

Council – 10th April 2017

Members Allowances 2017

1. Summary of report

- 1.1 The current scheme of members allowances was adopted by Council on 17th November 2014. This is included at Appendix 3 of this report. The controlling administration requested a review of the scheme to consider a “freeze” in members allowances to align the level of allowances to that of employees who were the subject of a pay freeze as a result in a change in terms and conditions of employment. The controlling administration also wished the Independent Remuneration Panel to consider the creation of Special Responsibility Allowances for the post of Cabinet Support Assistants to assist Cabinet Members in carrying out their duties. Such appointments would be at the discretion of the Leader of the Council. Other Local Authorities do have such posts and this is addressed within the report of the Independent Remuneration Panel.
- 1.2 The Independent Remuneration Panel consists of three members who are entirely independent of the council. They are Professor Stephen Leach; Richard Hood, Company Secretary and Independent Local Government Consultant, and Philip Tart, former Director of Resources and Transformation and Change (Monitoring Officer), Dudley MBC. The IRP were provided with full information concerning the proposed changes to Walsall’s Members Allowance Scheme, and met with all of the group leaders prior to finalising its report. The IRP panel met on the 24th February 2017 and have also subsequently discussed their proposals.
- 1.3 The Independent Panel’s terms of reference are that they have unfettered discretion to make recommendations upon the scheme of allowances to elected members. The Council has discretion as to whether or not to accept the recommendations made in whole or in part.
- 1.4 In undertaking their review the Independent Remuneration Panel, were given full details of the Council’s political arrangements; provided with elected member job descriptions; provided with tabulated analysis of members allowance schemes for authorities in the Black Country, West Midlands, and those of our relevant CIPFA family of authorities. In addition they were provided with a proposed job description of the Cabinet Portfolio Assistants, and details of some authorities where such special responsibility allowances were paid.

2. Recommendations

- 2.1 That the Council note the recommendations of the Independent Remuneration Panel and thank the Panel for their work in producing their report.
- 2.2 That the Council consider the options set out below by the Independent Remuneration Panel for a scheme of allowances to be implemented from the 11th April 2017.
- 2.3 That the Council's Constitution be amended by the insertion of the new Scheme at Part 6.
- 2.4 That the Council's Monitoring Officer be authorised to advertise the new scheme of allowances and payments made hereunder as required by statute.

3.0 Options of the Independent Remuneration Panel

- A. The proposal from the council leadership for a pay freeze on the members' allowances budget for 2017-18 is supported by the Panel. The recommendation regarding annual up-dating should be changed as follows:**

'the criterion for the annual updating of members' allowances should be the NJC officers award, except when council staff agree to a lower percentage rise, freeze or reduction, in which case that figure should be applied equally to members allowances'

- B. *The four Cabinet Member Support posts should be allocated an SRA of £3,642 each.**

The cost of these new posts (£14,568) should be financed partly by the transfer of the SRA allocated to the chair of the Audit Committee (£7,284) which is no longer required, and partly by proportionate reductions in the SRAs of all cabinet members (excluding the leader and deputy leader) as set out in 3.13 (details are as set out in Appendix 1 of the IRP Report at Appendix 1) above, or by proportionate reductions in the SRAs of all positions of responsibility held by members of the Labour and Liberal Democrat parties.

*Cabinet Support members should not be permitted to be members of any Scrutiny Committee which deals with matters for which the portfolio holder they support has responsibilities. In committees for which they are eligible, they should not be permitted to hold positions of responsibility.

If Council were to approve Option A and Option B, or just Option B on its own Council would then need to consider in essence how Option B should be funded out of the Options set out in Appendix 1 (A) – (C) of the IRP report. I have set out the options for convenience here.

*The cost of these new posts of Cabinet Support Assistants (£14, 568) should be financed partly by the transfer of the SRA allocated to the chair of the Audit Committee (£7,284) which is no longer required, and partly by proportionate reductions in the SRAs of all cabinet members (excluding the leader and deputy leader) as set out in 3.13 of the IRP report at Appendix 1, or by proportionate reductions in the SRAs of all positions of responsibility held by members of the Labour and Liberal Democrat parties(details are as set out in Appendix 1).

The IRP panel did not support the reduction in the SRA's of the Leader of the Council and the Deputy Leader of the Council due to the increased demands of those roles.

3. Resource and Legal Considerations

3.1 The power to have a Members Allowance Scheme is conferred by the Local Authorities (Members Allowances) (England) Regulations 2003 made under the Local Government and Housing Act 1989 and the Local Government Act 2000.

3.2 Under Part 4 of the above regulations the Council has to have regard to the recommendations made in relation to its Members Allowance Scheme by an Independent Remuneration Panel.

