

General Purposes Committee Supplementary Agenda



6. Members' Allowances Scheme 2023-24 and 2024-25
(Pages 3 - 56)

To agree and recommend to full Council, changes to the Scheme of Members' Allowances.

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LONDON BOROUGH OF CROYDON

REPORT:	GENERAL PURPOSES COMMITTEE	
DATE OF DECISION	19 th February 2024	
REPORT TITLE:	Members' Allowance Scheme 2022/23 and 2024/25	
DIRECTOR	Stephen Lawrence-Orumwense Director of Legal Services	
LEAD OFFICER:	Adrian May Interim Head of Democratic Services adrian.may@croydon.gov.uk	
AUTHORITY TO TAKE DECISION:	Part 3 Responsibility for Council Functions in the Constitution, identifies the General Purposes Committee (GPC) are responsible for reviewing the Member's Allowance Scheme with approval of the scheme reserved to full Council.	
CONTAINS EXEMPT INFORMATION?	NO	Public
WARDS AFFECTED:	N/A	

1 SUMMARY OF REPORT

- 1.1** Under the Local Authorities (Members' Allowances) (England) Regulations 2003, Councils must, each year, approve the Members' Allowances Scheme for the next financial year. On 1st March 2023, Full Council agreed that there would be no uplift to the Members Allowance Scheme for 2022/23 and that the 2023/24 Scheme should be materially the same as the 2022/23 Scheme.
- 1.2** In January 2024, the Independent Panel on the Remuneration of Councillors in London published its report on the remuneration of Councillors in London for 2023 ("Remuneration Report") and amongst other matters recommended that with regards to annual uplifts, all allowances should be updated annually in line with the percentage pay award agreed by the National Joint Council for Local Government Services Staff. This represents a 3.88% increase from April 2023. The Council must have regard to this and the other Independent Panel Recommendations as attached at Appendix 1.
- 1.3** The purpose of this report is to consider the Independent Panel Remuneration Report and recommendations; determine whether in light of the Independent Panel recommendation, there should be an uplift in members allowance of 3.88% and when this should commence; and determine the Members Allowance Scheme for

2024/25 and finally, whether there should be a review of the Scheme in 2024. These matters are to be the subject of recommendation to Full Council for a final decision.

2 RECOMMENDATIONS

For the reasons set out in the report, the General Purposes Committee is recommended to:

- 2.1 give due consideration to the Independent Panel Report on the Remuneration of Councillors in London for 2023 (“Remuneration Report”) including the recommendation that all member allowances should be updated annually in line with the percentage pay award agreed by the National Joint Council for Local Government Services Staff. This represents a 3.88% increase from April 2023. The Remuneration Report is attached at Appendix 1.
- 2.2 agree to recommend to Full Council that an uplift in members allowance of 3.88% in line with the Independent Panel recommendation be made, and to determine when this uplift should commence (i.e., from April 2023 or April 2024) and recommend the same to Full Council.
- 2.3 if the Committee decides that the uplift should commence from April 2023, to agree to recommend to Full Council in-year amendments to the Members Allowance Scheme for 2023/24 to permit such uplifts and which is in line with the Independent Panel Remuneration Report recommendation on member allowances for 2023.
- 2.4 Subject to Paragraphs 2.2 and 2.3, to agree to recommend to Full Council the Members’ Allowances Scheme for 2024/25 (Appendix 2).
- 2.5 to agree to recommend to Full Council that the Director of Legal Services be authorised to comply with the statutory requirements to publicise the 2024/25 Members’ Allowances Scheme together with the Independent Panel Remuneration Report and to make all necessary updates to the Constitution.
- 2.6 to agree to undertake a review of the Members Allowance Scheme in 2024 to further consider the remuneration report and feedback received on the Scheme.

3 REASONS FOR RECOMMENDATIONS

- 3.1 There is a statutory duty for a Members Allowance Scheme to be agreed by Full Council before the commencement of the financial year to which it applies. In doing so, there is a statutory duty for Full Council to have regard to the recommendations of the Independent Remuneration Panel, Appendix 1 to this report.
- 3.2 There is a statutory duty to advertise and publicise locally the Members’ Allowance Scheme each year as well as statutory duties to ensure publication of the Independent Remuneration Panel report, details of the main recommendations of the report, details of how the Council has considered the report and annual publication of allowances paid/received pursuant to any adopted scheme for the year to which it applies.

- 3.3 Whilst the Council's current scheme makes provision for an annual adjustment, no provision is made for the backdating of such adjustment within the scheme as recommended by previous Remuneration Panel reports and as required by regulation 10 of the Local Authorities (Members' Allowances) (England) Regulations 2003 . In the event that Full Council agrees that an uplift is to be applied from April 2023, the scheme for 23/24 will need to be amended to permit backdating of any uplifted allowances.
- 3.4 In respect of the scheme for 24/25, it is recommended that the scheme be updated to make provision for such backdating in the event that an uplift is approved for future years.

4. BACKGROUND AND DETAILS

- 4.1 The current Scheme provides for the payment of Basic and Special Responsibility Allowances, Dependent Carers, Travel and Subsistence Allowances and an allowance (without travel or subsistence) for the Independent Chair of Audit and Governance Committee where applicable.
- 4.2 The Croydon Member's Allowance Scheme already provides that the Basic and Special Responsibility Allowances, Civic Mayor and Deputy Civic Mayor Allowance shall be subject to an annual adjustment in accordance with the annual National Joint Council (NJC) for Local Government Services staff (LGSS) pay settlement but that any such review may only be undertaken once annually in respect of the *upcoming year*.

The details of the final settlement are often not known until towards the end of the financial year to which the settlement relates, meaning that in-year adjustments to a scheme may need to be considered.

- 4.3 At the 1st March 2023 Budget Council, it was agreed that no annual increase would be agreed for 2022/23 and that the 2023/24 Scheme should be materially the same as the 2022/23 Scheme. The annual adjustment is a long-standing recommendation of the Independent Panel however, currently in the Members Allowance scheme there is no provision for in-year annual adjustments to be backdated whether that is to the beginning of the year in which the adjustment is made or to some other date within the current year. It is proposed that specific provision be made to provide for clarity and transparency, in the event that an uplift is agreed in-year.
- 4.4 There is a legal requirement to have regard to the latest 'Remuneration of Councillors in London' report of the Independent Panel when amending / agreeing a new scheme. Their latest report, 'Remuneration of Councillors in London 2023' was published in January 2024.
- 4.5 The 2023 report of the Independent remuneration panel, alongside a recommendation as to the revised recalculation of the basic allowance level so that it more accurately reflects the requirements placed on members (as detailed in section 4.4 below) retains the LGSS settlement as the recommended index for annual adjustment, with 3.88% increase being the amount applicable for 2023/24.
- 4.6 The identified key recommendations from the 'Remuneration of Councillors in London' report for 2023 are:

- The panel conducted a thorough and detailed review of allowance for the 2023 report having not conducted an in-depth review for several years.
- The Panel canvassed members and officers in all London boroughs through surveys, focus groups and interviews, in order to consider whether and how the role of councillors has changed in recent years and what the main issues that may have an effect on the recruitment and retention of councillors are currently.
- Panel says it has become clear that allowances in many boroughs are considerably lower than remuneration received by workers in London with comparative levels of responsibilities and skills. This comparative contrast in remuneration is juxtaposed against increased workloads, time pressures, accountability, and financial pressures that councillors are presently having to manage. The levels of basic allowances for members in London were also found to be significantly below the levels approved in respect of Welsh, Scottish, Northern Irish authorities and less than similarly sized authorities to London Boroughs outside of London.
- Having looked at various options, the Panel has concluded that the most appropriate approach is to determine the basic allowance as a proportion to the remuneration of the people councillors represent and has used the Annual Survey of Hours and Earnings (ASHE) data, published by the Office for National Statistics as a basis of its calculation. The Panel has used the median wage for all London workers for this purpose. In 2022-23, this is £38,936.73 per annum. Based on a 37 hour week, and taking into account a 30% public service discount, (as has been the custom and practice) **the Panel has determined that the recommended basic allowance should be £15,960.**
- the Remuneration Report 2023 continues to recognise the LGSS increase as a basis for annual uplifts.
- Directly Elected Mayor should receive a remuneration of £93,575
- Cabinet Members, Chair of Scrutiny, recommending to be £37-46k
- Other SRA allowance are within £3,105 to £31,046
- Research found that the Londoners in focus groups felt that allowances in London needed to increase to provide a more accurate reflection of councillors' responsibilities and hours.

- During the consultation process, a significant number of councillors told the Panel that they do not think that councillors should be responsible for setting their own allowances, and that this is perhaps one of the reasons why the basic allowance in London lags behind Scotland and Wales, where allowances are set by outside bodies and it is mandatory for local authorities to adopt the recommendations. The Panel is supportive of this view, but recognised that this would need a change in legislation. The Panel intends to raise this issue with the Secretary of State.
- The panel noted that it is important that obstacles to becoming a councillor should be removed wherever possible. Care costs could be a significant deterrent to service as a councillor. The Panel's strong view is 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 at least be set at the London living wage but payment should be made at a higher rate when specialist nursing skills are required or to reflect higher costs during non-standard working hours. *An amendment to the Council's scheme to reflect this element regarding specialist nursing is proposed in the scheme for 24/25 as set out at Appendix 2.*
- Panel strongly recommends that the findings of the review are adopted across London for 2024. This is at the heart of ensuring a healthy, vibrant and representative local government in the capital.

4.7 The Independent Panel is clear that they can only make recommendations and that each council must determine its own system and rates of allowances. However, in view of the evidence obtained over the past 18 months, the Panel strongly recommends that all authorities implement the recommendations in their boroughs in the next year. Notwithstanding this, the Panel acknowledges the challenges that increasing allowances may present to boroughs, both financially and reputationally; however, the Panel is concerned that if member allowances do not keep up with its recommendations, there is a risk that they will fall significantly further behind their comparators and that councils will consequently face even greater challenges in recruiting and retaining a good calibre of councillors in the future.

