



**Independent Remuneration Panel
West Oxfordshire District Council**

**Annual Report and Recommendations
March 2023**

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Introduction and Background

By law, the Council is required to appoint an Independent Remuneration Panel (IRP), which recommends the level of allowances payable for Councillors over a specific timeframe. The Panel is made up of three persons who are suitably skilled members of the public and who are also independent of the District Council.

The Local Government Act 2000 and the Local Authorities (Members' Allowances) (England) Regulations 2003 require local authorities to review their Allowances Schemes and to appoint Independent Remuneration Panels to consider and make recommendations on new schemes. The Government's "Guidance on Consolidated Regulations on Local Authority Allowances" outlines the main statutory provisions and gives non-statutory guidance.

The Panel is required to recommend the levels of the basic allowances (paid to all councillors), Special Responsibility Allowances (SRA), and travel, subsistence and dependent carer allowances. The Council is required to consider these recommendations.

The Panel

The Panel, which consists of three members, were appointed at the Council meeting on 18 January 2023, by the Monitoring Officer exercising the delegated authority agreed at that meeting. The Panel appointed are suitably skilled members of the public who are independent of West Oxfordshire District Council. Members of the Panel have proven, collective knowledge and experience of being appointed to an IRP, and making representations to councils as appropriate.

The Panel met on Monday 27 February 2023 to carry out a review of the West Oxfordshire District Council Members' Allowances Scheme. The members of the Panel are:

- Janet Eustace (Chair) – Former local government officer and community representative;
- Michael Paget-Wilkes – Former Standards Chair at Warwickshire County Council, and former Archdeacon of Warwick;
- Ben Garland – Professional advisor on pay and reward.

Context

To ascertain the detail of Council Members thoughts regarding the Council's current Members Allowance Scheme, the Council's Senior Democratic Services Officer, Max Thompson, disseminated an electronic survey questionnaire to all Members of the Council via Google Forms. Members were given one week to complete the survey and return to Democratic Services. Owing to the Council's ICT migration to Microsoft 365 from Google Drive, a small number of Members returned their questionnaires to Democratic Services by other means for consideration by the Panel.

The Role of a District Councillor

West Oxfordshire District Council is made of 49 democratically elected Members from across whole of the West Oxfordshire District, across a mix of political parties and independent Members. The length of service of Members is also varied, with the longest serving Councillor having been elected in 2000. The newest cohort of Members were elected in 2022, with 11 new members taking their seats as part of the local government elections in that calendar year.

District Councillors may have a range of roles within their communities and on the Council. Members will undertake casework on behalf of local residents and act as community leaders, seeking to get things done to support and improve the communities they represent. Councillors represent the communities they represent on the Council, and may also represent the Council in their communities. On the Council members attend full Council meetings and may sit on committees, sub-committees and informal working groups. Councillors may also represent the Council on outside bodies. Many Councillors are members of political groups and may act as political campaigners.

The majority political group or alliance forms the Council's administration (the "Executive"), which is responsible for taking most of the Council's major decisions. Currently nine Members serve on the Executive including the Leader and Deputy Leader of the Council. Non-executive councillors have a "holding to account" role which can be performed in a number of ways, including by asking questions at meetings and serving on scrutiny committees.

14 Members responded to the survey representing 29% of the Council's membership. Of the 29% who responded, 57% were members without additional responsibilities, 35% were members of the Executive, and 14% were chairs of committees or sub-committees. The Panel was disappointed that no members were able to attend the IRP meeting on 27 February to speak to the Panel in person.

The Panel considered whether in the context of recent national and world events, such as the Covid-19 Pandemic, the 'Cost of Living' crisis and the War in Ukraine, the traditional workload of a district councillor has increased over recent years. 40% of survey respondents agreed with the proposition that casework enquiries had increased, whilst half of respondents were unsure as to whether this was the case or not.

The Panel noted that, at the latest Census in 2021, compared to the previous Census in 2011, West Oxfordshire had seen a 9% increase in population to 114,200. This would appear to tie in with the increase in correspondence and contact that Councillors have been experiencing over recent years, and is further evidenced by the ward of Witney East having three District Councillors in post.

Respondents also agreed that there was an ever continuing change in ways that Councillors now connect with their residents. The vast majority of those stated that both email and social media correspondence were now the main methods of resident communication, whilst the traditional letter writing and visits were falling in both value & frequency.

