

HAMPSHIRE COUNTY COUNCIL

Decision Report

Decision Maker:	Employment in Hampshire County Council Committee
Date:	11 November 2021
Title:	Amendments to the Members' Allowances Scheme 2021/22, and Members' Allowances Scheme for 2022/23, 2023/24, 2024/25 and 2025/26
Report From:	Chief Executive

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Purpose of this Report

1. The purpose of this report is for the EHCC Committee to consider a number of recommendations of the Independent Remuneration Panel (IRP) regarding amendment to the Members' Allowances Scheme 2021/22, and a new Members' Allowances Scheme for the years 2022/23, 2023/24, 2024/25 and 2025/26, and for EHCC to make it's recommendations to full Council.

Recommendations

That the EHCC Committee:

2. Thank the IRP for their work in considering this matter, and their recommendations as referred to in this report.
3. Recommend to the County Council that approval be given to amendment of the Members' Allowances Scheme for 2021/22, if appropriate, and to a Members' Allowances Scheme for 2022/23, 2023/24, 2024/25 and 2025/26, which takes into account the recommendations of the Independent Remuneration Panel and the views of the EHCC Committee.

Executive Summary

4. The legislative framework governing the payment of Members' Allowances is set out in the Local Authorities (Members' Allowances) (England) Regulations 2003 ('the Members Allowances Regulations').

5. Under the provisions of the Members' Allowances Regulations, the County Council is required each year to make a Members' Allowances Scheme. The Members' Allowances Scheme needs to make provision for payment of Basic Allowances, Special Responsibility Allowances ("SRA's") Dependents' Carers' Allowances, Travelling and Subsistence Allowances, and Co-optees Allowances. Once a Members' Allowances Scheme is made for any year it may be amended during the year in question in accordance with the Members' Allowances Regulations. It is also possible under the Members' Allowances Regulations for any amendment to the Members' Allowances Scheme to be backdated to the beginning of the financial year in which any such amendment is made.
6. By virtue of the Members' Allowances Regulations, before the County Council can make or amend a Members' Allowances Scheme, it is required to have regard to recommendations made in relation to it by an Independent Remuneration Panel ("IRP"). In this regard the IRP met on 29 September 2021. Minutes of the IRP meeting, and the recommendations of the IRP are attached as **Annex 1** to this report.

Contextual Information

Amendment to Members' Allowances Scheme 2021/22

Recommendations of the Independent Remuneration Panel

7. That an SRA of £4,645 per annum (25% of an Executive Member SRA) be payable to the Assistant to the Executive – Adult Services and Public Health from the date of appointment to this role (13 July 2021), and reviewed again in 12 months' time.
8. That an SRA of £4,645 per annum (25% of the SRA for an Executive Member) be payable to the Assistant to the Executive – Children's Services from the date of appointment to this role (13 July 2021), and reviewed again in 12 months' time.
9. That an SRA of £3,097 per annum (25% of the SRA for a Select Committee Chairman) be payable to the Chairman of the River Hamble Harbour Board from the date of appointment to this role (County Council AGM on 27 May 2021), and reviewed again in 12 months' time.
10. That the present formula for calculation of an SRA to the Leader of a Minority Political Group on the County Council when a Minority Political Group comprises four or more Members should remain.
11. That the list of approved duties for the purposes of the payment of travelling and other relevant expenses should include the roles set out above.
12. That a Members Allowances Scheme for the years 2022/23, 2023/24, 2024/25 and 2025/26 be prepared, whereby Basic Allowances and

Special Responsibility Allowances payable to Members are adjusted from 1 April 2022 and there after annually, in line with the pay award (if any) for Senior Managers at grade H, taking into account any amendments to the Members' Allowances Scheme 2020/21 agreed by the County Council following consideration of the recommendations of the IRP.

Amendment to Members Allowances Scheme 2021/22 - Consideration of IRP Recommendations

Assistant to the Executive – Adult Services and Public Health and Assistant to the Executive – Children's Services

13. With regard to the two Assistant to the Executive Roles, the IRP noted the depth and breadth of the Adult Services and Public Health, and the Children's Services portfolios including statutory and safeguarding responsibilities, the importance of robust and effective political engagement to meet the challenges that both these important service areas face against the backdrop of organisational-wide recovery from the Covid-19 pandemic, maintaining and developing key partnerships and supporting the stakeholder and public interface in the light of increasing demand and continuing cost pressures. Full details of the roles are set out in **Annex 2a** and **Annex 2b** to this report.
14. As Members of the EHCC will be aware, a number of posts of Assistants to the Executive have been established in recent years where specific support has been required to individual Executive Members or capacity in pursuing wider County Council initiatives. The two Assistant to the Executive roles Adult Services and Public Health and Children's Services are required to support the Executive Member for Adult Services and Public Health and the Lead Executive Member for Children's Services across the breadth of their Executive portfolios.
15. Previous Assistant to the Executive posts have attracted an SRA of 25% of the SRA for an Executive Member. The IRP were in agreement that an SRA of 25% of the SRA for an Executive Member should attach to the roles of Assistant to the Executive – Adult Services and Public Health and Assistant to the Executive – Children's Services, and that any SRA should be reviewed in 12 months' time as the roles develop. The IRP were also in agreement that any SRAs should be backdated to 13 July 2021, being the date of appointment to the roles, and similarly for the avoidance of doubt, the list of approved duties for the purposes of payment of travelling expenses and other expenses should include the duties of Assistant to the Executive.