4.8 The most significant recommendation was the Basic Allowance in London for 2024 being £15,960. The Panel considered that this basic allowance amount better reflects the high cost of living in London, than previous recommendations (last being effectively £12,499).

4.9 Croydon's Basic Allowance is comparable with other London Boroughs. During 2022/23 (Borough IPMR Report London Wide report) Basic Allowances ranged from £8,694 to £12,736 across Boroughs, with the Croydon allowance at £11,692 (which has not increased since 2019/20).

- 4.10 The Independent Panel's (IP) proposed Basic Allowance of £15,960 when compared to Croydon Basic Allowance of £11,692 represents a 36% increase. The cost of implementing the recommendation would be approx. £300k+.
- 4.11 The recommendation from the Independent Panel is for step-change in the Basic Allowance, whilst it is not proposed to increase the Basic Allowance by, what would constitute 36%+ increase on Croydon's Basic Allowance, it does strengthen the recommendation for Council to consider an inflationary increase for 2023/24 and/or 2024/25. It is proposed the IP recommendations are further considered by GPC as part of a wider review during 2024, to inform the 2025/26 scheme proposals (if not earlier).
- 4.12 Whilst no specific recommendations are made at this time, it should be noted that the Independent Panel recommended SRA levels are much higher than the Croydon Members Allowance Scheme provides for - including the Executive Mayor, Cabinet and Scrutiny Chair.
- 4.13 The Remuneration Report 2023 continued to recognise the LGSS increase as a basis for annual uplifts, and it's recommended that for 2024/25 this continues in the Croydon Scheme. The Panel also reconsidered how the basic allowance level should be assessed (as a proportion to the remuneration of the people councillors represent) and it is proposed that this approach could be considered as part of the General Purposes Committee review during 2024.
- 4.14 Whilst Croydon's Members Allowance Scheme has dependent carer's allowance provision, there is no provision, as recommended, for a higher rate when specialist nursing skills are required or to reflect higher costs during non-standard working hours.
- To partially meet this recommendation, it is proposed that the 2024/25 Members Allowance Scheme be amended to include the payment of enhanced rates where specialist nursing care is required, and that these are agreed prior to claiming. Historically, there has been no to low levels of claims against the provision, the cost is anticipated to be relatively negligible. Furthermore it is proposed that dependent carer's allowances are further reviewed with Members and GPC, due to the relative short time for consultation to amend the 2024/25 scheme.
- 4.15 It should be noted that the Independent Panel is proposing to convene in the final quarter of 2024 to review how the recommendations have been implemented across London. This will allow the General Purposes Committee to consider more informed recommendations related to significant amendments to the Members Allowance Scheme (2025/26).
- 4.16 Whilst the Council's current scheme makes provision for an annual adjustment linked to the LGSS, no provision is made for the backdating of such adjustment within the scheme as recommended by the previous Remuneration Panel reports and as required by the applicable regulations.
- 4.17 The scheme currently provides that if Council wishes to apply an annual adjustment (related to the Local Government Staff Settlement) this should be agreed for the following year.

- 4.18 The LGSS has historically been known before the start of the next financial year for which it is applicable. In more recent years, the LGSS has not been known until late in the year for which it was applicable. For example, the LGPSS increase of 3.88% for 2023/24 was confirmed only in November 2023.
- 4.19 In order for improved transparency to Members and the Public and to allow Council to agree annual adjustment based on actual known % increases, it is proposed to both allow agreement of increases applicable for the coming year or in-year. For clarity and to confirm - No more than one inflationary related uplift can be agreed or be applicable for any given year.

It is therefore proposed that the Members Allowance scheme be amended, to make the following provision to accommodate backdating of any adjustments when agreed for a given year:

Unless agreed otherwise by Full Council that no uplift will apply, the level of the Basic Allowance, Special Responsibility Allowances, Civic Mayor's and Deputy Civic Mayor's Allowances shall be subject to annual adjustment in line with the percentage pay award agreed by the National Joint Council (NJC) for Local Government Services staff (LGSS). Members may review this aspect no more frequently than annually to determine whether there will be an adjustment for the Council year in question. Where it is necessary to consider a potential uplift in-year (where the details of the annual LGSS settlement is not agreed until after the commencement of the year to which the scheme applies) paragraph 5 below will apply.

Where an amendment is to be made by virtue of an uplift which affects an allowance payable for the year in which the amendment is made, the entitlement to such allowance as amended is to apply with effect from the beginning of the year in which the amendment is made. There is no ability to backdate any entitlement beyond the current year.

- 4.20 Whilst the Council's current scheme makes provision for an annual adjustment no provision is made for the backdating of such adjustment within the scheme as recommended by previous Remuneration Panel reports (2006) and required by the regulations. The above is proposed, so that Council, given the challenging financial circumstances to the authority, can consider inflationary increases when knowing the actual financial cost. The backdating provision is proposed so inflationary increase if agreed for a year can be applied for that year.
- 4.21 As part of the lead up and consultation with Members on the Members Allowance Scheme, the following was highlighted.

Scrutiny related SRAs

Special Responsibility Allowances are afforded to the Chair, Deputy Chair and Vice-Chair of Scrutiny & Overview Committee. Historically, the three positions chaired three scrutiny sub-committees.

Due to the configuration of Scrutiny during 2023/24, the Deputy Chair and Vice Chair of Scrutiny & Overview chair two of the four Scrutiny sub-committees. There is no specific SRA provision within the Members Allowance Scheme for a Scrutiny Sub-Committee Chair. This leaves two sub-committee Chairs without a scrutiny related SRA.

2nd Opposition (non-principal opposition) Group Leader

Whilst Special Responsibility Allowances provision is made for principal opposition groups across authorities, the Croydon scheme does not recognise a 2nd opposition group.

Only a limited number of London authorities (20%+) make such provision. One authority makes a leader SRA provision for smaller (non-principal opposition) groups of a minimum size (i.e., 4 seats or more on Council).

- 4.22 It is proposed that time is afforded to consider the raised points, so to present options to General Purposes Committee during 2024 for consideration as part of future schemes for 2025/26
- 4.23 No further changes to Member roles, functions and responsibilities or Committee functions and business have been identified, as part of the consultation.

5 ALTERNATIVE OPTIONS CONSIDERED

- 5.1 A Council's Members' Allowance Scheme needs approving by Council before the start of the next financial year.
- 5.2 Should Council wish to make changes to the Members' Allowances Scheme at a full Council meeting, Council must give due regard to the Report of the Independent Panel 2023, just as Council needs to give due regard to the Report when considering proposals by the General Purposes Committee.

6 CONSULTATION

- 6.1 In advance of this Committee meeting, the key proposals were circulated to all political groups and parties reflected on Croydon Council on the 2nd Feb 2024.
- 6.2 Before and as part of Member consultation, Members of all parties on the Council were sent benchmarking information (Borough IPMR Report London Wide), a copy of the Independent Panel's 2023 report and key proposals and points of discussion covered in this report.
- 6.3 Informally no negative feedback to the proposals has been provided yet, and Members understood the rationale for proposing the IP recommendation related to the LGSS increase. Whilst recognising the financial challenges of the Council and residents, Members also recognised the increased living costs faced by their Members. Given

the relative short time for consultation however, further feedback from the consultation is anticipated, and will be verbally provided at the Committee meeting.

- 6.4 It should be noted that should any Member not wish to take up the proposed increase in their allowance, Part 6A the Member’s Scheme of Allowances includes provision that any Member may elect to forego all or part of the Basic Allowance and if appropriate the Special Responsibility Allowance, to which they are entitled, by writing to the Council’s Monitoring Officer.
- 6.5 The proposed change to the dependent carers allowance was not part of the consultation, however this, along with other provision of the Member Scheme is proposed to be reviewed during 2024.

7. CONTRIBUTION TO COUNCIL PRIORITIES

- 7.1 Through taking into consideration the recommendations of the IP report, it supports the Council to achieve, priority 4 of the Mayor’s Business Plan: Ensure good governance is embedded and adopt best practice.

8. IMPLICATIONS

8.1 FINANCIAL IMPLICATIONS

The annual cost of the Members Allowance Scheme for 2023/24, including the council’s national insurance contributions, will be approx. £1.54m

It is assumed that any increases in members allowances for inflation in future years will also be funded by the corporate provision for pay awards as part of the provision for council officers. The in year if agreed can be met by existing budget.

8.1.1 Revenue consequences of report recommendation

The report is recommending further consideration of the Members Allowance Scheme which could impact on 2023/24 and 2024/25 if agreed at Budget Council.

For illustration, if a 2023/24 increase is applied, aligned to the Local Government Pay Settlement. The associated budgets are presented below:

	Current Year	Medium Term Financial Strategy – 3 year forecast		
	2023/24 £'000	2024/25 £'000	2025/26 £'000	2026/27 £'000
Current Revenue	1,502	1,502	1,502	1,502

Budget Available				
Current salaries expenditure	1,433	1,433	1,433	1,433
Effect of decision from report reflected in budget virement above	55	55	55	55
Remaining Budget	14	14	14	14

Comments approved by Lesley Sheilds, Interim Head of Finance, (12/02/2024).

