

Diversity impact assessment

Appendix 2

TITLE <i>Name/description of the issue being assessed</i>	Medway Independent remuneration Panel – report on Members’ Allowances Scheme September 2019
DATE <i>Date the DIA is completed</i>	September 2019
LEAD OFFICER <i>Name and title of person responsible for carrying out the DIA.</i>	Jane Ringham Head of Elections & Member Services

1 Summary description of the proposed change

- *What is the change to policy/service/new project that is being proposed?*
- *How does it compare with the current situation?*

The Local Government Act 2000 and subsequent regulations require every local authority to establish and maintain an Independent Remuneration Panel to make recommendations about the financial allowances to be paid to Councillors.

The Independent Remuneration Panel (IRP) has reviewed the Members Allowance Scheme and submitted its recommendations to the Council.

In summary, the changes are as follows (No. of Councillors affected in brackets):

Increase to basic allowance of £1290 per annum to £10,421 (55)

Increases to the following Special Responsibility Allowances (SRAs):

Leaders SRA (1)

Cabinet/portfolio holders (8)

Leader of Opposition (1)

Chairmen of Overview & Scrutiny Committees (4)

Leader of Minority Opposition SRA (1)

Chairman of Planning Committee (1)

Chairman of Audit Committee (1)

Deputy Opposition Group Leader (1)

Chairman of Health & Wellbeing Board (1)

Vice Chairman of Planning Committee (1)

Opposition Spokespersons on Overview & Scrutiny Committees (4)

Opposition Group Whip (1)

Chairman of Licensing & Safety Committee and members of the Licensing Hearing Panel and Licensing 1982 Panel Hearings (4 per Panel)

Reductions to the following SRAs:

Deputy Leader (1)

Chairman of Employment Matters Committee (1)

Vice Chairmen of Overview & Scrutiny Committees (4)

Group Whip (1)

Reduction to Mayor and Deputy Mayor’s allowances (2)

Diversity impact assessment

That Councillors are only entitled to receive one SRA at any one time, with the exception of those in receipt of an SRA from Medway and/or the Kent Police & Crime Panel or Kent Fire and Rescue Authorities, who should have the second and any subsequent Medway SRA discounted as described in the current Scheme

That in recognition that some Councillors will see reductions in the allowances payable to them as a result of the Panel's recommendations, for any Councillor who has a net decrease in what they receive, the Council does not seek repayment and that the change, for those specific Councillors, takes effect from 1 April 2020

That the Members' Allowance Scheme be amended (a) to provide two maximum hourly rates for dependent care costs- £9 an hour per child for child care and £16.06 per hour per person for adult care or children with special needs; (b) to show the maximum for child care and adult care relating to conference attendance; (c) to contain a provision that gives the Head of Elections and Member Services some flexibility to assist Councillors who need specialist care that costs more than the rates approved.

That the current provisions for payments to co-optees and members of Education Schools Admission and Exclusion Appeals Panels as set out in the Scheme are retained without amendment.

That the existing list of duties that qualify for travelling and subsistence allowances in Appendix 1 to the Members' Allowances Scheme remain unchanged.

That the provisions for subsistence allowance remain unaltered but that the rates be indexed against those payable to Council staff for a maximum of four years

That the travel allowances for Councillors should be increased to 45p per mile for all engine sizes and indexed against the Approved Mileage Allowance Payment (AMAP) rate for the next four years.

That the travel allowances scheme is amended to bring it into line with the Council staff scheme:

- No additional 1p per mile is paid for passengers
- Journeys by car outside Kent and the London postal area are paid at the same flat rate of 45p rather than the first 60 miles being paid at 40p and 20p per mile thereafter.
- The rate for travel by motor cycles should be 21.3p per mile
- Travel by bicycle should continue to be at 20p per mile

That the other provisions in the Scheme relating to travel set out in existing paragraph 7.3.2 remain unchanged.

That paragraph 8 of the Members' Allowances Scheme relating to Conference expenses, duties for which allowances can and cannot be claimed and how to claim remain unchanged.

That paragraphs 6.6 to 6.10 in the current scheme relating to payment of allowances in the years in which Local elections are held be amended to bring them into line with

Diversity impact assessment

the relevant legislation and to clarify the position for Councillors.

