

# **A Review of Members' Allowances for the Royal Borough of Windsor & Maidenhead**

## **The Tenth Report by the Independent Remuneration Panel**

**Air Vice-Marshal Andrew Vallance (Chairman)**  
**Chris Stevens**  
**Karnail Pannu**

**November 2018**

## **Introduction: The Regulatory Context**

1. This report is a synopsis of the deliberations and recommendations made by the statutory Independent Remuneration Panel (IRP / the Panel) appointed by the Royal Borough of Windsor & Maidenhead to advise the Council on its Members' Allowances scheme.
2. The Panel was convened under *The Local Authorities (Members' Allowances) (England) Regulations 2003 (SI 1021)* (the 2003 Regulations) to make recommendations to the Council on a number of amendments to the scheme of Members' Allowances. These regulations, arising out of the relevant provisions in the *Local Government Act 2000*, require all local authorities to maintain an IRP to review and provide advice on the councils' Members' Allowance Scheme. All councils are required to convene their Independent Remuneration Panel and seek its advice before they make any changes or amendments to their Members' Allowances Scheme and they must 'pay regard' to the Panel's recommendations before setting a new or amended Members' Allowances Scheme. This is in the context whereby Full Council retains powers of determination regarding Members' allowances, both the levels and scope of remuneration and other allowances/reimbursements.

## **Terms of Reference**

- 2 The Panel was convened on 15 November 2018 to consider amendments to the Members' Allowance Scheme to ensure it aligned with the new council structure from May 2019.

## **The Panel**

3. The Panel comprised:
  - Air Vice-Marshal Andrew Vallance CB OBE MPhil FRAeS
    - Served in the RAF for 38 years, and from December 2004 to February 2017 was Secretary of the UK's Defence Press and Broadcasting Advisory Committee (now known as the Defence and Security Media Advisory Committee). He is the Chairman of the Services' Sound and Vision Corporation and is actively involved in his local church of St Michael and All Angels, Sunninghill, in addition to several local charitable bodies.
  - Chris Stevens
    - Was born in Sunningdale, schooled at Windsor Grammar and has lived in Windsor for the past 37 years. He worked at The Sun for 30 years where he was Assistant Editor, and is now Senior Sub-Editor at the Daily Mail. Married with two daughters, he is a keen supporter of the Alexander Devine Children's Hospice Service.

- Karnail Pannu
  - Chairperson of Windsor and Maidenhead Community Forum, President of the local Sikh temple and a governor of Newlands Girls' School. He has served as member of Housing Solutions, the Royal Borough's Standards Board as independent member for 18 years, a governor of East Berks College and Berkshire College of Agriculture for 8 years each. He taught for 37 years in Buckinghamshire.
- 4. The Panel was supported by Karen Shepherd, Service Lead – Governance at the Royal Borough of Windsor & Maidenhead.
- 5. The Panel was addressed by Karen Shepherd, Service Lead – Governance and Elaine Browne, Interim Head of Law and Governance at the Royal Borough of Windsor and Maidenhead. The written report presented to the Panel included comments and feedback from Members, submitted by the Leader of the Council on behalf of the Conservative Group, and by the Opposition Group Leader on behalf of Not the Administration (NTA).

#### **Background**

6. The Panel was appraised of the background to the proposals for consideration. The Local Government Boundary Commission for England (LGBCE) has recommended a future council size for the Royal Borough of 41 Members from May 2019 (a reduction from the current 57 Members).
7. In anticipation of these changes coming into effect, the council undertook a constitutional review during 2018. The recommendations of the Constitutional Review Working Group were presented to Full Council in June 2018. Further recommendations specifically relating to the structure of Development Management Panels were considered by Full Council in September 2018.
8. The decisions taken by Full Council sought to align the panel, committee and forum structure of the borough with the reduced Member cohort from May 2019. The Panel was therefore requested to review a number of the Special Responsibility Allowances (SRAs) in the Members' Allowance Scheme to ensure it too was aligned with the new council structure from May 2019.
9. The Panel noted that although the changes for consideration would align the Members' Allowance Scheme with panel/committee /forum structures from May 2019, a full review of the Members' Allowance Scheme by the IRP would take place in 2019. This full review was required as 2018 was the last year of annual adjustments / indexation allowed under the current scheme. The full review would therefore consider all aspects of the Scheme in light of the reduction in councillor numbers. It was likely the review would take place in Autumn 2019; this would allow Members to have six months' experience under the new councillor numbers/ward boundaries and to provide relevant feedback to the IRP about the appropriate level of both the Basic Allowance and SRAs.