8.2 LEGAL IMPLICATIONS

- 8.2.1** The Council's Scheme of Members' Allowances is required to comply with the relevant provisions of the Local Authorities (Elected Mayor and Mayor's Assistant) (England) Regulations 2002, Local Authorities (Members' Allowances) (England) Regulations 2003, the Local Government and Housing Act 1989 and the Local Government Act 2000. In addition, there are separate provisions, namely sections 3 and 5 of the Local Government Act 1972 for the payment of allowances to the current civic Mayor and the deputy civic Mayor which Croydon has traditionally referenced as part of its Scheme of Members' Allowances, although the Council is not obliged to make such an inclusion as it sits outside the statutory regime for Members' Allowances.
- 8.2.2** The 2002 Regulations specifically allows for an elected mayor to be treated as a councillor of the local authority for the purposes of schemes relating to basic attendance and special responsibility allowances for local authority members as set-out within the Local Government and Housing Act 1989.
- 8.2.3** Regulation 10 of the 2003 Regulations provides that before the beginning of each year, an authority shall make the scheme required by regulation 4(1)(a) for the payment of basic allowance for that year. The scheme shall also make provision for the following allowances if an authority intends to make such payments in respect of the year–
- (a) special responsibility allowance;
 - (b) dependants' carers' allowance;
 - (c) travelling and subsistence allowance; and
 - (d) co-optees' allowance.
- 8.2.4** Subject to regulation 12 the scheme may be amended at any time but may only be revoked with effect from the beginning of a year. A scheme may make provision for an annual adjustment of allowances by reference to such index as may be specified by the authority and where the only change made to a scheme in any year is that effected by such annual adjustment in accordance with such index the scheme shall be deemed not to have been amended.

- 8.2.5** Regulation 10 (5) provides that where an authority has regard to an index for the purpose of annual adjustment of allowances it must not rely on that index for longer than a period of four years before seeking a further recommendation from the independent remuneration panel established in respect of that authority on the application of an index to its scheme. The Independent remuneration panel, in its current report, continues to recommend that any proposed annual adjustment be linked to the Local Government Staff Settlement (LGSS). Whilst the Council's current scheme makes provision for an annual adjustment, no provision is made for the backdating of such adjustment within the scheme as detailed within the report.
- 8.2.6** Where an amendment is to be made which affects an allowance payable for the year in which the amendment is made, the scheme may provide for the entitlement to such allowance as amended to apply with effect from the beginning of the year in which the amendment is made. (Regulation 10(6).)
- 8.2.7** In accordance with regulation 21, An independent remuneration panel is required to produce a report in relation to the authority or authorities in respect of which it was established, making recommendations in respect of, among other matters–
- as to whether, in the event that the scheme is amended at any time so as to affect an allowance payable for the year in which the amendment is made, payment of allowances may be backdated in accordance with regulation 10(6);
 - as to whether adjustments to the level of allowances may be determined according to an index and if so which index and how long that index should apply, subject to a maximum of four years, before its application is reviewed.
- 8.2.8** Regulation 19 of the 2003 Regulations provides that the Council must have regard to the recommendations of the independent remuneration panel before making or amending a Scheme of Allowances for its members.
- 8.2.9** Regulation 5(1) of the 2003 Regulations provide that the Scheme can make provision for an SRA to be paid to members who have such "special responsibilities in relation to the authority as are specified in the Scheme" and are within one or more of nine categories of responsibility identified in sub-paragraphs (a) - (i). This includes responsibilities such acting as leader or deputy leader of a political group within the authority; acting as a member of an Executive, presiding at meetings of a committee or sub-committee and acting as a spokesman of a political group on a committee or sub-committee.
- 8.2.10** Regulation 13 requires that the Council's scheme shall provide that a person may, by notice in writing given to the proper officer of the authority, elect to forgo their entitlement or any part of their entitlement to allowances.
- 8.2.11** Regulation 22, which makes provision for the required publicity for recommendations of Independent Remuneration Panels requires that once an authority receives a copy of a report made to it by an independent remuneration panel in accordance with regulation 21, it shall, as soon as reasonably practicable–
- (a) ensure that copies of that report are available for inspection by members of the public at the principal office of the authority, at all reasonable hours; and
 - (b) publish in one or more newspapers circulating in its area, a notice which–

- (i) states that it has received recommendations from an independent remuneration panel in respect of its scheme;
- (ii) describes the main features of that panel's recommendations and specifies the recommended amounts of each allowance mentioned in the report in respect of that authority;
- (iii) states that copies of the panel's report are available at the principal office of the authority for inspection by members of the public at such times as may be specified by the authority in the notice; and
- (iv) specifies the address of the principal office of the authority at which such copies are made available.

8.2.12 Comments approved by Director of Legal Services and Monitoring Officer (12/02/2024).

8.3 EQUALITIES IMPLICATIONS

8.3.1 Under the Public Sector Equality Duty of the Equality Act 2010, decision makers must evidence consideration of any potential impacts of proposals on groups who share the protected characteristics, before decisions are taken. This includes any decisions relating to how authorities act as employers; how they develop, evaluate and review policies; how they design, deliver and evaluate services, and also how they commission and procure services from others.

8.3.2 Section 149 of the Act requires public bodies to have due regard to the need to:

Eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Act.

- Advance equality of opportunity between people who share a protected characteristic and people who do not share it; and
- Foster good relations between people who share a protected characteristic and people who do not share it.

8.3.3 There are no direct equality implications arising from the recommendations in this report. The provision for annual increases reflected in the scheme however does reflect the report of the Independent Remuneration Panel views that allowances should be set at a level that enable people from a diverse range of backgrounds to become Councillors.

8.3.4 Councillors who require reasonable adjustments for disabilities should seek support from Democratic Services under PSED Equality Act 2010.

Approved by: Denise McCausland Equalities Programme Manager 12/02/2024

9 APPENDICES

1 - The Independent Remuneration Panel report on Councillor Allowances 2023

2 – Proposed 2024/25 Members Allowance Scheme

10 SUPPORTING DOCUMENT

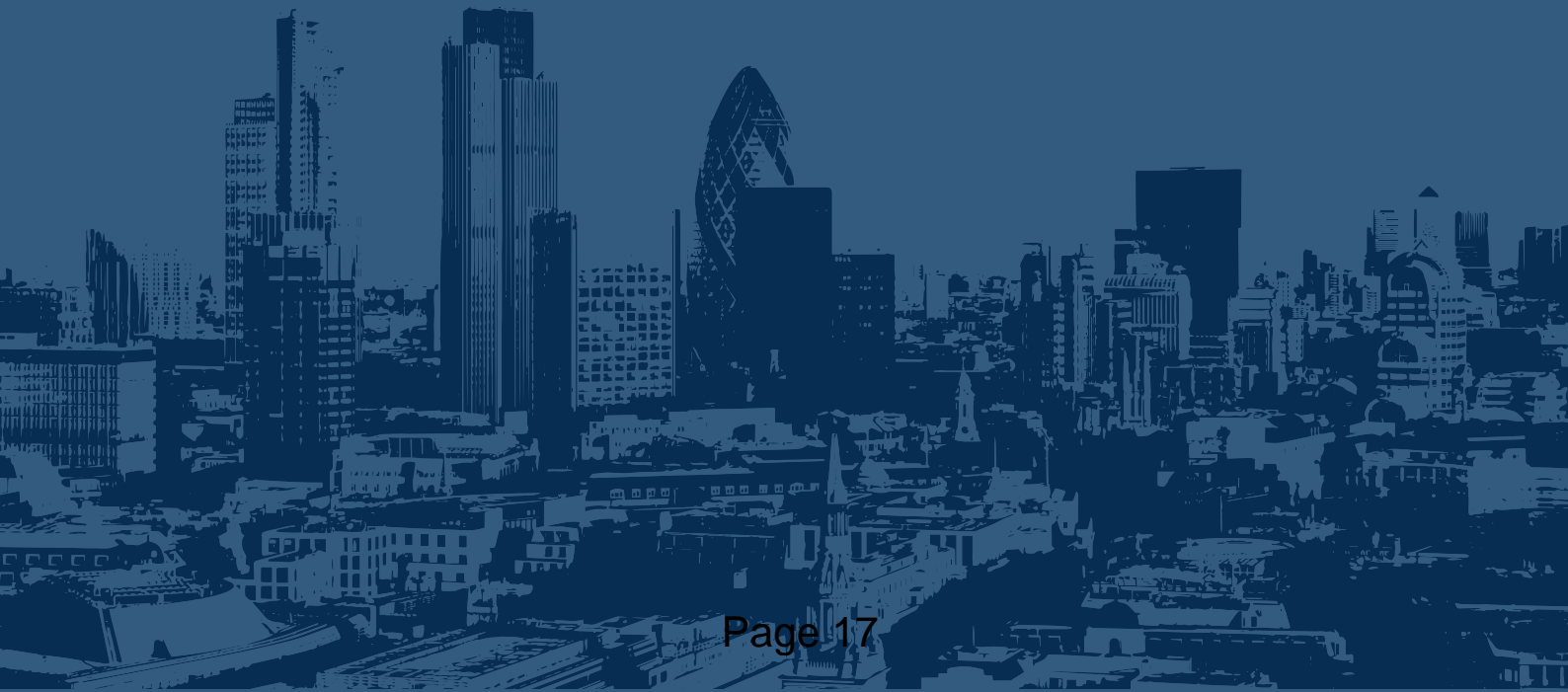
Borough IPMR Report London Wide (2023 London Benchmarking of Allowances)

<https://www.londoncouncils.gov.uk/who-we-are/about-us/financial-information/leadership-and-expenses/remuneration-councillors-london>

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The Remuneration of Councillors in London 2023

Report of the Independent Panel



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Remuneration of councillors in London 2023

1. Introduction

- 1.1 The Independent Panel on Members' Remuneration last published a report on member allowances in early 2022. In that report the Panel did not recommend substantial changes to Member allowances, it noted that the challenges facing councils and councillors appeared to be increasing and becoming more complex. Therefore, the Panel also recommended that it undertake a more detailed review in 2023.
- 1.2 For the 2023 review, the Panel has undertaken a detailed review of member allowances with the aim of providing up to date advice on appropriate levels of reward for the work of elected members in London over the next four years. The intention was to seek a wider consultation than previously, using qualitative and quantitative research to underpin its findings and recommendations. The Panel canvassed members and officers in all London boroughs through surveys, focus groups and interviews, in order to consider whether and how the role of councillors has changed in recent years and what the main issues that may have an effect on the recruitment and retention of councillors are currently. It also carried out a considerable benchmarking exercise of allowances paid in other parts of England as well as in Scotland, Wales and Northern Ireland, and undertook an in-depth review of the methodology used by Independent Remuneration Panels across the UK.
- 1.3 The research showed that basic allowances per annum in London are significantly lower than those paid in Scotland, Wales and Northern Ireland. The assessment of members' allowances in the home nations is carried out by independent bodies whereas in England, the level of allowances is determined by the local authority members themselves. It has also become clear that allowances in many boroughs are considerably lower than remuneration received by workers in London with comparative levels of responsibilities and skills. This comparative contrast in remuneration is juxtaposed against increased workloads, time pressures, accountability, and financial pressures that councillors are presently having to manage. The Panel takes the view that it is important that there is a system of support in place that recognises the vital role that elected representatives play in local government and the full scale of their responsibilities. This support includes appropriate remuneration levels.

