



Cabinet
Wednesday, 9th February, 2022 at 10.00 am
in the Assembly Room, Town Hall, Saturday Market
Place, King's Lynn

Reports marked to follow on the Agenda and/or Supplementary Documents

1. **MEMBERS ALLOWANCES INDEPENDENT REVIEW** (Pages 2 - 39)

Contact

Democratic Services
Borough Council of King's Lynn and West Norfolk
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REPORT TO CABINET

| | | | | | |
|---|--------------------------------------|--|---|------------------------------------|----------------------------------|
| Open | | Would any decisions proposed : | | | |
| Any especially affected Wards | Mandatory | (a) Be entirely within Cabinet's powers to decide NO | | | |
| | | (b) Need to be recommendations to Council YES | | | |
| | | (c) Is it a Key Decision YES | | | |
| Lead Member: Cllr A Dickinson E-mail: cllr.Angie.dickinson@west-norfolk.gov.uk | | Other Cabinet Members consulted: ALL | | | |
| | | Other Members consulted: Those that exercised the option to liaise directly and anonymously with the IRP; Members in receipt of Special Responsibility Allowance | | | |
| Lead Officers: Sam Winter, Democratic Services Manager E-mail: sam.winter@west-norfolk.gov.uk Direct Dial: 01553 616327 | | Other Officers consulted: M Drewery, S151 Officer and Assistance Director – Resources Email michelle.drewery@west-norfolk.gov.uk Direct dial 01553 616432 | | | |
| Financial Implications YES | Policy/Personnel Implications YES | Statutory Implications YES | Equality Impact Assessment required NO | Risk Management Implications NO | Environmental Implications No |

Date of meeting: 9 Feb 2022

REPORT OF THE INDEPENDENT REMUNERATION PANEL FOR MEMBERS' ALLOWANCES 2021/22 IN ACCORDANCE WITH THE LOCAL AUTHORITIES (MEMBERS' ALLOWANCES) (ENGLAND) REGULATIONS 2003 (THE REGULATIONS)

Summary

This report introduces the Independent Remuneration Panel (IRP)'s report on the review of Members' Allowances. Cabinet has considered the report and its conclusions can be found in the body of this report.

The IRP's report is appended to this report.

RECOMMENDATIONS:

for Council to consider at its meeting on 23 February 2022:

1. Having considered in detail the recommendations of the IRP, Cabinet considers that there two issues for not making significant changes Members' Allowances for the year commencing 1 April 2021. Firstly, the current financial climate is not propitious for increasing the overall sum paid to Councillors, which is the effect of the IRP's review. Secondly, there have been significant changes to working practices as a result of the pandemic, with Councillors seeing a wholesale change of having to carry out all of their duties from home, with all meetings conducted via online means, i.e. Teams and Zoom. This has resulted in what

might amount to permanent changes to working practices and therefore a review would be better conducted when those revisions have been fully evaluated.

2. Cabinet Members are unanimous in their view that existing allowances should be increased in line with the inflationary increase of the officers' pay award, effective from 1 April 2021.
3. In accordance with the Regulations, Cabinet recommends that allowances for a maximum period of the next 3 years commencing 2022/23 should continue to be indexed in line with the officers' pay award. This is in compliance with the Regulations. An IRP may be called at any time should the need arise or be otherwise appropriate but in any case will be called no later than autumn 2024 to conduct a further review and to report its findings in sufficient time to allow a revised scheme to be approved by Council, in accordance with the regulations, to come into effect on 1 April 2025.
4. Subject to receiving Council approval, the pecuniary implications to be paid in the current financial year.

Reason for Decision

To comply with the requirements of the The Local Authorities (Members' Allowances) (England) Regulations 2003.

1 THE INDEPENDENT PANEL

All local authorities must have regard to the recommendations of their Independent Remuneration Panel before making decisions on the Members' Allowances Scheme.

The Independent Panel for the current review is made up of the following members:

- Mark Palmer, South East Employers Organisation
- David Dixon, Independent/ Media Representative
- Mike Press, Independent/ Community Representative

2 MEMBERS' ALLOWANCES SCHEME

The Council operates a Members' Allowances Scheme which is updated in accordance with The Regulations. A revised Scheme is attached at Appendix A.

3 FINANCIAL IMPLICATIONS

The table of allowances is attached at Appendix B. The budget for Members' Allowances includes an inflationary increase in line with the officers' pay award and therefore the changes recommended to individual allowances and to allowances overall can be wholly contained within that budget provision.

The Panel made a number of recommendations for changes but as alluded to earlier in this report, Cabinet Members consider it inappropriate to make significant changes in the current financial climate. The provision for increases in line with the officers' pay award are modest, despite the current position of soaring inflation.

The Allowances and other provisions included in the detailed scheme at Appendix A are summarised as follows:

- Basic Allowance payable to each councillor. This includes an element to assist with the cost of ICT issues such as broadband, printing and furniture and equipment that councillors consider essential to their working from home;
- Special Responsibility Allowances (SRA) for specific roles on Council bodies such as Chairs/Vice Chairs of various Panels and Boards, Cabinet Members and Opposition Leaders, etc. A full list of proposed SRAs together with Basic Allowance is attached at Appendix B;
- Travelling and Subsistence Allowances will be paid to councillors at the same rates as are paid to officers. Mileage rates for use of their own car will be at the rate recommended by HMRC in order to avoid an unnecessary tax liability. Other expenses in this category must have been incurred and be supported by a receipt, or other evidence, wherever possible;
- Dependant Carers' Allowances will be paid where care is required for one or more of a councillor's dependants, where an expense has been incurred. Limits on these allowances is also included at Appendix B;
- Parental Leave is not covered by The Regulations however, the IRP considers that advice from various regulatory bodies recommends that Councils should make provision for Parental Leave. It is Cabinet's view that the existing rules for leave of absence without suffering any loss of Allowance is sufficient for most cases, and that any exceptional cases, i.e. of a period greater than 6 months should be at the discretion of the Leader.

Revocation of the current scheme of allowances/implementation of the new scheme

The current scheme of allowances shall be deemed to have commenced on 1 April 2021 at which time the previous Scheme shall be deemed to have been revoked.

4 STATUTORY CONSIDERATIONS

It is a statutory requirement for the Council to have regard to the comments and recommendations of the IRP prior to setting its Allowances for the year. To that end the formal report of the IRP is attached at Appendix C.

5 BACKGROUND PAPERS

Appendices to the formal IRP report to support the IRPs findings, e.g. comparative data, consultee information, published statistics on earnings, etc.

APPENDIX A

Borough Council of
**King's Lynn &
West Norfolk**



Borough Council of King's Lynn & West Norfolk

Members' Allowances Scheme

2021/22

MEMBERS' ALLOWANCES SCHEME

The Borough Council of King's Lynn and West Norfolk, in exercise of the powers conferred by the Local Authorities (Members' Allowances (England)) Regulations 2003, makes the following scheme:

1. The Scheme

This Scheme, which is called the Borough Council of King's Lynn and West Norfolk Members' Allowances Scheme, was originally adopted commencing on 23 October 2003 and was approved for subsequent years.

