

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO COUNCIL

02 APRIL 2014

REPORT OF THE MONITORING OFFICER

THE REPORT OF THE INDEPENDENT REMUNERATION PANEL FOR WALES – MEMBERS’ REMUNERATION

1. PURPOSE OF REPORT

- 1.1 To advise Council of the determinations and recommendations contained within the February 2014 Annual Report of the Independent Remuneration Panel for Wales in respect of the level and range of remuneration the Authority must make available to its Members for the 2014/15 municipal year.
- 1.2 To seek approval:
 - and adoption of the relevant determinations of the Independent Remuneration Panel contained within its February 2014 report
 - for the proposed level of remuneration for the Mayor and Deputy Mayor
 - of those posts (as detailed in the revised Members’ Schedule of Remuneration at Appendix 2), who will receive a senior/civic salary.
 - of the revised Members’ Schedule of Remuneration at Appendix 2, which will become effective from 14 May 2014 (Annual Meeting of Council).
 - that the Members’ Schedule of Remuneration be automatically updated with any changes to Senior/Civic Salary positions subsequently made by Council during the 2014/15 municipal year.

2. CONNECTION TO CORPORATE IMPROVEMENT PLAN / OTHER PRIORITIES

- 2.1 The Independent Remuneration Panel for Wales has acknowledged the need to ensure that financial barriers do not stand in the way of attracting more people to serving in local government. The active participation of all Members contributes to all Corporate Priorities.

3. BACKGROUND

- 3.1 The Local Authorities (Allowances for Members) (Wales) Regulations 2007 provided for the establishment of the Independent Remuneration Panel for Wales.
- 3.2 During 2013 the Panel visited all 22 Local Authorities, the 3 National Park Authorities (NPAs) and the 3 Fire and Rescue Authorities (FRAs) to discuss how their determinations were working in practice and the matters that they should be considering in its 2014 Annual Report

- 3.3 The Panel's third report was published in February 2014 under the extended remit and powers provided by the Local Government (Wales) Measure 2011. It prescribes the range and level of remuneration payable to Elected Members for the 2014/15 municipal year.
- 3.4 The 44 determinations of the Independent Remuneration Panel report published in February 2014 are shown at Appendix 1 and are separated into appropriate sections for clarity.

4. CURRENT SITUATION / PROPOSAL

- 4.1 The panel advised that they had not increased the overall amount of payments in its framework since it established the current levels in 2011. They considered that with the very modest relaxation in the constraints for the public sector pay this year and to prevent a further erosion of relative levels of remuneration, to increase the basic salary for Local Authority Members by less than 1% and to increase other payments proportionately, from spring 2014. **(Determination 1)**. The increase in salaries also reduced the disparity between those Councils with a larger population. **(Determination 2)**.
- 4.2 Although Council is unable to change the prescribed level of remuneration determined by the Panel, individual members are permitted to independently and voluntarily forego all or any element of remuneration to which they are entitled by writing to the Authority's Proper Officer.
- 4.3 The Panel also determined that committee chairpersons and the Leader of the largest opposition group must be paid £22,000. Leaders of groups are to be paid £17,000 subject to the 10% rule, i.e. leading a political group that represents more than 10% of the elected members of the Council **(Determinations 3, 4, 5)**
- 4.4 During its Panel's visits in 2013, Local Authorities requested greater local flexibility in applying the national remuneration framework. To meet this request Local Authorities have now been provided with an opportunity to set the remuneration of civic heads and their deputies to reflect their activity and responsibilities **(Determination 6)**. The following table shows the possible levels of remunerations for the Mayor (Civic Head) and the Deputy Mayor (Deputy Civic Head) with the proposed levels being shown in bold:

Role	Current Salary	Level	Remuneration
Mayor (Civic Head)	£21,375	a.	£24,000
		b.	£21,500
		c.	£19,000
Deputy Mayor (Deputy Civic Head)	£16,625	a.	£18,000
		b.	£16,000
		c.	£14,000

- 4.5 The Panel determined the remuneration of the Presiding Member and Deputy Presiding Member which are not applicable to this Authority **(Determinations 7 & 8)**
- 4.6 The Panel's determination that each Authority must ensure that all its councillors

are given as much support as is necessary to enable them to fulfil their duties effectively and that deductions must not be made from members' salaries as a contribution towards those support costs has been re-iterated. The Panel considered that appropriate support fell within the function of the Democratic Services Committee (DSC) to review the support provided to councillors and recommendations could be made by the DSC to Council accordingly.

