

Ward: All

Portfolio: Finance, Governance and Corporate Services

FROM: Monitoring Officer

Date: 19 February 2018

SUBJECT: Report of the Joint Independent Members Remuneration Panel

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Report Sign off	Seen by:	Name	Date
	Chief Executive	Stuart Brown	31.01.18
	Legal	Donna Nolan	31.01.18
	Finance	Paul Deal	31.01.18
	Group Manager	David Clark	31.01.18
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 a “mid-point” review of Mendip’s Members’ Allowances Scheme, which has been carried out by the Panel.</p> <p>The particular remit for the Panel’s mid-point review (February 2018) was initially to assess how well the new October 2015 Scheme was settling, and whether particular problems were emerging. Subsequently, the Leader of the Council, requested a more focused assessment by the Panel to:</p> <ul style="list-style-type: none"> (a) Review levels of SRA payments because of concerns over comparative levels of current SRAs as compared to peer councils (b) Consider recommending the payment of an SRA to the Vice-Chairman of the Scrutiny Board. 		
Recommendation:	<p>The Panel recommends the Council:</p> <ul style="list-style-type: none"> (a) To make no change to the method of calculation or the value of the Basic Allowance (BA), noting that it will continue to increase annually at the enhanced rate of £128 pa with the agreed indexing provision; 		

- (b) To replace the current Annex A in the Scheme – Special Responsibility Allowances (SRA) 2017/18 – with the following:

SRA structure based on the Basic Allowance of £3,996 pa

<u>Band</u>	<u>Post</u>	<u>Amount (£)</u>	<u>Multiplier</u>
1	Leader	11189	2.8
2	Deputy Leader	5994	1.5
3	Cabinet Member (up to 7)	4795	1.2
4	Chairman Council Chairman – main committees (decision-making) Chairman – Scrutiny, Planning	4396	1.1
5	Chairman – smaller committee (decision-making): Licensing Opposition Leader	2398	0.6
6	Vice-chairman committees: Council, Planning, Scrutiny Chairman – advisory committees; Audit, Standards Portfolio Holder assistants	1998	0.5
No band	Other posts: Allowance for Independent Person; Leader of the smaller opposition group(s) with more 5+ members Co-optees allowances for members of Audit	1175 (1100) 150 per member 799	0.294 0.2

- (c) To note:
- (i) That the Panel’s recommendations, if adopted in full by the Council, will move the Council’s present SRA provisions and payments closer to peer councils but in a measured way that acknowledges the enhanced indexing provision already in place;
 - (ii) That the Panel proposes to undertake a fundamental review of the revised Scheme, including detailed consideration of the BA - and any impact of the Five Councils Partnership – for report to the Council after the May 2019 elections.

All other aspects of the Scheme including travel, subsistence and carers allowances and the list of approved duties were outside of the scope of this review and will be addressed by the panel in the fundamental review planned for 2019.

<p>Direct and/or indirect impact on service delivery to our customers and communities:</p>	<p>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.</p>
<p>Financial Implications:</p>	<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>If adopted, the recommended changes to the Councils Special Responsibility Allowance Structure will result in an increase of £6660 based on the current basic allowance rate. The basic allowance is currently indexed linked to an annual increase of approximately £128. As the SRA amounts are calculated on multipliers of the basic allowance they will also increase accordingly.</p>
<p>Legal Implications:</p>	<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>
<p>Crime and Disorder Implications:</p>	<p>None identified.</p>

Equalities Implications:	There is provisions in the scheme for dependants' carers' allowances to 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.

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.
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
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.

At its meeting on 22 January 2018 the Joint Independent Remuneration Panel considered a “mid-point” review of Mendip’s Members’ Allowances Scheme. The particular remit for the Panel’s mid-point review (February 2018) was initially to assess how well the new October 2015 Scheme was settling, and whether particular problems were emerging. Subsequently, the Leader of the Council, requested a more focused assessment by the Panel to:

- (a) Review levels of SRA payments because of concerns over comparative levels of current SRAs as compared to peer councils
- (b) Consider recommending the payment of an SRA to the Vice-Chairman of the Scrutiny Board.

As a result of this assessment the Panel have recommended a number of changes to the Special Responsibility Allowance structure which can be summarised as follows:

1. A new band has been introduced for the Deputy Leader (Band 2) to recognise the additional responsibility that this post holds above a Cabinet member.
2. The leader of the opposition moves into band 5 rather than the SRA allowance being based on the number of elected members in order to recognise the important constitutional role that this post fulfills.
3. The post of Vice-Chairman of Scrutiny is also recommended for a SRA in band 6 in acknowledgement of the new ways of working for Scrutiny and the associated changes to this role.
4. Portfolio Holder Assistants also move into band 6 as opposed to being awarded a set amount as the responsibility and workload associated with these role is now more established.
5. A multiplier is also now applied to the role of Independent Person which results in a small increase.

