

**BATH AND NORTH EAST
SOMERSET: REVIEW OF
MEMBERS'
ALLOWANCES**

**Independent
Remuneration Panel**

***Ronnie Alexander
Graham Russell
Wendy Stephenson***

DATE: March 2021

**BATH AND NORTH EAST SOMERSET COUNCIL: INDEPENDENT
REMUNERATION PANEL**

REPORT ON MEMBERS' ALLOWANCES

SUMMARY OF RECOMMENDATIONS

The Panel is recommending that all the changes to the level of allowances for the year 2021/22 as set out below should take effect from 1st April 2021 (so backdated from the Council meeting if after that date).

RECOMMENDATION 1: The Basic Allowance should:

- i. Be set at £8,951 in 2021/22;
- ii. Subsume the homeworking allowance;
- iii. Be Index linked as set out below in Recommendation 18;
- iv. In addition to increases due to index linking set out at iii above, be subject to additional annual increases of £750 per annum applied in 2022/23; 2023/24 and 2024/25 and then a final uplift of £354 in 2025/26.

RECOMMENDATION 2: Special Responsibility allowances:

- i. Should be limited to no more than 50% of Members;
- ii. The present practice of permitting a member to receive 50% of a second SRA in relation to a role for which such an allowance is payable, be continued;
- iii. The Council is asked to note the intention of the Panel to review the current banding of allowances at an early opportunity;
- iv. The Council is invited to respond to the Advisory Comments relating to SRAs as set out in the Report;
- v. The inflationary uprating in Recommendation 18 should apply to all SRAs.

RECOMMENDATION 3: The Council Leader's allowance should remain at £32,445 for 2021/22 subject to any inflationary uplift in line with Recommendation 18.

RECOMMENDATION 4: The Deputy Leader's allowance should remain at £19,484 for 2021/22 subject to any inflationary uplift in line with Recommendation 18.

RECOMMENDATION 5: The Cabinet Members' allowance should remain at £19,484 for 2021/22 subject to any inflationary uplift in line with Recommendation 18.

RECOMMENDATION 6: The Chair of the Planning Committee allowance should remain at £14,314 for 2021/22 subject to any inflationary uplift in line with Recommendation 18.

RECOMMENDATION 7: The Vice Chair of Planning Committee should receive an allowance of £3,578 for 2021/22 subject to any inflationary uplift in line with Recommendation 18.

RECOMMENDATION 8:

- i. The Policy Development and Scrutiny Panel Chair's allowance should remain at £7,952 for 2021/22 subject to any inflationary uplift in line with recommendation 18;
- ii. The Panel looks forward to reviewing the impact of changes reported to them at an early stage but also invites the Council to consider their advisory comments on overview and scrutiny (as set out at the end of the Report and in recommendation 20).

RECOMMENDATION 9: Chair of Licensing Sub Committee's allowance should remain at £5,052 for 2021/22 subject to any inflationary uplift in line with Recommendation 18.

RECOMMENDATION 10: Chair of Avon Pension Fund Committee should remain at £5,052 for 2021/22 subject to any inflationary uplift in line with Recommendation 18.

RECOMMENDATION 11: Committee member Avon Pension Fund Committee should remain at £3,817 for 2021/22 subject to any inflationary uplift in line with Recommendation 18.

RECOMMENDATION 12: Political Group Leaders should receive:

- All opposition Leaders should receive 0.25 of the Basic Allowance as a 'governance element', £2,238
- In addition, Political Group Leaders (including the Council Leader) should receive an allowance based on the size of their Group:
 - For Groups of more than 75% of the council membership 1x Basic Allowance, £8,951;
 - For Groups of 50%-75% of the council membership 0.75x Basic Allowance, £6,713;
 - For Groups of 25% - 50% of the council membership 0.25 of the Basic Allowance, £4,476.
 - For Groups of 8%- 25% of the council membership 0.25 of the Basic Allowance, £2,238.
 - For Groups of up to 7% of the council membership £0

RECOMMENDATION 13: Group Allowances should no longer form part of the Members' Allowances scheme but if required the budget should be transferred to Democratic Services budget head for members' support.

RECOMMENDATION 14: The Chair of the Council:

- i. The Allowance should remain at £9,543 for 2021/22 subject to any inflationary uplift in line with Recommendation 18.
- ii. The Panel invites the Council to consider their advisory comments on the future level of commitment required of the Chair (as set out at the end of the Report and in Recommendation 20).

RECOMMENDATION 15: The Vice Chair of Council Allowance should remain at £2,418 for 2021/22 subject to any inflationary uplift in line with Recommendation 18.

RECOMMENDATION 16: Travel and Subsistence:

- i. Should continue to be paid on the current basis as supported by the list of Approved duties;
- ii. The current Approved Duty list should be amended to include attending a parish council when there is an issue of relevance to the work of the Council which is of interest to a Councillor within their ward or of interest and relevance to a Portfolio holder within Bath and North East Somerset Council area.

RECOMMENDATION 17: Dependant Carers' Allowances:

- i. Details should be clarified and promoted (particularly to those considering standing for election);
- ii. The current provisions of the Scheme in relation to dependant carers' allowance (including the list of approved duties to which it applies) should remain unchanged;
- iii. The maximum allowed to be claimed for any care support should be the Real Living Wage, currently £9.50ph. This figure should be updated annually based on changes to the Real Living Wage. This allowance can be claimed per person per hour for whom care needs to be provided;
- iv. The effectiveness of the scheme and level of financial support would be subject to early review by the Panel.

RECOMMENDATION 18: The Basic Allowance and all SRAs should be updated annually on the basis of any headline percentage increase agreed by the National Joint Council (NJC) for Local Government as the pay award for staff on the national pay scale (Green Book).

RECOMMENDATION 19: The Independent Remuneration Panel be supported to review the Members' Allowances scheme on a regular basis with at least an annual 'health check'.

RECOMMENDATION 20: To note the Panel's advisory observations at Appendix A and respond to these in due course. In particular, the Council is invited to comment on:

- i. The policy of allowing 1.5 SRAs to be claimed by an individual Member;**
- ii. The observations about the Policy Development and Scrutiny Panels and in particular indicate to this Panel what arrangements formally exist for the leadership, direction and management of this statutory function at Member level;**
- iii. The observations on the role of Chair and in particular to advise the Panel about the future level of commitment required of the Chair over and above chairing Council meetings; and**
- iv. Measures for supporting Councillor development and performance management of Councillors, particularly those in receipt of an SRA.**

Introduction

1. The Local Government Act 2000 requires local authorities to make a Scheme of Allowances over which they can exercise local discretion as to the amounts being paid. Under the Local Government (Members Allowances) (England) Regulations, 2003, Councils have to set up an Independent Remuneration Panel to make recommendations on Councillors' allowances. Bath and North East Somerset appointed the following Panel in 2020:

Ronnie Alexander

Ronnie Alexander left Welsh Government in 2013 to pursue a variety of other interests, including consultancy. He is a member of the Welsh Parliament Remuneration Board and is Independent Chair of the Standards Committee for Blaenau Gwent County Borough Council. Ronnie had a civil service career spanning over 20 years and prior to that worked for a number of local authorities. He has a considerable track record of engaging with the public, professionals and politicians at all levels, to influence policy. He is also a member of the Bristol City Council IRP.

