

17 February 2020

Dear Members

Council Meeting

I hereby give notice that a meeting of the Council will be held in the Council Chamber, County Buildings, Martin Street, Stafford on **Tuesday 25 February 2020 at 7.00pm** to deal with the business as set out on the agenda.



Tim Clegg
Chief Executive

COUNCIL MEETING - 25 FEBRUARY 2020

MAYOR, COUNCILLOR GARETH JONES

A G E N D A

- 1 Approval of the Minutes of the meeting of Council held on 28 January 2020, as published in Digest No 264 on 7 February 2020
- 2 Apologies for Absence
- 3 Declarations of Interest
- 4 Announcements (Paragraph 3.2(iii) of the Council Procedure Rules)
- 5 Public Question Time - Nil
- 6 Councillor Session - Nil
- 7 Notice of Motion

A Notice of Motion pursuant to Paragraph 13 of the Council Procedure Rules has been proposed by Councillor A N Pearce and seconded by Councillor A T A Godfrey as follows:-

‘Stafford Borough is fortunate to have a number of sites of biodiversity significance. However the Council recognises the threat to biodiversity posed by global warming, climate change, pollution, excessive use of chemicals and over-intensive development. In addition, the West Coast mainline and the M6 have both suffered loss of trees and other vegetation and the advent of HS2 will create further major losses.

In it’s draft Climate Action plan, the review of the Local Plan and in proposed planning guidance on biodiversity, it is seeking the views and support of residents and organisations on ways to combat these threats. In order to create a coherent strategy across the Borough, the Council resolves to work with partners, in particular, Staffordshire Wildlife Trust, to create an agreed Biodiversity Plan for the Borough which all parties are signed up to.’

	Page Nos
8 To receive Nominations for the Offices of Mayor and Deputy Mayor for the Municipal Year 2020/21	
9 Council Tax 2020/21	4 - 14
In accordance with Paragraph 17.4(c) of the Council Procedure Rules, a recorded vote will be taken for the above item.	
10 Review of Members Allowances	15 - 30
11 Localism Act 2011 - Pay Policy Statement 2020/21	31 - 43
12 Creswell Parish Council	44 - 47
13 Any items referred from Scrutiny Committee(s)	-

Chief Executive

Civic Centre
Riverside
Stafford
ST16 3AQ

ITEM NO 9

ITEM NO 9

Report of:	Head of Finance
Contact Officer:	Bob Kean
Telephone No:	01785 619241
Ward Interest:	Nil
Report Track:	Council 25/02/20 (Only)

COUNCIL
25 FEBRUARY 2020
Council Tax 2020/21

1 Purpose of Report

- 1.1 To set out the proposed Council Tax for the year 2020/21.

2 Recommendation

- 2.1 That the proposed Council Tax as set out in the Council Tax Resolution **APPENDIX** be approved.
- 2.2 That in accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 a named vote is taken in relation to the proposed Council Tax.

3 Key Issues and Reasons for Recommendation

- 3.1 Council at its meeting on the 28 January 2020 determined its Budget for 2020/21 and set a Band D Council Tax at £159.27.
- 3.2 The overall level of Council Tax must be set before the 11 March each year; however, the overall level of Council Tax cannot be set before 1 March, 2020 unless all precepting authorities have issued their precepts, and the required calculations in accordance with the Local Government Finance Act, 1992 have been determined.
- 3.3 The Council has recently received formal notification from the major precepting authorities of the relevant precepts.

4 Relationship to Corporate Business Objectives

- 4.1 Not Applicable.

5 Report Detail

- 5.1 In setting a budget for any year the Council must comply with the Budget and Council Tax setting requirements as reflected in the Local Government Finance Act 1992 as amended by the Localism Act 2011.
- 5.2 The Localism Act 2011 has made significant changes to the 1992 Act with the main impact for setting a Council Tax being that a billing authority (Stafford Borough Council) is required to calculate a Council Tax Requirement rather than a Budget Requirement.
- 5.3 This primarily affects the Council Tax Resolution to be made by Council and is a technical rather than procedural issue.
- 5.4 In accordance with regulations the Council is required to:
- (a) Calculate its Council Tax Requirement (Section 31A) – Replacing budget requirement (Section 32) and determination of the Borough Council element of Council Tax (Section 33)
 - (b) Set the overall level of Council Tax inclusive of Staffordshire County Council; Police & Crime Commissioner Staffordshire; Staffordshire Commissioner Fire and Rescue Authority, and other precepts (Section 30)
- 5.5 The determination of the Council Tax Requirement (Requirement (a)) is a function of all authorities; however, Requirement (b) is purely a function of this Council as a billing authority
- 5.6 The overall level of Council Tax must be set before the 11 March each year; however, the overall level of Council Tax cannot be set before 1 March, 2020 unless all precepting authorities have issued their precepts, and the required calculations in accordance with the Local Government Finance Act, 1992 have been determined.
- 5.7 Council at its meeting of the 28 January 2020 approved the General Fund Revenue Budget for 2020/21 and determined the Council Tax for the Borough at £159.27.
- 5.8 Staffordshire County Council approved its precept at its meeting on the 13 February, 2020 and the precept proposal for the Staffordshire Commissioner Fire and Rescue Authority and the Police and Crime portfolio were accepted by the Police, Fire and Crime Panel on the 10 February, 2020.
- All Town and Parish Precepts have been received.
- 5.9 The overall Council Tax Resolution is attached as an Appendix to this report.
- 5.10 In determining the overall Council tax Requirement the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 require that a named vote is taken.

6	Implications	
6.1	Financial	As detailed in the attached APPENDIX
	Legal	
	Human Resources	Nil
	Human Rights Act	Nil
	Data Protection	Nil
	Risk Management	In setting the overall level of Council Tax the Council must be in receipt of the precept from all relevant authorities.
6.2	Community Impact Assessment Recommendations	<p>The Borough Council considers the effect of its actions on all sections of our community and has addressed all of the following Equality Strands in the production of this report, as appropriate:-</p> <p>Age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation.</p>
Previous Consideration - Nil		
Background Papers - File available in Finance		

COUNCIL
25 FEBRUARY 2020
Council Tax 2020/21

Following Minute No C49 of the Council of 28 January 2020 determining the level of net spending for the General Fund Revenue Budget and Transfer to Working Balances for 2020/2021; the Council is recommended to make a Council Tax for 2020/2021 by formally approving the following resolution:-

- 1 It be noted that under the power delegated to the Council's Section 151 Officer, the Council calculated the Council Tax Base 2020/21
- (a) ***for the whole Council area as 48,260.69 [Item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended (the "Act")]; and***
- (b) ***for dwellings in those parts of its area to which a Parish precept relates as shown below***

Parish	Taxbase
Adbaston	233.68
Barlaston	1,009.32
Berkswich	792.18
Bradley	216.18
Brocton	554.11
Chebsey	249.42
Church Eaton	286.97
Colwich	1,841.71
Creswell	497.34
Doxey	916.09
Eccleshall	2,107.91
Ellenhall	61.94
Forton	140.40
Fradswell	84.26
Fulford	2,294.89
Gayton	76.06
Gnosall	2,012.62
Haughton	461.84
High Offley	388.89
Hilderstone	280.05
Hixon	734.41
Hopton and Coton	845.80
Hyde Lea	183.95

