

REVIEW OF MEMBERS'
ALLOWANCES

Independent
Remuneration Panel

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BRISTOL CITY COUNCIL: INDEPENDENT REMUNERATION PANEL

REPORT ON MEMBERS' ALLOWANCES 2019/20

SUMMARY OF RECOMMENDATIONS

RECOMMENDATION 1: Timetable for Changes

That the role of elected Members should be valued and rewarded accordingly, but the Panel acknowledge the difficulty of Councillors voting directly for their own remuneration. In view of this the Panel recommend adopting the principle that all key pay decisions be made prior to an election, for implementation directly after, thereby setting some distance from existing Councillors (whilst recognising some would be re-elected). For the recommendations within this report, the changes would be voted on in autumn 2019 but implemented following the next election in May 2020.

RECOMMENDATION 2: Inflationary Increases

That, in line with existing arrangements, the Basic Allowance should be automatically updated each year for inflation in line with the National Joint Council increase applied to staff salaries.

The next increase would be applied in April 2020

RECOMMENDATION 3: The Basic Allowance

That the Basic Allowance be increased to £13,946 following the elections in May 2020.

RECOMMENDATION 4: The Executive Mayor

That the allowance for the Executive Mayor of Bristol be increased to £65,522 (plus the basic allowance of £13,946, which totals £79,468) following the elections in May 2020.

RECOMMENDATION 5: Deputy Mayors/Cabinet Members

That allowances for the Deputy Mayors and Cabinet Members should remain at £21,550, however, a full review of the role and remuneration of the Deputy Mayors and Cabinet Members would take place in the 19/20 Municipal Year.

RECOMMENDATION 6: Scrutiny

1. That the Special Responsibility Allowance (SRA) for the Chair of the Overview and Scrutiny Management Board be increased to £8,000 following the elections in May 2020;
2. That the SRA for the Chairs of the Scrutiny Commissions remain at £6,465, with the Chairs of the Task Groups unremunerated. These arrangements would be reviewed before the start of the 20/21 Municipal Year.

RECOMMENDATION 7: Regulatory Committees

1. That the SRA for the Chairs of the Development Control Committees and Public Safety and Protection Committee remain at £6,465;
2. That the Chair of the Public Rights of Way and Greens Committee remain unremunerated;
3. That, following the elections in May 2020, the Licensing Committee Chair no longer receive an SRA with the total of £6,465 being shared out between all

those Members who sat on Licensing Sub Committee hearings (the Council to design an appropriate payment model, based on that used for employee appeal hearings).

RECOMMENDATION 8: Party Group Leaders

1. That the Party Group Leaders' SRAs remain unchanged at £12,929 but that an additional SRA be permitted for the Party Group Leader of whichever party also held the post of Directly Elected Mayor (currently the Labour party), to take effect from May 2020.
2. That, in line with existing arrangements, no SRA be paid to the Deputy Party Group Leaders.

RECOMMENDATION 9: Whips

That the SRA for the Whips be increased to £8,000 following the elections in May 2020.

RECOMMENDATION 10: Lord Mayor/Deputy Lord Mayor

That the Lord Mayor and Deputy Lord Mayor's SRAs remain unchanged at £21,550 and £6,465 respectively.

RECOMMENDATION 11: Audit Committee

That the Audit Committee Chair SRA remain unchanged at £6,465.

RECOMMENDATION 12: Human Resources Committee

That the Chair of the Human Resources Committee receive an SRA of £6,465 with effect from May 2020.

RECOMMENDATION 13: Co-optees' Allowance

That the co-optees' allowance of £577 per annum remain unchanged, although this would be reviewed before the end of the 20/21 Municipal Year.

RECOMMENDATION 14: Travel and Subsistence

1. The Panel believes that a fairer approach is to separate travel from the Councillors' Basic Allowance and introduce direct invoicing for expenses claims for mileage (including cycling) and other travel costs. As per current arrangements, a car parking pass will be offered but a bus pass could be provided as an alternative.
2. For travel outside of the city, within England, the Panel recommends no change to the current scheme.
3. In line with Bristol City Council's policy for officers, it is recommended that no subsistence expenses be paid for trips within the UK.

RECOMMENDATION 15: Overseas Travel

That the overseas policy for elected Members be the same as that for officers.

RECOMMENDATION 16: Dependant Carers' Allowances

That the Dependant Carer Scheme details be clarified and promoted (particularly to those considering standing for election) but the current provisions of the Scheme in relation to dependant carers' allowance (including the list of approved duties to which it applies) remain unchanged.

RECOMMENDATION 17; Future Work Priorities

The Panel recommend that the following SRAs be reviewed as part of a second tranche of work to commence late 2019;

- Scrutiny Chairs, including Task Group Chairs and the Vice Chair of the Overview and Scrutiny Management Board
- Deputy Mayors and Cabinet
- Co-optees Allowances

RECOMMENDATION 18: Advisory Observations

To note the Panel's advisory observations at Appendix A, and respond to these in due course.

Introduction

1. The Local Government Act 2000 requires local authorities to make a Scheme of Allowances over which they can exercise local discretion as to the amounts being paid. Under the Local Government (Members Allowances) (England) Regulations, 2003, Councils have to set up an Independent Remuneration Panel to make recommendations on Councillors' allowances. Bristol City Council appointed the following Panel in April 2018;

Ronnie Alexander

Ronnie Alexander left Welsh Government in 2013 to pursue a variety of other interests, including consultancy. He is a member of the National Assembly for Wales Remuneration Board and is Independent Chair of the Standards Committee for Blaenau Gwent County Borough Council. Ronnie had a civil service career spanning over 20 years and prior to that worked for a number of local authorities. He has a considerable track record of engaging with the public, professionals and politicians at all levels, to influence policy.

Graham Russell

Graham Russell is a former Head of Democratic Services with Bath and North East Somerset Council. He has written some regional guidance for Independent Remuneration Panels and officers. Graham has served on a number of similar Panels around the South West. He is currently a marriage celebrant in Bath and North East Somerset Council.

