

Report of the Independent Remuneration Panel

Scheme of Members' allowances for Dorset Council

1. Introduction

This report has been prepared by the Independent Remuneration Panel (the **Panel**) for Dorset Council (the **Council**) comprising three individuals drawn from the community:

- (i) John Quinton (Chairman);
- (ii) Keith Broughton; and
- (iii) Martin Varley.

2. Legal Basis

- 2.1. The Local Authorities (Members' Allowances) (England) Regulations 2003 (the **Regulations**) apply to all local authorities.
- 2.2. The Regulations require a relevant authority to make a scheme providing for the payment of a basic allowance to each member of that authority.
- 2.3. Regulation 9 permits an authority to make allowances in respect of Co-Opted Members. Regulation 10(3) provides for the scheme to be amended at any time. Regulation 10(4) requires that where any index is used for the purpose of annual adjustment of allowances, it must not rely on that index for longer than a period of four years before seeking a further recommendation from the independent remuneration panel,
- 2.4. Before a relevant authority may make or amend a scheme of allowances it must have regard to recommendations made in relation to such a scheme by an independent remuneration panel.
- 2.5. An Independent Person (IP) may be appointed by a relevant authority pursuant to the provisions of the Localism Act 2011. Allowances paid to an IP do not fall within the Regulations. However, the Panel has been asked to make recommendations concerning allowances to be paid to IPs as part of this review.

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3. Context of the Review

- 3.1. The Panel last reviewed the members' allowance scheme for Dorset Council (the **Scheme**) in 2020.
- 3.2. The Panel has been asked to consider making recommendations in respect of the allowances to be paid to IPs.
- 3.3. At that time the Panel did not receive any evidence or representations regarding Co-opted Members and IPs' allowances. The Panel therefore recommended that those allowances continue to be payable at the current levels of £350.
- 3.4. Since that time a number of requests have been made to the Monitoring Officer of the Council for a review to be undertaken of those allowances paid to Co-opted Members and also to IPs.
- 3.5. Accordingly, the Monitoring Officer has asked the Panel to review the allowances payable to:
 - (i) the Co-opted Members of the Police and Crime Panel (PCP);
 - (ii) the Co-opted Members of the Overview Committee with oversight of education matters;
 - (iii) the Co-opted Members of the Harbours Committee; and
 - (iv) the IPs appointed to contribute to the arrangements of promoting and maintaining high standards of conduct.
- 3.6. In addition, the Panel was asked to consider including an allowance for electric vehicles within the travel allowances section of the Scheme and to consider establishing a Parental/Adoption/Sick leave policy within the Scheme.

4. Role of the Panel

- 4.1. Regulation 20(2) requires that an independent remuneration panel shall consist of at least three members none of whom:
 - (i) is also a member of an authority in respect of which it makes recommendations or is a member of a committee or sub-committee of such an authority; or
 - (ii) is disqualified from being or becoming a member of an authority.
- 4.2. The three members of the Panel are individuals, none of whom is disqualified from being or becoming a member of a relevant authority.

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5. Evidence

- 5.1. To inform its recommendations, the Panel was provided with the following evidence:
 - (i) the Regulations;
 - (ii) benchmarking data from South West Councils and from other unitary authorities' current allowances schemes;
 - (iii) the current Scheme;
 - (iv) the articles of the Constitution; and
 - (v) specific submissions from individuals as referred to in the following paragraphs.

- 5.2. The Panel also had the opportunity to interview those individuals named at paragraphs 6.1 and 6.2.

