

Agenda

Council

Thursday, 30 July 2020 at 7.30 pm

Remote meeting via video link



This meeting will be held **remotely**. Committee Members will be provided with the details of how to connect to the meeting one day before the meeting.



Members of the public may observe the proceedings live on the Council's [YouTube](#) channel.

All Members of Reigate and Banstead Borough Council are respectfully summoned to remotely attend a meeting of the Borough Council on Thursday 30 July 2020 at 7.30pm

John Jory
Chief Executive

For enquiries regarding this agenda;

Contact: 01737 276182

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Published 24 July 2020

Reigate & Banstead
BOROUGH COUNCIL
Banstead | Horley | Redhill | Reigate



1. Minutes (Pages 5 - 8)

To confirm the Minutes of the meeting of the Council held on 28 May 2020.

2. Apologies for absence

To receive any apologies for absence.

3. Declarations of interest

To receive any declarations of interest.

4. Urgent business

To consider any urgent business.

5. Public questions

To consider any questions received from members of the public under Council Procedure Rule 2.14.

6. Questions by Members

To consider any questions received from members of the public under Council Procedure Rule 2.15.

7. Recommendations (Pages 9 - 10)

To receive and consider the recommendations of the Council's Executive, committees and sub-committees.

- i) To receive the recommendation of the Overview and Scrutiny Committee (Minute 11) concerning the Overview and Scrutiny Committee Annual Report 2019/20, for adoption.

8. Report of the Council's IRP on Members' Allowances for 2020/21 (Pages 11 - 78)

To receive the Report and Recommendations of the Independent Remuneration Panel.

9. Revised Member Code of Conduct (Pages 79 - 106)

To receive the recommendations of the Governance Task Group.

10. Statements

To receive any statement from the Leader of the Council, Members of the Executive, Chairmen of Committees or the Head of Paid Service.

11. Leader's announcements

To receive any announcements by the Leader of the Council.

12. Mayor's announcements

To receive any announcements from the Mayor.

13. EXEMPT - Senior Management Update

RECOMMENDED that members of the Press and public be excluded from the meeting for this item of business under Section 100A(4) of the Local Government Act 1972 on the grounds that:

- (i) it involves the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A of the Act; and
- (ii) the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

To receive the exempt recommendations of the Employment Committee, report to follow.

14. EXEMPT - Interim Appointment of Statutory Officers and Responsibilities

RECOMMENDED that members of the Press and public be excluded from the meeting for this item of business under Section 100A(4) of the Local Government Act 1972 on the grounds that:

- (i) it involves the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A of the Act; and
- (ii) the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Report to follow.



Our meetings

As we would all appreciate, our meetings will be conducted in a spirit of mutual respect and trust, working together for the benefit of our Community and the Council, and in accordance with our Member Code of Conduct. Courtesy will be shown to all those taking part.



Streaming of meetings

Meetings are broadcast live on the internet and are available to view online for six months. A recording is retained for six years after the meeting. In attending any meeting, you are recognising that you may be filmed and consent to the live stream being broadcast online, and available for others to view.



Accessibility

The Council's agenda and minutes are provided in English. However, the Council also embraces its duty to anticipate the need to provide documents in different formats, such as audio, large print or in other languages. The Council will provide such formats where a need is identified prior to publication or on request.



Notice is given of the intention to hold any part of this meeting in private for consideration of any reports containing "exempt" information, which will be marked accordingly.

BOROUGH OF REIGATE AND BANSTEAD

COUNCIL

Minutes of a meeting of the Council held as a Remote Virtual Meeting on 28 May 2020 at 7.00 pm.

Present: Councillors K. Foreman (Mayor), R. Absalom (Deputy Mayor), M. A. Brunt (Leader), T. Schofield (Deputy Leader), G. Adamson, T. Archer, R. H. Ashford, R. Biggs, M. S. Blacker, N. J. Bramhall, J. S. Bray, H. Brown, G. Buttironi, J. C. S. Essex, R. J. Feeney, P. Harp, R. Harper, J. Hudson, N. D. Harrison, A. C. J. Horwood, E. Humphreys, F. Kelly, G. J. Knight, S. A. Kulka, J. P. King, V. H. Lewanski, A. M. Lynch, S. McKenna, R. Michalowski, N. C. Moses, C. M. Neame, S. Parnall, J. Paul, J. E. Philpott, S. J. G. Rickman, R. Ritter, D. A. Ross, K. Sachdeva, S. Sinden, C. Stevens, R. S. Turner, S. T. Walsh and C. T. H. Whinney.

TRIBUTE TO FORMER COUNCILLOR BRIAN STEAD

Before commencement of the business of the meeting, the Mayor called upon Councillor Jill Bray, ward Member for Tattenham Corner and Preston, to lead a tribute to former Councillor Brian Stead, who had sadly passed away in April.

1. MINUTES

RESOLVED that the Minutes of the meeting of Council held on 13 February 2020 be approved as a correct record.

2. APOLOGIES FOR ABSENCE

An apology for absence had been received from Councillor Allcard.

3. DECLARATIONS OF INTEREST

There were none.

4. CONSTITUTION OF AN AUDIT COMMITTEE

RESOLVED That an Audit Committee of nine Members, politically balanced, be constituted as an Ordinary Committee of the Council, and that the Membership be appointed in accordance with the nominations of Group Leaders as appended to these Minutes.

5. CONSTITUTION AND MEMBERSHIP OF ORDINARY COMMITTEES 2020/21

RESOLVED That the Ordinary Committees of the Council be established for the forthcoming Municipal year and that the Membership of those Committees be appointed in accordance with the nominations of the Group Leaders, as appended to these Minutes.

Agenda Item 1

Council
28 May 2020

Minutes

6. CONSTITUTION AND MEMBERSHIP OF OTHER COMMITTEES AND GROUPS

RESOLVED

1. That the Membership of the Reigate and Banstead Local Committee of Surrey County Council, be appointed in accordance with the nominations of Group Leaders, as appended to these Minutes.
2. That the Governance Task Group for the forthcoming Municipal Year be constituted and the Membership be appointed in accordance with the nominations of Group Leaders, as appended to these Minutes.

7. APPOINTMENT OF ONE MEMBER TO THE SURREY POLICE AND CRIME PANEL JOINT COMMITTEE 2020/21

RESOLVED that Councillor Lewanski be appointed as the Council's representative on the Surrey Police and Crime Panel Joint Committee for the Municipal Year 2020/21.

8. REVISED CALENDAR OF MEETINGS 2020/21

Members noted that a revised Calendar of Meetings had become necessary as part of the recovery from the COVID -19 emergency.

RESOLVED that the revised Calendar of Meetings for 2020/21 be approved.

9. COUNCIL PROCEDURE RULE 4.5

RESOLVED that the two decisions set out on the agenda that had been made pursuant to Council Procedure Rule 4.5, be noted.

10. URGENT BUSINESS

There was none.

11. VOTE OF THANKS TO COUNCIL EMPLOYEES

The Leader of the Council, Councillor Brunt, emphasised that the past year had not been a normal year, due to the COVID-19 pandemic. Council staff had risen to the challenge and had gone above and beyond their usual roles, to ensure that the Borough's most vulnerable people were provided with the support they needed, whilst still maintaining critical services. The Leader voiced his sincere appreciation and gratitude to all the Council's employees.

The Chief Executive thanked the Leader for his kind words and endorsed the outstanding efforts of the Council's staff during the coronavirus crisis. The Chief Executive expressed his thanks to all the Council's employees who had been a credit to themselves, Members, residents and businesses.

12. LEADER'S ANNOUNCEMENTS

There were none.

13. MAYOR'S ANNOUNCEMENTS

The Mayor expressed his appreciation to those staff involved in supporting his Mayoral year; the Mayors' Chaplain, and the Mayoress.

14. ELECTION OF THE MAYOR OF THE BOROUGH OF REIGATE AND BANSTEAD FOR 2020/21

Councillor Blacker moved, and Councillor Walsh seconded, that Councillor Rosemary Absalom be elected Mayor for the Municipal Year 2020/21. With there being no other nominations, the Council duly:

RESOLVED that Councillor Rosemary Absalom be elected Mayor of the Borough of Reigate and Banstead for the Municipal Year 2020/21.

15. ELECTION OF DEPUTY MAYOR

Councillor Brunt moved, and Councillor Foreman seconded, that Councillor Frank Kelly be elected Deputy Mayor for the Municipal Year 2020/21. With there being no other nominations, the Council duly:

RESOLVED that Councillor Frank Kelly be elected Deputy Mayor for the Municipal Year 2020/21.

The Meeting closed at 7.36 pm

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Recommendation from the Overview and Scrutiny Committee – 11 June 2020

Minute
reference
11

Overview and Scrutiny Committee Annual Report 2019-20

Members noted the Annual Report of the Committee 2019/20 for recommendation to Council which included membership and attendance for the year.

RESOLVED that the Overview and Scrutiny Committee Annual Report 2019/20 be **RECOMMENDED** for approval at the next Full Council meeting.

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Agenda Item 8



SIGNED OFF BY	Head of Legal and Governance
AUTHOR	Tom Borer, Policy Officer
TELEPHONE	Tel: 01737 276717
EMAIL	tom.borer@reigate-banstead.gov.uk
TO	Council
DATE	Thursday, 30 July 2020

KEY DECISION REQUIRED	N
WARDS AFFECTED	(All Wards);
SUBJECT	Report of the Council's IRP on Members' Allowances for 2020/21

RECOMMENDATIONS
<ol style="list-style-type: none"> 1. That Recommendations (1) to (12) of the Independent Remuneration Panel (IRP) be adopted; 2. That the Council determine its response to Recommendation (11) of the report of the IRP that asks Council to consider whether it would like the Panel to undertake any further work for their next review; 3. That the Chief Executive be authorised to make any necessary changes to the Members' Allowances Scheme for 2020/21 (approved under Recommendation 1 of this report above) arising from any amendment or non-adoption of the IRP's recommendations on Allowances; 4. That the payment to IRP members for producing this report be increased, in line with the general principle of adopting the January 2020 CPI (1.8%), from £563.20 to £573.34, in accordance with the general principle of the approach agreed by Council in December 2018. 5. That the IRP be thanked for its report. 6. That the Council agree to recruit two IRP Members for a three year period.
REASONS FOR RECOMMENDATIONS
<p>These recommendations comply with the requirements of the Local Government Act 2000 and government guidance for the Council to have a Members' Allowances Scheme recommended by an Independent Remuneration Panel. The recommendations of the IRP are considered to support the objectives for the Council's Members Allowances Scheme of</p>

Agenda Item 8

allowing people to consider becoming an elected Member without risk of undue financial hardship, and of allowing existing councillors to fulfil their role to the best of their ability.

SUMMARY

This report sets out proposals on the Members Allowances Scheme for 2020/21 following a review by the Council's Independent Remuneration Panel. The IRP's report contains 12 recommendations for Council to consider, as detailed in paragraph 4 of this report. Arising from the Recommendations, the report sets out the budgetary implications for 2020/21 and a Members' Allowances Scheme to apply from 1 April 2020, with applicable elements applied retrospectively back to this date.

STATUTORY POWERS

1. In accordance with the Local Government Act 2000 and guidance from the government, the Council is required to have a Members Allowances Scheme recommended by its Independent Remuneration Panel (IRP). The IRP has accordingly undertaken a review of the Authority's Members' Allowances and its report is attached at Annex 1.
2. The IRP's report on the outcome of its review (with a range of recommendations) has undergone initial consideration by Chief Executive and Leader of the Council and is now before the Council to consider. The IRP report has also been made available to all Members.
3. Members will be aware that, under the Constitution, this issue is reserved for full Council. This means that it has not previously been the subject of debate by any other decision-making body.

KEY INFORMATION

Report of the IRP

4. The IRP's report on Member's Allowances for 2020/21 contains 12 recommendations. These relate to the following matters:
 - General Principles – Recommendation (1) – Sections 13-17.
 - The Role of Elected Members – Recommendations (2), (3) and (4) – sections 24-28.
 - Recruitment and Retention of Councillors – Recommendation (5) – sections 29-33.
 - The Basic Allowance – Recommendation (6) – sections 34-44.
 - Special Responsibility Allowances – Recommendations (7a), (7b) and (7c) – sections 47-77.
 - Mayoral and Deputy Mayoral Allowances – Recommendation (8) – sections 78-84.
 - Travel and Subsistence Allowances – Recommendation (9) – sections 85-89.
 - Dependants' Carers' Allowance – Recommendation (10) – sections 90-95.

- Future Reviews – Recommendation (11) – sections 98-101.
- Members' Allowances Scheme 2020/21 – Recommendation (12) – section 102.

Members' Allowances Scheme for 2020/21

5. Based on the recommendations of the IRP, Officers have prepared a Members' Allowances Scheme for 2020/21 and this is set out in Annex D to the IRP report. Should Council amend or not adopt any of the IRP's recommendations, then the proposed scheme will need to be suitably amended. Delegation on this matter to the Chief Executive is proposed (Recommendation 3).

Appointments to the IRP

6. To conduct a review of Members' Allowances, the Council's IRP must comprise at least three members. The membership for 2019/20 was Mr Colin Woods, Ms Tracey Jessup, Ms Farah Stehrenberger and Mr Paul Whitehouse.
7. Of these panel members, Mr Woods, Ms Jessup and Mr Whitehouse have now served as panel members for the recommended duration and are therefore due to retire from the panel this year. Ms Stehrenberger was appointed for a three year period from 2019/20 and is therefore expected to remain as a member of the panel until the completion of the 2022/23 review.
8. To support the operation of the panel for forthcoming reviews, there Council will therefore need to recruit two additional Independent Remuneration Panel Members. It is therefore recommended that the Council agree to recruit two IRP Members for a period of three years from point of appointment, to support the operation of the panel during that period.

Payment to IRP Members

9. When the Council first established its IRP it was agreed that its members should be paid £500 per report produced for the Authority. This was increased to £550 in 2009/10 to maintain the general level of remuneration originally intended.
10. For 2018/19, a revised payment of £563.20 (an increase of £13.20) was agreed, in line with the general principle of an increase in line with CPI (2.4%) to ensure Allowances are maintained at a level appropriate to the wider economic landscape.
11. In keeping with the principle of an annual uplift in line with CPI, to maintain the allowance at a consistent real level over time, it is recommended that the allowance for 2019/20 be increased by 1.8% to £573.34, in line with the January 2020 level of CPI.

LEGAL IMPLICATIONS

12. The Local Government Act 2000 requires each local authority to establish and maintain an Independent Remuneration Panel for the purpose of considering a scheme for the payment of Members' Allowances.

FINANCIAL IMPLICATIONS

13. The cost of the proposed scheme cannot be stated with complete certainty. Some Members, for personal reasons, choose not to claim allowances to which they are entitled.

Agenda Item 8

14. Due to the decision to conduct this year's review of the Independent Remuneration Panel later in the year, to allow for additional consideration of the implications of the changes to electoral ward boundaries, it was necessary to agree a budget for the year in advance of the completion of the review. Whilst the budget therefore included an estimated level for the Members' Allowances for the year, it was not possible to fully reflect the recommendations of the panel at that time.
15. The Council's revenue budget for 2020/21 includes a budget of £428,700.00 for Member Allowances and Support. Based on the proposals set out in this report, it is anticipated that £403,737.00 of this will represent spending on Members' basic allowances and mayoral and special responsibility allowances.
16. This figure relates to the Basic; Special Responsibility Allowances and Mayoral Allowances and do not take account of some Members who may choose not to take all or part of their entitled Allowances.
17. There will also be some costs resulting from travel and subsistence or other secondary allowances. A budget allowance has been made for these, which have historically been claimed at a relatively low rate, and are not expected to present a significant budgetary pressure. In the event that they exceed projections, this may lead to a low level of overspend, which it is expected could be accommodated if necessary. Due to recent circumstances and the necessity of remote meetings, current claims are below usual levels.
18. Including the remaining costs within the £428,700.00 budget, primarily pertaining to training, were this year's total claim on allowances to follow the same pattern as the previous year, there would be an anticipated total overspend of £941.00 in 2020/21. This would represent a less than 0.25% variation relative to the projected budget, and is not considered to represent a significant concern.
19. Any overspend, or underspend, will be considered as part of the budget process for 2021/22, with an awareness of the impact of current measures relating to COVID-19 which may have influenced behaviour and costs during the year.

EQUALITIES IMPLICATIONS

20. The Council is asked to have regard to their duties under the Equality Act 2010. This requires the Council to have due regard to the need to:
 - Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited under the Act;
 - Advance equality of opportunity between people who share a protected characteristic and those who do not;
 - Foster good relations between people who share a protected characteristic and those who do not.
21. The Panel considered these duties in relation to the nine protected characteristics (age; disability; gender reassignment; marriage/civil partnership status; pregnancy and maternity; race; religion; sex; and sexual orientation).
22. During the review, it was highlighted that the role of a Councillor was not a salaried one. However, the payment of allowances is generally expected to allow and encourage people from the widest possible range of backgrounds to serve as

Agenda Item 8

councillors. The Panel paid particular attention to the issue of enabling all persons to be able to serve as a Councillor, and how the allowance scheme may assist this objective.

23. To support these objectives, the Panel's recommendations include an update to the implementation of the Dependant Carer's Allowance to limit any potential disadvantage faced by Members with caring responsibilities, and clarification around the Travel and Subsistence Allowance to make clear that support is also available for those not necessarily able to drive.
24. These issues are dealt with in more detail in sections 85-95 of the IRP's report. The Panel would also welcome any further steps the Council could take to promote equality of opportunity for those considering serving as Councillors.

COMMUNICATION IMPLICATIONS

25. The Local Authorities' (Members' Allowances) (Miscellaneous Provisions) Regulations place certain duties on local authorities in connection with publicising the recommendations made by their Independent Remuneration Panel, their scheme of allowances and the actual allowances paid to Members in any given year.
26. The Regulations require that as soon as reasonably practicable after receiving a report, setting out the IRP's recommendations, local authorities must ensure copies of the report are available for inspection at their principal office. Local authorities must also publish a notice giving details of the availability of the report and the Panel's recommendations. Local authorities are also required to repeat this process as soon as reasonably practicable after determining a scheme of allowances.
27. The Guidance states that all of these publicity requirements are statutory minimum requirements, and that local authorities should publicise more widely the report from their Panel, their scheme of allowances and the sums paid to each Member.

RISK MANAGEMENT CONSIDERATIONS

28. The determination of allowances is a sensitive subject both from the perspective of Councillors themselves and the public who elect them. In view of this it is important that any scheme adopted is objectively reasonable and based upon a logical and fair mechanism.

CONSULTATION

29. As set out in sections 7 and 8 of the IRP Report, all Members were given an opportunity to complete a questionnaire on the Members' Allowances Scheme 2019/20 and 32 Councillors (71%) chose to do so. Members were also given opportunities to either meet with or submit comments to the Panel on the current Members' Allowances Scheme.
30. The Panel met with and/or otherwise consulted the following Members and Officers to explore any issues regarding Allowances (roles noted as at time of consultation):
 - John Jory, Chief Executive
 - Ben Bix, Governance & Democratic Services Manager

Agenda Item 8

- Councillor K. Foreman, Mayor of Reigate & Banstead
- Councillor M.A. Brunt, Leader of the Council
- Councillor N. Harrison, Chair of the Overview and Scrutiny Committee and Leader of the Residents' Association Group
- Councillor V. Lewanski, Executive Member for Corporate Direction and Governance and Chair of the Employment Committee
- Councillor R., Feeney, Overview and Scrutiny Committee and Licensing and Regulatory Committee Member.

**TWENTIETH REPORT OF THE
INDEPENDENT REMUNERATION PANEL
ON
MEMBERS' ALLOWANCES
FOR
REIGATE AND BANSTEAD BOROUGH COUNCIL**

July 2020

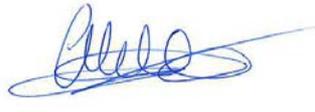
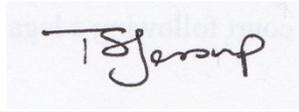
FOREWORD

This report has been produced for Reigate & Banstead Borough Council as part of the Council's requirement to receive independent advice from its statutory advisory panel on Members' Allowances.

The Council's Independent Remuneration Panel ("the Panel") comprises Mr. Colin Woods (Chair), Mrs. Tracey Jessup, Mrs. Farah Stehrenberger, Mr. Paul Whitehouse and. The Members of the Panel have between them considerable experience in the areas of central and local government, parliamentary procedures, the wider public sector, human resources, management, professional services and charity work, and have no connections with the Council and are independent of any political party.

The Panel would like to thank the Members who attended for interview and all those who completed the Members' Allowances Survey 2019-20. The return of completed surveys was very helpful and a key piece of information. The Panel welcomes representations and comments of Councillors and considers this an integral part of the review process. The important role of Members both individually and on a Group basis in providing evidence cannot be over emphasised.

The Panel is grateful for the support and co-operation it has received from Councillors and also for the assistance of Council Officers in support of the Panel's work.

	
Colin Woods (Chairman)	Tracey Jessup
<i>Electronic signature provided</i>	
Farah Stehrenberger	Paul Whitehouse

INTRODUCTION AND TERMS OF REFERENCE

1. A review of the Reigate & Banstead Borough Council Members' Allowances Scheme was conducted by the Independent Remuneration Panel at the request of the Council as part of an annual review of Members' Allowances.
2. This report has been prepared in accordance with the *Local Government Act 1972*, and the *Local Authorities (Members' Allowances) (England) Regulations 2003* and the *Local Government Pension Scheme and Discretionary Compensation (Local Authority Members in England) Regulations*, both of which came into force on 1st May 2003.
3. The Panel's review has been conducted having regard to guidance issued by the then Office of the Deputy Prime Minister (in conjunction with the Inland Revenue at that time) on the *Local Authorities (Members' Allowances) (England) Regulations 2003*.

EXECUTIVE SUMMARY

4. This report contains 12 recommendations covering a range of issues, including:
 - Adopting the general principle of adopting the February 2020 CPI for the purposes of uplifting Members' Allowances for 2020/21;
 - The importance of providing and maintaining clarity on the role of elected members, further to the similar recommendation of the previous report of the Panel, through the existence and regular review of role profiles;
 - Encouraging people from the widest possible range of backgrounds to serve as councillors and how the allowances scheme could assist with this objective;
 - The Basic Allowance;
 - Consideration of the impact of changes to ward boundaries on the workload of councillors;
 - Special Responsibility Allowances (SRAs), including the addition of an SRA for the new role of Chair of the Audit Committee;
 - Travel and Subsistence, including taking further steps to ensure that the Carers' Allowance is fully accessible to those eligible for it, including through extending its application to cover ward work undertaken by Members; and
 - Matters for future IRP reviews, including the importance of assessing the impact of recommendations made by the Local Government Boundary Commission for England, concerning new ward boundaries, once these had been implemented.
5. In developing these recommendations the Panel considered various sources of information, including a survey of councillors and interviews with a number of councillors, along with comparative data for other local authorities.