3.3 The Independent Remuneration Panel must produce a report making recommendations as to the responsibilities and duties in respect of the items contained between s21(1) (a) to (g) of the said regulations.

3.4 There is a requirement for the local authority to publicise the recommendations made by the Independent Remuneration Panel as soon as reasonably practicable after receiving a report from the panel setting out the panel's recommendations.

3.5 The overall cost of implementing the recommended changes can be contained within existing Council budgets.

4. Member Interests

4.1 The decision as to whether a member has to declare an interest in business being transacted by a meeting is ultimately a matter for an elected member to decide upon even where they have sought advice. In relation to this report, the Monitoring Officer in January 2017 granted a dispensation for all elected members on their written request under section 31(2) Localism Act 2011 on the basis that the number of persons prohibited from participating in this particular business would be so great

a proportion of the body transacting the business so as to impede the transaction the said business.

5. Financial Implications

5.1 The cost of the various proposals put forward by the independent remuneration panel are set out in the IRP report at Appendix 1 herewith.

6. Citizen Impact

6.1 The whole process of determining elected members allowances is based upon openness and transparency. The public have a right to know the level of allowances that elected members are entitled to in carrying out their duties effectively under the democratic process. The legislation requires that the Council publishes a scheme for Members Allowances to ensure the same can be scrutinised by the public, not only in terms of the Scheme itself but also in comparison to neighbouring authorities, and the amount recommended by the Independent Remuneration Panel.

6.2 Remuneration should not be an incentive for services as a Councillor, nor should lack of remuneration be a barrier. The basic allowance should encourage people from a wide range of backgrounds and with a wide range of skills to serve as a local Councillor. Those who participate in and contribute to the democratic process should not suffer unreasonable financial disadvantage as a result of doing so. Councillors should be compensated for their work, as permitted by the law, and that compensation should have regard to the full range of commitments and complexities of their varying roles.

6.3 The changes proposed scheme by the Independent Remuneration Panel acknowledge different levels and complexities, and commitment to the roles undertaken by elected members.

7.0 Environmental Impact

7.1 The scheme recommended by the panel encourages elected members to use public transport in carrying out their duties wherever possible. Where this is not possible travel expenses incurred can be reclaimed or where councillors use around vehicle car mileage allowance rates can be claimed. This is recommended to be paid at the same rates applicable to officers and that scheme encourages use of more environmentally friendly vehicles.

7.2 Further, the scheme encourages elected members to become connected to broadband. In time this could help reduce the volume of paper circulated and reduce the number of queries members have to make for information as more will be available on the Council's intranet.

8.0 Performance and Risk Management Issues

8.1 The Council is obliged to adopt a new Members Allowance Scheme every year. However, where an index is applied to the scheme, the Council can rely upon that index for up to 4 years without the need to review the scheme. If the Council fails to adopt a new scheme (even if it is to re-adopt the existing scheme) before the existing one expires, then the Council will be unable to pay its members allowances thereafter until a new scheme is adopted.

9.0 Equality Implications

9.1 None arising from this report.

10. Consultation

10.1 In accordance with statute the Council consults with and receives recommendations from the Independent Remuneration Panel, who have substantial information concerning Councillors allowances, on which they base their recommendations. All the political group leaders of the Council were invited to provide comments to the Independent Remuneration Panel for them to consider as part of their deliberations in reviewing the current scheme of allowances.

Background Papers

Appendix 1-Report of the Independent Remuneration Panel - March 2017

Appendix 2-Assorted Information including proposed job descriptions for the Cabinet Portfolio Assistants.

Appendix 3-Existing Scheme

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WALSALL MBC; REPORT OF THE INDEPENDENT MEMBERS ALLOWANCES PANEL; MARCH 2017.

Introduction

1.1. The Panel, whose membership comprises Professor Steve Leach (chair), Philip Tart (former Strategic Director of Resources and Transformation, and Monitoring Officer, Dudley MBC) and Richard Hood (Director of Governance/Company Secretary at Action for Children) met on February 24th 2017 to consider two proposals for change in the members' allowances scheme tabled by the Labour leadership. The first requested that the Panel should review the recommendation in its 2014 report that the basic and special responsibility allowances (SRAs) should be varied with effect from 1st April each year, in line with the NJC award for officers. The reason is that Walsall has agreed to balance the 1% NJC award for 2017-18 with a 1% pay reduction, resulting in a pay freeze for all council employees. The proposal is that a similar pay freeze should be introduced for members, which is technically inconsistent with the Panel's 2014 updating recommendation.