2. In this Scheme

"Councillor" means an elected member of the Borough Council of King's Lynn and West Norfolk.

3. Basic Allowance

Subject to paragraph 9, which deals with part year entitlements, a Basic Allowance will be paid in instalments to each Councillor each year. The current rate is shown in Appendix A.

If a member is suspended or partially suspended from responsibilities or duties as a member of the Council in accordance with Part III of the Local Government Act 2000, or regulations made under that Part, the part of basic allowance payable in respect of the period for which the member is suspended or partially suspended will be withheld.

4. ICT Allowance

An ICT Allowance (current rate shown at Appendix A) is paid, in the same way and as a supplement to Basic Allowance, as a contribution towards costs Councillors may incur for the provision of home office facilities. Items covered might be broadband, mobile data, a printer plus ink and paper, etc. Each Councillor has the option to decide how best to spend this allowance

5. Special Responsibility Allowances

Each year a Special Responsibility Allowance will be paid to those Councillors who hold the special responsibilities that are specified in Appendix A.

Subject to paragraph 9, the amount of each allowance will be the amount specified in Appendix A.

A Councillor is only eligible to receive one Special Responsibility Allowance.

If a member is suspended or partially suspended from responsibilities or duties as a Member of the Council in accordance with Part III of the Local Government Act 2002, or regulations made under that Part, the Part of special responsibility allowance payable in respect of the responsibilities or duties from which the Member is suspended or partially suspended will be withheld.

6. Carers Allowance

A carers allowance will be paid towards the cost of care of dependent relatives (be they children, elderly people or people with disabilities). The amounts that can be claimed must reflect the sum incurred in employing a carer to enable a Councillor to carry out their Council work. The maximum claim levels are shown in Appendix B. All claims must be accompanied by evidence that the amount claimed has been incurred in employing a carer. A carer will be any responsible adult. Medical evidence must be provided for the need to pay the higher rate of allowance.

7. Co-Opted Members

Co-opted members are entitled to claim travelling, subsistence and carers allowances at the rates set out within this Scheme. A Co-optees Allowance is payable as determined by the Council. Any such allowances are shown in Appendix A.

8. Renunciation

A Councillor may elect to forego any part or all of their entitlement to an allowance under this Scheme by notifying the Democratic Services Manager in writing.

9. Part-year entitlements

If, during the course of a year:

- this Scheme is amended;
- or the amount payable is changed;
- or a Councillor becomes, or ceases to be, a Councillor;
- or a Councillor accepts or relinquishes a special responsibility for which a Special Responsibility Allowance is payable

entitlement to allowances will be calculated pro-rata **in accordance with the Regulations**, i.e. by reference to the number of days in the year in question. A year, for the purposes of this scheme, commences on 1 April.

10. Travel Allowance

This allowance is intended to reimburse expenditure necessarily incurred on all journeys undertaken on approved duties as set out in Appendix B. Mileage allowances will be those recommended by the Inland Revenue.

A journey for these purposes will start and end at a Councillor's permanent place of residence, usually the one that was used to demonstrate that the Councillor qualified to stand as a candidate. This may be amended if a Councillor makes a permanent move within the Borough. Should the Councillor make a permanent move to a place outside the Borough he/she may only claim from the nearest Borough boundary to the location of the approved duty unless it results in a shorter journey, for example where the approved duty is located outside the Borough boundary. A Councillor may not claim from a location other than their home address unless it results in a shorter journey.

Private Vehicles

Where travel is by car, motorcycle or bicycle an allowance is payable and the conditions applying are as follows:

- (a) a passenger supplement for official passengers is paid per passenger per mile, up to a maximum of 4 passengers;
- (b) Councillors will be responsible for ensuring that they have adequate insurance cover for business use and otherwise ensure that they have an appropriate licence to drive, that their vehicle has a current MOT and that vehicle tax has been paid at the time any journey is undertaken;
- (c) the rates payable are shown in Appendix B.

Hired Motor Vehicles (Taxi Cab)

The actual fee and any reasonable gratuity, will be paid in cases of urgency or where no convenient public service is available. Otherwise an allowance not exceeding the amount of the fare for travel by appropriate public service transport will be paid.

Hired Motor Vehicle (other than a Taxi Cab)

The actual cost of hiring for the period of Council duty will be paid.

Motorcycle

Travel by motorcycle will be reimbursed at the rate set out in Appendix B.

Bicycle

Travel by bicycle will be reimbursed at the rate set out in Appendix B.

Public Service Transport

By Bus

Actual fares paid will be reimbursed.

By Rail

Councillors should take advantage of low fares where possible but in any case standard class fare or actual fare paid (if less) will be reimbursed. Reimbursement of first class fare will be paid only where it is clearly in the Council's interest for a Councillor to travel first class and approval has been given in advance by the Chief Executive. Councillors may choose to travel first class travel at their own expense.

Councillors who are eligible to hold a Senior Citizens Rail Card and **regularly** travel by rail on formal Council business can purchase them specifically by prior agreement with the Democratic Services Manager and be reimbursed by the Council through the expenses claim mechanism.

Appropriate supplementary expenditure will be reimbursed such as seat reservation or a day ticket for travel on TfL London Underground

Air Travel

Subject to the prior agreement of the Chief Executive that the saving in time justifies payment of the fare for travel by air, there may be paid an amount not exceeding:-

the ordinary fare or any available cheap fare for travel by regular air service, or

in case of urgency, the fare actually paid by the Councillor.

If a member is suspended or partially suspended from responsibilities or duties as a member of the Council in accordance with Part III of the Local Government Act 2000, any travelling and subsistence allowance payable in respect of the responsibilities or duties from which the member is suspended or partially suspended will be withheld.

11. Subsistence Allowance

Subsistence allowances will be payable in connection with the carrying out of approved duties as set out in Appendix B and will be the same as, and linked to, the rates for officers. Allowances are only payable if expenditure has been incurred and any claim for subsistence must be supported by a receipt wherever possible. The circumstances in which this allowance is payable are as follows :

Meal Allowances

Breakfast Allowance - absence over 4 hours before 11.00am

Lunch Allowance - absence over 4 hours including lunch period between 12 noon and 2.00pm

Tea Allowance - absence over 4 hours including period 3.00pm to 6.00pm

Evening Meal Allowance - absence over 4 hours ending after 7.00pm.

Meals on Trains

When there is normal entitlement, as above, for day subsistence, the cost of main meals (i.e. breakfast, lunch, tea, dinner) taken on trains will be reimbursed. In such circumstances this reimbursement will replace the maximum entitlement to the day subsistence allowance for the appropriate meal provided receipts are submitted.

General

The time elapsed should be calculated on a "door to door" basis, but time spent on non-council business must be deducted.

Where a Councillor is provided with a meal the appropriate meal allowances cannot be claimed.

12. Duties performed for more than one body

A Councillor who is both a Borough Councillor and a Member of another local authority or public body may claim allowances from both authorities should he or she undertake two separate duties, one for each authority, on the same day. A member of the Borough Council who is also a member of another authority may not however claim from both authorities for undertaking the same duty. Councillors must take particular care to avoid duplication or overlap of claims for travelling and subsistence. Claims for duties undertaken for other Councils or public bodies should be sent to the Authority concerned and not included in claims on the Borough Council.

