

Name of meeting: Corporate Governance and Audit Committee

Date: Friday 15 July 2022

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

Purpose of report:

To recommend Council to approve the Members' Allowances Scheme for 2022/23, that takes account of recommendations proposed by the Members' Allowances Independent Review Panel regarding certain allowances.

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 <u>Council's 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 07.07.22
Is it also signed off by the Service Director for Finance?	Eamon Croston 07.07.22
Is it also signed off by the Service Director for Legal Governance and Commissioning?	Julie Muscroft 07.07.22
Cabinet member portfolio	Councillor Paul Davies (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

The Members' Allowances Independent Review Panel meets annually to consider and recommend the Members' Allowances Scheme to Council having regard to evidence received and associated developments that will affect the Scheme.

The Panel have considered the Members' Allowances Scheme for 2022/23 and this report captures the outcomes of those considerations and the consequential changes to the Scheme as a result.

PLEASE NOTE: As part of this review, the Members' Allowances Independent Review Panel heard evidence from Place Partnership Lead Members relating to their role and the Panel's report makes reference to this role.

At the meeting of Annual Council on 25 May 2022, Council approved the replacement of the role of Place Partnership Lead Member with the role of Lead Councillor – Primary Care Networks and Local Health Improvement.

2. Information required to take a decision

The MAIRP consider the Members' Allowances Scheme and make recommendations to the Council on certain allowances within the Scheme.

It should be noted that, in its report of June 2017, Growing a stronger local democracy, from the ground up, the Kirklees Democracy Commission recommended:

The Kirklees Members Allowances Independent Review Panel (MAIRP) should consider linking annual changes in the rate of Councillors' allowances to the pay rate for local government officers. This recommendation was considered, acknowledged and accepted by the MAIRP at their meeting in November 2017. Since then all considerations in terms of any uplift has had regard to this principle.

However, at their meeting on 21 December 2020, to consider the Members' Allowances Scheme for 2021/22 it was recommended that a full root and branch review should be carried out in the summer of 2021.

This review has now been carried out and the report of the MAIRP is attached at Appendix A and Appendix B and puts forward the following recommendations in relation to the Basic Allowance and Special Responsibility Allowances:

- (i) The current Basic Allowance be increased to £18,000 over a three-year period with yearly increases as follows with effect from 1 April 2022:

1 April 2022 – increase to £15,333
1 April 2023 – increase to £16,666
1 April 2024 – increase to £18,000

- (ii) Special Responsibility Allowances as follows with effect from 1 April 2022:

Band A	£26,364
Leader of the Council	
Band A1	£19,772
Deputy Leader of the Council	
Band A2	£12,863
Cabinet Member	
Chair of Overview & Scrutiny	
Band B	£6,432
Scrutiny Panel Lead Member	
Lead Councillor – Primary Care Networks and	

Local Health Improvement Planning Chair Corporate Governance & Audit Committee Chair Licensing Chair	
Band C	£11,577
Leader of an Opposition Group (16+ Councillors)	
Band D	£7,719
Group Business Manager (16+ Councillors) Leader of an Opposition Group (3-15 Councillors)	
Band D1	£5,147
Deputy Leader of an Opposition Group (16+ Councillors) Group Business Manager (3-15 Councillors)	
Band E	£3,860
Standards Chair Appeals Chair Adoption Panel Member Fostering Panel Member	
Band E1	£2,572
Deputy Leader of an Opposition Group (3-15 Councillors)	

The draft Members' Allowances Scheme for 2022/23 which takes account of the recommendations of the MAIRP, is attached at Appendix C.

The additional cost (excluding any abatements) to the overall Scheme should the above-mentioned recommendations be agreed and implemented is as follows:

Basic Allowance

1 April 2022 – £91,977
1 April 2023 – £91,977
1 April 2024 – £92,046

Special Responsibility Allowances

1 April 2022 - £49,321

In 2023 and 2024 the rate for Special Responsibility Allowances will be linked to annual changes in the rate of pay for local government officers.

PLEASE NOTE: Further consequential changes to the Members' Allowances Scheme are set out at Section 5 of Appendix A and relate to Travel and Subsistence and Information Technology.

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.

- **Financial Implications for the people living or working in Kirklees**
Not applicable.
- **Other (eg Legal/Financial or Human Resources)**
The projected uplift in Basic Allowance of £90k and Special Responsibility Allowances of £50k in 2022/23 would be met from existing earmarked reserves. Future annual uplifts of £90k each year over the following 2 years for Basic Allowance, would then be factored into Council forward budget plans as appropriate.

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.

5. Next steps and timelines

Following consideration by Corporate Governance and Audit Committee, this report will be referred for consideration and approval by Council at its meeting on 7 September 2022.

6. Officer recommendations and reasons

That Corporate Governance and Audit Committee:

- (i) Notes the recommendations of the Members' Allowances Independent Review Panel (as set out at Appendix A and Appendix B);
- (ii) Considers the Members' Allowances Scheme for 2022/23 (as set out at Appendix C) and recommends to Council the adoption or otherwise or amendment of the Scheme with effect from 1 April 2022.

7. Cabinet Portfolio Holder's recommendations

Not applicable.

8. Contact officer

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9. Background Papers and History of Decisions

Report of Members' Allowances Independent Review Panel, July 2021.

