

WARWICKSHIRE COUNTY COUNCIL REVIEW OF MEMBERS' ALLOWANCES SCHEME

REPORT OF THE INDEPENDENT REMUNERATION PANEL

The Independent Remuneration Panel has held detailed discussions and carefully considered a broad range of information and evidence before making recommendations to Warwickshire County Council in respect of the Members' Allowance Scheme. This report sets out the Panel's findings. The recommendations of the Panel are set out below for ease and cross referenced to paragraphs within the report. The recommendations apply from the new municipal year (17 May 2022).

1. SUMMARY OF RECOMMENDATIONS

Basic Allowance

- 1.1. That the Basic Allowance be increased by 6.9% from £9,909.51 to £10,590 (paragraph 4.1). This increase includes an assumption that if indexation had continued to be applied without this review by the Panel, the existing basic allowance would have increased in accordance with the Local Government pay award applicable for 2021/22.
- 1.2. That from the date of Annual Council in May 2023 and annually thereafter for a period of four years, the Basic Allowance increases in line with the basic annual NJC pay award increase (paragraph 4.6.1).

Special Responsibility Allowances (SRAs)

- 1.3. That the allowances paid to the Leader of the Council, Deputy Leader of the Council and Cabinet Members/Portfolio Holders be increased by 10.88% to the sums set out below (paragraph 4.2.1).
 - a) Leader of the Council – increase from £24,801 to £27,500
 - b) Deputy Leader of the Council – increase from £14,880 to £16,500
 - c) Cabinet Member – increase from £11,059 to £12,375
- 1.4. That the allowance paid to the Chair of the Council **be increased by 2.66% from £5,942 to £6,100** and the allowance payable to the Vice Chair **continue to be paid at 50% of the allowance payable to the Chair (ie increased from £2,973 to £3,050)**.
- 1.5. That the allowance paid to the Adoption Panel Member and the Fostering Panel Member be increased from £1,048 to £2,300 (paragraph 4.2.7).

- 1.6. That the allowance paid to the following roles be increased by 4.34% to the sums set out below (paragraphs 4.2.4, 4.2.5 and 4.2.6)
- a) Overview and Scrutiny Committee Chair – increase from £5,942 to £6,200
 - b) Overview and Scrutiny Committee Vice Chairs – increase from £2,206 to £2,300
 - c) Regulatory Committee Chair – increase from £5,942 to £6,200
 - d) Regulatory Committee Vice-chair – increase from £3,000 to £3,100
 - e) Audit and Standards Committee Chair – increase from £4,618 to £4,820
 - f) Pension Fund Investment Sub-Committee Chair - increase from £4,618 to £4,820
 - g) Chair of Warwickshire Police and Crime Panel (when the Chair is a nominated County Councillor representative on the Panel) - increase from £3,144 to £3,280.
- 1.7. That opposition group leaders receive a pro-rata allowance from a total sum of £15,500 (paragraph 4.2.2).
- 1.8. That from the date of Annual Council in May 2023 and annually thereafter, the Special Responsibility Allowances increase in line with the basic annual NJC pay award increase (paragraph 4.6.1).
- 1.9. That the current provision and operation of spokespersons 'pots' for allocation by the Groups be removed from 17 May 2022 (paragraph 4.2.8).

Co-optees Allowance

- 1.10. That the allowance paid to co-optees be increased from £1,272 to £1,300 (paragraph 4.3).
- 1.11. That from the date of Annual Council in May 2023 and annually thereafter for a period of four years, the Co-optees Allowance increase in line with the basic annual NJC pay award increase (paragraph 4.6.1).

Travel and Subsistence

- 1.12. That mileage and fuel rates that align with the HMRC approved mileage and fuel rates be adopted (paragraph 4.5.1).
- 1.13. That the evening meal allowance be increased to from £8.00 to £10.00 (paragraph 4.5.2).
- 1.14. That the cost of accommodation be increased from sums not exceeding £80.00 outside of London and £100.00 in London to sums not exceeding £85.00 outside of London and £110.00 in London (paragraph 4.5.3). These rates should only be exceeded if there are exceptional circumstances when members should consult the Delivery Lead Governance Services for approval or they may be required to pay any excess above the rates.

