

28 February 2019

To: All Members of the Standards Committee

Dear Member,

Standards Committee - Monday, 4th March, 2019

I attach a copy of the following reports for the above-mentioned meeting which were not available at the time of collation of the agenda:

5. MINUTES AND MATTERS ARISING (PAGES 1 - 4)

To confirm and sign the minutes of the meetings of the Standards Committee held on 28 January 2019.

6. MEMBERS ALLOWANCE SCHEME 2019/20 (PAGES 5 - 36)

8. REGISTER OF INTERESTS - DISCLOSABLE PECUNIARY INTEREST IN LAND (PAGES 37 - 46)

9. COMMITTEE WORK PLAN (PAGES 47 - 48)

Yours sincerely

Ayshe Simsek, Acting Democratic Services and Scrutiny Manager

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2.

**MINUTES OF THE MEETING OF THE STANDARDS COMMITTEE
HELD ON MONDAY, 28TH JANUARY, 2019, 7.00 - 8.35 pm**

PRESENT:

**Councillors: Felicia Opoku (Chair), Gideon Bull, Luke Cawley-Harrison
and James Chiriyankandath**

57. FILMING AT MEETINGS

Noted.

58. APOLOGIES FOR ABSENCE

None.

59. URGENT BUSINESS

None.

60. DECLARATIONS OF INTEREST

Councillor Cawley-Harrison declared an interest in respect of item six, as he was due to have a baby in February.

61. MINUTES AND MATTERS ARISING

RESOLVED that the minutes of the meeting held on 10 July 2018 be approved as a correct record.

62. UPDATING THE MEMBERS ALLOWANCE SCHEME TO INCLUDE PROVISION FOR, MATERNITY, PATERNITY AND SICK PAY

Ayshe Simsek, Acting Democratic Services and Scrutiny Manager, introduced the report as set out. The report outlined the need to reflect the Council's objectives and ensure that the policies for Members were in line with staff policies. There were informal processes in place, but no proper recognition to allow Councillors to take time off for maternity / paternity or sick leave, and not feel the pressure to fill absences at meetings. Camden, Islington and Waltham Forest Councils have adopted similar schemes, and the Camden scheme had been included as an appendix to the report.

The following was noted during discussion of the report:

- The position of whether an exemption could be applied to the six-month attendance rule would need to be explored further. There had been instances in

the past where Full Council had taken a decision to extend this period, although each case would have to be taken on its own merits.

- 2.1 of the Camden policy referred to a Member on maternity, adoption, shared parental or paternity leave receiving their SRA allowance for a six month period subject to review and possible extension – the Committee requested that any Haringey policy needed to specify who would be responsible for reviewing this.
- If the Camden policy were to be adopted, then it would need to include surrogacy, with 'primary and secondary parent' used instead of 'adopter'.

The Committee agreed that this would be a good inclusion to the Member Allowance Scheme, and with the amendments suggested, should be included as a recommendation to the Scheme at the next meeting in March.

63. UPDATE ON MEMBER'S ALLOWANCE SCHEME 2019/20

Ayshe Simsek, Acting Democratic Services and Scrutiny Manager, introduced the report as set out. The report focused on tidying up parts of the allowance which were out of date, and considering the addition of allowances for two Assistant Cabinet Members.

The following was noted during discussion of the report:

- Some Members commented that there were substantial disparities between the Special Responsibility Allowances, and noted that although the Leader's allowance was lower than recommended, the other SRAs were higher than what they should be in proportion to the Leader's salary. Members would therefore be in favour of an independent review of the allowances.
- A request was made to review the SRA for the Vice-Chair of Regulatory, and to provide information on the work carried out by this position since the SRA was implemented.
- Council staff would be receiving a 2% uplift – if this was mirrored for Members, this would cost around £30,000.
- Members requested evidence of the work carried out by the current Assistant Cabinet Member posts, which would inform the discussion on the remuneration of these posts.

RESOLVED that

- i. An update on the activities of the Deputy Cabinet Member role be provided at the March meeting, and consideration be given to the additional remuneration of these posts;**
- ii. Consideration be given at the March meeting to recommending to Full Council in March that there be a 1% uplift to allowances in March for 2019/20 scheme;**
- iii. Section 3.02 – Telephones and IT, be deleted from the Members Allowance Scheme, as this information was no longer correct; and**
- iv. An independent review of the Member Allowance Scheme shall be completed between May 2019 and March 2020, for implementation in 2020/21, undertaking analysis of roles and responsibilities with reference**

to neighbouring and comparator boroughs, as well as considering the recommendations of the Independent Remuneration Panel.

64. WORK PLAN

Members noted the work plan report, and requested that an item be added in relation to the publication of Members' addresses on the website under their Declaration of Interest forms, with the request that this information not be provided publically.

Victoria Barman, Senior Lawyer, advised that the Localism Act required Members addresses to be provided, and Counsel advice had been sought which stated that only where the Council could form the view that disclosure of interests would pose serious harm to an individual, or someone they lived with, could the address be removed from the public website.

65. NEW ITEMS OF URGENT BUSINESS

None.

66. EXCLUSION OF THE PRESS AND PUBLIC

None.

67. NEW ITEMS OF URGENT EXEMPT BUSINESS

None.

68. DATES OF NEXT MEETINGS

4 March 2019

CHAIR: Councillor Felicia Opoku

Signed by Chair

Date

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Report for: Standards Committee - 4 March 2019

Title: Members' Allowances Scheme 2019/2020

Report

Authorised by: Ayshe Simsek, Acting Democratic Service and Scrutiny Manager

Lead Officer: Felicity Foley | 020 8489 2919 | felicity.foley@haringey.gov.uk

Ward(s) affected: N/A

Report for Key/

Non Key Decision: Non-Key

1. Describe the issue under consideration

This report requests that the Standards Committee formally agree to recommend the amended Members' Allowances Scheme to Full Council for agreement. The amendments to the scheme for 2019/20 include explicit provision for maternity, paternity and sickness leave as agreed by the Committee at their meeting in January. It also contains express provision for adoption and shared parental leave. The report further proposes a 1% or 2% uplift to the all Members' basic allowance in line with the pay settlement increase expected for staff. The Leader has indicated his intention to continue to appoint 2 Assistant Cabinet Members and the report further proposes consideration of an additional 2 Special Responsibility Allowances for these two posts and includes information on the activity of the post holder for Women and Equalities for 2018/19 .

2. Cabinet Member Introduction

N/A.

3. Recommendations

The Committee is asked to:

- 3.1 Agree on an amended Members' Allowances Scheme from the options set out at Appendices A, B and C, and recommend the preferred option to Full Council for agreement and adoption.

4. Reasons for decision

- 4.1 The Council has a legal duty under the Local Authorities (Members Allowances) (England) Regulations 2003 to adopt a Members' Allowances Scheme before the end of each municipal year running from 1st April to 31st March to cover the following municipal year. The Council can amend a scheme any time during the year but can only revoke a scheme with effect from the beginning of the year. The scheme must make provision for basic allowances and, if they are to be paid, special responsibility, dependants' carers', travelling and subsistence and co-optees' allowances.

5. Alternative options considered

- 5.1 To not amend the scheme, and recommend that Full Council agree to re-approve the current scheme.
- 5.2 To not agree a scheme for 2019/20 which would be contrary to the legal duty of the Council.

6. Background information

- 6.1 This Committee has responsibility for considering and recommending changes to the Members' Allowances scheme to full Council for adoption. The Committee have considered minor amendments to the Scheme at each of its meetings since the start of the Municipal Year in May 2018. This report asks Standards Committee to consider the scheme proposed for 2019-20, and recommend it for approval by Full Council, in accordance with Article 14.03 of the Council's Constitution. The amendments to the Scheme for 2019-20 are shown at Appendix A, B and C.

Assistant Cabinet Members

- 6.2 The Leader of the Council has indicated that it would be his intention to continue with the appointment of 2 Assistant Cabinet Member posts in May 2019. These will be an Assistant Cabinet Member for Women and Equalities, Cllr Gunes, and an Assistant Cabinet Member for Broadwater Farm & Northumberland Park Housing Standards, Cllr Chandwani.
- 6.3 The definition of the Assistant Cabinet Members from the Constitution (Part 3, Section C, section 1 paragraph 4 – advises that:

4.1 The Council may appoint Assistant Cabinet Members to provide an effective link between the Cabinet and other Councillors and to assist Cabinet Members generally and with specific roles within their portfolio.

