

**TO:- Standards and Resources Committee**

Councillor Barry Bond M.B.E. , Councillor Diane Holmes , Councillor Val Boote , Val Chapman , David Oldfield , Mary Roberts , Richard Taylor , Councillor Roger Tucker Councillor Penny Allen , Councillor Frank Beardsmore , Councillor Chris Benton , Councillor Joyce Bolton , Councillor Mike Boyle , Councillor Philip Davis , Councillor Lin Hingley , Councillor Ve Jackson , Councillor Dan Kinsey B.E.M , Councillor Kath Perry M.B.E. , Councillor John Raven , Councillor Robert Reade

Notice is hereby given that a meeting of the Standards and Resources Committee will be held as detailed below for the purpose of transacting the business set out below.

Date: Thursday, 24 November 2022

Time: 14:30

Venue: Council Chamber, Community Hub, Wolverhampton Road, Codsall, South Staffordshire, WV8 1PX



D. Heywood  
Chief Executive

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**A G E N D A****Part I – Public Session**

- |          |   |               |
|----------|---|---------------|
| <b>1</b> | Minutes   | <b>3 - 4</b>  |
|          | To confirm the Minutes of the meeting of the Standards and Resources Committee held on 13 October 2022. |               |
| <b>2</b> | Apologies   |               |
|          | To receive any apologies for non-attendance.  |               |
| <b>3</b> | Declarations of Interest  |               |
|          | To receive any declarations of interest.  |               |
| <b>4</b> | Members Allowances  | <b>5 - 32</b> |
|          | Report of the Independent Remuneration Panel  |               |

Report of the Monitoring Officer

**RECORDING**

**Please note that this meeting will be recorded.**

**PUBLIC ACCESS TO AGENDA AND REPORTS**

Spare paper copies of committee agenda and reports are no longer available. Therefore should any member of the public wish to view the agenda or report(s) for this meeting, please go to [www.sstaffs.gov.uk/council-democracy](http://www.sstaffs.gov.uk/council-democracy).

Minutes of the meeting of the **Standards and Resources Committee** South Staffordshire Council held in the Council Chamber Community Hub, Wolverhampton Road, Codsall, South Staffordshire, WV8 1PX on Thursday, 13 October 2022 at 14:30

**Present:-**

Councillor Penny Allen, Councillor Joyce Bolton, Councillor Barry Bond, Councillor Mike Boyle, Councillor Philip Davis, Councillor Diane Holmes, Councillor Ve Jackson, Councillor Kath Perry, Councillor Roger Tucker

6      **MINUTES**

**RESOLVED:** That the minutes of the meeting of the Standards & Resources Committee held on 16 June 2022 be approved and signed by the Chairman subject to the inclusion of Cllr P Davis in the list of apologies received.

7      **APOLOGIES**

Apologies were received from Councillors L Hingley, D Kinsey BEM, J Raven, M Roberts and V Chapman.

8      **DECLARATIONS OF INTEREST**

There were no declarations of interest.

9      **ELECTIONS ACT 2022**

**RESOLVED:** That members noted the report.

10     **LOCAL GOVERNMENT OMBUDSMAN ANNUAL REVIEW LETTER**

**RESOLVED:** That members noted the content of the Local Government Ombudsman Annual Review Letter.

11     **MEMBERS ALLOWANCES - PROCESS 2022/23**

**RESOLVED:** That members noted the process for the setting of Members Allowances and agreed to receive a further report at the 24 November meeting.

12     **REPORT ON WORK PROGRAMME/COMPLAINTS**

**RESOLVED:** That members noted the content of the update on Code of Conduct and Complaint Matters.

The Meeting ended at: 15:17

**CHAIRMAN**



**SOUTH STAFFORDSHIRE COUNCIL****STANDARDS AND RESOURCES COMMITTEE – 24 NOVEMBER 2022****MEMBER ALLOWANCES****REPORT OF INDEPENDENT REMUNERATION PANEL – TO BE PRESENTED BY THE COUNCIL'S MONITORING OFFICER ON BEHALF OF THE PANEL****PART A – SUMMARY REPORT****1. SUMMARY OF PROPOSALS**

- 1.1 This report sets out the recommendations of the Council's Independent Remuneration Panel which met on 29 September 2022 and 20 October 2022. The Committee must now make a recommendation to the Council as to the level of Member Allowances, having regard to the recommendations of the Council's Independent Remuneration Panel.

**2. RECOMMENDATIONS**

- 2.1 That the Committee recommends the level of Member Allowances to Council.

**3. SUMMARY IMPACT ASSESSMENT**

POLICY/COMMUNITY IMPACT	Do these proposals contribute to specific Council Plan objectives?	
	Yes	Vibrant and Prosperous Communities.
	Has an Equality Impact Assessment (EqIA) been completed?	
	No	No changes are being recommended and therefore no new impacts arise.
SCRUTINY POWERS APPLICABLE	No – goes to Standards and Resources Committee on 24.11.22 and Council on 20.12.22.	
KEY DECISION	No	
TARGET COMPLETION/ DELIVERY DATE	1.4.23	
FINANCIAL IMPACT	Yes	<p>The recommended status quo would have no impact on budgets as the known reduction in the number of elected members from May 2023 had already been built into budget projections. There would be a varying cost thereafter depending on the level of the settlement for Local Government Chief Officers (which the Panel recommends that the increases are tied to).</p> <p>Any increase in the allowances will be built into the budget which is due to be approved by Council on 21.2.2023.</p>
LEGAL ISSUES	Yes	The Local Authorities (Members' Allowances) (England) Regulations 2003 (as amended) apply. The decision on the

		setting of allowances rests with Council.
OTHER IMPACTS, RISKS & OPPORTUNITIES	No	
IMPACT ON SPECIFIC WARDS	No	

## **PART B – ADDITIONAL INFORMATION**

### **4. INFORMATION**

#### **4.1 Legal Framework for Member Allowances**

The main provision in legislation is the Local Authorities (Members' Allowances) (England) Regulations 2003 (as amended).