(Determinations 9 & 10). There are no changes in respect of re-imburement of mileage costs, however the re-imburement for subsistence specifically for overnight stays in Cardiff has now been subsumed into the "elsewhere" category.

- 4.7 The determination in respect of the re-imburement for the care of dependent children and adults up to a maximum of £403 per month remains unchanged. **(Determination 11)**
- 4.8 Remuneration for Chairpersons of Joint Overview and Scrutiny Committees (JOSC) is not prescribed by the Panel and is for each Local Authority to determine. There are currently no JOSCs planned to be established with Elected Members from Bridgend and therefore it is proposed that no payments for the Chairpersons of JOSC be made. **(Determinations 12-19)**
- 4.9 The Local Government (Wales) Measure 2011 provided the Panel with the authority to make determinations in respect of pension entitlement. The Panel has determined that the entitlement to join the Local Government Pension Scheme (LGPS) shall apply to all Elected Members of principal councils. **(Determination 20)** This Council currently has 21 Councillors who have joined the Local Government Pension Scheme.
- 4.10 The Panel has made determinations relating to the National Park Authorities (NPA) which do not apply to this Authority. **(Determinations 21-26)**
- 4.11 The Panel has made determinations relating to the Fire and Rescue Authorities (FRA) **(Determinations 27- 31)** which do not apply to this Authority. The Panel has re-iterated that any Elected Member from a Local Authority in receipt of a Senior Salary cannot receive a salary from and FRA to which they have been appointed. **(Determination 32)**
- 4.12 The Panel decisions in respect of co-optee payments (with voting rights) were the subject of a supplementary report presented and adopted by Council on 11 December 13 and implemented on 1 January 2014. **(Determinations 33 – 37)**
- 4.13 The Panel has also provided opportunities within its remuneration framework for other roles for which senior salaries can be paid **(Determination 38)**. These roles could be considered as "development posts" which could provide additional support to senior salary holders. Local Authorities are able to make a case to extend its scheme and its schedule of remuneration to include a post or posts that it considers to be important and involves a significant, sustained and additional responsibility. Further guidance will be issued by the Panel but the following principles will apply:
 - a. The total number of senior salaries cannot exceed fifty percent of the membership.

- b. Applications will have to be approved by the Authority as a whole (cannot be delegated).
- c. There must be clear evidence that the post/posts have additional responsibility demonstrated by a description of the role, function and duration.
- d. Each application will have to indicate the timing for a formal review of the role to be considered by the authority as a whole.

4.14 The Panel has made determinations relating to the Town and Community Councils (**Determinations 39- 44**) which do not apply to this Authority.

4.15 The Panel has removed the requirement for the Authority to negotiate with HMRC block tax dispensations for councillors in respect of the full range of allowable expenses and secure timely tax and benefit advice for councillors in respect of their earnings and expenses.

5. EFFECT UPON POLICY FRAMEWORK & PROCEDURE RULES

5.1 The Members' Schedule of Remuneration will need to be updated to reflect any changes approved by Council and to meet the requirements of the Independent Remuneration Panel.

6. EQUALITIES IMPACT ASSESSMENT

6.1 There are no negative equality implications arising from this report.

7. FINANCIAL IMPLICATIONS

7.1 Initial analysis of the budgetary implications shows that should all members decide to be remunerated as prescribed by the Panel and proposed in this report the salary liability inclusive of employers' on-costs will increase by just over £7k.

7.2 It is anticipated that this increase in cost can be met from existing budget provision.

8. RECOMMENDATIONS

8.1 Council is recommended to note the determinations and recommendations contained within the February 2014 Report of the Independent Remuneration Panel for Wales in respect of the level and range of remuneration the Authority must pay its Members for the 2014/15 municipal year.

