

Divisions: N/A

## COUNTY COUNCIL – 8 DECEMBER 2020

### REPORT OF THE INDEPENDENT REMUNERATION PANEL ON MEMBERS' ALLOWANCES

Report by the Corporate Director – Commercial Development, Assets and Investment & Monitoring Officer

#### RECOMMENDATIONS

The Council is **RECOMMENDED** to consider the following recommendations of the Independent Remuneration Panel and in so doing agree a Scheme of Allowances:

1. that the Basic Allowance payable to all councillors increase from £11,014 to £12,000 per annum;
2. that, in addition to the Basic Allowance, a Special Responsibility Allowance (SRA) be paid as follows:-
  - a. Leader of the Council – raise to three times the Basic Allowance: £36,000
  - b. Deputy Leader of the Council – keep at twice the Basic Allowance: £24,000
  - c. Cabinet Members – keep at 1.6 times the Basic Allowance: £19,200
  - d. Leader of the Opposition – increase to 1 times the Basic Allowance: £12,000
  - e. Shadow Cabinet – keep at 0.25 times the Basic Allowance: £3,000
  - f. Chairs of Scrutiny Committees (Performance, Education) – keep at 0.6 times the Basic Allowance: £7,200
  - g. Chair of the Planning and Regulation Committee – keep at 0.6 times the Basic Allowance: £7,200
  - h. Chair of the Audit & Governance Committee – keep at 0.6 times the Basic allowance: £7,200
  - i. Chair of the Pension Fund Committee – keep at 0.6 times the Basic allowance: £7,200
  - j. Chair of the Remuneration Committee – no allowance
  - k. Chairman of the Council – keep at 0.85 times the Basic Allowance: £10,200
  - l. Vice-Chairman of the Council – keep at 0.25 times the Chair's Allowance: £2,550
  - m. Third Party Leader – no allowance but review in 2021/22
  - n. Locality Meeting Chairman – increase from 0.05 to 0.10 times the Basic Allowance: £1,200
  - o. Police and Crime Panel Member – no allowance
  - p. Police and Crime Panel Chairman – keep at 0.6 times the Basic Allowance: £7,200 but invite the Council to review with the Police and Crime Panel members the principle as to whether all authorities should contribute to this cost
  - q. Police and Crime Panel Vice-Chairman – no allowance

- r. **Chair of the Oxfordshire Health Overview and Scrutiny Committee – keep at 0.6 times the Basic Allowance: £7,200**
  - s. **Chair of the Horton Health Overview and Scrutiny Committee - keep at 0.45 times the Basic Allowance: £5,400**
  - t. **Adoption & Fostering Panels – introduce an allowance for member attendance at each of £100 per Panel with a cap of £1,200 per year**
3. **a cap be introduced such that no individual member of the Council should be entitled to receive more than two Special Responsibility Allowances at any one time;**
  4. **a Co-optees’ Allowance continues to be payable to an independent co-opted member of the Audit & Governance Committee when the co-opted member serves as Chairman of the Audit Working Group, equivalent to Committee/Scrutiny Committee Chair: £7,200;**
  5. **the Council’s Basic and Special Responsibility Allowances and the Co-optees’ Allowance to the Chairman of the Audit Working Group be amended annually by reference to the annual Local Government Pay Award for staff and that this should take effect from the date on which the award for staff similarly takes effect; however, if the above increases are agreed, the pay award should not be applied to any increased allowances in 2021/22 but from 2022/23;**
  6. **that Child and Dependant Carer’s Allowances be increased:-**
    - a. **Child Care: the hourly rate is equivalent to the Oxford Living Wage, capped at £1,200 per year, payable on production of receipts**
    - b. **Dependent Carer: the hourly rate is twice the Oxford Living Wage capped at £2,400 per year, payable on production of receipts;**
  7. **the Council retains, for members, the travel and subsistence scheme that is applicable to officers. Overnight accommodation to be booked by officers where possible; when alternative accommodation arrangements are to be used, this should be approved by the relevant officer.**
  8. **the amounts for Basic Allowance, Special Responsibility Allowances and Co-optees’ Allowances be rounded to the nearest pound when first set.**
- 2) **If Council does not wish to accept the Panel’s recommendations at this time, in whole or in part, Council is RECOMMENDED to agree a status quo Scheme of Allowances for 2021/22 for any unchanged aspect with the proviso that the newly elected Council after May 2021 is asked to revisit the matter during the 2021/22 Council Year.**

## **Introduction**

1. This report presents the recommendations of the Independent Remuneration Panel following a recent full review of the Council’s Members’ Allowances Scheme.
2. The last full review of the allowances agreed by Members was in December 2014. The Council had asked that a review be undertaken during this autumn to help shape a Scheme of Allowances to apply from 1 April 2020. The

Independent Remuneration Panel have met and are recommending some changes to the Scheme.