Canon Doctor John Savage

John has a wealth of experience of senior roles in both the public and private sector. They include; Chairman - Bristol Chamber of Commerce and Initiative; Chairman - Destination Bristol; Chairman - John Wesley New Room Trust; Chairman - Learning Partnership West; and Chairman – UHBT Hospitals.

Wendy Stephenson

From 2005 to 2017 Wendy was Chief Executive of Voscur, the support and development organisation for Bristol's voluntary and community sector. In this role Wendy gained a good knowledge of the workings of the local authority and the roles and responsibilities of Councillors. Wendy has participated in Bristol City Council assessment Panels during the recruitment of senior officers, and worked with Councillors and officers in a number of different policy areas.

2. The Panel elected Wendy Stephenson as the Chair. The Panel was supported by Bryony Houlden, Chief Executive of South West Councils as an independent adviser. The Panel was grateful to the officer team for their support. The Panel particularly wished to acknowledge Lucy Fleming, Head of Democratic Engagement who co-ordinated survey information, organised and attended meetings and provided factual background and guidance. Lucy's timely and accurate notes throughout the Panel deliberations and her willingness to work flexibly and responsively enabled the Panel to meet its deadlines.

The Panel was asked to complete the review as soon as possible as the Member Allowances Scheme was in need of being updated in order to meet statutory requirements. The Panel initially met five times in order to progress the review but as the timescale was quite tight not every issue was explored in the depth that the

Panel would have liked. The Panel therefore recommend that a number of areas be reviewed in detail before the end of the 20/21 Municipal Year.

3. As part of their research the Panel circulated a survey to the Mayor and elected Members. The Panel was grateful to the high number who completed the survey as this informed their findings. In addition, it was also very helpful to be able to interview the Mayor and a number of Councillors in order to explore issues in more depth.
4. Following the circulation of a draft report of recommendations, the Panel conducted an additional round of meetings with representatives from each political party, with the intention of reaching consensus in as many areas as possible.
5. The Panel have made a number of recommendations that will increase the overall spend on Members' allowances by £139,926 as detailed in paragraph 64. Whilst the Panel were mindful of the ongoing financial pressures affecting public sector bodies, they also strongly felt that elected representatives were not being remunerated fairly for the work they were undertaking and this inevitably had a direct impact on those who could afford to enter public life. The Panel were of the view that if the Council was to become more diverse the Basic Allowance needed to be increased. The proposed increase of £139,926 was around 0.4 % of the Council's proposed net budget for 19/20 of £376.3 million.

Background

6. The current Allowances and Expenses Scheme is based on a Panel report from 2014, as subsequent proposed amendments to the scheme made by the then Independent Remuneration Panel were not accepted by the Council. Any changes made to the Allowances Scheme since 2014 have therefore only been inflationary increases with allowances automatically increased in line with any officer pay increase. Details as follows:
 - Nil from 1st April 2014
 - 2.2% from 1st January 2015
 - 1% from 1st April 2016
 - 1% from 1st April 2017
 - 2% from 1st April 2018
 - 2% from 1st April 2019

The Panel also noted that on a national level, MPs received a 2.69% pay rise for 2019-2020 (increasing from £77,379 to £79,468), from 1st April 2019.

General Principles of Review

7. The Panel discussed and agreed a number of general principles to guide their review:
 - The Panel would make recommendations that recognised, and were consistent with, Bristol City Council being a living wage employer;

- The Panel would make recommendations that did not of themselves create barriers to standing or returning as a Councillor and recognised the contribution the Council could make in the way it structured and managed Member roles;
- The Basic Allowance should be ascertained by a calculation based on the average number of hours worked by a Councillor, estimated to be 25 hours per week (see evidence at paragraph 29) and reduced by 20% to reflect the voluntary element of a Councillors' role;
- That an appropriate spinal column point in the officers' grading structure be used in the calculation of the Basic Allowance for the purposes of applying future cost of living rises;
- The Panel would publish a clear account of the purpose of the Basic Allowance and the types of expenditure or commitment incurred by a Councillor that it was intended to recognise;
- The Panel would make recommendations on SRAs that clearly distinguished those Member roles that qualified for such allowances, and those that were adequately recognised through a robust Basic Allowance;
- The principle of not having more than 50% of Councillors with an SRA would be followed.

Context

8. Whilst the Panel does not have a requirement upon it to develop an Allowance Scheme explicitly looking to shape the composition of the Council the Panel was mindful of the importance of Councillors reflecting the community they served. This was a point made in interviews. As background information, the Panel therefore looked at the latest National Census of Local Authority Councillors which was undertaken in 2013 (and it is understood a further Census is due in 2019 which will provide further background). The 2013 National Census of Local Authority Councillors provides the most comprehensive 'snapshot' of local government representation and analyses of trends over time.
9. The Census asked Councillors about; their work as Councillors; their views on a range of issues; and their personal background.

NATIONAL CENSUS FINDINGS

Work as a Councillor

- *Councillors spent, on average, 25 hours per week on council/political business, compared to around 22 hours over 2004-2010.*
- *53 per cent of councillors held one or more positions of leading responsibility within the council, and 36 per cent were members of local partnership groups or boards (such as Health and Wellbeing Boards).*
- *Councillors rated PCs or laptops, council e-mail addresses and smartphones as the most useful resources.*

Issues and views of Councillors

- *90 per cent of Councillors cited a desire to serve the community as their reason for wanting to become a Councillor.*
- *70 per cent thought that listening to local views was the most important thing for Councillors to do, while 65 per cent said that representing residents' views to the*

Council was the most important thing for them to do.