RECOMMENDATIONS

6. The Panel recommends:

(1)	That the principle of using the January 2020 CPI (1.8%) as the external benchmark for the purposes of uplifting Members' Allowances be adopted for 2020/21.
(2)	That the Council review all role profiles, and update these as necessary on an ongoing basis, at least once every four years, to ensure that there is clarity on how responsibilities relate to allowances, particularly for any councillors newly elected to the Council. Role profiles should also be kept publicly available to enable those considering standing for election to better assess the associated obligations.
(3)	That the Council establish a role profile for the Deputy Leader of the Council, and the new role of Chair of the Audit Committee, to provide clarity on these roles and how they relate to any associated allowances.
(4)	That the Council establish a role profile for the Vice Chair of the Planning Committee, to provide clarity on this role.
(5)	That it be noted that the work of the "Be a Councillor" campaign continued to be supported by the Panel, and that the Panel welcomes any additional steps the Council could take, such as reviewing the application of the carer's allowance, to ensure that all those who might be interested in becoming a councillor have access to information on the available allowances.
(6)	That there should be an increase in the Basic Allowance for 2020/21 of 1.8%, in line with the principles set out in recommendation (1).
(7)	That for 2020/21: (a) The SRAs for the: <ul style="list-style-type: none"> • Leader; Deputy Leader; • Executive Members; • Full Council Chair; • Planning Committee Chair; • Planning Committee Members; • Overview & Scrutiny Committee Chair • Budget Scrutiny Review Panel Chair; • Licensing & Regulatory Committee Chair; • Licensing & Regulatory Sub-Committee Chairs; and • Leaders of Political Groups be increased by 1.8%, in line with the principles set out in recommendation (2). (b) A new SRA for the Chair of the Audit Committee be introduced, of £3162.
(8)	That the Mayor and Deputy Mayor's Allowances be increased by 1.8%, in line with the principles set out in recommendation (1).
(9)	That for 2020/21 all travel and subsistence allowances be retained at 2019/20 levels, in line with HMRC's Approved Mileage Allowance Payments, and that the process for claims and mileage-based expenses be clarified in the scheme.
(10)	That the Dependant Carers' Allowance within the Members' Allowance Scheme be retained at 2019/20 levels, and that steps be

	taken, where possible, to ensure that the scheme and associated information are as accessible as possible, including the provision of a standard form for submitted claims and the application of an expanded list of approved duties for the purposes of the allowance.
(11)	That the Council indicate whether it would like the Panel to undertake any further work for their next review.
(12)	That the Members' Allowances Scheme 2020/21 as set out at Annex D be adopted with effect from 1st April 2020 (with the exception of the Mayoral Allowances, which are payable on a Municipal Year basis, and should be adopted with effect from the start of the municipal year), with applicable elements applied retrospectively back to this date.

METHODOLOGY

7. All Members were given an opportunity to complete a questionnaire on the Members' Allowances Scheme 2019/20 and 32 Councillors (71%) chose to do so. This information was helpful and was used as a significant element of the evidence upon which the Panel has based its report and recommendations.
8. A full analysis of the questionnaire responses is set out at **Annex A** to this report. With regard to those Members who did not submit a completed questionnaire, the Panel took this to be an indication that those Members had no strong concerns with the current Members' Allowances Scheme (and associated methodology) and considered it to be fair and reasonable.
9. All Members were also given the opportunity to either meet with or submit comments to the Panel on the current Members' Allowances Scheme. The Panel met and/or corresponded with the following Members and Officers in order to explore any issues regarding Allowances:
 - John Jory, Chief Executive
 - Ben Bix, Governance & Democratic Services Manager
 - Councillor K. Foreman, Mayor of Reigate & Banstead
 - Councillor M.A. Brunt, Leader of the Council
 - Councillor N. Harrison, Chair of the Overview and Scrutiny Committee and Leader of the Residents' Association Group
 - Councillor V. Lewanski, Executive Member for Corporate Direction and Governance and Chair of the Employment Committee
 - Councillor R., Feeney, Overview and Scrutiny Committee and Licensing and Regulatory Committee Member.
10. The Panel also met with Mark Palmer, Development Director at South East Employers, who chairs and supports a number of Independent Remuneration Panels in respect of members' allowances across the South East of England.
11. The Panel was additionally provided with the following information for consideration:
 - A breakdown of Members' allowances claimed for during previous years
 - Committee Attendance Records for 2018/19

- The number and duration of Council and Committee meetings from 2009/10 to 2018/19;
 - Planning site visit information for 2018/19;
 - Comparative data from Surrey Districts (Members' Allowances 2019/20); and
 - Data from the South East Employers (SEE) Allowances Survey (2019)
12. The Panel also had regard to the previous year's report and recommendations.

GENERAL PRINCIPLES

13. The Panel continued to advocate that Members' Allowances should be based on an external benchmark, as this ensures Allowances are maintained at a level appropriate to the wider economic landscape. The consistent use of one external benchmark also allows for decisions to be removed from the political arena and local pressures.
14. The external benchmark historically used by the Panel has been the Consumer Price Index (CPI). This is the rate at which the prices of goods and services bought by households, excluding housing, rise or fall and is estimated by using price indices. The data is obtained from the Office for National Statistics.
15. This benchmark has been identified to be used by many local authorities, and the Panel continued to advocate that increases in Member Allowances should be based on the CPI. As the review process took place slightly later in the municipal year on this occasion, in order to allow additional time for consideration of any changes resulting from the boundary review, it was agreed that the most up to date figure for the Consumer Prices Index (CPI) 12-month year-on-year rate at the time of discussion be used, as published by the Office for National Statistics. This was the figure for January 2020, which was 1.8%, down from the previous year's figure of 2.4% in October 2018.
16. The Panel recognises that due to recent circumstances, this report is being considered somewhat later relative to this benchmark than would usually be the case. However, it is recommended that this benchmark continue to be used to support a consistent approach over time. Subsequent changes will be reflected in the course of the next review, and any in-year changes will therefore be captured in due course.
17. **The Panel therefore recommends (1) that the principle of adopting the January 2020 CPI (1.8%) as the external benchmark for the purposes of uplifting Members' Allowances be adopted for 2020/21.**

THE BOUNDARY REVIEW & CHANGES TO WARDS

18. Following a review by the Local Government Boundary Commission for England (LGBCE), completed in October 2018, the electoral wards for the borough were revised. The number of wards was changed from 19 to 15 and the number of Councillors was changed from 51 to 45. These changes came into force at the local elections in May 2019.
19. The Panel met at a later date this year to allow additional time for the implications to these changes to be understood. The Panel considered whether there was evidence of any significant changes to the workload or responsibilities of Councillors as a result of these changes, with data collected particularly through the questionnaire on Member Allowances and through interviews and correspondence with Members.
20. The data collected from the questionnaire on Members allowances indicated a slight increase in the work reported as being undertaken by Members. There was, however,

not a clear indication that this was as a result of the changes to wards. This was suggested as a cause in a few responses, but a numerous other factors were also identified as potential causes, including changes in role, an increase in informal meetings, and particular local projects. Due to changes to the questions provided in the questionnaire, it was difficult to directly compare responses to those from previous years.

21. Interviews and correspondence with a number of Members did not identify any pattern of increases in the level of work as a result of the changes to wards.
22. One of the effects of the changes to wards was to somewhat standardise the number of electors per Councillor. As such, some wards which previously had a particularly low number of electors per Councillor would have experienced a more pronounced variation as a result of the boundary changes, whilst other wards would have experienced a lesser increase, or possibly even a decrease, in electors per Councillor.
23. Based on the information available to it, the Panel concluded that whilst some Members may have experienced an increase in demand as a result of the changes to wards, there was not clear evidence that this had led to a systematic or general increase. As such, the Panel has not made a recommendation for any additional changes to the Members Allowances Scheme on the basis of the boundary review and the changes to wards.

THE ROLE OF ELECTED MEMBERS

24. As in previous reports the Panel reflected on the importance of the role of elected members and the importance of clarity in identifying and setting out these roles. This was considered particularly with regard to ensuring that potential future Councillors were able to access information on the requirements of the role, and in ensuring that the Members Allowances Scheme is consistent with the expectations of these roles.
25. Last year, the Panel recommended that the Council review all role profiles, ahead of the local elections in May 2019, to ensure Councillors understood the different roles and how responsibilities relate to allowances, particularly when newly elected to the Council. Whilst more up to date role profiles were identified for a number of roles, the recommended full review of profiles is uncompleted. The Panel therefore reiterates its view that this work should be undertaken across all roles, and regular update reviews instituted going forwards. The Panel would also recommend that the role profiles be made publicly available to enable those considering standing for election to more easily assess the associated obligations.
26. The Panel identified that there was a degree of uncertainty regarding the details of the roles of the Deputy Leader of the Council and the Vice-Chair of the Planning Committee. The Panel therefore suggested that there would be a particular benefit in reviewing the role profiles for these roles at the earliest opportunity. It was noted that the role of Vice-Chair of Planning Committee did not have an associated SRA.
27. The Panel identified that ensuring that these role profiles were kept up to date would both support Members and the public in understanding the roles and responsibilities of Members, and would also help to identify where there were changes to associated workloads and commitments, and where these therefore might have implications for the Members Allowances Scheme. It was proposed that these updates take place no less frequently than every four years, to match a full cycle of elections, and likely more frequently where circumstances develop during this period. It was suggested that profiles be reviewed to consider if any updates are required on an annual basis.
28. **The Panel recommends (2) That the Council review all role profiles, and update these as necessary on an ongoing basis, at least once every four years, to**

ensure that there is clarity on how responsibilities relate to allowances, particularly for any councillors newly elected to the Council. Role profiles should also be kept publicly available to enable those considering standing for election to better assess the associated obligations.; (3) that the Council establish a role profile for the Deputy Leader of the Council, and the new role of Chair of the Audit Committee, to provide clarity on these roles and how they relate to any associated allowances; and (4) that the Council establish a role profile for the Vice Chair of the Planning Committee, to provide clarity on this role.

RECRUITMENT & RETENTION OF COUNCILLORS

29. Last year, the Panel expressed its support for the 'Be a Councillor' campaign and welcomed any additional steps by the Council to promote and provide information on becoming a Councillor, including regarding the allowances available. This year, following the conclusion of the campaign, the Panel supported the work it had undertaken.
30. The payment of allowances is generally expected to enable people from the widest possible range of backgrounds to serve as councillors. As identified, one of the major disincentives reported regarding becoming and remaining a Councillor is the time commitment required. This can be particularly significant for those with substantial work and/or care commitments.
31. The Panel considered the current level of the basic and additional allowances. Whilst a number of options for the level and distribution of the allowances were considered, no feasible options were identified for fully compensating for the challenges faced by Councillors with significant external commitments, particularly given the broader funding limitations currently faced by local government.
32. As such, the Panel therefore focussed its considerations on ensuring that the measures currently in place in the Members Allowances Scheme were as apparent and accessible as possible. The information considered by the Panel indicated that not all Members were fully aware of the Travel, Subsistence and Dependants' Carers' Allowances, particularly for newer Members. Similarly, information indicated that not all Members had been aware of the available allowances prior to their election. The Panel therefore drew attention to enhancing communication regarding these allowances as a beneficial option to pursue.
33. **The Panel therefore recommends (5) that it be noted that the work of the "Be a Councillor" campaign continued to be supported by the Panel, and that the Panel welcomes any additional steps the Council could take, such as reviewing the application of the carer's allowance, to ensure that all those who might be interested in becoming a councillor have access to information on the available allowances.**

BASIC ALLOWANCE

34. The Panel considered the general principle behind the establishment of Member Allowances, recognising that the role of a Councillor is not a salaried one.
35. As highlighted in section 30 above, the levels of remuneration available should be sufficient to allow most people to consider becoming an elected Member without risk of undue financial hardship, and to allow existing councillors to fulfil their role to the best of their ability.

36. In previous years the Panel provided commentary on what the Basic Allowance should cover and in 2017, to help administer the Scheme and avoid any uncertainty, the Panel recommended the following definition:

“The Basic Allowance is provided to recognise and compensate the time commitment of Councillors including such inevitable calls on their time as attending Council and other formal meetings, training/briefings, civic events, undertaking general constituency work and to cover incidental costs such as the use of their homes, stationery, telephone usage, purchase of I.T. equipment, room/hall rental for community meetings, travel within their ward and the provision of general consumables.”

37. This recommendation was adopted and was subsequently included in the Member’s Allowances Scheme. The Panel did not receive any requests to review this as part of its activities for 2019/20.
38. The Panel reviewed the responses from Members regarding how long they estimated they spent on their role in a given week. A synopsis of this data is set out below:
- Average time spent by Members per week on council business: 23 hours
 - Minimum time spent by a Member per week on council business: 10 hours
 - Maximum time spent by a Member per week on council business: 72.5 hours
 - Median time spent: 17.5 hours.
39. Direct comparison between 2019/20 and previous years was identified to be limited and potentially misleading because of differences between the two questions and measures. However, approximate analysis of the time spent by Members on their indicated that the average time spent on the role was broadly similar to previous levels.
40. A full breakdown of the hours spent by Members carrying out ward work and general Council work is set out in **Annex A**.
41. The Panel noted, based on the comparison of Members’ Allowances across Surrey Districts, that the level of Basic Allowance paid to Reigate and Banstead Councillors remained above average compared to neighbouring authorities in Surrey, with the exception of the role of Chair of Overview and Scrutiny, which is below the average.

Surrey Districts – 2019/20 Basic Allowances

Average	Maximum	Minimum	Reigate and Banstead
£5,207	£7,200	£3,718	£5,599

Further information on the comparison with other Surrey Districts is set out in **Annex C**.

42. The responses to the questionnaire, indicated that the approximately half of Councillors (53%) believe that the current Basic Allowance is sufficient to cover the intended costs, whilst the remainder (47%) considered that it was not sufficient. Despite this split response, additional information gathered did not indicate any strong appetite to increase the basic allowance, beyond the benchmark growth. Whilst there was an awareness that the allowance may not be sufficient to cover the relevant costs of the role of Councillor in all cases, there were also concerns indicated regarding not wishing to increase the cost to local residents and the financial challenges currently faced by local authorities.
43. Having regard to all of the above, the Panel did not consider that there was a case to change the base level of the Basic Allowance at this time, other than by the increase in line with the January CPI, as set out in recommendation (1)..

44. **The Panel recommends (6) that there should be an increase in the Basic Allowance for 2020/21 of 1.8%, in line with the principles set out in recommendation (1).**

Voluntary Element Discount

45. The Statutory Guidance on Members Allowances requires a discount to be applied which varies between different authorities. For Reigate and Banstead this was set at 40% when the Members' Allowance Scheme was first introduced.
46. The Panel noted that the Council has previously agreed the continuation of the "voluntary element discount" of 40% as a standing arrangement of the Members' Allowance Scheme, to be reviewed only if specifically required by the Council at any time. As the Panel had not received a request to review this as part of its activities for 2019/20 the standing arrangement of 40% would continue until such time as the Council requested a review of this area.

SPECIAL RESPONSIBILITY ALLOWANCES

47. The *Local Authorities (Members' Allowances) (England) Regulations 2003* do not limit the number of SRAs which may be paid, nor do the Regulations prohibit the payment of more than one SRA allowance to any one Member. However, guidance that supports the Regulations indicates that there are important considerations for Local Authorities in relation to SRAs.
48. The guidance states that *"If the majority of Members of a Council receive an SRA the local electorate may rightly question whether this was justified. Local Authorities will wish to consider very carefully the additional roles of Members and the significance of these roles both in terms of responsibility and real time commitment before deciding which will warrant the payment of the SRA."* The Panel has had regard to this advice in recommending the Members' Allowance Scheme for 2019/20.
49. Details of payments to Councillors during 2018/19 are set out in **Annex B** to this report. These figures indicate that, for the period 1 April 2018 – 31 March 2019, 41 Councillors who served during the 2018/19 municipal year (80%) were in receipt of an SRA, including an allowance for each of the 19 Planning Committee Members. This did however include a number of cases where one SRA was split across multiple Members due to changes in role during the year. In contrast the National Census of Councillors 2013 showed that nationally 53% of Councillors received an SRA.
50. With this mind, the Panel considered the base level of Special Responsibility Allowances in respect of each position for which an SRA is currently given.

Leader, Deputy Leader and Executive Members

51. As part of last year's review, the Panel considered a number of changes relating to Executive Members, which included a reduction from 10 to 9, and redistribution of portfolio responsibilities. In its findings, the Panel did not recommend changes to the associated SRAs, but did recommend that the role profiles be reviewed, and a new role profile for the Deputy Leader be created.
52. Since then, the number of Executive Members has returned to 10. As identified above in this report, more up to date role profiles were identified for a number of roles, including Executive Members, but no new role profile for the Deputy Leader was established, and there remains the intent to further review existing role profiles. It was established in correspondence with Members that the role of Deputy Leader was now operating in a more clearly defined manner, which would help establish the details of the role.

53. The Panel again compared the SRAs for Executive roles to those at other Surrey districts. As set out in Annex C, these were again noted to be higher than the average level for these roles.
54. The Panel also considered the responses in the questionnaire to the question of whether the SRAs covered the costs for these posts. The breakdown of responses to the question are set out below:

	Does not cover costs	Covers costs	Exceeds costs
Leader	50%	50%	0%
Deputy Leader	25%	57%	18%
Executive Members	34%	59%	7%

55. As reported in recent years, the Council continues to have a number of commercial entities in place. As of April 2020, these consist of Greensand Holdings Ltd, Horley Business Park Development LLP, and Pathway for Care Ltd. In 2019, the Executive established the Commercial Ventures Executive Sub-Committee, which has been considering items relating to these entities. These has represented additional work for those Councillors involved, although some of this would otherwise have been captured by general Executive business.
56. Written responses to the questionnaire and correspondence with Members provided a mixed response to whether or not the current allowances were suitable and sufficient.
57. Given the varied responses received, and the strong relative position of these allowances, the Panel therefore did not recommend any changes to these allowances at this time. As identified above, the Panel continued to support ongoing revision of role profiles and the establishment of a distinct role profile for the Deputy Leader.

Chair of Full Council

58. The Panel noted an SRA for the Mayor had been introduced in 2014 to recognise the responsibility of chairing meetings of Full Council.
59. In survey responses, 74% of Members indicated that they considered this as sufficient to cover the costs of the role, with the remainder indicating they did not consider it sufficient. Correspondence with the Mayor did not indicate any particular concerns regarding the level of this allowance. The Panel therefore did not consider that there was a need to review the base level of this SRA at this time.

Chairs of the Overview and Scrutiny Committee and Audit Committee

60. The Panel noted that 70% of Members had responded to the survey to the effect that this allowance was sufficient to cover costs, with 26% considering it insufficient, and 4% considering it more than sufficient.
61. The Panel considered a written response drawing attention to the similarity of the work levels of the Chair of the Overview and Scrutiny Committee and the Chair of Planning Committee, and the somewhat different levels of the associated allowances. It was identified in other correspondence and supporting data that the activity level of the Overview and Scrutiny Committee and its Chair had increased in recent years. It was identified that this role and the role of Chair of Planning Committee had different demands, but that both involved a range of activities in addition to the meetings of the Committee. Correspondence with Members also indicated support for the expanded level of activity of the Overview and Scrutiny Committee in helping to review and support the work of the Executive, particularly with regard to developing policy.
62. The Panel noted that the allowance for the role was lower than the average across Surrey districts, despite all other compared SRAs being higher than the average.

63. Given the identified increase in the activity of the Overview and Scrutiny Committee in recent years, the identified demands of the role of Chair, and the relative position of the allowance with regard to other SRAs and comparable roles across Surrey, the Panel therefore minded to recommend an increase to the SRA for the Chair of the Overview and Scrutiny Committee.
64. However, since the Panel originally considered the information, the decision was made to form a new Audit Committee, which will undertake the audit functions previously undertaken by the Overview and Scrutiny Committee. As such, this will present a significant change in the function of the existing committee, and the work of its chair.
65. On this basis, the Panel therefore supported that the SRA for the Overview & Scrutiny Committee continue on the current basis for the coming year, to allow for time to consider the impact of the changes, and the workload associated with the roles.
66. The new Audit Committee was identified to be anticipated to undertake a similar level of work to that originally envisaged for the Overview and Scrutiny Committee. On this basis, it was supported that a new SRA be introduced for the Chair of the Audit Committee, of £3162, this being in line with the SRA for the Chair of the Overview and Scrutiny Committee, once adjusted by the recommended 1.8% increase.
67. It was suggested that these allowances be reviewed again once the regular level of activity and roles of the Overview and Scrutiny Committee and Audit Committee have become established under the revised model of operation.

Chair of the Planning Committee and Members of the Planning Committee

68. In conjunction with the completion of the Boundary Review, the Membership of the Planning Committee was reduced from 19 to 15 Members. The Panel considered if this change had led to any changes in workload for the committee.
69. The Panel reviewed the Planning Committee meeting and attendance information to determine if the volume of work had increased. The Panel considered various data sets and concluded workloads had been of a similar level in recent years.
70. The Panel also considered the work of the Governance Task Group in reviewing the activity of the Committee. This also did not identify any significant changes in workload for the Committee
71. The majority of responses to the questionnaire also indicated that Members considered the current allowances to be sufficient to cover costs, although there were some responses that indicated that they did not consider the allowances to be sufficient.
72. Although the Vice-Chair of Planning Committee does not currently attract an associated allowance beyond that of a member of the Committee, the Panel reaffirmed its suggestion that it would be beneficial to have a role profile for this role to support consideration of the activities undertaken.
73. On the basis of the information considered, the Panel therefore did not recommend any specific changes to the allowances for the members or Chair of the Planning Committee at this time.

Other Special Responsibility Allowances

74. There were a number of other responses provided regarding SRAs, as set out in Annex A. However, there were no identified patterns of responses indicating widespread support for changes to, or concerns regarding, the existing level of SRAs. Similarly, there were no prevalent proposals for the removal of any existing SRAs, or the creation

of any new allowances, beyond the emerging matter of the new Audit Committee identified above.

75. No significant changes in the workloads associated with any other roles was identified as part of the data gathering process. The impact of the Boundary Review and changes to wards was considered, as identified above in this report, but there were no significant changes identified as a result.
76. On this basis, the Panel therefore supported that other Special Responsibility Allowances, along with those identified above to not require any specific changes, be increased in line with the external benchmark and basic allowance.
77. **The Panel therefore recommended (7a) that for 2020/21 the SRAs for the:**
- **Leader;**
 - **Deputy Leader;**
 - **Executive Members;**
 - **Full Council Chair;**
 - **Planning Committee Chair;**
 - **Planning Committee Members;**
 - **Budget Scrutiny Review Panel Chair;**
 - **Licensing & Regulatory Committee Chair;**
 - **Licensing & Regulatory Sub-Committee Chairs; and**
 - **Leaders of Political Groups;**
- be increased by 1.8%, in line with the principles set out in recommendation (1). And (7b) that a new SRA for the Chair of the Audit Committee be introduced, of £3162.**

MAYORAL AND DEPUTY MAYORAL ALLOWANCES

78. Mayoral or Civic Allowances are legislated for under the Local Government Act 1972. The Act states that “a principal council may pay the Chairman for the purpose of enabling him to meet the expenses of this office”. The same applies to the Vice-Chairman of the Council. For Reigate and Banstead this equates to our Mayor and Deputy Mayor for legal purposes of interpretation.
79. In 2014, following advice received from HM Revenue & Customs (HMRC) that these Allowances needed to be processed through PAYE and a full review by the Panel of the Council’s arrangements for paying Mayoral Allowances, the Council resolved to bring these within the confines of the Members’ Allowances Scheme. As such the level of the Mayoral Allowance and Deputy Mayoral Allowance are now routinely reviewed as part of the IRP process.
80. In accordance with this, and building on evidence received in preceding years, the Panel acknowledged the high volume of, and level of responsibility associated with, Mayoral duties. The Panel considered that those undertaking these roles should not be financially disadvantaged.
81. The Panel noted that in questionnaire responses 52% of Councillors had felt that the Mayoral Allowance was sufficient to cover costs, with 40% considering it insufficient and the remaining 2% costing it more than sufficient. Correspondence with the Mayor did not identify any concerns with the current level of the allowance, and comparison with other districts indicated that the allowance was significantly higher than the average level.
82. Regarding the Deputy Mayoral Allowance, a majority of responses (52%) to the questionnaire indicated that they did not consider this allowance to be sufficient to

cover costs, with the remainder considering it sufficient. However, no concerns were identified by the Deputy Mayor directly, and the allowance was identified to again compare favourably to average levels. Additional comparison of the workload of the role was undertaken, and this was identified to have remained stable in recent years, and the number of formal engagements attended was identified to remain a relatively low proportion of those attended by the Mayor, at approximately 15%.