RECOMMENDATION

The Panel recommends the Council:

- (a) To make no change to the method of calculation or the value of the Basic Allowance (BA), noting that it will continue to increase annually at the enhanced rate of £128 pa with the agreed indexing provision;
- (b) To replace the current Annex A in the Scheme – Special Responsibility Allowances (SRA) 2017/18 – with the following:

SRA structure based on the Basic Allowance of £3,996 pa

<u>Band</u>	<u>Post</u>	<u>Amount (£)</u>	<u>Multiplier</u>
1	Leader	11189	2.8
2	Deputy Leader	5994	1.5
3	Cabinet Member (up to 7)	4795	1.2
4	Chairman Council Chairman – main committees (decision-making) Chairman – Scrutiny, Planning	4396	1.1
5	Chairman – smaller committee (decision-making): Licensing Opposition Leader	2398	0.6
6	Vice-chairman committees: Council, Planning, Scrutiny Chairman – advisory committees; Audit, Standards Portfolio Holder assistants	1998	0.5
No band	Other posts: Allowance for Independent Person;	1175 (1100)	0.294
	Leader of the smaller opposition group(s) with more 5+ members	150 per member	
	Co-optees allowances for members of Audit	799	0.2

- (c) To note:
 - (iii) That the Panel's recommendations, if adopted in full by the Council, will move the Council's present SRA provisions and payments closer to peer councils but in a measured way that acknowledges the enhanced indexing provision already in place;
 - (iv) That the Panel proposes to undertake a fundamental review of the revised Scheme, including detailed consideration of the BA - and any impact of the Five Councils Partnership – for report to the Council after the May 2019 elections.

All other aspects of the Scheme including travel, subsistence and carers allowances and the list of approved duties were outside of the scope of this review and will be addressed by the panel in the fundamental review planned for 2019.

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Appendix 1 – Report of the Joint Independent Remuneration Panel
Appendix 2 – Members’ Scheme of Allowances 2017/18

Report of the Joint Independent Remuneration Panel

Mendip District Council:

1. Introduction

- 1.1. This report sets out the conclusions and recommendations of a 'mid-point' review [2017/2018] of the Mendip Scheme of Members' Allowances carried out by the Joint Independent Remuneration Panel, following the fundamental review in October 2015. The review of October 2015, accepted entirely by the Council, resulted in a new Scheme of Members' Allowances.
- 1.2. In 2016 the Panel was asked to make a recommendation in respect of a Special Responsibility Allowance (SRA) for the newly established role of portfolio-holder assistants. The Council accepted the Panel's recommendation to pay a SRA but at a higher rate than that recommended by the Panel.
- 1.3. **The particular remit for the Panel's mid-point review (February 2018) was initially to assess how well the new October 2015 Scheme was settling, and whether particular problems were emerging. Subsequently, the Leader of the Council, requested a more focused assessment by the Panel to:**
- (c) Review levels of SRA payments because of concerns over comparative levels of current SRAs as compared to peer councils**
 - (d) Consider recommending the payment of an SRA to the Vice-Chairman of the Scrutiny Board.**
- 1.4. Discussion between the Panel and council members and officer representatives has provided important context for this mid-point review, including the developing relationships created by Mendip District Council's participation in the Five Councils Partnership.

2. Executive Summary

2.1 The Panel recommends the Council:

- (d) To make no change to the method of calculation or the value of the Basic Allowance (BA), noting that it will continue to increase annually at the enhanced rate of £128 pa with the agreed indexing provision;**
- (e) To replace the current Annex A in the Scheme – Special Responsibility Allowances (SRA) 2017/18 – with the revised SRA provisions set out in Table 6 (page 11) of this report, which summarises the Panel's recommendations;**
- (f) To note:**
 - (v) That the Panel's recommendations, if adopted in full by the Council, will move the Council's present SRA provisions and payments closer to peer councils but in a measured**

way that acknowledges the enhanced indexing provision already in place;

- (vi) That the Panel proposes to undertake a fundamental review of the revised Scheme, including detailed consideration of the BA - and any impact of the Five Councils Partnership – for report to the Council after the May 2019 elections.
- (vii) All other aspects of the Scheme including travel, subsistence and carers allowances and the list of approved duties were outside of the scope of this review and will be addressed by the panel in the fundamental review planned for 2019.

3. Objectives and context of the present mid-point Review

- 3.1 At the time of the October 2015 review, the Panel was of the view that SRA payments had been depressed over recent years and those in the higher bands were relatively low when reviewed against comparable councils. In the lower bands the SRA payments were more in line with comparable councils. The Panel proposed an increase in SRA payments in the higher bands at that stage noting that *all* SRAs would increase on an annual basis in line with the annual increases proposed for the BA. Over time this would begin to bring SRAs up to an appropriate level.
- 3.2 The Panel was also strongly of the view at that time, that in respect of the level of the BA and SRAs, the overriding concern and focus should be the declining real value of the allowances, especially the BA, compared with the (real value) levels agreed by the Council in 2007/8 and the need therefore to recommend a move to recovering the previous real values. The Panel at the time of the October 2015 review decided and recommended to the council that establishing a firmer rationale for a definitive BA should follow once the broader objective of the real value of the BA had been recovered, and could be a later task for the Joint Independent Remuneration Panel.
- 3.3 In respect of the BA the Panel recommended in October 2015 that the BA should be £3,733pa and for subsequent years further annual increases in the BA of £128 pa (inflation linked) over a period of up to six years (the last two years of this period would be an ‘in principle’ decision) to achieve a Basic Allowance of around £4373 in Year 6. Such a level of BA (adjusted for inflation) should, approximately adjust the BA to its earlier (2008) real value. It was recognized that review after four years of these arrangements would be necessary because annual increases and indexing arrangements could only be agreed for a maximum of four years and the Council could not bind the new Council, to be elected in 2019, to this decision.
- 3.4 The Panel’s proposals of October 2015 in respect of SRAs are presented in Table 1.0 below:

Table 1.0
Mendip SRA structure based on the BA of £3733 (Oct. 2015)

Band	Post	Amount
1	Leader	10000 10452 (x2.8)
2	Cabinet Member Deputy Leader	7 x 4000 4479 (x1.2)
3	Chairman /Mayor - Council Chairman – main committee (decision making) Chairman - Scrutiny	4000 (Council, Planning, Scrutiny) 4106 (x1.1)
4	Chair – smaller committee (decision making)	2700 (Licensing) 2613 (x0.6)
5	Vice-Chair Committee / Council Chair – advisory committee	2000 (VC –Planning) 2000 (VC – Council) 2000 (Audit, Standards) 2000 (Community Partnership) 1867 (x0.5)
6	Other posts	2700 (Independent Person) 1100 150 per member (Leader –Opposition Groups with 5+ members) 800 (co-opted members of Audit) 747 (x0.2)

3.5 The present level (February 2018) of BA and SRAs is contained in Table 2.0 below:

Table 2.0
SRA structure based on the Basic Allowance of £3996 per annum for 2017/18

Band	Post	Amount
1	Leader	11189 (x2.8)
2	Cabinet Member Deputy Leader	7 x 4795 (x1.2)
3	Chairman - Council Chairman – main committee (decision making) Chairman - Scrutiny	(Council, Planning, Scrutiny) 4396 (x1.1)
4	Chair – smaller committee (decision making)	(Licensing) 2398 (x0.6)
5	Vice Chair Committee / Council Chair – advisory committee	(Vice Chair –Planning) (Vice Chair – Council) (Audit, Standards) 1998 (x0.5)
6	Other posts	1500 (Allowance for Portfolio Holder Assistants) 1100 (Allowance for Independent Person) 150 per member (Leader –Opposition Groups with 5+ members) 799 (x0.2) (Co-optees allowance for members of Audit)

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

3.6 This report is based on data, information and evidence obtained from internal and external resources including the Office of National Statistics (ONS), and the Chartered Institute of Public Finance and Accountancy (CIPFA). The Panel has also been informed by submissions from councillors and SRA holders. All councillors had the opportunity to submit views via a questionnaire.

4. Members' Allowances and Remuneration Panels – the legal position

4.1 The statutory task of the Panel is to make recommendations to a 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.

4.2 The legal provisions in relation to members' allowances are set out in the Local Authorities (Members' Allowances) (England) Regulations 2003 (SI 1021) and subsequent amendments to the regulations (SI 2003/1022 and SI 2003/1692) ["the Regulations"]. Under the Regulations each Council must appoint an Independent Panel to make recommendations on its Scheme of Members' Allowances. The Council must have due regard to the recommendations of the Panel before it makes any decisions in relation to its Members' Allowances Scheme but it may accept, reject, or amend any of the Panel's recommendations. The Regulations provide for a single Panel to advise more than one Council.

4.3 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 their 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, ie, Special Responsibility, Travel, Subsistence and Carers' Allowances are discretionary.

4.4 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 may only receive one SRA at any one time.
- BA payments should be based on a voluntary time contribution of 30% or 33%¹ 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. Eg. is the position one which requires judgment and responsibility, or is it much more of a supporting role based solely on additional time and effort.

4.5 Joint Independent Remuneration 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

¹ The Council accepted the Panel's recommendation to set the contribution at 33%. This discount on hours 'worked' by councillors reinforces that the BA payment is not a salary paid for employment.

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. There is currently a vacancy for a West Somerset Council representative:

Ian Partington	Economist. Appointed JP in 1982. Previous academic employment: Principal Lecturer in Economics at Oxford Brookes University.
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
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.

5 The Panel's approach to undertaking the mid-point Review

- 5.1** The determination of the present BA was set by the Council's agreement of the Panel's proposals [see paras. 3.3 above], in October 2015. The inflation-adjustment of the BA and enhancement of the BA therefore continues. In the Panel's view this will help to restore the BA to comparable levels with the Council's peer councils over a period of time. With the implementation of the Five Councils Partnership, the Panel considered whether it was timely to review the BA both in terms of the methodology behind its calculation and the current value. When taking evidence the Panel heard of the likelihood of impacts on the role of members – particularly their ward role -expected as a result of the new style of working. However, the impact of any changes are largely unknown at this stage and the Panel concluded that the correct way forward is to maintain the current approach to improving the level of the BA and then further review the position of the BA as part of the next fundamental review of the Scheme in 2019. By this time any impact of the new partnership on the role of members should be known and that would be the time to re-establish and revalue the BA.
- 5.2** A substantial part of the remit for the mid-point review is to assess the comparative levels of SRAs. Some Independent Remuneration Panels, in undertaking such an investigation, use geographically-close councils as comparators. The Joint Independent Remuneration Panel's preference is to use the CIPFA 'nearest neighbour' facility in order to generate a list of local authorities that are closely comparable to Mendip council, based largely on economic criteria.