Parish	Taxbase
Ingestre	86.97
Marston	94.25
Milwich	197.11
Norbury	194.14
Ranton	181.19
Salt and Enson	187.12
Sandon and Burston	164.89
Seighford	773.32
Standon	326.67
Stone Town	6,133.24
Stone Rural	724.91
Stowe by Chartley	189.43
Swynnerton	1,358.50
Tixall	123.43
Weston	479.08
Whitgreave	88.52
Yarnfield and Cold Meece	830.74
	28,403.53
Unparished	
Stafford Town	19,349.16
MOD Contribution in Lieu	508.00
Council Tax Base	48,260.69

- 2 That the Council Tax requirement for the Council's own purposes for 2020/21 (excluding Parish precepts) is calculated at £7,686,480.10.
- 3 That the following amounts are calculated for the year 2020/21 in accordance with Sections 31 to 36 of the Local Government Finance Act 1992:
- (a) £48,293,548.56 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by Parish Councils.
 - (b) £39,438,506.00 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
 - (c) £8,855,042.56 being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year. (Item R in the formula in Section 31B of the Act).
 - (d) £183.48 being the amount at 3(c) above (Item R), all divided by Item T (1(a) above), calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish precepts).

- (e) £1,168,562.46 being the aggregate amount of all special items (Parish precepts) referred to in Section 34(1) of the Act.
- (f) £159.27 being the amount at 3(d) above less the result given by dividing the amount at 3(e) above by Item T (1(a) above), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish precept relates.
- (g) For the following parts of the Council's Area

Parish	Band D £ p
Adbaston	172.27
Barlaston	223.87
Berkswich	190.69
Bradley	207.07
Brocton	183.03
Chebsey	184.74
Church Eaton	179.17
Colwich	262.59
Creswell	186.68
Doxey	180.45
Eccleshall	196.37
Ellenhall	162.45
Forton	166.65
Fradswell	173.11
Fulford	179.59
Gayton	208.65
Gnosall	204.23
Haughton	204.13
High Offley	171.64
Hilderstone	197.43
Hixon	199.96
Hopton and Coton	200.88
Hyde Lea	191.23
Ingestre	181.86
Marston	159.27
Milwich	179.55
Norbury	178.15
Ranton	182.25
Salt and Enson	199.12
Sandon and Burston	216.51
Seighford	182.39
Standon	185.44
Stone Town	209.92
Stone Rural	179.50

Parish	Band D £ p
Stowe by Chartley	235.95
Swynnerton	181.07
Tixall	175.07
Weston	228.67
Whitgreave	173.97
Yarnfield and Cold Meece	189.17

being the amounts given by adding to the amount at 3(f) above the amounts of the special item or items relating to dwellings in those parts of the Council's area mentioned above divided in each case by the amount at (1)(b) above, calculated by the Council, in accordance with Section 34(3) of the Act, as the basic amounts of its Council Tax for the year for dwellings in those parts of its area to which one or more special items relate.

(h) For the following parts of the Council's area

Parish	Band A Disabled	Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H
	£ p	£ p	£ p	£ p	£ p	£ p	£ p	£ p	£ p
Adbaston	95.71	114.85	133.99	153.13	172.27	210.55	248.83	287.12	344.54
Barlaston	124.37	149.25	174.12	199.00	223.87	273.62	323.37	373.12	447.74
Berkswich	105.94	127.13	148.31	169.50	190.69	233.07	275.44	317.82	381.38
Bradley	115.04	138.05	161.05	184.06	207.07	253.09	299.10	345.12	414.14
Brocton	101.68	122.02	142.36	162.69	183.03	223.70	264.38	305.05	366.06
Chebsey	102.63	123.16	143.69	164.21	184.74	225.79	266.85	307.90	369.48
Church Eaton	99.54	119.45	139.35	159.26	179.17	218.99	258.80	298.62	358.34
Colwich	145.88	175.06	204.24	233.41	262.59	320.94	379.30	437.65	525.18
Creswell	103.71	124.45	145.20	165.94	186.68	228.16	269.65	311.13	373.36
Doxey	100.25	120.30	140.35	160.40	180.45	220.55	260.65	300.75	360.90
Eccleshall	109.09	130.91	152.73	174.55	196.37	240.01	283.65	327.28	392.74
Ellenhall	90.25	108.30	126.35	144.40	162.45	198.55	234.65	270.75	324.90
Forton	92.58	111.10	129.62	148.13	166.65	203.68	240.72	277.75	333.30
Fradswell	96.17	115.41	134.64	153.88	173.11	211.58	250.05	288.52	346.22
Fulford	99.77	119.73	139.68	159.64	179.59	219.50	259.41	299.32	359.18
Gayton	115.92	139.10	162.28	185.47	208.65	255.02	301.38	347.75	417.30
Gnosall	113.46	136.15	158.85	181.54	204.23	249.61	295.00	340.38	408.46

Parish	Band A Disabled	Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H
	£ p	£ p	£ p	£ p	£ p	£ p	£ p	£ p	£ p
Haughton	113.41	136.09	158.77	181.45	204.13	249.49	294.85	340.22	408.26
High Offley	95.36	114.43	133.50	152.57	171.64	209.78	247.92	286.07	343.28
Hilderstone	109.68	131.62	153.56	175.49	197.43	241.30	285.18	329.05	394.86
Hixon	111.09	133.31	155.52	177.74	199.96	244.40	288.83	333.27	399.92
Hopton and Coton	111.60	133.92	156.24	178.56	200.88	245.52	290.16	334.80	401.76
Hyde Lea	106.24	127.49	148.73	169.98	191.23	233.73	276.22	318.72	382.46
Ingestre	101.03	121.24	141.45	161.65	181.86	222.27	262.69	303.10	363.72
Marston	88.48	106.18	123.88	141.57	159.27	194.66	230.06	265.45	318.54
Milwich	99.75	119.70	139.65	159.60	179.55	219.45	259.35	299.25	359.10
Norbury	98.97	118.77	138.56	158.36	178.15	217.74	257.33	296.92	356.30
Ranton	101.25	121.50	141.75	162.00	182.25	222.75	263.25	303.75	364.50
Salt and Enson	110.62	132.75	154.87	177.00	199.12	243.37	287.62	331.87	398.24
Sandon and Burston	120.28	144.34	168.40	192.45	216.51	264.62	312.74	360.85	433.02
Seighford	101.33	121.59	141.86	162.12	182.39	222.92	263.45	303.98	364.78
Standon	103.02	123.63	144.23	164.84	185.44	226.65	267.86	309.07	370.88
Stone	116.62	139.95	163.27	186.60	209.92	256.57	303.22	349.87	419.84
Stone Rural	99.72	119.67	139.61	159.56	179.50	219.39	259.28	299.17	359.00
Stowe-by-Chartley	131.08	157.30	183.52	209.73	235.95	288.38	340.82	393.25	471.90
Swynnerton	100.59	120.71	140.83	160.95	181.07	221.31	261.55	301.78	362.14
Tixall	97.26	116.71	136.17	155.62	175.07	213.97	252.88	291.78	350.14
Weston	127.04	152.45	177.85	203.26	228.67	279.49	330.30	381.12	457.34
Whitgreave	96.65	115.98	135.31	154.64	173.97	212.63	251.29	289.95	347.94
Yarnfield & Cold Meece	105.09	126.11	147.13	168.15	189.17	231.21	273.25	315.28	378.34
All other parts of the Council's area	88.48	106.18	123.88	141.57	159.27	194.66	230.06	265.45	318.54

Being the amounts given by multiplying the amounts at (3)(f) and (3)(g) above by the number by which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

- 4 To note that the County Council, the Office of the Police and Crime Commissioner and the Fire Authority have issued precepts to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each category of dwellings in the Council's area as indicated in the table below.