13. Official and Courtesy Visits

Provided they have been approved by the appropriate Council Body, official and courtesy visits by Councillors are eligible for travelling and subsistence claims at the rates set out in Appendix B if the journey is within the United Kingdom. If outside the United Kingdom, the travelling and subsistence expenses are limited to those which are reasonable in each circumstance.

14. Prior Approval

The appointment of a Councillor to a Panel, Committee, Sub-Committee or Working Group, etc, or as a representative of the Council on other bodies is deemed to satisfy the need for prior approval before a claim can be submitted.

15. Claims and Payments

A claim for travel, subsistence and carers allowances under this Scheme should be made each month, but in any event not less than quarterly. Councillors will be advised of the deadline for each month's payment and **Claims must be received by 12 noon on the day of the month so indicated** in order to be paid in that month .

Councillors who fail to submit a claim within 3 months of carrying out the duty or incurring the expense, and who have mitigating circumstances for not doing so, must submit their reason to the Chief Executive, who will consider whether the claim will be paid.

The basic and special responsibility allowances will be paid monthly in instalments of one-twelfth or the amount specified in this Scheme. Part year calculations, for example resulting from a change in office holder, will be adjusted for in the earliest payment(s) following the change. Allowances will not be withheld for any reason, for example if a change takes place too late to be adjusted for in that month's payment it will be adjusted for in the following month or months, depending on the amount of the adjustment.

Where a Councillor ceases to hold office any overpayment of allowances will be sought by alternative methods **except in the case of death in office**, in which case no claim for overpayment of allowances will be made on the deceased's estate.

If claims are made erroneously they will be amended by the Democratic Services Manager, and the Councillor concerned will be informed.

If a Councillor has been inadvertently overpaid under the terms of this Scheme, that Councillor will be advised of the situation and arrangements will be made for the recovery of the overpayment.

Claims for reimbursement of expenses incurred, including mileage, must be accompanied by a VAT receipt.

Councillors are reminded that responsibility for the accuracy and propriety of claims rests with the individual Councillor making the claim. The Council's Section 151 Officer reserves the right to audit Councillors' claims.

16. Records

A record will be kept of the payments made by the Council in accordance with this Scheme. The record will specify the name of the recipient and the amount and nature of each payment. This record will be available at all reasonable times for inspection (free of charge) by any local government elector for the Borough. The Scheme, together with current rates for each allowance, and amounts paid to each Councillor under the Scheme will be published on the Council's website. All such payments will be published annually and in the case of Travel, Subsistence and Carers' Allowances will be published monthly. The record will be supplied in to any person who requests such a copy and who pays such reasonable fees as the Council may determine.

17. Income Tax and Social Security Provisions

All fixed allowances, i.e. those that do not rely on expenditure being incurred, are classed as a taxable emolument for PAYE purposes and income tax and National Insurance contributions will be deducted as appropriate. Other allowances such as mileage are set within sums advised by HMRC as not liable to tax. In the case of Subsistence and Carers' Allowances, these are paid as reimbursement of sums incurred whilst wholly, necessarily and exclusively engaged on Council business.

ALLOWANCES FOR THE YEAR COMMENCING 1 APRIL 2021

| ALLOWANCE | AMOUNT P.A. |
|--|------------------------|
| ALLOWANCES PAID TO ALL COUNCILLORS | |
| Basic Allowance | £6,162 |
| ICT Allowance | £168 |
| SPECIAL RESPONSIBILITY ALLOWANCES | |
| <u>Leader of Council and Chairman of Cabinet</u> | £16,939 |
| Deputy Leader | £9,316 |
| Cabinet Members | £7,621 |
| <u>3 Policy and Review Panels & Audit Committee</u> | |
| Chair | £2,370 |
| Vice Chair | £950 |
| <u>Planning Committee</u> | |
| Chair | £6,175 |
| Vice Chair | £2,697 |
| <u>Licensing and Appeals Board and Licensing Committee</u> | |
| Chair | £2,787 |
| Vice Chair | £1,215 |
| <u>Standards Committee</u> | |
| Chair | £847 |
| Vice Chair | £339 |
| Co-Optee | £220 |
| Mayor | £6,404 |
| Deputy Mayor | £2,241 |
| Larger Opposition Group Leader | £847 |
| Larger Opposition Group Deputy Leader | £375 |
| Other Opposition Group Leader(s) | £507 |
| Other Opposition Group Deputy Leader(s) | £233 |
| Chairman of King's Lynn Area Consultative Committee | £309 |

APPROVED DUTIES FOR THE PURPOSE OF TRAVEL, SUBSISTENCE AND CARERS' ALLOWANCES

Allowances are only paid in respect of approved duties. Certain approved duties are set out in the statutes, and others specified by the Council. The relevant allowance for travelling, subsistence and carers allowance are payable for the following duties:

- (i) meetings of the Council
- (ii) meetings of the Cabinet of the Council
- (iii) meetings of any Scrutiny Groups and other formally constituted Bodies of the Council
- (iv) any other meeting the holding of which is authorised by the Council or the Cabinet or other formally constituted Body of the Council, provided that one or more minority party Members have been invited
- (v) meetings of bodies of which the Council is a member, a funder or a subscriber, and on which the Member is the nominated representative of the Council
- (vi) conferences, seminars or meetings approved by the appropriate Council Body or Board and open to all Members, the prime purpose of which is either to discuss matters relating to the interests and functions of the Council or inhabitants of the Borough, or to assist Members to understand and carry out their duties more effectively
- (vii) organised official visits within or outside the Borough, as approved in advance by the relevant Council Body, including deputations to government departments and meetings with MPs on Council business
- (viii) sifting meetings and site visits by Chairs and Vice Chairs in connection with agenda business and tender opening
- (ix) meetings of senior officers to which a Member is invited to deal with Council business

Travel (as per HMRC figures to be found on gov.uk)

| | |
|---|---|
| Private Vehicles | 45p per mile (0 - 10,000 miles, 25p thereafter) |
| Plus for every passenger (max 4) for whom a travel allowance would be payable | 5p per mile |
| Public Transport | Actual cost not exceeding first class fare |
| Motor Bike | 24p per mile |
| Bicycle | 20p per mile |

Maximum Subsistence Allowance for absence exceeding 4 hours from normal place of residence

| | |
|---------------------------------|--------|
| Breakfast ending before 11.00am | £6.72 |
| Lunch, including Noon - 2.00pm | £9.28 |
| Tea, including 3.00pm - 6.00pm | £3.67 |
| Dinner ending after 7.00pm | £11.49 |

Dependant Carers' Allowance – Reimbursement of actual cost to a maximum of the living wage hourly rate per hour for childcare, £8.91 rising to £9.50 from 1 Apr 2022.
Up to £30.00 per hour for qualified Agency Care.

MEMBERS' ALLOWANCES – Income Tax and National Insurance Aspects

The amount of personal allowance and the bands that determine which rate is payable for tax purposes, and the rates of National Insurance contributions payable, varies in each tax year and Councillors are recommended to use gov.uk for this data, not least because there are too many variables to cover in this document. The rules for income tax are applied to the year that income was earned, not when it was paid, whereas National Insurance is due at whatever rate prevails at the time of payment.