Graham Russell

Graham Russell is a former Head of Democratic Services with Bath and North East Somerset Council. He has written some regional guidance for Independent Remuneration Panels and officers. Graham has served on a number of similar Panels around the South West. He is currently a marriage celebrant in Bath and North East Somerset Council. He is also a member of the Bristol City Council, Chair of the West of England Combined Authority IRP and is the Chair of Stroud District Council IRP.

Wendy Stephenson

From 2005 to 2017 Wendy was Chief Executive of Voscur, the support and development organisation for Bristol's voluntary and community sector. In this role Wendy gained a good knowledge of the workings of the local authority and the roles and responsibilities of Councillors. Wendy has participated in Bristol City Council assessment Panels during the recruitment of senior officers, and worked with Councillors and officers in a number of different policy areas. She is also Chair of the Bristol City Council IRP.

2. At their first meeting on 3rd February 2020 the Panel elected Ronnie Alexander as the Chair. The Panel was supported by Bryony Houlden, Chief Executive of South West Councils as an independent adviser. The Panel was grateful to the Bath and North East Somerset officer team for their support. The Panel particularly wished to thank Jo Morrison, Michaela Gay and Mark Durnford.
3. The Panel held their second meeting on 16th March 2020 and initially planned to undertake and complete the Review in time for the Council meeting in May 2020. As a result of the pandemic the Review was put on hold and then restarted with virtual meetings in the Autumn. The Panel takes its responsibilities very seriously and have held 6 virtual meetings (8th October/15th January/5 February/22 February/3rd and 12th March) in addition to holding interviews with Members on 9th November and 7th December.
4. As part of their research the Panel circulated a survey to all the Members. The Panel was grateful to all 50 Members who completed the survey, this was an extremely high response rate, and provided considerable information of use to the

Panel in forming their recommendations. In addition, it was also very helpful to be able to interview the Leader, the Group Leaders, the job share Cabinet Members and a number of other Councillors in order to explore issues in more depth.

5. The Panel has made a number of recommendations that will increase the overall net spend on Members' allowances by £36,817 if all the allowances were taken by Councillors [based on current dual roles undertaken by Group Leaders this additional cost reduces to £27,747 if recommendation 2 ii providing for Members to only accept 50% of a second allowance is accepted]. This increase is attributable to the increase in the Basic Allowance for all Councillors. Whilst the Panel was mindful of the ongoing financial pressures affecting public sector bodies, it also strongly felt that elected representatives should be remunerated fairly for the work that they were undertaking and that in doing so this might encourage a more diverse and broader spectrum of the community to enter public life. The Current Basic Allowance has fallen far below comparator Councils and the increase in 2020/21 only goes a small way to address this issue. The recommendation takes a stepped approach to achieving what the Panel regards as an appropriate level.

Background

6. The current Allowances and Expenses Scheme is based on a Panel report from 2017. That Panel was stood down and the new Panel appointed in 2020.

General Principles of Review

7. The Panel has based its review on a number of core principles as follows:
 - Recognising the core values of Bath & North East Somerset Council both as a service provider/commissioner and as an employer;
 - Making recommendations that are supported by evidence offered in the review and which would withstand robust scrutiny;
 - Making recommendations that provide fair recompense for councillors in all their roles and do not of themselves create barriers to standing or returning as a councillor;
 - Recognising the contribution the Council can make to fair and effective working in Member roles through the way it structures its meetings and through such initiatives as job sharing;
 - Making recommendations on SRAs that clearly distinguish those Member roles that qualify for such allowances from those that are adequately recognised through an appropriate Basic Allowance;
 - Maintaining the principle of not having more than 50% of Councillors receiving a SRA.

Context

8. Whilst the Panel does not have a requirement upon it to develop an Allowance Scheme explicitly looking to shape the composition of the Council the Panel was mindful of the importance of Councillors reflecting the community they served. This

was a point made in interviews. As background information, the Panel therefore looked at the latest National Census of Local Authority Councillors carried out in 2018.

9. The Census asked Councillors about; their work as Councillors; their views on a range of issues; and their personal background.

NATIONAL CENSUS FINDINGS

Work as a Councillor

- On average, councillors had served for 9.2 years in their current authority; 47 per cent had served for up to 5 years while 11 per cent had done so for more than 20 years;
- 54 per cent of councillors held a position of responsibility, most commonly membership of the cabinet/executive
- Councillors spent, on average, 22 hours per week on council business, the largest chunk of which was on council meetings (8 hours);
- 39 per cent of councillors were also members of another public body;

Issues and views of Councillors

- 85 per cent of councillors became councillors in order to serve their community;
- 60 per cent thought that representing local residents was among the most important role of councillors, and 51 per cent thought the same of supporting local communities;
- 34 per cent of councillors thought they were very effective in their role, and 57 per cent fairly effective;
- 85 per cent would recommend the role of councillor to others;
- 68 per cent intended to stand for re-election

Personal background of Councillors

- 45 per cent of councillors were retired and 26 per cent were in full- or part-time employment;
- 64 per cent of councillors held other voluntary or unpaid positions, such as school governorships;
- 68 per cent of councillors held a degree or equivalent qualification; only 3 per cent did not hold any qualification;
- 63 per cent of councillors were male, and 36 per cent female;
- The average age of councillors in 2018 was 59 years; 15 per cent were aged under-45 and 43 per cent were aged 65 or over;
- 96 per cent described their ethnic background as white;
- 88 per cent described their sexual orientation as heterosexual or straight;
- 16 per cent had a long-term health problem or disability which limited their daily activities;
- 36 per cent of councillors had a responsibility as a carer, most commonly looking after a child.

10. Within Bath and NE Somerset, the Councillor cohort is currently 34% female and 66% male; 97% White and 3% BAME. The Council does not collect age data but the majority of Councillors are believed to be between 50 and 70. The latest census had the Bath population as 95% white; male/female population as 48.9/51.1. Aged between 18-45 37.3%; 45-64 25.5% and 17.9% over 65.

11. In terms of setting the context for the review, the Panel noted that austerity meant severe ongoing budget challenges for Bath and North East Somerset. The financial position has been challenging through the pandemic as the Council has been required to additionally support its communities and business as it has also seen income sources seriously affected.
12. The pandemic impacts go very much wider than just financial, and the Panel has been impressed by the work of both Councillors and Officers as they have stepped up to deliver in extremely challenging circumstances. It is not clear how the changes in working arrangements adopted during the pandemic might change the way the Council works and this is something the Panel will wish to consider as part of any future reviews.

