

**MEMBERS' ALLOWANCES**  
**Report of the Independent Remuneration Panel**  
**to Oxfordshire County Council**

**November 2020**

**SUMMARY AND RECOMMENDATIONS**

**Summary**

- A. The Independent Remuneration Panel has now carried out a full review of the County Council's scheme of members' allowances and this report sets out the Panel's recommendations.
- B. The Local Government Act 2000 provides that before any new scheme of allowances is agreed, the Council is required to take into account the advice of its duly appointed Independent Remuneration Panel on the levels and types of allowances to be paid under that scheme.
- C. In summary, it's our view that the current levels of allowances are, in the main, lower than for comparable authorities and do not sufficiently recognize the time and workload involved. It's important too that an allowances scheme acts as a means of encouraging a diverse range of people to consider becoming county councillors in Oxfordshire. Clearly, allowances cannot be the only means of overcoming obstacles to wider democratic representation; however, they are an element. We consider our recommendations to be appropriate to the roles performed by county councillors in the service of the people of Oxfordshire.

**Principles Adopted**

- D. This was the first full review since December 2014. As such we considered this to be an opportunity to consider the entire scheme of allowances by looking at each element afresh.
- E. We were also particularly mindful, and heard from many councillors, that part of the purpose of an allowances scheme is to encourage a diverse range of people to consider standing as councillors and undertaking responsible positions once elected. This is in the interests of a healthy democracy and perhaps particularly so ahead of the County Council elections due to take place in May 2021.
- F. We decided to look objectively at the appropriate level for allowances, noting the relative lowness of the Council's allowances compared to other authorities in the region. As an Independent Remuneration Panel, we must be mindful of affordability, but our main task has been to assess the councillor and co-opted roles objectively. We are however very conscious that we are undertaking this review during a year of a national pandemic, which itself continues to have considerable cost implications to local government, businesses and individuals. We are conscious too of press reports that the Chancellor may consider a public

sector pay freeze. It is for the Council, rather than the Panel, to have regard to the political and financial dimension in considering a review of allowances.

- G. A Council's Independent Panel should therefore give an honest, benchmarked view of the level of allowances appropriate to the various roles and commitments of Oxfordshire County Councillors and Co-opted Members.
- H. We also noted that the pandemic itself has impacted on the work of County Councillors, with virtual meetings rather than physical ones taking place and engagement with parish councils and community groups similarly recast, with consequent effect on the workload that arises. We heard for instance that while travel time has been saved, online meetings and email engagement have increased. Of course, such effects may be time-limited, however it is perhaps likely that some new ways of working may continue.
- I. The Panel's focus has been on reviewing the *roles* in question, within the Council's governance structure, and not on the persons occupying those roles. We have however taken the opportunity to consider the various approaches and levels of allowances set by comparable authorities across the South East and nationally.
- J. We noted that in recent years, the Council's Scheme did not feature a cap on the number of Special Responsibility Allowances that any individual could claim. We decided to review this principle and consider whether a cap was now appropriate and beneficial in encouraging wider representation. We also noted that most County authorities surveyed do have a cap of only one SRA.
- K. As a starting point, we decided to review the Basic Allowance and use this as a base, with Special Responsibility Allowances assessed in terms of multiples of the Basic Allowance. It was also important that we considered the fact that allowances are not a 'salary', are not payment for work done, but are intended to offset the cost of being a councillor so that no one is out of pocket as a result of representing their communities. That said, we were also mindful that becoming a councillor is a choice and has a voluntary element to it.
- L. We also wanted to hear directly from members of the Council themselves and so carried out a survey and a selection of interviews.

## Recommendations

- (a) that the Basic Allowance payable to all councillors increase from £11,014 to £12,000 per annum;
- (b) that, in addition to the Basic Allowance, a Special Responsibility Allowance (SRA) be paid as follows:-
  - 1) Leader of the Council – raise to three times the Basic Allowance: £36,000
  - 2) Deputy Leader of the Council – keep at twice the Basic Allowance: £24,000
  - 3) Cabinet Members – keep at 1.6 times the Basic Allowance: £19,200
  - 4) Leader of the Opposition – increase to 1 times the Basic Allowance: £12,000

