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**The report of the Independent Remuneration Panel  
appointed to review the allowances paid to Councillors  
of Brighton and Hove City Council**

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March 2024

## CONTENTS

<b>1.</b>	<b>INTRODUCTION AND BACKGROUND .....</b>	<b>1</b>
<b>2.</b>	<b>CURRENT SCHEME .....</b>	<b>1</b>
<b>3.</b>	<b>PRINCIPLES UNDERPINNING OUR REVIEW .....</b>	<b>2</b>
3.1	THE PUBLIC SERVICE PRINCIPLE.....	2
3.2	THE FAIR REMUNERATION PRINCIPLE.....	2
<b>4.</b>	<b>CONSIDERATIONS AND RECOMMENDATIONS .....</b>	<b>3</b>
4.1	BASIC ALLOWANCE.....	3
4.2	SPECIAL RESPONSIBILITY ALLOWANCES (SRAs).....	6
4.3	CO-OPTEEs’/ INDEPENDENT PERSONS ALLOWANCE .....	110
	TRAVELLING AND SUBSISTENCE ALLOWANCE .....	120
4.5	DEPENDANTS’ CARERS’ ALLOWANCE .....	121
4.6	PARENTAL LEAVE .....	132
4.7	INDEXING OF ALLOWANCES.....	143
4.8	REVOCATION OF CURRENT SCHEME OF ALLOWANCES / IMPLEMENTATION OF NEW SCHEME .....	154
<b>5.</b>	<b>OUR INVESTIGATION .....</b>	<b>154</b>
5.1	BACKGROUND .....	154
5.2	FUTURE REVIEW .....	<b>ERROR! BOOKMARK NOT DEFINED.</b>
<b>6.</b>	<b>APPROVED COUNCILLOR DUTIES .....</b>	<b>154</b>

<b>Appendix 1</b>	Basic Allowance/Special Responsibility Allowances/Independent Persons’ Allowance/ Dependants’ Carers’ Allowance / Mayoral Allowances – Summary of Recommendations	15
<b>Appendix 2</b>	Comparative data of allowances paid to councillors of the other unitary councils (South East Employers, Members Allowances Survey 2023)	

## 1. INTRODUCTION AND BACKGROUND

- 1.1.1 The Local Authorities (Members' Allowances) (England) Regulations 2003 ("the 2003 Regulations"), as amended, require all local authorities to appoint an independent remuneration panel (IRP) to advise on the terms and conditions of their scheme of councillors' allowances.
- 1.1.2 Brighton and Hove City Council formally appointed the following persons to undertake this process and make recommendations on its future scheme.

John Bateman- Retired teacher of Corporate Governance in the Department of Business and Management at the University of Sussex, Chair of Panel.  
Jaine Jolly - Local Resident and Planning Inspector.  
Rachel Potter- Local Resident, Journalist and Editor specialising in local government and the public sector.

Elizabeth Culbert- Assistant Director, Legal and Democratic Services, Brighton and Hove City Council provided Panel support.  
Mark Palmer – Director: Development and Governance, South East Employers provided advice and Panel support.

- 1.1.3 Our terms of reference were in accordance with the requirements of the 2003 Regulations, together with "Guidance on Consolidated Regulations for Local Authority Allowances" issued jointly by the former Office of the Deputy Prime Minister and the Inland Revenue (July 2003). Those requirements are to make recommendations to the Council as to:

- (a) the amount of basic allowance to be payable to all councillors.
- (b) the level of allowances and whether allowances should be payable for:
  - (i) special responsibility allowances.
  - (ii) travelling and subsistence allowance.
  - (iii) dependants' carers' allowance.
  - (iv) parental leave and.
  - (v) Independent Persons' allowance.and the amount of such allowances.
- (c) whether payment of allowances may be backdated if the scheme is amended at any time to affect an allowance payable for the year in which the amendment is made.
- (d) 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.

## 2. CURRENT SCHEME

- 2.1.1 The last review of councillors' allowances was undertaken by the IRP for the Council in 2019.

- 2.1.2 The Scheme currently provides that all councillors are each entitled to a total basic allowance of £13,593 per annum, with effect from April 2023. In addition, some councillors receive special responsibility allowances for undertaking additional duties.
- 2.1.3 Councillors may also claim the cost of travel and subsistence expenses and for expenditure on the care of children or dependants whilst on approved councillor duties.

### **3. PRINCIPLES UNDERPINNING OUR REVIEW**

#### **3.1 The Public Service Principle**

- 3.1.1 This is the principle that an important part of being a councillor is the desire to serve the public and, therefore, not all of what a councillor does should be remunerated. Part of a councillor's time should be given voluntarily. The consolidated guidance notes the importance of this principle when arriving at the recommended basic allowance.<sup>1</sup> Moreover, we found that a public service concept or ethos was articulated and supported by virtually all of the councillors we interviewed as part of our review.
- 3.1.2 To provide transparency and increase an understanding of the Panel's work, we will recommend the application of an explicit Public Service Discount (or PSD). Such a PSD is applied to the time input necessary to fulfil the role of a councillor. Further explanation of the PSD to be applied is given below in section 4.

