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Date: 15th April 2015

Dear Sir/Madam,

A meeting of **Council** will be held in the **Council Chamber, Penallta House, Tredomen, Ystrad Mynach** on **Tuesday, 21st April, 2015** at **5.00 pm** to consider the following agenda item which replaces the item originally published.

Yours faithfully,

A handwritten signature in blue ink that reads 'Chris Burns'.

Chris Burns
INTERIM CHIEF EXECUTIVE

A G E N D A

8 Independent Remuneration Panel for Wales Annual Report 2015/16.

Circulation:

All Members And Appropriate Officers

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COUNCIL – 21ST APRIL 2015

SUBJECT: INDEPENDENT REMUNERATION PANEL FOR WALES ANNUAL REPORT 2015/16

REPORT BY: ACTING DIRECTOR OF CORPORATE SERVICES AND SECTION 151 OFFICER

1. PURPOSE OF REPORT

- 1.1 To report the Independent Remuneration Panel for Wales' (the Panel) final determinations relating to councillors and co-opted members for 2015/16.
- 1.2 To seek decisions on certain aspects of the Members remuneration scheme for 2015/16.

2. LINKS TO STRATEGY

- 2.1 Members are entitled to receive remuneration prescribed by the Independent Remuneration Panel for Wales ("the Panel").

3. BACKGROUND

- 3.1 The Panel is a statutory body established by Welsh Government in January 2008 to determine the scope and salaries, allowances and expenses payable to Councillors and Co-opted Members.
- 3.2 The Local Government (Wales) Measure 2011 gave the Independent Remuneration Panel for Wales additional powers to prescribe Members remuneration. This was a significant change to the well established practice of Members determining their own scheme of allowances within the maximum sums prescribed by the Panel. The Panel subsequently received further powers following the introduction of the Local Government (Democracy) (Wales) Act 2013, including the ability to make recommendations about the pay of Heads of Paid Service for county and county borough councils and fire and rescue authorities. There are also proposals to further increase the powers of the Panel in the Welsh Government Devolution, Democracy and Delivery White Paper.
- 3.3 The Panel's draft determinations were presented to the Democratic Services Committee on 15 December 2014. The Democratic Services Committee noted the Panels draft determinations and welcomed the consistency of approach to this annual report and that no increases had been suggested. The Democratic Services Manager gave their feedback in response to the Panel's consultation exercise. There were no substantial changes in the Panel's final determinations. This report reflects the Panel's final determinations for 2015/16. A copy of their report is attached at Appendix 1.

4. PRESCRIBED SCHEME OF REMUNERATION 2015/16

- 4.1 The Independent Remuneration Panel for Wales is not suggesting any increases in payments made to Councillors and Co-opted Members for 2015/16.

5. BASIC SALARY

- 5.1 All Members are entitled to receive the Basic Salary. In view of the current public sector funding climate and the increase in the basic salary of 0.9% last year that Panel has determined that there shall be no increase in the basic salary. The proposed Basic Salary for 2015/16 remains at £13,300. The Panel also recognises that there is an unpaid public service contribution.

6. SENIOR SALARIES

- 6.1 Senior Salaries are payable to Members that hold certain prescribed roles and, for this authority are limited to a maximum of 18 posts. Senior Salaries are paid inclusive of the Basic Salary.

- 6.2 The Senior Salaries for 2015/16 remain the same as 2014/15 and are outlined below:

Role	Senior Salaries 2014/15 £
Leader	48,000
Deputy Leader	33,500
Cabinet Member	29,000
Committee Chairs (e.g. Scrutiny, Planning, Licensing, Audit, Democratic Services)	22,000
Leader of the Largest Opposition Group	22,000
Leaders of other Political Groups (not less than 10% of members). This is currently not payable due to the political make up of Council members.	17,000

- 6.3 The Council has two remunerated deputy leaders and therefore in order to comply with the Panel's determination, the difference between the senior salary for Deputy Leader and Cabinet member salary is divided and added to the basic Cabinet Member Senior Salary to give a salary of £31,250.
- 6.4 The Panel have stated that Senior Salaries of Council Leaders and Executive Members are based on the assumption that the roles are equivalent to full time. To underline this, the Panel have determined that the Leader, Deputy Leader or any Cabinet Member cannot also receive a salary from any National Park Authority or Fire and Rescue Authority to which they have been appointed. In addition, a Member cannot receive more than one Senior Salary (there are certain exceptions for Chairs of Joint Scrutiny Committees and their sub committees) nor a Senior Salary and a Civic Salary.
- 6.5 The Panel have determined that a Senior Salary must be paid to the Leader of the largest opposition group, subject to that political group having at least 10% of all Council members.