Methodology

13. As noted above, key information was provided by Councillors through both a survey and a series of interviews. There were some councillors whom the Panel wished to interview because of their positions of influence or the particular member role they carried out. Equally, the Panel was happy to receive evidence from councillors who had indicated a willingness to come and talk to the Panel on general or specific matters. In all cases, the Panel was extremely grateful for the time that councillors have been able to devote to helping the Panel in this way.
14. In addition, the Panel reviewed benchmarking information from Unitary authorities that they considered formed an appropriate comparator group: Bristol, Swindon, Bournemouth, Christchurch and Poole, Plymouth and the City of York.
15. The panel also received background briefings on the work of the Council and information about structures, Councillor role descriptions and approved duties information.

Basic Allowance

16. The Basic Allowance is the allowance that every Councillor in Bath and North East Somerset is entitled to claim and includes recognition of the time and effort involved in performing ward duties. The present level of Basic Allowance is £7,993.
17. The Basic Allowance is not intended to totally compensate for all the hours spent by Councillors on Council related duties. Indeed, the Government anticipates that Independent Remuneration Panels will apply a discount to the assessed total hours spent to reflect what they see as the voluntary element of a Councillor's role. The Panel noted that the % reduction applied by Panels varies considerably with some authorities applying a 50% reduction and others, such as the neighbouring Bristol City 20%. A mid-range reduction of 33% or 30% was used by several authorities. The Panel concluded that 30% was appropriate as a public service discount for Bath and North East Somerset.
18. In considering changes to the Basic Allowance the Panel considered several pieces of evidence as set out below. The Panel regarded it as important context to record that being a Councillor is not a salaried position. Whilst it is still technically a voluntary role for which certain allowances and expenses are payable, Councillors and the Council are subject to rigorous public scrutiny. They are held to account for policies and services covering all aspects of community and family life. The public

has high, and possibly unrealistic, expectations of what a Councillor should do and possibly little or no recognition of how the role might impact on career or family life. All of this requires a robust and realistic level of support for councillors both in terms of remuneration and administration.

19. The Survey provided evidence that the Basic Allowance was currently seen as insufficient to reflect the work required of each Councillor. 62% of respondents said 'No' the allowance was not sufficient. Comments as to why the level was not appropriate included;
 - reference to the failure to reflect the amount of work involved;
 - the failure to compensate for lost earnings;
 - insufficient to attract a range of members including new and younger members making the Council unrepresentative of the local population.
20. Of a different view were the 36% who answered 'Yes' to the question. However, a number of these added comments that the allowance was fine for them as they had other incomes (normally a pension) but they recognised it would be more difficult for others to undertake the role at this level of remuneration.
21. The benchmarking information showed an average basic allowance from the benchmark group set out above (excluding Bath and NE Somerset) of £11,342 (median £10,371). All the five other councils in the benchmarking group have a higher Basic Allowance. The highest paying authority was Bristol City at £14,330, BCP Council (Bournemouth, Christchurch and Poole) was second at £12,500; Plymouth is £10,788, York £10,371 and the lowest Swindon at £8,723.
22. The Panel noted that Members receive an additional "Homeworking Allowance" of £208. [Note: The homeworking allowance is the term used by HMRC and replaces the incidental costs previously received. It covers expenses associated with homeworking such as heating charges etc]. Members were asked in the survey for their views on this allowance. 68% of responders felt this was an appropriate allowance although many felt it didn't cover the full costs of homeworking (the survey was completed pre-Covid). A number said they had responded 'yes' to it being needed because the Basic Allowance was inadequate and did not sufficiently cover costs. Adding this sum to the Basic Allowance means Councillors each receive £8,201 - still below the figure paid in each of the benchmarking councils.
23. The Panel considered all the evidence and concluded that the current Basic Allowance for Bath and North East Somerset was low and that it did not meet the guiding principles that the Panel had set, notably to ensure the Basic Allowance provided fair recompense and did not act as a barrier for engagement. The Panel believes that all Councillors have an important role to play in supporting their communities and shaping the future of the area and the remuneration should be more reflective of this work.
24. The Panel also concluded that a separate homeworking allowance was no longer appropriate and could get in the way of transparency about the level of remuneration for a Councillor undertaking the basic duties required by their role.
25. The Panel was not of the view that benchmarking data should be the driver of the Basic Allowance but only a guide and that a better approach, as adopted by a number of other Panels, would be to use local pay information. The Panel obtained

information that the 2020 median hourly pay B&NES figures, (based on ONS current data) was £14.43 (full time)

26. The Panel took the median hourly wage of £14.43 applied the 30% discount and used a 22 hour week (the average from the national LGA survey referenced above):

$$£14.43 - 30\% = £10.101 \times 22 \times 52 = £11,555.54$$

27. The Panel, having reflected on the evidence concluded that an allowance of £11,555 would be a more appropriate level in reflecting the responsibilities of a Councillor and that it supported the principle of having an allowance that would encourage wider participation, particularly amongst working age members of the community. At this level, the Basic Allowance would subsume the existing Homeworking Allowance and compensate for the loss of tax benefits attached to that allowance.
28. The Panel recognises that this would be a substantial increase in the £8,201 currently allowable for Councillors to claim (the Basic Allowance plus the current homeworking allowance) although it still only places Bath and NE Somerset just above the average of the benchmark group. But recognising the difficult economic climate the Panel is therefore recommending that a Basic Allowance of £11,555 should be an aspiration and that it should be achieved through a staged approach by introducing incremental steps of a £750 increase per annum as follows (taking £8,201 as the starting point):

2021/22	£8,951	2024/25	£11,201
2022/23	£9,701	2025/26	£11,555
2023/24	£10,451		

29. The final uplift is £354 to reach the target being set at this point in time but the Panel would expect that the normal inflationary uplift as set out below and in Recommendation 18 will also be applied each year to avoid the allowance at the end of the period being potentially once again out of step with the benchmark group. The Panel recognises this is a long time frame over which to achieve the appropriate increase and the Panel would wish to keep the position under regular review.
30. The Panel also recognises the difficulty of Councillors voting directly on their own remuneration. The Panel hopes the staged approach will be supported, particularly as it straddles the timing of the next local election in 2023 and therefore sets some distance from existing Councillors (whilst recognising some would be re-elected) in achieving the final aspirational level of the Basic Allowance. The Panel would however reiterate the importance they attach to ensuring the level of allowance is sufficient to recognise the roles and responsibilities of Councillors, and to leave it unchanged would represent a potential barrier to attracting a broad range of candidates for election to public office.