#### **3.2 The Fair Remuneration Principle**

- 3.2.1 Alongside the belief that the role of the elected Councillor should, in part, be viewed as unpaid voluntary service, we advocate a principle of fair remuneration. The Panel in 2024 subscribes to the view promoted by the independent Councillors' Commission:

*Remuneration should not be an incentive for service as a councillor. Nor should lack of remuneration be a barrier. The basic allowance should encourage people from a wide range of backgrounds and with a wide range of skills to serve as local councillors. Those who participate in and contribute to the democratic process should not suffer unreasonable financial disadvantage as a result of doing so.<sup>2</sup>*

- 3.2.2 We are keen to ensure that our recommended scheme of allowances provides reasonable financial compensation for councillors. Equally, the scheme should be fair, transparent, logical, simple, and seen as such.
- 3.2.3 Hence, we continue to acknowledge that:
- (i) allowances should apply to roles within the Council, not individual councillors.
  - (ii) allowances should represent reasonable *compensation* to councillors for expenses they incur and time they commit in relation to their role, not *payment* for their work; and

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<sup>1</sup> The former Office of Deputy Prime Minister – now the Department of Levelling Up Housing and Communities. The Inland Revenue (now HM Revenue and Customs), *New Council Constitutions: Guidance on Consolidated Regulations for Local Authority Allowances*, London: TSO, July 2003, paragraph 68.

<sup>2</sup> Rodney Brooke and Declan Hall, *Members' Remuneration: Models, Issues, Incentives and Barriers*. London: Communities and Local Government, 2007, p.3.

- (iii) special responsibility allowances are used to recognise the *significant* additional responsibilities which attach to some roles, not merely the extra time required.
- 3.2.4 In making our recommendations, we have therefore sought to maintain a balance between:
- (i) the voluntary quality of a councillor's role.
  - (ii) the need for appropriate financial recognition for the expenses incurred and time spent by councillors in fulfilling their roles; and
  - (iii) the overall need to ensure that the scheme of allowances is neither an incentive nor a barrier to service as a councillor.
- 3.2.5 The Panel also sought to ensure that the scheme of allowances is understandable in the way it is calculated. This includes ensuring the bandings, tiers and differentials of the allowances are as transparent as possible.
- 3.2.6 In making our recommendations, we wish to emphasise that any possible negative impact they may have is not intended and should not be interpreted as a reflection on any individual councillor's performance in the role.

## **4. CONSIDERATIONS AND RECOMMENDATIONS**

### **4.1 Basic Allowance**

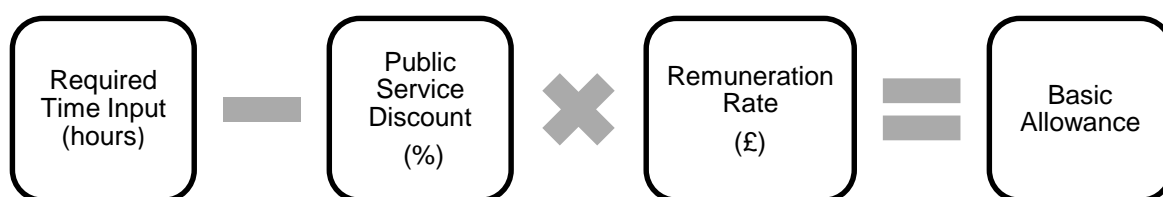
- 4.1.1 A Council's scheme of allowances must include provision for a basic allowance, payable at an equal flat rate to all councillors. The guidance on arriving at the basic allowance states, "*Having established what local councillors do, and the hours which are devoted to these tasks the local authorities will need to take a view on the rate at which, and the number of hours for which, councillors ought to be remunerated.*"<sup>3</sup>
- 4.1.2 In addition to the regular cycles of Council and committee meetings, a number of working groups involving councillors may operate. Many councillors are also appointed by the Council to a number of external organisations.
- 4.1.3 We recognise that councillors are responsible to their electorate as:
- Representatives of a particular ward.
  - Community leaders.
  - Decision makers for the whole Council area.
  - Policy makers for future activities of the Council.
  - Scrutineers and auditors of the work of the Council; and
  - Regulators of planning, licensing and other matters required by Government.
- 4.1.4 The guidance identifies the issues and factors an IRP should have regard to when making a scheme of allowances.<sup>4</sup> For the basic allowance we considered three

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<sup>3</sup> The former Office of Deputy Prime Minister – now the Department of Levelling Up, Housing and Communities. The Inland Revenue (now HM Revenue and Customs), *New Council Constitutions: Guidance on Consolidated Regulations for Local Authority Allowances*, London: TSO, July 2003, paragraph 67.

<sup>4</sup> The former Office of Deputy Prime Minister – now the Department of Levelling Up, Housing and Communities and *New Council Constitutions: Guidance on Consolidated Regulations for Local Authority Allowances*, London: TSO, July 2003, paragraphs 66-81.

variables in our calculation: the time required to execute the role effectively; the public service discount; and the rate for remuneration.



4.1.5 Each of the variables is explained below.

#### Required Time Input

4.1.6 We ascertained the average number of hours necessary per week to undertake the role of a councillor (with no special responsibilities) from interviews with councillors and through reference to the relevant information. In addition, we considered further information about the number, range, and frequency of committee meetings.

4.1.7 Discounting attendance at political meetings (which we judged to be centred upon internal political management), we find that the average time commitment required to execute the role of a councillor with no special responsibilities is **22 hours per week**.

