

General Purposes Committee Agenda



To: Councillor Amy Foster (Chair)
Councillor Appu Srinivasan (Vice-Chair)
Councillors Stuart Collins, Samir Dwesar, Lara Fish, Joseph Lee,
Tony Pearson and Ellily Ponnuthurai

A meeting of the **General Purposes Committee** which you are hereby invited to attend, will be held **Tuesday, 21 February 2023 at 6.30 pm. Council Chamber, Town Hall, Katherine Street, Croydon, CR0 1NX.**

Stephen Lawrence-Orumwense
Monitoring Officer
London Borough of Croydon
Bernard Weatherill House
8 Mint Walk, Croydon CR0 1EA

Marianna Ritchie
Democratic Services
Marianna.Ritchie@croydon.gov.uk
www.croydon.gov.uk/meetings

Members of the public are welcome to attend this meeting, or you can view the webcast both live and after the meeting has completed at <http://webcasting.croydon.gov.uk>

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If you require any assistance, please contact Democratic Services as detailed above.

AGENDA

1. Apologies for Absence

To receive any apologies for absence from any members of the Committee.

2. Disclosure of Interests

Members are invited to declare any disclosable pecuniary interests (DPIs) they may have in relation to any item(s) of business on today's agenda.

3. Minutes of the Previous Meeting (Pages 5 - 8)

To approve the minutes of the meeting held on 23 January 2023 as an accurate record of the proceedings.

4. Urgent Business (if any)

To approve the minutes of the meeting held on 13 April 2022 as an accurate record of the proceedings.

5. Constitution Review - Part 4A, Council Procedure Rules (Pages 9 - 14)

This report contains proposed changes to Part 4A of the Constitution of the London Borough of Croydon, the Council Procedure Rules.

6. Scheme of Members' Allowances 2022-23 - Annual Increase (Pages 15 - 36)

Under the Local Authorities (Members' Allowances) (England) Regulations 2003, Councils each year, must approve the Members' Allowances Scheme for the next financial year. Council agreed the Member's Allowance Scheme for 2022/23 at Council 23rd March 2022 (and also subsequently amended the scheme at Annual Council 25th May 2022).

7. Members Scheme of Allowances 23-24 (Pages 37 - 56)

Under the Local Authorities (Members' Allowances) (England) Regulations 2003, Councils each year, must approve the Members' Allowances Scheme for the next financial year. Council agreed the Members' Allowance Scheme for 2022/23 at Council 23rd March 2022 and subsequently amended the scheme at the Annual Council 25th May 2022.

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Public Document Pack Agenda Item 3

General Purposes Committee

Meeting of held on Monday, 23 January 2023 at 6.30 pm in Room 1.01, Bernard Weatherill House, Croydon, CR0 1EA

MINUTES

Present: Councillor Amy Foster (Chair);
Councillor Appu Srinivasan (Vice-Chair);
Councillor Stuart Collins, Samir Dwesar, Lara Fish, Tony Pearson and Catherine Wilson

Apologies: Councillor Joseph Lee and Ellily Ponnuthurai

PART A

6/22 **Apologies for Absence**

Councillors Joseph Lee and Ellily Ponnuthurai gave apologies. Councillor Catherine Wilson attended as substitute for Councillor Ponnuthurai.

7/22 **Disclosure of Interests**

There were none.

8/22 **Minutes of the Previous Meeting**

The minutes of the meeting held on 29 September 2022 were agreed as an accurate record.

9/22 **Urgent Business (if any)**

There was none.

10/22 **Croydon Pay Policy Statement 2023/24**

Dean Shoesmith, Chief People Officer, introduced the report and proposed a number of drafting changes.

The following changes to the Pay Policy Statement were proposed:

· '4.3 Full Council or, if the proposals are being made in the context of litigation and the making of the decision is urgent, General Purposes Committee will be given the opportunity to vote on severance packages of £100,000 and above in accordance with the Council's Constitution.'

- '4.5 ...
 - Special severance payments of £100,000 and above must be approved by a vote of full Council or, if the proposals are being made in the context of litigation and the making of the decision is urgent, General Purposes Committee in accordance with the Council's Constitution.'

The following changes to the covering report were proposed:

- '2.3 to agree the annual Pay Policy Statement for 2023-24 as amended;'.
- To add a new recommendation as follows:

"2.5 RECOMMEND to Full Council that paragraph 6 of the Committee's Terms of Reference in the constitution be amended as follows:

'6. The function in respect of voting on severance packages of staff above such specified thresholds as may, from time to time, be updated by statutory guidance if the proposals are being made in the context of litigation and the making of the decision is urgent.'

It was explained that these changes meant that decisions would only be referred to a Committee in limited and exceptional cases, for example, in cases of employee litigation, and where the decision was urgent. Officers also explained that the statutory guidance would be referred to in all decision-making, and that if officers were conflicted by the decision they would not be involved in the process. Officers assured members that this process would be strictly adhered to.

The Chair sought to ensure that the improved safeguards would be fully and properly implemented and complied with and asked that the consideration of whether these decision-making powers should sit with the General Purposes Committee or be moved to the Appointments and Disciplinary Committee would be recorded as an action to be picked up by the Constitution Working Group in future.

RESOLVED, to:

1. Note the approval process regarding Special Severance Payments and severance packages within the Pay Policy Statement for 2023-24 and in particular regarding urgency;
2. Note the change to the benchmarking arrangement regarding the appropriate remuneration for the Chief Executive and Head of Paid Service;
3. Agree the annual Pay Policy Statement for 2023-24 as amended; and,
4. Recommend to Full Council that paragraph 6 of the Committee's Terms of Reference be amended as follows:

“6. The function in respect of voting on severance packages of staff above such specified thresholds as may, from time to time, be updated by statutory guidance if the proposals are being made in the context of litigation and the making of the decision is urgent.”

11/22

Council Calendar 2023-24

Adrian May, interim Head of Democratic Services, introduced the report to the committee and explained that it was still within the powers of the chairs of each of the committees to move meetings if needed, and that there were other panels and meetings that were still required which could be entered into the calendar of meetings at a later stage.

RESOLVED, to:

1. Agree the Council meetings for the municipal year 2023-24;
2. Note the Cabinet meeting dates for the municipal year 2023-24; and,
3. Recommend that Council approves the meeting dates for all other committees for the municipal year 2023-24.

The meeting ended at 7.16 pm

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LONDON BOROUGH OF CROYDON

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|---------------------------------------|--|--------|
| REPORT TO: | General Purposes Committee | |
| DATE OF DECISION: | 21 February 2023 | |
| REPORT TITLE: | Constitution Review – Part 4A, Council Procedure Rules | |
| CORPORATE DIRECTOR / DIRECTOR: | Stephen Lawrence-Orumwense Director of Legal Services and Monitoring Officer | |
| LEAD OFFICER: | Adrian May Interim Head of Democratic Services | |
| LEAD MEMBER: | Cllr Amy Foster | |
| DECISION TAKER: | General Purposes Committee agreeing recommendations for Council | |
| AUTHORITY TO TAKE DECISION: | The terms of reference of the General Purposes Committee (see Part 3 of the Constitution, Responsibility for Functions) allow it to conduct periodic reviews of the Constitution and consider changes to the Constitution recommended by the Constitution Working Group and to refer any proposals to full Council for approval. | |
| KEY DECISION? | No | N/A |
| CONTAINS EXEMPT INFORMATION? | No | Public |
| WARDS AFFECTED: | All | |

1 SUMMARY OF REPORT

- 1.1 This report contains proposed changes to Part 4A of the Constitution of the London Borough of Croydon, the Council Procedure Rules.
- 1.2 These changes are being recommended by the Constitution Working Group, which has met regularly since its formation in September 2022 to consider proposals and options for the functioning and improvement to Croydon’s Council meetings.
- 1.3 The proposals have been developed with the aim of reflecting the changed political make-up of the council, encourage public participation and support member debate and discussion.

- 1.4 The proposals need to be agreed by the General Purposes Committee before being put before Council for final agreement and adoption.

2 RECOMMENDATIONS

For the reasons set out in the report and its appendices, the General Purposes Committee is recommended:

- 2.1 To review and comment on the proposed revisions to the Constitution as detailed in the report;
- 2.2 To approve the amended version of Part 4A of the Constitution (as set out in Appendix A);
- 2.3 To consider the need and options for tracking Debate Motions; and,
- 2.4 To recommend the adoption of the changes to the Council Procedure Rules to full Council.