## **Findings and Recommendations**

### **Special Responsibility Allowances**

10. The Panel considered a reduction in the SRA paid to a Principal Member (£12,215) to the level currently received by a Deputy Lead Member (£2,443); implementation to be backdated to 25 September 2018. The Panel noted that this had been suggested by the Leader of the Council at Full Council in September 2018 but required formal recommendation from the Panel. The Panel noted this would help to reduce the cost of SRAs in the current municipal year at a time of budget pressures.
11. **RECOMMENDATION 1: The Panel recommends that the SRA paid to a Principal Member (£12,215) be reduced to the level currently received by a Deputy Lead Member (£2,443); implementation to be backdated to 25 September 2018.**
12. The Panel considered deletion of the SRAs for Deputy Lead Members and Principal Members from May 2019. It was noted that this had been proposed by the Constitution Review Working Group and discussed in principle at Full Council in June 2018 but required formal recommendation from the IRP. The Panel took into consideration a suggestion from the NTA that both SRAs should be deleted with immediate effect, in light of the budget pressures the council was experiencing. The Panel concluded that, given individual Members would continue to undertake the roles until May 2019, the SRAs should continue to be paid, noting that for Principal Members this would be at the significantly lower level of £2,443 as per recommendation 1.
13. **RECOMMENDATION 2: The Panel recommends that SRAs for Deputy Lead Members and Principal Members be deleted from the scheme from May 2019.**
14. The Panel considered deletion of the SRA for the Chairman of the Rights of Way and Highway Licensing Panel from May 2019. The Panel noted that a number of Panel meetings in recent years had been cancelled due to a lack of business. The Constitution Review Working Group had considered subsuming the Panel into relevant Development Management Panels but this had been rejected and it was instead agreed the Panel would not be scheduled in advance and would only meet when required, and therefore the SRA for the Chairman was not required. This had been proposed by the Constitution Review Working Group and discussed in principle at Full Council in June 2018 but required formal recommendation from the Panel. In concluding this recommendation, the Panel took into consideration the level of involvement required of Chairman of other Panels and Forums that met on a regular basis.
15. **RECOMMENDATION 3: The Panel recommends that the SRA for the Chairman of the Rights of Way and Highway Licensing Panel be deleted from the scheme from May 2019.**

16. The Panel considered deletion of the SRA for the Chairman of the Audit and Performance Review Panel (APRP) from May 2019, to reflect the deletion of the APRP as part of the Constitution Review approved by Full Council in June 2018. The Panel noted the work of the APRP would be subsumed into the Corporate Services O&S Panel from May 2019. The Panel took into consideration feedback from the NTA that, given the Panel usually had a slim agenda and a number of APRP meetings had been cancelled this municipal year, the APRP's work could be undertaken immediately by the Corporate Services O&S Panel, with an additional meeting if necessary. The NTA therefore suggested the SRA for the Chairman could be deleted with immediate effect. The Panel noted that the deletion of the APRP and transfer of responsibilities to the Corporate O&S Panel could only be agreed by Full Council, which had already agreed that this should take place from May 2019 and not before.
17. **RECOMMENDATION 4: The Panel recommends that the SRA for the Chairman of the Audit and Performance Review Panel be deleted from the scheme from May 2019.**
18. The Panel considered deletion of the SRA for the Chairman of the Sustainability Panel from May 2019, to reflect the deletion of the Panel as part of the Constitution Review approved by Full Council in June 2018. The Panel noted the work of the Sustainability Panel would be subsumed into the relevant O&S Panel from May 2019.
19. **RECOMMENDATION 5: The Panel recommends that the SRA for the Chairman of the Sustainability Panel be deleted from the scheme from May 2019.**
20. The Panel considered amending the Scheme to specify the maximum number of SRAs payable to Chairmen of Overview & Scrutiny Panels is 4 from May 2019, to reflect the new O&S Structure agreed as part of the Constitution Review approved by Full Council in June 2018. The Panel took into consideration a proposal from the NTA that the maximum number should not be amended, as the NTA felt there was no evidence that the reduction in O&S panels would ensure the workload was delivered. The Panel concluded that it was appropriate to reduce the maximum number of SRAs to reflect the number of O&S Panels in the agreed structure from May 2019. The Panel considered that, if the council decided to increase the number of O&S Panels after May 2019 based on workload or other reasons, the maximum number of SRAs for O&S Panel Chairmen could be revisited under the full review of the Scheme due in Autumn 2019. In addition, any increase in the number of SRAs could be backdated where appropriate.
21. **RECOMMENDATION 6: The Panel recommends that the maximum number of SRAs payable to Chairmen of Overview & Scrutiny Panels is 4 from May 2019.**

