

Report of the City Solicitor to the meeting of Council on 20 October 2015

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Subject:

Recommendations of the Independent Remuneration Panel in relation to Special Responsibility Allowances for Executive Assistants

Summary statement:

The Leader of the Council has appointed 6 Executive Assistants to work with the Executive Members with portfolios.

The Council's Independent Remuneration Panel met on 24 September 2015 to consider whether a Special Responsibility Allowance should be paid to Executive Assistants and if so what the appropriate SRA should be. The Independent Remuneration Panel has now submitted its report and its recommendations.

This report appends the report of the Independent Remuneration and seeks a decision from Council on the recommendations.

Suzan Hemingway
City Solicitor

Portfolio:

Corporate

Report Contact: Dermot Pearson
Phone: (01274) 432496
E-mail: dermot.pearson@bradford.gov.uk

Improvement Area:



1. Summary

- 1.1 The Council's Members' Allowances Scheme is set out at Part 5 of the Council's Constitution. Before the Council makes or amends a Scheme it must have regard to the recommendations made by an independent remuneration panel. The duties of the independent remuneration panel include producing reports making recommendations as to the responsibilities or duties in respect of which special responsibility allowances [SRAs] should be available. There are legal requirements in relation to publicising the recommendations of independent remuneration panels and the decisions of councils in making or amending Schemes. No payments can be made to councillors other than in accordance with the Scheme.
- 1.2 The Leader of the Council has appointed six Executive Assistants to work with the Executive Members with portfolios during the 2015/16 municipal year and at its meeting on 24 September 2015 the Council's Independent Remuneration panel considered whether SRAs should be available to Executive Assistants.
- 1.3 The Independent Remuneration Panel's report and recommendations form the Appendix to this report.

2. Recommendations of the Independent Remuneration Panel

2.1 The Independent Remuneration Panel has made the following recommendations:

- 2.1.1 The Special Responsibility Allowance payable to the Executive Assistants should be 12½% of the Special Responsibility Allowance payable to the Leader of the Council with effect from the 2015 Annual General Meeting of the Council.
- 2.1.2 The Special Responsibility Allowance payable to the Executive Assistants should be 15% of the Special Responsibility Allowance payable to the Leader of the Council with effect from the 2016 Annual General Meeting of the Council.
- 2.1.3 The level of the Special Responsibility Allowances payable to the Executive Assistants should be kept under review as their responsibilities and workload develop.

3. Financial and Resource Appraisal

- 3.1 The report of the Independent Remuneration Panel appended to this report considers the financial implications of their recommendations.

4. Legal Appraisal

- 4.1 As set out above and in the Independent Remuneration Panel's report appended to this report.

5. Other Implications

5.1 There are no equal rights, sustainability, community safety, Human Rights Act or trade union implications of this report.

6. Options

Council has the following options:

6.1 To adopt the recommendations of the Independent Remuneration Panel and to amend the Members' Allowances Scheme to give effect to those recommendations; or

6.2 To have regard to the recommendations of the Independent Remuneration Panel but to set a Special Responsibility Allowance available to Executive Assistants at a different level to that recommended by the Independent Remuneration Panel and to amend the Members' Allowances Scheme to give effect to that decision; or

6.3 To have regard to the recommendations of the Independent Remuneration Panel but to not amend the Members' Allowances Scheme.

7. Recommendations

7.1 That Council consider the recommendations of the Independent Remuneration Panel.

8. Appendices

8.1 Report of the Independent Remuneration Panel dated [] October 2015.

9. Not for Publication Documents

9.1 None

10. Background Papers

10.1 Members' Allowances Scheme [Part 5 of the Constitution] at:

<http://www.bradford.gov.uk/NR/rdonlyres/1AC7A905-A2C8-47A9-847F-69B0AE65B4B9/0/CBMDCCConstitution.pdf>

CITY OF BRADFORD METROPOLITAN COUNCIL

Report of Panel on Members' Allowances

September 2015

Introduction

1.1 The Local Authorities (Members' Allowances) (England) Regulations 2003 require each local authority to establish an Independent Review Panel to advise the Council on its scheme of members' allowances, having regard to the Regulations and the Government's statutory guidance. Before making or amending a scheme the Council must have regard to the advice of the Panel. No payment may be made to Council members otherwise than in accordance with the Council's Scheme.

1.2 In accordance with the Regulations the Council has appointed an Independent Review Panel. In making (and subsequently amending) its scheme of members' allowances the Council has had regard to the advice of the Panel. The Panel now consists of Sir Rodney Brooke CBE DL (Chair), Lorraine Clarke and Christopher Ing. The Panel last reported to the Council in June 2012, making recommendations within a budget reduction in the cost of members' allowances of £100,000.

1.3 Since the Panel last reported, the Council has reduced from seven to six the number of Executive Members with portfolios. This will allow a consequential reduction in the number of Opposition Shadow Executive Members. Simultaneously the Council created the posts of six Executive Assistants to work with the Executive Members with portfolios. The Council has asked the Panel to consider an appropriate level of Special Responsibility Allowance for these six posts.

