

Public Document Pack

Kirklees Council



Tuesday 9 March 2021

Dear Member

A Meeting of Council will take place remotely on Wednesday 17 March 2021 at 5.30 pm.

This meeting will be webcast live and will be available to view via the Council's website.

The following matters will be debated:

Pages

1: Announcements by the Mayor and Chief Executive

To receive any announcements from the Mayor and Chief Executive.

2: Apologies for absence

Group Business Managers to submit any apologies for absence.

3: Minutes of Previous Meeting

1 - 10

To agree and authorise the Mayor to sign the Minutes of Council held on 10 February 2021.

4: Declaration of Interests 11 - 12

The Councillors will be asked to say if there are any items of the Agenda in which they have a Disclosable Pecuniary Interests, which would prevent them from participating in any discussion of them items or participating in any vote upon the items, or any other interests.

5: Report of Members' Allowances Independent Review Panel (Reference from Corporate Governance and Audit Committee) 13 - 32

To consider the report.

Contact: Julie Muscroft, Service Director – Legal, Governance and Commissioning

6: Pay Policy Statement 2021/2022 (Reference from Personnel Committee) 33 - 46

To consider the report.

Contact: Deborah Lucas, Head of People Services

7: Key Discussion - Kirklees Council's Use of Technology : Responding to the Challenges of the Covid-19 Pandemic

A Key Discussion debate will take place on 'Kirklees Council's Use of Technology: Responding to the Challenges of the Covid-19 Pandemic'

Contact: Andy Simcox – Service Director, Strategy and Innovation

By Order of the Council



Chief Executive

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Contact Officer: Andrea Woodside

COUNCIL

KIRKLEES COUNCIL

**At the (Virtual) Meeting of the Council of the Borough of Kirklees held
Wednesday 10 February 2021**

PRESENT

The Mayor (Councillor Mumtaz Hussain) in the Chair

COUNCILLORS

Councillor Masood Ahmed	Councillor Mahmood Akhtar
Councillor Karen Allison	Councillor Bill Armer
Councillor Gulfam Asif	Councillor Donna Bellamy
Councillor Martyn Bolt	Councillor Cahal Burke
Councillor Aafaq Butt	Councillor Andrew Cooper
Councillor Nosheen Dad	Councillor Paola Antonia Davies
Councillor Paul Davies	Councillor Richard Eastwood
Councillor Donald Firth	Councillor Eric Firth
Councillor Michelle Grainger-Mead	Councillor Charles Greaves
Councillor David Hall	Councillor Steve Hall
Councillor Lisa Holmes	Councillor Erin Hill
Councillor James Homewood	Councillor Yusra Hussain
Councillor Christine Iredale	Councillor Manisha Roma Kaushik
Councillor Viv Kendrick	Councillor Musarrat Khan
Councillor John Lawson	Councillor Vivien Lees-Hamilton
Councillor Susan Lee-Richards	Councillor Fazila Loonat
Councillor Gwen Lowe	Councillor Aleks Lukic
Councillor Terry Lyons	Councillor Andrew Marchington
Councillor Naheed Mather	Councillor Peter McBride
Councillor Bernard McGuin	Councillor Alison Munro
Councillor Richard Murgatroyd	Councillor Darren O'Donovan
Councillor Shabir Pandor	Councillor Nigel Patrick
Councillor Carole Pattison	Councillor Mussarat Pervaiz
Councillor Amanda Pinnock	Councillor Andrew Pinnock
Councillor Kath Pinnock	Councillor Mohammad Sarwar
Councillor Cathy Scott	Councillor Will Simpson
Councillor Elizabeth Smaje	Councillor Anthony Smith
Councillor Richard Smith	Councillor Mohan Sokhal
Councillor John Taylor	Councillor Kath Taylor
Councillor Mark Thompson	Councillor Graham Turner
Councillor Sheikh Ullah	Councillor Harpreet Uppal
Councillor Rob Walker	Councillor Lesley Warner
Councillor Michael Watson	Councillor Paul White
Councillor Habiban Zaman	

Council - 10 February 2021

1 **Announcements by the Mayor and Chief Executive**

Council held a Minute of Silence in remembrance of over 100,000 lives that had been lost due to the covid pandemic, and in memory of Captain Sir Tom Moore.

2 **Apologies for absence**

All Members of the Council were present.

3 **Minutes of Previous Meeting**

RESOLVED – That the Minutes of the Meeting held on 13 January 2021 be approved as a correct record.

4 **Declaration of Interests**

Councillor Kendrick declared an 'other' interest in Agenda Item 4 on the grounds that she has a relative who is employed by third sector leaders, which is Council funded.

5 **Budget 2021-2022**

It was moved by Councillor Pandor and seconded by Councillor Turner, that;

(i) General Revenue Fund

- the draft Revenue Budget 2021/2022 be approved, as attached at Appendix A
- the forecast spending and funding plans for the 2022-2026 period, as set out at Appendix A, be noted
- the forecast levels of statutory and other Council reserves, as set out at Appendix Bii, be noted.
- the strategy for the use of balances and reserves be approved (paragraph 2.13 refers)
- the Council's participation in the Leeds City Region Business Rates Pool for 2021/22 be noted and that a further report be submitted to Cabinet in March 2021 to formally agree the new arrangements
- the 2020/21 Council tax base for the whole of the Kirklees area, and the Council tax bases for the five Parish and Town Councils for 2021/22, (Appendix Gi refers) be approved
- the Council Tax requirement for 2021/2022 (Appendix Gii refers) be approved
- the Council's Statutory s151 Officer's positive assurance statement (paragraphs 3.3.1 - 3.3.19) be noted
- the Council's Statutory s151 Officer be given delegated authority to amend how the finally approved precepts are recorded in the Council's revenue budget in line with the final notifications received following decisions by the Office of Police and Crime Commissioner, the Fire and Rescue Authority and Parish Councils should these be received after 10 February 2021 (paragraph 3.1.3 refers)

(ii) Treasury Management

- the borrowing strategy be approved (paragraphs 2.15 – 2.23 refer)
- the investment strategy be approved (paragraphs 2.24 – 2.33 refer)

Council - 10 February 2021

- the policy for provision of debt (minimum revenue provision) be approved (paragraphs 2.34 – 2.38 and Appendix C refers)
- that paragraph 2.38 of the treasury management report, to which recommendation 6.12 refers, be amended as follows ‘the Officer recommendation is to maximise the remaining balance of MRP unwind of £49.5m, over the 2020-2024 period to support the Council’s medium term budget strategy’.
- the treasury management indicators be approved (Appendix D refers)
- the Investment Strategy (Non Treasury Investments) be approved (Appendix E refers)

(iii) Capital

- the updated Capital Plan for 2020-2026 be approved (Appendix A refers)
- the capital strategy (including Prudential Indicators) be approved (Appendix E refers)

(iv) Housing Revenue Account

- the draft HRA budget for 2021/2022 be approved (Appendix A refers)
- the strategy for the use of HRA reserves be approved (Paragraph 2.15.5 refers)

Council - 10 February 2021

Whereupon, it was moved by Councillor J Taylor and seconded by Councillor D Hall by way of AMENDMENT, that;

Conservative Budget amendment proposals					
General Fund Revenue	21-22	22-23	23-24	24-25	25-26
	£k	£k	£k	£k	£k
Developments					
Recycling/Climate Change/Waste Strategy					
Bulky Waste Collection: better service)					
Improving tip conditions and accessibility)					
Fly-tipping enforcement)	100	100	100	100	100
Recycling in schools, recycling education)					
Feasibility: single-use plastic ban	20				
Further action to address air pollution and climate change		500	500	500	500
Christmas household bin collections	10	10	10	10	10
Town/Village Centres					
Investment in CCTV	50	50	50	50	50
More street cleaning (devolved to ward members)	115	115	115	115	115
Village Hubs & digital connectivity feasibility	40				
Transport Infrastructure					
Additional dedicated S106 officer	40	40	40	40	40
Other					
Capital financing charges - revenue impact	-45	-215	-41	125	339
Total Developments	330	600	774	940	1154
Proposed funding changes					
Assume faster recovery of business rates		-1000	-1000		
Defer 1.5% Adult Social Care Precept	2800				
No increase in Council Tax	3723	3838	3973	4110	4237
Total Revenue changes	6853	3438	3747	5050	5391
Funded by :					
Savings/Efficiencies					
Conclude Democracy Commission	-20	-20	-20	-20	-20
Cease Trade Unions support costs	-125	-125	-125	-125	-125
Reduce Joint Committees uplift		-275	-475	-475	-475
Remove extra staffing in Governance, ChEx Office and Assurance	-504	-504	-504	-504	-504
Review of Estate	-100	-200	-300	-300	-300
Annual 0.5% target for Council-wide efficiencies	-483	-1536	-4626	-6252	-7942
Total	-1232	-2660	-6050	-7676	-9366
Drawdown from inclusive investment reserve	-2000	-778			
Drawdown from Covid risk reserve	-3621				
Add back to reserves in later years			2303	2626	3975
Total Funding	-6853	-3438	-3747	-5050	-5391
General Fund Capital					
Extra road re-surfacing	2000	2000	2000	2000	2000
Additional flood management and drainage improvements		250	250	250	250
Slow and re-think Hudds & Dews Town Centre Action Plans	-6000	2000	2000	2000	
Total	-4000	4250	4250	4250	2250
Funded by :					
Review of estate (future capital receipts)	-500	-1000	-1500		
Borrowing requirement	4500	-3250	-2750	-4250	-2250
Total	4000	-4250	-4250	-4250	-2250

