

## **HAVANT BOROUGH COUNCIL**

At a meeting of the Governance, Audit and Finance Board held on 27 November 2019

Present

Councillor Briggs (Chairman)

Councillors P Bains, Crellin, Hart, Inkster and Patel

Other Councillors Present:

Councillor(s): Turner and Wilson

### **22 Apologies**

Apologies for absence were received from Councillors Milne, Smith and Thomas.

### **23 Minutes**

The Minutes of the meeting of the Governance, Audit and Finance Board held on 318 September 2019 were agreed as a correct record and signed by the Chairman subject to the inclusion of Councillor Inkster in the attendance list and the following amendment:

Minute 16 – the reference to “Development Management Committee” to be amended to read “Governance, Audit and Finance Board”

### **24 Matters Arising**

#### Minute 20 – Internal Audit Progress Report

With regard to the problems relating to obtaining information from CAPITA reported at the meeting of the Board held on 24 July 2019, the Board was advised that the scope had now been finalised and processes put in place to alert the Council if there was any delay in receiving the requested information. The Board was assured that it would be advised if the problem persisted.

### **25 Declarations of Interest**

The Monitoring Officer advised that as the report of the Members’ Remuneration Panel recommended the introduction of a Special Responsibility Allowance for the role of the Mayor, the Deputy Mayor might wish to consider declaring an interest. In view of this advice, Councillor Bains declared an interest as he was the Deputy Mayor and Mayor elect from next May.

It was acknowledged that although there was also a proposed change to the Leader of the Council’s Special Responsibility Allowance, the Leader of was not a member of the Board and was not therefore, required to declare an interest.

## **26 Chairman's Report**

The Chairman reported that he had agreed to change the order of the items of the agenda so that the item relating to councillors allowances would be dealt with last.

## **27 Housing Subsidy Claims**

Further to minute 41/12/2018 the Board received a presentation by the head of Customer Services on the Housing Subsidy Claim Service. The Head of Customer Service answered any questions raised.

The Board was advised that a copy of the presentation would be sent to all members of the Board after the meeting.

## **28 Internal Audit Progress Report**

The Committee considered the progress report presented by Antony Harvey of the Southern Internal Audit Partnership, who joined the meeting for the debate on this item and answered member's questions in connection with the report.

The paper provided an update on the progress of internal audit activity completed in accordance with the approved audit plan, and summarised the status of 'live' reports.

The Committee were informed that the internal auditors remained confident that all outstanding work would be completed within agreed timescales.

RESOLVED that the Internal Audit Progress Report reflecting progress to 31 October 2019 be noted.

## **29 Current Work Programme**

The Board considered changes to its work programme for 2019/20.

It was noted that the CAPITA scrutiny scheduled for 18 December 2019 would only take place if the reports were available for this meeting.

RESOLVED that the work programme attached as Appendix A to these minutes be approved.

## **30 Report of the Members' Remuneration Panel**

(Councillor Bains left during consideration of this item)

The Board considered a report from the Members' Remuneration Panel setting out its findings and recommendations following a scrutiny review of the Councillors' Allowances Scheme. The Leader of the Council ("the Leader") and the Cabinet Lead for Finance and Coastal Communities ("the Cabinet Lead") were invited to join the meeting.

The Board noted the following amendments to the report

*Schedule 1*

*The Chairman of Joint Human Resources Committee Allowance to be amended to read £3,643"*

*The Chairman of the Licensing Committee Allowance to be amended to read "£1,116"*

The Chairman of the Members' Remuneration Panel introduced the report. She advised that the Panel's main consideration was to ensure that the Leaders Special Responsibility Allowance (SRA) reflected the duties, responsibilities and workload attached to this post.

With regard to the the Mayoral post, the Panel had been asked to look into the possibility of creating an SRA for this post and its recommendations. The Panel had evaluated the post and included it within their recommendations.

The Leader declined to comment on the proposed changes to the leader's allowance. However, he submitted the following comments regarding the remainder of report:

- (a) he acknowledged that it was difficult to calculate an allowance for a post that reflected the duties and responsibilities attached to it and at the same time take into account that the post was voluntary and not expected to receive its full commercial value;
- (b) he emphasised that the levels or existence of Basic or Special Responsibility Allowances (SRAs) were not the driving force in becoming a councillor or accepting an SRA post;
- (c) He preferred to have some flexibility in the councillors' allowance scheme, which would enable him to afford to appoint Cabinet Leads or Assistance Cabinet Leads when needed;
- (d) he considered that the position of the Mayor should not receive a special responsibility allowance for the following reasons:
  - (i) to be appointed Mayor should be considered as a reward in itself;

- (ii) the Mayor already received an allowance of £3,000 under Section 3(5) of the Local Government Act 1972 to enable him to meet the expenses of the office;
- (iii) the operation costs (e.g. mayoral duties, secretarial costs etc.) of a Mayor was currently approximately £100,000 per annum; and
- (iv) the proposed additional allowance would hinder his flexibility to afford any new SRA posts and his long term aim for succession planning.

