

**A Review
Of
Members' Allowances
For
East Staffordshire Borough Council**

The Eighth Report

By the

Independent Remuneration Panel

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February 2023

EXECUTIVE SUMMARY

The IRP recommends that the Basic Allowance and SRAs are paid as set out in the table below

ESBC IRP Recommendations Allowances Review February 2023					
Post	Basic Allowance	Special Responsibility Allowance	No's Payable	Maximum Payable Per Member	Sub Totals
All Members	£5,242		37	£5,242	£193,954
Leader	£5,242	£19,489	1	£24,731	£19,489
Other Cabinet Members	£5,242	£8,858	5	£14,100	£44,290
Cabinet Support Member	£5,242	£4,429	1	£9,671	£4,429
Chair of Planning	£5,242	£7,441	1	£12,683	£7,441
Chair Licensing	£5,242	£6,495	1	£11,737	£6,495
Chairs of Scrutiny	£5,242	£3,897	3	£9,139	£11,691
Chair of Audit	£5,242	£3,897	1	£9,139	£3,897
Chair of Standards	£5,242	£1,557	1	£6,799	£1,557
Leader of Main Opposition Group	£5,242	£7,796	1	£13,038	£7,796
Leader of (Minority) Opposition Group (with at least 4 Members)	£5,242	£1,063	1	£6,305	£1,063
Sub Total Basic Allowance			37		£193,954
Sub Total SRAs			16		£108,148
TOTAL					£302,102

The IRP also recommends the following

The Basic Allowance inclusive of costs

That the Basic Allowance continues to be deemed to cover costs such as broadband, personal telephone and printing costs.

Other SRAs considered I – Members on the Planning & Licensing Committees

That the Members of the Planning and Licensing Committees are not paid an SRA.

Other SRAs considered II – Chairs of Working Groups

That the Chairs of Working Groups are not paid an SRA.

Co-optees' Allowances – the Standards (X 2 + 2) and Audit (X 2) Committees

That the Co-optees' Allowance remains at £233 per annum, subject to any applicable indexation going forward.

Subsistence Allowances

That the current rates payable for the Subsistence Allowances and the terms and conditions by which they may be claimed are maintained.

Travel Allowances

That the mileage allowance is not paid automatically in retrospect.

That the current rates payable for the Travel Allowances and the terms and conditions by which they may be claimed are maintained, with the addition of following clarification:

Where a Member is claiming mileage allowance by travelling in a hybrid or electric vehicles then the normal HMRC rates are applicable

The Dependants' Carers' Allowance (DCA)

That the DCA is maintained but amended to include the following clarifications:

That two different categories of care are recognised and payable as follows:

- Childcare - maximum hourly rate at National Living Wage (£10.42 from 1 April 2023)
- Elderly/disabled care – maximum hourly rate at the median hourly rate charged by Staffordshire County Council Social Services Department for a Home Care Assistant
- That a claim can be made for an informal babysitter as long as the carer is not a Member of the claimant's family, but receipts are still required.

Continuation of Indexation

That the following allowances are indexed:

- **Basic, Special Responsibility Allowances, Co-optees' Allowances:**
 - Indexed to the annual percentage salary increase for local government staff (at new spinal pay column 43)
- **DCA:**
 - Childcare - maximum hourly rate at National Living Wage (£10.42 from 1 April 2023)
 - Elderly/disabled care – maximum hourly rate at the median hourly rate charged by Staffordshire County Council Social Services Department for a Home Care Assistant

- **Travel Allowances:**
 - **Mileage:** indexed to the HMRC rates
 - **Other Travel:** actual costs subject to most cost effective provisions
- **Subsistence and Overnight Allowances (Outwith Borough Only):**
 - **Subsistence & Overnight Allowances:** indexed to the maximum rates payable under the Officers Subsistence Scheme.

The IRP also recommends that the refreshed authority for the indexation of allowances is to commence from 1st April 2023 and to run for 4 years, the maximum period permitted under the legislation at which point the Council is required to seek further advice from the IRP.

Maintaining the withholding Allowances system –with some amendments

That the current 2 tier system of withholding allowances, the 12th remuneration instalment withheld if 75% of meetings are not attended, and the 11th instalment withheld if 50% of meetings are not attended is maintained.

That the current definition of meetings to count against the attendance thresholds be maintained.

The Impact of Substitutes (Part 3a Section 7 of the Constitution)

That where a Member appoints a substitute to attend a meeting on their behalf if they are unable to attend then the meeting attended by the substitute should be counted against their attendance target and for the Member sending a substitute that the relevant meeting is discounted against their attendance target.

Adoption of a Parental Leave Policy

For clarification purposes regarding measuring attendance for a Member on parental leave the IRP recommends that

- Where a Member is on parental leave then they are exempt from the attendance targets and their Basic Allowance, and SRA if applicable, then the Member on parental leave should continue to be paid in full while the Member filling in shall also be paid the applicable SRA on pro rata temporary basis subject to the 1 SRA only rule
- Where a Member is filling in for another Member on parental leave and the Member on parental leave is in receipt of an SRA then the meetings attended by the Member filling in are counted towards their attendance targets

Implementation

That recommendations regarding the indexation of the Basic Allowance, SRAs, Co-optees' Allowance, Travel and Subsistence Allowances and the DCA from 1st April 2023.

All other recommendations, to be implemented from the date of the Annual Council Meeting on 19th May 2023.

East Staffordshire Borough Council

Independent Remuneration Panel

A Review of Members' Allowances

The Eighth Report

February 2023

The Regulatory Context and Terms of Reference

1. This report contains the recommendations arising out of the independent review, carried out January – February 2023, of Members' Allowances for East Staffordshire Borough Council by the Council's statutory Independent Remuneration Panel ('IRP' or 'Panel'). It also lays out the deliberations of the IRP so as to show elected Members, Officers and the public the rationale for the IRP's recommendations or where relevant non-recommendations.
2. The IRP was convened under The Local Authorities (Members' Allowances) (England) Regulations 2003 (SI 1021) (the 2003 Regulations). These regulations, arising out of the relevant provisions in the Local Government Act 2000, require all local authorities to maintain an independent remuneration pane to review and provide advice on the Council's Members Allowances. This is in the context whereby the Council retains powers to determine the scope and levels of Members' Allowances.
3. All Councils are required to convene their IRP and seek its advice before they make any changes or amendments to their members' allowances schemes and they must 'pay regard' to the IRP's recommendations before setting a new or amended members' allowances scheme.
4. In this particular instance, the IRP has been reconvened under the 2003 Regulations [paragraph 10. (5)] which states:

Where an authority has regard to an index for the purpose of annual adjustment of allowances it must not rely on that index for longer than a period of four years before seeking a further recommendation from the independent remuneration IRP established in respect of that authority on the application of an index to its scheme.

5. This provision, known as the '4-year rule', is utilised to oblige all Councils to reconvene their independent remuneration panels at least every four years so that, in a context where councils retain final responsibility for determining their own allowances, they are subject to periodic scrutiny and accountability. It is under the requirement of the 4-year rule that the IRP has undertaken this review of Members' Allowances for East Staffordshire Borough Council.

Terms of Reference

6. As agreed by the Council on 12th December 2022, the IRP was given the following terms of reference; namely:
 - a. To make recommendations on the allowances currently payable under the Councils' Members' Allowances scheme;
 - b. To make recommendations on any other allowances which the IRP considers should be payable under the scheme;
 - c. To consider the success of the measures introduced in 2015 on member attendance and to make any further recommendations
 - d. Any other matters on which the IRP considers it necessary to make recommendations;
 - e. The scheme should be transparent, economic, efficient and effective to administer and easy to explain and justify to the local communities in the Borough.