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Whereupon, it was moved by Councillor Cooper and seconded by Councillor Susan Lee-Richards by way of AMENDMENT, that;

Greens Budget amendment proposals					
General Fund Revenue	21-22	22-23	23-24	24-25	25-26
	£k	£k	£k	£k	£k
Developments					
6 month rent recovery for hospitality businesses	166				
Community recovery post-Covid (£30k per ward)	690				
kirklees community tree planting	10				
Greening & democratising blueprints	5	5	5	5	5
community climate action projects - place based working	375	375			
join the global covenant of mayors	40	40	40	40	40
additional borrowing costs - revenue impact	36	231	391	501	601
Total	1322	651	436	546	646
Funded by :					
drawdown from inclusive investment reserve	-856				
drawdown from Covid risk reserve	-30	-215			
Efficiencies	-436	-436	-436	-546	-646
Total	-1322	-651	-436	-546	-646
General Fund Capital					
cycleways development project	1000				
Kirklees green new deal demonstrator	1000	1000	1000	1000	
community climate action projects - place based working	1125	1125			
kirklees new build passivhaus scheme	1000	1000	1000	1000	
schools climate change education project	1000	1000	1000	1000	1000
Total	5125	4125	3000	3000	1000
Funded by :					
External grant offset - Mayoral Combined Authority	-1500	-1000	-1000	-1000	0
Green Economy Funding					
additional borrowing	-3625	-3125	-2000	-2000	-1000
Total	-5125	-4125	-3000	-3000	-1000
HRA Capital					
Carbon reduction fund (HRA)	2000	2000	2000		
Total	2000	2000	2000	0	0
Funded by :					
HRA sinking fund	-2000	-2000	-2000		
Total	-2000	-2000	-2000	0	0

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Whereupon, it was moved by Councillor Greaves and seconded by Councillor Lyons by way of AMENDMENT, that;

<u>Independent Group Budget amendment proposals</u>					
General Fund Revenue	21-22	22-23	23-24	24-25	25-26
	£k	£k	£k	£k	£k
Developments					
Other					
additional borrowing costs - revenue impact		109	600	600	600
Total	0	109	600	600	600
Funded by :					
additional efficiency savings		-109	-600	-600	-600
Total	0	-109	-600	-600	-600
General Fund Capital					
ward recovery and re-generation fund (£600k x 23 wards)	2300	11500			
Total	2300	11500	0	0	0
Funded by :					
drawdown from inclusive investment reserve	-1400	-600			
drawdown from Covid risk reserve	-900				
additional borrowing		-10900			
Total	-2300	-11500	0	0	0

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Whereupon, it was moved by Councillor Lawson and seconded by Councillor Marchington by way of AMENDMENT, that;

Liberal Democrat Budget amendment proposals					
General Fund Revenue	21-22	22-23	23-24	24-25	25-26
	£k	£k	£k	£k	£k
Developments					
electric vehicle lease scheme	50	50	50	50	50
economy & skills team	50	50	50	50	50
deposit return scheme	50	100			
greening the workforce - working from home	20	20			
mental health projects (Place Partnerships)	1000				
borrowing costs - revenue implications	2	60	337	562	562
Total	1172	280	437	662	662
Funded by :					
efficiency targets	-662	-662	-662	-662	-662
Inclusive investment reserve drawdown	-680	382	225		
Covid risk reserve	-680				
defer 1% adult social care precept to 2022/23	1850				
re-direct active travel Partnership reserve	-1000				
Total	-1172	-280	-437	-662	-662
General Fund Capital					
extend community / local road improvements		5000	5000		
electric car lamp column charging (pilot)	50	50			
low carbon signage	15				
air quality monitors	100				
Total	165	5050	5000	0	0
Funded by :					
additional borrowing	-165	-5050	-5000		
Total	-165	-5050	-5000	0	0

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The Conservative Group Amendment, as proposed by Councillor J Taylor and seconded by Councillor D Hall, on being put to the vote, was LOST.

In accordance with Council Procedure Rule 19 (7), the vote was taken by Recorded Vote, which was as follows;

FOR: Councillors Armer, Bellamy, Bolt, D Firth, Grainger-Mead, D Hall, Holmes, Lees-Hamilton, McGuin, Patrick, Smaje, R Smith, J Taylor, K Taylor, Thompson and Watson (16 votes)

AGAINST: Councillors Ahmed, Akhtar, Allison, Asif, Burke, Butt, Cooper, Dad, P A Davies, P Davies, Eastwood, E Firth, Greaves, S Hall, Hill, Homewood, M Hussain, Y Hussain, Iredale, Kaushik, Kendrick, Khan, Lawson, Lee-Richards, Loonat, Lowe, Lukic, Lyons, Marchington, Mather, McBride, Munro, Murgatroyd, O Donovan, Pandor, Pattison, Pervaiz, A Pinnock, A U Pinnock, K Pinnock, Sarwar, Scott, Simpson, A Smith, Sokhal, Turner, Ullah, Uppal, Walker, Warner, White and Zaman (52 votes)

The Green Group Amendment, as proposed by Councillor Cooper and seconded by Councillor Susan Lee-Richards, on being put to the vote, was LOST.

In accordance with Council Procedure Rule 19 (7), the vote was taken by Recorded Vote, which was as follows;

FOR: Councillors Allison, Cooper, Lee-Richards, Lukic (4 votes)

AGAINST: Ahmed, Akhtar, Armer, Asif, Bellamy, Bolt, Butt, Dad, P Davies, D Firth, E Firth, Grainger-Mead, D Hall, S Hall, Holmes, Hill, Homewood, M Hussain, Y Hussain, Kaushik, Kendrick, Khan, Lees-Hamilton, Loonat, Lowe, Mather, McBride, McGuin, Murgatroyd, O'Donovan, Pandor, Patrick, Pattison, Pervaiz, A U Pinnock, Sarwar, Scott, Simpson, Smaje, R Smith, Sokhal, J Taylor, K Taylor, Thompson, Turner, Ullah, Uppal, Walker, Warner, Watson and Zaman (51 votes)

ABSTAINED: Councillors Burke, P A Davies, Eastwood, Greaves, Iredale, Lawson, Lyons, Marchington, Munro, A Pinnock, K Pinnock, A Smith and White.

The Independent Group Amendment, as proposed by Councillor Greaves and seconded by Councillor Lyons, on being put to the vote, was LOST.

In accordance with Council Procedure Rule 19 (7), the vote was taken by Recorded Vote, which was as follows;

FOR: Councillors Allison, Cooper, Greaves, Lee-Richards, Lukic, Lyons and White (7 votes)

AGAINST: Councillors Ahmed, Akhtar, Armer, Asif, Bellamy, Bolt, Butt, Dad, P Davies, D Firth, E Firth, Grainger-Mead, D Hall, S Hall, Holmes, Hill, Homewood, M Hussain, Y Hussain, Kaushik, Kendrick, Khan, Lees-Hamilton, Loonat, Lowe, Mather, McBride, McGuin, Murgatroyd, O Donovan, Pandor, Patrick, Pattison, A U

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Pinnock, Sarwar, Scott, Simpson, Smaje, R Smith, Sokhal, J Taylor, K Taylor, Thompson, Turner, Ullah, Uppal, Walker, Warner, Watson and White (50 votes)

ABSTAINED: Councillors Burke, P A Davies, Eastwood, Iredale, Lawson, Marchington, Munro, A Pinnock, K Pinnock and A Smith.

The Liberal Democrat Group Amendment, as proposed by Councillor Lawson and seconded by Councillor Marchington, on being put to the vote, was LOST.

In accordance with Council Procedure Rule 19 (7), the vote was taken by Recorded Vote, which was as follows;

FOR: Councillors Lawson, Burke, P A Davies, Eastwood, Iredale, Lukic, Marchington, Munro, A Pinnock, K Pinnock and A Smith (11 votes)

AGAINST: Councillors Ahmed, Akhtar, Armer, Asif, Bellamy, Bolt, Butt, Dad, P Davies, D Firth, E Firth, D Hall, S Hall, Holmes, Hill, Homewood, M Hussain, Y Hussain, Kaushik, Kendrick, Khan, Lees-Hamilton, Loonat, Lowe, Mather, McBride, McGuin, Murgatroyd, O'Donovan, Pandor, Patrick, Pattison, Pervaiz, A U Pinnock, Sarwar, Scott, Simpson, Smaje, R Smith, Sokhal, J Taylor, K Taylor, Thompson, Turner, Ullah, Uppal, Walker, Warner, Watson and Zaman (50 votes)

ABSTAINED: Councillors Allison, Cooper, Greaves, Lee-Richards, Lyons and White.