RECOMMENDATION 1: The Basic Allowance should:

- i. Be set at £8,951 in 2021/22;**
- ii. Subsume the homeworking allowance;**
- iii. Be Index linked as set out below in Recommendation 18;**
- iv. In addition to increases due to index linking set out at iii above, be subject to additional annual increases of £750 per annum applied in 2022/23; 2023/24 and 2024/25 and then a final uplift of £354 in 2025/26.**

Special Responsibility Allowances (SRAs) – General Principles

31. These are discretionary payments within the Scheme of Allowances. They are intended to recognise the responsibility, accountability, time and effort required from those Members of the Council who perform duties significantly over and above what might reasonably be expected of them through a robust Basic Allowance.
32. The Panel noted the guidance of the Government that no more than 50% of Councillors in an authority should receive an SRA.
33. The present Scheme allows that *“if a Councillor is entitled to more than one Special Responsibility Allowance for any approved responsibility under the Council's Scheme then s/he shall be entitled to receive the higher or highest allowance and 50% of the other allowance. For the purpose of this rule, any allowance paid by an outside or partnership organisation on which s/he represents the Council, or paid to members of the Avon Pension Fund Committee, shall not be included in the calculation of a member's entitlement”*. The Panel is aware that the previous Panel recommended that *“no B&NES Member should receive more than one SRA, with the exception of Political Group Leaders”*. The current position is that it is only the Group Leaders who receive more than one SRA but under the current scheme other Members would also be eligible to receive 50% of another allowance, if undertaking a second role for which an SRA is payable.
34. The Panel has looked very carefully at all the roles which currently attract a SRA and evaluated them against the following criteria:
 - the time and effort requirement;
 - any specialist skills required;
 - degree of functional leadership
 - accountability and responsibility levels;
 - degree of important decision making;
 - complexity of the role;
 - culpability in the role; and
 - constitutional relevance of the role.
35. Where the Panel has recommended SRAs be retained or introduced as set out below they believe that the role has met sufficient of the criteria set out above.
36. The Panel found the benchmarking and survey responses helpful in assessing SRAs. The question as to whether an SRA was at the right level elicited some ‘No’ answers with comments that they were too high and other ‘No’ answers that they were too low. The Panel has considered these comments alongside the statistics

from the survey. The recommendations provide a package of changes and whilst some SRAs may have remained the same when there were survey comments that they were insufficient, the individuals concerned will be seeing an overall increase in their allowances if the change recommended for the Basic Allowance is accepted.

Special Responsibility Allowances – General:

37. The Panel is of the view that SRAs are by their very nature ‘special’ and so should not be paid to more than half of the members. As set out above this is one of the Panel’s guiding principles.
38. The survey evidence suggested that Members were generally supportive of the current policy allowing a Member to receive 1.5 SRAs with 67% responding that it should not be restricted to one allowance.
39. Currently only the four Group Leaders receive more than one allowance.
40. The Panel has not attempted in this review to rationalise the number or span of special responsibility allowance bandings within the Scheme. In normal circumstances, the Panel would consider making recommendations to minimise the number of different bands and different levels of allowances in order to make the Scheme clear and transparent. In view of the number of issues that are outstanding, as detailed in the Panel’s report, this is something the Panel would wish to review at an early future opportunity.
41. There are a number of issues set out in the Advisory Comments to this report that the Panel would also wish to consider at an early opportunity and would welcome the Council’s comments on these points.

RECOMMENDATION 2: Special Responsibility allowances:

- i. Should be limited to no more than 50% of Members;**
- ii. The present practice of permitting a member to receive 50% of a second SRA in relation to a role for which such an allowance is payable, be continued;**
- iii. The Council is asked to note the intention of the Panel to review the current banding of allowances at an early opportunity;**
- iv. The Council is invited to respond on the Advisory Comments relating to SRAs as set out in the Report;**
- v. The inflationary uprating in Recommendation 18 should apply to all SRAs.**

Special Responsibility Allowances: Council Leader

42. Currently the Leader receives an allowance of £32,445. In the survey 44% felt this was the right level but 56% disagreed. Using relevant comparable data, an allowance at this level compares favourably with that awarded to Leaders in the benchmark group. The average is £30,073 and only Plymouth pays higher at £33,010 (NB excludes directly elected Mayor’s allowance).

43. The Panel recognises that the Leadership role in a Council like Bath and North East Somerset is a significant one. In addition to managing the ongoing local issues facing all local authorities and Bath & NE Somerset in particular, the role has a significant remit on the regional, sub-regional and national stages.
44. The management of the Covid-19 emergency for the local community has to be recognised both in terms of its community leadership and in addressing the ongoing financial and economic aftermath. Much of the responsibility for addressing these issues falls on the Council Leader, both now and in the future as the Council adapts to new working arrangements and new realities.
45. Having considered the range of evidence; whilst the Panel was clear the Leader had a difficult and challenging role, they did not believe there was strong evidence of the need to enhance the allowance when set against comparators. On balance they concluded the current allowance was appropriately set but they would wish to keep it under review.

RECOMMENDATION 3: The Council Leader's allowance should remain at £32,445 for 2021/22 subject to any inflationary uplift in line with Recommendation 18.

Special Responsibility Allowances: Deputy Leader

46. Currently the Deputy Leader receives an allowance of £19,484. In the survey 40% of respondents felt this was the right level but 60% disagreed.
47. The average allowance in the benchmarking group is £21,428 with the highest in Bristol of £26,000 and the lowest in Swindon, £16,138.
48. The level of this allowance exactly matches that of a Cabinet Member and this recognises that the Deputy Leader will have some portfolio responsibility and will exercise the same oversight, management, leadership and delegated powers as applies to a Cabinet Member. At present, the Panel notes there is no additional enhancement to acknowledge the deputising role for the Leader of the Council.
49. On balance, the Panel concluded that there was no strong evidence to suggest that there is a need to enhance this allowance. The deputising role is infrequent. The Panel believes it is a matter for the Leader to determine alternative arrangements to cover the Deputy Leader's portfolio responsibilities should the situation arise when the deputising role becomes more significant. The Panel would wish to keep this matter under review.

RECOMMENDATION 4: The Deputy Leader's allowance should remain at £19,484 for 2021/22 subject to any inflationary uplift in line with Recommendation 18.

Special Responsibility Allowances: Cabinet Members

50. Currently Cabinet Members receive an allowance of £19,484. In the survey 42% of respondents felt this was the right level but 58% disagreed.

51. There are currently four Cabinet Members who job share and as such split the Cabinet member allowance receiving 50% each. However, the Panel has noted that the job share partners do not necessarily manage the same portfolio. In one instance, a job share partner alone manages the crucial climate change element of the shared portfolio.
52. The Panel has interviewed some of these job share partners to establish more information about their responsibilities, workload and practical working arrangements. The formal arrangements for the job share roles have been set out by the Council as below:

CABINET PORTFOLIO HOLDER JOB SHARE ARRANGEMENTS

Single Member decision making

- Within each portfolio operating as a job-share, separate responsibility areas within the portfolio will be allocated to each job share partner.*
- Report authors will seek approval from the appropriate lead Member for any entry into the Cabinet Forward plan and will liaise with this Member for the 'life' of that decision.*
- The Leader will adjudicate on any issues where there is ambiguity, and nominate a lead Member, or advise that both job share partners will be jointly responsible for all aspects of that decision if appropriate.*
- If a single job-share Cabinet Member is responsible for a decision, they will sign the decision notice. Where both job-share partners are responsible, they will both sign the decision notice.*
- There should only be one vote per portfolio holder on a matter that is being job-shared. The member who is leading should have this vote and the non-lead would not vote. (If they abstain, then the recorded vote cannot be unanimous). If the lead job share member is absent, then their job share partner can lead and vote. This will mean that the quorum for different items will change, ie it will be one member less for job share items, but this should not have any real effect. The minutes will reflect the voting Members for all split portfolio items.*
- In a matter that is not led by a job share member, then as the Cabinet Members and Leader do not exceed 10 Members in total (legal maximum), each Cabinet Member could vote. Both the job share members will be able to vote on any item that is not within their joint portfolio.*

53. The introduction of job-share arrangements for such a significant Member role is to be applauded and is a credit to the authority, which has set out (above) clear working parameters for the management of such arrangements. This will encourage a wider range of councillors to develop the capacity to participate in higher executive positions.