10. Service Director responsible

Julie Muscroft
Service Director, Legal Governance and Commissioning

Report of The

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

January 2022

Samantha Lawton
Head of Governance
Civic Centre 3,
Huddersfield, HD1 2TG
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1 Panel Membership

The Members of the Independent Review Panel are as follows:

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

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 Members' Allowances Independent Review Panel Report

The report of the Members' Allowances Independent Review Panel, including the Members' Allowances Independent Review Panel's recommendations for the 2022/23 Members' Allowances Scheme can be found at Appendix B.

5 Consequential changes to the Scheme

(a) Travel and Subsistence

Travel and Subsistence rates to be increased as set out in the Members' Allowances Scheme 2022/23 at Appendix C.

(b) Information Technology

The Members' Allowances Independent Review Panel recommend that the increase to the Basic Allowance allows Councillors to source and pay for their own broadband contracts and to subscribe to internet-based ink cartridge schemes.

Full details of these recommendations are set out in the Members' Allowances Independent Review Panel Report at Appendix B.

Report produced on behalf of the Members Allowances Independent Review Panel by Samantha Lawton, Head of Governance, January 2022.

MEMBERS' ALLOWANCES INDEPENDENT REVIEW PANEL REPORT

January 2022

INTRODUCTION AND BACKGROUND

The Members' Allowances Independent Review Panel (MAIRP) was asked by Kirklees Metropolitan Council (KMC) to undertake a comprehensive review of the existing Allowances Scheme and make recommendations. This request flowed from the scheme's longevity, the impact of incremental changes over the years, KMC's changes to its working practices and arrangements in place, and because of the COVID-19 pandemic's impact on KMC's operations.

The bulk of the review took place in July and November 2021 and involved 18 intensive evidence-gathering sessions with, inter alia, council leadership, Cabinet members, panel and committee chairs, political Group Business Managers, Ward Councillors, and council officers. All meetings were held virtually via Microsoft Teams. The Panel also read and considered a substantial number of written submissions and policy papers.

The Panel would like to thank those who met with us, provided evidence, and answered our questions with clarity and candour; the Panel also wish to thank Deborah Nicholson, Tish Barker, and Samantha Lawton for organising the sessions and managing the research process.

At a preliminary discussion, the Panel agreed that the basic principles underlying the scheme since its inception remained valid. These principles were that any allowance scheme should:

- i. recognise the centrality of the Ward Councillor;
- ii. be transparent and easily understood by Councillors, officers, and voters;
- iii. be easily, cost-effectively, and transparently administered;
- iv. recognise the importance of responsibility and not just hours worked;
- v. be developmental in that it identified and rewarded necessary skills and encouraged their adoption; and,
- vi. to assist KMC in achieving its strategic and governance objectives.

The Panel noted that KMC had recently undertaken a thorough review of the Ward Councillor role profile (RP). This RP was developed in a council-wide process that drew on a wide range of perspectives and the resulting RP was approved by the full Council. Consequently, the Panel did not think it was either necessary or legitimate for it to devote attention to rethinking or revising the Ward Councillor RP. However, where recent and proposed changes in governance, contemporary events, and evidence received have implications for the Ward Councillor RP, the Panel have noted these changes and have made suggestions where we think the RP might be improved.

The Panel's key lines of enquiry were explored with each group of witnesses and each session drew on a common set of questions. These were:

- i. In what ways is the Council changing? How will this change impact on, and influence, what Councillors do and change what is expected of them?

- ii. In what ways has the COVID-19 pandemic impacted on how the council works? What does this mean for councillor roles?
- iii. What does Place-Based Working (PBW) mean for councillor roles?
- iv. What do these imply for the ways in which Councillors will be supported in the future?

In addition to the above, the Panel were keen to explore the longer-term impact of COVID-19 on councillor activities and council operations, and the extent to which adaptations consequent on the pandemic (such as the greater role of information technology [IT] and the use of virtual meetings for non-formal meetings) ought to become permanent features of council operations and how such innovations might affect councillor roles. This has implications for the support afforded to Councillors and the panel specifically addressed a number of IT-related issues that impact on the Allowances Scheme.

In making its recommendations for changes in the allowance scheme (see later), the panel has based its recommendations on four sets of evidence:

- i. The number of hours devoted by a councillor to his or her tasks. This is, of course, complicated by the mix of factors unique to each individual (for example, family commitments, full-/part-time or no other employment, caring responsibilities), which makes an exact calculation impossible.
- ii. The scale of responsibility inherent in a role.
- iii. The growing complexity of working relationships, of issues, and of governance generally.
- iv. The new ways of working, such as PBW, which places substantial new demands on Councillors.

The complexity of these factors and the impossibility of determining the 'actual' scale of a councillor's commitment and engagement render it impossible to answer exactly the question, '*what is a councillor worth*'? However, the Panel believe that by triangulating the extensive evidence the panel gathered, the panel has solid grounds for making the recommendations.

The panel began the detailed part of the report by considering the foundation of the scheme: the Ward Councillor profile and allowance.

THE WARD COUNCILLOR

Our evidence gathering focused on three questions concerning the Ward Councillor's role:

- i. Does the RP accurately capture the duties and responsibilities you are expected to fulfil?
- ii. How has/will PBW impact on your activities?
- iii. What changes in working practices introduced as a result of the pandemic ought to be continued?

Our report divides the Ward Councillor's place in the allowance scheme into two parts: the RP and the allowance.