The Cabinet Lead supported the views of the Leader and emphasised that the position of the Mayor should be viewed as an honour. She reminded the Board that matter had been considered before and rejected. She advised that she had no objections to the other changes recommended by the Panel.

The Chairman drew the Cabinet Lead's attention to the fact even without the introduction of an SRA for the Mayor, the changes would result in an increase of £19,085 and asked if this was acceptable. The Cabinet Lead advised that although she was not happy about any additional expenditure, she would look into ways of accommodating the proposed increases, if the revised scheme was agreed.

The Board considered the report and the views of the Leader and Cabinet Lead in detail. The Board considered that whilst it was prepared to accept an increase in the Leader's SRA, it could not support an SRA for the Mayor for the reasons given by the Leader and Cabinet Lead and therefore agreed that the proposed SRA for the Mayor be deleted from the Councillors' Allowance Scheme.

It was therefore

RESOLVED that the Cabinet be requested to recommend the Council to adopt the Councillors' Allowance Scheme attached as Appendix B to these minutes.

**The meeting commenced at 5.00 pm and concluded at 5.50 pm**

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**Chairman**

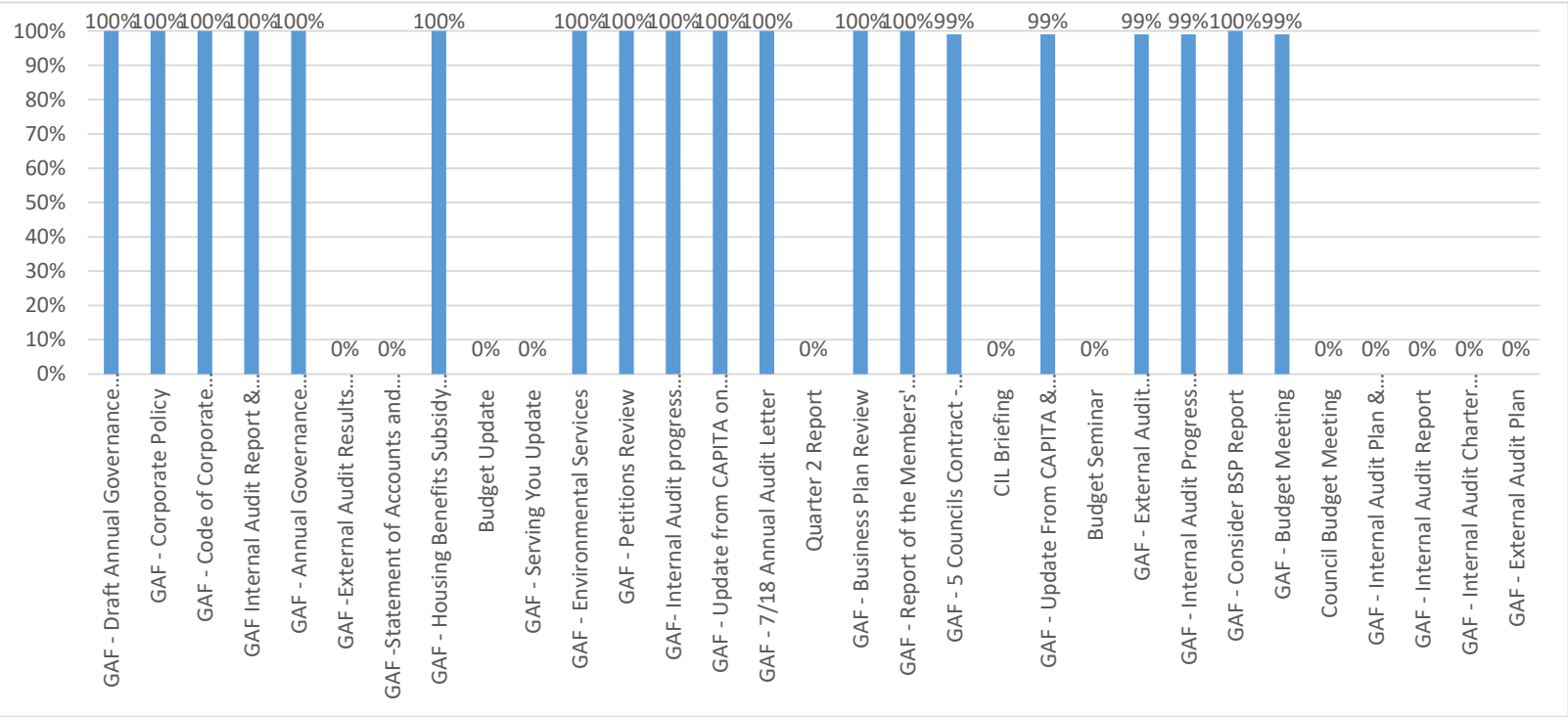
# Governance, Audit & Finance Board Business Plan 2019/20

