

MEMBERS ALLOWANCES SCHEME 2020/21

Council	6 February 2020
Report Author	Nicholas Hughes – Committee Services Manager
Status	For Decision
Classification:	Unrestricted
Key Decision	No
Ward:	All Wards

Executive Summary:

This report is provided to allow the Council to agree a new members allowances scheme for the 2020/21 financial year.

The main changes proposed after consultation with the Leader of the Council are to remove the Special Responsibility Allowances (SRA) for Assistant Portfolio Holders and to increase the Opposition Group Leader's SRA to ensure parity with the SRA for the Chairman of the Overview and Scrutiny Panel. There is no proposed change to the basic allowance.

Once the scheme is agreed it will be forwarded to the East Kent Joint Independent Remuneration Panel for them to comment on. These comments will then be considered by Council at a future meeting.

Recommendation(s):

To adopt the proposed 2020/21 Members allowances scheme as set out at annex 1 to this report and to refer the scheme to EKJIRP for them to consider, with any amendments being reported back to Council.

CORPORATE IMPLICATIONS

Financial and Value for Money	<p>If Members agree to the revised scheme of Members allowances as outlined at annex 1 to this report, then there will be no direct financial implications as a result of this report.</p> <p>If Members agree to increase the rate of Members' Allowances by more than that set out in the report, then additional budget or commensurate savings would need to be identified within the 2020/21 budget to cover this increase.</p>
Legal	<p>The Council is required to have regard to the recommendations of EKJIRP in making a scheme of allowances.</p> <p>Section 18 of the Local Government and Housing Act 1989 permits the Secretary of State, by regulations, to make a scheme providing for the payment of a basic allowance, an attendance allowance and a special responsibility allowance to members of a local authority. Section 100 of the Local Government Act 2000 permits the Secretary of State, by regulations,</p>

	<p>to provide for travelling and subsistence allowances for members of local authorities, allowances for attending conferences and meetings and reimbursement of expenses. In exercise of these powers the Secretary of State has made the Local Authorities (Members' Allowances) (England) Regulations 2003.</p> <p>The Regulations require the council to make a scheme before the beginning of each year for the payment of basic allowance. The scheme must also make provision for the authority's approach to special responsibility allowance, dependants' carers' allowance, travelling and subsistence allowance and co-optees' allowance. The scheme may also provide for other matters of the kind dealt with in the proposed scheme.</p> <p>When considering the scheme, the Council must have due regard to the need to eliminate unlawful conduct under the Equality Act 2010, the need to advance equality of opportunity and the need to foster good relations between persons who share a protected characteristic and those who don't (the public sector equality duty). This consideration should be supported by a proportionate level of equality analysis.</p>								
Corporate	The level of allowances may be seen as both impacting on the public's perception of the Council and a factor in making public services as a Councillor attractive to a broad range of potential candidates.								
Equalities Act 2010 & Public Sector Equality Duty	<p>Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to the aims of the Duty at the time the decision is taken. The aims of the Duty are: (i) eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act, (ii) advance equality of opportunity between people who share a protected characteristic and people who do not share it, and (iii) foster good relations between people who share a protected characteristic and people who do not share it.</p> <p>Protected characteristics: age, gender, disability, race, sexual orientation, gender reassignment, religion or belief and pregnancy & maternity. Only aim (i) of the Duty applies to Marriage & civil partnership.</p> <table border="1" data-bbox="432 1451 1391 1709"> <tr> <td colspan="2">Please indicate which aim is relevant to the report.</td> </tr> <tr> <td>Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act,</td> <td style="text-align: center;">✓</td> </tr> <tr> <td>Advance equality of opportunity between people who share a protected characteristic and people who do not share it</td> <td style="text-align: center;">✓</td> </tr> <tr> <td>Foster good relations between people who share a protected characteristic and people who do not share it.</td> <td></td> </tr> </table> <p>Although it does not directly relate to protected groups, the draft scheme contains the ability to pay a dependent carers allowance to Councillors. This contributes to aims 1 and 2 of the Equality Act as it removes barriers to Councillors standing who have relatives that may be in need of dependent care.</p>	Please indicate which aim is relevant to the report.		Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act,	✓	Advance equality of opportunity between people who share a protected characteristic and people who do not share it	✓	Foster good relations between people who share a protected characteristic and people who do not share it.	
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CORPORATE PRIORITIES (tick those relevant) ✓	
Growth	
Environment	

1.0 Introduction and Background

1.1 This paper gives Council the opportunity to adopt a Members' Allowances Scheme for the 2020/21 financial year. The Leader of the Council has proposed two alterations to the 2019/20 scheme and these are outlined in the report below.