2.0 Background

- 2.1 Local authorities are required by the Local Authorities (Members' Allowances) (England) Regulations 2003¹ to establish and maintain an independent remuneration panel to make recommendations on the level of the basic and special responsibility allowances. In London the regulations authorise the establishment of an independent panel (the Panel) by the Association of London Government (now London Councils)

¹ [The Local Authorities \(Members' Allowances\) \(England\) Regulations 2003 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

panel to make recommendations in respect of the members' allowances payable by London boroughs. The Regulations require a review of the scheme every four years as a minimum. Whilst the Panel makes recommendations, each council determines its own remuneration scheme for its own councillors, having regard to the Panel's recommendations.

- 2.2 The Independent Panel for London Councils currently comprises Mike Cooke (Chair), Sir Rodney Brooke CBE DL and Anne Watts CBE. It reported in 2022 and at that time recommended very few changes on the basis that more time was needed for a more detailed review during 2023, given that the Panel had received feedback that the work of councillors and the demands upon them had increased significantly.

3.0 Research

- 3.1 This review has provided the Panel with an opportunity to consider the roles undertaken by councillors in London, and to examine more deeply how the demands, responsibilities and scope of duties of councillors have evolved in recent years. This review also provided the Panel with an opportunity to review the methodology used by other Independent Remuneration Panels and to carry out benchmarking with other local authorities across England, Scotland, Wales and Northern Ireland.
- 3.2 The Panel has expanded on the approaches used in previous reviews. In addition to carrying out a survey of London borough Leaders to gauge their views on the operation of the existing remuneration scheme, the Panel has held a series of feedback meetings with groups of elected councillors, conducted a survey of the London branch of the Association of Democratic Services Officers (ADSO), and held meetings with officers from the London Borough Legal Alliance (LBLA), and the South London Legal Partnership (SLLP), in order to get a more complete picture of the challenges facing London's councillors today. The Panel also commissioned Ipsos to carry out a small number of focus groups to gauge the public perception of councillors' roles, responsibilities and levels of allowances.
- 3.3 The member engagement focus groups consisted of a range of participants from the three major political parties – Labour, Conservative, and Liberal Democrat, and included a range of members from inner and outer boroughs, and with different levels of responsibility (e.g. newly elected backbench councillors, Cabinet Members and borough Leaders).
- 3.4 The Panel is grateful both to everyone who participated in the consultation process and thank them for their contributions as well and to London Councils for its support to the review.

4.0 The crucial role of elected councillors

The role of the councillor has fundamentally changed in recent times. There is now more reliance from the public on their local council due to challenges such as the cost of living crisis, the effects of the pandemic and the resettlement of refugees. (Borough Leader)

- 4.1 Councillors in London oversee multi-million pound budgets and employ thousands of people; all are responsible for the delivery of a wide range of crucial services. The health and wellbeing of residents and communities are at the heart of the work of London boroughs who also at one end of the age spectrum are endeavoring to give children the best start in life, whilst at the other are helping to support older people to live as independently as possible. Local councils are at the heart of developing their boroughs and working with businesses to bring local economic benefits. The building of new homes and the improvement in the standards of existing houses are crucial to their work as is their local leadership on climate change.
- 4.2 A key aspect of the responsibility of councillors is managing the complex financial pressures involved in addressing increases in the demand for services with reductions in budgets. The scale of a London council's annual expenditure budget and other financial activities are in many instances comparable with those of large publicly quoted companies.

"The budgets that borough Leaders are managing are huge, as is their level of responsibility when something goes wrong. A borough Leader's role is now similar to that of a non-executive director of a large company" (Borough Leader)

- 4.3 At the same time Councillors are integral to the effectiveness of the local democratic process. As well as representing them, they stand ready to be approached by their residents to take up matters on their behalf where appropriate. The voice of democratically elected councillors in the development of the policies and strategies of their councils is absolutely essential. Councillors also play an important role in the oversight and scrutiny of services.
- 4.4 Some Councillors have additional and burdensome responsibilities, including Leaders of Councils, Elected Mayors and council portfolio holders. Some roles have specific statutory responsibilities (e.g. in the case of elected Mayors/statutory children's and adults cabinet members).
- 4.5 The needs of Londoners and of London's communities are becoming arguably more complex, given the seismic national and international changes ranging from the

global energy crisis, climate change, patterns of migration and housing shortages. The national economic challenges directly affect households and communities as well as businesses and councils themselves.

5.0 The role of Member Allowances

- 5.1 It is important to reflect on the purpose of the allowances, payments and related arrangements for councillors.
- 5.2 The Panel draws the reader's attention to the report of the 2007 Independent Commission on the Role of Local Councillors, chaired by Dame Jane Roberts which was commissioned to consider the incentives and barriers for encouraging people who are able, qualified and representative to be candidates to serve as councillors; retaining and developing them once they are elected and enabling them to secure public interest and recognition for the work they carry out for their communities.
- 5.3 The Roberts commission considered a wide range of issues but at its heart were the key questions of: 1) how best to ensure that people from a wide range of backgrounds and with a wide range of skills are encouraged to serve as local councillors; and 2) how to ensure those who participate in and contribute to the democratic process should not suffer unreasonable financial disadvantage.
- 5.4 Within these broad considerations there can be no doubt that financial compensation or a system of allowances plays a crucial part in making it financially possible for local people to put themselves forward to take on the onerous responsibilities involved in being a councillor and indeed to continue to serve as one.
- 5.5 For this reason it is crucial that allowances for councillors across London are pitched at an appropriate level such that they make a major contribution in ensuring diverse and effective local representation. This 2023 review of Member allowances has aimed to take a step back and ensure that the recommended allowances are pitched such that they serve this crucial purpose.
- 5.6 We are clear that the Panel can only make recommendations and that each council must determine its own system and rates of allowances. However each council must have regard to our recommendations. We are concerned that a wide variation in the level of allowances between councils across London has evolved over the years. **Given that this year's Panel review has been a significant stocktake and that we have made clear recommendations, with a clear rationale and for the important purpose described in this section, we strongly recommend that the findings of our review and the Panel's position are adopted across London. This is at the heart of ensuring a healthy, vibrant and representative local government in the capital.**

6.0 Time commitment and demands on councillors

6.1 Fulfilling the responsibilities of councillors in the many and various roles within a council has, arguably, always been demanding. In 2022 the Panel received anecdotal feedback that the workload and the time involved had increased significantly and so in this review we wanted to explore this in more detail.

6.2 The feedback from elected members and officers was that in the view of almost all the people we spoke to workloads, demands and pressures had increased. There appear to be a number of contributory factors:

- A wide range of recent events had added additional work; some examples given were: the demands of the pandemic years and the post-pandemic recovery work; sometimes given was the level of work in the resettlement of refugees; and the work to support residents through the very significant economic challenges of recent years, including during the energy crisis but also linked to the impact of food inflation and increased risks of homelessness.
- There has been a noticeable increase in the expectation that leading councillors work in closer partnership with other public services. The Health and Care Act 2022 in particular brings an expectation that councils will work in formal partnership with NHS organisations including NHS providers and Integrated Health Boards.
- The feedback confirmed the views we were given in 2002 that public expectations of councillors has increased especially linked to the societal changes that social media has brought about. Although most of the councillors we spoke to welcomed the flexibility that now exists for increased levels of remote meetings, the downside appears to be that there are more meetings. The representations which have been made to the Panel also suggest a picture of councillors being expected to be almost instantly available, with heavy constituency case loads and often with ever more complex responsibilities for the running of the council and overseeing its services.

***“ One resident submitted a formal complaint because they had messaged me on Friday evening and I hadn’t replied to them until the following Monday morning.”
(Backbench councillor)***

As well as these issues adding complexity, they make additional time demands.

“There are now many more meetings than pre-Covid. There are also numerous social media groups councillors are expected to be involved in, case work, and other commitments. I have worked out that on average I work 54 hours a week” (Cabinet Member)

- 6.3 Members have told the Panel that it is increasingly difficult to maintain a full-time job alongside their role as councillors, and this is particularly true for Cabinet Members and Leaders. The implication of this would be that it is more likely that people who are already financially secure who can carry out these roles, which may prevent younger candidates, people with lower incomes or those with young families, from standing or taking on special responsibilities. Taking up a role in local government could also hinder councillors’ career progression in their day job, and in most cases the special responsibility allowances do not compensate for the reduced salary people receive as a result of not being able to dedicate themselves fully to their day job. The time pressures involved in the role, particularly councillors with special responsibilities can make it difficult to combine the role with a job and caring responsibilities.
- 6.4 One borough Leader told the Panel that at the 2022 election, there were so few candidates that in some wards residents did not have a choice of councillors to vote for.
- 6.5 Councillors also expressed concern that appointments to positions carrying special responsibilities could be uncertain and not in most cases for a set term. Consequently, councillors have significant concerns about giving up full-time work to undertake more senior roles in their councils.