Many Members of a district council, both in West Oxfordshire, and also more generally across the country, are regularly involved with the town and parish councils that fall within the district. Some Members are town or parish clerks, whilst many others are town or parish councillors (some are also county councillors). 64% of respondents stated that they have regular contact with town and parish councils on monthly basis, with the remaining cohort stating they are more heavily involved with local town and parish councils, in addition to being a district council member.

Length of the Allowances Scheme

The IRP was asked to form a view on the period to be covered by the next allowances scheme and whether an index should be used for annually uplifting allowances. Regulations enable schemes to cover a period of up to four years where an index is relied on for the purposes of annual adjustments to allowances. In recent years, the Council has tended to produce an annual allowances scheme but it was open to the IRP to recommend a scheme covering up to four years (i.e. 2023/24 – 2026/27).

The Panel decided to recommend a 4-year scheme with a mid-term, 2-year review point. Indexation will be linked to the national pay deal for local government employees. The index will also apply to Special Responsibility Allowances given that these are calculated as multiples of the basic allowance.

Basic Allowance

At the time of writing this report, the basic yearly allowance is £5018.24. This allowance is paid to all 49 Councillors, irrespective of additional responsibilities held that would constitute a payment of a Special Responsibility Allowance. Over half of survey respondents were of the view that this allowance is too low, and should be increased. The remainder felt that the level of the basic allowance is about right.

The Panel noted that no uplift had been applied to the basic allowance for 2022/23 owing to the previous Members' Allowances Scheme having expired on 1 April 2022. The Panel considered the level of the basic allowance in comparison with other district authorities in the South East England Region. Of these 48 authorities the average level of the basic allowance is £5,551.96, meaning the Council's basic allowance is approximately 90% of the average. Other comparator authorities outside of the South East England region, such as Cotswold District Council and Stratford Upon Avon District Council, which the Panel looked at, also pay a higher basic allowance than West Oxfordshire. The Panel would like to see the level of the basic allowance increase toward the South East England average.

For 2022/23 the Panel recommends a backdated pay uplift in line with the national local government pay award. Given that this was a cash sum in 2022/23 rather than a percentage uplifts the Panel recommends an uplift of 4.04% based on the effect of the cash award on Spinal Column Point (SCP) 43.

For 2023/24 and the subsequent three years the Panel recommends that annual uplifts are indexed to the national pay deal for local government employees.

While some many other councils will be applying similar uplifts to their allowances, the effect of some councils choosing to freeze their allowances should ensure that the basic allowance will be within a 10% standard deviation of the South East England average but this is something the Panel wishes to keep under review.

The Panel further recommends that the level of each allowance is rounded up to the nearest whole pound when uplifts are applied.

Special Responsibility Allowance (SRAs)

Some members have certain roles on the Council which attract a Special Responsibility Allowance (SRA). SRAs are paid in addition to the basic allowance in recognition of the additional responsibilities that these Members have and the extra time and commitment that comes with these roles. These include roles such as being a member of the Executive (formerly Cabinet), chairs of committees, and opposition group leaders. SRAs are calculated as multiples of the basic allowance, and will therefore increase in proportion to the basic allowance when uplifts are applied to the basic allowance.

Allowance for Leader

The highest SRA (4.5x basic) is paid to the Leader of the Council, who is legally responsible for the appointment of the Executive and the discharging of executive functions, including most major decisions taken by the Council (except for planning and licensing decisions). The Executive is also responsible for recommending the "budget and policy framework" to Council. Under the "Leader and Cabinet" system operated by the Council most major executive decisions are taken by the Executive collectively, although some decisions are delegated to individual Executive Members (or to officers).

The Panel noted that the SRA paid to the Leader is high compared to neighbouring authorities Cotswold District Council, Cherwell District Council and Vale of the White Horse District Council. The Panel reviewed the data for the South East England region and found that, of the 33 authorities which pay a single allowance for Leader, West Oxfordshire is the fourth highest (some authorities pay an allowance for Leader in addition to an allowance for being a Cabinet Member allowance but these authorities were

excluded for the purposes of this comparison). The average amount was found to be £18,364.85 compared to £22,582.26 for West Oxfordshire; more than 10% above the average.