54. Where job share partners share the same portfolio responsibilities, it is clear that the special responsibility allowance should be divided equally with an expectation that each partner would operate within the above arrangements. However, where the job share partners are managing different and discrete portfolios, the position is less clear.
55. The special responsibility allowance for Cabinet Members was assessed as meeting sufficient of the criteria at para 34. In applying job share arrangements, account must be taken of the capacity of the individual to meet the expectations both in terms of carrying out the responsibilities of the portfolio and the time/effort required. These are of course matters for the Leader of the Council in determining the Council's executive arrangements.
56. The Panel has examined data relating to Cabinet Member positions in the benchmark group and Bath and North East Somerset is very close to the average of £19,551 with the highest in Bristol: £24,000 and the lowest in Swindon: £13,085. While appreciating that executive positions in other authorities may not necessarily share the same degree of delegation and accountability, the Panel feels that the present allowance is robust enough and should therefore remain at its present level.

RECOMMENDATION 5: The Cabinet Members' allowance should remain at £19,484 for 2021/22 subject to any inflationary uplift in line with Recommendation 18.

Special Responsibility Allowances: Chair of Planning

57. Currently the Chair of Planning receives the third highest allowance of £14,314. In the survey 66% of respondents felt this was the right level but 34% disagreed.
58. The benchmarking average is £8,358 with the highest allowance in Plymouth: £11,003 and the lowest in Bristol at £6,465.
59. The Panel recognises that Bath and North East Somerset has some unique issues and that there are significant risks to the Council if the planning process is not properly managed. The Panel understands the Chair and the Vice Chair are heavily involved in determining which "called-in" applications are referred to Committee and which are delegated to officers. This requires regular liaison with officers and a full understanding and appreciation of the sensitivity of some applications.
60. The impact of Covid-19 on the way in which the Chair and Vice Chair operate has been explained, with particular emphasis on the significance of remote working and the impact of social media comments that need to be addressed.
61. The Panel believes the special responsibility allowance at its present level for the Chair is fully justified and satisfies sufficient of the criteria listed above in para 34 above.

RECOMMENDATION 6: The Chair of the Planning Committee allowance should remain at £14,314 for 2021/22 subject to any inflationary uplift in line with Recommendation 18.

Special Responsibility Allowances: Vice Chair of Planning

62. Evidence has also been offered to the Panel about the involvement of the Vice Chair of Planning in many aspects of the process in support of the Chair, in particular reading through the same applications as the Chair and offering views to the Chair. In view of the need to ensure the integrity of the planning process at member level remains robust, the Panel believes the Scheme should also recognise the Vice Chair.
63. In the benchmarking group only Plymouth pays an allowance to their Vice Chair of £5,502.
64. The Panel was of the view that the introduction of a special responsibility allowance for the Vice Chair was justified and met sufficient of the criteria listed above in para 34 above. The Panel concluded this should be set at 25% of the Chair's allowance. This should be subject to future detailed review by the Panel.

RECOMMENDATION 7: The Vice Chair of Planning Committee should receive an allowance of £3,578 for 2021/22 subject to any inflationary uplift in line with Recommendation 18.

Special Responsibility Allowances: Policy Development and Scrutiny Chairs (PDSC)

65. Currently, the Chairs of the Policy Development and Scrutiny Panels receive an allowance of £7,952. In the survey, 64% of respondents felt this was the right level but 36% disagreed.
66. This role is difficult to benchmark given the differing arrangements across Councils. The figures for Overview and Scrutiny Chairs in the benchmark group showed a high of £11,000 in Plymouth and a low in Bristol of £6,465 with the average at £8,358. The Panel noted in Bath & NE Somerset that the number of such Panels has reduced from 5 to 3. This has inevitably led to a greater span of work for the remaining Panels and more selectivity in the business that they have the capacity to pursue. It is understood there are 6 x public meetings per year for each Panel.
67. It appears from the evidence that there is little capacity for policy development work. Much of the business is standard agenda business relating more to monitoring service delivery. The Panel did not feel that at present they had sufficient evidence to objectively comment on the extent to which the Scrutiny process was appropriately offering challenge to executive members in delivering the policy for which they were accountable. The Panel was informed by officers that robust agenda management principles are now in place and that this includes completion of a pro-forma before any new item is placed on a scrutiny panel agenda. The Panel was told these are reviewed and approved at the agenda planning meeting by the Chair and Vice-Chair. Suggestions are now routinely re-directed if more appropriate for a training session, or simply require signposting to existing resources. The Panel looks forward to considering how these changes have impacted in practice and how this has improved the delivery of scrutiny when they next review the allowances scheme.
68. The Panel concluded that the PDS Chair role met sufficient of the criteria listed above in para 34. On balance, the Panel believes the current allowance is appropriate. However, the Panel has some concerns about the lack of clarity as to

where the “overview and scrutiny” leadership is focussed and these concerns have been set out in the advisory comments at the end of the Report.

RECOMMENDATION 8:

- i. The Policy Development and Scrutiny Panel Chair’s allowance should remain at £7,952 for 2021/22 subject to any inflationary uplift in line with recommendation 18;**
- ii. The Panel looks forward to reviewing the impact of changes reported to them at an early stage but also invites the Council to consider their advisory comments on overview and scrutiny (as set out at the end of the Report and in recommendation 20).**

Special Responsibility Allowances: Chair of Licensing Sub Committee

69. Currently the Chair of Licensing Sub Committee receives an allowance of £5,052. In the survey 61% of respondents felt this was the right level but 39% disagreed. The average from the benchmarking group for this role is £7,581 with the highest in Plymouth: £11,003 and the lowest in Bournemouth, Christchurch and Poole: £5,000.
70. It is clear to the Panel that the Licensing Chair’s role satisfies sufficient of the criteria listed above in para 34 above.

RECOMMENDATION 9: Chair of Licensing Sub Committee’s allowance should remain at £5,052 for 2021/22 subject to any inflationary uplift in line with Recommendation 18.

Special Responsibility Allowances: Chair of Avon Pension Fund Committee

71. Currently the Chair of the Avon Pension Fund Committee receives an allowance of £5,052. In the survey 77% of respondents felt this was the right level but 23% disagreed. The Panel did not feel that they had evidence to change this allowance, the cost of which they noted is covered by the pension fund.

RECOMMENDATION 10: Chair of Avon Pension Fund Committee should remain at £5,052 for 2021/22 subject to any inflationary uplift in line with Recommendation 18.