1.2. The second proposal is that the Panel should consider whether the four new posts of 'Cabinet Support Member, which were introduced in June 2016 by the Labour-led administration, should be eligible for a special responsibility allowance. If this were to be agreed, the funding for these new posts would have to be found within the existing members' allowances budget, in the light of the 'pay freeze' proposal.

1.3. At the Panel's meeting interviews were held with three of the four party leaders on the Council. The fourth was subsequently interviewed by telephone. The background information and support provided by Tony Cox and Sarah Reid was much appreciated by the Panel.

The Criterion for Updating Members Allowances.

2.1. The first proposal proved uncontroversial; all party leaders supported it. The Panel noted that the proposal to freeze the members allowances budget in line with employees was clearly within the spirit of the Panel's 2014 recommendation, which in effect supported the principle of parity between the pay increases awarded in Walsall. In this particular instance, the employees have voluntarily agreed to balance the 1% NJC award with a voluntary 1% reduction. This proposal is fully supported by the Panel. The proposed change of wording in the recommendation concerned is as follows: 'The criterion for the annual updating of members allowances should be the NJC officers award, except when council staff agree to a lower percentage rise, freeze or reduction in which case that figure should be applied equally to members allowances'.

Cabinet Support Members

3.1. The justification for SRAs for the four Cabinet Support Members was set out as follows:

'The role is over and above that of the normal elected member role and one of the reasons for the creation of this role is to assist existing portfolio holders in managing their existing workloads, and creating and providing opportunity to develop elected members, so that they feel more able to consider undertaking a role on the executive, if so appointed.'

3.2. A detailed job description for the role was provided for the panel which set out in more detail the nature of the duties involved. The Panel also noted the guidance provided by the then Office of the Deputy Prime Minister in 2000:

‘The Executive may invite any person to attend its meetings, and to speak on behalf of an absent member of the Executive. However that person will not be able to take formal decisions. Such a role might help to provide an effective link between the Executive and other councillors, and could be an effective developmental role for some councillors.....but it would be inappropriate for such members also to be members of the Overview and Scrutiny Committee dealing with matters on which that person has assisted the Executive’

3.3. This quotation demonstrates an awareness of the value of two main roles envisaged for Cabinet Support Members in Walsall, namely support to the portfolio holder and career development. The number of councils establishing cabinet support member posts (which are given a variety of titles), although still very much in a minority, has increased significantly in recent years. In all the cases of which the Panel is aware, an SRA has been attached to the post. Hence, if the Panel were to approve the allocation of SRAs to such posts in Walsall, it would be following a well-established precedent,

3.4. The level of the SRA allocated varies considerably amongst the authorities concerned. Recent figures reveal SRAs for such posts of over £10,000 in Derbyshire and under £2,000 in Bury. Comparative evidence collected in a recent members allowances review in Cheshire East showed an average SRA approaching £6,000 for the five authorities (three of which were unitary counties) in Cheshire East’s CIPFA comparators who had established such posts.

3.5. The designation of Cabinet Support posts and the allocation of SRAs to them are both legal and on the increase. However, there are different views amongst the political parties in Walsall (and indeed elsewhere) about the value of such posts and the appropriateness of attaching SRAs to them. In Walsall, the main opposition party is unconvinced of their value, and does not support the payment of SRAs. Of the two smaller parties, both can see the value of the development role involved in the position, but whereas one also acknowledges the value of the role of support to the portfolio holder, and agrees with the allocation of an SRA, these views are not shared by the other. There is in Walsall no political consensus about the desirability of Cabinet Support members, nor about the principle of allocating an allowance to the position. In these circumstances, the Panel felt that if it were to support the payment of SRAs to these posts, then in so far as it proved possible, the basis for financing them should fall on the parties who supported this initiative, rather than on those who opposed it.

3.6. The main argument against designating SRAs for such posts is the lack of formal responsibility involved. Cabinet support members, as noted earlier, cannot contribute directly to decision-making; they can only influence it through research and advice, and then play a role in ensuring implementation. The responsibilities in the other posts which receive SRAs are all formally more transparent, although of course Scrutiny Committees have no formal decision-making responsibilities; they too rely on research advice and influence. The Panel felt that if the concept of responsibility for decision-making were defined in less formal terms, to include the capacity for significant influence on decisions, then there was a case for recommending SRAs for Cabinet Support Member posts (and there is a parallel with the scrutiny role). But to acknowledge the reality of the lack of formal responsibility involved, the SRA should be pitched at a relatively modest level. The

figure of around £10,000 paid in Derbyshire for such positions was felt by the Panel to be much too high.

