



# Buckinghamshire & Milton Keynes Fire Authority

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**Meeting and date:** Executive Committee, 8 February 2023

**Report title:** Members' Allowances

**Lead Member:** Councillor Simon Rouse, Chairman

**Report sponsor:** Graham Britten, Director of Legal and Governance

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**Action:** Decision

**Recommendations:**

That the recommendations below be considered for submission to the Authority:

1. That a Scheme for Members' Allowances for 2023/24 (**Appendix C**) be adopted with either
  - a) 0% increase in allowances; or
  - b) 2% increase in allowances; or
  - c) 5% increase in allowances.
2. That a Scheme for Members' Allowances for 2023/24 be adopted with an increase based on indexation not aligned to the NJC employers' Grey Book pay offer or award.

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**Executive summary:** The Authority is required to adopt a Scheme of Members' Allowances before 1 April each year and, in so doing, have due regard to the recommendations of the Independent Remuneration Panels (IRP) of the constituent authorities when considering its own Scheme of Members' Allowances and confirm that it has done so when it gives public notice of the Scheme of Allowances.

The Independent Remuneration Panel of the scheme for Milton Keynes City Council undertook a review in November 2021 and this is attached at **Appendix A**. The Council's IRP was convened in November 2022 to make a further recommendation as to indexation for 2023/24. The adopted arrangements for annual indexation are based on the percentage award for officers in the preceding year. However, the 2022/23 pay settlement for officers was based on a flat rate, as opposed to a percentage rate. The recommendation of the Council's IRP was to uprate all allowances by 4.69%, this being the median officer increase for 2021/22. [Scheme of Councillors' Allowances 2023/24](#)

The Independent Remuneration Panel of the scheme for Buckinghamshire Council undertook a review in January 2020 and this is attached at **Appendix B**.

The Authority agreed at its meeting on 14 December 2011 that the index linking for the period 2012/13 to 2014/15 – for basic and special responsibility (and co-optee) allowances – be the pay award for the Authority’s staff on National Joint Council (NJC) for Local Authorities’ Fire and Rescue Services, Scheme of Conditions of Service (Grey Book). The application of this index linking had been endorsed annually by the Authority since 2014/15 until 2021/22.

Although there had been a Grey Book 2% pay award effective from 1 July 2020, the Authority agreed in February 2021 to suspend the indexation for the year 2021/22, resulting in a 0% increase in Members’ allowances.

The NJC agreed an increase of 1.5% with effect from 1 July 2021 (NJC Circular 4/21, 28 June 2021) for the Authority’s staff on National Joint Council (NJC) for Local Authorities’ Fire and Rescue Services, Scheme of Conditions of Service (Grey Book).

At its meeting on 9 February 2022, the Executive Committee submitted two options to the Authority for the Scheme for Members’ Allowances for 2022/23 with either a) 0% increase in allowances; or b) 1.5% increase in allowances. At its meeting on 16 February 2022 the Authority resolved to adopt the latter.

A summary of the percentage increases to members’ allowances over the preceding five years is as follows:

2018/2019	1%
2019/2020	2%
2020/2021	2%
2021/2022	0%
2022/2023	1.5%

The draft Scheme of Allowances for 2023/24 is attached at **Appendix C** and shows three options: a 0% increase (suspending the indexation for the year 2023/24); and 2% or 5% increases in line with the respective NJC employers’ Grey Book pay offers.

Paragraphs 20 and 21 of the Scheme of Allowances provide that:

“20. The scales for all allowances are maxima and there is no obligation on any Member to claim any or all of the allowances.

21. A Member shall give notice in writing to the Chief Finance Officer that he/she elects to forego any part of his/her entitlement to an allowance under the scheme.”

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**Financial implications:** The current budget for Members’ Allowances (Basic and Special Responsibility Allowances) is £66k, including National Insurance costs. The

existing budget would be sufficient to cover a 2% increase. However, in line with pay assumptions made for BFRS employees, the proposed budget provides for a 5% increase in April 2023, which would increase the budget for Members' Allowances to £69k. The pay assumption for the 2023/24 budget is 4%.

Costs will be incurred in publishing a notice that the Authority has made a Scheme of Members' Allowances in a newspaper circulating in its area. The cost is estimated to be in the region of £800 (*£745.20 last year*).

**Risk management:** The recommendation will have no adverse effect on the Authority's business.

**Legal implications:** The making or amendment of the Members' Scheme of Allowances is a function reserved to a meeting of the Authority. An amendment may be made by the Authority in year. Regulation 10(4) of Local Authorities (Members' Allowances) (England) Regulations 2003 provides that "A scheme may make provision for an annual adjustment of allowances by reference to such index as may be specified by the authority and where the only change made to a scheme in any year is that effected by such annual adjustment in accordance with such index the scheme shall be deemed not to have been amended."

**Privacy and security implications:** No issues arising from the recommendations.

**Duty to collaborate:** The making of a scheme of allowances is the responsibility of each individual authority defined in the Local Authorities (Members' Allowances) (England) Regulations 2003. The methodology for doing so is prescribed exclusively by those regulations.

**Health and safety implications:** No issues arising from the recommendations.

**Environmental implications:** No issues arising from the recommendations.

**Equality, diversity, and inclusion implications:** The Authority's Scheme of Members' Allowances does not include any element for meeting costs incurred by a Member who has to arrange care in order to carry out their function as a Member of the Fire Authority.

The Local Authorities (Members' Allowances) (England) Regulations 2003 exclude the Authority from including such a provision in its Scheme. However, with the exception of co-opted members, all Members are appointed by either Buckinghamshire Council or Milton Keynes City Council and are entitled to claim "dependent carers' allowances" from their appointing authority. There are currently no co-opted members on the Authority.

**Consultation and communication:** A notice that the Authority has made a Scheme of Members Allowances will be published in a local newspaper and the updated Scheme of Members' Allowances can also be inspected at Headquarters, during standard office hours. Copies of the Scheme may be purchased at a cost of £2.50 or downloaded for free at [www.bucksfire.gov.uk](http://www.bucksfire.gov.uk)

**Background papers:** [EMP CIRCULAR 2/22](#), [EMP CIRCULAR 3/22](#), [EMP CIRCULAR 4/22](#), [EMP CIRCULAR 5/22](#), [NJC Circular 4/21, 28 June 2021](#), [Executive Committee Minutes \(9 February 2022\)](#), [Fire Authority minutes \(16 February 2022\)](#)

Appendix	Title	Protective Marking
A	Milton Keynes City Council report of the Independent Panel of Members' Allowances November 2021	
B	Buckinghamshire Council report of the Independent Panel of Members' Allowances January 2020.	
C	Draft Scheme for Members' Allowances 2023/24.	



**The report of the Independent Remuneration Panel  
appointed to review the allowances paid to Councillors  
of Milton Keynes Council**



November 2021

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## **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 Milton Keynes Council formally appointed the following persons to undertake this process and make recommendations on its future scheme.

Stewart Bailey – Local resident and Managing Director, Virtual Viewing  
Ruby Parmar- Local Resident and Former PWC Director  
Mark Palmer – Development Director, South East Employers (Chair)  
Clive Parker- Local Resident and former Local Government Officer, provided administrative support to the Panel

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) co-optees' 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 2017.

2.1.2 The Scheme currently provides that all councillors are each entitled to a total basic allowance of £10,924 per annum, with effect from April 2021. 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 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 all of the councillors we interviewed and in the responses to the questionnaire completed by councillors 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 2021 continues to subscribe 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
- (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.

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<sup>1</sup> The former Office of Deputy Prime Minister – now the Department for Communities, Housing and Local Government, and Inland Revenue, *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.



- (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 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

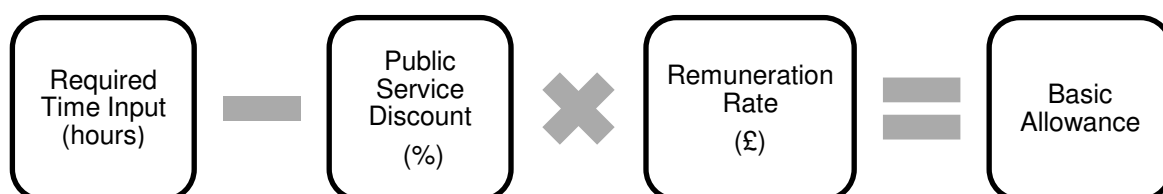
4.1.1 A Council’s scheme of allowances must include provision for a basic allowance, payable at an equal flat rate to all councillors. The guidance on arriving at the basic allowance states, “Having established what local councillors do, and the hours which are devoted to these tasks the local authorities 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 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.

<sup>3</sup> The former Office of Deputy Prime Minister – now the Department for Housing, Communities and Local Government, and Inland Revenue, *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 for Communities and Local Government, and Inland Revenue, *New Council Constitutions: Guidance on Consolidated Regulations for Local Authority Allowances*, London: TSO, July 2003, paragraphs 66-81.

### 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 questionnaires and 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.<sup>5</sup>
- 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 21 hours per week.

### Public Service Discount (PSD)

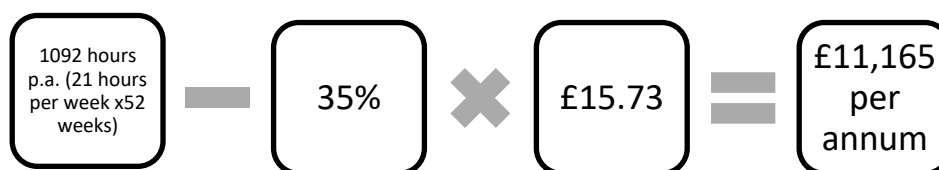
- 4.1.8 From the information analysed, we found councillors espoused a high sense of public duty. Given the weight of evidence presented to us concerning, among other factors, the levels of responsibility, the varied nature of the role, the need for learning and development, and the increasing accessibility and expectations of the public, we recommend a Public Service Discount of 35 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 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>6</sup> wage per hour for the Milton Keynes Council area £15.73<sup>7</sup> per hour.