5.3 The Panel issued a questionnaire to all councillors and received five in response. The questionnaire was intended to elicit the views of councillors as to the working of the present Scheme. With the agreement of the Council the Panel also had face-to-face discussions with a range of current SRA holders. These discussions were both illuminating and useful, and had a bearing on the views of the Panel during the course of its review.

5.4 The experience of the independent Panel members since the October 2015 report has been relevant to its task of SRA evaluation. In particular, the Panel recognised that under “the Regulations” an SRA *may* be paid to a councillor if a councillor has “special responsibilities” falling into a particular category. The identified categories, and SRA awards, are fairly clear, but the Panel has attempted to take this further by assessing how a responsibility might be regarded as *special* for permissive awards, whilst falling into one of the identified categories within the Regulations. The Panel’s view is that a particular responsibility might be deemed “special” if it could be characterised as having some of, or elements of, the following components (Table 3.0), but recognising that particular roles established by councils may well exhibit a range of component characteristics. Attempting some kind of uniformity would be fruitless and each role would need to be judged individually, but not having criteria would, however, risk reducing the process of evaluation to a hunch or intuition. The Panel provided officers with its approach to SRAs and requested the council to assist the Panel by assessing the present SRA roles in the light of the components of Table 3.0. The council has helpfully provided this information.

5.5 **Table 3.0**
Selected criteria relevant to identifying the ‘special’ element to an SRA award

Time commitment
Specialist skills
Functional Leadership
Important decision-making
Complexity
Identifiable accountability
Direct responsibility for important outcomes
Culpability
Constitutional relevance

5.6 **Survey results**

In addition to interviews, five councillors from Mendip responded to a questionnaire. The sample size is clearly small and the comments below would be regarded as indications but nonetheless relevant.

- The BA is adequate or too low, and should be reviewed.
- Mechanism for establishing the BA needs to be clearer.
- The role of the Cabinet Assistant lacks clarity/detail.
- Rationale for Cabinet Assistant generally is sensible and SRA payment is justified.

- The present SRA structure, including size of payment, may well not match the responsibility, time, and work-load attached to these posts.
- Other aspects to the Members Allowance scheme working well enough

6 Review of SRAs

6.1 **Table 4.0** this provides:- data relating to Mendip's allowances (December 2017); data derived from the latest published Schemes of 29 comparable councils; data from the other councils that are part of the Five Councils Partnership. As background to any later comment on the size of SRA payments, the Panel recognises the proper relevance of judgement within a particular setting. The Panel has not regarded the 29-C data in any way as targets, but simply useful and accurate reference points.

Table 4.0

Row		i Mendip	ii Multiplier Mendip	iii Mendip ÷ N-n 29 councils	iv N-n 29 councils	v Mult. N-n 29 councils	vi Five Councils [excl. Mendip]	vii Mult. Five C	viii Mendip÷ Five Councils
1	Basic	3996	3996.0	0.88	4545	4545.00	4981	4981	0.80
2	Leader	11189	2.8	0.93	11971	2.63	17165	3.45	0.65
3	Dep Leader	4795	1.2	0.68	7050	1.55	10505	2.11	0.46
4	Cabinet	4795	1.2	0.82	5848	1.29	7971	1.6	0.60
5	Ch of Cl.	4396	1.1	1.10	4013	0.88	4064	0.81	1.08
6	v-c Ch of Cl.	1998	0.5	1.38	1443	0.32	1390	0.27	1.44
7	Opp Leader	1150 (estimate)		0.41	2768	0.61	2275	0.46	
8	Ch Audit	1998	0.5	0.72	2771	0.61	1731	0.35	1.15
9	Ch Scrutiny	4396	1.1	1.16	3797	0.84	3334	0.67	1.32
10	Ch of Planning	4396	1.1	0.98	4490	0.99	5097	1.02	0.86
11	Ch of Licensing	2398	0.6	0.86	2798	0.62	2065	0.41	1.16
12	Ch Standards	1998	0.5	1.39	1437	0.32	n/a	n/a	n/a
13	Vice- chairs				1378				
14	Scrutiny vi-chs				1171				
	2017 data								
15	Six Councils	Unempl. %		Gross weekly wage (£)					
16	Hart	2.3		712.30					
17	Vale of WH	2.4		640.40					
18	S. Oxon.	2.8		688.50					
19	E. Hants	3.1		654.50					
20	Havant	4		543.60					
21	Mendip	4.6		535.80					

- 6.2** In reviewing the data and also considering the Panel’s recommendations (see section 8) it is very important to recognise the arithmetic effect of the October 2015 decision as regards the annual adjustment of the BA extending for four years to 2019, with a recommendation for a further two years.
- 6.3** The present arrangement for Mendip BA annual adjustment represents an annual increase of about 3% (but a declining % each year). Many councils have chosen to adjust their BA by corresponding reference to awards made on the local government officer pay scale: recently around 1% pa. – and future awards are likely to be less than 3%. In the light of this differential, and to continue the comparative approach in **Table 4.0**, it is clear that within a few years, the levels of some SRAs at Mendip are likely to be close to, or greater than 29-C comparators, even in the absence of any further review or evaluation of the level of SRAs. **Table 5.0** provides two examples, for illustrative purposes, of this effect: the Leader, and Chairman- Audit. Although illustrative, the effect of the BA adjustment is to reduce the differential between Mendip SRAs and the 29-C group of councils quite markedly by 2020/21. In the case of Chairman-Audit, the difference falls from 38% to 30%, and for the Leader, the change is from 7% to 0.56%.

