

Report of the

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

22 January 2008

Policy & Governance Service
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High Street
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The panel members are:

Andrew Taylor (Chair)

Ian Brown

Stephen Thornton

Christopher Dicks OBE (deceased)

Sadly Christopher Dicks who has served on the panel for nine years passed away on 6th February 2008. The Panel members wish to pay tribute to his valuable contribution.

Meetings of the panel were held on 28th September and 14th December 2007, and on 22nd January 2008.

The following officers attended panel meetings:

Rob Vincent, Chief Executive

Carl Whistlecraft, Action Policy Team Leader

Angie Aspinall, Councillor Development Officer

John Heneghan, Overview & Scrutiny Team Leader

Dahalia Hendrickson, Members Services Manager

Vanda White, Members Allowances Administrator

Brian Tewkesbury and Julie McDowell, Decision Support Officers

Terms of Reference

The Panel's terms of reference are:

- a) To advise council on what would be the appropriate level of remuneration for councillors having regard to the:
 - role councillors are expected to fulfil
 - varying role of different councillors and
 - practice elsewhere in 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 among its members and the terms of office of panel members are until March 2010, with the exception of Ian Brown which is March 2012.

Since the last report (dated 30th March 2007) to full Council on 23rd May 2007 the Members' Allowances Independent Review Panel has met in 2007/8 to:

- Review the special responsibility (SRA) allowances for the Leader and Deputy Leader
- Review the Members basic, dependents' carers, and co-optees allowances
- Review Members special responsibility allowances
- Review overnight subsistence allowances
- Review payment for education appeal panel members
- Receive a progress report on Member Development

1. Roles and allowances for the Leader and Deputy Leader of the Council

The Panel has considered the issues affecting the roles of the Leader and Deputy Leader of the Council and reviews the special responsibility allowances (SRAs) for these roles.

The Panel received information from Councillor Khan (Labour Leader), Councillor K Pinnock (Liberal Democrat Leader) and Councillor Light (Conservative Leader and Leader of the Council) on their views of the roles.

The Panel heard evidence that there is an enhanced expectation of the leadership in relation to Kirklees as an exemplar of excellence. This relates to reputation as well as playing a key role in challenging and "keeping ahead of the game", ensuring continuous improvement and being "master of all Cabinet briefs" which is complex and time consuming.

The role of Leader of the Council is becoming more outward focused, playing a bigger role in influencing regional and national matters. A significant growth area is the continued development of the Kirklees Partnership and the four Local Public Service Boards with increasing emphasis on outcome focused partnership working.

There are growing expectations on the leader's role in terms of leading the Cabinet team and ensuring that each portfolio holder is supported developmentally and performance managed against their targets. The Panel heard that for the first time, this year, all Cabinet members are undergoing a 360 degree performance review and that performance monitoring is being undertaken on a six monthly basis.

The Panel also received evidence of expectations nationally of a “new relationship” between central and local government based on more trust, power and responsibility for local government. This message is repeated in the Local Government White Paper – Strong and Prosperous Communities, 2006 the Local Government Act 2007 the findings of the Lyons Inquiry and ministerial announcements.

This means:

- A greater role for councils as strategic leaders and place shapers through stronger working with local partners
- A new streamlined performance framework
- A stronger role in the city region
- A strengthened role for front line councillors
- A wider and stronger role for scrutiny
- More devolution of powers to local government
- Stronger political leadership

The Panel is of the view that greater responsibility and accountability should be vested in the roles of Leader and Deputy Leader as distinct from the role of cabinet member. In terms of the Deputy Leader the Panel considers that this role is continuing to evolve and in future that it could be a distinct role in its own right rather than a stand in for the leader. The Panel will undertake a full review of the role profiles for the Leader and Deputy Leader in 2008/9.

The Panel is impressed with the use of 360 degree performance reviews for senior councillors and considers that it should apply to all councillor role profiles.

The Panel recommends that the SRAs for the Leader and Deputy Leader increase by 2.475% from 1st April 2008 in line with the recent nationally agreed inflation pay rise for local government officers. For the Leader this will be an increase from £24,547 to £25,155. For the Deputy Leader this will be an increase from £18,410 to £18,866.

The Panel recommends that 360 degree performance reviews apply to all councillor role profiles.