Whereupon, the Substantive Motion was put to the vote, CARRIED, and it was therefore RESOLVED;

(v) General Revenue Fund

- the draft Revenue Budget 2021/2022 be approved, as attached at Appendix A
- the forecast spending and funding plans for the 2022-2026 period, as set out at Appendix A, be noted
- the forecast levels of statutory and other Council reserves, as set out at Appendix Bii, be noted.
- the strategy for the use of balances and reserves be approved (paragraph 2.13 refers)
- the Council's participation in the Leeds City Region Business Rates Pool for 2021/22 be noted and that a further report be submitted to Cabinet in March 2021 to formally agree the new arrangements
- the 2020/21 Council tax base for the whole of the Kirklees area, and the Council tax bases for the five Parish and Town Councils for 2021/22, (Appendix Gi refers) be approved
- the Council Tax requirement for 2021/2022 (Appendix Gii refers) be approved
- the Council's Statutory s151 Officer's positive assurance statement (paragraphs 3.3.1 - 3.3.19) be noted

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- the Council's Statutory s151 Officer be given delegated authority to amend how the finally approved precepts are recorded in the Council's revenue budget in line with the final notifications received following decisions by the Office of Police and Crime Commissioner, the Fire and Rescue Authority and Parish Councils should these be received after 10 February 2021 (paragraph 3.1.3 refers)

(vi) Treasury Management

- the borrowing strategy be approved (paragraphs 2.15 – 2.23 refer)
- the investment strategy be approved (paragraphs 2.24 – 2.33 refer)
- the policy for provision of debt (minimum revenue provision) be approved (paragraphs 2.34 – 2.38 and Appendix C refers)
- that paragraph 2.38 of the treasury management report, to which recommendation 6.12 refers, be amended as follows 'the Officer recommendation is to maximise the remaining balance of MRP unwind of £49.5m, over the 2020-2024 period to support the Council's medium term budget strategy'.
- the treasury management indicators be approved (Appendix D refers)
- the Investment Strategy (Non-Treasury Investments) be approved (Appendix E refers)

(vii) Capital

- the updated Capital Plan for 2020-2026 be approved (Appendix A refers)
- the capital strategy (including Prudential Indicators) be approved (Appendix E refers)

(viii) Housing Revenue Account

- the draft HRA budget for 2021/2022 be approved (Appendix A refers)
- the strategy for the use of HRA reserves be approved (Paragraph 2.15.5 refers)

In accordance with Council Procedure Rule 19 (7), the vote was taken by Recorded Vote, which was as follows;

FOR: Councillors Ahmed, Akhtar, Asif, Butt, Dad, P Davies, E Firth, S Hall, Hill, Homewood, M Hussain, Y Hussain, Kaushik, Kendrick, Khan, Loonat, Lowe, Mather, McBride, Murgatroyd, O'Donovan, Pandor, Pattison, Pervaiz, A U Pinnock, Sarwar, Scott, Simpson, Sokhal, Turner, Ullah, Uppal, Walker, Warner and Zaman (35 votes)

AGAINST: Councillors Allison, Armer, Bellamy, Bolt, Burke, Cooper, P A Davies, Eastwood, D Firth, Grainger-Mead, Greaves, D Hall, Holmes, Lawson, Lees-Hamilton, Lee-Richards, Lukic, Lyons, Marchington, McGuin, Munro, Patrick, A Pinnock, K Pinnock, Smaje, A Smith, R Smith, J Taylor, K Taylor, Thompson, Watson and White (32 votes)

KIRKLEES COUNCIL				
COUNCIL/CABINET/COMMITTEE MEETINGS ETC				
DECLARATION OF INTERESTS				
Council				
Name of Councillor				
Item in which you have an interest	Type of interest (eg a disclosable pecuniary interest or an "Other Interest")	Does the nature of the interest require you to withdraw from the meeting while the item in which you have an interest is under consideration? [Y/N]	Brief description of your interest	

Signed: Dated:

NOTES

Disclosable Pecuniary Interests

If you have any of the following pecuniary interests, they are your disclosable pecuniary interests under the new national rules. Any reference to spouse or civil partner includes any person with whom you are living as husband or wife, or as if they were your civil partner.

Any employment, office, trade, profession or vocation carried on for profit or gain, which you, or your spouse or civil partner, undertakes.

Any payment or provision of any other financial benefit (other than from your council or authority) made or provided within the relevant period in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses.

Any contract which is made between you, or your spouse or your civil partner (or a body in which you, or your spouse or your civil partner, has a beneficial interest) and your council or authority -

- under which goods or services are to be provided or works are to be executed; and
- which has not been fully discharged.

Any beneficial interest in land which you, or your spouse or your civil partner, have and which is within the area of your council or authority.

Any licence (alone or jointly with others) which you, or your spouse or your civil partner, holds to occupy land in the area of your council or authority for a month or longer.

Any tenancy where (to your knowledge) - the landlord is your council or authority; and the tenant is a body in which you, or your spouse or your civil partner, has a beneficial interest.

Any beneficial interest which you, or your spouse or your civil partner has in securities of a body where -

- (a) that body (to your knowledge) has a place of business or land in the area of your council or authority; and
- (b) either -

the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or

if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, or your spouse or your civil partner, has a beneficial interest exceeds one hundredth of the total issued share capital of that class.



Name of meeting: Council

Date: Wednesday 17 March 2021

Title of report: Report of the Members' Allowances Independent Review Panel (MAIRP) 2021/22

Purpose of report: To receive a report and recommendations which were considered by Corporate Governance and Audit Committee on 9 March 2021.

Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	Not Applicable
Key Decision - Is it in the Council's <u>Forward Plan (key decisions and private reports)?</u>	No
The Decision - Is it eligible for call in by Scrutiny?	No
Date signed off by <u>Strategic Director</u> & name	Rachel Spencer-Henshall 09.03.21
Is it also signed off by the Service Director for Finance?	Eamon Croston
Is it also signed off by the Service Director for Legal Governance and Commissioning?	Julie Muscroft
Cabinet member portfolio	Councillor Graham Turner (Corporate)

Electoral wards affected:	All
Ward councillors consulted:	Not applicable
Public or private:	Public
Has GDPR been considered?	Yes, there is no personal data within the report.

1. Summary

This report sets out the recommendations of Corporate Governance and Audit Committee following their consideration of the report of the Members' Allowances Independent Review Panel. Any changes agreed will be effective from 1 April 2021.

2. Information required to take a decision

The Corporate Governance and Audit Committee, at its meeting on 9 March 2021, considered the attached report of the Members' Allowances Independent Review Panel which has put forward recommendations in respect of the Members' Allowances Scheme as set out below:

A meeting of the Members' Allowances Independent Review Panel has taken place to consider the Members' Allowances Scheme and make recommendations to the Council on certain allowances within the Scheme. The report of the Panel is attached at Appendix A and puts forward the recommendations that:

- (i) The current Basic Allowance be increased in line with the amount awarded to Kirklees Council officers (% yet to be agreed) with effect from 1 April 2021.
- (ii) Special Responsibility Allowances (SRAs) to remain at the 2020 rate pending a root and branch review of the Members' Allowances Scheme due to take place in summer 2021. Any increase to SRAs as an outcome of the review will be backdated to 1 April 2021.
- (iii) Should the amount awarded to Kirklees Council officers not be agreed by 1 April 2021, any increase to the Basic Allowance will be backdated to 1 April 2021.

The draft Members' Allowances Scheme for 2021/22 which takes account of the recommendations of the MAIRP, is attached at Appendix B.

Given the amount awarded to Kirklees Council officers is not yet known, we are unable to report on the additional cost to the overall Scheme should the above mentioned recommendation be agreed and implemented.

At the meeting of Corporate Governance and Audit Committee on 9 March 2021, there was cross party agreement not to apply an increase to the Members Basic Allowance for the 2021/22 municipal year and that the recommendations set out at item 6 below be recommended to Council.

3. Implications for the Council

- **Working with People**
Not applicable.
- **Working with Partners**
Not applicable.
- **Place Based Working**
Not applicable.
- **Climate Change and Air Quality**
Not applicable.
- **Improving outcomes for children**
Not applicable.
- **Other (eg Legal/Financial or Human Resources)**
None in addition to those detailed above.
- **Do you need an Integrated Impact Assessment (IIA)?**
Not required.

4. Consultees and their opinions

The Allowances panel have been consulted on the contents of this report and agree that it accurately reflects the outcomes of their discussion.

None applicable to this report as there have been no changes as a result of consideration by Corporate Governance and Audit Committee.