Special Responsibility Allowances: Member of Avon Pension Fund Committee

72. Currently the Committee members on the Avon Pension Fund Committee receive an allowance of £3,817. In the survey 72% of respondents felt this was the right level but 28% disagreed. Again, the Panel did not feel that they had evidence to change this allowance, the cost of which they noted is covered by the pension fund.

RECOMMENDATION 11: Committee member Avon Pension Fund Committee should remain at £3,817 for 2021/22 subject to any inflationary uplift in line with Recommendation 18.

Special Responsibility Allowances: Political Group Leaders

73. Under the present Scheme, Political Group Leaders receive a per capita allowance of £428 per Group member. Under the present political group arrangements this gives the following allocations:

Group Leader allowance						
Liberal Democrat	37 x £428	£15,836		Independent	6 x £428	£2,568
Conservative	11 x £428	£4,708		Labour	5 x £428	£2,140

74. In practice, each Group Leader receives 50% of the above allowances in accordance with the 1.5 SRA rule per member.
75. This allowance, as structured, recognises the group management role of the Leader and the allowance is scaled precisely according to group size.
76. The Panel believes that it is important to recognise in some way that the Leaders of all political groups on the Council have some responsibility to contribute to the effective governance of the Council. For example, there are Group Leader meetings and constitutional rights for all Leaders to be engaged on key issues. On these matters, the rights and level of participation are equal among all Leaders, irrespective of group size. The Panel received some support for this view in evidence offered during member interviews. However, the view was also expressed that there should remain some differential to recognise group size.
77. The Panel has reviewed a number of formulae being applied in comparator Councils. Most Schemes identify the role of Minority/Opposition Group Leader(s) but the SRA for these posts is calculated on a formula based on multiples of the Basic Allowance and geared to % of Council seats held per group.
78. The Panel wishes the Scheme to be explicit in terms of the nature of the role being recognised as well as offering a clear formula for calculation of the allowance. The present Scheme wording reflects only the group size. Accordingly, the Panel proposes a two-part allowance for all Minority/Opposition Group Leaders i.e., a fixed allowance, the same for all such Leaders, to acknowledge the governance role they play regardless of the size of their Group, plus for the larger Groups (5+ Councillors) an allowance geared to the proportion of Council seats held and based on a multiplier of the Basic Allowance paid to all Group Leaders. The Panel has not recommended that the Leader of the Council should receive the Governance element as the Panel has assumed that the Governance element is already taken account of in the Council Leader's Allowance. The following table represents the application of this proposal to the position for the present political groups on the Council:

Group/ Leader	Governance element	More than 75% of Cllrs (45+)	51% – 75% of Cllrs (30 – 44)	26 -50% of Cllrs (16 – 29)	8 – 25% of Cllrs (5 -15)	0-7% of Cllrs (0-4)	TOTAL
	(0.25 BA)	(1 BA)	(0.75 BA)	(0.5 BA)	(0.25 BA)	(0)	
Leader of Council <i>(currently Lib Dem)</i>	Already catered for in Leader's SRA		£6,713	-			£6,713
Leader of Largest Opposition Party <i>(currently Cons)</i>	£2,238	-		-	£2,238		£4,476
Leader of Minority Party <i>(currently Ind)</i>	£2,238	-		-	£2,238		£4,476
Leader of Minority Party <i>(currently Labour)</i>	£2,238	-			£2,238		£4,476
TOTAL COST ON CURRENT GROUP STRUCTURE							£20,141

RECOMMENDATION 12: Political Group Leaders should receive:

- **All opposition Leaders should receive 0.25 of the Basic Allowance as a 'governance element', £2,238;**
- **In addition, Political Group Leaders (including the Council Leader) should receive an allowance based on the size of their Group:**
 - **For Groups of more than 75% of the council membership 1x Basic Allowance, £8,951;**
 - **For Groups of 50%-75% of the council membership 0.75x Basic Allowance, £6,713;**
 - **For Groups of 25% - 50% of the council membership 0.25 of the Basic Allowance, £4,476;**
 - **For Groups of 8%- 25% of the council membership 0.25 of the Basic Allowance, £2,238;**
 - **For Groups of up to 7% of the council membership £0.**

Additional Group Allowance

79. Each Group also gets £100 per member to spend on training. The Panel understands that this allowance was introduced many years ago to enable political groups to determine their own training priorities, distinct from corporate or mandatory training which was funded centrally.
80. The Panel believes that, if this resource is still required, then the amount should be transferred to other Democratic Services budget heads for members' support. Such a move would ensure that the purpose of the Scheme of Allowances remains clear and transparent.

RECOMMENDATION 13: Group Allowances should no longer form part of the Members Allowances scheme but if required the budget should be transferred to Democratic Services budget head for members' support.

Special Responsibility Allowances: Chairman of the Council

81. Currently, the Chair of the Council receives an allowance of £9,543. In the survey, 59% of respondents felt this was the right level but 41% disagreed. At the time this allowance was set, the Chair was attending approximately 300 civic/ceremonial events a year as well as chairing 8 x meetings of the full Council.
82. Benchmarking provides some background although the role may vary considerably in different Councils. In the benchmarking group Bristol paid the highest: £21,559 and York the lowest: £3,111. The average for Chair/Civic Mayor was £12,487.
83. Following a review in 2019, the number of events supported by the Chair's attendance was dramatically reduced. The Panel has noted that in 2019/20 the total number of events attended was 52 – 46 by the Chair, 5 by the Vice Chair and 1 by the Past Chair. By comparison, in 2018/19 the Chair attended 222 events, the Vice Chair 13 and the Past Chair 2
84. The Panel heard evidence that at the moment it was difficult to ascertain the number of events that the Chair would be asked to attend in future. Officers confirmed these would have to reduce dramatically because of financial and staff resources. Community events have halted but the Panel understood that currently there have been more regular Council meetings, the three times a year Parish Liaison meetings and an increased number of Citizenship ceremonies requiring the Chair to preside. Officers confirmed there were approximately 12 citizenship ceremonies per year.
85. The Panel was interested in identifying the extent of any other Council budgets available to support the office of the Chair for such items as clothing and hospitality/charitable donations. The Panel understands that there is a small budget of around £2k for the use of the Chair, but the management of this budget is undertaken by officers. The rest of the budget for the chairman's office has been given up for budget savings and was agreed at the Council meeting on 23 February.
86. Ordinarily, the Panel would be minded to recommend a reduction in this particular allowance, in view of the significant reduction in civic/ceremonial engagements. However, because of the evidence about the practical difficulties in managing remote meetings and the increased level of other commitments, the Panel is recommending that the allowance remains the same in 2021/22.

RECOMMENDATION 14: The Chair of the Council:

- i. The Allowance should remain at £9,543 for 2021/22 subject to any inflationary uplift in line with Recommendation 18.**
- ii. The Panel invites the Council to consider their advisory comments on the future level of commitment required as Chair (as set out at the end of the Report and in Recommendation 20).**

Special Responsibility Allowances: Vice Chair of Council

87. The Vice Chair of Council currently receives £2,418. In the survey, 61% of respondents felt this was the right level but 39% disagreed.
88. Only three of the benchmarking group pay allowances for Vice Chair/Civic Mayor with the average £5,003. Bristol pays the highest: £6,465 and Swindon the lowest: £3,500.

