadequate recompense of care charges.

8. TRAVEL AND SUBSISTENCE

- 8.1 The Panel considered the list of "approved duties" (i.e. those activities in respect of which travel and subsistence may be paid) and agreed that no further changes were recommended.

9. TOWN AND PARISH COUNCILS

- 9.1 Town and Parish Councils may now make payments to their members, but where they decide to do so, they must have regard to the recommendations of the Independent Remuneration Panel for the district. No formal requests for a recommendation on specific payments had been received. There had been the odd enquiry as to what the regulations say about the basic parish allowance that may be paid, either to the chairman or all members of the Council, but none within the last year. It was therefore proposed that any future requests from Town and Parish Councils are referred to the Panel on receipt and considered on their merits.

10. PENSIONS

- 10.1 The Panel may make recommendations on the eligibility of councillors to join the Local Government Pension Scheme. The Panel must recommend whether some or all Elected Members should be eligible and whether basic or special responsibility allowances, or both, should be pensionable. These

recommendations were binding on the Council; the authority could only offer membership of the Pension Scheme to those who had been recommended.

- 10.2 Having considered this part of its remit, the Panel remained of the same view as in previous years and recommended that no members were given access to the Local Government Pension Scheme. The Panel strongly believed that payments made through the Scheme of Allowances should not be considered a wage or salary and that the considerable extra expense that could be involved in making member positions pensionable should not be imposed upon local tax payers.

11. SUMMARY

- 11.1 During their meetings and deliberations, the Independent Remuneration Panel had been mindful of the financial restraints affecting the Council and the public sector as a whole. Despite these, the authority continued to perform very well, and the Remuneration Panel congratulated the Council for maintaining the lowest Council Tax in the country whilst providing good levels of public satisfaction and local service provision in these times of austerity.
- 11.2 Given these financial uncertainties and the changes Breckland Council is likely to face in subsequent years, the Panel was mindful to only recommend the scheme for the period 1st April 2013 to 31st March 2014. Likewise, it was agreed that the Basic and Special Responsibility Allowances (with the exception of Chairman of Planning) would remain unchanged.
- 11.3 The Panel felt that the responsibilities of the Chairman of Planning were on a par with that of an Executive Member, and the allowance should be reflective of this.
- 11.4 An increase to the Childcare allowance had been recommended to £7.50 per hour (normally subject to a maximum £75 per authorised duty).
- 11.5 It had been recommended that there were no changes to the Carer's allowances, Co-opted Members and Specialist Advisers allowances.
- 11.6 The Travel and subsistence rates would remain unchanged.
- 11.7 Whilst it was recognised that these recommendations, if adopted by the Council, might realise some efficiency savings to the authority overall, the Panel was confident that they accurately reflected the level of work undertaken in those areas on comparison to other roles.

12. RECOMMENDATIONS

Accordingly, the Panel's recommendations are as follows:

- 12.1 The new scheme is effective from 1st April 2013 until 31st March 2014.
- 12.2 Payments over this period be set at the rates shown in Appendix A to the report for:
 - § The Basic Allowance
 - § Special Responsibility Allowances for the positions indicated
 - § Specialist Advisers to the Audit Committee, where required
 - § Independent Person in support of its Standards requirements
 - § Occasional chairing of meetings as indicated
 - § Childcare and Dependent Carers
- 12.3 Travel and subsistence be payable for those "approved duties" shown at Appendix B to the report.
- 12.4 Travel and subsistence to be payable at the same rates as those applicable to officers under the National Conditions of Service, supported by receipts.
- 12.5 No scheme be made for Town and Parish Councils, requests for the payment of allowances to be referred to the Independent Remuneration Panel if received.
- 12.6 No members be admitted to the Local Government Pension Scheme and no allowances paid to members to be considered pensionable.
- 12.7 The Council to have the right to withdraw allowances from a fully or partially suspended councillor and to require the re-payment of any allowances paid during the period of suspension, such provision to be applicable to all allowances except those for dependant carers.

BRECKLAND COUNCIL'S INDEPENDENT REMUNERATION PANEL:
REPORT ON SCHEME OF ALLOWANCES FOR 2013/14

RECOMMENDED ALLOWANCES

The following allowances (with the exception of the Chairman of Planning) remain unchanged, for the period 1st April 2013 – 31st March 2014.

An annual basic allowance of £5,200 payable to all 54 members.

Special responsibility allowances (a maximum of one claimable per member) payable to the holders of the following positions at the annual rates indicated:

Leader	£20,800
Deputy Leader	£13,650
Executive Members x6	£11,050
Chairmen	
- Overview & Scrutiny Commission	£10,814
- Planning	£11,050 (2012 - £10,814)
- Licensing	£2,600
- Audit	£5,200
- General Purposes	£5,200
- Council	£2,600
- Appeals	£2,600
- Scrutiny Task & Finish Groups	£115 per meeting chaired
- Licensing Sub-Committees	£235 per meeting chaired
Leader of Main Opposition Group (<i>to be shared if more than one Opposition Group at the same time</i>).	£2,600
Leader of other political groups with more than 10 members	£1,850
Executive Support Members	£1,850
Specialist advisers to Audit Committee	£200 per session
Independent Person in support of Standards requirements	£42 per meeting

Rate per session for persons taking meetings in Chairman's absence:

Overview & Scrutiny	£235
Planning	£235
General Purposes	£115
Council	£58
Appeals	£58
Scrutiny Task & Finish Panels	£58

A childcare allowance of £7.50 per hour (normally subject to a maximum £75 per authorised duty)

Specialist dependant care – to be agreed upon application

Travel and subsistence at current nationally agreed rates for staff

No allowances to be paid to any suspended councillor

There is an option for members not to claim allowances, in part or in full.

BRECKLAND COUNCIL'S INDEPENDENT REMUNERATION PANEL:
REPORT ON SCHEME OF ALLOWANCES FOR 2013/14

MEMBERS' TRAVELLING AND SUBSISTENCE ALLOWANCES:
APPROVED DUTIES

The approved duties are:

- § Council Meetings
- § Committee / Cabinet Meetings (for members of Committee)
- § Ward representatives attending Committee as such
- § Official Committee site visits
- § Members attending Committee as proposer of motion referred by Council
- § Members attending Committee at the request of the Chairman
- § Members attending Committee to report back on the proceedings of an outside body
- § Tender opening
- § Local Authority Association meetings
- § Representation on outside bodies (where travel or subsistence is not paid by that body)
- § Executives meetings with officers
- § Party Leaders' meetings with officers
- § Joint Executive/Group Leader meetings called by the officers
- § Conferences where representing, or with the authorisation of, the Council
- § Overnight allowance for members attending conferences
- § Ombudsman interviews
- § Members attending Committees or working groups where invited or allowed to speak
- § Attendance of Chairman of Cabinet at any authorised meeting.
- § Attendance at Portfolio meetings
- § Attendance of Members at any official meetings called by officers or an Executive Member with officers
- § Attendance of Overview and Scrutiny Commission Chairman, Executive and Executive Support Members at Scrutiny Task and Finish Groups
- § Attendance at Overview and Scrutiny Commission by members who have referred items to the Commission which are on the agenda under consideration
- § Authorised training and development
- § Required attendance at Public inquiries
- § Attendance of Executive Support Members at Executive meetings
- § Attendance of a member at Town or Parish Council meetings within the ward he or she represents in the capacity of ward representative
- § Mileage incurred by the Chairman or Vice-Chairman on civic duties.