2. Members' basic, dependent's carers, and co-optees allowances

The Panel has considered whether to apply the percentage inflationary increase to the allowances. It was noted that local government employees latest pay award was 2.475% backdated to 1st April 2007. The Members Allowances budget will increase by 2% from 1st April 2008.

The Panel recommends that the Members' basic, dependents' carers and co-optees allowances be increased by 2.475% with effect from 1st April 2008. For the Members' basic allowance this will be an increase from £11,976 to £12,272, for dependent's carers this will be an increase from £5.00 to £5.12 and for co-optees from £2,454 to £2,515.

3. Special responsibility roles and allowances (SRAs)

The Panel has noted that the current special responsibility allowances (SRAs) reflect the challenges that were set out by the Local Government Act 2000 and the fact that relations between central and local government at that time were top down and characterised by mistrust.

The Panel considered the existing SRAs in the context of expectations nationally of a "new relationship" between central and local government based on more trust, power and responsibility for local government. The Panel also received information from Councillors Walton, Palfreeman and Marchington.

The Panel has decided it is time to undertake a "root and branch review" of the existing scheme in 2008/9. This will involve a review of **all** the councillor role profiles and SRAs.

A copy of the council's existing SRAs is attached at Appendix A.

4. Overnight subsistence allowances

The Panel considered a report which advised that the council is not fulfilling the terms of the Members' Allowances Scheme by having in a place an overnight subsistence allowance which is exceeded on occasions when it is difficult to find accommodation particularly in London or other parts of the country when a national event is taking place.

The Panel recommends that the overnight subsistence allowance be removed and that the council book accommodation on behalf of councillors to a maximum of, but subject to availability:

London £105.00 (including VAT)

Outside London £90.00 (including VAT)

And for councillors to claim day time meal allowance(s) in the usual way

5. Payment for education appeals panel members

The Panel has heard evidence that since the introduction of payments for education appeal panel members in 2006/7 it has become easier to obtain the services of appeal panel members. Attention was also drawn to the fact that there is no additional payment in recognition of the enhanced role of chairs in explaining procedures, giving verbal decisions in some cases and having to retain their notes for a period after appeal hearing in case they have to make a response to any subsequent enquiries resulting from Ombudsman investigations or Judicial Reviews of individual appeals.

The Panel recommends that payment for education appeal panel members be increased by 2.475% with effect from 1st April 2008. This will mean an increase from £110.81 to £114.00 for a full day meeting and from £63.36 to £65.00 for a meeting lasting less than 4 hours.

6. Councillor Development

The Panel has noted the progress of Councillor Development during 2007. Kirklees was judged runner up in the Best Elected Member Development Initiative Award by the judges of the Association of Public Sector Excellence Panel on 19th September 2007.

The Panel has noted that evaluation shows that Councillor Induction has been of benefit to the new councillors who participated. These sessions will continue with annual reviews and will be offered to all councillors alongside their other training to give them an opportunity to refresh their skills and enable them to network with contacts across the organisation on a regular basis.

Appendix A

The amounts allocated per annum to councillors of specific duties, which are additional to the basic allowance for the year 2007-8 are:-

	£ per year
Leader	24,547
Deputy leader	18,410
 Band A	
Cabinet member	12,274
Band A1	
Chair of Overview and Scrutiny	11,047
Opposition leader (30+ councillors)	11,047
 Band B	
Opposition leader (7-29 councillors)	9,820
Business manager (30+ councillors)	9,820
Band B1	8,592
 Band C	
Business manager (20-29 councillors)	7,365
Band C1	
Chairs of Planning sub-committees	6,138
Chair of Appeals panel	6,138
Lead members of Overview and Scrutiny panels	6,138
 Band D	
Business manager (7-19 councillors)	4,911
Chair of Licensing and Safety committee	4,911
Band D1	
Opposition leaders (2-6 councillors)	3,684
Deputy group leaders (12+ councillors)	3,684
 Band E	
Overview and Scrutiny management group	2,454
Chair of Area committees (multiple-ward)	2,454
Band E1	
Chair of Council Business committee	1,227
Chairs of Area committees (single-ward)	1,227

Chairs of overview and scrutiny ad-hoc panels will receive £38.37 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 group will place a time allocation on the work of the ad-hoc panel.