That the Members Allowance Scheme be amended to add the following provisions:

“Sickness, maternity, paternity and adoption absence

- All Councillors shall continue to receive their Basic Allowance in full for a period up to 6 months in the case of absence from their Councillor duties due to leave related to maternity, paternity, adoption, shared parental leave or sickness absence
- Councillors entitled to a Special Responsibility Allowance shall continue to receive their allowance in full for a period up to 6 months, in the case of absence from their Councillor duties due to leave related to maternity, paternity, adoption, shared parental leave or sickness absence
- Where, for reasons connected with sickness, maternity leave, adoption leave, paternity leave or shared parental leave a Councillor is unable to attend a meeting of the Council for a period of 6 months, a dispensation by Full Council can be sought in accordance with Section 85 of the Local Government Act 1972.
- If a replacement to cover the period of absence under these provisions is appointed by Council or the Leader (or in the case of party group position, the party group) the replacement will be entitled to claim an SRA pro rata for the period over which the cover is provided.
- If a Councillor stands down, or an election is held during the period when a Councillor is absent due to any of the above and the Councillor is not re-elected or decides not to stand for re-election, their basic allowance and any SRA will cease from the date they leave office”

That no allowance is paid to the Councillor representative on the Fostering or Adoptions Panels but that the Council be recommended to look at the feasibility of more Councillors being appointed to the Adoption Panel to share the workload and time commitment.

Diversity impact assessment

2 Summary of evidence used to support this assessment

- Eg: Feedback from consultation, performance information, service user records etc.
- Eg: Comparison of service user profile with Medway Community Profile

The IRP report is based on evidence from a variety of sources, including the levels of allowances paid in similar, comparator authorities, responses by Councillors to a questionnaire and interviews with a selection of Councillors.

3 What is the likely impact of the proposed change?

Is it likely to :

- Adversely impact on one or more of the protected characteristic groups?
- Advance equality of opportunity for one or more of the protected characteristic groups?
- Foster good relations between people who share a protected characteristic and those who don't?

(insert ✓ in one or more boxes)

Protected characteristic groups	Adverse impact	Advance equality	Foster good relations
Age		✓	
Disability		✓	
Gender reassignment		✓	
Marriage/civil partnership		✓	
Pregnancy/maternity		✓	
Race		✓	
Religion/belief		✓	
Sex		✓	
Sexual orientation		✓	
Other (eg low income groups)		✓	

4 Summary of the likely impacts

- Who will be affected?
- How will they be affected?

The IRP recommendations are based on their assessment that the allowances should be brought more in line with the average of the comparator group and to reflect the relative complexities of each of the roles that attract special responsibility allowances.

Diversity impact assessment

All Councillors are paid a Basic Allowance to cover expenses. Travel and carers allowances can be claimed where additional expenses are incurred due to attendance at meetings or undertaking official duties.

The Panel are recommending an increase of the mileage rate claimable to match the current Approved Mileage Allowance Payment.

The Panel are recommending the introduction of two rates of dependent carer's allowances to reflect the additional costs of carers to look after adults or children with special needs.

The Panel are recommending the addition to the current Scheme of provisions to clarify what Councillors are entitled to receive in the circumstances where they are absent due to sickness, maternity, paternity and adoption absence.

Therefore there is unlikely to be an adverse impact on any of these characteristic groups.

5 What actions can be taken to mitigate likely adverse impacts, improve equality of opportunity or foster good relations?

- *Are there alternative providers?*
- *What alternative ways can the Council provide the service?*
- *Can demand for services be managed differently?*

In recognition that some Councillors will see reductions in the allowances payable to them as a result of the Panel's recommendations, they are recommending that for any Councillor who has a net decrease in what they receive, the Council does not seek repayment and that the change, for those specific Councillors, takes effect from 1 April 2020

To mitigate the impact of the slight decreases in the allowances payable to the Mayor and Deputy mayor, the Panel are recommending that the revised allowances are payable from 1 April 2020.

It is recommended that the basic allowance which is paid to all Councillors is increased, and this allowance is aimed at recompensing Councillors for any additional costs incurred in their role as a Councillor.

In addition to the Basic Allowance Councillors can claim travel and carers allowances if they incur additional costs to attend meetings due to these reasons.

A provision is proposed that gives the Head of Elections and Member Services some flexibility to assist Councillors who need specialist care that costs more than the rates approved.

Diversity impact assessment

6 Action plan

- *Actions to mitigate adverse impact, improve equality of opportunity or foster good relations and/or obtain new evidence*

Action	Lead	Deadline or review date
Travel, carers and specialist care costs will be monitored, as a large increase in these may indicate an impact on one or more of the protected characteristics. Results will be fed into future IRP reviews	Jane Ringham	31.03.2023

7 Recommendation

The recommendation by the lead officer should be stated below. This may be:

- *to proceed with the change, implementing action plan if appropriate*
- *consider alternatives*
- *gather further evidence*

If the recommendation is to proceed with the change and there are no actions that can be taken to mitigate likely adverse impact, it is important to state why.

The Panel's report is submitted to Full Council on 10 October 2019 to seek their approval.

8 Authorisation

The authorising officer is consenting that:

- *the recommendation can be implemented*
- *sufficient evidence has been obtained and appropriate mitigation is planned*
- *the Action Plan will be incorporated into service plan and monitored*

Assistant Director

Perry Holmes, Chief Legal Officer

Date