## LATE TASKS

Name	Start	Duration	% Complete
GAF -External Audit Results Report 2018/19 and Local Government Audit Committee Briefing	Wed 24/07/19	1 day	0%
GAF -Statement of Accounts and Letter of Representation 2018/19	Wed 24/07/19	0 days	0%

## % COMPLETE

Status for all top-level tasks. To see the status for subtasks, click on the chart and update the outline level in the Field List.



## Incomplete Tasks

Name	Cabinet Lead	Officers	Meeting Date
Quarter 2 Report	Councillor Turner	Lydia Morrison	Thu 28/11/19
GAF - 5 Councils Contract - Exempt Session	Councillor Bowerman	Gill Kneller	Wed 18/12/19
Budget Update	Councillors Turner & Wilson	Lydia Morrison	Tue 28/01/20
GAF - Serving You Update	Councillor Bowerman	Lydia Forbes- Morrison	Tue 28/01/20
Budget Seminar	Councillors Wilson & Pike	Lydia Morrison	Wed 29/01/20
GAF - External Audit Certification of Grant Claims & Returns Report	Councillor Turner	Lydia Morrison & External Auditors	Tue 04/02/20
GAF - Internal Audit Progress Report	Councillor Turner	Internal Auditors	Tue 04/02/20
GAF - Budget Meeting	Councillors Wilson & Turner	Lydia Morrison & Gill Kneller	Tue 04/02/20
Council Budget Meeting	Councillors Turner & Wilson	Lydia Morrison & Andrew Clarke	Wed 26/02/20
GAF - Update From CAPITA & Internal Audit on No and Limited Assurances given in the Annual Internal Audit Report for 2018/19	Councillor Turner	Internal Auditors & CAPITA	Tue 21/04/20
GAF - Internal Audit Plan & Fraud and Corruption Risk Plan	Councillor Turner	Lydia Morrison & Internal Auditors	Tue 21/04/20
GAF - Internal Audit Report	Councillor Turner	Lydia Morrison & Internal Auditors	Tue 21/04/20
GAF - Internal Audit Charter 2019-20	Councillor Turner	Lydia Morrison & Internal Auditors	Tue 21/04/20
GAF - External Audit Plan	Councillor Turner	Lydia Morrison & External Auditors	Tue 21/04/20
GAF -External Audit Results Report 2018/19 and Local Government Audit Committee Briefing	Councillor Turner	Lydia Morrison & External Auditors	NA
GAF -Statement of Accounts and Letter of Representation 2018/19	Councillor Turner	Lydia Morrison & Andrew Clarke	NA
CIL Briefing	Councillor Pike	David Howard	NA

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**APPENDIX B**



# **Councillors' Allowances Scheme**

## **Members Allowances Scheme 2020-2024**

### **1.0 Introduction**

1.1. All Councils are required to form a scheme of allowances that:

- Determines how much individual Councillors receive for being a Councillor; (the basic allowance)
- Determines how much those Councillors who have additional responsibilities should receive (special responsibilities allowances)
- Determines the circumstances under which Councillors may claim expenses for costs they have incurred because they are a Councillor

1.2. The Council must set the scheme in accordance with the requirements of the Local Authorities (Members Allowances) (England) Regulations 2003. The Scheme has been produced having due regard to the recommendations of an Independent Remuneration Panel, a group of individuals who are entirely separate from the Council who have considered how much Councillors should receive.

### **2.0 The Scheme**

2.1 The Havant Borough Council, in exercise of the powers conferred by the Local Authorities (Members' Allowances) (England) Regulations 2003, hereby makes the following scheme:

1.0 This scheme may be cited as the Havant Borough Council Councillors' Allowances Scheme, and shall have effect from 1st April 2020 until such time as it is amended.

1.1 In this scheme:

"Councillor" means a councillor of the Havant Borough Council.

"Year" means the twelve months ending with 31st March.

"Chief Executive" is the most senior Officer, with overall responsibility for the management of the Council; also known as the Head of Paid Service.