### Calculating the basic allowance

- 4.1.11 After determining the amount of time required each week to fulfil the role (21 hours), the level of PSD to be applied (35%) and the hourly rate to be used (£15.73), we calculated the basic allowance as follows:



- 4.1.12 The gross Basic Allowance before the PSD is applied is **£17,177.16**. Following the application of the PSD this leads to a basic allowance of **£11,165.15** 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.

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<sup>5</sup> The summary responses to the questionnaires are available on request.

<sup>6</sup> The basic allowance, special responsibility allowance, dependants' carers' allowance, and co-optees' allowance are taxable as employment income.

<sup>7</sup> The Nomis official labour market statistics: Hourly Pay – Gross median (£) For full-time employee jobs by place of residence: UK December 2020.

4.1.14 We did also note the levels of basic allowance currently allocated by other unitary councils in the South East and part of the Milton Keynes family group of Councils, (see table below and Appendix 3 & 4).

Council	Unitary Councils: Basic Allowances (£) 2021 <sup>8</sup>
Brighton and Hove City Council	13,360
Bedford Council	10,425
Bolton Council	11,644
Bracknell Forest Council	8,697
Buckinghamshire Council	13,000
Bury Council	8,947
Coventry City Council	14,490
Isle of Wight Council	8,001
Kirklees Council	14,002
Luton Council	7,500
Medway Council	10,733
Milton Keynes Council	10,924
Peterborough City Council	10,508
Portsmouth City Council	11,483
Reading Borough Council	8,447
Royal Borough of Windsor and Maidenhead	8,306
Slough Borough Council	7,779
Southampton City Council	13,057
Swindon Council	8,797
Telford Council	9,703
Thurrock Council	9,200
Trafford Council	6,940
Warrington Council	8,321
West Berkshire Council	7,697
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 2017 review had begun to make recommendations to ensure that the current basic was in accordance with the principle of fair remuneration and the 2020 review has further enhanced this approach through the introduction 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 Milton Keynes Council be £11,165 per annum**

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<sup>8</sup> Figures drawn from the South East Employers, Members' Allowances Survey 2021 (October 2021) and the Milton Keynes Council Family Group of Councils.

## 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.
- 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>9</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
  - Main Opposition Group Leader
  - Smaller Opposition Group Leader
  - Chair of Scrutiny Management Committee
  - Chairs of Scrutiny Committees
  - Chairs of Task and Finish Groups
  - Chair of Development Control Committee
  - Chair of Licensing Committee
  - Chair of Audit Committee
  - Chair of Standards Committee
  - Chair of a Corporate Parenting Committee
  - Mayor
  - Deputy Mayor
  - Co-Opted Members

### 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>9</sup> The former Office of Deputy Prime Minister – now the Department for Housing Communities and Local Government, and Inland Revenue, *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 principle that no more than 50% of Council Members (30) should receive an SRA at any one time.

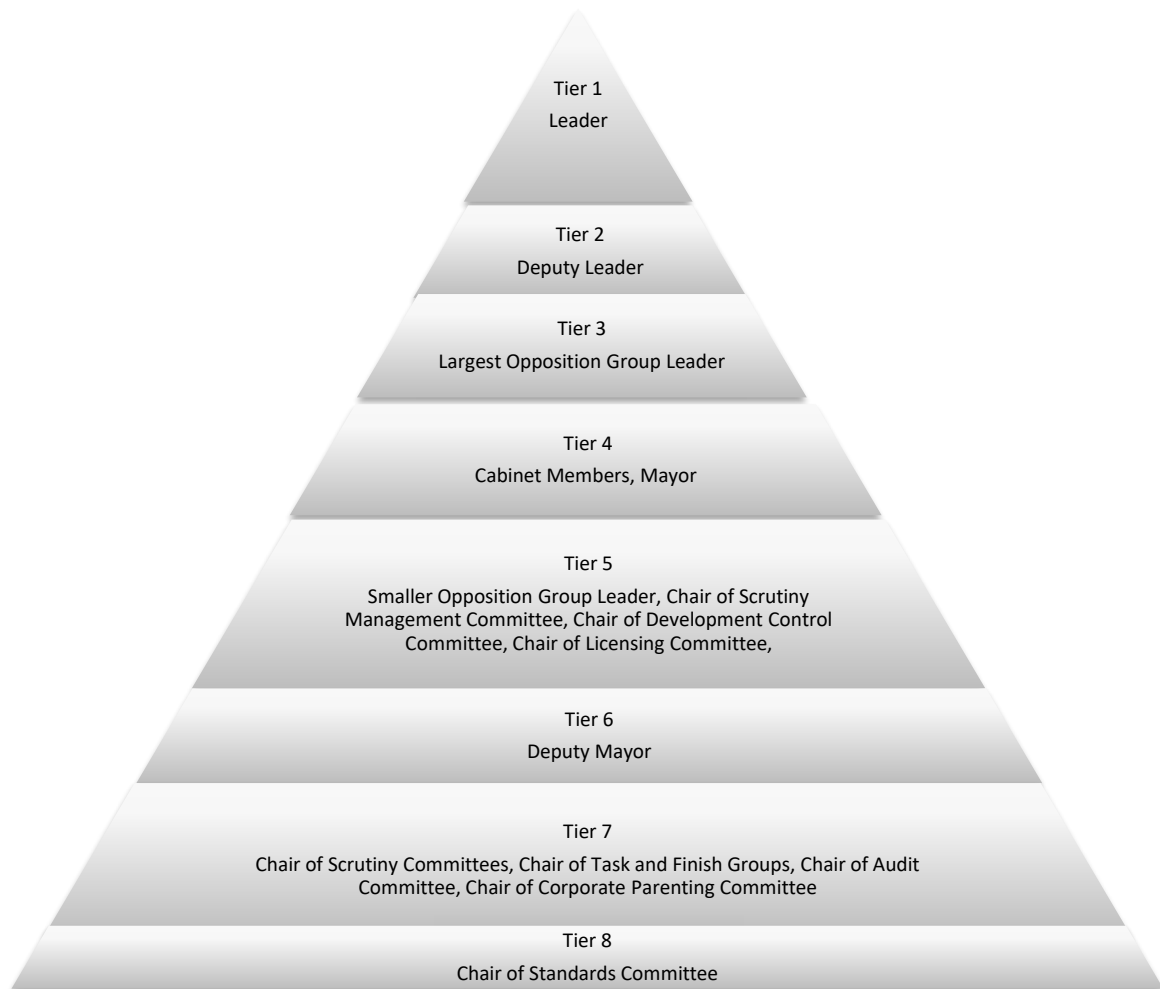
**WE THEREFORE RECOMMEND that the Council should adhere to a maximum number of SRA's payable at any one time that does not exceed 50% of Council Members (28 Members).**

### 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:



4.24 The rationale for these eight tiers of responsibility are discussed below.

#### Leader (Tier One)

- 4.2.9 The Council 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 300% (3 x times) the basic allowance. If the recommended option of a basic allowance with a PSD of 35% is adopted, this results in a Leader's Allowance of £33,495.

**WE RECOMMEND that the Leader of the Council should receive a Special Responsibility Allowance of 300% of the basic allowance, £33,495.**

#### Deputy Leader (Tier Two)

- 4.2.11 The Deputy Leader usually acts on the Leader's behalf in their absence. 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 50% 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 £16,748.

**WE RECOMMEND that the Deputy Leader receive a Special Responsibility Allowance of 50% of the Leader's Allowance, £16,748.**

#### Main Opposition Group Leader (Tier Three)

- 4.2.12 From the evidence gathered, including questionnaire responses, face to face interviews and the Council's Role Profiles, we consider the Main Opposition Group Leader to be a significant role and the 2003 Regulations require that the Main Opposition Group Leader receive a Special Responsibility Allowance. The Leader of the Main Opposition Group has to both ensure democratic accountability and the holding to account of the administration but also manage and develop a Group of significant size.
- 4.2.13 Currently the Main Opposition Group Leader receives a Special Responsibility Allowance based on a per Group Member basis, currently £658 per Member. The Panel was of the view that the SRA for the Main Opposition Group Leader should be 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 45% of the Leader's Allowance, £15,073.

**WE RECOMMEND that the Main Opposition Group Leader receive a Special Responsibility Allowance of 45% of the Leader, £15,073.**

#### Cabinet Members and Mayor (Tier Four)

- 4.2.14 Cabinet Members appointed by the Leader of the Council have significant delegated decision-making responsibilities and currently the Cabinet Member Special Responsibility Allowances are based on a pool that is currently capped at a total of £68,666 for Cabinet Members excluding the Leader and Deputy Leader. The 'Pool' cap based on a current six Cabinet Members leads to an allowance of £9,809 per Cabinet Member. However, if the Leader was minded to introduce further Cabinet roles (Maximum of eight Cabinet Members) to respond to new and growing Local Government responsibilities then the 'Pool' cap will lead to the current Cabinet Members allowances been reduced.