83. On the basis of these considerations, the Panel did not therefore recommend any particular changes to the Mayoral or Deputy Mayoral allowances at this time.
84. **The Panel therefore recommended (8) that the Mayor and Deputy Mayor's Allowances be increased by 1.8%, in line with the principles set out in recommendation (1).**

TRAVEL AND SUBSISTENCE ALLOWANCES

85. In 2006, the Panel through its seventh report linked travel allowances to the Inland Revenue's Approved Mileage Allowance Payments (AMAP). The Panel recommends the travel allowance (for cars) under the Members Allowances scheme for 2020/21 should remain at 45 pence per mile for cars and vans, 24 pence per mile for motorcycles and 20 pence per mile for cycles. This is in line with the current HMRC rates.
86. In addition, it was previously recommended (and accepted by the Council) that, in relation to travel between a Member's home and the Town Hall, Reigate or other place for approved duties within the Borough, the travel allowance should only apply for mileage from and to the Borough boundary. This restriction did not apply to travel on official duties outside the Borough. A similar approach is recommended in respect of the Members' Allowances Scheme for 2020/21.
87. Following consideration by the Panel, it was clarified that the allowance scheme permitted claims for use of public transport or taxis to attend meetings, where this was the most appropriate option. It was recommended that the process for claims and mileage-based expenses be clarified in the scheme.
88. No representations were received on the level of travel and subsistence Allowances and the Panel agreed that the Allowances should be frozen at 2015/16 levels, which reflect current HMRC rates for AMAP.
89. **The Panel therefore recommended (9) that for 2020/21 all travel and subsistence allowances be retained at 2019/20 levels, in line with HMRC's Approved Mileage Allowance Payments, and that the process for claims and mileage-based expenses be clarified in the scheme.**

DEPENDANT'S CARERS' ALLOWANCE

90. Last year, the Panel recommended that the Carers' Allowance element of the scheme be revised to match the actual costs of care incurred, rather than a fixed hourly rate. No changes were made to the annual cap. This recommendation was approved by the Council and the Members Allowances Scheme was therefore updated accordingly.
91. As identified above in this report, responses to the questionnaire and correspondence with Members indicated that there was a degree of uncertainty regarding the details of the allowance and that not all Members were fully aware of it, particularly those newer to the Council. A concern was raised that the self-reported nature of the use of the allowance discouraged some eligible Members from utilising it. It had been identified in the questionnaire responses in this and previous years that challenges around time

and caring responsibilities could be a barrier to becoming a Councillor, and this was therefore considered to be a concern.

92. In response to these points, the Panel suggested that additional efforts be made to ensure that all Members of the Council, and those considering standing to be Members, were made aware of the allowance, and that the process for accessing it was made as straightforward as possible.
93. It was additionally advised that a standard form for submitting claims be made available to assist Members to access the allowance
94. The Panel advised that the for the purposes of the Carer's Allowance, the list of approved duties be expanded to include ward work not otherwise included in the list, so as to better reduce the additional costs which would otherwise be incurred by Members with caring responsibilities, and thereby help to enable an inclusive membership of the Council.
95. **The Panel recommends (10) that the Carers' Allowance within the Members' Allowance Scheme be retained at 2019/20 levels, and that steps be taken, where possible, to ensure that the scheme and associated information are as accessible as possible, including the provision of a standard form for submitted claims and the application of an expanded list of approved duties for the purposes of the allowance.**

ADMINISTRATION OF INCIDENTAL EXPENSES

96. The administration of incidental expenses was reviewed in 2017 and the Panel had not received a request to review this again as part of its activities for 2019/20.

APPROVED DUTIES

97. The list of Approved Duties was reviewed in 2017 and the Panel had not received a request to review this again as part of its activities for 2019/20.

FUTURE REVIEWS

98. This year's review by the Panel took place at a delayed timing to allow for consideration of the impact of changes to ward boundary resulting from the recommendations of the Local Government Boundary Commission for England. Whilst it was identified any emerging implications would continue to be considered by the Panel in future years, no requirement was identified for any continuing changes to usual scheduling. As such, the Panel supported returning to the usual review timing, with interviews to take place in October 2020.
99. The Panel noted that there was the option for future reviews to be conducted on a lighter-touch or less frequent basis, with the current more detailed level of review only taking place every other or every few years. Due to recent changes to the Council's working arrangements, it considered that it would be appropriate to continue with the current approach to reviews for the coming year, but noted that there would be the opportunity to review this in future.
100. The Panel continues to welcome any requests from the Council regarding matters to consider in future reviews.
101. **The Panel recommends (11) that the Council indicate whether it would like the Panel to undertake any further work for their next review.**

MEMBERS' ALLOWANCES SCHEME 2020/21

102. Based upon the recommendations in this report, **the Panel recommends (12) that the Members' Allowances Scheme 2020/21 as set out at Annex D be adopted with effect from 1st April 2020 (with the exception of the Mayoral Allowances, which are payable on a Municipal Year basis, and should be adopted with effect from the start of the Municipal Year), with applicable elements applied retrospectively back to this date.**

Annex A: Analysis of Members Survey Responses 2019

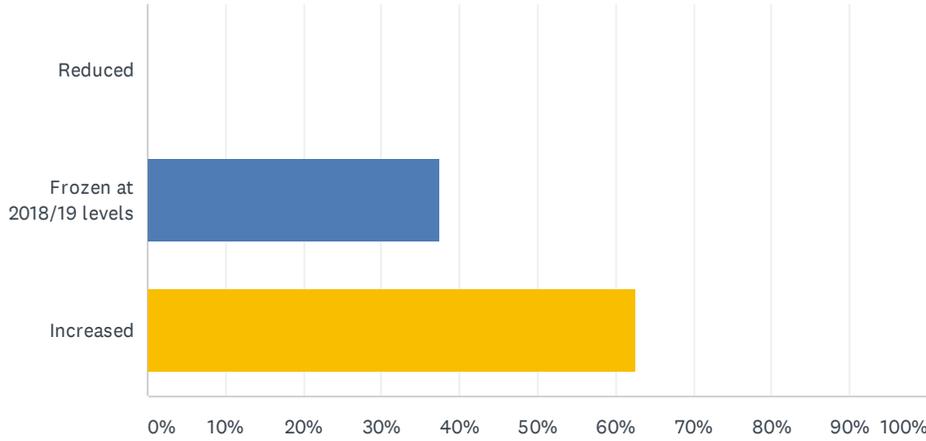
Annex B: Members' Allowances Claimed 2018/19

Annex C: Members' Allowances 2019/20 – Comparison with Surrey Districts, with graphs

Annex D: Members' Allowances Scheme for 2020/21

Q2 In 2018/19, total expenditure on member allowances was £417,000. Allowances were frozen in 2019/20. Do you consider that allowances should be:

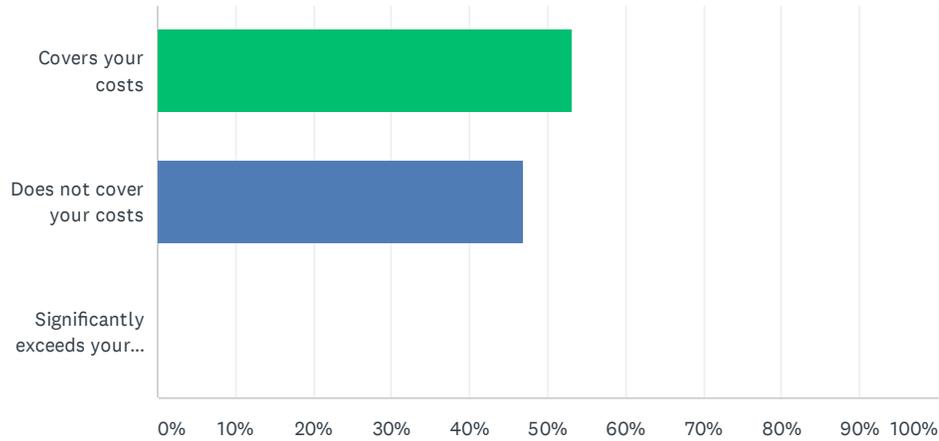
Answered: 32 Skipped: 0



ANSWER CHOICES	RESPONSES	
Reduced	0.00%	0
Frozen at 2018/19 levels	37.50%	12
Increased	62.50%	20
TOTAL		32

Q3 Basic allowance: This covers time spent on ward and council activities. This includes your home office and admin requirements and travel for which your are not entitled to claim mileage. Do you consider the current annual basic allowance (£5,599):

Answered: 32 Skipped: 0



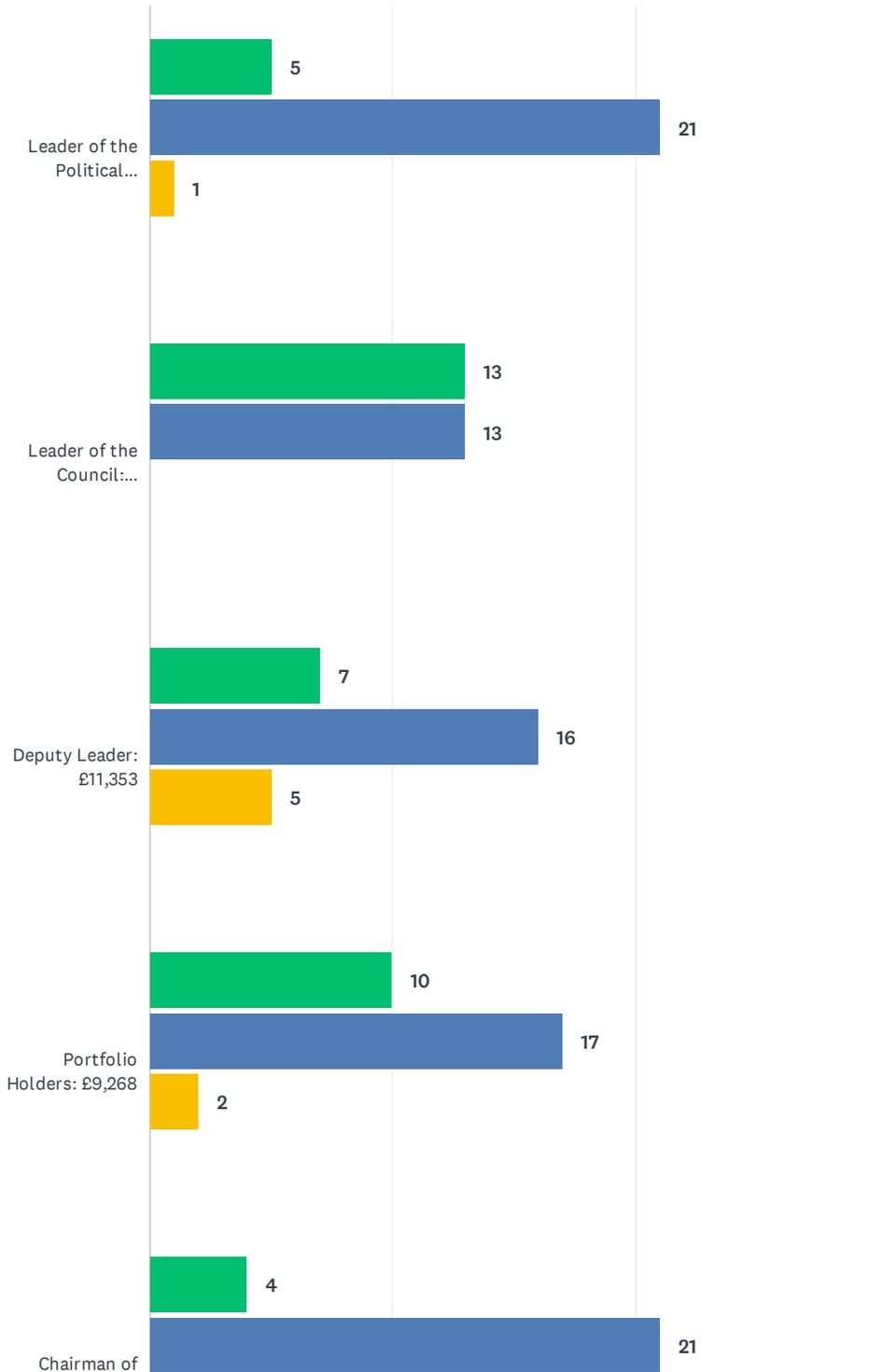
ANSWER CHOICES	RESPONSES	
Covers your costs	53.13%	17
Does not cover your costs	46.88%	15
Significantly exceeds your costs	0.00%	0
TOTAL		32

Members allowances 2019/20

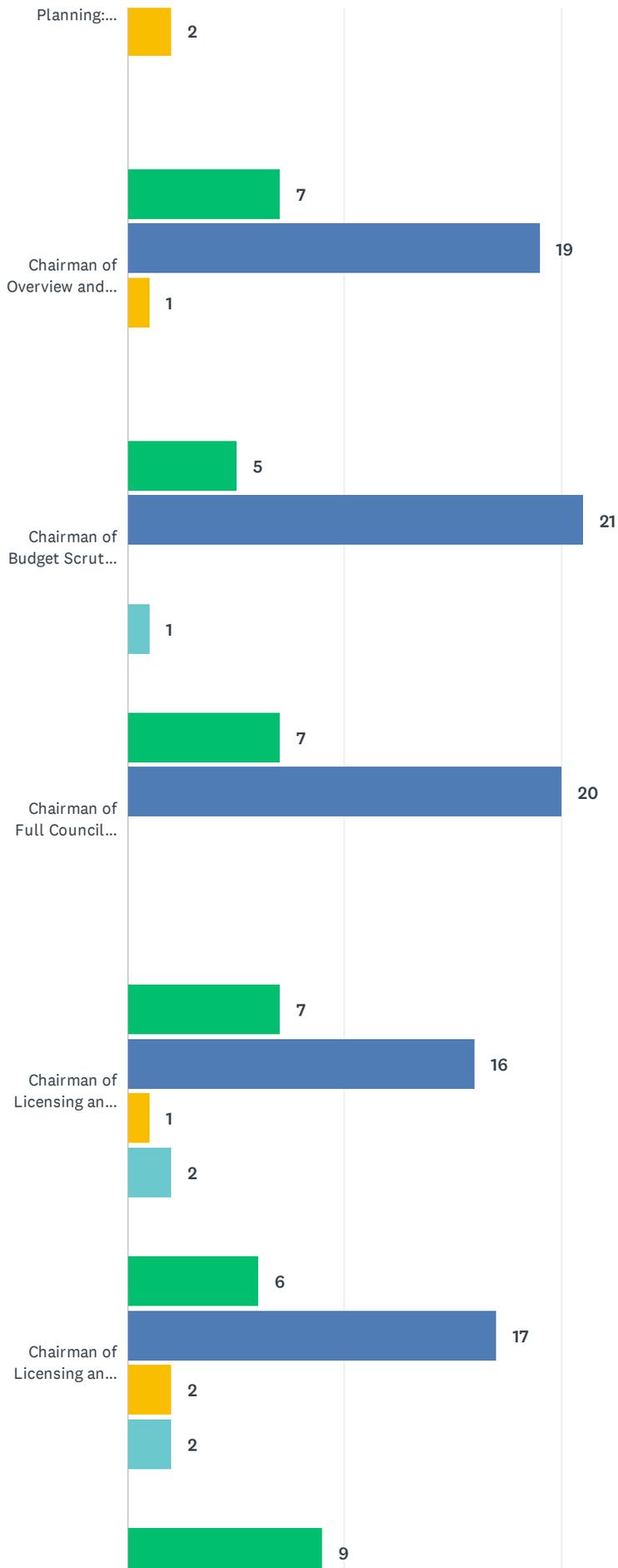
#	IF YOU HAVE FURTHER COMMENTS, TELL US HERE.	DATE
1	workload is significantly higher, especially since exec members are no longer allowed to sit on committees. Along with decrease to member numbers there is more case work, more committee work, and more paperwork/reading to do.	12/18/2019 5:28 PM
2	I don't expect it to cover all my costs	12/13/2019 11:30 AM
3	It covers my costs but only due to the fact that I am retired and don't rely on this allowance.	12/9/2019 2:25 PM
4	To be an effective councillor I have given up a significant part of the time I would have used working (self-employed). Therefore my basic allowance now has to provide for day-to-day essentials. As I do not drive it does not cover the additional cost of getting to meetings whether by public transport or uber so I am often restricted to what meetings I can go to by whether other councillors can offer me lifts.	12/6/2019 1:11 PM
5	I did not become an elected to be paid. However as I run my own business the time I spend reduces the amount I am able to earn. I am happy to have the allowances frozen but recognise that if we keep freezing the allowances we could fall behind and be criticised for then having a larger increase.	11/28/2019 8:32 PM
6	I am not sure why "covers your costs" is the relevant criteria. This is remuneration plus costs, so whether it covers your costs or not depends on how you view the appropriateness of the remuneration element. Think this question could be misleading.	11/28/2019 12:14 PM
7	The amount of time spent on activities related to the Council far exceeds the value of the allowance.	11/26/2019 2:22 PM
8	Basic allowance is more than enough for this Cllrs requirements. Yes sir!!!	11/25/2019 6:35 PM
9	just about covers cost	11/18/2019 3:20 PM
10	I cover my expenses from my allowance, with the exception on going on approved courses, seminars etc.	11/15/2019 9:36 AM

Q4 Special responsibility allowances: Councils may make provision in the allowances scheme for the payment of allowances for special responsibilities for those councillors who have significant responsibilities. Indicate to what extent, in your opinion, the following allowances cover the costs of the role, exceed them or if they should be removed.

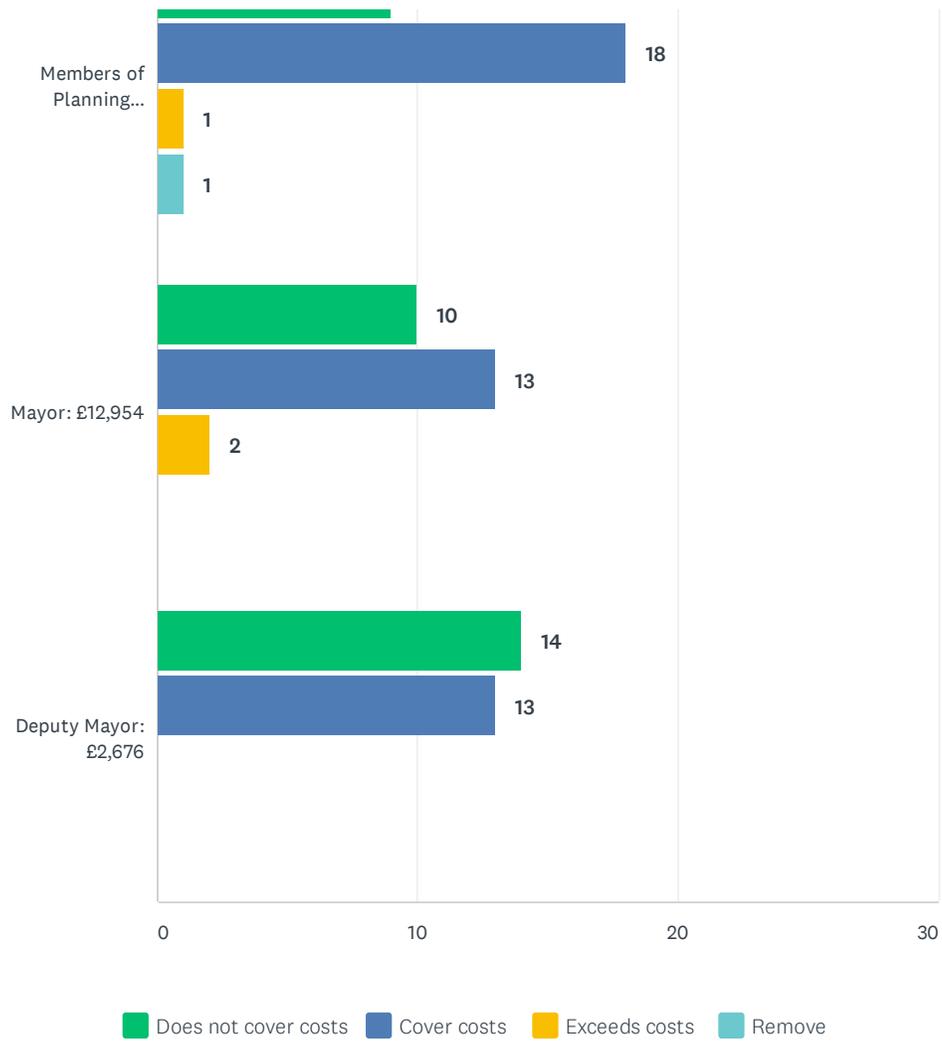
Answered: 31 Skipped: 1



Members allowances 2019/20



Members allowances 2019/20

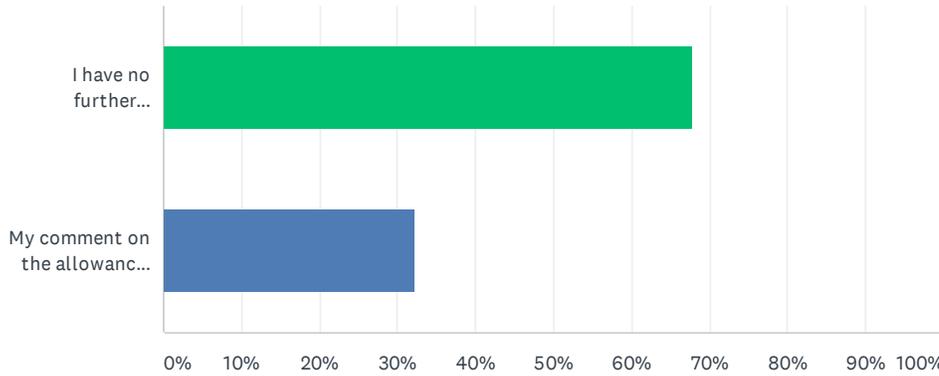


Members allowances 2019/20

	DOES NOT COVER COSTS	COVER COSTS	EXCEEDS COSTS	REMOVE	TOTAL	WEIGHTED AVERAGE
Leader of the Political Group: £144 basic allowance plus £57 for each member of the group	18.52% 5	77.78% 21	3.70% 1	0.00% 0	27	1.85
Leader of the Council: £13,901	50.00% 13	50.00% 13	0.00% 0	0.00% 0	26	1.50
Deputy Leader: £11,353	25.00% 7	57.14% 16	17.86% 5	0.00% 0	28	1.93
Portfolio Holders: £9,268	34.48% 10	58.62% 17	6.90% 2	0.00% 0	29	1.72
Chairman of Planning: £5,346	14.81% 4	77.78% 21	7.41% 2	0.00% 0	27	1.93
Chairman of Overview and Scrutiny: £3,106	25.93% 7	70.37% 19	3.70% 1	0.00% 0	27	1.78
Chairman of Budget Scrutiny Review Panel: £433	18.52% 5	77.78% 21	0.00% 0	3.70% 1	27	1.89
Chairman of Full Council (Mayor): £2,620	25.93% 7	74.07% 20	0.00% 0	0.00% 0	27	1.74
Chairman of Licensing and Regulatory committee: £433	26.92% 7	61.54% 16	3.85% 1	7.69% 2	26	1.92
Chairman of Licensing and Regulatory sub-committees: £303	22.22% 6	62.96% 17	7.41% 2	7.41% 2	27	2.00
Members of Planning Committee: £790	31.03% 9	62.07% 18	3.45% 1	3.45% 1	29	1.79
Mayor: £12,954	40.00% 10	52.00% 13	8.00% 2	0.00% 0	25	1.68
Deputy Mayor: £2,676	51.85% 14	48.15% 13	0.00% 0	0.00% 0	27	1.48

Q5 The panel especially welcomes your feedback on the special responsibility allowances. E.g. should any allowances be the subject of a review or should any other positions should be considered for an allowance?