"Chief Finance Officer" means the officer responsible for the administration of the financial affairs of the Council; also known as the Chief Finance Officer

"Monitoring Officer" means the officer charged with ensuring that everything the Council does is fair and lawful



## **2. Basic Allowance**

- 2.1. Each Councillor shall receive a basic allowance as set out in Schedule 1 of this scheme ("Schedule1") shall be paid to each Councillor. This is an annual flat payment to all Councillors, intended to recognise the time devoted by our Councillors to work in their wards and political groups, recognising the out of pocket expenses Councillor incur in carrying out their functions. It is also recognises that Councillor undertake their Council work for the sake of public service and not private gain.
- 2.2. The basic allowance shall be uplifted each year (including the year 2020/21) by the same rate as the Annual Pay Award provided to the majority of Council staff.

## **3. Special Responsibility Allowances**

- 3.1. Councillors shall receive a payment in line with Schedule 1 for any special responsibilities posts that they are appointed to by the Council.
- 3.2. A councillor may hold more than one special responsibility post, but may only be paid one special responsibility allowance.
- 3.3. All special responsibility allowances shall be uplifted each year (including the year 2020/21) by the same rate as the Annual Pay Award provided to the majority of Council staff.
- 3.4. No more than 50% of the number of Councillors can receive a special responsibility allowance.
- 3.5. All special responsibility allowances or amendments to these allowances must be evaluated using the role evaluation scheme set out in schedule 3 of this scheme before being approved by the Council, who must have due regard to the recommendation of the Governance, Audit and Finance Board.

## **4. Travel, Subsistence and Dependents/Caring Allowances**

- 4.1. Members are allowed to claim travel, subsistence and dependents / caring allowances when carrying out official duties as listed within Schedule 2 of this scheme ("Schedule 2").
- 4.2. Members must submit claims within 2 months using any approved forms / IT systems. For claims to be processed within the month submitted, they must be submitted in accordance with stated deadlines provided to members.

### ***Transport Allowances***

- 4.3. Where Councillors are undertaking official duties, claims for transport allowances will be paid at the following rates:

The rate for travel by a councillor's own <u>private vehicle</u> , or one belonging to a member of his family or otherwise provided for his use shall not exceed	45p per mile
The rates specified for travel by car may be increased in respect of the carriage of each passenger, not exceeding 3, to whom a travelling allowance would otherwise be payable under any enactment by not more than	5p per mile
Travelling by own private Bicycle, or one belonging to a member of his or her family or otherwise provided for his or her use	20p per mile
Public Transport	Standard Fare incurred; Councillors are expected to use any discount / concessionary fare entitlements
Taxis	Actual Fare, as evidenced by receipt; this should be pre-approved by the Chief Executive or Monitoring Officer and only in exceptional circumstances.
Car Parking, ferries and Toll Fares	Actual Fare incurred, as evidenced by ticket / receipt / statement

- 4.5. Travel on approved duties shall be at the most cost-effective method that meets the needs of the member, normally car, bus, aeroplane or train at standard rates. In particular, members who have to travel by train would be expected to travel second class unless exceptional circumstances require otherwise. In such a situation, first class travel must be given prior approval by the Chief Executive or Head of Organisational Development. If other types of journeys need to be taken by members on out of authority business (e.g. taxis) then these modes of transport must first get prior approval by the relevant Director. Furthermore, receipts must be provided for the reimbursement of any claims.

- 4.6. Should HMRC adjust the standard rates for car, motorbike or bicycle travel, then the Council may adjust the rates in 4.4 accordingly.
- 4.7 Rail tickets are available from Democratic Services for all rail journeys provided three days' notice is given.
- 4.8 The Council has made no provision for travelling to meetings from outside the UK.
- 4.9 The Monitoring Officer (or in his or her absence the Chief Executive or the Chief Finance Officer) is authorised to approve the payment of travelling and subsistence for tours, visits etc initiated by an Cabinet Lead subject to a maximum of £300 per annum for payments initiated by each Cabinet Lead.
- 4.10 Where two or more councillors are attending the same event car transport should be shared wherever practicable.

### ***Subsistence Allowances***

- 4.11 Wherever possible a member shall organise their meals and accommodation through the Council who will pre-book and pre-pay.
- 4.12 Where it is not practicable for the Council to pre-book accommodation a member shall be allowed up to 3 star accommodation which will be reimbursed on production of a receipt.
- 4.13 Where meals cannot be pre-booked and pre-paid reasonable costs will be paid on production of receipts, normally up to the same limits as apply to employees of the council.

Breakfast	up to £5.73
Lunch	up to £7.92
Dinner	up to £9.80

- 4.14 The daily maximum subsistence rate shall be increased in line with the percentage increase in the casual users mileage rate as laid down by the NJC for Local Government Services.
- 4.15 No subsistence allowances are payable for attending approved duties within the Borough.

### ***Dependents / Caring Allowances***

- 4.16. A Dependant Carers Allowance may be paid where a councillor has to employ a person over 16 years of age (other than a member of their own family) to care for a child under age 14, disabled person or elderly person who is a member of the councillor's family living with the councillor and in

need of full time care.

