



AGENDA

COUNCIL MEETING

Date: Wednesday, 15 June 2022

Time: 7.00 pm

Venue: Swale House, East Street, Sittingbourne, Kent, ME10 3HT*

Quorum = 16

Pages

Information for the Public

*Members of the press and public may follow the proceedings of this meeting live via a weblink which will be published on the Swale Borough Council website.

Link to meeting: To be added.

Privacy Statement

Swale Borough Council (SBC) is committed to protecting the privacy and security of your personal information. As data controller we ensure that processing is carried out in accordance with the Data Protection Act 2018 and the General Data Protection Regulations. In calling to join the meeting you will be asked to provide a 'username' which will be visible to those Members and Officers in attendance at the meeting and will not be shared further. No other identifying information will be made available through your joining to the meeting. In joining the meeting you are providing the Council with your consent to process your 'username' for the duration of the meeting. Your 'username' will not be retained after the meeting is finished. Please note you may use a pseudonym as your username however please be aware use of any inappropriate language will not be tolerated.

If you have any concerns or questions about how we look after your personal information or your rights as an individual under the Regulations, please contact the Data Protection Officer by email at dataprotectionofficer@swale.gov.uk or by calling 01795 417114.

Recording Notice

Please note: this meeting may be recorded, and the recording may be added to the website.

At the start of the meeting the Chairman will confirm if all or part of the meeting is being audio recorded. The whole of the meeting will be recorded, except where there are confidential or exempt items.

You should be aware that the Council is a Data Controller under the Data Protection Act. Data collected during this recording will be retained in accordance with the Council's data retention policy.

Therefore by entering the meeting and speaking at Committee you are consenting to being recorded and to the possible use of those sound recordings for training purposes.

If you have any queries regarding this please contact Democratic Services.

1. Emergency Evacuation Procedure

The Chairman will advise the meeting of the evacuation procedures to follow in the event of an emergency. This is particularly important for visitors and members of the public who will be unfamiliar with the building and procedures.

The Chairman will inform the meeting whether there is a planned evacuation drill due to take place, what the alarm sounds like (i.e. ringing bells), where the closest emergency exit route is, and where the second closest emergency exit route is, in the event that the closest exit or route is blocked.

The Chairman will inform the meeting that:

(a) in the event of the alarm sounding, everybody must leave the building via the nearest safe available exit and gather at the Assembly points at the far side of the Car Park. Nobody must leave the assembly point until everybody can be accounted for and nobody must return to the building until the Chairman has informed them that it is safe to do so; and

(b) the lifts must not be used in the event of an evacuation.

Any officers present at the meeting will aid with the evacuation.

It is important that the Chairman is informed of any person attending who is disabled or unable to use the stairs, so that suitable arrangements may be made in the event of an emergency.

2. Apologies for Absence

3. Minutes

To approve the [Minutes](#) of the Council meeting held on 30 March (Minute Nos. 732 – 741) and the [Minutes](#) of the Extraordinary Council held on 27 April 2022 (Minute Nos. 766 - 760) as correct records.

4. Declarations of Interest

Councillors should not act or take decisions in order to gain financial or other material benefits for themselves or their spouse, civil partner or person with whom they are living with as a spouse or civil partner. They must declare and resolve any interests and relationships.

The Mayor will ask Members if they have any interests to declare in respect of items on this agenda, under the following headings:

(a) Disclosable Pecuniary Interests (DPI) under the Localism Act 2011. The nature as well as the existence of any such interest must be declared. After declaring a DPI, the Member must leave the meeting and not take part in the discussion or vote. This applies even if there is provision for public speaking.

(b) Disclosable Non Pecuniary Interests (DNPI) under the Code of Conduct adopted by the Council in May 2012. The nature as well as the existence of any such interest must be declared. After declaring a DNPI interest, the Member may stay, speak and vote on the matter.

(c) Where it is possible that a fair-minded and informed observer, having considered the facts would conclude that there was a real possibility that the Member might be predetermined or biased the Member should declare their predetermination or bias and then leave the meeting while that item is considered.

Advice to Members: If any Councillor has any doubt about the existence or nature of any DPI or DNPI which he/she may have in any item on this agenda, he/she should seek advice from the Monitoring Officer, the Head of Legal or from other Solicitors in Legal Services as early as possible, and in advance of the Meeting.

5. Mayor's Announcements
6. Leader's Statement
7. Questions submitted by the Public

To consider any questions submitted by the public. (The deadline for questions is 4.30 pm on the Wednesday before the meeting – please contact Democratic Services by e-mailing democraticservices@swale.gov.uk or call 01795 417330).

8. Questions submitted by Members

To consider any questions submitted by Members. (The deadline for questions is 4.30 pm on the Monday the week before the meeting – please contact Democratic Services by e-mailing democraticservices@swale.gov.uk or call 01795 417330).

9. Review of the Members Allowance Scheme - Report of the Independent Remuneration Panel 5 - 52
10. Creation and appointment of an Access and Disability Champion 53 - 56
11. Kent Health and Wellbeing Board appointment 57 - 60

Issued on Tuesday, 7 June 2022

The reports included in Part I of this agenda can be made available in **alternative formats**. For further information about this service, or to arrange for special facilities to be provided at the meeting, **please contact DEMOCRATIC SERVICES on 01795 417330**. To find out more about the work of Council, please visit www.swale.gov.uk

**Chief Executive, Swale Borough Council,
Swale House, East Street, Sittingbourne, Kent, ME10 3HT**

| | |
|------------------------|--|
| Council Meeting | |
| Meeting Date | 15 June 2022 |
| Report Title | Review of Members' Allowances Scheme – Report of the Independent Remuneration Panel for Swale |
| EMT Lead | David Clifford – Head of Policy, Communications and Customer Services |
| Head of Service | |
| Lead Officer | Jo Millard – Senior Democratic Services Officers |
| Classification | Open |
| Recommendations | 1. That the Council adopts the Members' Allowance Scheme proposed by the Independent Remuneration Panel. |

1 Purpose of Report and Executive Summary

- 1.1 In accordance with the Local Authorities (Members' Allowances) (England) Regulations 2003, the Council is required to appoint an Independent Remuneration Panel (IRP) to consider the Council's Members' Allowance Scheme and make recommendations to Full Council.
- 1.2 Allowances for the Mayor/Deputy Mayor are not subject to review by the Independent Panel and Council may consider an allowance review of these positions separately in the future.

2 Background

- 2.1 The Regulations require Councils to undertake a review of their Members' Allowances Scheme every four years. The last full review for Swale was undertaken in March 2020. A review to consider the Special Responsibility Allowances (SRA) for Area Committee Chairman was carried out in February 2021. Council agreed to implement the IRP's recommendations at those reviews.
- 2.2 It was necessary for the panel to carry out a full review as the Council now operates under the Committee System model, which introduces new roles and responsibilities. Members of the independent panel had experience of carrying out reviews for authorities who had moved from the Cabinet to Committee system and the review was carried out on 4th and 11th May 2022. The panel report's is attached at Appendix I.
- 2.3 During the development of the new Constitution, the cross party Constitution Working Group whose membership is Councillors Baldock (chair), Bonney, Darby, Ingleton, Martin, Simmons, Truelove and Valentine, considered the need for a new Members' allowance scheme. The group put a proposal to the IRP who

agreed to consider it when undertaking their review. The working group's proposal is attached for information at Appendix II.

3 Proposals

3.1 The attached report of the panel sets out their recommendations in full and provides commentary on the reasoning behind their recommendations. Council is now recommended to adopt these recommendations as the Council's scheme of member allowances as proposed by the IRP. The table below sets out the impact of the implementation of proposals:

| Role | Current | Recommended | | Not Recommended | |
|--|------------|--|----------|-----------------------------|----------|
| | | Proposal from Independent Remuneration Panel | % Change | Proposal from Working Group | % Change |
| Basic Member Allowance | £5,663.94 | £6,786.00 | 20% | £7,500.00 | 32% |
| Council Leader | £20,958.78 | £16,965.00 | -19% | £16,000.00 | -24% |
| Deputy Leader | £0.00 | £8,483.00 | | £8,000.00 | |
| Leader of the Main Opposition | £6,287.14 | £5,938.00 | -6% | £0.00 | -100% |
| Leader of the smaller opposition groups | £2,095.37 | £2,036.00 | -3% | £0.00 | -100% |
| Group Leader (per Councillor) | £0.00 | £0.00 | | £350.00 | |
| Cabinet Member | £12,574.27 | £0.00 | -100% | £0.00 | -100% |
| Deputy Cabinet Member | £6,287.14 | £0.00 | -100% | £0.00 | -100% |
| Chair Service Committee | £0.00 | £5,938.00 | | £4,000.00 | |
| Vice-Chair Service Committee | £0.00 | £0.00 | | £0.00 | |
| Chair Planning Committee | £7,334.82 | £6,786.00 | -7% | £7,334.82 | 0% |
| Vice-Chair Planning Committee | £0.00 | £0.00 | | £0.00 | |
| Chair Licensing Committee | £2,095.37 | £2,036.00 | -3% | £2,000.00 | -5% |
| Chair Audit Committee | £2,095.37 | £2,036.00 | -3% | £2,000.00 | -5% |
| Chair Scrutiny Committee | £6,287.14 | £0.00 | | £0.00 | -100% |
| Chair PDRC | £6,287.14 | £0.00 | -100% | £0.00 | -100% |
| Chair Area Committee | £2,095.37 | £2,036.00 | -3% | £2,000.00 | -5% |

4 Alternative Options

4.1 Council is required to set a Members' Allowance Scheme and in doing so, it must have regard to the Panel's recommendations. However, the Council does not have to approve the recommendations made by the Panel. Council may choose to implement an alternative proposal.

5 Consultation Undertaken or Proposed

- 5.1 A questionnaire was circulated to all Members, in advance of the Panel meeting to seek feedback. 16 of 47 Members completed the questionnaire and the responses are attached to the IRP's report. In addition, 6 Members were interviewed as part of the Panel's review.