The Panel recommends that the allowance for Leader is reduced slightly from a multiple of 4.5 of the basic allowance to a multiple of 4.0. This recommendation is designed to bring the allowance closer to being within a 10% standard deviation of the South East England District Council average. The Panel note that the effect of the uplifts recommended to the level of the basic allowance would mean that the level of the SRA paid to the Leader would reduce from £22,582.26 to £22,136 (a reduction of 2%).

Allowance for Deputy Leader

The Deputy Leader is responsible for acting as Leader if the Leader of the Council is unable to act in addition to having the normal duties of a member of the Executive.

The Panel noted that the SRA paid to the Deputy Leader is high compared to neighbouring authorities Cotswold District Council, Cherwell District Council and Vale of the White Horse District Council. Of the 33 district councils in the South East England region which pay a single SRA for Deputy Leader, West Oxfordshire pays the third highest allowance to the Deputy Leader at £15,058.84 compared to an average of £9,756.21.

The Panel recommends that this allowance is reduced from a multiple of 3.0 of the basic allowance to a multiple of 2.5. Taking uplifts into account, this would reduce the SRA paid for Deputy Leader from £15,054.84 to £13,835 (a reduction of 8.1%).

Allowance for Executive Members (excluding the Leader and Deputy Leader)

The remaining Executive Members are responsible for providing political leadership and direction within their portfolios. Meetings of the Executive take place monthly but the Executive meets informally every Wednesday. The Leader may also delegate decision making responsibilities to individual Executive Members.

A survey respondent highlighted the considerable time necessary to fulfil these responsibilities, which requires research, regular engagement with management and extensive communication with outside bodies and residents. Another respondent suggested the SRAs for executive members should be reduced by 10%.

The Panel found that the SRA for Executive Members is higher compared to Cherwell District Council, Cotswold District Council, and Vale of the White Horse District Council. It is also the third highest of the 28 district councils in the South East England Region, which pay an SRA to Executive Members, at £12,545.84 against an average of £8035.31.

The Panel recommends that the SRA for Executive Members is reduced from a multiple of 2.5 of the basic allowance, to a multiple of 2.0. This will reduce the allowance paid from £12,545.70 to £11,068 (a reduction of 11.8%) which will bring the allowance closer to being within a 10% standard deviation of the South East England District Council average.

An alternative approach that the Panel considered would be for a set amount to be allocated for Executive Member SRAs, to be distributed equally amongst Executive Members (or distributed at the discretion of the Leader). The Panel noted that the Executive can legally comprise a minimum of three and a maximum of ten members including the Leader and Deputy Leader. The effect of this approach would be that if executive responsibilities were allocated to a smaller number of members, those members would each stand to receive a larger SRA than the members of an Executive comprising a larger number of members. The main difficulty with this approach is with defining the size of the set amount to be distributed. If an Executive comprised only three members, the member who was not the

Leader or Deputy Leader would stand to receive a very high SRA, which is why the Panel has not recommended this approach.

Chair of Overview and Scrutiny Committees

The Council currently has three Overview and Scrutiny Committees, which each meet four times per year. Overview and Scrutiny Committees have a role in scrutinising decisions and holding the Executive to account, and may consider issues which affect the district or its people. In addition to presiding at meetings, Overview and Scrutiny Chairs have certain responsibilities in relation to executive decision making, where the Executive wishes to take key decisions or to exclude the press and public from meetings with less than 28 days prior notice.

The Panel found the level of the SRA paid to Overview and Scrutiny Committee Chairs to be slightly above the mean for district councils in the South East England region, with West Oxfordshire paying the 18th highest amount of 43 district councils paying this allowance. The Panel noted from the benchmarking data that most district councils have a single Overview and Scrutiny Committee. Waverly District Council and Mid Sussex District Council being the other authorities with more than one committee, while Adur District Council and Worthing District Council operate a joint Overview & Scrutiny Committee. The Panel concluded that it is relatively unusual for a district council to pay an SRA of 1.0x basic allowance to three Overview and Scrutiny Chairs, and that where this responsibility is shared the level of the SRA should be lower.

The Panel recommends that the SRA for the Chair of an Overview and Scrutiny Committee remains at a multiple of 1.0x basic allowance if it is paid to one member, but reduces to 0.5x basic if it is paid to two or more members.

Other Special Responsibility Allowances

The Panel considered the levels of SRAs paid for all other roles that attract an SRA and, having reviewed the South East England benchmarking data and looked at neighbouring authorities' schemes, concluded that these should be kept at their existing levels.