- 4.17 The rate of payment will be up to eight hours or two approved duties if less in any one week for:
- (a) child care – at the relevant national minimum wage applicable to the age of the carer; and
  - (b) elderly and/or disabled dependents – at the hourly rate chargeable by Hampshire County Council Adult Services for provision of a Home Care Assistant up to a maximum of £14.20 per hour.
- 4.18 Payment will be made on production of evidence of payment i.e. a receipt bearing the name and address of person employed to provide cover, the date, and number of hours and amount paid.
- 4.19 There may be exceptional circumstances where, instead of employing a carer, other care arrangements are more appropriate e.g. paying for taxi fares to school for a disabled child where a councillor is attending a meeting outside the Borough. Payment up to the maximum at 4.171 may be allowed exceptionally with the agreement of the Chief Finance Officer.
- 4.20 Relevant meetings for this purpose are all approved duties in Schedule 2.

## **5.0 Attendance at Conferences**

- 5.1 Subject to budget provision being available, approval of attendance at conferences or meetings is delegated to the Service Manager Legal and Democratic Services (or in his/her absence the Chief Executive or Chief Finance Officer) in consultation with the relevant Cabinet Lead(s); relevant travelling and subsistence also being payable
- 5.2 Selection of members should be on the basis that:
- (a) Normally no more than two Members (preferably from more than one political party) attend – normally one from the Cabinet and one from the Scrutiny Boards;
  - (b) Selection for conferences and meetings will take account of the expertise relating to the subject and member responsibility within the Council; and
  - (c) Members attending will report back through the Members' Newsletter.
- 5.3 The conference fee will be booked directly by Council officers following approval of attendance by the Council.

5.4 Travelling and subsistence allowances shall be paid in accordance with Section 5 above

## **6.0 Expenses**

6.1 Councillors shall receive a payment of £461 per year to recognise the level of out of pocket expenses Councillors incur for telephone calls, line rentals, IT and internet costs.

## **7.0 Attendance Allowance**

7.1 No attendance allowances are payable.

## **8.0 Payment and Foregoing of Allowances**

8.1. Claims for travel, subsistence co-optees' or dependant carers allowance under this scheme shall be made in writing and will not be paid if submitted more than four months after the date of a meeting for which the entitlement arises.

8.2 A Councillor shall be paid any allowances from their date of appointment, so that:

- (a) in an ordinary election year, basic allowances are payable from 4 days after the date of election;
- (b) in the event of a by-election, basic allowances are payable from the date of the by-election; and
- (c) In the event appointment to a special responsibility post, from the date the appointment was made

8.3 Payments shall be made

- (a) in respect of basic and special responsibility allowances, subject to paragraph 9, in instalments of one-twelfth of the amount specified in this scheme monthly in arrears at the end of the month
- (b) in respect of travel, subsistence or dependant carers allowance, at the end of each month in respect of claims received up to the 8th day of that month.
- (c) in respect of expenses relating to telephone calls both land and mobile, line rental costs, IT and internet access to be paid automatically in instalments of one-twelfth of the month of the amount specified in this

scheme in arrears at the end of each month

- 8.4 Where an amount has been paid in respect of a period for which the allowance is not due (e.g. for a period of suspension) the Council may require repayment of the amount overpaid.
- 8.5 Where a member is also a member on another authority that member may not receive allowances from more than one authority for the same duties.
- 8.6 A Councillor may write to the Chief Finance Officer to notify of their intention to forego any allowance, or part of any allowance, payable to them under this scheme.
- 8.7 In the event that the Council agrees that a Councillor may be granted a leave of absence of more than 6 months, then the Councillor will not be entitled to receive a basic allowance after they have been absent for more than 6 months. Their allowance payment will be resumed after they have attended a Council meeting.
- 8.8 Where an amount has been paid in respect for which the allowance is not due (e.g. for a period of suspension) the Council may require repayment of the amount overpaid.
- 8.9 Where a member is also a member on another authority that member may not receive allowances from more than one authority for the same duties.

## **9.0 Part-Year Entitlements**

- 9.1 The provisions of this section shall have effect to regulate the entitlements of a councillor to basic and special responsibility allowances where, in the course of a year, this scheme is amended or that councillor becomes, or ceases to be, a councillor, or accepts or relinquishes a special responsibility in respect of which a special responsibility allowance is payable.
- 9.2 If an amendment to this scheme changes the amount to which a councillor is entitled by way of a basic allowance or a special responsibility allowance, then in relation to each of the periods
- (a) beginning with the year and ending with the day before that on which the first amendment in that year takes effect, or
  - (b) beginning with the day on which an amendment takes effect and ending with the day before that on which the next amendment takes effect, or (if none) with the year,

the entitlement to such an allowance shall be to the payment of such part of the amount of the allowance under this scheme as it has effect during the

relevant period as bears to the whole the same proportion as the number of the days in the period bears to the number of days in the year.

