

General Purposes Committee on 8 March 2007

Report Title: **Making the Scheme of Members' Allowances**

Report of: **The Chief Executive and the Head of Legal Services and Monitoring Officer**

Wards affected: All

Report for: Recommendation to Council


1. Purpose

1.1 To make the Scheme of Members' Allowances for the year 2007/08

2. Recommendations

2.1 That Members recommend to full Council the adoption of the Scheme of Members' Allowances for the year 2007/08, set out in the Appendix 2 to this report, to have effect as a replacement for Part C.7 of the Council's Constitution.

Report authorised by:


Ita O'Donovan
Chief Executive


Davina Fiore
Head of Legal Services and Monitoring Officer

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3.1 Executive summary

It is a requirement of the Local Authorities (Members Allowances) Regulations 2003 that each Council before the end of March must make its Scheme of Members' Allowances afresh for the coming year. The Scheme now proposed continues the Allowances agreed by full Council on 13 November 2006 subject to an increase from 1 April 2007 in line with the percentage increase agreed in the national settlement for Local Authority officers.

4. Access to information:

Local Government (Access to Information) Act 1985

The following background papers were used in the preparation of this report and can be inspected at the Alexandra House, 10 Station Road, Wood Green, London N22 7TR by contacting Terence Mitchison on 020 8489 5936:

(i) The Council's Constitution (ii) Report to the Council about Members' Allowances on 13 November 2006 (iii) Report from the Independent Panel on the Remuneration of Councillors in London October 2006.

5. Background

- 5.1 Under the Local Authorities (Members Allowances) Regulations 2003 each Council must make its Scheme of Members' Allowances for the next municipal year before the end of March every year. This must be done whether or not any changes are proposed.
- 5.2 The legislation allows a Scheme to be amended at any time. Any changes in an allowance resulting from such an amendment can be made retrospective from the beginning of the relevant year i.e. 1 April 2007.
- 5.3 Haringey's Scheme was last revised by the full Council meeting on 13 November 2006. The Scheme then agreed, as from 1 November, for the remainder of 2006/07 is attached to this report as Appendix 1.
- 5.4 At that Council meeting, Members were advised about the interim report dated October 2006 from the Independent Panel on the remuneration of Councillors in London. The Panel found that Councillors were generally underpaid for the work they undertake and the Allowances for most Councillors had not been raised since 2002. The Panel's report is attached to this report as Appendix 3.
- 5.5 The Council meeting on 13 November 2006 revised allowances for both elected Members and non-Councillor Co-optees having regard to the Independent Panel's recommendations. The report, however, failed to properly annualise the proposed payment for Co-optees as required under the Regulations. This omission is rectified in the Allowances Scheme for 2007/08 set out at Appendix 2.
- 5.6 The Council meeting also agreed that Members' Allowances be increased annually in line with the headline figure in the national pay settlement for Local Government Officers with effect from 1 April each year. It is now provided in the Scheme that the figures shown at paragraphs 2.01, 4.01, 5.01 and 7.01 in Appendix 2 be amended once the officers' pay settlement figure is known. The Regulations state that a Scheme can make provision for the annual adjustment of Members' Allowances by reference to an "index" chosen by the Council.
- 5.7 The increases in Allowances and the amendments to the Scheme made in November generally reflect the report of the Independent Panel. At the upper end

of the SRA structure the Allowances are significantly lower than those proposed by the Panel because this was considered more appropriate for Haringey. The Council is free to depart from the proposals of the Panel provided that there are sound reasons for this and that Members duly "have regard" to the Panel's report.

6. Proposals

- 6.1 The Scheme of Members' Allowances for 2006/07 is attached as Appendix 1 to this report. Apart from the recommendation about increasing all Allowances in line with the officers' pay settlement as from 1 April and the "annualisation" of the Co-optees' Allowances, there are no substantive changes as compared to last year.
- 6.2 Once the Scheme has been made by full Council, details must be published in a local newspaper and copies of the Scheme must be available for public inspection at the Civic Centre.

7. Recommendations

- 7.1 That Members recommend to full Council the adoption of the Scheme of Members' Allowances for the year 2007/08, set out in Appendix 2 to this report, to have effect as a replacement for Part C.7 of the Council's Constitution.

8. Comments of the Director of Finance

- 8.1 There are no financial implications as a result of the recommendations in this report. The Member's Allowances will be contained within the approved budget.

