

COUNCIL

Agenda Item:

Ward: All

Portfolio: Finance, Governance and Corporate Services

FROM: Monitoring Officer

Date: 12 December 2016

SUBJECT: Report of the Joint Independent Members Remuneration Panel

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Report Sign off	Seen by:	Name	Date
	Chief Executive	Stuart Brown	22.11.2016
	Legal	Lesley Dolan	23.11.16
	Finance	Paul Deal	
	Group Manager	David Clark	22.11.2016
	Ward Member(s)	NA	
Summary:	<p>The report that is attached as Appendix 1 has been prepared by the Joint Independent Members Remuneration Panel and is submitted for consideration by Full Council. The Chairman of the Panel, Mr Ian Partington, will present the report to Full Council.</p> <p>The report sets out the conclusions and recommendations of an annual review of Mendip's Members' Allowances Scheme, which has been carried out by the Panel.</p>		
Recommendation:	<p>The Council recommends:</p> <ul style="list-style-type: none">(a) That Mendip District Council retains its current Scheme of Members' Allowances for 2017/18 as amended to reflect the agreed indexing of the Basic and Special Responsibility Allowances.(b) The payment of a Special Responsibility Allowance (SRA) for the Portfolio Holder Assistants on an interim basis in band 6 (Other Posts) subject to review in the autumn of 2017 as part of the wider review by the Panel of the operation of the Scheme.(c) That the SRA payment for the Portfolio Holder Assistants should be backdated to the date of their appointment.		

Direct and/or indirect impact on service delivery to our customers and communities:	The payment of a Member’s allowance contributes to the Council’s ability to attract a diverse range of Councillors, which is essential to ensure the views of a wide range of communities are represented.
Financial Implications:	<p>The Panel is aware that it is not obliged to have regard to the overall budgetary impact of its recommendations when making recommendations to the Council.</p> <p>The recommendations from the Panel relating to Members’ Allowances will result in the Basic Allowance increasing by approximately £128 per year per Member.</p>
Legal Implications:	<p>Provisions in relation to members’ allowances are set out in the Local Authorities (Members’ Allowances) (England) Regulations 2003 (SI 2003/1021) and subsequent amendments to the regulations (SI 2003/1022 and SI 2003/1692) [“the Regulations”]. Under the Regulations the Council has to appoint an Independent Panel to make recommendations on its Scheme of Members’ Allowances, for consideration by the Council. The Council may accept, reject, or amend any of the Panel’s recommendations. The Regulations provide for a single panel to advise more than one Council.</p> <p>As Members are aware the Council has joined the Joint Independent Members’ Remuneration Panel alongside Somerset County Council, West Somerset Council and Taunton Deane Borough Council.</p> <p>All Members have a personal and a prejudicial interest in this item through receipt of allowances. The Council’s Code of Conduct provides a dispensation allowing all Members to attend and vote on Members’ Allowance issues in spite of their prejudicial interest as long as the interest is declared at the relevant meeting. This paragraph has the effect of taking these declarations as having been made by all Members.</p> <p><u>Members do not therefore need to make a verbal declaration at the Council meeting.</u></p>
Impact on Service Plans:	None.
Equalities Implications:	Provision+ in the scheme for dependants’ carers’ allowances will assist members with such responsibilities in carrying out Council duties. A robust allowance regime can play an important role in attracting people from all sections of the community to stand as Councillor.

Risk Assessment and Adverse Impact on Corporate Actions:	There are no risks associated with this report and any recommendations as the Council is not required to agree them but simply to have regard to them when making decisions in respect of members' allowances.
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INTRODUCTION

The statutory task of the Joint Independent Remuneration Panel is to make recommendations to the Council before it makes or amends a Scheme of Members' Allowances. The Council must have regard to the Panel's recommendations before agreeing or amending a Scheme.

The regulations define a number of basic requirements for allowances' schemes but also give considerable scope to allow a council to adopt local provisions according to its circumstances. The only mandatory element provided for in the Regulations is the payment of a Basic Allowance to all members of a Council. All of the other elements that are currently paid under the scheme, i.e. Special Responsibility, Travel, Subsistence and Carers' Allowances are discretionary.