THE WARD COUNCILLOR ROLE PROFILE

Fundamental to this enquiry is to establish the degree to which the RP captures what the Ward Councillor does. Opinion overall was that the RP did provide a reasonable description of the role but there was equally unanimous agreement that the RP failed to capture the changing scale, scope, and intensity of the Ward Councillor's role.

Some of this is the inevitable consequence of the COVID-19 pandemic. So, for example, evidence from the Ward Councillors noted that after an initial fall, their total casework had increased and was of greater complexity. We explored whether this might change as the country returned to normal, but the evidence we received was that this was highly unlikely as it appeared that a permanent shift had taken place in the voters' expectations of their Ward Councillor. Councillors were routinely expected to respond almost instantly with solutions to problems or otherwise face often virulent criticism and abuse. This has been accelerated and amplified by social media, which has increased the number of ways a councillor can be contacted and which many Councillors choose to monitor regularly – which can be a time-consuming activity for some. Many Councillors concluded from this that they were now regarded as de facto 'first responders' who were no longer expected to deal with traditional ward concerns, such as pot-holes and refuse collection that might be dealt with by a single phone call, but often with complex issues requiring a long-term multi-agency/partnership response. As one of our witnesses put it: 'we are councillors not counsellors'. A legitimate response to this might be 'well, this is just the nature of the role', which is true, but it must be remembered that many, probably most, Councillors have families and jobs, and all have a right to a sustainable work–life balance. So, should the allowance scheme and RP recognise the well-being of elected members?

The scale, scope and intensity of the Ward Councillor's role is being dramatically increased by KMC's strategic vision and its efforts to transform governance by PBW. Although in the relatively early stage of development (see later), PBW initiatives have taken root and were welcomed by all our witnesses. Councillors universally welcomed enthusiastically both the '[B]ringing of services ... closer to the people and putting communities and their representatives at the heart of their design and delivery' and the fact that 'Council Wards sit at the heart ... and are the building blocks for our developing approach to [PBW].'

A few Councillors felt that PBW was a different way of organising their traditional role but many, many more saw its aims and objectives (for example, partnership-building and network-creation) as significant changes in how they worked, and all agreed that PBW, although welcome, represented a significant growth in the scale, scope, and intensity of their role, workload, and responsibilities. The Panel believe this should be reflected in the Ward Councillor's RP and basic allowance. As a matter of principle, the Panel strongly advocate that the bulk of any increases in allowances be concentrated on the Ward Councillor.

The scheme's rule (3.5) that 'No councillor shall receive more than one special responsibility allowance' should be retained.

THE ALLOWANCE FOR WARD DUTIES

For the year 1 April 2021 to 31 March 2022, the Ward Councillor allowance was £14,002, with the total cost of all Ward Councillor allowances being £960,000. The current and previous RPs recognised the Ward Councillor's fundamental importance to governance; determination of the amount of the allowance was, and remains, based on 'the level of responsibility, time devoted, and expenses incurred in dealing with their constituents, political group, and cross-party discussions on a ward basis'.

Evidence from our witnesses on the Basic Allowance for Ward Councillors (BA) was unanimous in two respects:

- i. The BA does not reflect the scale of work and commitment necessary to satisfy the administrative and public expectations of Councillors. Councillors acknowledged that public service is integral to their role and recognised the councillor role provided rewards other than financial, but all felt that the allowance should better reflect and compensate for the level of work, scale of responsibilities, the role's impact on their work–life balance, and on councillor health and well-being. If we assume a 37-hour working week (which in many cases will be an underestimate) and divide

the current allowance by 52 weeks (i.e. £14,002 ÷ 52 ÷ 37 = hourly rate) this produces an hourly rate of £7.88. This is lower than both the national minimum wage and the living wage, to which KMC subscribes.

- ii. One of the original aspirations of the allowance scheme was to encourage greater diversity in recruitment. The Panel were impressed by the quality, youth, and background of many of the Councillors, but equally were impressed by evidence that pointed to the current BA acting as a serious disincentive to diverse recruitment. Evidence gathered indicated that the qualities and attributes to be an effective councillor, after expressing an interest in election, were discouraged by the BA. The Panel believe it is crucial to emphasise that *no one* becomes a councillor to make a fortune, but that it is eminently reasonable that Councillors should receive fair and equitable compensation for carrying out a demanding and important role in society.

Recommendation: On the basis of the evidence received, the Panel recommend that the Ward Councillor allowance be increased. The Panel recommend increasing the allowance to £18,000 per annum. This increase should be phased in over three years in equal increments. The BA should normally be increased by the annual percentage increase awarded to officers.

The rationale for the new allowance is to recognise the changing (and expanding) role of the Ward Councillor, to cover a Councillor's increased expenses in relation to broadband services and printer cartridges (see later), and to encourage individuals to put themselves forward for election.

The Special Responsibility Allowance (SRA)

This section of our report is divided into three parts: first, general observations on the RPs excluding that of the Ward Councillor; second, observations pertaining to specific RPs; and third, the Place Partnership Lead Member (PPLM) RP. The Panel focused on the three questions (see p. 2) that were also addressed to Ward Councillors.