4.2 The Assistant Cabinet Members:-

- (a) May not take Cabinet decisions
- (b) May have specific areas of focus within the relevant portfolio area
- (c) Will be able to substitute in certain circumstances for the Cabinet Members but not if a decision is to be made as part of the Cabinet arrangements
- (d) Can attend and participate in the absence of the relevant Cabinet Member at meetings of the Cabinet with the permission of the Leader but cannot vote
- (e) Cannot participate in a Scrutiny Panel or Review that is examining an area of policy within the relevant Cabinet Member portfolio responsibilities
- (f) May put questions to Cabinet Members at Council Question time but not in respect of the portfolio to which they have responsibility as an Assistant Cabinet Member
- (g) Assistant Cabinet Members may not take part in Cabinet decision-making in any way.

- 6.4 Whilst the Assistant Cabinet Members will not be taking decisions, they will likely take forward joint working with partners and communities, have an increased number of meetings to attend, and provide support for specific major projects which fall within their remit. The roles will likely involve the designated Councillors going above and beyond the back bench Councillor remit, assisting the Cabinet in matters of significant strategic importance to the Council, requiring remuneration for specific responsibilities.
- 6.5 To assess whether the specific responsibilities of the Assistant Cabinet Members warrant a Special Responsibility Allowance, the Council has a duty to consider the recommendations of an Independent Remuneration Panel in relation to the payment of Members' Allowances.
- 6.6 The Local Authorities (Members Allowances) (England) Regulations 2003 allow London Boroughs to use an independent remuneration panel [IRP] set up for the purpose of making recommendations across London. London Councils set up a panel for this purpose in 2001 and its most recent report was published in January 2018 and is attached as Appendix D. Although the IRP makes recommendations, it is for each individual Council to decide the level of remuneration and for which roles. The 2018 recommendations have been considered in the preparation of the proposals at Appendices A, B and C.
- 6.7 Should an SRA be approved for the two Assistant Cabinet Member posts, the number of Members that receive an allowance would increase from 26 to 28. Although the IRP guidance advises that no more than 50% of Members should receive an SRA, the Mayor and Deputy Mayor are excluded from this calculation as they are not provided with an SRA, but rather an allowance to reflect the expenditure incurred in the course of their mayoral duties. This is set out at page 6 of the guidance (under "Allowances for Mayor or Civic Head"). Therefore, if the Committee are minded to recommend the amendment for approval by full Council, this would still be in line with the guidance.
- 6.8 There were two roles appointed by the Leader in July 2018, however one of the roles became vacant during the year. The work covered by the Assistant Cabinet Member is included below and the position of Assistant Cabinet Member for Broadwater Farm & Northumberland Park Housing Standards is expected to cover the same level of activity and involve leadership of a strategic major topic and major project, conforming with the requirements of band one posts set out in the IRP report at page 8[Appendix D]
- 6.9 The Leader's Office have reported that the Deputy Cabinet Member for Women and Equalities has played a significant leadership role in the establishment of the Council's inaugural Women's History Month, taking place in March 2019. Haringey will be hosting and supporting a range of events throughout March in venues across the borough to promote women's history and celebrate the contribution women have made to the borough. The Deputy Cabinet Member for Women and Equalities has been particularly keen to highlight the influence that women from BAME communities have made to Haringey and has been influential in ensuring that officers promote a varied programme of activities celebrating all Haringey's women.

- 6.10 The Deputy Cabinet Member for Women and Equalities has also been involved, through regular meetings with the Leader, in helping to shape the equalities principles that underpin the Council’s draft borough plan. The Deputy Cabinet Member for Women and Equalities will have an important role in continuing to monitor and assess the equalities impact of our strategies, policies, programmes, and projects across the range of Council services. Furthermore, the Deputy Cabinet Member for Women and Equalities will play a leadership role in ensuring that the requirements of the Equality Act are well communicated within the Council.
- 6.11 At a member level, the Deputy Cabinet Member for Women and Equalities organised the hosting of a briefing session for all Councillors on the subject of Violence against Women and Girls (VAWG) in September 2018. The key focus of the session was VAWG in Haringey and the services Haringey is currently providing to VAWG survivors locally as well as our approach to prevention with boys and young men. The Deputy Cabinet Member for Women and Equalities is keen to further improve our overarching VAWG strategy and has been working with the relevant officers to achieve this. She has also taken a lead in bringing Haringey’s female Councillors together to discuss their shared experiences and to discuss issues around sexism in the work place more generally. In September 2018 the Deputy Cabinet Member for Women and Equalities also organised a Haringey Labour Women’s Walk to help support the mayor’s charity.
- 6.12 In order to fulfil the responsibilities set out above, the Deputy Cabinet Member for Women and Equalities has typically spent one day per week in River Park House.
- 6.13 In considering this proposal, the Committee are asked to note that there are five London Boroughs with Assistant Cabinet Members, paying an average SRA of £6545 per post.

Council	Number of Assistant Cabinet Members	Special Responsibility Allowance (per post)
Enfield	Three Associate Cabinet Members	£7,608
Waltham Forest	Three Cabinet Juniors	£10,000
Croydon	Nine Deputy Cabinet Members	£10,132
Lambeth	Three Deputy Cabinet Members	£10,905
Richmond	Nine Assistant Cabinet Members	Unpaid

The previous report to the Standards Committee in July 2018 recommended an SRA of £5000. The IRP report at appendix D page 8 recommends a band 1 SRA’s should be on a sliding scale of between 20-30% of the remuneration package of the Leader. Therefore, 20% of the Leader’s SRA would be £6700.

Vice-Chair of the Regulatory Committee

- 6.10 At its meeting in January 2019, the Committee requested that information be provided on the role of the Vice-Chair of the Regulatory Committee, given that this had been a new SRA introduced in the 2018/19 scheme.

- 6.11 Since May 2018, there were five scheduled meetings of the Licensing Sub Committee B (of which the Vice-Chair of the Regulatory Committee is Chair), and only one of these meetings has gone ahead. The Vice-Chair of the Regulatory Committee also chaired one Special Licensing Sub Committee meeting. The Chair of the Regulatory Committee has chaired two scheduled meetings of Licensing Sub Committee A (three of the scheduled meetings were cancelled), and one Special Licensing Sub Committee.
- 6.12 Should Members be minded to continue with the SRA for the Vice-Chair of the Regulatory Committee , they may wish to consider the set -up of the Licensing Sub-Committee meetings .A stipulation of the SRA could be that the Vice-Chair of Regulatory be the Chair of all Licensing Sub Committees and Special Licensing Sub Committees (where possible). This could be achieved by changing the current set up of the Sub Committees, and reducing them from two to one, with the Vice-Chair of the Regulatory Committee as Chair, and the remaining Members taken from a pool of trained Members from the Regulatory Committee.

Increasing the Members' Allowances Scheme

- 6.13 At its meeting in January 2019, the Committee agreed that further discussion would take place at the March meeting to explore a 1%, 2% or no uplift to Member Allowances. Appendices A, B and C set out the options with these amendments. The IRP report indicates that pegging an annual increase to staff pay awards will ensure that Councillors can receive annual increases which are in line with those received by staff. The IRP recommends [page 6 – appendix D] that for a period of four years the allowances should be updated annually in accordance with the headline figure in the annual local government pay settlement. They also recommend that the Basic Allowance be set at £11,045.
- 6.14 In summary,
- A 1% uplift would include mean an additional budget allocation of £15,417.
 - A 2% uplift would mean an additional budget allocation of £30, 834.
 - If there is no uplift, and agreement to 2 additional SRAs, this would require an additional £13,400k allocation.
 - A 1% uplift and inclusion of 2 additional 2 SRAs for Assistant Cabinet members would require £25,417.
 - A 2 % uplift and funding of 2 SRAs for Assistant Cabinet members would require £40,834.
- 6.15 Taking forward a 2% increase to the basic allowance would still keep the Council just under the IRP recommended basic allowance figure.