Valuation Bands

	A	B	C	D	E	F	G	H
	£ p	£ p	£ p	£ p	£ p	£ p	£ p	£ p
Staffordshire County Council	863.97	1,007.96	1,151.96	1,295.95	1,583.94	1,871.93	2,159.92	2,591.90
Office of the Police and Crime Commissioner	150.06	175.07	200.08	225.09	275.11	325.13	375.15	450.18
Staffordshire Commissioner Fire and Rescue Authority	51.49	60.08	68.66	77.24	94.40	111.57	128.73	154.48

Parish	Band A Disabled	Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H
	£ p	£ p	£ p	£ p	£ p	£ p	£ p	£ p	£ p
Swynnerton	988.52	1,186.23	1,383.94	1,581.65	1,779.35	2,174.76	2,570.18	2,965.58	3,558.70
Tixall	985.19	1,182.23	1,379.28	1,576.32	1,773.35	2,167.42	2,561.51	2,955.58	3,546.70
Weston	1,014.97	1,217.97	1,420.96	1,623.96	1,826.95	2,232.94	2,638.93	3,044.92	3,653.90
Whitgreave	984.58	1,181.50	1,378.42	1,575.34	1,772.25	2,166.08	2,559.92	2,953.75	3,544.50
Yarnfield & Cold Meece	993.02	1,191.63	1,390.24	1,588.85	1,787.45	2,184.66	2,581.88	2,979.08	3,574.90
All other parts	976.41	1,171.70	1,366.99	1,562.27	1,757.55	2,148.11	2,538.69	2,929.25	3,515.10

- 6 That it is determined in accordance with Section 52ZB of the Local Government Finance Act 1992 that the Council's basic amount of Council Tax for 2020/21 is not excessive in accordance with the principles determined by the Secretary of State under Section 52ZC of that Act.

ITEM NO 10

ITEM NO 10

Report of:	Head of Law and Administration
Contact Officer:	Ian Curran
Telephone No:	01785 619220
Ward Interest:	Nil
Report Track:	Council 28/1/20, 25/2/20

COUNCIL
25 FEBRUARY 2020
Review of Members' Allowances

1 Purpose of Report

- 1.1 To advise Members of the recommendations of the Independent Panel on Members Allowances.

2 Recommendation

- 2.1 That the Council consider the Report and recommendations of the Independent Panel as set out in the **APPENDIX** and
- (a) make a scheme of allowances for the period from 1 April 2020 to 31 March 2021 having regard to the Panel's recommendations set out in the **APPENDIX** and **ANNEX 1**
 - (b) make a Scheme of Members Allowances for use by Parish Councils having regard to the Panel's recommendations set out in the **APPENDIX** and **ANNEX 2**.
 - (c) request that the Head of Law and Administration convene a further meeting of the Independent Panel within the next 12 months to consider a scheme for 1 April 2021 onwards

3 Key Issues and Reasons for Recommendation

- 3.1 The Council's current Scheme of Allowances expires at the end of March 2020.
- 3.2 It is open to the Council to amend the current Scheme of Allowances at any time having regard to the recommendations of the Independent Panel on Members Remuneration

- 3.3 The Council is required to make a new Scheme of Allowances to take effect from 1 April 2020 having regard to the recommendations of the Independent Panel on Members Remuneration.

4 Relationship to Corporate Business Objectives
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- 4.1 Leading and delivering for our community

5 Report Detail

- 5.1 In accordance with the Local Authorities (Members Allowances) (England) Regulations 2003, Local Authorities are required to have in place a Members' Allowances Scheme. The Council is required to establish an Independent Panel on Members' Remuneration and to have regard to its recommendations in making its scheme. The Council has to make a scheme each year but the panel can recommend a scheme for up to 4 years with indexation.
- 5.2 The Independent Panel has met every 4 years since 2004 to recommend a scheme for the following 4 years with indexation for the intervening years. The Panel last met to consider the whole scheme in 2016 and recommended a scheme for the period from 1 April 2016 until 31 March 2020 with annual adjustments in line with any pay awards to Council officers during that period. The Council's current Scheme was agreed at the meeting of the Council held on 24 November 2015. It was noted that the Independent Panel would convene during 2019 to recommend allowances for 2020/21 onwards.
- 5.3 The Panel was convened in 2019 and met on two occasions. The Report of the Panel containing its recommendations is attached as an **APPENDIX**. The Panels recommended scheme is set out in **ANNEX 1** to the Report.
- 5.4 The scheme proposed by the Panel set out in **ANNEX 1** maintains allowances at their current level and would be contained within the 2020/21 budget.
- 5.5 The Council is also required to approve a scheme for use by Parish Councils in the Borough. The proposed scheme is set out in **ANNEX 2**.

6 Implications

6.1 Financial	The cost of implementing the revised scheme is within the proposed budget for 2020/21.
Legal	As set out in the report
Human Resources	Nil
Human Rights Act	Nil
Data Protection	Nil
Risk Management	Nil

6.2 Community Impact Assessment Recommendations	The Borough Council considers the effect of its actions on all sections of our community and has addressed all of the following Equality Strands in the production of this report, as appropriate:- Age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation.
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Previous Consideration - Nil

Background Papers - File available in Law and Administration

COUNCIL
25 FEBRUARY 2020
Review of Members' Allowances

Report of the Independent Panel – Review of Members Allowances

Membership of the Panel

Mr D Pinnock	Resident of the Borough and retired Head of Service in Local Government
Mrs S Grieve	Community Foundation for Staffordshire
Mr D Riddell	Stafford Chamber of Commerce

1. Remit – To make recommendations to the Council on the adoption of a scheme for Members Allowances in pursuance of the Local Authorities (Members Allowances) (England) Regulations 2003.
2. The Panel met on two occasions, firstly on 2 October 2019 to review the requirements of the regulations and determine the information required to undertake the review, secondly on 25 November 2019 to consider the further information requested at the first meeting and to interview the Leader of the Council, Opposition Group Leaders, the Chairman of a Scrutiny Committee, the Chairman of the Planning Committee and an Independent Member.
3. In reaching their conclusions on the proposed allowances, the Panel took into account all matters brought to their attention including:-
 - The fact that there had been no change in structure of the Council since the last allowance scheme was reviewed
 - The frequency of meetings of the various committees
 - The time spent by members on Council business
 - The level of responsibility carried
 - The information and views given by the members interviewed
 - The level of allowances in similar and neighbouring authorities
 - The level of resources available to the Council
 - The need to attract candidates to stand for election particularly from the younger age group and those in employment

The Panel were particularly mindful of two issues whilst considering all the above points. First, the time and commitment expected in the role of a Councillor and the additional expectations for those with special responsibilities. Secondly, the financial climate within which the Council is operating. The Panel also acknowledged that it would be good to get more younger people engaged.