4.2.15 The panel was of the view that the current 'Pool' approach to calculating the SRA's for Cabinet Members should be replaced with the same criteria as used for calculating the other SRA's namely a percentage of the Leader's Allowance. The Panel was of the view that this will provide the Leader with greater flexibility to appoint a Cabinet that is best able to respond to the current and future challenges. The panel is therefore of the view that the Special Responsibility Allowance for a Cabinet Member should be 35% of the Leader's Allowance, £11,723.

**WE RECOMMEND that a Cabinet Member should receive an allowance of 35% of the Leaders Allowance, £11,723.**

4.2.16 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. The current Mayoral Allowance is in line with that paid to Cabinet Members. The Panel was of the view that the Mayoral Allowance should continue to be at the same rate as a Cabinet Member. We therefore recommend that the role of Mayor continue to be recognised at Tier Four and receive an allowance of £11,723, 35% of the Leader's Allowance.

4.2.16 The Panel was also of the view that in line with all the other Special Responsibility Allowances the Allowance for both the Mayor and Deputy Mayor should be paid on a monthly basis rather than in two equal instalments in June and November.

**WE RECOMMEND that the Mayor should continue to receive an allowance in line with the recommendation for a Cabinet Member, 35% of the Leader's allowance, £11,723. WE ALSO RECOMMEND that the allowance for the Mayor and Deputy Mayor should be paid on a monthly basis in line with all the other Special Responsibility Allowances rather than in two equal instalments.**

Smaller Opposition Group Leader, Chair of Scrutiny Management Committee, Chair of Development Control Committee and Chair of Licensing Committee (Tier Five)

4.2.17 The Leaders of Smaller Opposition Groups continue to be a role of significant importance and the Panel was therefore of the view that the Leader of the Smaller Opposition Group should receive a Tier Five allowance, 25% of the Leader's Allowance, £8,374. In line with the recommendation made for the SRA for the Main Opposition Group Leader the Panel recommend that the allowance should now be expressed as a percentage of the Leader's Allowance rather than the current position of being based on the number of Members in each group (£658 per Group Member). However, the Panel were also of the view that in order to qualify for a Smaller Opposition Group Leader SRA, the Group size should comprise a minimum of 15% of the Council membership, which is currently 9 Councillors.

4.2.18 The Panel was of the view that Overview and Scrutiny continues to be a pivotal part of the Council's governance arrangements in ensuring internal and external accountability and holding the Cabinet to account. Statutory Guidance published by the then Department for Housing Communities and Local Government further strengthened the role and profile of overview and scrutiny, and this will be reflected in Milton Keynes Council. The Panel therefore recommends that the Chair of the Overview and Scrutiny Management Committee should receive a Tier Five allowance, 25% of the Leader's Allowance, £8,374.

4.2.19 The Development Control Committee 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 of the Development Control Committee should receive a Tier Five allowance, 25% of the Leader's Allowance, £8,374.

4.2.20 The Panel was made aware that the number and frequency of meetings of the Licensing and Regulatory Committee have reduced over the last year's. However, Special Responsibility Allowances are not based only on the frequency of meetings but also, on the complexity of the role. The Panel therefore recommends that the Special Responsibility Allowance for the Chair of the Licensing and Regulatory Committee should also be a Tier Five allowance, 25% of the Leader's Allowance, £8,374.

**WE RECOMMEND that the Smaller Opposition Group Leader (subject to the size of the Group comprising 15% of the Council membership), the Chair of the Overview and Scrutiny Management Committee, Chair of the Development Control Committee and Chair of the Licensing Committee should all receive a Tier Five Allowance, 25% of the Leader's Allowance, £8,374.**

Deputy Mayor (Tier Six)

4.2.21 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 50% of the Mayoral Allowance, £5,862.

**WE RECOMMEND that the Deputy Mayor continues to receive a Tier Six Allowance, 50% of the recommended Mayoral Allowance, £5,862.**

Chair of Scrutiny Committees, Chair of Task and Finish Groups, Chair of Audit Committee and Chair of a Corporate Parenting Committee (Tier Seven).

4.2.22 Like the Overview and Scrutiny Management Committee the Panel was of the view that the Scrutiny Committees had a highly important role in ensuring accountability, reviewing and developing policy; and this importance should be reflected in the allowance for the Chair of the Scrutiny Committees. The Panel was therefore of the view that the Chair of the Scrutiny Committees should receive a Tier Seven allowance, 15% of the Leader's Allowance, £5,024.

4.2.23 The Panel also recognised the importance of the Task and Finish Groups in undertaking in-depth reviews and investigations in respect of issues deemed of high importance by both councillors, partners and the public. The Panel is therefore of the view that the Chairs of the Task and Finish Groups should receive a pro rata (depending on the length of time the Group is in place) Tier Seven allowance, 15% of the Leader's Allowance, £5,024.

4.2.24 The Audit Committee was recognised as a high-profile committee that had a key role in terms of financial management and effective governance. The Panel was of the view that the Chair should continue to receive a Special Responsibility Allowance but that this allowance should be in line with roles such as Chair of a Scrutiny Committee. The Panel therefore recommends that the Chair of Audit Committee should receive a Tier Seven allowance, 15% of the Leader's Allowance, £5,024.

4.2.25 The Chair of the Corporate Parenting Panel does not currently receive a Special Responsibility Allowance despite the high workload and external impact of the role. The role of corporate parent is a key but often not well recognised role and currently the Panel is not recognised as a formal committee within the governance structure of the Council. During the interviews and within the responses to the questionnaire the important role of the Chair of the Corporate Parenting Panel was highlighted. Only few comparative Councils e.g., Peterborough City Council recognise the role of the Chair of a Corporate Panel/Committee through an allowance. However, the Panel was of the view that the role of Chair of the Corporate Parenting Panel should receive a Tier Seven Special Responsibility Allowance, 15% of the Leader's Allowance, £5,024.



**WE RECOMMEND that the Chair of the Scrutiny Committees, Chair of the Task and Finish Groups, Chair of the Audit Committee and Chair of the Corporate Parenting Panel should receive a Tier Seven allowance, 15% of the Leader's Allowance, £5,024. In respect of the allowance for the Chair of the Task and Finish Groups the allowance will be on a pro-rata basis, depending on the length of time the Group is in place.**

Chair of Standards Committee (Tier Eight)

- 4.2.26 The Panel recommends that the Chair of the Standards Committee receive a Tier Eight allowance, 10% of the Leader's Allowance, £3,340.

**WE RECOMMEND that the Chair of the Standards Committee receive a Tier Eight allowance, 10% of the Leader's Allowance, £3,340.**

### **4.3 Co-optees'/ 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 co-optees/Independent Persons should be voluntary. We therefore continue to recommend that co-optees 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 Co-optees should continue to receive an allowance of £640 per annum. The role will also receive travel, subsistence and other expenses in accordance with the scheme applicable to councillors.**

### **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 be payable to councillors and co-optees 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.**

**WE FURTHER RECOMMEND that a travel allowance for electric vehicles should be introduced based on the HM Revenue and Customs' rate of 45p per mile. Finally, a bicycle allowance should also be approved, and both these new rates should be promoted to Councillors.**

### **4.5 Child and Dependant 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 the National Living Wage and more specialist care is a rate of £10 per hour, the cost of a Milton Keynes Council Home Help Carer. The current scheme also limits any claim up to a maximum of five hours when undertaking Approved Councillor duties.

- 4.5.2 The Panel is of the view that the Child and Dependant 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 £9.50 per hour. This is a single rate that replaces the age-related criteria in the current scheme. With regard to more specialist care the Panel is of the view that this should be reimbursed at the actual cost incurred by the councillor upon production of receipts. 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 five-hour maximum claim in any twenty-four-hour period is removed.

**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 £9.50 per hour (reviewed on an annual basis). Specialist care should and 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 be required, the allowance should have no daily or monthly maximum claim when undertaking Approved Councillor Duties.**

**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.**

## **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 amended to include provisions that clarify that:
- All Councillors shall continue to receive their Basic Allowance in full for a period up to 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 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 conscious that these provisions do not replicate the LGA policy, but 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 so that they reflect the LGA (Labour Group) policy.
- 4.6.5 The Panel was aware that in July 2019 a decision was taken on Parental Leave Policies for Councillors and that it was recommended that a cross party working group be established to create and agree a parental leave policy and the Panel supports this approach.
- 4.6.6 The Panel would also like to thank the representation undertaken by members of the Fawcett Society and the information and documents provided that assisted the Panel In its recommendations.

**WE RECOMMEND that the approach outlined is adopted as a basis of a policy to support parental leave for councillors. Should a policy on Parental Leave for Councillors be approved it should be actively promoted to prospective and current Councillors alongside the Dependants' Carers Allowance. This should form part of a wider 'Be A Councillor' (LGA led initiative) programme led by the Council and supported by political groups; to enhance and further increase the diversity of councillor representation.**

## **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 and Co-optees allowance to be adjusted annually at a rate of 2%. Increasingly, Councils are taking the approach that the increase should be in line with staff salaries. However, the negotiations relating to staff pay increases, often take well into the financial year in question.

**WE RECOMMEND that the basic allowance, each of the SRAs and the Co-optees' Allowance be increased annually from April 2023 for a period of up to three years, in line with the percentage increase in staff salaries, from the previous financial year. 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 the beginning of the 2022/23 municipal year, at which time the current scheme of allowances will be revoked.

## **5. OUR INVESTIGATION**

### **5.1 Background**

- 5.1.1 As part of this review, a questionnaire was issued to all councillors to support and inform the review. Responses were received from 14 of the 57 current councillors (25% response). The information obtained was helpful in informing our deliberations.
- 5.1.2 We interviewed ten current councillors using a structured questioning process. We also interviewed two members of the Fawcett Society. We are grateful to all our interviewees for their assistance.