1.4 In considering the issue the Panel met Councillor David Green (Leader of the Council), Councillor Mohammed Shafiq (an Executive Assistant) and Councillor Mike Ellis (Conservative Chief Whip) together with Mr Dermot Pearson (Interim City Solicitor). The conclusions of the Panel are nevertheless entirely its own.

Background

2.1 For the 2015-16 municipal year the Council's Executive consists of the Leader of the Council, the Deputy Leader of the Council and four Portfolio Holders. Their respective portfolios are:

Leader (Corporate Matters and Strategic Regeneration)

Deputy Leader (Housing, Planning & Transport)

Portfolio Holder for Education, Skills & Culture

Portfolio Holder for Health & Social Care

Portfolio Holder for Environment, Sport & Sustainability

Portfolio Holder for Neighbourhoods & Community Safety

2.2 The six Executive Assistants each have an area of responsibility which corresponds to one of the six Portfolios. They are not members of the Executive. They cannot vote at meetings of the Executive but may speak at the discretion of the Leader. They will not have responsibilities for the media. The position of Executive Assistant is a developmental role providing members with direct experience of working with the Executive and assisting Portfolio Holders in developing and delivering strategic policy, informing decision making and the political management of the Authority. Their specific responsibilities are:

(a) supporting Portfolio Holders actively to review performance and resources and develop policy in specific areas identified by the Portfolio Holder.

(b) attending policy briefings in their areas of responsibility.

(c) deputising for the Portfolio Holder at meetings relating to the Assistant's areas of responsibility and/or participating in meetings with the Portfolio Holder.

(d) attending meetings of Executive members and the Council's Joint Political and Managerial Leadership as determined to be appropriate, in consultation with the Portfolio Holder.

(d) attending meetings and developing relationships with relevant local and regional partners as determined to be appropriate through consultation with the Portfolio Holder.

(e) attending public meetings as appropriate.

(f) developing knowledge in areas related to their responsibilities as Executive Assistants and keeping abreast of local and national developments in those areas.

Consideration

3.1 While appreciating that the cost of members' allowances is by no means excessive in relation to the responsibilities of the Council and its members, both the Panel and the Council recognise the severe financial climate currently affecting local authorities. The Panel wish to avoid any significant increase in the overall cost of members' allowances. However, the reduction within the current financial year of the number of Portfolio Holders and the potential reduction in the number of Shadow Portfolio Holders reduce the cost of members' allowances by £29,618.

3.2 The workload on councillors continues to increase: budgetary reductions increase the pressure on them. Their constituents are more demanding. Specifically the prospect of the devolution of powers from central government and the creation of a combined West Yorkshire authority greatly increases the pressures on and workload

of the Leader, Deputy Leader and Portfolio Holders. While the Panel appreciates the developmental role of the Executive Assistants, it can see that their presence and involvement in the work of their respective portfolios will be significant and continue to grow as they gain experience. They can be asked to present issues to the Executive and to Overview and Scrutiny Committees and to represent the Portfolio Holder at meetings with outside bodies. The creation of such posts is not uncommon in other local authorities. The Panel readily accepts that the work of the Executive Assistants justifies a Special Responsibility Allowance.

3.4 A straightforward apportionment of the savings resulting from the reductions in the number of current recipients of Special Responsibility Allowances would result in a Special Responsibility Allowance for each Executive Assistant of £4,936. The Shadow Executive Members receive Special Responsibility Allowances of £4,488. This is 12½% of the Leader's Special Responsibility Allowance. [Special Responsibility Allowances in the Bradford Members' Allowances Scheme are largely based on a percentage of the Leader's Special Responsibility Allowance.] Both the Leader and the Opposition Chief Whip believe that the Executive Assistants carry greater responsibilities than the Shadow Executive members. A Special Responsibility Allowance of 15% of the Leader's Special Responsibility Allowance would yield a Special Responsibility Allowance of £5,385; 17½% would yield £6,283. These figures are, of course, completely insignificant in the context of the Council's overall budget. They are, however, significant in terms of public opinion at a time of financial restraint.

3.5 Bearing in mind that the roles are in the early stages of development, the Panel believes that an appropriate Special Responsibility Allowance for the posts would currently be £4,488, ie 12½% of the Leader's Special Responsibility Allowance. However, it is clear that the roles of Executive Assistants will evolve and develop. With that in mind, the Panel recommends that, from the date of the 2016 Annual Council Meeting, the Special Responsibility Allowance for the Executive Assistants be increased to £5,385, ie 15% of the Leader's Special Responsibility Allowance. Their Special Responsibility Allowances should be kept under review, bearing in mind the evolving nature of the role, especially in the context of devolution and the development of a combined West Yorkshire Authority

RECOMMENDATION

4.1 The Special Responsibility Allowance payable to the Executive Assistants should be 12½% of the Special Responsibility Allowance payable to the Leader of the Council with effect from the 2015 Annual General Meeting of the Council.

4.2 The Special Responsibility Allowance payable to the Executive Assistants should be 15% of the Special Responsibility Allowance payable to the Leader of the Council with effect from the 2016 Annual General Meeting of the Council.

4.3 The level of the Special Responsibility Allowances payable to the Executive Assistants should be kept under review as their responsibilities and workload develop.

**Rodney Brooke (Chair)
Lorraine Clarke
Christopher Ing**

September 2015