The basic principles on which Remuneration Panels work are not set out in statute, but there are national operational standards. In summary they include:

- The 50% rule (no more than 50% of Members of any individual Council should receive an SRA)
- Any Member should only receive one SRA at any one time.
- Basic Allowance payments should be based on a voluntary time contribution of 30% to maintain the difference between a salary and an allowance.
- When considering the payment of SRAs, clarity is needed by both Council and the Panel when considering each specific position and whether it qualifies for an SRA. E.g. is the position one which requires judgment and responsibility, or is it a much more of a supporting role based solely on additional time and effort.

THE PANEL

The Council joined the Joint Independent Remuneration Panel alongside Somerset County Council, West Somerset Council and Taunton Deane Borough Council in 2014 as a way to maximise the efficient use of resources and to bring greater consistency to the members' allowances schemes of the councils. The Panel's membership comprises 3 independent representatives appointed by the County Council and 1 each by the District Councils. All of the members of the Panel are residents of Somerset. The current Panel membership is outlined in brief below for the information of the Council:

Ian Partington	Economist. Appointed JP in 1982. Previous academic employment: Principal Lecturer in Economics at Oxford Brookes University. Chair of the Joint Independent Remuneration Panel.
Paul Fellingham	Barrister at law. Previously 43 years in the Magistrates Courts. The last 20 years as the Justices Clerk for Hertfordshire.
Jason Woods	Engineering, Business, and Training professional. Officer in the Royal Navy. Elected Parish Councillor.
Graham Russell	Former Head of Democratic Services (Bath & North East Somerset Council). Chair of annual meeting of IRP Chairs and member of, and adviser to, a number of IRPs across the region and in Cumbria. Graham is Mendip District Council's representative.
John Campbell Thomson	From a housing background, initially worked for local authorities and then was Chief Executive of SHAL Housing Association for 20 years and now retired. John represents Taunton Deane and West Somerset on the Panel.
Mark Okuniewski	Recently retired following a long career in local government and the Environment Agency as a senior policy manager in industry and waste regulation. Mark represents Taunton Deane and West Somerset on the Panel.

At its meeting on 26 September 2016 the Joint Independent Remuneration Panel considered an annual review of Mendip's Members' Allowances Scheme as well as a request to commence the payment of a Special Responsibility Allowance to the Portfolio Holder Assistants (Appendix 3).

RECOMMENDATION

The Council recommends:

- (a) That Mendip District Council retains its current Scheme of Members' Allowances for 2017/18 as amended to reflect the agreed indexing of the Basic and Special Responsibility Allowances.
- (b) The payment of a Special Responsibility Allowance for the Portfolio Holder Assistants on an interim basis in band 6 (Other Posts) subject to review in the autumn of 2017 as part of the wider review by the Panel of the operation of the Scheme.
- (c) That the Special Responsibility Allowance payment for the Portfolio Holder Assistants should be backdated to the date of their appointment.

Contact Officer: David Clark
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**Mendip District Council:
Annual Review of the Scheme of Members' Allowances:
Request to consider the payment of a Special Responsibility Allowance to the
Portfolio Holder Assistants**

1. Introduction

The Joint Independent Remuneration Panel met on 26th September 2016 to consider:

- Whether a light touch annual review should be carried out at this time of the operation of the Scheme of Members' Allowances approved by the Council on the 22nd October 2015 on the recommendation of the Panel.
- A request from the Council to assess the role of the Portfolio Holder Assistants for the purposes of a Special Responsibility Allowances and to make a recommendation regarding any amendment to the Mendip District Council Scheme of Members' Allowance.

2. Annual Review of the Scheme

2.1 Following the approval of the current Scheme by the Council in October 2015 after the fundamental review of the Scheme the normal process would provide for a light touch annual review of the Scheme by the Panel to assess whether any amendments were required as a result of changing circumstances or the operation of the Scheme.