3 REASONS FOR RECOMMENDATIONS

- 3.1 Council has acknowledged that following the May 2022 Local Elections the Council Procedure Rules are not suitable for the political make-up of the Council, and has expressed concern that it is not future-proofed for political proportionality and change.
- 3.2 There has also been an acknowledgement that the changes to the Constitution that were approved in early 2022 were fast-tracked and were an attempt to best fit the Mayoral governance model that the Council was to adopt, and that political proportionality was not prioritised in that process.
- 3.3 There has also been recognition that as the Mayor has not delegated executive powers to individual Cabinet Members, that Croydon Question Time was not appropriately phrased.
- 3.4 Since its meeting in July 2022, Council has been agreeing to waive standing orders so that business can be conducted in a way that members agree is fairer and more representative, and these are the bases upon which the Constitution Working Group has made its considerations.
- 3.5 It was also necessary to reduce the allocation of time to some items so that Council business could be conducted more efficiently.

4 BACKGROUND AND DETAILS

- 4.1 The Constitution Working Group (CWG) was established in the latter half of 2022, and at its first meeting agreed a Work Programme based on priority issues for the Council.

- 4.2 It was agreed that the Council Procedure Rules were a priority. There is still a substantial amount of work that the CWG needs to undertake to bring the Constitution up to date and operable.
- 4.3 The CWG was given benchmarking exercises of the Council Procedure Rules, and officers laid out options and reasons, from which the CWG could make its decisions.
- 4.4 The CWG decided to amalgamate some standing items on the Council agenda, and also to simplify the rules relating to other standing items on the agenda.
- 4.5 As well as amendment to entire procedures and the treatment of standing agenda items, some basic tidying up of language in order to clarify points made in the procedure rules has been done.

5 ALTERNATIVE OPTIONS CONSIDERED

- 5.1 These are the sections that were considered for amendment, some of the issues raised, options available, and decisions made by the CWG:

| Agenda item | Issues | Decision and reasons |
|-----------------------------|---|---|
| Mayor and Cabinet Questions | <p>Process of splitting Cabinet Members into groups to answer questions was overly complex</p> <p>How to fairly allocate questions to councillors who are in very small minority or have no group</p> <p>Political proportionality – constitution only recognises Administration and Opposition groups</p> <p>Rejecting questions and identifying repeat proposed questions.</p> <p>Amount of time is significant at 1 hour 45 minutes.</p> | <p>Title changed to Questions to the Mayor and Executive to give Mayor flexibility to reallocate questions where appropriate</p> <p>Order of questioners to be laid out in the Constitution to state when smaller or ungrouped members can ask questions of the Executive, with the caveat that it should be revised following elections</p> <p>Questions to be received on notice to avoid repetitious or inappropriate questions, which can lead to questions being rejected in the meeting and is difficult for the Monitoring Officer and Chair to coordinate live in a meeting. Also provide</p> |

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| | | <p>opportunity for more in-depth responses.</p> <p>A total of 65 minutes is allocated to this item, the first five of which can be used by the Executive to make announcements / Cabinet Member updates.</p> |
| The Croydon Debate | <p>Nothing about e-petitions included in the Constitution, even though it was recognised that these are common</p> <p>Thresholds of public petitions very high, meaning not very many were heard</p> <p>No provision for Members to speak to the petitions they have supported/led.</p> | <p>Online / e-petitions to be accepted.</p> <p>Amalgamation of Local and Borough Petitions and treat them in the same, and to lower the threshold of required signatories to 500 so that more petitions may be heard at Council</p> <p>It was agreed that members could introduce a petition that they are presenting, along with member of public.</p> |
| Public Questions | <p>It was considered whether Deputations would be a better form of encouraging the public to come and speak at Council. It was considered there was sufficient opportunity with revised procedures.</p> | <p>It was agreed that to achieve better public engagement and accessibility of Council meetings members of the public could submit their questions in virtual attendance</p> |
| Debate Motions / Amendments to Debate Motions | <p>Other than the two largest political groups the Constitution does not allow others to put forward Debate Motions or be included in the debate.</p> | <p>Include in the Constitution that, although only the main two political groups are allowed to submit Debate Motions, members of smaller groups and ungrouped members should be allowed to approach them to see their own Debate Motions on topics that are</p> |

| | | |
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| | | <p>important to their parties, or that are urgent</p> <p>Include provision that states that seconders of motions do not have to be from the same party as the mover of motions.</p> <p>Allow all parties to submit Debate Motions at the annual State of the Borough Debate</p> |
| Recommendations from the Executive and Committees to Council | <p>Clarity was sought about aspects of this section, especially Referral Back Debates</p> <p>The Constitution insinuated by these extra sections for these types of recommendations that it was not possible to treat other kinds of reports to Council in the same way</p> | <p>The different treatment of these kinds of reports to Council has been deleted in order to make it clear that all reports to Council, whether from the Executive, Committees or Officers, can be debated, referred back (to reports originator) for amendment or reconsideration, or agreed with amendment or rejected at Council.</p> |
| Calling Special Meetings | The Constitution very restrictive – leaving decision to full council. | Amend to state that the Chair can call the meeting. |

- 5.2** The CWG could not reach a consensus on the tracking of Debate Motions, and how their progress should be reported to Council. It was decided that the General Purposes Committee should consider this when agreeing the proposals.
- 5.3** Once a motion is agreed at Council, there is no formal avenue for Council to receive an update on the progress since the motion's approval.
- 5.4** The CWG discussed, options that if the motion was a function reserved for the Executive, the Mayor could offer a response following the motion's vote, or provide an update direct to Members outside of Council, provide an update at Cabinet, or provide a verbal update at the start of the motion item.

6 CONSULTATION

- 6.1** Consultation on the proposals has been with the Chair and members of the Constitutional Working Group.

7. CONTRIBUTION TO COUNCIL PRIORITIES

7.1 Outcome 1; Priority 4:

Ensure good governance is embedded and adopt best practice.

8. IMPLICATIONS

8.1 FINANCIAL IMPLICATIONS

8.1.1 There are no proposed changes to the Budget Setting Section in the Council Procedure Rules.

8.1.2 There are no identified financial implications related to the proposals.

8.2 LEGAL IMPLICATIONS

8.2.1 The Council's Council Procedure Rules are referred to in legislation as standing orders. They serve the purpose of regulating the proceedings of, and the conduct of business at, Full Council meetings. Subject to any rules which are mandated by law, the Council has a broad discretion to decide its own additional rules (Local Government Act 1972, Schedule 12, para. 42). It is the discretionary rules which are the focus of this report.

8.2.2 Adopting changes to the Council's Constitution is a non-executive function reserved to Full Council which is why the Committee is asked to consider the proposed changes and make a recommendation.

8.2.3 According to s9P of the Local Government Act 2000 the Council must keep its Constitution up to date which must include its standing orders.

8.2.4 Approved by Looqman Desai, Deputy Monitoring Officer on behalf of the Director of Legal Services and Monitoring Officer. 13/02/2023

8.3 EQUALITIES IMPLICATIONS

8.3.1 To follow.

9. APPENDICES

9.1 *Appendix A Proposed Part 4A, London Borough of Croydon Constitution, Council Procedure Rules – Proposed Changes Accepted.*

Appendix B Part 4A, London Borough of Croydon Constitution, Council Procedure Rules highlight tracked Changes from current CPR.

LONDON BOROUGH OF CROYDON

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|-------------------------------------|---|--------|
| REPORT: | GENERAL PURPOSES COMMITTEE | |
| DATE OF DECISION | 21 st February 2023 | |
| REPORT TITLE: | Scheme of Member's Allowances 2022/23 - Annual Increase | |
| DIRECTOR | Stephen Lawrence-Orumwense Director of Legal Services | |
| LEAD OFFICER: | Adrian May Interim Head of Democratic Services adrian.may@croydon.gov.uk | |
| AUTHORITY TO TAKE DECISION: | Part 3 Responsibility for Council Functions in the Constitution, identifies the General Purposes Committee (GPC) as responsible for reviewing the Member's Allowance Scheme. Agreeing the Member Allowance Scheme and any amendment is the function of full council | |
| CONTAINS EXEMPT INFORMATION? | NO | Public |
| WARDS AFFECTED: | N/A | |

1 SUMMARY OF REPORT

- 1.1** Under the Local Authorities (Members' Allowances) (England) Regulations 2003, Councils each year, must approve the Members' Allowances Scheme for the next financial year. Council agreed the Member's Allowance Scheme for 2022/23 at Council 23rd March 2022 (and also subsequently amended the scheme at Annual Council 25th May 2022).
- 1.2** The Members Allowance Scheme provides that Basic and Special Responsibility Allowances shall be subject to annual adjustment in accordance with the annual local government staff pay settlement applicable for the year.
- 1.3** In early November 2022, the Local Government Staff Settlement (LGSS) for 2022/23 was nationally agreed and General Purposes Committee is now asked to consider and agree a recommendation to Council of an increase reflecting the LGSS.