6 Implications

| Issue | Implications |
|--|--|
| Corporate Plan | None for the purposes of this report |
| Financial, Resource and Property | The implications are contained within the report |
| Legal, Statutory and Procurement | The Local Authorities (Members' Allowances) (England) Regulations 2003 set 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 |
| Environment and Climate/Ecological Emergency | None for the purposes of this report |
| Health and Wellbeing | None for the purposes of this report |
| Safeguarding of Children, Young People and Vulnerable Adults | None for the purposes of this report |
| Risk Management and Health and Safety | None for the purposes of this report |
| Equality and Diversity | Remuneration may encourage and support a greater diversity of Councillor representation. |
| Privacy and Data Protection | 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: Report of the Independent Remuneration Panel
- Appendix II: SBC Constitution Working Group Member Allowance Scheme – Proposal to Independent Remuneration Panel

8 Background Papers

Reports and Minutes considered by previous Council meetings:

[Link to Agenda and minutes of Review Panel 17 June 2020](#)

[Link to Review Panel report 31 March Council 2021](#)



~~~~~

**The report of the Independent Remuneration Panel  
appointed to review the allowances paid to Councillors  
of Swale Borough Council**

~~~~~

May 2022

CONTENTS

| | | |
|-----------|---|------------|
| 1. | INTRODUCTION AND BACKGROUND | 1 |
| 2. | CURRENT SCHEME | 1 |
| 3. | PRINCIPLES UNDERPINNING OUR REVIEW | 2 |
| 3.1 | THE PUBLIC SERVICE PRINCIPLE..... | 2 |
| 3.2 | THE FAIR REMUNERATION PRINCIPLE..... | 2 |
| 4. | CONSIDERATIONS AND RECOMMENDATIONS | 3 |
| 4.1 | BASIC ALLOWANCE..... | 3 |
| 4.2 | SPECIAL RESPONSIBILITY ALLOWANCES (SRAs)..... | 7 |
| | CO-OPTTEES' ALLOWANCE | 11 |
| 4.3 | TRAVELLING AND SUBSISTENCE ALLOWANCE | 111 |
| 4.4 | DEPENDANTS' CARERS' ALLOWANCE | 111 |
| 4.5 | PARENTAL LEAVE | 122 |
| 4.6 | INDEXING OF ALLOWANCES..... | 133 |
| 4.7 | REVOCATION OF CURRENT SCHEME OF ALLOWANCES / IMPLEMENTATION OF NEW SCHEME | 144 |
| 5. | OUR INVESTIGATION | 155 |
| 5.1 | BACKGROUND | 155 |
| 5.2 | COUNCILLORS' VIEWS ON THE LEVEL OF ALLOWANCES..... | 15 |
| 6. | APPROVED COUNCILLOR DUTIES | 155 |

| | | |
|-------------------|---|----|
| Appendix 1 | Basic Allowance/Special Responsibility Allowances & Co-Optees' Allowance Allowances – Summary of Recommendations | 16 |
| Appendix 2 | IRP Review of Councillor Allowances Responses to the Questionnaire 2022 | |
| Appendix 3 | Comparative data of allowances paid to councillors of the other Kent District & Borough Councils (South East Employers, Members Allowances Survey 2021) | |

1. INTRODUCTION AND BACKGROUND

- 1.1.1 The Local Authorities (Members' Allowances) (England) Regulations 2003 ("the 2003 Regulations"), as amended, require all local authorities to appoint an independent remuneration panel (IRP) to advise on the terms and conditions of their scheme of councillors' allowances.
- 1.1.2 Swale Borough Council formally appointed the following persons to undertake this process and make recommendations on its future scheme.
- Derek Butler- Former Councillor and local resident in Kent.
Jasvinder Gill- Solicitor and local resident
Mark Palmer- Development Director, South East Employers (Chair)
- 1.1.3 Our terms of reference were in accordance with the requirements of the 2003 Regulations, together with "Guidance on Consolidated Regulations for Local Authority Allowances" issued jointly by the former Office of the Deputy Prime Minister and the Inland Revenue (July 2003). Those requirements are to make recommendations to the Council as to:
- (a) the amount of basic allowance to be payable to all councillors.
 - (b) the level of allowances and whether allowances should be payable for:
 - (i) special responsibility allowances.
 - (ii) travelling and subsistence allowance.
 - (iii) dependants' carers' allowance.
 - (iv) parental leave and.
 - (v) co-optees' allowance.
- and the amount of such allowances.
- (c) whether payment of allowances may be backdated if the scheme is amended at any time to affect an allowance payable for the year in which the amendment is made.
 - (d) whether adjustments to the level of allowances may be determined according to an index and if so which index and how long that index should apply, subject to a maximum of four years before its application is reviewed.

2. CURRENT SCHEME

- 2.1.1 The last review of councillors' allowances was undertaken by the IRP for the Council in March 2020. The Council took the decision to move from a Leader and Cabinet model of governance to that of a Committee Model. The change of governance structure has prompted this review. The Panel is of the view that the recommendations in this review should be evaluated again in twelve to eighteen months.
- 2.1.2 The Scheme currently provides that all councillors are each entitled to a total basic allowance of £5,663.94 per annum. The basic allowance was set following the March 2020 review and 2016 and has had an indexation

applied annually since that date. In addition, some councillors receive special responsibility allowances for undertaking additional duties.

- 2.1.3 Councillors may also claim the cost of travel and subsistence expenses and for expenditure on the care of children or dependants whilst on approved duties.

3. PRINCIPLES UNDERPINNING OUR REVIEW

3.1 The Public Service Principle

- 3.1.1 This is the principle that an important part of being a councillor is the desire to serve the public and, therefore, not all of what a councillor does should be remunerated. Part of a councillor's time should be given voluntarily. The consolidated guidance notes the importance of this principle when arriving at the recommended basic allowance.¹ Moreover, we found that a public service concept or ethos was articulated and supported by all of the councillors we interviewed and in the vast majority of responses to the questionnaire completed by councillors as part of our review.
- 3.1.2 To provide transparency and increase an understanding of the Panel's work, we will recommend the application of an explicit Public Service Discount (or PSD). Such a PSD is applied to the time input necessary to fulfil the role of a councillor. Further explanation of the PSD to be applied is given below in Section 4.

3.2 The Fair Remuneration Principle

- 3.2.1 Alongside the belief that the role of the elected Councillor should, in part, be viewed as unpaid voluntary service, we advocate a principle of fair remuneration. The Panel in 2022 continues to subscribe to the view promoted by the independent Councillors' Commission:

Remuneration should not be an incentive for service as a councillor. Nor should lack of remuneration be a barrier. The basic allowance should encourage people from a wide range of backgrounds and with a wide range of skills to serve as local councillors. Those who participate in and contribute to the democratic process should not suffer unreasonable financial disadvantage as a result of doing so.²

- 3.2.2 We are keen to ensure that our recommended scheme of allowances provides reasonable financial compensation for councillors. Equally, the scheme should be fair, transparent, logical, simple, and seen as such.

¹ The former Office of Deputy Prime Minister – now the Department for Levelling Up, Housing & Communities and The Inland Revenue (now HM Revenue & Customs), *New Council Constitutions: Guidance on Consolidated Regulations for Local Authority Allowances*, London: TSO, July 2003, paragraph 68.

² Rodney Brooke and Declan Hall, *Members' Remuneration: Models, Issues, Incentives and Barriers*. London: Communities and Local Government, 2007, p.3.

- 3.2.3 Hence, we continue to acknowledge that:
- (i) allowances should apply to roles within the Council, not individual councillors.
 - (ii) allowances should represent reasonable *compensation* to councillors for expenses they incur and time they commit in relation to their role, not *payment* for their work; and
 - (iii) special responsibility allowances are used to recognise the *significant* additional responsibilities which attach to some roles, not merely the extra time required.

3.2.4 In making our recommendations, we have therefore sought to maintain a balance between:

- (i) the voluntary quality of a councillor's role.
- (ii) the need for appropriate financial recognition for the expenses incurred and time spent by councillors in fulfilling their roles; and
- (iii) the overall need to ensure that the scheme of allowances is neither an incentive nor a barrier to service as a councillor.

3.2.5 The Panel also sought to ensure that the scheme of allowances is understandable in the way it is calculated. This includes ensuring the bandings and differentials of the allowances are as transparent as possible.

3.2.6 In making our recommendations, we wish to emphasise that any possible negative impact they may have is not intended and should not be interpreted as a reflection on any individual councillor's performance in the role.

4. CONSIDERATIONS AND RECOMMENDATIONS

4.1 Basic Allowance

- 4.1.1 A Council's scheme of allowances must include provision for a basic allowance, payable at an equal flat rate to all councillors. The guidance on arriving at the basic allowance states, "Having established what local councillors do, and the hours which are devoted to these tasks the local authorities will need to take a view on the rate at which, and the number of hours councillors ought to be remunerated."³

³ The former Office of Deputy Prime Minister – now the Department for Levelling Up, Housing & Communities, and Inland Revenue (now HM Revenue and Customs), *New Council Constitutions: Guidance on Consolidated Regulations for Local Authority Allowances*, London: TSO, July 2003, paragraph 67.

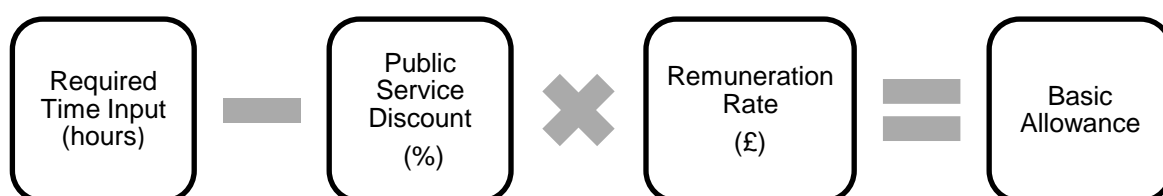
⁴ The former Office of Deputy Prime Minister – now the Department for Levelling Up, Housing and Communities and Inland Revenue (now HM Revenue and Customs), *New Council Constitutions: Guidance on Consolidated Regulations for Local Authority Allowances*, London: TSO, July 2003, paragraphs 66-81.

4.1.2 In addition to the regular cycles of Council and committee meetings, a number of working groups involving councillors may operate. Many councillors are also appointed by the Council to a number of external organisations.

4.1.3 We recognise that councillors are responsible to their electorate as:

- Representatives of a particular ward.
- Community leaders.
- Decision makers for the whole Council area.
- Policy makers for future activities of the Council.
- Scrutineers and auditors of the work of the Council; and
- Other matters required by Government.

4.1.4 The guidance identifies the issues and factors an IRP should have regard to when making a scheme of allowances.⁴ For the basic allowance we considered three variables in our calculation: the time required to execute the role effectively; the public service discount; and the rate for remuneration.



4.1.5 Each of the variables is explained below.

Required Time Input

4.1.6 We ascertained the average number of hours necessary per week to undertake the role of a councillor (with no special responsibilities) from questionnaires and interviews with councillors and through reference to the relevant information. In addition, we considered further information about the number, range, and frequency of committee meetings.⁵

4.1.7 Discounting attendance at political meetings (which we judged to be centred upon internal political management), we find that the average time commitment required to execute the role of a councillor with no special responsibilities is 14 hours per week within a Committee Model of governance. This is an increase of two hours per week since the March 2020 review recommendation. The basis for this increase is an awareness and expectation that councillors will be participating and attending more decision-making committees within the Committee Model of governance.

Public Service Discount (PSD)

4.1.8 From the information analysed, we found councillors espoused a high sense of public duty. Given the weight of evidence presented to us

⁵ The summary responses to the questionnaires are attached as Appendix 2.

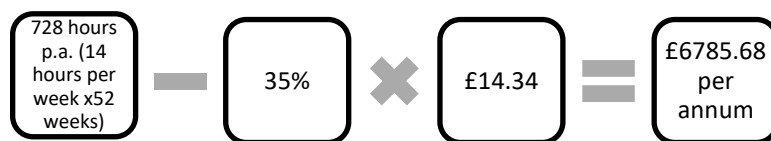
concerning, among other factors, the levels of responsibility, the varied nature of the role, the need for learning and development, and the increasing accessibility and expectations of the public, we recommend a Public Service Discount of 35 per cent to the calculation of the basic allowance. This percentage sits within the mid-range of PSDs applied to basic allowances by councils.

Remuneration Rate

- 4.1.9 After establishing the expected time input to be remunerated, we considered a remuneration rate. We came to a judgement about the rate at which the councillors ought to be remunerated for the work they do.
- 4.1.10 To help identify an hourly rate for calculating allowances, we utilised relevant statistics about the local labour market published by the Office for National Statistics. We selected the average (median), full-time gross⁶ wage per hour for the Swale Borough Council area £14.34⁷ per hour.