2.2 Subject to any recommendation in respect of the Portfolio Holder Assistants, and following discussion with the Council Leader it was considered more relevant to allow the Scheme to operate for a further 12 months before carrying out a light touch review in the autumn of 2017 which would allow any changes recommended to be considered for implementation from the 2018/19 financial year of earlier if preferred or required.

3. Portfolio Holder Assistants

3.1 The Panel considered a report introduced by David Clark setting out the background to the creation of 4 Portfolio Holder Assistant posts following changes made to the Council's management structure and the associated reduction in size of the Cabinet from 7 members to 6.

3.2 The reasoning behind the creation of these posts was understood by the Panel although some was not relevant to the issue of a payment of a SRA – for example the succession planning intention.

3.3 However the Panel did consider the following factors to be relevant:

- (a) The role that the post-holder will have in helping the Cabinet Member manage his / her portfolio effectively;
- (b) The role of the post-holder in the preparation of decisions which could include important policy decisions;
- (c) The likelihood that the post-holder to chair non-decision making meetings on behalf of the Cabinet member;
- (d) The intention that the post-holder will represent the Cabinet member at meetings and speak on behalf of the Cabinet member as necessary

- (e) The knowledge and skills that the post-holder would need in order to carry out (a) to (d) above effectively.

3.4 After consideration the Panel felt on balance that the role did justify the payment of a relatively small SRA in light of the importance of the new role and the expectations which will be made of those members in terms of the skills and knowledge required to operate effectively in the role as well as recognition of the additional time commitment that will be required.

3.5 The recommendation is for an interim SRA payment to be paid at this stage and to be reviewed as part of the autumn 2017 review of the Scheme by which time the roles of the post-holders will have become embedded within the structure; their work can then be evidenced and a further judgement then made on the justification for any payment agreed.

3.6 The reasoning behind the Panel's recommendation for a relatively low level interim SRA payment is because the role is somewhat of an unknown quantity at this stage and because legally formal decision making responsibilities cannot be given to the Portfolio Holder Assistants which limits their role to advisory, albeit at a high level.

3.7 The Panel consider it important that the SRA payment for the role fits within the existing SRA banding structure set out in the Council's Scheme in preference to creating a new and artificial band just for this role. In the circumstances (including 3.3 above) the Panel decided that band 6 – 'Other' is the appropriate band for the role.

4 Panel Recommendations in summary

4.1 The Panel recommends:

- (d) That the Council retains its current Scheme of Members' Allowances for 2017/18 as amended to reflect the agreed indexing of the Basic and Special Responsibility Allowances and any decision in relation to Portfolio Holder Assistants.
- (e) The payment of a SRA for the Portfolio Holder Assistants on an interim basis in band 6 (Other Posts) - £1100 pa - and subject to review in the autumn of 2017 as part of the wider review by the Panel of the operation of the Scheme.
- (f) That the SRA payment for the Portfolio Holder Assistants should be backdated to the date of their appointment.

Julian Gale
Strategic Manager – Governance & Risk
On behalf of the JIRP
28/9.16

SCHEME OF MEMBERS' ALLOWANCES

2016/17

Mendip District Council

Scheme of Members' Allowances – 2016/17

1. INTRODUCTION

1.1 The Council's Scheme provides for payment of:

- a Basic Allowance (referred to as BA throughout this Scheme), a flat rate payable to each District Councillor;
- a Special Responsibility Allowance (referred to as SRA throughout this Scheme) for Members undertaking 'special duties', as defined by the Council;
- a Carers Allowance (CA) to reimburse expenditure incurred by Members (a) in providing professional child care arrangements and (b) on professional care for elderly, sick or dependent relatives to enable them to undertake approved duties;
- Travel Allowances and Subsistence Allowances for Members undertaking 'approved duties'.

2. GENERAL POINTS

2.1 The term "Member" in this Scheme means a Mendip District Councillor. Some aspects of the Scheme also apply to 'co-optees' (a member of a committee or sub-committee who is not elected) and the Independent Person appointed by the Council to advise on member complaints, as detailed.

2.2 Members, co-optees and the Independent Person have the option of not claiming all or part of an allowance. The Section 151 Officer must be notified in writing if a Member wishes to pursue this option.