#### **4.2 Key Provisions in the Law**

The Panel noted that the law on member allowances is rigid as to what can and cannot be paid to members in terms of allowances.

In short it provides that each authority must have a scheme for payment of member allowances approved each year before 1 April. The schemes can allow for a number of categories of allowance that an authority can chose to pay to its members these are:

- a. Basic Allowance
- b. Special Responsibility Allowance
- c. Carers Allowance
- d. Travelling & Subsistence Allowance

In deciding what level to set these allowances the authority must take into account the recommendations of that authority's Independent Remuneration Panel (the Panel).

#### **4.3 The rules make specific provision about each of these payments to members of the authority. It is important to note that only these payments can be made and no other for the role as a member.**

- **Basic Allowance** – the rules provide that each member should be paid a basic allowance in respect of their functions along with any other allowance provided for by the scheme. It also provides that if a member is in office for part of the year he/she is to get a proportionate payment.

The allowance is not intended to serve as a salary rather it is intended to be a small contribution to recognise the significant time commitment of all councillors including calls on their time of meetings, and other council work and a contribution towards the incidental costs of being a councillor such as use of their homes, telephone calls and meetings.

- **Special Responsibility Allowance** – a scheme may provide for a special responsibility allowance to be paid (in addition to the basic allowance) to members with certain

(specified) roles these include the leader of a political group, deputy leader of a political group, members of cabinet/leader (and deputy leader) of the Council, chairmen of committees/sub-committees or someone who is required to carry out such other activities as require the member an amount of time greater or equal to the other categories.

- **Carers' allowance** – a scheme may provide for the payment to members in respect of expenses for care of children or dependents for attending certain meetings.
- **Travelling and subsistence allowance** – a scheme may provide for the payment of an allowance in respect of travelling and subsistence in respect of travel undertaken in connection with or relating to certain specified duties such as attendance of Council/Committee meetings or other functions specified by the authority.

**4.4** **Length of a scheme** - Whilst the scheme needs to be made for each year the law provides that a Council may choose to set a scheme for a period of years (subject to being re-approved each year by Council) with an annual adjustment by reference to an index, where it does so it may set the scheme for a period of no more than 4 years without going back to the Panel.

This approach, of setting a scheme for a 4-year period, was agreed in 2018/9 with an annual increase linked to Chief Officer pay. The Panel considered this issue again and made a

**Recommendation: that the setting of a scheme for a 4-year period continues.**

**Claims by a certain date** - Where payments are made under the Carers' or Travelling and Subsistence Allowances the scheme must provide a date for these payments to be claimed by.

**Publicity for schemes** - There are also detailed rules concerning publicity for the making or amendment of a scheme including advertising it in the local paper and also in relation to the recommendations of the Panel.

**4.5** **Independent Remuneration Panel** – The Panel is a critical part of the process. The Panel is designed to ensure that there is independent oversight as to how much the allowances are set at. The responsibilities are set out at Regulation 21, the relevant parts of which are repeated below:

*(1) An independent remuneration panel shall produce a report in relation to the authority or authorities in respect of which it was established, making recommendations–*

*(a) as to the responsibilities or duties in respect of which the following should be available–*

*(i) special responsibility allowance;*

*(ii) travelling and subsistence allowance; and*

*(iii) co-optees' allowance;*

*(b) as to the amount of such allowances and as to the amount of basic allowance;*

*(c) as to whether dependants' carers' allowance should be payable to members of an authority, and as to the amount of such an allowance;*

*(d) as to whether, in the event that the scheme is amended at any time so as to affect an allowance payable for the year in which the amendment is made, payment of allowances may be backdated in accordance with regulation 10(6);*

*(e) as to whether adjustments to the level of allowances may be determined according to an index and if so which index and how long that index should apply, subject to a maximum of four years, before its application is reviewed;.....*

4.6 The Panel must have at least 3 members who cannot be a member of the authority or disqualified from being a member and may pay the members of the Panel. The Panel is appointed by Council and was appointed at Annual Council in May 2022 and amended in September 2022 – it currently comprises:

- Mr R Garbett – Local Businessman
- Mr R Wright – Alderman of South Staffordshire Council
- Mr A MacLaughlin – Local Businessman

4.7 **Decision on allowances** – whilst the Panel makes recommendations to the Committee (and ultimately to Council) the decision on allowances is reserved to the Council (but is made following a recommendation from the Standards and Resources Committee). It is a matter for the Council to determine what allowances should be paid and at what level. The Council must have regard to the recommendations of the Panel and if it decides not to follow them should explain why and will of course need to act reasonably.