Answered: 31 Skipped: 1



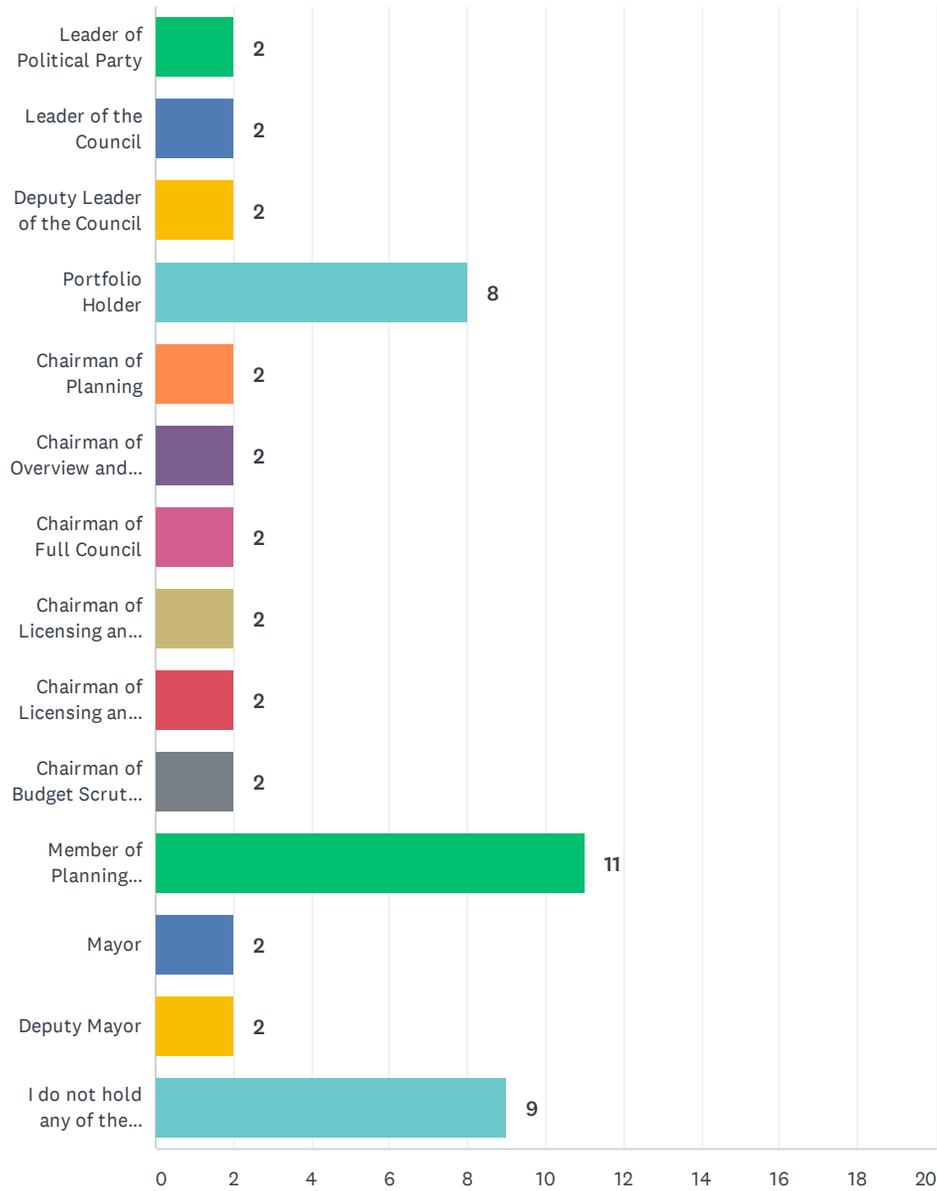
ANSWER CHOICES	RESPONSES	
I have no further feedback on the special responsibility allowances.	67.74%	21
My comment on the allowance/s is:	32.26%	10
TOTAL		31

Members allowances 2019/20

#	MY COMMENT ON THE ALLOWANCE/S IS:	DATE
1	I am unable to comment on those that I have NOT entered.	12/24/2019 9:28 AM
2	There is very little difference in terms of numbers of meetings, length of agenda and length of meetings between the Overview & Scrutiny and Planning Committees yet there is no allowance for members of the Overview & Scrutiny Committee; please note that this comment in no way advocates for a "special responsibility allowance" for members of the Overview & Scrutiny Committee. Given that the mechanism exists for members of the Planning Committee to claim mileage for attending site inspections and meetings at the Town Hall, if they so wish, I fail to see any justification for affording such a generous allowance to Planning Committee members.	12/16/2019 6:45 PM
3	The allowances often dont cover costs but i would not want them increased. Part of these roles is community input which unless there are extenuating circumstances that stops a good candidate doing the job due to financial reasons then there is no need for increases in my opinion.	12/16/2019 9:29 AM
4	It's hard to assess without data on the amount of time those members currently put into their roles	12/13/2019 2:30 PM
5	If we are trying to attract Cllrs who are still working, then these SRAs would not cover the costs of having to take time off work to carry out their Council duties. We should maybe look at reimbursing Cllrs who work for any time taken off work in order to carry out Council duties ?	12/9/2019 2:25 PM
6	Planning committee allowance should take into account not just the huge amount of time involved on committee work (potentially losing income from a regular job) but the need to print large quantities of documents, and the travel expenses to visit sites and residents.	12/6/2019 1:11 PM
7	Allowances were to ensure that we have a balance of councillors not just those who can afford the time off work or who are retired. This balance must be maintained. I am concerned that more and more meetings are during the day, meaning that working Councillors have to take time off and could lose money.	11/28/2019 8:32 PM
8	All positions are covered finely by the special responsibility allowance, and Cllrs in these roles are paid adequately and there is no need to increase or decrease this allowance. Unlike, say, the chief executive role who is unelected, not very accountable, seldom present during the week and earns more than the Prime Minister. Most certainly the Sir Humphrey Appleby of RBBC!	11/25/2019 6:35 PM
9	some portfolios have a lighter/heavier workload than others so assessment is an overall average.	11/18/2019 3:20 PM
10	The allowances for the responsibilities of planning members and the deputy Mayor are too low	11/15/2019 8:29 AM

Q6 Please indicate which, if any, position/s attracting a special responsibility allowance you hold. Tick all that apply.

Answered: 32 Skipped: 0

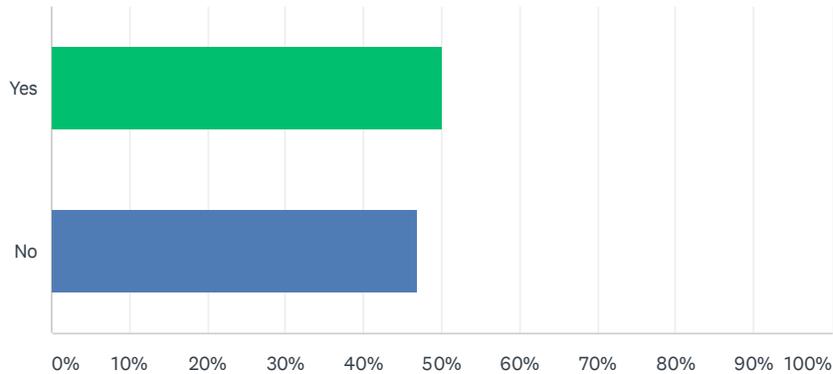


Members allowances 2019/20

ANSWER CHOICES	RESPONSES	
Leader of Political Party	6.25%	2
Leader of the Council	6.25%	2
Deputy Leader of the Council	6.25%	2
Portfolio Holder	25.00%	8
Chairman of Planning	6.25%	2
Chairman of Overview and Scrutiny	6.25%	2
Chairman of Full Council	6.25%	2
Chairman of Licensing and Regulatory Committee	6.25%	2
Chairman of Licensing and Regulatory Sub-committees	6.25%	2
Chairman of Budget Scrutiny Review Panel	6.25%	2
Member of Planning Committee	34.38%	11
Mayor	6.25%	2
Deputy Mayor	6.25%	2
I do not hold any of the positions listed	28.13%	9
Total Respondents: 32		

Q7 Do you think that the special responsibility allowances for these roles fairly reflects the related responsibilities and workload?

Answered: 32 Skipped: 0

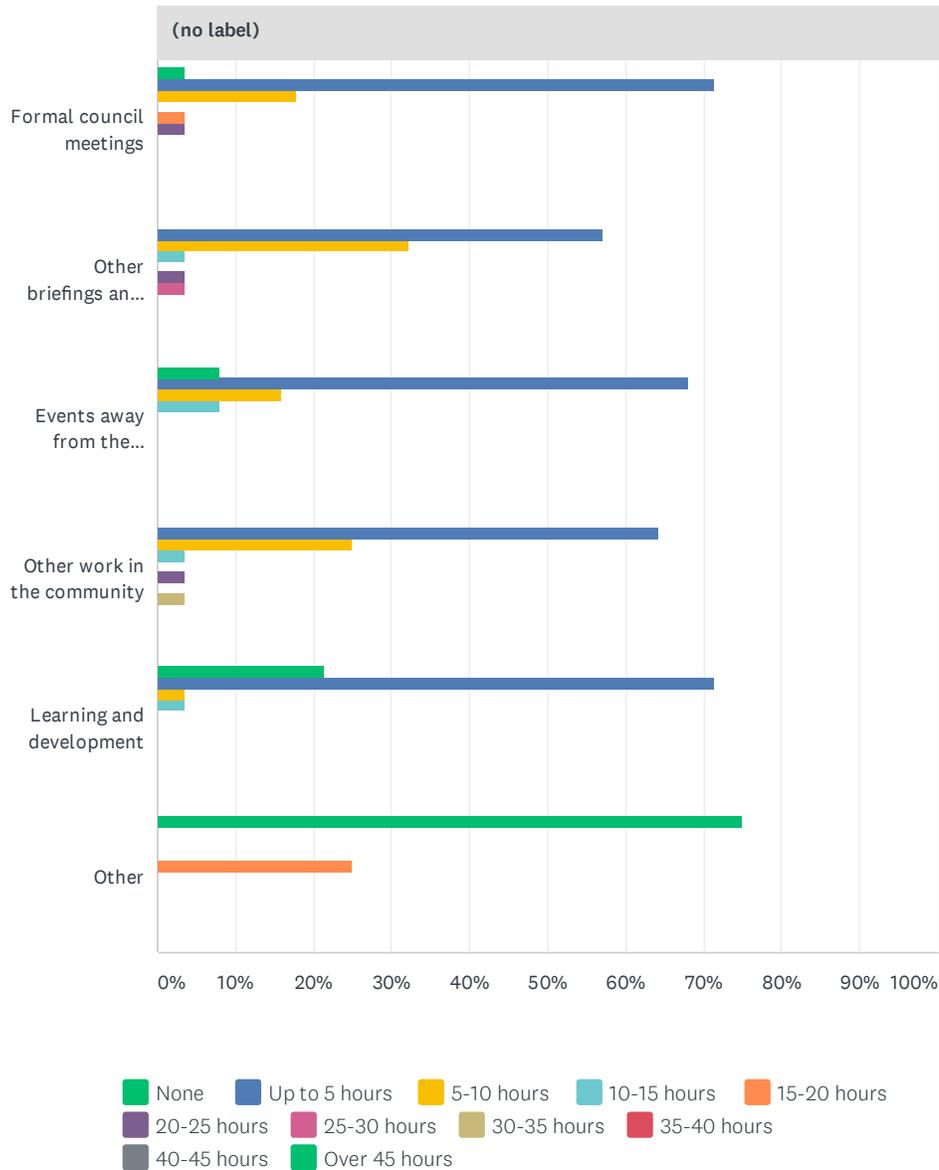


ANSWER CHOICES	RESPONSES	
Yes	50.00%	16
No	46.88%	15
TOTAL		32

#	IF YOU SAID NO, PLEASE TELL US WHY. IF YOUR COMMENTS RELATE TO A SPECIFIC ROLE, PLEASE STATE WHICH ONE/S.	DATE
1	I am sorry but I can only gauge from my own experience.	12/24/2019 9:28 AM
2	There is a significant amount of work, along with site visits.	12/18/2019 5:28 PM
3	Please see my comment regarding the "special responsibility allowance" for members of the Planning Committee at Question 5 above.	12/16/2019 6:45 PM
4	the answer is actually not always but i am comfortable with the allowance as it stands	12/16/2019 9:29 AM
5	I dont think the answer of to this is a yes/no answer	12/13/2019 2:30 PM
6	Amount of hours put in, divided by the amount, probably equals less than minimum wage.	12/13/2019 1:31 PM
7	In order to do some of these roles properly, you have to spend an inordinate amount of time preparing - which is fine for someone who is retired, but wholly inadequate for someone who is working. We are in effect excluding those people who work from holding senior positions at the Council.	12/9/2019 2:25 PM
8	Planning committee members have a huge workload not just with time assessing documents but costs incurred with site visits, meetings with residents, and a large volume of emails from residents often requiring very detailed and highly considered responses.	12/6/2019 1:11 PM
9	As noted above. Generally too many SRAs.	12/5/2019 4:14 PM
10	The amount of hours does not justifying	11/29/2019 12:03 AM
11	To do the job properly a long agenda has to be read. recently one had over 200 pages. I normally visit the sites so I can make sure I completely understand what is before me. There will be an exchange of e-mails with officers. Very often there will be a meeting or meetings with residents. We also hold two planning forums each month.	11/28/2019 8:32 PM
12	from my experience to date i would suggest all roles take far more time tan the allowance covers.	11/26/2019 2:22 PM
13	significant extra duties in some portfolios and the leader/deputy leader roles	11/18/2019 3:20 PM
14	however i am happy with amount	11/15/2019 3:49 PM
15	the planning committee members are required to undertake significant duties which I do not believe is reflected in the current allowance	11/15/2019 8:29 AM

Q8 How many hours per week do you spend on council duties? Include your preparation time, meetings and discussion, responding to matters, follow-up and travel (if it is not a journey for which you are entitled to claim mileage).

Answered: 28 Skipped: 4



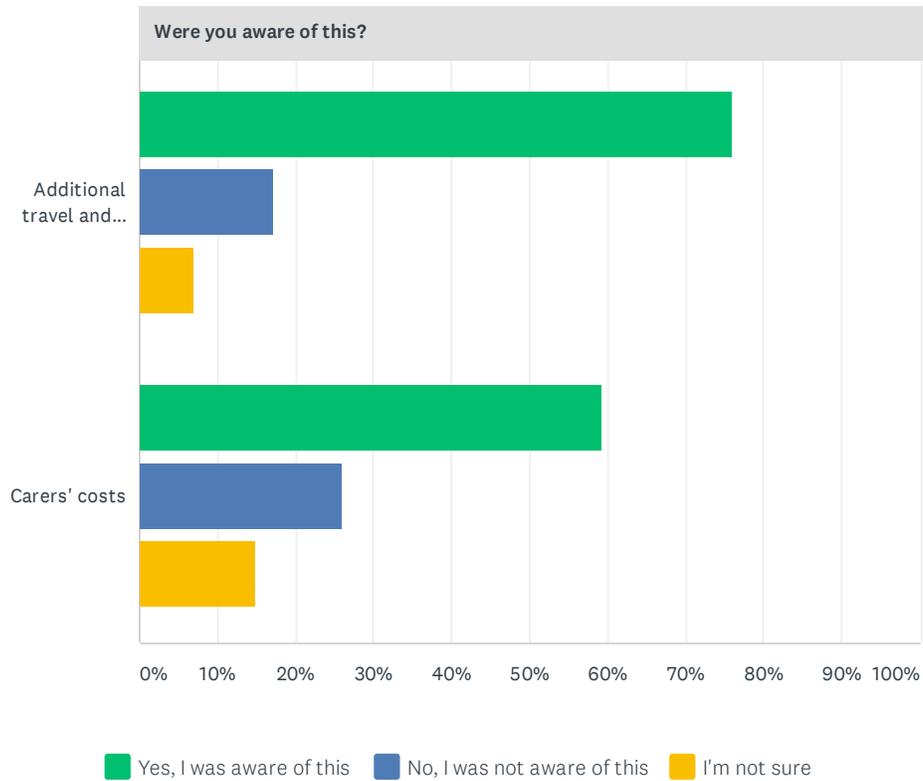
Members allowances 2019/20

(no label)												
	NONE	UP TO 5 HOURS	5-10 HOURS	10-15 HOURS	15-20 HOURS	20-25 HOURS	25-30 HOURS	30-35 HOURS	35-40 HOURS	40-45 HOURS	OVER 45 HOURS	T
Formal council meetings	3.57% 1	71.43% 20	17.86% 5	0.00% 0	3.57% 1	3.57% 1	0.00% 0	0.00% 0	0.00% 0	0.00% 0	0.00% 0	
Other briefings and meetings with council officers, residents or other contacts	0.00% 0	57.14% 16	32.14% 9	3.57% 1	0.00% 0	3.57% 1	3.57% 1	0.00% 0	0.00% 0	0.00% 0	0.00% 0	
Events away from the council's offices	8.00% 2	68.00% 17	16.00% 4	8.00% 2	0.00% 0							
Other work in the community	0.00% 0	64.29% 18	25.00% 7	3.57% 1	0.00% 0	3.57% 1	0.00% 0	3.57% 1	0.00% 0	0.00% 0	0.00% 0	
Learning and development	21.43% 6	71.43% 20	3.57% 1	3.57% 1	0.00% 0							
Other	75.00% 3	0.00% 0	0.00% 0	0.00% 0	25.00% 1	0.00% 0	0.00% 0	0.00% 0	0.00% 0	0.00% 0	0.00% 0	

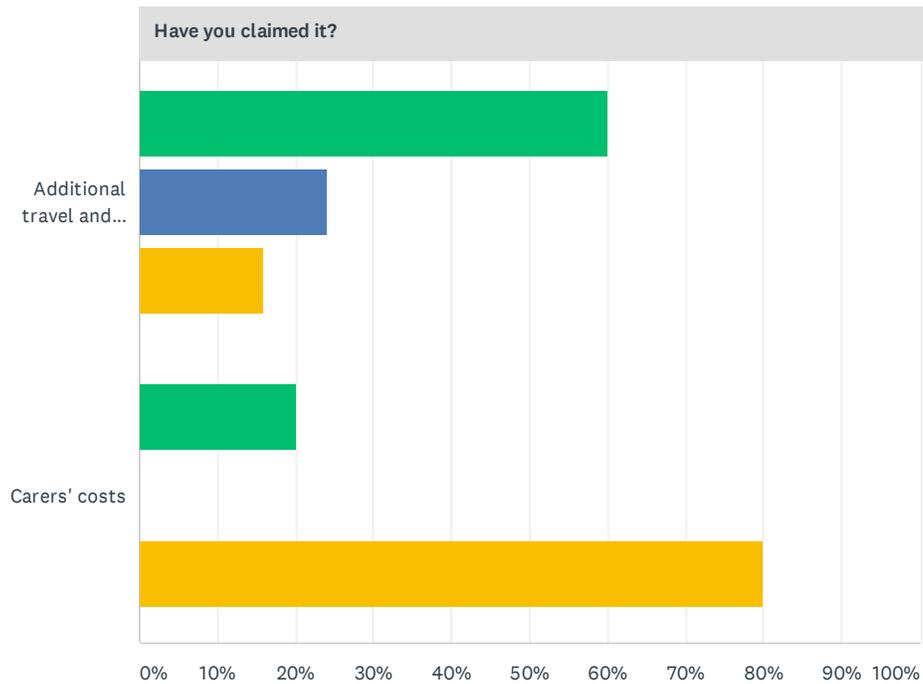
#	IF YOU CHOSE OTHER, WHAT DOES THIS INCLUDE?	DATE
1	Representational duties as Deputy Mayor	12/16/2019 7:00 PM
2	each week is different, Learning and Development have had quite a few of these recently, also attend presentations/seminars. Spend about 30 hours a week which includes outside bodies, sit on a couple of County committees, one meeting takes up a day	12/2/2019 10:23 PM
3	THESE HOURS WILL GO UP & DOWN IN RELATION WITH ISSUES WITHIN THE WARD!	11/29/2019 1:40 AM
4	On average I spend between 15 and 20 hours a week on Council matters.	11/28/2019 8:39 PM
5	Hard to say as each week differs.	11/25/2019 6:39 PM

Q9 Use the drop down menus to tell us if you were previously aware of these allowances and whether they have been of use to you.

Answered: 29 Skipped: 3



Members allowances 2019/20



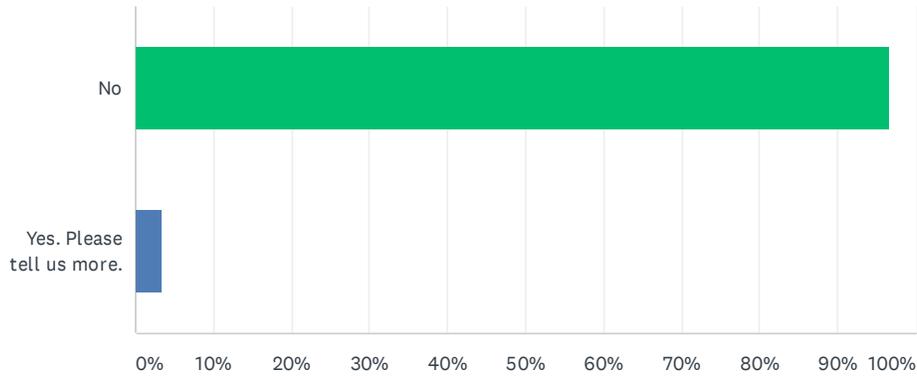
- I may be entitled to this but have not claimed it
- I am entitled to this and have claimed it
- I have not been entitled to this so far and have not claimed it

Were you aware of this?				
	YES, I WAS AWARE OF THIS	NO, I WAS NOT AWARE OF THIS	I'M NOT SURE	TOTAL
Additional travel and subsistence	75.86% 22	17.24% 5	6.90% 2	29
Carers' costs	59.26% 16	25.93% 7	14.81% 4	27

Have you claimed it?				
	I MAY BE ENTITLED TO THIS BUT HAVE NOT CLAIMED IT	I AM ENTITLED TO THIS AND HAVE CLAIMED IT	I HAVE NOT BEEN ENTITLED TO THIS SO FAR AND HAVE NOT CLAIMED IT	TOTAL
Additional travel and subsistence	60.00% 15	24.00% 6	16.00% 4	25
Carers' costs	20.00% 5	0.00% 0	80.00% 20	25

Q10 Have you been made aware of any other allowances this year that you have used?

Answered: 29 Skipped: 3

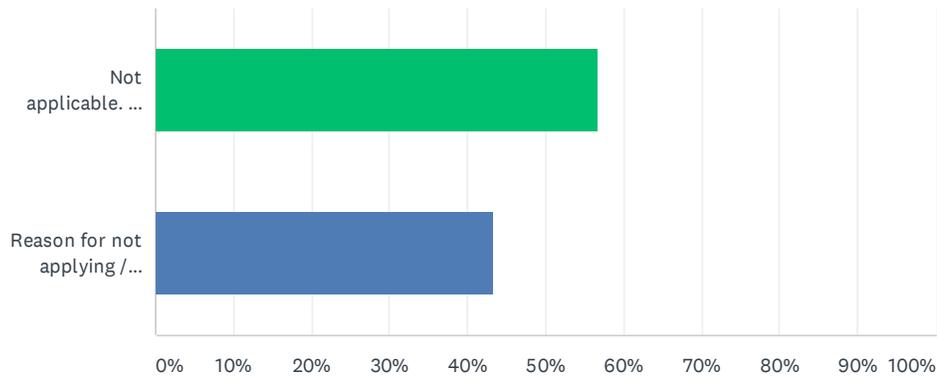


ANSWER CHOICES	RESPONSES	
No	96.55%	28
Yes. Please tell us more.	3.45%	1
TOTAL		29

#	YES. PLEASE TELL US MORE.	DATE
1	Often have day meetings, haven't claimed for food	12/2/2019 10:23 PM

Q11 If you might have been entitled to an additional allowance/s but decided not to apply, please tell us why.