2.3 Where a Member's or co-optees' term of office or appointment to a post qualifying for an allowance begins or ends during the financial year, he/she is entitled to the appropriate proportion of the annual payment.

2.4 Where there is an amendment made to the Scheme of Allowances that amendment may be applied retrospectively by the Council to the beginning of the financial year or to another agreed date in the year.

2.5 Where a Member takes on duties entitling them to a different level of allowances, the new entitlement may be applied retrospectively to the date the changes were effective from.

2.5.1 To cater for changes in circumstances that occur during the year and to ensure that no individual cases of exceptional hardship are experienced, the Section 151 Officer, in consultation with the Leader, can temporarily agree allowances and / or expense claims for individual Members as required where it is unclear if these are covered by the Scheme.

2.7 All enquiries relating to members allowances should be made to (officer's name to be included).

3. **BASIC ALLOWANCE (BA)**

3.1 A **BA of £3863 per annum**, has been approved for 2016/17 and will be paid to all Members in monthly instalments. In order to return the BA to its earlier real value, the allowance will be increased by £128pa (index linked) for up to five more years.

3.2 **Definition of BA:** BA recompenses Members for time devoted to their work as a councillor, and is intended to cover:-

- constituency and community duties, including use of their home;
- dealing with correspondence;
- single Member duties;
- attendance at single party/political meetings;
- attendance at formal meetings of the Council (including travelling time to and from meetings);
- attendance at seminars, conferences and training sessions;
- attendance on 'outside bodies' as a Council representative; and
- other incidental costs, for which no other specific provision is made.

4. **SPECIAL RESPONSIBILITY ALLOWANCE (SRA)**

4.1 **SRAs** are:

- paid to Members who have significant additional responsibilities
- allocated primarily on the basis of the degree of responsibility that relates to the position and also includes consideration of the perceived call on Members time
- paid in addition to the BA which the Member continues to receive; and
- paid in monthly instalments for as long as the Member has the responsibility.

4.2 **SRA** payments provide recompense for the following activities associated with the position of responsibility:-

- meetings with Officers;
- attendance at Council premises to undertake official Council business;
- meetings with fellow Chairmen or decision-makers and including some single party meetings / activities;
- dealing with correspondence;
- visits directly connected to the performance of an SRA duty e.g.
 - official openings;
 - familiarisation / fact findings visits;
- press meetings;
- any other official Council business carried out by the Member in the role.

4.3 The Council has adopted multiples of the BA that was set in 2015/16 which at the time had been £3733 as the basis for the calculation of the SRA bands contained within this Scheme. The top band of SRA – Band 1 - which applies to the post of Leader of Council reflects the importance and responsibility of this role. The Leader's Allowance is based on a multiple of 2.8 X the BA as set in 2015/16.

- 4.4 Other SRAs are allocated to bands below the Leader's Allowance reflecting diminishing levels of responsibility associated with specific roles.
- 4.5 The SRA bands, posts approved to receive a SRA and payments agreed for 2016/17 are set out in **Annex A**.
- 4.6 An individual Member may only receive one SRA at any one time. Where a member is entitled to more than one SRA in different bands because of the posts they hold then they shall be entitled to receive the higher SRA.

5. **CARERS ALLOWANCE (CA)**

5.1 Reimbursement of expenditure incurred by Members may be claimed (a) for professional child-care services or (b) on professional care for elderly, sick or dependant relatives who live at the same address as the member. These payments are intended to enable the member to undertake "approved duties".

5.2 *General requirements*

- Reimbursement will only be paid where professional care is provided and the carer must not be a close relative.
- Reimbursement provided is taxable as it is classified as an "emolument of the 'office'."
- The child or relative being cared for must be normally resident with the member claiming reimbursement.
- Members' are required to self-certify claims, confirming that they have incurred expenditure in accordance with the scheme and provide receipts.
- That neither the Member nor the person being cared for receives an allowance for care from any other source.
- The Chief Executive and the Chief Finance Officer have delegated authority to agree a higher limit for specialist care where required.