#### Public Service Discount (PSD)

4.1.8 From the information analysed, we found councillors espoused a high sense of public duty. Given the weight of evidence presented to us concerning, among other factors, the levels of responsibility, the varied nature of the role, the need for learning and development, and the increasing accessibility and expectations of the public, we recommend a Public Service Discount of **33 per cent** to the calculation of the basic allowance. This percentage sits within the mid-range of PSDs applied to basic allowances by councils in the South East region.

#### Remuneration Rate

4.1.9 After establishing the expected time input to be remunerated, we considered a remuneration rate. We came to a judgement about the rate at which the councillors ought to be remunerated for the work they do.

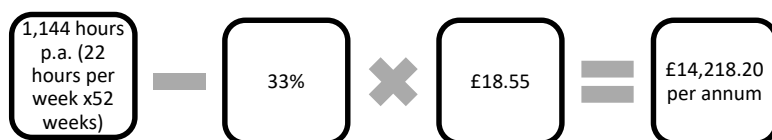
4.1.10 To help identify an hourly rate for calculating allowances, we utilised relevant statistics about the local labour market published by the Office for National Statistics. We selected the average (median), full-time gross<sup>5</sup> wage per hour for the Brighton and Hove Council area **£18.55<sup>6</sup> per hour**.

#### Calculating the basic allowance

4.1.11 After determining the amount of time required each week to fulfil the role (22 hours), the level of PSD to be applied (33%) and the hourly rate to be used (£18.55), we calculated the basic allowance as follows:

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<sup>5</sup> The Nomis official labour market statistics: Hourly Pay – Gross median (£) For full-time employee jobs by place of residence: UK December 2023.



4.1.12 The gross Basic Allowance before the PSD is applied is £21,221.20. Following the application of the PSD this leads to a basic allowance of **£14,218.20** per annum.

4.1.13 This amount is intended to recognise the overall contribution made by councillors, including their work on council bodies, and ward work and attendance on external bodies.

4.1.14 We did also note the levels of basic allowance currently allocated by other unitary councils in the South East.

Council	Unitary Councils: Basic Allowances (£) 2023 <sup>7</sup>
Bracknell Forest Council	9,038
<b>Brighton &amp; Hove City Council</b>	<b>13,593</b>
Buckinghamshire Council	13,458
Isle of Wight Council	8,832
Medway Council	11,474
Milton Keynes Council	11,689
Portsmouth City Council	11,684
Reading Borough Council	8,942
Royal Borough of Windsor and Maidenhead	8,472
Slough Borough Council	8,438
Southampton City Council	13,900
West Berkshire Council	8,154
Wokingham Borough Council	7,784

4.1.15 The Panel wished to ensure the level of basic allowance does not constitute a barrier to candidates from all sections of the community standing, or re-standing, for election as councillors. The Panel was of the view that the 2019 review had begun to make recommendations to ensure that the current basic was in accordance with the principle of fair remuneration and the 2024 review has further enhanced this approach through the continued application of a transparent and clear formula for calculating the Basic Allowance. Such a formula will also assist a future Panel in recommending a Basic Allowance

**WE THEREFORE RECOMMEND that the Basic Allowance payable to all Members of Brighton and Hove City Council be £14,218 per annum**

<sup>7</sup> Figures drawn from the South East Employers, Members' Allowances Survey 2023 (October 2023).

## 4.2 Special Responsibility Allowances (SRAs)

- 4.2.1 Special Responsibility Allowances are awarded to councillors who perform significant additional responsibilities over and above the roles and expenses covered by the basic allowance. These special responsibilities must be related to the discharge of the council's functions. The SRA payable is in addition to the Basic Allowance payable to all Brighton and Hove City Councillors.
- 4.2.2 The 2003 Regulations do not limit the number of SRAs which may be paid, nor do they prohibit the payment of more than one SRA to any one councillor. They do require that an SRA be paid to at least one councillor who is not a member of the controlling group of the Council. As the guidance suggests, if the majority of councillors receive an SRA, the local electorate may rightly question the justification for this.<sup>8</sup>
- 4.2.3 We conclude from the evidence we have considered that the following offices bear *significant* additional responsibilities:
- Leader of the Council
  - Deputy Leader of the Council
  - Cabinet Members
  - Leader of the Opposition
  - Leader of the Minority Groups
  - Chair of Overview and Scrutiny
  - Chairs of Planning
  - Chair of Licensing
  - Chair of Audit and Standards
  - Chair of Health and Wellbeing Board
  - Mayor
  - Deputy Mayor
  - Independent Persons
  - Cabinet Advisors

### One SRA Only Rule

- 4.2.4 To improve the transparency of the scheme of allowances, we feel that no councillor should be entitled to receive at any time more than **one SRA**. If a councillor can receive more than one SRA, then the public are unable to ascertain the actual level of remuneration for an individual councillor from a reading of the Scheme of Allowances.
- 4.2.5 Moreover, the One SRA Only Rule avoids the possible anomaly of the Leader receiving a lower allowance than another councillor. If two or more allowances are applicable to a councillor, then the higher-valued allowance would be received. The One SRA Only Rule is common practice for many councils. Our calculations for the SRAs are based on this principle, which should be highlighted:

**WE THEREFORE RECOMMEND that that no councillor shall be entitled to receive at any time more than one Special Responsibility Allowance and that this One SRA Only Rule be adopted into the Scheme of Allowances.**

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<sup>8</sup> The former Office of Deputy Prime Minister – now the Department of Levelling Up, Housing and Communities. *New Council Constitutions: Guidance on Consolidated Regulations for Local Authority Allowances*, London: TSO, July 2003, paragraph 72.