The IRP

7. The East Staffordshire Borough Council Independent IRP was reconvened, constituting of the following reappointed Members:
 - Simon Chapman
 - Managing Director of a local business. Simon is also Vice President of the Burton-upon-Trent Chamber of Commerce, former president of the Chamber of Commerce and past Chair of the local Roundtable.
 - Declan Hall PhD (Chair)
 - A former academic at the Institute of Local Government, the University of Birmingham and now independent consultant specialising in members' allowances and who was appointed by the Council as Chair of the Panel
 - Shaid Hussain
 - A local businessman and a resident of the Borough. Shaid is also a volunteer for Staffordshire police, active in local community groups and a former a school governor of a local school
 - Paul Laffey

Chief Executive of Burton & District YMCA, a resident of the Borough. Paul is also on the National Board of YMCA England and Wales YMCA)

8. The IRP was supported by Andrea Davies, Principal Democratic Services Officer.
9. The IRP would like to record its gratitude to the Members and Officers of East Staffordshire Borough Council for making themselves available to meet with the IRP and ensuring the work of the IRP was carried out in an efficient and effective manner.

Process and Methodology

10. The IRP met at the Town Hall, Burton upon Trent, on the following dates:
 - 11th January 2023
 - 12th January 2023
11. The IRP meetings were held in private session to enable the IRP to talk with Members and Officers and to conduct its deliberations in confidence.
12. In arriving at its recommendations, the IRP took into account *inter alia* the following range of evidence:
 - Relevant information on East Staffordshire Borough Council including previous IRP reports, a schedule of meetings (2022/23) for the Council, committees and sub committees, their terms of reference (Part 3 of the Constitution) and who chairs them, Member attendance analysis for municipal years 2019/20, 2020/21 and 2021/22 Council, committees and main sub-committees;
 - The views of Members who met with the IRP plus those who made written submissions;
 - Officer briefings on the developments in Council structures and to answer factual questions from the IRP;
 - The range and level of allowances payable in the comparator group of authorities utilised for benchmarking purposes, namely
 - East Staffordshire Borough Council CIPFA 8 'Nearest Neighbours'
 - The 5 other Staffordshire District Councils;¹
 - Other relevant supporting material such the 2003 Members Allowances Regulations, 2006 Statutory Guidance on Members Allowances, and a presentation made by IRP Chairman on issues and options to consider when reviewing allowances.

¹ CIPFA - Chartered Institute of Public Finance & Accountancy that for benchmarking purposes assigns all councils a set of 'near neighbours' based on a standard set of socio-economic data. Cannock Chase falls within both sub-sets of benchmarking groups, so the total number of benchmarked councils was 15 including East Staffordshire Borough Council.

13. For details of whom the IRP met and full range of information reviewed see:
- Appendix 1 for Members and Officers who met with the IRP
 - Appendix 2 for a list of the full range of evidence considered by the IRP
 - Appendix 3 for more details on the other allowances schemes and comparative data referred to by the IRP for benchmarking purposes

Key Messages and Observations – Function of Allowances schemes

14. There was a minority view expressed to the IRP that the current allowances do not attract people to stand for Council. Indeed, this is the case, but then the intention behind allowances schemes is not to attract people to become Members but to enable most people to become a Member without incurring undue personal cost.
15. Going back to the White Paper “Modern Local Government:: In Touch with the People”², which sets out the policy intent of the measures laid out in the Local Government Act 2000, which in turn mandate the executive governance model of local government that East Staffordshire Borough Council operates, it states (paragraph 3.54):

The financial support for councillors must also reinforce the culture of the modern council and address, as far as possible, any disincentives to serving in local politics. People do not enter public service to make their fortune. But neither should they pay a price for serving the public.

16. Consequently, the purpose of Members’ Allowances is not to necessarily attract people to become elected Members, regardless of the fact to do so they would have to be at such a level to be politically unacceptable but rather to enable people to be an elected Member without incurring undue personal financial cost. In the representation received the majority view was that the current levels of allowance by and large fulfil that function.

Cost of living crisis eroding the value of allowances

17. It was pointed out to the IRP that the current cost of living crisis, with inflation sitting at over 10%, means that the value of allowances is being eroded. The IRP acknowledges that this indeed is the case. However, the cost of living crisis and high inflation affect everyone across society, including Officers’ salaries and earnings of Members’ constituents. As such, the current cost of living crisis and high inflation has not been a consideration for the IRP.

² Department of the Environment, Transport and the Regions, 30th July 1998

Benchmarking – shows a comparatively higher paying Allowances Scheme

18. A minor theme coming out of the representation received was that allowances at East Staffordshire Borough Council should be comparable with similar authorities. The IRP has undertaken a benchmarking exercise, against the five other Staffordshire District Councils plus East Staffordshire Borough Council's eight nearest neighbours as defined by the Chartered Institute of Public Finance and Accountancy (CIPFA) – see Appendix 3 for summary. What the benchmarking shows is that the East Staffordshire Borough Council Members' Allowances Scheme is a comparatively high paying one for the allowances that are payable.
19. Historically it has always been the case that the East Staffordshire Borough Council Members' Allowances Scheme has been a comparatively high paying one. The fact that it is comparatively high shows that allowances can be seen as an enabler rather than a disincentive to serve on the Council.
20. It should also be pointed out the comparatively high paying allowances are partly a function of the model of remuneration in East Staffordshire Borough Council, namely a comparatively limited number of SRAs are payable. In many other benchmarked Councils while they may pay a lower Basic Allowance in particular, they also pay far more SRAs which in effect ensures that the vast majority of elected Members receive an SRA thus boosting their 'base' remuneration. Moreover, there are at least three Councils in the benchmarking group (Ashford, Bassetlaw and Chorley) where Members are permitted to be paid more than one SRA, which is another way of boosting remuneration for post holders. Finally, not all the schemes from the benchmarked Councils, nine in total have published their allowances schemes for 2022/23. Once they do publish their schemes for 2022/23 nearly all of them will show an increase of 4.04% as the indexation for that year will be applied. In this context the East Staffordshire Borough Council allowances scheme does not look as comparatively high as it currently does.
21. The IRP has always been content with recommending comparatively high SRAs in most instances as it has also been cognisant of the 2006 Statutory Guidance which states that an SRA should be paid for "significant" responsibility.
22. Regardless, while the comparatively high paying allowances scheme in East Staffordshire Borough Council shows it is in all likelihood fulfilling the function of being an enabler is also a reason not to increase the current set of allowances payable.

Representation generally supportive of current allowances framework

23. First of all the IRP would like to acknowledge the high level of engagement in the review by elected Members through their great deal of oral and written submissions. It ensured the work of the IRP was well informed by the views of Members.

24. In regards to the representation received there was a clear majority view expressed to the IRP that the allowances scheme had stood the test of time. The current allowances scheme had broad acceptance, including maintaining the withholding of the 12th and 11th monthly Basic Allowance payment where the attendance thresholds have not been met
25. There was also a minority secondary view that even where there is a case to increase allowances, particularly the Basic Allowance that the IRP had to be mindful of the broader and Council's current economic context. Ideally, the prime role of the IRP is to assess what it judges the roles and posts under review are worth based on the evaluation of the evidence. Yet, the IRP, as the mechanism by which public scrutiny is brought to bear upon Members' Allowances, has to be cognisant of the pressures on public sector finances with East Staffordshire Borough Council having made savings and seeking further savings in the next few years. This was a message that was underlined in the representation received even by many of those who felt there may be a strong case to increase allowances. It was a message the IRP took on board and as such the recommendations going forward will actually result in some very minor savings.
26. There was also a minority view that the allowances should be reduced. However, as this was not the majority view the IRP has not taken this view on board. Moreover, there was also a view presented to the IRP that the allowances paid to Members should be related to the number of Committees a Member serves on. Again, the IRP has not taken this view on board as it runs the risk of falling foul of the advice in the 2006 Statutory Guidance and 2001 Regulations. Moreover, it would lead to a scheme that would be cumbersome to administer and run counter the IRP's terms of reference.
27. As such, the primary role of the IRP in this review has been to address anomalies in the allowances scheme that have arisen out of changes in Council structures and their operation and to evaluate the success of the withholding of the allowances for not reaching the attendance threshold arising out the previous review and whether it needs revision while as continuing to be mindful that the scheme was still fair, administratively efficient and transparent.