2 RECOMMENDATIONS

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

- 2.1** to agree to recommend to full Council an increase of 4.04% to the Basic and Special Responsibility Allowances for 2022/23 (Appendix 1) and backdate allowance payments from April 2022 with no Member increase greater than the

fixed rate Croydon amount related to the Local Government Pay Settlement 2022/23.

- 2.2 to recommend to full Council that the Director of Legal Services be authorised to make all necessary updates to the Constitution.

3 REASONS FOR RECOMMENDATIONS

- 3.1 There is a legal requirement to have regard to the latest 'Remuneration of Councillors in London' report of the Independent Panel when agreeing a new scheme. Their latest report was published January 2022 (Appendix 2), and informed the setting of Croydon's 2022/23 Member's Allowance Scheme.
- 3.2 The Independent Panel report recommends that Member allowances should be uplifted annually in-line with the Local Government Staff Pay Settlement.
- 3.3 It should be noted the Independent Panel envisages concluding their next review during late 2023.

4 BACKGROUND AND DETAILS

- 4.1 The Croydon Member's Allowance Scheme has provision that the Basic and Special Responsibility Allowances shall be subject to an annual adjustment in accordance with the annual local government staff pay settlement. This reflects the recommendation by the Independent Panel for the Remuneration of Councillors.
- 4.2 The Local Government Staff Settlement for 2022/23 was nationally agreed in early November 2022, following agreement by the National Joint Council (NJC) – the National Employers and majority of national trade unions.
- 4.3 The 2022/23 award was a fixed sum, rather than historically a percentage increase. The national pay agreement for Local Government Services employees was of a pay increase of £1,925. Because Croydon Council is an Outer London borough, this was adjusted to £2,229.
- 4.4 A number of London Boroughs requested clarification from London Councils on how to apply the award to their member allowance scheme.
- 4.5 London Councils has advised London Boroughs that the Local Government Staff Settlement equates to an average uplift of 4.04% and are recommending that London Boroughs use the 4.04% uplift for their member allowances for 2022-23 however, reiterated that responsibility for determining Member Allowances rests with each authority.

- 4.6 It is proposed, in accordance with the Croydon Member Allowance Scheme, the Basic and Special Responsibility Allowances for 2022/23 are uplifted by 4.04% and backdated from April 2022.
- 4.7 As £2,229 was the fixed sum award amount for all Croydon Officers, it is further proposed that no Member, when applying the 4.04% increase to the Basic and Special Responsibilities Allowance, receives a greater increase than £2,229.
- 4.8 Appendix 1 details the proposed allowance increase for all SRAs and Basic Allowance.

5 ALTERNATIVE OPTIONS CONSIDERED

- 5.1 No increase - Whilst given the significant financial challenges for Croydon, not applying an increase aligned to the Local Government Staff Settlement for 2022/23, would run contrary to the Independent Remunerations Panel's recommendations.
- 5.2 The widely recognised cost of living inflation supports an increase to allowances.
- 5.3 The Remuneration of Councillors in London 2022 report noted that allowances should be set at a level that enabled people to undertake the role of councillor while not acting as an incentive to do so. The Panel stated "if it is important that there are no financial incentives to being a councillor, it is equally important that there should not be a financial disincentive. It is clearly desirable that service as a councillor is not confined to those who have retired or with independent means".

6 CONSULTATION

- 6.1 In advance of this Committee meeting proposals were circulated to the political groups represented on the Council. It was relayed that the recommendation is already provided for in the Member Allowance Scheme and recommended by the Independent Remuneration Panel.
- 6.2 The Executive Mayor has stated that, particularly given the post was only established in May 2022, he believes it should not be subject to an increase. The Executive Mayor has stated he would not take up the increase if it were offered.
- 6.3 Officers have considered the Executive Mayor's response and reiterated that the Executive Mayor's Allowance in the scheme was based on the average of London Borough directly elected Mayor's allowance for 2021/22, therefore, given the provision in the scheme, should be subject like other allowances to an increase applicable for 2022/23
- 6.4 The Conservative Group responded to state that they **do not** support the proposal to increase Member Allowances and that Members of their Group would not take up any increase if it was agreed.

- 6.5** Should the Executive Mayor or any Member not wish to take up the proposed increase in their allowance, Part 6A the Member's Scheme of Allowances includes provision that any Member may elect to forego all or part of the Basic Allowance and if appropriate the Special Responsibility Allowance, to which they are entitled, by writing to the Council's Monitoring Officer.

7. CONTRIBUTION TO COUNCIL PRIORITIES

- 7.1** The proposal supports tackling the challenges around recruiting and retaining Councillors from a diverse background and also of a high enough calibre who are prepared to stand for and remain as Councillors.
- 7.2** Priority 4: Ensure good governance is embedded and adopt best practice.

8. IMPLICATIONS

8.1 FINANCIAL IMPLICATIONS

8.1.1 The annual cost of the Members Allowance Scheme, including the council's national insurance contribution, is £1.44m.

8.1.2 Applying the 4.04% increase to Basic and Special Responsibilities Allowances for 2022/23 including backdating from April 2022 will increase 2022/23 budget by approx. £58k to £1.502m including employers National Insurance Contributions. This increase has been funded by the overall provision the council made corporately for the 23/24 pay award for both officers and members. It is assumed that increases in members allowances for inflation in future years will also be funded by the corporate provision for pay awards as part of the provision for council officers.

8.1.3 Revenue consequences of report recommendation

| | Current Year | Medium Term Financial Strategy – 3 year forecast | | |
|---|------------------|--|------------------|------------------|
| | 2022/23 £'000 | 2023/24 £'000 | 2024/25 £'000 | 2025/26 £'000 |
| Current Revenue Budget Available | 1,444 | 1,502 | £1,502 | £1,502 |
| Corporate Budget Transferred for Pay Inflation | 58 | 0 | 0 | 0 |
| Revised Budget | 1,502 | 1,502 | 1,502 | 1,502 |

| | | | | |
|--|----|---|---|---|
| Effect of decision from report reflected in budget virement above | 58 | 0 | 0 | 0 |
| Remaining Budget | 0 | 0 | 0 | 0 |

8.1.4 Comments approved by Lesley Shields, Head of Finance for Resources and Assistant Chief Executive on behalf of the Director of Finance. (Date 13/01/2023)

8.2 LEGAL IMPLICATIONS

8.2.1 The proposed amendment to the Council's Scheme of Members' Allowances complies with the relevant provisions of the Local Authorities (Elected Mayor and Mayor's Assistant) (England) Regulations 2002, Local Authorities (Members' Allowances) (England) Regulations 2003, the Local Government and Housing Act 1989 and the Local Government Act 2000. In addition, there are separate provisions, namely sections 3 and 5 of the Local Government Act 1972 for the payment of allowances to the current civic Mayor and the deputy civic Mayor which Croydon has traditionally referenced as part of its Scheme of Members' Allowances .

8.2.2 The 2002 Regulations specifically allows for an elected mayor to be treated as a councillor of the local authority for the purposes of schemes relating to basic attendance and special responsibility allowances for local authority members as set-out within the Local Government and Housing Act 1989.

8.2.3 Regulation 19 of the 2003 Regulations provides that the Council must have regard to the recommendations of the independent remuneration panel before making or amending a Scheme of Allowances for its members.

8.2.4 Regulation 5(1) of the 2003 Regulations provide that the Scheme can make provision for an SRA to be paid to members who have such "special responsibilities in relation to the authority as are specified in the Scheme" and are within one or more of nine categories of responsibility identified in sub-paragraphs (a) - (i). This includes responsibilities such as Elected Mayor or Deputy Elected Mayor, acting as a member of an Executive, presiding at meetings of a committee or sub-committee and acting as a spokesman of a political group on a committee or sub-committee.

8.2.5 Regulation 10(6) of the 2003 Regulations provides that where amendments are made to a scheme in any year, a Council's allowance scheme may provide that any allowance due under those amendments may be backdated to the start of the Scheme/financial year.

8.2.6 Council on the 23rd March 2022, agreed to delegate to the General Purposes and Audit Committee 'authority to agree an annual adjustment of allowances by reference to the annual local government staff pay settlement where the only

change made to the Scheme in any year is that effected by such annual adjustment.'

8.2.7 It should be noted that the Croydon Constitution, PART 3 – Responsibility for Functions, lists 'Periodic review of the Scheme of Members' Allowances and approval of arrangements in respect of the scheme to reimburse costs incurred for childcare/dependent relative care, travel and subsistence whilst a Member is on Council business' as one of the responsibilities of the Council's General Purposes Committee.