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- 5) Shadow Cabinet – keep at 0.25 times the Basic Allowance: £3,000
  - 6) Chairs of Scrutiny Committees (Performance, Education) – keep at 0.6 times the Basic Allowance: £7,200
  - 7) Chair of the Planning and Regulation Committee – keep at 0.6 times the Basic Allowance: £7,200
  - 8) Chair of the Audit & Governance Committee – keep at 0.6 times the Basic allowance: £7,200
  - 9) Chair of the Pension Fund Committee – keep at 0.6 times the Basic allowance: £7,200
  - 10) Chair of the Remuneration Committee – no allowance
  - 11) Chairman of the Council – keep at 0.85 times the Basic Allowance: £10,200
  - 12) Vice-Chairman of the Council – keep at 0.25 times the Chair's Allowance: £2,550
  - 13) Third Party Leader – no allowance but review in 2021/22
  - 14) Locality Meeting Chairman – increase from 0.05 to 0.10 times the Basic Allowance: £1,200
  - 15) Police and Crime Panel Member – no allowance
  - 16) 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
  - 17) Police and Crime Panel Vice-Chairman – no allowance
  - 18) Chair of the Oxfordshire Health Overview and Scrutiny Committee – keep at 0.6 times the Basic Allowance: £7,200
  - 19) Chair of the Horton Health Overview and Scrutiny Committee - keep at 0.45 times the Basic Allowance: £5,400
  - 20) Adoption & Fostering Panels – introduce an allowance for member attendance at each of £100 per Panel with a cap of £1,200 per year
- (c) 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;
- (d) 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;
- (e) 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;
- (f) that Child and Dependant Carer's Allowances be increased:-
- 1) Child Care: the hourly rate is equivalent to the Oxford Living Wage, capped at £1,200 per year, payable on production of receipts
  - 2) Dependent Carer: the hourly rate is twice the Oxford Living Wage capped at £2,400 per year, payable on production of receipts;
- (g) 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;
- (h) claims made under the Council's travel and subsistence scheme be accompanied by receipts and/or any other relevant evidence of the costs incurred and that claims under the scheme be made, in writing, within two months of the relevant duty in respect of which the entitlement to the allowance arises;
  - (i) the list of Approved Duties for the purpose of travel, subsistence and dependent care allowances continue and be agreed as set out in the attached Annex;
  - (j) the amounts for Basic Allowance, Special Responsibility Allowances and Co-optees' Allowances be rounded to the nearest pound when first set.

## THE PANEL'S REPORT

### Introduction

1. The Local Government Act 2000 and the Local Authorities (Members' Allowances)(England) Regulations 2003 require local authorities to review their Allowances Schemes and to maintain an Independent Remuneration Panel to consider and make recommendations on new schemes. In brief, the Regulations say that the following issues are to be addressed by the Panel:
  - Basic Allowance: each local authority must make provision for a basic, flat rate allowance payable to all members. The allowance must be the same for each councillor; it can be paid either in a lump sum or in instalments.
  - Special Responsibility Allowance (SRA): each local authority may make provision for the payment of SRAs for those councillors who have significant responsibilities. The Panel has to recommend the responsibilities that should be remunerated and the levels of the allowances.
  - Co-optees' allowance: each local authority may make provision for the payment of an allowance to co-optees' for attending meetings, conferences and seminars.
  - Childcare and dependant carers' allowance: local authorities may make provision for the payment of an allowance to those councillors who incur expenditure for the care of children or dependent relatives whilst undertaking particular duties.
  - Travel and subsistence: each local authority may determine the levels of travel and subsistence allowances and the duties to which they should apply.
  - Indexation: each local authority may determine that allowances should be increased in accordance with a specified index and can identify the index and set the number of years (not exceeding four) for which it should apply.

- Backdating: each local authority may determine that, where amendments are made to an allowances scheme, the allowances as amended may be backdated.

### **The Independent Remuneration Panel**

2. The Independent Remuneration Panel for Oxfordshire County Council is:-
  - Bronwen Buckley
  - Martyn Hocking
  - Katherine Powley
  - David Shelmerdine
3. The Panel elected David Shelmerdine as its Chairman for this review.

### **Terms of Reference**

4. To make recommendations to Oxfordshire County Council on the allowances that should be payable to County Councillors in Oxfordshire, in accordance with the Local Authorities (Members' Allowances)(England) Regulations 2003 and to do so in the following circumstances:
  - annual recommendations on the Council's yearly scheme of allowances where the Council is minded to amend the scheme of allowances otherwise than by reference to a duly adopted index
  - when the Council proposes to revise or modify any aspect of an existing scheme or the Council requests a review
  - where required to do so by virtue of Regulations.
5. The County Council wished the Panel to undertake a comprehensive review of the Council's Scheme of Members' Allowances. This last occurred in December 2014, with minor changes to some aspects of Schemes since that time.