4.8 **Timing of decisions -**

This year the process is as follows:

- **Meeting 1 of the Independent Remuneration Panel – 29 September 2022**
- **Meeting 2 of the Independent Remuneration Panel – 20 October 2022**
- **Report of the Independent Remuneration Panel to Committee - 24 November 2022**
- **Setting of the allowances – Council – 20 December 2022**

4.9 **Current Scheme for South Staffordshire Members**

The current scheme (attached at Appendix 1) provides for:

- **A basic allowance** – of £5,997
- **Special responsibility allowances** - as set out in Part 6 of the Constitution and attached as Appendix 1.
- **Travel allowances** – for travel other than to the Council offices on the same basis as officers

The scheme does not provide for a carers' allowance (as set out above it does not have to do so, it is an optional allowance).



4.10 The current budget for member allowances is £370,900. In 2021/22 the total expenditure for allowances was £361,731 (against a budget of £363,700).

4.11 The Panel noted that the number of elected members will reduce at the May 2023 elections. A Local Government Boundary Review was undertaken in 2021 and this will result in a reduction of members from the current 49 to 42 members. With no change to the current scheme, this will result in a saving of £41,979 against the previous budget in a full year.

4.12 **Completed Questionnaires and representations**

The Panel considered 8 completed questionnaires (out of 49 members) setting out members' views (Appendix 2). The majority of those responding favoured no change to the current scheme. One member suggested an increase to allowances to reflect the current increased cost of living. One member suggested an alternative use of allowance monies to fund community projects.

The Panel considered the responses, and noted the low response rate, which they took as indicating that the issue of allowances was not significant for the majority of members.

Whilst noting the proposal for an increase to reflect the cost of living situation, the Panel considered that the current level of allowances, when compared against similar authorities figures, provided a reasonable level of recompense.

The Panel noted the proposal from one councillor for an alternative use of allowance monies. However, the Panel considered that any such proposal was outside of their remit – which was to consider if the scheme of allowances payable was reasonable. Any decision regarding diverting funds to other uses was not one for the Panel to make.

4.13 **Benchmarking - Other Authorities**

The panel received the benchmarking information as set out in Appendix 3; containing information on allowances paid at 18 other District/Borough Councils. The Panel noted the average basic allowance is £5,187. This compares to an allowance of £5,997 at this Council. The Panel also noted that not all allowances are paid at each authority; this impacts on the veracity of the mean and median figures given due to, in some instances, small comparator groups. The Panel noted the level of basic allowance compared with other authorities and were of the view that the current allowance did not need amending when compared against comparator authorities.

4.14 **Key issues and findings of the Panel:**

The Panel considered the following key issues, having had regard to the law, the reports received from the officers and the representations it received:

1. **Basic Allowance**

The Panel noted the following points:

- a. The current basic allowance was in-line with the mean figure for benchmarked authorities.
- b. Whilst some Committee Chairman allowances differed from the mean figure, when considered with the basic allowance figure, the difference was minimal.
- c. Travel costs were not raised as a key issue by members.

The Panel considered the issue of amending the scheme for travel expenses. On balance, although it was acknowledged that travel costs will have increased, the Panel do not recommend any amendment to the current scheme. The key consideration was the costs in administration of a more complex scheme. The Panel thought that the benefits would be outweighed by the additional burden. The Panel also noted here the introduction of technology and the use of virtual meetings, reducing the need for attendance at the Council Offices for member briefing sessions, Challenge Panels etc.

**Recommendation: The current scheme to continue with no changes to allowances other than the annual increase as provided for by the scheme.**

2. **Indexation** – As the intention is that the allowances are set for 4 years (ie from 2023 through to 2027) the Panel discussed the issue of potential indexation in relation to Members allowances.

The Panel's conclusion was that the fairest approach was for the allowances of members to continue to be tied to increases awarded to senior officers, namely Chief Officers' pay award, by the relevant pay body, whether or not the Council choses to implement the award.

**Recommendation: that the annual increase in allowances continues to be tied to the Chief Officer pay award as currently.**

The Panel also considered the issue that had (at the time of the meeting) arisen in respect of this year's pay award. It was likely that the pay award would be a set figure (possibly £1925) this year rather than a percentage increase. The Panel was provided with information on how this set figure would translate into a percentage increase for Chief Officers at this authority. If the pay award was the anticipated £1925 then that would equate to a 2.2% average pay increase for Chief Officers at South Staffordshire. The Panel were of the view that this average pay increase should be the basis for the increase in member allowances for the current year.

**Recommendation: that once the final Chief Officer Pay Award is known, if a set amount is given rather than a percentage increase, then the equivalent average increase for Chief Officer pay is used to determine the percentage increase for Members Allowances.**

**Update: the pay award for Chief Officers has been set at £1925 and thus the percentage equivalent average increase of 2.2% is the recommended amount for the current year.**

3. **Triggers** –

The Panel's view was that the Council could at any point reconvene the Panel and ask for the Panel to come back and consider the issue afresh and that this was a more appropriate method rather than setting a particular level of inflation or other trigger for a review of the

scheme within the four-year period.

**Recommendation: That the Panel can be reconvened within the four-year period of the scheme by resolution of Council.**

4. **Special Allowances –**

The Panel were content for the Special Responsibility allowances to remain as they; there was no evidence before the Panel to indicate that any of the allowances required amendment or were significant

**Recommendation: The current scheme to continue with no changes to allowances other than the annual increase as provided for by the scheme.**

5. **Conclusion**

In short the recommendation of the Panel is that the current scheme should continue:

- *The scheme should be in place for a 4-year period from 1.4.2023 to 31.3.2027*
- *That the Council can recall the Panel at any point in that period should it wish for the allowances scheme to be revisited for whatever reason*
- *That all allowances should be subject to a yearly increase on 1<sup>st</sup> April each year (from 1.4.2023) based on the recommended increase for Chief Officer's pay (whether implemented or not by the authority)*
- *That the basic allowance should remain at £5,997.*
- *That all special responsibility allowances should remain at the current rates.*

A draft of the proposed scheme is attached at Appendix 4.