Triangulating the Basic Allowance

28. The IRP has, in the interests of transparency and robustness, laid out its deliberations regarding the current (£5,242) Basic Allowance. It has done this not only to show the Council the IRP has been diligent in listening to Members views but has taken seriously its remit regarding public accountability, namely that the Basic Allowance is currently set at a fair level, is comparable to peer councils and represents value for money while fulfilling its function as an enabler.
29. Consequently, the IRP has triangulated the Basic Allowance as follows:

- **Recalibrating the Basic Allowance**

- **Weighing up the view of Members and governance changes since the previous review**
- **Putting the current Basic Allowance in a comparative context**

Recalibrating the Basic Allowance

30. The methodology on which the current Basic Allowance is based followed the approach laid out in the 2006 Statutory Guidance that mandates IRPs to consider states the following (paragraph 67):

Having established what local councillors do, and the hours which are devoted to these tasks the local authorities will need to take a view on the rate at which, and the number of hours for which, councillors ought to be remunerated.

31. This advice can be broken down into 3 variables when arriving at a recommended Basic Allowance namely:

(I) Time required carrying out the roles of the ordinary Member

32. The Basic Allowance is primarily a time based allowance in that it is designed to provide a degree of recompense for much of the time Members are required to put into the roles that are common to all, such as preparing and attending meetings, representing local constituents and communities, etc. Historically the IRP assessed the average weekly time commitment at a minimum of 10 hours per week, 520 hours per year.
33. The IRP notes that in 2018 the Councillors Census by the Local Government Association (LGA) shows that on average Members in district councils who hold no position of responsibility report putting in on average 14.3 hours per week. In interviews with Members the IRP tested out what time they would expect a backbencher to put in on average per week on all their Council and constituent related duties. The responses varied from 5 to 30 hours per week but there was a distinct preference for the range of 10-15 hours per week.
34. The IRP considered whether following a Local Government Boundary Review the fact that the number of Members will from May 2023 decrease from 39 to 37 will have an impact on Members workloads. In the feedback received the response was patchy. It will impact for some Members who are having their wards expanded but across the board the impact will be marginal. Nonetheless, it is still a minor argument to marginally increase the expected time input from the historical figure of 10 hours per week.
35. In reassessing the required time input for recalibrating the Basic Allowance the IRP has opted for an average of 12 hours per week input. It more closely reflects the feedback from the interviewees. Moreover, the IRP has marginally discounted the Councillor Census figure of 14.3 hours per week as it includes responses from Members who have the capacity to put in more than what is required from a backbencher thus upwardly skewing the average. Members can often put in what they are able to rather than what is required.

36. The IRP has converted this reassessed time input of 12 hours per week to 78 days per year, based on an 8 hour working day when spread over 52 weeks per year.

(II) Recognising the Public Service Principle

37. There is a requirement to build in the public service principle into the Basic Allowance. The 2006 Statutory Guidance (paragraph 68) states that

It is important that some element of the work of members continues to be voluntary – that some hours are not remunerated.

38. Typically this voluntary principle is recognised by discounting a proportion of the time assessment required from all Members for their common roles, often known as the “Public Service Discount (PSD).” In its original methodology in 2002 the IRP set the PSD at one third, or 173 hours. Thus, in 2002 out of the 520 hours per year input 173 hours was deemed to be ‘voluntary’.

39. At the time a one third PSD was the commonly applied public service discount. However, since then there has been a divergence in that in principal Councils tend to keep to 30-35% public service discount while district councils typically opt for a higher public service discount, normally around 40-45%. This is done as the public service discount is often conceptualised as the amount of a backbencher’s time that is spent dealing with local constituents, ward issues and local community groups. As such Members of district councils, due to their closeness to their constituents and the nature of the services a district council delivers spend more time than for example County Councillors dealing with constituents, ward issues and local community groups. Thus, for recalibrating purposes the IRP has increased the public service discount from one third to 40%

40. Consequently, by discounting the expected input of 78 days per year by 40% (31.2) it leaves 46.8 remunerated days per year.

(III) Rate of Remuneration

41. Again, in accordance with the Statutory Guidance (paragraph 69) the IRP settled upon an appropriate rate of remuneration for the remunerated time. In 2002, the last time it was revisited, the IRP chose the GB gross mean hourly wage rate for all full-time employees, which at the time was £11.35 per hour. The Local Government Association used to issue guidance to IRPs on an appropriate rate of remuneration which in 2002 was the equivalent of approximately £14-£15 per hour and based on mean male non-manual wage rate. The IRP felt this rate was hard to justify and in the absence of any other available figures it felt that broader GB mean figure was more robust.

42. However, the Office of National Statistics through its publication of Annual Survey of Hours and Earnings (ASHE) now produces average earnings on a local authority basis. Since this development (around 2011) IRPs when arriving at a recommended rate of remuneration has adopted their relevant local

authority based average earnings. This has the advantage of rooting the recommended Basic Allowance in average earnings of those represented by Members, i.e., their constituents, thus being the most robust figure available. It also enables Members to justify their Basic Allowance to their constituents by pointing out it is related to their average earnings, thus being defensible.

43. ASHE Table 8.2a shows that the median weekly earnings (excluding overtime) of all full-time employees resident in the Borough to be £569.60 (November 2022). The IRP has converted this to a day rate of £113 per week, (£569.60 divided by five working days and rounded down to the nearest £0).
44. The IRP then took the three variables set out above and put into the standard formula to arrive at the recalibrated Basic Allowance as follows:
- (Time for the job minus the Public Service Discount) multiplied by the rate of remuneration
 - = 78 days per year – 40% PSD (leaving 32.2 voluntary days)
 - = 46.8 remunerated days X £113 per day
 - = £5,288
45. The difference between the current Basic Allowance (£5,242) and the recalibrated Basic Allowance (£5,288) is so marginal as not to make a meaningful difference. Moreover, it shows that the current Basic Allowance has not lost relative value since it was originally set in the 2002.

Benchmarking the Basic Allowance

46. While recalibrating the BA in accordance with the Statutory Guidance shows a very limited case for revision the benchmarking data is less convincing. Benchmarking shows that in the comparator group of councils that the current ESBC Basic Allowance (£5,242) is marginally above peers.
- Mean BA in benchmarking group £4,732
47. However, as previously noted this benchmarked mean Basic Allowance does not include 9 comparator councils that have not published their 2022/23 indexed allowances scheme yet and it is the context whereby all other comparator councils pay more SRAs than in East Staffordshire Borough Council. The IRP is content that benchmarking does not show a case to revise the Basic Allowances for reasons outlined above in the section on benchmarking.

The views of Members

48. Similarly, the general consensus arising from the representations made by Members was that the current Basic Allowance was fair and appropriate – while it was not sufficient to attract people to become an elected Member it enabled most people to do so without suffering undue financial costs both in

terms of a fair recompense of the remunerated portion of their time and expenses that Members incur for which they are not otherwise recompensed.