Income Tax

Basic, Special Responsibility, Carers and ICT Allowances are classified as taxable emoluments under PAYE arrangements. Tax relief can be obtained for expenses incurred in the performance of the duties of a Borough Councillor to the extent that they are not specifically reimbursed. Councillors must liaise direct with HMRC in this regard.

Generally, expenditure incurred by Councillors in the course of their duties must have been wholly, necessarily and exclusively incurred and be supported by receipts however HMRC may consider partial tax relief for such things as household expenses because a Councillor's home is also his/her place of work.

It is up to each Councillor to negotiate any tax relief with HMRC as circumstances will vary person to person.

Income Tax will be deducted from Basic, Special Responsibility and Carers' Allowances at the rate as instructed by HMRC by way of issuing a tax code.

Councillors should bear in mind that there is no hard and fast rule for how much tax is payable as the amount due is determined by personal circumstances. HMRC will aggregate all taxable earnings and usually apply a personal allowance of tax free earnings to the main source. For example, a Councillor in other full time employment will be entitled to an annual tax free sum (personal allowance) which will be applied to those earnings. Councillor allowances will then be taxed in full at the standard or higher rate of tax, as appropriate.

Any enquiries relating to tax relief or any other tax query should be addressed to :

Pay As You Earn
HM Revenue & Customs
BX9 1AS
United Kingdom
Telephone number: 0300 2003300

This is a national call centre. Councillors in receipt of other taxable income such as a salary from their main place of work, a private pension or income from other sources are advised to have to hand their various HMRC reference or include them with any correspondence. The Council's reference is 531/W789

National Insurance

Basic, Special Responsibility and Carers Allowances also come within the definition of remuneration for National Insurance purposes. There are several defined limits relating to National Insurance below or above which no contributions are due. Payment of National

Insurance during a qualifying period also determines whether a Councillor qualifies for a variety of Statutory allowances such as Sick Pay and Maternity Pay. Where a Councillor does not qualify for such allowances there may still be other benefits that can be claimed.

Councillors in receipt of the state pension are not liable to pay National Insurance contributions. An exemption certificate or proof of age may be required to ensure such exemption is effected.

National Insurance contributions are due on each qualifying employment. Where payment in one or more employments is greater than the Upper Earnings Limit, i.e the maximum amount on which National Insurance contributions is payable, a dispensation may be applied for by contacting HMRC so that the total amount of National Insurance contributions does not exceed the maximum that would have been payable if there was just one employment.

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**The report of the Independent Remuneration Panel  
appointed to review the allowances paid to Councillors  
of the Borough Council of King's Lynn & West Norfolk**

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October 2021

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1. INTRODUCTION AND BACKGROUND

- 1.1.1 The Local Authorities (Members' Allowances) (England) Regulations 2003 ("the 2003 Regulations"), as amended, require all local authorities to appoint an independent remuneration panel (IRP) to advise on the terms and conditions of their scheme of councillors' allowances.
- 1.1.2 The Borough Council of King's Lynn and West Norfolk formally appointed the following persons to undertake this process and make recommendations on its future scheme.

David Dixon– Local resident and former Publishing Director of East Midlands Newspapers
Mike Press- Local resident and Governor at Queen Elizabeth Hospital King's Lynn
Mark Palmer – Development Director, South East Employers (Chair)

- 1.1.3 Our terms of reference were in accordance with the requirements of the 2003 Regulations, together with "Guidance on Consolidated Regulations for Local Authority Allowances" issued jointly by the former Office of the Deputy Prime Minister and the Inland Revenue (July 2003). Those requirements are to make recommendations to the Council as to:

- (a) the amount of basic allowance to be payable to all councillors;
 - (b) the level of allowances and whether allowances should be payable for:
 - (i) special responsibility allowances;
 - (ii) travelling and subsistence allowance;
 - (iii) dependants' carers' allowance;
 - (iv) parental leave and.
 - (v) co-optees' allowance.
- and the amount of such allowances.
- (c) whether payment of allowances may be backdated if the scheme is amended at any time to affect an allowance payable for the year in which the amendment is made.
 - (d) whether adjustments to the level of allowances may be determined according to an index and if so which index and how long that index should apply, subject to a maximum of four years before its application is reviewed.

2. CURRENT SCHEME

- 2.1.1 The last review of councillors' allowances was undertaken by the IRP in December 2015 and the current scheme came into effect from May 2016 after the Annual Council Meeting.
- 2.1.2 The Scheme currently provides that all councillors are each entitled to a total basic allowance of £6,012 per annum, with effect from April 2021. In addition, some councillors receive special responsibility allowances for undertaking additional duties.

- 2.1.3 Councillors may also claim the cost of travel and subsistence expenses and for expenditure on the care of children or dependants whilst on approved duties.

3. PRINCIPLES UNDERPINNING OUR REVIEW

3.1 The Public Service Principle

- 3.1.1 This is the principle that an important part of being a councillor is the desire to serve the public and, therefore, not all of what a councillor does should be remunerated. Part of a councillor's time should be given voluntarily. The consolidated guidance notes the importance of this principle when arriving at the recommended basic allowance.¹ Moreover, we found that a public service concept or ethos was articulated and supported by all the councillors we interviewed and in the responses to the questionnaire completed by councillors as part of our review.
- 3.1.2 The principle of public service had not been formally recognised in the last review. However, to provide transparency and increase an understanding of the Panel's work, we will recommend the application of an explicit Public Service Discount (or PSD). Such a PSD is applied to the time input necessary to fulfil the role of a councillor. Further explanation of the PSD to be applied is given below in section 4.

3.2 The Fair Remuneration Principle

- 3.2.1 Alongside the belief that the role of the elected Councillor should, in part, be viewed as unpaid voluntary service, we advocate a principle of fair remuneration. The Panel in 2021 continues to subscribe to the view promoted by the independent Councillors' Commission:

Remuneration should not be an incentive for service as a councillor. Nor should lack of remuneration be a barrier. The basic allowance should encourage people from a wide range of backgrounds and with a wide range of skills to serve as local councillors. Those who participate in and contribute to the democratic process should not suffer unreasonable financial disadvantage as a result of doing so.²

- 3.2.2 We are keen to ensure that our recommended scheme of allowances provides reasonable financial compensation for councillors. Equally, the scheme should be fair, transparent, logical, simple, and seen as such.
- 3.2.3 Hence, we continue to acknowledge that:
- (i) allowances should apply to roles within the Council, not individual councillors;
 - (ii) allowances should represent reasonable *compensation* to councillors for expenses they incur and time they commit in relation to their role, not *payment* for their work; and

¹ The former Office of Deputy Prime Minister – now the Department for Communities, Housing and Local Government, and Inland Revenue, *New Council Constitutions: Guidance on Consolidated Regulations for Local Authority Allowances*, London: TSO, July 2003, paragraph 68.

² Rodney Brooke and Declan Hall, *Members' Remuneration: Models, Issues, Incentives and Barriers*. London: Communities and Local Government, 2007, p.3.