5.3 *Child-care*

- That payments are restricted to the care of children up to their 14th birthday who normally reside with the Member;
- That no reimbursement will be made for the care of children of compulsory school age during school hours except where the child is absent from school due to illness.

5.4 *Care of Dependant Relatives*

- That reimbursement is restricted to the care of an elderly, sick or disabled dependant relative normally living with the Member and requiring constant care.

5.5 *Reimbursement*

- Reimbursement will be made up to a maximum of the National Minimum Wage rate applicable at the time of the claim (£6.50 per hour at the time this Scheme was agreed) and for a maximum of 16 hours per week.

6. **TRAVEL ALLOWANCE (TA)**

6.1 **TA:**

can only be claimed for an approved duty, or for any duty covered by a special responsibility payment and for 'normal allowable journeys' .

- is claimed monthly on the Members claim form and receipts, including fuel VAT receipts, should be submitted to support expenditure.
- is payable at the rates shown in **Annex B**.

6.2 **List of 'Approved Duties'**

The list of approved duties is set out in **Annex C**.

6.3 **Definition of 'normal allowable journey'**

The **normal allowable journey** (for which mileage can be reimbursed) is from a member's home to council offices and then back again. 'Council offices' will often be the main Council premises but could relate to any building where a member is undertaking an 'approved duty' under the Scheme, including, for example, attending a parish council meeting in their capacity as a district councillor.

The mileage that members can claim for is the **actual additional mileage** as a result of council business that the member incurs on any journey. The **maximum** mileage the member can claim for is the normal allowable journey mileage.

6.4 **TA - additional information**

- Members who are District and County Councillors may claim Travel Allowances, if applicable, from both Authorities, if attending approved duties for both on the same day. However, a Travel Allowance cannot be claimed from both Authorities for a joint meeting where the member is representing both councils. In this case, the Member should claim from one of the Authorities.
- VAT fuel receipts submitted should pre-date the first date claimed for on the relevant claim form.
- Claim forms must include details of all journeys to include the date of the journey, starting and finishing addresses and the purpose of the journey. Failure to include such details may result in a claim being rejected.

7. SUBSISTENCE ALLOWANCES (SA)

7.1 SA is

- Claimable for any approved duty exceeding 4 hours which spans the agreed meal time periods as set out in **Annex B**;
- Claimable for the actual cost of the meal or the overnight expenses up to the maximum allowed;
- Claimed monthly via the Members claim form; VAT receipts should be submitted to support expenditure wherever possible;
- Not claimable if a meal is provided free of charge;
- Only claimable for a members own meal. There is no provision in the scheme for reimbursing claims for hospitality for other people.

8. NON CLAIMABLE DUTIES

8.1 For the avoidance of doubt, the following duties, inter alia, are **not** approved for the purpose of claiming Travel Allowances and Subsistence Allowances:-

- Single Member duties including single party meetings except where the Scheme provides otherwise
- Constituency meetings and duties
- Duties relating to outside organisations that are not Board, committee, sub- committee or working group meetings. e.g. book launches, openings etc.
- Attendance at party political conferences
- Social functions including religious meetings / church services
- Where an outside body to which the member has been appointed pays the members expenses.
- Where the member attends an outside body but in circumstances where they have not been appointed as an official representative of the Council, ie appointed either by the Council or the Leader of the Council.

9. CLAIMS

9.1 How to Claim

- BA and SRA are paid automatically on a monthly basis.
- Carers' Allowance, Subsistence Allowance and Travel Allowance expenditure must be claimed on the Members' Claim Form.
- Claims must be submitted monthly to the authorising officer in order to payroll deadlines.
- Late claims will result in late payment unless notification is given in advance. Claims older than 2 months will be referred for approval to pay to the Section 151 Officer, in consultation with the Leader, and payment may be delayed or refused unless there is good cause for the lateness. Claims older than 3 months will not be reimbursed.
- Allowances must not be claimed where the member is entitled to receive payment from another body.