Dependant Carer's Allowance

1.15. That the claimable allowances be increased as follows (paragraph 4.4):

Dependant	Increase from Rate per hour	To Rate per hour
A child below school age or a child under 14 years of age outside school hours	£5.50	£6.00
An elderly, sick or disabled dependant requiring constant care	£18.00	£19.60

2. BACKGROUND

- 2.1 The Local Government Act 2000 and the Local Authorities (Members' Allowances) (England) Regulations 2003, require local authorities to review their allowances schemes and to appoint independent remuneration panels to consider and make recommendations on changes to member allowances schemes. The Government's "Guidance on Consolidated Regulations on Local Authority Allowances" outlines the main statutory provisions and gives non-statutory guidance.
- 2.2 In May 2021, Warwickshire County Council requested that an Independent Review Panel (IRP) be appointed to carry out a review of members allowances. A notice inviting applications was published in the local media and following an interview process, Dr Peter Bebbington, Sir Robert Burgess, Ms Margo Key and James Morgan were appointed to the Panel in November 2021. The Panel appointed Mr James Morgan as Chair. Due to illness, Sir Robert subsequently stepped down from the Panel. The Panel extend their thanks to Sir Robert for his valuable contribution to their work and extend their best wishes for his recovery.
- 2.3 The Panel held meetings on 7 occasions in 2021/22: 21 December 2021, 6 January, 20 January, 24 January, 26 January, 2 February and 9 February 2022.
- 2.4 The Panel received the following information and evidence to inform their deliberations:
- Background to the legislation governing the Members Allowances Scheme and associated government guidance
 - Political makeup and appointment to current remunerated positions
 - Member role profiles, as set out in the Council's Constitution, that set out the roles and responsibilities for every member and also for specific roles (e.g. Leader, Cabinet member, Chair etc.)
 - An outline of the role of Group Spokespersons
 - The role and responsibilities of members of the Council's Adoption Panel and Fostering Panel

- A brief history to the current Member Allowances Scheme
- Panel report considered by Council in March 2018 and minutes of the meeting at which it was debated
- The current Members' Allowances scheme
- The Council's Pay Policy Statement
- Benchmarking/comparison data including the total number of special responsibility allowances as a percentage of the council membership
- Information regarding the National Living Wage, average UK salaries, and LGA Member day rate
- Information from the LGA's 2018 national census of local authority councillors regarding the distribution of weekly hours spent on council business
- Information from Coram Family and Childcare and Disability Rights UK on national dependant carers' rates
- Extracts from the Councillor's Commission Members Remuneration Report by Declan Hall
- The Panel also issued a questionnaire to members to obtain their views on the scheme and also provided the opportunity for Group Leaders to meet the Panel. 30 members responded to the questionnaire and the Panel met all four Group Leaders on 24 and 26 January 2022.

2.5 The Panel is grateful to all the councillors who gave the benefit of their experience and views, and to the council officers who arranged meetings and provided analysis, briefings and support.

3. CONTEXT AND ANALYSIS

3.1 Legislation requires that each local authority must make provision for a basic flat rate allowance payable to all members.

3.2 The Panel is also required to consider those activities which are eligible for Special Responsibility Allowances (known as SRAs). Government guidance suggests that some councillors undertake tasks that can be defined as a significant additional responsibility, not just an additional time commitment. To some extent, all councillors will have additional responsibilities which may not be construed as significant and this has been a key consideration in the Panel's deliberations.

3.3 In addition, local authorities may:

- a) Make provision for the payment of an allowance to co-optees for attending meetings, conferences and seminars
- b) Make provision for the payment of an allowance to those councillors who incur expenditure for the care of children or dependants whilst undertaking approved duties.
- c) Determine the level of travel and subsistence allowances and the duties to which they should apply.

- d) Determine that allowances should be increased in accordance with a specified index and can identify the index and set the number of years to which it should apply (but not for more than 4 years).
- e) Determine that, where amendments are made to an allowances scheme, the allowances as amended may be backdated.

3.4 In carrying out this review, the Panel adopted the following set of principles, which are typically adopted by Panels nationwide:-

- That councillors undertake their council work for the sake of public service and not private gain
- There are varying demands placed upon councillors, dependent upon their roles and responsibilities
- The need to fairly and equitably compensate councillors, so far as the panel thinks appropriate, for the time and effort they can reasonably be expected to devote to their work as a councillor
- The need for the scheme to be economic, efficient to administer and effective
- The requirement for their report and recommended changes to the scheme of allowances to be easy to understand and adequately justifiable to the electorate
- That recommendations should conform with existing legislation and anticipate likely future legislation so far as possible.

3.5 It is common for Independent Remuneration Panels to consider allowances in the context of the levels of remuneration paid in comparable local authorities. In examining the evidence on this principle, the Panel collected data on allowances paid in the neighbouring counties which also appear in the Council's Market Supplements Policy. In each case, across the whole range of allowances (Basic Allowance and SRAs), the conclusion was that those paid in Warwickshire were substantially below the average, as the Table below illustrates.