8.2.8 The Local Authorities (Functions and responsibilities) (England) Regulations 2000, Regulation 2(5), Regulation (6)(c) and Regulation 2(7) stipulate that members' allowances scheme and the setting of the amount of any allowance is a non-delegable full council function. In addition, deciding the amounts payable to the civic Mayor and the deputy civic Mayor under Section 3 and Section 5 of the Local Government Act 1972 is also a non-delegable full council function, under Regulation 2(6)(a) and Regulation 2(7).

8.2.9 As part of the Constitutional Working Group, it will be proposed that Council agrees to amend the General Purposes Committee (GPC) responsibilities, to make clear that GPC's role is to review the members allowance scheme and put proposals to Council for agreement.

8.2.10 Regarding the 23rd March 2022 delegation, whilst the Constitution provides for GPC to review the member allowance scheme, the correct decision making body to agree or amend the scheme is Council, and cannot be delegated.

8.2.11 Comments approved by Sandra Herbert, the Head of Litigation & Corporate Law on behalf of the Director of Legal Services and Monitoring Officer. (Date 6/01/2023)

8.5 EQUALITIES IMPLICATIONS

8.5.1 Whilst there are no direct equality implications for the recommendations in this report, the proposal to increase Member allowances, aligned to officer increases, does reflect the report of the Independent Remuneration Panel views that allowances should be set at a level that enable people from a diverse range of backgrounds to become Councillors.

Approved By; Denise McCausland Equality Programme Manager (Date 12/01/2023)

9 APPENDICES

9.1 A - Extract of Basic and Special Responsibilities Allowances table from Croydon's Member's Allowance Scheme showing impact of proposed 4.04% increase.

B - Independent Remuneration Panel report on Councillor Allowances 2022

10 BACKGROUND DOCUMENTS - Non

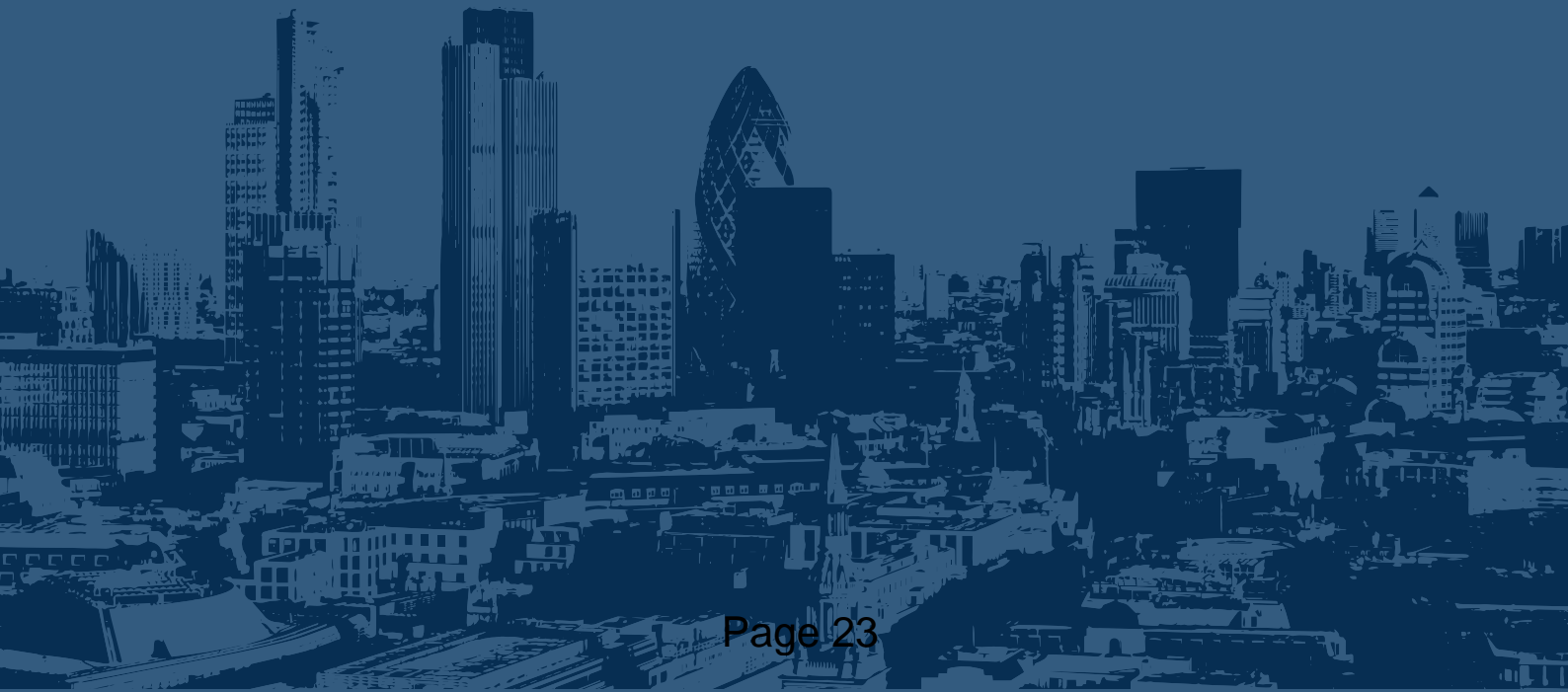
COUNCILLORS' BASIC AND SPECIAL RESPONSIBILITY ALLOWANCES

| | | (£) |
|---|--|------------|
| Basic Allowance | All Members | £12,164.36 |
| | Civic Mayor's Allowance | £16,542.36 |
| | Deputy Civic Mayor's Allowance | £8,272.60 |
| Special Responsibility Allowances - Paid in addition to Basic Allowance (Unless otherwise stated) | | |
| | Elected Mayor of the Council [inc. Basic Allowance] | £84,123.36 |
| | Statutory Deputy Mayor | £31,579.05 |
| | Cabinet Members (up to 7 positions) | £28,614.33 |
| | Deputy Cabinet Members (up to 5 positions) | £5,713.21 |
| | Chair - Scrutiny and Overview Committee | £21788.06 |
| | Deputy Chair - Scrutiny and Overview Committee | £8,932.46 |
| | Conservative Group Secretary | £8,602.03 |
| | Conservative Chief Whip | £12,611.52 |
| | Chair - Licensing Committee | £8,579.55 |
| | Chair - Planning Committee | £13,759.08 |
| | Chair - Pension Committee | £7,665.67 |
| | Chair – General Purposes Committee | £5,842.05 |
| | Leader of the Labour Group | £18,681.42 |
| | Deputy Leader of the Labour Group (Up to 2 positions) | £6,832.93 |
| | Shadow Cabinet Members (up to 6 positions) | £5,842.05 |
| | Labour Chief Whip | £5,842.05 |
| | Labour Group Secretary | £5,728.03 |
| | Vice Chair - Scrutiny and Overview Committee | £8,932.46 |
| Co-optee allowance | Chair - Audit and Governance Committee [Not eligible for a Basic Allowance] | £8,323.20 |

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The Remuneration of Councillors in London 2022

Report of the Independent Panel



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Summary

At the time of writing this report the country is still responding to the shock of the tragic death of Sir David Amess MP. It is a sad reminder of the vital role that all elected representatives play in the life of our country and how your roles are at the heart of our democratic and civic society. It is also a reminder of the risks that are linked to your roles. It is vital that we have a system of support in place that recognises the full scale of the responsibilities of councillors and one that supports residents in both wanting to come forward to undertake these roles and then when they are elected enables them to be effective. Our work as an independent remuneration panel can play a part in that endeavour.

The report below details our position as the output for the 2021 review. In short, we are very conscious about the huge changes that have taken place as a society during the last few years. Our residents, businesses and communities have been dealing with, and continue to deal with, major challenges. The feedback we have received supports our view that this has had a major impact on the demands placed on all councillors and of those councillors charged with special responsibilities. There is now greater than ever demands for time spent on wider partnership working, the situations faced by many residents are ever more challenging and complex, the ease of access afforded by technology has increased expectations for almost constant access and rapid responses. The burden of responsibility for effective government at a local level is extremely significant.

At the same time, many aspects of the current situation are still relatively recent. It remains rather unclear how these recent patterns of demands and increased expectations will play out and settle over time. With this level of uncertainty, we do not believe that at the current time we have the evidence available to recommend any significant changes in the remuneration of councillors.

However, given the wider background, we have concluded that, instead of waiting four years to undertake the next review, it would be preferable to undertake a review commencing in the summer of 2022 with the aim of concluding it in the latter half of 2023. As well as enabling us to re-assess the situation, this timescale would enable us to undertake more detailed consultations and seek wider views as part of the evidence gathering that will be needed.

As well as the substantive recommendations in the report, we therefore recommend that we undertake a further review of the remuneration of councillors during 2022-23.