6. Methodology for the review

- 6.1. The Panel interviewed the following Councillor and Co-opted members:
 - (i) Mike Short, Co-opted member and current Chairman of the PCP;
 - (ii) Ian McVie, Co-opted member of the PCP;
 - (iii) Lee Hardy, Co-opted member of the Harbours Committee;
 - (iv) Councillor Mark Roberts, Chairman of the Harbours Committee; and
 - (v) Nick Maton, IP appointed to contribute to the arrangements of promoting and maintaining high standards of conduct by members and Co-opted Members.
- 6.2. In addition, the Panel interviewed Jonathan Mair, Monitoring Officer, Dorset Council and Marc Eyre, Service Manager for Assurance and principal adviser to the Police and Crime Panel.
- 6.3. The Panel wishes to record its thanks to those individuals who gave evidence.
- 6.4. The Panel recognised that consideration of the allowances payable to Co-opted members involved assessing the workload and commitment required to fulfil those roles. It was not about individual responsibilities or accountabilities or the ability/experience of the current Co-opted Member or IP.

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7. Co-opted Member of the PCP

- 7.1. The Panel considered detailed submissions on this role including:
- (i) the forward work plan of the PCP outlining the lead member role of the Co-opted Member;
 - (ii) a draft job description for the PCP Co-opted Member;
 - (iii) guidance provided by the Local Government Association on the appointment of Co-opted Members to the PCP and on the governance of PCPs; and
 - (iv) the Guidance Handbook for the Dorset PCP.
- 7.2. Both the current Co-opted Members of the PCP submitted evidence to support an increase in the allowance and enlarged upon this evidence as part of the interview process.
- 7.3. The evidence presented to the Panel indicated that the commitment to fulfil this role was approximately two to three days per month. It was clear to the Panel that this was a significant role and one which had a huge impact on the effectiveness of the PCP.
- 7.4. Individual Co-opted Members took a lead role in scrutinising the performance of the Police and Crime Commissioner (**PCC**) in relation to specific themes within the Police and Crime Plan. Co-opted Members were recruited on the basis of the wider experience and skills that could supplement and complement the skills of the councillors on the PCP. On this basis the Co-opted Member contributed significantly to the successful scrutiny of the PCC, establishing key lines of enquiry and ensuring evidence based decision making.
- 7.5. Based on the evidence received the Panel recommends an increase in the allowance of the Co-opted Member of the PCP to £2,000 in recognition of the significant role that the Panel were told they perform and the huge impact they have on the success or otherwise of the PCP
- 8. Independent Persons - promoting and maintaining high standards of conduct**
- 8.1. The Panel was informed that the IP is an integral part of the process for the consideration of complaints against Councillors, elected to Dorset Council and all Parish and Town Councils.
- 8.2. The role involved conducting initial checks, collating evidence and reviewing complaints against assessment criteria. The IP is not part of the decision making process. However, the IP had often attended hearings to present their findings. Workload had increased recently and currently the Monitoring Officer was using the allowance (£350) in

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effect as a retainer. Where there was significant workload in relation to a specific complaint, an additional hourly allowance has been paid.

- 8.3. The Panel acknowledged that this role had developed from that under the Localism Act 2011. The IP role is quite different from that as a serving member of the committee considering complaints concerning the conduct of Councillors. The IP role involves the critical analysis of a complaint and the ability to compile reasoned and measured arguments to provide conclusions based on the evidence collated by the IP.
- 8.4. The Panel agreed to recommend the retention of the current system where in effect a retainer is paid but that this retainer should be increased to £1,000 per annum and any significant additional duties, as determined by the Monitoring Officer, to be remunerated separately. The Panel thought that the Monitoring Officer would be able to determine the appropriate hourly rate for specific additional duties.

9. Co-opted Member, Harbours Committee

- 9.1. The Panel was informed that the Harbours Committee was in effect an Advisory Board exercising the functions of the Council as a harbour authority as defined in the Harbours Act 1964. All major decisions were referred to the Council's Cabinet for approval.
- 9.2. The consensus regarding the commitment required to fulfil this role was between half a day and a full day per month. Outside of the formal Committee role the Co-opted Member interviewed by the Panel was involved in ad-hoc groups from time to time which helped prepare strategies for the Committee.
- 9.3. A key area of focus for the Committee was marine safety and the skills and experience of the Co-opted Members helped supplement that possessed by the Councillors serving on the Committee.
- 9.4. The Panel agreed to recommend that to recognise the role outside of the formal meetings of the Committee and the additional experience and skills, the allowance should be increased to £1,000 per annum.