Answered: 30 Skipped: 2

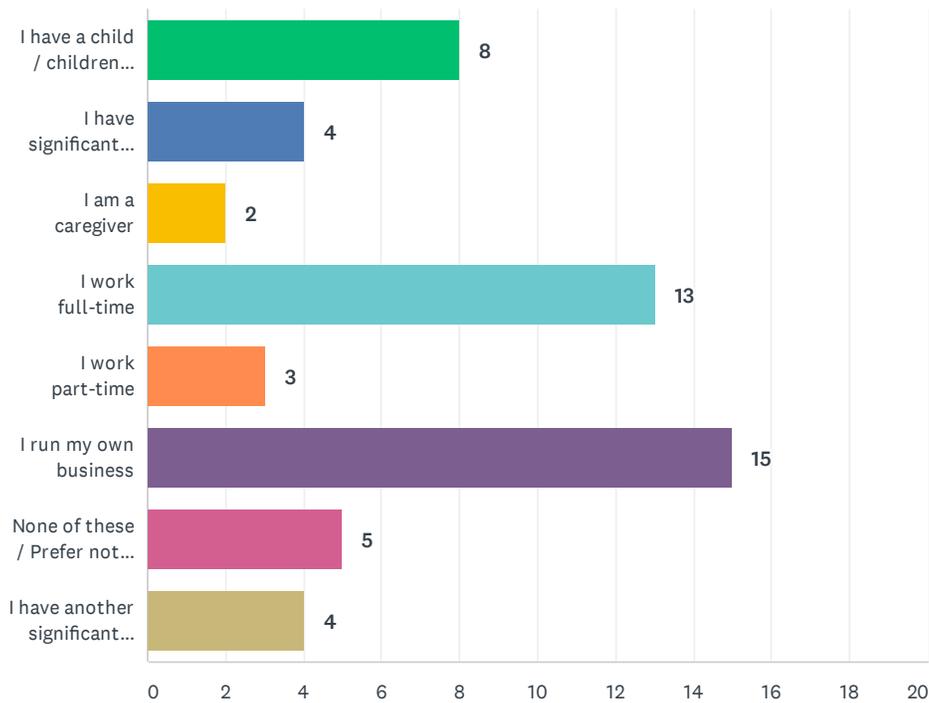


ANSWER CHOICES	RESPONSES
Not applicable. I am not entitled to any extra allowances.	56.67% 17
Reason for not applying / claiming allowance:	43.33% 13
TOTAL	30

#	REASON FOR NOT APPLYING / CLAIMING ALLOWANCE:	DATE
1	,	12/24/2019 9:31 AM
2	There is no personal need for me to seek additional finance.	12/16/2019 7:00 PM
3	I am not aware of any other allowances	12/13/2019 2:40 PM
4	For me I feel that this is what my allowances are for and I don't really feel the need to claim them. But I support them being in place for others who it may make more of a difference for.	12/13/2019 1:34 PM
5	not understanding the proses	12/9/2019 10:44 PM
6	Trying to save the Council money - I feel that my allowance more than covers this	12/9/2019 2:28 PM
7	unaware	12/2/2019 3:45 PM
8	Don't need it	11/29/2019 12:07 AM
9	I may have been able to claim travelling expenses, but have not done so. No reason I have just never claimed any expenses.	11/28/2019 8:39 PM
10	I do not know what is meant by ADDITIONAL travel and subsistence. Is this on top of the regular travel / mileage allowance?	11/28/2019 12:20 PM
11	I haven't yet found the claim form online to complete.	11/26/2019 2:24 PM
12	Because one is paid the allowance to cover THE COSTS INVOLVED IN UNDERTAKING AND CARRYING YOUR ELECTED RESPONSABILITIES AND DUTIES. There is simply no excuse to ask for "extra allowance/s" (expenses).	11/25/2019 6:39 PM
13	I feel the burden on the council tax payer is already too high, so I don't claim expenses which I am entitled to, I fund these costs out of my own pocket	11/15/2019 8:32 AM

Q12 Please tell us which, if any, of these applies to you. Tick all that apply.

Answered: 30 Skipped: 2

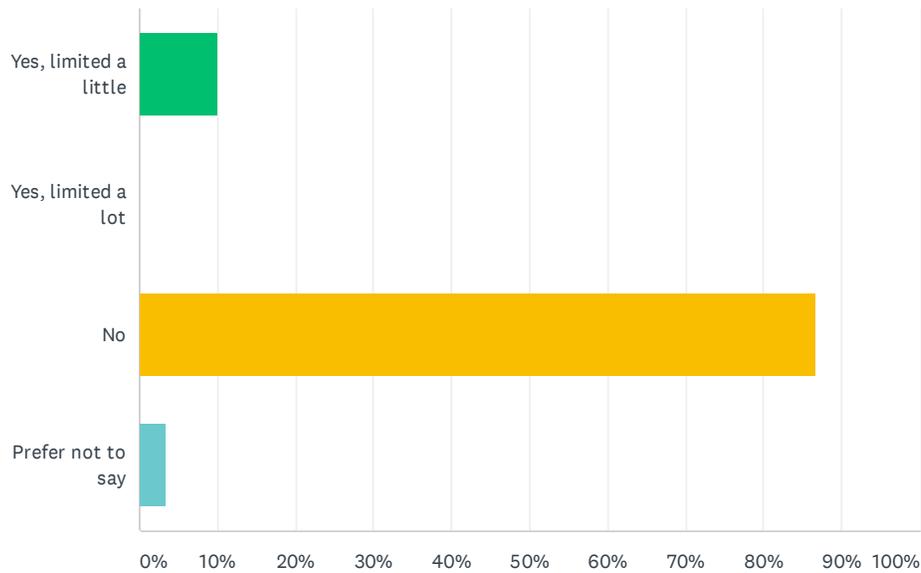


ANSWER CHOICES	RESPONSES	
I have a child / children under 18	26.67%	8
I have significant childcare responsibilities	13.33%	4
I am a caregiver	6.67%	2
I work full-time	43.33%	13
I work part-time	10.00%	3
I run my own business	50.00%	15
None of these / Prefer not to say	16.67%	5
I have another significant responsibility. Please tell us here.	13.33%	4
Total Respondents: 30		

#	I HAVE ANOTHER SIGNIFICANT RESPONSIBILITY. PLEASE TELL US HERE.	DATE
1	People contact me from outside the borough and ask for my assistance.	12/24/2019 9:34 AM
2	I am the Verger and Parish Safeguarding Officer at my local parish church.	12/16/2019 7:08 PM
3	County Councillor	12/5/2019 4:18 PM
4	I am a County Councillor	11/28/2019 12:22 PM

Q13 Are your day-to-day activities limited because of a long term health problem, disability or learning difficulty?

Answered: 30 Skipped: 2

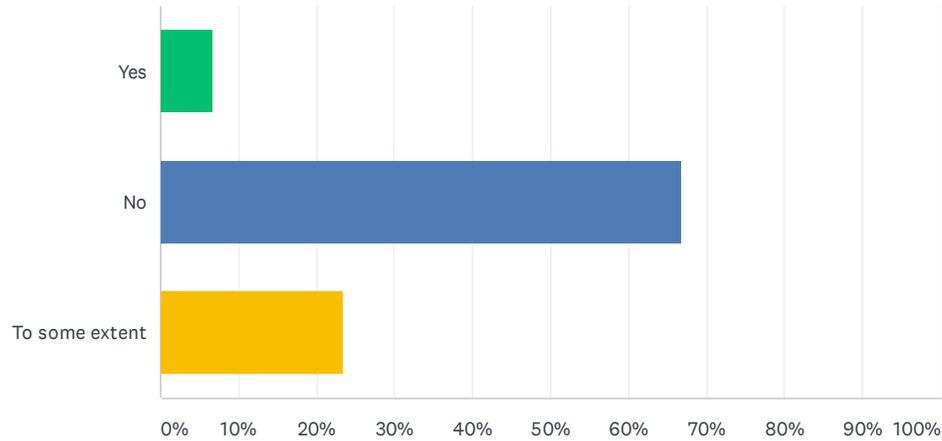


ANSWER CHOICES	RESPONSES
Yes, limited a little	10.00% 3
Yes, limited a lot	0.00% 0
No	86.67% 26
Prefer not to say	3.33% 1
TOTAL	30

#	IF YOU WOULD LIKE TO TELL US MORE, PLEASE USE THIS SPACE.	DATE
1	I am an insulin-dependent diabetic and therefore must always be mindful of my blood glucose levels, meal times and levels of activity which, perhaps surprisingly, includes 'mental' activity.	12/16/2019 7:08 PM
2	I am limited (a bit) by Ehlers-Danloss Syndrome (EDS - frequently breaking bones or snapping ligaments & tendons), tendonitis, gout, tinnitus, internal abdominal scarring leading to digestive problems, 4 hernias, & borderline high-functioning autism.	12/6/2019 1:29 PM

Q14 Thinking about your aspirations as a councillor, has the financial cost of being a councillor or progressing further put you off taking on a new role?

Answered: 30 Skipped: 2



ANSWER CHOICES	RESPONSES
Yes	6.67% 2
No	66.67% 20
To some extent	23.33% 7
TOTAL	30

#	IF YOU ANSWERED YES OR TO SOME EXTENT, PLEASE TELL US MORE.	DATE
1	Because of being an independent.	12/24/2019 9:34 AM
2	To do, more time would be needed which would require either sacrificing my family or my job. Neither are realistic options given the financial cost of being a councillor. If being a councillor came with better support I would be able to sacrifice my job to do more	12/18/2019 5:31 PM
3	hard to say	12/13/2019 2:41 PM
4	I worry that I can comit the time required to the role and still do a good job at work and still find time for my family.	12/13/2019 1:37 PM
5	I really want to progress as a councillor, and think I have potential to be really good at it, but the financial cost, when looking at the huge time it takes to do it well and how that affects my day-job, is a constant worry.	12/6/2019 1:29 PM
6	Recently left work now have more time. Had to reduce my working hours/days due to becoming a cllr, loss of good salary. Had to often use my holiday entitlement for day meetings	12/2/2019 10:40 PM
7	The financial cost does not adequately compensate for the time.	11/18/2019 5:21 PM

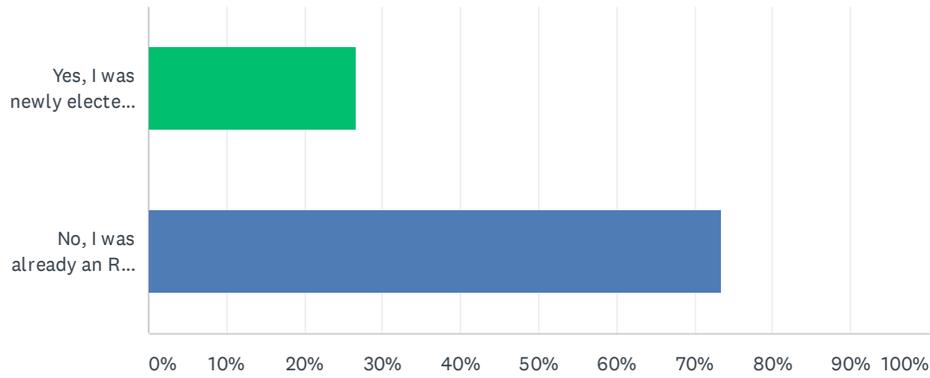
**Q15 What other support would would help you in your members' duties?
No suggestions? Skip to next question.**

Answered: 8 Skipped: 24

#	RESPONSES	DATE
1	The only reason why I'm able to contribute fully is because of my positive lady wife who knows a lot of people so we have a considerable network. So if there was no longer support from family for campaigning and leafleting.	12/24/2019 9:34 AM
2	Extra training on using our Council-supplied tablets.	12/16/2019 7:08 PM
3	Better timings of meetings, too many start too early which are not practical for those who work.	12/13/2019 1:37 PM
4	computing	12/9/2019 10:47 PM
5	None	12/9/2019 2:29 PM
6	Would be helpful to have fellow ward cllrs putting the hours in, sharing the work loads	12/2/2019 10:40 PM
7	I can think of nothing financial.	11/28/2019 8:42 PM
8	none, except of course the regular breifings and training, in which we receive anyway.	11/25/2019 6:40 PM

Q16 Were you newly elected as a councillor in May 2019?

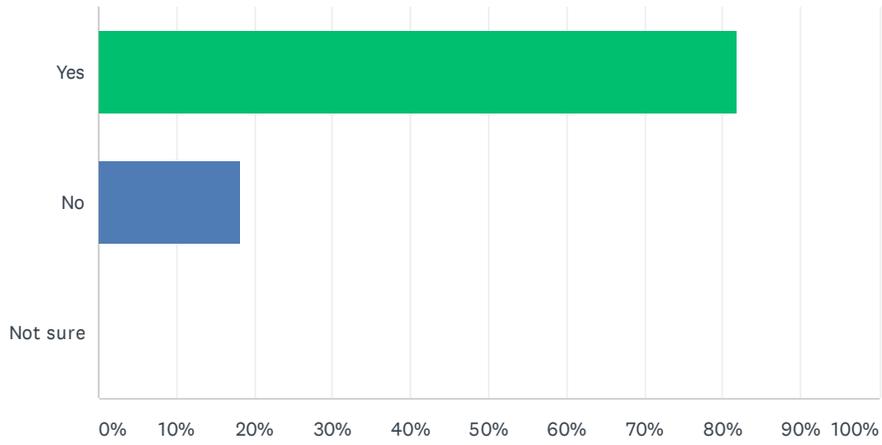
Answered: 30 Skipped: 2



ANSWER CHOICES	RESPONSES	
Yes, I was newly elected in 2019	26.67%	8
No, I was already an R&B councillor	73.33%	22
TOTAL		30

Q17 Have the demands on your time as a member changed since May 2019?

Answered: 22 Skipped: 10



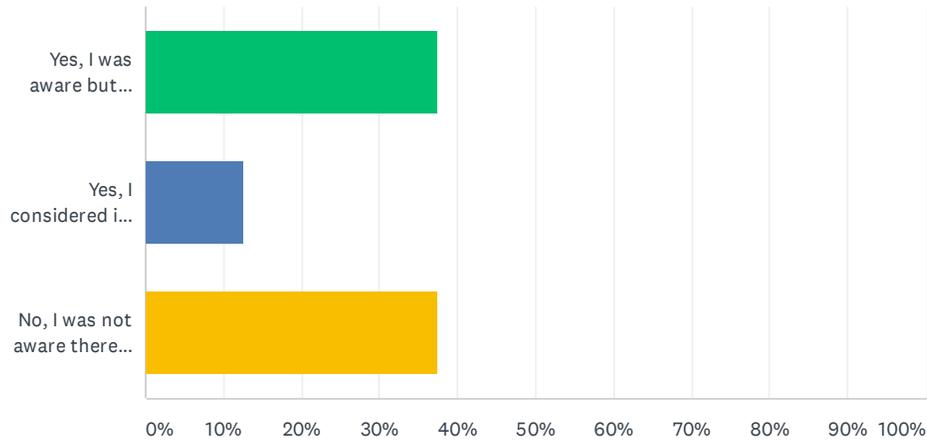
ANSWER CHOICES	RESPONSES	
Yes	81.82%	18
No	18.18%	4
Not sure	0.00%	0
TOTAL		22

Members allowances 2019/20

#	WHY DO YOU THINK THAT IS?	DATE
1	Far greater due to exec members not being on committees, less councillors, and more sub committees	12/18/2019 5:32 PM
2	1. A larger ward 2. Taking on additional duties - Deputy Mayor, representing RBBC on two "Outside Bodies"	12/16/2019 7:12 PM
3	Becoming a portfolio holder, a job that i enjoy immensely	12/16/2019 9:32 AM
4	My Ward has had several major projects/works which have attracted prolonged and full-on objections from residents	12/13/2019 2:42 PM
5	New larger ward and become a member of the executive	12/13/2019 1:38 PM
6	New, larger ward and become a member of the exec.	12/13/2019 1:37 PM
7	Due to being a PH	12/9/2019 2:29 PM
8	Larger political group.	12/5/2019 4:18 PM
9	Due to boundary changes, larger area and new residents to get to know, a new community which I have to drive about 4 mile to visit	12/2/2019 10:43 PM
10	EXTENDED WARD NOW INCLUDES VERY LOW INCOME AREA	11/29/2019 1:45 AM
11	I spend more time as Vice Chairman of the Planning Committee	11/28/2019 8:44 PM
12	I have taken on some new roles	11/28/2019 12:22 PM
13	no real change to the volume of resident queries. It has always varied.	11/25/2019 6:42 PM
14	extra workload in portfolio and as deputy leader	11/18/2019 3:24 PM
15	larger portfolio	11/15/2019 3:54 PM
16	Took on role of Chairman of Planning Committee.	11/15/2019 9:41 AM
17	Increase due to extra responsibility and new ward.	11/15/2019 8:39 AM
18	having been requested to take on more responsibility	11/15/2019 8:34 AM

Q18 Before standing for election, were you aware that you would incur costs as a result of being a councillor?

Answered: 8 Skipped: 24



ANSWER CHOICES		RESPONSES	
Yes, I was aware but assumed these would be covered by an allowance/expenses		37.50%	3
Yes, I considered it but it was not a factor		12.50%	1
No, I was not aware there would be significant costs		37.50%	3
TOTAL			8

#	OTHER (PLEASE EXPLAIN)	DATE
1	Yes, I was aware there would be some costs but was unaware just how much time being a councillor takes - if it's to be done well - & how low the expenses are	12/6/2019 1:37 PM

Q19 Thinking about local people who might be interested in becoming a councillor, what barriers do you think deter them?

Answered: 25 Skipped: 7

#	RESPONSES	DATE
1	Time How much time and other commitments they have. Unless part of a political group they have to work very hard. They won't remotely understand what is required. They would need support from a team of people who are prepared to behalf on their behalf.	12/24/2019 9:41 AM
2	Work-life bal the fact that they see that i am rarely in in the evenings.	12/18/2019 5:32 PM
3	Confidence Political climate Time Lack of confidence, lack of personal time and an increasing level of disdain for anything perceived to be politically oriented.	12/16/2019 7:18 PM
4	Time time	12/16/2019 9:32 AM
5	Finance Time The time commitment vs financial return	12/13/2019 2:45 PM
6	Time Time it takes.	12/13/2019 1:38 PM
7	Political climate The current negative view of polititions	12/13/2019 11:35 AM
8	Time Work-life bal Taking time off work to carry out Cllr responsibilities Dealing with constituents	12/9/2019 2:31 PM
9	Stress-responsibility Time The huge commitment in terms of time required to do the job properly. Unrealistic expectations by residents that you can achieve things which are either not the responsibility of the council or do not appreciate that the committee system requires a majority to make decisios when residents simply think you're their concillor so it's entirely up to you. Therefore, I don't think the allowance takes into account the mental stress of being a councillor & many potential candidates have said to me that the allowance is not worth the stress.	12/6/2019 1:37 PM
10	Time Work-life bal If working, day meetings, meetings starting at 6pm Can they commit at least 20/25 hours a week	12/2/2019 10:49 PM
11	Finance cost	12/2/2019 3:47 PM
12	Time None really, they need to have the time to comit to the role.	11/29/2019 10:49 AM
13	Time Time	11/29/2019 12:10 AM
14	Time Work-life bal time restraints, evening meetings,	11/28/2019 10:46 PM
15	Time I am sure the main barrier is the time that is required.	11/28/2019 8:48 PM
16	Time Work-life bal Time, other responsibilities, work demands	11/28/2019 12:31 PM
17	Time time.	11/26/2019 2:26 PM
18	Political climate Time giving the time to perform the role effectively. also the body poitics has been somewhat spiteful of late, although I'd argue that mostly, local gvovernment here at RBBC is an acception to this.	11/25/2019 6:49 PM
19	Finance Stress-responsibility Time Lack of time Lack of understanding in terms of what a councillor does AND does not do Renumeration	11/18/2019 5:22 PM
20	Time Time committment	11/18/2019 5:14 PM
21	Political climate Time commitment of time and risk of negative social media	11/18/2019 3:25 PM
22	.	11/15/2019 3:54 PM
23	Stress-responsibility responsibility	11/15/2019 11:21 AM
24	Political climate Understanding role lack of knowledge of what the role contains. Lack of interest in politics	11/15/2019 9:42 AM
25	Political climate Understanding role the current political environment (hostile) and the working practices of local government deters people for getting involved	11/15/2019 8:36 AM

Q20 If there is anything else you would like to tell the panel or you have any comments about members' allowances, please tell us here.

Answered: 10 Skipped: 22

#	RESPONSES	DATE
1	You must be prepared to give more time than you might expect. The council needs people with relevant experience.	12/24/2019 9:41 AM
2	The RBBC allowances are neither the highest or lowest as far as I understand. Having having allowances frozen this year, i would like to see a modest increase for the next year	12/13/2019 2:45 PM
3	Nothing	12/9/2019 2:31 PM
4	No	12/2/2019 10:49 PM
5	The allowances are necessary so as not to put off less well off persons who would make good councillors. A careful balance has to be drawn.	11/28/2019 8:48 PM
6	One of the members of our group does not drive and as he lives at the furthest extremity of the borough, public transport is not available in the evening. Other councillors generally give him a lift. Occasionally other councillors are not in a position to do this and he will need to take a taxi/Uber, but the rules do not allow this to be claimed. He can't even claim a "mileage" equivalent. This is unfair and discriminates against councillors who cannot drive.	11/28/2019 12:31 PM
7	The amount of time spent on council activity and the expectation to attend so many extra meetings is far greater than i had assumed. the whole system is geared towards councillors who are retired or semi retired rather than those in full time employment.	11/26/2019 2:26 PM
8	Cllrs are paid adequately in all roles and do not require a increase. So don't fall for their tricky ways. It's not as if any of us are having to be forced to shop in Icelands, for example. Although with some of our esteemed colleagues you'd never hear the end of it if they suddenly was!	11/25/2019 6:49 PM
9	Still think expense policy is inconsistent.	11/15/2019 8:40 AM
10	no	11/15/2019 8:36 AM

Member Payments 2018/19

(1 April 2018 – 31 March 2019)

Councillor	Basic Allowance (£)	Special Responsibility Allowance (£)	Travel & Subsistence (£)	Total (£)
Absalom, Rosemary	5,598.96	675.61	0.00	6,274.57
Allcard, Derek	5,598.96	480.94	0.00	6,079.90
Archer, Tim	5,095.31	0.00	0.00	5,095.31
Ascough, Liam	5,598.96	747.28	0.00	6,346.24
Ashford, Rod	5,598.96	7,926.43	516.40	14,041.79
Biggs, Richard	5,095.31	675.61	0.00	5,770.92
Blacker, Michael	5,598.96	789.96	0.00	6,388.92
Bramhall, Natalie	5,598.96	9700.92	0.00	15,299.88
Bray, Jill	5,138.04	789.96	0.00	5,928.00
Broad, Victor	5,598.96	2,334.23	401.40	8,334.59
Brown, Hal	5,095.31	0.00	0.00	5,095.31
Brunt, Mark	5,598.96	14,976.42	336.00	20,911.38
Coad, Richard	5,598.96	0.00	0.00	5,598.96

Councillor	Basic Allowance (£)	Special Responsibility Allowance (£)	Travel & Subsistence (£)	Total (£)
Crome, Graeme	5,598.96	789.96	0.00	6,388.92
Curry, George	5,598.96	0.00	0.00	5,598.96
Durrant, James	5,598.96	7,926.43	0.00	13,525.39
Ellacott, Julian	5,319.12	3,078.61	0.00	8,397.73
Essex, Jonathan	5,598.96	309.5	0.00	5,908.46
Foreman, Keith	5,598.96	9,700.92	558.90	15,858.78
Godden, John	5,598.96	0.00	0.00	5,598.96
Grant-Duff, Zully	512.6	72.32	0.00	584.92
Hack, Lynne	5,598.96	1,692.58	447.65	7,739.19
Harper, Bob	5,598.96	0.00	25.20	5,624.16
Harrison, Nick	5,598.96	432.96	107.10	6,139.02
Horwood, Alex	5,598.96	9,267.96	0.00	14,866.92
Humphreys, Eddy	5,598.96	9,267.96	831.60	15,698.52
Kelly, Frank	5,598.96	831.92	0.00	6,430.88
King, James	5,598.96	117.77	0.00	5,716.73

Councillor	Basic Allowance (£)	Special Responsibility Allowance (£)	Travel & Subsistence (£)	Total (£)
Knight, Graham	5,598.96	11,091.36	0.00	16,690.32
Kulka, Stephen	512.6	95.94	0.00	608.54
Lewanski, Victor	5,095.31	675.61	0.00	5,770.92
Lynch, Andy	5,598.96	865.92	0.00	6,464.88
Mantle, Richard	512.6	0.00	0.00	512.6
McKenna, Stephen	5,598.96	789.96	0.00	6,388.92
Michalowski, Rich	5,095.31	675.61	0.00	5,770.92
Mill, Margaret	2,424.94	1,381.73	0.00	3,806.67
Newstead, Roger	5,598.96	2,321.87	0.00	7,920.83
Owen, Gareth	5,095.31	0.00	0.00	5,095.31
Parnall, Simon	5,598.96	5,165.62	539.10	11,303.68
Paul, James	5,598.96	789.96	0.00	6,388.92
Pay, David	512.6	72.32	0.00	584.92
Powell, David	5,598.96	117.77	0.00	5,716.73
Renton, Rita	512.6	848.51	0.00	1361.11