### **The Panel's Approach**

3. In framing its recommendations, the Panel has had regard to a range of evidence, comparative information, survey responses from councillors and interviews a cross-section of members of the council. The Panel has been mindful of its role of assessing the what allowances are appropriate to the roles of elected and co-opted members, having regard to their workload formally and in constituencies and with an understanding of additional responsibilities where these are performed in the Council's governance arrangements.
4. The Panel has also been mindful that political and budgetary implications surrounding the adoption of a Members' Allowances Scheme are for the Council to determine. The Panel members appreciate therefore that members will have such considerations in mind when approaching its recommendations and if and when to accept them. The Panel also recognises that an individual member can choose whether or not to accept an allowance in full or in part. Rather, the Panel has concentrated on providing the Council with an objective, benchmarked view on what allowances it thinks are appropriate to the roles of elected and co-opted members for Oxfordshire County Council.
5. It has also been mindful that a Members Allowances Scheme is intended to present allowances that minimise the potential for any person to be out of pocket as a result of serving their community; recognising of course that some aspect of councillor's service is necessarily voluntary. Therefore, while a Scheme cannot alone influence wider democratic representation, it should at least not be a barrier to it. The recommendations are presented with these principles in mind.

### **Panel Report and Recommendations**

6. The Panel's Report at Annex 1 sets out their recommendations in full and with their rationale given at each stage. The main changes are:
  - Increase to Basic Allowance (BA) – from £11,014 to £12,000
  - Continued use of the Basic Allowance as a multiplier for Special Responsibility Allowances (SRAs) – consequently increasing, in some measure, all SRAs but making specific increases to:
    - SRA for Leader of the Council (from 2.9 x BA to 3)
    - SRA for Leader of the Opposition (from 0.8 x BA to 1)
    - SRA for chairs of Locality Meetings (from 0.5 x BA to 0.10)
  - Recommending the introduction of an SRA for members serving on Adoption or Fostering Panels (£100 per panel capped at £1200 per year)
  - Recommending a cap of two on the number of SRAs that any individual councillor may receive at any one time

- Recommending that SRAs no longer be included for the positions of a panel member or vice-chairman of the Thames Valley Police and Crime Panel
  - Increase of the Child and Dependent Carers Allowances
    - Childcare: up to a maximum of £10.21 per hour for a child (i.e. Oxford living wage pertaining from time to time), to a maximum level of £1,200 per annum, on the production of receipts;
    - Adult Care: up to £20.42 per hour for an adult (i.e. twice the Oxford living wage pertaining from time to time), to a maximum level of £2,400 per annum, on the production of receipts.
7. The Council is therefore being invited by the Panel to consider adopting the changes recommended in this report.

### **Legal Implications**

8. The Council is required to adopt a Scheme of Allowances ahead of 1 April 2021 to apply from that date. Under the Members' Allowances (Local Authorities)(England) Regulations 2003, the Council must have regard to the recommendations of its Independent Remuneration Panel when making or revising a scheme of allowances. Any decision not to follow the Panel's recommendations must be published. Consequently, Full Council should consider the Panel's recommendations, but it is for Council itself to agree its own scheme.
9. Therefore, Council can:
- (a) Follow the Panel's recommendations in whole or in part
  - (b) Agree a revised scheme of allowances, either in whole or in part, including a 'status quo' arrangement

### **Financial Implications**

10. If the Panel's recommendations are accepted in full, there will be additional costs of £98k which will need to be considered in the Budget & Business Planning process for 2021/22. A summary of the financial implications is set out in **Annex 2** to this report.

### **Equality & Inclusion Implications**

11. Before making a decision, Section 149 Equality Act 2010 requires that each decision-maker considers the need to promote equality for persons with the following "protected characteristics": age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. Each decision-maker must, therefore, have due regard to the need to:
- i) Eliminate discrimination, harassment, victimisation and any other conduct prohibited under the Equality Act 2010.
  - ii) Advance equality of opportunity between persons who share a relevant protected

characteristic and those who do not share it. This involves having due regard, in particular, to the need to --

- remove or minimise disadvantage suffered by persons who share a relevant protected characteristic;

- take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of people who do not share it (in relation to disabled people, this includes, in particular, steps to take account of disabled persons' disabilities);

- encourage persons who share a protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

iii) Foster good relations between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to –

- tackle prejudice; and

- promote understanding.

12. Public sector equalities duties have been considered by the IRP as part of their deliberations.

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