

General Purposes Committee Meeting	Agenda Item: 5
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Meeting Date	28 February 2013
Report Title	Independent Remuneration Panel review of Swale Borough Council's Members' Allowances Scheme
Portfolio Holder	Cabinet Member for Finance
SMT Lead	Mark Radford, Corporate Services Director
Lead Officer	Katherine Bescoby, Democratic and Electoral Services Manager
Key Decision	No
Classification	Open

Recommendations	1. That the General Purposes Committee considers the report of the Independent Remuneration Panel and makes recommendations to Council on any changes to the Members' Allowances Scheme.
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1 Purpose of Report and Executive Summary

- 1.1 In accordance with the Local Authorities (Members' Allowances) (England) Regulations 2003 the Council are required to appoint an Independent Panel to consider the Council's Members' Allowances Scheme and make recommendations to full Council.

2 Background

- 2.1 The Regulations require Councils to undertake a full review of their Members' Allowances Scheme every four years. The last review for Swale was undertaken in 2009, with interim reviews undertaken in the intervening years. The Panel recommended in 2011 that it would be timely for the Council to bring forward their full review by one year to 2012.
- 2.2 At the Council meeting on 9 January 2013 Members resolved to refer the report to the General Purposes Committee to consider further. Any recommendations arising from this meeting will be referred to Council on 20 March 2013.

3 Proposal

- 3.1 The Panel's recommendations are set out below.

Basic Allowance	At this juncture the Panel does not recommend a change to the Basic Allowance.
Special Responsibility	The following changes should be applied to the scope and

Allowances (SRAs)	<p>level of SRAs payable:</p> <ul style="list-style-type: none"> • The Deputy Cabinet Members SRAs: discontinued • Group Spokespeople on Planning: discontinued • Labour Group Chief Whip: discontinued • Main Opposition Group Leader: restored to £5,850 • Chairmen of the 2 Scrutiny Committees: restored to £3,510 • Minority Opposition Group Leader: £1,170 <p>All other SRAs are to be unchanged.</p>
The Co-optees' Allowances	The Co-optees' Allowance of £10 per meeting is unchanged.
The Dependants' Carers Allowance	The Council adopt a DCA, as a contribution to the cost of care for Members' dependants while they are undertaking approved duties. The maximums payable and conditions applicable (see relevant section of report) should be inserted into the scheme of allowances.
Local Government Pension Scheme	The Council should be able to decide on whether all elected Members of Swale Borough Council should be eligible to join the LGPS, applied to both their Basic Allowance and SRAs. (Members' attention is drawn to the note below under 3.2)
The Conference Allowance	The Conference Allowance is discontinued and that Members claim any direct expenses incurred for attendance at conferences through the subsistence allowance.
Travel and Subsistence Allowances – Approved Duties	The current list of approved duties is maintained.
Subsistence Allowances	<p>The maximum Subsistence Allowances claimable by Members for undertaking approved duties be based on and indexed to the guidance published by the South East Employers.</p> <p>Where a Member is absent from usual residence for more than 12 hours the Subsistence Allowances claimable for breakfast, lunch, tea and evening meal can be aggregated, up to a maximum of £36.53.</p> <p>Where it proves to be impracticable for a Member to book through Democratic Services they should be able to claim for</p>

	<p>reimbursement for an overnight stay at a maximum of £150.71 per night inclusive of breakfast.</p> <p>All claims will be for 'actuals', i.e., reimbursements, and accompanied by receipts to reflect the actual expenses incurred, except for out of pocket expenses of £5.73</p>
Travel Allowances - Mileage Rates	The mileage allowances are based HMRC Approved Mileage Allowance Payments (AMAP) rates and the applicable rates are inserted into the Members' Allowances Scheme in an appropriate appendix/annex as follows:

Vehicle Type	First 10,000 business miles in the tax year	Each business mile over 10,000 in the tax year
Cars and vans	45p	25p
Motor cycles	24p	24p
Bicycles	20p	20p
Passenger Supplement Rate	5p per passenger	5p per passenger

The Information Technology Allowance (IT)	The current IT Allowance should be discontinued and replaced by a Information Technology and Communications (ICT) Allowance payable at £15 per month. Moreover it should only be payable on the condition that a Member can be contactable via email on a swale.gov.uk account.
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Indexation	<p>The following indices are applied to the remuneration and allowances paid to Members of Swale Borough Council:</p> <p>A. Basic Allowance, SRAs, Co-optees Allowances and ICT Allowance:</p> <ul style="list-style-type: none"> ▪ Indexed to the annual percentage salary increase for local government staff (at spinal column 49) to be implemented from the start of the municipal year for which year it is applicable. <p>B. Mileage Allowance:</p> <ul style="list-style-type: none"> ▪ Mileage allowances rates to be indexed to the HMRC AMAP rates. <p>C. Subsistence Allowances:</p> <ul style="list-style-type: none"> ▪ Subsistence Allowances should be indexed to the rates published each year in guidance issued by the South East Employers. <p>D. The Dependants' Carers' Allowance:</p> <ul style="list-style-type: none"> • The maximum rates claimable should be
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	<p>indexed as follows:</p> <ul style="list-style-type: none"> • <u>Childcare</u>: to minimum wage applicable to the age of the carer • <u>Other Dependants</u>: to the hourly rate charged by Kent Social Services for a Home Care Assistant.
Implementation	The recommendations contained within this Report are implemented from the date of the 2013/14 Council annual meeting, or a prior date as agreed by the Council.

3.2 Since receiving the Panel's report, Government have announced that Councillors will not be eligible to join the Local Government Pension Scheme from April 2014. Members may wish to have regard to this announcement when considering the recommendation contained in the Panel's report in relation to pensions.

4 Alternative Options

4.1 Council is required to set a Members' Allowances Scheme and in doing so it must have regard to the Panel's recommendations. Members may decide not to approve any of the recommendations proposed.

4.2 If Council choose to make any changes or amendments to the allowances scheme which do not form part of the Panel's recommendations, as set out above, then Council will need to seek the Panel's advice and views before proceeding.

5 Consultation Undertaken or Proposed

5.1 A questionnaire was circulated to all Councillors in advance of the Panel meeting to seek feedback on the current Members' Allowances Scheme.

5.2 The Panel invited a cross-section of Councillors and Senior Officers to an interview and all Councillors were invited to attend an open session with the Panel or submit any comments in writing.

5.3 The draft report was circulated to Group Leaders and the Cabinet Member for Finance for comments.

5.4 In accordance with the Local Authorities (Members' Allowances) (England) Regulations 2003 a notice was published in one newspaper which circulated across the Borough. The notice advised that an Independent Panel had made recommendations regarding the Council's Members' Allowances Scheme and this would be considered at Council on 9 January 2013.

6 Implications

Issue	Implications
Corporate Plan	None for the purposes of this report.
Financial, Resource and Property	The only significant cost issue from the recommendations relates to members joining the LGPS which may now not proceed. The budget proposals for 2013/14 includes the same allocation for members' allowances as for 2012/13.
Legal and Statutory	The Local Authorities (Members' Allowances) (England) Regulations 2003 sets out the rules regarding allowances schemes for Members and the requirement to establish an Independent Panel and to consider their recommendations.
Crime and Disorder	None for the purposes of this report.
Risk Management and Health and Safety	None for the purposes of this report.
Equality and Diversity	The introduction of a carers' allowance may provide more opportunities for those interested in becoming a Councillor.
Sustainability	None for the purposes of this report.

7 Appendices

7.1 The following documents are to be published with this report and form part of the report

- Appendix I: Independent Remuneration Panel Report November 2012