Councillor	Basic Allowance (£)	Special Responsibility Allowance (£)	Travel & Subsistence (£)	Total (£)
Ross-Tomlin, Dorothy	5,598.96	13,319.64	0.00	18,918.60
Schofield, Tony	5,598.96	9,267.96	0.00	14,866.92
Selby, Michael	5,598.96	789.96	213.75	6,602.67
Stead, Brian	5,598.96	3,648.96	0.00	9,247.92
Stephenson, John	5,598.96	789.96	0.00	6,388.92
Stevens, Christian	5,457.00	789.96	0.00	6,246.96
Tarrant, Anna	5,598.96	0.00	0.00	5,598.96
Thomson, Barbara	5,598.96	789.96	0.00	6,388.92
Turner, Rachel	5,598.96	789.96	431.85	6,820.77
Walsh, Sam	5,598.96	675.61	0.00	6,274.57
Whinney, Christopher	5,598.96	675.61	0.00	6,274.57
White, Jonathan F	5,095.31	0.00	0.00	5,095.31
White, Jonathan C	3,778.66	0.00	0.00	3,778.66

Surrey Districts Member Allowances Comparison 2019-20

	Highest	Lowest	Average	Reigate and Banstead	Elmbridge *	Epsom and Ewell	Guildford *	Mole Valley	Runnymede	Spelthorne	Surrey Heath	Tandridge	Waverley *	Woking
Population (as at 2011 Census)	137,835	75,102	102,945	137,835	130,875	75,102	137,183	85,375	80,510	95,598	86,144	82,998	121,572	99,198
Basic	£7,200	£3,718	£5,207	£5,599	£5,066	£3,718	£6,864	£4,468	£4,000	£6,200	£5,087	£4,317	£4,758	£7,200
Leader SRA	£13,977	£3,718	£10,582	£13,901	£12,665	£3,718	£8,236	£7,668	£10,000	£14,259	£13,864	£6,123	£13,977	£12,000
Deputy Leader SRA	£11,353	£1,373	£5,830	£11,353	No Deputy Leader Position	No Deputy Leader Position	£1,373	£4,345	£2,500	£9,412	£8,686	£1,531	£9,676	£3,600
Portfolio Holder SRA	£9,268	£1,126	£4,582	£9,268	£6,333	£1,126	£5,491	£3272 (See Note A)	£1250 (See Note B)	£7130 (See Note C)	£4,626	£3,062	£6,451	£2,400
Planning Committee Chair SRA	£5,699	£2,400	£4,572	£5,346	£5,699	£3,718	£5,491	£2,617	£8,750	£5,703	£4,283	£3,062	£3,225	£2,400
Overview and Scrutiny Chair SRA	£6,333	£1,200	£3,717	£3,106	£6,333	£2,602	£5,491	£2,183	£5,000	£4,991	£3,700	£3,062	£3,225 (Audit Committee)	£1,200
Group Leader SRA	N/A	N/A	N/A	£144 basic + £57 per member of group: Conservative: £1797 Residents Association: £543 Green: £486 Lib Dem: £315 Total: £3141	Principal Opposition Group Leader £2,533. Leaders of Opposition groups with greater than 10% of total members £1,267	Majority group leader £2767.87. Minority group leader £200 + £50 per group member	£68.46 per group member	Leader of the opposition £3819 Other group leader, except leader of council, £547	£3750 (Except for Leader of Council)	Opposition Group Leader £3322	£4,626	Opposition Group Leader £3062. If 2 opposition parties of equal size, both will receive the full allowance	Principal Opposition Group Leader £3225	Leader of Opposition £1200 Other Group Leaders £600

* Elmbridge, Guildford and Waverley show 2018-19 figures as 2019-20 information not available

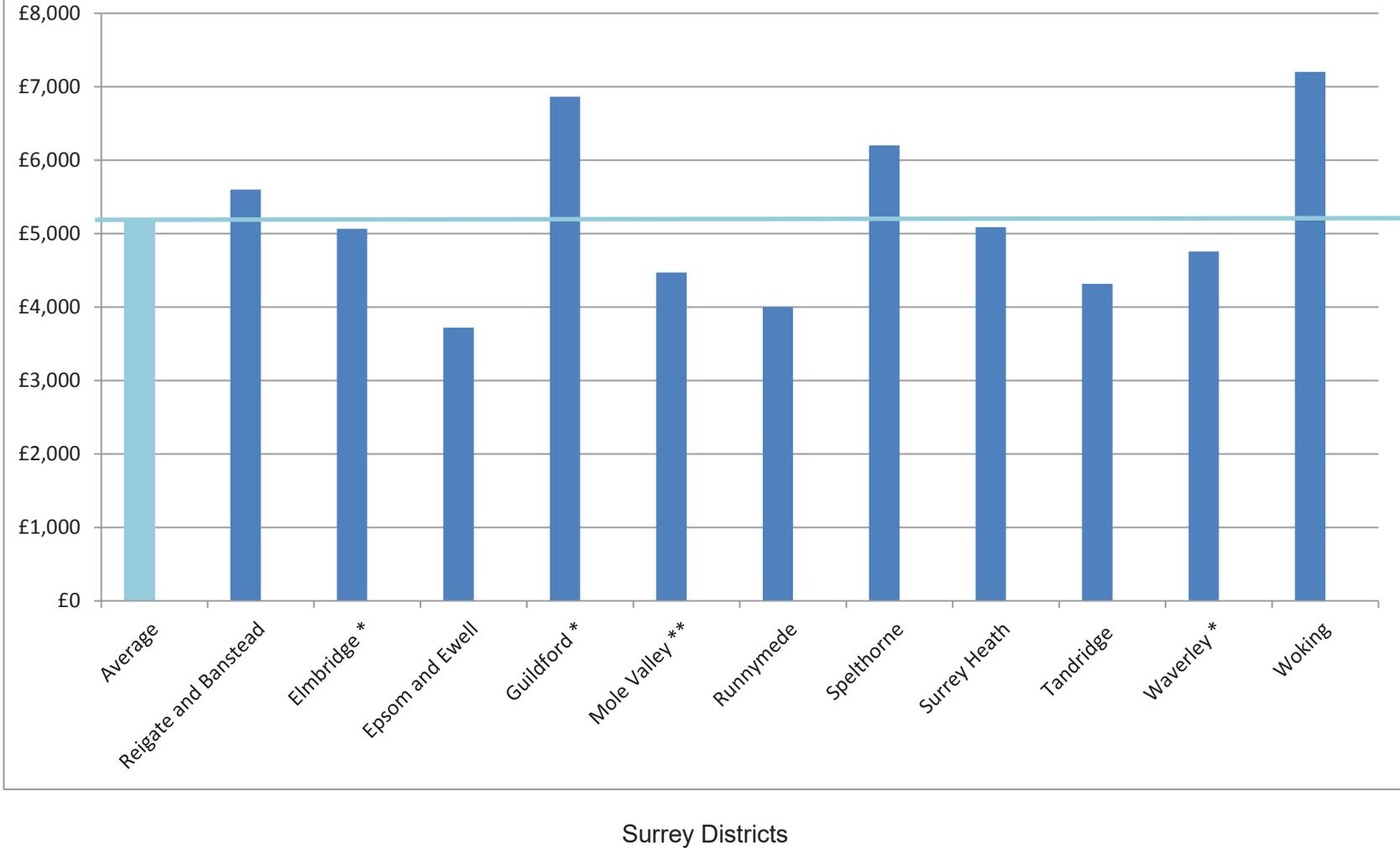
	Above Average
	Below Average
	Higher than Reigate and Banstead

Note A: Mole Valley Portfolio Holders rates vary according to the number appointed. Figure included based on current number of 7 (+ Leader and Deputy Leader)

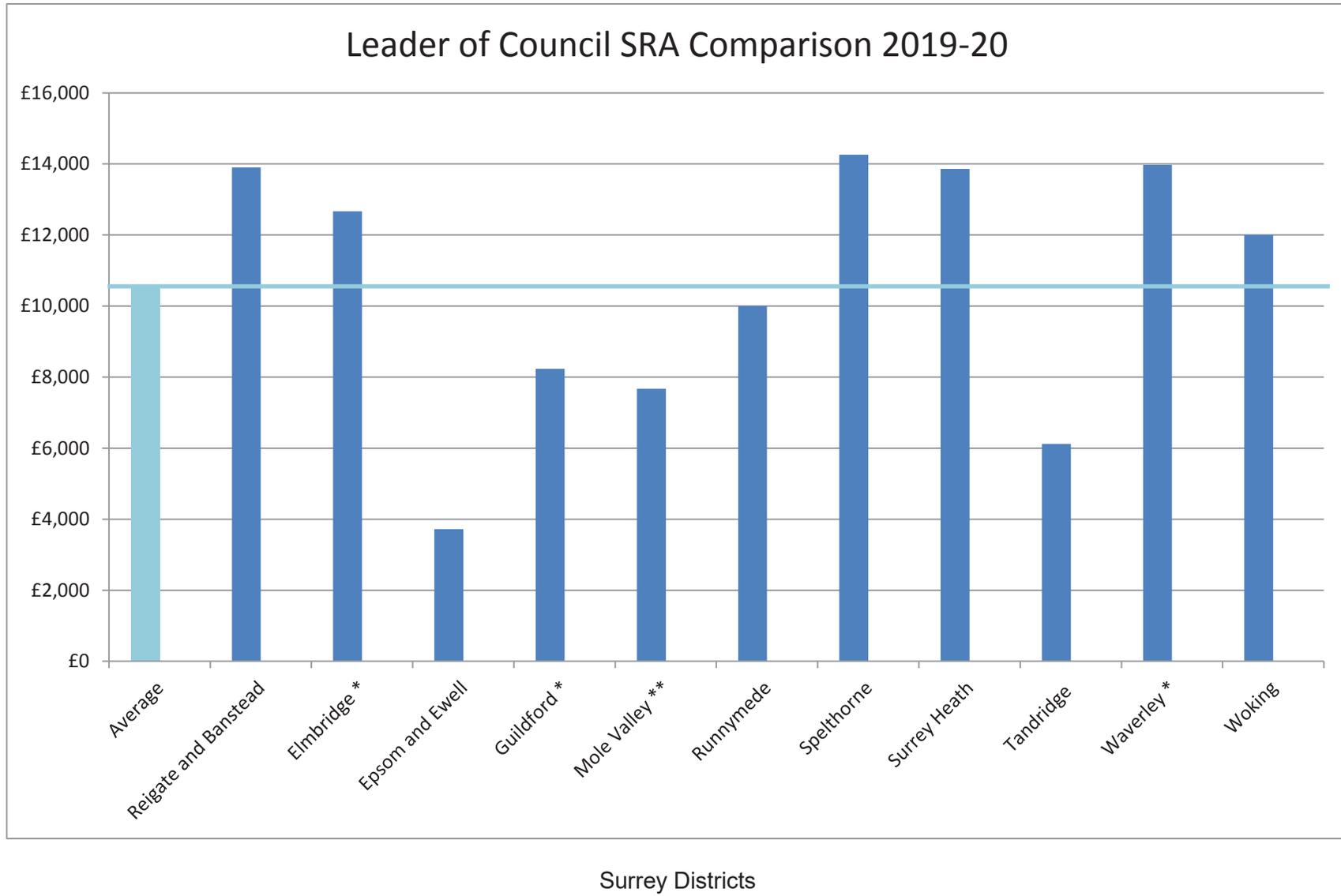
Note B: For member of Corporate Management Committee without any other SRA

Note C: Cabinet member for Finance receives £9412, all others £7130

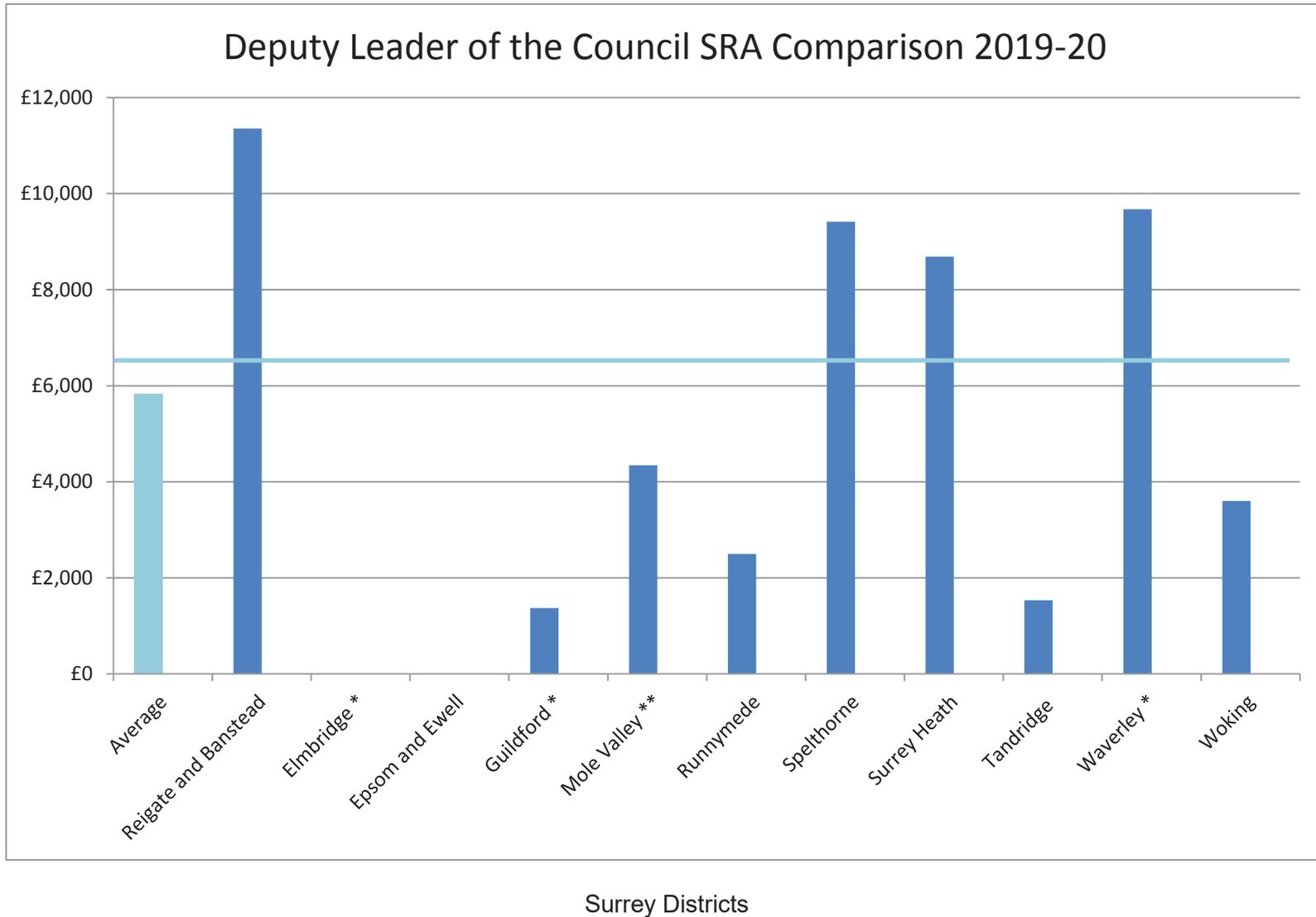
Members' Basic Allowance Comparison 2019-20



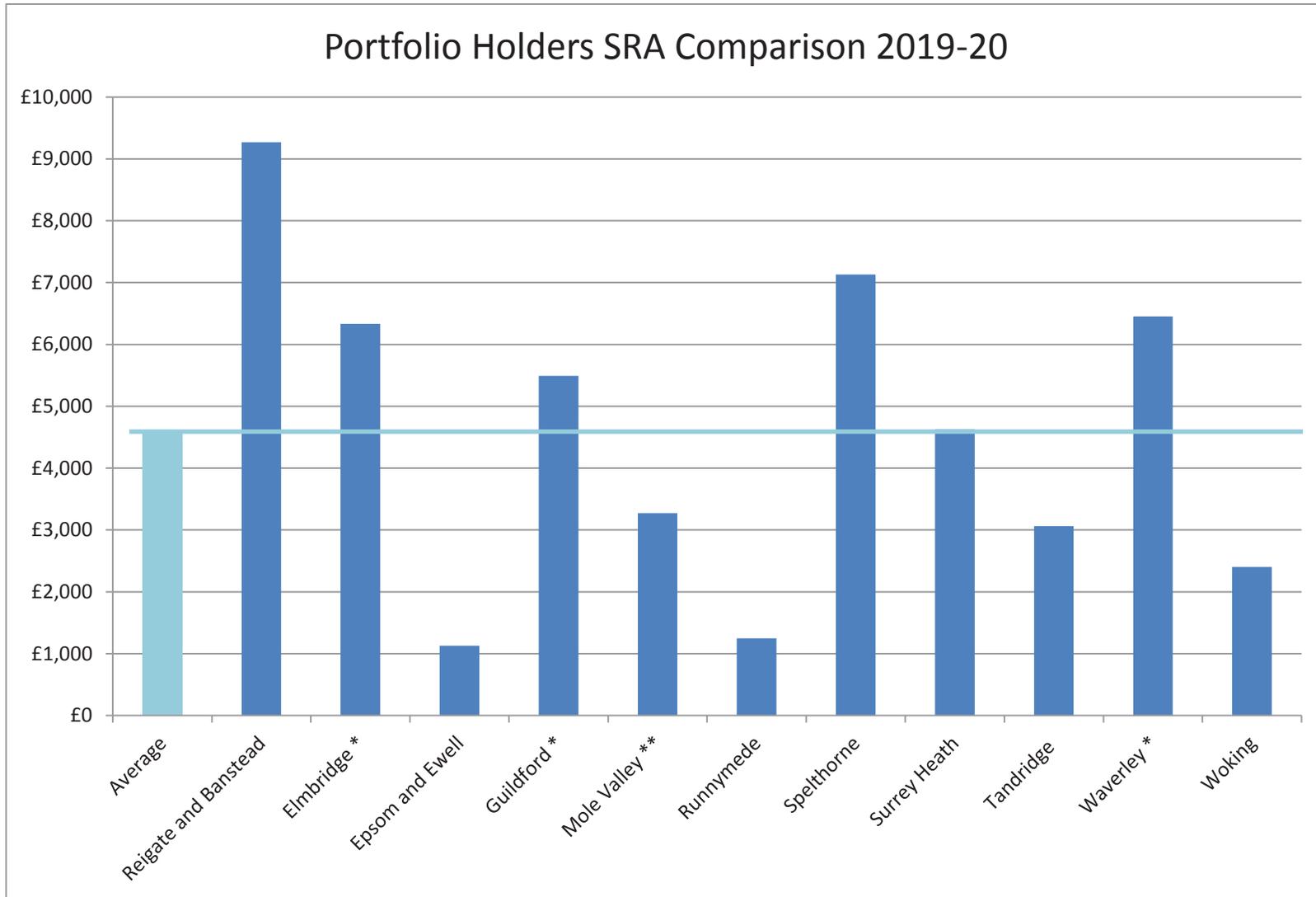
* Elmbridge, Guildford and Waverley show 2018-19 figures as 2019-20 information not available



* Elmbridge, Guildford and Waverley show 2018-19 figures as 2019-20 information not available



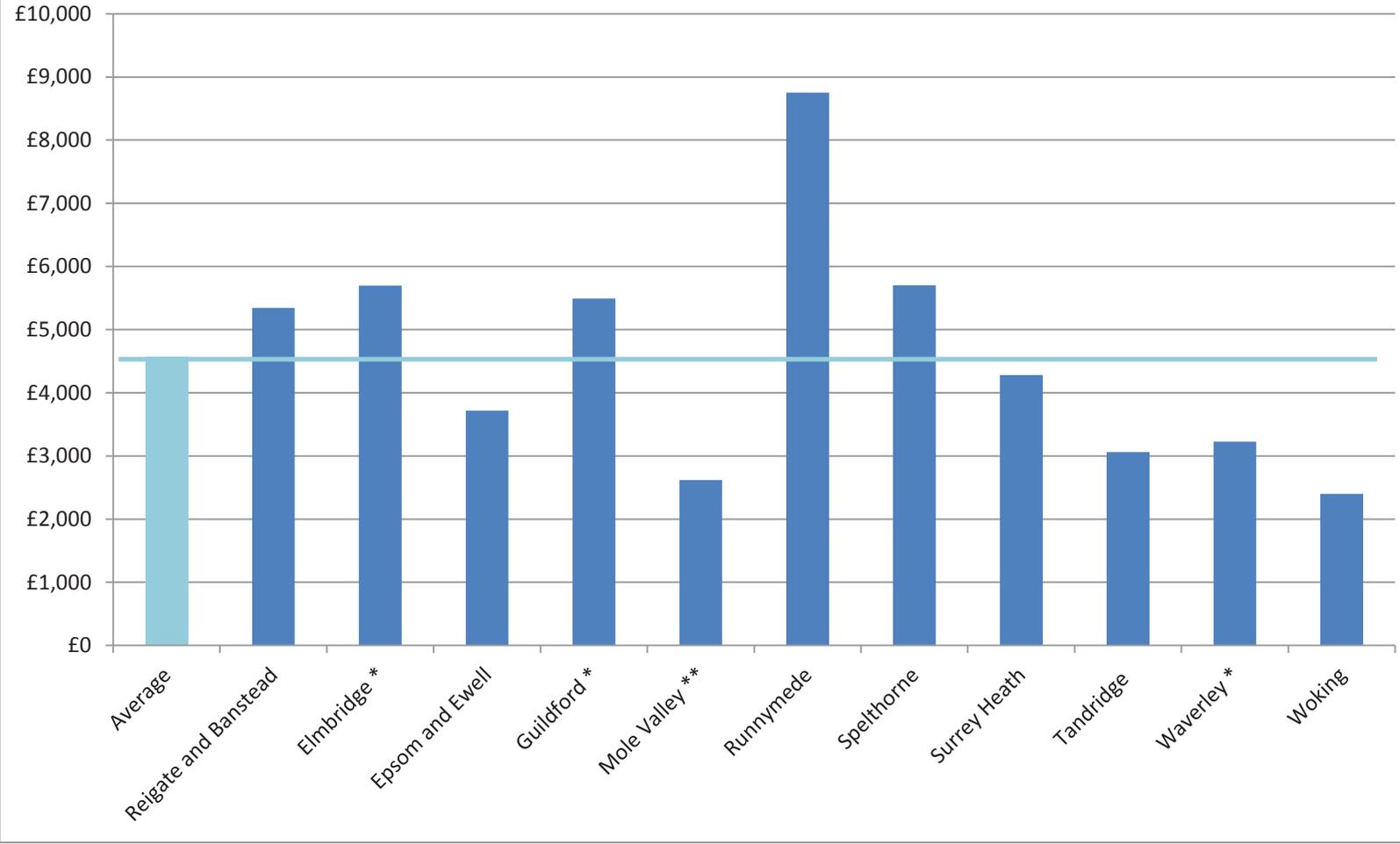
* Elmbridge, Guildford and Waverley show 2018-19 figures as 2019-20 information not available



Surrey Districts

* Elmbridge, Guildford and Waverley show 2018-19 figures as 2019-20 information not available