49. It is noted that there was a minority view that the current Basic Allowance should be decreased. But it is also noted that this view was very much a minority view. Conversely there was also a somewhat larger view although still very much a minority view that the Basic Allowance should be increased to attract people to become an elected Member. However as mentioned above that is not the function of Members' Allowances.
50. Thus, through the triangulation process the weight of evidence suggests that there is a stronger case to maintain the current Basic Allowance.
51. **Thus, the IRP recommends no change to the current Basic Allowance (£5,242) payable in East Staffordshire Borough Council, subject to any applicable indexation going forward.**
52. **The IRP also recommends that the Basic Allowance continues to be deemed to cover costs such as broadband, personal telephone and printing costs.**

The Leader's SRA

53. Currently the Leader receives an SRA of £19,489, which was originally set in 2002 by utilising a basket of approaches, time-based, analogy and the factor approach. Benchmarking shows that it is noticeably higher than peers where the mean SRA for Leaders is £15,776.
54. On the other hand, in the representation there was a significant minority view that the Leader's SRA should be increased largely on the grounds that it was a full-time role. The IRP has always taken the view that the role of Leader required a substantial time commitment that precludes full time employment in the normally accepted sense of the term. However, the IRP also has never seen it as a full-time role, requiring a Leader who is a professional full time post holder. It is very rare for a Leader at a district council to be seen as full time and the IRP received no evidence to change this position.
55. The majority view in the representation received supported no change in the current SRA for the Leader. Regarding the SRA being higher than most peers the IRP noted that the size of the Cabinet in East Staffordshire Borough Council is smaller than in most of the comparator councils which in turn means the Leader has a larger corporate responsibility than most peers. Moreover, the SRA for the Leader was reduced in 2019 review and the IRP could see no reason to reduce it further. As such the IRP decided not to change the SRA for the Leader.
56. **The IRP recommends that the SRA (£19,489) for the Leader remains unaltered subject to any applicable indexation going forward.**

The SRAs for the Cabinet Members (X 5)

57. Currently the SRA for the 5 other Cabinet Members is £8,858 that was set in accordance with the advice from the 2006 Statutory Guidance by assessing the roles at 45% of the Leader's role, known as the pro rata approach. Benchmarking shows that the mean SRA paid to Cabinet Members in the comparator group of councils to be £6,917. Benchmarking also shows that the mean SRA for other Cabinet Members is 44% of the mean SRA for Leaders, thus the methodology is in line with the comparator councils.
58. However, as noted above, the size of the Cabinet in East Staffordshire Borough Council is typically smaller than in the comparator group of councils. Similarly, their SRA was reduced in 2019. Finally, the overwhelming view of the representation received supported no change to the SRA for the Cabinet Members.
59. **The IRP recommends that the SRA for the 5 other Cabinet Members remains unaltered at £8,858, subject to any applicable indexation going forward.**

The SRA for the Cabinet Support Member

60. Currently, the single Cabinet Support Member receives an SRA of £4,429, which was set at 50% of the Cabinet Members SRA. Benchmarking shows that equivalent posts are paid an average SRA of £3,377. It also shows that the mean SRA for the Cabinet Support Members has been set at 49% of the mean SRA paid to other Cabinet Members, thus the methodology is in line with comparator councils. Also, in all other cases (5 other councils in the comparator group pay a similar post) there are more Cabinet Support Members. Moreover, the vast majority of the representation supported the current SRA payable.
61. **The IRP recommends that the SRA for the Cabinet Support Member remains unaltered at £4,429, subject to any applicable indexation going forward.**

The SRA for Chair of Planning Applications Committee

62. Currently the SRA for the Chair of the Planning receives an SRA of £7,441 which was originally set at 35% of the Leader's SRA, this ratio has increased to 37.5% after the reduction of the Leader's SRA in 2019 (most other SRAs have been reset since then). Benchmarking shows that the mean SRA paid to Chairs of Planning Committees in the comparator group of councils to be £4,951. It also shows that the mean SRA for Planning Chairs is set at 31% of the mean SRA for the Leaders, so the current ratio in East Staffordshire Borough Council is somewhat high as well. However, it is noted that in East Staffordshire Borough Council unlike the majority of the comparator councils there is no SRA paid to the Planning Vice Chair.

63. No evidence was received that that the current SRA (£7,441) for the Chair of the Planning Committee requires revising, it remains a high profile committee that meets monthly and the meetings require sensitive handling by the Chair. The representation received generally supported no change to the current SRA.
64. **The IRP recommends that the SRA for the Chair of the Planning Committee remains unaltered at £7,441, subject to any applicable indexation going forward.**

The SRA for the Chair of the Licensing Committee

65. Currently the Chair of the Licensing receives an SRA of £6,495 that was set at one third of the Leader's SRA. Benchmarking shows similar posts are paid on average an SRA of £2,824, with a mean ratio of 18%. In fact the SRA for the East Staffordshire Borough Council Chair of Licensing is the highest in the benchmarking group.
66. However, the Vice Chair of Licensing is not paid an SRA which is the case of 8 of the comparator group of councils nor is a specific SRA paid to Chairs of Licensing Sub-Committees, which occurs in 4 of the comparator councils.
67. Furthermore, the role of the Licensing Committee Chair is unusual in East Staffordshire Borough Council, which impacts on the role of the Chair of the Licensing Committee. The Licensing function is discharged by three distinct Committee/Sub-Committees
 - The Licensing Committee – responsible for all licensing matters but it delegates many functions to its Sub-Committees and deals with setting licensing policies and residual miscellaneous licensing matters such as street markets, food premises and pet shops, etc. It has 11 Members and has over the past 3 years met on average 4 times per year.
 - Licensing General Sub-Committee – responsible for taxi licenses. It has six Members drawn from the full Licensing Committee and has 12 scheduled meetings per year although over the last 3 years it has met on average 9 times per year.
 - Licensing & Gambling Acts Sub-Committee – responsible for alcohol and gambling premises licensing, often to deal with appeals. They consist of any three Members drawn from the full Licensing Committee and meet as required; over the past three years they have met on average 4 times per year.
68. Thus a lot of the work of licensing is conducted through the Sub-Committees. The Licensing Committee generally appoints the Chair as the Chair of the Licensing Sub-Committees subject to availability and conflicts of interest. Nonetheless, the Licensing Committee Chair has in fact chaired all the 3 Licensing Committee/Sub-Committee meetings over the past 3 years apart from 3 occasions. This is not a requirement but it partially follows good practice

and partially is a choice of the Chair of the full Licensing Committee. Nonetheless, the Chair of Licensing is now chairing as many meetings, if not more, as the Chair of Planning, although many of the Sub-Committee meetings are shorter in length.

69. Regardless, what the above analysis shows is that the Chair of Licensing takes on 3 chairing roles unlike in most of the comparator councils. Moreover, in the representation received the majority view was not to change the SRA for the Chair of the Licensing Committee. The IRP takes the view that the current SRA is still appropriate.
70. **The IRP recommends that the SRA for the Chair of the Licensing Committee remains unaltered at £6,495, subject to any applicable indexation going forward.**

The SRA for the Chairs of the Scrutiny Committees (X 3)

71. Currently the Chairs of the 3 Scrutiny Committees receive an SRA of £3,897 that was set at 20% of the Leader's SRA. Benchmarking shows equivalent roles receive on average an SRA of £3,400, with a mean ratio of 22% of the Leaders mean SRA in the comparator group of councils.
72. Benchmarking shows little meaningful difference in the level of SRAs paid to the Chairs of the East Staffordshire Borough Council Scrutiny Committees and that paid in the comparator groups, nor is the ratio utilised in arriving at the SRAs for East Staffordshire Borough Council Scrutiny Chairs significantly different the mean ratio. This is appropriate as most of the comparator group of councils will have a similar number of Scrutiny Committees. Moreover, the marginally higher SRA for Scrutiny Chairs in East Staffordshire Council is in a context whereby 4 of the comparator councils also pay an SRA to Scrutiny Vice Chairs, six comparator councils also pay a higher SRA (on average £4,319) to Chairs of Main Overview and Scrutiny Committees, with 5 of those councils also paying an SRA to Vice Chairs of Main Overview and Scrutiny Committees. In this context the marginally higher SRA paid to Scrutiny Chairs in East Staffordshire Borough Council is negated by the payment of more SRAs to support the Overview and Scrutiny function in the comparator councils. Finally, in the main the representation received supported the continuation of the current SRA for the Chairs of the 3 Scrutiny Committees.
73. **The IRP recommends that the SRA for the 3 Chairs of the Scrutiny Committees remains unaltered at £3,897, subject to any applicable indexation going forward.**

The SRA for the Chair of the Audit Committee

74. Currently, the Chair of the Audit Committee receives an SRA of £3,897, which was set at 20% of the Leader's SRA. Benchmarking shows that the mean SRA paid to equivalent post holders is £3,261, with a mean ratio of 21%. Again, it is noted that 7 of the comparator group of councils also pay an SRA to their Vice

Chairs of Audit, with a mean SRA of £1,334. In this context the financial support provided to the Chair of Audit at East Staffordshire Borough Council is less than in the comparator councils. It is even more so considering that the Chair of Audit also chairs the Audit Statement of Accounts Committee. Moreover, in the representation received generally supported no change to the current SRA paid to the Chair of the Audit Committee.