22. The Panel considered amending the Scheme to specify the maximum number of SRAs payable to Chairmen of Area Development Management Panels (DMP) is 2 from May 2019, to reflect the new DMP Structure agreed by Full Council in September 2018. The Panel took into consideration a proposal from the NTA that the maximum number should not be amended, as the NTA felt there was no evidence that the reduction in DMPs would ensure the workload was delivered. The Panel concluded that it was appropriate to reduce the maximum number of SRAs to reflect the number of DMPs in the agreed structure from May 2019. The Panel considered that, if the council decided to increase the number of DMPs after May 2019 based on workload or other reasons, the maximum number of SRAs for DMP Chairmen could be revisited under the full review of the Scheme due in Autumn 2019. In addition, any increase in the number of SRAs could be backdated where appropriate.
23. **RECOMMENDATION 7: The Panel recommends that the maximum number of SRAs payable to Chairmen of Area Development Management Panels is 2 from May 2019.**
24. The Panel considered amending the SRA for the Borough Wide DM Panel (BWDMP) Chairman to that equal to the Chairman of an Area Development Management Panel (£6,107). The Panel noted that the BWDMP was now scheduled to meet monthly, mirroring the schedule of the area panels. The monthly scheduling had been set as part of the approved Programme of Meetings for 2018/19 at Annual Council in May 2018 and a Member who was not already a DM Panel Chairman was currently appointed to be the BWDMP Chairman.
25. **RECOMMENDATION 8: The Panel recommends that:**
- i) **The SRA for the Borough Wide DM Panel Chairman be amended to £6107, equivalent to the SRA for the Chairman of an Area Development Management Panel.**
  - ii) **Implementation be backdated to 22 May 2018.**

**ICT Allowance**

26. The Panel considered deletion of the ICT Allowance from May 2019. The Panel noted that it was proposed that all Councillors elected in May 2019 would be provided with a corporate iPad, including direct access to their borough email account, the Modern.gov app for agenda paperwork and additional software to support them in their ward councillor role. The Panel considered the proposal that Members would be expected to use the Modern.gov app to access all agenda papers unless a medical reason was provided to demonstrate the need for a hard copy agenda.
27. The Panel took into account feedback from the NTA that some reports ran to 50/100/150 pages and to expect Members to follow such detail on an iPad was discriminating against those who had not been educated in current technology. The Panel also noted the feedback that home printers

may not have the capability for such heavy workload and that the proposal could also discriminate against Members without access to an office environment. The NTA were of the view that if a Member required a document in printed format, because of its detail, then that request should be met. The NTA felt that if such requests were not met then that could be seen as preventing the elected Member from fulfilling their responsibilities. Allowing the chairman of a panel a printed agenda and not any other Member could also be seen as not enabling councillors to represent local communities effectively.

28. The Panel was of the view that working on an iPad with large documents was not always easy, however it was fully supportive of the proposal to provide Members with corporate iPads, noting the provision of access to agenda paperwork in a secure environment plus significant additional functionality and resources. The Panel was assured that all Members would be provided with training on how to fully utilise all the functionality and resources the iPad would provide.
29. The Panel also took into account the increased cost implications if Members could also request hard copy agenda. The Panel concluded that if Members were both provided with an iPad and could also request hard copy agenda, there would therefore be no requirement for the ICT Allowance. In this respect, the Panel noted that the Basic Allowance was intended to cover a variety of costs including 'broadband costs,' 'stationery' and 'office equipment for home use'. The Panel noted that, if deleted from the Scheme, the costs of the ICT allowance could be used to offset the increased printing costs, therefore the proposal would be revenue cost neutral.
30. **RECOMMENDATION 9: The Panel recommends that, subject to all Members being provided with an iPad, section 10 of the scheme 'ICT Allowance' be deleted from May 2019, noting that the proposal would be revenue cost neutral if the budget was used instead to fund increased printing costs.**

ICO Registration

31. The Panel considered increasing the Basic Allowance by £40 per councillor to cover the costs of Member ICO registration (total cost 2018/19 - £2280 for 57 councillors, future years - £1640 for 41 Councillors). The Panel noted that all Data Controllers were required to register with the Information Commissioners Office (ICO) and councillors were Data Controllers in their role as a Member of the Council. The Panel noted that the funding would not be paid to Councillors on a monthly basis as part of their allowance but retained and used when ICO Registrations were made by the council on behalf of Members in May or October each year. The Panel noted that a recent government [consultation](#) had concluded that elected representatives should be exempt from the charge, to address concerns that the charge constituted a 'barrier to democracy'. The Panel therefore concluded that the increase should be recommended for implementation in 2018/19 and future years until the exemption was applied.

- 32. RECOMMENDATION 10:** The Panel recommends that the Basic Allowance be increased by £40 to cover the costs of Member registration as a Data Controller with the Information Commissioner's Office in 2018/19 and future years, until any exemption is applied.

**Other considerations**

- 33.** The Panel noted a suggestion from the NTA that the SRA for the role of Deputy Chairman of Cabinet be deleted, on the basis that Cabinet was chaired by the Leader of the Council therefore the Deputy Leader of the Council could act as Deputy Chairman of Cabinet. The Panel noted that this SRA was not directly affected by any of the structural changes agreed by Full Council for implementation after May 2019 and had therefore not been included in the issues for the IRP to consider at this time. The Panel therefore decided not to make a recommendation to Full Council at this stage, but that the issue should be included in the full review by the IRP due in Autumn 2019.