Table of Allowances paid in neighbouring authorities

Overall Spending on Member Allowances 2020/21 (Number of councillors on each council shown)				
Authority	Basic £	SRA £	Travel/Subs £	Total £
Derbyshire (64)	713,293.55	360,900.00	2,423.95	1,076,617.50
Gloucestershire (53)	546,000.00	303,928.26	7,531.89	857,460.15
Leicestershire (55)	628,650.00	334,833.13	4,060.69	967,543.82
Oxfordshire (63)*	673,599.83	300,384.44	29,406.13	1,003,390.40
Staffordshire (62)	607,130.64	398,581.86	5,246.52	1,010,959.02
Worcestershire (57)*	517,916.30	372,448.30	29,961.67†	920,326.27
Warwickshire (57)	536,045.51	217,968.64	2,142.12	756,156.27

* Figures from 2019/20

† Includes £6,648.62 broadband allowance

3.6 Furthermore, it became clear to the Panel from the evidence it received that pressures on members' time – both at executive and divisional level – have increased since the last review.

4. RECOMMENDATIONS

4.1 SETTING THE BASIC ALLOWANCE

4.1.1 The basic allowance in Warwickshire is below the average for neighbouring authorities, however, the majority (67%) of respondents to the councillor's survey indicated that it is 'about right' and 87% of respondents considered that it covered all reasonable expenses. However, the Panel note that an increase will bring the basic allowance more in line with neighbouring authorities and also better reflect the increasing time commitment required to fulfil the role.

Table of basic allowance paid in neighbouring authorities
2020/21

Authority	£
Derbyshire	11,196
Gloucestershire	10,500
Leicestershire	11,430
Oxfordshire	11,013.77
Staffordshire	9,786.35
Worcestershire	9,108
Warwickshire	9,637
Average	10,381.59

4.1.2 The Panel have given considerable thought to what should be the starting point for making a calculation on how to increase the allowance. The Panel received data from the Office of National Statistics that indicates the current national median wage is increasing and also note that the Chancellor of the Exchequer has announced an increase to the National Living Wage of 6.6%. The Panel conclude that it is fair to base a calculation on the national median wage. In January 2022, the national median wage was £611 per week.

4.1.3 The Panel has considered responses to the survey of councillors, interviews with group leaders, evidence from the Local Government Association, and responses to their own inquiries, about the amount of time councillors spend per week on council business. In particular, the LGA's latest survey¹ (published in 2019) regarding the time spent on council business, indicates that on average, councillors spent 22.0 hours per week on council business in 2018, compared with 20.8 hours in 2013. In 2018, 22.1 per cent spent 10 hours or fewer and 14.2 per cent spent more than 35 hours per week. The Panel conclude, therefore, that it is reasonable to assume that councillors not holding a position of special responsibility work on council business, on average, for half the hours of a normal working week (ie 18.5 hours) and that the additional time spent on special responsibilities is, therefore, 3.5 to 4 hours per week.

¹ [LGA National Census of Local Authority Councillors 2018](#)

Staffordshire	37,963.14	28,472.87	18,981.57	7
Worcestershire	35,494	18,846	18,503	8
Warwickshire	24,137	14,482	10,763	7

- b) Despite the clear disparity shown above, the Panel’s survey of councillors indicated that the majority (67%) considered the level of remuneration for the Leader and Deputy Leader was ‘about right’.
- c) The Panel is conscious of the innate dedication and commitment to public service demonstrated by the current Leader but consider that remuneration for the post should nonetheless be somewhat more attractive for the level of responsibility and time commitment required and that an increase is, therefore, reasonable. The Panel also note that the existing allowances for the Deputy Leader and Cabinet have historically been determined as a percentage of the Leader’s allowance (60% and 45% respectively). The Panel found no evidence to suggest that the findings of the previous reviews in 2003 and 2010 in regard to these proportions needed to be reconsidered and, therefore, continue to support these ratios. **The Panel recommend that allowances for the executive are increased by 10.88% to the sums set out below:**
- | | |
|--|---|
| Leader | increase from £24,801 to £27,500 |
| Deputy Leader | increase from £14,880 to £16,500 |
| Cabinet Member (Portfolio Holder) | increase from £11,059 to £12,375 |