### **The Panel's Work**

6. We met three times as a Panel during October and November 2020. On
  - 8<sup>th</sup> October
  - 20<sup>th</sup> October
  - 19<sup>th</sup> November.
7. In conducting our review, we had regard to a significant amount of information, which included the following:
  - The Local Authorities (Members' Allowances) (England) Regulations 2003 and of the Government's "Guidance on Consolidated Regulations on Members' Allowances for Local Authorities in England";
  - County Council allowances: details of the allowances of numerous County Councils, especially those comparative authorities adjacent to Oxfordshire and in the South East generally

- Responses to a questionnaire to Oxfordshire County Councillors seeking comments on the Council's allowances scheme
  - The County Council's political management structure.
8. We also interviewed 14 members of the Council, seeking in our selection of interviewees to obtain a sample which was representative of the various roles performed by members. This included all three political group leaders, chairs of committees and backbenchers. The following members were interviewed over five different days:
- 6<sup>th</sup> November**
- Cllr Keiron Mallon – chairman of the Police & Crime Panel; Locality Chairman; Conservative Independent Alliance Group (CIA Group)
  - Cllr Kevin Bulmer – chairman of the Pension Fund Committee; Locality Chairman; CIA Group
  - Cllr Richard Webber – Leader of the Liberal Democrat Group
- 9<sup>th</sup> November**
- Cllr John Howson – Liberal Democrat Group Councillor
  - Cllr Tim Bearder – Liberal Democrat Group Councillor
  - Cllr Mrs Judith Heathcoat – Deputy Leader of the Council; CIA Group
  - Cllr Ian Hudspeth – Leader of the Council; CIA Group
  - Cllr Pete Sudbury – Green Councillor
  - Cllr Emily Smith – Liberal Democrat Group Councillor
  - Cllr Liz Brighouse – Leader of the Opposition, Labour Group
  - Cllr Pete Handley – Locality Chairman; CIA Group
- 13<sup>th</sup> November**
- Cllr Nick Carter – chairman of Audit & Governance Committee; CIA Group; Locality Chairman
- 16<sup>th</sup> November**
- Cllr Mark Cherry – Shadow Cabinet; Labour Group
- 23<sup>rd</sup> November**
- Cllr Arash Fatemian – chairman of the Joint Health Overview & Scrutiny Committee and of the Horton Health Overview & Scrutiny Committee; CIA Group.
9. An online survey was sent to the 63 councillors and received 39 responses (62%). In addition, we viewed recordings of council meetings, for example Full Council and the Audit & Governance Committee.

## Political Structure

10. We noted that the Council had operated a 'Leader and Executive Model' since 5 November 2001 and that the Council reinforced this commitment by adopting a Strong Leader model in August 2009. A Conservative Independent Alliance administration is in place, operating a Cabinet system of decision-making, with a series of scrutiny committees providing challenge and policy focus. Since 2013, the Council had introduced informal locality meetings, all the County Councillors of that particular area meeting together. A number of more regulatory committees are also in operation to carry out statutory non-executive functions. All 63 members meet together as the Full Council to agree the

budget and policy framework. All members were also involved in the important task of community representation within their own electoral divisions.

11. We were therefore concerned in the current review to see if roles and responsibilities had changed over time, to gauge the time-commitment involved and to assess the level of remuneration appropriate to the responsibilities and work done by members.

## **REVIEW OF ALLOWANCES**

### **Basic Allowance**

12. It is required under the relevant legislation that a Basic Allowance be provided to all members of the Council and that it must be of the same value for each. This allowance is intended to remunerate councillors for their time spent as a councillor, covering incidental costs incurred by them as ordinary members of the Council, including the use of their homes.
13. In determining an appropriate level of Basic Allowance, we had regard to:
  - Oxfordshire County Councillors' own views as to the appropriate level of Basic Allowance (as expressed both in written submissions and in answer to interview questions)
  - The current level of Basic Allowance paid by the County Council and the value of the Council's Basic Allowance relative to that paid by other County Councils, principally those immediately adjacent to Oxfordshire and in the South East
  - The need to consider the voluntary service principle as required by the statutory guidance.

### ***What the Basic Allowance should cover***

14. The Basic Allowance, in our view, is intended to recognise the many calls on a councillor's time including the costs associated with general constituency work. This includes the use of a councillor's home, home phone and utilities. In our view, it also covers time commitment integral to serving as an ordinary member (or substitute) of a formal meeting of the Council. We also noted that it is the Council's practice to deploy ICT devices to enable seamless working with the Council's systems. In our view, while we can see the business reason for this, we felt that the Basic Allowance should be deemed to cover incidental user-consumables such as printer cartridges for council supplied printers.

### ***Voluntary element***

15. We still hold the view that a proportion of a councillor's time should continue to be voluntary and should not be remunerated. It is our view that while the role of county councillor contains an element of voluntary activity – such as the aspiration to serve and represent constituents in the community – it is no longer appropriate or feasible to try to quantify this. The pace of change and the immediacy of contemporary communication means that the demands of the

role are ever more present. Consequently, no specific formula has been used to assess this in the calculation of the allowances arrived at in this report. Rather, we consider that this is bound up in the principle that an allowance is not a payment for work done but a recognition of the time and level of responsibility that such public duty requires.