### The Maximum Number of SRA's Payable

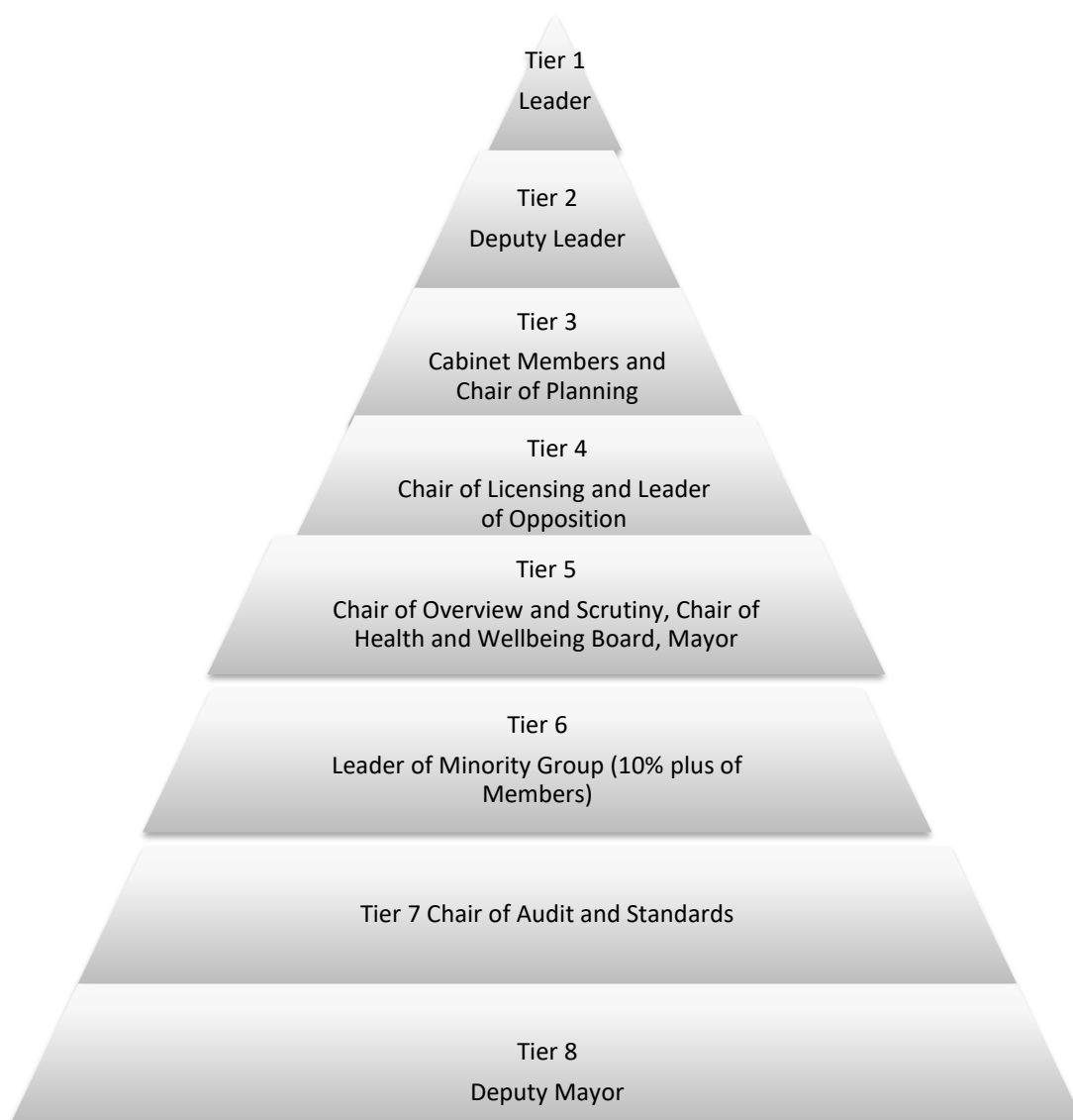
- 4.2.6 In accordance with the 2006 Statutory Guidance (paragraph 72) the Panel is of the view that the Council should adhere to the principal that no more than **50%** of Council Members (27) should receive an SRA at any one time.

**WE THEREFORE RECOMMEND that the Council should adhere to a maximum number of SRA's payable at any one time that does not exceed 50% of Council Members (27 Members).**

### Calculating SRAs

- 4.2.7 The Panel supported the criteria and formula for calculating the Leader of the Council allowance based on a multiplier of the Basic Allowance; this role carries the most significant additional responsibilities and is the most time consuming.
- 4.2.8 We applied a multiplier of the basic allowance to establish the Leader's SRA. Other SRAs are then valued downwards as a percentage of the Leader's allowance. This approach has the advantage that, when future adjustments to the SRAs are required, changing the Leader's SRA will have a proportionate and easily calculable effect on the other SRAs within the scheme.