Explicit provision in the Member's Allowance Scheme for maternity, adoption, shared parental, paternity and sickness leave

- 6.16 At the January meeting, the Committee considered proposals to include explicit provision in the Member's Allowance Scheme for maternity, paternity and

sickness leave. The Committee agreed that this should include parental leave being taken following the birth of children through surrogacy, with 'primary and secondary parent' term used in the scheme instead of 'adopter'. The text has been amended to conform to the statutory policy wording. These changes would reflect the Council's fairness objectives and meet equalities objectives, recognising that the demographic of Councillors has changed over the years, and that there was a need for the Council to openly provide support to Councillors that become parents, or needed to take a prolonged leave of absence due to ill health, and not be discouraged from doing so.

- 6.17 The changes would ensure that the Council policies on maternity, paternity, adoption, shared parental and sick leave were applied consistently between staff and Councillors, and would bring the Council in line with neighbouring borough policies. They would further meet the IRP recommendation to allow the continuance of Special Responsibility Allowances in the case of sickness, maternity and paternity leave on the same terms that the Council's employees enjoy such benefits.
- 6.18 Section 85 of the Local Government Act 1972 provides that if a member fails throughout a period of six consecutive months from the date of his last attendance to attend any meeting of the authority, he shall, unless the failure was due to some reason approved by the authority before the expiry of that period, cease to be a member of the authority. This provision enables full Council to approve an absence of a member beyond 6 months, where he would otherwise be disqualified. The reason would need to be approved by the authority before expiry of the 6 month period.
- 6.19 At their meeting in January, Members agreed to the deletion of section 3.02 – Telephones and IT in Appendices A, B and C subject to there no longer being Council wide provision of separate landlines and broadband provision.

7. Contribution to strategic outcomes

Members of the Council are directly responsible for the setting and oversight of all strategic priorities.

8. Statutory Officers comments (Chief Finance Officer (including procurement), Assistant Director of Corporate Governance, Equalities)

Finance

The proposals contained in this paper are contained within the available budget.

Legal

Legal implications are contained within the body of this report.

Equality

The decision to approve allowances to members does not have a direct impact on the equality duty of the Council, other than that the scheme includes provision for payment for parent/carers allowances to facilitate the attendance of parents and carers at meetings and in relation to carrying out the general responsibilities of Councillors.

The inclusion of an Assistant Cabinet Member for Women and Equalities will provide for specific democratic oversight of equalities considerations taken by the Council in policy and decision making. This will provide protected groups in the borough with assurance and a point of contact in the heart of the Council.

9. Use of Appendices

Appendix A: Amended Draft Members' Allowances Scheme 2019-20 – including Assistant Cabinet Members, and no uplift

Appendix B: Amended Draft Members' Allowances Scheme 2019-20 – including Assistant Cabinet Members, and a 1% uplift

Appendix C: Amended Draft Members' Allowances Scheme 2019-20 – including Assistant Cabinet Members, and a 2% uplift

Appendix D: 2018 report of the Independent Panel on the Remuneration of Councillors in London

10. Local Government (Access to Information) Act 1985

N/A

Amended scheme to include Assistant Cabinet Members, but no uplift

Part 6

Members' Allowances Scheme

1. SCHEME FOR THE PAYMENT OF MEMBERS' ALLOWANCES

1.01 Made in accordance with the Local Authorities (Members' Allowances) (England) Regulations 2003 and in force for the municipal year **2019/20 1 April 2019 to 31 March 2020**).

2. BASIC ALLOWANCE

2.01 Each Councillor will be entitled to receive the sum of £10, 810 by way of Basic Allowance.

2.02 If a Councillor does not serve as such for the whole 12-month period or becomes suspended or partially suspended, he/she will only be entitled to receive pro-rata payment for the period(s) during which he/she actually was a serving Councillor. This principle also applies to education representatives on scrutiny bodies and employee and employer representatives on the Combined Pensions Committee and Board (co-optees).

3. INCLUDED EXPENSES

~~3.01 Telephones and I.T.~~

~~The Basic Allowance includes Councillors' telephone call charges, both mobile and landline, for which Councillors are billed individually. The Council meets the rental for apparatus, including broadband, and all data charges.~~

3.01 Travel Expenses.

The Basic Allowance includes all travel within the M25. Councillors are not entitled to any form of concession or special permit as Councillors for parking in the Borough.

4. MAYORAL ALLOWANCES

4.01 The additional allowances for the Mayor and Deputy Mayor are:

- (a) The Mayor is entitled to an additional allowance of £16,965.
- (b) The Deputy Mayor is entitled to an additional allowance of £4,238.

5. SPECIAL RESPONSIBILITY ALLOWANCES

5.01 For the period 1 April 2019 to 31 March 2020, Haringey Council will allocate Special Responsibility Allowances in six bands, to Councillors who take on certain additional roles, in accordance with Table A below. If a Councillor does not serve as such for the whole period or becomes suspended or partially suspended, he/she will only be entitled to receive pro-rata payment for the period(s) during which he/she actually was a serving Councillor and had the special responsibilities .

Table A

Band	Position	Special Allowance	Total Allowance(including Basic Allowance)
Band 4	<ul style="list-style-type: none"> • Leader 	£33,926	£44,736
Band 3B	<ul style="list-style-type: none"> • 9 or fewer x Cabinet Members 	£25,443	£36, 253
Band 3A	<ul style="list-style-type: none"> • Chair of Overview and Scrutiny Committee 	£23,134	£33, 944
Band 2B	<ul style="list-style-type: none"> • Chief Whip • Chair of Regulatory Committee • Chair of Alexandra Palace and Park Board • Leader of the Principal Opposition 	£16, 965	£27, 775
Band 2A	4 x Councillors serving on Overview and Scrutiny Committee	£15, 421	£26, 231
Band 1B	<ul style="list-style-type: none"> • Chair of Combined Pensions Committee and Board • Chair of Staffing and Remuneration Committee • Chair of Standards Committee • Chair of Corporate Committee • Vice Chair of Regulatory Committee • Leader of the second Opposition Group or Deputy Leader of the Principal Opposition • Chief Whip of the 	£8, 482	£19, 292

	Principal Opposition		
Band 1a	<ul style="list-style-type: none"> 2 or fewer Assistant Cabinet Members 	<u>£6700</u>	<u>£17510</u>

6. MULTIPLE RESPONSIBILITIES

6.01 Where a Councillor holds more than one post of special responsibility, he/she may only receive one Special Responsibility Allowance. Where a Councillor holds more than one post of special responsibility and the posts have Special Responsibility Allowances of different monetary values, the Councillor would receive the higher one. For the purposes of this paragraph, the Mayor and Deputy Mayor count as posts of special responsibility.

7. CO-OPTEES' ALLOWANCES

7.01 Each education representative on scrutiny bodies, and each employee and employer representative on the Combined Pensions Committee and Board, is entitled to an allowance of £154 per meeting attended, to a maximum of £616. No allowances are payable to others who are not elected Councillors.

8. BABYSITTING AND DEPENDANTS ALLOWANCE

8.01 Councillors and non-elected members can claim this allowance based on the following:

(a) That reimbursement be made at the London Living Wage. The period of payment should include the time of the meeting, together with reasonable travelling time of the member, plus any necessary travelling expenses of the carer to and from their home.

(b) Children over the age of 16 must not be claimed for, unless suffering from an illness or disability making constant care essential.

9. TRAVELLING AND SUBSISTENCE ALLOWANCE

9.01 Councillors can claim this allowance for attending approved meetings, training and conferences etc. only to the extent that it involves travel outside the M25. Claims must be based on the following:

(a) The mileage rate for travel by private car is 34.6 pence per mile. An extra 3 pence per mile is payable for each passenger for whom a travelling allowance would otherwise be payable. The cost of tolls, ferries and parking charges can be claimed.