4.2.2 OPPOSITION GROUP LEADERS

- a) The current scheme allows an SRA of £8,606 for leaders of opposition groups with at least 10% of the Council membership (£5,419 for deputies) whilst those groups with less than 10% of the membership receive £550.74 for the leader of their group(s). The results of the councillor survey indicate that the majority believe this to be ‘about right’
- b) However, the Panel note that since the local election in May 2021, the proportionality of the Council has changed considerably. The Panel considers that the current system of allocating opposition group leader allowances is inequitable when there is now only a minor difference in the size of the opposition groups and, reflecting on the Panel’s discussions with the postholders, there is no less of a commitment from the group leaders with less than 10% of the overall number of members to that of a leader of a group with more than 10%.
- c) The Panel therefore **recommend that the current opposition group leader allowances be removed from the scheme and be replaced with a sum of £15,500 to be divided between opposition group leaders proportionally dependent on group size (ie £15,500 ÷ total number of opposition group members x number of group members).**
- d) The recommendation for the pro-rata sum of £15,500 has been reached by adding together the allowances payable under the existing scheme to the group

leaders (£8,606 + £550.74x2) and deputy group leader (£5,149) and increasing the total by 4.34%.

- e) In view of the now relatively small size of opposition groups and the recommendations above, the Panel recommend that the allowance for the deputy leader of an opposition group representing at least 10% of the membership of the council be removed from the scheme as it has been included in the £15,500 above.

4.2.3 CHAIR AND VICE-CHAIR OF THE COUNCIL

Table of allowances paid in neighbouring authorities 2020/21 to Chair and Vice Chair of Council

Authority	Chairman £	Vice-Chairman £
Derbyshire	9,252	3,696
Gloucestershire	9,570	2,860
Oxfordshire	9,361.55	2,340.65
Staffordshire	18,238.65	9,115.73
Worcestershire	14,233	3,223
Warwickshire	5,783	2,893

The Panel note that the allowances paid to the Chair and Vice Chair is low when compared to those in neighbouring authorities. The Panel is of the view that there is no evidence that the roles of Chair and Vice Chair of the Council have changed significantly since the last review. However, the Panel is conscious that the impact of the pandemic will have had an impact on the performance of the roles. It is, therefore, **recommended that the allowance for the Chair of the Council be increased by 2.66% from £5,942 to £6,100 and the allowance for the Vice-Chair of the Council continue to be paid at 50% of the allowance payable to the Chair (ie increase from £2,973 to £3,050).**

4.2.4 THE OVERVIEW AND SCRUTINY FUNCTION

- a) The Panel recognise that overview and scrutiny plays a crucial role as a democratic ‘check and balance’ mechanism when decision-making power is concentrated within the executive. It is important that its contribution is recognised in the allowance scheme.
- b) The Panel also note that a recent review of Overview and Scrutiny at the Council has led to a proposed reinvigoration of the function and that the allowances paid to the Chairs and Vice Chairs of Overview and Scrutiny is low when compared to those in neighbouring authorities.

Table of allowances paid in neighbouring authorities 2020/21 to
Overview and Scrutiny Chairs and Vice Chairs

Authority	Chair £	Vice-Chair £
Derbyshire	9,252	3,696
Gloucestershire	6,360	n/a
Leicestershire	4,808	2,139
Oxfordshire	6,608.88	n/a
Staffordshire	7,221.17	2,528.05
Worcestershire	10,512	n/a
Warwickshire	5,783	2,147

- c) The Panel **recommend that the allowance paid to the Chairs of Overview and Scrutiny Committees be increased by 4.34% from £5,942 to £6,200.**
- d) The Panel noted comments made through the survey which questioned the special responsibility of Vice-Chairs for Overview and Scrutiny Committees. However, the Panel consider that these are important roles that contribute to the effectiveness of the committees' work by providing valuable support to the Chairs in terms of setting the work programme and influencing stakeholders. Furthermore, the holders of these roles may be called upon at short notice to take the Chair in meetings. The Panel also welcome Warwickshire's 'best practice' approach which allocates some of the Vice-Chair roles to the opposition which is considered crucial to the role of holding the executive to account. The Panel therefore **recommend that the allowance payable to Vice-Chairs for Overview and Scrutiny be similarly increased by 4.34% from £2,206 to £2,300.**
- e) The Panel suggest that these allowances could be further reviewed when the changes recommended by Dr Jane Martin CBE in her report on the overview and scrutiny function have been embedded.