### ***Determination of the level of Basic Allowance***

16. Our starting point was to consider the evidence received from councillors in relation to the Basic Allowance. We heard from councillors that the Basic Allowance was too low, principally in that it did not encourage people of working age to come forward as councillors and did not sufficiently recognize the potential implication that some people may need to reduce working hours in order to undertake the role of councillor. While the allowances scheme alone cannot facilitate a wider demography – the candidate selection of political parties, the governance structure of authorities play a significant part - realistic and benchmarked allowances are one way of contributing to a more level playing field.
17. We considered the various calls on County Councillors' time both in their constituency and formal roles (e.g. attending meetings, engaging with parish councils and community groups). We also looked at the levels of Basic Allowance paid by comparator County Councils, primarily in the South East but also other comparable County Councils across England. We found that Oxfordshire County Council had fallen behind, particularly among South East counties, if not some others nationally, and that an increase was appropriate to rebalance the Basic Allowance better to support a more diverse range of people, reflective of Oxfordshire. We deemed that a Basic Allowance of £12,000 was a modest but important increase sending a clear message about the importance of councillor work in the community and helping facilitate a wider range of representation.
18. In achieving this, we wanted to use the Basic Allowance as a base for assessing the various Special Responsibilities required within the Council.

**We RECOMMEND that the Basic Allowance payable to all councillors increase to £12,000.**

### **Special Responsibility Allowance (SRA)**

19. We then considered which posts should qualify for an SRA and the appropriate level at which each allowance should be set.
20. We had regard to:
  - The political management arrangements set out in the Council's Constitution, the responsibilities performed within that framework and the functions of the various roles.
  - The range and levels of SRA proposed in other County Councils and in the South East.

- Evidence from Oxfordshire County Councillors (in person and through responses to the questionnaire) as to whether current SRAs are appropriate and as to suggestions for additional SRAs.
21. We have considered whether an SRA is appropriate to the following responsibilities within the Council's structure:
- i. Leader of the Council
  - ii. Deputy Leader of the Council
  - iii. Cabinet Members
  - iv. Chairmen of Scrutiny Committees (Performance; Education)
  - v. Chairman of the Planning & Regulation Committee
  - vii. Chairman of the Audit & Governance Committee
  - x. Chairman of the Pension Fund Committee
  - xii. Chairman of Remuneration Committee
  - xiv. Chairman of the Council
  - xv. Vice-Chairman of the Council
  - xvi. Leader of the Opposition
  - xvii. Other Shadow Cabinet Members
  - xviii. Third Party Leader
  - xix. Locality Meeting Chairman
  - xx. Police and Crime Panel member
  - xxi. Police and Crime Panel chairman
  - xxii. Police and Crime Panel vice-chairman
  - xxiii. Chairman of the Joint Health Overview and Scrutiny Committee
  - xiv. Chairman of the Horton Health Overview and Scrutiny Committee.

### **Leader and Deputy Leader of the Council**

22. We considered changes to the roles and responsibilities of the Leader and Deputy Leader since the last full review. We were mindful of their roles in leading the political direction of the Council as the senior members of the Cabinet. We were also mindful of their considerable responsibility for delivering the Council's budget and policy framework. Their responsibility for steering the partnership dimension of the Council's working e.g. through the Growth Board and as demonstrated in the engagement with key stakeholders through the pandemic, is more important than ever. This increases the level of complexity involved and the roles of Leader and Deputy Leader are similar in terms of workload to those of senior management. We recognise that the complexity and workload mean that these roles are, in practice, only capable of being carried out effectively on a full-time basis. Whilst clear that the allowance is not a wage, we are concerned that the allowance paid should not be a barrier to attracting people to these pivotal roles.
23. We considered the differential allowances paid to the Leader and the Deputy Leader and we continue to be of the view that the Leader's role carries more responsibility than that of the Deputy Leader and this is reflected in our recommendations.
24. We then looked at the levels of SRA paid to the Leader and Deputy Leader by comparator County Councils primarily in the South East but also other

comparable County Councils across England. We found that Oxfordshire County Council was below the average for the region if not with some other authorities nationally. With the aim of resetting these allowances to reflect current workload and responsibilities, and with the objective of providing an allowance that encouraged progression to senior roles, we deemed that this average allowance was an appropriate guide for the level of remuneration.

**We RECOMMEND that the Special Responsibility Allowance to the Leader of the Council be set at 3 times the Basic Allowance i.e. increased to £36,000;**

**We RECOMMEND that the Special Responsibility Allowance to the Deputy Leader of the Council be set at 2 times the Basic Allowance i.e. increased to £24,000.**

### **Other Cabinet Members**

25. The consideration given to the Leader and Deputy Leader applied similarly to the role of Cabinet Members. We noted the difficulties inherent in performing a Cabinet role while also maintaining full employment. We heard that a younger member of the Cabinet had previously resigned the role as it would otherwise have detracted from full-time employment. Equally, others had managed to do so. Again, although we consider that these posts should not be treated as a source of paid employment (a view supported by councillors) there is none the less a need to rebalance the amount paid better to reflect the time commitment, workload and level of responsibility.
26. As with other posts we found that the SRA for Cabinet Members lagged below the county council comparator average and, as a starting point, considered an increase to the level. We also considered the level of the SRA against that of the Leader and Deputy Leader.

