

REPORT TO THE MEETING OF THE EXECUTIVE 10 DECEMBER 2008

PORTFOLIO: OVERALL STRATEGY AND POLICY DIRECTION

REPORT FROM: HEAD OF INFORMATION AND CUSTOMER SERVICES

SUBJECT: INDEPENDENT REMUNERATION PANEL REPORT

1 DECISION BEING RECOMMENDED

- 1.1 To recommend to Council that it resolves to adopt the Remuneration Scheme for 2009/10 proposed by the Independent Remuneration Panel.

2 REASONS FOR RECOMMENDATION

- 2.1 The Local Authorities (Members Allowances) (England) Regulations 2003 require that each Council sets up an Independent Remuneration Panel to make recommendations about the level of allowances for Members.
- 2.2 The Council has to have regard to the advice of the Panel, except in the area of pensionable allowance where the view of the Panel is binding if it does not recommend implementation. The Panel has not recommended that any allowances should be pensionable.
- 2.3 The report of the Independent Remuneration Panel regarding District Council remuneration is attached at Appendix 1.
- 2.4 In summary, the main recommendations from the Panel are as follows:-
- Basic and Special Responsibility allowances to be retained at the 2008/09 levels (see paragraphs 2.3 and 2.4 in Appendix 1).
 - Childcare and Dependant carer allowances to be retained at the 2008/09 levels (paragraph 2.5 of Appendix 1).
 - The mileage rate to remain at 40p per mile (the tax threshold) and other travel rates and subsistence allowances to be up-rated in line with officer rates (paragraph 2.6 of Appendix 1).
 - Allowance for Independent Members of the Standards Committee to be retained at the 2008/09 level (paragraph 2.7 of Appendix 1).
 - The outgoing Chairman of the Panel has recommended that the Council may wish to consider looking at the remuneration rate for members of the Panel (as it has remained static since the Panel was first established in 2001), in terms of alignment with Independent Member of the Standards Committee (paragraph 2.8 of Appendix 1).

3 ALTERNATIVE OPTIONS CONSIDERED

- 3.1 The Panel considered a number of options for remuneration levels for 2009/10, including an increase aligned to the pay award for officers.

4 RISK IMPLICATIONS

- 4.1 To minimise reputational risk the Council needs to have regard to the recommendations of the Independent Remuneration Panel.

5 RESOURCE IMPLICATIONS

- 5.1 The cost of the remuneration scheme with no increase for 2009/10 is estimated at £287,000 and is part of the core estimates. Any claims made for reimbursement of childcare or dependant care costs would be in addition to this, but based on experience this is likely to be minimal.

6 PARISH IMPLICATIONS

- 6.1 The Independent Remuneration Panel has a role in reviewing Parish/Town Council remuneration schemes, and has undertaken a complete review and devised a common framework that can be applied by all Parish/Town Councils when considering remuneration schemes. Details are set out in the report attached at Appendix 2. This information will be supplied to all Parish/Town Councils for consideration.

I confirm that the above recommendation does not depart from Council policy and that appropriate consideration has been given to any budgetary and legal implications.

SMT Lead Officer Signature: _____

Head of Information and Customer Services

Background Papers:

Minutes of meetings of the Independent Remuneration Panel.

For further information please contact Sarah Fowler on:-

Tel:- 01702 318135

E-Mail:- sarah.fowler@rochford.gov.uk

If you would like this report in large print, braille or another language please contact 01702 546366.

REPORT OF THE INDEPENDENT REMUNERATION PANEL TO ROCHFORD DISTRICT COUNCIL – DECEMBER 2008

1. BACKGROUND

- 1.1 The Local Authorities (Members' Allowances) (England) Regulations 2003 require that each Council must establish and maintain an Independent Remuneration Panel to make recommendations about the level of basic allowance for all Members, the level of special responsibility allowances and to whom they should be paid, and on whether dependants' carers' allowance and travel and subsistence allowances should be paid and the levels of these allowances. The Panel also can consider whether any allowances should be pensionable and/or subject to an annual inflationary increase.
- 1.2 The Council has to have regard to the advice of the Independent Remuneration Panel except in the instance of pensionable allowances where the view of the Panel is binding if it does not recommend their implementation. The Panel has not recommended that any allowances should be pensionable.
- 1.3 The Panel met in April 2007 to advise on remuneration for the Executive Board and Area Committee Structure, and then reviewed this in December 2007. In April 2008 the Council moved to a stronger leadership model of governance with the leader appointed for a period of 4 years, supported by an Executive of 7 portfolio holders with delegated decision-making authority, and the Panel reconvened to consider the impact of this new structure in June 2008.
- 1.4 The same Independent Remuneration Panel is also required to consider the remuneration schemes for Parish / Town Councils.