(b) The mileage rate for travel by solo motor cycle is :

Not exceeding	150 cc	8.5 pence per mile
Over	150 cc but not over 500 cc	12.3 pence per mile
Over	500 cc	16.5 pence per mile

- (c) On public transport only the ordinary or cheaper fare can be claimed where more than one class is available.
- (d) The cost of a taxi, including a reasonable tip, can be claimed only in case of urgency or where public transport is not practicable or reasonably available.
- (e) The maximum rates for subsistence allowance on approved duties are as follows:

For an absence of more than 4 hours before 11.00	£4.92
For an absence of more than 4 hours including lunchtime between 12.00 and 14.00	£6.77
For an absence of more than 4 hours including the period 15.00 to 18.00	£2.67
For an absence of more than 4 hours ending after 19.00	£8.38

10. CLAIMS AND PAYMENTS

- 10.01 Where a Councillor is also a Councillor of another authority, that Councillor may not receive allowances from more than one authority in respect of the same duties.
- 10.02 The Basic Allowance and Special Responsibility Allowances will be paid in equal monthly instalments.
- 10.03 The Co-optees' Allowance must be claimed by, and will be paid at, the end of the municipal year, subject to paragraphs 2.02 above and 10.05 below.
- 10.04 All claims for Travelling and Subsistence Allowance and Babysitting and Dependants Allowance must be made within two months of the relevant meeting or the costs being incurred by the Councillor or non-elected member, subject to paragraph 10.05 below.
- 10.05 If any Allowance under paragraphs 10.03 or 10.04 is not claimed within the prescribed time limit, the Democratic Services Manager shall have a discretion to make the payment nonetheless.
- 10.06 Any Councillor or non-elected member may elect to forego his/her entitlement to all or part of any allowance by giving written notice at any time to the Democratic Services Manager.

11 MATERNITY, ADOPTION, SHARED PARENTAL, PATERNITY AND SICKNESS PAY

- 11.01 Subject to this paragraph 11, all Members shall continue to receive their Basic Allowance in full in the case of maternity, adoption, shared parental, paternity and sickness leave, as long as they remain a Councillor. This includes Members becoming parents through surrogacy arrangements.

11.02 Members entitled to a Special Responsibility Allowance shall continue to receive their allowance in full in the case of maternity, adoption, shared parental, paternity and sickness leave for a six month period. Extension of this period of leave will require prior 2 months' written notice to be given to the Political Leader of the respective political group. If the extended leave is agreed by that Political Leader, a report will be compiled to seek approval from full Council before the point of the 6 months' leave expiry, for the extension of this leave. This is in accordance with section 85 of the 1972 Local Government Act. The Council (or Leader in case of Cabinet Members) may, depending on the circumstances, appoint a replacement to cover the period of absence who will be entitled to the SRA pro rata for the period of the temporary appointment.

11.03 The Democratic and Scrutiny Services Manager will write to the Member to confirm the continuation of allowances and until what date they will continue.

11.04 Leave arrangements are unaffected by the number of children born from a single pregnancy or placed as part of a single adoption.

Maternity Leave

11.05 A Member is entitled to take up to 52 weeks' maternity leave starting no earlier than the 11th week before the expected week of childbirth, except following a premature birth, and no later than the day following the actual date of birth.

11.06 The Member must notify the Democratic Services and Scrutiny Manager of their intention to take maternity leave in writing no later than 4 weeks before the date they wish the period of maternity leave to start and:

- i) Confirm the expected week of childbirth;
- ii) Provide a copy of the MATB1 (available from a doctor or midwife);
- iii) Confirm the date on which the Member intends her maternity leave to start.

Adoption Leave

11.07 A Member is entitled to take up to 52 weeks of adoption leave starting no earlier than 14 days before the child is expected to be placed and no later than the expected placement date, or if the child is adopted from overseas, no later than 28 days after the date on which the child enters Great Britain,

11.08 The Member must notify the Democratic Services and Scrutiny Manager in the case of a UK adoption of their intention to take adoption leave in writing no more than seven days after the date on which the Member is notified of having been matched with the child for adoption or, where that is not reasonably practicable, as soon as is reasonably practicable thereafter . In the case of an overseas adoption, the Member must notify the Democratic Services and Scrutiny Manager of their intention to take adoption leave in writing , no more than 28 days after s/he received the official notification and:

- i) Confirm the date the child is expected to be placed with him/her for adoption (UK Adoption) or the date on which the Member received an official notification and the date on which the child is expected to enter Great Britain (overseas adoption);
- ii) Provide a copy of the matching certificate/official notification. The matching certificate must be issued by the adoption agency that matched the Member to the child and must contain the name and address of the agency, the date on which the Member was notified that s/he had been matched to the child, and the date on which the agency expects to place the child with the Member.;
- (iii) in the case of an overseas adoption, the date of entry of the child into Great Britain
- iv) Confirm the date which the Member has chosen his or adoption leave to start.

Shared Parental Leave

11.09 A Member is entitled to Shared Parental Leave if they are :-

- (i) the mother, or expectant mother, of a child, or the father of the child, or at the date of the child's birth the spouse, civil partner or partner of the mother/expectant mother, and at the date of birth the mother and the father/spouse/civil partner/partner share the main caring responsibility for the child ; or
- (ii) the adopter of a child, or at the date that the child is placed for adoption the person who is the spouse, civil partner or partner of the adopter, and at the date of the placement of the child for adoption the adopter and the spouse/civil partner/partner share the main caring responsibility for the child. Where two people have been matched jointly, the adopter is whoever has elected to be the child's adopter.

11.10 A Member may share up to 50 weeks' leave if the mother/ adopter curtails their maternity/adoption leave before using their full entitlement of 52 weeks. The number of weeks available as Shared Parental Leave will be reduced by the number of weeks maternity or adoption leave that has already been taken by the mother or adopter.

11.11 Shared Parental Leave can be taken as one continuous block or in multiples of complete weeks, but must end no later than one year after the birth/placement for adoption of the child.

11.12 The Member must notify the Democratic Services and Scrutiny Manager of their intention to take shared parental leave in writing no later than 8 weeks before the date they wish the period of shared parental leave to start, and must in writing provide the following information

- (i) in the case of the birth of a child:-
 - the names of the mother and of the father/spouse/civil partner/partner,

- the start and end dates of any period of maternity leave to be taken by the Member,
- the total amount of Shared Parental Leave available,
- the expected week of birth
- the date of birth (where the child is not yet born ,this information must be provided as soon as reasonably practicable after the birth and, in any event, before the first period of Shared Parental Leave to be taken by the Member)
- how much Shared Parental Leave the mother and the father/spouse/civil partner/partner each intend to take
- an indication as to when the Member intends to take Shared Parental Leave. Including the start and end dates for each period of leave :

(ii) in the case of the adoption of a child :-

- the names of the adopter and of the spouse/civil partner/partner,
- the date that the adopter was notified of having been matched for adoption with the child
- the date that the child is expected to be placed for adoption
- the date of the placement (where the child has yet to be placed for adoption, this information must be provided as soon as reasonably practicable after the placement and, in any event, before the first period of Shared Parental Leave to be taken by the Member)
- the start and end dates of any period of adoption leave to be taken by the adopter,
- the total amount of Shared Parental Leave available,
- how much Shared Parental Leave the adopter and the spouse/civil partner/partner each intend to take
- an indication as to when the Member intends to take Shared Parental Leave. Including the start and end dates for each period of leave :

Paternity Leave

- 11.13 A Member is entitled to take up to two weeks' paternity leave to help care for the child, or to support the child's mother/adopter, if they are either: the father of the child (whether or not they are the biological father); the spouse, civil partner or partner of the mother/adopter.
- 11.14 The Member may take one week or two consecutive weeks of paternity leave, but not single days or less than a week's duration. Paternity leave must be taken within 56 days of the birth or adoption.
- 11.15 The Member must notify the Democratic Services and Scrutiny Manager of their intention to take paternity leave in writing no later than 4 weeks before they wish the period of paternity leave to start (childbirth) or no more than seven days after the date on which the adopter is notified of having been matched with the child or, where that is not reasonably practicable, as soon as is reasonably practicable; and:

- i) Confirm the expected week of childbirth; or the dates on which the adopter was notified that s/he had been matched with the child and on which the child is expected to be placed for adoption with the adopter(UK Adoption); or the dates on which the adopter received official notification and on which the child is expected to enter Great Britain (Overseas Adoption);
- ii) or matching certificate/official notification;
- iii) Confirm the length of the absence and the date on which the Member has chosen to begin his/her leave

11.16 If the Member wishes to change the start date of a period of leave, they should write to the Democratic Services and Scrutiny Manager no later than 4 weeks before either the original start date 'or' the new start date (whichever is earlier). The Democratic Services and Scrutiny Manager will ensure that HR Services are informed within 2 working days of receipt of the details.