4. The Panel is recommending that the basic allowance, and special responsibility allowances, remain unchanged but be adjusted annually in line with pay awards to the Councils Officers.
5. The Panel considered that subsistence and travel allowances should continue to be the same as those for Officers, and be adjusted annually in line with the scheme for Officers.
6. The Carers allowance remain unchanged but be adjusted from 1 April 2020 and then annually in line with the retail Price Index (RPI) (or appropriate replacement) for the month of November in the preceding year.
7. All other aspects of the scheme to remain unchanged.
8. Recommendations

That:-

- (a) A scheme of Members' Allowances as set out in **ANNEX 1** be implemented with effect from 1 April 2020;
- (b) The Scheme of Members' Allowances should be adjusted annually in line with pay awards to the Councils Officers until 31 March 2024;
- (c) The Scheme of Members' Allowances for use by Parish Councils, if such Councils resolve, be recommended to Parish Councils as set out in **ANNEX 2**, scheme to be adjusted in line with any Officer pay awards.

**STAFFORD BOROUGH COUNCIL
MEMBERS' ALLOWANCES SCHEME
COMMENCING 1 APRIL 2020**

Members Allowances**1 Basic Allowance**

The Basic Allowance will be £4728.62 payable in 12 monthly instalments on the twentieth day of each month.

2 Special Responsibility Allowances

A Special Responsibility Allowance as set out below is payable, in addition to the Basic Allowance, for the following positions in 12 equal instalments on the twentieth of each month:-

	Allowances 2020/2021
Leader of the Council	£11033.44
Deputy Leader (inclusive of Cabinet Member's Allowance)	£7,881.03
Cabinet Members	£5,989.58
Opposition Leader*	£4,203.22
Chairman of Scrutiny Committee	£3,362.57
Audit and Accounts Committee Chairman	£2,416.85
Planning Committee Chairman	£4,413.38
Licensing Committee Chairman	£1681.29
Standards Committee Chairman	£1,050.80
Public Appeals Chairman	£1,681.29

* Defined as Leader of the largest political group not represented in the Cabinet . If there are two or more of such groups of equal size the person jointly appointed by those groups as Leader of the Opposition shall be entitled to the allowance but in the absence of such appointment no allowance shall be paid.

A special responsibility allowance as set out below is payable quarterly in arrears on the twentieth day of June, September, December and March only if the Member has chaired a meeting of the relevant committee in the preceding quarter:-

Planning Committee Vice Chairman	£945.72
Employee Appeals Committee Chairman	£998.26

If a member holds more than one position for which a special responsibility allowance is payable only one allowance will be payable. Unless the member chooses otherwise the highest of the allowances for which they are eligible will be paid.

3 Dependents' Carers' Allowance

The cost incurred up to a maximum of £8.21 per hour (or the Living Wage, whichever be the higher) payable in respect of arranging for the care of children or other dependents necessarily incurred in attending meetings or performing duties which qualify for travel and subsistence allowances.

4 Co-optees Allowance

Co-optees will be reimbursed any expenses necessarily incurred.

5 Indexation

The Basic and Special Responsibility Allowances detailed above are index linked to any pay awards applicable to Council officers.

TRAVEL AND SUBSISTENCE

1 INTRODUCTION

1.1 Elected Members necessarily incurring additional expense in the course of their duties (as set out below) in respect of travel, meals or overnight accommodation will be reimbursed expenses in accordance with the following scheme, subject to appropriate evidence of expenditure being produced.

1.2 Duties attracting travel and subsistence allowances:-

Attending a meeting of the Council, the Cabinet and any committee, sub-committee or joint committee of the Council as a member or as a visiting member under rule 5.8 of the Council Procedure Rules.

Attending a meeting at the request of the Council, the Executive, a committee or sub-committee of the Council or an officer of the Council.

Attending briefings in any capacity for which a special responsibility allowance is paid.

Attendance at conferences as approved by the Council.

Attendance at meetings of other bodies as the Council's appointed representative.

2 Overnight Accommodation and Subsistence

- 2.1 The Head of Law and Administration will, except in exceptional circumstances, book and pay the hotel directly for members attending conferences, meetings or training that requires an overnight stay. The cost of the accommodation is subject to the following limits:-

	OUTSIDE LONDON	LONDON or CONFERENCE
Overnight rates	£100.00	£120.00

- 2.2 In exceptional circumstances (eg where the Member is limited to a designated conference location), the Head of Law and Administration has the discretion to authorise payment in excess of the above limits (but see 2.8).
- 2.3 The Authority will only pay the actual cost incurred for each meal and one drink. The maximum should only be claimed when the meal has cost that amount or more. If an attempt is made to make an unreasonable claim for additional items the entire claim will become invalid and reimbursement will not be made.
- 2.4 Meal allowances cannot be claimed if meals are included either as part of a conference/training course or if they are included in the cost of the accommodation i.e. the member is booked in the hotel on a bed and breakfast or dinner, bed and breakfast basis.
- 2.5 Gratuities for service are paid at the discretion of the member and, except where specifically included on a bill as a service charge, are not reclaimable from the authority.
- 2.6 Entertainment expenses will not be met by the Authority. These are to be met in full by the member.
- 2.7 All claims for expenditure shall be certified and approved by the Head Law and Administration.
- 2.8 Excess reimbursement will not be made to members who incur expenditure above the maximum rate of reimbursement unless in the view of the Head of Law and Administration the additional expenditure was unavoidable.
- 2.9 Any claim for reimbursement that is submitted without a valid receipt will not be paid.
- 2.10 Any member making false, fraudulent or unnecessary claims may be in breach of the Code of Conduct for Members.

3 Day Subsistence

- 3.1 Day Subsistence expenses will be payable to a member who is prevented by official duties from taking a meal at home or the place where they normally take their meals and thereby incur additional expenditure. Subsistence reimbursement is subject to the following limits:-

ALLOWANCE	VALID CLAIM PERIOD	MAXIMUM AMOUNT
Breakfast	When departing from home before 7 00 am and not returning before 11.00 am	£7.50
Lunch	When leaving home or place of work before 11 am and arriving back at their home or place of work after 3.00 pm	£10.00
Dinner	When leaving home before 5.00 pm and not returning until after 8.00 pm	£17.50

- 3.2 Meal allowances will only be paid when it is necessary for the member to be absent from home during the specified periods due to Council business and where it would not be possible to take the meal at home.
- 3.3 The Authority will only pay the actual cost incurred for each meal. The maximum should only be claimed when the meal has cost that amount or more. If an attempt is made to make an unreasonable claim for additional items the entire claim will become invalid and reimbursement will not be made.
- 3.4 Expenses will not be paid where a suitable meal is provided during the course of the official duties or where the member could have arranged their day to avoid incurring the expenses.
- 3.5 Gratuities for service are paid at the discretion of the member and except where specifically included on a bill as a service charge are not reclaimable from the authority.
- 3.6 Any claim for reimbursement that is submitted without a valid receipt will not be paid.
- 3.7 All claims for expenditure shall be certified and approved by the Head of Law and Administration.
- 3.8 Any member making false, fraudulent or unnecessary claims may be in breach of the Code of Conduct for Members.