75. **The IRP recommends that the SRA for the Chair of the Audit Committee remains unaltered at £3,897, subject to any applicable indexation going forward.**

Chair of the Standards Committee

76. Currently the Chair of the Standards Committee receives an SRA of £1,557 originally set at 5% of the Leader's SRA but in 2019 it was reset at 8% of the Leader reduced SRA after consideration of benchmarking. Benchmarking shows the mean SRA paid to Chairs of Standards Committees is £2,355, with a mean ratio of 15%, but only 5 other councils have and remunerate a Chair of a Standards Committee as it is no longer a statutory requirement to have one.
77. However, it is noted that elsewhere Standards will occasionally have additional functions such as in South Staffordshire, which combines Resources with its Standards Committee. In East Staffordshire Borough Council the Standards Committee has responsibility for the Code of Conduct, maintaining Member Standards and hearing any complaints against Members where a hearing is required. It is scheduled to meet as a full committee 4 times per year but many are often cancelled due to lack of business and a Standards hearings panel meets when necessary on average at least once a year to hear a complaint where the Standards Chair also chairs a hearing. Moreover, in the representation received the strongly majority view was not to change the SRA for the Chair of the Standards Committee.
78. **The IRP recommends that the SRA for the Chair of the Standards Committee remains unaltered at £1,557, subject to any applicable indexation going forward.**

Leader of the Main Opposition Group

79. Currently the Leader of the Main (Labour) Opposition Group receives an SRA of £8,858 that has historically been linked to the SRA paid to other Cabinet Members, currently 45% of the Leader's SRA. Benchmarking shows that the mean SRA paid to Leaders of Main Opposition Groups is £4,586, with a mean ratio of 29%. In fact the Leader of the Main Opposition Group in East Staffordshire Borough Council is the highest paid in the benchmarking group. It is the biggest comparative outlier of all the SRAs paid in the Borough.
80. The IRP explored why the SRA for the Leader of the Main Opposition Group has historically been linked to that paid to other Cabinet Members. It relates partly back to when the new executive structures were put in place and the

advice to ensure that the Opposition was adequately resourced and at the time the size of the Main Opposition Group was larger than it is now.

81. In the representation received there was a significant minority that questioned the current level of the SRA payable to the Leader of the Main Opposition Group, largely on the grounds that the role cannot have the same level of workload and responsibility as Cabinet Member. The IRP does not fully accept this argument. The workload of the Main Opposition Group Leader can be similar to that of other Cabinet Members, for instance the post holder is automatically put on some Working Groups, meets with the Leader and Chief Executive regularly as well as being in regular contact via email. They also have a responsibility to provide the main opposition to the administration which means keeping up to date with developments in local government and recent legislation, plus there is also the group leadership role.
82. However, the IRP did accept that the Leader of the Main Opposition Group does not have the same level of responsibility as the other Cabinet Members. The latter have executive decision making powers while the former does not. On constitutional grounds alone there is a difference in their levels of responsibility. Consequently, the IRP has decided to reset the SRA for the Leader of the Main Opposition Group at 40% of the Leader's SRA, which equates to £7,796. This still leaves the Leader of the Main Opposition Group at East Staffordshire Borough Council the highest paid Main Opposition Group Leader in the benchmarking group.
83. **The IRP recommends that the SRA for the Leader of the Main Opposition Group is reset at 40% of the Leader's SRA (£19,489) which equates to £7,796, subject to any applicable indexation going forward.**

Leader of a Minority Group – with 10% of Council Membership

84. There is provision in allowances scheme for an SRA (£1,058) for a Leader of a Minority Group if the group has 10% (4) of Council membership. Currently this SRA is payable as there is a Minority Group that meets the qualifying threshold. The SRA was originally set at 5% of the Leader's SRA but is now 5.5% of the Leader's SRA after the reduction in the latter's SRA. Benchmarking shows that equivalent posts are paid a mean SRA of £1,738, with a mean ratio of 11%. However, it should be noted that where Leaders of Minority Opposition Groups are remunerated in the comparator councils they are typically larger than in East Staffordshire Borough Council.
85. There was a significant minority view questioning the validity of this SRA, and whether it should be paid at all. This is one reason why the IRP set a qualifying criteria of requiring 4 Members for the SRA to be applicable, despite the fact that the law permits a group to be formed by 2 Members, the IRP took the view that a group of 4 is significant enough to merit an SRA for a Leader of a Minority Opposition Group to be paid. It accepts that the role relatively limited, which is one reason it is the lowest SRA paid in East Staffordshire Borough Council but there is a role nonetheless, for instance the post holder is invited to sit on the Constitution Working Group. This is addition to receiving briefings

from the Chief Executive when relevant and providing an alternative opposition view to the administration. As such, the IRP decided that the SRA for the Leader of Minority Opposition Group should be maintained at its current level.

86. **The IRP recommends that the SRA for a Leader of a Minority Group remains unaltered at £1,058 – subject to meeting the qualification criteria of four Members and to any applicable indexation going forward**

Other SRAs considered I – Members on the Planning & Licensing Committees

87. The IRP received representation that the Members of the Planning and Licensing Committees should receive an SRA on the grounds that they attend more meetings than Members who sit on neither Committee. The IRP accepts that Members of the Planning Committee attend more formal meetings than Members of other committees, particularly once site visits are taken into account. The situation is not quite the same for Members of the Licensing Committee as the 2 Sub-Committees consist of 3 Members drawn from the parent Committee and therefore the workload is spread out more, although it is also recognised that some Licensing Committee Member shoulder a greater workload on the Licensing Sub-Committees, than others.
88. However, it is also noted that other Members will attend other mostly informal meetings that are not specifically recognised through additional remuneration whether that is sitting on Working Groups or for the Members of the Scrutiny Committees sitting on Scrutiny Review Groups. To pay an SRA for the Members sitting on the Planning and Licensing Committees would undervalue the more informal work of other Members of the Council. Furthermore, it is noted that in the benchmarking group, only 2 councils pay an SRA to their Planning Committee Members and none remunerate Members of their Licensing Committees.
89. Finally, the IRP has always been cognisant of the 2006 Statutory Guidance (paragraphs 72-73) that states:

If the majority of members of a council receive a special responsibility allowance the local electorate may rightly question whether this was justified. Local authorities will wish to consider very carefully the additional roles of members and the significance of these roles, both in terms of responsibility and real time commitment before deciding which will warrant the payment of a special responsibility allowance.

It does not necessarily follow that a particular responsibility which is vested to a particular member is a significant additional responsibility for which a special responsibility allowance should be paid. Local authorities will need to consider such particular responsibilities very carefully. Whilst such responsibilities may be unique to a particular member it may be that all or most members have some such responsibility to varying degrees. Such duties may not lead to a significant extra workload for any one particular member above another. These sorts of responsibilities should be recognised as a

time commitment to council work which is acknowledged within the basic allowance and not responsibilities for which a special responsibility allowance should be recommended.