3.7. The Panel concluded that the appropriate range for the Cabinet Support members SRA was between £3,000 and £4,000. This is close to what is currently paid in Barnsley and Cheshire East. It is a figure which acknowledges the less formal (but nonetheless, important) interpretation of the concept of 'responsibility' which applies to these posts. It also responds to their relatively recent introduction. There is clearly a learning process taking place, and when the Panel is next scheduled to meet (2018) more evidence will be available regarding the extent to which the expectations of the job description are being met. The Panel's recommendation is that the SRA for Cabinet Support members be set at £3,642, which is half the level set for the main regulatory and scrutiny committees in Walsall. The total cost of implementing this recommendation would, therefore, be £14,568.

3.7. It was drawn to the Panel's attention that one of the SRAs in the current scheme is no longer relevant. The chair of the Audit Committee is now held by someone who is not a councillor, and who, as a result, is not eligible for an SRA. As it is understood that this is a permanent rather than a temporary change, the Panel can see no reason why the saving concerned (£7,284) should not be used to partly finance the SRAs of the four Cabinet Support members. The council's monitoring officer has supported the reasoning behind this proposal. A further £7,284 will need to be financed from within the current members' allowances budget.

3.8. The Panel was clear that two important considerations should inform its thinking as to where the required savings should be sought. First, because these posts involved in essence a redistribution of responsibilities within the cabinet, it was logically within the cabinet that the requisite savings should be made. Second as two parties (comprising half the council) were fundamentally opposed to the payment of SRAs for these posts, it would be inappropriate to look for savings in any of the remunerated posts which they held. These considerations lead to the conclusion that the basic allowance, and the SRAs paid to opposition leaders and scrutiny chairs should not be reduced to finance the new posts.

3.9. Looking first at the cabinet option, there are three possibilities for generating the required savings: the whole cabinet, including the leader and deputy; the cabinet excluding leader and deputy; and those members of the cabinet who have Cabinet Support members attached to them. The Panel also identified as a possibility the reduction of all the SRAs held by Labour members as cabinet members or chairs of regulatory committees/sub-committees, which would have the effect of 'spreading the load' of the reductions more evenly. These alternatives are explored in turn.

3.10. If the finance required to fund the Cabinet Support members were to be extracted proportionately from the SRAs of the whole cabinet, including leader and deputy leader, this would involve a reduction of 6.3% in the SRAs of each member. The details of the reductions concerned are set out in Appendix 1 (A).

3.11. Although the Panel would not object to this option being selected by the Council, it would not recommend it. The pressures on council leaders has increased considerably over the past six or seven years, not least because of the impact of seven years of austerity on all councils, but particularly less well-off metropolitan borough councils such as Walsall. In the West Midlands, there

is the added challenge of involvement in the West Midlands Combined Authority, in which all local MBC leaders play a leading and time-consuming role. The Walsall leader is already the second-lowest- paid of all the West Midlands MBC leaders, and this option would result in his becoming the lowest- paid. This would not be a fair reflection on the challenges and responsibilities facing him.

3.12. A second option would be to transfer the SRA for each Cabinet Support member from the SRA of the portfolio holder whom they are supporting. Although there is a prima facie justification for this adjustment, in that the cabinet members with support officers are benefitting from additional support in a way their other cabinet colleagues are not, there are good reasons for discounting it. It would reduce the SRAs of the relevant portfolio holders by around a third, resulting in a two-tier hierarchy of cabinet membership, at least as far as remuneration is concerned. It is likely that Cabinet Support members have been allocated to portfolio holders with the greatest workloads. And, faced with a reduction in his or her SRA of this magnitude, would any cabinet member be likely to request a support member? The panel did not regard this as a viable option.

3.13. What is worthy of consideration is an option whereby the SRAs of the Cabinet Support members are financed by a proportionate reduction in the SRAs of the eight cabinet members (excluding leader and deputy leader). This option would involve a reduction of 9.2% in cabinet members' SRAs, which is a significant but hopefully not unacceptable price to pay for the extension of the wider member involvement in the work of the cabinet. The details of the reductions which would be involved are set out in Appendix 1 (B). The main argument for this option is that it recognises the logic that if the increased allowances are solely concerned with how the cabinet conducts its business, it is only fair that resources for the new posts should be found within the total cabinet allowances envelope.

3.14. The other option which the Panel thinks merits serious consideration is one where the new posts are financed by reductions in the SRAs of all positions of responsibility (excluding leader and deputy leader) which are held by the Labour (or in one case the Liberal Democrats), these being the two parties who support the introduction of paid Cabinet Support members. There are two justifications for this option. First, it would spread the load of diminished SRAs more evenly within the parties concerned, which may prove more acceptable than the cabinet-focused option. Second, it could be argued that the challenges of dealing with the painful process of identifying explaining and implementing unwelcome cuts in a range of different council services has resulted in increasing pressures on the cabinet which inevitably takes the lead in this process, in a way which is not matched by a parallel increase in the pressures experienced by the chairs of regulatory and other committees, important though their work is. On this basis, it is not unreasonable to expect the chairs of these committees to contribute to the savings required to finance the four Cabinet Support officer posts. The details of the financial impact of this option, which would result in a reduction of the SRAs specified of 5.5% are set out in Appendix 1 (C).