7.0 The Basic Allowance

- 7.1 As a result of the economic climate over the last decade and ongoing financial challenges, 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 for staff agreed by the National Joint Council for Local Government Staff.
- 7.2 As part of the research for this 2023 review, the Panel carried out benchmarking of recommendations on allowances and those paid by local authorities within the UK to see how current London allowances compare.
- 7.3 From the Panel’s benchmarking research, it is evident that the previous Panel’s recommendations for the basic allowance in London, lags behind Scotland, Wales and Northern Ireland. This issue was identified in the last two Panel reports, however, the Panel reluctantly decided at the time that given the financial climate it would have been inappropriate to recommend a general increase in member allowances.

- 7.4 In our last report the Panel recommended that there should be a Basic Allowance paid to every councillor of £12,014. Updated for the local government staff pay awards since then, the figure is now £12,499.
- 7.5 This allowance continues to be substantially lower than the allowance paid by all local authorities in Scotland which is presently £20,099² and similarly in Wales³ where the government-appointed commission has set the basic allowance at £17,600 for members of local authorities with populations which are generally substantially lower than those of London boroughs. Furthermore, the basic allowance in Northern Ireland from 1 April 2023 is £16,394⁴ per annum. The Panel's research has established that there are some parts of England that have similar basic allowances to those currently recommended for London boroughs. However, there are other English local authorities, where the roles and responsibilities of councillors are broadly the same to those of councillors serving in London boroughs, that pay significantly more. For example, in Birmingham⁵, in 2022-23 the basic allowance was £18,876, and in Manchester⁶ it was £18,841.
- 7.6 The Panel is of the view that when taking everything into account that the rate of the basic allowance should now be addressed.
- 7.7 As part of the 2023 review, the Panel has reviewed the methodologies used by other Panels and has identified that Independent Panels across the UK use a variety of approaches for determining how to set the member allowances. The Panel has also re-examined the methodology used in calculating allowances in the original London panel report and updated it to reflect current circumstances. The original calculation in the Panel's first report in 2001 was based on a proportion of the average 'white collar worker' wage in London.
- 7.8 Although making the comparisons with Scotland, Wales, NI and other UK cities was useful in terms of gaining a comparative perspective, the Panel has reached the view that it needed to both determine a method for London and recommend a level of allowance that was achievable, bearing in mind the historic challenges for some councils in agreeing to previous recommended allowances.
- 7.9 Having looked at various options, the Panel has concluded that the most appropriate approach is to determine the basic allowance as a proportion to the remuneration of the people councillors represent and has used the Annual Survey of Hours and Earnings (ASHE) data, published by the Office for National Statistics as a basis of its calculation. The Panel has used the median wage for all London workers for this purpose. In 2022-23, this is £38,936.73 per annum. Based on a 37 hour week, and taking into account a 30% public service discount, (as has been the custom and practice) **the Panel has determined that the recommended basic allowance should be £15,960.**

² [The Local Governance \(Scotland\) Act 2004 \(Remuneration\) Amendment Regulations 2023 \(legislation.gov.uk\)](#)

³ [Independent Remuneration Panel for Wales: annual report 2022 to 2023 \[HTML\] | GOV.WALES](#)

⁴ <https://www.communities-ni.gov.uk/publications/circular-ig-0323-consolidated-councillor-allowances>

⁵ [Independent Remuneration Panel Reports | Birmingham City Council](#)

⁶ [Microsoft Word - MCC IRP Final Report \(manchester.gov.uk\)](#)

7.10 The Panel considers that this allowance better reflects the high cost of living in London, than the previous recommendations.

7.11 It is the Panel's view that it is pressing that boroughs should implement these changes in 2024, as part of the contribution to recruiting and retaining a diverse range of good quality candidates to stand for office in London.

8.0 Special Responsibility Allowances

8.1 The reasons for payment of special responsibility allowances, additional to the basic allowance, 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.

8.2 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.

8.3 The Panel's research shows that the categories of SRAs recommended by the London Panel are comparable with those recommended by Independent Panels in other cities in the UK and in Scotland and Wales.

8.4 However, the Panel's previous recommendations have not consistently been adopted within London, and the resulting situation is that whilst there is some convergence

across London boroughs on the basic allowance, there remain substantial differences in the amounts of SRAs for similar roles in boroughs.

- 8.5 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 were historically determined as a sliding scale (pro-rata) proportion of the remuneration package for a council Leader. Since then, the increase in the remuneration of Members of Parliament has substantially exceeded the annual local government pay increase which was tied to the special responsibility allowance for the leader of a London borough, and the current MP salary is now £86,584
- 8.6 The Panel has taken the opportunity to review this historic link, and following feedback, we sense strong support for our own view that an MP's salary is no longer an appropriate comparator to set the Leader's allowance, as the roles are substantially different and indeed almost impossible to compare.
- 8.7 We received feedback that some members believe that the Leaders of London boroughs warrant a higher remuneration than an MP, because they have greater financial responsibility and legal burdens, and especially given the differential pension arrangements. Indeed, some respondent authorities suggested that the direct responsibilities of a Leader should command the salary of a junior minister.

"An MP does not undertake an executive role (strategic leadership, management & accountability of a complex public service operationally managed by highly paid officials) and so not a comparator to a Leader or elected Mayor"

(Borough Leader)

9.0 Leader's SRA

- 9.1 This is often a full-time role, involving a high level of responsibility. It is right that it should be remunerated on a basis which compares with roles with similar levels of responsibility, while still retaining a reflection of the voluntary character of public service.
- 9.2 For the Leader's SRA, the Panel has decided that a more appropriate comparator would be the Annual Survey of Hours and Earnings (ASHE) data for Corporate Managers and Directors as the level of responsibilities most closely align to those of a borough Leader. For 2022-23, the average gross annual salary for full time workers in London within this category was £108,242. After applying a 30% public service discount (as has been the custom and practice) this would provide for a Leader's total

package of £75,773. The 2022 Panel report recommended that the Leader's SRA should be £62,090. Taking into account this figure, when combined with the new recommended basic allowance, the total package for a Leader would be £78,050. As this figure is greater than that based on the ASHE calculation, the Panel is not recommending any changes to the existing Leader's SRA at this time.

10.0 Other SRAs

10.1 The Panel has previously determined that all other SRAs are calculated as a proportion of the Leader's SRA. Since its inception, the Panel has recommended using bands rather than fixed amounts, in order to allow flexibility and recognise local variations on how the roles are performed. The Panel has decided to continue using this methodology. However, as part of the review, the Panel has benchmarked the sliding scale recommended by other Panels and used by local authorities and has adjusted the percentages historically used in order to more closely align with the average used by other local authorities outside of London. **The recommended bands and levels of allowance are attached as Annex A.**

11.0 Bridging the Gap and public perception

11.1 When considering a members' allowances scheme, boroughs are obliged to have to a report by an independent panel, but it is a matter for boroughs themselves to decide whether to adopt its recommendations.

11.2 However, in view of the evidence obtained over the past 18 months, the Panel strongly recommends that all authorities implement the recommendations in their boroughs in the next year. On average, the total annual budget for members allowances in a London Borough is between 0.4-0.5% of the council's general fund net budget. Notwithstanding this, the Panel acknowledges the challenges that increasing allowances may present to boroughs, both financially and reputationally; however, the Panel is concerned that if member allowances do not keep up with its recommendations, there is a risk that they will fall significantly further behind their comparators and that councils will consequently face even greater challenges in recruiting and retaining a good calibre of councillors in the future.

11.3 The Panel perceived that there was some concern from councillors about the public acceptability of increasing allowances. As a result the Panel sought to test the public view and therefore commissioned Ipsos to undertake qualitative research, through a number of focus groups, on the public's perception on councillors remuneration. The Ipsos research was small scale but provides indicative evidence of public views.

11.4 Ipsos held three discussion groups with a representative sample of the general public in June 2023 using a deliberative approach to enable participants to reach an informed perspective. The stimulus material included pen portraits of councillors based on information received from London Councils' members on their working hours and

levels of responsibility. The information given to participants also included typical allowances received in London, in Essex, and in Wales for councillors receiving a basic allowance and average SRAs paid to Cabinet Members, and council Leaders.

- 11.5 The research found that the Londoners in focus groups felt that allowances in London needed to increase to provide a more accurate reflection of councillors' responsibilities and hours.

"I thought at least [the Council Leader's remuneration] would be about a £100,000 plus for the amount of work that she does because she's taken on casework as well... and that's time-consuming."

When exposed to allowance comparisons in different parts of the country, participants thought the current allowances did not reflect the fact that the cost of living in London was higher than elsewhere in the country.

"Councillors' pay should take into account that living in London is more expensive, so they should immediately just be paid more in general."

In addition, they recognised that the level of allowances can have a detrimental effect on the diversity of councillors and would deter those from a lower income background from becoming councillors.

"It feels like [we're] paying them so little, it feels like there are some people who can't afford to be a councillor. And that has consequences on the democratic process"

- 11.6 Participants also suggested changes to remuneration for councillors: raising the basic allowance and increasing allowances to better reflect responsibilities and hours; and additional allowances provided to support councillors with childcare costs and saving for a pension.
- 11.7 Participants expressed surprise at the range of allowances paid across London, particularly at the cabinet member and council leader level and supported greater consistency in such remuneration levels across councils in London.
- 11.8 Although the sample of Londoners was only small, it indicates that with due briefing and deliberation there is likely to be support for the increase in allowances.
- 11.9 During the consultation process, a significant number of councillors told the Panel that they do not think that councillors should be responsible for setting their own allowances, and that this is perhaps one of the reasons why the basic allowance in London lags behind Scotland and Wales, where allowances are set by outside bodies and it is mandatory for local authorities to adopt the recommendations. The Panel is supportive of this view, but recognizes that this would need a change in legislation. The Panel intends to raise this issue with the Secretary of State.