90. If the IRP was to recommend an SRA for Members of the Planning and Licensing Committees it would be in breach the Statutory Guidance by putting way more than 50% of Members in receipt of an SRA. Moreover, as the Statutory Guidance recognises, there will be inevitably a variation in the workloads of Members but that in itself is not necessarily a reason to recommend a SRA.
91. **Therefore, at this juncture, the IRP is recommending that the Members of the Planning and Licensing Committees are not paid an SRA.**

Other SRAs considered II – Chairs of Working Groups

92. The IRP also received representation to consider whether an SRA should be paid to Chairs of Working Groups as occasionally they can carry on for a long time involving a lot of meetings. The IRP noted that a long term Working Group was the exception rather than the rule; Officers also sit on Working Groups and in the main Cabinet Members will chair Working Groups. **The IRP did not consider the issue to be significant enough to recommend an SRA for Chairs of Working Groups so is making no recommendation in this regard.**

Co-optees' Allowances – the Standards (X 2 + 2) and Audit (X 2) Committees

93. The Council appoints 4 Co-optees to the Standards Committee (2 parish council representatives and 2 'independent' appointees) and 2 Co-optees onto the Audit Committee. They are non-voting members in each case. They are all eligible for an annual Co-optees' Allowance of £233. No evidence was received to revisit this allowance
94. **The IRP recommends that the Co-optees' Allowance remains at £233 per annum, subject to any applicable indexation going forward..**

Subsistence Allowances

95. It is noted that Members can only claim Subsistence Allowances for attending approved duties without the Borough, which is normal practice these days. The IRP notes that the rates claimable are on the low side. However, these are rates that are also applicable to Officers. Moreover, it is the expected practice that when a Member attends a conference or training event outside the Borough that it is pre-booked through Members' Services and therefore Subsistence is pre-paid and/or provided at the event.
96. No evidence was received to indicate the Subsistence Allowances required amending. **The IRP recommends that the current rates payable for the**

Subsistence Allowances and the terms and conditions by which they may be claimed are maintained.

Travel Allowances

97. Currently Members are able to claim travel allowances for attending approved duties both within and outwith the Borough. It is increasingly the case that travel allowances for attending approved duties within a council, area is no longer available. However, this scenario is not appropriate for East Staffordshire Borough Council as some Members will have not insignificant distances to travel to attend approved duties, so the right to claim travel allowances for attending approved duties within the Borough should be maintained.
98. There was a proposal put to the IRP that mileage allowances in particular should be paid automatically thus cutting out the need for Members to put in mileage claims. By this, it was proposed that mileage allowances should be paid automatically in retrospect based on the number of meetings a Members attends in a month, multiplied by the return distance from their home multiplied by the appropriate mileage rate. While this could be implemented in theory in practice it could get somewhat complicated for instance where a Member missed a meeting. This approach to mileage allowances would an undue administrative burden on payroll services and run contrary to the IRP's terms of reference that the Allowances Scheme should be efficient to administer. Also it is regarded as normal and good practice for mileage allowances to be claimable. Therefore, **the IRP is not recommending that the mileage allowances are paid automatically in retrospect.**
99. There was also some representation received arguing that the current mileage rates, namely the HMRC AMAP (Approved Mileage Allowance Payment) rates, no longer reflect the actual cost of mileage. This may well be the case however, these are rates are the most common rates applicable across the public sector. Moreover, if mileage rates go over the HMRC rates then all the reimbursement for mileage is subject to tax and any relevant National Insurance, thus making the HMRC rates the most tax efficient available. The IRP concluded that there was no reason to deviate from HMRC mileage rates for claiming travel allowances.
100. An issue that did emerge was in regard to lack of clarity on the applicable mileage rates when a Member claims when driving a hybrid or electric vehicle. The Office of Low Emission Vehicles points out when someone is claiming business mileage rates by travelling in a hybrid or electric vehicle then the normal HMRC rates apply, which is 45p up to 10,000 miles. This provision should be inserted into the travel allowances section of the Members' Allowances Scheme for clarification purposes.
101. **The IRP recommends that the current rates payable for the Travel Allowances and the terms and conditions by which they may be claimed are maintained, with the addition of following clarification:**

Where a Member is claiming mileage allowance by travelling in a hybrid or electric vehicles then the normal HMRC rates are applicable

The Dependants' Carers' Allowance (DCA)

102. The Dependants' Carers' Allowance is rarely claimed. Nonetheless, there was overall support for the allowance to be maintained as assists in reducing barriers to serving on Council, an important principle that underpins Members' Allowances schemes. This is the main reason the DCA has been given express legal authority by the 2003 Members Allowance Regulations and why the vast majority of councils have a DCA in place.
103. By and large, the evidence received showed that the DCA only required limited revision. First, the DCA should be clarified to state that a claim can be made for an informal babysitter, but receipts are still required. Secondly, the DCA does not differentiate between different types of care, e.g., childcare and disabled/elderly care which can cost different levels.
104. **The IRP recommends that the DCA is maintain but amended to include the following clarifications:**

That two different categories of care are recognised and payable as follows:

- **Childcare - maximum hourly rate at National Living Wage (£10.42 from 1 April 2023)**
- **Elderly/disabled care – maximum hourly rate at the median hourly rate charged by Staffordshire County Council Social Services Department for a Home Care Assistant**
- **That a claim can be made for an informal babysitter as long at the carer is not a Member of the claimant's family, but receipts are still required.**

Continuation of Indexation

105. Currently the Basic Allowance, SRAs and Co-optees' Allowances are indexed to the same annual percentage cost of living index as received by Officers each year. This is agreed each year or every year by the National Joint Council (NJC) for Local Government Staff and is known as the NJC index. There was some representation received that CPI or RPI would be a more appropriate index mechanism due to the cost of living crisis. However, the IRP notes that this would result in a substantial increase in allowances with inflation currently standing at over 10%. At the time of writing there are no pay claims being settled at the rate of current inflation. Moreover, the NJC index has the advantage of treating Members and Officers equally in their annual indexation. It is the almost universally utilised index mechanism in those councils that apply an index, which is the vast majority. Finally in the representation the

overwhelming view was to continue with the NJC index for the main allowances.

106. The IRP supports this view for the main allowances and recommends:
- **Basic, Special Responsibility Allowances, Co-optees' Allowances:**
 - Indexed to the annual percentage salary increase for local government staff (at new spinal pay column 43)
 - **DCA:**
 - **Index maintained –**
 - Childcare - maximum hourly rate at National Living Wage (£10.42 from 1 April 2023)
 - Elderly/disabled care – maximum hourly rate at the median hourly rate charged by Staffordshire County Council Social Services Department for a Home Care Assistant
 - **Travel Allowances:**
 - **Mileage:** indexed to the HMRC rates
 - **Other Travel:** actual costs subject to most cost effective provisions
 - **Subsistence and Overnight Allowances (Outwith Borough Only):**
 - **Subsistence & Overnight Allowances:** indexed to the maximum rates payable under the Officers Subsistence Scheme.
107. It is pointed out that if the Council adopts all or any of the indices recommended by the IRP then it is under no obligation to implement a particular index each year. If adopted, the Council has a choice and retains the right not to implement an index (which is done automatically without reference to the Council) or if it decides to implement an index, then it can implement an alternative index. However, if the principle of indexation is not adopted by the Council then it cannot index its allowances and if any, even minor, uplifts for inflation are sought by the Council, then it must come back to the IRP for its advice. By having the principle of indexation in place it removes the requirement to seek advice from the IRP for a maximum period of 4 years, unless the Council seeks a review sooner.
108. **The IRP also recommends that the refreshed authority for the indexation of allowances is to commence from 1st April 2023 and to run for 4 years, the maximum period permitted under the legislation at which point the Council is required to seek further advice from the IRP.**

Maintaining the withholding Allowances system –with some amendments

109. At the previous review, the IRP recommended extending withholding of the payments of the Basic Allowance. Previously, it was set that where a Member did not attend 70% of their scheduled meetings, with normal exemptions for sickness, family emergency, etc., by the end of the municipal year then their 12th instalment of the Basic Allowance and if relevant SRA should be withheld. This recommendation arose out of a strong message arising from the representation from Members that not all Members were putting in equal work

for equal pay. In particular there was a consistent key message that a small but noticeable number of Members did not attend all the meetings of committees to which they are appointed albeit.