Calculating the basic allowance

- 4.1.11 After determining the amount of time required each week to fulfil the role (14 hours), the level of PSD to be applied (35%) and the hourly rate to be used (£14.34), we calculated the basic allowance as follows:



- 4.1.12 The gross Basic Allowance before the PSD is applied is **£10,439.52**. Following the application of the PSD this leads to a basic allowance of **£6,785.68** per annum.
- 4.1.13 This amount is intended to recognise the overall contribution made by councillors, including their work on council bodies, division work and attendance on external bodies.
- 4.1.14 We did also note the levels of basic allowance currently allocated by other comparative district and borough councils across Kent, (see table below and Appendix 3).

⁶ The basic allowance, special responsibility allowance, dependants' carers' allowance, and co-optees' allowance are taxable as employment income.

⁷ The Nomis official labour market statistics: Hourly Pay – Gross median (£) For full-time employee jobs by place of residence: UK December 2021.

| Council | Kent District/Borough Councils: Basic Allowances (£) 2021⁸ |
|---------------------------------------|--|
| Ashford Borough Council | 4,864 |
| Canterbury City Council | 5,739 |
| Dover District Council | 5,000 |
| Folkestone and Hythe District Council | 5,433 |
| Gravesham Borough Council | 4,955 |
| Maidstone Borough Council | 5,065 |
| Sevenoaks District Council | 5,617 |
| Swale Borough Council | 5,444 |
| Thanet District Council | 4,570 |
| Tonbridge and Malling Borough Council | 5,175 |
| Tunbridge Wells Borough Council | 5,500 |
| Average | 5,161 |

4.1.15 The Panel wished to ensure the level of basic allowance does not constitute a barrier to candidates from all sections of the community standing, or re-standing, for election as councillors. The Panel was of the view the approach undertaken in this review of the introduction of a transparent and clear formula for calculating the Basic Allowance will assist a future Panel in recommending a Basic Allowance.

WE THEREFORE RECOMMEND that the Basic Allowance payable to all members of Swale Borough Council be £6,786 per annum

⁸ Figures drawn from the South East Employers, Members' Allowances Survey 2021 (October 2021).

4.2 Special Responsibility Allowances (SRAs)

4.2.1 Special Responsibility Allowances are awarded to councillors who perform significant additional responsibilities over and above the roles and expenses covered by the basic allowance. These special responsibilities must be related to the discharge of the council's functions.

4.2.2 The 2003 Regulations do not limit the number of SRAs which may be paid, nor do they prohibit the payment of more than one SRA to any one councillor. They do require that an SRA be paid to at least one councillor who is not a member of the controlling group of the Council. As the guidance suggests, if the majority of councillors receive a SRA, the local electorate may rightly question the justification for this.⁹

4.2.3 We conclude from the evidence we have considered that the following offices bear *significant* additional responsibilities:

- Leader of the Council
- Deputy Leader of the Council
- Chair of Policy and Resources Committee
- Chairs of Service Committees (4)
- Leader of the Opposition
- Leader of Smaller Opposition Groups
- Chair of Planning Committee
- Chair of Licensing Committee
- Chair of Audit Committee
- Chairs of Area Committees (4)
- Co-Opted Members

One SRA Only Rule

4.2.4 To improve the transparency of the scheme of allowances, we feel that no councillor should be entitled to receive at any time more than **one SRA**. If a councillor can receive more than one SRA, then the public are unable to ascertain the actual level of remuneration for an individual councillor from a reading of the Scheme of Allowances.

4.2.5 Moreover, the One SRA Only Rule avoids the possible anomaly of the Leader receiving a lower allowance than another councillor. If two or more allowances are applicable to a councillor, then the higher-valued allowance would be received. The One SRA Only Rule is common practice for many councils. Our calculations for the SRAs are based on this principle, which should be highlighted:

WE THEREFORE RECOMMEND that that no councillor shall be entitled to receive at any time more than one Special Responsibility Allowance and that this One SRA Only Rule be adopted into the new Scheme of Allowances.

⁹ The former Office of Deputy Prime Minister – now the Department for Levelling Up, Housing and Communities and *New Council Constitutions: Guidance on Consolidated Regulations for Local Authority Allowances*, London: TSO, July 2003, paragraph 72.

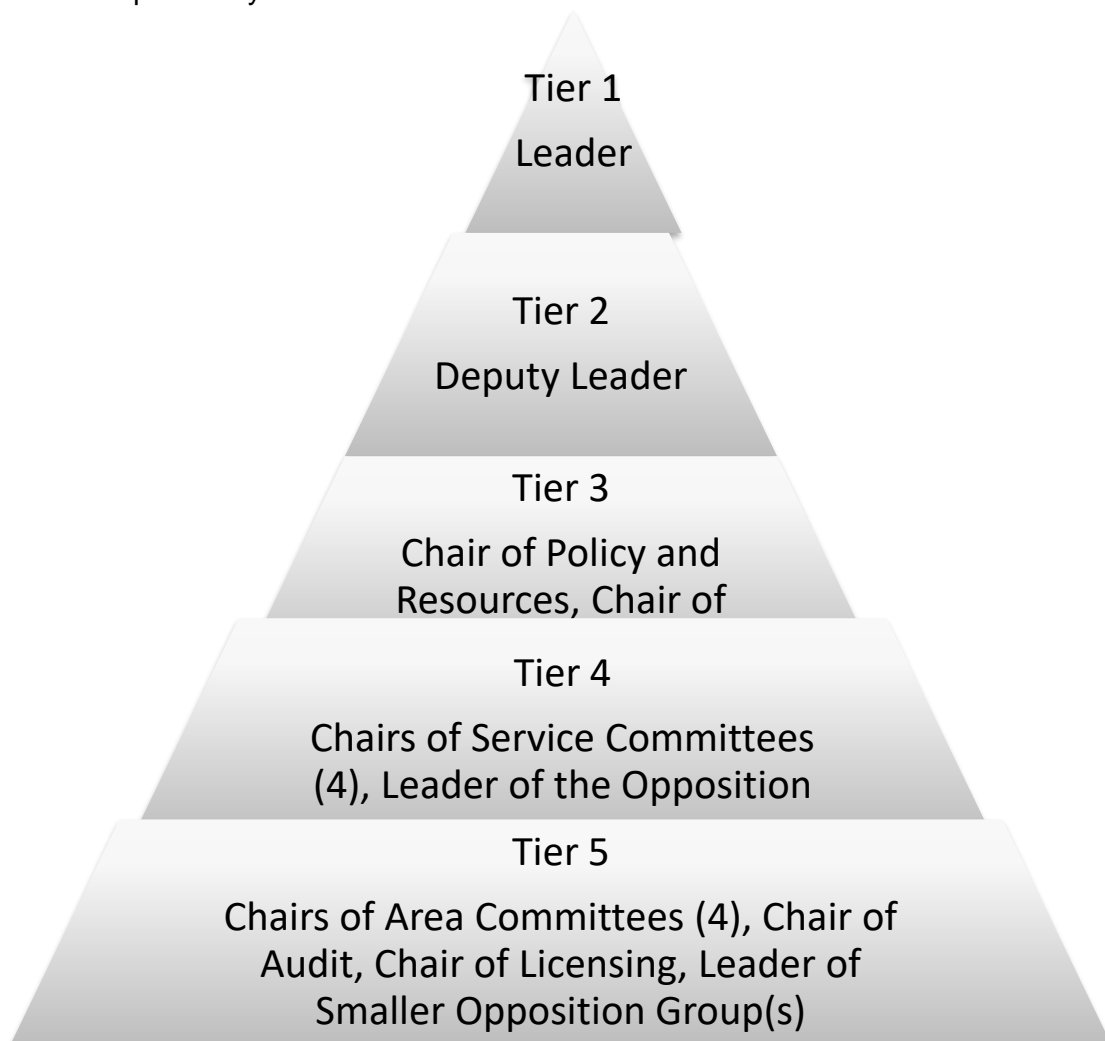
The Maximum Number of SRA's Payable

- 4.2.6 In accordance with the 2006 Statutory Guidance (paragraph 72) the Panel is of the view that the Council should adhere to the principal that no more than 50% of Council Members (23) should receive an SRA at any one time

Calculating SRAs

- 4.2.7 The Panel supported the criteria and formula for calculating the Leader of the Council allowance based on a multiplier of the Basic Allowance; this role carries the most significant additional responsibilities and is the most time consuming.
- 4.2.8 We applied a multiplier of the basic allowance to establish the Leader's SRA. Other SRAs are then valued downwards as a percentage of the Leader's allowance. This approach has the advantage that, when future adjustments to the SRAs are required, changing the Leader's SRA will have a proportionate and easily calculable effect on the other SRAs within the scheme.

We grouped together in Tiers those roles that we judged to have a similar level of responsibility. The outline result of this approach is illustrated in a pyramid of responsibility:



The rationale for these five tiers of responsibility is discussed below.

Leader (Tier One)

- 4.2.9 The Council elects a Leader who will also Chair the proposed Policy and Resources Committee. The Leader in a Committee Model of governance does not have the executive leadership responsibilities of those within a Leader and Cabinet model of governance and is therefore a smaller role in terms of power, authority and impact.
- 4.2.10 The multiplier we applied to calculate the Leader's SRA is 250% (2.5 x times) the basic allowance. If the recommended option of a basic allowance with a PSD of 35% is adopted, this results in a Leader's Allowance of £16,965.

WE RECOMMEND that the Leader of the Council should receive a Special Responsibility Allowance of 250% of the recommended basic allowance, £16,965.

Deputy Leader (Tier Two)

- 4.2.11 The Deputy Leader usually acts on the Leader's behalf in their absence. From the information we gathered, we consider this additional responsibility should now be reflected in the level of allowance. Therefore, we recommend the Deputy Leader's SRA be set at 50% of the Leader's SRA. If our recommendations concerning the basic allowance and the Leader's SRA are adopted, this results in an allowance of £8,483.

WE RECOMMEND that the Deputy Leader receive a Special Responsibility Allowance of 50% of the recommended Leader's Allowance, £8,483.

Chair of Policy and Resources and Chair of the Planning Committee (Tier Three)

- 4.2.12 The Policy and Resources Committee is proposed to be the Council's most significant Committee in terms of impact and authority. It is anticipated that the role of chair of the Policy and Resources Committee will be the Leader of the Council, however, as this is not stipulated in the proposed Council Constitution then the Panel recommends that a Special Responsibility Allowance should be recommended. The Panel recommends that the Chair of the Policy and Resources Committee should receive an allowance of 40% of the recommended Leader's Allowance, £6,786.
- 4.2.13 The Panel was of the view that the Planning Committee is still one of the largest Committees in respect of workload and the frequency of meetings. The Panel recommends that the Chair of the Planning Committee should receive a Tier Three allowance, 40% of the recommended Leader's allowance, £6,786.

WE RECOMMEND that the Chair of Policy and Resources and the Chair of the Planning Committee should receive an allowance of 40% of the recommended Leader's Allowance, £6,786.

Leader of the Opposition and Chairs of Service Committees (Tier Four)

- 4.2.14 From the evidence gathered, including questionnaire responses and face to face interviews, we continue to consider the Leader of the Main Opposition Group to be a significant role and the 2003 Regulations require that the Leader of the Opposition Group receive a Special Responsibility Allowance. The Leader of the largest Opposition Group has to both ensure democratic accountability and the holding to account of the administration but also manage and develop a Group of a significant size. The Panel is therefore of the view that the Opposition Group Leader should receive a Special Responsibility Allowance of 35% of the recommended Leader's Allowance, £5,938.
- 4.2.15 As part of the new governance structure the Council has proposed the inclusion of four service committees comprising of fifteen members in each committee. The Committees will make recommendations to the Policy and Resources Committee and will have delegated authority within the area of responsibility. The four service committees are Community, Environment, Housing and Health and Regeneration and Property. The Panel is of the view that the Chairs of these Committees should receive a Special Responsibility Allowance of 35% of the recommended Leader's Allowance, £5,938.