5. Next steps and timelines

Following approval by Council there will be no changes to the current Scheme which will continue in effect from 1 April 2021.

6. Officer recommendations and reasons

- That Council conveys thanks to the Members Allowances Independent Review Panel for their work and notes the outcomes of the Panel, as attached at Appendix A of the report.
- That Council resolve not to apply an increase to the Members Basic Allowance for the 2021/2022 municipal year.
- That it be noted that, should changes subsequently be applied to Special Responsibility Allowances, following the review of Members Allowances Scheme scheduled to take place in summer 2021, the Panel had recommended that any such adjustments to payments be backdated if applicable.
- That it be noted that the outcome of the review of the Members Allowances Scheme, scheduled to take place in summer 2021, will be considered by Corporate Governance and Audit Committee before any further recommendations are made to Council regarding any proposed changes to Member Special Responsibility Allowances.

7. Cabinet Portfolio Holder's recommendations

Not applicable to this report.

8. Contact officer

Samantha Lawton

Head of Governance

samantha.lawton@kirklees.gov.uk

Tel: 01484 221000

9. Background Papers and History of Decisions

Report of Members' Allowances Independent Review Panel on 21 December 2020.

Report and recommendation of Corporate Governance and Audit Committee on 9 March 2021.

10. Service Director responsible

Julie Muscroft

Service Director, Legal Governance and Commissioning

Report of The

**Kirklees Council
Members' Allowances
Independent Review
Panel**

21 December 2020

Carl Whistlecraft
Head of Democracy and Place Based Working
Civic Centre 3,
Huddersfield, HD1 2TG
01484 221000

1 Panel Membership

The Members of the Independent Review Panel are as follows:

Andrew Taylor (Chair)
Ian Brown
Chris West
Lynn Knowles
Stephen
Thornton
Fiona Weston

Due to Covid 19 restrictions, the Independent Review Panel have considered the Members Allowances Scheme for 2021/22 virtually.

2 Terms of Reference

The Panel's Terms of Reference are:

- (a) To advise the Council on what would be the appropriate level of remuneration for Councillors having regard to the:
 - Roles Councillors are expected to fulfil
 - Varying roles of different Councillors
 - Practice elsewhere and other Local Authorities.
- (b) To consider schemes of Members Allowances for Town and Parish Councils as and when required.
- (c) To make recommendations and provide advice to the Council on any other issues referred to the Panel by regulation or by the Council.
- (d) The Council retains its power to remove a discredited Panel Member.
- (e) The Panel can appoint its Chair from amongst its Members.

3 Constitutional Issues

(a) Term of Office

It was agreed that the current Panel membership be retained and that all relevant terms of office be renewed until December 2021.

(b) Election of Chair of Independent Review Panel

Andrew Taylor was re-elected Chair of the Independent Review Panel.

4 Agree the rate for the Basic Allowance and Special Responsibility Allowance for 2021/22.

The Panel considered changes to the Members allowance scheme for 2021/22.

In particular the Panel considered the following:

- (a) The Basic Allowance;
- (b) Special Responsibility Allowances (SRAs);

The Panel recommends that:

- (i) The current basic allowance be increased in line with the amount awarded to Kirklees Council officers (% yet to be agreed) with effect from 1 April 2021.
- (ii) Special responsibility allowances (SRAs) to remain at the 2020 rate pending a root and branch review of the Members' Allowances Scheme due to take place in summer 2021. Any increase to SRAs as an outcome of the review will be backdated to 1 April 2021.
- (iii) Should the amount awarded to Kirklees Council officers not be agreed by 1 April 2021, any increase to the basic allowance will be backdated to 1 April 2021.

The reasons for this are:

1. In common with many public servants, Councillors have been faced with substantial change in their working environment as a result of Covid 19;
2. There will be a root and branch review of the Members' Allowances Scheme, including SRAs, this summer. Whilst not increasing the SRAs may introduce an element of imbalance, this will be addressed in the forthcoming review;
3. The Chancellor's recent statement on public sector pay has not yet been implemented and it seems unreasonable the panel anticipate a decision not yet taken;
4. The panel's recommendations are recommendations and are for full Council to accept, reject, or amend.

The Panel's recommendation is a majority opinion and the Panel thinks it only fair and accurate that the Panel's report reflects the minority view.

A minority held that no increase in either the Basic Allowance or the SRAs should be recommended at this time. This recommendation could be revisited in the summer review by which time the implications of Covid 19 for public sector spending would be clearer.

The Panel's recommendation is for Council to accept or reject and no doubt Council will wish to consider a broad range of factors when taking its decision on the Panel's report.

5 Consequential changes to the Scheme

There are no consequential changes to be made to the scheme.

Report produced on behalf of the Members Allowances Independent Review Panel by Carl Whistlecraft, Head of Democracy and Place Based Working, December 2020.

Kirklees Council Members' Allowances Scheme 2021-2022

This Members' Allowances Scheme is made under the Local Authorities (Members' Allowances) (England) Regulations 2003, and the Local Government Pension Scheme and Discretionary Compensation (Local Authority Members in England) Regulations 2003. In making this scheme the Council had regard to the recommendations of its Members' Allowances Independent Review Panel, which due to Covid 19 restrictions, corresponded via e-mail in December 2020.

1. The Members' Allowances Scheme will apply from 1 April 2021 to 31 March 2022.

2. Basic allowances for ward duties

- 2.1 The amount allocated per annum to each elected councillor for ward duties is £14,002.
- 2.2 The role of councillor is dynamic and the expectations and responsibilities associated with the role are constantly changing. This is an ongoing consideration in determining the basic allowance which recognises the level of responsibility, time devoted and expenses incurred in dealing with their constituents, political group and cross party discussions on a ward basis.

No additional payment will therefore be made for travel and subsistence costs for duties within the Kirklees district.

- 2.3 Basic allowances will be paid calendar monthly in arrears to each elected councillor in equal monthly instalments.
- 2.4 Where the term of office of a councillor begins or ends otherwise than on the 1 April 2021 or 31 March 2022 his/her entitlement to the allowance will be pro-rata.

3. Special responsibility allowances

- 3.1 The amounts allocated per annum to councillors of specific duties, which are additional to the basic allowance are:-

	£ per year
Leader	26,364
Deputy leader	19,772
Band A	
Cabinet member	12,863
Band A1	
Chair of Overview and Scrutiny	11,577
Group Leader (30+ councillors)	11,577

Band B

Group Leader (7-29 councillors)	10,291
Business Manager (30+ councillors)	10,291
Band B1	9,004
Band C	
Business Manager (20-29 councillors)	7,719
Band C1	
Chairs of Planning Committees	6,432
Lead Members of Scrutiny Panels	6,432
Band C2	
Police and Crime Panel Members	6,288
Band D	
Business Manager (7-19 councillors)	5,147
Chair of Licensing and Safety Committee	5,147
Place Partnership Lead Members	5,147
Band D1	
Group Leader (2-6 councillors)	3,860
Deputy Group Leader (12+ councillors)	3,860
Chair of Appeals panel	3,860
Band E	
Chair of Corporate Governance and Audit committee	2,572
Chair of Standards Committee	2,572
Business Manager (3-6 councillors)	2,572
Band E1	
Adoption Panel member	1,285
Day Rate	
Fostering Panel member	119

Chairs of Overview and Scrutiny Ad-Hoc Panels will receive £40.22 day split into half day sessions (2 x 4 hours) to commence at the start of formal meetings to their conclusion. The Overview and Scrutiny Management Committee will place a time allocation on the work of the ad-hoc panel.

- 3.2 The special responsibility allowance recognises the additional time and expenses incurred by those councillors effectively performing additional special responsibilities.
- 3.3 Special responsibility allowances will be paid calendar monthly in arrears to the appropriate councillor in equal monthly instalments.
- 3.4 Where the term of office entitling a councillor to a special responsibility allowance begins or ends otherwise than on the 1 April 2021 or 31 March 2022 his/her entitlement to the allowance will be pro-rata.
- 3.5 No councillor shall receive more than one special responsibility allowance.

4. Renunciation of allowances

- 4.1 A councillor may, by giving notice in writing to the Service Director – Legal, Governance and Commissioning, elect to forego any part of his/her entitlement to an allowance payable under this scheme.

5. Travel and subsistence outside the district

- 5.1 Travel and subsistence allowances for approved duties outside the district can be paid only:
- * approved duty are those as described in paragraph 8 of the Local Authorities (Members' Allowances) (England) Regulations 2003.
 - * any other duty approved by the body, or any duty of a class so approved, for the purpose of, or in connection with, the discharge of the functions of the body, or of any of its committees or sub-committees
 - * for approved duties previously authorised by the appropriate body (Cabinet or Overview and Scrutiny Management Committee) and Service Director – Legal, Governance and Commissioning. The approval must precede the performance of the duty and not be given retrospectively.

Claims for expenses must be made and received by the Service Director – Legal, Governance and Commissioning within two months of the expense being incurred.