- 9.3 Where the term of office of a councillor begins or ends otherwise than at the beginning or end of a year, the entitlement of that councillor to a basic allowance shall be to the payment to such part of the basic allowance as bears to the whole the same proportion as the number of days during which his term of office subsists bears to the number of days in that year.
- 9.4 Where this scheme is amended as mentioned in sub-paragraph 9.2, and the term of office of a councillor does not subsist throughout the period mentioned in sub-paragraph 9.2(a), the entitlement of any such councillor to a basic allowance shall be to the payment of such part of the basic allowance referable to each such period (ascertained in accordance with that sub-paragraph) as bears to the whole the same proportion as the number of days during which his term of office as a councillor subsists bears to the number of days in that period.
- 9.5 Where a councillor has during part of, but not throughout, a year such special responsibilities as entitle him or her to a special responsibility allowance, that councillor's entitlement shall be to payment of such part of that allowance as bears to the whole the same proportion as the number of days during which he has such special responsibilities bears to the number of days in that year.
- 9.6 Where this scheme is amended as mentioned in sub-paragraph 9.2, and a councillor during part, but does not have throughout the whole, of any period mentioned in sub-paragraph 9.2(a) of that paragraph any such special responsibilities as entitle him or her to a special responsibility allowance, that councillor's entitlement shall be to payment of such part of the allowance referable to each such period (ascertained in accordance with that sub-paragraph) as bears to the whole the same proportion as the number of days in that period during which he or she has such special responsibilities bears to the number of days in that period.

## **10.0 Insurance**

- 10.1 The Council provides cover for councillors (which includes co-opted members) as follows:

### **10.1.2 Third Party Cover**

Councillors are indemnified, if the claim could have been made against Havant Borough Council, up to a maximum of £30,000,000 in respect of all sums (including costs and expenses) which they are legally liable to pay as compensation arising out of

- (a) Accidental bodily injury or illness to any Third Party; and

(b) Accidental loss or damage to property arising out of the Council's function as a local authority.

#### 10.1.3 Employers' Liability Cover

Councillors are indemnified, if the claim could have been made against Havant Borough Council, for an amount up to £30,000,000 in respect of sums (including costs and expenses) that they are legally liable to pay as compensation for bodily injury or disease suffered by an employee of the Council arising out of their employment.

#### 10.1.4 Motor Insurance

If a councillor drives a Council vehicle he/she is required to be covered by comprehensive insurance (a good example might be driving the Mayor's official car).

#### 10.1.5 Personal Accident

The amounts shown below are payable for accidents while on official duties in the U.K. or Europe or on activities which are complementary to the duties of a councillor e.g. Ward Surgeries, Caucus Meetings, Site Viewing, Addressing Public Meetings and Meeting of Council Tax payers.

Death or permanent total disablement  
£100,000

Permanent partial disablement    Percentage of this sum dependent on disablement

Temporary total disablement    £175 per week for up to 2 years.

Temporary partial disablement    £150 per week for up to 2 years.

Where temporary disablement occurs the period will be limited to the time when a councillor is prevented from engaging in his normal profession or occupation. If the councillor is not in remunerative employment the period is limited to the time in which he cannot carry out his activities as a councillor.

Cover is also given for assault committed on the person insured because he is a councillor, even if he is not on Council business at the time.

There is unlimited cover for damage to clothing/personal effects at the same time as the accident.

#### 10.1.6 Slander and Libel



In defence of an action brought against them, councillors are indemnified if the claim could have been made against Havant Borough Council. The indemnity is subject to a maximum of £1,000,000 in respect of all sums (including costs and expenses) they are legally liable to pay as compensation for slanders in the course of official Council business. Generally, this covers Committee Meetings and duties where the councillor is representing the Council on Management Committees of local organisations.

It does not extend to involvement in the operation of an organisation other than as stated above, nor to a councillor who holds a position on another body where a factor in the appointment has been that he is a councillor but he is not representing the Council in that position (e.g., Chairman of a voluntary body). It is for the organisation to hold their own insurances and councillors are recommended to enquire of the organisation about the cover held.

There is also a very limited indemnity for libel providing the text of the prepared statement is previously approved by the Council's legal department.

Statements made on radio and television are in practice not covered as they are within the definition of libel and thus would have had to be previously approved.

Councillors must bear 10% of the cost of any claim met by the insurers under the slander and libel policy (this is to encourage councillors to be accountable for their actions).