- (iii) special responsibility allowances are used to recognise the *significant* additional responsibilities which attach to some roles, not merely the extra time required.

3.2.4 In making our recommendations, we have therefore sought to maintain a balance between:

- (i) the voluntary quality of a councillor's role;
- (ii) the need for appropriate financial recognition for the expenses incurred and time spent by councillors in fulfilling their roles; and
- (iii) the overall need to ensure that the scheme of allowances is neither an incentive nor a barrier to service as a councillor.

3.2.5 The Panel is also keen to ensure that the scheme of allowances is understandable in the way it is calculated. This includes ensuring the bandings and differentials of the allowances are as transparent as possible.

3.2.6 In making our recommendations, we wish to emphasise that any possible negative impact they may have is not intended and should not be interpreted as a reflection on any individual councillor's performance in the role.

4. CONSIDERATIONS AND RECOMMENDATIONS

4.1 Basic Allowance

4.1.1 A Council's scheme of allowances must include provision for a basic allowance, payable at an equal flat rate to all councillors. The guidance on arriving at the basic allowance states, "Having established what local councillors do, and the hours which are devoted to these tasks the local authorities will need to take a view on the rate at which, and the number of hours for which, councillors ought to be remunerated."³

4.1.2 In addition to the regular cycles of Council and committee meetings, a number of working groups involving councillors may operate. Many councillors are also appointed by the Council to a number of external organisations.

4.1.3 We recognise that councillors are responsible to their electorate as:

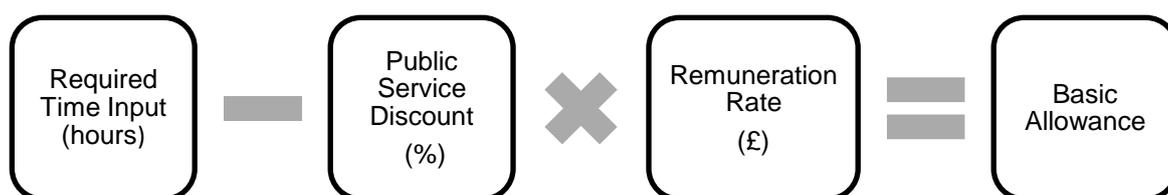
- Representatives of a particular ward;
- Community leaders;
- Decision makers for the whole Council area;
- Policy makers for future activities of the Council;
- Scrutineers and auditors of the work of the Council; and
- Regulators of planning, licensing and other matters required by Government.

4.1.4 The guidance identifies the issues and factors an IRP should have regard to when making a scheme of allowances.⁴ For the basic allowance we considered three

³ The former Office of Deputy Prime Minister – now the Department for Housing, Communities and Local Government, and Inland Revenue, *New Council Constitutions: Guidance on Consolidated Regulations for Local Authority Allowances*, London: TSO, July 2003, paragraph 67.

⁴ The former Office of Deputy Prime Minister – now the Department for Communities and Local Government, and Inland Revenue, *New Council Constitutions: Guidance on Consolidated Regulations for Local Authority Allowances*, London: TSO, July 2003, paragraphs 66-81.

variables in our calculation: the time required to execute the role effectively; the public service discount; and the rate for remuneration.



4.1.5 Each of the variables is explained below.

Required Time Input

4.1.6 We ascertained the average number of hours necessary per week to undertake the role of a councillor (with no special responsibilities) from questionnaires and interviews with councillors and through reference to the relevant Councillor Role Profiles. In addition, we considered information about the number, range, and frequency of committee meetings.⁵

4.1.7 Discounting attendance at political meetings (which we judged to be centred upon internal political management), we find that the average time commitment required to execute the role of a councillor with no special responsibilities is **11** hours per week.

Public Service Discount (PSD)

4.1.8 From the information analysed, we found councillors espoused a high sense of public duty. Given the weight of evidence presented to us concerning, among other factors, the levels of responsibility, the varied nature of the role, the need for learning and development, and the increasing accessibility and expectations of the public, we recommend a Public Service Discount of **20 per cent** to the calculation of the basic allowance. This percentage sits within the lower range of PSDs applied to basic allowances by councils.

Remuneration Rate

4.1.9 After establishing the expected time input to be remunerated, we considered a remuneration rate. We came to a judgement about the rate at which the councillors ought to be remunerated for the work they do.

4.1.10 To help identify an hourly rate for calculating allowances, we utilised relevant statistics about the local labour market published by the Office for National Statistics. We selected the average (median), full-time gross⁶ wage per hour for the Local Authority area of King's Lynn and West Norfolk **£13.85**⁷

⁵ The summary responses to the questionnaires are available on request.

⁶ The basic allowance, special responsibility allowance, dependants' carers' allowance, and co-optees' allowance are taxable as employment income.

⁷ The Nomis official labour market statistics: Hourly Pay – Gross median (£) For full-time employee jobs by place of residence: UK December 2020.

Calculating the basic allowance

4.1.11 After determining the amount of time required each week to fulfil the role (11 hours), the level of PSD to be applied (20%) and the hourly rate to be used (£13.85), we calculated the basic allowance as follows:



4.1.12 The gross Basic Allowance before the PSD is applied is **£7,922.20**. Following the application of the PSD this leads to a basic allowance of **£6337.76** per annum.

4.1.13 This amount is intended to recognise the overall contribution made by councillors, including their work on council bodies, and ward work and attendance on external bodies.

4.1.14 We did also note the levels of basic allowance currently allocated by other Norfolk district/borough councils (see table below and Appendix 3).

| Council | Norfolk district/borough Councils: Basic Allowances (£) 2021 |
|---|--|
| Broadland District Council | 4,962 |
| Great Yarmouth Borough Council | 4,869 |
| King's Lynn & West Norfolk Borough Council | 6,012 |
| North Norfolk District Council | 5,578 |
| Norwich City Council | 6,687 |
| South Norfolk District Council | 4,963 |
| Average | 5,512 |

4.1.15 The Panel wished to ensure the level of basic allowance does not constitute a barrier to candidates from all sections of the community standing, or re-standing, for election as councillors and was also mindful of the Council's financial constraints. The Panel was of the view that this review has begun to make recommendations to ensure that the current basic is in accordance with the principle of fair remuneration.

WE THEREFORE RECOMMEND that the Basic Allowance payable to all members of King's Lynn and West Norfolk Borough Council be £6,338 per annum.

4.2 Special Responsibility Allowances (SRAs)

4.2.1 Special Responsibility Allowances are awarded to councillors who perform significant additional responsibilities over and above the roles and expenses covered by the basic allowance. These special responsibilities must be related to the discharge of the council's functions.