3.15. The Panel's recommendations are as follows

*The proposal from the council leadership for a pay freeze on the members' allowances budget for 2017-18 is supported by the Panel. The recommendation regarding annual up-dating should be changed as follows:

‘the criterion for the annual updating of members’ allowances should be the NJC officers award, except when council staff agree to a lower percentage rise, freeze or reduction, in which case that figure should be applied equally to members allowances’

*The four Cabinet Member Support posts should be allocated an SRA of £3,642 each.

*The cost of these new posts (£14, 568) should be financed partly by the transfer of the SRA allocated to the chair of the Audit Committee (£7,284) which is no longer required, and partly by proportionate reductions in the SRAs of all cabinet members (excluding the leader and deputy leader) as set out in 3.13 above, or by proportionate reductions in the SRAs of all positions of responsibility held by members of the Labour and Liberal Democrat parties(details are as set out in Appendix 1.

*Cabinet Support members should not be permitted to be members of any Scrutiny Committee which deals with matters for which the portfolio holder they support has responsibilities. In committees for which they are eligible, they should not be permitted to hold positions of responsibility.

3.16. It should be noted that the creation of these four new SRA-eligible posts increases the percentage of Walsall members qualifying for SRAs from 40% to 46%, which takes the percentage further above the one-third figure recommended in the regulations issued by ODPM in 2000. The Panel would wish to re-assess the case for all SRAs in its next review, due in 2018, to see if scope exists for reducing this proportion.

Appendix; Proposed Changes in SRAs; Three Options.

(A) Proportionate reductions in all cabinet SRAs (- 6.3%)

	Current	Reduction	Proposed
Leader	£22,393	-£1,413	£20,980
Deputy leader	£14,624	-£ 922	£13,702
Cabinet members (X7)	£11,207	-£707	£10,500

(B) Reductions in cabinet SRAs (excluding leader and deputy) (-9.2%)

Cabinet members (X7)	£11,207	-£1,046	£10,151
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(C) Reductions in cabinet (excluding leader and deputy) plus regulatory committee SRAs (-5.5%)

Cabinet members(X7)	£11,207	-£616	£10,591.
Chairs of committees (X3)	£7,284	-£402	£6,882

Chairs of sub- committees (X7) £4,533 -£250 £4,283

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Cabinet Support Assistants

The purpose of the Cabinet Support Assistants role is to support the work of the designated Cabinet Portfolio holder in those areas of responsibility assigned to them by the Leader of the Council. The Cabinet Support Assistant appointment will be at the discretion of the Leader and may be varied by him/her at any time. Cabinet Support Assistants are not members of the cabinet and do not exercise any executive powers which are reserved to the executive members, either collectively or individually.

Their role and key duties will include some or all of the following:

1. Assisting their designated Executive Member in all elements of work within their portfolios including:
 - a) Carrying out research and providing advice on executive functions, including briefings to support portfolio decisions.
 - b) Supporting liaison between the Executive Members and other Councillors, Executive Directors, and external organisations.
 - c) Representing their designated Executive Member at internal and external meetings and events, but not in circumstances where a decision is to be made as part of the executive arrangements.
 - d) Assisting in the design and development of strategic priorities of the Council, as these relate to their allocated portfolio area or in such other areas as the Leader may decide.
 - e) Shall provide guidance to their Cabinet principal on budget and service development/improvement priorities within their area of responsibility.
 - f) Shall work constructively and in an open and transparent way with Backbench and Opposition Members, and with council officers, to ensure that the process of Overview and Scrutiny is effective and proportionate.
 - g) Keep abreast of best national practice and new initiatives and brief the Portfolio Holder accordingly.
 - h) Assist the portfolio holder to manage their workload and deal with such issues as shall be agreed with them.