General observations on the SRA RPs

The witnesses came to a striking degree of unanimity concerning the various RPs: all (with a few exceptions discussed below) believed that the RPs captured the broad range of their activities but, equally, all felt that in some respects they failed to capture adequately the role's demands and responsibilities. The general criticisms made, in no particular order, were:

- i. SRA RPs generally failed to capture the amount of preparation (reading, officer briefings, informal meetings) required for formal meetings or to take into account the growing complexity of issues.
- ii. RPs need to recognise the growing significance of regional activities (e.g. the West Yorkshire Combined Authority) and cross-boundary working (e.g. mental health issues).
- iii. RPs failed to capture the growing significance of creating linkages and promoting dialogue between multiple agencies and community groups, which is inherently time-consuming.
- iv. Many RPs were thought to be too 'passive', failing to recognise the necessity of being proactive.
- v. Many RPs were too 'process'-oriented and failed to give sufficient weight to the personal attributes necessary to satisfy a role's demands. This is

particularly relevant in heavily public-facing (and often highly contentious) areas of work with 'quasi-judicial' elements (notably Planning, Appeals, Licensing and Safety).

- vi. RPs gave little weight to the necessity for extensive handover and briefing arrangements, coupled with training and development (these take place, but it was felt their importance be explicitly recognised in the RPs). The relationship between a role and its skill-set should be made clearer and more emphasis placed on member development of these skills.
- vii. All RPs should give due emphasis to high public expectations of the councillor and the inevitable problems caused by multi-tasking.
- viii. There was a general perception that the RPs should pay due regard to maintaining Councillor health and well-being, promoting training and development, and succession planning.

Recommendation: In the light of the evidence received, the Panel recommend that KMC undertake, in consultation with elected members and officers, a thorough revision of all Role Profiles (including that of the Ward Councillor) to ensure, in so far as this is possible, they are fit for purpose and capture a role's demands. The revised Role Profiles should then be approved by the full Council. Role Profiles should pay due regard to maintaining health and well-being, promoting training and development, and succession planning.

Observations on specific SRA RPs

- i. Council Leader. The RP recognises the external facing role of the Council Leader but fails to pay sufficient attention to four key aspects of the role. First, strategic leadership is more significant than ever and depends on extensive networking; second, there is a much higher level of Leader involvement in regional matters, which are challenging and complex; third, the shift from funding by grant to a competitive funding regime places a heightened emphasis on networking and partnership to win these funds; and fourth, the Council Leader has a crucial role in developing and communicating a strategic vision and assembling support behind shared goals.
- ii. Deputy Council Leader. The Panel were surprised at the RP and its failure to acknowledge the change in the Deputy Leader's duties and responsibilities. The current role profile seems to define the Deputy Leader as 'more than a Cabinet Member but less than a Leader' and this is clearly inadequate and fails to recognise the Deputy Leader's role.
- iii. Overview and Scrutiny (O&S). This RP takes no account of O&S outside KMC consequent on the growth of the Mayoral and West Yorkshire tier. Multi-agency working, increasingly complex issues, and the growth of partnership-working poses major questions for O&S. It is highly likely that O&S will become more proactive and investigative as a result of these changes and that a growing engagement with the public will continue. In recent years, pre-decision scrutiny and horizon scanning has increased, which means monitoring will assume increased significance.
- iv. Cabinet. The RP needs an explicit reference to working with O&S. It requires greater emphasis on the consequences of the growth of cross-cutting issues and the need to work collaboratively within and outside Kirklees. The RP should recognise the Cabinet member's role in

strategic thinking, involving delivery via multiple partners and agencies. Emphasis should be given to the oversight aspect of a Cabinet member, especially given the growing significance of regional governance.

- v. Standards. The RP should be broadened away from its current focus on internal ethical issues to include the quality of democratic governance and culture in Kirklees and also reflect the growing diversity and complexity of actors in the policy process. The growth of regional and sub-ward working will inevitably, as in the case of O&S, need to be reflected in the RP. The findings of the research and consultation being undertaken into the council's code of conduct, with the aim of identifying clearer specifications of behaviour, should be include in the RP.
- vi. Corporate Governance and Audit (CG&A). The Panel believe that the RP seriously underestimates the complexity of CG&A's work. CG&A has an extremely broad remit and deals with often highly technical matters; it also has a significant role in holding the Executive accountable, and the chair carries significant responsibilities. The RP ought, as well, to recognise the significance of the extensive pre-meeting work and also of technical briefings. The RP should recognise the level of knowledge and the needs for continuous updating required by the CG&A role.

The Place Partnership Lead Member (PPLM)

We deal with this RP separately, first because PBW is fundamental to the changes in partnership working practices being undertaken by KMC; and second because the RP attracted universal views for its perceived failure to capture the PPLM's role and functions. The PPLM currently has an 'uncertain' position in the Allowances Scheme that reflects both its recent origins (2019) and the adverse impact of the COVID-19 pandemic, which seriously disrupted the programme's initial development. However, the PBW initiative is now up and running, and some projects have been completed and others are in development. Lead Members have been in place for some time and networks exist, which means that the Panel no longer feel there is insufficient data on which to base any recommendation. In preparing our recommendations, we received relevant documentation and detailed briefings, and we interviewed six out of the seven PPLMs.

The Place Partnership programme and the PPLMs have a crucial role in KMC's future development, which means the PPLM RP plays a foundational role in the future governance of KMC, so it was with some concern that the Panel heard about the virtually universal dissatisfaction with the RP. The overall view was that the RP captured neither the workload nor the scope of the activities involved. To some degree, this was perhaps inevitable given the ambitions attached to the project and the disruptions caused by COVID-19, which extended the set-up period, and the scheme appears to have been working properly for only some six months. However, these are not reasons for inaction.