10. Co-opted Members, Overview Committee

- 10.1. The Panel understood that the "People and Health" Overview Committee was the Council's designated Committee for the oversight of the Council's statutory functions in relation to education matters.
- 10.2. In this respect the membership of this Committee should include:
 - (i) a person nominated by a Diocesan Board of Education for a Church of England diocese falling wholly or partly with the area of the Council;

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- (ii) a person nominated by the Bishop of any Roman Catholic diocese falling wholly or partly with the area of the Council; and
- (iii) two parent governors from maintained schools within the area of the Council.

- 10.3. Currently, all the positions referred to in the previous paragraph are vacant and have been vacant for some time.
- 10.4. The Panel therefore received no evidence or representations regarding the current allowance (£350). However, on the basis that a modest increase might facilitate the recruitment of representatives, the Panel agreed to recommend an increase to £500 per annum.

11. Travel allowance – Electric Vehicles

- 11.1. The Panel was asked to consider the inclusion of an allowance to provide for the reimbursement of the cost of charging an electric vehicle.
- 11.2. Currently the Scheme provided for the reimbursement of 45p per mile for cars up to 10,000 miles and 25p per mile thereafter. The Panel was also informed that the Officers Travel Allowance Scheme (**OTAS**) followed HMRC rates and applied the same rate for electric cars as for petrol/diesel vehicles.
- 11.3. The Panel agreed that an allowance should be provided for within the Scheme for the cost of charging an electric vehicle and recommended that it should be set at the same rates for petrol and diesel vehicles.

12. Parental/Adoption/Sick Leave

- 12.1. The Panel noted that currently there is no legal provision for Councillors to take sickness, maternity, paternity, shared parental, or adoption leave. There is a requirement under, the Local Government Act 1985, for councillors to attend at least one meeting of the authority every six months, unless for a reason agreed by the Full Council, or they cease to be a member of the authority. This rule would continue to apply regardless of the provisions in the Scheme.
- 12.2. A number of local authorities nationally are now making provision for SRAs to continue during sickness, maternity, paternity, shared parental, and adoption leave, to help support the equality, inclusion, and diversity of members.
- 12.3. The allocation of Special Responsibilities is a political decision and the allowance scheme cannot determine that when a member returns from long-term leave, they return to the same SRA position. Unlike SRAs, there can be no provision for a councillor covering the case work of another's division to receive a second payment of the basic allowance,

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as such it is for political groups to agree how to cover the division work of a councillor who is taking sickness, maternity leave, etc.

12.4. The Panel accepts that the introduction of a policy for managing long-term absence might encourage a more diverse range of candidates to stand for election. With that in mind the Panel recommends that a consultation be undertaken of all Dorset Councillors and that response be considered as part of the Panel's next fundamental review of the Scheme.

13. RECOMMENDATIONS

- A. To increase the allowance for the Co-opted Members of the PCP to £2,000 per annum in recognition of the significant role that they perform and the huge impact they have on the success or otherwise of the PCP.
- B. To increase the retainer for the Independent Person appointed to contribute to the arrangements of promoting and maintaining high standards of conduct to £1,000 per annum and that any significant additional duties are agreed and remunerated at an hourly rate to be determined in the discretion of the Monitoring Officer.
- C. To increase the allowance for the Co-opted Members of the Harbours Committee to £1,000 per annum to recognise the role performed outside of the formal meetings of the Committee.
- D. To increase the allowance paid to Co-opted Members of the Overview Committee to £500 per annum on the basis that this might increase the likelihood of recruiting members to these positions.
- E. To include an allowance within the Travel Allowances section of the Scheme to reimburse the cost of charging an electric vehicle and that this should be set at the same rate as for petrol and diesel vehicles.
- F. That a consultation be undertaken of Dorset Councillors regarding the possible introduction of a policy for Parental/Adoption/Sick leave and that the response be considered as part of the Panel's next fundamental review of the Scheme.