Chairman of the River Hamble Harbour Board

16. To date no SRA has attached to the role of Chairman of the River Hamble Harbour Board, and the IRP were asked to consider whether an SRA should attach to the role. Full details of the role is set out at **Annex 2c** to this report. The IRP recognised the unique nature of the role, noted its statutory responsibilities, direct accountability and the level

of risk attached to the role. The IRP were in agreement that an SRA of 25% of the SRA for a Chairman of a Select Committee should attach to the role of Chairman of the River Hamble Harbour Board, and that any SRA should be reviewed in 12 months time. The IRP were also in agreement that any SRA should be backdated to 27 May 2021, being the date of appointment of the Chairman of the River Hamble Harbour Board in the present administration to the role.

Leader of Minority Political Group SRA

17. The IRP considered a request by the Leader of the Labour Group to review the SRA payable to the Leader of a Minority Political Group on the County Council in light of changes to the political composition of the County Council following its Elections in May 2021. For the information of EHCC the IRP had previously been asked in 2013 to consider when an SRA should attach to the position of Leader of Minority Political Group on the County Council, and had recommended a formula be applied to calculate the SRA for the Leader of a Minority Political Group to future proof when changes to the political composition of the Council occurred, and that this should be engaged when a Minority Political Group was comprised of 6 or more Members. The formula was adopted by the County Council on 20 February 2014, save that the decision of the County Council was that the formula should be engaged once a Minority Political Group comprised 4 or more Members. The IRP were of the view that in the absence of compelling evidence to the established criteria for engagement of a Minority Political Group Leader SRA, that the current threshold for engagement of the formula at 4 or more Members was appropriate.

Members' Allowances Scheme 2022/23, 2023/24, 2024/25 and 2025/26 - Consideration of IRP Recommendations

18. As in previous years, the IRP were of the view that Basic Allowances and SRAs should be adjusted by reference to an index, and that it was appropriate that the index adopted should be the pay award for staff (if any) for Senior Managers at grade H, and that the index should apply for four years commencing with the Members' Allowances Scheme for the year 2022/23. As Members of the EHCC Committee will be aware, the County Council determined at its meeting on 22 February 2018 that other allowances payable to persons holding positions required by law under legislation not part of the Members' Allowances Regulations should be adjusted by the same adjustment of allowances (if any) payable under the Members' Allowances Scheme.

Next Steps

19. Amendment of the Members' Allowances Scheme for 2021/22, if appropriate, and a Members' Allowances Scheme for 2022/23, 2023/24, 2024/25 and 2025/26 recommended by the EHCC Committee will be considered by the County Council at its meeting on 17 February 2022.

IMPACT ASSESSMENTS:

1. Consultation and Equalities

1.1. The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Due regard in this context involves having due regard in particular to:

- a) The need to remove or minimise disadvantages suffered by persons sharing a relevant characteristic connected to that characteristic;
- b) Take steps to meet the needs of persons sharing a relevant protected characteristic different from the needs of persons who do not share it;
- c) Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity which participation by such persons is disproportionately low.

1.2. Equalities Impact Assessment:

Equality objectives have been considered and no adverse impact identified.

2. Climate Change Impact Assessment :

a) How does what is being proposed impact on our carbon footprint / energy consumption?

No impact has been identified.

b) How does what is being proposed consider the need to adapt to climate change, and be resilient to its longer term impacts?

No specific measures have been identified.

CORPORATE OR LEGAL INFORMATION:**Links to the Strategic Plan**

This proposal does not link to the Strategic Plan but, nevertheless, requires a decision because of the requirements of the Members' Allowances Regulations.

Other Significant Links**Links to previous Member decisions:**

<u>Title</u>	<u>Date</u>
Amendments to the Members' Allowances Scheme 2013/14 and Members' Allowances Scheme 2014/15, 2015/16, 2016/17 and 2017/18 – County Council	20 February 2014
Amendments to the Members' Allowances Scheme 2013/14 and Members' Allowances Scheme 2014/15, 2015/16, 2016/17 and 2017/18 – County Council	22 February 2018

Direct links to specific legislation or Government Directives

<u>Title</u>	<u>Date</u>
Local Government and Housing Act	1989
The Local Authorities (Members' Allowances) (England) Regulations	2003

Section 100 D - Local Government Act 1972 - background documents

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

<u>Document</u>	<u>Location</u>
None	