SCHEDULE OF ALLOWANCES 2016/2017

	No	£
The Worshipful the Mayor	1	14000
Deputy Mayor	1	5600
Basic Allowance (per elected Member)	82	11754
Dependants' Carers' Allowance (maximum per annum)		6100
Special Responsibility Allowances		
	No	£
Council Leader	1	27000
Deputy Council Leader	1	16300
Cabinet Member/Portfolio Holder	8	13500
Deputy Portfolio Holder	5	4480
Audit and Governance Committee Chairman	1	7280
Constitution Committee Chairman	1	7280
Licensing Committee Chairman	1	7280
Overview and Scrutiny Chairman	6	7280
Public Rights of Way Committee Chairman	1	5600
Northern Planning Committee Chairman	1	7280
Southern Planning Committee Chairman	1	7280
Staffing Committee Chairman	1	7280
Strategic Planning Board Chairman	1	7280
<u>Provided group membership is 4 or more:</u>		
Main Opposition Group Leader	1	7280
Main Opposition Group Deputy Leader	1	3640
Minor Group Leader	1	5600
Administration Whip	1	3640
Main Opposition Group/Minor Group Whip	1	1680

41% SRAs

Special Responsibility Allowances

Post	No.	Relative Responsibility %
Council	Chair	1 25.0%
	Vice-Chair	1 12.5%
Cabinet	Leader	1 100.0%
	Deputy Leader	1 80.0%
	Portfolio Holder	4 60.0%
Leader of Main Opposition Group with a seat on Cabinet	1	45.0%
or Leader of Main Opposition Group without a seat on Cabinet		25.0%
Leader of Minority Opposition Group (with at least 10% of Council Members)	1	15.0%
Deputy Cabinet Member	9	30.0%
Improvement and Scrutiny Committees		
	Chair	4 25.0%
	Vice-Chair	4 12.5%
Regulatory Committees		
	Chair	2 25.0%
	Vice-Chair	2 12.5%
Standards Committee		
	Chair	1 15.0%
	Vice-Chair	1 7.5%
Audit Committee		
	Chair	1 15.0%
	Vice-Chair	1 7.5%
Pensions & Investments		
	Chair	1 15.0%
	Vice-Chair	1 7.5%
Fostering Panel	2	N/A
Adoption Panel	2	N/A

- A member cannot be in receipt of more than two SRAs at any one time.
- The SRA for the Vice-Chairman of the Council will only be paid where the member concerned is not in receipt of any other SRA of at least 15%.

Amounts Payable to Members under Members Allowances Scheme **SCHEDULE 3a**

No Claim Required. These Allowances will be paid Automatically.		Annual Amount 2016-17 £
Special Responsibility Allowances		
Council	Chair	8,568
	Vice-Chair	4,284
Cabinet	Leader	34,269
	Deputy Leader	27,414
	Portfolio Holder x 5	20,559
Leader of the Main Opposition Group with a seat on Cabinet or		15,420
Leader of the Main Opposition Group without a seat on Cabinet		8,568
Leader of the Minority Opposition Group (with at least 10% of Council Members)		5,136
Deputy Cabinet Member		10,281
Scrutiny Panel	Chair	8,568
	Vice-Chair	4,284
Regulatory Committees	Chair	8,568
	Vice-Chair	4,284
Audit Committee	Chair	5,136
	Vice-Chair	2,568
Standards Committee	Chair	5,136
	Vice-Chair	2,568
Pensions & Investments	Chair	5,136
	Vice-Chair	2,568
Basic Allowance		10,371
Co-optees Allowance		684
Fostering Panel		1,818
Adoption Panel		909

64 members.
35% = 23 SRA

SCHEDULE 1**Basic Allowance**

Subject to paragraphs 2.2 and 2.3 of this scheme, the amount of the basic allowance is £10,762

(NB – This amount also includes a flat rate communications Allowance)

SCHEDULE 2**Special Responsibility Allowance**

The following are specified as the special responsibilities in respect of which special responsibility allowance is payable, and the amounts of those allowances, subject to the provisions contained in paragraphs 3.3 to 3.5 of this scheme:

OFFICE HOLDER	ANNUAL AMOUNT £
Leader	25,938
Deputy Leader	16,859
Cabinet Spokespersons	
Communities	12,968
People (Achieving Potential)	12,968
Corporate Services	12,968
Place	12,968
People (Safeguarding)	12,968
Spokesperson Without Portfolio	12,968
Chair Overview & Scrutiny Commissions	8,300
Chair Audit Committee	8,300
Chairs Area Councils	
Central	8,300
South Barnsley	8,300
North	8,300
North East	8,300
Dearne	8,300
Penistone	8,300

OFFICE HOLDER	ANNUAL AMOUNT £
Chairs of Regulatory Boards	
Planning	8,300
Licensing	8,300
Political Group Leaders	
Political Group 1	4,045
Political Group 2	4,045
Cabinet Support Members	
Communities	2,996
People (Achieving Potential)	2,996
Corporate Services	2,996
Place	2,996
People (Safeguarding)	2,996
Spokesperson Without Portfolio	2,996
Overview & Scrutiny Task & Finish Leads	
Lead 1	2,075
Lead 2	2,075
Lead 3	2,075
Co-opted Members	
Independent Person(s) Ethical Standards * 3	716
Audit Committee * 5	1,151
Pensions Authority Representatives	
Members (Basic) * 2	3,885
Section 41 Spokesperson (SRA)	6,431
Appeals, Awards and Standards (Chairman Only)	124
Appeals, Awards and Standards – Staffing Appeals	42 per half day