- *65 per cent of Councillors intended to stand for re-election at the end of their term in office and 82 per cent would recommend taking on the role to others.*

Personal background of Councillors

- *67 per cent of Councillors were male, 32 per cent were female. The proportion of female Councillors had increased from 29 per cent in 2001.*
- *The average age of Councillors had increased from 55 in 1997 to 60 in 2013.*
- *96 per cent of Councillors were white and 4 per cent came from an ethnic minority background.*

10. Within Bristol, the Councillor cohort is currently 41% female and 59% male. The average age is 53. The Council does not seek information about other protected characteristics and the Panel strongly suggest that this be introduced in the future to enable better monitoring of the diversity of its elected Members.
11. The Panel was also mindful that 2018 was the centenary of some women being able to vote and stand as an MP. The Panel therefore considered the Fawcett Report which had looked at Local Government in detail, in particular the aspects and stages of the process from standing as a candidate for election through to becoming the Leader of a Council. The report made a series of recommendations that would help bring more women into local government and enable them to play a full role at all levels.
12. Whilst there were many recommendations relating to improving women's representation in Local Government, for example political parties setting targets for increasing women's representation at local elections; term limits for Councillors; reasonable adjustment policies for disabled Councillors; reviews of Councillor performance; and challenging racism; the Panel focused upon the report's consideration of 'Removing Structural Barriers to Progress.' Within the report there was particular focus on concerns over the historic male domination of town halls, which had not supported women (who still had the bulk of caring responsibilities). The report called for the introduction of maternity, paternity and parental leave entitlements for Councillors across England, in line with leave available to employees. The Fawcett report also asked that the Secretary of State for Communities and Local Government issue guidance to Independent Remuneration Panels to promote their proposed model for a comprehensive Dependant Carers' Allowance Scheme, although to date the request had not been realised. The report further recommended that the law needed to be changed so that Councillors' childcare expenses were reported separately to the main Members' Allowances data, so that reporting of them did not deter women from claiming support.
13. Finally, in terms of setting the context for the review, the Panel noted that austerity meant severe ongoing budget challenges for Bristol. There was a clear message from Councillors about the need to be cautious in budgetary terms about increasing the total spend on allowances. However, it was also apparent that the current allowances did not fairly remunerate Councillors for the level of work being undertaken. It is not the role of the Panel to make decisions on the appropriate level of budget for allowances, but the financial pressures provide a backcloth to deliberations. The Panel recognised the difficulty facing Councillors in considering their own allowances, particularly in a time of austerity. The Panel is therefore making a recommendation which would see the main changes made post-election

(i.e. in May 2020) meaning that current Councillors voting on the changes may not be beneficiaries of any increases.

RECOMMENDATION 1: Timetable for Changes

That the role of elected Members should be valued and rewarded accordingly, but the Panel acknowledged the difficulty of Councillors voting directly for their own remuneration. In view of this the Panel recommend adopting the principle that all key pay decisions be made prior to an election, for implementation directly after thereby setting some distance from existing Councillors (whilst recognising some would be re-elected). For the recommendations within this report, the changes would be voted on in autumn 2019 but implemented following the next election in May 2020.

Methodology

14. As noted above, key information was provided by the Mayor and Councillors via both a survey and a series of interviews. The response rate was 62% which was good based on previous experience from other Panels across the South West.
15. In addition, the Panel received copies of job descriptions for various roles, as well as diary extracts illustrating the duties undertaken by the Lord Mayor. They were also provided with information about the structure of the Scrutiny function.
16. The Panel had a range of benchmarking information from other Councils. This included other Mayoral Authorities (and Combined Authorities) and Unitary Councils in the South of England, although of main interest to the Panel was the information on local authorities that represented the Core Cities.

Indexing of Basic and other Allowances

17. The Panel noted that the present Scheme made provision for the Basic Allowance, SRAs and the Co-optees' Allowance to be increased in line with officers' pay.
18. The Panel has taken on board the recent pay award for officers in making its recommendation on the level of Basic Allowance in this report. The Panel sees great merit in this current provision remaining within the Scheme to provide for any future adjustments pending the next fundamental review.

RECOMMENDATION 2; Inflationary Increases

That, in line with existing arrangements, the Basic Allowance should be automatically updated each year for inflation in line with the National Joint Council increase applied to staff salaries.

The next increase would be applied in April 2020.

Basic Allowance

19. The Basic Allowance is the allowance that every Councillor in Bristol is entitled to. It is intended to realistically remunerate Councillors for time spent on Council business including attending meetings/briefings and conducting ward work i.e. all duties the public would expect a Councillor to carry out. The Basic Allowance also covers

incidental costs (such as the use of their homes) and all subsistence when travelling within the UK. The Panel also believes that a Councillor in receipt of a robust Basic Allowance should from time to time be expected to take part in the governance of the Council e.g. chairing a meeting or attending an event on behalf of the Council, without additional remuneration.

20. The present level of Basic Allowance is £12,929 which was originally set in 2014 but has since been increased in line with the cost of living rises awarded to officers.
21. The Basic Allowance will never totally compensate for all the hours spent by Councillors on Council related duties. Indeed, the Government anticipates that Independent Remuneration Panels will apply a discount (recommended to be 33 %) to the assessed total hours spent to reflect what they see as the voluntary element of a Councillor's role. The Panel considered the evidence provided and agreed that a reduction of 20% was much fairer than the common norm in view of the range of responsibilities and pressures placed on the modern day Councillor.
22. In considering changes to the Basic Allowance the Panel considered a number of pieces of evidence as set out below.
23. The Survey provided evidence that the Basic Allowance was currently insufficient to reflect the work required of each Councillor. 68 % of respondents said 'No' the allowance was not sufficient with comments about the amount of time the role took, how difficult it was to try and balance competing demands given the irregular hours, and that it didn't compensate for salaries sacrificed. Of a different view were the 25% who answered 'Yes' to the question. Some answers referred to the difficulty of increasing allowances because of the climate of austerity. The survey provided information about the workload of each Councillor and it was evidence that many were undertaking the equivalent of at least 2.5 days of a working week.
24. The benchmarking information showed considerable variation: for example, across the Core Cities Group Manchester, with a population of 545,000 and 96 Members, paid the highest Basic Allowance at £19,967. The lowest was in Newcastle with a population of 305,000 and 78 Members at £8,775.
25. The Panel further noted that Bristol City Council was a Living Wage Employer committed to the principle of fairness in remunerating work, and whilst allowances were not intended to be a salary the Panel regarded this as a key principle in considering the level of the Basic Allowance. The Panel was aware that median salary information was used routinely by other Independent Panels and were advised that £13.41 was the average median hourly wage of residents in Bristol and therefore agreed that was the rate that should be used when setting the Basic Allowance.
26. The Panel was also very concerned that whilst MPs are entitled to join a pension scheme neither the Mayor nor Councillors are now eligible to do so. The Panel considers this to be a disincentive to public service, particularly for younger representatives and suggested that Members seek advice on personal pension schemes available to them from the Money Advisory Service or Pension Advisory Service.
27. The Panel noted that the Basic Allowance in place currently included provision for travel costs of Councillors within Bristol. This approach was introduced in part for simplicity and to reduce the administrative burden, however, it could also be argued