9. Comments of the Head of Legal Services

- 9.1 Under the 2003 Regulations, when Members reach their decision upon the Scheme they must have regard to the recommendations contained in the Report by the Independent Panel to the ALG. The Panel's report and recommendations were considered by Members when they reviewed the Scheme in November 2006 and are attached as Appendix 3 to this report.

10. Use of Appendices

- 10.1 Appendix 1 to this report sets out the Scheme of Members' Allowances for 2006/07 as amended on 13 November 2006.
- 10.2 Appendix 2 to this report sets out the Scheme of Members' Allowances recommended for 2007/08
- 10.3 Appendix 3 to this report is the interim report of the dated October 2006 from the Independent Panel on the remuneration of Councillors in London.

Part C.7

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 2006/2007 (i.e. 1 April 2006 to 31 March 2007).

2. BASIC ALLOWANCE

- 2.01 Each Councillor will be entitled to receive the sum of £10,000 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 service on Council bodies by independent Standards Committee members and education representatives on scrutiny bodies.

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 Mobile Telephones.
The Basic Allowance includes Councillors' telephone call 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 £10,000
 - (b) The Deputy Mayor is entitled to an additional allowance of £2,500

5. SPECIAL RESPONSIBILITY ALLOWANCES

5.01 Haringey Council will allocate Special Responsibility Allowances in three bands, to Councillors who take on certain additional roles:

Band	Position	Special Allowance	Total Allowance
Band 4	<ul style="list-style-type: none">• Leader	£30,000	£40,000
Band 3	<ul style="list-style-type: none">• 9 x Executive Members• Opposition Leader• Chair of Overview and Scrutiny Committee	£22,500	£32,500
Band 2	<ul style="list-style-type: none">• Chair of General Purposes Committee• Chief Whip• Chair of Planning Applications Sub-Committee• Chair of Licensing Committee• Chair of Alexandra Palace and Park Board• Chair of Audit Committee• Chair of Pensions Panel• Opposition Deputy Leader• Opposition Chief Whip• 6 x Councillors on Overview and Scrutiny Committee	£15,000	£25,000
Band 1	7 x Chairs of Area Assemblies	£7,500	£17,500

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-OPTES' ALLOWANCES

7.01 Each independent Standards Committee member and each education representative on scrutiny bodies is entitled to an allowance of £117 per meeting excepting the Chair of the Standards Committee who is entitled to £240 per meeting payable on an annualised basis. This incorporates all other allowances, with the exception of babysitting and dependants allowance. 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 a maximum rate of £5.05 per hour. 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

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
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For an absence of more than 4 hours including lunchtime between 12.00 and 14.00	£6.77
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For an absence of more than 4 hours including the period 15.00 to 18.00	£2.67
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For an absence of more than 4 hours ending after 19.00	£8.38
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10. CLAIMS AND PAYMENTS

- 10.01 The Basic Allowance and Special Responsibility Allowances will be paid in equal monthly instalments.
- 10.02 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 10.04 below.
- 10.03 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 10.04 below..
- 10.04 If any Allowance under paragraphs 10.02 or 10.03 is not claimed within the prescribed time limit, the Head of Members' Services shall have a discretion to make the payment nonetheless.
- 10.05 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 Head of Members' Services.

11. WITHHOLDING AND REPAYMENT OF ALLOWANCES

- 11.01 The Standards Committee or any of its Sub-Committees is authorised to withdraw the payment of the allowances set out below in whole or in part, as appropriate, in the event of a Councillor being suspended or partially suspended. The allowances covered by this provision are the following:
- (a) Basic Allowance;
 - (b) Special Responsibility Allowance;
 - (c) Travelling and Subsistence Allowances; and
 - (d) Co-optees Allowance.
- 11.02 Where the Standards Committee/Sub-Committee withdraws any of the above allowances in whole or in part and it transpires that the Councillor has already been paid in whole or in part for the relevant period of suspension or partial suspension, then the Standards Committee/Sub-Committee may require that the Councillor repay the relevant amount to the Council.

12. MEMBERSHIP OF LOCAL GOVERNMENT PENSION SCHEME

- 12.01 All eligible Councillors are allowed to join the Local Government Pension scheme in respect of the Basic and Special Responsibility Allowances paid to them as part of this scheme of allowances

[the words recommended for deletion are shown struck through and the words recommended for addition or insertion are shown in italics and underlined]

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Band 2 Band 2 (continued)	<ul style="list-style-type: none"> • Chair of General Purposes Committee • Chief Whip • Chair of Planning Applications Sub-Committee • Chair of Licensing Committee • Chair of Alexandra Palace and Park Board • Chair of Audit Committee • Chair of Pensions Panel • Opposition Deputy Leader • Opposition Chief Whip • 6 x Councillors on Overview and Scrutiny Committee 	£15,000	£25,000
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Report from the Independent Panel
on the Remuneration of Councillors in London

October 2006

Report from the Independent Panel on the Remuneration of Councillors in London

We have completed our review of remuneration for councillors in London. We shall publish a fuller report as soon as possible. This will be a composite of these recommendations and our reports of 2001 and 2003.