### **5.2 Councillors' views on the level of allowances**

- 5.2.1 A summary of the councillors' responses to the questionnaire are attached as Appendix 2.

## **6. APPROVED COUNCILLOR DUTIES**

- 6.1.1 The Panel reviewed the recommended duties for which allowances should be payable and recommend that no changes be made.

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

Mark Palmer (Chair of the Independent Remuneration Panel)  
Development Director, South East Employers  
November 2021

## Appendix 1: Summary of Panel's Recommendations

Allowance	Current Amount for 2020-21	Number	Recommended Allowance (35% PSD)	Recommended Allowance Calculation
<b>Basic (BA)</b>				
<b>Total Basic:</b>	<b>£10,924</b>	<b>57</b>	<b>£11,165</b>	

<b>Special Responsibility:</b>				
Leader of the Council	£31,836	1	£33,495	300% of BA
Deputy Leader	£15,918	1	£16,748	50% of Leader's Allowance
Largest Opposition Group Leader	£658 per Group member	1	£15,073	45% of Leader's Allowance
Cabinet Members	£9,809	6	£11,723	35% of Leader's Allowance
Mayor	£11,672	1	£11,723	35% of Leader's Allowance
Chair of Licensing & Regulatory Committee	£8,489	1	£8,374	25% of Leader's Allowance
Chair of Development Control Committee	£8,489	1	£8,374	25% of Leader's Allowance
Chair of Scrutiny Management Committee	£7,959	1	£8,374	25% of Leader's Allowance
Smaller Opposition Group Leader	£658 per Group Member	1	£8,374	25% of Leader's Allowance
Chair of Scrutiny Committees	£4,776	6	£5,024	15% of Leader's Allowance
Chair of Task and Finish Groups	£4,776		£5,024 <sup>1</sup>	15% of Leader's Allowance
Chair of Audit Committee	£5,836	1	£5,024	15% of Leader's Allowance
Chair of Corporate Parenting Panel	No SRA	1	£5,024	15% of Leader's Allowance
Chair of Standards Committee	£3,183	1	£3,340	10% of Leader's Allowance
Deputy Mayor	£5,836	1	£5,862	50% of Mayor's Allowance
Co-opted Members	£640		£640	

1. Chair of Task and Finish Groups Special Responsibility Allowance to be paid on a pro-rata basis dependent on the length of time the Group is in place.

**Buckinghamshire Council**  
**Report of the Independent Remuneration Panel**  
**9 January 2020**

**1. Background**

1.1 Buckinghamshire Council established an Independent Remuneration Panel (the Panel), in order to advise the Council on a scheme of allowances for councillors reflecting the governance arrangements and responsibilities introduced by the Local Government Act 2000.

1.2 This report has been prepared by the Panel for Buckinghamshire Council comprising of:

Hazel Bentall  
Nigel Palmer  
Dr Bill Reid  
Mark Tosh

1.3 The Local Authorities (Members' Allowances) (England) Regulations 2003 (the Regulations) apply to local authorities including unitary, district and county councils.

1.4 The Regulations require a relevant authority to make a scheme providing for the payment of a basic allowance (BA) to each member of that authority. The BA must be the same for each member of the authority.

1.5 A relevant authority's scheme of allowances may also provide for the payment of special responsibility allowances (SRAs) to such members of the authority as have special or additional responsibilities. The specified categories of special or additional responsibilities which may be included in a scheme of allowances include:

- i) Acting as leader or deputy leader of a political group within the authority;
- ii) Acting as a member of an executive where the authority is operating executive arrangements within the meaning of part 2 of the Local Government Act 2000;
- iii) Presiding at meetings of a committee or sub-committee of the authority;
- iv) Representing the authority at meetings of or arranged by any other body;
- v) Acting as a member of a committee or sub-committee of the authority which meets with exceptional frequency or for exceptionally long periods;
- vi) Acting as the spokesman of a political group on a committee or sub-committee of the authority; and

- vii) Carrying out such other activities in relation to the discharge of the authority's functions as require of the member an amount of time and effort equal to or greater than would be required of him or her by any of the above mentioned activities.

1.6 SRAs need not be the same and may reflect the different expectations, time and effort involved in particular roles.

1.7 Member allowance schemes may also provide for the payment of a dependent carers' allowance and also for members' travelling and subsistence whilst acting in connection with their duties as a member of the authority.

1.8 Before a relevant authority may make or amend a scheme of allowances it must have regard to recommendations made in relation to the scheme by an independent remuneration panel.

## **2. Buckinghamshire Council**

2.1 Following the parliamentary approval of the Buckinghamshire (Structural Changes) Order 2019, Buckinghamshire Council will come into effect on 1 April 2020 and the current district councils of Aylesbury Vale, Chiltern, South Bucks and Wycombe and Buckinghamshire County Council will cease to exist.

2.2 Elections for the 147 seats on Buckinghamshire Council will be held on 7 May 2020.

2.3 For the period 1 April to 11 May 2020 (11 May 2020 being the date on which the 147 newly elected councillors take office) "the Interim Period", the 202 current members of the five sovereign councils mentioned above will continue as members of Buckinghamshire Council. As the current councils will no longer exist, their respective schemes of members' allowances will cease and allowances will no longer be payable, pursuant to the Regulations.

2.4 Therefore, in addition to making recommendations on a scheme of allowances for the new cohort of councillors to be elected in May, the Panel has also been asked to consider what approach should be taken to the provision of allowances during the Interim Period.

2.5 A scheme for the payment of a BA must be adopted by the Shadow Council for Buckinghamshire Council. It may also adopt a scheme for the payment of SRAs and other allowances. Members must have regard to the recommendations of the Panel in relation to a scheme of allowances before adopting any scheme. Therefore, councillors themselves acting as a relevant authority make the final decision about what allowances are to be available.

2.6 Regulation 20 (2) requires that an independent remuneration panel shall consist of at least three members none of whom:

- (a) Is also a member of an authority in respect of which it makes recommendations or is a member of a committee or sub-committee of such an authority; or
- (b) Is disqualified from being or becoming a member of an authority.

2.7 The four members of the Panel are individuals, none of whom are disqualified from being or becoming a member of a relevant authority.

2.8 The Panel has been asked to formulate recommendations for a scheme of members' allowances for Buckinghamshire Council for the Interim Period.

2.9 The Panel met on 12 November 2019 and 9 January 2020, and corresponded regularly throughout the process through electronic methods.

2.10 The Panel was provided with the following evidence:

- (i) relevant guidance and legislation (Allowances Regulations);
- (ii) benchmarking data of similar sized unitary authorities and current Buckinghamshire Councils' current allowances;
- (iii) information relating to the composition of Buckinghamshire Council;
- (iv) emerging governance structure for Buckinghamshire Council and anticipated roles of members, including the proposed structure and role of scrutiny within the new Council; and
- (v) a summary of the proposed committees included within the governance structure.

2.11 A questionnaire was sent to all of the Shadow Buckinghamshire Councillors seeking views on the average amount of time spent on council business, what level of BA may be appropriate for members of Buckinghamshire Council and other aspects relating to members' allowances. 46 responses were received, although not all respondents provided a response to all of the questions.

2.12 Members of the Shadow Executive provided a proposed scheme for the Panel to consider.

2.13 The Panel was supported by:

Sarah Ashmead, Deputy Chief Executive of Buckinghamshire Council  
Cath Whitehead, Head of Legal at Wycombe District Council and Deputy Monitoring Officer for the Shadow Buckinghamshire Council  
Mathew Bloxham, Democratic and Electoral Services Manager for Chiltern and South Bucks District Councils (C&SB)  
Leslie Ashton, Senior Democratic and Electoral Services Officer for C&SB  
Jack Pearce, Democratic and Electoral Services Officer for C&SB



2.14 The Panel recognises and acknowledges that the evidence provided is based upon emerging work in relation to the development of the Constitution and governance structure for Buckinghamshire Council and the best predictions of workloads and roles.

2.15 The Panel had regard to the extent to which the initial 202 members of Buckinghamshire Council may be engaged in the normal business of a relevant authority in the Interim Period and whether proposals for the scheme of allowances should differ in the Interim Period.

2.16 The Panel notes that the reorganisation of the five councils provides a unique opportunity to update the allowances.

### **3. Recommendations for Interim Period – 1 April to 11 May 2020**

3.1 The Panel was advised that there were not any full council meetings scheduled to take place during the interim period. A small number of committees may meet during the interim period in order to deal with any urgent matters, and the Shadow Executive Committee will continue to meet informally and make urgent decisions where required. It is also noted that the pre-election period will have begun prior to 1 April, which may also have an impact upon and limit decision-making activity of the new authority during the Interim Period.

3.2 The Panel noted that there will be an ongoing community representation role for all councillors during the Interim Period. It is further noted that councillors seeking election to the new council will likely be involved in election campaign activities during this period.

3.3 The Panel considers that continuing the payment of a BA in the Interim Period would be in recognition that all councillors will continue to perform their community representation role, whether or not they seek election to the new council.

3.4 The Panel noted that the Shadow Executive would continue to meet informally during the interim period and would very much still be playing a key role in the operation of the new Council, with Shadow Executive Members being responsible for their own specific portfolios.

3.5 Taking account of the anticipated responsibility of the Shadow Executive Committee during this interim period, the Panel considered an SRA should be payable to each member of the Executive, although agreed that the SRA should take into account that key decisions required by the Executive during this period should be minimal.