WE RECOMMEND that the Opposition Group Leader and the Chairs of the Service Committees receive a Tier Four Special Responsibility Allowance of 35% of the recommended Leader's Allowance, £5,938.

Leaders of Smaller Opposition Groups, Chair of Licensing Committee, Chair of Audit Committee, Chair of Area Committees (Tier Five)

- 4.2.16 The Leaders of the Smaller Opposition Groups are a key role, and the Panel was therefore of the view that any current or future Leader(s) of the Smaller Opposition Group(s) should receive a Special Responsibility Allowance. Currently no allowance is awarded to these roles. The Panel is of the view that the Leaders of the Smaller Opposition Groups should receive a Tier Five allowance, 12% of the recommended Leader's Allowance, £2,036. The Panel was of the view that in order for a Smaller Opposition Group Leader to receive the Special Responsibility Allowance the group should constitute at least 10% of all Members (10% of 47 Members), five Members in the group.
- 4.2.17 The Panel is of the view that there has been no significant change to the roles of the Chair of Audit Committee, Licensing Committee and the four Area Committees since the reviews in March 2020 and February 2021. The Panel is therefore of the view that Chair of Licensing, Audit and the four Area Committees should receive a Special Responsibility Allowance of 12% of the recommended Leader's Allowance, £2,036.

WE RECOMMEND that the Smaller Opposition Group Leader(s), should receive a Tier Five Allowance, 12% of the recommended Leader's Allowance, £2,036. WE FURTHER RECOMMEND that in order for a Smaller Opposition Group Leader to receive the Special Responsibility Allowance the group should constitute at least 10% of all Members (10% of 47), five Members in the Group. WE ALSO RECOMMEND that the Chair of Licensing, Chair of Audit and Chairs of the four Area Committees should receive a Special Responsibility Allowance of 12% of the recommended Leader's Allowance, £2,036.

Co-Optee's Allowance

- 4.2.18 The Council currently awards a Co-Optees Allowance. However, the Panel was of the view that the current rate of £10.20 per meeting was insufficient. The Panel is therefore of the view that the Co-Optees should receive a per meeting allowance based on an hourly rate. The allowance should also include the preparation time required for each meeting. The Panel therefore recommends that the Co-Optees receive an allowance of £14.34 per hour (Nomis median hourly rate for full time employees by place of residence for the Swale Borough Council area, December 2021).

WE RECOMMEND that the Co-Optees receive an allowance of £14.34 per hour. The allowance should be awarded on a per meeting basis and include payment for reasonable preparation time. This allowance should be increased annually in line with the Nomis median hourly rate for full time employees by place of residence.

ICT Allowance

- 4.2.19 The Council currently pays an ICT allowance of £16.73 per month towards the IT and telecommunications costs incurred in their duties as a councillor. The Panel is of the view that this allowance should be withdrawn.

WE RECOMMEND that the ICT allowance of £16.73 per month be withdrawn.

4.3 Travelling and Subsistence Allowance

- 4.3.1 A scheme of allowances may provide for any councillor to be paid for travelling and subsistence undertaken in connection with any of the duties specified in Regulation 8 of the 2003 Regulations (see paragraph 5.10). Similarly, such an allowance may also be paid to Co-opted Members of a committee or sub-committee of the Council in connection with any of those duties, provided that their expenses are not also being met by a third party.

WE RECOMMEND that travelling and subsistence allowance should be payable to councillors and Co-Optees in connection with any approved duties. The amount of travel and subsistence payable shall continue to be at the maximum levels payable to council staff in line with HM Revenue and Customs' rates. We propose no changes to the current travel and subsistence allowances.

WE FURTHER RECOMMEND that a travel allowance for electric vehicles should be promoted based on the current HM Revenue and Customs' rate of 45p per mile.

4.4 Dependent's Carers' Allowance

- 4.4.1 The dependent's carers' allowance should ensure that potential candidates are not deterred from standing for election to council and should enable current councillors to continue despite any change in their personal circumstances. The current scheme awards reimbursement for Child Care at the rate of the Real Living Wage and more specialist care at cost.

- 4.4.2 The Panel is of the view that the Dependent's Carers' Allowance should continue be reimbursed at the rate of the Real Living Wage, £9.90 per hour for Childcare and based on the actual cost for more specialist care.
- 4.4.3 The Panel is therefore of the view that the cost of more specialist care should be reimbursed at the actual cost incurred by the councillor upon production of receipts. In respect of specialist care provision medical evidence that this type of care provision is required should also be provided and approved by an appropriate officer of the Council.

WE THEREFORE RECOMMEND that the Dependent's Carers' Allowance for childcare should be based on the Real Living Wage as recommended by the Living Wage Foundation, currently £9.90 per hour and more specialist care should be based at cost upon production of receipts. In the case of specialist care a requirement of medical evidence that this type of care be required, the allowance should have no daily or monthly maximum claim when undertaking Approved Councillor Duties.

WE ALSO RECOMMEND that the Council should actively promote the allowance to prospective and new councillors both before and following an election. This may assist in supporting a greater diversity of councillor representation.

4.5 Parental Leave

- 4.5.1 There is no uniform national policy to support councillors who require parental leave for maternity, paternity, or adoption leave. According to the Fawcett Society (Does Local Government Work for Women, 2018) a '*lack of maternity, paternity provision or support*' is a real barrier for women aged 18-44 to fulfil their role as a councillor.
- 4.5.2 We are of the view that support should be provided for parental leave although we do not wish to stipulate an exact policy/procedure. The Panel is aware that the Local Government Association (Labour Group) has developed a model policy that has been adopted by a growing number of councils across the southeast region.
- 4.5.3 There is no legal right to parental leave of any kind for people in elected public office. However, as a way of improving the diversity of Councillors, the Panel would recommend that the Members' Allowance Scheme should be amended to include provisions that clarify that:
- All Councillors shall continue to receive their Basic Allowance in full for a period up to six months in the case of absence from their Councillor duties due to leave relate to maternity, paternity, adoption shared parental leave or sickness absence
 - Councillors entitled to a Special Responsibility Allowance shall continue to receive their allowance in full for a period of six months, in the case of absence from their Councillor duties due to leave related to maternity, paternity, adoption, shared parental leave or sickness absence
 - Where for reasons connected with sickness, maternity leave, adoption leave, paternity leave or shared parental leave a Councillor is unable to attend a meeting of the Council for a period of six months, a dispensation by Council can be sought in accordance with Section 85 of the Local Government Act 1972

- If a replacement to cover the period of absence under these provisions is appointed by Council or the Leader (or in the case of a party group position the party group) the replacement shall be entitled to claim a Special Responsibility Allowance pro rata for the period over which the cover is provided.
- If a Councillor stands down, or an election is held during the period when a Councillor is absent due to any of the above and the Councillor is not re-elected or decides not to stand down for re-election, their Basic Allowance and any Special Responsibility Allowance will cease from the date they leave office.

4.5.4 The Panel is conscious that these provisions do not replicate the LGA policy, but that a policy introduces elements that are more akin to employees which in terms of employment legislation does not include Councillors. We feel that our recommendations more simply and adequately reflect the situation relating to Councillors and clarify for them what they can expect. Councillors however may wish to further develop the above recommendations so that they reflect the LGA (Labour Group) policy.

WE RECOMMEND that the approach outlined is adopted as a basis of a policy to support parental leave for councillors. Should a policy on Parental Leave for Councillors be approved it should be actively promoted to prospective and current Councillors alongside the Dependents' Carers Allowance. This should form part of a wider 'Be A Councillor' (LGA led initiative) programme led by the Council and supported by political groups; to enhance and further increase the diversity of councillor representation.

4.6 Indexing of Allowances

4.6.1 A scheme of allowances may make provision for an annual adjustment of allowances in line with a specified index. We propose no change to the current formula for the calculation of indexation. The indexation is currently linked to staff salary increases, Spinal Column Point 49.

WE THEREFORE RECOMMEND that an annual indexation of the basic allowance and each of the SRAs continue. The allowances should be increased annually in line with the percentage increase in staff salaries, Spinal Column Point 49 from April 2023 for a period of up to four years. After this period, the Scheme shall be reviewed again by an independent remuneration panel.

4.7 Revocation of current Scheme of Allowances / Implementation of the new Scheme

- 4.7.1 The 2003 Regulations provide that a scheme of allowances may only be revoked with effect from the beginning of a financial year, and that this may only take effect on the basis that the authority makes a further scheme of allowances for the period beginning with the date of revocation.

WE THEREFORE RECOMMEND that the new scheme of allowances to be agreed by the Council be implemented with effect from the beginning of the 2022-23 municipal year, at which time the current scheme of allowances will be revoked.

5. OUR INVESTIGATION

5.1 Background

- 5.1.1 As part of this review, a questionnaire was issued to all councillors to support and inform the review. Responses were received from 16 of the 47 current councillors (34% response). The information obtained was helpful in informing our deliberations.
- 5.1.2 We interviewed six current councillors and one officer using a structured questioning process. We are grateful to all our interviewees for their assistance.

5.2 Councillors' views on the level of allowances

- 5.2.1 A summary of the councillors' responses to the questionnaire are attached as Appendix 2.

6. APPROVED COUNCILLOR DUTIES

- 6.1.1 The Panel reviewed the recommended duties for which allowances should be payable and recommend that no changes be made.

WE THEREFORE RECOMMEND: That no changes are made to the Approved Councillor Duties as outlined in the Members' Allowance Scheme.

**Mark Palmer (Chair of the Independent Remuneration Panel)
Development Director, South East Employers
May 2022**

Appendix 1: Summary of Panel's Recommendations

| Allowance | Current Amount for 2021-22 | Number | Recommended Allowance (35% PSD) | Recommended Allowance Calculation |
|---------------------|----------------------------|-----------|---------------------------------|-----------------------------------|
| Basic (BA) | | | | |
| Total Basic: | £5663.94 | 47 | £6,786 | |

| Special Responsibility: | | | | |
|---------------------------------------|--------------------|---|-----------------|--|
| Leader of the Council | £20,959 | 1 | £16,965 | 250% of BA |
| Deputy Leader | No SRA | 1 | £8,483 | 50% of Leader's Allowance |
| Chair of Policy and Resources | No SRA | 1 | £6,786 | 40% of Leader's Allowance |
| Chair of Planning | £7,335 | 1 | £6,786 | 40% of Leader's Allowance |
| Leader of Opposition | £6,287 | 1 | £5,938 | 35% of Leader's Allowance |
| Chair of Service Committees | No SRA | 4 | £5,938 | 35% of Leader's Allowance |
| Leader of Smaller Opposition Groups 1 | £2,095 | 1 | £2,036 | 12% of Leader's Allowance |
| Chair of Licensing | £2,095 | 1 | £2,036 | 12% of Leader's Allowance |
| Chair of Audit | £2,095 | 1 | £2,036 | 12% of Leader's Allowance |
| Chair of Area Committees | £2,095 | 4 | £2,036 | 12% of Leader's Allowance |
| Co-Opted Member | £10.20 per meeting | | £14.34 per hour | Nomis median hourly rate for Essex county area |

1. SRA only payable to Group Leaders with at least 10% of all Members within the Group (10% of 47 Members), 5 Members.

Q1 In a typical week how many hours do you spend on the non -
executive councillor role?