8.2 Council is requested to approve:

- the adoption of the relevant determinations of the Independent Remuneration Panel contained within its February 2014 report
- the level of remuneration for the Mayor and Deputy Mayor as proposed in paragraph 4.4
- those posts (as detailed in the revised Members' Schedule of Remuneration at Appendix 2), who will receive a senior/civic salary.

- the revised Members' Schedule of Remuneration at Appendix 2, and for it to become effective from 14 May 2014 (Annual Meeting of Council).
- that the Members' Schedule of Remuneration be automatically updated with any changes to Senior/Civic Salary positions subsequently made by Council during the 2014/15 municipal year.

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21 February 2014

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Background documents:

- Independent Remuneration Panel for Wales Annual Report February 2014.
- Bridgend County Borough Council minutes dated 11 December 2013
- Local Government (Wales) Measure 2011

The Panel's Determinations 2014/15

	Local Authority
(1)	The Panel has concluded that it is now appropriate for basic salary levels in 2014/15 for members of principal local authorities to be raised from £13,175 to £13,300.
(2)	The Panel has concluded that differentials in remuneration between different sized authorities for these key roles should be narrowed
(3)	The Panel has determined that each individual authority, regardless of population size, must pay committee chairs, if remunerated, a Band 3 senior salary of £22,000.
(4)	The Panel has therefore determined that a Band 3 senior salary of £22,000 must be paid to the leader of the largest opposition group.
(5)	The Panel has determined that a Band 5 senior salary of £17,000 must be paid to leaders of other political groups, if remunerated.
(6)	Having regard to the time, role and senior responsibilities of civic heads and deputy civic heads, the Panel has determined that (where paid) civic salaries within the following levels are payable and will be applied by authorities as each considers appropriate, taking account of the anticipated workloads and responsibilities.
(7)	The Panel has determined that, where appointed and if remunerated, a presiding member must be paid a Band 3 senior salary of £22,000. This post will count towards the cap.
(8)	The Panel has determined that the post of deputy presiding member will not be remunerated.
(9)	The Panel has determined that each authority must ensure that all its councillors are given as much support as is necessary to enable them to fulfil their duties effectively. All councillors should be provided with adequate telephone and email facilities and electronic access to appropriate information.
(10)	The Panel has determined that such support should be without cost to the individual elected member. Costs of support must be appropriate, reasonable and publicly declared. Deductions must not be made from members' salaries by the respective authority as a contribution towards those support costs which the authority considers necessary for the effectiveness and/or efficiency of members.
(11)	All authorities must provide for the reimbursement of necessary costs for the care of dependent children and adults (provided by informal or formal carers) up to a maximum of £403 per month. Reimbursements shall only be made on production of receipts from the carer.
	Joint Overview and Scrutiny Committees
(12)	The chair of a Joint Overview and Scrutiny Committee is eligible for a salary equivalent to that part of a Band 3 senior salary that remunerates a committee chair of a principal authority at £8,700.
(13)	In cases where the chair is already in receipt of a senior salary for a Band 3, 4 or 5 role the payment will be £4,350.
(14)	The chair of a sub-committee of a Joint Overview and Scrutiny Committee is eligible for a salary of £2,157.
(15)	In cases where the chair of the sub-committee is already in receipt of a senior salary for a Band 3, 4 or 5 role the payment will be £1,090
(16)	Payments to chairs of task and finish sub committees are to be pro-rated to the duration of the task.
(17)	Payments made to a chair of a JOSC or a chair of a sub-committee of a JOSC are additional to the maximum proportion of the authority's membership eligible for a senior salary. It should be noted that the statutory limit of no more than 50% of a council's membership receiving a senior salary applies (Section 142 (5) of the