ANNEX A

SPECIAL RESPONSIBILITY ALLOWANCES (SRA) 2016/17

SRA structure based on the Basic Allowance of £3733 per annum as it was in 2015/16

<u>Band</u>	<u>Post</u>	<u>Amount</u>
1	Leader	10452 (x2.8)
2	Cabinet Member Deputy Leader	7 x 4479 (x1.2)
3	Chairman - Council Chairman – main committee (decision making) Chairman - Scrutiny	(Council, Planning, Scrutiny) 4106 (x1.1)
4	Chair – smaller committee (decision making)	(Licensing) 2613 (x0.6)
5	Vice Chair Committee / Council Chair – advisory committee	(Vice Chair –Planning) (Vive Chair – Council) (Audit, Standards) 1867 (x0.5)
6	Other posts	1100 (Allowance for Independent Person) 150 per member (Leader –Opposition Groups with 5+ members) (co-optees allowance for members of Audit) 747 (x0.2)

Note: The figures in bold in brackets show the multiple of the Basic Allowance that applies to that band.

SUMMARY OF RATES OF ALLOWANCES FOR MEMBERS

1 TRAVELLING ALLOWANCE

Type of Expense	Rate
Travel by car irrespective of cc	45p/mile (this figure is in line with the current Inland Revenue threshold and automatically stays in line with changes to the threshold).
Car Share	In addition to the above rate a further 5p/mile will be available when one or more members are passengers in the same car
Travel by motorcycle	24p/mile
Travel by bicycle	20p/mile
Travel by railway or other public transport and car parking, tolls and ferries	Reimbursed at actual cost – Standard Fare for rail. Receipts are required.
In exceptional circumstances where all of the above options have been explored and deemed unviable	
Travel by Taxi	The rate for travel by taxi is not to exceed: i. in cases of urgency where no public transport or other means of travel is reasonably available the amount of the actual fare paid (receipt required) ii. in any other case, the amount of the fare for travel by appropriate public transport.
Hired Motor Car (including car share clubs e.g. Co-wheels or Zipcar) other than a taxi	The remuneration paid is not to exceed the level of the mileage allowance normally paid to members (currently 45p per mile), although the Section 151 Officer may agree a higher level of remuneration up to a maximum of the actual cost of the hire.

2 **SUBSISTENCE ALLOWANCE**

Subsistence – in line with the rate paid to Council officers.

Breakfast **£6.72**, (actual expenditure up to this limit can be reclaimed when away from the normal place of residence for more than 4 hours before 11am)

Lunch **£9.24**, (actual expenditure up to this limit can be reclaimed when away from the normal place of residence for more than 4 hours and including the lunchtime period between 12 noon and 2pm)

Tea **£3.64**, (actual expenditure up to this limit can be reclaimed when away from the normal place of residence for more than 4 hours, and including the period between 3pm and 6pm)

Evening meal **£11.44** (actual expenditure up to this limit can be reclaimed when away from the normal place of residence for more than 4 hours, ending after 7pm)

3	OVERNIGHT ABSENCE (BED AND BREAKFAST)	£
	Maximum (outside London)	106.40
	Maximum (London)	120.00

LIST OF APPROVED DUTIES

LIST OF APPROVED DUTIES for the purposes of Travel and Subsistence and Dependent Carers' claims

	Attendance at:
1.	formal meetings of the Council, including Committees and Sub Committees and any other authorised meeting of these bodies or event organised by these bodies (including joint committees), where the councillor (a) has been appointed by the Council as a member, a substitute or representative or (b) is exercising a constitutional right to attend and /or to speak or (c) is attending in an observer capacity only;
2.	formal meetings of the [Executive/Cabinet], its sub committees and any other authorised meetings thereof where the councillor has (a) been appointed by the Leader/Council as a member or (b) is exercising a constitutional right to attend and/or to speak or (c) is attending in an observer capacity only;
3.	ad-hoc formally constituted working groups/panels (e.g. scrutiny task and finish groups) where the councillor is (a) a named member of the body or (b) is formally invited to participate;
4.	meetings of Somerset County Council committees/sub committees where the councillor has been appointed by the Council as a member or a representative;
5.	meetings of bodies to which the Council makes appointments except where the body itself pays allowances to the Council's representative (<i>the approval relates to meetings of the body itself; its standing committees/sub committees but not to other activities of the body</i>)
6.	meetings of any local authority association of which the Council is a member where the councillor is the appointed representative or nominated substitute;
7.	any conference where attendance is authorised by the Council [and involves an overnight stay];
8.	any Council premises, or other agreed location, for a meeting agreed with either a member in receipt of an SRA or an Officer for the purpose of discussing matters relating to Council business in which it is reasonable to expect the councillor to have an interest;
9.	briefing meetings at the invitation of an Officer of the Council provided that the members of at least two political groups have been invited;
10.	an approved agenda setting meeting or member development/awareness raising/seminar activity organised by the Council;