**We RECOMMEND that the Special Responsibility Allowance to Cabinet members be set at 1.6 times the Basic Allowance i.e. increased to £19,200.**

### **Chairs of Performance and Education Scrutiny Committee**

27. We noted that the new arrangements had been in place since May 2013 with two Scrutiny Committees. We interviewed the chair of the Performance Scrutiny Committee and a former Scrutiny Chairman. Having considered the demands of the roles, we reached the view that the chair of a scrutiny committee performed a pivotal role in managing the business of that committee in holding the executive to account; and that the burden of the role fell more significantly to the chair rather than the vice-chair. We considered that the chair's responsibilities should receive an allowance in line with comparator averages.

28. In doing so, we recognized that while by convention, the Leader of the Opposition also serves in the role of chair of the Performance Scrutiny Committee, there was no constitutional requirement to this effect. As such, we assessed the roles entirely separately.
29. We received no representations that an additional allowance be paid to the Deputy Chairs of Scrutiny Committees. We consider that the responsibilities of the Deputy Chairmen of the Committee are not onerous and that no SRA is needed.

**We RECOMMEND that the Special Responsibility Allowance for the Chairs of the Education and Performance Scrutiny Committees be set at 0.6 times the Basic Allowance i.e. increased to £7,200.**

### **Chair of the Joint Health Overview and Scrutiny Committee and the Horton Health Overview and Scrutiny Committee**

30. We heard that both of these Committees still play a significant function in the scrutiny of health services across Oxfordshire. The Joint Health Overview and Scrutiny Committee continues to be a busy Committee. The Horton Health Overview & Scrutiny Committee, while originally created as a time-limited, task-and-finish body, scrutinizing proposals for maternity services, has been refocused by the constituent Councils and still plays a key role in scrutinizing the development of a Horton General Hospital masterplan.
31. We met with the Chairman of both Committees. We remain of the view that an allowance for chairing these meetings is appropriate.

**We RECOMMEND that the Special Responsibility Allowance for the Chairs of the Joint Health Overview and Scrutiny Committee and the Horton Health Overview and Scrutiny Committee should be set at:**

- a) Joint Health Overview and Scrutiny Committee: 0.6 times the Basic Allowance i.e. £7,200
- b) Horton Health Overview and Scrutiny Committee: 0.45 times the Basic Allowance i.e. £5,400

### **Planning and Regulation Committee**

32. This significant committee deals with a range of quasi-judicial non-Executive regulatory functions. It meets every six weeks and in addition there are site visits, and it carries a considerable workload. We note that the post of the Chair of the Planning & Regulation Committee needs to be knowledgeable on technical issues, and able to deal with contentious issues, in order to guide the discussion and enable the Committee to focus on the key regulatory issues before it. We heard that there was very little additional preparation needed by the Deputy Chair over and above that as a Committee member and considered that there was no need to introduce an allowance for that role.

33. We considered whether the responsibilities and workload of the post of Chair required a different allowance to that of a Scrutiny Chair and we consider the two posts to be comparable and therefore recommend that the same allowance be paid.

**We RECOMMEND that the Special Responsibility Allowance for the Chairman of the Planning & Regulation Committee be set at 0.6 times the Basic Allowance i.e. increased to £7,200.**

#### **Chair of the Audit & Governance Committee**

34. This Committee (including a co-opted representative who also chairs this Committee's Audit Working Group) is responsible for seeing that good governance is maintained, with a strong system of internal control and risk management through the audit function. It meets approximately 6 times a year and the Committee maintains a strong focus on internal and external audit, ethical governance for elected members and gives pre-consideration to key changes to the Council's Constitution. For instance, the Committee had a pivotal role in reviewing the draft governance arrangements for the partnership between Oxfordshire County Council and Cherwell District Council. In addition to the Committee meetings there are monthly Audit Working Group meetings.
35. We interviewed the Chairman of this Committee.
36. We heard no representations to introduce an allowance for the Deputy Chair of the Committee and heard that the role was not significantly onerous to require an allowance.

**We RECOMMEND that the Special Responsibility Allowance for the Chairman of the Audit & Governance Committee be set at 0.6 times the Basic Allowance i.e. increased to £7,200.**

#### **Chair of the Pension Fund Committee**

37. This Committee manages the significant local government pension fund. It meets 4 times per year and there is required training for members throughout the year.
38. We are of the view that this is a considerable responsibility and requires specialist and technical knowledge with a constant requirement to keep up to date. Leading this Committee's work is a significant role at least equivalent to a scrutiny chairmanship. We interviewed the current chairman of the Committee.
39. We did not hear any calls for the introduction of a Deputy Chair's allowance and understood that the work of a Deputy Chairman was not so significantly more than a member of the Committee to require an allowance.