**10.2 No insurance cover is held by the council for the following activities of councillors:**

- (a) No cover exists for costs awarded against councillors in actions against them for alleged dereliction of duty (e.g., mandamus, etc.).
- (b) Councillors using their own private vehicles for Council business must arrange their own insurance. Use on Council business will probably not be classed as "social, domestic and pleasure". Councillors are advised to contact their insurers to ensure that their insurance provides cover while on Council business.
- (c) There is no cover for money in the possession of councillors. An example is the Mayor's Appeal Fund.
- (d) In any case where an individual councillor suffers physical injury, financial or other loss, or is defamed in circumstances arising out of their proper involvement in a matter as a councillor of the Borough Council and without any culpability on their part, where no insurance held by the Council offers compensation to the councillor concerned,

the Council will lend reasonable and appropriate support to the individual councillor affected in pursuing whatever remedies and compensation are properly available to him/her in consequence of the injury suffered, subject to advice from the Monitoring Officer on the merits and strength of the case of the affected councillor and upon there being a reasonable and realistic prospect of them succeeding in whatever course of action is appropriate by way of remedy.

## **11. Independent Remuneration Panel**

- 11.1. When setting its Members Allowances Scheme, the Council shall have due regard to the recommendations of an independent remuneration panel.
- 11.2. An independent remuneration panel shall consist of at least three members none of whom is also a member of an authority in respect of which it makes recommendations.
- 11.3. A person may not be a member of an independent remuneration panel if they are disqualified from being or becoming a member of a district, county or London borough council.
- 11.4. the independent remuneration panel shall produce a report making recommendations in accordance with The Local Authorities (Members' Allowances) (England) Regulations 2003.
- 11.5. Where the Council receive a copy of a report made to them by the independent remuneration panel they shall, as soon as is 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 their area a notice which:
    - (i) states that they have received recommendations from an independent remuneration panel in respect of their allowance scheme;
    - (ii) describes the main features of that panel's recommendations and specifies the recommended amounts of each allowance mentioned in its 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.

11.6 The Independent Panel must review the allowances scheme at least every four years.

## Rates of Allowances

Post	£
<b>Basic Allowance</b>	
All Members (38)	£5,430
<b>Special Responsibility Allowances (SRAs)</b>	
Leader	£17,422
Deputy Leader	£10,018
Cabinet Leads	£8,425
Chairman of Governance, Audit and Finance Board	£6,831
Chairman of Scrutiny Board	£5,692
Chairman of Development Management Committee	£5,009
Chairman of Joint Human Resources Committee	£3,643
Chairman of Licensing Committee	£1,116
Leaders of any political group, other than the ruling group, comprising two or more members:	
Band A      2-5 Members	£911
Band B      6-10 Members	£1822
Band C      11-15 Members	£2732
Band D      16+ Members	£3643

**Approved duties for the purpose of payment of transport, subsistence and carers / dependents allowances**

The following are specified as approved duties for the purpose of travel allowances:

- (a) Attendance as an appointed member at meetings of the Council, Cabinet, Committees and Sub-committees.
- (b) Attendance at Presentations, Seminars and Workshops to which all councillors are invited by the Head of Customer and Support Services shall count as an approved duty.
- (c) Meetings convened by the Council including:
  - (i) Opening of tenders;
  - (ii) Weekly business meetings and agenda setting meetings;
  - (iii) Working Parties set up by the Council;
  - (iv) Annual Tours of the Borough;
  - (v) Committee briefing meetings;
  - (vi) Attendance at bodies to which the Council makes appointments or nominations;
  - (vii) Attendance at conferences and meetings to which Section 175 of the Local Government Act 1972 applies where attendance is agreed in advance;
  - (viii) Visits by councillors to Wesermarsch or other twin towns do not qualify as an approved duty;
  - (ix) Attendance by councillors serving on the Portchester Crematorium Joint Committee will qualify for travel allowances payable by this Authority, where such allowances cannot be claimed from the Portchester Crematorium Joint Committee;
  - (x) Attendance by the Chairman or Vice-Chairman of the Development Control Committee at the Civic Offices at the request of the Corporate Director to take any step on planning applications where the Committee have empowered them to act;

- (xi) Attendance by a councillor at the written request of the Mayor, Chief Executive or Director for the purpose of furthering Council business;
- (xii) Attendance of a councillor before any representative of the Commission for Local Administration, at the latter's written request, in connection with any investigation under Part III of the Local Government Act 1974;
- (xiii) Attendance of a councillor before the Council's external auditor at the latter's written request in connection with a matter being considered at audit other than a payment to or a pecuniary claim by that councillor;
- (xiv) Attendance of a councillor, at the written request of the Head of Customer and Support Services, in connection with a public inquiry or legal proceedings to which the Council is a party;
- (xv) Attendance of a councillor at public inquiries where the councillor is called by the Monitoring Officer as a witness to represent the Council's position and the attendance is approved by the Chairman of the Development Management Committee for that purpose;
- (xvi) Attendance by the Mayor or Deputy Mayor at the Civic Offices to attend to mayoral duties not more than once a day;
- (xvii) Attendance at up to three pre-arranged meetings per week with officers; and
- (xviii) Any other approved duty agreed by the Council, Cabinet, Committees or Sub-Committees.