11.	meetings of Parish/Town Councils or equivalent community associations where the councillor attends as the local district councillor or as a representative of the District Council and not as a member of the Parish/Town Council/Community Association itself;
12.	any civic or ceremonial event at the specific invitation of, or in support of, the Chair/Mayor of the Council;
13.	site visits by members of the Planning/Development Control Committee;
14.	any site visit or inspection visits undertaken by members approved by or on behalf of the Council;
15.	tender opening meetings where invited by an Officer to attend;
	Performance of:
16.	duties carried out by a member holding an office for which a special responsibility allowance applies;
17.	any particular duty for which express authority is given by or on behalf of the Council in case of emergency;
18.	such other duty for which prior approval has been given by the Chief Executive, a Deputy Chief Executive or other authorised Officer, in consultation with the Leader.

**Report to Joint Independent Remuneration Panel meeting on 26 September 2016
from the Monitoring Officer at Mendip District Council**

INTRODUCTION

This report requests that the Independent Remuneration Panel assess the proposed role of the Portfolio Holder Assistants for the purposes of a Special Responsibility Allowance and to make their recommendation regarding any amendment to the Mendip District Council Scheme of Members' Allowance.

BACKGROUND

In May 2016 a report was taken to the Cabinet of Mendip District Council entitled 'A Council Structure for the Future'. The report recognised that there have been, and will continue to be, a number of 'drivers' that necessitate a change to the way that the Council operates and therefore, by implication, the Council's management structure. The proposed restructure reduced the number of 2nd tier managers from 4 to 2 and 3rd tier Group Managers from 11 to 6. The report also acknowledged that the Portfolio Holder arrangements should be aligned with the management restructure and as a result the number of Cabinet members would be reduced from 7 to 6.

The Cabinet structure would be as follows:

- Leader
- Deputy Leader
- Portfolio Holder for Finance, Governance and Corporate Services
- Portfolio Holder for Neighbourhood and Community Health Services
- Portfolio Holder for Planning, Growth and Housing Services
- Portfolio Holder for Transformation

PORTFOLIO HOLDER ASSISTANTS

In addition to the above it was agreed that the Group Managers could appoint assistants from within the existing staff resource to increase capacity and to assist with succession planning. To further align the political structure with the corporate structure there was a proposal to introduce 4 Portfolio Holder Assistant posts. Likewise this would help to add some resilience to the capacity of the Cabinet Members but also introduce an element of succession planning. The Cabinet Assistants would each serve two 6 month periods with different Portfolio Holders in order to gain a wider understanding of the Council's services and the strategic and corporate issues. It was anticipated that the assistants would initially provide a shadowing role, attending meetings / briefings, etc, but that over time they would take on liaison work between the Portfolio Holders and the respective officers, as well as acting as information sources and points of contact for back benchers. Similarly, Assistants will be allocated specific project work by Portfolio Holders.

It was considered appropriate that a Special Responsibility Allowance (SRA) should be considered for these new Portfolio Holder Assistant Posts and could be largely funded from the savings accrued through the overall reduction in Cabinet Members.