Answered: 16 Skipped: 0

| # | RESPONSES | DATE |
|----|-----------|--------------------|
| 1 | 7 - 10 | 4/22/2022 12:16 PM |
| 2 | 10 hours | 4/17/2022 5:12 PM |
| 3 | 6 hours | 4/13/2022 12:28 PM |
| 4 | 10-20 | 4/13/2022 11:58 AM |
| 5 | 10 | 4/12/2022 9:27 AM |
| 6 | 30 | 4/12/2022 12:24 AM |
| 7 | 14 | 4/11/2022 7:24 PM |
| 8 | 10 hours | 4/11/2022 6:57 PM |
| 9 | 3 hours | 4/11/2022 3:57 PM |
| 10 | 4 | 4/11/2022 3:19 PM |
| 11 | 5 | 4/11/2022 2:25 PM |
| 12 | 10 | 4/11/2022 1:43 PM |
| 13 | 16 | 4/11/2022 1:31 PM |
| 14 | 45 | 4/11/2022 1:25 PM |
| 15 | 17.5 | 4/11/2022 12:46 PM |
| 16 | 20 | 4/11/2022 12:40 PM |

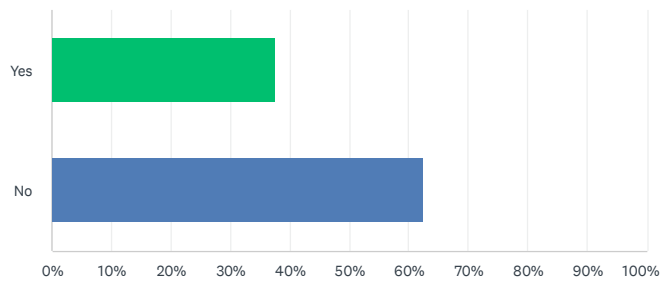
Q2 If you hold a role(s) within the Council i.e. Group Leader, Chair/Vice Chair etc., how many hours do you spend in a typical week on Council business relevant to the role(s). [Please provide details separately for each role if more than one additional role is held.]Please specify specific roles below and hours spent on each role:

Answered: 13 Skipped: 3

| # | RESPONSES | DATE |
|----|--|--------------------|
| 1 | 10 | 4/22/2022 12:16 PM |
| 2 | Cabinet Member for Health and Wellbeing 20-30 hours | 4/17/2022 5:12 PM |
| 3 | 13 hours Cabinet Member 2 Hour Vice Chair Area Comm, Chair JTB | 4/13/2022 12:28 PM |
| 4 | 20 hours sometimes more | 4/13/2022 11:58 AM |
| 5 | Deputy cabinet member. On a busy week I can spend about 15 hours in meetings both internal and external. Now that more is happening in person travel time will need to be added. As a chair person can spend up to 2 hours preparing for a meeting | 4/12/2022 9:27 AM |
| 6 | Chair of Area Committee 2hrs | 4/12/2022 12:24 AM |
| 7 | Deputy Leader of the opposition 4 hours | 4/11/2022 6:57 PM |
| 8 | 2 | 4/11/2022 3:19 PM |
| 9 | Council Leader 30 | 4/11/2022 2:25 PM |
| 10 | Dep. cabinet member for housing 20 | 4/11/2022 1:43 PM |
| 11 | Area ctte Chair 6hr/wk | 4/11/2022 1:25 PM |
| 12 | 5 | 4/11/2022 12:46 PM |
| 13 | Group Leader 5 hours per week Cabinet Member 20 hours per week | 4/11/2022 12:40 PM |

Q3 Do you incur any significant costs which you believe are not covered by your present allowance?

Answered: 16 Skipped: 0



| ANSWER CHOICES | RESPONSES | |
|----------------|-----------|-----------|
| Yes | 37.50% | 6 |
| No | 62.50% | 10 |
| TOTAL | | 16 |

| # | IF YES, PLEASE PROVIDE DETAILS: | DATE |
|---|---|-------------------|
| 1 | However, during the pandemic working from home my gas and electric bills doubled. But "hopefully" this is a one off!!! | 4/17/2022 5:12 PM |
| 2 | Additional time off work for extraordinary meetings also external appointments do demand a lot on occasion considering we are often the only panel member there not paid for a full time job somewhere. | 4/11/2022 7:24 PM |
| 3 | Attending Parish Council meetings | 4/11/2022 6:57 PM |
| 4 | Travelling to site / locations | 4/11/2022 3:57 PM |
| 5 | travel expenses to see constituents, attend parish meetings etc | 4/11/2022 1:31 PM |
| 6 | costs of internet & phone £73.54 less £16.40 allowance less tax | 4/11/2022 1:25 PM |

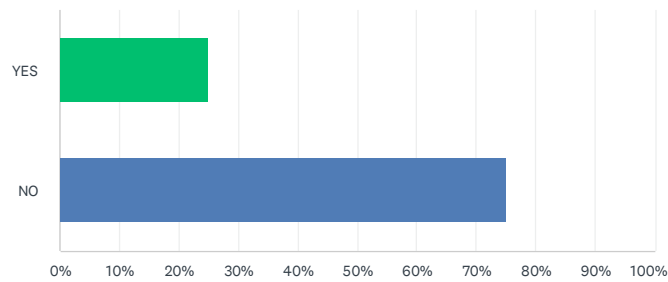
Q4 Government guidance states that "it is important that some element of the work of Councillors continues to be voluntary". As part of their deliberations, Independent Remuneration Panels will assess what Public Service Discount should apply to the basic allowance - that is the percentage of their time Councillors expect to give without any financial remuneration. Accordingly, what do you feel is an acceptable amount of time to be given, unremunerated, if any, expressed as a percentage?

Answered: 16 Skipped: 0

| # | RESPONSES | DATE |
|----|--|--------------------|
| 1 | 30% | 4/22/2022 12:16 PM |
| 2 | 10/20% however, if you are giving up paid work hours, ie dont work, dont get paid, this does need to be taken into consideration. | 4/17/2022 5:12 PM |
| 3 | 30%. However it is worth noting I already spend 8/9 hours a week unpaid as a Parish councillor | 4/13/2022 12:28 PM |
| 4 | 50% | 4/13/2022 11:58 AM |
| 5 | I think this will depend on financial circumstances and is a difficult question to answer. In my view councillors should be remunerated for all their work and this would encourage a more diverse group of people to stand for local government . | 4/12/2022 9:27 AM |
| 6 | 50% | 4/12/2022 12:24 AM |
| 7 | Maybe 2 hours a week. I think it is unreasonable for people in full time unemployment to give up their working week for free. We would have much younger and accurate representation than we do now. | 4/11/2022 7:24 PM |
| 8 | 25% | 4/11/2022 6:57 PM |
| 9 | Identify the what is considered voluntary elements | 4/11/2022 3:57 PM |
| 10 | 20% | 4/11/2022 3:19 PM |
| 11 | 5 hours | 4/11/2022 2:25 PM |
| 12 | 20% | 4/11/2022 1:43 PM |
| 13 | 20% | 4/11/2022 1:31 PM |
| 14 | 40 | 4/11/2022 1:25 PM |
| 15 | 25% | 4/11/2022 12:46 PM |
| 16 | 40% | 4/11/2022 12:40 PM |

Q5 The present level of Basic Allowance payable to all Councillors is £5,663.94. Do you think this is appropriate?

Answered: 16 Skipped: 0



| ANSWER CHOICES | RESPONSES | |
|----------------|-----------|----|
| YES | 25.00% | 4 |
| NO | 75.00% | 12 |
| TOTAL | | 16 |

| # | IF NO, SHOULD IT BE LOWER OR HIGHER? PLEASE GIVE A REASON FOR YOUR ANSWER: | DATE |
|----|---|--------------------|
| 1 | Higher, more meetings to attend, impact on home life evenings | 4/22/2022 12:16 PM |
| 2 | Difficult because some councillors knock themselves out on behalf of their residents and some do very little. | 4/17/2022 5:15 PM |
| 3 | Higher | 4/13/2022 11:58 AM |
| 4 | I think it should be enough for someone to be able to work part time and still be a councillor | 4/12/2022 9:28 AM |
| 5 | Higher | 4/11/2022 7:24 PM |
| 6 | Higher | 4/11/2022 6:57 PM |
| 7 | Higher | 4/11/2022 4:00 PM |
| 8 | HIGHER | 4/11/2022 2:25 PM |
| 9 | Higher - most hours involve reading agendas etc- unseen | 4/11/2022 1:45 PM |
| 10 | higher, with committees members will have more work & resp | 4/11/2022 1:34 PM |
| 11 | Higher, particularly as we move to committee system | 4/11/2022 1:32 PM |
| 12 | Higher | 4/11/2022 12:47 PM |
| 13 | Higher, with move to committee system, all councillors will see an increase in their workloads and level of responsibility. in addition higher levels of allowance have been linked to increased diversity of candidates and councillors. | 4/11/2022 12:42 PM |

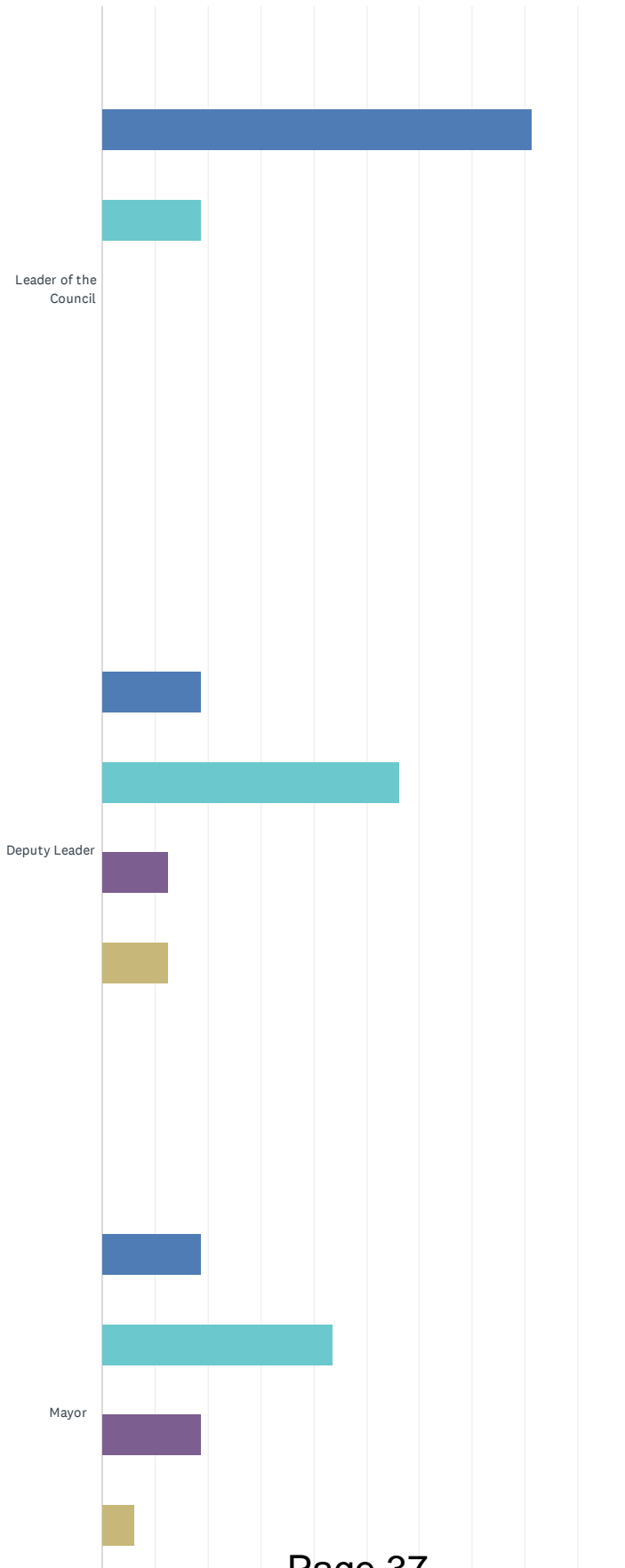
Q6 If you are able to, please indicate an appropriate level £:

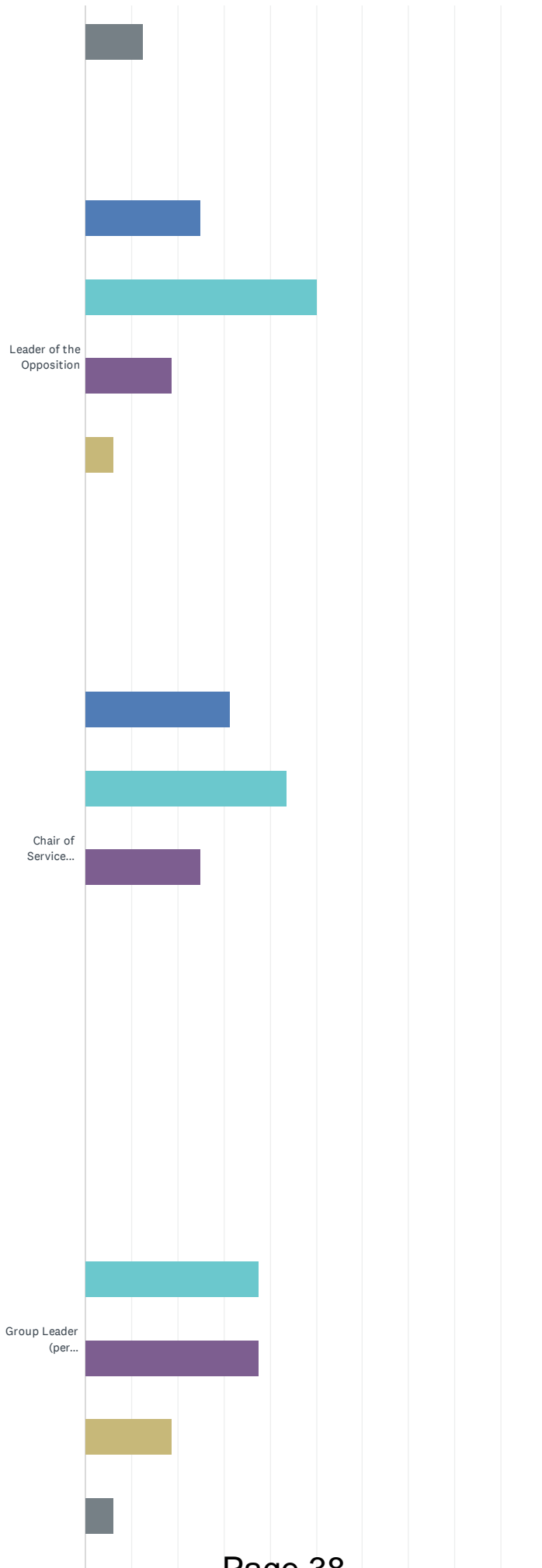
Answered: 13 Skipped: 3

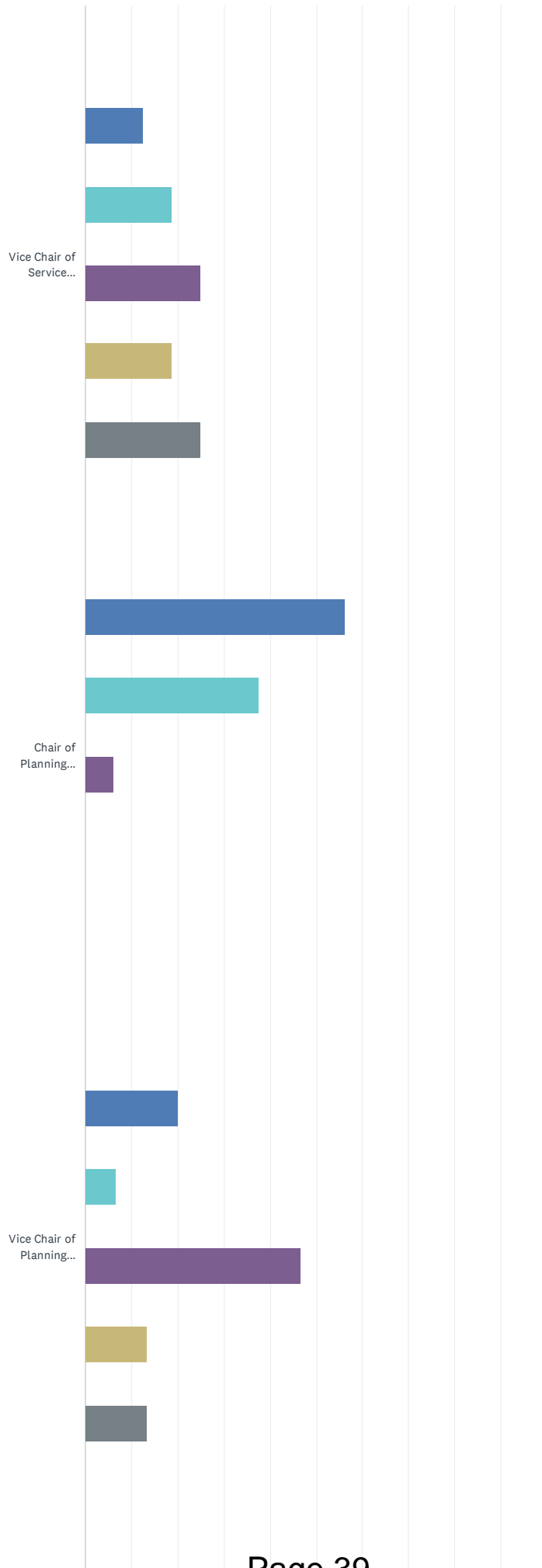
| # | RESPONSES | DATE |
|----|--|--------------------|
| 1 | £7000 - £7500 | 4/22/2022 12:16 PM |
| 2 | £6,500. | 4/17/2022 5:15 PM |
| 3 | £9000 | 4/13/2022 11:58 AM |
| 4 | 10,000 | 4/12/2022 9:28 AM |
| 5 | 12,000 | 4/11/2022 7:24 PM |
| 6 | £7500.00 | 4/11/2022 6:57 PM |
| 7 | An increase that reflects the current cost of fuel, printer ink, postage thus avoiding attending & the travel cost re attending Swale House. | 4/11/2022 4:00 PM |
| 8 | £7000 | 4/11/2022 2:25 PM |
| 9 | Basic £10,000 | 4/11/2022 1:45 PM |
| 10 | £7500 | 4/11/2022 1:34 PM |
| 11 | 10,000 | 4/11/2022 1:32 PM |
| 12 | 9000 | 4/11/2022 12:47 PM |
| 13 | £7,500 p.a. + | 4/11/2022 12:42 PM |

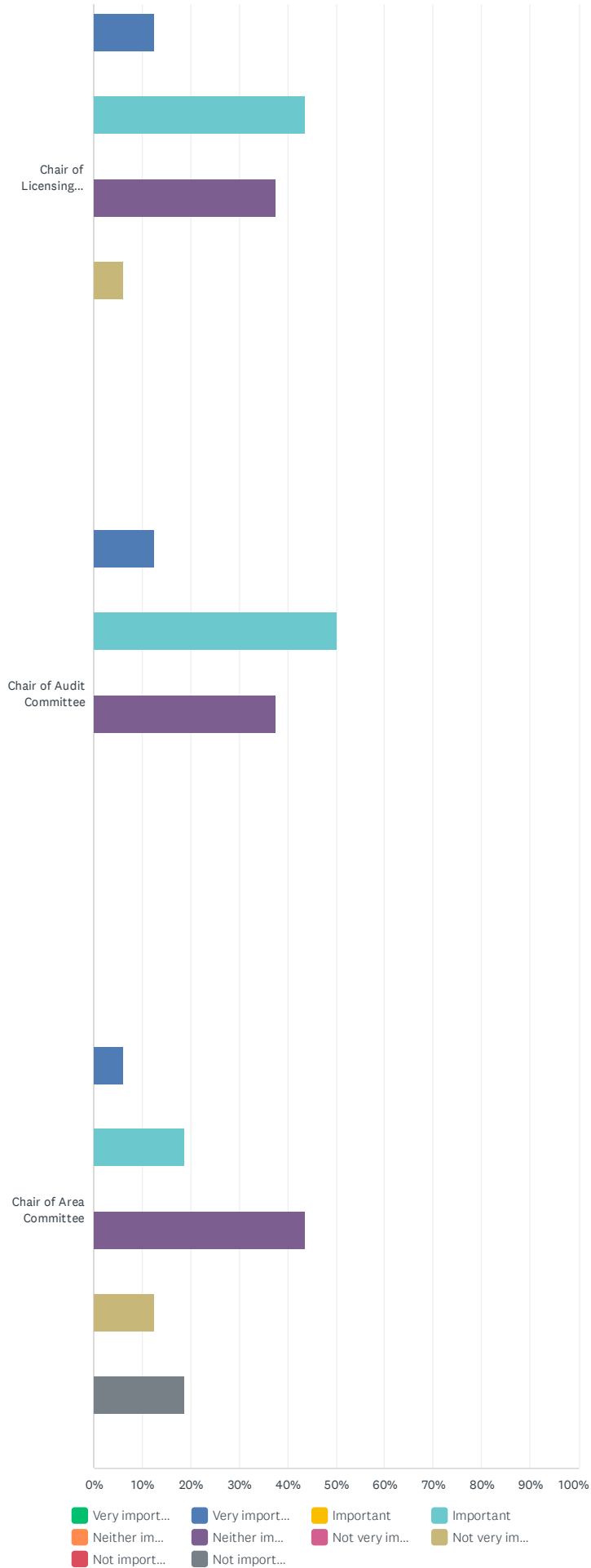
Q7 Special Responsibility Allowances (SRAs) will be considered by the IRP: To assist the Panel to produce a more consistent group of allowances, please can you score each role / position in terms of importance.