It must be emphasised that all those we spoke to welcomed the Place Partnership initiative enthusiastically and were extremely keen and committed to its success. The changes envisaged are important – although several Councillors saw this as an extension of the previous ward committees – and constitutes a marked increase in the scale, complexity, and intensity of councillor work. Our witnesses stressed, in particular, the impact of partnership-working, which, first, involved an enormous amount of pre-work and briefing; second, the emphasis on network and partnership-working, which is time-consuming; and third, a significant rise in cross-boundary, including regional, activity, which increases complexity. Our witnesses were strongly of the opinion that these impacts will only increase, and they emphasised the future significance of programme monitoring and evaluation. Projects have long lead times, and networks and partnership-working rests on a very large degree of preparatory work and engagement from the PPLMs and Ward Councillors generally, who engage in increasingly high-intensity work. Our attendees also believed that this way of working meant programmes had an inherent tendency to snowball, which places considerable pressure on the resources devoted to supporting Councillors.

Recommendation: The dissatisfaction with the RP and the new intensity and complexity of work point, the Panel strongly believe, the need for a substantial re-think of the RP. We also think that the allowance for the PPLM should be increased (see later). The same factors also point, our witnesses believed, to a review of the resources provided for supporting Councillors in this work.

Recommendation: That the SRA for the PPLM is increased (see later) and that this Role Profile be reviewed periodically in the light of experience and the future development of the Place Partnership initiative.

Determining group size

KMC defines a group as being a minimum of two Councillors who self-identify and agree to form a group and comply with the council procedure rule requirements; the Panel have followed this practice. The issue of group size is a recurring one. This might be deemed to demonstrate the Panel's failure to arrive at a satisfactory solution. Alternatively, it might reflect the possibility that there *is* no solution capable of commanding universal satisfaction.

The issue of group size is bedevilled by the fact that individuals' views are a matter of perspective. On the one hand, it is argued that a large group is more difficult to manage

because of competing internal pressures, the problems that flow from coordinating a large number of people, and the fact that responsibilities are greater because of a large group's likely dominance of Cabinet positions. On the other hand, many of those whom the Panel spoke to argued that it is a fallacy that the burdens in a smaller group are less simply as a result of a smaller number of people. Indeed, their argument was that smaller groups have greater burdens because of having fewer people amongst which to share out the responsibilities. Furthermore, evidence was provided that suggested No Overall Control (NOC) and PBW mean that the members of small groups are drawn into governing and policy-making, which significantly increases the responsibilities and burdens on a small group. The Panel's difficulty is that both perspectives can be equally accurate, making both arguments equally compelling.

Criticism of the current scheme's formulation concerning group size comes, perhaps not surprisingly, primarily (but not exclusively) from the smaller groups. They emphasise the consequences of NOC and a radically changing system of governance that means small groups have more work per councillor than a large group that can distribute tasks and responsibilities among its members. They question whether raw numbers is a rational or fair way to distribute resources. A small group that seeks to influence policy and strategy significantly must cover all areas of work as well as engage in accountability and monitoring of the executive. So, in this view, raw group size bears little relationship to workload and represents a case for more resources for small groups and, in turn, this means the current group size bands fail to reflect the reality of policy and administration, or the Council's political composition where small groups can, and do, play a key role.

The current political composition of the Council is: Labour, 33; Conservative, 19; Liberal Democrat, 9; Green, 3; Holme Valley Independents, 3; and Other Independents, 2 (n=69). We have been told that NOC has often been the political situation in Kirklees. NOC existed in 1975–76, 1979–80, 1986–90, 1994–95, 1999–2018, and 2020 to date, so of the 48 years of KMC's existence, 27 years (56%) have been NOC. NOC has been the dominant mode of control in the 21st century. This suggests that the allowance scheme needs to acknowledge the role of the smaller groups.

The Panel have been persuaded by the evidence that the group size bands and the attendant SRAs require attention. Any change in banding and SRAs will inevitably be criticised, but the Panel is convinced that the current structure creates an undesirable complexity and that there is an overwhelming case for simplification.

Recommendation: That the current group size bands be reduced to two: 3–15 and 16+.

Recommendation: The 3–15 and 16+ group have SRAs attached to the roles of Leader of an Opposition Group, Deputy Leader of an Opposition Group and Group Business Manager (see table).

The proposed SRAs are set out below (see later).

The Panel believes its recommendations are fair to all groups and can meet the demands of both NOC and majority party control.

SRAs, banding and the Scheme's Structure

In developing its proposals on SRAs, banding, and the scheme's structure the Panel assessed and compared the workload associated with each post but the data we consulted was concerned solely with formal meetings. The meeting frequency data did not include meetings of political group leadership, informal briefings, meetings with officers, site visits, and so on; nor does the data include the preparation work undertaken by Councillors prior to both formal and informal meetings, so it seriously underestimates the actual time committed. With the exception of Scrutiny, panels, and Place Partnership Leads, all the posts attracting SRAs are decision-making and any decision can be challenged legally. Planning and Licensing and Safety are also contentious areas where there is more risk of legal challenge and litigation.

The Panel concluded that there is an urgent need for the SRA structure to be tidied up, especially in the case of political Group leadership and management. Our report contains proposals designed to achieve this. The Panel also recognises that the relationship between SRAs needs to be clarified. We feel that the number of bands could be reduced. We feel that the Band C2 (Police and Crime Panel Members) should be deleted as this position is not solely part of the Kirklees allowance scheme and not wholly determined by KMC.