Background

The Local Authorities (Members' Allowances) (England) Regulations 2003 ('the Regulations') authorise the establishment by the Association of London Government (now London Councils) of an independent remuneration panel to make recommendations in respect of the members' allowances payable by London boroughs. Such a panel ('the Panel') was established and reported in 2001, 2003, 2006, 2010, 2014 and 2018. It now comprises Mike Cooke (Chair), Sir Rodney Brooke CBE DL and Anne Watts CBE.

The Regulations require a review of the scheme every four years as a minimum. The current Panel has therefore completed a review of remuneration for councillors in London. We present our findings and recommendations in this report.

As a preparation for our work, we invited all London boroughs to give their views on the operation of the existing scheme. We are grateful for the feedback, which confirms that the existing London scheme of members' allowances is still fit for purpose. We make recommendations accordingly. However, where issues have arisen from the comments we received, we have addressed them in this report.

The role of elected members

In our previous reports we reflected on the importance of the role of elected members. We repeat at Appendix B the 'job profile' for councillors which we originally included in our 2010 report.

Our last report reflected on research that identified that councillors oversee million-pound budgets, balancing complex financial pressures at a time of severe cutbacks in local authority spending, making decisions which will affect their areas for decades to come. These challenges continue and have been exacerbated by the impact of the Covid-19

Pandemic and the continuing recovery effort from it.

In London, each borough is responsible for services crucial to its residents. Each has a revenue budget of up to £1.4bn as well as a substantial capital programme. The scale of their turnover and other financial activities are in many instances comparable with those of large publicly quoted companies.

Councillors are faced with difficult choices. Demand for local authority services continues to grow. In particular there is rapid growth in the number of old people with a corresponding increase in demand for social care. London itself faces acute housing problems coupled with higher levels of homelessness than other parts of the country. Councillors have an increased responsibility for local and place-based health outcomes. Thus, the strain on and competition for resources increase the demands made on elected members.

The feedback we received is that the workload and responsibilities of councillors continues to increase and that their role has become more complex, and not only in the areas of social care and housing. There has been a growth in other public sector activities including community safety with increasing engagement with the Police, increasing expectations for closer working with health services, and in some boroughs more involvement with joint venture partnerships and local authority trading companies. Since the start of the Pandemic, there has been an important and significant role for councillors in local welfare support and greater liaison with the voluntary sector. This all requires the commitment and time of leaders, cabinet members and front-line councillors. The Pandemic has also heightened the significant role of councillors as a point contact for information, advice and reassurance for communities.

While valuable to democracy, the growth in digital connectivity and the availability and use of social media and other forms of messaging applications adds to the pressure on councillors by increasing demands from their constituents in several different ways. Communication with councillors is not only easier but immediate. The public expects a speedy response, so that it is now more difficult for councillors to deal with concerns as quickly as voters expect. Not only does social media make it easier for their constituents to access councillors, but they also enable an isolated concern to become an organised campaign. The expectations of the public continue to rise.

Recruitment of councillors

We received feedback that it continues to be challenging to recruit candidates generally but also from a diverse background and of a high enough calibre who are prepared to stand for office as councillors. Though financial deterrents were cited amongst a number of reasons for this, a major disincentive is the time commitment required of a councillor. Time pressures (as well as finance) can make it difficult to combine the role with a job and caring responsibilities. As was pointed out in the responses we received, the problem is exacerbated in London, where councillors are on the whole younger than in other parts of the country and often in employment. They also face substantially higher costs of living which are continuing to rise.

Though the time commitment may be the main disincentive to service as a councillor, it is important that, as far as reasonably possible, financial loss does not prevent people from becoming councillors. Allowances are not shown by polls to be something which influences councillors to take on the role, though they are instrumental in making it possible for some people to do so. Allowances should be set at a level that enables people to undertake the role of councillor, while not acting as an incentive to do so. If it is important that there are no financial incentives to being a councillor, it is equally important that there should not be a financial disincentive. It is clearly desirable that service as a councillor is not confined to those who have retired or with independent means.

In 2014 the Government removed the possibility of councillors joining the local government pension scheme. Almost half of the responses we received cited the lack of pension provision as a factor that influences people whether to run for council office. Access to the pension scheme can be an important factor in making service as a councillor financially possible for a wider range of people. It is particularly significant for those who, like elected mayors, leaders and portfolio holders, give most or all of their time to service in local government and lose the opportunity for advancement in their particular profession and to contribute to a pension scheme elsewhere. In view of the importance this could have for recruiting a diverse range of councillors in future and to wider issues for local democracy, the Panel intends to look at lobbying opportunities on this issue as part of its further review in 2022-23.

The current financial climate

Because of the financial climate over the last decade, the local government pay settlement over much of this period has been either frozen or severely limited. Since our last report there have been modest increases from 2% in 2018-19 to 2.75% last year.

Acutely sensitive to the ongoing financial austerity, our recent reports have made no recommendations for increasing the levels of members' allowances other than continuing provision for annual adjustments in accordance with the annual local government pay settlement.

Our recommendations have led to some convergence of members' allowances across London. There is now considerable congruity in the basic allowance made by London boroughs.

However, most London boroughs have not adopted our recommendations in their entirety and there remain substantial differences in the amount of special responsibility allowances.

In reaching our views this year, we have been acutely conscious of the continuing financial challenges to council budgets including the impact from the Covid-19 Pandemic. This adds to the view that now is not the time to contemplate a general increase in councillors' allowances.

Level of Basic Allowance

In our last report we recommended that there should be a Basic Allowance paid to every councillor of £11,045. Updated for the local government staff pay awards since then (and including an indicative 1.75% award for 2021-22 which is still the subject of negotiation), the figure is now £12,014. Given all the circumstances including growth in the volume and complexity of the work of councillors and the limited increase in the Basic Allowance since our last report, we believe that there is a strong case for looking again at the level of the allowance. The basic allowance is now less than the allowances paid by many similar authorities outside London. In our last report we highlighted that in Wales, for example, the government-appointed commission set the basic allowance at £13,400 for members of local authorities with populations which are generally substantially lower than those of London boroughs. In its most recent report, published in February 2021, this had increased to £14,368.

However, the wider context is one of considerable uncertainty including whether trends in demands will be sustained. If they are so, as seems likely, the consequences of the changing patterns of work remains unclear added to which is the current financial climate. All this suggests to us that now is not the right moment to recommend major changes to the current allowances (beyond the annual updating). Linking the allowances to an annual increase to staff pay awards will ensure that councillors can receive annual increases which are in line with those received by staff. We therefore recommend that the Basic Allowance be set at £12,014 pending the outcome of the 2021-22 award. We believe that it remains sensible to frame recommendations which are common across London.

Special Responsibility Allowances

Given the extent of the responsibilities of leaders of London boroughs, the Panel's first report in 2001 recommended that their remuneration should equate to that of a Member of Parliament. [Our recommendations for other special responsibility allowances are related to that recommended for leaders.]

Since then, the increase in the remuneration of Members of Parliament has substantially exceeded the annual local government pay increase to which we tied the special responsibility allowance for the leader of a London borough. At the time of our last report an MP received a salary of £76,011 while our recommendation for a borough leader (increases having been restricted to the local government staff pay increases) was for a total remuneration of £68,130, a difference of £7,881. Updated for the local government pay awards (and indicative 2021-22 award), our recommendation for the current total remuneration of a London borough leader would be £74,106. Meanwhile the salary of MPs has increased to £81,932, a difference of £7,826. Moreover, MPs continue to be entitled to a pension as well as to other benefits (such as termination payments) which are not available to leaders.

In our current consultation we enquired whether the remuneration of an MP remains a sound comparator to fix the remuneration of a borough leader. In general, the responses suggested that the comparator was appropriate with some feedback noting that the Leaders of London boroughs warranted a higher remuneration than an MP, because they had greater financial responsibility and legal burdens, and especially given the differential pension arrangements. Indeed, a couple of respondent authorities suggested that the direct responsibilities of a Leader should command the salary of a junior minister.

We sympathise with the responses. Certainly, the way in which MPs' remuneration has progressed compared to that of leaders could be argued to warrant a review of the Leaders' allowances.

We are also aware of the very significant expectations on leaders and leading members to participate in wider cross borough, pan-London and partnership working, the demands of which (both in terms of time commitments but importantly in terms of responsibility and significance) appear to have increased dramatically over the last 18 months. Our report makes no recommendations in respect of remuneration for these roles at this stage but we propose to return to this issue as part of the further review that is proposed.