4 Travelling expenses

- 4.1 As a general principle, members should use standard class public transport services to travel unless it is impractical to do so or other means of transport are more economic. Advantage should be taken of any discounted fares or special offers. Members travelling by rail should obtain tickets through the Head of Law and Administration.
- 4.2 In circumstances where a member uses their private car in preference to more economic public transport, the authority will reimburse the lowest available standard class public transport fare.
- 4.3 Where travel by public transport would, in total be more expensive than travel by car with reimbursement being made at the appropriate rate, then the journey may be made by car. An example of this might be where two or more persons travel together. Members are encouraged to car share and in such circumstances the driver may claim any necessary additional mileage incurred.
- 4.4 Actual bus or underground fares incurred will be reimbursed.
- 4.5 Where it is necessary to travel by taxi due to lack of other available transport or the journey is urgent (i.e. taking public transport would mean being late or the journey time is excessive), the actual expenditure will be reimbursed. (Members who will need to use taxis on a frequent regular basis should request the Head of Law and Administration to set up an account with a taxi firm to achieve economy.)
- 4.6 Car parking fees at the destination will be paid for the duration of the official duties at a rate not exceeding the current daily parking rate at Stafford Railway Station.
- 4.7 Members who travel by public transport but need to use their cars to travel to the public transport departure point (e.g. because no public transport is available for that part of the journey), will be reimbursed the actual car parking charges incurred and the mileage incurred to and from their home and the point where they join public transport.
- 4.8 Tickets and receipts must be obtained, retained and submitted in all circumstances or reimbursement will not be made.
- 4.9 Where a Member uses their private transport the following rates will be paid:-

Amount Per Mile

Vehicle	52.2p
Bicycle	20p*

*maximum payable under HM Revenues and Customs

5 Time Limits on Claims

- 5.1 Claims for travel and subsistence and dependents' carers' allowances must be made within 2 months of the date of the event giving rise to the claim and a VAT receipt(s) must be attached to mileage claims which cover(s) the cost of petrol used for the mileage claimed. Discretion to approve claims submitted after the 2 month deadline is delegated to the Head of Law and Administration.

6 Suspension of Allowances

- 6.1 Where a member is suspended from the Council under Part III of the Local Government Act 2000 any allowances due in respect of the period of suspension will be withheld by the Council. Where a member is partially suspended from the Council that part of any allowances which is specifically related to the duties and responsibilities from which the member is suspended will be withheld.

7 Forgoing Allowances

- 7.1 Any member may by notice in writing to the Head of Law and Administration elect to forgo entitlement to all or any part of their allowances.

COUNCIL
25 FEBRUARY 2020
Review of Members' Allowances

PARISH COUNCIL MEMBERS' ALLOWANCES SCHEME
COMMENCING APRIL 2020

Overnight accommodation and subsistence, day subsistence and travel allowances are the same as Members of the Borough Council.

Members Allowances

- 1 Basic Allowance
Up to 3% of the Stafford Borough Council Basic Allowance
- 2 Chairman's Allowance
Up to 10% of the Stafford Borough Council Basic Allowance

TRAVEL AND SUBSISTENCE

1 Introduction

1.1 Elected Members necessarily incurring additional expense in the course of their duties (as set out below) in respect of travel, meals or overnight accommodation will be reimbursed expenses in accordance with the following scheme, subject to appropriate evidence of expenditure being produced.

1.2 Duties attracting travel and subsistence allowances:-

Attending a meeting of the Council and any committee, sub-committee or joint committee of the Council as a member.

Attending a meeting at the request of the Council, a committee or sub-committee of the Council or an officer of the Council.

Attendance at conferences as approved by the Council.

Attendance at meetings of other bodies as the Council's appointed representative.

2 Overnight Accommodation and Subsistence

- 2.1 The Clerk will, except in exceptional circumstances, book and pay the hotel directly for members attending conferences, meetings or training that requires an overnight stay. The cost of the accommodation is subject to the following limits: -

	OUTSIDE LONDON	LONDON or CONFERENCE
Overnight rates	£100.00	£120.00

- 2.2 In exceptional circumstances (eg where the Member is limited to a designated conference location), the Council has the discretion to authorise payment in excess of the above limits.
- 2.3 The Authority will only pay the actual cost incurred for each meal and one drink. The maximum should only be claimed when the meal has cost that amount or more. If an attempt is made to make an unreasonable claim for additional items the entire claim will become invalid and reimbursement will not be made.
- 2.4 Meal allowances cannot be claimed if meals are included either as part of a conference/training course or if they are included in the cost of the accommodation i.e. the member is booked in the hotel on a bed and breakfast or dinner, bed and breakfast basis.
- 2.5 Gratuities for service are paid at the discretion of the member and, except where specifically included on a bill as a service charge, are not reclaimable from the authority.
- 2.6 Entertainment expenses will not be met by the Authority. These are to be met in full by the member.
- 2.7 All claims for expenditure shall be certified and approved by the Clerk.
- 2.8 Excess reimbursement will not be made to members who incur expenditure above the maximum rate of reimbursement unless in the view of the Council the additional expenditure was unavoidable.
- 2.9 Any claim for reimbursement that is submitted without a valid receipt will not be paid.
- 2.10 Any member making false, fraudulent or unnecessary claims may be in breach of the Code of Conduct for Members.

3 Day Subsistence

- 3.1 Day Subsistence expenses will be payable to a member who is prevented by official duties from taking a meal at home or the place where they normally take their meals and thereby incur additional expenditure. Subsistence reimbursement is subject to the following limits:-

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- 3.2 Meal allowances will only be paid when it is necessary for the member to be absent from home during the specified periods due to Council business and where it would not be possible to take the meal at home.
- 3.3 The Authority will only pay the actual cost incurred for each meal. The maximum should only be claimed when the meal has cost that amount or more. If an attempt is made to make an unreasonable claim for additional items the entire claim will become invalid and reimbursement will not be made.
- 3.4 Expenses will not be paid where a suitable meal is provided during the course of the official duties or where the member could have arranged their day to avoid incurring the expenses.
- 3.5 Gratuities for service are paid at the discretion of the member and except where specifically included on a bill as a service charge are not reclaimable from the authority.
- 3.6 Any claim for reimbursement that is submitted without a valid receipt will not be paid.
- 3.7 All claims for expenditure shall be certified and approved by the Clerk.
- 3.8 Any member making false, fraudulent or unnecessary claims may be in breach of the Code of Conduct for Members.

4 Travelling expenses

- 4.1 As a general principle, members should use standard class public transport services to travel unless it is impractical to do so or other means of transport are more economic. Advantage should be taken of any discounted fares or special offers.

- 4.2 In circumstances where a member uses their private car in preference to more economic public transport, the authority will reimburse the lowest available standard class public transport fare.
- 4.3 Where travel by public transport would, in total be more expensive than travel by car with reimbursement being made at the appropriate rate, then the journey may be made by car. An example of this might be where two or more persons travel together. Members are encouraged to car share and in such circumstances the driver may claim any necessary additional mileage incurred.
- 4.4 Actual bus or underground fares incurred will be reimbursed.
- 4.5 Where it is necessary to travel by taxi due to lack of other available transport or the journey is urgent (i.e. taking public transport would mean being late or the journey time is excessive), the actual expenditure will be reimbursed.
- 4.6 Car parking fees at the destination will be paid for the duration of the official duties at a rate not exceeding the current daily parking rate at Stafford Railway Station.
- 4.7 Members who travel by public transport but need to use their cars to travel to the public transport departure point (e.g. because no public transport is available for that part of the journey), will be reimbursed the actual car parking charges incurred and the mileage incurred to and from their home and the point where they join public transport.
- 4.8 Tickets and receipts must be obtained, retained and submitted in all circumstances or reimbursement will not be made.
- 4.9 Where a Member uses their private transport the following rates will be paid:-

Vehicle	Amount Per Mile 52.2p
Bicycle	20p*

*maximum payable under HM Revenues and Customs

5 Time Limits on Claims

- 5.1 Claims for travel and subsistence and dependents' carers' allowances must be made within 2 months of the date of the event giving rise to the claim and a VAT receipt(s) must be attached to mileage claims which cover(s) the cost of petrol used for the mileage claimed.