As a matter of principle the Panel strongly advocate that the bulk of any increase in allowances be concentrated on the Ward Councillor allowance. The scheme's rule (3.5) that 'No councillor shall receive more than one SRA' should be retained.

In making our recommendations the Panel has been determined to tidy-up and simplify the Allowance Scheme. Over the period of the Scheme's existence there has been some proliferation of SRAs but Panel wish to stress that their recommendations have been driven by the weight of evidence in each case.

Recommendation: On the basis of the evidence received the Panel recommends the following in terms of SRAs, banding and the scheme's structure:

The Revised Allowance Scheme

Post	Band	SRA (£s)
The Executive		
Leader of the Council	A	26364
Deputy Leader of the Council	A1	19772
Cabinet Member	A2	12863
Committee Leads		
Chair of Overview and Scrutiny	A2	12863
Children's Security	B	6432
Economy and Neighbourhoods	B	6432
Corporate Scrutiny	B	6432
Adult Health and Social Care	B	6432
Lead Councillor – Primary Care Networks and Local Health Improvement	B	6432
Strategic Planning	B	6432
Planning (Heavy Woollen)	B	6432
Planning (Huddersfield)	B	6432
Corporate Governance and Audit	B	6432
Licensing and Safety	B	6432
Standards	E	3860
Appeals	E	3860
Political Group Management		
Leader of an Opposition Group 16+	C	11577
Group Business Manager 16+	D	7719
Deputy Leader of an Opposition Group 16+	D1	5147
Leader of an Opposition Group 3-15	D	7719
Group Business Manager 3-15	D1	5147
Deputy Leader of an Opposition Group 3-15	E1	2572
Panel Members		
Adoption Panel	E	3860
Fostering Panel	E	3860

In the majority of cases the Panel decided not to change the current SRAs. In assessing whether or not to change an SRA the Panel asked itself the question: *'what is the evidence that the role has increased significantly in terms of its scale, scope, and responsibility?'* In the cases of the Leader, Deputy Leader, Cabinet Member it seems likely that big changes are in prospect due to factors such as the growth of the West Yorkshire Combined Authority and the Panel recognise the direction of change. However, the Panel agreed that further evidence was needed to quantify the impact of this change and that this was a further reason for a review of RPs to ensure that they captured the nature of a task.

The Panel recommend an increase in the SRA for the Chair of Organisation and Scrutiny. It is clear that this post has a larger responsibility than that of ordinary scrutiny leads. This chair is effectively the head of all scrutiny panels and has specific delegations and responsibilities under the Council's constitution that no other chair possesses. The Panel, after taking evidence, felt that this role was significantly undervalued.

The Panel were convinced by the evidence presented to us that Licensing and Safety were undervalued. We could find no good reason to justify not regarding this committee in the same light as other committee hence our recommendation that this SRA matches the other committee chairs.

The Panel were persuaded by the evidence presented that the current SRA undervalues the role of the Corporate Governance and Audit committee lead member. This is an important committee with critical functions that are of legal significance. No council function is excluded from this committee's purview, its work is often highly technical, and it plays a role in holding the executive to account and so for these reasons the Panel recommend the SRA be increased.

The rationale for the increased SRA for the Place Partnership Lead Member was discussed earlier in the paper. At this early stage of Place Based Working this post clearly carries a considerable amount of responsibility and we feel that it ought to be given parity with other committee lead members. The Panel also wish it to be recognised that this role may change as Place Based Working takes root and becomes the norm and this may call for a review at a later date.

The Panel were not convinced by the evidence presented that Standards and Appeals had the same, or broadly comparable, level of responsibility and workload as other committee leads and this warranted locating them in Band E.

Earlier we made it clear that we were persuaded by the evidence we received that the SRAs and Allowance Structure for political group management were in need of serious attention. We felt that the existing structure was overly complex and did not map onto the Council's political composition. The primary drivers in our deliberations was, first, the evidence we received and, second, the need for the Scheme to acknowledge the role of, and burden placed upon, smaller political groups. There are inevitably gainers and losers in any revision but we feel our proposal recognises different group sizes and it simplifies an unwieldy structure.

IT Support

COVID-19 has led to many innovations in working practices and the Panel were keen to explore with Councillors which of these (if any) were worth continuing into the post-COVID world. Many of these innovations focus on the role of IT. This has been a growing feature of Councillors' ways of working for many years, and many changes were underway pre-COVID, but the pandemic accelerated some of these changes and prompted questions about their permanent role at a time when KMC's governance is undergoing radical change. The Allowances Scheme ought to consider the role of IT. To help us, we received a detailed strategy document on IT and we heard evidence in a session with KMC's IT Support Services. In addition, one of our key questions to councillors and witnesses sought to explore their perceptions of the current and future contribution IT could make in councillor's work.

The significance of virtual meetings

Councillors welcomed enthusiastically the expanded use of virtual meetings via Microsoft Teams and praised the support provided by IT Services in establishing this as a common way of working. Opinion was unanimously in favour of continuing virtual meetings for briefing sessions with officers or for committee pre-meetings, as this not only enabled meetings to be set up at short notice, but also saved Councillors (and officers) a great deal of time by obviating the need to travel to and from meetings. Regret was expressed that many more formal meetings must now, for legal reasons, be held in-person, and some Councillors felt that some of these could be held virtually with no loss of public accountability. However, this is not within KMC's gift.

