

REPORT OF THE HEAD OF ADMINISTRATION AND LAW

DEMOCRATIC SERVICES COMMITTEE

17TH MARCH 2016

**INDEPENDENT REMUNERATION PANEL FOR WALES (IRPW) ANNUAL
REPORT (FEBRUARY, 2016)**

The Independent Remuneration Panel for Wales (IRPW) published its Annual Report in February 2016 and the Panel's determinations are as follows:

1. Councillors' Basic Salary

Basic salary in 2016/17 for elected members of principal local authorities shall remain at £13,300.

2. Senior Salaries for 2016/17

The limit on the number of senior salaries payable ('the cap') will remain in place. In 2016/17 the maximum number of senior salaries payable within each principal authority will not be altered.

The Senior salary levels in 2016/17 for members of principal councils shall remain unchanged. However the IRPW has introduced two salary levels for Executive Members (except Leaders and Deputy Leaders) and for Chairs of committees so that each local authority can take account of the differences in responsibilities that may be attached to specific posts:-

Senior Salary

Band 1

Leader (1)	£48,000
Deputy Leader	£33,500 (£31,250 each, where 2 x Deputy leaders)

Band 2 Senior Salaries x 7

Executive Member Level 1	£29,000 p.a.
Executive Member Level 2	£26,100 p.a.

Band 3 Senior Salaries x 7

Committee Chairs (if remunerated)	Level 1	£22,000 p.a
	Level 2	£20,000 p.a.
Presiding Member *	Level 2	£20,000 p.a.

*(The Council decided at its meeting held on 8th January, 2014 that it would not proceed with the appointment of a Presiding Member. The appropriate level would be £22,000 p.a.)

Each Executive Member and Committee Chair can be paid at either of the two senior salary levels.

THE COMMITTEE IS ASKED TO CONSIDER THE OPTIONS AVAILABLE TO THE AUTHORITY IN RELATION TO THE PAYMENT OF SENIOR SALARIES FOR 2016/17 BEARING IN MIND THE EXECUTIVE STRUCTURE AND RESPONSIBILITIES ATTACHED TO EACH SPECIFIC POST.

Band 4 Senior Salaries

Leader of the largest opposition group (1)	£22,000 p.a.
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Band 5 Senior Salaries

Leader of other political groups (if remunerated)	None (Appropriate level £17,000 p.a)
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(All the above Senior Salaries are inclusive of Basic Salary)

3. Civic Salaries

The IRPW remains of the view that it is appropriate for authorities to set remuneration levels which reflect activity and responsibility rather than population. It has set three levels of civic salary which can be paid by any authority according to local factors for each of these roles. For example, the civic head of a small council may be paid at the highest rate, whilst the civic head of a large council may be paid at the lowest rate, rates of payment to deputy civic heads may be similarly varied. This also allows for civic heads and their deputies in the same authority to be paid at different levels.

Level of remuneration to be paid 2016/17 (unchanged)	Civic Head (Chair of Council)	Deputy Civic Head (Vice Chair of Council)
a)	£24,000 p.a.	£18,000 p.a.
b)	£21,500 p.a.	£16,000 p.a.
c)	£19,000 p.a.	£14,000 p.a.

(The above levels of Civic Salaries are inclusive of basic salary of £13,300 p.a. and are not included within the cap for the payment of senior salaries)

Council adopted Option b) in relation to the payment of Civic Salaries to the Chair and Vice Chair of Council for 2015/16

Chair of the Council	£21,500 p.a.
Vice Chair of Council	£16,000 p.a.

THE COMMITTEE IS ASKED TO CONSIDER THE LEVEL OF CIVIC SALARY IT WISHES TO PAY BOTH POSITIONS FOR 2016/17 TAKING INTO ACCOUNT THE ANTICIPATED WORKLOADS AND RESPONSIBILITIES.

4. Travel Allowances

There is no change to the mileage rates for 2016/17 that Councillors and Co-opted Members are entitled to claim.

5. Subsistence Allowance

There is no change to the level of day allowance (£28.00) for meals including breakfast where not provided in the overnight charge. IRPW state that it is not necessary to allocate the maximum daily rate between different meals as the allowance covers a 24 hour period and can be claimed for any meal if relevant, provided such a claim is accompanied by receipts.

Council at its meeting held on the 14th May 2014 resolved that the current practice of allocating the maximum daily rate of £28.00 between different meals be discontinued, and that in future where accommodation provided included breakfast, a daily rate of £24.00 be applied i.e. the sum of £4.00 being deducted where breakfast was provided as part of overnight accommodation

The IRPW also recommends that the reimbursement of subsistence costs be paid up to the maximum rates set by Welsh Government.

The Authority currently pays overnight costs of up to £150 for London, £95 elsewhere and £25 for staying with friends and Family. The Welsh Government rates allow payment of up to £200 for London, £95 for elsewhere and £30 for staying with friend and family.

THE COMMITTEE IS ASKED TO CONSIDER THE RATES OF REIMBURSEMENT FOR SUBSISTENCE COSTS FOR 2016/17 AND WHETHER IT WISHES TO CONTINUE WITH THE CURRENT PRACICE OF ALL OVERNIGHT ACCOMODATION FOR MEMBERS BEING ARRANGED THROUGH THE COUNCIL'S DEMOCRATIC SERVICES UNIT.

