

# **MEMBERS ALLOWANCES SCHEME 2023/24 REVIEW BY EKJIRP**

Council	<b>13 July 2023</b>
Report Author	<b>Nicholas Hughes – Committee Services Manager</b>
Status	<b>For Decision</b>
Classification:	<b>Unrestricted</b>
Key Decision	<b>No</b>
Ward:	<b>All Wards</b>

## **Executive Summary:**

This report is provided to allow the Council to consider the recommendations from the East Kent Joint Independent Remuneration Panel (EKJIRP) regarding the 2023/24 Members allowances scheme for TDC.

## **Recommendation(s):**

To consider the recommendations of the EKJIRP:

- A. That it be recommended to Thanet District Council that the Members' Allowances Scheme 2023-24, as set out in Annex 1 of the report, be approved.
- B. In respect of the Dependant Carers' Allowance, the Panel would propose a move to actual cost reimbursement instead of a reimbursement based on the National Living Wage.

## **Corporate Implications**

### **Financial and Value for Money**

The cost of the scheme of allowances as set out in Annex 1 of the report can be accommodated from existing approved budgets.

### **Legal**

The Council is required to have regard to the recommendations of EKJIRP in making a scheme of allowances.

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, 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.

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.

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.

## **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**

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.

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.

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.

## **Corporate Priorities**

This report relates to the following corporate priorities: -

- Communities

## **1.0 Introduction and Background**

1.1 This report is provided to allow the Council to consider the recommendation from the East Kent Joint Independent Remuneration Panel (EKJIRP) regarding the 2023/24 Members allowances scheme for TDC.

## **2.0 Review of the 2022/23 scheme**

2.1 The EKJIRP reviewed the 2023/24 Allowances scheme as agreed by TDC on 7 March 2023. They made the following recommendations:

- A. That it be recommended to Thanet District Council that the Members' Allowances Scheme 2023-24, as set out in Annex 1 of the report, be approved.
- B. In respect of the Dependant Carers' Allowance, the Panel would propose a move to actual cost reimbursement instead of a reimbursement based on the National Living Wage.

2.2 The full scheme is attached to the report at Annex 1.

## **3.0 Options**

3.1 Council can choose to accept the recommendations of the EKJIRP or not.

Contact Officer: Nick Hughes, Committee Services Manager  
Reporting to: Sameera Khan, Interim Head of Legal

### **Annex List**

Annex 1: 2023/24 Draft Scheme of Members Allowances.

### **Background Papers**

There are no background papers with this report.

### **Corporate Consultation**

**Finance:** Chris Blundell (Acting Deputy Chief Executive)

**Legal:** Sameera Khan, Interim Head of Legal