Some committees are more dependent on real-time meetings requiring face-to-face sessions (these included CG&A, Planning, Safety and Licensing, and Appeals) and others (for example, O&S) hoped to make greater use of 'site' visits in the future. So, for some committees, virtual meetings cannot be substituted for in-person meetings.

However, it is clear that there is unanimous support for the continuation of virtual meetings and an expansion in their role wherever possible; there was also strong support for KMC developing and making permanent 'blended' working – a combination of virtual and physical meetings – in the future. Councillors believed strongly that this would represent a significant gain in terms of efficiency, with no loss of public accountability.

Recommendation: The Panel recommend that, as a matter of urgency, KMC explore the continuation of virtual meetings and, wherever possible, their increased use. In addition, KMC should also explore the development of a 'blended' model (virtual + formal meetings) of working subject, of course, to legislative requirements.

The provision of IT services

Many of the innovations in working and the above recommendation rest heavily on IT support. Our discussion on IT support impinges directly on the Allowances Scheme. The IT strategy paper noted the provision of: '... additional support to enable all our Councillors to become "digital citizens" and continue our democratic processes. The successful move of all meetings into an online environment was unprecedented, yet Councillors responded very well to the changing environment and now have more digital skills and digital independence.' This, it is argued, provides a solid footing for the next stage.

The evidence we received strongly suggests that:

- i. The emphasis should be on Councillors selecting the devices they prefer rather than their being provided by KMC. The key is connectivity (see below) and IT Services declared themselves able to manage a wide range of devices effectively.

- ii. The current system for distributing print cartridges is labour-intensive and therefore expensive. The Panel is persuaded that the system should move to internet-based services, with individuals subscribing to cartridge-replacement schemes. Such a move would require an adjustment in the basic allowance. Printer paper would continue to be provided by KMC. Individual printer cartridge-replacement schemes will be more cost-effective as they avoid the cost of stocking a plethora of different cartridges and arranging for their piecemeal distribution.
- iii. The Panel believe that it makes more sense for Councillors to negotiate their own broadband contracts. The rapid growth of faster broadband across Kirklees means that residential contracts (costing around £300 per year) are more cost-effective and offer greater flexibility and improved connectivity. Home broadband is cheaper as it does not attract the business overheads inherent in the current corporate scheme.

These changes have the overall effect of moving the cost of providing IT on to the councillor and in all fairness this shift should be recognised in the basic allowance. Our recommendations also depend on the continued provision of the currently high level of support provided by IT Services.

IT Services must continue to work closely with Councillors to provide the technology services that best fit with their ways of working: a 'one size fits all' approach is not sustainable in the current environment. IT Services intend to consult widely with Councillors on these issues and are well aware that these changes require IT Services to 'take Councillors with them' and to continue to provide a high level of support.

Recommendation: The Panel are convinced that Councillors will receive a better service in terms of quality in relation to cost if they acquire their own broadband service. In the case of Councillors currently receiving broadband from IT Services, we recommend that this service be continued until the expiry of the current corporate contract(s).

Recommendation: The Panel strongly support a move to an individual subscription model for the provision of print cartridges. This will be more efficient and cost-effective.

Recommendation: The Panel agree IT services should continue to provide Councillors with a Council device but they will continue to support those Councillors who choose to purchase their own devices.

Recommendation: The Panel strongly endorse and support IT Service's intention to undertake an extensive consultation and confidence-building exercise with Councillors on the issues discussed above. Given the centrality of IT to the proposed new ways of working, the Panel believe this should be done expeditiously and with sensitivity.

Banding of Political Groups

The Panel was asked to consider the banding of political groups. The banding would include combining 'fixed' and 'sliding scale' elements and our deliberations also benefitted from oral evidence from witnesses on this. The Panel would like to thank the witnesses for their positive contribution to the Panel's deliberations. The Panel thought the banding of groups in this way was interesting and well worthy of serious consideration but after extensive discussion and debate the Panel are unable to recommend this alternative.

The bandings combined a fixed and fluid element which initially seemed attractive as it offers a response to, for instance, the 'cliff edge', embraces the commonalities of a leaders' responsibilities, and recognises the variation of responsibilities according to group size. However, as the Panel deliberated, we identified a number of unexpected and unforeseen consequences.

First, as the Panel explored the banding of groups in this way it became apparent that its implementation would require a radical re-think of virtually the entirety of our previous recommendations. If this was likely to result in a significantly better outcome such a re-think would be worth doing but the Panel concluded the costs would outweigh the benefits.

Second, the introduction of a calculation based on fixed and sliding elements would, the Panel felt, introduce a second and inevitably competing method of calculation into the Scheme. This would reduce transparency and open the door to competing perspectives that the Panel believe would disrupt the scheme.

Third, there were, the Panel, believed no insuperable technical obstacles to introducing the alternative, but to do so would inevitably involve substantial start-up costs and require considerable changes in the payroll system. Once again, the Panel believe the likely benefits of such a change would be outweighed by its costs.

Fourth, the Panel considered that the alternative ran counter to the centrality of the Role Profiles in the scheme. These emphasise the centrality of responsibilities and skills in the determination of SRAs rather than mechanical and numerical methods that tend to militate against giving these elements their due weight.

Fifth, during the evidence sessions we were impressed by the broad range of testimony we received that pointed unequivocally in the direction of the Panel's eventual recommendations.

Sixth, the Panel were also impressed by the weight of evidence that described a rapidly and dramatically changing Council which, we feel, would be better reflected in the allowances scheme by our proposal.