We are well aware that members' allowances can be contentious. But we are emphatic that the quality of local democracy depends on the ability of Councils to attract able people to serve as councillors. Excellent Councils have excellent members. Financial reward is not and should not be the main motivation for service as a councillor. But a reasonable remuneration can make it possible for a wider range of people to stand for election. In his interim report on local government, Sir Michael Lyons comments that councillors are generally underpaid for the vital work which they do. We entirely agree. We believe that councils have a duty to ensure that their scheme of allowances is realistic. We very much hope that London Councils will again endorse our recommendations. We urge that all London boroughs should adopt them.

The recommendations in our report are:

1. We believe that the scheme of allowances which the Panel recommended in 2001, updated for inflation, is still appropriate. At Annex A we set out the five Bands of responsibility with updated figures for the Basic Allowance and for the five Bands.
2. We believe that the roles which we identified as attaching to the Bands are still, in general terms, appropriate. The main changes affecting the role of councillors since our last report have been around representativeness, accountability and community leadership. We have addressed these in our recommendations. We are aware that new roles have been developed, e.g. in relation to Community leadership, leadership of a specific major project, and assistants to Cabinet members holding particularly demanding portfolios like Children's Services. Such responsibilities can also provide development opportunities for the leaders of the future. We think that such roles should be identified as meriting an allowance in Band One.
3. With changes in local government structure and organisation, we accept that some Cabinet roles may be more demanding than others. Although it may be sensible for many Councils to remunerate Cabinet members at the same level, we believe that there is sufficient width in Band Two to permit Councils to recognize different levels of responsibility within the Cabinet where this is appropriate.
4. In return for the levels of remuneration which we propose, it is important that councillors account publicly for their activities. This will enable the electorate to make an informed judgement on the performance of their elected representatives in liaising with their constituents and representing their interests within the council and, in the more senior roles, their leadership in addressing the borough's issues. There are examples of good practice in this area and we will set them out in our fuller report.
5. Planning is an important responsibility of local government. Some London boroughs face planning issues of considerable complexity. In such cases, we believe that it is appropriate that the Chair of the Planning Committee should be rewarded at the higher level of Band Two.
6. We believe that allowances for co-opted members should be made only for those serving on the Standards Committee, for Education co-optees and for the independent chair of an Audit Committee. In our 2001 report we recommended an annual co-optees allowance based on the expected number of meetings at a rate of £100 per meeting. Updated, this figure now stands at £117. We recommend that the independent chair of the Standards Committee should receive a co-optees' allowance on the same basis, but with a rate of £240 per meeting to reflect the greater responsibilities of this post.

7. We believe that the role descriptions in our 2001 report are generally still appropriate. We make two additions to our description of the basic role of councillors. One relates to undertaking necessary training and development and the other to being accountable and reporting on their actions. A revised job description for councillors is attached at Annex B. We believe that all Councils should adopt such a job description to make absolutely clear what is expected of a councillor.

8. We reiterate that not more than 50% of councillors should receive a Special Responsibility Allowance (SRA) and that only one SRA should be paid to a councillor in respect of duties with the same authority.

9. Although councillors are not employees, we believe that it is reasonable that their special responsibility allowances should not cease in case of sickness, maternity and paternity leave in the same way that employees enjoy such entitlements. We recommend that Councils should be able to make arrangements in their schemes in appropriate circumstances to enable this to happen.

10. There is at present no provision in the legislation for resettlement payments to councillors. We consider that if recipients of SRAs in Bands Two, Three, Four and Five lose their seat at the polls they should be entitled to six months continued allowance to provide a cushion of time during which they can seek alternative employment. This will require legislative change, but we will make representation to Government to seek this change.