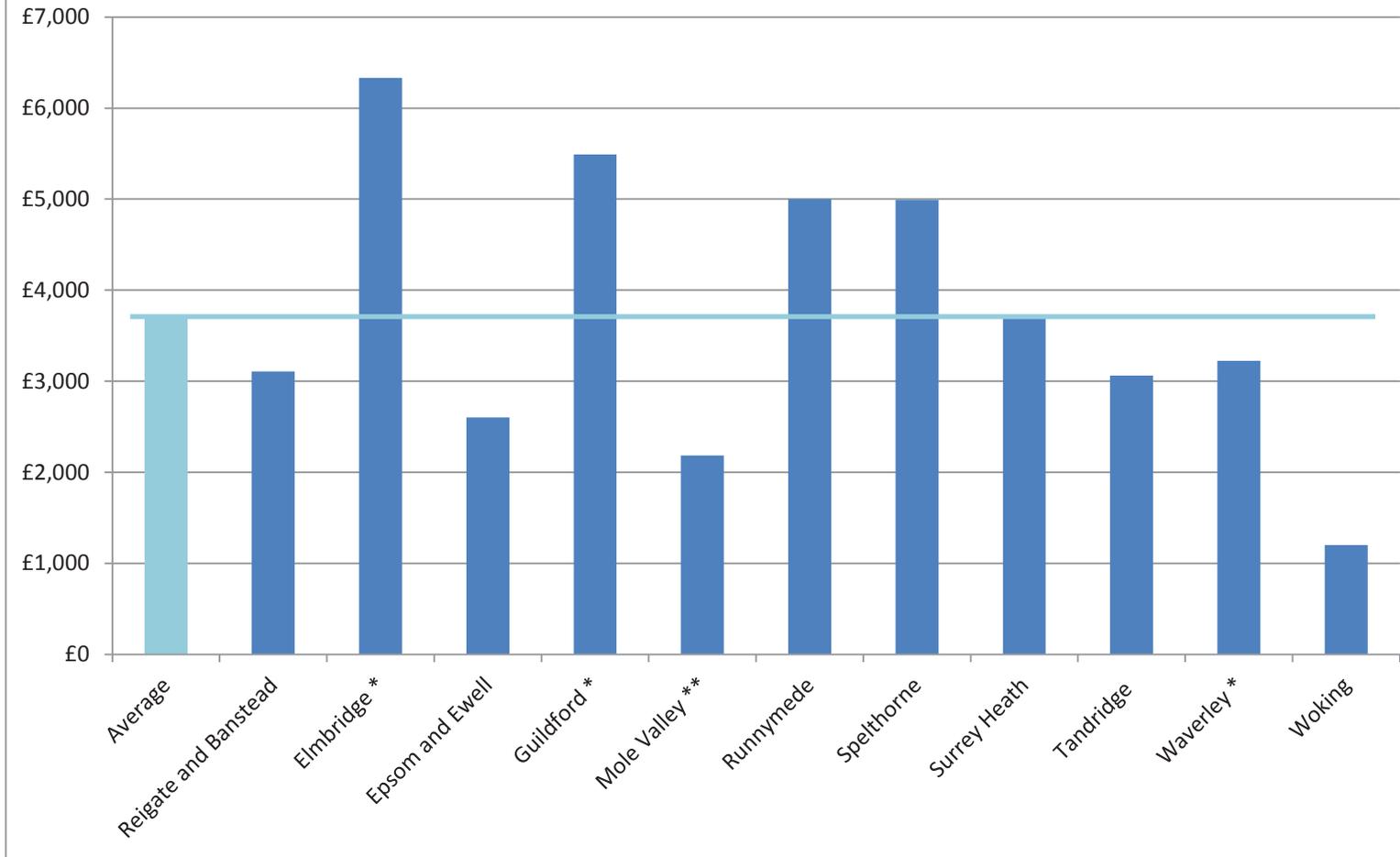
Planning Committee Chair SRA Comparison 2019-20



Surrey Districts

* Elmbridge, Guildford and Waverley show 2018-19 figures as 2019-20 information not available

Overview & Scrutiny Committee Chair SRA Comparison 2019-20



Surrey Districts

* Elmbridge, Guildford and Waverley show 2018-19 figures as 2019-20 information not available

MEMBERS' ALLOWANCES SCHEME

MEMBERS' ALLOWANCES SCHEME – 2020/21

The Members' Allowances Scheme operating from 1st April 2020 provides for the following:

1. Payment of a **Basic Allowance** of £5670 to every Councillor for the year.

The Basic Allowance is provided to recognise and compensate the time commitment of Councillors including such inevitable calls on their time as attending Council and other formal meetings, training/briefings, civic events, undertaking general constituency work and to cover incidental costs such as the use of their homes, stationery, telephone usage, purchase of I.T. equipment, room/hall rental for community meetings, travel within their ward and the provision of general consumables.

2. Payment of **Special Responsibility Allowances** to: -

Leaders of Political Groups £147 basic allowance, plus
£58 for each Member of the Group

Executive Members

Leader of the Council £14151
Deputy Leader of the Council £ 11557
Other Portfolio Holders £ 9434

Chairmen of Committees/Panels

Full Council £ 2667
Planning £ 5442
Overview & Scrutiny £ 3162
Audit £ 3162
Budget Scrutiny Review Panel £ 441
Licensing and Regulatory £ 441
Licensing and Regulatory Sub £ 308 per Chairman

Planning Committee Members £ 804

Mayoral Allowance £ 13187 (to be paid on a Municipal Year basis)
Deputy Mayoral Allowance £ 2724 (to be paid on a Municipal Year basis)

Payment will be made in monthly instalments and apportioned during the year, where appropriate. Members wishing to elect not to receive any Special Responsibility and/or Basic Allowance to which they are entitled, should write to the payroll officer in the Human Resources team as soon as possible.

3. **Travelling expenses** will be paid for attendance at approved meetings.

The list of approved duties is set out in Schedule 1 of the scheme.

Members claiming travelling expenses are expected to utilise the most cost effective solution, with allowance for practicality and personal circumstances. This may take the form of a personal vehicle, public transport, or a taxi or similar service where most appropriate. When traveling by train there can be flexibility on train ticket options. Although standard fare is the normal ticket to be reimbursed, a first class fare may also be reimbursed where it is shown to be the cheapest ticket available. Wherever applicable

MEMBERS' ALLOWANCES SCHEME

and practical, receipts for the method of travel used should be retained and submitted with the claim for expenses.

4. Where the requirements of paragraph 3 are met a travelling allowance for use of a private car will be paid at the following rates:

Car	-	45 pence per mile
Motorcycle	-	24 pence per mile

The above rates are subject to the equivalent standard rail fare for the journey being payable where this is lower. An enhanced travel allowance for shared vehicle use of 10 pence per mile for the first passenger and 6 pence per mile for the second and subsequent passengers is also payable.

In relation to travel between a Member's home and the Town Hall, Reigate or other place for approved duties within the Borough, the travel allowance can only be claimed and paid for mileage from and to the Borough boundary. This restriction should not apply to travel on official duties outside of the Borough.

The current bicycle allowance is 20p per mile.

5. **Subsistence** is generally only payable when a Member is not able to take a meal at his/her usual place of residence and has not been provided with refreshments at the Council's expense. Prior approval by the Chief Executive is required. The rates of Subsistence Allowance are currently as follows:

- (i) in the case of an absence, not involving an absence overnight from the usual place of residence: -

(a)	Breakfast	-	up to £6.36
(b)	Lunch	-	up to £8.78
(c)	Tea	-	up to £3.47
(d)	Evening Meal	-	up to £10.87

- (ii) in the case of an absence overnight from the usual place of residence: -

Standard Rate	-	up to £93.43
Absence in London or at an approved Conference	-	up to £106.61

The rate specified in (ii) above is deemed to cover a continuous period of absence of 24 hours. It should be reduced by an appropriate amount in respect of any meal provided free of charge by an Authority or Body during the period to which the allowance relates.

Subsistence cannot be claimed where expenses are already paid, for example as part of a course/conference fee. Prior approval to claim should be sought from the Chief Executive.

6. **Dependants' Carers' Allowance**

An allowance can be claimed to reimburse childcare/dependant carers' expenses in respect of the approved duties set out in schedule 1 to this scheme.

The carer must be over 16 years of age.

MEMBERS' ALLOWANCES SCHEME

A maximum of £3,000 can be paid to an individual Member in any one Municipal Year.

The scheme covers Members with responsibility for:

- (i) one or more children under 16 years of age; and
- (ii) a relative or household member who, by virtue of physical / mental incapacity, requires constant care and attendance.

Provided that they normally reside with the claimant and the paid carer is not a member of the claimant's immediate family or household.

The allowance payable shall be the actual fee by hour of the carer, with no figure for the number of hours, subject to the general reasonableness of the claim. As a guide for reasonableness, this allowance may be claimed for the duration of the meeting, together with up to one hour travelling time to and from the meeting, plus a short period for instruction/hand over with the carer.

Incidental expenses

Incidental validated expenses such as reimbursement for postage due on incoming post (due to underpayment by sender), letters or similar eligible payments, be reclaimable through the Members Allowances Scheme to ease the administration of the process.

ADMINISTRATION

All payments will be made on a monthly basis through the payroll by direct transfer to your bank account. Basic and Special Responsibility Allowances will attract income tax and National Insurance deductions where appropriate. Travelling Allowances being reimbursements are not subject to National Insurance deductions. Any mileage expenses, above the HMRC's Approved Mileage Allowance Payments (AMAP) are taxable. The AMAP for a car is 45p and 24p for a motorcycle. Payments above £702 a month will be subject to National Insurance contributions. You do not pay National Insurance after you reach State Pension Age. The Council, as employing authority, will still be subject to the Employer's contribution of National Insurance. The payroll officer of the Human Resources team will need to have sight of either a passport or birth certificate in order to update the National Insurance category.

Where a Member is currently paying the maximum National Insurance contribution relating to his/her normal employment he/she is advised to apply for deferment from the local Department for Work and Pensions. In these circumstances, the Department will almost certainly advise the Council not to deduct National Insurance contributions from that Member's gross pay.

Members' claims for travel and subsistence where payable should be sent to Democratic Services, by the 6th of each month and within 30 days of the expense being incurred.

MEMBERS' ALLOWANCES SCHEME

Details of payments made by bank transfer will be despatched to Members on the 21st of each month. Blank forms relating to Travelling and Subsistence Allowance claims are available from eMembers, or from the Democratic Services team: www.reigate-banstead.gov.uk/members

Queries as to whether an allowance is payable should be directed to Democratic Services. Queries relating to payments received should be directed to the payroll officer in the Human Resources team.

MEMBERS' ALLOWANCES SCHEME

SCHEDULE 1

APPROVED DUTIES

The following meetings are specified as an approved duty for the purpose of determining eligibility for travel and subsistence allowances:

- (a) Council, Executive and Council Committees, Sub-Committees, Task Groups, Policy Development Groups, Overview and Scrutiny Panels, Informal Local Committee meetings, Meetings attended in the Assistant Portfolio Holder role; Working Groups, Area Planning Panels, Local Joint Forum, Chairman's Previews, Agenda Planning Meetings, Portfolio Panels/Committees and Housing Appeals Panel which Members attend;
- (b) Local Authority Associations of which the Council is a Member;
- (c) Formal Site Visits and other meetings authorised in advance by a Committee or Sub-Committee;
- (d) Seminars, Workshops/Away Days or similarly labelled events held by the Council for Members;
- (e) Outside organisations (including associated attendances) to which the Member has been appointed by the Executive or a Committee or Sub-Committee of the Council.
- (f) The opening of tenders in accordance with the Council's Contract Procedure Rules.
- (g) Meetings in relation to the discharge of Executive functions by Executive Members, including:
 - the Executive;
 - Leader's meetings;
 - meetings with the Chief Executive or Heads of Service; and
 - meetings with other local authorities, outside organisations and individuals.
- (h) Meetings with Portfolio Holders/Officers;
- (i) Portfolio Briefings;
- (j) Member champion activities (including meetings attended on behalf of the Council (excluding those attended for personal interest);
- (k) Mayoral and Deputy Mayoral engagements;
- (l) Ad hoc attendances approved by the Chief Executive.

For the purposes of the Dependents' Carer's Allowance only,

- (m) Ward work – i.e. meeting with residents and other work in the community which precludes the practical provision of care to those persons identified under the Dependents' Carer's Allowance.

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SIGNED OFF BY	Caroline Waterworth, Monitoring Officer
AUTHOR	Ben Bix, Governance and Democratic Services Manager
TELEPHONE	Tel: 01737 276067
EMAIL	ben.bix@reigate-banstead.gov.uk
TO	Council
DATE	30 July 2020
EXECUTIVE MEMBER	Portfolio Holder for Corporate Direction and Governance

KEY DECISION REQUIRED	No
WARDS AFFECTED	(All Wards);

SUBJECT	Revised Member Code of Conduct, and Member / Officer Protocol
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RECOMMENDATIONS
To adopt the revised Member Code of Conduct, and Member / Officer Protocol; and consequentially amend the constitution of the Council accordingly.
EXECUTIVE SUMMARY
<p>This report advises the Council on the outcome of the review by the Committee on Standards in Public Life (CSPL) on Local Government ethical standards, which set out a list of nine best practice recommendations which Local Authorities should consider as a benchmark of good ethical practice and implement. These are:</p> <ul style="list-style-type: none"> • Defining Bullying/harassment and examples of such behaviours • Consideration of the application of the Code of Conduct to Social Media • Introduction of a requirement to declare gifts and hospitality over £25 • Limiting the acceptance of Gifts and Hospitality with regard to Planning Committee • Investigations and Safeguards • Filtering of complaints • Sanctions • Supporting Officers • Leadership and Culture

Agenda Item 9

These nine recommendations are explained below at paragraph 6 and have been incorporated into a revised draft Code of Conduct at Annexe 1.

This decision must be made by the Full Council.

STATUTORY POWERS

The Council and individual Members are required to promote and maintain high standards of ethical behaviour as is required under section 27 of the Localism Act 2011 (“the Act”). Under section of the 28 of the Act, the Council must have in place “arrangements“ under which allegations that a member or co-opted member of the Council, or of a Committee of Sub-Committee of the Council, has failed to comply with Code of Conduct can be investigated and decisions made on such allegations. These arrangements are in place, but require a review and update.

BACKGROUND

1. The CSPL published its report on Local Government Ethical Standards on 30 January 2019. The report can be accessed here: <https://www.gov.uk/government/publications/local-government-ethical-standards-report>. The report proposes a range of measures which it mainly recommends to Government but also to the Local Authorities, including Parish Councils.
2. The report reinforces the high standards of conduct required in local government to protect the integrity of decision-making, maintain public confidence and safeguard local democracy.
3. The report concludes that there is no need to return to a centralised body to govern and adjudicate on standards and that Local Authorities should retain ultimate responsibility for implementing and applying the [seven principles of public life \(Nolan Principles\)](#) in Local Government. These are:
 - Selflessness
 - Integrity
 - Objectivity
 - Accountability
 - Openness
 - Honesty
 - Leadership
4. In order to become mandatory, some of the recommendations of the CSPL’s report require changes to primary legislation, secondary legislation and the Local Government Transparency Code, however, a local authority may choose to voluntarily adopt the recommendations.
5. The report sets out a list of Best Practice recommendations which Local Authorities should consider as a benchmark of good ethical practice and implement. Those recommendations align with the outcomes of the training sessions provided for all Members by the Local Government Association on Member / Officer relations, held in October 2019.

Agenda Item 9

KEY INFORMATION

6. The report highlights that areas such as gifts and hospitality, social media use, and bullying and harassment have all increased but are not regularly reflected in the codes of conduct recommended by the Government and the Local Government Association.

- i. **Bullying/ harassment:** In particular, codes do not have specific behaviours that would amount to bullying. There is no statutory definition of bullying but the CSPL's report refers to a definition used by ACAS (Advisory, Conciliation and Arbitration Service), as follows:

“offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient”

Harassment is defined in the [Equality Act 2010](#). Substantial emphasis of these matters have been drafted, based on good practice at other Councils.

- ii. **Social Media:** The report states that, at the moment, codes of conduct can only apply when Councillors are acting in their capacity as a Councillor. The report recognises how the use of social media presents a challenge in determining whether a code of conduct applies to instances of behaviour. One of the recommendations is that Councillors should be presumed to be acting in an official capacity in their public conduct, including statements on publicly accessible social media. This will require a change in legislation to permit local authorities to presume so when deciding upon code of conduct breaches.
- iii. **Gifts and hospitality:** The CSPL's report refers to gift value of £50 to £100. The report highlights that there are three broad principles surrounding gifts and hospitality that should guide whether an individual should accept gifts or hospitality, namely purpose, proportionality, and avoiding conflicts of interest to safeguard the principle of integrity.

The Council's code does not currently include any reference to the declaration of gifts and hospitality, however The Local Authorities (Model Code of Conduct) (England) Order 2001 requires that:

“a Member must, within 28 days of receiving any gift or hospitality over the value of £25, provide written notification to the authority's Monitoring Officer of the existence and nature of that gift or hospitality”.

The Monitoring Officer therefore suggests that the Code should be updated to explicitly require compliance with its protocol on gifts, benefits and hospitality.

- iv. **Planning and gifts and Hospitality:** The report goes on to state that as part of their review the evidence received suggests that the acceptance of gifts and hospitality is of most concern when it comes to planning. “Planning is an area of decision-making where a small number of councillors can have a significant impact on the financial interests of specific individuals or firms. Councillors involved in planning decisions should generally therefore not accept over-frequent or over-generous hospitality and should always ensure that acceptance of such hospitality does not constitute a conflict of interest.” This would be enabled by compliance with iii) above.

Agenda Item 9

- v. **Investigations and Safeguards:** The report recognises that there has to be an effective, fair, impartial and transparent procedure, in which Councillors and the public can have confidence. The report considers the role of the Independent Person (IP) and how this role could be strengthened and clarified. The review recommends that the views of the IP are included in any investigation report. The Monitoring Officer and investigating officers practice is to include the IP's comments in decision letters or reports. IPs are currently invited to the Standards Committee and would be invited to hearings if there were a hearing. IPs' views are integral to investigation reports and decision letters in the Council and this could be expressly stated in the Code of Conduct.
- vi. **Filtering of complaints:** The report states that the focus should remain on individual local authorities maintaining high standards in their own councils. This should include a filtering mechanism to ensure only allegations of real merit are investigated and the use of serious sanctions should remain rare.
- vii. **Sanctions:** The report states that the current sanctions available to local authorities are insufficient and that a lack of robust sanctions damage public confidence in the standards system and that there is no means of addressing serious or repeated misconduct. The report recommends that local authorities should be given the power to suspend councillors without allowances for up to six months and any Councillors who is suspended should be given the right to appeal to the Local Government Ombudsman. This change will require legislation.
- viii. **Supporting Officers:** The report highlights the challenging and broad role of the Monitoring Officer as well as the practical tensions and potential for conflicts of interest.
- ix. **Leadership and culture:** The report states that an ethical culture requires leadership from a range of individuals and groups: an authority's Chief Executive, political group leader and the chair of the Council. Maintaining an ethical culture day to day relies on an impartial, objective Monitoring Officer who is supported by the Chief Executive and Councillors. Although rules and guidance are necessary, it is leadership and culture which has the most impact on the standing of the Council's ethical standard. The Monitoring Officer notes and supports the best practice recommendation for senior officers to meet regularly with political group leaders and whips to discuss standards issues. The Monitoring Officer has delivered mandatory training for Councillors in relation to the code of conduct.

LEGAL IMPLICATIONS

- 7. There are no additional legal implications further to the requirements of the Localism Act 2011, as set out in the 'Statutory Powers' part of this report.

FINANCIAL IMPLICATIONS

- 8. There are no financial implications.

Agenda Item 9

EQUALITIES IMPLICATIONS

9. The recommendation to include a definition of harassment within the Code of Conduct strengthens the Council's ability to protect against harassment, as defined in the [Equality Act 2010](#).

COMMUNICATION IMPLICATIONS

10. If adopted, an updated Code of Conduct would be republished on the Council's website. Supporting guidance for Members on interpreting the updated Code of Conduct should also be considered.

CONSULTATION

11. On 29 January 2018 CSPL launched a consultation on Local Government Ethical Standards. On 15 March Committee Members considered the terms of reference for the review. The terms of reference for the review were to examine the structures, processes and practices in local government in England for:

- maintaining codes of conduct for local councillors
- investigating alleged breaches fairly and with due process
- enforcing codes and imposing sanctions for misconduct
- declaring interests and managing conflicts of interest; and
- whistleblowing

And to:

- assess whether the existing structures, processes and practices are conducive to high standards of conduct in local government
 - make any recommendations for how they can be improved
 - note any evidence of intimidation of councillors, and make recommendations for any measures that could be put in place to prevent and address such intimidation
12. The Governance Task Group were consulted in the preparation of the revised Code of Conduct and Member / Officer Protocol as part of its Work Programme, in December 2019, and in February and March 2020.

POLICY FRAMEWORK

13. The Council's Code of Conduct does not currently include an explicit requirement for Members to comply with its other corporate policies and guidance (e.g. the Member ICT Policy / Communications Protocol). It is therefore recommended that an updated Code of Conduct should include such a requirement as a means of enforcing those policies.

BACKGROUND PAPERS

1. [‘Local Government Ethical Standards’](#), report of the Committee on Standards in Public Life (30th January 2019).

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Member Code of Conduct

Part 1 – Provisions of the Code

1.1 Interpretation

- 1) This Code applies to you as a member of the authority, when acting in that capacity.
- 2) This Code is based upon seven principles fundamental to public service, which you must have regard to, in order to comply with the Code. The seven principles are:

Selflessness: Members should act solely in terms of the public interest

Integrity: Members must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

Accountability: Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Objectivity: Members are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness: Members should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty: Members should be truthful

Leadership: Members should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

- 3) It is your responsibility to comply with the provisions of this Code. If you need guidance on any matter about this Code you should seek it from the Monitoring Officer, or your own legal advisor.
- 4) It is a criminal offence to fail to notify the Monitoring Officer of a disclosable pecuniary interest, to take part in discussions or votes at meetings, or to take a decision where you have a disclosable pecuniary interest, without reasonable excuse. It is also an offence to knowingly or recklessly provide false or misleading information to the Monitoring Officer.
- 5) Any written allegation received by the authority that you have failed to comply with this Code will be dealt with by the authority under the arrangements which it

has adopted for such purposes. If it is found that you have failed to comply with the Code, the authority has the right to have regard to this failure in deciding –

- a) whether to take action in relation to you, and
 - b) what action to take
- 6) Members must comply with any reasonable request by the Monitoring Officer regarding the provision of information in relation to a complaint that alleged a breach of the Code of Conduct, and must comply with any formal standards investigation.
- 7) Members must not misuse this Code by, for example, making trivial or malicious allegations against another Member.

1.2 Scope

- 1) You must comply with this Code whenever you:
- a) conduct the business of the authority, which includes the business of the office to which you are elected or appointed; or
 - b) act, claim to act or give the impression you are acting as a representative of your authority
- 2) Where you act as a representative of your authority
- a) on another relevant authority, you must, when acting for that other authority, comply with that other authority's code of conduct; or
 - b) on any other body, you must, when acting for that other body, comply with your authority's code of conduct, except and insofar as it conflicts with any other lawful obligations to which that other body may be subject.