- 3.6 The Panel received representations from Members that substitute members of the Shadow Executive would also have a role in deputising and being involved in the transition activities being undertaken by the Shadow Executive. However, on the understanding that there will not be a significant number of meetings and members of the Executive would usually attend all meetings, it is felt that a separate SRA is not warranted.
- 3.7 The Panel noted that it would not be lawful to continue the existing Councils' allowances schemes as this would lead to different levels of BA being payable which was not permitted in the regulations.
- 3.8 The Panel recommends to pay a BA to all members of the Shadow Council for the Interim Period based on the representational role only and reflects that all 202 councillors would continue to serve residents taking into account the pre-election period regardless of whether councillors were seeking re-election.
- 3.9 The Panel would further recommend that in the event of meetings being called in the Interim Period, then councillors should be reimbursed for their travelling expenses and a carer's allowance, if required, which should be payable based on its recommendations for the post-Interim Period at paragraphs 6.4 and 8.3.

**3.10 The Panel recommends that during the Interim Period:**

- (a) The rate of the basic allowance to be paid to members of Buckinghamshire Council shall be set at £360;**
- (b) An SRA of £600 be paid to Shadow Executive Members;**
- (c) Travel subsistence to be paid to members in line with the HMRC Mileage Allowance Payments for undertaking official business during the Interim Period;**
- (d) A dependant carers' allowance be paid to members as set out in paragraph 8.3**

**4. Recommendations for Buckinghamshire Council BA to come into effect on 11 May 2020**

- 4.1 The Panel carefully considered the benchmarking data provided, the representations put forward by members of the Shadow Executive and responses to the all member questionnaire.
- 4.2 Views of respondents to the questionnaire suggested a varied level of BA, ranging from remaining at the existing County Council rate to being brought in line with other unitary authorities. Many respondents felt that the BA should be performance based, something the Panel agrees with, however legislation

dictates that the BA must be the same for each such member of an authority and as such we are bound to recommending one BA. Respondents reported a wide ranging number of average hours spent per week on Council business. The working hours ranged from 6 to over 26 hours per week, with the majority reporting spending 16 to 20 hours per week on Council business, this could be explained in part by the wide range of roles performed by those councillors who returned the questionnaire. The majority expected that there would be an increase in the number of hours spent on council business in the new council. The reasons cited included that there would be an increased number of services which the new Council would provide. Other reasons cited included more time spent travelling, and fewer members. Several respondents commented that the expected time and workload would very much depend on the number of committees a Councillor was appointed to, and whether they held any positions with additional responsibility.

- 4.3 The Panel accepted that unitary council services would add significantly to councillors' workload. For example, District Councillors would not be experienced with complex services such as Adult and Children's services, whilst County Councillors may not be experienced with Local Planning and Licensing matters. The complexity of these services will add significantly to the workload of those councillors not used to dealing with strategic cross district services.
- 4.4 It was acknowledged that the BA should be set at a level that would attract people from a broad demographic to stand for election and make the role itself more attractive. This will be of further importance if the Council elects to hold meetings during daytime hours as candidates will want to know that they will be appropriately compensated for their loss of paid working time.
- 4.5 The Panel is aware that the BA is an allowance and not a salary and is offered in recognition of members' time and certain expenses incurred on Council business.
- 4.6 Within the sample of similar sized unitary authorities in the benchmarking data, the BA ranges from £10,500 to £14,472.
- 4.7 The Panel was advised that the electoral ratio figures for the new council state that the average electorate per councillor will be 1:3637 whereas currently it is 1:3102, 1:2302, 1:2402, 1:2958 and 1:10913 for Aylesbury Vale, Chiltern, South Bucks, Wycombe and Buckinghamshire County Council respectively. With the significant changes it would now seem that their existing allowances were not in keeping with unitary authorities.
- 4.8 The Panel is aware that the scheme can be set for a maximum period of four years and that the scheme may be linked to an index. The creation of the new Council makes the task of setting allowances a complex one. The Panel recognised that the Council was about to go through a period of significant change and therefore suggested that allowances be reviewed earlier than four

years. It was suggested that Councillors determine when the early review of allowances takes place, but this was likely to be around one to two years' time. After which a review of allowances could then be undertaken every four years to coincide with the election of new members. The Panel is aware that any proposed changes to an agreed scheme of allowances would be subject to the Council having regard to the recommendations of the Panel. If a review of allowances was not carried out after one year the Panel, having considered representations and data comparisons, recommended the annual indexation of allowances to the Consumer Price Index (CPI) or the locally agreed officers' pay award, whichever is lower.

#### **4.9 The Panel recommends that the rate of the basic allowance paid to members:**

**(a) Be set at £13,000 per annum**

**(b) That a review of allowances be undertaken by the Panel at a suitable time determined by councillors to check that the scheme continues to be suitable following a period of significant change for the Council. If a review is not undertaken within one year then the basic allowance is to be adjusted by an amount equivalent to the increase in the officers' annual pay award or by CPI, whichever is lower. As the maximum period a scheme may be linked to an index is four years the Panel must meet to review allowances no later than 2024.**

### **5. Special Responsibility Allowances (SRAs)**

5.1 The Panel agreed that in principle a clear justified methodology for calculating SRAs was required. It was recommended that SRAs be based on a proportion of the BA. For example, a multiplier of the BA could be used according to the duties and responsibilities associated with each role. The multipliers for each SRA are shown in paragraph 5.16.

5.2 From the questionnaire responses and Shadow Executive representations, the Leader of the new Council would be expected to establish the priorities, behaviours and values for the Buckinghamshire Council for the forthcoming five years. There are currently five sovereign councils with different cultures and bringing them together into a new organisation will be a significant task. There is a significant responsibility to start the Council in the most positive way. Cabinet Members would need to share significant workloads in order to achieve the objectives of the new council. The Cabinet Members would be responsible for individual decision making within their portfolio. The roles of the Leader and Cabinet Member would likely increase in the foreseeable period, particularly in relation to those equivalent roles in the existing sovereign councils. It was noted that the SRA for the Leader proposed by the Shadow Executive had been based on the complexity of the role and took into account the methodology used by the County Council and Wycombe District Council's which was 3.5 x basic

allowance. An SRA for the Leader is therefore recommended at the level shown in paragraph 5.16.

5.3 The Panel acknowledges that the role of the Cabinet Member was significantly more than committee chairman and the emerging governance structure indicates that they would be making individual key decisions. An SRA for Cabinet Members is therefore recommended at the level shown in paragraph 5.16.

5.4 The Panel understands that the Deputy Leader's workload would be different to that of a Cabinet Member since they would be required to deputise for the Leader. A Deputy Leader may also have responsibility for their own portfolio and individual decision making as well as also deputising for the Leader. Up to two Deputy Leaders may be appointed. The Leader would determine how cabinet roles would be allocated. The Panel therefore agreed to recommend that the SRA for Deputy Leader would depend according to the number of Deputy Leaders appointed and whether or not they had a portfolio. An SRA for Deputy Leader is therefore recommended at the level shown in paragraph 5.16.

5.5 The Panel noted that there could be up to 9 Deputy Cabinet Members and they had specific responsibilities set out in the draft Constitution. This included supporting and assisting Cabinet Members for example by deputising for Cabinet Members. This would involve frequently being in the office, attending meetings and briefings. They may for example be required to attend scrutiny committees to answer questions on policy and decisions made. In practice they would also likely take on a proportion of a Cabinet member's workload and would be involved in stakeholder engagement. Decisions delegated to a Corporate Director would also be made in consultation with a Deputy Cabinet Member, in the absence of a Cabinet Member. The Panel agreed that an SRA for Deputy Cabinet Members was appropriate to reflect the associated duties and responsibility. The Panel recommended the SRA as shown in paragraph 5.16.

5.6 The Panel understands that the civic role of Chairman of the Buckinghamshire Council would be significant and will have important links to other partner organisations. The Chairman will have an important role in managing and presiding over regular Council meetings to ensure that Councillors who are not Cabinet Members or Committee Chairman are able to hold office holders to account. Whilst the Panel are not in favour of paying SRAs to vice chairmen in general, the Vice-Chairman of Council is an exception, as, in addition to deputising for the Chairman at meetings of the Council, they will also fulfil a civic role. It is further recognised that each sovereign Council's Chairmen currently attend a large number of events and the amalgamation of all 5 councils would likely lead to a significantly increased workload. The SRAs recommended for the Council Chairman and Council Vice-Chairman is therefore recommended at the level shown in paragraph 5.16.

5.7 The Panel used the emerging governance structure and Constitution to inform its considerations of other SRAs and understands that the roles would evolve.

The Panel understands that scrutiny is a valuable resource which requires investment and is vital in holding the executive to account. There would be six scrutiny committees each with their own range of service areas. Each one would have similar workloads and responsibilities. It was felt that the workload and responsibility of Scrutiny Committee Chairman would be similar to other Committee Chairman and therefore the respective SRAs should be similar as shown in paragraph 5.16.

5.8 The Panel felt that the Chairman of the Strategic Planning Committee and the five Area Planning Committee Chairmen would have particular responsibilities, require additional time commitment and were publicly high profile Committees. For example, Committee decisions could be significant, high profile, publicly sensitive and often contentious. The SRA recommended is shown in paragraph 5.16.

5.9 The Panel noted that there would be one Licensing Committee with two standing sub committees and in noting the roles and responsibilities therefore agreed to recommended an SRA as shown in paragraph 5.16

5.10 It was noted that although the Chairman of the Pension Fund Committee had specific responsibilities this role would be filled by a Cabinet Member who would receive their own SRA. Similarly, the Chairman of the Pay and Senior Appointments Committee would also be filled by a Cabinet Member who would receive their own SRA. The Panel therefore agreed that there be no SRA for the Chairman of the Pension Fund Committee and the Chairman of the Pay and Senior Appointments Committee.