7. CIVIC SALARIES

- 7.1 Payments made to the Mayor and Deputy Mayor are also under the remit of the Panel but are not included as part of the Council's 18 Senior Salary posts. Civic Salaries are paid inclusive of the Basic Salary. In 2014 the Panel introduced greater local flexibility by introducing 3

levels of remuneration for the Mayor and Deputy Mayor roles. The flexibilities remain and Civic Salaries for 2015/16 remain the same as 2014/15 and are outlined below:

	Mayor	Deputy Mayor
Level 1	£24,000	£18,000
Level 2	£21,500	£16,000
Level 3	£19,000	£14,000

- 7.2 The Panel allow local determination for Civic Salaries as activity and responsibilities of the Civic Office holders vary greatly across the country. Last year the Council determined to pay Civic Office holders Level 2.

8. JOINT OVERVIEW AND SCRUTINY COMMITTEES

- 8.1 In July 2013, the Panel introduced senior salaries for chairs of joint overview and scrutiny committees, which is where two or more local authorities appoint a joint committee. It is a matter for constituent authorities to decide if they wish to award an additional payment to a chair of a joint scrutiny committee or sub committee and at which level the salary should be set. The Council of the Member elected as Chair must pay for the above allowances unless there is an agreement to apportion costs by the partner authorities. The Council is not currently paying any additional salaries for any joint committees, however the basis of the determinations made by the Panel are set out below for information.
- 8.2 Chairs of joint overview and scrutiny committees maybe remunerated in addition to the Council's 18 senior salaries. That said, it should be noted there is a statutory limit in place precluding no more than 50% of the Council's overall membership to be in receipt any type of senior salary. The Panel have determined that for 2015/16 senior salaries for chairs of joint overview and scrutiny committees remain aligned with payments to Committee Chairs, that is a senior salary of £8,700 (plus the basic salary of £13,300, giving a total of £22,000 as shown in the table at 6.2 above).
- 8.3 For 2015/16 chairs of joint scrutiny committees already in receipt of a senior salary for being a Committee chair, Leader of the largest opposition group Leader of other political groups can receive an additional payment of £4,350.
- 8.4 Likewise for 2015/16 chairs of a sub committee of a joint scrutiny committee can receive an additional payment of £2,175 (plus the basic salary). Chairs of a sub committee of a joint scrutiny committee already in receipt of a senior salary for being a Committee chair, Leader of the largest opposition group or Leader of other political groups can receive an additional payment of £1,090. A deputy chair of a joint overview and scrutiny committee is not eligible for payment. Payments to chairs of task and finish sub committees are to be pro-rated to the duration of the task. Co-opted members of a joint overview and scrutiny committee are not usually eligible for a fee.

9. PENSIONS

- 9.1 The Panel have reaffirmed the entitlement of elected members to join the Local Government Pension Scheme.

10. ENTITLEMENT TO FAMILY ABSENCE

- 10.1 Members are reminded that they are entitled to the following periods of family absence under the Family Allowance for Members of Local Authorities (Wales) Regulations 2013:

- **Maternity Absence** – Available to pregnant Members who can take an absence period of up to a maximum of 26 weeks beginning any time between 11 weeks before up to the date of childbirth.
- **Newborn Absence** – Available to a Member who is the father or, is married to, is the civil partner or is the partner of a child’s mother and expects to have the main responsibility for the upbringing of the child. Up to two consecutive weeks are available to be taken within 56 days following a child’s birth.
- **Adopter’s Absence** – Available to a Member who adopts a child. Up to two consecutive weeks are available to be taken within 56 days of a child being adopted.
- **New Adoption Absence** – Available to a Member who is married to, the civil partner or partner of a person adopting a child and expects to have the main responsibility for the upbringing of the child. Up to two consecutive weeks are available to be taken within 56 days of a child being adopted.
- **Parental Absence** – Available to a Member who has or expects to have responsibility for the care of a child and does not satisfy the criteria for Newborn Absence, Adopters Absence or New Adoption Absence. Up to three months can be taken in a single or a series of absences from the date a Member assumes responsibility for the care of a child under the age of 14 and ends 1 year later.

10.2 Members are entitled to retain their basic salary during any period of family absence irrespective of the attendance record immediately preceding the commencement of family absence. When a senior salary holder is eligible for family absence he/she will continue to receive the salary for the duration of the absence. Should a senior salary holder take a period of family absence, a substitute appointment can be made to that senior salary post and a senior salary paid (an addition is then allowed to the maximum number of senior salaries allowed for the duration of the substitution, the schedule of remuneration must be amended and the Panel must be informed.).