Table 5.0

	Leader	Ch audit	29-C Leader (av.)	29-C Audit (av.)
2017/18	11189	1998	11971	2771
18/19	11547	2062	12090	2798
19/20	11906	2126	12211	2826
20/21	12264	2190	12333	2854
21/22	12623	2254	12457	2883

6.4 Leader of Council

At 2017/18, the SRA for the Leader is 93% of the average for the 29-C and with a multiplier of 2.8 which compares with 2.63 for 29-C. Table 5.0 above indicates that the ‘structural status quo’ would, by 2021, very nearly eliminate the difference between the Leader’s SRA and the mean for the 29-C.

6.5 Deputy Leader of Council

Col. (i) and (ii) of **Table 4.0** show that the Mendip SRA payment for this role is around 68% of the average for the near-neighbour 29 councils (29-C). The data also suggest that the SRA payment of £4,795 pa is outside a ‘reasonable’ range: only three other councils having an SRA lower than Mendip.

6.6 Cabinet member

The Mendip Cabinet member's SRA is 82% of the 29-C average - around three-quarters of the 29-C councils paid more than £4,795 pa as a Cabinet SRA. The median 29-C payment was £5,700 pa.

6.7 Chairman of Council

Councils offered a wide range of allowance for this role: £500 pa to £9,087 pa with an average of £4,013 pa and median of £3,210 pa. Mendip's payment of £4,396 pa sits comfortably with the 29-C data.

6.8 Chairman – Scrutiny

The 29-C average SRA for this role is £3,797 pa compared with £4,396 pa at Mendip. About 64% of councils are paying less than Mendip for this SRA role.

6.9 Chairman – Planning

The Mendip payment for this position is virtually the same as the 29-C average: £4,396 pa compared with £4,490 pa.

6.10 Chairman – Licensing

The 29-C councils choose to pay an SRA for this post which is very wide-ranging: £600 pa to £5,664 pa, with a mean of £2,798 pa --- with Mendip SRA equal to 86% of the 29-C figure; although the BA multiplier is virtually the same for both.

6.11 Opposition Leader

Of the 29-C, twenty-one councils paid a lump-sum SRA to the Leader of the Opposition rather than a scale of allowance based on the number of councillors in the group. Using the present 'rule', the Leader of the Opposition would receive about £1,500 compared with an average of £2,768 pa of the other twenty-one councils. At this level of remuneration (£1,500), only five of the 29-C sample pay at, or less than, this rate.

6.12 Vice-chair 'general' awards

All 29-C councils generated data on SRA vice-chairs. The range of payments by the 29-C is extensive, ranging from just over £400 pa to almost £5,000 pa, with a median value of £1,057 pa.

6.13 Vice-chair – Scrutiny

Fourteen of the 29-C awarded SRAs to vice-chairman-Scrutiny. The average payment was £1,171 pa with the highest just over £2,000 pa. (A slightly larger sample of councils gives an average figure for this vice-chairmanship of £1,390 pa.)

6.14 Vice-chairman of Council

The SRA for this role is similarly placed to that of the Chairman of Council compared with the 29-C data; Mendip SRA of £1,998 pa compared with £1,443 pa for 29-C. Around two-thirds of sample Councils paying less than Mendip for the vice-chairman role.

The Panel would not necessarily expect a very close relationship between Mendip council decisions about SRAs, and other councils; each council has its own history and judgements. But what might be a matter of concern is whether the comparisons show very striking differences.

6.15 Chairman of Audit

The Mendip SRA payment is 72% of the average for 29-C, with six other councils having a lower payment than Mendip. Although payments made by all the councils are within an 'acceptable' range, as with deputy-Leader, it can be argued that the Mendip SRA payment for this role might reasonably be regarded as low, low but appropriate for this Committee within the Mendip Scheme given the apparent status of the Committee within the Council.

6.16 Chairman of Standards

The present payment of £1,998 pa for this role is about 39% higher than the average for comparable councils; the latter being £1,437 pa. Alternatively, about three-quarters of councils will make an SRA payment less than Mendip. The figure of £1,998 will also be subject to the 'arithmetic enhancement', via the annual adjustment of the BA. The present SRA payment, prima facie, might well be regarded as relatively high.

6.17 Five Councils data

- The Panel has been provided with limited information about the effect of the Five Councils Partnership on matters relevant to the role of the Joint Independent Remuneration Panel. It is, of course, possible for the Panel to speculate about the effects of this new arrangement, both 'up-front' effects and thus temporary, and on-going – having a bearing on the responsibilities and work-load of existing SRA holders.
- The relationship established as the Five Councils Partnership is likely to require new or additional structures that, additionally, may well have a bearing on existing SRAs at Mendip and the nature of the accompanying roles. Purely for illustrative purposes, in the light of this, cols. (vi) to (viii) in **Table 4.0** are provided to describe the SRA average position for the other Partnership councils. Rows 14 to 20 provide two sets of economic data (gross weekly wage rates and % unemployment) for the councils (East Hampshire already shares services with Havant, hence: "six councils"). The six councils are not 'CIPFA near-neighbours' to Mendip. The closest council to Mendip, based on economic criteria, is Vale of White Horse, ranked at 100, with Hart, for example, at 163 as the furthest.
- It has to be recognised that this lack of congruence between Mendip and the other Partnership councils, in the context of the Panel's approach so far, may well indicate that a comparison of SRA payments is invalid.
- The CIPFA 'nearest neighbours' model shows, for example, that using economic criteria to rank the proximity of councils does reveal – when compared with

councils' SRA payments – that the mix of economic criteria seems to represent a proxy for the ability-to-pay a particular level of SRAs for a particular council. (It is interesting, perhaps, to note that although councils assign different *levels* of allowance to particular roles, the data for Mendip in relation to 29-C data suggests that the ranking/hierarchy of roles is very close.)