63 members
63.49% - 40 SRAs

PART 6

MEMBERS' ALLOWANCES SCHEME

Members' Allowances Scheme

The Walsall Metropolitan Borough Council, in exercise of the powers conferred by the Local Authorities (Members' Allowances) (England) Regulations 2003 made under the Local Government and Housing Act 1989 and the Local Government Act 2000 hereby make this Scheme:

- 1.1 This scheme may be cited as "The Walsall Metropolitan Borough Council Members' Allowances Scheme" and shall have effect from 17th November 2014.
- 1.2 The existing Members' Allowances Scheme is revoked upon the coming into effect of this scheme.
- 1.3 This scheme may be amended at any time but may only be revoked with effect from the beginning of a year.

2. In this Scheme:

"Councillor" means a Member of the Walsall Metropolitan Borough Council;

"Year" means the 12 months ending 31st March;

"Yearly Allowance" is the allowance due for the year within which the term of office of the Councillor falls.

3. Basic Allowance

Subject to the provisions of this scheme, for each year a basic allowance as detailed in Schedule 1 shall be paid to each Councillor, this allowance includes the cost of telephones and travel and subsistence in the borough of Walsall.

4. Special Responsibility Allowances

- 4.1 For each year a special responsibility allowance shall be paid to those Councillors who hold the special responsibilities in relation to the authority that are specified in Schedule 1 to this Scheme.
- 4.2 Subject to the provisions of this scheme, the amount of each such allowance shall be the amount specified against that special responsibility in that schedule.
- 4.3 When a Councillor takes on special responsibilities which would entitle that Councillor to the payment of more than one special responsibility allowance from the Council, the Councillor will be entitled to receive only one special responsibility allowance per year. The Councillor will be entitled to receive the higher allowance for which he/she qualifies.

5. Carers' Allowance

- 5.1 In accordance with the Local Authorities (Members' Allowances) (England) Regulations 2003, allowances shall be paid in respect of such expenses of arranging for the care of members' children or dependants as are necessarily incurred in the attendance at any meeting of a type specified in the Regulations and set out in Schedule 2 to this Scheme or the Performance of any duty specified in the Regulations and set out in Schedule 2 to this Scheme.
- 5.2 That where any elected Member is required to pay a carer in order to attend official Council business, the reasonable actual costs of that care should be reimbursed up to a total annual maximum amount of £1100.
- 5.3 Payments can be made for the care of dependants including children, elderly persons or those with some form of disability.
- 5.4 Councillors may claim for care provided by relatives and others provided they do not live in the family home.

6. Travelling and Subsistence Allowance

6.1 Travelling and subsistence within the West Midlands County Area

The cost of travel and subsistence within the West Midlands County area on official Council business shall be deemed to be included within the Basic Allowance and no further allowance shall be payable.

6.2 Travel and subsistence outside West Midlands County Area

- (i) That for all travel members should be encouraged to travel by public transport, the costs of which should be reimbursed or paid directly.
- (ii) That where public transport is not available or possible, the mileage rates applicable for travel by officers should be used.
- (iii) That where members are unable to take main meals in their normal place, the subsistence rates applicable for officers should be used.

7. Telephone Allowance

The cost of any charges related to the provision of a telephone by a Councillor, including call charges, incurred on Council related business shall be deemed to be included in the basic allowance. The cost of broadband connection can only be recoverable as an expense if it is a standalone expense and not a collateral contract forming a "free" additional package.

8. Co-optees' Allowances

No allowances shall be paid to co-optees on any of the Council's committees other than reimbursement of travel and subsistence expenses.

9. Renunciation

A Councillor may by giving notice in writing to the Chief Executive elect to forego any part of his/her entitlement to an allowance under this Scheme.

10. Part-year entitlement

10.1 The provisions of this paragraph shall have effect to regulate the entitlements of a Councillor to the basic or special responsibility allowance where, in the course of a year, this Scheme is amended or that Councillor becomes, or ceases to be, a Councillor, or accepts or relinquishes a special responsibility in respect of which a special responsibility allowance is payable.

10.2 Amendment of amount of allowances

If any amendment to this scheme changes the amount to which a Councillor is entitled, during the year, by way of basic an/or special responsibility allowance then the amount of the amended allowance each Councillor shall be entitled to, shall be in direct proportion to the number of days remaining in the year and the amended yearly allowance. Such entitlement commencing upon the date of the amendment coming into effect. Entitlement to allowances due prior to the amendment is in direct proportion to the number of days from the beginning of the year, in which the scheme was amended, up to the date immediately prior to the amendment coming into effect and the amount payable for that year to amendment.