- 5.2 Attendance at conferences: The Head of Democracy has delegated powers to determine councillor attendance at conferences etc.
- 5.3 Attendance at training and development events: The council will reimburse a councillor for travel and subsistence costs, at the approved rates, for training and development events. The appropriate Business Manager will approve councillor attendance.
- 5.4 The council will book accommodation on behalf of councillors to a maximum of the rates given in Appendix 1, subject to availability. Councillors requiring overnight accommodation may claim daytime meal allowance(s) in the usual way.
- 5.5 The authority will pay car mileage at HMRC rates and daytime subsistence allowances at the same rates determined for officers by the National Joint Council for Local Government Officers. The allowance rates are given at Appendix 1.
- 5.6 The rate of travel by public transport shall not exceed the amount of an ordinary fare or any available cheap fare and wherever possible should be arranged through Councillor Support to maximise available discounts and concessions.

Tickets or receipts must always accompany travel and subsistence claims for over £8.

- 5.7 Councillors' use of private motor vehicles should demonstrate either a substantial saving of the councillors' time, or being in the best interests of the council.
- 5.8 The rate of travel by taxicab will not normally exceed the fare for travel by appropriate public transport. In cases of urgency or where no public transport is reasonably available, the council will reimburse the amount of the actual fare and any reasonable gratuity. Taxi receipts more than £8 must support the claim.
- 5.9 Travel by any other hired vehicle is limited to the rate applicable had the vehicle belonged to the member who hired it unless prior approval to the actual cost of hiring.
- 5.10 The rate for travel by air should not exceed the rate applicable to travel by any appropriate alternative means of transport together with the equivalent saving in subsistence allowance.

Where the saving in time is so substantial as to justify payment of the fare for air travel the amount paid will not exceed:-

- (i) the ordinary fare or any cheap fare, or
- (ii) where no such service is available or in case of urgency the fare actually paid by the councillor.

6. Pensions

With effect from 1 April 2014, any Councillor who is not an active member of the Councillors pension scheme will no longer have access to the pension scheme. Councillors who are currently contributing to the pension scheme will only be allowed to remain in it, until the end of their current term in office.

Councillors elected after April 2014 will not be entitled to access the pension scheme.

7. Parental Leave Policy

The Policy is set out at Appendix 2.

8. Dependants' carers' allowance

Councillors who need to engage carers to look after dependants whilst undertaking duties specified in regulation 7 of the Local Authorities (Members Allowances) (England) Regulations 2003 may receive a carers' allowance. The criteria are given at Appendix 3.

9. Support for a councillor with a disability

Even though local councillors are not explicitly covered by the Disability Discrimination Act Part II (employment provisions), it is an expectation on councils that they will make every reasonable effort to meet the individual needs of disabled councillors. The council will provide support for disabled councillors, where appropriate, by actively discussing an individual's needs and putting in place the necessary support mechanisms wherever practicable.

10. Information technology

Each councillor is offered a PC or laptop to be used in their homes through a broadband link and/or a smart device to assist them in the discharge of their functions as a councillor. Use of a smart device abroad is restricted to Council business only and councillors are encouraged to connect to wifi wherever possible.

11. Publicity

- 11.1 The regulations place certain duties on local authorities in connection with publicising the recommendations made by their independent remuneration panel, their scheme of allowances and the actual allowances paid to councillors in any given year:

The regulations require, as soon as reasonably practicable after the end of a year to which the scheme relates, that local authorities must make arrangements for the publication in their area of the total sum paid by it to each recipient, in respect of each of the following:

- Basic allowance
- Special responsibility allowance
- Dependants' carers' allowance
- Travelling and subsistence allowance

12. Sickness and holiday

The scheme recognises the right of councillors to holiday and entitlement to sickness absence.

An entitlement is made for 28 days of holiday. During periods of sickness a councillor is not expected to make up any hours lost as a result of that illness.

13. Suspension of Allowance

Where a Member, since election has been convicted of any offence and has had passed on them a sentence of imprisonment (whether suspended or not) for a period of not less than three months without the option of a fine, the Council shall suspend any part of any allowance

payable from the date of sentence. Such suspension shall remain in force until such time as section 80 of the Local Government Act 1972 (disqualification for election and holding office as member of a local authority) takes effect.

14. Education appeals panel members

Members of Education Appeals Panels (who are not elected councillors of Kirklees Council), will receive an allowance of £119 for a full day meeting and £68 for meetings less than four hours. Periods of adjournment will not be included in the allowance payment.

APPENDIX 1

Travel and subsistence rates from 1 April 2021 (for approved duties performed outside Kirklees only)

1. Motor mileage rates

Car

First 10,000 business miles in the tax year:	45p per mile
Each business mile over 10,000 in the tax year:	25p per mile

Bicycle or other non-motorised forms of transport: 20p per mile

Motor cycle (for journeys less than 10,000 miles per year): 24p per mile

Passenger supplements: The supplement remains unchanged; an increase in the above rates by 5p per person per mile not exceeding four passengers.

(Subject to change by HMRC)

Members of the council shall be entitled to an official parking permit for use when undertaking official council duties and otherwise used in accordance with the rules relating to their use, and specifically to take account of the contribution to parking permits in line with any residents charge as agreed by Council on 19 February 2014.

2. Day subsistence

Breakfast allowance £6.06

(more than 3 hours away from normal place of residence before 11.00 a.m.)

Lunch allowance £8.37

(more than 3 hours away from normal place of residence to include the period 12.00 noon - 2.00 p.m.)

Tea allowance £3.29

(more than 3 hours away from normal place of residence to include the period 3.00 p.m. - 6.00 p.m.)

Evening meal allowance £10.35

(more than 3 hours away from normal place of residence ending after 7.00 p.m.)

3. Overnight accommodation costs up to:

London/LGA annual conference £105.00

Outside London £90.00

(maximum room/bed-breakfast rates per person per night, but subject to availability)

4. Meals on trains

Where **main meals (i.e. breakfast, lunch or dinner) are taken on trains** during a period for which there is an entitlement for a day subsistence allowance, the reasonable cost of meals (including VAT) may be reimbursed in full. This reimbursement would replace the entitlement to the day subsistence allowance for the appropriate meal period. Councillors are asked to submit receipts for meals when claiming.

Parental Leave Policy

Introduction

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

The objective of the policy 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 councillors. It will also assist with retaining experienced councillors – 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 people in elected public office. This applies to MPs as well as councillors, and has been the subject of lengthy debate. These policies can therefore only currently be implemented on a voluntary basis. Discussions are ongoing about changing the law to enable compulsory provision.

Legal advice has been taken on these policies, and they conform with current requirements.

1. Leave Periods

1.1 Members giving birth are entitled to up to 52 weeks maternity leave.

1.2 Where the birth is premature the leave will commence the day after the birth takes place. The Member is entitled to take up to 52 weeks maternity leave.

1.3 If your baby is born prematurely and you have already started your maternity leave, there is the option for you to request extended leave at the end of the maternity leave.

1.4 Members shall be entitled to take a minimum of 2 weeks paternity leave if they are the biological father or nominated carer of their partner/spouse following the birth of their child(ren).

1.5 A Member who has made Shared Parental Leave arrangements through their employment is requested to advise the Council of these at the earliest possible opportunity. Every effort will be made to replicate such arrangements in terms of leave from Council.

1.6 Where both parents are Members leave may be shared up to a maximum of 50 weeks. Special and exceptional arrangements may be made in cases of prematurity.

1.7 A Member who adopts a child through an approved adoption agency shall be entitled to up to 52 weeks adoption leave.

1.8 Any Member who takes maternity, shared parental or adoption 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 or adoption leave will be responsible for ensuring that they comply with the relevant notice requirements of the Council, 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.

2. Basic Allowance

2.1 All Members will receive:

- 6 weeks at 90% of the Basic Allowance.
- 33 weeks at half the Basic Allowance plus the equivalent weekly amount paid of Statutory Maternity/Adoption pay.

3. Special Responsibility Allowances

3.1 Members entitled to a Special Responsibility Allowance whilst on Maternity, Paternity, Shared Parental or Adoption Leave will receive:

- 6 weeks at 90% of the Special Responsibility Allowance.
- 33 weeks at half the Special Responsibility Allowance.

3.2 Where a replacement is appointed to cover the period of absence that person shall 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 replacement, during a period of maternity, paternity, shared parental or adoption leave shall continue for a period of 39 weeks, or until the date of the next Annual Meeting of the Council, or until the date when the member taking leave is up for election (whichever is soonest).

3.4 Should a Member appointed to replace the member on maternity, paternity, shared parental or adoption leave already hold a remunerated

position, the ordinary rules relating to payment of more than one Special Responsibility Allowances shall apply.

3.5 Unless the Member taking leave is removed from their post at an Annual General Meeting of the Council whilst on leave, or unless the Party to which they belong loses control of the Council during their leave period, they shall return at the end of their leave period to the same post, or to an alternative post with equivalent status and remuneration which they held before the leave began.