**We RECOMMEND that the Special Responsibility Allowance for the Chairman of the Pension Fund Committee be set at 0.6 of the Basic Allowance i.e. increased to £7,200;**

#### **Chairman and Vice-Chairman of the Council**

40. We continue to regard the civic, ceremonial and constitutional role of the Chairman of the Council to be significant within the Council. While COVID-19 may have impacted on the range of public engagements and events the Chairman or Vice-Chairman needed to attend was lessened, the requirement to adapt to manage Full Council meetings on line has been a responsibility. As civic head of the authority, the Chairman will continue to have a key role within the community, perhaps even more so once COVID-19 lessens and community engagement can once again take place in full. As such, we continue to regard the roles as important, albeit that each incoming Chairperson can make of certain aspects of the role what they choose, in terms of outreach and involvement.
41. We received no representations about the level of the allowance and recognize that the Vice-Chair does not frequently need to cover formal meetings, and has more of a role in the community, assisting with such events and engagements. Our view is that the responsibilities will remain significant in 2021 and perhaps even more so post-COVID.

**We RECOMMEND that the Special Responsibility Allowance for the Chairman of the Council be set at 0.85 times the Basic Allowance i.e. increased to £10,200;**

**We RECOMMEND that the Special Responsibility Allowance for the Deputy Chairman of the Council be set at 0.25 times the Chairman of the Council's Allowance i.e. increased to £2,550.**

#### **Chairman of the Remuneration Committee**

42. We heard that the Remuneration Committee does not meet often and that its membership and chairmanship relate largely to the holders of existing Special Responsibility Allowances, and as part of those responsibilities. It does not appear to us that there is the need for any specific SRA for this Committee.

#### **Leader of the Opposition**

43. We consider that an effective Leader of the Opposition is essential to the democratic accountability of the Council. As such, the Leader of the Opposition needs to invest significant time and effort in keeping abreast of the work of Cabinet, Scrutiny and the Council as a whole, which has a public benefit. The role is significant, constitutional and integral to the democratic checks and balances within the Council.

44. We interviewed the Leader of the Opposition.
45. Having regard to the demands of the role, we consider that it does not carry the equivalent responsibility of a Cabinet Member and that there should rightly be a differential between the allowances relevant to those positions. In addition, we have considered the involvement and support provided by Shadow Cabinet Members and have taken this into account when setting an appropriate level. We also believe it is significant that the Council has given a Constitutional role to the Leader of the Opposition and not to the leaders of other opposition groups on the Council. This also, in our view, supports the attraction of an allowance for the responsibilities involved.

**We RECOMMEND that the Special Responsibility Allowance for the Leader of the Opposition be set at the same level as the Basic Allowance i.e. increased to £12,000.**

#### **Other Members of the Shadow Cabinet**

46. We note that the Council's Constitution recognizes that the second largest political group on the Council will be regarded as the official Opposition and as such will be entitled to receive briefings from officers in order to carry out this form of democratic challenge. We think this Constitutional recognition is important and we acknowledge that the formation of a Shadow Cabinet to deliver on the holding of the executive to account, is a key means of sustaining the work.

**We RECOMMEND that a Special Responsibility allowance be set at 0.25 times the Basic Allowance i.e. increased to £3,000.**

#### **Locality Meeting Chairman**

47. We noted that when the Locality Meetings were introduced after 2013 and allowances set for the chairing of them, the concept of Locality Meetings was a new one. The meetings then and now do not have formal decision-making powers delegated to them. However, we heard that these meetings – 9 of them area-based around the county, of all the councillors elected for that geographical area – had increasingly become very useful. This is indicated by the officer resource deployed to them, to report on local issues and answer questions. They are a key means of communication about the effectiveness of council activity and policy on the ground, and a means of reflecting back to the Council the particular needs and interests of those areas. The members also often discuss together the scope for using each individual councillor's allocated Cllr Priority Fund.
48. We interviewed several chairs of locality meetings.
49. It is our view that although these meetings are still informal, the co-ordination of the issues discussed and the management of the discussions remains a

pivotal and embedded part of harnessing the Councillor perspective for the benefit of the Council and communities. As such, we think the time has come to give further recognition to the responsibility of chairing them. Clearly as the meetings are not decision-making in the formal sense, the responsibility is not akin to any decision-making role. As such, we considered that an allowance of 10% of the Basic Allowance was appropriate.