11.17 If the Member wishes to change the end date of a period of leave they should write to the Democratic Services and Scrutiny Manager at least 4 weeks before either the original end date or the new end date (whichever is earlier). The Democratic Services and Scrutiny Manager will ensure that HR Services are informed within 2 working days of receipt of the details.

11.18 HR Services will provide confirmation that the information on revised dates has been received and that relevant re-instatement or adjustment of any SRA has taken place, with a copy to Democratic Services, within 10 working days.

Sickness Leave

11.19 A Member who is sick will continue to receive the basic allowance as long as they remain a Councillor. They will also continue to receive any SRA for a six month period. Extension of this period of leave will require prior 2 months' written notice to be given to the Political Leader of the respective political group. If the extended leave is agreed by that Political Leader, a report will be compiled to seek approval from full Council, before the point of the 6 months' leave expiry, for the extension of this leave. This is in accordance with section 85 of the 1972 Local Government Act.

11.20 If a Member decides not to return to office following either during or on their expiry of maternity, adoption, shared parental, paternity or sickness leave , the Chief Executive must be notified. HR Services must then be informed within two working days of receiving notification. Allowances will cease from the effective resignation date.

11.21 If an election is held during the Member's maternity, adoption, shared parental, paternity or sickness leave and they are not re-elected, or decide not to stand for re-election, their basic allowance and SRA, if appropriate will cease from the Monday after the election date when they would technically leave office.

APPENDIX B

As above, but with the figures below (1% uplift):

Basic Allowance: £10,918

Band	Position	Special Allowance	Total Allowance including the Basic Allowance
Band 4	<ul style="list-style-type: none"> • Leader 	£34,265	£45,183
Band 3B	<ul style="list-style-type: none"> • 9 or fewer x Cabinet Members 	£25,697	£36,616
Band 3A	<ul style="list-style-type: none"> • Chair of Overview and Scrutiny Committee 	£23,365	£34,283
Band 2B	<ul style="list-style-type: none"> • Chief Whip • Chair of Regulatory Committee • Chair of Alexandra Palace and Park Board • Leader of the Principal Opposition 	£17,135	£28,053
Band 2A	4 x Councillors serving on Overview and Scrutiny Committee	£15,575	£26,493
Band 1B	<ul style="list-style-type: none"> • Chair of Combined Pensions Committee and Board • Chair of Staffing and Remuneration Committee • Chair of Standards Committee • Chair of Corporate Committee • Vice Chair of Regulatory • Leader of the second Opposition Group or Deputy Leader of the Principal Opposition • Chief Whip of the Principal Opposition 	£8,567	£19,485
Band 1a	<ul style="list-style-type: none"> • 2 or fewer Assistant Cabinet Members 	£6700	£17618

MAYORAL ALLOWANCES

The additional allowances for the Mayor and Deputy Mayor are:

The Mayor is entitled to an additional allowance of £17,135.

The Deputy Mayor is entitled to an additional allowance of £4,280.

APPENDIX C

As above, but with the figures below (2% uplift):

Basic Allowance: £11,026

Band	Position	Special Allowance	Total Allowance including the Basic Allowance
Band 4	<ul style="list-style-type: none"> • Leader 	£34,605	£45,631
Band 3B	<ul style="list-style-type: none"> • 9 or fewer x Cabinet Members 	£25,952	£36,978
Band 3A	<ul style="list-style-type: none"> • Chair of Overview and Scrutiny Committee 	£23,597	£34,623
Band 2B	<ul style="list-style-type: none"> • Chief Whip • Chair of Regulatory Committee • Chair of Alexandra Palace and Park Board • Leader of the Principal Opposition 	£17,304	£28,331
Band 2A	4 x Councillors serving on Overview and Scrutiny Committee	£15,729	£26,756
Band 1B	<ul style="list-style-type: none"> • Chair of Combined Pensions Committee and Board • Chair of Staffing and Remuneration Committee • Chair of Standards Committee • Chair of Corporate Committee • Vice Chair of Regulatory • Leader of the second Opposition Group or Deputy Leader of the Principal Opposition • Chief Whip of the Principal Opposition 	£8,654	£19,678
Band 1a	<ul style="list-style-type: none"> • 2 or fewer Assistant Cabinet Members 	£6700	£17,726

MAYORAL ALLOWANCES

The additional allowances for the Mayor and Deputy Mayor are:

The Mayor is entitled to an additional allowance of £17,304.

The Deputy Mayor is entitled to an additional allowance of £4,323.

The Remuneration of Councillors in London 2018

Report of the Independent Panel



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Introduction

The Local Authorities (Members' Allowances) (England) Regulations 2003 ('the Regulations') authorise the establishment by the Association of London Government (now London Councils) of an independent remuneration panel to make recommendations in respect of the members' allowances payable by London boroughs. Such a panel ('the Panel') was established and reported in 2001, 2003, 2006, 2010 and 2014. It now comprises Sir Rodney Brooke CBE DL (Chair), Steve Bundred and Anne Watts CBE.

The Regulations require a review of the scheme every four years as a minimum. The current Panel has therefore completed a review of remuneration for councillors in London. We present our findings and recommendations in this report.

As a preparation for our work, we invited all London boroughs to give their views on the operation of the existing scheme. We are grateful for the feedback, which confirms that the existing London scheme of members' allowances is still fit for purpose. We make recommendations accordingly (**recommendations throughout the report are in bold type**). However, where issues have arisen from the comments we received, we have addressed them in this report.

The role of elected members

In our previous reports we reflected on the importance of the role of elected members. We repeat at Appendix B the job profile for councillors which we originally included in our 2010 report. The feedback we have received is that it continues to be appropriate.

The Local Governance Research Unit, based at Leicester Business School, recently launched a Councillor Commission as an independent review of the role and work of the councillor. The Commission's report points out that councillors oversee million-pound budgets, balancing complex financial pressures at a time of severe cutbacks in local authority spending, making decisions which will affect their areas for decades to come. In London each Borough Council is responsible for services crucial to its residents. Each has a revenue budget of up to £1.4bn as well as a substantial capital programme. The scale of their turnover and other financial activities are in many instances comparable with those of large publicly quoted companies.

Councillors are faced with unenviable choices. Demand for local authority services continues to grow. In particular, there is rapid growth in the number of old people with a corresponding increase in demand for social care. London itself faces acute housing problems. Councillors have an increased responsibility for health. Thus the strain on and competition for resources increase the demands made on elected members. The responsibilities and accountabilities are made clear after a tragedy like the Grenfell Tower fire.

The evidence we received confirms that the workload and responsibilities of councillors continue to increase and that their role has become more complex, and not only in the areas of social care, housing and health. There has been growth in the number of sub-regional meetings, partnerships and joint bodies (such as Boards for Health & Wellbeing and Safer Neighbourhoods) which require the commitment and time of leaders, cabinet members and front-line councillors. Partnership engagement makes great demands on councillors. There has been a marked increase in informal meetings, such as working groups, forums and community gatherings as well as formal meetings like local authority companies. The expectations of the public continue to rise.

While valuable to democracy, the use of social media adds to the pressure on councillors by increasing demands from their constituents in several different ways. Communication with councillors is not only easier but immediate. The public expects a speedy response, so that it is now more difficult for councillors in employment to deal with concerns as quickly as voters expect. Not only do social media make it easier for their constituents to get hold of councillors, but they also enable an isolated concern to become an organised campaign.

Recruitment of councillors

We received evidence that it is increasingly difficult to recruit people of quality who are prepared to stand for office as councillors. Though the low level of allowances was mentioned as a reason for this, a major disincentive is the time commitment required of a councillor. That time commitment (as well as finance) can make it difficult to combine the role with a job and a family life. As one councillor commented to the Leicester Business School Commission, 'Serving on outside bodies means that I am working every day of the week, weekends too'. As was pointed out in responses we received, the problem is exacerbated in London, where councillors are on the whole younger than in other parts of the country and often in employment. They also face substantially higher costs of living.