	Measure).
(18)	A deputy chair of a JOSOC or sub-committee is not eligible for payment.
(19)	Co-optees to a JOSOC or to a sub-committee are not eligible for a co-opted member fee unless they are appointed by an authority under Section 144(5) of the Measure.
	Local Government Pension Scheme
(20)	The entitlement to join the Local Government Pension Scheme (LGPS) shall apply to all elected members of principal councils.
	National Parks Authority (NPA)
(21)	The basic salary for NPA ordinary members should be £3,600 (42/156 x £13,300).
(22)	The senior salary of the chair of an NPA should be £12,300 (£3,600 + £8,700).
(23)	The senior salary of a deputy chair and chairs of NPA committees can be paid at either of the following levels to be decided by the authority to reflect the appropriate responsibility: <ul style="list-style-type: none"> • Level 1: £7,300 (£3,600 + £3,700). • Level 2: £6,000 (£3,600 + £2,400).
(24)	Members must not receive more than one NPA senior salary.
(25)	An NPA senior salary is paid inclusive of the NPA basic salary.
(26)	Members of principal local authorities in receipt of a Band 1 or Band 2 senior salary cannot receive a salary from any NPA to which they have been appointed.
	Fire and Rescue Authority (FRA)
(27)	The basic salary for FRA ordinary members should be £1,700 (20/156 x £13,300).
(28)	The senior salary of the chair of an FRA should be £10,400 (£1,700 + £8,700).
(29)	The senior salary of a deputy chair and chairs of committees of FRAs should be £5,400 (£1,700 + £3,700).
(30)	Members must not receive more than one FRA senior salary.
(31)	An FRA senior salary is paid inclusive of the FRA basic salary.
(32)	Members of a principal local authority in receipt of a Band 1 or Band 2 senior salary cannot receive a salary from any FRA to which they have been nominated.
	Co-opted Members (with voting rights)
(33)	Local authorities must pay the following fees to co-opted members (Table 4) (who have voting rights).
(34)	Reasonable time for pre meeting preparation is eligible to be included in claims made by co-opted members the extent of which can be determined by the appropriate officer in advance of the meeting.
(35)	Travelling time to and from the place of the meeting can be included in the claims for payments made by co-opted members (up to the maximum of the daily rate).
(36)	The appropriate officer within the authority can determine in advance whether a meeting is programmed for a full day and the fee will be paid on the basis of this determination even if the meeting finishes before four hours has elapsed.
(37)	Meetings eligible for the payment of fees include other committees and working groups (including task and finish groups), pre-meetings with officers, training and attendance at conferences or any other formal meeting to which co-opted members are requested to attend
	Development Positions
(38)	The Panel has determined to include a provision for development posts within the Remuneration Framework.
	Town & Community Councils
(39)	Community and town councils are authorised to make a payment to each of their members of a maximum amount of £100 per year for costs incurred in respect of telephone usage, information technology, consumables etc.
(40)	Community and town councils are authorised to make payments to each of their

	<p>members in respect of travel costs for attending approved duties outside the area of the council. Such payments must be actual costs of travel by public transport or the HMRC mileage allowances as below:</p> <ul style="list-style-type: none"> • 45p per mile up to 10,000 miles in the year. • 25p per mile over 10,000 miles. • 5p per passenger per mile – passenger supplement. • 24p per mile for private motor cycles. • 20p per mile for bicycles
(41)	<p>Community and town councils are authorised to reimburse subsistence expenses to their members for attending approved duties outside the area of the council at the maximum rates set out below on the basis of receipted claims:</p> <ul style="list-style-type: none"> • £28 per day allowance for meals, including breakfast where not provided • £150 – London overnight. • £95 – elsewhere overnight. • £25 – overnight staying with friends and/or family overnight
(42)	<p>Community and town councils are authorised to pay an Attendance Allowance to each of their members for attending approved duties outside the area of the council as follows:</p> <ul style="list-style-type: none"> • £16.23 for a period not exceeding 4 hours. • £32.46 for a period exceeding 4 hours but not exceeding 24 hours.
(43)	<p>Community and town councils are authorised to pay a Financial Loss Allowance¹⁶ to each of their members where such loss has actually occurred, for attending approved duties outside the area of the council as follows:</p> <ul style="list-style-type: none"> • £30.05 for a period not exceeding 4 hours. • £60.11 for a period exceeding 4 hours but not exceeding 24 hours. • £60.11 plus such amount as is payable under (a) and (b) as appropriate.
(44)	<p>Community and town councils are authorised to provide a civic allowance to the mayor/chair and deputy mayor/chair of the council of an amount that they deem appropriate to undertake the functions of that office</p>