We grouped together in Tiers those roles that we judged to have a similar level of responsibility. The outline result of this approach is illustrated in a pyramid of responsibility:



The rationale for these tiers of responsibility are discussed below.

Leader (Tier One)

4.2.9 The Council has adopted a Leader and Cabinet model of governance and therefore elects for a four-year term of office a Leader who is ultimately responsible for the discharge of all executive functions of the Council. The Leader is the principal policy maker and has personal authority to determine delegated powers to the rest of the Cabinet. The Leader is also responsible for the appointment (and dismissal) of members of the Cabinet and their respective areas of responsibility.

4.2.10 The multiplier we applied to calculate the Leader’s SRA is 260% (2.6 times) of the basic allowance. If the recommended option of a Basic Allowance with a PSD of 33% is adopted, this results in a Leader’s Allowance of £36,967.

**WE RECOMMEND that the Leader of the Council should receive a Special Responsibility Allowance of 260% of the Basic Allowance, £36,967.**

Deputy Leader (Tier Two)

4.2.11 The Deputy Leader usually acts on the Leader’s behalf in their absence and provides additional support to the Leader of the Council. From the information we gathered, we continue to consider this additional responsibility should be reflected in the level of

allowance. Therefore, we recommend the Deputy Leader's SRA be set at 60% of the Leader's SRA. If our recommendations concerning the Basic Allowance and the Leader's SRA are adopted, this results in an allowance of £22,180. If the Deputy Leader position were to be filled on a job share basis between two Cabinet Members, this would result in an allowance of £17,559.23. A job share of the Deputy Leader role between two Cabinet Members on this basis results in no change to the overall cost to the Scheme.

**WE RECOMMEND that the Deputy Leader receive a Special Responsibility Allowance of 60% of the Leader's Allowance, £22,180 or, if undertaken on a job share basis between two Cabinet Members, an allowance of £17,559.23**

#### Cabinet Members and Chair of Planning (Tier Three)

- 4.2.12 Cabinet Members appointed by the Leader of the Council have significant delegated decision-making responsibilities across their portfolio. The Cabinet Member role has more responsibility than a Chair of a Committee.
- 4.2.13 The panel is therefore of the view that the Special Responsibility Allowance for a Cabinet Member should be 35% of the Leader's Allowance, £12,938.
- 4.2.14 The Chair of Planning continues to have a high impact across the Council area and has a high workload that includes regular site visits and a high number of meetings. The Panel therefore recommends that the Chair Planning should receive a Tier Three allowance, 35% of the Leader's Allowance, £12,938

**WE RECOMMEND that a Cabinet Member and the Chair of Planning Committee should receive an allowance of 35% of the Leaders' Allowance, £12,938.**

#### Leader of the Opposition and Chair of Licensing (Tier Four)

- 4.2.15 From the evidence gathered as part of the structured interviews we consider the Leader of the Opposition to be a significant role and the 2003 Regulations require that the Leader of the Opposition receive a Special Responsibility Allowance. The Leader of the Opposition has to both ensure democratic accountability and the holding to account of the administration but also manage and develop a Group.
- 4.2.16 The Leader of the Opposition should receive a Special Responsibility Allowance calculated on the same basis as the other SRA's, a percentage of the Leader's Allowance. Based on the size and complexity of the role the Panel is of the view that the Main Opposition Group Leader should receive an allowance of 33% of the Leader's Allowance, £12,199.
- 4.2.17 The Panel was made aware that Licensing is a busy area of work because of the nature of the City, requiring a high number of Licensing Panels to take place in addition to Committee meetings. The Panel therefore recommends that the Special Responsibility Allowance for the Chair of the Licensing should also be a Tier Four allowance, 33% of the Leader's Allowance, £12,199.

**WE RECOMMEND that the Leader of the Opposition and the Chair of the Licensing Committee should all receive a Tier Four Allowance, 33% of the Leader's Allowance, £12,199.**

#### Chair of Overview and Scrutiny, Mayor and Chair of Health and Wellbeing Board (Tier Five)

- 4.2.18 The Panel was of the view that Overview and Scrutiny will be a pivotal part of the Council's new governance arrangements in ensuring internal and external accountability and holding the Cabinet to account. Statutory Guidance published by the former Department for Housing Communities and Local Government further strengthened the role and profile of overview and scrutiny and discussed the role as having a '*parity of esteem*' with a Cabinet role. Although as part of this review the Panel has not gone this far we do reflect the importance of overview and scrutiny in Brighton and Hove City Council. The Panel therefore recommends that the Chairs of Overview and Scrutiny should receive a Tier Five allowance, 30% of the Leader's Allowance, £11,090.
- 4.2.19 The role of Mayor is highly visible across the Council area and undertakes a high number of civic engagements that raise the profile of the Council and this is reflected in the current allowance. The Panel was of the view that the Mayoral Allowance should continue to be at the same percentage of the Leader's Allowance, 30%. We therefore recommend that the role of Mayor be recognised at Tier Five and receive an allowance of £11,090, 30% of the Leader's Allowance.
- 4.2.20 Within the new governance structure the Chair of the Health and Wellbeing Board will continue to be a pivotal role. The Panel recommends that the Chair of the Health and Well Being Board should receive a Tier Five allowance, 30% of Leader's Allowance, £11,090

**WE RECOMMEND that the Chairs of Overview and Scrutiny, Mayor and Chair of the Health and Wellbeing Board should each receive an allowance of 30% of the Leaders' Allowance, £11,090.**

Leader of the Minority Groups (Tier Six)

- 4.2.21 The Leader of a Minority Group should continue to be recognised as a role of significant importance, however the Panel was of the view that to qualify for the allowance the group should comprise of at least 10% of total councillors on Brighton and Hove City Council, six councillors.
- 4.2.22 The Panel recommends that the Leader of a Minority Group should receive an allowance of 20% of the Leader's Allowance, £7,393. The Panel further recommends that to qualify for this allowance the group should consist of at least 10% of total councillors, six councillors.