4.2.2 The 2003 Regulations do not limit the number of SRAs which may be paid, nor do they prohibit the payment of more than one SRA to any one councillor. They do require that an SRA be paid to at least one councillor who is not a member of the controlling group of the Council. As the guidance suggests, if the majority of councillors receive an SRA, the local electorate may rightly question the justification for this.⁸

4.2.3 We conclude from the evidence we have considered that the following offices bear *significant* additional responsibilities:

- Leader of the Council and Chair of the Cabinet
- Vice Chair of Cabinet
- Cabinet Members (6)
- Chairmen of Policy and Review Panels (4)
- Vice Chairmen of Policy and Review Panels (4)
- Chair of Planning Committee
- Vice Chair of Planning Committee
- Chair of Licensing and Appeals Board and Licensing Committee
- Vice Chair of Licensing and Appeals Board and Licensing Committee
- Chair of Standards Committee
- Vice Chair of Standards Committee
- Co-Optee
- Mayor
- Deputy Mayor
- Larger Opposition Group Leader
- Other Opposition Group Leader (s)
- Chair of King's Lynn Area Committee

One SRA Only Rule

4.2.4 To improve the transparency of the scheme of allowances, we feel that no councillor should be entitled to receive at any time more than **one SRA**. If a councillor can receive more than one SRA, then the public are unable to ascertain the actual level of remuneration for an individual councillor from a reading of the Scheme of Allowances.

4.2.5 Moreover, the One SRA Only Rule avoids the possible anomaly of the Leader receiving a lower allowance than another councillor. If two or more allowances are applicable to a councillor, then the higher-valued allowance would be received. The One SRA Only Rule is common practice for many councils. Our calculations for the SRAs are based on this principle, which should be highlighted:

⁸ The former Office of Deputy Prime Minister – now the Department for Housing Communities and Local Government, and Inland Revenue, *New Council Constitutions: Guidance on Consolidated Regulations for Local Authority Allowances*, London: TSO, July 2003, paragraph 72.

WE THEREFORE RECOMMEND that that no councillor shall be entitled to receive at any time more than one Special Responsibility Allowance and that this One SRA Only Rule be re-adopted into the new Scheme of Allowances.

The Maximum Number of SRA's Payable

- 4.2.6 In accordance with the 2006 Statutory Guidance (paragraph 72) the Panel is of the view that the Council should adhere to the principal that no more than 50% of Council Members (28) should receive an SRA at any one time.

WE THEREFORE RECOMMEND that the Council should adhere to a maximum number of SRA's payable at any one time that does not exceed 50% of Council Members (28 Members).

Calculating SRAs

- 4.2.7 The Panel supported a criteria and formula for calculating the Leader of the Council allowance based on a multiplier of the Basic Allowance, this role carries the most significant additional responsibilities and is the most time consuming.
- 4.2.8 We applied a multiplier of the basic allowance to establish the Leader's SRA. Other SRAs are then valued downwards as a percentage of the Leader's allowance. This approach has the advantage that, when future adjustments to the SRAs are required, changing the Leader's SRA will have a proportionate and easily calculable effect on the other SRAs within the scheme.

We grouped together in Tiers those roles that we judged to have a similar level of responsibility.

- 4.2.4 The rationale for these tiers of responsibility is discussed below.

Leader of Council and Chair of Cabinet (Tier One)

- 4.2.9 The Council elects a Leader who is ultimately responsible for the discharge of all executive functions of the Council. The Leader is the principal policy maker and has personal authority to determine delegated powers to the rest of the Cabinet. The Leader is also responsible for the appointment (and dismissal) of members of the Cabinet and their respective areas of responsibility.
- 4.2.10 The multiplier we applied to calculate the Leader's SRA is 275% (2.75 x times) the basic allowance. If the recommended option of a basic allowance with a PSD of 20% is adopted, this results in a Leader's Allowance of £17,430.

WE RECOMMEND that the Leader of the Council and Chair of Cabinet continue to receive a Special Responsibility Allowance of 275% of the basic allowance, £17,430.

Vice Chair of Cabinet (Tier Two)

- 4.2.11 The Vice Chair of Cabinet (Deputy Leader) usually acts on the Leader's behalf in their absence. From the information we gathered, we continue to consider this additional responsibility should be reflected in the level of allowance. Therefore, we recommend the Vice Chair's SRA be set at 55% of the Leader's SRA. If our recommendations concerning the basic allowance and the Leader's SRA are adopted, this results in an allowance of £9,587.

WE RECOMMEND that the Vice Chair of Cabinet receive a Special Responsibility Allowance of 55% of the Leader's Allowance, £9,587.

Cabinet Members (Tier Three)

4.2.12 From the evidence gathered, including questionnaire response and the face-to-face interviews, we consider the members of the Cabinet should receive an allowance of £7,844, 45% of the Leader's Allowance.

4.2.13 Evidence from the interviews we undertook with councillors, underlines the responsibility of the members of the Cabinet for many of the Council's functions. Members of the Cabinet hold considerable responsibility for their respective portfolios. In addition, we found the time commitment for the role to be both significant and growing.

WE RECOMMEND that Cabinet Members receive a Special Responsibility Allowance of 45% of the Leader, £7,844.

Mayor (Tier Four)

4.2.14 The Panel was of the view that the Mayor's role in the light of representations regarding the contribution of the role to the Council propose that the allowance continue to be at a rate of 38% of the Leader's Allowance, £6,623.

WE RECOMMEND that the Mayor receive a Special Responsibility Allowance of 38% of the Leader, £6,623

Chair of Planning Committee (Tier Five)

4.2.15 The Panel was of the view that the role of the Chair of the Planning Committee continues to have a high impact and profile across the Council. The Panel was of the view that the allowance should reflect the considerable responsibility undertaken both during and between the committee meetings. We therefore recommend that the role be recognised at Tier Five and receive an allowance of £6,101, 35% of the Leader's Allowance.

WE RECOMMEND that the Chairmen of the Planning Committee receive a Special Responsibility Allowance of 35% of the Leader, £6,101

Chairmen of the Policy and Review Panels and Chair of the Licensing and Appeals Board and Licensing Committee (Tier Six)

4.2.16 The Panel is of the view that the role of scrutiny, accountability and audit are a growing and important role and recent Government Statutory Guidance (2019) increased the scope and responsibilities of the overview and scrutiny function.

WE RECOMMEND that the Chairmen of the Policy and Review Panels should receive an allowance of 15% of the Leader's Allowance, £2,615.

4.2.17 The Panel was of the view that the Licensing Appeals Board and Licensing Committee Chair was a changing role based on the frequency of meetings and the changing demands based on the legislative requirements.

WE RECOMMEND that the Chair of the Licensing Appeals Board and Licensing Committee should receive an allowance of 15% of the Leader's Allowance, £2,615.

Deputy Mayor (Tier Seven)

- 4.2.18 The Panel recommend that the role of Deputy Mayor continues to have a significant role and should receive an allowance of 35% of the Mayor's Allowance, £2,318.

WE RECOMMEND that the Deputy Mayor receive a Special Responsibility Allowance of 35% of the Mayor's Allowance, £2,318

Vice Chair of the Planning Committee (Tier Eight)

- 4.2.19 The Panel recommend that the role of Vice Chair of the Planning Committee should continue to receive a Special Responsibility Allowance and that all the Vice Chairmen's allowances to be at 35% of the Chairmen's Allowance. In the case of Planning the Vice Chair should receive an allowance of £2,135.

WE RECOMMEND that the Vice Chair of the Planning Committee receive a Special Responsibility Allowance of 35% of the Planning Committee Chair's Allowance, £2,135.