**We RECOMMEND that the Special Responsibility Allowance for the Chairs of Locality Meetings be set at 0.10 times the Basic Allowance i.e. increased to £1,200.**

### **Police and Crime Panel**

50. We noted that the Special Responsibility Allowance for the chairmanship of this Panel, should Oxfordshire County Council be elected to that position (as now), had been refreshed by a Panel previously, with Full Council agreeing to an uplift. We see no diminution in that role and are agreed that it remains a responsible one, with a regular set of meetings for the chairman to attend, plus a range of preparatory and sub-committee responsibilities attendant on the position. The responsibility is equivalent to that of a Scrutiny chair. Our concern is different.
51. We note that, according to the Police and Crime Panel terms of reference, endorsed by the constituent authorities, it is the authority which chairs the Panel which will pay the allowance for its Chairman. We question the equity of this for Oxfordshire's taxpayers. While we need to make recommendations within the current framework, we would ask the Council to revisit this point with its colleague members of the authority: we would question why the County Council's allowances scheme should bear the sole cost of this role when the effectiveness of meetings is the business of all constituent members. We are mindful too that there is perhaps an unexplored source of resource from the Home Office for the funding of some allowances. We would strongly encourage that the Council revisits this point with the PCP on a value for money basis for constituent authorities' residents and businesses.
52. However, we do not consider that there needs to be a current allowance for being a member of the Panel, nor its Vice-Chairman, a responsibility which we heard was not in any case onerous. So we are recommending that those allowances cease from April 2021.

**We RECOMMEND that the Special Responsibility Allowance for the Chairman of the Police & Crime Panel be set at 0.6 times the Basic Allowance i.e. £7,200;**

**We RECOMMEND that no allowance be payable to the role of member of the Police & Crime Panel;**

**We RECOMMEND that no allowance be payable to the Vice-Chairman of the Police & Crime Panel;**

**We RECOMMEND that the Council revisits with the Police and Crime Panel and its constituent members, the potential for sharing the costs of the responsibilities required in chairing the Panel, and otherwise explore sources of contributory Government funding.**

### **Third Party Leader and group leaders of other minority groups**

53. Currently no allowance is paid for the role of leader of the third party group. We considered whether this should change. We noted that the role, unlike that of Leader of the Opposition, does not have a formal basis in the Council's Constitution; we consider that to be significant. We interviewed the current holder of this role. We also heard that the Third Party Group Leader is regularly and integrally involved in monthly meetings of Political Group Leaders with senior officers, to discuss various plans and proposals. However, we would welcome some further delineation of this role by the Council within the Constitution or otherwise, before we recommend any change to create an allowance for this responsibility. We certainly remain open to that possibility.
54. As such, we are not currently convinced that the role of a Third Party Leader is sufficiently constitutionally embedded to warrant a formal SRA and that the day to day management of a political group is not itself a matter requiring remuneration.
55. For now, we recommend that an SRA is not appropriate for the Third Party Group Leader.
56. We recognize that there are not, currently, any other party groups on the Council. Were this to be the case, and the Council were to consider some degree of involvement for their leaders in the Council's formal and informal governance arrangements, we would be open to revisiting the question of allowances for minority group leaders.

**We RECOMMEND that no Special Responsibility Allowances be paid for the role of the Third Party Group Leader but that this be reviewed in 2021/22.**

### **Adoption and Fostering Panels**

57. We heard that members of the Council may, but are not required to, serve on Adoption and Fostering Panels. The current member serving on the Adoption Panel commits to at least 6 such panel hearings per year. There is no current member representative on the Fostering Panel. We are of the view that the exceptional level of responsibility in taking part in such a panel, given the life-changing outcomes involved, merits consideration under the Council's Scheme of Allowances. We are mindful of the work in preparing for such hearings and the responsibility of taking part in the decision making.
58. We suggest that the Council should introduce an allowance for a councillor who takes part in such meetings and that this should be reviewed after a year's operation. Rather than a flat fee, we recommend that this begins with a

payment per meeting of £100 capped at £1,200 based on the current trajectory that the Councillor serving on the Adoption Panel attends one such hearing per month.

**We RECOMMEND that a Special Responsibility Allowance is introduced for member representatives on Adoption and Fostering Panels, to be set at £100 per Panel hearing capped at £1,200 per year.**

### **Capping of Special Responsibility Allowances**

59. We considered that it would best serve the wider representation of the Council if it adopted a cap on the number of Special Responsibility Allowances which any individual councillor could receive at any one time. While it is true that any responsibility does take time and commitment to fulfil, we think it is important to strike the right balance between fair remuneration for a role performed, an encouragement of wider representation and a safeguard from the accrual of remuneration. In practice, it would be rare indeed for any individual to hold more than two SRAs at any given time.
60. We do believe this cap would signify a step-change and a marker towards potentially reducing the cap to one SRA per councillor in a future year, which is the practice of many other authorities. We have not recommended this further step this year so as to allow the Council best to consider its governance arrangements going forward, with this in mind.