6 Suspension of Allowances

- 6.1 Where a member is suspended from the Council under Part III of the Local Government Act 2000 any allowances due in respect of the period of suspension will be withheld by the Council. Where a member is partially suspended from the Council that part of any allowances which is specifically related to the duties and responsibilities from which the member is suspended will be withheld.

7 Forgoing Allowances

- 7.1 Any member may by notice in writing to the Clerk elect to forgo entitlement to all or any part of their allowances.

8 Inland Revenue Compliance

- 8.1 It is the responsibility of any Parish Council adopting this scheme to ensure that they obtain a dispensation from completion of forms P9D/P11D from HM Revenues and Customs to cover reimbursement of any expenditure wholly and necessarily incurred by their members in the course of their duties.

ITEM NO 11

ITEM NO 11

Report of:	Cabinet Member for Resources
Contact Officer:	Neville Raby
Telephone No:	01785 619205
Ward Interest:	Nil
Report Track:	Council 25/02/20 (Only)

COUNCIL
25 FEBRUARY 2020
Localism Act 2011 - Pay Policy Statement 2020/2021

1 Purpose of Report

- 1.1 To agree a pay policy statement for 2020/21 as required by Sections 38 and 39 of the Localism Act 2011.

2 Recommendation

- 2.1 That Council:-
- (a) Approve the Pay Policy Statement as set out in the **APPENDIX**.
 - (b) Approve the publication of the Pay Policy Statement on the Council's website as required by the Act.

3 Key Issues and Reasons for Recommendation

- 3.1 Under section 112 of the Local Government Act 1972, Council has the "power to appoint officers on such reasonable terms and conditions as the authority thinks fit". This Pay Policy Statement (the 'statement') sets out Stafford Borough Council's approach to pay policy in accordance with the requirements of Section 38 of the Localism Act 2011 and associated guidance, and the Local Government (Transparency Requirements) Regulations 2014. The purpose of the statement is to provide transparency with regard to the Council's approach to setting the pay of its employees in line with Chapter 8 of the Localism Act 2011 and the provisions of the guidance issued under S40 (ie "Openness and accountability in local pay") by identifying:-
- a local authority's policy on the level and elements of remuneration for each chief officer
 - a local authority's policy on the remuneration of its lowest-paid employees (including the definition of "lowest-paid employees")

- a local authority's policy on the relationship between the remuneration of chief officers and other officers
- a local authority's policy on other specific aspects of senior officer remuneration: remuneration on recruitment, increases and additions to remuneration, use of performance-related pay (if applicable) and bonuses, termination payments, and transparency.

4 Relationship to Corporate Business Objectives

4.1 The Pay Policy Statement report primarily relates to Corporate Business Objective 3:-

“To be a well-run, financially sustainable and ambitious organisation, responsive to the needs of our customers and communities and focussed on delivering our objectives.”

5 Report Detail

5.1 Section 38 (1) of the Localism Act 2011 required English (and Welsh local authorities to prepare a pay policy statement for 2012/13 and for each financial year thereafter. Drawing on Will Hutton's 2011 'Review of Fair Pay in the Public Sector', the Act introduced requirements to compare policies on remunerating chief officers and other employees, including the lowest paid.

5.2 The Act defines remuneration widely, to include not just pay but also charges, fees, allowances, benefits in kind, increases in enhancements of pension entitlements, and termination payments.

5.3 As for process, the pay policy statement:-

- must be approved formally by full Council
- must be approved by the end of March each year, starting with 2012
- can be amended in-year
- must be published on the authority's website (and in any other way the authority chooses)
- must be complied with when the authority sets the terms and conditions for a chief officer.

5.4 The Act requires an Authority to have regard to any statutory guidance on the subject issued or approved by the Secretary of State. Statutory recommendations have been issued on pay multiples (within a wider code of recommended practice) on data transparency and a broader set of statutory guidance on the publication of pay policy statements. The statutory guidance emphasises that each Local Authority has the autonomy to take its own decisions on pay and pay policies.

5.5 The Act sets out that in the context of managing public resources, remuneration at all levels needs to be adequate to secure and retain high-quality employees dedicated to the service of the public, but at the same time needs to avoid being unnecessarily generous or otherwise excessive

(and seen as such). Each local authority will have its own way of balancing those factors, with legitimately differing emphases reflecting differing circumstances.

- 5.6 As well as being required to set out certain of its policies on pay, a local authority is required to use the pay policy statement to set out its policies on paying charges, fees (such as for local returning officer, as appropriate or joint authority duties), allowances, and benefits in kind.
- 5.7 Although not required by the Act or statutory guidance, in order to support the need for transparency the pay policy statement should include the percentage rate at which the employer’s pension contributions have been set for the year in question together with the employee contribution rates.
- 5.8 It is important to consider the pay policy in the context of shared services where this Council delivers services on behalf of other Councils.
- 5.9 Salaries information contained within the report and Appendix are based on the outcome of implementing the 2019 pay award due for the National Joint Council (NJC) for Local Government Services (Green Book) which applies to all employees of the Council from 1st April 2019. The NJC for Local Government Services (Green Book) pay Award effective from 1st April 2020 remains under national negotiation between the employers and the trade unions and is unresolved at the time of writing.

6	Implications
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6.1	Financial	The approval of the Council’s Pay Policy Statement does not commit any expenditure over and above that approved for the financial year 2020/21.
	Legal	The data is published in line with the requirements set by Government
	Human Resources	The data is published in line with the requirements set by Government
	Human Rights Act	The data is published in line with the requirements set by Government
	Data Protection	Data on Chief Officers pay is regularly published and is already in the public domain. The data is published in line with the requirements set by Government
	Risk Management	

<p>6.2 Community Impact Assessment Recommendations</p>	<p>The Borough Council considers the effect of its actions on all sections of our community and has addressed all of the following Equality Strands in the production of this report, as appropriate:-</p> <p>Age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation.</p> <p>Pay and conditions for employees are applied fairly and equitably under the Council's job evaluation scheme and negotiated conditions of service. Any differentials arising in pay between employees arise from the job evaluation scheme or from the effect of TUPE protections where applicable.</p>
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Previous Consideration - 2019/20 Pay Policy Statement approved by Council on 26 February 2019

Background Papers - Information available in Human Resource Services

COUNCIL
25 FEBRUARY 2020
Localism Act 2011 - Pay Policy Statement 2020/2021

Pay Policy Statement 2020/21

Introduction and Purpose

Under section 112 of the Local Government Act 1972, Council has the “power to appoint officers on such reasonable terms and conditions as the authority thinks fit”. This Pay Policy Statement (the ‘statement’) sets out the Council’s approach to pay policy in accordance with the requirements of Section 38 of the Localism Act 2011 as amended. The purpose of the statement is to provide transparency with regard to the Council’s approach to setting the pay and conditions of its employees.