12.0 Training and support

- 12.1 The responsibilities of councillors are substantial, extensive and complex, particularly since the Pandemic and its aftermath, which has seen a rapid increase of using digital technology, and flexible ways of working. The training and development of councillors is beyond the remit of this Panel. However, the feedback we received was that councillors require the logistical and clerical support and appropriate IT equipment which will help them carry out their roles efficiently. The Panel supports this view and recommends that boroughs undertake their own stock takes to ensure appropriate support is in place to enable members to fulfil their responsibilities.
- 12.2 Furthermore, we have heard from boroughs that councillors are experiencing increased levels of abuse on social media, and so we recommend that training in navigating the increasingly challenging world of social media is also provided.

13.0 Care Costs

- 13.1 It is important that obstacles to becoming a councillor should be removed wherever possible. Care costs could be a significant deterrent to service as a councillor. Our strong view is 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 at least be set at the London living wage but payment should be made at a higher rate when specialist nursing skills are required or to reflect higher costs during non-standard working hours. We have had representation that the carers allowance should be payable to family members on the basis that it is preferable for family members to look after a dependent, especially in the evening but that the frequency is often such that it is unreasonable for this to be expected to be with no financial allowance.

The level of dependent carers allowance does not recognise the fact that babysitters tend to charge more for evening and weekend work. In addition, the carers allowance should be able to be claimed even if a family member was looking after the councillors' dependents" (Newly-elected Backbench Councillor)

- 13.2 The Panel recognises that allowance payments for family carers who are not members of a councillor's household would need to be designed with some careful consideration but is very sympathetic to this need and recommend that councils review their schemes to make this possible.
- 13.3 It's view is also 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). To this end, London boroughs are recommended to adopt a related parental leave and sickness policy as an appendix to their allowances scheme.

13.4 The Panel has received feedback that there is a need to reform the legislation governing membership of the Cabinet/Executive and how this impacts Councillors who wish to take parental leave. Councils have a strict statutory limit of ten members of the cabinet/executive – including the Leader. Should one of those members wish to take parental leave for any significant period during their tenure as a cabinet member, and there is already a full complement of cabinet and leader up to the statutory limit they are faced with what is an entirely unfair dilemma. They either resign from the post so another councillor can be appointed or they leave their colleagues with an additional workload for their period of absence. While some Councils have sought to appoint deputy cabinet members or the like these are not proper answers to this issue as they are not cabinet members with the appropriate legal and constitutional authority. It is very easy to compare this to the position of an employee where a replacement can be appointed for the duration without prejudice to the individuals' rights to return. While self-evidently Councillors are not employees there should not be any additional hurdles to participation for any section of the population.

13.5 The Panel support the view that the legislation needs reviewing.

14.0 Travel and Subsistence allowances

14.1 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.

15.0 Allowances for Civic Mayor or Civic Head

15.1 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.

16.0 Allowances that fall outside this scheme

16.1 Within the context of this review, the Panel has not looked at remuneration that councillors may receive for their roles on outside bodies, wholly owned companies or joint venture partnerships. However, in the interests of transparency, the Panel requests that councils consider how information on all members remuneration within their borough is made easily available to the public in the same place. The Panel recommends that where local authorities have set up companies which remunerate councillors who act as directors these allowance should be set out in the members allowances scheme.

17.0 Local discretion

- 17.1 It is for each borough 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. The Panel believes these should have the merits of being easy to apply, easy to adapt, easy to explain and understand, and easy to administer.
- 17.2 The scheme should be able to be applied to different types of governance arrangements and interpreted flexibly. The Panel has received legal advice that suggests that in boroughs which operate through the Committee System, where a Committee Chair has identified responsibilities in a role profile for particular services, then in practice the duties and responsibilities of a Committee Chair are equivalent to the role of a Cabinet Member and that a similar system of allowances should be used. For example, in some boroughs which use a committee system, the Statutory Lead Member for Children's Services is the Chair of the Children and Community Services Committee. In this case, it would be reasonable to suggest that this Committee Chair should receive the SRA equivalent to that of a Cabinet Member. The Panel must emphasise that these decisions are dependent on the arrangements adopted by the authority in question and should be decided on a case by case basis.

18.0 Pensions

- 18.1 There is a widespread view amongst the councillors we spoke to in 2022 and this year that a disincentive to the recruitment and retention of councillors has been the Government's decision in 2014 to remove the right of councillors to join the local government pension scheme. This was keenly felt by those councillors the Panel heard from. The Panel notes that the rationale behind that decision was unclear and that councillors in Scotland, Wales and Northern Ireland continue to be entitled to a local government pension. The Panel is of the view that this inconsistency should be addressed. Although this issue is beyond the remit of the Panel, the Panel will nevertheless write a letter to the Secretary of State asking the government to look again at this important issue,

19.0 Annual uplifts

- 19.1 The Panel continues to recommend that all allowances should be updated annually in line with the percentage pay award agreed by the National Joint Council (NJC) for Local Government Services staff.
- 19.2 In some years the NJC national pay award is agreed as being in the form of a lump sum for all or the majority of staff or the rate of increase is different at different levels on the NJC pay spine. In such situations a method of deriving an appropriate increase in the Members' basic allowance (so it keeps in line with the staff pay award) is required. To achieve this the panel will have regard to any NJC guidance such as guidance on what any lump sum equates to as an average percentage pay increase, and guidance on the percentage increase to any staff allowances. The Panel will also consider the average (mean) percentage increase to the spinal column points,

but excluding any exceptional increases such as measures to rectify a low pay problem at the lowest level of the pay spine. For illustrative purposes, for April 2023 the figure was 3.88%“

20. Review of implementation

- 20.1 The Panel proposes to convene in the final quarter of 2024 to review how its recommendations have been implemented by boroughs across London and at the same time consider the most recently published ASHE data on median salaries of those working in the Greater London area, as well as any agreed NJC national pay award.

Mike Cooke

Sir Rodney Brooke CBE DL

Anne Watts CBE

December 2023

Appendix A

THE RECOMMENDED MEMBER ALLOWANCE SCHEME FOR LONDON

The Basic allowance: £15,960

Special responsibilities – beyond the basic allowance

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.

BAND ONE

The posts that the Panel envisages 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
- First opposition group whip (in respect of council business)
- Vice chair of council business
- Chairs, vice chairs, area committees and forums
- Cabinet assistant
- 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

The Panel proposes that band one special responsibility allowances should be on a sliding scale of between 5-15% per cent of the Leader's SRA.

This would be made up as follows:

Basic allowance: £15,960

Band One allowance: £3,105 - £9,314

Total: £19,065 - £25,274

BAND TWO

The Panel considers that the types of office 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

The Panel proposes that band two allowances should be on a sliding scale between 25-50 per cent, pro rata of the remuneration package for a council leader.

This is made up as follows:

Basic allowance £15,960

Band two allowances: £15,523 - £31,046

Total: £31,483 - £47,006

BAND THREE

The Panel sees 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:

The Panel proposes that band three allowances should be between 60-75 per cent pro rata of the remuneration package for a council leader.

This is made up as follows:

Basic allowance: £15,960

Band three allowance: £37,255 - £46,569

Total: £53,215 - £62,529

BAND FOUR

Leader of the Council

This is often a full-time role, involving a high level of responsibility. It is right that it should be remunerated on a basis which compares with roles with similar levels of responsibility, while still retaining a reflection of the voluntary character of public service.

Remuneration:

The Panel proposes that the remuneration package for a council leader under band four of our scheme should be £78,052.

This is made up as follows:

Basic allowance: £15,960

Band four allowance: £62,092

Total: £78,052

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, the Panel believes that 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. The Panel believes that the distinction is paramount and this should be reflected in the salary level.

Remuneration:

The Panel proposes that a directly elected mayor should receive a remuneration of **£93,575**.

Appendix B

A Job Profile for councillors

In its previous reports, the Panel reflected on the importance of the role of elected members. The 'job profile' for councillors originally included in the Panel's 2010 report is repeated in as the Panel still considers it to be accurate and up to date.

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 represent effectively the interests of the ward for which the councillor was elected, and deal with constituents' enquiries and representations including, where required, acting as a liaison between the constituent and the local authority and where appropriate other public service providers.
10. To contribute constructively to open government and democratic renewal through active encouragement of the community to participate generally in the government of the area.
11. To participate in the activities of any political group of which the councillor is a member.
12. To undertake necessary training and development programmes as agreed by the authority.
13. To be accountable for his/her actions and to report regularly on them in accessible and transparent ways.

Appendix C

The independent panel members

Mike Cooke

Mike Cooke was the Chief Executive of the London Borough of Camden for seven years, where he had also been Director of Housing and Adult Social Care and HR Director. He has extensive experience of partnership working across London including as the Chief Executive Leadership Committee lead on children and chairing the London Safeguarding Children Board. Mike also has worked for seven years in financial services where he developed an expertise in remuneration.

Until November 2020 Mike had been a Non-Executive Director of the Central and North West London NHS Foundation Trust where he was chair of the HR Committee. Mike's current role is the Chair of the North Central London Integrated Health and Care System.

Sir Rodney Brooke CBE, DL

Sir Rodney Brooke has 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.

Dr Anne Watts CBE

Anne Watts has an extensive career in governance, diversity and inclusion spanning commercial, public and voluntary sectors. She has held executive roles for HSBC and Business in the Community and was chair of the Appointments Commission. She has carried out reviews of Government departments and the Army. In addition she has been a member of Government Pay review bodies and Deputy Chair, University of Surrey where she chaired the Remuneration Committee and the new Vet School.

She is a non-exec of Newable (previously Greater London Enterprise) where she chairs the Environmental, Social and Corporate Governance Committee and is a non-exec of Newflex subsidiary. In addition she continues to sit on the Race and Gender Equality Leadership teams for Business in the Community.