4. Resigning from Office and Elections

4.1 If a Member decides not to return at the end of their maternity, paternity, shared parental or adoption leave they must notify the Council at the earliest possible opportunity. If a Member decides not to return or does not return for 33 weeks, The Council is entitled to claim back the 33 weeks allowance paid at 50%. If a Member fails to return for a full 33 weeks a proportion of the allowance will be claimed back.

4.2 If an election is held during the Member's maternity, paternity, shared parental or adoption leave and they are not re-elected, or decide not to stand for re-election see point 4.1.

Kirklees Council

COUNCILLORS' ALLOWANCES

Criteria for dependants' carers' allowance

1. Councillors who care for children or dependants can claim a carer's allowance paid at the rate of the national minimum wage for age 21 and above (currently £8.36 per hour), subject to paragraph 3 below.
2. Payment is claimable in respect of children aged 14 years or under. In respect of dependant relatives, payment is claimable subject to written medical or social work evidence.
3. The Corporate Governance and Audit Committee will determine any application by a councillor on the grounds of special circumstances for payment of dependants' carers' allowance at a higher rate than that of the national minimum wage for age 21 and above.
4. The carer must not be a member of the same household.
5. Councillors should submit their claims, using a claim form and supported by receipts and, if applicable, declare any other care payment received from another agency, to the Councillors' Allowances section each calendar month in arrears.
6. Councillors can only claim for the carers' allowance in respect of expenses of arranging for care of their children or dependants necessarily incurred for attendance at meetings and performance of duties specified in the regulations, and any other duties approved by the Council including training sessions held within the induction period following an election. **Approved duties do not include meetings with officers and constituents and attendance at political group meetings.**
7. Any allegations of abuse of the scheme will be investigated through the Council's Standards process.
8. The dependants' carers' allowance is subject to annual review.

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Name of meeting: Council (Reference from Personnel Committee)
Date: 17th March 2021
Title of report: Pay Policy Statement 2021/22

Purpose of report

To comply with the requirements of Sections 38 – 43 of the Localism Act 2011, that the authority produces a policy statement that covers matters concerning the pay of the authority’s principal Chief Officers.

Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	Not Applicable
Key Decision - Is it in the Council’s Forward Plan (key decisions and private reports?)	No – Not Applicable
The Decision - Is it eligible for call in by Scrutiny?	No
Date signed off by <u>Strategic Director</u> & name	Rachel Spencer-Henshall 19/2/2021
Is it also signed off by the Service Director (Finance)?	Eamonn Croston 3/2/2021
Is it also signed off by the Service Director for Legal Governance and Commissioning?	Julie Muscroft 19/2/2021
Cabinet member portfolio	Cllr Shabir Pandor, Leader of the Council

Electoral wards affected: All

Ward councillors consulted: All

Public or private: Public

GDPR: This report contains no information that falls within the scope of the General Data Protection Regulation.

1. Summary

- 1.1 Sections 38 – 43 of the Localism Act 2011 requires that the authority produce a policy statement that covers several matters concerning the pay of the authority's staff, principally Chief Officers. The attached policy statement appendices meet the requirements of the Localism Act.
- 1.2 Section 39 (1) of the Localism Act 2011 specifically include the requirement that a relevant authority's pay policy statement must be approved by a resolution of the authority before it comes into force, and as per Section 39 (3) of the Act, that each subsequent annual statement must be prepared and approved before the end of the 31 March immediately preceding the financial year to which it relates.
- 1.3 The report was considered by Personnel Committee on 3 March 2021, where it was resolved that the matter be submitted to Council with a recommendation that approval be given to the Annual Pay Policy Statement, as attached to the report, in accordance with the 2011 Localism Act.

2. Information required to take a decision

- 2.1 The report is submitted to ensure that the Council complies with the requirements of Sections 38 – 43 of the Localism Act 2011. This requires the Council to produce an annual pay policy statement that covers matters concerning the pay of the authority's principal Chief Officers. It also requires a Council resolution to approve the annual statement before the end of the 31 March immediately preceding the financial year to which it relates.
- 2.2 This policy also has some connection with the data on pay and rewards for staff which the Authority publishes under the Code of Recommended Practice for Local Authorities on Data Transparency and the data which is published under The Accounts and Audit (England) Regulations (2015). This policy statement does not cover or include school staff and is not required to do so.
- 2.3 The proposed 2021/22 Pay Policy Statement is attached in more detail for Council approval as follows:

Appendices

- Ai) Kirklees Pay Policy Statement 2021/22
- Aii) Remuneration of Chief Officers
- Aiii) Kirklees Council Single Status Grades and NHS – Public Health grades (1st April 2020) this will be subject to the national pay award consultations for 2021/22.
- Aiv) Range of Policies

3. Implications for the Council

- 3.1 Working with people
N/A

- 3.2 Working with partners
N/A
- 3.3 Place based working
N/A
- 3.4 Improving outcomes for children
N/A
- 3.5 There is sufficient revenue budgetary provision within the approved budget plans for 2021/22 to implement the attached 2021/22 pay policy statement.
4. **Next steps and timelines**
Publish the Pay Policy Statement on the Council's Internet site, to meet the requirements of the Localism Act.
5. **Officer recommendations and reasons**
That the annual Pay Policy Statement attached to this report be approved, in accordance with the 2011 Localism Act.
6. **Cabinet portfolio holder's recommendations**
That Council approve the annual Pay Policy Statement for 2021-22
7. **Contact officer**
Deborah Lucas – Head of People Services
Margaret Lunn – Human Resources Partner, People Services
8. **Background Papers and History of Decisions**

2020-21 Pay Policy Statement approved and published on the Council Website.
Government Pay policy statement guidance: [Openness and accountability in local pay: supplementary guidance - GOV.UK](#)
9. **Service Director responsible**

Rachel Spencer-Henshall – Strategic Director Corporate Strategy, Commissioning and Public Health

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Kirklees Council – Pay Policy Statement for the period 1 April 2021 to 31 March 2022

Introduction

Sections 38 – 43 of the Localism Act 2011 requires that the authority produce a policy statement that covers matters concerning the pay of the authority's staff, principally Chief Officers. This policy statement meets the requirements of the Localism Act in this regard and also meets the requirements of guidance issued by the Secretary of State for Communities and Local Government to which the authority is required to have regard under Section 40 of the Act. This policy also has some connection with the data on pay and rewards for staff which the Authority publishes under the Code of Recommended Practice for Local Authorities on Data Transparency and the data which is published under The Accounts and Audit (England) Regulations (2015). This policy statement does not cover or include school staff and is not required to do so.

Definition of officers covered by the Policy Statement

This policy statement includes the transfer into the Council of the Kirklees Neighbourhood Housing functions, from 1st April 2021, it covers the following posts:

- a) Head of the Paid Service, which in this authority is the post of
 - Chief Executive.
- b) Monitoring Officer, which in this authority is the post of
 - Service Director Governance & Commissioning
- c) Statutory Chief Officers, which in this authority are the posts of
 - Strategic Director - Children and Families
 - Strategic Director - Adults & Health
 - Strategic Director - Corporate Strategy, Commissioning & Public Health
 - Service Director – Finance – Section 151 Officer
- d) Non-statutory Chief Officers, which in this authority is the post of
 - Strategic Director - Environment & Climate Change
 - Strategic Director - Growth & Regeneration
- e) Deputy Chief Officers, (those who report directly to a Statutory or Non-Statutory Chief Officer) which in this authority are the posts of:
 - Service Director – Child Protection & Family Support
 - Service Director – Learning & Early Support
 - Service Director – Resources, Improvement & Partnerships
 - Service Director – Adults Sufficiency
 - Service Director – Customers & Communities
 - Service Director – Adults Social Care Operation
 - Service Director – Learning Disabilities & Mental Health
 - Service Director – Development
 - Service Director – Homes & Neighbourhoods
 - Service Director – Skills & Regeneration

- Service Director – Environmental Strategy & Climate Change
- Service Director – Culture & Visitor Economy
- Service Director – Highways & Streetscene
- Service Director – Strategy & Innovation
- Head of People Services
- Consultant in Public Health
- Head of Health Protection
- Head of Accountancy
- Head of Commercial Services
- Head of Welfare & Exchequer Services
- Head of Finance

Policy on remunerating Chief Officers

The authority's policy on remunerating Chief Officers is set out on the schedule that is attached to this policy statement at Appendix aii). It is the policy of this authority to establish a remuneration package for each Chief Officer post that is sufficient to attract and retain staff of the appropriate skills, knowledge, experience, abilities, and qualities that is consistent with the authority's requirements of the post in question at the relevant time.

Following the implementation of Single status, all Chief Officers are paid in accordance with the Council's pay spine including national pay awards.

Policy on remunerating the lowest paid in the workforce.