4.15 Parish Council Allowances

Between the first and second meetings of the Remuneration Panel, a request to consider parish allowances was received from a parish council in the area. The Panel considered that there was insufficient time to fully consider the position with regard to parish allowances, which was noted to be complex and varied. The Panel therefore declined to consider the issue at the current time but agreed to reconvene in 2023 as a Parish Remuneration Panel and consider the issue in full.

5. **IMPACT ASSESSMENT – ADDITIONAL INFORMATION**

N/a.

6. **PREVIOUS MINUTES**

N/a.

7. **BACKGROUND PAPERS**

Schemes of comparator authorities  
Relevant Legislation

Previous reports of the Independent Remuneration Panel

Appendix 1 - The current scheme

Appendix 2 – Member questionnaire responses

Appendix 3 – Benchmarking chart

Appendix 4 – Draft proposed scheme

Report prepared by: Lorraine Fowkes – Monitoring Officer



**PART 6**

**COUNCILLORS'**  
**REMUNERATION SCHEME**

April 2022

SOUTH STAFFORDSHIRE COUNCIL

THE LOCAL AUTHORITIES (MEMBERS' ALLOWANCES) (ENGLAND) REGULATIONS 2003  
THE LOCAL AUTHORITIES (MEMBERS' ALLOWANCES) (ENGLAND) (AMENDMENT)  
REGULATIONS 2003

**MEMBERS' ALLOWANCES SCHEME**

1. The following allowances are payable to members of South Staffordshire Council ("the Council") and in the case of Standards and Resources Committee a non-member, from 1<sup>st</sup> April 2022 to 31<sup>st</sup> March 2023, and each year thereafter unless amended or revoked, namely,

- an annual basic allowance of £5,997 payable monthly to all members of the Council;
- an annual special responsibility allowance payable monthly to those members (and in the case of the Standards and Resources Committee any non-member) who hold the following office under the Council at the rates indicated against each office and additional to the basic allowance:

Leader of the Council	£14,340
Cabinet Members	£6,257
Leader of the Major Opposition Group	£2,607
Chairman of the Planning Committee	£3,655
Chairman of the Overview and Scrutiny Committee	£2,607
Chairman of the Standards and Resources Committee	£2,607
Chairman of the Licensing and Regulatory Committee	£2,607
Chairman of the Audit & Risk Committee	£2,607
Vice-Chairman of the Planning Committee	£1,042

on the basis that only one special responsibility allowance will be paid to a member in addition to the basic allowance;

- travel and subsistence allowances in accordance with the Council's scheme for the time being relating to the same (including, for the avoidance of doubt, parking charges), for officers paid on spinal column point 38 with the Council Offices, Codsall, being regarded as the normal place of work for the purposes of that scheme and payable in respect of all duties falling within the categories specified in regulation 8 of the Local Authorities (Members' Allowances) (England) Regulations 2003.
- an annual allowance to the Chairman of the Council of £5,214 payable monthly under the provisions of Section 3 of the Local Government Act, 2000, in addition to the annual basic allowance on the basis that no special responsibility allowance will be paid to the Chairman; and

- an annual allowance to the Vice-Chairman of the Council of £2,607 payable monthly under the provisions of Section 5 of the Local Government Act, 2000, in addition to the annual basic allowance on the basis that no special responsibility allowance will be paid to the Vice-Chairman.
2. All allowances are subject to a yearly increase on 1<sup>st</sup> April each year (from 1.4.2020) based on the recommended increase for Chief Officer's pay (whether implemented or not by the authority).
  3. Where a term of office of any person covered by this scheme begins or ends otherwise than at the beginning or end of a year, the entitlement shall be to payment of such part of the allowance as bears to the whole the same proportion as the number of days during which the term of office as member subsists bears to the number of days in that year.
  4. Where payment of any allowance has already been made in respect of any period during which any person covered by this scheme is concerned is:
    - 3.1 ceases to be a member of the Council; or
    - 3.2 is in any other way not entitled to receive the allowance in respect of that period,

the Council may require that such part of the allowance as relates to any such period be repaid to the Council.
  5. Where a member of the Council is also a member of another authority, that member may not receive allowances from more than one authority in respect of the same duties.
  6. Any person covered by this scheme may, by notice in writing given to the Chief Executive, elect to forego the entitlement or any part of the entitlement to allowances.
  7. Any person covered by this scheme shall supply on a monthly basis, any claim for travelling and/or subsistence allowances to which they have become entitled during the previous month and details of any other expenses incurred in the performance of their duties as a councillor and for which they have not been reimbursed.
  8. Claims for travelling and subsistence allowances must be made within three months of the end of the month in which they arose failing which the Chief Finance Officer shall refuse to pay them.
  9. As soon as reasonably practicable the Director Legal and Governance shall ensure that the provisions relating to the publicity required for this scheme and for the report of the Independent Remuneration Panel are met.