Vice Chair of the Licensing and Appeals Board and Licensing Committee (Tier Nine)

- 4.2.20 The Panel recommend that the Vice Chair of the Licensing and Appeals Board and Licensing Committee should receive a Special Responsibility Allowance of 35% of the Chair's Allowance, £915.

WE RECOMMEND that the Vice Chair of the Licensing and Appeals Board and Licensing Committee should receive a Special Responsibility Allowance of 35% of the Chair's Allowance, £915.

Chair and Vice Chair of the Standards Committee (Tier Ten and Eleven)

- 4.2.21 The Panel recommend that no change be made to the SRA for Chair of the Standards Committee, 5% of the Leader's Allowance, £872. The Panel further recommend that the Vice Chair of the Standards Committee receive an SRA of 35% of the Chair's Allowance, £305

WE RECOMMEND that the Chair of the Standards Committee receive a Special Responsibility Allowance of 5% of the Leader's Allowance, £872. We further recommend that the Vice Chair of the Standards Committee receive a Special Responsibility Allowance of 35% of the Chair's Allowance, £305.

Chair of the King's Lynn Area Committee (Tier Twelve)

- 4.2.22 The Panel continue to regard the role of the Chair of the King's Lynn Area Committee as a position that should continue to attract a SRA. The panel was of the view that the allowance should be based on the maximum allowance recommended that can be awarded to a Chair of a Parish and Town Council. The Panel therefore recommends that the Chair of the King's Lynn Area Committee receive an allowance that equates up to 10% of the Basic Allowance, £634.

WE RECOMMEND that the Chair of the King's Lynn Area Committee receive a Special Responsibility Allowance up to a maximum of 10% of the Basic

Allowance, £643. This equates to the maximum recommended allowance for a Chair of a Parish and Town Council.

Larger Opposition Group Leader

4.2.23 The Panel continues to recognise the importance of the role of the Opposition Group Leaders in motivating and co-ordinating Group activities and ensuring accountability and constructive challenge of the Cabinet. Since the last review the (December 2015) the opposition groups have increased in size and the Panel was of the view that the current allowance for the Larger Opposition Group Leader was not commensurate with the requirements and responsibilities of the role.

4.2.24 The Panel is therefore of the view that the allowance for the Opposition Group Leaders should be based on the size of the political Group. The Panel therefore recommends a per Member rate for the Opposition Group Leaders. This will allow for flexibility in the allowance and for it to respond to changes in the size of the Opposition Groups. The Panel recommends a per Member rate of **£175** per Group Member. For the Larger Opposition Group Leader this will currently equate to an allowance of £2,625 based on the current fifteen Group Members.

WE RECOMMEND that the Larger Opposition Group Leader receive an allowance based on a per Member rate of £175 per Group Member. Currently this equates to an allowance of £2,625 (based on the current fifteen Group Members). The Panel FURTHER RECOMMENDS that to be eligible for an allowance the opposition Group is required to have at least 10% (6) of total Members in the Group.

Other Opposition Group Leader(s)

4.2.25 The Panel recommends that the Other Opposition Group Leader (s) also receive an allowance based on the same per Member rate. This currently equates to an allowance of £1,400, based on the current eight Group Members.

WE RECOMMEND that the Other Opposition Group Leader(s) receive an allowance based on a per Member rate of £175 per Group Member. Currently this equates to an allowance of £1,400 (based on the current eight Group Members). The Panel FURTHER RECOMMENDS that to be eligible for an allowance the opposition Group is required to have at least 10% (6) of total Members in the Group.

Larger Opposition Group Deputy Leader and Other Opposition Group(s) Deputy Leader

4.2.26 The Panel recommends that the Special Responsibility Allowance for the roles of Larger Opposition Group Deputy Leader and Other Opposition Group(s) Deputy Leader be withdrawn. This was also recommended in the 2015 review.

WE RECOMMEND that the Special Responsibility Allowance for the roles of Larger Opposition Group Deputy Leader and Other Opposition Group(s) Deputy Leader be withdrawn.

Co-Optee Allowance

- 4.2.27 The Panel recommends that the allowance for a Co-Optee continues at the current rate (£213) and is subject to any indexation that will apply.

WE RECOMMEND that the allowance for a Co-Optee continues at the current rate (£213) and is subject to any indexation that may apply.

4.3 Travelling and Subsistence Allowance

- 4.3.1 A scheme of allowances may provide for any councillor to be paid for travelling and subsistence undertaken in connection with any of the duties specified in Regulation 8 of the 2003 Regulations (see paragraph 5.10). Similarly, such an allowance may also be paid to co-opted Persons of a committee or sub-committee of the Council in connection with any of those duties, provided that their expenses are not also being met by a third party.

WE RECOMMEND that travelling and subsistence allowance should be payable to councillors and co-opted/Independent Persons in connection with any approved duties in accordance with the HMRC recommendations. Consideration should be given to the recommended rates for bicycles and electric cars. We propose no changes to the current travel and subsistence allowances. WE ALSO RECOMMEND that subsistence rates continue in accordance with the officer rates.

4.4 Information, Communication and Technology Allowance (ICT Allowance)

- 4.4.1 The Council currently award all Councillors an ICT allowance of **£161.59** per annum that is subject to indexation. In 2015 the Panel recommended that this allowance should be withdrawn. The Panel continues to recommend that the ICT allowance should be withdrawn and that ICT costs should be met from the Basic Allowance.

WE RECOMMEND that the ICT Allowance should be withdrawn as recommended in the 2015 review.

4.5 Child and Dependant Carers' Allowance

- 4.5.1 The child and dependant carers' allowance should ensure that potential candidates are not deterred from standing for election and should enable current councillors to continue despite any change in their personal circumstances. The current scheme awards reimbursement at the rate of the Living Wage when using childminders, babysitters or other sitters for dependants while carrying out Approved duties. The scheme also allows for specialist Dependent Relative Care to be reimbursed at the actual cost up to a maximum of £30 per hour upon production of receipts.
- 4.5.2 The Panel is of the view that the Child and Dependant Carers' Allowance for childcare should now be based on the rate of the **Real Living Wage** as determined by the Living Wage Foundation, currently **£9.50 per hour** (Reviewed annually in November) With regard to specialist Dependent Relative Care this should continue to be reimbursed for the actual cost incurred by the councillor upon production of receipts. In respect of specialist care provision medical evidence that this type of care provision is required should also be provided and approved by an appropriate officer of the Council. The Panel is of the view that the maximum £30 per hour ceiling for this allowance should be removed.

WE THEREFORE RECOMMEND that the Child and Dependant Carers' Allowance should continue as outlined in the current Scheme of Allowances and for Specialist Care should be based at cost upon production of receipts and include

a requirement of medical evidence that this type of care be required. The allowance should have no monthly maximum claim and the £30 per hour ceiling should be withdrawn when undertaking Approved duties. In the case of Childcare, WE FURTHER RECOMMEND that this should now be based on the Real Living Wage as determined by the Living Wage Foundation, currently £9.50 per hour (Reviewed annually in November).

WE ALSO RECOMMEND that the Council should actively promote the allowance to prospective and new councillors both before and following an election. This may assist in supporting greater diversity of councillor representation.