The Panel recognised that Planning is a significant issue for the district. A survey respondent highlighted the large amount of time that this role requires and the fact that the issues are increasingly complex & challenging. The Panel found that the current SRA is nearer higher end of the +10% standard deviation compared with other district councils in South East England. The Panel concluded that the SRA paid to Planning Sub-Committee Chairs is appropriate at a multiple of 1.25 of the basic allowance.

The SRA for the Chair of the Council was found to be very close to the mean amount paid by district councils in the South East England region.

The other committee and sub-committees for which the chair receives an SRA, meet on an ad-hoc basis and the Panel didn't believe there was a case for changing these from their current levels.

The Panel noted that Opposition Group Leaders are responsible for the internal management of their political groups and for representing their groups at Council and informal group leaders' meetings. The Panel considered the levels of SRAs paid to Opposition Group Leaders and agree with the approach of the previous allowances scheme, whereby the leaders of larger groups should stand to receive a higher allowance than the Leaders of smaller groups. The Panel noted that the leader of an opposition group of 20 members receives an SRA of 1.0x basic allowance, whereas the leader of an opposition group of 2 members receives 0.25x basic allowance.

The Panel considered whether any other roles on the Council e.g. the Vice-Chair of Council or the Vice-Chair of a Planning Sub-Committee should attract an SRA, noting that Vale of the White Horse District Council pays allowances for both roles. In view of the survey responses received, the Panel concluded that the case hadn't been made for introducing any additional SRAs.

The Panel recommend that no other changes are made to special responsibility allowances and that these remain at the following multiples of the basic allowance:

SRA	Multiple of basic allowance
Chair of Area Planning Sub-Committees	1.25
Chair of Licensing Committee	0.25
Chair of Development Control Committee	0.25
Chair of Audit and Governance Committee	0.25
Chair of Miscellaneous Licensing Sub-Committee	0.125
Opposition Group Leaders	0.25 for 2-5 members, and a further 0.25 for each additional five or part of five

Other Allowances

A number of survey respondents had stressed the need to ensure that the role of district councillor can be open to as wide a mix of people as possible, not just those who are retired or of independent means.

The Panel discussed the level of allowances in this context but concluded that simply increasing the level of allowances alone would not address all of the barriers faced by people who may wish to be a councillor. The level of an allowance that would be genuinely inclusive would be very high and more akin to a salary whereas the role of councillor is a public service rather than a form of employment.

The Panel noted that Members may claim travel allowances and carers' allowances when attending meetings but that one member who responded to the survey wasn't aware that they could claim childcare allowances. No changes are recommended to carer's allowances or travel allowances, but the Panel suggests that members are made aware of these provisions.

In terms of claims made by Councillors for subsistence (overnight & meal allowances), the Panel deemed it unlikely that a district councillor would make subsistence claims on a regular basis. The Panel was not minded to change the rates for subsistence claims, and recommends keeping the rates of mileage expenses at the current levels in line with HMRC, where 45 pence per mile is paid for qualifying claims.

The Panel noted that the Council currently has few co-opted members and recommends that no changes are made to co-optees' allowances.

Maternity and Adoption Leave

The Panel identified that one way in which an allowances scheme could make a potentially useful intervention, would be by including provision for maternity or adoption leave. Over two thirds of survey respondents agreed with this proposition and thought that such an intervention would help to attract a more diverse and varied range of future councillors.

For most councillors the role is quite flexible and can be combined with work & family commitments. It is possible for councillors to take a step back from their duties temporarily and to arrange substitutions for meetings, for example, while continuing to receive a basic allowance.

For members in receipt of special responsibility allowances, the time commitment is generally higher and it is more difficult to combine the role with taking a period of maternity or adoption leave.

The Panel recommends that any member stepping down from a role with a special responsibility for the purposes of taking a period of maternity or adoption leave, should continue to receive 50% of their SRA for six months. The payments would not be subject to the member being reappointed or re-elected to the role at the end of that period, as that would be a decision for the Leader (if a member of the Executive), the relevant committee or sub-committee or, in the case of an Opposition Group Leader, the political group. Any member in this position would remain subject to the provisions of Section 85 of the Local Government Act 1972 (vacation of office by failure to attend meetings) and would need to have attended at least one meeting in a rolling six month period. The other committees and sub-committees that attract an SRA for the chair meet on an ad hoc basis when there is business to consider.