RECOMMENDATION 15: The Vice Chair of Council Allowance should remain at £2,418 for 2021/22 subject to any inflationary uplift in line with Recommendation 18.

Travel and Subsistence and Approved Duties

89. The scheme provides for Members to be able to claim for travel and subsistence. It currently provides subsistence may only be claimed in respect of activities outside of the Council's boundaries. Claims can be made when on an "Approved Duty".
90. The Panel was aware of discussions within the South West region about the possibility of adopting a common approach to Approved Duties. These discussions are ongoing and the Panel, having reviewed the current list of Bath and North East Somerset Approved Duties agreed that they were appropriate to use for travel and subsistence.
91. The Panel had the issue of the cost of travelling to Parish Council meetings raised with them. They felt this travel could be appropriate to be claimed as an approved duty where there was an issue relevant to the work of the Council which was of interest to a Councillor within their ward or to a Portfolio holder across the whole Council area. The Panel was satisfied that, given the current level of administrative checking of Councillor claims, the addition of this as an approved duty would not impact significantly on administrative costs.

RECOMMENDATION 16: Travel and Subsistence:

- i. should continue to be paid on the current basis as supported by the list of Approved duties;**
- ii. The current Approved Duty list should be amended to include attending a parish council when there is an issue of relevance to the work of the Council which is of interest to a Councillor within their ward or of interest and relevance to a Portfolio holder within Bath and North East Somerset Council area.**

Dependant Carers' Scheme

92. The Panel was mindful of the need to support those with caring responsibilities. The Panel noted the current provision for the payment of Dependant Carers' Allowance within the present Scheme and did not identify a need for fundamental change. They did think it important, however, that the availability of support for carers should be made clearer in trying to attract, and retain, Councillors from the broad spectrum of the community.
93. The Panel also does recommend providing more clarity about eligibility as outlined below. In providing this clarity the Panel wishes to emphasise that fundamental to the scheme and support of dependants is the need for always ensuring proper safeguarding of those dependants.

Carer's Allowance

A claim can be made when a carer has been engaged to enable a Councillor to carry out an approved duty. A carer will be any responsible adult who does not normally live with the member as part of his/her family.

Where charges are levied on an hourly basis, Members may claim actual and necessary costs incurred for the period of the approved duty (including time travelling taken by a Member to 'drop-off' or 'pick-up' a dependant or by a carer engaged by a member to look after a dependant in the member's home – this would normally not exceed 1 hour before and 1 hour after) for each dependant;

or

Where charges are levied by a provider for a fixed period or session, Members may claim the cost of any such fixed period/session or periods/sessions incurred for the period of the approved duty (including time traveling time taken by a Member to 'drop-off' or 'pick-up' a dependant) for each dependant;

An allowance will be payable if the dependant being cared for:

- (i) is a child under the age of 14; or
- (ii) is an elderly person; or
- (ii) has a recognised physical or mental disability who normally lives with the Member as part of that Member's family and should not be left unsupervised.

94. The current scheme allows Councillors to claim in respect of the expenses for the care of their children or other dependants when attending meetings of the Council, its subordinate bodies or performing other approved duties. Currently Councillors can claim:

Childcare (including After School Clubs)	Up to £6.00 per hour/per child
Childcare for a child with a disability or special needs	Up to £8 per hour/per child
Care for an adult with a disability or ill health	Up to £8 per hour/person

95. The Panel was of the view that these differential levels of support should be removed and that claims should be limited to a maximum of the Real Living Wage, as calculated annually by the Resolution Foundation and overseen by the Living Wage Commission. The Real Living Wage is currently £9.50ph. The Panel is keen to ensure that there are not barriers to all members of the community standing for election and hope that this scheme will offer support to Councillors with caring responsibilities. The Panel will wish to review the effectiveness of the scheme and level of financial support at an early stage.

RECOMMENDATION 17: Dependant Carers' Allowances:

- i. **Details should be clarified and promoted (particularly to those considering standing for election);**
- ii. **The current provisions of the Scheme in relation to dependant carers' allowance (including the list of approved duties to which it applies) should remain unchanged;**
- iii. **The maximum allowed to be claimed for any care support should be the Real Living Wage, currently £9.50ph. This figure should be updated annually based on changes to the Real Living Wage. This allowance can be claimed per person per hour for whom care needs to be provided;**
- iv. **The effectiveness of the scheme and level of financial support would be subject to early review by the Panel.**

Inflationary increases

96. Currently the scheme provides: *"any uplifts or changes to Members' Allowances be implemented on the same date and by the same amount as officers' salaries are adjusted, in line with the National Joint Conditions"*. The Panel was of the view that this was an appropriate approach.
97. The Panel notes that on occasions the NJC award is split with staff on lower scale points paid a bigger increase: 'bottom loading'. The Panel recommendation is that the increase to be applied to all allowances is based on the headline pay award, not any 'bottom loaded increase'.

RECOMMENDATION 18: the Basic Allowance and all SRAs should be updated annually on the basis of any headline percentage increase agreed by the National Joint Council (NJC) for Local Government as the pay award for staff on the national pay scale (Green Book).

Concluding Comments and Overall Impact of Recommendations

98. The Panel, as noted above, was grateful for all the support of officers and the input of elected Members. The Panel was impressed by the hard work of Councillors that had been particularly evident during the Covid crisis. The Panel believes that it is vital that Councillors are paid appropriate allowances. Whilst recognising that allowances are not intended as a wage they should be set at a sufficient level to ensure that there is not a barrier to standing for election and sufficiently recognises the hard work of Councillors.

99. The Panel was particularly concerned that the level of the Basic Allowance had become eroded over time and that Bath and North East Somerset now remunerated its Councillors at the lowest level of any authority in the benchmarking group and was over 5% lower than the next lowest payer in the benchmark group. The Panel recognised the difficulty of moving in one step to a new, more appropriate, allowance and have therefore proposed a stepped approach. They are mindful that under this stepped approach the Basic Allowance will not be at what they regard as the appropriate level until 2025.
100. The Panel will particularly want to revisit the level of the Basic Allowance but in addition the Review raised several issues which the Panel wishes to explore further. The Panel believes it is important to regularly review their recommendations particularly as the review was undertaken during the Covid pandemic when the Council was working in unique circumstances and the Panel may particularly wish to revisit some areas as the 'new normal' working returns post-pandemic.

RECOMMENDATION 19: The Independent Remuneration Panel be supported to review the Members' Allowances scheme on a regular basis with at least an annual 'health check'.

101. The Table on the following page sets out how the present scheme compares to the recommendations to be implemented from April 2021 (these figures exclude any inflationary uplift in line with Recommendation18).