Once approved by full Council, this policy statement will come into immediate effect and will be subject to review on a minimum of an annual basis in accordance with the relevant legislation prevailing at that time.

Legislative Framework

In determining the pay and remuneration of all of its employees, the Council will comply with all relevant employment legislation. This includes:-

- The Equality Act 2010
- The Part Time Employment (Prevention of Less Favourable Treatment) Regulations 2000
- The Agency Workers Regulations 2010, and where relevant
- The Transfer of Undertakings (Protection of Employment) Regulations.

With regard to the Equal Pay requirements contained within the Equality Act, the Council ensures there is no pay discrimination within its pay structures and that all pay differentials can be objectively justified.

Pay Structure

The Council concluded its negotiations toward a Single Status Agreement during 2010. The details of the Agreement covering all employees within the scope of the National Joint Council (NJC) for Local Government Services (“Green Book”) were agreed at Council on 28 September 2010. The Agreement to not introduce structural changes to existing pay levels at the time gained the overwhelming support of Council, employees and trade unions who accepted that following receipt of expert independent advice the Council’s pay structure was in fact non-discriminatory. The Agreement introduced a harmonised set of terms and conditions for all Council employees with effect from 1 October 2010.

As at 1 October 2010, the minimum and maximum rates of pay of employees within scope of the Single Status Agreement remained unchanged and are based on either the national pay spine and/or locally negotiated rates of pay or national minimum wage legislation, including Apprentice rates of pay as appropriate dependent on age.

On 26 November 2013 Council approved the harmonisation of pay awards across the Council. With effect from 1 April 2013, all employees (other than those covered by the national minimum wage and other Government set rates of pay) will receive annual pay awards in line with the NJC for Local Government Services (Green Book).

The national pay spine and local pay grades are set out at Annex 1. Salaries information contained within the report, Appendix and Annex are based on the outcome of implementing locally the pay award for National Joint Council (NJC) for Local Government Services (Green Book) which applies to all employees of the Council from 1st April 2019.

The National Joint Council (NJC) for Local Government Services (Green Book) pay Award effective from 1st April 2020 remains under national negotiation between the employers and the trade unions and is unresolved at the time of writing.

The Council remains committed to adherence with national pay bargaining in respect of the national pay spine and any annual cost of living increases negotiated.

In order to future proof the Council's pay and grading structure from an equalities standpoint and following negotiation with local and regional trade unions and taking account of expert independent advice a revised non-discriminatory pay and grading structure was implemented for any new or revised job roles on or after 1 October 2010, as set out at Annex 2. Any future decision as to the grading of job roles is now determined by reference to the NJC Job Evaluation Scheme as adopted by the Council.

With the exception of progression through any incremental scale of any relevant grade being subject to overall satisfactory performance, the level of remuneration is not variable dependent upon the achievement of defined targets. There is in addition the provision for the acceleration of increments within any grade in order to take account of changes to duties and responsibilities or outstanding contribution.

All other pay related allowances are the subject of either national and/or local determination having been determined from time to time in accordance with national collective bargaining machinery and/or as determined by local negotiation with local trade union representatives.

In determining its pay and grading structure and setting remuneration levels for all posts, the Council takes account of the need to ensure value for money in respect of the use of public expenditure, balanced against the need to be able to recruit and retain employees who are able to meet the requirements of providing high quality services to the community, delivered effectively and efficiently and at times at which those services are required.

New appointments will normally be made at the minimum of the relevant grade, although this can be varied where necessary to secure the best candidate and to respond to variations in regional or national pay rates. From time to time it may be necessary to take account of the external pay market in order to attract and retain employees with particular experience, skills and capacity. Where necessary, the Council will ensure the requirement for paying “market supplements” is objectively justified by reference to clear and transparent evidence of relevant market comparators, using appropriate data sources available from within and outside the local government sector.

Local Government Pension Scheme

Subject to qualifying conditions, all employees have a right to join the Local Government Pension Scheme. In addition the Council operates pensions ‘Auto Enrolment’ as required by the Pensions Act 2008. The table below sets out the pension contribution bands which are effective from 1 April 2019. At the date of writing employee pension contribution bands have not been confirmed for 2020/21.

Information is also published on the Staffordshire County Council Pensions home page <https://www.staffspf.org.uk>

Band	Whole-time equivalent pay range	Employee contribution rate (%)
1	Up to £14,400	5.5%
2	£14,401 to £22,500	5.8%
3	£22,501 - £36,500	6.5%
4	£36,501 - £46,200	6.8%
5	£46,201 - £64,600	8.5%
6	£64,601 - £91,500	9.9%
7	£91,501 - £107,700	10.5%
8	£107,701 - £161,500	11.4%
9	£161,501 or above	12.5%

The Employer contribution rates are set by Actuaries advising the Staffordshire Pension Fund and are reviewed on a regular basis in order to ensure the scheme is appropriately funded. The Employer contribution rate for 2020/21 will remain at 16.8%. (Note: the level of employer’s contribution is required to be published under S7 of the Accounts and Audit Regulations).

Senior Management Remuneration

The Council has formal agreements in place to share services with other Councils, the major partner being Cannock Chase District Council. A number of senior managers employed by Stafford Borough Council are responsible for the delivery of services to both Stafford Borough and Cannock Chase District Councils so the table below reflects this position as notated.

For the purposes of this statement, senior management means ‘chief officers’ as defined within S.43 of the Localism Act. The posts falling within the statutory definition are those officers who comprise the senior management team of the Council, report directly to the Chief Executive and whose salary exceeds £50k. The

main national conditions of service, which apply to chief officers of the Council and which are incorporated into contracts of employment are those set out in either the Joint National Council for Chief Officers/Chief Executives. Details of their annual salary and other remuneration (excluding on-costs) as at 1st April 2019 are set out below:-

Post	Salary (£) (Note 7)	Lease Car or Cash Allowance (Note 8)
Chief Executive (Note 1)	114,079	n/a
Head of Development (Note 2)	75,350	n/a
Head of Human Resources and Property Services (Note 3)	70,740	5638
Head of Law and Administration (Note 4)	64,975	n/a
Head of Operations (Note 5)	64,975	5638
Head of Technology (Note 6)	61,255	5638

Note 1	Single salary pay point inclusive of 'within Borough boundary' business mileage. Additional local annual payment of £6,436 in lieu of National and Local Election Returning Officer Fees.
Note 2	Maximum FTE salary. The post receives a local car user allowance of £3,350 p.a.
Note 3	Responsible for provision of services to other local authorities. Client side officer for shared services.
Note 4	Responsible for provision of services to another authority including appointment as Solicitor and Monitoring Officer under separate arrangements. The post receives a local car user allowance of £3,350 p.a. Salary reflects 2 nd point of grade
Note 5	Salary reflects 2 nd point of grade
Note 6	Responsible for provision of services to another local authority
Note 7	Salaries reflect position at 1/4/20 excluding on-costs. Pay award pending 1/4/20.
Note 8	The Council's Lease Car (or equivalent cash allowance) Scheme is closed to new applicants and subject to agreed personal protection arrangements

The total cost of senior management posts reflects the following structural decisions as set out below:-

- (a) Posts covered by notes 3, 4 and 6 are shared with another Council under joint shared service and management arrangements.
- (b) Deletion of two vacant chief officer posts following the transfer of operational responsibility for delivering leisure and culture services to Freedom Leisure (1 December 2017) and subsequent internal restructure.