4.2.5 PENSION RELATED FUNCTIONS, REGULATORY AND GOVERNANCE COMMITTEES

Table of allowances paid in neighbouring authorities 2020/21 to
Regulatory Committee and Audit and Standards Committee and
Vice Chairs

Authority	Chair Planning / Regulatory £	Vice-Chair Planning / Regulatory £	Chair Audit / Governance £	Vice-Chair Audit / Governance £
Derbyshire	9,252	3,696	9,252	3,696
Gloucestershire	6,360	n/a	6,360	n/a
Leicestershire	4,260	2,139	2,762	n/a
Oxfordshire	6,608.88	n/a	6,608.88	n/a
Staffordshire	7,221.17	2,528.05	4,334.40	1,444.45
Worcestershire	10,917	n/a	10,512	n/a
Warwickshire	5,783	2,920	4,494	n/a

The Panel note that the allowances paid to the Chairs of the Regulatory Committee and Audit and Standards Committee is low when compared to those in neighbouring authorities. The Panel consider that there is no evidence that the roles of Chair and Vice Chair of the Regulatory Committee or Chairs of the Pension Fund Investment Sub-Committee and Audit and Standards Committee have changed significantly since the last review and therefore **recommend that the allowance for these roles be increased by the same percentage (4.34%) as overview and scrutiny chairs to the sums below:**

Regulatory Committee Chair	increase from £5,942 to £6,200
Regulatory Committee Vice-chair	increase from £3,000 to £3,100
Audit and Standards Committee Chair	increase from £4,618 to £4,820
Pension Fund Investment Sub-Committee	increase from £4,618 to £4,820

4.2.6 CHAIR OF THE POLICE AND CRIME PANEL

The Panel support the conclusions of its predecessors that the allowance paid to the Chair of Warwickshire Police and Crime Panel should be payable only when the Chair is a nominated County Councillor representative on the Panel. The Panel's view is that it is for the Independent Remuneration Panels of the constituent authorities to consider whether an allowance should be paid to that council's representative, should they be elected as Chair. In view of the Police and Crime Panel's scrutiny function, this Panel **recommends that when the Chair is one of the nominated County Council representatives on the Panel the allowance payable be increased from £3,144 to £3,280** representing the same percentage increase (4.34%) as that recommended for the overview and scrutiny chairs.

4.2.7 ADOPTION AND FOSTERING PANEL REPRESENTATIVE

The Panel considered the level of responsibility of members on the adoption and fostering panels and concluded that there is considerable work and time commitment involved. The Panel also considered the importance of the role in terms of corporate parenting and the pressures on safeguarding from the national context. The Panel therefore **recommend the allowance be increased by 119.47% from £1,048 to £2,300.**

4.2.8 SPOKESPERSONS POTS

- a) The Panel considered the provision in the scheme for the Conservative, Labour and Liberal Democrat Groups to allocate SRAs to members of their group from a pot based on the size of the group (£14,000 for the Conservative Group and £1,000 per member for the Labour and Liberal Democrat Groups).
- b) It is noted that the groups have used these 'pots' to provide SRAs to their spokespersons on overview and scrutiny committees and also for additional roles identified by the group leaders (eg Cabinet support roles). The Panel also note the value that the group leaders place on this allocation.
- c) The Panel consider that the application of these pots has led to there being an arbitrary division of the funds. The Panel do not consider that there is clarity, transparency or consistency to the role of group spokesperson, or to the

remuneration the role receives. The Panel, therefore, echo the views of its predecessor Panel in 2018 that these pots should be removed from the scheme. Specifically defined roles should be assessed by the Panel as to whether the roles should attract a special responsibility allowance and at what level.

- d) Additionally, the Panel note that the allocation of allowances from the group spokesperson pots increases the number of special responsibility allowances payable under the scheme. This results in Warwickshire having a comparatively higher number of allowances than neighbouring comparator authorities. Legislation does not limit the number of special responsibility allowances, but the Panel do not consider that the position reflects the spirit of the government’s guidance on member allowances (paragraphs 56 and 57):

“56. The 1991 Regulations do not limit the number of special responsibility allowances which may be paid, nor do the regulations prohibit the payment of more than one special responsibility allowance to any one member.

57. However, these are important considerations for local authorities. 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”.

Level of SRAs in neighbouring authorities as percentage of their total council membership

Number of SRAs expressed as a % of Total Councillors			
Authority	Number of Councillors	SRAs	% of Councillors with an SRA
Derbyshire	64	31	48
Gloucestershire	53	26	26
Leicestershire	55	39	39
Oxfordshire	63	34	34
Staffordshire	62	44	44
Worcestershire	57	28	28
Warwickshire	57	43	75

This table details the total number of SRAs available and not necessarily the number of SRAs claimed.