7 Panel conclusions and recommendations

7.1 As well as undertaking a mid-point review: general assessment of the functioning of the Scheme of Allowances – the Panel was asked to consider two specific areas (see para. 1.3):-

- (a) Review levels of SRA payments because of concerns over comparative levels of current SRAs as compared to peer councils
- (b) Consider recommending the payment of an SRA to the Vice-Chairman of the Scrutiny Board.

7.2 Comparability of SRAs

7.2.1 As indicated by para 6.1 above, the Panel discussed the developing environment at Mendip, derived from the decision to join the Five Councils Partnership. The Panel recognised that this development would probably have significant implications for the structure and function of Mendip District Council. Developing new joint structures within the Partnership as well as new or corresponding adjustments within Mendip District Council, would mean changes in the role and responsibilities of post-holders, and *pari passu*, SRA decisions.

7.2.2 The Panel's conclusion, in the context of the mid-point review, was that the Five Councils Partnership and consequential changes should not be part of the Panel's final consideration on SRA values: the new developments were at a very early stage and Mendip District Council were still exploring and establishing new methods of operating. By the time of the fundamental review in 2019, a clear picture and greater experience would be the case, and correspondingly the Panel at that stage could make more considered and secure assessments and recommendations.

7.2.3 **Table 4.0** and comment on page 7 of the Report provide useful input. For seven out of eleven key posts (including Opposition Leader) the allowances paid by Mendip are less than the average of 29-C councils sample. As a crude measure, for the SRA posts that are less than the 29-C average, the total of single SRA allowances is 82% of the 29-C councils. For the SRAs higher than 29-C, the corresponding figure is 1.17%. Altogether, a case can be made that SRA payments are somewhat lower at Mendip, the broad picture does not suggest an extreme position at Mendip, whereby Mendip SRAs are gravely lower than comparable councils – but, a matter of judgement. However, the ranking of SRA roles at Mendip is remarkably close to the average ranking at 29-C. Almost a casual glance at cols. (ii) and (v) in **Table 4.0** gives a strong indication of this feature of the data. This correlation is, perhaps, not surprising in view of the ready availability of information from different council's as to their policy regarding payment of SRAs to particular functions.

7.2.4 The Panel's view is that Mendip's array of SRA payments is not, *overall*, seriously out of alignment with other comparable councils. Correspondingly, the Panel's recommendations are largely related to adjustments within the Banding scheme, to accommodate modest anomalies. From a statistical point of view, the Panel's recommendations in fact bring the Mendip SRAs closer to the array of SRAs of peer councils; the concern expressed in para 1.3 (a).

7.2.5 The Panel's detailed recommendations are presented in **Tables 6.0 and 7.0** below:

Table 6.0
JIRP PROPOSALS FOR SPECIAL RESPONSIBILITY ALLOWANCES
SRA structure based on the Basic Allowance of £3,996 pa

<u>Band</u>	<u>Post</u>	<u>Amount (£)</u>	<u>Multiplier</u>
1	Leader	11189	2.8
2	Deputy Leader	5994	1.5
3	Cabinet Member (7)	4795	1.2
4	Chairman Council Chairman – main committees (decision-making) Chairman – Scrutiny, Planning	4396	1.1
5	Chairman – smaller committee (decision-making): Licensing Opposition Leader	2398	0.6
6	Vice-chairman committees: Council, Planning, Scrutiny Chairman – advisory committees; Audit, Standards Portfolio Holder assistants	1998	0.5
No band	Other posts: Allowance for Independent Person; Leader of the smaller opposition group(s) with more 5+ members	1175 (1100) ²	0.294
	Co-optees allowances for members of Audit	150 per member 799	0.2

² At the October 2015 review, the Independent Person payment (£1,100) was neither indexed, nor a multiplicand. The new recommendation of a multiplier thus links arithmetically the October 2015 figures with the present Review.