Though the time commitment may be the main disincentive to service as a councillor, it is important that, as far as reasonably possible, financial loss does not prevent people from becoming councillors. Allowances are not shown by polls to be something which influences councillors to take on the role, though they are instrumental in making it possible for some people to do so. Allowances should be set at a level that enables people to undertake the role of councillor, while not acting as an incentive to do so. If it is important that there are no financial incentives to being a councillor, it is equally important that there should not be a financial disincentive. It is clearly desirable that service as a councillor is not confined to those with independent means.

Since our last report the Government has removed the possibility of councillors joining the local government pension scheme. We believe that access to the pension scheme can be an important factor in making service as a councillor financially possible for a wider range of people. It is particularly significant for those who, like elected mayors, leaders and portfolio holders, give most or all of their time to service in local government and lose the opportunity to contribute to a pension scheme elsewhere. Loss of access to a pension scheme imposes a further financial penalty on councillors.

We do not repeat the arguments for appropriate remuneration for councillors which we have set out in our previous reports. We believe them to be self-evident. But we do repeat our belief in the importance of local democracy and the role of councillors within it.

The current financial and political climate

Because of the current financial climate, the local government pay settlement in recent years has been severely limited. Since our last report there have been three awards of 1%. Acutely sensitive to the current financial austerity, some boroughs have frozen members' allowances and failed to apply the pay awards to them. Indeed some boroughs have even reduced members' allowances.

Our recent reports have made no recommendations for increasing the levels of members' allowances other than continuing provision for annual adjustments in accordance with the annual local government pay settlement. As the Government-appointed Councillors' Commission pointed out in their 2007 report, the recommendations of the London Panel has led to some convergence of members' allowances across London. Indeed, the Councillors' Commission recommended a similar system for the country as a whole. Following our recommendations, there is now considerable congruity in the basic allowance made by London boroughs.

However, most London boroughs have not adopted our recommendations in their entirety and there remain substantial differences in the amount of special responsibility allowances. We fully recognise that now is not the time to contemplate a general increase in councillors' allowances. Nevertheless we hope that in the longer term the financial situation will permit further convergence of members' allowances around our recommendations.

Level of Basic Allowance

In our last report we recommended that there should be a Basic Allowance paid to every councillor of £10,703. Updated for the local government staff pay awards since then, the figure is now £11,045. Given the loss of pension rights; growth in the volume and complexity of the work of councillors; and the limited increase in the Basic Allowance since our last report, we believe that there is a strong case for considering a larger increase. The basic allowance is now less than the allowances paid by many similar authorities outside London. In Wales, for example, the government-

appointed commission sets the basic allowance at £13,400 for members of local authorities with populations which are generally substantially lower than those of London boroughs.

However we reluctantly accept that, in the current financial climate, it would be inappropriate to recommend a general increase in members' allowances (beyond the annual updating). Pegging an annual increase to staff pay awards will ensure that councillors can receive annual increases which are in line with those received by staff. **We therefore recommend that the Basic Allowance be set at £11,045.** We believe that it remains sensible to frame recommendations which are common across London.

Special Responsibility Allowances

Given the extent of the responsibilities of leaders of London boroughs, the Panel's first report in 2001 recommended that their remuneration should equate to that of a Member of Parliament. [Our recommendations for other special responsibility allowances are related to that recommended for leaders.]

Since then the increase in the remuneration of Members of Parliament has substantially exceeded the annual local government pay increase to which we tied the special responsibility allowance for the leader of a London borough. At the time of our last report an MP received a salary of £67,060 while our recommendation for a borough leader (increases having been restricted to the local government staff pay increases) was for total remuneration of £65,472, a difference of £1,588. Updated for the local government pay awards, our recommendation for the current total remuneration of a London borough leader would be £68,130. Meanwhile the salary of MPs has increased to £76,011, a difference of £7,881. Moreover MPs continue to be entitled to a pension as well as to sundry other benefits (such as termination payments) which are not available to leaders.

In our current consultation we enquired whether the remuneration of an MP remains a sound comparator to fix the remuneration of a borough leader. In general the responses agreed that the comparator was appropriate and, if anything, that the Leaders of London boroughs warranted a higher remuneration than an MP, because they had greater financial responsibility and legal burdens, and especially given the differential pension arrangements. Indeed one respondent authority suggested that the direct responsibilities of a Leader should command the salary of a Junior Minister.

We sympathise with the responses. Certainly the way in which MPs' remuneration has outpaced that of leaders would prompt a review of the Leaders' allowances had the Panel not had regard to the current stringent economic circumstances. For the same reasons which prompt us to peg the Basic Allowance, **we recommend that the special responsibility allowance for a Leader should be in accordance with our former recommendation, plus the subsequent local government staff pay awards, ie £57,085. We recommend the maintenance of its relation to other special responsibility allowances, as set out in the Appendix to this report.** Nevertheless we hope that parity of the remuneration of the Borough leaders with the remuneration of Members of Parliament will be restored when the economic situation eases and that the other Special Responsibility Allowances will then be adjusted accordingly.

Interpretation of the Scheme

The responses from the boroughs generally indicated no problems with interpretation of our recommendations, though many had adopted lower figures, especially for special responsibility allowances. We continue to believe that the scheme we propose is sufficiently flexible to accommodate the varying political management arrangements of different London boroughs. Specifically, we were asked for guidance on what percentage of councillors should receive a special responsibility allowance. **We reiterate our view that no more than 50% of councillors should receive a special responsibility allowance. We also continue to believe that no member should receive more than one special responsibility allowance though we accept that there might exceptionally be special circumstances where allocation of more than one Special Responsibility Allowance might be justified, eg where members undertake a number of different time-consuming roles such as sitting on licensing hearings.**

We were asked to give more detailed guidance on the roles allocated to different bands and whether these could be tied to the time commitment required of a role, expressed as a percentage of the time commitment of the Leader. However, we believe that the percentages we identify should be tied not only to time commitment but also to levels of responsibility.

Training and Support

The responsibilities of councillors are substantial, extensive and complex. We have mentioned the Grenfell Tower tragedy as a chilling instance of those responsibilities. **We believe that every borough should have an ongoing programme of member training and development and that members should be expected to participate. We believe that members should be provided with logistical and clerical support to help them deal with their workload.**

Barriers to being a councillor

It is important that obstacles to becoming a councillor should be removed wherever possible. Child care costs can be a significant deterrent to service as a councillor. **We repeat our strong view that in appropriate cases when they undertake their council duties, councillors should be entitled to claim an allowance for care of dependents. The dependents' carers' allowance should be set at the London living wage but (on presentation of proof of expense) payment should be made at a higher rate when specialist nursing skills are required.**

We also repeat our belief that members' allowances schemes should allow the continuance of Special Responsibility Allowances in the case of sickness, maternity and paternity leave in the same terms that the council's employees enjoy such benefits (that is to say, they follow the same policies).

Travel and Subsistence allowances

We continue to believe that the Basic Allowance should cover basic out-of-pocket expenses incurred by councillors, including intra-borough travel costs and expenses. The members' allowances scheme should, however, provide for special circumstances, such as travel after late meetings or travel by councillors with disabilities. The scheme should enable councillors to claim travel expenses when their duties take them out of their home borough, including a bicycle allowance.

Allowances for Mayor or Civic Head

Many councils include the allowances for the mayor (or civic head) and deputy in their members' allowance scheme. However these allowances do serve a rather different purpose from the 'ordinary' members' allowances, since they are intended to enable the civic heads to perform a ceremonial role. There are separate statutory provisions (ss 3 and 5 of the Local Government Act 1972) for such allowances and councils may find it convenient to use those provisions rather than to include the allowances in the members' allowance scheme.

Update for inflation

We continue to recommend that for a period of four years the allowances we recommend should be updated annually in accordance with the headline figure in the annual local government pay settlement.

We have been asked whether it is necessary for the annual updating to be formally authorised by the council each year. The Regulations do seem to make this obligatory.

Sir Rodney Brooke CBE DL

Steve Bundred

Anne Watts CBE

London, January 2018

Appendix A

Basic allowance £11,045

Special responsibilities – beyond the basic allowance

The case for special allowances

The reasons for payment of additional special responsibility allowances should be clearly set out in local allowances schemes. Special allowances should come into play only in positions where there are significant differences in the time requirements and levels of responsibility from those generally expected of a councillor.