The Portfolio Holder Assistants would not be able to take executive decisions but they can support and advise Cabinet Members and can also:

- Lead on specific areas to be determined by the Cabinet members
- Focus on information gathering and understanding key policy/service delivery areas;
- Assist with the development of options and policies for consideration by the Cabinet Members;
- Brief and make recommendations to Cabinet members and others on the relevant issues that affect decision making; and
- Represent Cabinet Members at meetings or events as necessary

NEXT STEPS

In order to ensure a consistency in approach Mendip District Council would now request that the Independent Remuneration Panel assess the role of the Portfolio Holder Assistants and to suggest an appropriate level of remuneration for the posts.

A more detailed role profile is included at Appendix A attached.

Appendix A

Role Profile

Role Title: Portfolio Holder Assistant

Brief Description of the Role

The role of Portfolio Holder Assistants will add some resilience to the capacity of the Cabinet Members but also introduce an element of succession planning. The post holder will each serve two 6 month periods with different Portfolio Holders in order to gain a wider understanding of the Council's services and the strategic and corporate issues. It is anticipated that the assistants would initially provide a shadowing role, attending meetings / briefings, etc, but that over time they would take on liaison work between the Portfolio Holders and the respective officers, as well as acting as information sources and points of contact for back benchers. The Assistants may also be allocated specific project work by Portfolio Holders as appropriate.

Main Duties and Responsibilities

The Portfolio Holder Assistants will support and advise Cabinet and can also:

- Lead on specific areas to be determined by the Cabinet members
- Focus on information gathering and understanding key policy/service delivery areas;
- Assist with the development of options and policies for consideration by the Cabinet Members;
- Brief and make recommendations to Cabinet members and others on the relevant issues that affect decision making; and
- Represent Cabinet Members at meetings or events as necessary

Additional Information

Note: Each member of the Cabinet may take responsibility for a particular area of the Council's services ("a Portfolio"). The Leader will decide from time to time which areas of responsibility will be allocated to individual Cabinet members (known as "Portfolio Holders" when acting in this capacity). Details of the Portfolio Holders' current areas of responsibility are set out in the Cabinet Scheme of Delegation in Section 18, Schedule 6 of the Council's Constitution. The current Cabinet structure can be summarised as follows:

- Leader
- Deputy Leader
- Portfolio Holder for Finance, Governance and Corporate Services
- Portfolio Holder for Neighbourhood and Community Health Services
- Portfolio Holder for Planning, Growth and Housing Services
- Portfolio Holder for Transformation

The Role of the Portfolio Holder Assistant:

- To carry out the responsibilities and duties common to all Councillors of the Mendip District Council as set out in Section 3 of the Council's Constitution.
- To assist Portfolio Holders in making executive decisions, other than Key Decisions, relating to matters falling within their areas of responsibility. Details of these areas of responsibility, and of the rules applying to decision-making by Portfolio Holders, can be found in the Cabinet Scheme of Delegations set out in Section 18 of the Constitution, Schedule 6.
- To assist Portfolio Holders who may take Key Decisions falling within their areas of responsibility if those decisions are urgent and fall within the criteria set out in Section 17 of the Constitution.
- To assist Portfolio Holders in being responsible for the strategic management and direction of the Council in the pursuit of its corporate objectives
- To assist Portfolio Holders to develop proposals for the Council's Budget and Policy Framework for approval by full Council as set out in the Constitution
- To assist Portfolio Holders to implement the Budget and Policy Framework, and any other policies, plans and strategies agreed by the Council
- To assist Portfolio Holders to approve the Council's Corporate Delivery Plan and Operational Plans
- To assist Portfolio Holders to manage and monitor the performance of the Council's functions, and to act on proposals for improvements
- To assist Portfolio Holders to be responsible for the overall management of the Council's financial, property and other resources, in accordance with the Financial Procedure Rules set out in Section 21 of the Council's Constitution
- To provide assistance to Cabinet for their overall responsibility for the management of the Council's personnel functions, including health and safety matters
- To assist Portfolio Holders to monitor and keep under review the policies, plans, documents and strategies making up the Policy Framework, and any others adopted by the Council from time to time
- To assist Portfolio Holders regarding their responsibility for the overall management of and the determination of significant issues (set out in Section 24 of the Constitution) concerning the Wells Recreational Ground Trust