5.11 After considering the Committee structure, the Committees' associated roles and responsibilities, as detailed in the draft Constitution, the Panel recommended that the Chairman of each of the following Committees each have the same SRA as shown in paragraph 5.16.

- Audit and Governance Committee
- Standards and General Purposes Committee

5.12 Most respondents to the questionnaire advocated that members should only be entitled to claim one SRA regardless of how many SRAs they are entitled to. This is a rule that is common amongst local authority member allowances schemes.

5.13 It was noted that there would be 16 Community Boards and there would be a review of the operation of them early in the new Council's life. It was recommended that an SRA for Chairman of each Community Boards was justified. The recommended level is shown in paragraph 5.16.

5.14 An update on the Community Governance Review was noted, and the SRA for the High Wycombe Town Committee Chairman would therefore remain as shown in paragraph 5.16

5.15 The Panel heard that the role of minority group leaders would be important for the management of the new council. For the purposes of the Regulations a group is more than one member, but there is no requirement for an SRA to be paid to any Group Leader. The Panel considered what number ought to constitute a group for the purposes of the awarding of an SRA and took into account the large size of council membership. The Panel considers that were an allowance to be split proportionally, any registered group's Leader should be entitled to a share to reflect their additional workload.

**5.16 The Panel recommends that the following special responsibility allowances be paid in recognition of the additional workload, levels of responsibility and accountability placed upon the following roles:**

- **Leader £45,500 (3.5 x BA)**
- **Deputy Leader £26,000 (2 x BA) if they hold a portfolio**
- **Deputy Leader £13,000 (1 x BA) if they do not hold a portfolio**
- **Cabinet Members £19,500 (1.5 x BA)**
- **Deputy Cabinet Members £6,500 (0.5 x BA)**
- **Chairman of the Council £13,000 (1 x BA)**
- **Vice-Chairman of the Council £6,500 (0.5 x BA)**
- **Chairman of Strategic Planning Committee £9,750 (0.75 x BA)**
- **Chairmen of Area Planning Committees £9,750 (0.75 x BA)**
- **Chairman of Licensing Committee £3,900 (0.3 x BA)**
- **Chairman of Audit and Governance Committee £7,800 (0.6 x BA)**
- **Chairmen of the Overview and Scrutiny Committees £7,800 (0.6 x BA)**
- **Chairman of Pension Fund Committee £ nil**
- **Chairman of Pay and Senior Appointments Committee £ nil**
- **Standards and General Purposes Committee £7,800 (0.6 x BA)**
- **Chairman of Community Boards £1,000**
- **Chairman of High Wycombe Town Committee £3,420 (if required)**
- **Group Leaders SRA £17,000 split proportionally dependent upon group size (e.g. Group Leader SRA = £17,000 divide by 147 x number of group members)**

5.17 The Panel further recommends that:

- a) **No SRAs be paid to Vice-Chairmen of Committees with the exception of the Vice-Chairman of Council**
- b) **Members may not receive more than one SRA**
- c) **That a review of allowances be undertaken by the Panel at a suitable time determined by councillors to check that the scheme is suitable following a period of significant change for the Council. If a review is not undertaken within one year then SRAs be adjusted by an amount**

**equivalent to the increase in the officers' annual pay award or by CPI, whichever is lower. As the maximum period a scheme may be linked to an index is four years the Panel must meet to review allowances no later than 2024.**

## **6. Travel Allowances**

6.1 The Panel notes that each of the relevant councils currently pays approved amounts under HMRC mileage allowance payments (MAPs). Anything payable above MAP approved amounts result in a taxable benefit to the claimant. The Panel further notes that to introduce taxable benefits into the travel allowances scheme would be a disproportionate bureaucratic burden on the authority.

6.2 The MAP approved amounts are currently:

- (a) Car – 45p per mile up to 10,000 and 25p per mile thereafter (including electrically powered);
- (b) Passenger payments – up to 5p per mile per passenger (up to a maximum of four) to be claimed only for passengers who would otherwise be eligible for travelling allowance;
- (c) Motorcycle – 24p per mile (including electrically powered);
- (d) Bicycle – 20p per mile (including electrically assisted e.g. ebike);
- (e) In relation to public transport (including rail and bus) – standard fare; and
- (f) Parking fees – actual cost

6.3 The Panel note and agree with Shadow Executive representations that sustainable methods of transport should be encouraged where possible, including use of electric/hybrid transportation.

**6.4 The Panel recommends the travel allowances be paid to members:**

**(a) In line with MAP for undertaking official business; and**

**(b) Travelling to the Buckinghamshire Council offices for meetings and official business.**

## **7. Subsistence allowances**

7.1 Subsistence allowances includes the costs of:

- (a) Accommodation (if a member is required to stay overnight); and
- (b) Meals and other 'subsistence' while travelling

7.2 The Panel wishes to emphasise that subsistence should be only claimable for undertaking official business outside of the new unitary council area.



**7.3 The Panel recommends the following subsistence allowances be paid to members in the case of an overnight stay away from the usual place of residence:**

- (i) Breakfast £6.50 (more than 4 hours away before 11am)**
- (ii) Lunch £9 (business journeys entailing working away from normal place of work between 12 and 2pm)**
- (iii) Dinner £11.50 (can be claimed when required to work outside of usual rostered requirements and away from normal place of work after 8.30pm)**

## **8. Carers' allowance**

8.1 The Panel reviewed the carers' allowance currently included in the sovereign councils' allowances schemes and acknowledges the importance of setting this at such a level so as to avoid deterring anyone seeking to become a councillor.

8.2 The Panel considered setting a ceiling, however understood that members would claim only where necessary and the monitoring officer could monitor this.

**8.3 The Panel recommends that a dependant carers' allowance (not payable to a member of the claimant's own household) be recompensed at:**

- (a) An hourly rate equivalent to 100% of the national living wage to be linked to changes at national level (£8.21 as at December 2019) for childcare**
- (b) An hourly rate of actual cost for adult/elderly/disabled dependent care, to be paid at the discretion of the Monitoring Officer**

## **9. Co-opted Members**

9.1 The Panel understands that Buckinghamshire Council will have co-opted members who are members of committees such as the Thames Valley Police and Crime Panel. The Panel recognises these are important roles, but as members shall be receiving a basic allowance, the Panel felt that a separate SRA is not warranted.

## **10. Foregoing and donating allowances**

10.1 The Panel recommends that members may, if they wish, forego all or any part of their entitlement to BA or any SRA by giving notice in writing to the Monitoring Officer of Buckinghamshire Council.

10.2 The Panel also supports any members who wish to donate any of their allowances through a 'Give as you earn' scheme.

10.3 **The Panel recommends that where a member ceases to be a member of Buckinghamshire Council, or ceases to occupy a role attracting an SRA, that the member only receives pro-rata payment for the period that they are entitled to receive an allowance. The authority may require that such part of any allowance as relates to any such period be repaid to the authority where an overpayment is made.**

## **11. Emerging Governance Structure**

- 11.1 The Panel received evidence that the governance structure would continue to evolve over time and that these would be matters for the Buckinghamshire Council and not the shadow council. Specifically, this would include how the culture of the new council would evolve.
- 11.2 The Panel has made its recommendations on the information made available to it as of January 2020 and recognises change will occur as the new Council evolves.
- 11.3 Given that change was likely during the formative years of the Council, the Panel recommends an early review of allowances is undertaken at a time considered appropriate by members. For example, after one or two years following the current review. If the early review takes place after one year then the Council could index link allowances to CPI or the officer's annual pay award, whichever is the lower. Following the early review, a scheme of allowances could then be index linked for up to four years to tie in with the election cycle for the new Council. It is further recognised that following a Boundary Commission review during the first 5 years of the Council, it is likely the number of members would reduce for the elections in 2025, at that point a further review would be necessary to establish how responsibilities would change.

## **12. Member Performance, Accountability and Transparency**

- 12.1 The Independent Remuneration Panel is mindful that a key objective behind the formation of the new unitary Buckinghamshire Council is to realise cost savings and reduce the overall financial burden on the residents of the County. The original unitary business case set a budget of £1,927,000 to cover Members' Allowances, however the Secretary of State's decision to set the number of members at 147 has substantially eroded the targeted savings of £635,000.
- 12.2 The scheme put forward by Members totalled £2,409,420. This provides a saving when compared to the current total of allowances paid by all existing councils. The Scheme recommended by the Panel totals £2,371,220. The actual amount will depend on how roles are actually filled.
- 12.3 The flat rate Basic Allowance scheme in operation allows Members to receive not inconsiderable remuneration by automatic right as they are permitted to receive allowances by simply being a Member. The only legal requirement is that a Member must attend a formal meeting of the Council not less than once every six months.
- 12.4 The Panel is keen to establish the principle of enhanced transparency and accountability for the payment and receipts of allowances by all Members of the Buckinghamshire Council. It is recognised that it is difficult to develop

meaningful performance measures and even more difficult to enforce any such measures but there should be a means to hold Members to account if they are not undertaking the duties that are reasonably expected of them. It may well be a reiterative process that takes time to become effective. The Panel proposes that its recommendations on the scope and levels of allowances should only be accepted as part of a wider package that includes taking up the accompanying recommendations on Member performance. The Panel does not accept that the Council can take up one without the other. It will also be a further means by which the Panel in the future can assess the effectiveness of Members.