The authority applies terms and conditions of employment that have been negotiated and agreed through appropriate collective bargaining mechanisms (national or local) or as a consequence of authority decisions, these are then incorporated into contracts of employment. This authority revised the pay spine with effect from 1 April 2019 to recognise the implementation of the national minimum wage. The lowest pay point in this Authority, is Grade 1, Spinal Column Point (SCP) 1; £9.25 hourly rate.

The authority has reviewed and implemented apprenticeship rates of pay from the 1st April 2019. The rates of pay for 2020/21 are Year 1 £8.20 hourly rate and Year 2 onwards £8.72 hourly rate. The rates are paid to all apprentices and is no longer related to the age of the apprentice.

The pay rate is increased in accordance with any pay settlements which are reached through the National Joint Council for Local Government Services and the apprenticeship rates are increased in accordance with the national minimum wage and national living wage requirements (the 2020 pay spine shown at Appendix Aiii, will be subject to the national pay award consultations, for 2021/22).

Policy on the relationship between Chief Officer Remuneration and that of other staff

The highest paid (actual) salary in this authority is £171,576 which is paid to Jacqui Gedman. The median (full time equivalent) salary* in this authority (not including Schools or other external organisations) is £21,748 top of Grade 6 SCP 11.

***Median**

The median is the value falling in the middle when the data items are arranged in an array of either ascending or descending order. If there is an odd number of items, the median is the value of the middle item. If there is an even number of items, the median is obtained by taking the mid points of the two middle points (add middle points together and divide by 2).

Excluded: Kirklees active Leisure, Maintained Schools, Academies, Claiming Teachers, Temp Direct, Teachers pensions, Casual and Paymaster Only Contracts, any record where the actual salary is zero.

The ratio between the two salaries, the 'pay multiple', is 7.89:1.

This authority does not have a policy on maintaining or reaching a specific 'pay multiple', however the authority is conscious of the need to ensure that the salary of the highest paid employee is not excessive and is consistent with the needs of the authority as expressed in this policy statement and its wider pay policy and approach.

The authority's approach to the payment of other staff is to pay that which the authority needs to pay to recruit and retain staff with the skills, knowledge, experience, abilities, and qualities needed for the post in question at the relevant time, and to ensure that the authority meets any contractual requirements for staff including the application of any local or national collective agreements, or authority decisions regarding pay.

Policy on other aspects of Chief Officer Remuneration

Other aspects of Chief Officer remuneration are appropriate to be covered by this policy statement, these other aspects are defined as recruitment, pay increases, additions to pay, performance related pay, earn back, bonuses, termination payments, transparency and re-employment when in receipt of a Local Government Pension Scheme (LGPS) pension or a redundancy/severance payment. These matters are addressed in the schedule that is attached to this policy statement at Appendix Aiv).

Approval of Salary Packages in excess of £100k

The authority will ensure that, at the latest before an offer of appointment is made, any salary package for any new post that is not currently included within Appendix Aii) (not including schools and any initial transfer to the Council under TUPE), that is in excess of £100k will be considered by full Council. The salary package will be defined as base salary, any bonuses, fees, routinely payable allowances, and benefits in kind that are due under the contract.

Flexibility to address recruitment issues for vacant posts

In the vast majority of circumstances, the provisions of this policy will enable the authority to ensure that it can recruit effectively to any vacant post. There may be exceptional circumstances when there are recruitment difficulties for a particular post and where there is evidence that an element or elements of the remuneration package are not sufficient to secure an effective appointment. This policy statement recognises that this situation may arise in exceptional circumstances and therefore a departure from this policy can be implemented without having to seek full Council approval for a change of the policy statement. Such a

departure from this policy will be expressly justified in each case and will be approved through an appropriate authority decision making route.

Policy for future years

This policy statement will be reviewed each year and will be presented to full Council each year for consideration in order to ensure that a policy is in place for the authority prior to the start of each financial year.

RENUMERATION OF CHIEF OFFICERS

APPENDIX Aii)

Job Category	Employment Conditions either Chief Execs, Chief Officer or Local Government Scheme (LGS)	Post Title	Salary Band* **	Expenses	Performance Related Pay (PRP) Arrangements	Earn Back Arrangements	Bonus	Non Cash Benefits	Election Fees	Any Joint Authority Payments	Any other comments
A Head of Paid Service	LGS	Chief Executive	£155,000 - £184,999	Kirklees has a common set of Terms and Conditions that applies to all staff. Entitled to claim.	No	No	No	No	Contract includes duties of returning officer for District, Parliamentary & European elections. The LA receives the income from National Government for the Parliamentary and European elections. For Referenda separate fees are paid to the officer.	No	
B Monitoring Officer	LGS	Service Director Governance & Commissioning (Monitoring Officer)	£85,000 - £104,999	Kirklees has a common set of Terms and Conditions that applies to all staff. Entitled to claim.	No	No	No	No	No	No	
C Statutory Chief Officers	LGS	Strategic Director Children & Families	£120,000 - £139,999	Kirklees has a common set of Terms and Conditions that applies to all staff. Entitled to claim.	No	No	No	No	No	No	
C Statutory Chief Officers	LGS	Strategic Director Adults & Health	£120,000 - £139,999	Kirklees has a common set of Terms and Conditions that applies to all staff. Entitled to claim.	No	No	No	No	No	No	
C Statutory Chief Officers	LGS	Strategic Director - Corporate Strategy, Commissioning & Public Health	£120,000 - £139,999	Kirklees has a common set of Terms and Conditions that applies to all staff. Entitled to claim.	No	No	No	No	No	No	
C Statutory Chief Officers	LGS	Service Director - Finance (Section 151 Officer)	£85,000 - £104,999	Kirklees has a common set of Terms and Conditions that applies to all staff. Entitled to claim.	No	No	No	No	No	No	
D Non -Statutory Chief Officers	LGS	Strategic Director Environment & Climate Change	£120,000 - £139,999	Kirklees has a common set of Terms and Conditions that applies to all staff. Entitled to claim.	No	No	No	No	No	No	
D Non -Statutory Chief Officers	LGS	Strategic Director Growth & Regeneration	£120,000 - £139,999	Kirklees has a common set of Terms and Conditions that applies to all staff. Entitled to claim.	No	No	No	No	No	No	
E Deputy Chief Officer (those who report to a Statutory or Non-Statutory Chief Officer)	LGS	Service Director - Child Protection & Family Support	£85,000 - £104,999	Kirklees has a common set of Terms and Conditions that applies to all staff. Entitled to claim.	No	No	No	No	No	No	
E Deputy Chief Officer (those who report to a Statutory or Non-Statutory Chief Officer)	LGS	Service Director - Learning & Early Support	£85,000 - £104,999	Kirklees has a common set of Terms and Conditions that applies to all staff. Entitled to claim.	No	No	No	No	No	No	
E Deputy Chief Officer (those who report to a Statutory or Non-Statutory Chief Officer)	LGS	Service Director - Resources, Improvement & Partnerships	£85,000 - £104,999	Kirklees has a common set of Terms and Conditions that applies to all staff. Entitled to claim.	No	No	No	No	No	No	
E Deputy Chief Officer (those who report to a Statutory or Non-Statutory Chief Officer)	LGS	Service Director - Adults Sufficiency (a)	£85,000 - £104,999	Kirklees has a common set of Terms and Conditions that applies to all staff. Entitled to claim.	No	No	No	No	No	No	
E Deputy Chief Officer (those who report to a Statutory or Non-Statutory Chief Officer)	LGS	Service Director - Customers & Communities	£85,000 - £104,999	Kirklees has a common set of Terms and Conditions that applies to all staff. Entitled to claim.	No	No	No	No	No	No	
E Deputy Chief Officer (those who report to a Statutory or Non-Statutory Chief Officer)	LGS	Service Director -Adult Social Care Operation	£85,000 - £104,999	Kirklees has a common set of Terms and Conditions that applies to all staff. Entitled to claim.	No	No	No	No	No	No	
E Deputy Chief Officer (those who report to a Statutory or Non-Statutory Chief Officer)	LGS	Service Director -Learning Disabilities & Mental Health	£85,000 - £104,999	Kirklees has a common set of Terms and Conditions that applies to all staff. Entitled to claim.	No	No	No	No	No	No	
E Deputy Chief Officer (those who report to a Statutory or Non-Statutory Chief Officer)	LGS	Service Director - Development	£85,000 - £104,999	Kirklees has a common set of Terms and Conditions that applies to all staff. Entitled to claim.	No	No	No	No	No	No	