2. DISTRICT COUNCIL REVIEW

- 2.1 The Panel held two meetings and considered the following documents:
- comparative information about allowances in District Councils in Essex
 - the CPA Corporate Assessment report of September 2008
 - feedback from Councillor Mrs Lumley, Review Committee Chairman
 - summary of Overview & Scrutiny arrangements across Essex.
- 2.2 The Panel was advised of the view of the Executive that it would be appropriate for any proposed increase in allowances for 2009/10 to be in line with increases available to officers.
- 2.3 Special Responsibility Allowance – Review Committee Chairman

The Panel considered the evidence about the Review Committee, and the workload involved with and the importance of the role of the Review Committee Chairman in ensuring the Executive was held to account. The Panel recognised that the single Review Committee adopted in Rochford

Appendix 1

District was not implemented universally in other Districts, meaning a potentially disproportionate workload for the Review Committee Chairman. The Panel were advised that the Review Committee arrangements may be refined in the coming year and in the context that the new Executive structure was still bedding in, concluded that the remuneration for this role should be re-considered at the next annual review.

Recommendation: That there be no increase in the special responsibility allowance for the Review Committee Chairman.

2.4 Basic and Special Responsibility Allowances

The Panel recognised the view of the Executive concerning alignment with pay increases for officers. However, taking account that allowances had increased significantly over the last few years, the new Executive structure had yet to fully bed in, there had been limited representation by Members to the Panel, and that an element of the Members' role is voluntary, the Panel felt that there should be no increase in Members' remuneration for 2009/10.

Recommendation: That there be no increase in Members' remuneration for 2009/10.

2.5 Dependant Carer's Allowance

The Panel was pleased that the Council had implemented a dependant carer's scheme in 2007/08 as it was one way of ensuring that as wide a range of people as possible were encouraged to put themselves forward for election as they would then be able to carry out the full range of public duties without compromising their carer responsibilities. The Panel had not received any feedback as to the level of allowances for 2009/10.

Recommendations: That childcare allowance be retained at £6 per hour maximum, subject to the following conditions: dependent children must be under the age of 16 and living at home with the member. Allowance is claimed on production of a signed statement which states care has been provided by a babysitter and can be paid to a member of the immediate family.

Dependant Carer allowance to be retained at £15 per hour maximum, subject to the following conditions: elderly or dependent relatives must be living at the same address as the member. Production of receipt from a professional carer must be supplied.

No cap to be applied to the overall annual level of carer's claims made by any individual member in recognition of the fact that Members are responsible in this regard and that the scheme is intended to reimburse actual expenditure incurred.

2.6 Travel and Subsistence Allowances

The Panel considered travel and subsistence allowances and believed that the mileage allowance should be retained at 40p per mile as this is the tax threshold. Other travel and subsistence allowances should be up-rated in line with the officer rates.

Appendix 1

Recommendations:

Travelling Expenses

Claims for travelling expenses must be based on one of the following:-

- Bus fare or standard class railway train fare
- A mileage allowance for use of the Member's vehicle of 40p per mile
- A passenger allowance of 5p per mile
- A motorcycle allowance of 24p per mile
- A bicycle allowance of 20p per mile
- In certain circumstances, the amount of the actual fare of a taxi cab. This will only be paid in cases where use of public transport is not available or where excessive travelling time would be involved.

Subsistence Allowance

When attendance at a conference, course, etc is as a representative of the Council and involves the purchase of meals and/or overnight accommodation away from home, subsistence allowance is payable. This allowance is intended to cover expenses incurred on meals and hotel accommodation during absence from home and can only be paid when the approved duty is as a representative of the Council.

The rates shall not exceed:-

In cases of an absence, not involving an absence overnight from the usual place of residence:-

- | | |
|---|--------|
| • Breakfast allowance (more than 4 hours from normal place of residence – before 11am) | £6.45 |
| • Lunch allowance (more than 4 hours away from normal place of residence – including lunchtime between 12 noon and 2pm) | £8.91 |
| • Tea allowance (more than 4 hours away from normal place of residence including period 3pm to 6pm) | £3.52 |
| • Evening meal allowance (more than 4 hours away from normal place of residence, ending after 7pm) | £11.03 |

For overnight stays the actual cost of hotel accommodation will be claimable, subject to a maximum of £120 per night. This sum is increased to £180 per night if staying in Central London, meaning the City of London and the London Boroughs of Camden, Greenwich, Hackney, Hammersmith and Fulham, Islington, Kensington and Chelsea, Lambeth, Lewisham, Southwark, Tower Hamlets, Wandsworth and Westminster.