- 12.5 The Panel considers that electors would expect that a Member should only be entitled to claim the full basic allowance, or where relevant special allowance, should that Member attend a minimum of, for example, between 50% and 60% of Full Council meetings, Committee meetings or Scrutiny meetings that they are appointed to over each financial year. The Panel recognises that such a measure could only be put into effect through a voluntary claw-back scheme.

### **Enhancing Performance, Accountability and Transparency**

- 12.6 The Panel is convinced of the need to ensure that its recommendations relating to levels of allowances are intrinsically linked to the Council adopting mechanisms to enhance Member performance, accountability and transparency. The mechanisms are presented below in a hierarchical fashion, increasing in severity as one goes down the list.

### **Publishing Attendance Records**

- 12.7 As part of the general statement of performance the Panel believes that remuneration should involve a degree of sharpened accountability by the publication in appropriate forums such as Council web pages, local libraries, and parish halls, etc, of Members' attendance records. The Panel understands that the Buckinghamshire Council does intend to publish attendance records on the website. The Panel recommends that the publication of attendances by Members should include provision for valid absences, such as attending constituent duties, illness and/or representing the Council externally.

### **Member Statement of Activities**

- 12.8 The Panel also recommends that Members have the opportunity to fill in a pro forma on a periodic basis to allow them to give an account of their activities outside the Council, including an analysis of case work that they undertake in their wards, as well as attendance at formal meetings. All Members are likely to have access to a laptop and the Council intranet, with their own webpage, accompanied by appropriate training. It is relatively simple for each Member to write and publish their activity statements on their web page. These activity statements could then be used by electors and other interested parties to

evaluate the performance of Members in areas of activity that cannot be captured by the publication of attendance records.

### **Member Role Profiles – a Compact with the Electorate**

12.9 The Panel recommends that the Council adopt Member Role Profiles. These Role Profiles should form the basis of a role and accountability statement, an increasingly common practice in many authorities. They should be utilised to make explicit the respective roles, duties, responsibilities and competencies expected from Members and post holders. They should contain minimum performance measures that Members are expected to reach such as: the scope and type of committees etc, that a Member is expected to be on, such as a Scrutiny Panel.

- The minimum number of meetings a Member is expected to attend, e.g. at least 50% or 60%?
- That they should be expected to attend an approved duty at least every 3 rather than 6 months so they cannot meet their attendance requirements by frontloading within an intensive period.
- That Members are expected to take part in an individual Training and Development programme with the aim of increasing their own personal skills and capacity. Through the extensive publicity of Members duties and expected inputs, other elected Members and the public can be informed on what is to be expected from being elected.

12.10 To give further effect to the role profiles, a Compact with the Electorate' could be developed which Members are asked to sign. Such compacts are ultimately difficult to enforce but it makes an explicit link between allowances received and a specific set of tasks and duties a Member is expected to undertake. Members cannot claim they did not know what they are expected to do and moreover it provides moral leverage for the rest of the Council to utilise.

### **Allowance Claw-back Scheme**

12.11 Some authorities have a claw back scheme. For legal reasons it has to be adhered to on a 'voluntary' basis. Essentially this mechanism 'fines' a Member if they do not meet a target of attending a set percentage of meetings (often 50-60% or more). It is pointed out that in the few authorities where claw back has been adopted it is rarely invoked and appears to have limited value. Nonetheless, the Panel received evidence that the Council would appreciate having such a mechanism as part of the allowances' scheme even if it has to be

voluntary arrangement. Thus, the Panel recommends the Council adopt a claw back mechanism. As a voluntary process the claw back is probably best implemented through the group system. The Panel also recommends that the minimum standards the Council adopts for claw back to be activated should not be seen as a substitute for non-performance. Members should not be paying the claw back fine as way of circumventing their duties.

**12.12 The Panel recommends that the Council puts in place the following measures to enhance performance, accountability and transparency:**

- a) The publication of attendance records for Members at Full Council, Committee meetings and Scrutiny committees**
- b) Provision to Members of the opportunity to publish a periodic statement of activities**
- c) Adoption of role profiles for each Member in order to make clear both to the Members and electors what is expected of them**
- d) Introduction of an allowance claw-back scheme.**

### **13. Town and Parish Council allowances**

- 13.1 In addition to considering a scheme for Buckinghamshire Council, the Panel also considered recommendations to Town and Parish Councils across Buckinghamshire.
- 13.2 All Towns and Parishes were contacted by email in September 2019 and invited to submit representations and details of their respective schemes. 24 responses were received.
- 13.3 From the responses received it is evident that many Parish Councils pay no allowances and that the role of a Town or Parish Councillor is very much community based and time spent performing Parish Councillor duties was often viewed as voluntary. There is a wide range of towns and parishes across Buckinghamshire, with large town council's including Aylesbury, Buckingham and Chesham, amongst others through to small, rural, parishes who serve a relatively small electorate.
- 13.4 None of the responses indicate a need for any significant change to any respective scheme, although two respondents did make the panel aware that parishes would likely face increased pressures from services being devolved from Buckinghamshire Council.
- 13.5 The Panel believes that a sensible way to set a scheme would be to base recommended allowances around percentages of the unitary basic allowance which increases on the size of the electorate. This has been an approach used previously.
- 13.6 Towns and Parishes may choose to adopt recommendations for all members, or for the Chairman only. Where all members of a Parish receive a BA, the Chairman could receive a higher amount, up to twice that of the recommended basic allowance.
- 13.7 The Panel wishes to make clear that it is not recommending all towns and parishes pay an allowance to its members but recommends that those who do have regard to the panel's recommendations.
- 13.8 Further, the Panel recommends that Town and Parish Councils pay travel and subsistence allowances at the same rates as Buckinghamshire Council.

**13.9 (i) The Panel recommends that where Towns and Parishes choose to implement a scheme of allowances they have regard to the below table. Towns and Parishes may choose to adopt recommendations for all members, or for the Chairman only. Where all members of a Parish receive a BA, the Chairman could receiver an amount up to twice that of the recommended allowance.**

<b>Electorate</b>	<b>% of Unitary Basic (£13,000)</b>	<b>Amount per Councillor £ (up to)</b>
<b>0-2500</b>	<b>1.5</b>	<b>£195</b>
<b>2501 - 5000</b>	<b>2.5</b>	<b>£325</b>
<b>5001 - 10000</b>	<b>3.5</b>	<b>£455</b>
<b>10001 - 15000</b>	<b>4.5</b>	<b>£585</b>
<b>15001 - 20000</b>	<b>5.5</b>	<b>£715</b>
<b>20001 - 25000</b>	<b>6.5</b>	<b>£845</b>
<b>25001 and above</b>	<b>9</b>	<b>£1,170</b>

**(ii) The Panel recommends that Towns and Parishes follow the Buckinghamshire Council scheme when setting travel and subsistence allowances.**





**BUCKINGHAMSHIRE AND MILTON  
KEYNES FIRE AUTHORITY**

***MEMBERS' SCHEME OF ALLOWANCES  
2023/24***

# THE BUCKINGHAMSHIRE AND MILTON KEYNES FIRE AUTHORITY

## MEMBERS' SCHEME OF ALLOWANCES

### Introduction

1. This Scheme is governed by the Local Authorities (Members' Allowances)(England) Regulations 2003 and the Local Authorities (Members' Allowances)(England) (Amendment) Regulations 2003 – “the regulations.”
2. Elected Members of the Buckinghamshire and Milton Keynes Combined Fire Authority may claim basic allowances, special responsibility allowances, travelling allowances and subsistence allowances for approved duties in accordance with the provisions of this scheme.
3. Appointed (non elected) members may claim co-optees allowance, travelling allowances and subsistence allowances for approved duties specified in this scheme.
4. "Year" means the 12 months ending with 31 March.
5. The Scheme has four Schedules attached which are:
  - (a) Schedule 1 - Special Responsibility Allowances
  - (b) Schedule 2 - Payment of Travelling and Subsistence Allowances
  - (c) Schedule 3 - Duties Excluded from the Allowances Scheme
  - (d) Schedule 4 - Rates of Allowances

### Creation and Amendment of the Scheme

6. This scheme comes into effect on 1 April 2023.
7. For subsequent changes in basic allowances, special responsibility allowances and co-optees allowances, new rates will be payable from the date the amendment takes effect as set out either in this scheme or the Regulations.

8. The Fire Authority will be responsible for amending the scheme and in doing so will have regard to any recommendations to its constituent councils of the independent remuneration panels set up by them.

### **Basic Allowances**

9. The Fire Authority will pay equally to each Member of the Authority a basic allowance of an amount specified in Schedule 4.
10. Where the term of office of a Member begins or ends in the course of a financial year entitlement will be apportioned in accordance with the Regulations. The apportionment will not take place where a Member's term of office lasts less than one month.
11. Basic Allowances are payable monthly and are subject to tax and national insurance deductions.

### **Special Responsibility Allowances**

12. The Fire Authority will pay each year to the Members of the Fire Authority who have special responsibilities by reason of the office(s) they hold the special responsibility allowances set out in Schedule 1.
13. Where a Member takes up or relinquishes any post that carries a special responsibility allowance in the course of a financial year the entitlement will be apportioned in accordance with the Regulations. The apportionment will not take place where a Member's term of office lasts less than one month.
14. Special responsibility allowances are payable in monthly instalments and are subject to tax and national insurance deductions. Where a Member is eligible for more than one special responsibility allowance (whether payable by the Fire Authority or another authority for Fire Authority duties) only the highest one will be payable, with the exception that a Lead Member may claim one Lead Member's Allowance in addition to one other Special Responsibility Allowance payable.