- e) The Panel, therefore, **recommend that all group spokesperson pots cease from 17 May 2022.**
- f) The Panel believe that removal of the group spokesperson pots will also partially mitigate against the overall budgetary impact of the increases proposed elsewhere in this report, especially the increase to the Basic Allowance.

4.3 CO-OPTEEES ALLOWANCE

There are a small number of co-optee positions included in the membership of committees and panels in Warwickshire for which an SRA is payable. The Panel recognises the valuable contribution that co-optees make by bringing their expertise

and fresh perspectives to the work of the Council. The Panel, therefore, **recommends an increase in the allowance payable from £1,272 to £1,300.**

4.4 CHILDCARE AND DEPENDANT ADULT CARERS' ALLOWANCES

4.4.1 The Panel recognised that allowances for childcare and dependant adult carers are in place for those occasions when members incur expenditure on these costs during the conduct of council business. It was noted that the allowances had not received attention for some time and the Panel considered the rate of the existing allowances against recent published research.

Childcare

4.4.2 The Panel note that the 2021 childcare survey conducted by Coram Family and Childcare² concluded that the prices for part time (25 hours a week) childcare for children under two is £136.14 in the West Midlands, equating to £5.45 per hour. Whilst it is surprising to the Panel that this still falls within the rate set by the existing allowance scheme, the Panel are conscious of the increasing cost of living and rises in energy prices that will no doubt soon impact on businesses and individuals alike. Therefore, the Panel conclude that a rise in the allowance payable for childcare is reasonable and would support a “family friendly” ethos. The Panel **recommend that the maximum hourly rate claimable for childcare for a child below school age or a child under 14 years of age outside school hours be increased from £5.50 to £6.00.**

Care of an elderly, sick or disabled dependant

4.4.3 The Panel note evidence from Disability Rights UK that the cost of employing a carer from care agencies or other service providers in July 2021 attracted an average hourly rate ranging between £11.00 and £19.00³. Again, the Panel note that the existing scheme rate falls within this range but it does not yet account for more recent changes in the economy. Therefore, the Panel consider an increase to the maximum claimable that reflects a similar percentage increase to the recommended allowance for childcare is reasonable. The Panel **recommend that the maximum hourly rate claimable for the care of an elderly, sick or disabled dependant requiring constant care be increased from £18.00 to £19.60.**

4.5 TRAVEL AND SUBSISTENCE

4.5.1 The Panel **recommend that mileage and fuel rates that are consistent with HMRC approved mileage and rates should be adopted**, including passenger rates. The Panel also recommend that the Council adopt any

² [Coram Family and Childcare Annual Childcare Survey 2021](#)

³ [Disability Rights UK Factsheet F50](#)

future adjustments to the rates that HMRC introduce, including any future provision for electric vehicles.

4.5.2 In terms of meal allowances, the Panel consider that the current lunch allowance of £6.50 is adequate and easily allows the purchase of a ‘meal deal’ at a large number of outlets. However, the Panel notes that the existing evening meal allowance is low, and taking into account the prices charged in budget chain restaurants, it is **recommended that the evening meal allowance be increased from £8.00 to £10.00.**

4.5.3 The Panel also consider that existing rates for the cost of accommodation of sums not exceeding £80.00 outside of London and £100.00 in London are low in the current climate and **recommend that these be increased to sums not exceeding £85.00 outside of London and £110.00 in London.** The Panel support the existing scheme provision that these rates should only be exceeded if there are exceptional circumstances when members should consult the Delivery Lead Governance Services for approval or they may be required to pay any excess above the rates.

4.6 OTHER ISSUES AND RECOMMENDATIONS

4.6.1 The Panel also considered the criterion that should be used for the annual updating of members allowances and recommend that parity with the percentage increase in the NJC scale officers award should continue to be used in Warwickshire, with the first uplift taking effect from May 2023.

4.6.2 The Panel support the existing principle that councillors should not claim more than one special responsibility allowance.

4.6.3 The Panel have worked on the assumption that the new scheme will be introduced from 17 May 2022, following the annual general meeting of the council for the start of the 2022-23 municipal year, and therefore do not recommend any backdating of the allowances.

4.6.4 During the course of its enquiries, the Panel has been made aware of the barriers faced by those councillors with disabilities. However, the Panel is satisfied that these issues are addressed by the council’s duty to make “reasonable adjustments” for disabled employees which has also been applied to councillors, and the support available from the government funded Access to Work⁴ scheme that pays for administrative and other support for disabled people.