11. As stated in our letter of 26 July 2006, pension regulations have changed so that councillors are now eligible to join the LGPS before their 75th birthday. We recommend that all councillors below the age of 75 should be allowed to join the LGPS

12. We continue to recommend that the allowances we recommend should be updated annually in accordance with the headline figure in the annual local government pay settlement. We appreciate that Regulation 10 Local Authorities (Members' Allowances) (England) Regulations 2003 appears to require re-adoption of the scheme at the start of each municipal year; but if there is to be no change other than the annual update we recommend, then we believe that this can be achieved by a simple formal resolution.

13. We have considered carefully the possibility of introducing performance related pay for councillors. While this has its attractions, we are convinced that the practical difficulties are too great. However, we commend those Councils which have introduced performance appraisals for Councillors.

14. While we continue to believe intra borough travel should be part of the basic allowance, we recognise there are circumstances where it may be appropriate for a scheme to provide payment for the cost of transport e.g. journeys home after late meetings and for people with disabilities.

Rodney Brooke

Rodney Brooke CBE DL

Professor Drew Stevenson

Drew Stevenson Jo Valentin

Baroness Jo Valentin

London

18 October 2006

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.

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 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. 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
 Vice Chair of council business
 Chairs and Vice Chairs of Area Committees or Area Forums
 Cabinet Assistant
 Leadership of a strategic major topic

Remuneration

We propose that Band One special responsibility allowances should be on a sliding scale of between 20%-30% of the remuneration package for a council leader

This would be made up as follows:

Basic Allowance:	£9,964
Band 1 Allowance:	£2,227 to £8,323
Total:	£12,191 to £18,267

Band Two

The types of office we contemplate being within Band Two are:

Lead member in scrutiny arrangements, perhaps a Chair of a Scrutiny Committee
 Representative on key outside body
 Chair of major regulatory committee e.g. planning
 Chair of council business
 Leader of principal opposition group.

Remuneration

We propose that Band Two allowances should be on a sliding scale between 40%-60% pro rata of the remuneration package for a council leader.

This is made up as follows:

Basic Allowance	£9,964
Band 2 allowances:	£14,418 to £26,609
Total:	£24,382 to £36,573

Band Three

We see this band as appropriate to the following posts:

Cabinet Member

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% pro rata of the remuneration package for a council leader.

This is made up as follows:

Basic Allowance:	£9,964
Band 3 Allowance:	£32,705 to £38,801
Total:	£42,669 to £48,765

Band Four

Leader of Cabinet

This is a full-time job, involving a high level of responsibility. It is right that it should be remunerated on a basis which compares with similar positions in the public sector, whilst still retaining a reflection of the voluntary character of public service. The most appropriate measure is, in our view, that of a benchmark MP. The functions of a full-time Leader of a London borough must be at least as onerous as those of an MP, and it would be quite wrong to expect that they could be remunerated at a lower rate, even excluding (as we do) the generous expenses package to which a benchmark MP is entitled.

We propose that the remuneration package for a Council Leader under Band Four of our scheme should be £61,155.

This is made up as follows:

Basic Allowance:	£9,964
Band 4 Allowance:	£51,191
Total:	£61,155

Band Five

Directly Elected Mayor

A Directly Elected Mayor is a major innovation in the political management of local government with the office holder taking on a new role and exercising executive responsibilities over a fixed electoral cycle. We believe this post is significantly different to that of the Council Leader with Cabinet model and that it is a full time job with an importance which should be reflected in the salary level.

We propose that a Band Five Directly Elected Mayor should receive a remuneration package of 25% higher than that recommended for a Council Leader and that it should be a salary set at **£76,194**.

On behalf of the community – a job profile for councillors

Purposes:

- To participate constructively in the good governance of the area.
- To contribute actively to the formation and scrutiny of the authority's policies, budget, strategies and service delivery.
- To represent effectively the interests of the Ward for which the councillor was elected, and deal with constituents' enquiries and representations.
- 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.
- To represent the council on an outside body, such as a charitable trust or neighbourhood association.

Key Tasks:

- 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 (e.g. Setting budget, overall priorities, strategy).
- 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 Panels') terms of reference, human resource issues, staff appointments, fees and charges, and liaison with other public bodies to promote better understanding and partnership working.
- 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 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.
- 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.
- To participate, as appointed, in the area – and service-based consultative processes with the community and with other organisations.
- To represent the authority to the community, and the community to the authority, through the various forums available.
- 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.
- 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.
- To contribute constructively to open government and democratic renewal through active encouragement to the community to participate generally in the government of the area.
- To participate in the activities of any political group of which the councillor is a member.
- To undertake necessary training and development programmes as agreed by the authority.
- To be accountable for his/her actions and to report regularly on them in accessible and transparent ways.