**WE RECOMMEND that the Leader of a Minority Group should receive an allowance of 20% of the Leader's Allowance, £7,393. The Panel further recommends that to qualify for this allowance the group should consist of at least 10% of total councillors, six councillors.**

Chair of Audit and Standards Committee (Tier Seven).

- 4.2.23 The Audit and Standards Committee was recognised as a high-profile committee that had a key role in terms of financial management and effective governance. The committee also had the lead responsibility for ensuring effective standards and overseeing the Code of Conduct. The Panel was of the view that the Chair should continue to receive a Special Responsibility Allowance of 15% of the Leader's Allowance, £5,758.

**WE RECOMMEND that the Chair of Audit and Standards should receive a Tier Seven allowance, 15% of the Leader's Allowance, £5,758.**

Deputy Mayor (Tier Eight)

4.2.24 The role of Deputy Mayor like that of the Mayor continues to be a high-profile role that has a significant impact across the Council area and a high workload based on the number and frequency of civic engagements. The Panel is of the view that the role of Deputy Mayor should continue to receive an allowance based on 6% of the Leader's Allowance, £2,218.

**WE RECOMMEND that the Deputy Mayor receive a Tier Eight Allowance, 6% of the recommended Leader's Allowance, £2,218.**

Deputy Leader of the Opposition, Deputy Chair of Planning and Deputy Chair of Licensing

4.2.25 The Panel is of the view that the roles of Deputy Leader of the Opposition, Deputy Chair of Planning and Deputy Chair of Licensing are not roles that meet the criteria of a Special Responsibility Allowance and the allowances for these three roles should be withdrawn.

**WE RECOMMEND that the Special Responsibility Allowances for the roles of Deputy Leader of the Opposition, Deputy Chair of Planning and Deputy Chair of Licensing should be withdrawn.**

Cabinet Advisor roles (up to four Cabinet Advisors appointed for a 12 month period)

4.2.26 The Panel has been made aware of proposals to support the new Cabinet with up to four Cabinet Advisor roles. Cabinet Advisors would be appointed by the Leader, following consultation with Cabinet, to lead on a specific policy area for a duration of 12 months. Cabinet Advisors will not be members of Cabinet and will not have decision making powers. The Panel are aware that this is a model operated by other Councils with a Leader and Cabinet system, to support the Cabinet with recommendations in specified areas.

4.2.27 The Panel has been made aware of a Cabinet Advisor role which would be to provide a regional role on Devolution and Functional Economic Areas. This is anticipated to be a more extensive role than the other 3 Cabinet Advisor roles, as it will operate across the Greater Brighton Economic Region and be a member of the Greater Brighton Economic Board. Taking into account the regional nature of the role, the Panel proposes an allowance of 12% of the Leaders' Allowance for this 12 month role, **£4,436.04**. For the other three City-focused Cabinet Advisor roles the Panel have considered comparative data and consider that these other three Cabinet Advisor roles should receive an allowance of 4% of the Leaders' Allowance, ie **£1,478.68**.

**WE RECOMMEND that the Special Responsibility Allowances for the role of Cabinet Advisor (Devolution and Functional Economic Areas) and the three roles of Cabinet Advisor (City-focused) should receive an allowance of £4,466.04 and £1,478.68 respectively.**

### **4.3 Independent Persons Allowance**

4.3.1 An IRP may recommend the payment and level of an allowance for those who serve on the committees or sub-committees of a Council but are not members of the Council. We recognise that in so doing, an element of the contribution made by the Independent Persons should be voluntary. We therefore continue to recommend that the Independent Persons of the Council are entitled to an allowance plus travel,

subsistence and other expenses in accordance with the scheme applicable to councillors.

**WE RECOMMEND that the Independent Persons should continue to receive an allowance of £1,030 per annum. The role will also receive travel, subsistence and other expenses in accordance with the scheme applicable to councillors.**

**WE ALSO RECOMMEND that the allowance for an Independent Person or Co-Optee chairing a Standards Panel hearing continue to be at a rate of £200 per meeting.**

#### **4.4 Travelling and Subsistence Allowance**

- 4.4.1 A scheme of allowances may provide for any councillor to be paid for travelling and subsistence undertaken in connection with any of the duties specified in Regulation 8 of the 2003 Regulations (see paragraph 5.10). Similarly, such an allowance may also be paid to co-opted/Independent Persons of a committee or sub-committee of the Council in connection with any of those duties, provided that their expenses are not also being met by a third party.