110. In 2019, as attendance was still perceived as an issue the IRP extended the system by keeping the withholding of the 12th instalment of any remuneration but resetting the threshold at attending 75% of scheduled meetings and introducing a second threshold at 50% attendance at meetings which if not met by the end of the 10th month then the 11th instalment of remuneration to be withheld, which the Council adopted.
111. In the representation received there was universal support to maintain the system of withholding remuneration for when a Member did not meet either of the 2 attendance thresholds. In fact there was some support to ratchet it up even further, i.e., bring in further attendance thresholds. However, the IRP reviewed the attendance records since the revision of the withholding of allowances was introduced in 2019, there has been a marked improvement in the attendance. In 2021/22, the latest year for which figures are available it showed that no Member had attended less than 50% of their scheduled meetings, with only 3 Members not reaching 75%, whereas in 2019/20 7 Members did not attend 75% of their scheduled meetings, of which 1 did not attend 50% of their scheduled meetings by the 10th month. The IRP is satisfied that the current 2 tier approach to withholding allowances is working to improve attendance.
112. **The IRP recommends that the current 2 tier system of withholding allowances, the 12th remuneration instalment withheld if 75% of meetings are not attended, and the 11th instalment withheld if 50% of meetings are not attended is maintained.**
113. There was some representation received that the definition of what should be including as a meeting that a Member attends should be extended, in particular to include attendance at working groups. The IRP has not accepted this argument largely on the grounds that Working Groups are largely informal and attendance is not always recorded and they can be called at relatively short notice.
114. **The IRP recommends that the current definition of meetings to count against the attendance thresholds is maintained.**

The Impact of Substitutes

115. There have been a couple of developments at the Council that do impact on measuring attendance at meetings, namely the adoption of a substitute system and the adoption of a parental leave policy. Since December 2022 a Member may now appoint a substitute to attend a meeting on their behalf if they are unable to attend. This clearly impacts on the measurement of attendance records. Consequently, **the IRP recommends that where a Member appoints a substitute to attend a meeting on their behalf if they are unable to attend then the meeting attended by the substitute should be counted towards their attendance target and for the Member sending a**

substitute that the relevant meeting is discounted against their attendance target.

Adoption of a Parental Leave Policy

116. Secondly, the Council has now adopted a parental leave policy whereby a Member taking time off (up to six months and extended up to 12 months by agreement if required) then they are still able to receive their Basic Allowance and where a SRA recipient is on parental leave a replacement may be appointed to fill in on the behalf of the Member on parental leave and also be paid the applicable SRA, pro rata on a temporary basis. However, the 1 SRA only rule will still be applicable in this context, in that if the Member filling in for the post holder on parental leave is already in receipt of a they will only be able to receive one SRA.
117. The IRP notes that Members are not legally classified as employees and therefore do not have normal employment rights. However, the IRP recognises that the adoption of a parental leave policy is a move to promote inclusiveness and diversity by lowering a barrier to public service. Similar voluntary Member parental leave policies are being increasingly adopted by English local authorities. In the form the parental leave policy has been adopted it has no impact on the scope of the allowances paid so the IRP does not have to make any recommendations in this regard. However, it does impact on what counts as attending a meeting for those on parental leave and in the case of a Member filling in for a Member on parental leave who is in receipt of an SRA.
118. **For clarification purposes regarding measuring attendance for a Member on parental leave the IRP recommends that**
- **Where a Member is on parental leave then they are exempt from the attendance targets and their Basic Allowance, and SRA if applicable, then the Member on parental leave should continue to be paid in full while the Member filling in shall also be paid the applicable SRA on pro rata temporary basis subject to the 1 SRA only rule**
 - **Where a Member is filling in for another Member on parental leave and the Member on parental leave is in receipt of an SRA then the meetings attended by the Member filling in are counted towards their attendance targets**

Implementation

119. **The IRP further recommends that its recommendations contained in this report are implemented as follows:**
- **Recommendations regarding the indexation of the Basic Allowance, SRAs, Co-optees' Allowance, Travel and Subsistence Allowances and the DCA from 1st April 2023.**

- **All other recommendations, from the date of the Annual Council Meeting on 19th May 2023.**

APPENDIX 1: MEMBERS AND OFFICERS WHO MET WITH THE IRP**Members:**

Cllr Mrs P. Ackroyd	Chair of Scrutiny Committee (Environment & Health & Well Being) (Conservative)
Cllr G. Allen	Leader of Council & Conservative Group
Cllr Mrs B. Ashcroft	Cabinet Member, Tourism & Cultural Development, (Conservative)
Cllr L Beech	Backbencher (Conservative)
Cllr E. Barker	Chair of the Audit Committee (Conservative)
Cllr M. Fitzpatrick	Leader of the Main Opposition Group (Labour)
Cllr S. Gaskin	Chair of Licensing Committee (Conservative)
Cllr Mrs A. Legg	Backbencher (Conservative)
Cllr R. Lock	Chair Scrutiny Committee (Value for Money Council Services) (Conservative)
Cllr S. McKiernan	Backbencher (Labour)
Cllr M. Metcalfe	Cabinet Support Member (Conservative)
Cllr B. G. Peters	Cabinet Member, Communities & Housing Standards (Conservative)
Cllr S. Sankey	Cabinet Member, Finance, Treasury Management & Communications, (Conservative)
Cllr C. Wileman	Backbencher (Conservative)

The IRP also received 15 written submissions

Officers who provided a factual briefing to the IRP:

Andy O'Brien	Chief Executive
John Teasdale	Monitoring Officer and Solicitor to the Council
James Abbott	Corporate and Commercial Manager
Andrea Davies	Principal Democratic Services Officer

APPENDIX 2: INFORMATION RECEIVED & REVIEWED BY THE PANEL

1. The IRP's Terms of Reference as agreed by Council 12th December 2022
2. East Staffordshire Borough Council IRP - the Seventh Report dated 4th March 2019, including minutes of Council meeting considering the Report
3. Supplementary Report on Review of SRAs for Cabinet Support Members dated 15th January 2019, including minutes of Council meeting considering the Report
4. Supplementary Report on Review of SRAs for Chairs of Scrutiny and Audit Committee dated 28th February 2022, including minutes of Council meeting considering the Report
5. East Staffordshire Borough Council IRP - the Sixth Report dated February 2015, including attachments
 - i. 03a covering report to Council on 2nd March 2015;
 - ii. 03b Appendix (sixth report of the Independent Remuneration Panel;
 - iii. 03c minutes of the Council meeting held on 2nd March 2015
6. East Staffordshire Borough Council Members' Allowances Schemes 2022/23
7. East Staffordshire Borough Council 2021/22 statutory publication of allowances and expenses received by Members
8. Analysis of Members attendance including who missed the 75% and 50% attendance threshold and those who came within 70%-74.9% and 75%-79.9% modes
9. ESBC meetings schedule of Council, committees, etc., including political make up of Council
10. Structure of Council and Committees (Part 3 of Constitution)
11. Remit of Council, Cabinet, Committees, etc. (Part 3 of Constitution)
12. Member Role Profiles (Part 3Ba of Constitution)
13. Power point presentation to IRP by IRP Chair – reviewing allowances, the ESBC model, including benchmarking, issues of concern and options
14. National Joint Council for Local Government Services, Local Government Services Pay Agreement 2022-23, 1st November 2022, showing 4.04% uplift at Spinal Column Point 43
15. Copies of Members written submissions/replies to short questionnaire sent to all Members (15 received)
16. Statutory Guidance on Consolidated Regulations for Local Authority Allowances May 2006. Introduction + paragraphs 1-90