6. Reimbursement of Care Costs

There is no change to the maximum level of reimbursement of care costs (£403.00 per month)

(IRPW reminds authorities that the reimbursement of costs of care allowance is intended to enable any person whose ability to participate as a member of an authority would be limited by their responsibilities as a carer or by their own requirements for personal care and assistance. The Panel urges authorities to promote this allowance and encourage greater take-up of this support to facilitate increased engagement amongst authority members.)

7. Entitlement to family absence.

Regulations relating to Family absence for elected members of Principal Councils were approved by the National Assembly for Wales in November 2013. The IRPW has determined that an elected member is entitled to retain a basic salary when taking family absence under the regulations irrespective of the attendance record immediately preceding the commencement of the family absence.

The Panel determined that when a senior salary holder is eligible for family absence, he/she will continue to receive the salary for the duration of the absence. It is a matter for the authority to decide whether or not to make a substitute appointment. The elected member substituting for a senior salary holder taking family absence will be eligible to be paid a senior salary, if the authority so decides.

If the paid substitution results in the authority exceeding the maximum number of senior salaries which relates to it, as set out in the Panel's Annual Report, an addition to the maximum will be allowed for the duration of the substitution. When an authority agrees a paid substitution for family absence, the Panel must be informed, within 14 days of the date of the decision, of the details including the particular post and the duration of the substitution. The schedule of remuneration must be amended to reflect the implication of the family absence.

8. Supporting the work of Elected Members

The Panel has determined that each authority, through its Democratic Services Committee, must ensure that all its members are given as much support as is necessary to enable them to fulfil their duties effectively. All elected members should be provided with adequate telephone and email facilities and electronic access to appropriate information

The Panel has determined that such support should be without cost to the individual member. Deductions must not be made from members' salaries by the respective authority as a contribution towards the cost of support which the authority has decided necessary for the effectiveness and/or efficiency of members.

The Authority already complies with the recommendation of the Panel in respect of telephone and email/electronic facilities.

9. Joint Overview and Scrutiny Committees (JOSC)

At present the authority has not established any Joint Overview Scrutiny Committees with other authorities. Council at its meeting held on the 13th May 2015 agreed that the level of payments are included within the Council's Councillors' and Co-opted Members' Salaries and Allowances Scheme in the event that the Council should decide to establish JOSC's during 2015/16 and to pay a salary.

THE COMMITTEE IS ASKED TO CONSIDER WHETHER IT WISHES TO ADHERE TO ITS CURRENT PRACTICE FOR 2016/17.

10. Pension provision for Elected members of Principal Councils

There is no change to the Pension provision for elected members of principal councils.

11. Payments to Co-opted Members of the Council's Committees who have voting rights

There is no change to the level of fees and allowances payable to Co-opted Voting Members of the Council's Committees for 2016/17.

The Council at its meeting held on 13th May 2015 decided to retain the cap on the payment of Co-opted Members' Fees at 10 full day (or 20 half-day) meetings per annum and to review this decision annually.

THE COMMITTEE IS ASKED TO CONSIDER WHETHER IT WISHES TO MAINTAIN THE CAP ON THE PAYMENT OF DAILY FEES AT THE SAME LEVEL FOR THE 2016/17 MUNICIPAL YEAR

12. Specific or Additional Senior Salaries

The Panel has allowed for greater flexibility through the provision for authorities to apply for specific or additional senior salaries that do not fall within the current Remuneration Framework, or which could not be accommodated within the maximum number of senior salaries relating to the authority.

The Panel has determined to include a provision for specific or additional senior salaries that do not fall within the current Remuneration Framework.

Guidance to local authorities on the application process was issued in April 2014 and incorporated the following principles:

- a. The total number of senior salaries cannot exceed fifty percent¹² of the membership (this applies to principal councils; different restrictions will apply to national park authorities and fire and rescue authorities).
- b. Applications will have to be approved by the authority as a whole (this cannot be delegated).
- c. There must be clear evidence that the post/posts have additional responsibility demonstrated by a description of the role, function and duration.
- d. Each application will have to indicate the timing for a formal review of the role to be considered by the authority as a whole.

Any application for specific or additional salaries for developmental posts will have to be submitted to Full Council for determination.

13. Salaries of Heads of Paid Service

Section 63 of the Local Government (Democracy) (Wales) Act 2013 amended the Local Government (Wales) Measure 2011 by inserting section 143A. This enables the Panel to take a view on anything in the Pay Policy Statements of these authorities that relates to the salary of the head of paid service (normally the chief executive). Section 39 of the Local Government (Wales) Act 2015 further amended the Measure extending this function to include Chief Officers of Principal Councils.

In essence the functions of the Panel and the requirements on authorities established by the legislation and the subsequent guidance are:

- a) If a principal council intends to change the salary of the head of paid service or chief officer, it must consult the Panel unless the change is in keeping with changes applied to other officers of that authority (whether the change is an increase or decrease). 'Salary' includes payments under a contract for services as well as payments of salary under an employment contract.
- b) The authority must have regard to the recommendation(s) of the Panel when reaching its decision.
- c) The Panel may seek any information that it considers necessary to reach a conclusion and produce a recommendation. The authority is obliged to provide the information sought by the Panel.
- d) The Panel may publish any recommendation that it makes. It is the intention that, in the interests of transparency, it will normally do so.
- e) The Panel's recommendation(s) could indicate:
 - approval of the authority's proposal
 - express concerns about the proposal
 - recommend variations to the proposalas long as these comply with any guidance issued by the Welsh Government

The Panel also has a general power to review the Pay Policy Statements of authorities so far as they relate to the heads of paid service.

It is important to note that the Panel will not decide the amount that an individual head of paid service will receive.