Table 7.0**Comparative assessment of JIRP proposals cf. Mendip and 29-C**

	i	ii	iii	iv	v	vi	vii	viii	ix
Row		Mendip 2017/18	Mendip JIRP proposed	Mendip multiplier 2017/18	Mendip multiplier JIRP	Mendip 2017/18 ÷ N-n 29 councils	Mendip JIRP prop. ÷ N-n 29 councils	N-n 29 Councils	Multiplier N-n 29 Councils
1	Basic	3996	3996			0.88	0.88	4545	
2	Leader	11189	11189	2.8	2.8	0.93	0.93	11971	2.63
3	Dep. Leader	4795	5994	1.2	1.5	0.68	0.85	7050	1.55
4	Cabinet	4795	4795	1.2	1.2	0.82	0.82	5848	1.29
5	Ch. Of Cl.	4396	4396	1.1	1.1	1.1	1.10	4013	0.88
6	v-c Ch. Of Cl.	1998	1998	0.5	0.5	1.38	1.38	1443	0.32
7	Opp. Leader	1500 (estimate)	2398	0.37	0.6	0.54	0.87	2768	0.61
8	Ch. Audit	1998	1998	0.5	0.5	0.72	0.72	2771	0.61
9	Ch. Scrutiny	4396	4396	1.1	1.1	1.16	1.16	3797	0.84
10	Ch. Planning	4396	4396	1.1	1.1	0.98	0.98	4490	0.99
11	Ch. Licensing	2398	2398	0.6	0.6	0.86	0.86	2798	0.62
12	Ch. Standards	1998	1998	0.5	0.5	1.39	1.39	1437	0.32
13	Vice-chairs	1998	1998	0.5	0.5	1.45	1.45	1378	0.3
14	Scrutiny v-chairs		1998		0.5	n/a	1.71	1171	0.26
15	Independent person	1100	1175	0.275	0.294	0.91	0.97	1204	0.26
16	Co-optee(s)	799	799	0.2	0.2	2.5	2.5	320	0.07

8 Recommendations – the detail

8.1 Banding

8.1.1 The Panel recommends minor changes to the Banding in order to accommodate other recommendations dealing with allocation of SRAs to bands. Otherwise, the Panel suggests no major change and in fact the revised Banding structure brings Mendip closer to its peer councils (29-C). The Panel, in discussing and assessing the SRA roles gained much information and insight from contact with officers and councillors at Mendip, alongside the criteria which the Panel believes should accompany the discussion of such assessments.

8.2 Leader of the Council - Band 1

8.2.1 The Panel recognised that the development of Five Councils Partnership was likely to require substantial input from the Leader. However, the Panel would recommend no change in the SRA for reasons already developed in section 7.2 on page 11 of this report. Also, the Panel noted that the present multiplier of 2.8 is higher than the multiplier for 29-C. Nevertheless, the annual increase in the BA would raise the Leader's SRA each year by about £360. (This 'arithmetic enhancement', discussed earlier in para 6.3 applies to all SRA holders.)

8.3 Deputy Leader – Band 2

8.3.1 The Panel, having clarified the detailed role of the Deputy Leader, took the view that this role (aside from carrying a portfolio responsibility) ought to be properly recognised by both a separate Banding and an enhancement of the allowance. The Panel therefore recommends a separate Band 2 for the Deputy Leader and an SRA of £5,994 pa. Such an allowance represents a relatively modest allowance for the Deputy Leader role itself, but by allocating a multiplier of x1.5 this recognised the enhanced role.

8.4 Cabinet Member – Band 3

8.4.1 The Panel noted that two Cabinet members (in addition to the Leader) were present on the Phoenix Board as part of their Cabinet responsibilities. However, the Panel felt that consistency was important and that whether the responsibilities of Cabinet members are changed markedly by new ways of working under the Five Councils Partnership should be part of a discussion in 2019 when pertinent effects of this should be much clearer. At this mid-point review, the Panel has identified no significant changes to the Cabinet Member role and accordingly recommends no change to the SRA level, or multiplier.

8.5 Chairman of Council – Band 4

8.5.1 The Panel has learned of no change in this civic role and, whilst recognising the wide range of payments by other councils, notes that the present payment of £4,396 pa is greater than the average of 29-C. The Panel recommends no change to this SRA level, relative banding, and multiplier.

8.6 Chairmen – main committees - Band 4

8.6.1 Band 4 allocation, as well as the present SRA payments and multiplier, are appropriate recognition of the significant responsibilities of the committee chairmen. The Panel therefore recommends no change in the present SRA allowances arrangements.

8.7 Opposition Leader - Band 5

8.7.1 In line with the Panel's previous observations about this role (page 8) the Panel was firmly of the view that the present SRA arrangement for the Opposition Leader is comparatively out-of-alignment with other councils, and significantly underestimates the role of Opposition Leader, not least the important constitutional role it carries. The median SRA for 29-C is £2,800 pa. The Panel recommends Band 5 with an appropriate SRA status amounting to £2,398 pa. The 'arithmetic enhancement' process will add to the SRA allowance which the Panel regards as entirely appropriate.

8.8 Chairmen – smaller committee – Band 5

8.8.1 The Panel received no information that the role of Chairman in this band had changed, and correspondingly recommends no change in the SRA for Chairman-Licensing. The present allowance is close to the average for 29-C (86%) and thus not seriously out of alignment with comparator councils.

Band 6

8.9 Vice-chairmen (general)

8.9.1 The present SRA for vice-chairmen (£1,998 pa) and a multiplier of 0.5 represents quite a significant difference from the comparator councils, 29-C. For 29-C, the range of payments is substantial: £425 pa - £4,713 pa but with a median figure of £1,057 pa. Of the sample used for assessment (n = 32), twenty-seven councils had lower SRAs. With particular assumptions, the Mendip SRA can be viewed as out-of-alignment and – as a desk-exercise – a case could be made for recommending a reduction of the SRA to about £1,500 pa; although even this reduction would probably still leave Mendip's SRA as out-of-alignment. However, the Panel has noted earlier in the report that in general, councils' decisions about SRAs have to be considered in context (aside from role descriptions) and the view was that these elements in the SRA structure should be left until the fundamental review in 2019.