Answered: 16 Skipped: 0







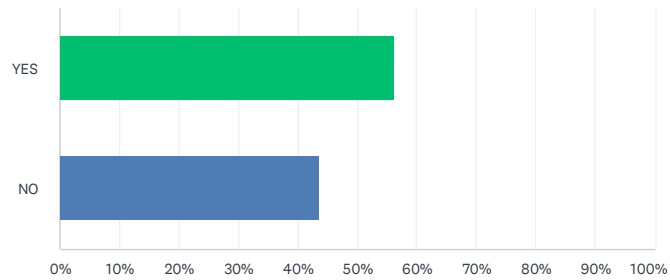


Swale Borough Council Independent Remuneration Panel, Members' Allowances Questionnaire
2022

| | VERY IMPORTANT | VERY IMPORTANT | IMPORTANT | IMPORTANT | NEITHER IMPORTANT OR NOT IMPORTANT | NEITHER IMPORTANT OR NOT IMPORTANT | NOT VERY IMPORTANT | NOT VERY IMPORTANT | NOT IMPORTANT AT ALL |
|----------------------------------|----------------|----------------|------------|-------------|------------------------------------|------------------------------------|--------------------|--------------------|----------------------|
| Leader of the Council | 0.00% 0 | 81.25% 13 | 0.00% 0 | 18.75% 3 | 0.00% 0 | 0.00% 0 | 0.00% 0 | 0.00% 0 | 0.00% 0 |
| Deputy Leader | 0.00% 0 | 18.75% 3 | 0.00% 0 | 56.25% 9 | 0.00% 0 | 12.50% 2 | 0.00% 0 | 12.50% 2 | 0.00% 0 |
| Mayor | 0.00% 0 | 18.75% 3 | 0.00% 0 | 43.75% 7 | 0.00% 0 | 18.75% 3 | 0.00% 0 | 6.25% 1 | 0.00% 0 |
| Leader of the Opposition | 0.00% 0 | 25.00% 4 | 0.00% 0 | 50.00% 8 | 0.00% 0 | 18.75% 3 | 0.00% 0 | 6.25% 1 | 0.00% 0 |
| Chair of Service Committee | 0.00% 0 | 31.25% 5 | 0.00% 0 | 43.75% 7 | 0.00% 0 | 25.00% 4 | 0.00% 0 | 0.00% 0 | 0.00% 0 |
| Group Leader (per councillor) | 0.00% 0 | 0.00% 0 | 0.00% 0 | 37.50% 6 | 0.00% 0 | 37.50% 6 | 0.00% 0 | 18.75% 3 | 0.00% 0 |
| Vice Chair of Service Committee | 0.00% 0 | 12.50% 2 | 0.00% 0 | 18.75% 3 | 0.00% 0 | 25.00% 4 | 0.00% 0 | 18.75% 3 | 0.00% 0 |
| Chair of Planning Committee | 0.00% 0 | 56.25% 9 | 0.00% 0 | 37.50% 6 | 0.00% 0 | 6.25% 1 | 0.00% 0 | 0.00% 0 | 0.00% 0 |
| Vice Chair of Planning Committee | 0.00% 0 | 20.00% 3 | 0.00% 0 | 6.67% 1 | 0.00% 0 | 46.67% 7 | 0.00% 0 | 13.33% 2 | 0.00% 0 |
| Chair of Licensing Committee | 0.00% 0 | 12.50% 2 | 0.00% 0 | 43.75% 7 | 0.00% 0 | 37.50% 6 | 0.00% 0 | 6.25% 1 | 0.00% 0 |
| Chair of Audit Committee | 0.00% 0 | 12.50% 2 | 0.00% 0 | 50.00% 8 | 0.00% 0 | 37.50% 6 | 0.00% 0 | 0.00% 0 | 0.00% 0 |
| Chair of Area Committee | 0.00% 0 | 6.25% 1 | 0.00% 0 | 18.75% 3 | 0.00% 0 | 43.75% 7 | 0.00% 0 | 12.50% 2 | 0.00% 0 |

Q8 Would you like to see any of these changes made to these allowances?

Answered: 16 Skipped: 0

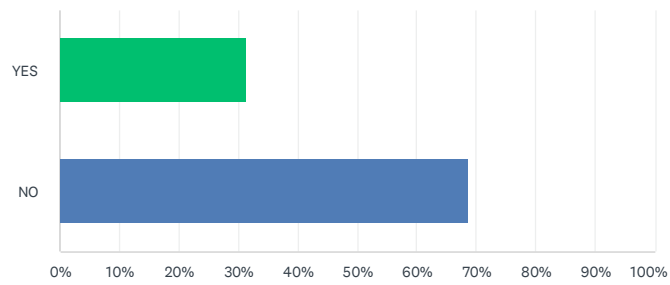


| ANSWER CHOICES | RESPONSES | |
|----------------|-----------|----|
| YES | 56.25% | 9 |
| NO | 43.75% | 7 |
| TOTAL | | 16 |

| # | IF YES, PLEASE PROVIDE DETAILS: | DATE |
|---|--|--------------------|
| 1 | The importance of the role, does not necessarily take into account the statutory responsibility or the volume and complexity of the work involved. In a Committee structure I see little point in an SRA at all for DEputy Chairs as they have effectively no role and certainly no responsibility. The role of Area Committee Chair appears to be overstated, the committees do very little and have become a complex forum to give out limited sums of money, other ways to conduct that business could/should be explored | 4/22/2022 12:23 PM |
| 2 | Councils Committee Chairs | 4/13/2022 12:01 PM |
| 3 | Area committee doesn't need an allowance. MOST vice chairs really do not need an allowance. Their role is to chair meetings in the absence of the chair. The chairs allowance is not for chairing the meeting it is for any additional responsibilities. | 4/11/2022 7:27 PM |
| 4 | Officers are the experts in my opinion & members of committees rely on the officer experts | 4/11/2022 4:04 PM |
| 5 | change to committee system | 4/11/2022 1:37 PM |
| 6 | As we move to the committee system | 4/11/2022 1:34 PM |
| 7 | Vice chairs should receive that of chairs as they step in sometimes at very short notice and have to be on top of all committee work | 4/11/2022 12:49 PM |
| 8 | Group leaders should receive same amount regardless of number of members in their group. | 4/11/2022 12:44 PM |

Q9 Would you like to see any new SRAs introduced?

Answered: 16 Skipped: 0

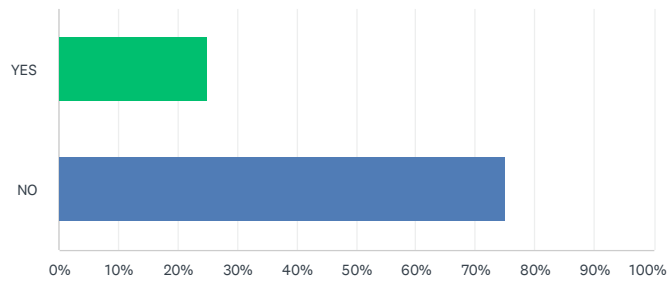


| ANSWER CHOICES | RESPONSES | |
|----------------|-----------|----|
| YES | 31.25% | 5 |
| NO | 68.75% | 11 |
| TOTAL | | 16 |

| # | IF YES, PLEASE PROVIDE DETAILS: | DATE |
|---|--|--------------------|
| 1 | Committee Chairs & deputies under new committee system | 4/13/2022 12:01 PM |
| 2 | Chair of standards should be remunerated. They have a roll of helping to maintain a positive culture within the council. | 4/12/2022 9:33 AM |
| 3 | Specific external appointments | 4/11/2022 7:27 PM |
| 4 | Vice chair allowances at half of chairs on service and planning committee | 4/11/2022 12:49 PM |
| 5 | Chair of standards should also receive an allowance | 4/11/2022 12:44 PM |

Q10 Dependent Carers' Allowance - Reimbursed at the following rates:-
Childcare- At cost upon production of receipts- Specialist Care - At cost
upon production of receipts
Would you like to see any changes to this allowance?

Answered: 16 Skipped: 0

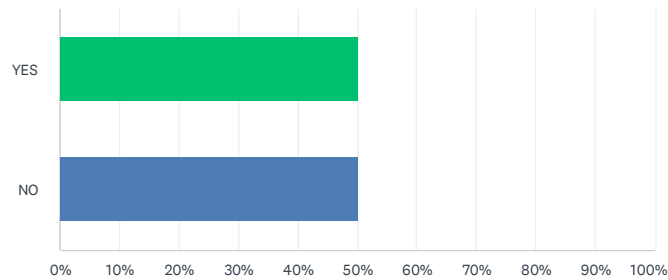


| ANSWER CHOICES | RESPONSES | |
|----------------|-----------|----|
| YES | 25.00% | 4 |
| NO | 75.00% | 12 |
| TOTAL | | 16 |

| # | IF YES, PLEASE INDICATE RATE AND SEASON: | DATE |
|---|---|--------------------|
| 1 | As cost | 4/13/2022 12:02 PM |
| 2 | Realistically most affordable child care would not be able to provide a receipt. | 4/11/2022 7:28 PM |
| 3 | I'd like to see a basic element of this paid upfront to ensure councillors with caring responsibilities have the funds available to pay for care provision rather than waiting for reimbursement. | 4/11/2022 12:46 PM |

Q11 The current scheme of travel allowances are linked to those recommended by HMRC. The current subsistence allowances are linked to those paid to officers. Do you have any comments on the current scheme for Councillors?

Answered: 16 Skipped: 0

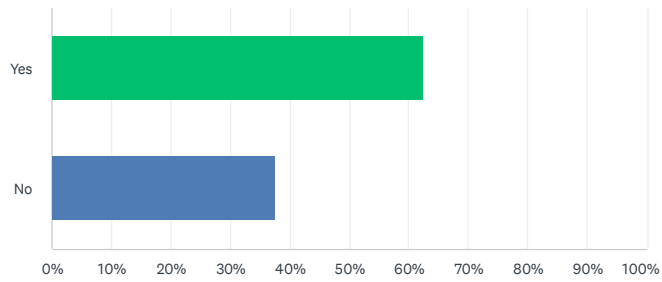


| ANSWER CHOICES | RESPONSES | |
|----------------|-----------|-----------|
| YES | 50.00% | 8 |
| NO | 50.00% | 8 |
| TOTAL | | 16 |

| # | IF YES, PLEASE PROVIDE DETAILS: | DATE |
|---|---|--------------------|
| 1 | The council should be looking to minimise expenditure on car travel for both financial and environmental reasons and I would be keen to see a review of this area to look at ways of reducing car use | 4/13/2022 12:45 PM |
| 2 | The price of fuel has risen dramatically and there should be some kind of way that keeps up with this as the cost of living crisis starts to pinch | 4/12/2022 9:35 AM |
| 3 | Shouldn't be able to claim transport. Staff don't claim travel to work so why should we. | 4/11/2022 7:30 PM |
| 4 | Mileage should be higher | 4/11/2022 7:00 PM |
| 5 | mileage allowance needs to be increased | 4/11/2022 4:07 PM |
| 6 | cost of fuel is rising | 4/11/2022 1:39 PM |
| 7 | Travel allowance should be payable for all councillor duties, not just meeting of committees on which a member sits or meetings with officers. | 4/11/2022 1:35 PM |
| 8 | Fuel has gone up massively but the fuel allowance hasn't | 4/11/2022 12:50 PM |
| 9 | Councillors should also be able to claim the additional 5p per business mile for each passenger, as per HMRC guidance. | 4/11/2022 12:50 PM |

Q12 Parental Leave Policy for Councillors. Are supportive of a Parental Leave Policy for Councillors?