**WE RECOMMEND that travelling and subsistence allowance should continue to be payable to councillors and independent persons in connection with any approved duties. The amount of travel and subsistence payable shall continue to be at the maximum levels payable to council staff in line with HM Revenue and Customs' rates. We propose no changes to the current travel and subsistence allowances.**

#### **4.5 Child and Dependent Carers' Allowance**

- 4.5.1 The child and dependant carers' allowance should ensure that potential candidates are not deterred from standing for election and should enable current councillors to continue despite any change in their personal circumstances. The current scheme awards reimbursement for Child Care at the rate of **£9.00** per hour and more specialist care is also at a rate of **£9.00** per hour. The current scheme also limits any claim up to a maximum of £1,800 per annum when undertaking Approved Councillor duties.
- 4.5.2 The Panel is of the view that the Child and Dependent Carers' Allowance should continue to be reimbursed at two rates for basic Childcare and more specialist care. With regards to childcare the Panel recommends that this should be linked to the Real Living Wage as recommended by the Living Wage Foundation, currently **£12.00 per hour**.
- 4.5.3 With regard to more specialist care the Panel is of the view that because the cost of this type of care has escalated and that the nature of this type of care varies in terms of commitment and complexity the Panel is of the view that this should therefore be reimbursed at the actual cost incurred by the councillor upon production of receipts.
- 4.5.4 In respect of specialist care provision medical evidence that this type of care provision is required should also be provided and approved by an appropriate officer of the Council. The panel further recommends that the £1,800 maximum annual claim is removed.
- 4.5.5 The Panel recommends that the maximum claim for travel time and handover as part of the child and dependent Carers' allowance be increased from thirty minutes to sixty minutes for each journey.

- 4.5.6 Currently the Scheme of Allowances requires councillors to submit claims for allowances such as Childcare to be made within two months. To support a more manageable approach to claiming allowances the Panel is of the view that councillors be provided with up to **three months** to submit any claims relating to approved councillor duties.
- 4.5.7 The Panel is also of the view that the Monitoring Officer be given the discretion to accept claims outside of the three month limit in exceptional circumstances, such as illness or other circumstances beyond the councillor's control or where the Monitoring Officer otherwise considers it appropriate in all the circumstances. No extension should be given beyond six months.

**WE THEREFORE RECOMMEND that the Child and Dependant Carers' Allowance should be based on two rates: childcare and specialist care.**

**The childcare rate should be linked to the Real Living Wage as recommended by the Living Wage Foundation, currently £12.00 per hour (reviewed on an annual basis).**

**Specialist care should be based at cost upon production of receipts and in the case of specialist care a requirement of medical evidence that this type of care is required.**

**The allowance should have no maximum claim when undertaking Approved Councillor Duties.**

**The Panel further recommends that the maximum claim for travel time and handover as part of the Child and Dependant Carers' Allowance be increased from thirty to sixty minutes for each journey.**

**WE ALSO RECOMMEND that the Council should actively promote the allowance to prospective and new councillors both before and following an election. This may assist in supporting greater diversity of councillor representation.**

**FINALLY WE RECOMMEND that the timescale to make claims for allowances related to approved councillor duties be extended to three months and that the Monitoring Officer be given discretion to extend this timescale further in exceptional circumstances. No extension should be given beyond six months.**

## **4.6 Parental Leave**

- 4.6.1 There is no uniform national policy to support councillors who require parental leave for maternity, paternity, or adoption leave. According to the Fawcett Society (Does Local Government Work for Women, 2018) a *'lack of maternity, paternity provision or support'* is a real barrier for women aged 18-44 to fulfil their role as a councillor.
- 4.6.2 We are of the view that support should be provided for parental leave although we do not wish to stipulate an exact policy/procedure. The Panel is aware that the Local Government Association (Labour Group) has developed a model policy that has been adopted by a growing number of councils across the southeast region.
- 4.6.3 There is no legal right to parental leave of any kind for people in elected public office. However, as a way of improving the diversity of Councillors, the Panel would recommend that the Members' Allowance Scheme should be further updated to include provisions that clarify that:

- All Councillors shall continue to receive their Basic Allowance in full for a period at least six months in the case of absence from their Councillor duties due to leave relate to maternity, paternity, adoption shared parental leave or sickness absence
- Councillors entitled to a Special Responsibility Allowance shall continue to receive their allowance in full for a period of at least six months, in the case of absence from their Councillor duties due to leave related to maternity, paternity, adoption, shared parental leave or sickness absence
- Where for reasons connected with sickness, maternity leave, adoption leave, paternity leave or shared parental leave a Councillor is unable to attend a meeting of the Council for a period of six months, a dispensation by Council can be sought in accordance with Section 85 of the Local Government Act 1972
- If a replacement to cover the period of absence under these provisions is appointed by Council or the Leader (or in the case of a party group position the party group) the replacement shall be entitled to claim a Special Responsibility Allowance pro rata for the period over which the cover is provided.
- If a Councillor stands down, or an election is held during the period when a Councillor is absent due to any of the above and the Councillor is not re-elected or decides not to stand down for re-election, their Basic Allowance any Special Responsibility Allowance will cease from the date they leave office.