8.10 Vice-Chairman of Council

8.10.1 The present SRA paid to the vice-chairman of Council is relatively generous: 38% higher than the average for 29-C (£1,443 pa). The Panel was aware that this role can generate fairly substantial out-of-pocket expenses for the post-holder, but that aside, and assessing the role itself, the Panel's view was that the present remuneration is appropriate for the role and should not be changed.

8.11 Vice-Chairman - Scrutiny

8.11.1 The Panel was asked specifically to consider the appropriateness of an SRA payment to the vice-chairman – Scrutiny. The Panel reviewed the up-to-date role descriptions and was satisfied that this role warranted Band 6 placing and a 0.5 multiplier – whilst recognising that decisions of other councils presented a very wide range of allowances for this post – with the average for 29-C placing the role at a lower monetary value and multiplier than that recommended for Mendip.

8.12 Portfolio Holder assistants

8.12.1 In 2016, the Mendip District Council decided to appoint four Portfolio Holder Assistants. The Panel's view, at the time, when considering the validity of an SRA for these roles was that there was uncertainty as to the way these roles would 'work out' in practice, and therefore a provisional ad hoc SRA of £1,000 pa was appropriate. The Council subsequently agreed an allowance of £1500pa. Since the initial appointments, role descriptions and responsibilities have been provided (in the context of the Panel's SRA criteria) and it is clear that in practice, the role is significant and carries considerable responsibility, and substantial work-load. In the light of its review, the Panel's recommendation is for these posts to be recognised both in terms of a specific Banding (Band 6) and thus a raised allowance to £1,998 pa.

8.13 Committee chairmen – advisory committees

8.13.1 Information helpfully provided by the Council put the roles of these committees - Standards and Audit - in perspective in mainly having an advisory role on governance matters. Given that they do not have the formal decision-making responsibilities of committees such as planning and licensing it would seem appropriate to have these in a lower banding even though in the case of the Audit chairman the role is a little undervalued compared to the mean of other councils and in the case of Standards overvalued. In the absence of any obvious changes to the roles of these committees and their chairs, their position in the committee hierarchy at Mendip is clear and the Panel considers at this time that the value should remain unchanged, to be further reviewed in 2019.

No SRA band

8.14 Independent person

8.14.1 The Panel continues to recommend the Independent Person post to be outside the Banding scheme, but to have the benefit of a multiplier to link the allowance to the BA and ensure that the allowance is not devalued as a result of inflation. (The particular multiplier of 0.294 was used in order to have consistency with the position in the report of October 2015.) The average of a small sample (10) of other councils indicates a sum of around £1,200 pa and in view of the importance of the post, the Panel recommends both the multiplier and an SRA of £1,175 pa.

8.15 Co-optees allowance

8.15.1 A reliable external comparator for this particular role is not readily available. The Panel's view was that within the Mendip SRA structure, a payment of £799 pa is quite substantial. This seems particularly so, when compared with, say, the Independent Person. However, the Panel took the view that a recommendation of a radical reduction in the allowance might have adverse consequences in the circumstances, and therefore recommends the present level is maintained, together with including a link to the BA via a multiplier to ensure that the allowances in not devalued as a result of inflation.

8.16 Other opposition group leaders

8.16.1 The Panel has made recommendations about the Opposition Leader earlier in the report (para. 8.7.1) but recognises the likely existence of other opposition groups. The Panel's opinion was the existing scaled arrangement was suitable for the leaders of the smaller opposition groups and £150 per member was comparatively, in alignment, with other councils that used this arrangement. The Panel recommends that it should continue to be a requirement that the group must have a minimum of 5 members for the Leader to qualify for the allowance.

Ian Partington
Chairman – JIRP

Julian Gale
Lead Officer – JIRP
Monitoring Officer –
SCC

29th January 2018

SCHEME OF MEMBERS' ALLOWANCES

2017/18

Mendip District Council

Scheme of Members' Allowances – 2017/18

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 £3996 per annum**, has been approved for 2017/18 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 four 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 Following of the revisions of the Scheme of Members' Allowances in 2015 the Council has adopted multiples of the BA 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.

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 2017/18 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) 2017/18

SRA structure based on the Basic Allowance of £3996 per annum

<u>Band</u>	<u>Post</u>	<u>Amount</u>
1	Leader	11189 (x2.8)
2	Cabinet Member Deputy Leader	7 x 4795 (x1.2)
3	Chairman - Council Chairman – main committee (decision making) Chairman - Scrutiny	(Council, Planning, Scrutiny) 4396 (x1.1)
4	Chair – smaller committee (decision making)	(Licensing) 2398 (x0.6)
5	Vice Chair Committee / Council Chair – advisory committee	(Vice Chair –Planning) (Vice Chair – Council) (Audit, Standards) 1998 (x0.5)
6	Other posts	1500 (Allowance for Portfolio Holder Assistants) 1100 (Allowance for Independent Person) 150 per member (Leader –Opposition Groups with 5+ members) 799 (x0.2) (Co-optees allowance for members of Audit)

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

ANNEX B

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

ANNEX C

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.