## **Special Responsibility Role Evaluation Scheme**

### **Section 1 - Statement of Intent**

- 1.1 This procedure sets out how the Council provides an internal framework to determine the appropriate level of special responsibility allowances paid to Councillors. This framework enables consistent decisions to be made on allowances paid to Councillors who have additional responsibilities. This procedure ensures that the integrity of the current Councillor Allowance structure is preserved.
- 1.2 For the purposes of this scheme “Special Responsibility Allowance” means an allowance as defined in regulation 5 of The Local Authorities (Members' Allowances) (England) Regulations 2003.

### **Section 2 - Scope**

- 2.1 This procedure applies to all posts that receive a special responsibility allowance.
- 2.2 The aim of the system is to provide a hierarchy of Councillor roles and allowances that are free from discrimination.

### **Section 3 – Responsibilities**

#### **Role Evaluation Panel**

- 3.1 Where it is proposed to create a new or amend an existing special responsibility allowance, the Governance, Audit and Finance Board (“the Board”) will establish a Members’ Remuneration Panel (The Panel) to undertake a role evaluation exercise.
- 3.2 The Panel will comprise of at least 3 members of the Board. The Panel shall be assisted by an officer from the Democratic Services Team, the Chief Finance Officer or his or her representative, and the Monitoring Officer or his or her representative.
- 3.2 The Panel will ensure that the role evaluation is fair, transparent and robust.
- 3.3 The Panel will review all relevant information relating to the role and check factor levels (points) to ensure that the levels are technically correct, consistently applied and equitable. The Panel shall consider all sources of evidence including the outputs from the role evaluation discussion, any changes to existing roles that receive a special responsibility allowance, role descriptions, and scoring notes. To ensure that the Panel has a full understanding of the role, the Leader of the Council or proposer for the new allowance must also be prepared to present a business case for the change

to the Panel and answer any queries the Panel may have. Where considered appropriate, factor levels (points) can be manually adjusted to remedy any accuracy or consistency issues.

- 3.4 Before submitting its recommendations, the Panel shall consult the Chief Finance Officer or his or representative, the Leader of the Council and the Monitoring Officer or his or her representative.
- 3.5 It is not the role of the Panel to amend role descriptions
- 3.6 Where the Panel's members have an interest in a role, they are responsible for declaring so prior to the panel meeting.
- 3.7 The Panel are responsible for:
  - (a) considering the role and not the person who may currently hold that role;
  - (b) considering the role as it would be done at fully acceptable performance; and
  - (c) considering the role as it is defined in the documentation and supporting information presented to the Panel by the Democratic Services Team – not the role as it was nor as it might be at some future date.

#### **Chief Finance Officer**

- 3.8 The Chief Finance Officer shall advise on the financial implications of changes to the special responsibility allowances.
- 3.9 The Chief Finance Officer may appoint a representative to undertake the duties set out in 3.8 above.

#### **The Monitoring Officer**

- 3.9 The Monitoring Officer shall advise on the financial implications of changes to the special responsibility allowances.
- 3.10 The Monitoring Officer may appoint a representative to undertake the duties set out in 3.9 above.

#### **Democratic Services Team**

- 3.11 A representative of the Democratic Services Team shall provide administrative support to the Panel including attending and minuting all meetings of the Panel, undertaking research for the Panel and drafting the final report and recommendations of the Panel.



## **Section 4 – Procedure**

### **When to evaluate**

- 4.1 All new special responsibility roles must be evaluated.
- 4.2 A review of the grading of an existing special responsibility role may occur when there are substantial changes to the role. This must be discussed first with the Leader of the Council who will provide advice on whether the changes are substantial enough to warrant a re-evaluation.
- 4.3 For each role to be evaluated the Panel must be provided with an up to date description of the responsibilities, skills and workload of the role to be evaluated. The Leader of the Council or proposer for the new allowance must also be prepared to present a business case for the change to the Panel.

## **Section 5 - The Outcome**

- 5.1 The Panel may make one of the following recommendations
  - a) increase or decrease an existing special responsibility allowance
  - b) create a special responsibility role together with the level of the allowance for this role
  - c) to make no changes to an existing special responsibility role
  - d) not to establish a new special responsibility role/allowance
- 5.2 The recommendations of the Panel will be submitted to the Governance, Audit and Finance Board, who will consider them in accordance with Standing Order 77.4 and submit its recommendations to Full Council for a final decision.

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