As the Panel noted, any response to an issue such as this will be imperfect and be unlikely to command universal acceptance. Notwithstanding, the discussion our proposal has stimulated, we remain convinced the recommendations outlined in this report offer a reasonable and equitable solution.

Conclusions

The Independent Panel recognise that any recommendations for increases in the allowances paid to Councillors will always be controversial. However, the Panel believe their report, led by the evidence, presents an irrefutable case for increases in the Basic Allowance and a revision of the SRAs. Councillors carry out a hard and necessary function for society and do not do so in the expectation of becoming rich, but the Panel are of the view that they are entitled to fair and reasonable recompense. Whether our recommendations are accepted by KMC is a matter for our democratically elected Councillors.

The Panel's Recommendations:

- 1) **Recommendation:** On the basis of the evidence received, the Panel recommend that the Ward Councillor allowance be increased. The Panel recommend increasing the allowance to £18,000 per annum. This increase should be phased in over three years in equal increments, following this the BA should continue to be increased by the same percentage as the annual percentage increase awarded to officers.
- 2) **Recommendation:** In the light of the evidence received, the Panel recommend that KMC undertake, in consultation with elected members and officers, a thorough revision of all Role Profiles (including that of the Ward Councillor) to ensure, in so far as this is possible, they are fit for purpose and capture a role's demands. The revised Role Profiles should then be approved by the full Council. Role Profiles should pay due regard to maintaining health and well-being, promoting training and development, and succession planning.
- 3) **Recommendation:** The Panel recommends that SRAs should continue to be increased by the same percentage as the annual percentage increase awarded to officers.
- 4) **Recommendation:** That the Special Responsibility Allowance (SRA) for the Place Partnership Lead Member is increased (see table) and that this Role Profile be reviewed periodically in the light of experience and the future development of the Place Partnership initiative.
- 5) **Recommendation:** That the current group size bands be reduced to two: 3–15 and 16+
- 6) **Recommendation:** The 3–15 and 16+ group have SRAs attached to the roles of Leader of an Opposition Group, Deputy Leader of an Opposition Group and Group Business Manager (see table).
- 7) **Recommendation:** We recommend a revised SRA structure and allowances (see table).
- 8) **Recommendation:** The Panel recommend that, as a matter of urgency, KMC explore the continuation of virtual meetings and, wherever possible, their increased use. In addition, KMC should also explore the development of a 'blended' model (virtual + formal meetings) of working subject, of course, to legislative requirements.
- 9) **Recommendation:** The Panel are convinced that Councillors will receive a better service in terms of quality in relation to cost if they acquire their own broadband service. In the case of Councillors currently receiving broadband from IT Services, we recommend that this service be continued until the expiry of the current corporate contract(s).
- 10) **Recommendation:** The Panel strongly support a move to an individual subscription model for the provision of printer cartridges. This will be more efficient and cost-effective.
- 11) **Recommendation:** The Panel agree IT services should continue to provide Councillors with a Council device but they will continue to support those Councillors who choose to purchase their own devices.
- 12) **Recommendation:** The Panel strongly endorse and support IT Service's intention to undertake an extensive consultation and confidence-building

exercise with Councillors on future IT support. Given the centrality of IT to the proposed new ways of working, the Panel believe this should be done expeditiously and with sensitivity.

Kirklees Council Members' Allowances Scheme 2022-2023

This Members' Allowances Scheme is made under the Local Authorities (Members' Allowances) (England) Regulations 2003.

1. The Members' Allowances Scheme will apply from 1 April 2022 to 31 March 2023.

2. Basic allowances for ward duties

- 2.1 The amount allocated per annum to each elected Councillor for ward duties is set out as follows for the following three-year period:

1 April 2022 – £15,333

1 April 2023 – £16,666

1 April 2024 – £18,000

- 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 2022 or 31 March 2023 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:-

Band A	£26,364
Leader of the Council	
Band A1	£19,772
Deputy Leader of the Council	
Band A2	£12,863
Cabinet Member	
Chair of Overview & Scrutiny	
Band B	£6,432
Scrutiny Panel Lead Member	
Lead Councillor – Primary Care Networks and Local Health Improvement	
Planning Chair	
Corporate Governance & Audit Committee Chair	
Licensing Chair	
Band C	£11,577
Leader of an Opposition Group (16+ Councillors)	
Band D	£7,719
Group Business Manager (16+ Councillors)	

Leader of an Opposition Group (3-15 Councillors)	
Band D1	£5,147
Deputy Leader of an Opposition Group (16+ Councillors)	
Group Business Manager (3-15 Councillors)	
Band E	£3,860
Standards Chair	
Appeals Chair	
Adoption Panel Member	
Fostering Panel Member	
Band E1	£2,572
Deputy Leader of an Opposition Group (3-15 Councillors)	

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 2022 or 31 March 2023 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 Governance 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 and a mobile phone to assist them in the discharge their functions as a Councillor. Use of a mobile phone 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.

This allowance will be linked to the increase in pay for local government officers.

Travel and subsistence rates from 1 April 2022 (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 £8.61
(more than 3 hours away from normal place of residence before 11.00 a.m.)

Lunch allowance £11.87
(more than 3 hours away from normal place of residence to include the period 12.00 noon - 2.00 p.m.)

Tea allowance £4.66
(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 £14.75
(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	£150.00
Outside London	£120.00
(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.

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 £9.18 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.