## Questionnaire for South Staffordshire Councillors August 2022 – Member Allowances

Please find below a few questions which we would be grateful for your answers on in relation to the level of Member's Allowances.

As you will be aware the level of Member Allowances are fixed by this Council every 4 years following a report from the Independent Remuneration Panel (IRP). The decision on the allowances is set by Council but having regard to the report from the IRP (and indeed to any recommendations made by it).

In order to inform the IRP's deliberations, it would be helpful for you to answer the following questions. Please return the completed questionnaire by Friday 2 September 2022 to [a.long@sstaffs.gov.uk](mailto:a.long@sstaffs.gov.uk)

<b>Name:</b>	Rita Heseltine
1.	<p>Do you think that the current scheme should be changed? if so, how?</p> <p>I do not think that the current scheme should be changed. Looking at it every 4 years is more than sufficient.</p>
2.	<p>Are you aware of any schemes operated by comparable authorities that you would like the IRP to look at – if so which ones?</p>
3.	<p>Are there any other comments that you would like the IRP to take into account?</p> <p>It would be not only imprudent but insulting to increase the scheme at this time, in particular, when so many residents/families are struggling financially with the cost of living and rises in the cost of fuel. As I have stated on previous occasions, I really fail to see what some Councillors do to spend their allowance. I know that in the past it has been claimed that the allowance should cover road tax, insurance and fuel costs when travelling to the Council – but it is not the function of this Council to supplement tax and insurance which would have to be paid for anyway. Due to the circumstances of the lockdowns during the pandemic the vast majority of meetings have had to be held virtually via Teams so any travel costs have been almost non-existent.</p> <p>I feel strongly that the role of Councillor should not be viewed merely as a second job to earn extra income.</p>

Please note that filling this questionnaire in does not prevent you from making comments directly to the panel, if you wish to do that please e-mail Lorraine Fowkes at [l.fowkes@sstaffs.gov.uk](mailto:l.fowkes@sstaffs.gov.uk) and she will ensure that your comments go to the panel.

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<b>Name:</b>	
1.	<p>Do you think that the current scheme should be changed? if so, how?</p> <p>I think that allowance need to be increased especially as the cost of living, petrol &amp; travelling costs have all increased. I think it so important to try and encourage new people to join us and this would be a good incentive. People in the community have no idea just how many voluntary hours are given to supporting our wonderful Council for their benefit.</p>
2.	<p>Are you aware of any schemes operated by comparable authorities that you would like the IRP to look at – if so which ones?</p>
3.	<p>Are there any other comments that you would like the IRP to take into account?</p> <p>This Council has earned very good reputation though hard work and loyalty. This needs to be rewarded.</p>

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<b>Name:</b>	Michael Lawrence
1.	Do you think that the current scheme should be changed? if so, how?  NO.
2.	Are you aware of any schemes operated by comparable authorities that you would like the IRP to look at – if so which ones?  NO
3.	Are there any other comments that you would like the IRP to take into account?  NO

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In order to inform the IRP's deliberations, it would be helpful for you to answer the following questions. Please return the completed questionnaire by Friday 2 September 2022 to [a.long@sstaffs.gov.uk](mailto:a.long@sstaffs.gov.uk)

<b>Name:</b>	
1.	Do you think that the current scheme should be changed? if so, how? No
2.	Are you aware of any schemes operated by comparable authorities that you would like the IRP to look at – if so which ones? No
3.	Are there any other comments that you would like the IRP to take into account? No

Please note that filling this questionnaire in does not prevent you from making comments directly to the panel, if you wish to do that please e-mail Lorraine Fowkes at [l.fowkes@sstaffs.gov.uk](mailto:l.fowkes@sstaffs.gov.uk) and she will ensure that your comments go to the panel.

### Questionnaire for South Staffordshire Councillors August 2022 – Member Allowances

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<b>Name:</b>	Warren Fisher
1.	<p><b>Do you think that the current scheme should be changed? if so, how?</b></p> <p>Yes, the portion paid directly to Members should be massively reduced, with the rest making up a Member Grant Fund, that residents/groups can apply to for ward improvements.</p> <p>The current scheme, I feel has become a private pension club, with some Members who become reliant on it for a living (which is not the purpose of the allowance). This is a danger to democracy as once a Member is reliant on the funds, they are less likely to speak out and operate independently, for fear of losing their party selection in a following election, and therefore can be easily controlled/manipulated.</p> <p>Having a much reduced allowance, will reduce the risk of dependency by Members, and will see more funds being directed locally to small causes and projects.</p>
2.	<p><b>Are you aware of any schemes operated by comparable authorities that you would like the IRP to look at – if so which ones?</b></p> <p>I'm not aware, but would appreciate some comparisons, and examples of the different scheme options.</p>
3.	<p><b>Are there any other comments that you would like the IRP to take into account?</b></p> <p>Please take into account, the ability of Members to operate more digitally, reducing the cost of carrying out our duties. More residents are now able to tap into other services directly, and in most part, a Member is just sign posting to other organisations/staff, which in my view, doesn't equate to nearly £6k/year in basic allowance.</p> <p>I also feel a comparable reduction to Chairmans allowances would also recognise the efficiency of digital transformation and reduced burden on Members in those roles.</p> <p>For example, I would like to see a policy that makes 40% of all allowances, into individual 'Member Grant Funds', that we can distribute locally through application as the Member sees fit, with the remaining 60% as a traditional Member Allowance as a suitable starting point.</p>