Job Category	Employment Conditions either Chief Execs, Chief Officer or Local Government Scheme (LGS)	Post Title	Salary Band* **	Expenses	Performance Related Pay (PRP) Arrangements	Earn Back Arrangements	Bonus	Non Cash Benefits	Election Fees	Any Joint Authority Payments	Any other comments
E Deputy Chief Officer (those who report to a Statutory or Non-Statutory Chief Officer)	LGS	Service Director - Homes & Neighbourhoods	£85,000 - £104,999	Kirklees has a common set of Terms and Conditions that applies to all staff. Entitled to claim.	No	No	No	No	No	No	
E Deputy Chief Officer (those who report to a Statutory or Non-Statutory Chief Officer)	LGS	Service Director - Skills & Regeneration	£85,000 - £104,999	Kirklees has a common set of Terms and Conditions that applies to all staff. Entitled to claim.	No	No	No	No	No	No	
E Deputy Chief Officer (those who report to a Statutory or Non-Statutory Chief Officer)	LGS	Service Director - Environmental Strategy & Climate Change	£85,000 - £104,999	Kirklees has a common set of Terms and Conditions that applies to all staff. Entitled to claim.	No	No	No	No	No	No	
E Deputy Chief Officer (those who report to a Statutory or Non-Statutory Chief Officer)	LGS	Service Director - Culture & Visitor Economy	£85,000 - £104,999	Kirklees has a common set of Terms and Conditions that applies to all staff. Entitled to claim.	No	No	No	No	No	No	
E Deputy Chief Officer (those who report to a Statutory or Non-Statutory Chief Officer)	LGS	Service Director - Highways & Streetscene	£85,000 - £104,999	Kirklees has a common set of Terms and Conditions that applies to all staff. Entitled to claim.	No	No	No	No	No	No	
E Deputy Chief Officer (those who report to a Statutory or Non-Statutory Chief Officer)	LGS	Service Director - Strategy & Innovation	£85,000 - £104,999	Kirklees has a common set of Terms and Conditions that applies to all staff. Entitled to claim.	No	No	No	No	No	No	
E Deputy Chief Officer (those who report to a Statutory or Non-Statutory Chief Officer)	LGS	Head of People Service	£70,000 - £89,999	Kirklees has a common set of Terms and Conditions that applies to all staff. Entitled to claim.	No	No	No	No	No	No	
E Deputy Chief Officer (those who report to a Statutory or Non-Statutory Chief Officer)	LGS	Consultant in Public Health	£70,000 - £89,999	Kirklees has a common set of Terms and Conditions that applies to all staff. Entitled to claim.	No	No	No	No	No	No	
E Deputy Chief Officer (those who report to a Statutory or Non-Statutory Chief Officer)	LGS	Head of Health Protection	£70,000 - £89,999	NHS agenda for change has common set of Terms and Conditions that applies to all staff. Entitled to claim.	No	No	No	No	No	No	
E Deputy Chief Officer (those who report to a Statutory or Non-Statutory Chief Officer)	LGS	Head of Accountancy	£50,000 - £64,999	Kirklees has a common set of Terms and Conditions that applies to all staff. Entitled to claim.	No	No	No	No	No	No	
E Deputy Chief Officer (those who report to a Statutory or Non-Statutory Chief Officer)	LGS	Head of Commercial Services	£50,000 - £64,999	Kirklees has a common set of Terms and Conditions that applies to all staff. Entitled to claim.	No	No	No	No	No	No	
E Deputy Chief Officer (those who report to a Statutory or Non-Statutory Chief Officer)	LGS	Head of Welfare & Exchequer Services	£50,000 - £64,999	Kirklees has a common set of Terms and Conditions that applies to all staff. Entitled to claim.	No	No	No	No	No	No	
E Deputy Chief Officer (those who report to a Statutory or Non-Statutory Chief Officer)	LGS	Head of Finance	£50,000 - £64,999	Kirklees has a common set of Terms and Conditions that applies to all staff. Entitled to claim.	No	No	No	No	No	No	

* Salary is Full Time Equivalent - salary bands quoted reflect pay levels as at 1 April each year

** 2021 Salaries are still to be confirmed salary band based on 2020 salaries

(a) These positions are held by employee's of North Kirklees CCG

*Revised Pay Spine Implemented 1/4/2020

Grade	SCP	Salary	Not used SCP
Apprentice	Year 1	£15,820	
Apprentice	Year 2	£16,823	
1	1	£17,842	
2	2	£18,198	
3	3	£18,562	
4	4	£18,933	
4	5	£19,312	
5	5	£19,312	
5	6	£19,698	
6	7	£20,092	
6	8	£20,493	
6	9	£20,903	
6	10	£21,322	Not used
6	11	£21,748	
Unused	12	£22,183	Not used
Unused	13	£22,627	Not used
7	14	£23,080	
7	15	£23,541	
7	16	£24,012	Not used
7	17	£24,491	
Unused	18	£24,982	Not used
8	19	£25,481	
8	20	£25,991	
8	21	£26,511	Not used
8	22	£27,041	
9	23	£27,741	
9	24	£28,672	
9	25	£29,577	
9	26	£30,451	
10	27	£31,346	
10	28	£32,234	
10	29	£32,910	
10	30	£33,782	
11	31	£34,728	
11	32	£35,745	
11	33	£36,922	
12	34	£37,890	
12	35	£38,890	
12	36	£39,880	
13	37	£40,876	
13	38	£41,881	
13	39	£42,821	
14	40	£43,857	
14	41	£44,863	
14	42	£45,859	
15	43	£46,845	
15	44	£47,718	
15	45	£48,636	
16	46	£49,497	
16	47	£50,396	
17	48	£51,278	
17	49	£52,173	
17	50	£53,070	
18	51	£53,984	
18	52	£54,722	
18	53	£55,844	
19	54	£56,799	
19	55	£57,779	
19	56	£59,120	
19	57	£63,449	
20	58	£71,224	
20	59	£76,415	
20	60	£81,996	
21	61	£81,638	
21	62	£87,603	
21	63	£93,978	
22	64	£89,830	
22	65	£96,594	
22	66	£103,353	
23	67	£123,238	
23	68	£126,232	
23	69	£129,400	
23	70	£132,481	
23	71	£135,563	
24	72	£155,978	
24	73	£161,179	
24	74	£166,376	
24	75	£171,576	
24	76	£176,775	
24	77	£181,977	

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Range of Policies

APPENDIX aiv)

Aspect of Chief Officer Remuneration	Authority Policy
Recruitment	The post will be advertised and appointed to at the appropriate approved salary for the post in question level unless there is good evidence that a successful appointment of a person with the required skills, knowledge, experience, abilities and qualities cannot be made without varying the remuneration package. In such circumstances a variation to the remuneration package is appropriate under the authority's policy and any variation will be approved through the appropriate authority decision making process.
Pay Increases	The authority will apply any pay increases that are agreed by relevant national negotiating bodies and/or any pay increases that are agreed through local negotiations. Following the implementation of Single status, all Chief officers are paid in accordance with the Council's pay spine including national pay awards. The authority will also apply any pay increases that are as a result of authority decisions to significantly increase the duties and responsibilities of the post in question beyond the normal flexing of duties and responsibilities that are expected in senior posts.
Additions to Pay	The authority would not make additional payments beyond those specified in the appropriate policies i.e. Market Rate Supplement, Recruitment and Retention, Acting Up or Honoraria payments.
Performance Related Pay (PRP)	The authority does not operate a performance related pay system as it believes that it has sufficiently strong performance management arrangements in place to ensure high performance from its senior officers. Any areas of under-performance are addressed rigorously by utilising the Performance Management system.
Earn-Back (Withholding an element of base pay related to performance)	The authority does not operate an earn-back pay system as it believes that it has sufficiently strong performance management arrangements in place to ensure high performance from its senior officers. Any areas of under-performance are addressed rigorously.
Bonuses	The authority does not pay bonus payments to senior officers.

Termination Payments	The authority applies its normal redundancy payments arrangements to senior officers and does not have separate provisions for senior officers. The authority also applies the appropriate Pensions regulations when they apply. The authority has agreed policies in place on how it will apply any discretionary powers it has under Pensions regulations. Any costs that are incurred by the authority regarding senior officers are published in the authority accounts as required under the Accounts and Audit (England) Regulations 2015.
Transparency	The authority meets its requirements under the Localism Act, the Code of Practice on Data Transparency and the Accounts and Audit Regulations in order to ensure that it is open and transparent regarding senior officer remuneration.
Re-employment of staff in receipt of an Local Government Pension Scheme Pension or a redundancy/severance payment	<p>The authority is under a statutory duty to appoint on merit and has to ensure that it complies with all appropriate employment and equalities legislation. The authority will always seek to appoint the best available candidate to a post who has the skills, knowledge, experience, abilities and qualities needed for the post.</p> <p>The authority will therefore consider all applications for candidates to try to ensure the best available candidate is appointed. If a candidate is a former employee in receipt of an LGPS pension or a redundancy payment this will not rule them out from being re-employed by the authority. Clearly where a former employee left the authority on redundancy terms then the old post has been deleted and the individual cannot return to the post as it will not exist.</p> <p>The authority will apply the provisions of the Redundancy Payments Modification Order regarding the recovery of redundancy payments if this is relevant. Pensions Regulations also have provisions to reduce pension payments in certain circumstances to those who return to work within the local government service.</p>