Answered: 16 Skipped: 0



| ANSWER CHOICES | RESPONSES | |
|----------------|-----------|-----------|
| Yes | 62.50% | 10 |
| No | 37.50% | 6 |
| TOTAL | | 16 |

**Q13 If you have any other comments on Members' Allowances, please
detail below:**

Answered: 5 Skipped: 11

| # | RESPONSES | DATE |
|---|--|--------------------|
| 1 | Once agreed the annual raise should be aligned to staff increases and occur automatically | 4/22/2022 12:24 PM |
| 2 | I have lost money from my work to carry out my council functions | 4/13/2022 12:03 PM |
| 3 | Although SRA is not a job I think it is unreasonable to ask someone to give it up during parental leave as they may have made long term commitments because of it in their schedule. | 4/11/2022 7:30 PM |
| 4 | Needs to be increased to cover the cost of travel, correspondence & communications | 4/11/2022 4:07 PM |
| 5 | In an ideal world allowances would be equivalent to those paid to councillors in Scotland, to assist with increasing the pool of candidates and diversity of the council. It should also be made clear if councillors can claim travel expenses for travel to outside body appointments. | 4/11/2022 12:50 PM |

Q14 Name (optional):

Answered: 7 Skipped: 9

| # | RESPONSES | DATE |
|---|--------------------|--------------------|
| 1 | ANGELA HARRISON | 4/17/2022 5:18 PM |
| 2 | Julian Saunders | 4/13/2022 12:45 PM |
| 3 | Richard Palmer | 4/13/2022 12:03 PM |
| 4 | Steve Davey | 4/12/2022 12:26 AM |
| 5 | Cllr Derek Carnell | 4/11/2022 3:22 PM |
| 6 | Roger Truelove | 4/11/2022 2:28 PM |
| 7 | Ken Ingleton | 4/11/2022 1:39 PM |

| MINIMUM £4,570.00 £6,403.00 MAXIMUM £5,739.12 £401,985.06 AVERAGE £5,161.22 £352,766.68 | | | | | | | | |
|--|-----------------|-------------|------------------|-------------------------------|--------------------------------------|-----------------------------|---|--|
| Council name | Type of council | County area | Population | Basic Allowance for 2020/2021 | Overall budget for Member Allowances | Total number of councillors | Percentage of Public Service Discount*, if applicable (%) | Comments on Basic Allowance |
| Ashford Borough Council | District | Kent | 120000 | £4,864 | £370,000 | 47 | n/a | n/a |
| Canterbury City Council | District | Kent | 165000 | £5,739 | £302,860 | 39 | 0 | Increase in allowances is aligned annually to the staff pay award. The 21/22 increase has yet to be applied as the pay |
| Dover District Council | District | Kent | 118,100 | £5,000 | £250,000 | 32 | N/A | Has remained frozen for 2021/22 |
| Folkestone & Hythe District Council | District | Kent | 111,500 | £5,433 | £327,300 | 30 | N/A | |
| Gravesham Borough Council | District | Kent | 106,900 | £4,955 | £276,210 | 44 | N/A | N/A |
| Maidstone Borough Council | District | Kent | 172,438 | £5,065 | £345,530 | 55 | 45% | Basic Allowance has remained unchanged for 2019/20 from |
| Sevenoaks District Council | District | Kent | 119 429 (Google, | £5,617 | £432.567 2020/21 | 54 | 50.00% | None |
| Swale Borough Council | District | Kent | 150082 | £5,444 | £401,985 | 47 | 40% | n/a |
| Thanet District Council | District | Kent | 141,819 | £4,570 | £368,925 | 56 | N/A | Reduced to IRP's recommendation after interim period |
| Tonbridge and Malling Borough Council | District | Kent | 132,571 | £5,175 | 389,550 | 54 | N/A | Basic allowance is linked to staff pay award and increased |
| Tunbridge Wells Borough Council | District | Kent | 118,000 | £5,500 | £360,000 | 48 | 40% | None |

This page is intentionally left blank

SWALE BOROUGH COUNCIL CONSTITUTION WORKING GROUP

MEMBER ALLOWANCES SCHEME: PROPOSAL TO INDEPENDENT REMUNERATION PANEL

| Role | Current | Proposed |
|-------------------------------------|------------|---------------------|
| Basic Member allowance | £5663.94 | TBC* |
| Mayor | £3,964.76 | £3,964.76 |
| Deputy Mayor | £1,699.18 | £1,699.18 |
| Council Leader | £20,958.78 | £16,000 |
| Deputy Leader | £0 | £8,000 |
| Leader of the Opposition | £6,287.14 | N/A |
| Leader of smaller opposition groups | £2,095.37 | N/A |
| Group Leader (per councillor) | N/A | £350 per councillor |
| Cabinet Member | £12,574.27 | N/A |
| Deputy Cabinet Member | £6,287.14 | N/A |
| Chair Service Committee | N/A | £4,000 |
| Vice-Chair Service Committee | N/A | £0 |
| Chair Planning Committee | £7,334.82 | £7,334.82 |
| Vice-Chair Planning Committee | £0 | £0 |
| Chair Licensing Committee | £2,095.37 | £2,000 |
| Chair Audit Committee | £2,095.37 | £2,000 |
| Chair Scrutiny | £6287.14 | N/A |
| Chair PDRC | £6287.14 | N/A |
| Chair Area Committee | £2,095.37 | £2,000 |

*As the proposal is to leave the overall funding envelope unchanged, the basic allowance will be the whole amount less the sum of SRAs, divided by 47. The exact amount will therefore depend on the sum of SRAs, but is likely to be in the order of £7,500.

This page is intentionally left blank

| | |
|------------------------|--|
| Council Meeting | |
| Meeting Date | 15 June 2022 |
| Report Title | Creation and appointment of an access and disability Champion |
| EMT Lead | Emma Wiggins – Director of Neighbourhoods and Regeneration |
| Head of Service | Charlotte Hudson – Head of Housing and Community Services |
| Lead Officer | Charlotte Hudson – Head of Housing and Community Services |
| Classification | Open |
| Recommendations | <ol style="list-style-type: none"> 1) That the Council creates an Access and Disability Champion 2) That nominations are received at Council and a councillor elected to undertake the role. |

1 Purpose of Report and Executive Summary

- 1.1 Swale Borough Council is committed to working with residents and disability groups to ensure our services are accessible. There are several examples of the council listening and working with disabled residents and groups on specific policies such as our Housing Assistance Policy, however we haven't had a consistent political oversight of how our policies affect people with disabilities or a mechanism for politicians to work with residents with disabilities and groups representing people with disabilities to understand how we can improve access to services.
- 1.2 This report sets out a proposal to create and appoint an Access and Disability Champion.

2 Background

- 2.1 Although the council is committed to working with residents and groups representing disabled people, there has never been a single political oversight to ensure that the Council's policies, and services meet the needs of the whole community.
- 2.2 The creation of the Access and Disability Champion will ensure two things. Firstly, that all Council policies meet the needs of residents with disabilities. Secondly, to be a political link between the Council and disability groups.

- 2.3 The Council is committed to supporting all residents of the Borough and the appointment of an Access and Disability Champion would support the Council's aim.

3 Proposals

- 3.1 This proposal is for a new post of Access and Disability Champion to be created and members to elect a councillor to take this position. The position would not have any special responsibility allowance. The councillor would work to ensure that all Council policies meet the needs of businesses, visitors and residents in the borough who have a disability. The councillor will also work with officers to ensure that the Council is seeking and implementing best practice in relation to access and disability.
- 3.2 The Access and Disability Champion would also provide a member link between the Council and charities and groups working with and representing people with disabilities

4 Alternative Options

- 4.1 The Council does not create and appoint an Access and Disability Champion. This would reduce the formal links between residents, disability group and elected members and would not allow a single political overview of Access and disability issues within Council policies

5 Consultation Undertaken or Proposed

- 5.1 There has been no formal consultation undertaken

6 Implications

| Issue | Implications |
|----------------------------------|--|
| Corporate Plan | This proposal would further the corporate plan's strategic objective 4.2 to "Ensure that all elected members are appropriately supported to lead and improve the council's engagement with its disparate geographic and demographic communities, and encourage especially the participation of underrepresented groups in the democratic process |
| Financial, Resource and Property | There are no financial, resource or property implications in this report. |

| | |
|--|---|
| Legal, Statutory and Procurement | <p>The council has a statutory role under the Public Sector Equality Duty (PSED). The equality duty was developed to harmonise the equality duties and to extend it across the protected characteristics. It consists of a general equality duty, supported by specific duties which are imposed by secondary legislation. In summary, those subject to the equality duty must, in the exercise of their functions, have due regard to the need to:</p> <ul style="list-style-type: none"> • Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act. • Advance equality of opportunity between people who share a protected characteristic and those who do not. • Foster good relations between people who share a protected characteristic and those who do not. <p>This proposal meeting the requirement of the PSED</p> |
| Crime and Disorder | There are no implications. |
| Environment and Climate/ Ecological Emergency | There are no implications. |
| Health and Wellbeing | There are positive health and wellbeing outcomes from this proposal which strives to listen and act up issues and concerns of disabled people. |
| Safeguarding of Children, Young people and Vulnerable Adults | There are no implications. |
| Risk Management and Health and Safety | There are no implications. |
| Equality and Diversity | As set out in the legal implications, the council as a duty under the Public Sector Equality Duty. The positive implications for equality and diversity are set out above. |
| Privacy and Data Protection | There are no implications. |

7 Appendices

There are no appendices to this report

8 Background Papers

There are no background papers for this report.

| | |
|------------------------|---|
| Council Meeting | |
| Meeting Date | 15 June 2022 |
| Report Title | Swale Borough Council nomination to the Kent Health and Wellbeing Board |
| EMT Lead | David Clifford – Head of Policy, Governance and Customer Services |
| Head of Service | |
| Lead Officer | Jo Millard – Senior Democratic Services Officer |
| Classification | Open |
| Recommendation | 1. The Council is asked to agree the Swale Borough Council nomination to the Kent Health and Wellbeing Board. |

1 Purpose of Report and Executive Summary

- 1.1 This report is asking the Council to agree a nomination from Swale Borough Council to the Kent Health and Wellbeing Board.

2 Background

- 2.1 Council agreed a protocol on nominations to outside bodies in 2011. This includes a requirement that a nominee's role is clearly defined, that the outside body is properly constituted, and that its aims and objectives are compatible with the Council's. The protocol further requires that the nominee is indemnified against relevant liabilities by the outside body.
- 2.2 A Council nominee who accepts a position onto a board, trust or statutory body carries responsibilities and liabilities in law and nominees should consider these carefully before accepting the position. Further information can be obtained from the legal team.
- 2.3 Nomination to an outside body, once accepted, is a disclosable non-pecuniary interest under Swale's code of conduct, and the nominee will need to amend their register of interests accordingly.
- 2.4 Ordinarily, a nomination to the Kent Health and Wellbeing Board would have been agreed at Annual Council in May 2022, but further exploration was necessary, and the nomination is being considered by Council now.

3 Proposals

- 3.1 Council is asked to consider the Group Leaders nominations and decide who should be appointed to sit on the Kent Health and Wellbeing Board as set out in Appendix I.

4 Alternative Options

- 4.1 Council could decide whether or not to make a nomination to the Board, and there is no obligation to make any nomination at all.

5 Consultation Undertaken or Proposed

- 5.1 The proposal in this report follow consultation with Group Leaders.

6 Implications

| Issue | Implications |
|--|--|
| Corporate Plan | Nominations to outside bodies contribute to the council priority to renew local democracy and make the council fit for the future |
| Financial, Resource and Property | None identified at this stage |
| Legal, Statutory and Procurement | To ensure compliance with the Members' Code of Conduct any member taking up a position on an outside body must review the interests declared in their register of interests within 28 days of the position becoming effective. |
| Crime and Disorder | None identified at this stage. |
| Environment and Climate/Ecological Emergency | None identified at this stage. |
| Health and Wellbeing | None identified at this stage. |
| Safeguarding of Children, Young People and Vulnerable Adults | None identified at this stage. |

| | |
|---------------------------------------|--------------------------------|
| Risk Management and Health and Safety | None identified at this stage. |
| Equality and Diversity | None identified at this stage. |
| Privacy and Data Protection | None identified at this stage |

7 Appendices

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

- Appendix I: Current nomination on the Kent Health and Wellbeing Board and proposed nominations – Council appointed (to follow)

8 Background Papers

None.

This page is intentionally left blank