11. CO-OPTED MEMBER FEE PAYMENTS

11.1 The Council must make payments of fees to co-opted members with voting rights. Co-opted members can receive a payment for attending committee meetings, authorised training events, conferences, pre-meetings with officers, other formal meetings where co-opted members are requested to attend, travel time to and from a meeting and reasonable preparation time. Payments to co-opted members remain as a daily fee (with provision for a ½ day payment) and are set at the rates paid to members of Welsh Government Band 2 sponsored bodies.

11.2 The fees payable to co-opted members with voting rights remain the same for 2015/16:

Role	Fee
Co-opted Chair of Standards Committee and Audit Committees	£256 daily fee (£128 ½ day)
Co-opted Ordinary Member of Standards Committee who also Chair Standards Committees for Community Councils (Not applicable for Caerphilly)	£226 daily fee (£113 ½ day)
Co-opted Ordinary Member of Standards Committee, Education Scrutiny Committee, Crime and Disorder Scrutiny Committee and Audit Committee	£198 daily fee (£99 ½ day)

- 11.3 A full day is defined as a meeting lasting over 4 hours and a half-day as up to 4 hours. The Council must determine the maximum number of meetings co-opted members can be paid. To date the Council has determined that co-opted members can be paid for a maximum of 10 days per annum. Although co-opted members have never reached the maximum, the Standards Committee role has recently increased with the introduction of the Informal Resolution Protocol and could increase further due to their new role monitoring attendance of Members' mandatory training requirements. Officers will monitor the additional work and if required will present a further report recommending that the maximum cap is not included for Standards Committee Co-opted (lay) Members. The current 10 day maximum is currently still recommended.
- 11.4 An 'appropriate officer' must determine the preparation time available to co-opted members in advance of a meeting. In addition, travel time to and from meetings can be included in the claims made by co-opted members. The 'appropriate officer' must decide in advance of the meeting if the meeting is programmed for a full day and the co-opted member fee will be paid on the basis of this decision even if the meeting finishes before four hours has elapsed.
- 11.5 It is suggested that the Monitoring Officer acts as the 'appropriate officer' for co-opted members serving on the Standards Committee. The Internal Audit Manager acts as the 'appropriate officer' for co-opted members serving on the Audit Committee and the Head of Democratic Services acts as the 'appropriate officer' for members serving on the Education for Life Scrutiny Committee.

12. SUPPORTING THE WORK OF LOCAL ELECTED MEMBERS

- 12.1 The Panel expects every Member 'to undertake such training and personal development opportunities as are required to properly discharge the duties for which they are remunerated'. Members will be aware of the extensive training programme, which was agreed by Council and which will be reviewed shortly, and of the application for the WLGA Charter. This is in addition to the Annual training needs analysis and individual training requests, which are considered. The Council has committed valuable resources in this area to ensure that members receive suitable and appropriate training. A system of performance appraisals has also been introduced.
- 12.2 The Panel also makes a determination that each Council, through its Democratic Services Committee, must ensure that all its members are given as much IT and other support as is necessary to enable them to fulfil their duties effectively. The Council has also committed resources to ensure that members have options regarding IT support and adequate telephone/email facilities. The Council also provides Members with group rooms, meeting rooms and office equipment at Penallta House. Members will also be aware that the Council has invested in and implemented the Modern.Gov system to provide easier electronic access to Members and members of the public to all committee documents, It is hoped that the implementation of this new software will assist with reducing printing costs.
- 12.3 The Council has also made specific arrangements for any Members that have additional needs that may be linked to exceptional circumstances or for Members covered by the Equality Act 2010. This is in line with the Panel's recommendation that the support provided should take account of the specific needs of individual members. No deductions have been made from member's salaries by the Council to fund this support.

13. CARE EXPENSES FOR MEMBERS AND CO-OPTED MEMBERS

- 13.1 The Panel is keen to contribute to enhancing diversity in local government in Wales through its determinations, in particular in promoting the care allowance. The Council must provide for the reimbursement of necessary costs for the care of dependent children and adults (provided by informal or formal carers) up to a maximum of £403 per month. Reimbursement shall only be made for Members and Co-opted Members who have incurred such expenses whilst carrying out official business.

- 13.2 Care expenses shall only be payable for actual and receipted costs. The care allowance is intended to enable any person whose ability to participate as a member would be limited by their responsibilities as a carer.