Calculation of special allowances

The proposed amounts for each band are a percentage of the figure suggested for a council leader depending upon levels of responsibility of the roles undertaken and are explained below. We believe that the SRA, which the previous panel recommended for the leader of a London council (updated), continues to be appropriate.

Categories of special allowances

The regulations specify the following categories of responsibility for which special responsibility allowances may be paid:

- Members of the executive where the authority is operating executive arrangements
- Acting as leader or deputy leader of a political group within the authority
- Presiding at meetings of a committee or sub-committee of the authority, or a joint committee of the authority and one or more other authorities, or a sub-committee of such a joint committee
- Representing the authority at meetings of, or arranged by, any other body
- Membership of a committee or sub-committee of the authority which meets with exceptional frequency or for exceptionally long periods
- Acting as spokesperson of a political group on a committee or sub-committee of the authority
- Membership of an adoption panel
- Membership of a licensing or regulatory committee
- Such other activities in relation to the discharge of the authority's functions as require of the member an amount of time and effort equal to or greater than would be required of him by any one of the activities mentioned above, whether or not that activity is specified in the scheme.

Local discretion

It is for the councils locally to decide how to allocate their councillors between the different bands, having regard to our recommendations and how to set the specific remuneration within the band. They must have regard to our recommendations. We believe these should have the merits of being easy to apply, easy to adapt, easy to explain and understand, and easy to administer.

BAND ONE

The posts we envisage falling within band one include:

- Vice chair of a service, regulatory or scrutiny committee
- Chair of sub-committee
- Leader of second or smaller opposition group
- Service spokesperson for first opposition group
- Group secretary (or equivalent) of majority group
- First opposition group whip (in respect of council business)
- Vice chair of council business
- Chairs, vice chairs, area committees and forums or community leaders
- Cabinet assistant
- Leadership of a strategic major topic
- Acting as a member of a committee or sub-committee which meets with exceptional frequency or for exceptionally long periods
- Acting as a member of an adoption panel where membership requires attendance with exceptional frequency or for exceptionally long periods
- Leadership of a specific major project.

Remuneration

We propose that band one special responsibility allowances should be on a sliding scale of between 20 – 30 per cent of the remuneration package for a council leader.

This would be made up as follows:

Basic allowance: £11,045

Band One allowance: £2,582 to £9,397

Total: £13,627 to £20,442

BAND TWO

The types of office we contemplate being within band two are:

- Lead member in scrutiny arrangements, such as chair of a scrutiny panel
- Representative on key outside body
- Chair of major regulatory committee e.g. planning
- Chair of council business (civic mayor)
- Leader of principal opposition group
- Majority party chief whip (in respect of council business).

Remuneration:

We propose that band two allowances should be on a sliding scale between 40 – 60 per cent, pro rata of the remuneration package for a council leader.

This is made up as follows:

Basic allowance £11,045

Band two allowances: £16,207 to £29,797

Total: £27,252 to £40,842

BAND THREE

We see this band as appropriate to the following posts:

- Cabinet member
- Chair of the Health and Wellbeing Board
- Chair of the main overview or scrutiny committee
- Deputy leader of the council

Remuneration:

We propose that band three allowances should be between 70 – 80 per cent pro rata of the remuneration package for a council leader.

This is made up as follows:

Basic allowance: £11,045

Band three allowance: £36,917 to £43,460

Total: £47,962 to £54,505

BAND FOUR

Leader of cabinet

This is a full-time job, involving a high level of responsibility and includes the exercise of executive responsibilities. It is right that it should be remunerated on a basis which compares with similar positions in the public sector, while still retaining a reflection of the voluntary character of public service.

Remuneration:

We propose that the remuneration package for a council leader under band four of our scheme should be £68,130.

This is made up as follows:

Basic allowance: £11,045

Band four allowance: £57,085.

Total: £68,130

BAND FIVE

Directly elected mayor

A directly elected mayor has a full-time job with a high level of responsibility and exercises executive responsibilities over a fixed electoral cycle. It is right that it should be remunerated on a basis which compares with similar positions in the public sector, while still retaining a reflection of the voluntary character of public service. However we believe this post remains different to that of the strong leader with cabinet model. The directly elected mayor is directly elected by the electorate as a whole. The strong leader holds office at the pleasure of the council and can be removed by the council. We believe that the distinction is paramount and this should be reflected in the salary level.

Remuneration:

We propose that a directly elected mayor should receive a remuneration package of 25 per cent higher than that recommended for a council leader and that it should be a salary set at **£85,162**.

Appendix B

On behalf of the community – a job profile for councillors

Purposes:

1. To participate constructively in the good governance of the area.
2. To contribute actively to the formation and scrutiny of the authority's policies, budget, strategies and service delivery.
3. To represent effectively the interests of the ward for which the councillor was elected, and deal with constituents' enquiries and representations.
4. To champion the causes which best relate to the interests and sustainability of the community and campaign for the improvement of the quality of life of the community in terms of equity, economy and environment.
5. To represent the council on an outside body, such as a charitable trust or neighbourhood association.

Key Tasks:

1. To fulfil the statutory and local determined requirements of an elected member of a local authority and the authority itself, including compliance with all relevant codes of conduct, and participation in those decisions and activities reserved to the full council (for example, setting budgets, overall priorities, strategy).
2. To participate effectively as a member of any committee or panel to which the councillor is appointed, including related responsibilities for the services falling within the committee's (or panel's) terms of reference, human resource issues, staff appointments, fees and charges, and liaison with other public bodies to promote better understanding and partnership working.
3. To participate in the activities of an outside body to which the councillor is appointed, providing two-way communication between the organisations. Also, for the same purpose, to develop and maintain a working knowledge of the authority's policies and practices in relation to that body and of the community's needs and aspirations in respect of that body's role and functions.
4. To participate in the scrutiny or performance review of the services of the authority, including where the authority so decides, the scrutiny of policies and budget, and their effectiveness in achieving the strategic objectives of the authority.
5. To participate, as appointed, in the area and in service-based consultative processes with the community and with other organisations.
6. To represent the authority to the community, and the community to the authority, through the various forums available.
7. To develop and maintain a working knowledge of the authority's services, management arrangements, powers/duties, and constraints, and to develop good working relationships with relevant officers of the authority.
8. To develop and maintain a working knowledge of the organisations, services, activities and other factors which impact upon the community's well-being and identity.
9. To contribute constructively to open government and democratic renewal through active encouragement of the community to participate generally in the government of the area.
10. To participate in the activities of any political group of which the councillor is a member.
11. To undertake necessary training and development programmes as agreed by the authority.
12. To be accountable for his/her actions and to report regularly on them in accessible and transparent ways.

Appendix C

The independent panel members

Sir Rodney Brooke CBE DL had a long career in local government, including as chief executive of West Yorkshire County Council, Westminster City Council and the Association of Metropolitan Authorities. He was knighted in 2007 for his contribution to public service.

Steve Bundred was chairman of Monitor, chief executive of the Audit Commission and chief executive of the London Borough of Camden.

Anne Watts CBE has an extensive career in equality and diversity and governance that spans the private, voluntary and public sectors with organisations including the Open University, the University of Surrey, the Commission for Equality and Human Rights and Business in the Community. She chaired the Appointments Commission.

Report for: Standards Committee - 4 March 2019

Title: Register of Interests – Disclosable Pecuniary interest in Land

Report

Authorised by: Ayshe Simsek, Acting Democratic Service and Scrutiny Manager

Lead Officer: Ayshe Simsek| 020 8482929| ayshe.simsek@haringey.gov.uk

Ward(s) affected: N/A

Report for Key/

Non Key Decision: Non-Key

1. Describe the issue under consideration

This report responds to and takes forward discussion from the previous Committee meeting on the declaration of home addresses on Members' Register of Interests form.

2. Cabinet Member Introduction

N/A.

3. Recommendations

3.1 To note the report.

4. Reasons for decision

4.1 To respond to a request from the Chair of Standards and Committee members to explore consideration of the requirement to divulge a Councillor's home address on the Councillor Register of Interest form published on the Council's website and consider the risks around this option as well as provide information on how other boroughs take this requirement forward.

5. Alternative options considered

Not applicable

6. Background information

6.1 The model Code of Conduct was issued by the Secretary of State under section 50 of the Local Government Act 2000 in 2007, regarding the conduct which is expected of members and co-opted members of an authority. The Localism Act in 2011 also brought in changes to the Standards regime and provided further guidance on the declaration of interests, including introducing pecuniary and non-pecuniary interests to further help with separating out the business interests of members and co-opted members.

