



**Open Report on behalf of Andrew Crookham,
Deputy Chief Executive and Executive Director - Resources**

Report to:	Council
Date:	1 December 2023
Subject:	Members' Allowances Scheme 2024/25

Summary:

The Council must agree its Members' Allowances Scheme every year. This report presents the recommendations of the Independent Remuneration Panel (IRP) for consideration by the Council before it agrees its scheme for 2024/25.

Recommendations:

1. That the Council considers the IRP recommendations in Appendix A to this report.
2. That the Council approves the Scheme of Members' Allowances for 2023/24 as amended in Appendix B to this report as the Council's Scheme of Members' Allowances for 2024/25.

1. Background

- 1.1 In accordance with the Local Authorities (Members' Allowances) (England) Regulations 2003 ('the 2003 Regulations') and other relevant legislation, the County Council agrees a Scheme of Members' Allowances and expenses each year.
- 1.2 The 2003 Regulations require that an Independent Remuneration Panel (IRP) is convened to make recommendations to the Council. The Council is required to consider any IRP recommendations before agreeing a scheme but is not required to accept the IRP's recommendations.
- 1.3 The IRP was convened on 21st November 2023 and the minutes of that meeting are attached at **Appendix A**.
- 1.4 During its deliberations the IRP was reminded that the Council at its meeting on 10th December 2021, following a fundamental review of the scheme, agreed to the Basic Allowance and Special Responsibility Allowances being increased annually by the average percentage increase in pay for employees covered by the National

Joint Council for Local Government Services (Green Book) for the previous 12 months.

- 1.5 The agreed indexing can remain in place for up to four years before it must be reviewed by the IRP.
- 1.6 However, the current year's national pay award for 'Green Book' employees up to spinal column 33 was an increase of £1,925; and for spinal column points 34-48 an increase of 3.88%.
- 1.7 Staff allowances, like sleeping in duty payments, were also increased by 3.88%.
- 1.8 Members of the Panel considered the pay award for employees and its relationship to an increase in members' allowances.
- 1.9 They considered several options, which are listed in Appendix A, and unanimously agreed that Option 2 was the most appropriate, because they felt it more closely reflected the pay offer agreed for more senior employees (spinal column points 34-48) covered by the National Joint Council for Local Government Services.
- 1.10 Panel members therefore recommended that the 2024/25 Members' Allowances Scheme be the same as the 2023/24 Members' Allowances Scheme, save for a 3.88% increase in the Basic Allowance and the Special Responsibility Allowances. The effect of this recommendation shown as amendments to the 2023/24 scheme is shown at **Appendix B**.

2. Legal Issues:

Equality Act 2010

Under section 149 of the Equality Act 2010, the Council must, in the exercise of its functions, have due regard to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act.
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation.

Having due regard to the need to advance equality of opportunity involves having due regard, in particular, to the need to:

- Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic.
- Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it.
- Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.

Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to tackle prejudice, and promote understanding.

Compliance with the duties in section 149 may involve treating some persons more favourably than others.

The duty cannot be delegated and must be discharged by the decision-maker. To discharge the statutory duty the decision-maker must analyse all the relevant material with the specific statutory obligations in mind. If a risk of adverse impact is identified consideration must be given to measures to avoid that impact as part of the decision-making process.

Decisions as a result of the recommendations in this report are unlikely to have any impact on the Council's statutory duties under Section 149 of the Equality Act 2010.

Joint Strategic Needs Assessment (JSNA) and the Joint Health and Wellbeing Strategy (JHWS)

The Council must have regard to the Joint Strategic Needs Assessment (JSNA) and the Joint Health and Wellbeing Strategy (JHWS) in coming to a decision.

Decisions as a result of recommendations in this report are unlikely to impact on the JSNA or JHWS

Crime and Disorder

Under section 17 of the Crime and Disorder Act 1998, the Council must exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment), the misuse of drugs, alcohol and other substances in its area and re-offending in its area.

Decisions following on from recommendations in this report are unlikely to have any impact on the exercise of the Council's Crime and Disorder functions.

3. Conclusion

The Council must agree its Members' Allowances Scheme for 2024/25 and in doing so must consider recommendations of the Independent Remuneration Panel, which are outlined in this report.

4. Legal Comments:

Regulation 10 of the Local Authorities (Members' Allowances) (England) Regulations 2003 requires the Council to make a Scheme of Members' Allowances prior to 1st April in every year.

Before making such a scheme the Council must have regard to the recommendations made in relation to the Scheme by the Independent Remuneration Panel.

Approval of the Scheme of Members' Allowances is reserved to full Council.

5. Resource Comments:

During the financial planning process, the Council estimates the impact of inflation across its cost base. This includes an estimate in respect of pay award costs, which bear a direct relationship to the member allowance scheme following the decision made in 2021.

The options considered within this report are consistent with the current planned budget provision for pay inflation costs in 2024/25.

6. Consultation

a) Has Local Member Been Consulted?

n/a

b) Has Executive Councillor Been Consulted?

n/a

c) Scrutiny Comments

n/a

d) Risks and Impact Analysis

See the body of the report

7. Appendices

These are listed below and attached at the back of the report	
Appendix A	Minutes of the Independent Remuneration Panel – 21 st November 2023
Appendix B	Amendments to the 2023/24 Members' Allowances Scheme to reflect the IRP's recommended 3.88% increase in Members Allowances.

8. Background Papers

Document title	Where the document can be viewed
Members' Allowances Scheme 2023/24	LCC Website: Members Allowance Scheme within the Council's Constitution: Part 6 (moderngov.co.uk)

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