

COUNCIL
27 FEBRUARY 2008

MEMBERS' ALLOWANCES SCHEME
REPORT OF THE INDEPENDENT REMUNERATION PANEL AND RELATED ISSUES
(Director of Corporate Services – Democratic and Registration Services)

1 PURPOSE OF DECISION

- 1.1 The Local Authorities (Members Allowances) (England) Regulations 2003 require councils to establish and maintain an Independent Remuneration Panel which will broadly have the functions of providing the local authority with advice on its scheme, the amounts to be paid and the pensionability of allowances where relevant. Local authorities must have regard to this advice.
- 1.2 The Independent Remuneration Panel appointed by the Council met in November and December 2007 at the Council's invitation, to review the Council's Members' Allowances Scheme as part of the annual review process. The Panel's report and recommendations are appended to this report. The Council is asked to consider the Panel's recommendations and to decide whether to make any changes to the current Scheme.
- 1.3 The Council is also asked to delegate authority to the Chief Executive to appoint to the Panel as vacancies occur.

2 RECOMMENDATION(S)

- 2.1 That the recommendations of the Independent Remuneration Panel are approved, as set out in bold in the Panel's report and summarised in paragraph 4.5 of this report, and that the Members' Allowances Scheme is amended and re-published accordingly.
- 2.2 That the list of approved conferences, set out in Annex B, is approved for inclusion in the Scheme.
- 2.3 That the Chief Executive, in consultation with the Independent Chair of the Panel, is authorised to make appointments to vacancies on the Independent Remuneration Panel as they arise and to determine each appointee's term of office.

3 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS

Borough Solicitor

- 3.1 Nothing to add to the report.

Borough Treasurer

- 3.2 There are no additional significant financial implications arising from the report.

Impact Assessment

- 3.3 One of the purposes of reviewing the Members' Allowances Scheme is to ensure that financial considerations are not a barrier to any person entering public office or assuming a particular role on the Council. By the same token the levels of allowances should be such that financial gain is not seen as an incentive for taking up public office.

Strategic Risk Management Issues

- 3.4 There are no strategic risk management issues relevant to this report.

4 SUPPORTING INFORMATION

Statutory Guidance

- 4.1 In all its deliberations the Independent Remuneration Panel has had regard to the Guidance on Consolidated Regulations for Local Authority Allowances published by the Office of the Deputy Prime Minister in July 2003.

Background

- 4.2 The Panel met in November and December 2007 and considered evidence in relation to the effectiveness of the Council's Members' Allowances Scheme. The Panel also considered whether to issue fresh authorities to the Council to continue to use indices for up-rating allowances on an annual basis and to confirm the right of Members to join the Local Government Pension Scheme. In both cases the authority from the Panel covers up to, but not exceeding a four year period. The current authority is now almost at an end.
- 4.3 In addition the Panel considered a number of minor issues arising from a recent internal audit review.

The Panel's Report and Recommendations

- 4.4 The Panel's report, including its findings and recommendations is appended to this report as Annex A. The recommendations are set out in bold in that report. The information reviewed by the Panel, listed in Appendix 2 to the Panel's report, is available from Democratic Services.
- 4.5 The main findings and recommendations of the Panel are:

(i) Varying responsibility and differentials

Not to make any major changes in the current differentials within the allowances scheme or to recommend any additional special responsibility allowances

(ii) The Local Government Pension Scheme

To confirm for another four years the Council's right to decide whether Members can join the Local Government Pension Scheme and that it should continue to apply to both the basic and special responsibility allowances.

(iii) The work of Licensing Panels

That a special responsibility allowance should not be paid to either the Chairmen of Licensing Panels or Licensing Panel Members for the coming year.

(iv) The Dependants' Carers' Allowance

To clarify the conditions for the application of the Dependants' Carers' Allowance, as detailed in paragraph 26 of Annex A.

(v) Payments

To clarify the arrangements for payments in an election year, as detailed in paragraph 28 of Annex A.

(vi) Attending conferences/seminars

To clarify the criteria permitting Members to attend conferences and seminars, what they may claim for such duties in respect of travel and subsistence allowances and assorted associated arrangements, as detailed in paragraphs 30 and 31 of Annex A.

(vii) Timeliness of submitting claims for reimbursement of expenses

That claims by Members for reimbursement of expenses should be submitted within two calendar months from the date when the approved duty occurs.

(viii) Provision of Information and Computer Technology (ICT)

That a summary of ICT provision to Members should be included in the Scheme of Members' Allowances, as detailed in paragraph 34 of Annex A, including what is claimable as a reimbursement and under what conditions.

(ix) The Broadband Allowance

That if a Member does not access the Council network through the Council provided broadband package, they should not receive any of the Council's computer software or hardware or any ICT support for their broadband connection. In addition the broadband allowance currently payable will only be paid on the receipt of relevant supporting documentation but no more than the current limit set by the Council, £15 per month, or actual reimbursement if less.

(x) How to Claim

To clarify the process of claiming for respective allowances, as detailed in paragraph 36 of Annex A.

(xi) Indexation

To approve the current indices for up-rating allowances for another 4 years and in addition, to index the Dependants' Carers Allowance.

(xii) Review

That the Panel should undertake a full review of the Scheme by the end of the 2008/2009 Municipal Year, to consider in a more deliberative fashion a wider range of evidence, views of Members and the operation of the current scheme within the new legislative framework.

Publicity Arrangements

- 4.6 In accordance with the Regulations a notice was published in the Bracknell Standard which stated that the Council had received recommendations from an Independent Remuneration Panel about its scheme of allowances and describing the main features of the Panel's recommendations. Copies of the report have been available at the Council's offices and via the Council's website.

Approved Conferences

- 4.7 The Panel considered the criteria permitting Members to attend conferences and seminars, what they may claim for such duties in respect of travel and subsistence allowances and assorted associated arrangements. Its recommendations are set out in paragraphs 30 and 31 of the Panel's report. In order to give effect to these recommendations it is necessary to have a list of approved conferences agreed by Council as part of the Members' Allowances Scheme. A proposed list of approved conferences is set out in Annex B.

The Appointment of Panel Members

- 4.8 In June 2003 the Chief Executive was authorised to constitute an Independent Remuneration Panel and to make appointments to it having regard to the advice of the appointed Independent Chair, Dr Declan Hall of Birmingham University. A Panel of five members was appointed, including representatives from the former public panel. Their initial term of office was three years, extended by an additional two years to June 2008.
- 4.9 The original delegation to the Chief Executive authorised him to replace any member of an Independent Remuneration Panel if they were removed for discrediting the Panel and/or undermining public confidence in the deliberations of the Panel. This delegation did not cover resignations from the Panel. Two Panel members have recently resigned therefore the Council is asked to authorise the Chief Executive to appoint to these vacant places and to delegate to him authority to appoint to future vacancies as they occur, in consultation with the Independent Chair.
- 4.10 The term of office of the three current Panel members, including the Independent Chair, will end in June 2008 and it is proposed that they are appointed for a further five year term if they wish to continue. The statutory guidance suggests that local authorities consider phasing appointments to ensure there is always at least one Panel member who has some experience, given that a Panel is likely to become more effective as its knowledge and understanding of members' allowances is increased. It is therefore proposed that the Panel members appointed to fill the two vacancies are initially appointed for a period of three years. It is also important to keep a Panel refreshed so if an occasion arises where more than three of the Panel have served for longer than five years the term of office of at least one Panel member will not be renewed and a new member will be appointed. Council is asked to authorise the Chief Executive to determine the term of office for each new appointee ensuring that appointments continue to be phased.

Background Papers

None

Contact for further information

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