6.2 The Council have continued to adopt a code of conduct for Councillors and this is set out in part 5 of the Constitution. The code is based on the 7 Nolan principles of selflessness; integrity; objectivity; accountability; openness; honesty and

leadership; and is essential in promoting confidence in the authority for decision making and ensuring that the interests of the whole borough are at the forefront of decision making.

- 6.3 The code of conduct sets out how the business of the authority should be conducted and sets out the responsibility of members acting on behalf of the local authority. It provides a list of general obligations and the definition of personal interests, prejudicial interests, pecuniary interests and those interests which are disclosable and non-disclosable.
- 6.4 There is a need for members to register their interests within 28 days of taking public office. This register is needed so that the public, authority staff, and fellow members know which Councillor's interest might give rise to a conflict of interest. Members must also advise of any change to their register of interests within 28 days. The Localism Act further prescribes, at section 29 (5b), that the member's register of interest is published on the Council's website.
- 6.5 The model Code of Conduct for Members in 2007 provided a list of interests that must be disclosed. This included any Land and property in the authority's area in which a member has a beneficial interest (or a licence to occupy for more than 28 days) including but not limited to, the Land and house that the member may live in and any allotments a member owns or uses. This is also adopted in the Council's Constitution and land is listed as a disclosable pecuniary interest.
- 6.6 It has been the continuing advice of the Monitoring Officer to advise members to register their home address on the declaration of interest form in order to meet this requirement.
- 6.7 The mechanism for withholding an interest from the register (to include redactions) is contained within section 32 of the Localism Act, which deals with 'Sensitive Interests'. This provision is designed to cover situations where the nature of the interest is such that the member or co-opted member, and the authority's Monitoring Officer, consider that disclosure of the details of the interest could lead to the member or co-opted member, or a person connected with the member or co-opted member, being subject to violence or intimidation. This is also replicated in the Council Constitution at part 5, section 8.1.
- 6.8 The operation of section 32 requires some evidence in relation to the member whose interests are under consideration. That is, there would need to be some material on which to form a rational view as to whether disclosure could lead to the relevant individuals being subjected to violence or intimidation.
- 6.9 The Monitoring Officer has indicated that he is willing to consider individual representations from Councillors that their land interest should be withheld due to actual or potential risk of violence or intimidation, and will make a decision based on the information and evidence provided. However, taking forward a blanket policy of excluding home addresses would not conform to the Council Constitution nor legislation.

- 6.10 The attached appendix provides information on desktop research completed on London Boroughs councillor's register of interests and this demonstrates a mixed practice of conformity. There are two councils which seem to exclude the addresses of the councillors completely from the register of interests and provide the reason of it being a sensitive interest. When considering their Constitutions, they apply the same list of disclosable pecuniary interests and provide the same criteria for sensitive interest as listed in the Haringey Constitution and Localism Act 2011. It seems unlikely that all the councillors have been subjected to violence or intimidation and there is more likely to be inconsistent use of this rule.
- 6.11 Legal Services have advised that legislation removing the requirement for candidates to have their home address published on the ballot paper and statement of persons has now been made and will apply for all principal area and parish Council elections held in England on or after 2 May 2019.
- 6.12 Specific provision is made about the inspection of the home address form. It may only be inspected by a person standing nominated as a candidate in the same electoral area as the candidate in question, or their agent/prosper/seconded.
- 6.13 There is currently no change in the legislation identified as yet relating to Councillor addresses on register of interest forms and this is likely to be related to the nature of a Councillor's position of local power and financial elements in their role as decision maker.
- 6.14 Consideration was also given to MP's register of interest and this does not include home addresses but other property interests are included.

7. Contribution to strategic outcomes

Members of the Council are directly responsible for the setting and oversight of all strategic priorities.

8. Statutory Officers comments (Chief Finance Officer (including procurement), Assistant Director of Corporate Governance, Equalities)

Finance

There are no financial implications arising from this noting report.

Legal

Legal implications are contained within the body of this report.

Equality

9. Use of Appendices

Desktop research on register of interest's appendix 1

10. Local Government (Access to Information) Act 1985
N/A

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declaration of interests for

London Boroughs	Blanket policy with all councillor addresses shown	Mix of addresses	No councillor addresses shown
Barking and Dagenham	yes	No	No
Barnet	no	yes	no
Bexley	yes	no	no
Brent	yes	no	no
Bromley	yes	no	no
Camden	yes	no	no
Croydon	yes	no	no
Ealing	yes	no	no
Enfield	No	yes	no
Greenwich	No	No	Yes
Hackney	no	No	Yes
Hammersmith and Fulham	no	yes	No
Haringey	Yes	No	No
Harrow	No	No	Yes
Havering	yes	No	No
Hillingdon	no	yes	no
Hounslow	no	yes	no
Islington	no	yes	no
Kensington and Chelsea	No	yes	no
Kingston upon Thames	yes	No	No
Lambeth	yes	No	Yes
Lewisham	no	No	No
Merton	yes	No	No
Newham	No	yes	No
Redbridge	yes	No	No
Richmond upon Thames	yes	no	no
Southwark	no	no	yes
Sutton	yes	no	no
Tower Hamlets	yes	no	no
Waltham Forest	yes	no	no
Wandsworth	yes	no	no
Westminster	no	yes	No

A sample of 15 registers were viewed on each Council website

Form containing address of councillors

Notes
The Monitoring Officer has agreed to withhold address for Cllr Achilleos
Many cllrs have listed "none" in section 4 Land
All have listed addresses in land section apart from Cllr Hackett who has listed N/A.
Some councillors have listed their addresses under section 5 (Licenses)
Several Cllrs addresses held under Section 32 of the Localism Act
Several Cllrs addresses held under Section 32 of the Localism Act
Several Cllrs addresses held under Section 32 of the Localism Act
Several Cllrs have listed none or part addresses in the land section of their registers - note saying see details on original Declaration Form
All addresses withheld under section 32(1)(b) of the Localism Act
All addresses withheld under section 32(1)(b) of the Localism Act
Most Cllrs have listed an interest in a residential property within a post code but not listed their full addresses
A few Cllrs addresses are held under Section 32 of the Localism Act
"not shown on web site" listed under land section on register
small minority have listed their addresses on their registers. Most have listed "Address within the Borough supplied" under land section.
most Cllrs have listed their addresses under land, some have listed "none"
Most Cllrs have held their addresses under the Localism Act
mixed - most have declared address on their registers, others have declared "None" some registers are incomplete, another says I own and live in a property in the Borough. I am a director of our block.
all addresses withheld "sensitive information"
Most Cllrs have held their addresses under the Localism Act
in land section, members have added "Address provided. Details are available on personal inspection by contacting the Proper Constitutional Officer
some cllrs have added "not shown on website" to their registers in the land section
various answers under land - most cllrs list none others list address others withheld

Report for: Standards Committee 4 March 2019

Title: Work Programme

Report authorised by : Bernie Ryan, Assistant Director Corporate Governance and Monitoring Officer

Lead Officer: Ayshe Simsek| 020 8489 2929 | ayshe.simsek@haringey.gov.uk

Ward(s) affected: N/A

**Report for Key/
Non Key Decision: Non-Key**

1. Describe the issue under consideration

- 1.1 Members to note current work programme and put forward any comments on suggested areas of work.

4th March 2019

1. Members Allowance Scheme 2019/20 - recommendation to Full Council
2. Declaration of interest Forms - Inclusion of councillor addresses
3. Required updates to Constitution

July 2nd 2019

1. Update to Full Council Protocol
2. Update to Committee Procedure rules[Informal pre meeting can be arranged in April to discuss areas of concern and focus to inform the proposals]
3. Scope for review of Members Allowances 2020/21
4. Updates to Constitution on Officer Appointments

14 October 2019

1. Information report on process for recruitment of 2 independent members as their 4 year term serving the Committee will expire in March 2020.
2. Initial findings of Member Allowances Review 2020/21

5th December 2019

1. Shortlisting applications for Independent Members

2nd March 2020.

1. Recommendations for Members Allowance Scheme 2020/21