that the arrangements were inequitable. This issue is explored later in the report (see paragraph 65 onwards).

28. The Panel also noted that some Members' Allowances Schemes incorporated the costs of IT and provision of broadband etc in the Basic Allowance. In others, including Bristol, a separate payment was made which was either a reimbursement of exact costs or a flat rate allowance. This equipment was for use for Council business and the Panel recognised the importance of Councillors having this support to undertake their role. The Panel understood that Councillors' ICT provision had recently been reviewed and upgraded (December 18) and agreed that they would look at this area in more detail during a future review.
29. The Panel balanced all issues on this matter and determined that the Basic Allowance fell short of a reasonable level when considering the requirements of the role and comparator information around the average salaries in the city. They agreed that the new rate should be set at £13,946 which was calculated based on a 25 hour week, at £13.41 with a 20 % reduction for the voluntary element.

RECOMMENDATION 3: The Basic Allowance

That the Basic Allowance be increased to £13,946 following the elections in May 2020.

Special Responsibility Allowances (SRAs) – General Principles

30. These are discretionary payments within the Scheme of Allowances. They are intended to recognise the responsibility, accountability, time and effort required from those Members of the Council who perform duties significantly over and above what might reasonably be expected of them through the Basic Allowance.
31. The Panel noted the guidance of the Government that no more than 50% of Councillors in an authority should receive an SRA and the recommendations fall well below this guideline. The present Scheme also provides that a Councillor may receive no more than one SRA – with the higher-valued allowance being received - and the Panel agreed that this arrangement should continue.
32. The Panel has looked very carefully at roles in the context of the need for SRAs and;
 - Recognises that an SRA is relevant only where the role carries a significant additional responsibility, level of accountability, time or effort over and above that of a Councillor receiving only the Basic Allowance;
 - Seeks to value what the Council sees as the core roles and has reviewed the roles that currently receive an SRA to ascertain their continued relevance for such a payment;
 - Has noted where roles have changed;
 - Has made balanced judgements where there has been contrary evidence provided.

Special Responsibility Allowances – Specific Roles;

Executive Mayor (Directly Elected Mayor)

33. The role of the Directly Elected Mayor (DEM) was introduced by the Local Government Act 2000 and has been in place in Bristol since 2012. The position was created in order to increase transparency around decision making by passing ultimate accountability to one individual. DEMs are often viewed as being leaders of place, rather than just the Council; play a significant role on a national level; and also often have an international profile as the figurehead of the city.
34. The Mayor can determine the size of the Cabinet (to a maximum of 9); the number and range of portfolio, including the level of any delegation; and the individual Councillors that serve in Cabinet positions. The Mayor answers to the Full Council and is held to account through the Scrutiny function.
35. In comparing the current elected Mayor's allowance of £70,604 with those of other DEMs in the UK the Panel recognised that some were smaller District Councils or less comparable in nature so they have focused on the following: Bedford, Hackney, Leicester, Lewisham, Liverpool, Newham and Watford. These range from £60,047 to £81,461 but some of these pay a Basic Allowance in addition, for example Newham and Leicester.
36. The Panel was keen to understand the legal position in relation to payment of Basic Allowances and was advised that DEMs should receive a Basic Allowance on top of their SRA, as set out in The Local Authorities (Elected Mayor and Mayor's Assistant) (England) Regulations 2002. The Panel were of the understanding that this payment should have been made since the DEM position was created in 2012.
37. The Panel also noted that when the DEM's SRA was originally set when the position was first introduced in 2012 it matched that of an MP. Over time, the DEM's SRA has not kept up to date with the MPs' basic allowance which from 1 April 2019 was set at £79,468
38. In making the recommendation regarding an allowance for the elected Mayor, the Panel was mindful that the Council needed to be able to attract high calibre candidates with the skills, knowledge and experience for this position who were also able to commit to the leadership of the City. Bristol citizens expected the DEM to lead a diverse and thriving city that had a place on the international stage. This was an extremely high profile and demanding role, not without risk, and should be rewarded as such. Whilst the Panel were initially minded to set the SRA for the elected Mayor at a higher rate, following cross party discussions they accepted there were issues around public perception which would make it difficult for politicians to support a significant increase.

RECOMMENDATION 4: The Executive Mayor

That the allowance for the Executive Mayor of Bristol be increased to £65,522 (plus the basic allowance of £13,946, which totals £79,468) following the elections in May 2020.