	Over time this could be further reduced to 50/50.
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### Appendix 3: Benchmarking Allowances for South Staffordshire Council

#### Comparator Group: BA & Exec & Scrutiny SRAs 2021/22 (unless indicated)

Authority	Basic Allowance	Leader	Leader Total	Deputy Leader	Cabinet Members	Chair Main O&S	Vice Chair Main O&S	Chairs of Scrutiny	Vice Chairs of Scrutiny	Comments
Stafford BC	£4,944	£11,535	£16,479	£8,239	£6,262	£3,516				Deputy Leader receives standard Cabinet Member allowance
Hinckley & Bosworth	£5,280	£16,830	£22,110	£8,250	£7,260	£4,620		£3,300		
Stroud	£5,468	£10,587	£16,055	NA	NA	NA		NA		
South Ribble	£4,827	£15,105	£19,932	£11,766	£6,302	£3,689				
Bromsgrove	£4,732	£14,196	£18,928	£9,464	£6,151	£6,151				
Tewkesbury	£7,350	£8,800	£16,150	£6,600	£4,400	£2,200				
West Lancashire	£4,842	£12,105	£16,947	£7,263	£4,842	£2,421				
South Kesteven	£5,886	£20,589	£26,475	£16,176	£11,766			£5,886	£1,941	
Maldon	£5,066	£12,665	£17,731	£5,066	NA	£3,800				
Cannock Chase	£5,706	£19,403	£25,109	£9,903	£8,578			£2,138		
East Staffs	£4,951	£18,410	£23,361	NA	£8,368			£3,862		
Newcastle-under-Lyme	£3,365	£19,250	£22,615	£15,170	£5,660			£2,830	£1,130	
N. Warwickshire	£5,321	£11,946	£17,267	NA	NA	£5,083				
NW Leicestershire	£5,115	£20,460	£25,575	£12,788	£7,673			£2,558		
South Derbyshire	£6,900	£19,653	£24,693	£10,809	NA	£9,815	£2,103			
Staffs Moorlands	£2,902	£9,565	£12,467	£5,739	£4,783			£3,348	£1,913	
Tamworth	£5,609	£14,038	£19,647	£10,528	£9,124			£6,316		
Lichfield	£4,298	£12,641	£16,939	£7,737	£7,091	£2,580	£645			
South Staffs (current)	£5,997	£14,340	£20,337	N/A	£6,257	£2,607	N/A	N/A	N/A	
Mean	£5,187	£14,848	£19,938	£9,700	£6,968	£4,226		£3,780	£1,661	
Median	£5,115	£14,196	£19,647	£9,464	£6,302	£3,689		£3,324	£1,913	
Highest	£7,350	£20,589	£26,475	£16,176	£11,766	£9,815		£6,316	£1,941	
Lowest	£2,902	£8,800	£12,467	£5,066	£4,400	£2,200		£2,138	£1,130	
Mean Ratios	2.9	100%		65%	47%	28%		25%	44%	
SS Ratio against Mean	116%	97%	102%	65%	90%	62%				

Comparator Group: Regulatory & Other SRAs 2021/22 (unless indicated)								
Authority	Chair Planning	V/Chair of Planning	Chair Licensing (inc Regulatory)	V/Chair Licensing	Chair of Audit &/or Governance	Vice Chair Audit &/or Governance	Chair Standards	Comments
Stafford BC	£4,614	£989	£1,758		£2,527		£1,069	
Hinckley & Bosworth	£5,500		£2,500		£4,620			
Stroud	£5,293	£1,244	NA		£5,294	£1,059		
South Ribble	£5,401		£3,432		£3,689		£563	
Bromsgrove	£6,151		£1,419		£1,183			
Tewkesbury	£2,200		£2,200		£2,200		£2,200	
West Lancashire	£4,842		£2,421		£2,421			
South Kesteven	£5,298	£1,749	£3,237	£1,068	£3,924	£1,299		
Maldon	£5,700		NA		£5,066	£1,267		
Cannock Chase	£4,619		£1,982		£1,982			
East Staffs	£7,029		£6,136		£3,862		£1,471	
Newcastle-under-Lyme	£4,230	£1,410	£3,430	£1,130	£2,830	£1,130	£2,830	
N. Warwickshire	£5,328	£1,866			NA			
NW Leicestershire	£7,673		£2,558		£2,558			
South Derbyshire	£9,815	£2,013	£4,865		£4,865			
Staffs Moorlands	£3,348	£1,913	£3,348	£957	£3,348		£2,391	
Tamworth	£6,316		£1,403		£3,509			
Lichfield	£6,446	£1,621	£2,580	£645	£1,621	£632		
<b>South Staffs (current)</b>	<b>£3,655</b>	<b>£1,042</b>	<b>£2,607</b>	<b>N/A</b>	<b>£2,607</b>	<b>N/A</b>	<b>£2,607</b>	
Mean	£5,445	£1,539	£2,867	£950	£3,228	£1,077	£1,876	
Median	£5,328	£1,621	£2,569	£1,013	£3,089	£1,130	£2,200	
Highest	£9,815	£2,013	£6,136	£1,130	£5,294	£1,299	£2,830	
Lowest	£2,200	£989	£1,403	£645	£1,183	£632	£563	
Mean Ratios	37%	28%	19%	33%	22%	33%	13%	
SS Ratio against Mean	67%	68%	91%		81%		139%	