However, for the same reasons which prompt us to maintain the current Basic Allowance, (namely a significant uncertainty over the long term implications of the changes we have been witnessing in the last 18 months, combined with the financial challenges faced at this time) we recommend that the special responsibility allowance for a Leader should be in accordance with our former recommendation, plus the subsequent local government staff pay awards (including an indicative uplift of 1.75% for 2021-22 which is still the subject of negotiation), ie £62,092. We recommend the maintenance of its relation to other special responsibility allowances, as set out in the Appendix to this report.

However, we believe that it is important to undertake a more detailed review, along with the Basic Allowances, of the special responsibility allowances having allowed further time for the new patterns of demands and expectations to become even clearer. We envisage beginning this review in the summer of 2022 and concluding the review during the latter half of 2023.

Training and support

The responsibilities of councillors are substantial, extensive and complex. We have mentioned the increased role that councillors have delivered particularly during the Pandemic. The Pandemic has also resulted in an acceleration of more flexible ways of working including greater use of digital technology. While this has provided a range of benefits including less travelling for work it has required councillors to have the necessary digital skills. Additionally, the move to audio-visual conferencing has resulted in a growth in meetings for many contributing to an overall increase in 'screen time'. Training and development is beyond the direct remit of our Panel but is an important part of ensuring that residents can step forward and become successful and effective elected local representatives. Addressing the financial aspects but not the support aspects would be counter-productive. For this reason, we believe that every borough should have an ongoing programme of member training and development and that members should be provided with the logistical and clerical support and the appropriate IT equipment to help them deal with their workload.

Barriers to being a councillor

It is important that obstacles to becoming a councillor should be removed wherever possible. Care costs can be a significant deterrent to service as a councillor. Our strong view is that in appropriate cases when they undertake their council duties, councillors should be entitled to claim an allowance for care of dependents. The dependents' carers' allowance should be set at the London living wage but (on presentation of proof of expense) payment should be made at a higher rate when specialist nursing skills are required.

One respondent authority stressed that member allowances schemes present an opportunity to better support councillors by providing not just remuneration but wider support packages. Our view is that members' allowances schemes should allow the continuance of Special Responsibility Allowances in the case of sickness, maternity and paternity leave in the same terms that the council's employees enjoy such benefits (that is to say, they follow the same policies).

Travel and Subsistence allowances

The Basic Allowance should cover basic out-of-pocket expenses incurred by councillors, including intra-borough travel costs and expenses. The members' allowances scheme should, however, provide for special circumstances, such as travel after late meetings or travel by councillors with disabilities. The scheme should enable councillors to claim travel expenses when their duties take them out of their home borough, including a bicycle allowance.

Allowances for Mayor or Civic Head

Many councils include the allowances for the mayor (or civic head) and deputy in their members' allowance scheme. However, these allowances do serve a rather different purpose from the 'ordinary' members' allowances, since they are intended to enable the civic heads to perform a ceremonial role. There are separate statutory provisions (ss 3 and 5 of the Local Government Act 1972) for such allowances and councils may find it convenient to use those provisions rather than to include the allowances in the members' allowance scheme.

Update for inflation

We continue to recommend that all allowances should be updated annually in accordance with the headline figure in the annual local government pay settlement.

We have been asked whether it is necessary for the annual updating to be formally authorised by the council each year. The Regulations do seem to make this obligatory.

Mike Cooke

Sir Rodney Brooke CBE DL

Anne Watts CBE

London, 6 January 2022

Appendix A

Basic allowance £12,014

Special responsibilities – beyond the basic allowance

The case for special allowances

The reasons for payment of additional special responsibility allowances should be clearly set out in local allowances schemes. Special allowances should come into play only in positions where there are significant differences in the time requirements and levels of responsibility from those generally expected of a councillor.

Calculation of special allowances

The proposed amounts for each band are a percentage of the figure suggested for a council leader depending upon levels of responsibility of the roles undertaken and are explained below. We believe that the SRA, which the previous panel recommended for the leader of a London council (updated), continues to be appropriate.

Categories of special allowances

The regulations specify the following categories of responsibility for which special responsibility allowances may be paid:

- Members of the executive where the authority is operating executive arrangements
- Acting as leader or deputy leader of a political group within the authority
- Presiding at meetings of a committee or sub-committee of the authority, or a joint committee of the authority and one or more other authorities, or a sub-committee of such a joint committee
- Representing the authority at meetings of, or arranged by, any other body
- Membership of a committee or sub-committee of the authority which meets with exceptional frequency or for exceptionally long periods
- Acting as spokesperson of a political group on a committee or sub-committee of the authority
- Membership of an adoption panel
- Membership of a licensing or regulatory committee
- Such other activities in relation to the discharge of the authority's functions as require of the member an amount of time and effort equal to or greater than would be required of him by any one of the activities mentioned above, whether or not that activity is specified in the scheme.

Local discretion

It is for the councils locally to decide how to allocate their councillors between the different bands, having regard to our recommendations and how to set the specific remuneration within the band. They must have regard to our recommendations. We believe these should have the merits of being easy to apply, easy to adapt, easy to explain and understand, and easy to administer.

BAND ONE

The posts we envisage falling within band one, include:

- Vice chair of a service, regulatory or scrutiny committee
- Chair of sub-committee
- Leader of second or smaller opposition group

- Service spokesperson for first opposition group
- Group secretary (or equivalent) of majority group
- First opposition group whip (in respect of council business)
- Vice chair of council business
- Chairs, vice chairs, area committees and forums or community leaders
- Cabinet assistant
- Leadership of a strategic major topic
- Acting as a member of a committee or sub-committee which meets with exceptional frequency or for exceptionally long periods
- Acting as a member of an adoption panel where membership requires attendance with exceptional frequency or for exceptionally long periods
- Leadership of a specific major project.

Remuneration

We propose that band one special responsibility allowances should be on a sliding scale of between 20 – 30 per cent of the remuneration package for a council leader.

This would be made up as follows:

Basic allowance: £12,014

Band One allowance: £2,807 to £10,218

Total: £14,821 to £22,232

BAND TWO

The types of office we contemplate being within band two are:

- Lead member in scrutiny arrangements, such as chair of a scrutiny panel
- Representative on key outside body
- Chair of major regulatory committee e.g planning
- Chair of council business (civic mayor)
- Leader of principal opposition group
- Majority party chief whip (in respect of council business).

Remuneration

We propose that band two allowances should be on a sliding scale between 40 – 60 per cent, pro rata of the remuneration package for a council leader.

This is made up as follows:

Basic allowance £12,014

Band two allowances: £17,628 to £32,450

Total: £29,642 to £44,464

BAND THREE

We see this band as appropriate to the following posts:

- Cabinet member
- Chair of the Health and Wellbeing Board
- Chair of the main overview or scrutiny committee
- Deputy leader of the council

Remuneration:

We propose that band three allowances should be between 70 – 80 per cent pro rata of the remuneration package for a council leader.

This is made up as follows:

Basic allowance: £12,014

Band three allowance: £39,860 to £47,271

Total: £51,874, to £59,285

BAND FOUR

Leader of cabinet

This is a full-time job, involving a high level of responsibility and includes the exercise of executive responsibilities. It is right that it should be remunerated on a basis which compares with similar positions in the public sector, while still retaining a reflection of the voluntary character of public service.

Remuneration:

We propose that the remuneration package for a council leader under band four of our scheme should be £74,106.

This is made up as follows:

Basic allowance: £12,014

Band four allowance: £62,092.

Total: £74,106

BAND FIVE

Directly elected mayor

A directly elected mayor has a full-time job with a high level of responsibility and exercises executive responsibilities over a fixed electoral cycle. It is right that it should be remunerated on a basis which compares with similar positions in the public sector, while still retaining a reflection of the voluntary character of public service. However, we believe this post remains different to that of the strong leader with cabinet model. The directly elected mayor is directly elected by the electorate as a whole. The strong leader holds office at the pleasure of the council and can be removed by the council. We believe that the distinction is paramount and this should be reflected in the salary level.

Remuneration:

We propose that a directly elected mayor should receive a remuneration package of 25 per cent higher than that recommended for a council leader and that it should be a salary set at £92,633.

Appendix B

On behalf of the community – a job profile for councillors

Purposes:

1. To participate constructively in the good governance of the area.
2. To contribute actively to the formation and scrutiny of the authority's policies, budget, strategies and service delivery.
3. To represent effectively the interests of the ward for which the councillor was elected, and deal with constituents' enquiries and representations.
4. To champion the causes which best relate to the interests and sustainability of the community and campaign for the improvement of the quality of life of the community in terms of equity, economy and environment.
5. To represent the council on an outside body, such as a charitable trust or neighbourhood association.