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CONSTITUTION OF THE LONDON BOROUGH OF CROYDON

PART 6A

SCHEME OF MEMBERS' ALLOWANCES 2024/25

- 1 The Council has adopted a scheme of Members' allowances that complies with the Local Authorities (Members Allowances) (England) Regulations 2003 (No. 1021) as amended and having considered the recommendations of the London Councils' Independent Panel 2022-2023 on the Remuneration of Members in London.

The Croydon scheme provides for:

- Every Member (for clarity, does not include the directly elected Mayor) to receive a basic allowance which shall be inclusive of all travel costs incurred within the Borough;
- Members appointed by the Annual Council, or subsequently by virtue of the office they hold, shall receive a Special Responsibility Allowance;
- No Member shall receive more than one Special Responsibility Allowance;
- Out-of-Borough travel and subsistence allowances shall be reviewed by the General Purposes Committee and paid in line with levels set by the Committee, unless already prescribed by Statutory Instrument or Circular. Costs related to travel and subsistence outside the Borough only when incurred undertaking an approved duty shall be eligible for reimbursement;
- The scheme for reimbursement of costs associated with providing childcare or care for a dependent relative incurred by a Member when undertaking an approved duty is set out in Appendix A and it shall be reviewed periodically by the General Purposes Committee;
- Any Member may elect to forego all or part of the Basic Allowance and if appropriate the Special Responsibility Allowance, to which they are entitled, by writing to the Monitoring Officer. Otherwise, all allowances due to each Member shall be paid automatically each calendar month on the basis of one 12th of the total;
- Members do not have access to the Local Government Pension Scheme;
- The scheme does not provide for the payment of any allowances to co-optees, with the exception of the Independent Chair of Audit and Governance Committee (who receives a special responsibility allowance but no other allowances as a 'co-optee allowance'). Where a co-opted

As amended 02.2019, 08.2019, 03.2021 and 05.2022, ~~and~~ March 2023, and March 2024

member is suspended or partially suspended from their responsibilities or duties any co-optees' allowance payable to them in respect of the responsibilities or duties from which they are suspended or partially suspended may be withheld by the authority.

- Members shall only be entitled to a pro-rata payment in respect of a term of office which is not for a complete year, which would include any job share arrangements;
- The term of office of the Independent Chair of the Audit and Governance Committee is four years and the allowance is payable annually under this Scheme. They shall only be entitled to a pro-rata payment in respect of the annual allowance for any period which is not served as a complete year.
- In all other respects, the scheme of allowances as set out here shall remain in place until such time as the Council decides otherwise.

2 The respective levels of Basic and Special Responsibility Allowances payable from April 2023 are set out in Appendix B.

3 The Civic Mayor and Deputy Civic Mayor shall receive allowances for expenses in accordance with relevant legislation in relation to the discharge of their ceremonial and other duties. The level of expenses paid to the Civic Mayor and Deputy Civic Mayor are as shown in Appendix B.

4 Unless agreed otherwise by Full Council that no uplift will apply, the level of the Basic Allowance, Special Responsibility Allowances, Civic Mayor's and Deputy Civic Mayor's Allowances shall be subject to annual adjustment in accordance with the annual in line with the percentage pay award agreed by the National Joint Council (NJC) for Local Government Services staff (LGSS). Members may review this aspect no more frequently than annually to determine whether there will be an adjustment for the upcoming Council year in question. Where it is necessary to consider a potential uplift in-year (where the details of the annual LGSS settlement is not agreed until after the commencement of the year to which the scheme applies) paragraph 5 below will apply.

5 Where an amendment is to be made by virtue of an uplift which affects an allowance payable for the year in which the amendment is made, the entitlement to such allowance as amended is to apply with effect from the beginning of the year in which the amendment is made. There is no ability to backdate any entitlement beyond the current year.

6 All Members shall continue to receive their Basic Allowance in full in the case of maternity, adoption, shared parental, paternity and sickness leave (subject

to the six-month councillor attendance at meetings requirement under Section 85 of the Local Government Act 1972).

34 7 In specific circumstances the payment of a Special Responsibility Allowance may continue during a period of absence in the case of maternity, adoption, shared parental, paternity and sickness leave. Where the SRA is paid at a reduced level the payment will be applied proportionately during the period of absence. Where members have elected not to receive their SRA no payment will be made. The Council, relevant committee/body or Mayor in case of Cabinet Members, as appropriate, may depending on the circumstances, appoint a temporary replacement to cover the period of absence, who will be entitled to an SRA pro-rata for the period of the temporary appointment.

8 Full details of entitlement to leave and allowances as a result of maternity, adoption, shared parental, paternity and sickness are attached at Appendix C.

DEPENDENT CARERS, TRAVEL AND SUBSISTENCE ALLOWANCE SCHEMES

Members are entitled to claim reimbursement of expenditure incurred on the provision of the care of their children and dependent relations requiring care when undertaking an Approved Duty, subject to the provisions of the scheme set out below. Members are also entitled to claim travel and subsistence expenses incurred in the performance of an Approved Duty.

Approved Duties

An Approved Duty shall be one that is specified in the relevant statutory Regulations, which currently provide for the following activities:

- 1 A meeting of the Executive.
- 2 A meeting of a Committee of the Executive.
- 3 A meeting of the Authority.
- 4 A meeting of a Committee or Sub-committee of the Authority.
- 5 A meeting of any other body to which the Member has been appointed or nominated by the Authority.
- 6 A meeting of a Committee or Sub-Committee to which the Member has been appointed or nominated by the Authority.
- 7 A meeting which has been authorised by the Authority, a Committee or Sub-Committee or a joint Committee of the Authority or one or more other authorities, or a Sub Committee of a joint Committee and to which representatives of more than one political group have been invited.
- 8 A meeting of a local authority association of which the Authority is a member.
- 9 Duties undertaken on behalf of the authority in connection with the discharge of any function of the Authority conferred by or under any enactment and empowering or requiring the Authority to inspect or authorised the inspection of premises.

The following Rates of Allowances shall be monitored by the General Purposes Committee, who shall also have power to revise them.

**RATES OF
DEPENDENT CARERS, TRAVEL AND SUBSISTENCE ALLOWANCES
TO MEMBERS OF THE COUNCIL**

The following allowances will be paid as a reimbursement of **INCURRED** expenditure **FOR AN APPROVED DUTY**, following the submission of receipts or other supporting documents, within 2 months of the expenditure being incurred.

DEPENDENT CARERS ALLOWANCE

1. Expenditure not less than the London Living Wage, currently £~~41~~13.~~0~~15 per hour, incurred in respect of care provided by a person that is not a member of the Member's household, for:
 - ~~—~~ The care of children 15 years of age or under living in the Member's household; or ~~—~~
 - The care of other dependants where there is medical or social work evidence that care is required.
 - Where specialist nursing care is required at a higher rate, and the prior written agreement of the Head of Democratic Services on behalf of the Monitoring Officer has been obtained, a higher rate will be payable.

TRAVEL ALLOWANCES (payable only for Out-of-Borough travel)

Rail or other Public Transport

Ordinary or cheap fare, at first class rates, plus actual expenditure on:

- [a] Pullman car or similar supplements; reservation of seats; deposit or portorage of luggage.
- [b] Sleeping accommodation for an overnight journey (subject to thirty-three and one third percent reduction of any subsistence allowance payable for that night).

Taxi-Cab or Cab

- [a] In cases of urgency or where no public service is reasonably available, the amount of the actual fare and any reasonable gratuity paid;

As amended 02.2019, 08.2019, 03.2021 and 05.2022, ~~and~~ March 2023, and March 2024

[b] In other cases, the equivalent fare for travel by an appropriate public transport.

Private motor vehicle

The rate for travel by a Member's private motor vehicle shall not exceed the following rates:

- [i] motorcycle, tricar or motor car of cylinder capacity 500cc **25.9p per mile**
- [ii] not exceeding 999cc **34.6p per mile**
- [iii] 1000cc - 1199cc **39.5p per mile**
- [iv] 1200cc and above **48.5p per mile**
- [v] For the carriage of each additional Member of the Council (not exceeding four): 3.0p per mile for the first passenger and 2.0p per mile for second and subsequent passengers.
- [vi] Expenditure on tolls, ferries, parking fees.
- [vii] Reimbursement of overnight parking charges.

Private bicycle

The rate for travel by a Member's private bicycle shall not exceed **24.0p per mile**.

Hired Cars

The rate which would have been applicable had the vehicle belonged to the Member who hired it. Subject to the approval of the General Purposes Committee, the rate may be increased to an amount not exceeding the actual cost of hiring.

SUBSISTENCE ALLOWANCES (payable only for Out-of-Borough subsistence)

Breakfast Allowance **£4.92**

More than 4 hours away from normal place of residence or a lesser period before 11am.

Lunch Allowance **£6.77**

More than 4 hours away from normal place of residence or a lesser period including the lunchtime between noon and 2pm.

Tea Allowance **£2.67**

More than 4 hours away from normal place of residence or a lesser period including the period 3pm to 6pm.

Evening Allowance **£8.38**

More than 4 hours away from normal place of residence or a lesser period ending after 7pm.

Overnight Absence **£79.82**

From usual place of residence

Overnight Absence in London **£91.04**

Or for the purpose of attendance at an annual conference (including or not including an annual meeting) of the Association of County Councils, the Association of Metropolitan Authorities and the Association of District Councils or such other association of bodies as the Secretaries of State may for the time being approve for the purpose.

For the purposes of the above paragraph, London means the City of London and the London Boroughs of Camden, Greenwich, Hackney, Hammersmith & Fulham, Islington, Kensington & Chelsea, Lambeth, Lewisham, Southwark, Tower Hamlets, Wandsworth and Westminster.