Comparator Group, Opposition & Other SRAs & Comments 2021/22 (unless indicated)						
Authority	Main Opposition Leader	Main Opposition Deputy Leader	2nd Opposition Group Leader	Council Chair	Council Vice Chair	Other SRAs/Comments
Stafford BC	£4,394					Chair Public Appeals £1,758
Hinckley & Bosworth	£4,620		£4,620	£8,000	£3,000	Chair Appeals Panel £2,500
Stroud	£4,976		£1,059	£3,176	£635	
South Ribble	£4,864					Chairs Area Forums (x5) £3,689, > 1 SRA payable
Bromsgrove	£1,183					Chairs Appointments, Appeals, Electoral Matters Committees/Standards Sub £141 p/meeting,
Tewkesbury	NA			£2,200	£1,350	Support Members (x9) £175, >1 SRA payable
West Lancashire	£3,389	£1,694				
South Kesteven	£5,886					Chair & Vice Chair Companies Committee £3,924/£1,299, Chair & Vice Chair Constitution Committee £2,652/£873, Employment Committee Vice Chair £1,299
Maldon	£5,066			£5,066	£507	SRA for Planning Chair = 3 Area Planning Chairs @ £1,700 each, Chair and Vice Chair Strategy & Resources Committee £5,066/£1,267
Cannock Chase	£7,260					Shadow Cabinet Members £1,282
East Staffs	£8,368		£1,004			Cabinet Support Members £4,190
Newcastle-under-Lyme	1,130		£1,130			Chair & Vice Chair Public Protection Committee £3,430/£1,130, Vice Chair Standards Committee £1,130
N. Warwickshire	£3,952	£1,866	£1,866			Chairs & Vice Chairs Policy Committees ££5,328/£1,866, Chairs Sub Committees (x2) £1,866
NW Leicestershire	£5,115					Chair Local Plan Committee £2,558
South Derbyshire	£9,249	£4,630				Chairs & Vice Chairs Policy Committees (x3) £9,815/£2,03
Staffs Moorlands	£3,348		£3,348	£1,435		Cabinet Support Members £3,828, Chairs Constitution Review WP, Local Plan Steering Group & Appeals Board + Member Development Champion £1,913, Vice Chairs Standards + Appeals Board £478
Tamworth	£6,316	£3,509	£1,403			If Main Opposition Group less than 8 Members Deputy Leader's SRA £2,106
Lichfield	£2,943	£735		£2,885	£735	Vice Chair Employment Committee £645
South Staffs (current)	£2,607	N/A	N/A	£5,214	£2,607	Not all schemes include Chair and Vice-Chair of the Council allowances as these are often not included in schemes but classed separately as a civic allowance. The mean and median figures should therefore be treated with a degree of caution.
Mean	£4,704	£2,487	£2,061	£3,794	£1,245	
Median	£4,742	£1,866	£1,403	£3,031	£735	
Highest	£9,249	£4,630	£4,620	£8,000	£3,000	
Lowest	£1,130	£735	£1,004	£1,435	£507	
Mean Ratios	32%	53%	14%	26%	33%	
SS Ratio against Mean	55%			137%	209%	





# South Staffordshire Council

## THE LOCAL AUTHORITIES (MEMBERS' ALLOWANCES) (ENGLAND) REGULATIONS 2003 THE LOCAL AUTHORITIES (MEMBERS' ALLOWANCES) (ENGLAND) (AMENDMENT) REGULATIONS 2003

### **MEMBERS' ALLOWANCES SCHEME**

1. The following allowances are payable to members of South Staffordshire Council ("the Council") and in the case of Standards and Resources Committee a non-member, from 1<sup>st</sup> April 2023 to 31<sup>st</sup> March 2024, and each year thereafter unless amended or revoked, namely,

- an annual basic allowance of £6,129 payable monthly to all members of the Council;
- an annual special responsibility allowance payable monthly to those members (and in the case of the Standards and Resources Committee any non-member) who hold the following office under the Council at the rates indicated against each office and additional to the basic allowance:

Leader of the Council	£14,655
Cabinet Members	£6,395
Leader of the Major Opposition Group	£2,664
Chairman of the Planning Committee	£3,735
Chairman of the Overview and Scrutiny Committee	£2,664
Chairman of the Standards and Resources Committee	£2,664
Chairman of the Licensing and Regulatory Committee	£2,664
Chairman of the Audit & Risk Committee	£2,664
Vice-Chairman of the Planning Committee	£1,065

on the basis that only one special responsibility allowance will be paid to a member in addition to the basic allowance;

- travel and subsistence allowances in accordance with the Council's scheme for the time being relating to the same (including, for the avoidance of doubt, parking charges), for officers paid on spinal column point 38 with the Council Offices, Codsall, being regarded as the normal place of work for the purposes of that scheme and payable in respect of all duties falling within the categories specified in regulation 8 of the Local Authorities (Members' Allowances) (England) Regulations 2003.
- an annual allowance to the Chairman of the Council of £5,329 payable monthly under the provisions of Section 3 of the Local Government Act, 2000, in

addition to the annual basic allowance on the basis that no special responsibility allowance will be paid to the Chairman; and