Deputy Mayor (s) and Cabinet Members

39. Currently there are 9 Cabinet Members, two of whom are also Deputy Mayors. The present allowance to both groups is £21,550.
40. The Panel noted that in a change since the previous incumbent the DEM has delegated decision making to these roles and increased the number of Cabinet Members from 5 to 9.
41. The Panel received some evidence that the responsibilities of different Cabinet Members were variable. In a future review the Panel may wish to explore the option of recommending that the Mayor has discretion to set SRAs at varying levels as per the model used in Leicester. Additionally, the Panel concluded that the role of the Deputy Mayors potentially carried additional responsibilities over and above the other Cabinet Members and agreed to conduct a full review prior to May 2020.
42. However, at the current time they did not feel there was compelling evidence to adjust the Cabinet Member/Deputy Mayors' SRAs from the current rates.

RECOMMENDATION 5: Deputy Mayors/Cabinet Members

That allowances for the Deputy Mayors and Cabinet Members should remain at £21,550, however, a full review of the role and remuneration of the Deputy Mayors and Cabinet Members would take place in the 19/20 Municipal Year.

Overview and Scrutiny

43. Overview and Scrutiny in Bristol has been subject to review in recent years to ensure it reflects best practice in a modern Mayoral Authority.
44. In 2018/19 a new structure was introduced, following advice from the Local Government Association. It consists of a combination of traditional Scrutiny Commissions as well as less formal 'task groups', which focus on in-depth pieces of work, usually contributing to policy development.
45. The Panel has been made aware of the statutory function and purpose of Overview and Scrutiny, introduced under the Local Government Act 2000.
46. The Panel considered the role of the Chair of the Overview and Scrutiny Management Board, who was responsible for the functional lead management of Scrutiny, and noted that it included the following duties;
 - Prioritisation of workload;
 - Developing and delivering a balanced work programme that focuses on both corporate objectives and issues that concern local residents;
 - Liaising with the Executive and promoting an effective partnership arrangement;
 - Conflict resolution;
 - Ensuring effective use of Members' and officers' time;
 - Creating the capacity to challenge effectively; and
 - Being accountable for the effective management of the function.
47. The Panel considered the roles of the Chairs of the Scrutiny Commissions (currently remunerated under the Scheme of Allowances) and those Members who preside over Task Groups (currently unremunerated). These operational roles include responsibility for:

- Effective agenda management of meetings;
- Ensuring that work is focussed and relevant;
- Reporting to the Over and Scrutiny Management Board or Scrutiny Commission as appropriate.

48. During the course of their research the Panel received conflicting information in relation to the role, remit and workloads of the Scrutiny Task Group Chairs and concluded this was because there was currently no set way of working, with the duration and outputs from each of the existing Task Groups varying considerably. The Panel noted that the Department of Housing, Communities and Local Government had recently provided statutory guidance setting out best practice arrangements for Scrutiny, and that the Council had recently participated in a Peer Challenge with the Local Government Association that had provided feedback in relation to Scrutiny arrangements within Bristol, and thought both of those factors could lead to changes in working practices that would make the situation clearer. In view of this the Panel agreed that a further review of all Scrutiny Chair SRAs should take place later in the 19/20 Municipal year, when hopefully the working arrangements were more consistent. The Panel may consider recommending retrospective payments to Task Group Chairs at that point.

RECOMMENDATION 6: Scrutiny

1. That the Special Responsibility Allowance (SRA) for the Chair of the Overview and Scrutiny Management Board be increased to £8,000 following the elections in May 2020;
2. That the SRA for the Chairs of the Scrutiny Commissions remain at £6,465, with the Chairs of the Task Groups unremunerated. These arrangements would be reviewed before the start of the 20/21 Municipal Year.

Regulatory Committee Chairs

48. The present Scheme of Allowances provides an SRA for the Chairs of 4 x Regulatory Committees at £6,465 (Development Control Committee A, Development Control Committee B, Licensing Committee and the Public Safety and Protection Committee).
49. The Panel recognised that regulatory matters stood outside of the executive arrangements and consequently the Mayor is not responsible for decision making other than on setting overall strategic policy.
50. It follows therefore that those Members involved with regulatory matters carry a significant responsibility for the integrity of the decision making process and accordingly for the management of risk to the Council on such sensitive matters. Most decisions made by regulatory Committees can be challenged through relevant appeals processes external to the Council. Cases of maladministration can be referred to the Ombudsman. These regulatory matters also generate significant public interest and pressure, and those items that come to Members for decision (rather than being dealt with by officer delegation) are by their nature the most controversial.
51. The Panel noted that 85% of respondents to the survey were of the view that the SRAs currently paid to Regulatory Chairs were sufficient. They noted that the Chair of the Public Rights of Way and Greens Committee was currently unremunerated

and agreed that due to infrequent business with minimal meetings the arrangement should continue.

52. The Panel also heard evidence about the role of the Licensing Committee and Licensing Sub Committee. The Panel noted that the full Licensing Committee met very infrequently, and that the bulk of work was conducted by Licensing Sub Committees consisting of three Members, one of whom would be elected to Chair the meeting. The Panel was informed that there was a statutory limit of 15 on the number of Councillors who could serve on Licensing Committees at any one time, yet the workload could be onerous with hearings sometimes lasting most of the day and taking place as often as weekly. The Panel was advised that not all Members of the Licensing Committee sat regularly, which created additional pressures. In view of these circumstances it was therefore agreed that the SRA for the Licensing Chair be removed and that a set fee for attending Licensing Sub Committee hearings be provided in its place, with an appropriate system for calculating payment to be devised by the Council. The Panel thought this should mirror the existing arrangements for payments made to Members sitting on employee appeals (e.g. a sliding scale from £150 for 2 sessions up to £550 for a maximum of 10 sessions).

RECOMMENDATION 7: Regulatory Committees

1. That the SRA for the Chairs of the Development Control Committees and Public Safety and Protection Committee remain at £6,465;
2. That the Chair of the Public Rights of Way and Greens Committee remain unremunerated;
3. That, following the elections in May 2020, the Licensing Committee Chair no longer receive an SRA with the total of £6,465 being shared out between all those Members who sat on Licensing Sub Committee hearings (the Council is to design an appropriate payment model, based on that used for employee appeal hearings).