4.6.4 The Panel is aware that these provisions do not replicate the LGA Labour Group policy, as that policy introduces elements that are more akin to employees which in terms of employment legislation does not include Councillors. We feel that our recommendations more simply and adequately reflect the situation relating to Councillors and clarify for them what they can expect. Councillors however may wish to further develop the above recommendations.

4.6.5 The Panel was aware of the current BHCC policy that has been approved in respect of Parental and Special Leave and therefore the above recommendations are intended to build on that Policy.

**WE RECOMMEND that the approach outlined is adopted as an update to the Council's Policy to support Parental and Special Leave for councillors. This may include the adoption of the LGA Labour Group model policy for parental leave.**

**Any policy on Parental Leave for Councillors should be actively promoted to prospective and current Councillors alongside the Dependents' Carers Allowance.**

## **4.7 Indexing of Allowances**

4.7.1 A scheme of allowances may make provision for an annual adjustment of allowances in line with a specified index. The present scheme makes provision for the basic allowance, the special responsibility allowances, Independent Persons and Co-optees allowance to be adjusted annually in line with the percentage increase for staff salaries.



- 4.7.2 The 2022 and 2023 National Joint Council for Local Government Services pay settlement recommended a flat rate increase rather than a percentage increase, should this happen again during the period of this scheme then a mid-point Spinal Column Point should be used for calculating the indexation of the members allowances.

**WE RECOMMEND that the basic allowance, each of the SRAs, the Independent Persons and the Co-optees' Allowance be increased annually in line with the percentage increase in staff salaries from April 2025 for a period of up to four years. After this period, the Scheme shall be reviewed again by an independent remuneration panel.**

#### **4.8 Revocation of current Scheme of Allowances / Implementation of new Scheme**

- 4.8.1 The 2003 Regulations provide that a scheme of allowances may only be revoked with effect from the beginning of a financial year, and that this may only take effect on the basis that the authority makes a further scheme of allowances for the period beginning with the date of revocation.

**WE THEREFORE RECOMMEND that the new scheme of allowances to be agreed by the Council be implemented with effect from 16<sup>th</sup> May 2024, at which time the current scheme of allowances will be revoked.**

### **5. OUR INVESTIGATION AND A FUTURE REVIEW**

#### **5.1 Background**

- 5.1.1 We interviewed eleven current councillors including each group leader using a structured questioning process. We are grateful to all our interviewees for their assistance.

#### **5.2 Future Review**

- 5.2.1 The Panel recommends that a further review of members allowances should be undertaken after a period of at least six months implementation of the new governance arrangements and roles. This recognises that there are new arrangements in place and that the Panel is not able to survey all Members on the impact of the new arrangements until they have been in operation for a period of time. The review should therefore be undertaken, survey all Members and offering the opportunity for all Members from all Groups to speak to the Panel.

### **6. APPROVED COUNCILLOR DUTIES**

- 6.1.1 The Panel during the review was mindful of the recommended duties for which allowances should be payable. The Panel recommends that a comprehensive review of the Approved Councillor Duties is undertaken during the review recommended in quarter one of 2025.

**WE THEREFORE RECOMMEND: That no changes are made to the Approved Duties as outlined in the Members' Allowance Scheme.**

**However, the Panel recommends that a comprehensive evaluation of the Approved Duties is undertaken during the review recommended in quarter one of 2025.**

**John Bateman (Chair of the Independent Remuneration Panel)  
Jaine Jolly (Member of the Independent Remuneration Panel)  
Rachel Potter (Member of the Independent Remuneration Panel)**

**March 2024**

## Appendix 1: Summary of Panel's Recommendations

Allowance	Current Amount for 2023-24	Number	Recommended Allowance (33% PSD)	Recommended Allowance Calculation
<b>Basic (BA)</b>				
<b>Total Basic:</b>	<b>£13,593</b>	<b>54</b>	<b>£14,218</b>	

<b>Special Responsibility:</b>				
Leader of the Council	£33,593	1	£36,967	260% of BA
Deputy Leader	£20,390	1	£22,180	60% of Leader's Allowance
Deputy Leader if Job Share			£17,559.23	"
Cabinet Members	No SRA	8	£12,938	35% of Leader's Allowance
Chair of Planning	£11,894	1	£12,938	35% of Leader's Allowance
Chair of Licensing	£11,894	1	£12,199	33% of Leader's Allowance
Leader of Largest Opposition	£11,894	1	£12,199	33% of Leader's Allowance
Chair of Overview & Scrutiny	No SRA	3	£11,090	30% of Leader's Allowance
Mayor	£10,078	1	£11,090	30% of Leader's Allowance
Chair of Health and Wellbeing Board	£10,195	1	£11,090	30% of Leader's Allowance
Leader of Minority Group *1	£6,796	1	£7,393	20% of Leader's Allowance
Chair of Audit and Standards	£5,098	1	£5,758	15% of Leader's Allowance
Deputy Mayor	£2,016	1	£2,218	6% of Leader's Allowance
Independent Persons/ Co-opted Members	£1,030		£1,030	
Chair of Standards Panel Hearing	£200		£200	
Cabinet Advisor – Devolution and Functional Economic Areas	-	1	£4,436.04	12% of Leaders Allowance
Cabinet Advisor – City Focus	-	3	£1,478.68	4% of Leaders Allowance

1. Leader of Minority Group to lead a group of at least 10% of total Members (6 Councillors).