- an annual allowance to the Vice-Chairman of the Council of £2,664 payable monthly under the provisions of Section 5 of the Local Government Act, 2000, in addition to the annual basic allowance on the basis that no special responsibility allowance will be paid to the Vice-Chairman.
2. All allowances are subject to a yearly increase on 1<sup>st</sup> April each year (from 1.4.2023) based on the recommended increase for Chief Officer's pay (whether implemented or not by the authority).
  3. Where a term of office of any person covered by this scheme begins or ends otherwise than at the beginning or end of a year, the entitlement shall be to payment of such part of the allowance as bears to the whole the same proportion as the number of days during which the term of office as member subsists bears to the number of days in that year.
  4. Where payment of any allowance has already been made in respect of any period during which any person covered by this scheme is concerned is:
    - 3.1 ceases to be a member of the Council; or
    - 3.2 is in any other way not entitled to receive the allowance in respect of that period,

the Council may require that such part of the allowance as relates to any such period be repaid to the Council.
  5. Where a member of the Council is also a member of another authority, that member may not receive allowances from more than one authority in respect of the same duties.
  6. Any person covered by this scheme may, by notice in writing given to the Chief Executive, elect to forego the entitlement or any part of the entitlement to allowances.
  7. Any person covered by this scheme shall supply on a monthly basis, any claim for travelling and/or subsistence allowances to which they have become entitled during the previous month and details of any other expenses incurred in the performance of their duties as a councillor and for which they have not been reimbursed.
  8. Claims for travelling and subsistence allowances must be made within three months of the end of the month in which they arose failing which the Chief Finance Officer shall refuse to pay them.
  9. As soon as reasonably practicable the Director Legal and Governance shall ensure that the provisions relating to the publicity required for this scheme and for the report of the Independent Remuneration Panel are met.



**SOUTH STAFFORDSHIRE COUNCIL****STANDARDS AND RESOURCES COMMITTEE – 24 NOVEMBER 2022****REPORT ON WORK PROGRAMME/COMPLAINTS****REPORT OF MONITORING OFFICER (DIRECTOR LEGAL AND GOVERNANCE)****PART A – SUMMARY REPORT****1. SUMMARY OF PROPOSALS**

To inform and update Members in respect of Code of Conduct and Complaint matters.

**2. RECOMMENDATIONS**

- 2.1** That the Standards and Resources Committee notes the contents of the update on Code of Conduct and Complaint Matters

**3. SUMMARY IMPACT ASSESSMENT**

POLICY/COMMUNITY IMPACT	Do these proposals contribute to specific Council Plan objectives?	
	Yes	The work of the Committee underpins the work of the Council and delivery of the Council Plan objectives
	Has an Equality Impact Assessment (EqIA) been completed?	
	No	Not required.
SCRUTINY POWERS APPLICABLE	No	
KEY DECISION	No	
TARGET COMPLETION/ DELIVERY DATE	Standards and Resources Committee 24 November 2022	
FINANCIAL IMPACT	No	None
LEGAL ISSUES	No	None
OTHER IMPACTS, RISKS & OPPORTUNITIES	None	
IMPACT ON SPECIFIC WARDS	No	

## **PART B – ADDITIONAL INFORMATION**

### **4.1 *Code of Conduct/Disclosable Pecuniary Interest Forms***

- 4.2 There are currently five active Code of Conduct complaints. Two complaints were referred for investigation and an independent investigating officer has been appointed. It is anticipated that these two investigations will be concluded before the end of the calendar year. Both investigations relate to parish council members.
- 4.3 Three complaints are, at the time of writing, undergoing the initial assessment. Two complaints relate to parish members and one to a district member.
- 4.4 There has been an increase in Code of Conduct complaints recently when compared with previous years. Full training on the Code of Conduct will form part of the Member Induction Programme post May 2023 elections.

### ***Local Government Ombudsman (LGO)***

- 4.5 There have been no new decisions from the Local Government Ombudsman since the last meeting.

### ***Formal Complaints***

- 4.5 In terms of complaints that have gone to stage 2 of the Council's own complaints procedure (which is the step before an Ombudsman complaint) we have had 0 complaints upheld in the municipal year 2022/23 to date.

### ***Data Protection***

- 4.6 A full update in respect of data protection is due to come to the January 2023 meeting of this committee.

### **Work programme**

- 4.14 The work programme for 2022/23 is set out below:

#### ***16 June 2022***

- Setting of work programme - completed
- Code of Conduct – Arrangements - completed

#### ***15 September 2022 revised date 13 October***

- Annual report of the Local Government Ombudsman – on agenda
- Review of Conduct/Complaints/Work Programme - on agenda
- Elections update – on agenda
- Members Allowances – Process for IRP – new item added to programme

**24 November 2022**

- Review of Conduct/Complaints/Work Programme
- Update on GDPR – deferred to January 2023
- Report from the Independent Remuneration Panel on Member Allowances

**26 January 2023**

- Employment trends – deferred to March 2023
- Review of Conduct/Complaints/Work Programme
- Update on GDPR (from November meeting)

**9 March 2023**

- Annual Corporate Health and Safety Update
- Review of Conduct/Complaints/Work Programme
- Employment trends (from January meeting)

If Members have any items they wish to add to the work programme they should let the Monitoring Officer know. A report updating on progress against this programme will come to each meeting of the Committee and identifying any potential additional items or changes to the programme.

5. IMPACT ASSESSMENT – ADDITIONAL INFORMATION

None

6. PREVIOUS MINUTES

None

7. BACKGROUND PAPERS

Report prepared by: Lorraine Fowkes – Monitoring Officer (Director Legal and Governance)