Party Group Leaders

53. The role is recognised in the present Scheme of Allowances at £12,929.
54. The Panel received information, written and verbal, setting out the duties of Party Group Leaders and agreed that the position was pivotal to the smooth operation of the Council in terms of effective cross party working.
55. Consideration was given to the SRA paid to Party Group Leaders and the Panel concluded this was reasonable for the duties undertaken. The exception to this, however, was that there was currently no Leader role within the Labour Group since the position was in effect held by the DEM. The Panel recommended that the situation be rectified by a Party Group Leader SRA being introduced for whichever party also held the position of DEM. The rationale for this was that the DEM must be free to focus on running the city and therefore couldn't reasonably be expected to also perform all of the roles of a Party Group Leader.
56. The Panel heard evidence about the role of the Deputy Leader, which was relatively minor with only occasional deputising involved. The Panel therefore agreed that no SRA was warranted for Deputy Leaders at the current time.

RECOMMENDATION 8: Party Group Leaders

1. That the Party Group Leaders' SRAs remain unchanged at £12,929 but that an additional SRA be permitted for the Party Group Leader of whichever party also held the post of Directly Elected Mayor (currently the Labour party), to take effect from May 2020.
2. That, in line with existing arrangements, no SRA be paid to the Deputy Party Group Leaders.

Party Whips

57. The Whips were currently remunerated at £6465. Having reviewed example job descriptions of the Whips and talked to post holders, the Panel was of the view that clarification was needed around the important role fulfilled by the Whips in supporting the Party Group Leaders and providing a broad range of support to fellow Councillors, which included pastoral care, assisting with managing workloads, identifying development needs and so on. The Panel agreed that the SRA currently paid did not reflect the range of responsibilities for this important role and concluded that it should be increased to £8000 per annum following the 2020 elections.

RECOMMENDATION 9: Whips

That the SRA for the Whips be increased to £8000 following the elections in May 2020.

Lord Mayor and Deputy Lord Mayor

58. The Panel heard evidence from the current Lord Mayor and Deputy Lord Mayor. They also had an understanding of the significant number of engagements conducted by the office of Lord Mayor via diary extracts.
59. Whilst the duties undertaken by the Lord Mayor and Deputy Lord Mayor were significant in terms of time, the Panel concluded that as these were largely ceremonial the roles did not carry significant levels of responsibility or accountability. The Panel therefore recommend that the SRAs for both positions remain unchanged.
60. The Panel noted that there were additional budgets attached to the role of the Lord Mayor and suggested that they be made more transparent.

RECOMMENDATION 10: Lord Mayor/Deputy Lord Mayor

That the Lord Mayor and Deputy Lord Mayor's SRAs remain unchanged at £21,550 and £6,465 respectively.

Audit Committee Chair

61. The Panel considered the role of the Chair of the Audit Committee. They noted that minimal evidence had been received regarding the nature of this position and therefore concluded that the SRA should remain at the current level of £6,465.

RECOMMENDATION 11: Audit Committee

That the Audit Committee Chair SRA remain unchanged at £6,465.

Human Resources Committee Chair

62. Evidence was provided to the Panel to suggest that the responsibilities of the Chair of the Human Resources Committee had recently increased both in terms of remit but also frequency and profile of meetings. In view of this the Panel concluded that the responsibilities now warranted an SRA and agreed that this should be set at £6,465 per annum.

RECOMMENDATION 12: Human Resources Committee

That the Chair of the Human Resources Committee receive an SRA of £6,465 with effect from May 2020.

Impact of recommendations

63. The following table shows how the present and scheme compares to the recommendations to be implemented from May 2020;

Present Scheme			Proposed Scheme			
Role	SRA - £	Collective Total	Role	SRA - £	Collective Total	Individual Total inc. Basic Allowance
Executive Mayor (no basic allowance)	70,605	70,605	Executive Mayor (with basic allowance)	65,512	65,522	79,468
Deputy Mayors x2 and Cabinet Members x 7	21,550	193,950	Deputy Mayors x2 and Cabinet Members x7	21,550	193,950	35,496
Party Group Leaders x 3	12,929	38,787	Party Group Leaders x 4	12,929	51,716	26,885
Political Group Whips x 4	6,465	25,860	Political Group Whips x 4	8,000	32,000	21,956
Chairs of Scrutiny x 5	6,465	32,325	Chair of the Overview and Scrutiny Management Board	8,000	8,000	21,956
			Chairs of Scrutiny Commissions x 4	6,465	25,860	20,411
						Page 17

Chairs of Regulatory Committees x 4 (including Licensing Committee)	6,465	25,860	Chairs of Regulatory Committees x 3 (for Licensing Committee see below)	6,465	19,395	20,411
Lord Mayor	21,550	21,550	Lord Mayor	21,550	21,550	35,496
Deputy Lord Mayor	6,465	6,465	Deputy Lord Mayor	6,465	6,465	20,411
Licensing Sub Committee Members	0	0	Licensing Sub Committee Members	Total amount of £6,465 to be shared (see para 51)	6,465	Variable
Audit Committee Chair	6,465	6,465	Audit Committee Chair	6,465	6,465	20,411
HR Committee Chair	0	0	HR Committee Chair	6,465	6,465	20,411
Basic Allowance x 70	12,261	858,270	Basic Allowance x 70 (note – the Mayor will also receive a Basic Allowance, please see first row)	13,946	976,220	N/A
TOTALS		1,280,137			1,420,073	

Co-opted Members' Allowance

64. The present Scheme provides an allowance of £577 per annum for co-optees and the Panel agreed that this should remain at that level at the current time. They also noted that the Audit Committee appointed two Independent Advisors and agreed that at their next review they needed to gain a better understanding of the positions to ensure the allowance was sufficient in view of the skills and experience needed to perform the role.

RECOMMENDATION 13: Co-optees' Allowance

That the co-optees' allowance of £577 per annum remain unchanged, although this would be reviewed before the end of the 20/21 Municipal Year.