Any rate determined under this scheme shall be deemed to cover a continuous period of absence of 24 hours.

Appendix 1

The rates specified above shall be reduced by an appropriate amount in respect of any meal provided free of charge by an authority or body in respect of the meal or the period to which the allowance relates.

NOTE: Subsistence allowances will be amended as and when rates payable to officers are amended.

Meals on Trains

When main meals (ie breakfast, lunch or dinner) are taken on trains during a period for which there is entitlement to a day subsistence allowance, the reasonable cost of the meals (including VAT) may be reimbursed in full within the limits specified below. In such circumstances, reimbursement for the reasonable cost of a meal should replace the entitlement to the day subsistence allowance for the appropriate meal period.

Limitations on reimbursement are:-

- (a) for breakfast, an absence of more than four hours before 11.00am
- (b) for lunch, an absence of more than four hours, including between 12 noon and 2.00pm
- (c) for dinner, an absence more than four hours, ending after 7.00pm.

2.7 Special Responsibility Allowance – Independent Members of the Standards Committee

Recommendation: That the allowance for Independent Members of the Standards Committee be retained at £425 per annum.

2.8 Special Responsibility Allowance – Independent Remuneration Panel

The level of this allowance has remained at £300 per review since the Panel was first established in 2001. The outgoing Chairman of the Panel recommended that this allowance be reviewed by the Council with a view to alignment with Independent Members of the Standards Committee. This change, if adopted, to be implemented for reviews from 1 April 2009.

3. PARISH/TOWN COUNCILS REVIEW

- 3.1 The Panel undertook a separate review of Parish/Town Council remuneration. The Panel has established a remuneration framework to recognise the relative responsibilities of Parish/Town Councils in providing services and managing budgets. The application of this framework will be matter for individual decision by each Parish/Town Council, but it will set a recommended maximum for each Council.
- 3.2 The full details of the Parish/Town Councils Remuneration Review is set out in a separate report.

Tony Payne (Chairman)
Mike McDowall
Owen Richards

December 2008

REPORT OF THE INDEPENDENT REMUNERATION TO PARISH/TOWN COUNCILS - DECEMBER 2008

1. BACKGROUND

- 1.1 The Local Authorities (Members' Allowances)(England) Regulations 2003 require that each District Council must establish and maintain an Independent Remuneration Panel to make recommendations about the level of basic allowance for all Members, the level of special responsibility allowances and to whom they should be paid, and on whether dependants' carers' allowance and travel and subsistence allowances should be paid and the levels of these allowances. The Panel also can consider whether any allowances should be pensionable and/or subject to an annual inflationary increase.
- 1.2 The same Independent Remuneration Panel is also required to consider the remuneration schemes for Parish/Town Councils, should they wish to pay a basic allowance or travel and subsistence expenses.
- 1.3 The Parish/Town Councils have to have regard to the advice of the Independent Remuneration Panel, but their recommendations are not binding.

2. PARISH / TOWN COUNCIL REMUNERATION REVIEW – COMMON FRAMEWORK

- 2.1 In 2007/08 the Panel undertook some preliminary work around the feasibility of establishing a common framework of criteria to apply to Parish / Town Council allowances. This was in the context that there was a wide disparity between allowances paid in the Parish / Town Councils with little consistency as to how values had been established, and therefore comparison was difficult. The Panel continued this work and met on three occasions to hear views from the Town and Parish Councils.
- 2.2 The Panel issued an invitation to all Parish / Town Councils to send representatives to their meetings and the Panel is very grateful for the contributions from Councillor Lynne Van Houton, Canewdon Parish Council, Councillor Karen Perring, Great Wakering Parish Council, Stuart Mennell, Clerk to Hawkwell Parish Council, Paul Stanley, Clerk to Hockley Parish Council, Linda Cowan, Clerk to Hullbridge Parish Council, Councillor Paul Beckers and Councillor Mary Beckers, Rawreth Parish Council, Councillor Chris Lumley and Councillor Patricia Weaver, Rayleigh Town Council, John Dyke, Clerk to Ashingdon Parish Council, and Councillor Maureen Vince, Rochford Parish Council. The Paglesham Parish Council Clerk, Ian Puzey, had supplied written comments.
- 2.3 The Panel considered a number of documents including:-
 - details of existing levels of Parish / Town Council remuneration payments
 - details of the decision making structure in each Parish / Town Council

Appendix 2

- details of Parish / Town overall budget and electorate
- whether Quality Parish status had been achieved
- precept levels and remuneration as a percentage of the precept
- National Association of Local Councils (NALC) profile exercise for Parish Clerk remuneration.