OVERALL COSTINGS – EXISTING AND RECOMMENDED (Changes shaded)

(The total figures below assumes all allowances are taken up at 100%)

Current Allowances		Total	Proposed Allowances	Total
Basic (x 59)	7,993	471,587	8,951	528,109
Homeworking (x 59)	208	12,272	Nil	-
Leader (x1)	32,445	32,445	32,445	32,445
Deputy Leader (x1)	19,484	19,484	19,484	19,484
Cabinet Members (x 6) (4x full time + 4 job share)	19,484	116,904	19,484	116,904
Chair Planning (x1)	14,314	14,314	14,314	14,314
Vice Chair Planning (X1)	Nil	-	3,578	3,578
Chair PDS Panels (x3)	7,952	23,856	7,952	23,856
Chair Licensing Sub (x1)	5,052	5,052	5,052	5,052
Chair Avon Pension Fund Cttee (x1)	5,052	5,052*	5,052	5,052*
Members Avon Pensions Fund Cttee (x4)	3,817	15,268*	3,817	15,268*
Political Group Leaders (x4)	428 per member	25,252	<u>Governance element (x3)**</u> 2,238 <u>Group size element (variable)</u> Lib Dem – 6,713 Cons – 2,238 Ind – 2,238 Lab – 2,238	6,714 13,427
Group Allowance	100 per member	5,900	Nil	-
Chair Council (x1)	9,543	9,543	9,543	9,543
Vice Chair Council (x1)	2,418	2,418	2,418	2,418
Overall totals		759,347		796,164
Net with Pensions refund		739,027		775,844

- Amounts refunded from Avon Pensions Fund ** The Governance element for the Leader of largest party is incorporated within the Council Leader's SRA (see table at para 79 of the report)

APPENDIX A: ADVISORY OBSERVATIONS

1. During the course of the review, the Panel has identified a number of issues which it wishes to reflect on with the Council. The main body of the report identifies the evidence used to justify the Panel's main recommendations.
2. The Panel fully recognises the responsibility of the Council to put in place such arrangements as it feels appropriate to address its statutory responsibilities and other business. The same applies to the responsibility of the Leader of the Council to set the executive arrangements.
3. However, the Panel offers the following comments in the hope that the Council might respond with advice or clarification for the Panel in addressing future reviews of the Members' Allowances Scheme.

Multiple Special Responsibility Allowances

4. The Panel noted that the Scheme allows a member to claim 50% of a second SRA if they hold a second position that attracts such an allowance. The Panel is anxious to ensure that Councillors are properly remunerated for the roles they undertake. There is no indication that Councillors receiving the 50% allowance are expected to perform in those roles at anything less than 100% of their capacity, yet the current provision takes no account of this.
5. The Panel believes that the 1.5 SRA rule is confusing and lacks clarity about the capacity of the Councillor to deliver in the second role and the Council's expectation of the Councillor in that role.
6. Many Council Schemes of Allowances restrict the number of SRAs to one per member which ensures that key member roles are open to a wider group of members.
7. The Panel is keen to review this issue but would appreciate first the comments of the Council in justifying why this uncommon provision should be retained.

RECOMMENDATION 20 (i): The Panel invites comments from the Council on the policy of allowing 1.5 SRAs to be claimed by an individual Member.

Policy Development and Scrutiny Panels

8. As the name suggests, these Panels are intended to look at service delivery, review policies and practices and develop new policies for recommendation to the Council/Cabinet. In addition, they are the part of the Council structured to hold the executive to account.
9. In evidence, the Panel has gained the impression that these panels are overwhelmed with routine reports at the expense of both policy development and effective scrutiny.

10. Whether or not this impression is correct, the Panel was unable to establish specific evidence of where the member leadership of this function was located within the structure.
11. Overview and scrutiny is a statutory function. The Panel believes that as such, it is necessary for there to be a clear individual or body to be accountable to the Council for the effective delivery of that function. The Panel would then be able to take that leadership into account in recommending a robust allowance framework to recognise the time, effort and accountability involved. Such leadership would have responsibility for effective work programming across the function; balancing priorities between corporate objectives, member issues and public concerns; conflict resolution and management of the resources allocated to the function. It is not clear to the Panel where, and if, such leadership functions exist.
12. The Panel believes there is an understanding within the Council that the Chair of the Corporate Panel is effectively the “first among equals”. If this is the case, the Panel would suggest that this should be formalised within the Council’s structures so that this role can be recognised, within the Scheme of Allowances.
13. The Council has made a decision to reduce the number of PDS Panels. That is an entirely proper action and not the concern of this Panel. However, in evidence the Panel has been informed that the PDS Panels are having to prioritise what they do and so strict agenda management principles are now in operation so the Panels can focus on their core responsibilities.

RECOMMENDATION 20 (ii): That the Council be invited to comment on these observations about the Policy Development and Scrutiny Panels and in particular indicate to this Panel what arrangements formally exist for the leadership, direction and management of this statutory function at Member level.

Chair of the Council

14. It will be seen from the main report that the Panel is aware of the review undertaken by the Council in 2019 which resulted in a significant reduction in the number of engagements attended/facilitated by the Chair of the Council and the Vice Chair.
15. In assessing whether or not a special responsibility allowance is justified, the Panel would apply the criteria set out in our main report. In the past, predecessor Panels would have placed particular emphasis on the time and effort criterion in recommending an allowance for this role. The current Panel would have done likewise. This reflected the then significant number of commitments/engagements in addition to the management of the Council meetings – the main policy making body of the Authority.
16. Faced with the significant reduction in engagements, the Panel would normally have concluded that the time and effort criterion was not as relevant. However, because of other factors apparent during the Covid-19 emergency, we have recommended the status quo.

RECOMMENDATION 20 (iii): The Council be invited to comment on these observations on the role of Chair and in particular to advise the Panel about the future level of commitment required of the Chair over and above chairing Council meetings.

Member Performance and Development

17. The Panel believes that it is very important not only to recognise and support the work of Councillors through the Allowances Scheme but also think it important to provide support for Councillors to develop their skills and expertise thereby enabling them to perform to a high level when serving the community. The Panel has recommended the removal of the Additional Group Allowance and they would like to ensure that there remains investment in Member Development.

18. The Panel supports this and would encourage the Council to consider adopting the principles and approach of *The Charter for Member Development*. The Charter has been developed in partnership between the Local Government Association and the nine Regional Employers Organisations. There are a number of Charter and Charter Plus authorities in the South West who would also help with the sharing of best practice. The national LGA encourages Councils to consider adopting the Charter principles:

I would strongly encourage local areas to adopt the Member Development Charter and Charter Plus as a guide and a benchmark as part of your improvement journey. Every profession has continuing professional development at the heart of their improvement and so should we. The Member Development Charter and Charter Plus supports this continuing professional development for councillors by being a contract between the council and its councillors that commits to invest in councillors' growth and development.

Lord Gary Porter
LGA Chairman

19. Linked to the support for Member development the Panel would also encourage the introduction of a more formal approach to performance management of elected Members. The Panel envisages this as a role for the Leader/ Group Leader.

RECOMMENDATION 20 (iv) The Council be invited to comment on measures for supporting Councillor development and performance management of Councillors, particularly those in receipt of an SRA.