Travel and Subsistence

65. The Panel are able to recommend that allowances are made available in respect of travel and subsistence. During the interviews evidence was collected about the travel and subsistence scheme which led the Panel to review the current arrangements both in terms of travel within Bristol but also nationally and internationally.
66. The Panel recognised that travel could be a contentious issue, but they were also mindful that any scheme they put forward might be different to the scheme applying to officers. In principle the Panel believes that the same rules should apply to both Councillors and officers, but also that no one be out of pocket when undertaking 'approved duties' on behalf of the Council. A list of approved duties for the purposes of claiming travel expenses can be found at Appendix D. This relates to travel to and from Council meetings only and does not include trips around a Councillor's ward.
67. The Panel noted that the current scheme had been designed to include a notional figure for travel and subsistence within the City on approved business within the Basic Allowance. It is not clear what this notional figure is, and the only benchmarking figures from other Councils that provided clarification were from Leicester City Council which paid a sum of £1,205 per annum to each Member intended to cover travel and subsistence costs for all activities within the City boundary.
68. Including a figure in the Basic Allowance or having an annual sum paid means there is an element of unfairness in the system because Councillors have different travel needs. However, including travel expenses in the Basic Allowance avoids officers authorising 71 potential claims a month. The Panel conducted a review of the travel expenses arrangements in the Core Cities and found that 6 Councils operated an expenses claim system, whilst the other 3 incorporated travel into the Basic Allowance.
69. Councillors are also eligible for a free parking permit which again brings an element of unfairness for those dependent on public transport who receive no similar subsidy. The Panel recognised that it was important to support Councillors in undertaking their role, which often may be on business late in the evening or need to fit in with employment or caring responsibilities, so the ability to park could be important. However, by providing additional support to car travel rather than other means of transport runs counterintuitively to the 'green' commitments of the Council. In view of this the Panel recommend that Councillors be offered a free bus pass to encourage use of sustainable travel. At the next review, the Panel suggest that the issues around provision of parking permits be fully assessed.
70. The Panel were mindful of the potential impact on officers of processing multiple expenses claims each month but were informed that the Council's electronic expenses system could be used, which would minimise the administrative burden. Furthermore, the Panel also agreed that Elected Members should be trusted to submit honest claims in line with the Nolan principles, therefore they should only be checked by officers by exception.
71. The Panel reviewed the arrangements in relation to travel provision for Councillors with access needs and agreed that the current policy was equitable and should remain unchanged.

RECOMMENDATION 14: Travel and Subsistence

1. The Panel believes that a fairer approach is to separate travel and subsistence from the Councillors' Basic Allowance and introduce direct invoicing for expenses claims for mileage (including cycling) and other travel costs. As per current arrangements, a car parking pass will be offered but a bus pass could be provided as an alternative (aside from car parking permits which will still be available, and bus passes which also would be provided).
2. For travel outside of the city, within England, the Panel recommends no change to the current scheme.
3. In line with Bristol City Council's policy for officers, it is recommended that no subsistence expenses be paid for trips within the UK.

Overseas Travel

72. There was no specific provision for overseas travel within the current scheme and there was evidence from the interviews that it would be helpful for the Panel to consider this area. The Panel noted that the Overseas Travel Policy for officers had recently been revised and agreed it should be reviewed to incorporate Members by applying the same principles.

RECOMMENDATION 15: Overseas Travel

That the overseas policy for elected Members be the same as that for officers.

Carers' Allowance

73. As set out above the Panel was mindful of the need to support those with caring responsibilities, especially in view of the findings of the Fawcett report as set out in paragraph 11. The Panel noted the current provision for the payment of Dependant Carers' Allowance within the present Scheme and did not identify a need for fundamental change. They did think it important, however, that the availability of support for carers should be made clearer in trying to attract, and retain, Councillors from the broad spectrum of the community. The Panel recommends providing more clarity about eligibility as outlined below:

Carers Allowance

A claim can be made:

(a) When a carer has been engaged to enable a councillor to carry out an approved duty;

(i) where charges are levied on an hourly basis, Members may claim actual and necessary costs incurred for the period of the approved duty (including time travelling, time taken by a Member to 'drop-off' or 'pick-up' a dependant, or by a carer engaged by a member to look after a dependant in the member's home – this would normally not exceed 1 hour before and 1 hour after) for each dependant;

or

(ii) where charges are levied by a provider for a fixed period or session, Members may claim the cost of any such fixed period/session or periods/sessions incurred

for the period of the approved duty (including time travelling time taken by a Member to 'drop-off' or 'pick-up' a dependant) for each dependant;

(b) A carer will be any responsible adult who does not normally live with the member as part of his/her family;

(c) An allowance will be payable if the dependant being cared for:

(i) is a child under the age of 14; or

(ii) is an elderly person; or

(iii) has a recognised physical or mental disability who normally lives with the Member as part of that Member's family and should not be left unsupervised.

RECOMMENDATION 16: Dependant Carers' Scheme

That the Dependant Carers' Scheme details be clarified and promoted (particularly to those considering standing for election) but the current provisions of the Scheme in relation to the Dependant Carers' Allowance (including the list of approved duties to which it applies – see Appendix D) remains unchanged.

Future Work Priorities

74. During the course of their review the Panel identified a number of areas that needed to be looked at in more detail before recommendations could be made. These are set out below.