17. Relevant benchmarking data/material namely spread sheets (BM1-3) summarising & comparing allowances paid in benchmarking group for the review (based on CIPFA 8 NN + 7 other Staffordshire district councils)
 - Ashford
 - Bassetlaw
 - Braintree
 - Cannock Chase
 - Carlisle
 - Chorley
 - Erewash
 - Lichfield
 - Newcastle
 - South Staffordshire
 - Stafford
 - Staffordshire Moorlands
 - Tamworth³
18. Members' Allowances Schemes (2022/23) from benchmarking councils
19. Statutory Instruments: 2003 No. 1021 – The Local Authorities (Members' Allowances) (England) Regulations 2003
20. Office for Low Emission Vehicles, Ultra Low Emission Vehicles Tax Benefits 2018
21. National Census of Councillors 2018 (LGA) breakdown of mean weekly hours put in by Councillors by whether any positions held or not and type of Council, in email to IRP Chair from S. Richards (LGA) 21st October 2019
22. Annual Survey of Hours & Earnings (ASHE), Average weekly earnings (excluding overtime) all full time employees resident in East Staffordshire Borough Council, Table 8.2a, November 2022

³ See Appendix 3 for details

APPENDIX 3: ALLOWANCES PAID IN COMPARATOR AUTHORITIES

BM1 East Staffordshire BC Comparator Group: BA & Exec & Scrutiny SRAs 2022/23 (unless indicated)										
Authority	Basic Allowance	Leader	Leader Total	Deputy Leader	Other Cabinet Members	Deputy Cabinet Members	Chair Main O&S	Vice Chair Main O&S	Chairs of Scrutiny	Vice Chairs of Scrutiny
Ashford (21/22)	£4,912	£21,750	£26,662	£10,713	£8,034	£2,143	£6,428	£2,143	£1,607	
Bassetlaw (21/22)	£4,744	£13,426	£18,170	£8,973	£5,741		£3,178	£615		
Braintree	£5,154	£15,462	£20,616	£12,885	£10,308	£5,154	£7,431	£3,867	£5,154	£2,577
Cannock Chase (20/21)	£6,706	£19,403	£26,109	£9,903	£8,578				£2,138	
Carlisle	£4,887	£17,967	£22,854	£11,229	£6,735				£4,497	
Chorley	£4,856	£19,519	£24,375	£11,613	£4,859	£1,620	£4,859	£1,620		
Erewash (21/22)	£4,321	£14,320	£18,641	£8,592	£6,447		£3,792	£1,262		
High Peak (20/21)	£3,218	£9,905	£13,123	£5,942	£4,456		£1,980		£1,485	
Lichfield	£4,298	£12,641	£16,939	£7,737	£7,091				£2,580	£645
Newcastle under Lyme (20/21)	£3,365	£19,250	£22,615	£15,170	£5,660				£2,830	£1,130
S. Staffordshire (21/22)	£5,908	£14,128	£20,036	NA	£6,165	£3,086	£2,568			
Staffs Moorlands (21/22)	£2,902	£9,565	£12,467	£5,739	£4,783	£3,828			£3,348	£1,913
Tamworth (21/22)	£5,736	£14,038	£19,774	£10,528	£9,124				£6,459	
East Staffordshire	£5,242	£19,489	£24,731	NA	£8,858	£4,429	NA		£3,897	
Mean	£4,732	£15,776	£20,508	£9,919	£6,917	£3,377	£4,319	£1,901	£3,400	£1,566
Highest	£6,706	£21,750	£26,662	£15,170	£10,308	£5,154	£7,431	£3,867	£6,459	£2,577
Lowest	£2,902	£9,565	£12,467	£5,739	£4,456	£1,620	£1,980	£615	£1,485	£645
Mean Ratios	3.3	100%		63%	44%	49%	27%	44%	22%	46%

BM2: East Staffordshire BC Comparator Group: Regulatory & Other SRAs 2022/23 (unless indicated)										
Authority	Chair Planning	V/Chair of Planning	Members Planning	Chair Licensing (inc Regulatory)	V/Chair Licensing	Chair Licensing Appeals inc Taxi	Chair of Audit &/or Governance	Vice Chair Audit &/or Governance	Chair HR or Employ'mt	Chair Standards
Ashford (21/22)	£6,428	£2,143		£1,607			£5,356	£1,785		
Bassetlaw (21/22)	£3,178	£1,128	£718	£2,153	£410	£25 p/meeting	£3,178	£615		
Braintree	£9,021	£4,512	£1,290	£5,154	£2,577		£5,154	£2,577		
Cannock Chase (20/21)	£4,619			£1,982			£1,982			
Carlisle	£4,497			£1,128			£4,497			
Chorley	£3,289	£1,620		£3,289	£1,262		£1,943	£57 p/meeting		
Erewash (21/22)	£3,792	£1,262		£3,792	£1,262	£3,792	£3,792	£1,262	£3,792	£3,792
High Peak (20/21)	£2,970	£1,485		£600	£300		£1,980			£989
Lichfield	£6,446	£1,621		£2,580	£645		£1,621	£632	£1,621	
Newcastle under Lyme (20/21)	£4,230	£1,410		£3,430	£1,130	£3,430	£2,830	£1,130		£2,830
S. Staffordshire (21/22)	£3,596	£1,027		£2,568			£2,568			£2,568
Staffs Moorlands (21/22)	£3,348	£1,913		£3,348	£957	£1,913	£3,348			£2,391
Tamworth (21/22)	£6,459			£1,403			£3,509			
East Staffordshire BC	£7,441			£6,495			£3,897			£1,557
Mean	£4,951	£1,812		£2,824	£1,068		£3,261	£1,334		£2,355
Highest	£9,021	£4,512		£6,495	£2,577		£5,356	£2,577		£3,792
Lowest	£2,970	£1,027		£600	£300		£1,621	£615		£989
Mean Ratios	31%	37%		18%	38%		21%	41%		15%

BM3: East Staffordshire BC Comparator Group, Opposition & Other SRAs & Comments 2022/23 (unless indicated)					
Authority	Main Opposition Leader	Main Opposition Deputy Leader	Shadow Cabinet Members	2nd Opposition Group Leader	Other SRAs/Comments
Ashford (21/22)	£2,716			£1,482	Chair + V/Chair Climate Advisory Committee £5,356/£1,785, Chairs O&S Task Groups £50 per meeting, Minor Opposition Group Leaders £247 per Member, > 1 SRA payable
Bassetlaw (21/22)	£4,324			£1,490	Cabinet Majority Group Liaison Member £1,845, Planning Minority Spokesperson £1,007, > 1 SRA payable
Braintree	£5,154			£1,290	Cabinet Support Member £3,867, Planning Subs £50 p/meeting, Chair Local Plan Sub Committee £5,154, £480 annual communications allowance
Cannock Chase (20/21)	£7,260		£1,282		£400 annual communications allowance
Carlisle	£4,497			£3,375	3rd Opposition Group Leader £2,247, Chairs Appeals Panels £1,128
Chorley	£7,525			£1,058	"Member Responsible" £810, Chairs O&S Task Groups £357, > 1 SRA payable
Erewash (21/22)	£5,580	£824			Vice Chair GP (HR) + Vice Chair Appeals (Taxi) £1,262, Shadow Executive Members (x5) £549
High Peak (20/21)	£1,980				
Lichfield	£2,943	£735			Vice Chair Employment Committee £645
Newcastle under Lyme (20/21)	£1,130			£1,130	Cabinet Members w/o Portfolio £2,830, Vice Chairs Public Protection + Standards Committees £1,130
S. Staffordshire (21/22)	£2,568				
Staffs Moorlands (21/22)	£3,348			£3,348	Chairs Constitution Review W/P + Local Plan Steering Group + Member Development Champion £1,913, Vice Chairs Standards + Appeals Board £478
Tamworth (21/22)	£6,316	£3,509		£1,403	If Main Opposition Group < 7 Members Deputy Group Leader's SRA £2,106
East Staffordshire	£8,858			£1,063	
Mean	£4,586	£1,689		£1,738	
Highest	£8,858	£3,509		£3,375	
Lowest	£1,130	£735		£1,058	
Mean Ratios	29%	37%		11%	