Key Tasks:

1. To fulfil the statutory and local determined requirements of an elected member of a local authority and the authority itself, including compliance with all relevant codes of conduct, and participation in those decisions and activities reserved to the full council (for example, setting budgets, overall priorities, strategy).
2. To participate effectively as a member of any committee or panel to which the councillor is appointed, including related responsibilities for the services falling within the committee's (or panel's) terms of reference, human resource issues, staff appointments, fees and charges, and liaison with other public bodies to promote better understanding and partnership working.
3. To participate in the activities of an outside body to which the councillor is appointed, providing two-way communication between the organisations. Also, for the same purpose, to develop and maintain a working knowledge of the authority's policies and practices in relation to that body and of the community's needs and aspirations in respect of that body's role and functions.
4. To participate in the scrutiny or performance review of the services of the authority, including where the authority so decides, the scrutiny of policies and budget, and their effectiveness in achieving the strategic objectives of the authority.
5. To participate, as appointed, in the area and in service-based consultative processes with the community and with other organisations.
6. To represent the authority to the community, and the community to the authority, through the various forums available.
7. To develop and maintain a working knowledge of the authority's services, management arrangements, powers/duties, and constraints, and to develop good working relationships with relevant officers of the authority.
8. To develop and maintain a working knowledge of the organisations, services, activities and other factors which impact upon the community's well-being and identity.
9. To represent effectively the interests of the ward for which the councillor was elected, and deal with constituents' enquiries and representations including, where required, acting as a liaison between the constituent and the local authority and where appropriate other public service providers.
10. To contribute constructively to open government and democratic renewal through active encouragement of the community to participate generally in the government of the area.
11. To participate in the activities of any political group of which the councillor is a member.
12. To undertake necessary training and development programmes as agreed by the authority.
13. To be accountable for his/her actions and to report regularly on them in accessible and transparent ways.

Appendix C

The independent panel members

Mike Cooke

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

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

Sir Rodney Brooke CBE, DL

Sir Rodney Brooke has a long career in local government, including as chief executive of West Yorkshire County Council, Westminster City Council and the Association of Metropolitan Authorities.

He was knighted in 2007 for his contribution to public service.

Dr Anne Watts CBE

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

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

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LONDON BOROUGH OF CROYDON

| | | |
|-------------------------------------|--|--------|
| REPORT: | GENERAL PURPOSES COMMITTEE | |
| DATE OF DECISION | 21 st February 2023 | |
| REPORT TITLE: | Members' Allowance Scheme 2023/24 | |
| DIRECTOR | Stephen Lawrence-Orumwense Director of Legal Services | |
| LEAD OFFICER: | Adrian May Interim Head of Democratic Services adrian.may@croydon.gov.uk | |
| AUTHORITY TO TAKE DECISION: | Part 3 Responsibility for Council Functions in the Constitution, identifies the General Purposes Committee (GPC) as responsible for reviewing the Member's Allowance Scheme with approval of the scheme at full Council. | |
| CONTAINS EXEMPT INFORMATION? | NO | Public |
| WARDS AFFECTED: | N/A | |

1 SUMMARY OF REPORT

- 1.1 Under the Local Authorities (Members' Allowances) (England) Regulations 2003, Councils each year, must approve the Members' Allowances Scheme for the next financial year. Council agreed the Members' Allowance Scheme for 2022/23 at Council 23rd March 2022 and subsequently amended the scheme at the Annual Council 25th May 2022.
- 1.2 With the scheme last being amended May 2022, following the Local and Mayoral elections, this report recommends that the Committee agrees to recommend to Council a 2023/24 Members' Allowances Scheme with materially the same terms as the 2022/23 scheme.

2 RECOMMENDATIONS

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

- 2.1 agree to recommend to Council the Members' Allowances Scheme for 2023/24 (Appendix 1 with tracked changes) with materially the same terms as the 2022/23 scheme. **Note:** *The Basic and Special Allowance amounts are for 2022/23. If an increase to 2022/23 (proposed as a recommendation in a paper of this same Committee meeting) is agreed, the basic and special allowance amounts*

recommended for agreement at Council for 2023/24 will be the uplifted 2022/23 amounts.

- 2.3 agree that Council authorises the Director of Legal Services to comply with the statutory requirements to publicise the 2023/24 Members' Allowances Scheme and make all necessary updates to the Constitution.
- 2.5 note, the committee will review and bring proposals to Council with regards to the Basic and Special Responsibilities Allowances and other allowances, such as carer responsibilities, travel, maternity/paternity, and Subsistence, following the publication of the next report of the Independent Remuneration Panel (IRP) report on 'The Remuneration of Councillors in London', anticipated for late 2023.

3 REASONS FOR RECOMMENDATIONS

- 3.1 There has been no material change in Member responsibilities or committee functions identified since the last Member's Scheme of Allowances was agreed at Council, May 2022.
- 3.2 There is a statutory duty to advertise locally the Members' Allowance Scheme each year.
- 3.3 As the scheme was only amended in May 2022, it's considered that a review should take place, upon release of the next IRP report, anticipated for late 2023.

4. BACKGROUND AND DETAILS

- 4.1 The current Scheme provides for the payment of Basic, Special Responsibility, Carers, Travel, Subsistence and an Independent/Co-opted Chair where applicable.
- 4.2 The Croydon Member's Allowance Scheme has already provision that the Basic and Special Responsibility Allowances shall be subject to an annual adjustment in accordance with the annual local government staff pay settlement, a long-standing recommendation of the Independent Panel.
- 4.3 There is a legal requirement to have regard to the latest 'Remuneration of Councillors in London' report of the Independent Panel when agreeing a new scheme. Their latest report was published January 2022 (Appendix 2) and informed the setting of Croydon's 2022/23 Member's Allowance Scheme at March and May 2022 Council meetings.
- 4.4 The updated report is anticipated as being released late 2023, and that is considered a time when the General Purposes Committee should review the Members' Allowance Scheme in full.
- 4.5 No changes to Member roles, functions and responsibilities or Committee functions and business has been identified during the period from May 2022 year to sufficiently warrant a change to the allowances payable under the scheme.
- 4.6 Should Council wish to make any change to the Members' Allowances Scheme at a full Council meeting, regard must be had to the Report of the Independent Panel 2022

5 ALTERNATIVE OPTIONS CONSIDERED

- 5.1 A Council’s Members’ Allowance Scheme needs approving by Council before the start of the next financial year.
- 5.2 Proposals were subject to Member Consultation.

6 CONSULTATION

- 6.1 In advance of this Committee meeting, the proposals were circulated to all political groups and parties reflected on Croydon Council.

7. CONTRIBUTION TO COUNCIL PRIORITIES

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

8. IMPLICATIONS

8.1 FINANCIAL IMPLICATIONS

8.1.1 The annual cost of the Members Allowance Scheme for 2023/24, including the council’s national insurance contribution, is £1.502m (if the proposed 4.04% is agreed by the Committee, related to the previous paper’s recommendation) increase for 2022/23 Basic and Special Responsibilities Allowances is applied.

8.1.2 It is assumed that increases in members allowances for inflation in future years will also be funded by the corporate provision for pay awards as part of the provision for council officers.

8.1.3 Revenue consequences of report recommendation

| | Current Year | Medium Term Financial Strategy – 3 year forecast | | |
|---|------------------|--|--|--|
| | 2022/23 £'000 | 2023/24 £'000 | 2024/25 £'000 | 2025/26 £'000 |
| Current Revenue Budget Available | 1,444 | 1,502 (£1,444 if no increase for 2022/23) | £1,502 (£1,444 if no increase for 2022/23) | £1,502 (£1,444 if no increase for 2022/23) |

| | | | | |
|--|--|--|--|--|
| Corporate Budget Transferred for Pay Inflation | 58 (0 if no increase for 2022/23) | 0 | 0 | 0 |
| Revised Budget | 1,502 (1,444 if no increase for 2022/23) | 1,502 (1,444 if no increase for 2022/23) | 1,502 (1,444 if no increase for 2022/23) | 1,502 (1,444 if no increase for 2022/23) |
| Effect of decision from report reflected in budget virement above | 58 (0 if no increase for 2022/23) | 0 | 0 | 0 |
| Remaining Budget | 0 | 0 | 0 | 0 |

8.1.4 Comments approved by Lesley Shields, Head of Finance for Resources and Assistant Chief Executive on behalf of the Director of Finance. Date 13th February 2023.

8.2 LEGAL IMPLICATIONS

8.2.1 The proposed Council's Scheme of Members' Allowances complies with the relevant provisions of the Local Authorities (Elected Mayor and Mayor's Assistant) (England) Regulations 2002, Local Authorities (Members' Allowances) (England) Regulations 2003, the Local Government and Housing Act 1989 and the Local Government Act 2000. In addition, there are separate provisions, namely sections 3 and 5 of the Local Government Act 1972 for the payment of allowances to the current civic Mayor and the deputy civic Mayor which Croydon has traditionally referenced as part of its Scheme of Members' Allowances .