ICT Allowances

The Panel noted there is no separate allowance paid to councillors over their 4 year term for the provision of ICT equipment. Most members receive paper copies of meeting paperwork and access their councillor email accounts through a secure profile on their personal device (or in some cases a County Council issued device).

In contrast, Cotswold District Council pays an allowance of £1,200 to members over 4 years for the provision of ICT equipment, which may be paid either monthly over the 4 year term, or in one lump sum at a time of the member's choosing. This allows members to purchase a suitable device and access meeting papers electronically.

The Panel was mindful of costs that the Council incurs through the printing of Council and Committee packs, and the postage costs incurred on top of this when papers are sent out to Members. West Oxfordshire District Council has declared a climate and ecological emergency, and moving away from the reliance on paper would be consistent with the Council's aims. Members are able to access meeting papers electronically through the Council's website or the Modern.gov app, which can be downloaded free of charge and can be used to provide access to exempt (i.e. private) as well as public meeting papers.

Costs saved from the large scale printing and postage operation for all the Council's meetings, would generate a substantial saving, which could pave the way for Members to be issued with devices directly from the Council's ICT department to enable them to fulfil their duties more efficiently. This would also ease the aforementioned transition from Google Drive to Microsoft 365. Having ICT equipment provided by the Council would also enable Members to have direct, in-house access to technical assistance and support, which would mean that all Member are brought onto a level playing field.

The Chief Finance Officer committed to looking into this proposition, and report back as soon as more information on the proposition has been received.

Recommendations

With all of the above considered, the Independent Remuneration Panel submits the following recommendations to West Oxfordshire District Council:

1. That a backdated uplift of 4.04% is applied to members' allowances for the period 1 April 2022 to 31 March 2023;
2. That members' allowances are indexed to the national pay award for local government employees for the financial years 2023/24, 2024/25, 2025/26 and 2026/27;
3. That the amount of the basic allowance and each Special Responsibility Allowances is rounded to the nearest whole pound when uplifts are applied;
4. That the Special Responsibility Allowances for the Leader is reduced from a multiple of 4.5 to 4.0 of the basic allowance;

5. That the Special Responsibility Allowance for the Deputy Leader is reduced from a multiple of 3.0 to 2.5 of the basic allowance;
6. That the Special Responsibility Allowance for Executive Members (excluding the Leader and Deputy Leader) is reduced from a multiple of 2.5 to 2.0 of the basic allowance;
7. That the Special Responsibility Allowance for the Chair of an Overview and Scrutiny Committee remains at 1.0 if there is a single Overview and Scrutiny Committee but reduces to 0.5 for each Chair if there is more than one Overview and Scrutiny Committee.
8. That the Special Responsibility Allowance for the Chair of the Council remains at a multiple of 1.0 of the basic allowance;
9. That the Special Responsibility Allowance for the Chair of an Area Planning Sub-Committee remains at a multiple of 1.25 of the basic allowance;
10. That the Special Responsibility Allowance for the Chair of the Licensing Committee remains at a multiple of 0.25 of the basic allowance;
11. That the Special Responsibility Allowance for the Chair of the Development Control Committee remains at a multiple of 0.25 of the basic allowance;
12. That the Special Responsibility Allowance for the Chair of the Audit and Governance Committee remains at a multiple of 0.25 of the basic allowance;
13. That the Special Responsibility Allowance for the Chair of the Miscellaneous Licensing Sub-Committee remains at a multiple of 0.125 of the basic allowance;
14. That the Special Responsibility Allowance for Opposition Group Leaders remains at 0.25 for groups of two to five members, and a further 0.25 for each additional five members or part of five;
15. That Executive Members are restricted to receiving one Special Responsibility Allowance, but remaining Members of the Council may receive more than one Special Responsibility Allowance, subject to a maximum special responsibility allowance limit of £13,053 per annum;
16. That no changes are made to the dependant carers allowances, travel allowances, subsistence allowances, or co-optees' allowances;
17. That any member stepping down from a role with a Special Responsibility Allowance (and relinquishing all responsibility) for the purpose of taking a period of maternity or adoption leave will be entitled to receive 50% of the special responsibility allowance for up to six months;
18. That the Council considers the business case for the provision of devices for members as an alternative to the provision of paper copies of agenda packs for meetings.

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(ENDS)