2.0 Proposed changes

2.1 Assistant Portfolio Holder SRA's

2.1.1 The 2019/20 scheme contained SRAs for five Assistant Portfolio Holders, each remunerated at £1500 per year. The Leader has asked that these be deleted from the scheme, as they are not currently used. This would result in a £7,500 saving.

2.2 Opposition Group Leader SRA

2.2.1 The Leader has requested that the Opposition Group Leader SRA be increased from £5,762 to £7,990. This is to better reflect that the role of the Opposition Group Leader is a complex and time consuming one, on a par with the role of the Overview and Scrutiny Chairman, for which the SRA is set at £7,990. In addition the level of the SRA has stayed virtually the same for the last ten years, as shown in table 1 below. Increasing the allowance would cost £2,228.

Table 1

Year (all increases on 1 April)	Opposition Leader SRA	Notes
2020/21	£7,990***	
2019/20**	£5,762	Increased due to reverting to one role
2019/20	£2,881	-
2018/19*	£2,881	Decreased due to the role being split in two.
2018/19	£5,204	-
2017/18	£5,204	-
2016/17	£5,204	-
2015/16	£5,204	-
2014/15	£5,204	-
2013/14	£5,204	-

2012/13	£5,204	-
2011/12	£5,204	-
2010/11	£5,204	-
2009/10	£5,204	-

* allowance increased 12/4/2018

**allowance increased 16/5/2019

***Proposed SRA

2.3 Basic Allowance

2.3.1 Whilst it proposed to retain the current level of basic allowance for members, information set out at table 2 is the history of the basic allowance over the last ten years

Table 2

Year (all increases on 1 April)	Basic Allowance
2020/21	£4,570**
2019/20	£4,570
2018/19	£4,570
2017/18	£4,570
2016/17	£4,570
2015/16	£4,570
2014/15	£4,570
2013/14	£4,570
2012/13*	£4,570
2012/13	£4,360
2011/12	£4,360
2010/11	£4,360
2009/10	£4,360

*allowance increased on 12/7/2012

**Proposed basic allowance

2.4 When combined, the changes proposed would save the Council £5,272 per annum. The Leader has also requested that any savings as a result of these changes to the

allowances scheme are then reallocated to the Members training budget, allowing for Councillors to receive additional training either internally or externally.

2.5 There are no other proposed changes to the scheme at the present time. The amended scheme is attached to the report at Annex 1.

3.0 Options

3.1 Council can choose;

- a) To adopt the proposed 2020/21 Members' Allowances Scheme as set out at annex 1 to this report taking into account the changes outlined in the report and to refer the scheme to EKJIRP to consider, with any amendments being reported back to Council.
- b) To propose an alternative scheme of allowances for 2020/21 and to refer that scheme to EKJIRP to consider, with any amendments being reported back to Council.

4.0 Next Steps

4.1 It is for Council to agree the Members' Allowances Scheme. However the scheme and any amendments made would need to be the subject of consultation with the East Kent Joint Independent Remuneration Panel. The Remuneration Panel can then make recommendations back to Council, any recommendations will then be considered by Council at a future meeting.

Contact Officer:	Nicholas Hughes, Committee Services Manager
Reporting to:	Tim Howes, Director of Corporate Governance

Annex List

Annex 1	2020/21 Draft Scheme of Members Allowances
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Background Papers

Title	Details of where to access copy
None	N/A

Corporate Consultation

Finance	Matthew Sanham Financial Services Manager
Legal	Timothy Howes, Director of Corporate Governance and Monitoring Officer