1.3 Obligations

- 1) You must not:**
- a) conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute
 - b) do anything which may cause your authority to breach any of its equality duties (in particular set out in the Equality Act 2010)
 - c) demonstrate objectively unacceptable behaviour, including, but not limited to:
 - i) bullying or harassment, including, without limitation: spreading malicious rumours, or insulting someone by word or behaviour, being offensive, intimidating, or misusing power to undermine, humiliate, denigrate or injure the recipient

- ii) copying written material, including emails, that are personally critical about someone, or continuing an email chain designed to seek to criticise someone
- iii) ridiculing or demeaning someone - picking on them or setting them up to fail, such as testing someone's knowledge, or 'putting them on the spot' in order to prove that they are inexperienced or incompetent
- iv) exclusion or victimisation, including excluding someone from a meeting that they would otherwise be entitled to attend, or ostracising someone for having not agreed with you
- v) unfair treatment, or treatment that could be perceived to be unfair
- vi) overbearing supervision or other misuse of power or position, such as not respecting the delineation of roles and responsibilities as set out in the Member / Officer protocol, for example repeat emails to a junior officer requesting updates
- vii) making threats or comments about job security, such as asking someone when they were considering retirement
- viii) deliberately undermining a competent employee by overloading or constant criticism, either in meetings or in written format, or indirectly in the media, or with residents
- ix) preventing individuals progressing by intentionally blocking promotion or training opportunities, as a consequence of your perception of something that they had done
- x) invading someone's personal space, by standing or sitting too close to them
- xi) speaking, or writing to someone in an overbearing manner, seeking to highlight or correct minor inconsequential matters
- xii) using aggressive body language, such as pointing, or preventing access to a room or preventing access to documentation
- xiii) undermining or belittling someone, by seeking an alternative view from someone at another authority or elsewhere for the specific purpose of undermining someone at the Council
- xiv) unwelcome advances - touching, standing too close, asking for favours, making a decision on the basis of advances being accepted or rejected
- xv) making abusive, derogatory, patronising, suggestive or sexualised comments or sounds, particularly in meetings which are webcast, or on voicemails
- xvi) making jokes or insulting gestures or facial expressions, what you may identify as a joke may not be perceived as a joke by others
- xvii) ridicule, for example mocking the way something has been written or said and repeatedly mentioning it thereafter
- xviii) offensive e-mails, tweets or comments on social networking sites, where you are acting in your role as a Member
- xix) trolling via social networking sites, where you are acting in your role as a Member
- xx) threats of aggression or intimidation, such as seeking to persuade someone to change their opinion or, in the case of a Member, the way they were considering voting
- xxi) making false and malicious assertions, such as commenting on perceived pecuniary interests of Members, or emphasising some information that you do not know to be true

- xxii) intrusive questioning about private matters, such as someone's relationship status, pastimes or private interests
 - xxiii) display of offensive material, or material that may be perceived as offensive by a designated group of people, such as the wearing of offensive badges, ties or clothing, or by the posting of written material on social media or in hard copy format
 - xxiv) comments on dress or appearance, even when you think that would be complementary
 - xxv) any of the behaviours listed above, occurring separately or cumulatively.
- d) Intimidate or improperly influence or attempt to intimidate or improperly influence any person who is or is likely to be
- i) a complainant
 - ii) a witness; or
 - iii) involved in the administration of any investigation or proceedings, in relation to an allegation that a Member (including yourself) has failed to comply with the Code; or
- e) do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, the authority
- f) use your position as a Member improperly to confer on or secure for yourself or any other person an advantage or disadvantage
- g) prevent another person from gaining access to information to which that person is entitled by law
- h) disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, except where
- i) you have the consent of the person authorised to give it
 - ii) you are required by law to do so
 - iii) the disclosure is made to a third party for the purpose of obtaining professional advice provided that the third party agrees not to disclose the information to any other person; or
 - iv) the disclosure is
 - a) reasonable and in the public interest; and
 - b) made in good faith and in compliance with the reasonable requirements of the authority

2) You must

- a) treat others with respect, and robustly challenge poor behaviour of other Members, including, but not limited to the behaviours set out at 1) 3) c), above.
- b) when using or authorising the use by others of the resources of the authority
 - i) act in accordance with the authority's reasonable requirements
 - ii) act in compliance with the requirements of the Bribery Act 2010

- iii) ensure that such resources are not used improperly for political purposes;
and
 - iv) have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986
- c) when reaching decisions on any matter, have regard to any advice provided to you by
- i) the Chief Finance Officer
 - ii) the Monitoring Officer

where that officer is acting pursuant to their statutory duties

- d) give reasons for all decisions in accordance with statutory requirements and any reasonable additional requirements required by the authority.

Part 2 – Interests

2.1 Personal Interests

- 1) The interests described in paragraphs 3 and 4 are your **personal interests**, and the interests described in paragraph 5 are your **pecuniary interests** which are **disclosable pecuniary interests** as defined by section 30 of the Localism Act 2011.
- 2) If you fail to observe Parts 2 and 3 of the Code in relation to your interests –
 - a) The authority may deal with the matter in accordance with paragraph 1, 5) of this Code
 - b) If the failure relates to a disclosable pecuniary interest, you may also become subject to criminal proceedings as described in paragraph 1, 4)
- 3) You have a personal interest in any business of your authority where either –
 - a) It relates to or is likely to affect –
 - i. any body of which you are a Member or in a position of general control or management and to which you are appointed or nominated by your authority
 - ii. any body –
 - a) exercising functions of a public nature
 - b) directed to charitable purposes; or
 - c) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)of which you are a member or are in a position of general control or management
 - iii. the interests of any person from whom you have received a gift or hospitality with an estimated value of at least £25; or
 - b) a decision in relation to that business might reasonably be regarded as affecting your wellbeing or financial position or the wellbeing or financial position of a **relevant person** to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the Ward, affected by the decision
- 4) A **relevant person** is –
 - a) a member of your family or a close associate; or
 - b) any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors;
 - c) any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or
 - d) any body of a type described in paragraph 3 a i) or ii)

Disclosable pecuniary interests

- 5) You have a **disclosable pecuniary interest** as defined by section 30 of the Localism Act 2011 in any business of your authority where i) you or ii) your partner (which means your spouse or civil partner, a person with whom you are living as husband or

wife, or a person with whom you are living as if you are civil partners) has an interest as described below:

Interest	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses, incurred by a Member in carrying out duties as a Member, or toward the election expenses of a Member. This includes and payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority a) under which goods or services are to be provided or works are to be executive; and b) which has not been fully discharged.
Land	Any beneficial interest in land which is with the area of the relevant authority.
Licenses	Any license (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	Any tenancy, where to the Member's knowledge a) the landlord is the relevant authority; and b) the tenant is a body in which the relevant person has a beneficial interest.
Securities	Any beneficial interest in securities of a body or place where a) that body, to the Member's knowledge) has a place of business or land in the area of the relevant authority; and b) either i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issues share capital of that body; or ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds exceeds one hundredth of the total issued share capital of that class.

- 6) In paragraph 5, any interest which your partner may have is only treated as your interest if you are aware that your partner has the interest.

Gifts and Hospitality

- 7) A Member must, within 28 days of receiving any gift, benefit, or hospitality over the value of £25, provide written notification to the authority's Monitoring Officer of the existence and nature of that gift or hospitality.

2.2 Disclosure of Personal Interests

- 1) Subject to paragraphs 2-5 below, where you have a personal interest in any business of your authority and you attend a meeting of your authority at which any matter relating to the business is considered, you must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent. This applies where you are aware or ought reasonably to be aware of the existence of the personal interest.

- 3) Where you have a personal interest but, by virtue of paragraph 3.2, sensitive information relating to it is not registered in your authority's register of Members' interests, you must indicate to the meeting that you have a personal interest and, if so applicable, that it is a disclosable pecuniary interest, but need not disclose the sensitive information to the meeting.
- 4) Subject to paragraph (5 (1) b) , where you have a personal interest in any business of your authority and you have made an executive decision (in accordance with any regulations made by the Secretary of State under section 22 of the Local Government Act 2000) on any matter in relation to that business, you must ensure that any written statement of that decision records the existence and nature of that interest.

3. Prejudicial Interest

- 1) Subject to paragraph 2, where you have a personal interest in any business of your authority, you also have a prejudicial interest in that business where either:
 - a) the interest is a disclosable pecuniary interest as described at 5 above; or
 - b) the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgment of the public interest.
- 2) For the purposes of paragraph (3(1)) above, you do not have a prejudicial interest in any business of the authority where that business:
 - a) does not affect your financial position or the financial position of a person or body described in paragraph (2.1(5));
 - b) does not relate to the determining of any approval, consent, licence, permission or registration in relation to you or any person or body described in paragraph (2.1(5)); or
 - c) relates to the functions of your authority in respect of:
 - i) housing, where you are a tenant of your authority provided that those functions
 - ii) school meals or school transport and travelling expenses, where you are a parent or guardian of a child in full time education, or are a parent governor of a school, unless it relates particularly to the school which the child attends;
 - iii) statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to the receipt of such pay;
 - iv) an allowance, payment or indemnity given to Members;
 - v) any ceremonial honour given to Members; and
 - vi) setting Council Tax or a precept under the Local Government Finance Act 1992

4. Interests arising in relation to the Overview and Scrutiny function

You also have a personal interest in any business before an overview and scrutiny committee of your authority (or a sub-committee) where

- a) that business relates to a decision made (whether implemented or not) or action taken by the Executive, or another committee of the authority; and
- b) at the time the decision was made or action was taken, you were a Member of the Executive, or committee, and you were present when that decision was made or action was taken.

5. Effect of Prejudicial Interests on Participation

- 1) Subject to paragraphs 2 and 3 below, where you have a prejudicial interest in any matter in relation to the business of the authority
 - a) you must not participate, or participate further, in any discussion of the matter at any meeting, or participate in any vote, taken on the matter at the meeting and must withdraw from the room or chamber where the meeting considering the matter is being held
 - i) in a case where paragraph 2 below applies, immediately after making representations, answering questions or giving evidence;
 - ii) in any other case, whenever it becomes apparent that the matter is being considered at that meeting;

unless you have obtained a written dispensation from the Monitoring Officer or Standards Committee

 - b) you must not exercise Executive functions in relation to that matter; and
 - c) you must not seek improperly to influence a decision about that matter.
- 2) Where you have a prejudicial interest in any business of your authority which is not a disclosable pecuniary interest as described in paragraph (2.1(5)), you may attend a meeting (including a meeting of the Overview and Scrutiny committee) but only for the purposes of making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.
- 3) Where you can have a prejudicial interest which is not a disclosable pecuniary interest as described in paragraph (2.1(5)), arising solely from membership of any body described in (2.1 (3)(a)(i)) or (2.1(3)(a)(ii)(a)) then you do not have to withdraw from the room or chamber and may make representations to the committee but may not participate in the vote.

Part 3 - Registration of Interests

3.1 Registration of Members' Interests

- 1) Subject to section 2 below, you must, within 28 days of
 - a) this Code being adopted by the authority; or
 - b) your election or appointment to office (where that is later), register in the register of Members' interests details of –
 - i) your personal interests where they fall within a category mentioned in paragraph (2.1)(3)(a) and
 - ii) your personal interests which are also disclosable pecuniary interests where they fall within a category mentioned in paragraph (2.1)(5)

by providing written notification to the Monitoring Officer

- 2) You must, subject to section 2 below, within 28 days of becoming aware of any new personal interest falling within paragraph (3.1)(1)(b)(i) or (3.1)(1)(b)(ii) or any change to a personal interest registered under paragraph (3.1)(1)(b)(i) or (3.1)(1)(b)(ii), register details of that new personal interest or change by providing written notification to the Monitoring Officer.

3.2 Sensitive Information

- 1) Where you consider that the information relating to any of your personal interests is sensitive information, and the Monitoring Officer agrees, the Monitoring Officer shall not include the details of the interest on any copies of the register of Members' interests which are made available for inspection or any published version of the register, but may include a statement that you have an interest, the details of which are withheld under this paragraph.
- 2) You must, within 28 days of becoming aware of any change of circumstances which means that information.
- 3) In this Code, 'sensitive information' means information, the details of which, if disclosed, could lead to you or a person connected with you being subject to violence or intimidation.

Part 4 – Dispensations

- 1) The Standards Committee, or the Monitoring Officer may, on written request made to the Monitoring Officer by a Member, grant a dispensation relieving the Member from either, or both, of the restrictions in paragraph (5 (1)(a)) (restrictions on participating in discussions and in voting), in cases described in the dispensation.
- 2) A dispensation may be granted only if, after having had regard to all relevant circumstances, the Standards Committee or the Monitoring Officer
 - a) considers that without the dispensation, the number of persons prohibited by paragraph 12 from participating in any particular business would be so great a proportion of the body transacting the business as to impede the transaction of the business;
 - b) considers that without the dispensation, the representation of different political groups on the body transacting any particular business would be so upset as to alter the likely outcome of any vote relating to the business;
 - c) considers that granting the dispensation is in the interests of persons living in the area of the authority
 - d) considers that without the dispensation each Member of the Executive (where the matter is an Executive function) would be prohibited by part 2 (3) from participating in any particular business to be transacted by the Executive; or
 - e) considers that it is otherwise appropriate to grant a dispensation.
- 3) A dispensation must specify the period for which it has effect, and the period specified may not exceed 4 years.
- 4) Part 2 (3) does not apply in relation to anything done for the purpose of deciding whether to grant a dispensation under this paragraph.

Part 5 – Council Tax Arrears

- 1) Section 106 of the Local Government Finance Act 1992 restricts the rights of Members who are two months or more in arrears with their Council Tax payments. Any such Member must disclose the fact and must not vote at any meeting on decisions being taken which might affect the level of Council Tax or the arrangements for administering it. Failure to comply is a criminal offence.

Annex to this code – definitions

‘Authority’ means Reigate and Banstead Borough Council

‘Code’ means this Code of Conduct

‘Committee’ includes any sub-committee, or other body, howsoever named, discharging the function of a Committee for the timebeing

‘co-opted member’ means a person who is not a member of the authority but who:

- a) is a member of any committee or sub-committee of the authority
- b) is a member, and represents the authority on, any joint committee of the authority

and who is entitled to vote on any question that falls to be decided at any meetings of that Committee

‘meeting’ means any meeting of

- a) the authority;
- b) the executive of the authority;
- c) any meeting of the authority’s or its executive’s committees, sub-committees, joint committees, joint-sub committees, or area committees

‘Member’ includes a co-opted Member

‘register of Members’ interests’ means the authority’s register of Members’ pecuniary and other interests established and maintained by the Monitoring Officer under section 29 of the Localism Act 2011.

Protocol on Member Officer Relations

1.1 Introduction

- 1.1.1 This Protocol is intended to supplement the Members' Code of Conduct, the Council's Constitution and all other statutory requirements, and applies to all Members, including co-opted and independent Members, and Officers.
- 1.1.2 The effective implementation of the Protocol by Members will be supervised and monitored by the Standards Committee (and where appropriate by the Monitoring Officer on its behalf)
- 1.1.3 This Protocol has been adopted by the Council and will be the subject of review, from time to time, by the Standards Committee. The Protocol forms part of the Council's Constitution.
- 1.1.4 Guidance and training will be given to Members and Officers on the scope of, and compliance with, this Protocol.

1.2 General Guidance

- 1.2.1 This part of the Protocol aims to provide guidance on the relations between Members and Officers to ensure the smooth running of the Council.
- 1.2.2 The Council's expectation is that Members, and the Management Team will lead by example and that they and also staff at all levels will comply with the Council's Constitution, Codes, Protocols, Policies, Procedure Rules and Departmental Procedures.
- 1.2.3 Mutual respect, trust and honesty between Members and Officers is essential to good local government and, although intrinsically linked to one another, the responsibilities of Members and Officers are distinct.
- 1.2.4 Members are responsible to the electorate as a whole and to their Ward.
- 1.2.5 Officers are responsible to the Council under contracts of employment. Their job is to advise Members and the Council as a whole and to carry out the Council's work under the direction and control of the Council, its Executive, Committees and Sub-Committees.

1.3 General Responsibilities

All Members

- 1.3.1 The responsibilities of Members are set out in the Council's Constitution and the Members Code of Conduct. More specific responsibilities are set out in other codes and protocols for the timebeing, including but not limited to:
- planning protocol
 - social media protocol
 - IT protocol
 - Code of practice on Local Authority publicity
- 1.3.2 Members have the same rights and obligations in their relationship with Officers and should be treated equally. This principle is particularly important in the context of scrutiny. However, where a political group forms an administration, either alone or in partnership with another group or groups, it is recognised that the relationship between Officers, particularly those at a senior level in the organisation, and the administration will differ (because of the frequency and nature of contact) from those with other groups of members. These specific issues are addressed below.

Members with Special Responsibilities

- 1.3.3 Some Members have special responsibilities, for example the Mayor, Leader of the Council, Executive Members and Committee Chairs. Such Members are likely to receive particular support, and have greater access to Officers but they should not seek to use their office to by-pass recognised systems of working.
- 1.3.4 Members must respect the impartiality of Officers, must not ask them to undertake work of a party political nature, or to do anything which would put them in difficulty in the event of a change in the political composition of the Authority.
- 1.3.5 Similarly, Council Officers should not use their working relationships with Members to their own personal advantage.

Political guidance and Officer recommendations

- 1.3.6 The Management Team, and Heads of Service, are likely to develop a close working relationship with their relevant Portfolio Holder and Chair. They will need to meet regularly to discuss current issues, policy and budget matters, service delivery and reports to be prepared. Officers will also often require political guidance in framing proposals. However, when Officers write reports for Member decision they have a duty to give advice on the basis of their professional and management expertise.
- 1.3.7 The integrity and political neutrality of Officers must be respected and Members should not seek to influence or require Officers to present reports in a biased way, withhold information or make recommendations that they cannot support.

General principles

1.3.8 Officers are specifically employed by the Council to:

- i) Deliver services to the community according to the policies, service standards and values set by the Council
- ii) Develop and implement policy proposals which accord with the overall framework set by the Council
- iii) Give professional and managerial advice to the Council, the Executive, Committees and Members and advise on process and procedure.
- iv) Manage the organisation and ensure it acts in a lawful way.

1.3.9 Officers' contracts of employment set out requirements on conduct, compliance with Council procedures, policies, codes, and disciplinary procedures. These arrangements form part of the Council's ethical framework.

1.3.10 Members are responsible for the Council's strategic direction, determination of policy and budget setting; officers are responsible and accountable for implementing policy and delivering services.

1.3.11 Given these roles, officers are employed to work within and pursue Council policies and priorities unaffected by personal inclinations.

1.3.12 Officers are accountable to their Managers and ultimately the Head of Paid Service. They work to the instructions of their Manager, and not to individual Members of the Council – whatever office a Member might hold. Members should not interfere with matters that are properly the responsibility of officers and individual managers.

1.3.13 All Officers are required to observe political neutrality in carrying out their duties.

1.4 What Members and Officers can expect from each other

For Members and Officers to:

- 1.4.1 Behave in a manner which accords with the standards set by the Council
- 1.4.2 Be helpful, respectful and courteous, and respond in a timely manner.
- 1.4.3 Be open and honest with each other. To tell the whole story, giving any bad news as well as the good.
- 1.4.4 Act lawfully.
- 1.4.5 Maintain confidentiality where it is proper for them to do so.
- 1.4.6 Refrain from canvassing or otherwise seeking to gain favour from each other for personal or career advantage.

- 1.4.7 Have regard to social hours and generally to be sensible about contact at potentially inconvenient times, unless in an emergency or otherwise agreed.

1.5 What Members can expect in addition from Officers

For Officers to:

- 1.5.1 Do their job effectively, efficiently and fairly.
- 1.5.2 Assist Members in carrying out their role as Members of the Council in connection with Council business (they cannot, however, assist with party political or campaigning activity, or with private business).
- 1.5.3 Work with all Members equally and fairly.
- 1.5.4 Give advice or recommendations based on reasoned options.
- 1.5.5 Provide Members with the information necessary to make informed judgments.
- 1.5.6 To be informed as soon as possible about matters affecting their Ward.

1.6 What Officers can expect in addition from Members

For Members to:

- 1.6.1 Accept that Officers are accountable to their Manager.
- 1.6.2 Not become involved in the day to day management of individual services or projects, whilst acknowledging that Members will provide policy guidance and direction.
- 1.6.3 Accept that officers act independently of political bias.
- 1.6.4 Fully consider advice and recommendations for the purpose of making informed judgements.
- 1.6.5 Not coerce officers into breaching Council policy or procedures, or to act unlawfully, or outside the terms of their job.
- 1.6.6 Not exert influence or pressure, nor request unauthorised access to resources or information held by the Council.
- 1.6.7 Not to single out individual Officers for blame or criticism, in a way that would amount to a personal attack, particularly in publications, press statements or meetings open to the public.

1.7 Limitations on Behaviour

- 1.7.1 Members must have regard to any advice, guidance and training on their roles and responsibilities from the Standards Committee and the Monitoring Officer.

Conduct

- 1.7.2 Members must at all times comply with the Code of Conduct, the Constitution and its supporting Codes of conduct and protocols.

Officer appointments and performance

Concerning involvement in the appointment and employment of Officers (where such involvement is permitted under the Constitution)

Members *should not*:

- 1.7.3 Let their political or personal preferences influence their judgement and or participate where they may have a personal interest.
- 1.7.4 Canvass the support of colleagues for any candidate and should resist any attempt by others to canvass theirs.
- 1.7.5 Provide references in support of applications for employment by the Council.
- 1.7.6 Make any vexatious or malicious complaints against Officers.
- 1.7.7 Raise any comments on an Officer's performance except with the relevant Head of Service or Chief Executive.

Access to information

With regard to access to and use of information

Members *should*:

- 1.7.8 Only seek information from Officers that relates to the business of the Council and enables Members to properly perform their functions as Members. Requests for such information will be made at Head of Service level, except in the case of routine information.
- 1.7.9 Establish in writing a proper and specific reason for requesting to inspect confidential information and in the case of uncertainty refer the issue to the Chief Executive.
- 1.7.10 Only use the information for the purpose it was provided.

- 1.7.11 Have regard to the applicable recommended code of practice for local authority publicity in making any decision on publicity (especially in the period between the issue of a Notice of Election and the holding of an election).

1.8 Personal and social friendships and relationships

- 1.8.1 It is important that Member and officer relationships are correct and business-like. It is, however, accepted that constructive working relations, on occasions, require some informality. It is equally recognised that excessive personal familiarity, in the office or at meetings, between individual Members and officers can damage working relationships and prove embarrassing to colleagues on both sides. In particular, it could bring into question an officer's ability to deal impartially with other Members, and vice-versa.
- 1.8.2 There may be occasions when Members and Officers come into contact outside of Council business and, in such circumstances, professional and personal matters must be kept separate.
- 1.8.3 Under the Code of Conduct, Members are required to declare, when relevant in considering business at meetings, any private relationship with an Officer that might be regarded as influencing their actions.
- 1.8.4 Officers similarly should inform their manager of such relationships with a Member.
- 1.8.5 Where Members and Officers are friends or have a relationship, they should take special care not to seek, or be seen, to influence their positions through their friend or partner.

1.9 Conduct at meetings and events

- 1.9.1 Members and Officers should observe the degree of formality in behaviour that is appropriate to the event. At all times respect to one another should be shown.
- 1.9.2 Although Members are entitled to question Officers at meetings and require them to justify their actions, any challenge should be impartial, constructive and well founded and delivered in appropriate and reasoned words, language and tone. Whilst robust questioning is permissible, personal attacks are unacceptable.
- 1.9.3 Officers should have the opportunity to reply and explain in an impartial constructive manner.
- 1.9.4 A formal approach should generally be applied in open meetings and the use of first name terms should be avoided. The important issue is that the audience should be able to identify who is speaking or being addressed.
- 1.9.5 Such formality between Members and Officers is not usually necessary at social events. However, any event attended as a result of the Member or Officer's role with

the Council should have regard to the fact that close personal familiarity might embarrass others or damage external relationships, and therefore should be avoided. Where there is doubt, a more formal approach is potentially less damaging than a casual one.

1.10 Correspondence

- 1.10.1 Correspondence between a Member, or group of Members, and Officers (and vice-versa) will clearly indicate the names of any others who have been sent the same correspondence, including those copied in for their information. This is in the spirit of openness and to avoid any surprises or later allegations around “blind copies”.

1.11 When Things go wrong

Procedure for Officers

- 1.11.1 From time to time the relationship between Members and Officers may break down or become strained. Whilst it will always be preferable to resolve matters informally, through dialogue between the parties involved or conciliation by an appropriate Head of Service, Member or Group Leader, Officers may refer the matter to the Monitoring Officer.

Procedure for Members

- 1.11.2 In the event that a Member is dissatisfied with the conduct, behaviour or performance of an Officer, the matter should be raised with the appropriate Head of Service.
- 1.11.3 Where the Officer concerned is a Chief Officer or member of the Management Team, the matter should be raised with the Chief Executive.
- 1.11.4 Where the officer concerned is the Chief Executive, the matter should be raised with the Monitoring Officer.
- 1.11.5 If the matter cannot be resolved informally, it may be necessary to invoke the Council's Disciplinary Procedure.

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