

Report for: Standards Committee 10 July 2018

Title: Amendment to Members' Allowances Scheme 2018/2019

Report

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Ward(s) affected: N/A

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

1. Describe the issue under consideration

- 1.1 This report requests that the Standards Committee recommend to full Council an amendment to the Members' Allowances Scheme for the period 1 April 2018 to 31 March 2019, which was agreed by full Council on 19 March 2018. The revised Members' Allowances Scheme is set out at Appendix A attached.
- 1.2 The Committee, at its meeting in March, noted that the scheme may need to be reconsidered if there were changes after the election. Given the Leader has appointed two Deputy Cabinet Members and these positions will have specific responsibilities, for Women and Equalities, and for Broadwater Farm engagement, it is recommended that these roles are reflected in the Member's Allowance Scheme with a Special Responsibility Allowance.
- 1.3 It is proposed that Band one, of the Member's Allowances scheme set out at Appendix A, be subdivided into two, Band 1a and Band 1b. The remuneration figure for allowances in Band 1b reflects the decision making and close involvement in the democratic process of these Member roles. The two Deputy Cabinet Members are recommended to be included in Band 1a and receive an allowance of £5000 for their specific duties supporting the Cabinet.
- 1.4 The proposed figure of £5000 reflects the cross cutting nature, and community relations support role, these two positions will encompass.

2. Cabinet Member Introduction

N/A.

3. Recommendations

The Committee is asked:

- 3.1 To recommend the amended Members' Allowances Scheme set out at Appendix A to Full Council for 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 year to cover the following 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, dependents' carers, travelling and subsistence and co-optees' allowances.

5. Alternative options considered

- 5.1 To not amend the scheme. This would mean not remunerating the Deputy Cabinet Members for the additional specific duties that they will be undertaking in the preceding 9 months.
- 5.2 To amend the scheme in March 2019, when the current scheme is due to be revoked and renewed. This option was not recommended given the current nature of the specific duties and responsibilities.

6. Background information

- 6.1 This Committee has responsibility for considering and recommending changes to the Member's Allowance scheme, to full Council for adoption. This report asks Standards Committee to consider an amendment to the scheme proposed for 2018-19 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 2018-19 are shown in italics and underlined appendix A.
- 6.2 The Committee, at its meeting in March, noted that the scheme may need to be reconsidered, if there were changes after the election. Given the Leader has appointed a Deputy Cabinet Member for Women and Equalities and a Deputy Cabinet Member for Broadwater Farm Resident engagement, and these positions will have specific responsibilities, it would be appropriate to reflect this in the Member's Allowance scheme with a Special Responsibility Allowance.
- 6.3 The definition of the Assistant Cabinet Members from the Constitution (Part 3, Section C, section 4 – advises that:

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.

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 Deputy Cabinet Members will not be taking decisions, they will likely take forward joint working with partners and communities, have increased meetings to attend, and provide support for specific major projects such as the Violence against Women & Girls (VAWG) strategy and the future of Broadwater Farm Blocks. They will respectively have a critical role in ensuring equalities considerations are at the heart of decision making, and have a pivotal role in community relations activities in Broadwater Farm. Therefore, the Deputy Cabinet Member 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 duties as set above.
- 6.5 To assess whether the specific responsibilities of the Deputy 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 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 B. 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 Appendix A. This includes the guidance criteria for Special Responsibility Allowances at page 7 of Appendix B. and lists the posts envisaged as being considered Band one, including Cabinet Assistants.
- 6.7 The Committee are further asked to note that with the addition of the two Deputy Cabinet Members, the number of Members that receive an allowance would increase from 28, to 30. Although the 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 to the Member Allowance Scheme for approval by full Council, this would still be in line with the guidance.

- 6.8 With regard to funding the additional two roles, the previous Member's Allowance Scheme re - banding exercise, completed by the Committee between March 2017 and March 2018, generated a net saving of £25,193 against expenditure in 2017-18. Full Council further agreed a 1% uplift to allowances in March. Therefore, the saving from the rebasing covers the 1% uplift as well as the two new SRA's.

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 with 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 a Deputy 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.

BAME communities are disproportionately represented in tenant and leaseholder population of the Broadwater Farm Estate. The Deputy Cabinet Member for Broadwater Farm Resident Engagement will provide additional support to the Cabinet in this critical year, for rehousing of tenants in Tangmere block and making key decisions about the future of the blocks on the estate. This Deputy Cabinet role will help the Council fulfil its duty in mitigating any discrimination that may occur and fostering ongoing good relations between communities, both within the estate and in the areas in which tenants are rehoused.

9. Use of Appendices

Appendix A: Amended Draft Members' Allowances Scheme 2018-19

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

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

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 2018/19 1 April 2018 to 31 March 2019).

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 disqualified, 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 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 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.
- 3.02 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.

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 2018 to 31 March 2019, 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 disqualified, he/she will only be entitled to receive pro-rata payment for the period(s) during which he/she actually was a serving Councillor.

Table A

Band	Position	Special Allowance	Total 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 • Leader of the second Opposition Group or Deputy Leader of the Principal Opposition • Chief Whip of the Principal Opposition 	£8,482	£19,292

Appendix A

<p>Band 1a</p>	<p><u>Deputy Cabinet Member for Women and Equalities</u></p> <p><u>Deputy Cabinet Member for Broadwater Farm Engagement</u></p>	<p><u>£5000</u></p>	<p><u>£15,810</u></p>
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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

Appendix A

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.

Appendix A

- 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.