4.6 Parental Leave

- 4.6.1 There is no uniform national policy to support councillors who require parental leave for maternity, paternity, or adoption leave. According to the Fawcett Society (Does Local Government Work for Women, 2018) a *'lack of maternity, paternity provision or support'* is a real barrier for women aged 18-44 to fulfil their role as a councillor.
- 4.6.2 We are of the view that support should be provided for parental leave although we do not wish to stipulate an exact policy/procedure. The Panel is aware that the Government Association (Labour Group) has developed a model policy that has been adopted by a growing number of councils.
- 4.6.3 There is no legal right to parental leave of any kind for people in elected public office. However, as a way of improving the diversity of Councillors, the Panel would recommend that the Members' Allowance Scheme should be amended to include provisions that clarify that:
- All Councillors shall continue to receive their Basic Allowance in full for a period up to six months in the case of absence from their Councillor duties due to leave relate to maternity, paternity, adoption shared parental leave or sickness absence
 - Councillors entitled to a Special Responsibility Allowance shall continue to receive their allowance in full for a period of six months, in the case of absence from their Councillor duties due to leave related to maternity, paternity, adoption, shared parental leave or sickness absence
 - Where for reasons connected with sickness, maternity leave, adoption leave, paternity leave or shared parental leave a Councillor is unable to attend a meeting of the Council for a period of six months, a dispensation by Council can be sought in accordance with Section 85 of the Local Government Act 1972
 - If a replacement to cover the period of absence under these provisions is appointed by Council or the Leader (or in the case of a party group position the party group) the replacement shall be entitled to claim a Special Responsibility Allowance pro rata for the period over which the cover is provided.
 - If a Councillor stands down, or an election is held during the period when a Councillor is absent due to any of the above and the Councillor is not re-elected or decides not to stand for re-election, their Basic Allowance any Special Responsibility Allowance will cease from the date they leave office.

- 4.6.4 The Panel is conscious that these provisions do not replicate the LGA policy, but that policy introduces elements that are more akin to employees which in terms of employment legislation does not include Councillors. We feel that our recommendations more simply and adequately reflect the situation relating to Councillors and clarify for them what they can expect. Borough Councillors however may wish to further develop the above recommendations so that they reflect the LGA policy.

WE RECOMMEND that the approach outlined is adopted as a basis of a policy to support parental leave for councillors. Should a policy on Parental Leave for Councillors be approved it should be actively promoted to prospective and current Councillors alongside the Dependants' Carers Allowance. This should form part of a wider 'Be A Councillor' (LGA led initiative) programme led by the Council and supported by political groups; to enhance and increase the diversity of councillor representation.

4.7 Indexing of Allowances

- 4.7.1 A scheme of allowances may make provision for an annual adjustment of allowances in line with a specified index. The present scheme makes provision for the basic allowance, the special responsibility allowances and Co-Optees allowance to be adjusted annually in line with staff salaries.

WE RECOMMEND that the basic allowance, each of the SRAs and the Co-Optees' Allowance be increased annually in line with the percentage increase in staff salaries from April 2022 for a period of up to three years. After this period, the Scheme should be reviewed again by an independent remuneration panel.

4.8 Revocation of current Scheme of Allowances / Implementation of new Scheme

- 4.8.1 The 2003 Regulations provide that a scheme of allowances may only be revoked with effect from the beginning of a financial year, and that this may only take effect on the basis that the authority makes a further scheme of allowances for the period beginning with the date of revocation.

WE THEREFORE RECOMMEND that the new scheme of allowances to be agreed by the Council be implemented with effect from the beginning of the 2022-23 financial year, at which time the current scheme of allowances will be revoked.

OUR INVESTIGATION

4.9 Background

- 4.9.1 As part of this review, a questionnaire was issued to all councillors to support and inform the review. Responses were received from 25 of the 55 current councillors (45% response). The information obtained was helpful in informing our deliberations.
- 4.9.2 We interviewed twelve current councillors using a structured questioning process. We are grateful to all our interviewees for their assistance.

4.9.3 We should also thank Sam Winter, Democratic Services Manager and Lauren Steele, Administrative Assistant for their assistance and support during the review.

4.10 Councillors' views on the level of allowances

4.10.1 A summary of the councillors' responses to the questionnaire are attached as Appendix 2.

5. APPROVED COUNCILLOR DUTIES

5.1.1 The Panel reviewed the recommended duties for which allowances should be payable and recommend that no changes be made.

WE THEREFORE RECOMMEND: That no changes are made to the Approved Duties as outlined in the Members' Allowance Scheme.

**Mark Palmer (Chair of the Independent Remuneration Panel)
Development Director, South East Employers
October 2021**

Appendix 1: Summary of Panel's Recommendations

| Allowance | Current Amount for 2020-21 | Number | Recommended Allowance (20% PSD) | Recommended Allowance Calculation |
|---------------------|----------------------------|-----------|---------------------------------|-----------------------------------|
| Basic (BA) | | | | |
| Total Basic: | £6012 | 55 | £6,338 | |

| Special Responsibility: | | | | |
|---|---------|---|---------------------|----------------------------------|
| Leader of the Council & Chair of Cabinet | £16,527 | 1 | £17,430 | 275% of BA |
| Deputy Leader and Vice Chair of Cabinet | £9,090 | 1 | £9,587 | 55% of Leader's Allowance |
| Cabinet Members | £7,436 | 6 | £7,844 | 45% of Leader's Allowance |
| Chair Policy and Review Panel | £2,312 | 4 | £2,615 | 15% of Leader's Allowance |
| Vice Chair of Policy and Review Panel | £926 | 4 | £915 | 35% of Chair's Allowance |
| Chair of Planning Committee | £6,025 | 1 | £6,101 | 35% of Leader's Allowance |
| Vice Chair of Planning Committee | £2,632 | 1 | £2,135 | 35% of Chair's Allowance |
| Chair of Licensing Appeals Board and Licensing Committee | £2,719 | 2 | £2,615 | 15% of Leader's Allowance |
| Vice Chair of Licensing Appeals Board and Licensing Committee | £1,185 | 1 | £915 | 35% of Chair's Allowance |
| Chair of Standards Committee | £827 | 1 | £872 | 5% of Leader's Allowance |
| Vice Chair of Standards Committee | £330 | 1 | £305 | 35% of the Chair's Allowance |
| Co-Optee | £213 | 1 | £213 | |
| Mayor | £6,247 | 1 | £6,623 | 38% of the Leader's Allowance |
| Deputy Mayor | £2,186 | 1 | £2,318 | 35% of the Mayor's Allowance |
| Larger Opposition Group Leader | £827 | 1 | £2,625 | £175 per Group Member |
| Larger Opposition Group Deputy Leader | £366 | 1 | SRA to be Withdrawn | |
| Other Opposition Group Leader | £495 | 1 | £1,400 | £175 per Group Member |
| Other Opposition Group Deputy Leader | £226 | 1 | SRA to be Withdrawn | |
| Chair of the King's Lynn Area Committee | £301 | 1 | £634 | Up to 10% of the Basic Allowance |

| | | | | |
|---------------|---------|----|---------------------------|--|
| ICT Allowance | £161.59 | 55 | Allowance to be Withdrawn | |
|---------------|---------|----|---------------------------|--|