**We RECOMMEND that the Council's Scheme adopts a cap whereby a councillor may only hold no more than two SRAs at any one time.**

### **Child and Dependant Carers' Allowances**

61. We noted that there have been no claims made for these allowances since the last review but agreed that the continuation of these allowances as part of a package of measures (including the increase in the basic allowance), was of significant importance, to encourage those with young families or care responsibilities to stand for Council in the coming years.
62. We considered the rates for hourly allowances for comparator County Councils in the South East and noted that the existing Oxfordshire rates are comparatively low. We also considered the average figures for carer costs across Oxfordshire and were attracted to the approach of achieving a realistic hourly rate with an annual cap. As such, we benchmarked that against other councils' experience.
63. We believe a more realistic rate in this particular area is essential in demonstrating a commitment to enabling those with caring responsibilities to consider performing the role of a councillor. The Approved Duties in the Council's Scheme of Allowances provides a tangible set of circumstances for which such an allowance can be claimed, suitably evidenced.

64. We do not consider a councillor should be able to claim such expenses for care provided by family members. We feel the Scheme should recognize caring responsibilities in respect of dependent children under 16 or dependent adults certified by a doctor or social worker as needing attendance.
65. We considered it appropriate that the hourly rate should also take into account the Oxford Living Wage as a base for the Child Care allowance; and as a multiple of that (twice) for the Dependant Carer allowance. This is reflected in our recommendation.

**We RECOMMEND that Child and Dependant Carer's Allowances continue to be paid on the basis that:-**

- a) **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;**
- b) **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.**

### **Co-optees' Allowance**

66. We continue in the view that there should not be a general co-optees' allowance payable to all co-opted members on Council Committees and so are not making a recommendation for such an allowance. We also continue to endorse the principle that co-opted members should be able to claim travel and subsistence allowances, provided that these cannot be claimed legitimately from another body.
67. We remain of the view that the independent member of the Audit & Governance Committee should receive the allowance for carrying out the specific role of Chairman of the Council's Audit Working Group, which reports to the Audit & Governance Committee. We concluded that the Chairman of the Audit Working Group is a key role in the financial/business workings of the Council which should be remunerated.

**We RECOMMEND that the co-optees' allowance to the independent co-opted member of the Audit Committee when the co-opted member serves as Chairman of the Audit Working Group be set at 0.6 times the Basic Allowance i.e. increased to £7,200.**

### **Indexation**

68. A council can apply an index to their allowances and in such a circumstance, if the only change each year is the application of the index, then the Council does not formally need to adopt a scheme of allowances each year. We have for some years recommended linking members' allowances to the local government pay award for Oxfordshire County Council staff. We believe this is

still appropriate particularly in the current economic climate. However, we are mindful that we are recommending increases to allowances in this report and we believe that the index should not be applied (for the year 2021/22) on any increased Basic or Special Responsibility Allowances.

**We RECOMMEND that 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, with the proviso that no such index should be applied during 2021/22 to any allowances that are increased either as recommended in this report or otherwise.**

### **Travelling and Subsistence Allowances**

69. The Panel did not receive any strong views that the current basis of travel and subsistence allowances should change. We noted that claims for travel were low even before COVID-19 prevented actual travel and formal meetings became virtual. We would invite the Council to consider why this was the case and whether the allowances claim systems are themselves a help or a hindrance to members. We noted the existing list of 'Approved Duties' (duties for which claims can be made) and suggest that the Council periodically reminds members of their right to make claims and how to do so.

**We RECOMMEND that claims made under the Council's travel and subsistence scheme be accompanied by receipts and/or any other relevant evidence of the costs incurred and that claims under the scheme be made, in writing, within two months of the relevant duty in respect of which the entitlement to the allowance arises;**

**We RECOMMEND the Council retains, for members, the travel and subsistence scheme that is applicable to officers.**

### **Amounts**

70. We recommend that the Basic Allowance, Special Responsibility Allowances and Co-optees' Allowance amounts be rounded to the nearest pound at the time they are set each year, to make it easier and clearer to identify the allowances for each role.

**We RECOMMEND that the amounts for Basic Allowance, Special Responsibility Allowances and Co-optees' Allowances be rounded to the nearest pound at the time of their setting and after any indexation is applied.**

### **Conclusion**

71. In conclusion, the Panel considers the current levels of allowances to be, in the main, too low having regard both to the time and workload involved and,

crucially, as a means of encouraging a diverse range of people to consider becoming county councillors in Oxfordshire. Clearly, allowances cannot be the only means of overcoming obstacles to wider democratic representation however they are an element. We did hear from some members that they thought it would be beneficial if allowances were once again pensionable: it is not however open to us to suggest something not currently permissible in law. We do though consider our recommendations to be appropriate to the roles actually performed by county councillors in the service of the people of Oxfordshire. We understand it is for the Council whether to accept these recommendations having regard to the budgetary and political implications of so doing. Our role has been to present a Scheme we feel is reflective of the responsibilities of elected and co-opted members of Oxfordshire County Council.

72. We would be willing of course to give any recommendations to the newly elected Council following the May 2021 election if any aspects of an adopted Scheme are then considered in need of amendment. In any event, the Panel has expressed its wish to meet again in autumn 2021

**David Shelmerdine**

**Chairman  
Independent Remuneration Panel  
November 2020**