RECOMMENDATION 17; Future Work Priorities

The Panel recommend that the following SRAs be reviewed as part of a second tranche of work to commence late 2019;

- Scrutiny Chairs, including Task Group Chairs and the Vice Chair of OSMB
- Deputy Mayors and Cabinet
- Co-optees' Allowances

Appendices;

Appendix A – Advisory Observations

Appendix B – Councillors Offering Evidence to the Panel

Appendix C – List of Regulatory and Scrutiny Bodies

Appendix D – List of Approved Duties

APPENDIX A

ADVISORY OBSERVATIONS

During the course of the review, the Panel came across a number of areas that were of interest, yet were not strictly within their remit. Their observations regarding these matters are detailed below, which are offered to the Council in an advisory capacity. The Panel intend to keep these observations under review and would appreciate a response from the Council to the points raised in due course

Member Performance and Development

- The Panel believes that it is very important not only to recognise and support the work of Councillors through the Allowances Scheme but also think it's vital to provide support for Councillors to develop their skills and expertise thereby enabling them to perform to a high level when serving the community.
- The Panel understands that work is in hand to create more structure around the Member development 'offer' to Councillors and that an enhanced programme in line with best practice will be introduced for the cohort of Councillors following the 2020 elections. The Panel support this and would encourage the Council to consider adopting the principles and approach of *The Charter for Member Development*. The Charter has been developed in partnership between the Local Government Association and the nine Regional Employers Organisations including South West Councils. Bristol achieved Charter status in 2009 but the accreditation has since lapsed. As a member organisation of SW Councils free support could be offered to Bristol in seeking to work to achieve Charter standard and in being assessed. There are a number of Charter and Charter Plus authorities in the South West who would also help with the sharing of best practice. The national LGA encourages Councils to consider adopting the Charter principles:

I would strongly encourage local areas to adopt the Member Development Charter and Charter Plus as a guide and a benchmark as part of your improvement journey. Every profession has continuing professional development at the heart of their improvement and so should we. The Member Development Charter and Charter Plus supports this continuing professional development for councillors by being a contract between the council and its councillors that commits to invest in councillors' growth and development.

Lord Gary Porter
LGA Chairman

The Panel hopes that this more structured approach to supporting the development of Members will enable the community to be even better served. Related to the support for Member development the Panel would also encourage the introduction of a more formal approach to performance management of elected Members. The Panel envisages this as a role for the party Group Leader and, given the increased allowance being recommended for the role, the Whip.

The LGA Peer Challenge

The LGA Peer Challenge report makes it clear that the Council is seeking to engage with local communities in difficult conversations about future plans and the role of the Council going forward. It also points to;

- The need for better arrangements for advance notification of the Executive's work plans (a point offered to the Panel in evidence);
- The Executive being more transparent and open with information shared in good time;
- The public's lack of clarity around the Mayoral Executive model of governance;
- The limited impact of scrutiny in Bristol (see below).

The Panel are interested in noting the Council's progress against these actions as part of their further reviews.

Scrutiny

The Panel noted that it was for the Council to determine the nature of its scrutiny arrangements and that the function had been under recent review and would likely continue to be so in view of the findings of the LGA Peer Challenge. They did, however, wish to make the following suggestions;

- That the Council considers re-naming/re-designating the Budget Task and Finish Group as its operational arrangements differ from other Task groups and it appears to have a more permanent review role relating to budget matters;
- That, following much evidence to the Panel expressing concern about how local people might engage more in local government, consideration be given to including a review of this within an early Scrutiny Work Programme item;
- Similarly, the Scrutiny Work programme should be used to assist the Council in developing the conversation with local communities about the future role of the Council.

Protected Characteristics

The Panel were of the view that elected Members should be fully representative of the communities that they served. In view of this they suggest that the Council gathers data on protected characteristics from Members.

RECOMMENDATION 18: Advisory Observations

To note the Panel's Advisory observations at Appendix A, and respond to these in due course.

APPENDIX B

Councillors offering evidence to the Panel

In addition to the Executive Mayor, the Panel has received a wide variety of evidence from

Group Leaders
Group Whips
Front-line Councillors
Cabinet Members
The Lord Mayor
Scrutiny Commission Chairs
Regulatory Chairs

Comparator statistics have been viewed in respect of allowances awarded in English Core Cities, other Mayoral Councils and generally in the South West but with particular emphasis placed on those from the Core Cities since they were the most comparable to Bristol.

APPENDIX C

The Regulatory Committees

Development Control A

Development Control B

Licensing

Public Rights of Way and Greens (no allowance paid)

Public Safety and Protection

Audit Committee (part regulatory and part scrutiny)

The Overview and Scrutiny Bodies

Overview and Scrutiny Management Board

Resources Scrutiny Commission

Communities Scrutiny Commission

Adults, Children and Education Scrutiny Commission

Growth and Regeneration Scrutiny Commission

APPENDIX D

Approved Duties for the purposes of Dependant Carers' Allowances

Claims can be made for these allowances in respect of the following (*extract from the Local Authorities (Members' Allowances) (England) Regulations 2003*):

(a) the attendance at a meeting of the authority or of any committee or sub-committee of the authority, or of any other body to which the authority makes appointments or nominations, or of any committee or sub-committee of such a body;

(b) the attendance at any other meeting, the holding of which is authorised by the authority, or a committee or sub-committee of the authority, or a joint committee of the authority and at least one other local authority within the meaning of section 270(1) of the Local Government Act 1972, or a sub-committee of such a joint committee, provided that:

(i) where the authority is divided into two or more political groups it is a meeting to which members of at least two groups have been invited;

or

(ii) if the authority is not so divided, it is a meeting to which at least two members of the authority have been invited;

(c) the attendance at a meeting of any association of authorities of which the authority is a member;

(d) the attendance at a meeting of the executive or a meeting of any of its committees, where the authority is operating executive arrangements;

(e) the performance of any duty in pursuance of any standing order made under section 135 of the Local Government Act 1972 requiring a member or members to be present while tender documents are opened;

(f) the performance of any duty in connections with the discharge of any function of the authority conferred by or under any enactment and empowering or requiring the authority to inspect or authorise the inspection of premises;

(g) the performance of any duty in connection with arrangements made by the authority for the attendance of pupils at any school approved for the purposes of section 342 of the Education Act 1996 (approval of non- maintained special schools); and

(h) 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 or any of its committees or sub-committees.