2.4 The purpose of the Panel was initially to obtain views about whether there was the need or opportunity to establish a common framework, recognising the difficulties of such a framework to Parish / Town Councils as diverse as Sutton & Foulness with electorates of under 200, to Hockley and Hawkwell with electorates between 7-9,000 and the Rayleigh Town Council with an electorate in excess of 25,000. Similar differences existed with the Council precepts.

2.5 A wide variety of views were expressed to the Panel including:-

- Concern about the impact on the precept if allowances and expenses were claimed.
- Particularly in the smaller Parish Councils, there was a view that becoming a Parish Councillor was about serving the community and that it was not appropriate for it to be a paid position.
- Even if allowances were not paid, most Parish / Town Councillors could claim out of pocket expenses, for mileage, for example.
- The availability of remuneration could open the role of Parish / Town Councillor to a wider range of the population thereby making Councils more socially inclusive.
- The amount of time spent on Parish / Town Council work seemed to vary – in some areas it could be 10 hours per month, whereas in other areas it could be up to 10 hours per week.
- The type of expenses that could be incurred by a Parish / Town Councillor included increased phone bills, the need to issue newsletters to residents and the need to pay for an internet connection to enable communication. In some instances, Parish/Town Councillors would need an allowance to enable them to carry out these elements of their role.
- Current legislation did not allow the payment of differential allowances to Parish / Town Council Members dependent on how much time they spent on Parish / Town Council business, or whether they were a Committee Chairman.
- The role of Parish and Town Councils was developing with the Government encouraging them to take on greater tasks, for example, Parish / Town Councillors often led on a development of their area plan, thereby exercising a community leadership role.
- The Parish / Town Councils attending the meetings agreed in principle to the establishment of a remuneration structure, which would then be for each individual Council to decide whether to adopt.

2.6 The Panel considered the NALC framework that had been used by some Parish / Town Councils to profile the role of their clerks. This was an interesting, but quite

Appendix 2

complex, scheme and the Panel was not aware of where within the framework the Parish / Town Councils that had used it had assessed themselves.

- 2.7 The Panel believed it was important to establish a remuneration framework to recognise the relative responsibilities of Parish / Town Councils in providing services and managing budgets. It could also potentially assist in increasing the diversity of elected representatives by encouraging people to stand for election who otherwise would be unable to do so.
- 2.8 The Panel recognised that any framework scheme will have potentially arbitrary dividing lines, but that nevertheless it would be of benefit to establish a framework of alignment that Parish / Town Councils could choose to work towards over time. Its application would be a matter for individual decision for each Parish / Town Council and the Panel recognised that certain Councils may not wish to set an allowance. The framework would set the maximum recommended for each Council.
- 2.9 The Panel considered that the Parish/Town basic allowance should be based on a percentage of the District Council basic allowance, with an additional 5% for those Councils that had achieved 'Quality' status.
- 2.10 The framework below is therefore recommended with maximum levels indicated:

Parish / Town Council	% of RDC Basic Allowance	Addition for Quality Status
<u>Band 1</u> Barling Magna, Canewdon, Foulness Island, Paglesham, Rawreth, Stambridge, and Sutton	5%	5%
<u>Band 2</u> Ashingdon and Great Wakering	15%	5%
<u>Band 3</u> Hawkwell, Hullbridge and Rochford	20%	5%
<u>Band 4</u> Hockley and Rayleigh	25%	5%

3. PARISH / TOWN COUNCIL REVIEW 2009/10

- 3.1 Ashingdon, Great Wakering, Hockley, Hullbridge, Rawreth and Rochford Parish Councils, and Rayleigh Town Council, had asked that their remuneration levels be reviewed for 2009/10.
- 3.2 Using the framework set out at paragraph 2.10, and taking into account a Rochford District Council basic allowance of £4,250, the following recommendations are made for Parish / Town basic allowance in 2009/10:-

Ashingdon	-	£637.50 per annum maximum
Great Wakering	-	£850.00 per annum maximum
Hockley	-	£1,275.00 per annum maximum
Hullbridge	-	£850.00 per annum maximum