8.2.2 The 2002 Regulations specifically allows for an elected mayor to be treated as a councillor of the local authority for the purposes of schemes relating to basic attendance and special responsibility allowances for local authority members as set-out within the Local Government and Housing Act 1989.

8.2.3 Regulation 19 of the 2003 Regulations provides that the Council must have regard to the recommendations of the independent remuneration panel before making or amending a Scheme of Allowances for its members.

8.2.4 Regulation 5(1) of the 2003 Regulations provide that the Scheme can make provision for an SRA to be paid to members who have such "special responsibilities in relation to the authority as are specified in the Scheme" and are within one or more of nine categories of responsibility identified in sub-paragraphs (a) - (i). This includes responsibilities such as Elected Mayor or Deputy Elected Mayor, acting as a member of an Executive, presiding at meetings of a committee or sub-committee and acting as a spokesman of a political group on a committee or sub-committee.

8.2.5 Comments approved by Sandra Hebert, the Head of Litigation & Corporate Law on behalf of the Director of Legal Services and Monitoring Officer. Date 20th January 2023).

8.5 EQUALITIES IMPLICATIONS

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

8.5.2 Should councillors require additional support in respect of their Disability, support may be sought from Democratic Services under PSED Equality Act 2010.

Approved By; Denise McCausland – 13 February 2023

9 APPENDICES

9.1 A – Proposed 2023/24 Members Allowance Scheme (**Note:** *The Basic and Special Allowance amounts are for 2022/23. If an increase to 2022/23 (proposed as a recommendation in a paper of this same Committee meeting) is agreed, the basic and special allowance amounts recommended for agreement at Council for 2023/24 will be the uplifted 2022/23 amounts*).

Also, **the Independent Remuneration Panel** report on Councillor Allowances 2022 (Appendix to the previous item, in same agenda pack)

10 BACKGROUND DOCUMENTS

N/A

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CONSTITUTION OF THE LONDON BOROUGH OF CROYDON

PART 6A

SCHEME OF MEMBERS' ALLOWANCES

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

The Croydon scheme provides for:

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

As amended 02.2019, 08.2019, 03.2021 and 05.2022

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

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

- 2 The respective levels of Basic and Special Responsibility Allowances payable from ~~May~~ April 2022-2023 are set out in Appendix B.
- 3 The Civic Mayor and Deputy Civic Mayor shall receive allowances for expenses in accordance with relevant legislation in relation to the discharge of their ceremonial and other duties. The level of expenses paid to the Civic Mayor and Deputy Civic Mayor are as shown in Appendix B.
- 4 The level of the Basic Allowance, Special Responsibility Allowances, Civic Mayor's and Deputy Civic Mayor's Allowances shall be subject to annual adjustment in accordance with the annual local government staff pay settlement however Members may review this aspect no more frequently than annually to determine whether there will be an adjustment for the upcoming Council year.
- 5 All Members shall continue to receive their Basic Allowance in full in the case of maternity, adoption, shared parental, paternity and sickness leave (subject to the six-month councillor attendance at meetings requirement under Section 85 of the Local Government Act 1972).
- 6 In specific circumstances the payment of a Special Responsibility Allowance may continue during a period of absence in the case of maternity, adoption, shared parental, paternity and sickness leave. Where the SRA is paid at a reduced level the payment will be applied proportionately during the period of absence. Where members have elected not to receive their SRA no payment will be made. The Council, relevant committee/body or Mayor in case of Cabinet Members, as appropriate, may depending on the circumstances, appoint a temporary replacement to cover the period of absence, who will be entitled to an SRA pro-rata for the period of the temporary appointment.

As amended 02.2019, 08.2019, 03.2021 and 05.2022

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

As amended 02.2019, 08.2019, 03.2021 and 05.2022

DEPENDENT CARERS, TRAVEL AND SUBSISTENCE ALLOWANCE SCHEMES

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

Approved Duties

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

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

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

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

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

DEPENDENT CARERS ALLOWANCE

1. Expenditure not less than the London Living Wage, currently £11.05 per hour, incurred in respect of care provided by a person that is not a member of the Member's household, for:
 - The care of children 15 years of age or under living in the Member's household; or
 - The care of other dependants where there is medical or social work evidence that care is required.

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

Rail or other Public Transport

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

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

Taxi-Cab or Cab

- [a] In cases of urgency or where no public service is reasonably available, the amount of the actual fare and any reasonable gratuity paid;
- [b] In other cases, the equivalent fare for travel by an appropriate public transport.

As amended 02.2019, 08.2019, 03.2021 and 05.2022

Private motor vehicle

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

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

Private bicycle

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

Hired Cars

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

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

| | |
|----------------------------|--------------|
| Breakfast Allowance | £4.92 |
|----------------------------|--------------|

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

| | |
|------------------------|--------------|
| Lunch Allowance | £6.77 |
|------------------------|--------------|

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

| | |
|----------------------|--------------|
| Tea Allowance | £2.67 |
|----------------------|--------------|

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

As amended 02.2019, 08.2019, 03.2021 and 05.2022

Evening Allowance **£8.38**

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

Overnight Absence **£79.82**

From usual place of residence

Overnight Absence in London **£91.04**

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

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

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

As amended 02.2019, 08.2019, 03.2021 and 05.2022

COUNCILLORS' BASIC AND SPECIAL RESPONSIBILITY ALLOWANCES April
~~2023MAY~~
2022

| | | (£) (NOTE Subject to no increase in 2022/23 amounts) |
|--|--|---|
| Basic Allowance | All Members | 11,692 |
| | Civic Mayor's Allowance | 15,900 |
| | Deputy Civic Mayor's Allowance | 7950.40 |
| Special Responsibility Allowances - Paid in addition to Basic Allowance | | |
| | Elected Mayor of the Council | 81,894.36 |
| | Statutory Deputy Mayor | 30,352.80 |
| | Cabinet Members (up to 7 positions) | 27,503.20 |
| | Deputy Cabinet Members (up to 4 positions) | 8,268 |
| | Chair - Scrutiny and Overview Committee | 20,942 |
| | Deputy Chair - Scrutiny and Overview Committee | 8,585.60 |
| | Majority Group Secretary | 8,268 |
| | Majority Chief Whip | 12,121.80 |
| | Chair - Licensing Committee | 8,246.40 |
| | Chair - Planning Committee | 13,224.80 |
| | Chair - Pension Committee | 7,368 |
| | Leader of the Majority Group | 17,956 |
| | Deputy Leader of the Majority Group (1 position) | 7,520 |
| | Shadow Cabinet Members (up to 7 positions) | 5,615.20 |
| | Opposition Chief Whip | 5,615.20 |
| | Opposition Group Secretary | 5,505.60 |
| | Vice Chair - Scrutiny and Overview Committee | 8,585.60 |
| Co-optee allowance | Chair - Audit and Governance Committee | 8,000.00 |

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As amended 02.2019, 08.2019 and 03.2021

APPENDIX C
PARENTAL AND SICKNESS LEAVE
ARRANGEMENTS

Introduction

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

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

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

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

1. Leave Periods

Maternity

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

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

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

Paternity

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

As amended 02.2019, 08.2019 and 03.2021

Shared parental leave

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

A Member may share up to 50 weeks leave if the Mother/Main Adopter curtails their maternity/adoption leave before using their full entitlement of 52 weeks. The number of weeks available as Shared Parental Leave will be reduced by the number of weeks maternity or adoption leave that has already been taken by the Mother or Main Adopter.

Shared Parental Leave can be taken as one continuous block or in multiples of complete weeks, but must end no later than one year after the birth/placement of the child.

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

Adoption

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

Sickness

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

General

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

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

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

As amended 02.2019, 08.2019 and 03.2021

2 Basic Allowance

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

3. Special Responsibility Allowances

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

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

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

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

4. Notification

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

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

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

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

As amended 02.2019, 08.2019 and 03.2021

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

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

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

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

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

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

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

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

4.8. The Head of Democratic Services will provide confirmation that the information on revised dates has been received and that relevant re-instatement or adjustment of any SRA has taken place within 10 working days.

5. Resigning from Office and Elections

5.1 If a Member decides not to return at the end of their maternity, paternity, and shared parental, adoption or sickness leave they must notify the Council at the

As amended 02.2019, 08.2019 and 03.2021

earliest possible opportunity. All allowances will cease from the effective resignation date.

5.2 If an election is held during the Member's maternity, paternity, shared parental, adoption or sickness leave and they are not re-elected, or decide not to stand for re-election, their Basic Allowance and SRA, if appropriate, will cease from the Monday after the election date when they would technically leave office.

As amended 02.2019, 08.2019 and 03.2021

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