10.3 Amendment to special responsibilities eligible for allowance

If an amendment to this scheme changes the duties specified as eligible for special allowance which are approved from time to time for payment of an allowance; then the entitlement to allowance shall commence when the duty is carried out. The amount to which each Councillor is entitled is in direct proportion to the number of days remaining in the year, commencing upon the date when the duty is first carried out and the amended yearly allowance.

10.4 Amendment to term of office – basic allowance

Where the term of office of a Councillor begins or ends otherwise than at the beginning or end of the year, the entitlement of that Councillor to a basic allowance shall be in direct proportion either to the number of days from the beginning of the year, to the date when the Councillor's term of office ends, or from the date when the term of office began to the end of the year; and the yearly allowance.

10.5 Changes in period of special responsibility

Where a Councillor has special responsibilities during part of but, not throughout a year that entitles him/her to a special responsibility allowance, then that Councillor's entitlement shall be limited to payment of such part of that allowance in direct proportion as to the number of days during which the Councillor has such responsibility bears to the number of days in that year. Where a Councillor's special responsibility straddles two different rates of allowance the Councillor's entitlement shall be in direct proportion to the number of days the special responsibility was/is performed and the allowance to that period of the year.

11. Payments

Payment of allowances shall be made in instalments of one-twelfth of the amount specified in the Scheme on the 28th day of each month or the nearest preceding working day. Payment will be by the Bacs system to the Councillor's nominated account. Where a payment of one-twelfth of the amount specified in this scheme would result in a Councillor receiving more than the amount to which he or she is entitled by virtue of paragraphs 3 and 4, the payment shall be restricted to such amount as will ensure that no more is paid than the amount to which he or she is entitled.

12. Record of allowances

12.1 A record of all payments made in accordance with this scheme will be maintained by the Head of Payroll and Pension.

12.2 The record will:-

- (a) specify the name of the recipient of the payment and the amount and nature of each payment;
- (b) be available at all reasonable times for inspection free of charge by any local government elector for the area of the Borough Council;
- (c) be supplied in copy to any person who requests such a copy and who pays to the Council such reasonable fee as it may determine.

13. Inflation increases

The basic and special responsibility allowance will be varied with effect from 1st April each year in line with the NJC award for officers.

14. Membership of more than one authority

Where a Councillor is also a member of another authority, that Councillor may not receive allowances from more than one authority in respect of the same duties.

SCHEDULE 1

(a)	Basic Allowance	£10,927
(b)	Special Responsibility Allowances:	
	Leader of the Council	£22,393
	Deputy Leader of the Council:	£14,624
	*Other Group Leaders:	£7,284
	Cabinet members	£11,207
	Regulatory Committees Chairs:	
	Audit Committee	£7,284
	Personnel Committee	£7,284
	Planning Committee	£7,284
	Employment Appeals Subs	£4,553
	Licensing & Safety Committee	£4,553
	Taxi Licensing Sub-Committees	£4,553
	Standards Committee	£4,553
	Health and Wellbeing Board	£4,553
	Scrutiny Committee Chairs	£7,284

* The Group must hold a minimum of 6 seats or 10% whichever is greater of the Council membership.

Amended 25.5.16

SCHEDULE 2

CARERS' ALLOWANCE

- (a) The attendance at a meeting of the authority or of any committee or sub-committee of the authority, or of any other body to which the authority makes appointments or nominations, or of a committee or sub-committee of such a body;
- (b) The attendance at any other meeting, the holding of which is authorised by the authority, or a committee or sub-committee of the authority, or a joint committee of the authority and at least one other local authority within the meaning of Section 270(1) of the Local Government Act 1972 or a sub-committee of such a joint committee, provided that members of at least two political groups have been invited;
- (c) The attendance at a meeting of any association of authorities of which the authority is a member;
- (d) The attendance at a meeting of the Cabinet or of any of its committees;
- (e) The performance of any duty in pursuance of any standing order made under Section 135 of the Local Government Act 1972 requiring a member or members to be present while tender documents are opened;
- (f) The performance of any duty 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 authorise the inspection of premises;
- (g) The performance of any duty in connection with arrangements made by the authority for the attendance of pupils at any school approved for the purpose of Section 342 of the Education Act 1996 (approval of non-maintained Special Schools) and
- (h) The carrying out of any other duty approved by the authority, or any duty of a class so approved for the purpose of, or in connection with, the discharge of the functions of the authority or any of its committees or sub-committees.