Appendix 2

Rawreth	-	£212.50 per annum maximum
Rayleigh	-	£1,275.00 per annum maximum
Rochford	-	£1,062.50 per annum maximum

- 3.3 For those Parish Councils that had not requested a review of remuneration, for illustrative purposes the maximum allowances recommended under the framework for 2009/10 would be as follows:-

Barling Magna	-	£212.50 per annum maximum
Canewdon	-	£212.50 per annum maximum
Foulness Island	-	£212.50 per annum maximum
Hawkwell	-	£1,062.50 per annum maximum
Paglesham	-	£212.50 per annum maximum
Stambridge	-	£212.50 per annum maximum

- 3.4 The Panel did not have the opportunity to examine in detail the specific role of Chairman of the Parish/Town Council and would take a detailed look at this in the following year's review. As an interim measure, the Panel would recommend that the Chairman's allowance be set at 50% of the appropriate Parish/Town Council basic allowance.

- 3.5 The Panel recommends that travel and subsistence, carer and dependant's allowances should be set at the same levels as for Rochford District Councillors, as follows:-

Childcare and Dependant Carer's Allowance

That childcare allowance be set at £6 per hour maximum, subject to the following conditions: dependent children must be under the age of 16 and living at home with the member. Allowance is claimed on production of a signed statement which states care has been provided by a babysitter and can be paid to a member of the immediate family.

Dependant carer allowance to be retained at £15 per hour maximum, subject to the following conditions: elderly or dependant relatives must be living at the same address as the member. Production of receipt from a professional carer must be supplied.

Travelling Expenses

Claims for travelling expenses must be based on one of the following:-

- Bus fare or standard class railway train fare
- A mileage allowance for use of the Member's vehicle of 40p per mile
- A passenger allowance of 5p per mile
- A motorcycle allowance of 24p per mile
- A bicycle allowance of 20p per mile
- In certain circumstances, the amount of the actual fare of a taxi cab. This will only be paid in cases where use of public transport is not available or where excessive travelling time would be involved.

Appendix 2

Subsistence Allowance

When attendance at a conference, course, etc is as a representative of the Council and involves the purchase of meals and/or overnight accommodation away from home, subsistence allowance is payable. This allowance is intended to cover expenses incurred on meals and hotel accommodation during absence from home and can only be paid when the approved duty is as a representative of the Council.

The rates shall not exceed:-

In cases of an absence, not involving an absence overnight from the usual place of residence:-

- Breakfast allowance (more than 4 hours from normal place of residence – before 11am) £6.45
- Lunch allowance (more than 4 hours away from normal place of residence – including lunchtime between 12 noon and 2pm) £8.91
- Tea allowance (more than 4 hours away from normal place of residence including period 3pm to 6pm) £3.52
- Evening meal allowance (more than 4 hours away from normal place of residence, ending after 7pm) £11.03

For overnight stays the actual cost of hotel accommodation will be claimable, subject to a maximum of £120 per night. This sum is increased to £180 per night if staying in Central London, meaning the City of London and the London Boroughs of Camden, Greenwich, Hackney, Hammersmith and Fulham, Islington, Kensington and Chelsea, Lambeth, Lewisham, Southwark, Tower Hamlets, Wandsworth and Westminster.

Any rate determined under this scheme shall be deemed to cover a continuous period of absence of 24 hours.

The rates specified above shall be reduced by an appropriate amount in respect of any meal provided free of charge by an authority or body in respect of the meal or the period to which the allowance relates.

NOTE: Subsistence allowances will be amended as and when rates payable to officers are amended.

Meals on Trains

When main meals (ie breakfast, lunch or dinner) are taken on trains during a period for which there is entitlement to a day subsistence allowance, the reasonable cost of the meals (including VAT) may be reimbursed in full within the limits specified below. In such circumstances, reimbursement for the reasonable

Appendix 2

cost of a meal should replace the entitlement to the day subsistence allowance for the appropriate meal period.

Limitations on reimbursement are:-

- (a) for breakfast, an absence of more than four hours before 11.00am
- (b) for lunch, an absence of more than four hours, including between 12 noon and 2.00pm
- (c) for dinner, an absence more than four hours, ending after 7.00pm.

3.6 The Panel recommends that these allowances should be paid for approved duties, as set out in the Local Authorities (Members' Allowances) (England) Regulations 2003.

Tony Payne (Chairman)
Mike McDowall
Owen Richards

December 2008