NOTE: Any Subsistence Allowances claimed should be reduced by an appropriate amount in respect of any meal provided free of charge by the Council or body in respect of the meal or the period to which the allowance relates. Additionally, where main meals are taken on trains during a period for which there is an entitlement for a day subsistence allowance, the reasonable cost of the meals (including VAT) may be reimbursed in full. In such circumstances, reimbursement for the reasonable cost of a meal replaces the entitlement to the day subsistence allowance for the appropriate meal period.

COUNCILLORS' BASIC AND SPECIAL RESPONSIBILITY ALLOWANCES
April 2023/2024/2025.

Note this table would need to be updated dependent upon the agreement of GPC, and updated table presented to Council. The table currently shows the allowances for the 2023/24 scheme and impact of a 3.88% increase in tracked changes:

		(£)
Basic Allowance	All Members	<u>12,145</u> 11,692
	Civic Mayor's Allowance	<u>16,517</u> 15,900
	Deputy Civic Mayor's Allowance	<u>8,259</u> 7,950.40
Special Responsibility Allowances - Paid in addition to Basic Allowance (Unless otherwise stated)		
	Elected Mayor of the Council (inc. Basic Allowance)	<u>85,072</u> 81,894.36
	Statutory Deputy Mayor	<u>31,530</u> 30,352.80
	Cabinet Members (up to 7 positions)	<u>28,570</u> 27,503.20
	Deputy Cabinet Members (up to 5 positions)	<u>5,704</u> 5,491.36
	Chair - Scrutiny and Overview Committee	<u>21,755</u> 20,942
	Deputy Chair - Scrutiny and Overview Committee	<u>8,919</u> 8,585.60
	Conservative Group Secretary	<u>8,589</u> 8,268
	Conservative Chief Whip	<u>12,592</u> 12,121.80
	Chair - Licensing Committee	<u>8,566</u> 8,246.40
	Chair - Planning Committee	<u>13,738</u> 13,224.80
	Chair - Pension Committee	<u>7,654</u> 7,368
	Chair – General Purposes Committee	<u>5,833</u> 5,615.20
	Leader of the Labour Group	<u>18,653</u> 17,956
	Deputy Leader of the Labour Group (Up to 2 positions)	<u>6,822</u> 6,567.60
	Shadow Cabinet Members (up to 6 positions)	<u>5,833</u> 5,615.20
	Labour Chief Whip	<u>5,833</u> 5,615.20

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	Labour Group Secretary	<u>5,7195,505.60</u>
	Vice Chair - Scrutiny and Overview Committee	<u>8,919 8,585.60</u>
Co-optee allowance	Chair - Audit and Governance Committee	<u>8,3108,000.00</u>

As amended 02.2019, 08.2019, 03.2021 and 05.2022, and March 2023

APPENDIX C
PARENTAL AND SICKNESS LEAVE
ARRANGEMENTS

Introduction

This Appendix sets out Members' entitlement to maternity, paternity, shared parental adoption leave and sickness leave and relevant allowances.

The objective is to ensure that insofar as possible Members are able to take appropriate leave at the time of birth or adoption that both parents are able to take leave, and that reasonable and adequate arrangements are in place to provide cover for portfolio-holders and others in receipt of Special Responsibility Allowances (SRA) during any period of leave taken.

Improved provision for new parents will contribute towards increasing the diversity of experience, age and background of local authority Members. It will also assist with retaining experienced Members – particularly women – and making public office more accessible to individuals who might otherwise feel excluded from it.

There is at present no legal right to parental leave of any kind for elected Members. This applies to MPs as well as Members and these arrangements can therefore only currently be implemented on a voluntary basis by individual Councils.

1. Leave Periods

Maternity

1.1 Members giving birth are entitled to up to 6 months maternity leave from the due date, with the option to extend up to 52 weeks by agreement if required.

1.2 In addition, where the birth is premature, the Member is entitled to take leave during the period between the date of the birth and the due date in addition to the 6 months' period. In such cases any leave taken to cover prematurity of 28 days or less shall be deducted from any extension beyond the initial 6 months.

1.3 In exceptional circumstances, and only in cases of prematurity of 29 days or more, additional leave may be taken by agreement, and such exceptional leave shall not be deducted from the total 52 week entitlement.

Paternity

1.4 Members shall be entitled to take 2 weeks paternity leave if they are the biological father or nominated carer of their partner/spouse following the birth of their child(ren). The Member may take one week at a time or two consecutive weeks of paternity leave, but not single days or less than a week's duration. Paternity leave must be taken within two months of the birth or adoption.

Shared parental leave

1.5 A Member is entitled to Shared Parental Leave if they have (or share with the other parent) the main responsibility for the care of the child and are either the Mother, Father, Main Adopter or Other Adopter of the child, or the spouse, civil partner or partner of the Mother/Main Adopter.

A Member may share up to 50 weeks leave if the Mother/Main 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 Main Adopter.

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 of the child.

1.6 Where both parents are Members leave may be shared up to a maximum of 24 weeks for the first six months and 26 weeks for any leave agreed thereafter, up to a maximum of 50 weeks. Special and exceptional arrangements may be made in cases of prematurity.

Adoption

1.7 A Member who adopts a child through an approved adoption agency shall be entitled to take up to six months adoption leave from the date of placement, with the option to extend up to 52 weeks by agreement if required.

Sickness

A Member who is sick will continue to receive the basic allowance as long as they remain a councillor and comply with the attendance requirements regarding council meetings under section 85 of the Local Government Act 1972. They will also continue to receive any SRA for a period of up to six months during any 12 month period subject to review and a possible extension by six months.

General

1.8 Any Member who takes maternity, shared parental, adoption or sickness leave retains their legal duty under the Local Government Act 1972 to attend a meeting of the Council within a six month period unless the Council Meeting agrees to an extended leave of absence prior to the expiration of that six month period.

1.9 Any Member intending to take maternity, paternity, shared parental, adoption or sickness leave will be responsible for ensuring that they comply with the relevant notice requirements of the Council as set out in paragraph 4 below, both in terms of the point at which the leave starts and the point at which they return.

1.10 Any member taking leave should ensure that they respond to reasonable requests for information as promptly as possible, and that they keep officers and colleagues informed and updated in relation to intended dates of return and requests for extension of leave.

2 Basic Allowance

2.1 All Members shall continue to receive their Basic Allowance in full whilst on maternity, paternity, adoption or sickness leave as long as they remain a Member (subject to the six month councillor attendance at meetings requirement in section 85 of the Local Government Act 1972).

3. Special Responsibility Allowances

3.1 Members entitled to a Special Responsibility Allowance shall continue to receive their allowance in full in the case of maternity, paternity, shared parental, adoption or sickness leave for a period of 6 months followed by a further period of 6 months at half rate.

3.2 Where a temporary replacement is appointed to cover the period of absence that person shall also receive an SRA on a pro rata basis for the period of the temporary appointment.

3.3 The payment of Special Responsibility Allowances, whether to the primary SRA holder or a temporary replacement, during a period of maternity, paternity, shared parental, adoption or sickness leave shall continue for a period of six months subject to a possible extension for a further six month period or until the Member or temporary replacement ceases to be appointed to a position entitling an SRA or is up for election whichever is the sooner.

3.4 Should a Member appointed to act as a temporary replacement for the Member on maternity, paternity, shared parental, adoption or sickness leave already hold a remunerated position, the ordinary rules relating to payment of more than one Special Responsibility Allowances shall apply.

4. Notification

4.1 Maternity Leave: The Member should notify the Head of Democratic Services of their intention to take maternity leave in writing no later than 28 days before the date they wish the period of maternity leave to start and:

- i) Confirm the expected date of childbirth; ii)) Provide a copy of the MATB1 (available from a doctor or midwife);
- iii) Confirm the dates which the Member will be absent.

4.2 Paternity Leave: The Member should notify the Head of Democratic Services of their intention to take paternity leave in writing no later than 28 days before they wish the period of paternity leave to start and:

- i) Confirm the expected date of childbirth; or date the child is expected to be placed for adoption (UK Adoption); or the date on which the date on which the child is expected to enter Great Britain (Overseas Adoption);

As amended 02.2019, 08.2019, 03.2021 and 05.2022, and March 2023

- i) Provide a copy of the MATB1 or matching certificate/official notification;
- iii) Confirm the dates which the Member will be absent.

4.3 Adoption Leave: The Member should notify the Head of Democratic Services of their intention to take adoption leave in writing no later than 28 days before the date they wish the period of adoption leave to start and:

- i) Confirm they are the Main Adopter and the date the child is expected to be placed for adoption (UK Adoption) or the date on which the child is expected to enter Great Britain (Overseas Adoption); ii)) Provide a copy of the matching certificate/official notification;
- iii) Confirm the dates which the Member will be absent

4.4 Shared Parental Leave: The Member should notify the Head of Democratic Services of their intention to take shared parental leave in writing no later than 28 days before the date they wish the period of shared parental leave to start and:

- i) Confirm their entitlement to shared parental leave and the expected (or actual) date of birth/placement;
- ii) Confirm the start and end dates of the Mother/Main Adopter's maternity/adoption leave, the amount of shared parental leave available and how much each parent intends to take; iii) Provide a copy of the MATB1 or matching certificate/official notification;
- iv) Confirm the dates which the Member will be absent.

4.5 Sickness Leave. The Member should notify the Head of Democratic Services where they are likely to be sick for a period in excess of 2 months.

4.6 If the Member wishes to change the start date of a period of leave they should write to the Head of Democratic Services no later than 28 days before either the original start date or the new start date (whichever is earlier).

4.7. If the Member wishes to change the end date of a period of leave they should write to the Head of Democratic Services at least 28 days before either the original end date or the new end date (whichever is earlier).

4.8. The Head of Democratic 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 within 10 working days.

5. Resigning from Office and Elections

5.1 If a Member decides not to return at the end of their maternity, paternity, and shared parental, adoption or sickness leave they must notify the Council at the earliest possible opportunity. All allowances will cease from the effective resignation date.

5.2 If an election is held during the Member's maternity, paternity, shared parental, adoption 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.