### **Approved Duties**

15. Travelling and Subsistence Allowances are payable monthly and are only payable to Elected Members of the Fire Authority for the approved duties set out in Schedule 2.

### **Co-optees Allowance**

16. A Co-optees Allowance may be paid to appointed members (i.e. non-Elected Members whether voting or not) for the performance of any approved duty as defined by this document.
17. The allowance will be payable in monthly instalments and are subject to tax and national insurance deductions.

### **Travelling and Subsistence Allowances**

18. The term "Member" for the purpose of travelling and subsistence allowances applies to any person who is a Member of the Fire Authority, or who is a member of any committee, sub-committee or panel of the Fire Authority, and so includes appointed non-elected members of those bodies. The payment of these allowances is dependent upon the performance of an "approved duty" which is an attendance as a member at a meeting, or the carrying on of a duty, set out in Schedule 2.
19. The rates for travel and subsistence allowances are specified in Schedule 4.

### **Allowances are Maxima**

20. The scales for all allowances are maxima and there is no obligation on any Member to claim any or all of the allowances.
21. A Member shall give notice in writing to the Chief Finance Officer that he/she elects to forego any part of his/her entitlement to an allowance under the scheme.

### **Social Functions and Occasions**

22. Elected Members on occasions are invited, or feel it necessary to attend functions, or occasions which have a social element. No allowances are paid to Members of the Fire Authority on these occasions unless the Member is undertaking the performance of a positive duty and one of significant size, e.g. making a speech or distributing prizes when travel and subsistence allowances may be paid. Merely to attend because the member is interested or represents people in the district is insufficient to justify payment of any allowances.

## **Conference Expenses**

23. If attendance at a conference has been approved by the Authority, conference expenses which are obligatory and outside the control of the Member, will be paid in advance on request or will be reimbursed. These expenses will include the conference fee. The actual cost of accommodation, meals and the like, will only be met or reimbursed if it is part of the inclusive charge for the conference or it is a requirement of the conference or its organisers that the Member should stay at a particular hotel.
24. Travel and subsistence allowances are payable where appropriate.

## **Telephones**

25. A mobile phone will be provided to the Chairman of the Fire Authority, with the cost of supply, rental and business calls being met by the Fire Authority.

## **Avoidance of Duplication**

26. A claim for an allowance under this scheme must include, or be accompanied by, a statement signed by the claimant that no other claim has been or will be made for the matter to which the claim relates.

## **Records of Payments**

27. Records of payments made to Members are available for inspection free of charge by any local government elector of the Fire Authority.
28. A person entitled to inspect a record may make a copy of any part of it.
29. Details of total payments made to each Member for allowances under this scheme will be published as soon as practicable after the end of the year to which they relate.

## **Expense Claims**

30. All information requested for the expense claim must be provided, including the number of miles, the locations travelled from and to and the reason for travel. (It is always advisable for Members to make

contemporaneous notes in their diary to assist in the completion of claims).

31. Claims for expenses should only be made when actually incurred, i.e. rail/bus, taxis, hotel accommodation. Receipts must be provided.
32. Claims for the same expenses (mileage, travel and subsistence etc) must not be made from more than one body.
33. Payments for basic and special responsibility allowances will be paid monthly in arrears and travel and subsistence payments will be paid monthly in arrears on the submission of a claim through the HR and Payroll Portal.
34. No claim from a Member for traveling or subsistence allowances which is submitted more than three months after the costs were incurred and no later than the end of April for the preceding financial year will be entertained, except in exceptional circumstances and approved in writing by the Chief Finance Officer.

## **SCHEDULE 1**

### **SPECIAL RESPONSIBILITY ALLOWANCES FROM APRIL 2023**

#### **Special Responsibility Allowance per annum**

• Position	£ (No Increase)	£ (2% increase)	£ (5% increase)
• Chairman	12,899	13,157	13,544
• Vice-Chairman	4,323	4,409	4,539
• Chairman – Executive Committee	5,322	5,428	5,588
• Chairman – Overview and Audit Committee	3,486	3,556	3,660
• Chairman – Human Resources Sub-Committee*	1,745	1,780	1,832
• Group Leaders	3,870	3,947	4,064
• Lead Members	3,364	3,431	3,532

\*If constituted by the Executive Committee

## **SCHEDULE 2**

### **PAYMENT OF TRAVELLING AND SUBSISTENCE ALLOWANCES**

The duties in this Section have been approved for the payment of travel and subsistence allowances:

- (a) Attendance at a meeting of the Fire Authority;
- (b) Attendance at a meeting of any committee or sub-committee of the Fire Authority;
- (c) Attendance at a meeting of any section, panel, working party or other meeting authorised by the Fire Authority or a committee or sub-committee of the Fire Authority or a joint committee of the Fire Authority and one or more other authorities to which the member has been specifically appointed provided that it is a meeting to which Members of at least two political groups have been invited.
- (d) Attendance at a meeting of an association of authorities of which the Fire Authority is a member and to which the member has been appointed by the Fire Authority to represent it.
- (e) Attendance at ad hoc meetings with other authorities, organisations or bodies authorised by a committee or sub-committee of the Fire Authority, or the Director of Legal and Governance on the advice of the relevant Chairman or Vice-Chairman if this is not practicable.
- (f) Attendance at briefing meetings to which Members of at least two political groups have been invited authorised by a committee or sub-committee of the Fire Authority, or the Director of Legal and Governance on the advice of the relevant Chairman or Vice-Chairman if this is not practicable.
- (g) Attendance at seminars and conferences arranged by the Fire Authority, a committee or sub-committee of the Fire Authority, or the Director of Legal and Governance on the advice of the relevant Chairman or Vice-Chairman if this is not practicable, about any of its functions.
- (h) Attendance at specific visits arranged by the Fire Authority, a committee or sub-committee of the Fire Authority, or the Director of Legal and Governance on the advice of the relevant Chairman or Vice-Chairman if this is not practicable, about any of its functions and where Members of at least two political groups have been invited.



- (i) Attendance at a meeting of any body or authority upon which the member has been appointed by the Fire Authority or a committee or sub-committee of the Fire Authority to represent it.
- (j) Attendance in connection with the discharge of any function of the Fire Authority conferred by or under any enactment and empowering or requiring the Fire Authority to inspect or authorise the inspection of premises.
- (k) Attendance at meetings of bodies where the Fire Authority makes appointments, where the Fire Authority has a major influence at national, regional, county or district level. These bodies are listed below:
- (i) Local Government Association
  - (ii) Fire Commission
- (l) Attendance at any disciplinary, grievance, dismissal or appeals sub-committee or panel.
- (m) The following duties if approved by the Fire Authority or a Committee:
- Attendance at briefing meetings held for the purpose of, or in connection with, the discharge of the functions of the Fire Authority or any of its committees or sub-committees.
  - Attendance at the official opening of new Fire Authority establishments or projects.
  - Attendance by the Chairman and Vice-Chairman of the Fire Authority and of committees at official functions in a representative capacity.
  - Duties undertaken by Chairmen and Vice-Chairmen of the Fire Authority, committees or subcommittees acting in an official capacity.
  - Members' delegations to Government Departments.
  - Town Centre Management Meetings and Parishes.
- (n) Meetings organised by the Chief Fire Officer, Chief Finance Officer or Director of Legal and Governance or their nominated representatives with external bodies or persons to further the business and aims of the Fire Authority which the relevant officer certifies requires the attendance of members on the grounds of urgency which prevents approval being obtained from the Fire Authority, a committee or sub-committee.

*Note: In authorising attendances in accordance with the above, no member, official or officer of the Fire Authority shall act in a discriminatory manner reflecting party political preference. Members, officials and officers should take care to ensure that their actions can not be construed as having been discriminatory.*

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### **SCHEDULE 3**

#### **DUTIES EXCLUDED FROM THE ALLOWANCES SCHEME**

The duties in this Section are those for which the Fire Authority has decided that no allowances will be paid.

- Members' surgeries
- Political activities

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## **SCHEDULE 4**

### **RATES OF ALLOWANCES**

From April 2023 the following rates of allowances will apply

#### **Basic Allowance:**

(No Increase)	(2% increase)	(5% increase)
£1,291 per annum	£1,317 per annum	£1,356 per annum

#### **Special Responsibility Allowances:**

See Schedule 1

#### **Co-optees Allowance**

(No Increase)	(2% increase)	(5% increase)
£323 per annum	£329 per annum	£339 per annum

#### **Travel Allowances (in line with HMRC Mileage Allowance Payments)**

##### **(a) Car**

The rate for travel by a Member's own private motor vehicle, or one belonging to a member of his/her family or otherwise provided for his/her use, other than a solo motor cycle, shall be 45 pence for the first 10,000 miles and 25 pence for each mile after that.

##### **(b) Motorcycle**

The rate for travel by a Member's own motorcycle, or one belonging to a member of his/her family, or otherwise provided for his/her use, shall be 24 pence per mile.

##### **(c) Bicycle**

The rate for travel by a Member's own bicycle, or one belonging to a member of his/her family, or otherwise provided for his/her use, shall not exceed 20p a mile.

##### **(d) Public Transport**

Members can claim the full cost of travelling on public transport at standard class rates whilst carrying out Approved Duties, provided a valid receipt, bus ticket etc is produced to substantiate the claim.

**Subsistence**

The rate of subsistence allowance shall not exceed the amounts which can be claimed under the Buckinghamshire Council Members' Allowances Scheme applicable at the time when the cost is incurred.

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