⁴ <https://www.gov.uk/access-to-work>

5. CONCLUSION

- 5.1 The Panel recognise the commitment that all councillors make to public service upon their election and note that whilst it can be a tremendously rewarding role, those who step up to serve should not be out of pocket for the expenses they incur in conducting council business and that they should also be reasonably remunerated for their time. The Panel have carefully considered the evidence before them and have recommended a scheme of allowances which it believes is clear, fair and transparent.
- 5.2 The Panel calculate that the 2021/22 scheme makes provision for allowances totalling £789,261.55. The Panel's proposals result in a scheme of allowances that total £822,325.00, a difference of £33,093.45 representing an overall increase of 4.19%. The new total allowances figure is 0.238% of the Council's total estimated net revenue budget requirement for 2022/23.
- 5.3 The Panel also recognise that the allowance scheme is a matter for the Council to decide upon, having regard to this report. This underlines the democratic and transparent nature of the process. The Panel's report provides an independent perspective on the issue of allowances which the councillors themselves must debate, accept, amend or reject. The attached appendix sets out the text for a revised scheme, should the Council approve the recommendations in this report.

James Morgan (Panel Chair)
Peter Bebbington
Margo Key

MEMBERS' ALLOWANCES SCHEME

1. This scheme is made under the Local Authorities (Members' Allowances) (England) Regulations 2003 as amended.

2. Basic Allowance

Each elected member of the county council is entitled to receive a basic allowance of £10,590.

As a matter of principle, the basic allowance recognises that there is a voluntary element to the work undertaken by elected members and therefore does not set out to fully recompense all work undertaken.

3. The basic allowance is a contribution to the time spent by elected members in performing their duties and to cover any other incidental costs.

4. Elected members who hold one of the appointments listed in the following table are entitled to receive a **special responsibility allowance** at the rate shown per annum. Members holding more than one post attracting a special responsibility allowance may only claim one special responsibility allowance. (The monitoring officer will apply the higher special responsibility allowance, unless advised otherwise.)

5. On appointment elected members are required to confirm in writing to the joint managing director (resources) whether they wish to receive the basic allowance and any special responsibility allowance. A member (including a co-opted member) may elect at any time by notice in writing to the Monitoring Officer to forgo any part of their entitlement to an allowance under the scheme.

6. Entitlements to basic, special responsibility and co-optees allowances will be calculated pro-rata taking into account the day on which a member takes office and/or is appointed to a post attracting a special responsibility or co-optees allowance and the day such office or appointment ends. Such allowances are normally paid monthly in arrears.

7. The basic, special responsibility and co-optees allowances will be increased in line with the basic annual NJC pay award increase (excluding the National Living Wage).

8. Special Responsibility Allowances (SRAs)

SRAs are payable from the date of appointment to office.

	£
Leader of the Council	27,500
Deputy Leader of the Council	16,500
Cabinet Member	12,375
Chair of the Council	6,100
Vice-Chair of the Council	3,050
Overview and Scrutiny Committee Chair	6,200

Overview and Scrutiny Committee Vice-Chair	2,300
Regulatory Committee Chair	6,200
Regulatory Committee Vice-chair	3,100
Audit and Standards Committee Chair	4,820
Pension Fund Investment Sub-Committee Chair	4,820
Adoption Panel Member (County Councillor)	2,300
Fostering Panel Member (County Councillor)	2,300
Chair of Warwickshire Police and Crime Panel when the Chair is a nominated County Councillor representative on the Panel	3,280
Opposition Group Leader (to be divided proportionally dependent upon group size)	15,500

9. **Co-optees Allowance**

A co-optee is a non-elected member of the council who is a member of a committee or sub-committee of the council.

An allowance of **£1,300** is payable to any co-optee who is not paid by or in receipt of allowances from their nominating body.

10. **Travelling allowances**

These may be claimed by members for the duties listed in the appendix in accordance with the provisions set out below. Claims must be made within two months from the date of the event for which the allowance is claimed.

Public Transport

Reimbursement for travel by public transport will not exceed the amount of the standard fare. In the case of rail travel, this will include the cost of a seat reservation.

Members may also claim for the cost of disability railcards or senior railcards where these are used to the council's advantage to reduce fares incurred on council business.

For the avoidance of doubt, the cost of first-class rail travel will not be reimbursed. Receipts for all travel must be provided.

Members should, wherever feasible, take advantage of the countywide travel pass scheme for residents over 60 which allows free travel on local bus services within the county.

Taxi Cab

Taxi cab fares (including a reasonable gratuity) may be reimbursed in cases of urgency or when no public service is reasonably available. Receipts must be provided.