14. TRAVEL AND SUBSISTENCE ALLOWANCES

- 14.1 The Panel are keeping the current HMRC mileage rates for 2015/16 for Councillors and Co-opted Members with voting rights:

By car up to 10,000 miles – 45p per mile
By car over 10,000 miles – 25p per mile
Passenger supplement – 5p per passenger per mile
Motor cycles – 24p per mile
Pedal cycles – 20p per mile

- 14.2 Mileage can be claimed when members are undertaking official business within and/or outside the Council's boundaries. In 2012, the Panel introduced an additional optional definition of 'official business' to allow for the reimbursement of travel claims for Members undertaking constituency business. Allowing travel claims for journeys made within Members wards is a matter for local determination. To date the Council made the decision not to allow such travel claims.
- 14.3 All other claims for travel such as bus/train/taxi fares must be accompanied by appropriate receipts showing the actual expense. Members should always be mindful of choosing the most cost effective method of travel. Members should also be aware that tickets for public transport can be organised by Democratic Services staff.

15. SUBSISTENCE ALLOWANCES 2015/16

- 15.1 The proposed subsistence allowances for 2015/16 for Councillors and Co-opted Members with voting rights are outlined below:
- 15.2 The maximum subsistence allowance for meals is set at £28 per day (including breakfast when not provided as part of overnight accommodation). This is paid as a reimbursement of actual costs for official business with receipts provided.
- 15.3 The allowances available for an overnight stay whilst undertaking an approved duty are set at £150 for London and £95 elsewhere with receipts to be provided. A maximum of £25 is available for an overnight stay with friends or relatives whilst on official business.
- 15.4 Democratic Services staff can arrange overnight stays for Members or Co-opted Members using the Council's existing frameworks.

16. FOREGOING PAYMENTS

- 16.1 Individual Members or Co-opted Members may forego any part of their remuneration entitlement by giving notice in writing to the Chief Executive.

17. IMPLEMENTATION

- 17.1 The Panel's determinations and recommendations contained in this report will take effect from the date of the Council's Annual General Meeting.

18. PERSONNEL IMPLICATIONS

18.1 There are no personnel implications associated with this report.

19. EQUALITIES IMPLICATIONS

19.1 An EqIA screening has been completed in accordance with the Council's Strategic Equality Plan and supplementary guidance and no potential for unlawful discrimination and/or low level or minor negative impact have been identified, therefore a full EqIA has not been carried out. In addition, the Panel considered equalities implications in relation to their determinations.

20. FINANCIAL IMPLICATIONS

20.1 Members' salaries and expenses will be funded from the Democratic Services budget. If the Panel's determinations are implemented there will be no additional costs for 2015/16.

21. CONSULTATION

21.1 There are no consultation responses that have not been reflected in the recommendations of this report.

22. RECOMMENDATIONS

22.1 It is recommended that:

22.2 The Council note and agrees to implement the determinations of the Panel including, the appropriate level of Senior Salaries, travel and subsistence allowances and fee payments to Co-opted Members.

22.3 The Council will use the Level 2 Civic Salaries of £21,500 for the Mayor and £16,000 for the Deputy Mayor for 2015/16 as stated at paragraph 7.1.

22.4 The Council agree that the maximum number of days payable to Co-opted Members of the Education for Life Scrutiny Committee and to co-opted (lay) members of the Standards Committee remains at 10 days per year as stated at paragraph 11.3.

22.5 The Council determine whether or not to continue not to allow travel claims for journeys made within Members' wards as stated at paragraph 14.2.

22.6 The Council agree that the Monitoring Officer acts as the 'appropriate officer' for co-opted members serving on the Standards Committee and the Head of Democratic Services acts as the 'appropriate officer' for members serving on the Education for Life Scrutiny Committee.

23 REASONS FOR THE RECOMENDATIONS

23.1 In order for the Council to comply with the Local Government (Wales) Measure 2011.

24. STATUTORY POWERS

24.1 Local Government and Housing Act 1989, the Local Government Act 2000, Local Government Wales Measure 2011, Local Government (Democracy) (Wales) Act 2013 and Family Absence for Members of Local Authorities Wales Regulations 2013. This is a Council function.

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Consultees: Chris Burns, Interim Chief Executive
Nicole Scammell – Acting Director of Corporate Services and Section 151
Officer
Cllr Christine Forehead – Cabinet Member for HR and Governance/Business
Manager
Cllr Colin Mann – Chair of Democratic Services Committee
Stephen Harris – Acting Head of Corporate Finance
Gail Williams – Interim Head of Legal Services and Monitoring Officer
Jonathan Jones – Democratic Services Manager
David Thomas – Senior Policy Officer (Equalities and Welsh Language)

Background Papers: Report to and Minutes of Democratic Services Committee on 15 December
2014

Appendix 1 Annual Report 2015/2016 of the Independent Remuneration Panel for Wales