Air or Sea

Air or sea fare may be reimbursed if the rate compares reasonably with the cost of alternative means of travel and/or having regard to the likely savings in time. In respect of travel by air or sea, this must be agreed in advance with the democratic services manager. Receipts must be provided.

Insurance

It is essential that a member's own motor vehicle insurance policy covers them when using their own vehicle on county council approved duties.

Member's Private Vehicle

The HMRC approved rate from time to time for travel by motor vehicle (car and van) will be applied. This is currently set at 45p per mile (as at May 2022). The HMRC approved rate from time to time for electric vehicles will be applied.

Claims should be based on travel from the member's home address or from the actual starting point, whichever is the shorter. The monitoring officer will agree a standard mileage from the member's home to Shire Hall for each member. If a passenger is carried on any journey, an additional rate in accordance with the approved HMRC rate from time to time per mile may be paid in respect of each passenger. The name of any passenger(s) must be entered on the claim form for that journey.

VAT Receipts

Claims for mileage should be accompanied by a VAT receipt issued in the month of the claim.

Motorcycle or Bicycle

The HMRC approved rate from time to time for travel by motorcycle or bicycle will be applied. This is currently set at is 24p per mile for motorcycles and 20p per mile for bicycles (as at May 2022). The HMRC approved rate from time to time for electric vehicles will be applied.

Hired vehicle

The rate for travel by a hired motor vehicle other than a taxi cab shall not exceed the rate which would have been applicable had the vehicle belonged to the member who hired it.

11. Subsistence allowances

These may be claimed by members for the duties listed in the appendix subject to the following provisions:

The council will reimburse actual costs up to the maximum subsistence rates agreed for officers. Receipts must be provided with all claims and the claim for subsistence must be made within two months from the date of the event for which the allowance is claimed.

Subsistence will not be paid when lunch or tea is provided – for example on days of full council.

Subsistence will not be paid for alcoholic beverages.

The rate of subsistence shall not exceed figures shown below without the prior agreement of the Strategic Director for Resources.

1. In the case of an absence, not involving an absence overnight, from the usual place of residence:
 - a) of more than 4 hours including the period between 12noon and 2pm (lunch allowance), £6.50.
 - b) of more than 4 hours ending after 7 pm (evening meal allowance), £10.00.
2. In the case of an absence overnight from the usual place of residence the cost of accommodation (including breakfast) should not exceed £85 outside of London, or £110 in London. These rates shall be deemed to cover a continuous period of absence of 24 hours.
3. The rates at (2) can only be exceeded if there are exceptional circumstances and members should consult the democratic services manager for approval or may be required to pay any excess above the rates.

12. Dependant carer's allowance

may be claimed by members who incur expenditure on the care of children or other dependants for the duties listed in the Appendix in accordance with the following

provisions.

The event requires the member to provide care for a person who normally lives with the member as part of the member's family

A carer is any responsible mature person who does not normally live with the member as part of the member's household.

Receipts must be provided with all claims for the allowance and the claim must be made within 2 months from the date of the event for which the allowance is claimed.

The sum claimed is the lower of the actual paid or the applicable maximum hourly rate below, updated as appropriate following the annual review of rates undertaken by the Strategic Director for People.

Dependant	R Rate per hour
A child below school age or a child under 14 years of age outside school hours	£6.00 *
An elderly, sick or disabled dependant requiring constant care	£19.60 *

*This rate can only be exceeded if there are exceptional circumstances and members have prior approval of the Democratic Services Manager.

Members' Allowances Scheme

Appendix: Duties of councillors for which travel expenses may be claimed

1. All formal meetings arranged by the county council for the conduct of county council business.
2. All consultation meetings arranged by the county council for which the member's attendance is required or where the business directly affects the member's electoral division.
3. All meetings of bodies to which the member has been appointed as the county council's representative by the council, cabinet, Regulatory Committee or area committee, including meetings of companies in which the county council has an interest as the nominated director. (Note: this does not include acting as a representative of the council on a school governing body.)
4. Participation in delegations or attendance at conferences approved by committees.
5. Seminars and training sessions arranged by the county council which are open to all members or open to all members of a particular committee and any individual training or development sessions approved by the democratic services manager.
6. Pre-agenda briefing meetings with officers, taking place before committees, etc. and to which all parties are invited.
7. Consultation and briefing meetings with officers by members of the cabinet or others with special responsibility holding appointed or elected positions.
8. Group meetings.
9. Surgeries.
10. Meetings of a parish or town council in the member's own division.
11. The carrying out of any other duty approved by the authority or any duty of a class so approved, for the purpose of, or in connection with the discharge of the functions of the authority, its committees or sub-committees.