The pay structure of the senior management team is determined by reference to Hay Job Evaluation, benchmarking of comparable roles and responsibilities and recruitment and retention issues. The Council does not apply any personal bonuses or performance related pay to its chief officers.

Additions to Salary of Chief Officers

In addition to basic salary, other elements of potential 'additional pay' which are taxable and do not solely constitute reimbursement of expenses incurred in the normal course of work are set out below:-

- (a) Lease Car/Cash Allowance - scheme closed. Protected allowances shown in above table. Discretionary locally agreed essential car user allowance of up to £3,350 p.a. payable as appropriate to assist with recruitment and retention
- (b) Where appropriate and subject to operational circumstances payment for untaken leave is permitted but not guaranteed. This discretionary provision applies to all employees. The purchase of additional leave is also permitted as appropriate
- (c) Recognition/Additional Payments (e.g. honoraria, acting-up payments, ex-gratia payments, salary plussages) - additional payments (as appropriate) are permissible in order to recognise additional duties and responsibilities which occur over and above normal contractual arrangements. The provision of such payment is available to all Council employees.

Recruitment of Chief Officers

The Council's policy and procedures with regard to recruitment of chief officers is set out in Section 10, Part 3 of the Council's Constitution which can be found on the Council's website (<http://www.staffordbc.gov.uk/constitution>). When recruiting to any post the Council will take full and proper account of its own Recruitment, and where appropriate Redeployment Policies. This policy does not exclude the possibility of recruiting former Chief Officers either from this Council or any other provided that a valid business case exists to do so. However, such occurrences are unlikely to be approved without a break in continuity of service being affected. This policy does not prevent the Council from any future use of the flexibility within the Local Government Pension Scheme to agree "flexible retirement" where a suitable business case exists. The determination of the remuneration to be offered to any newly appointed chief officer will be in accordance with the pay structure and relevant policies in place at the time of recruitment and as agreed by Council. Where the Council is unable to recruit to a post at the designated grade and/or salary, it will consider the use of temporary market forces supplements in accordance with its relevant policies, or review grades in light of market related information. Any decision as to the remuneration of chief officer posts is to be determined by Council.

Where the Council remains unable to recruit chief officers under a contract of employment, or there is a need for interim support to provide cover for a vacant substantive chief officer post, the Council will, where necessary, consider and utilise engaging individuals under 'contracts for service'. These will be sourced through a relevant procurement process ensuring the council is able to demonstrate the maximum value for money benefits from competition in securing the relevant service. The Council does not currently have any chief officers engaged under any such arrangements.

Payments on Termination (All employees)

The Councils approach to statutory and discretionary payments on termination of employment of all employees including chief officers prior to reaching normal retirement age is set out in accordance with the Local Government Pension Scheme regulations. For Chief Officers, any other payments falling outside these provisions apart from contractual payments or other delegated matters shall be subject to a formal decision made by full Council or relevant elected members, or committee or panel of elected members with delegated authority to approve such payments.

Publication

Upon approval by full Council, this statement will be published on the Council's Website and Intranet. In addition, for posts where the full time equivalent salary is at least £50,000, the Councils Annual Statement of Accounts includes a note setting out the total amount of:-

- salary, fees or allowances paid to or receivable by the person in the current and previous year;
- any bonuses so paid or receivable by the person in the current and previous year; (none payable not applicable at SBC)
- any sums payable by way of expenses allowance that are chargeable to UK income tax;
- any compensation for loss of employment and any other payments connected with termination of employment;
- any benefits received that do not fall within the above

Pay Relationships

The relationship between the rate of pay for the lowest paid and chief officers is determined by the processes used for determining pay and grading structures as set out earlier in this policy statement. From time to time, the Council will employ Apprentices who are not included within the definition of 'lowest paid employees' as they are employed under the Government's national minimum wage legislation and pay is dependent on age.

The statutory guidance under the Localism Act recommends the use of pay multiples as a means of measuring the relationship between pay rates across the workforce and that of senior managers, as included within the Hutton 'Review of Fair Pay in the Public Sector' (2010). The Hutton report suggested that no public sector manager can earn more than **20** times the lowest paid person in the organisation. However, the report concluded that the relationship to median earnings was a more relevant measure and the Government's Code of Recommended Practice on Data Transparency recommends the publication of the ratio between highest paid salary and the median average salary of the whole of the authority's workforce.

Current salaries reflect the 2019/20 national pay award (w.e.f. 1st April 2019) and provide for a minimum spinal column point payable under the Council's formal grading structure of SCP 1 £17,364 (£9.00 per hour). In contrast, the Government's National Living Wage (NLW), the statutory minimum for workers aged 25 and over, will be £8.72 per hour from 1st April 2020. In contrast, the Living Wage Foundation

rate outside of London is £9.30 per hour from 1st November 2019. The Council continues to use national minimum wage rates as appropriate for casual, temporary and apprentice roles dependent on age on appointment. Except for Apprentices/Casuals no current permanent FTE employee of the Council is paid less than £9.36 per hour, with a pay award pending.

The actual pay levels within the Council define the multiple between the lowest paid (full time equivalent) employee (SCP 3 £18,065 (£9.36 per hour)) and the Chief Executive (£114,079) (FTE base salary) **as 1: 6.31** (rounded down), and between the lowest paid employee (SCP 3) and average chief officer (excluding Chief Executive post £67,458) **as 1: 3.73** (rounded down)

The multiple between the median full time equivalent earnings (£21,589) and the Chief Executive **is 1: 5.28** (rounded down) and; between the median full time equivalent earnings (£22,911) and average chief officer (£67,458), **is 1: 2.94** (rounded down)

Accountability and Decision Making

In accordance with the Council's Constitution, Council, and /or Cabinet are responsible for decision making in relation to the recruitment, retention, pay, terms and conditions and severance arrangements in relation to employees of the Council. The Constitution sets out the various delegations to Heads of Service and other bodies within the Council.

SCP	Salary w.e.f 1/4/19 £	Hourly rate £
1	17,364	9.00
2	17,771	9.18
3	18,065	9.36
4	18,426	9.55
5	18,795	9.74
6	19,171	9.94
7	19,554	10.14
8	19,945	10.34
9	20,344	10.54
10	20,751	10.76
11	21,166	10.97
12	21,589	11.19
13	22,021	11.41
14	22,462	11.64
15	22,911	11.88
16	23,369	12.11
17	23,836	12.35
18	24,313	12.60
19	24,799	12.85
20	25,295	13.11
21	25,801	13.37
22	26,317	13.64
23	26,999	13.99
24	27,905	14.46
25	28,785	14.92
26	29,636	15.36
27	30,507	15.81
28	31,371	16.26
29	32,029	16.60
30	32,878	17.04
31	33,799	17.52
32	34,788	18.03
33	35,934	18.63
34	36,876	19.11
35	37,849	19.62
36	38,813	20.12
37	39,782	20.62
38	40,760	21.13
39	41,675	21.60
40	42,683	22.12
41	43,662	22.63
42	44,632	23.13
43	45,591	23.63
44	46,756	24.23
45	47,924	24.84
46	49,092	25.45

NB: SCP's shaded not to be used by local agreement w.e.f. 1st April 2019
Pay Award pending w.e.f. 1st April 2020

Grading Structure w.e.f 1st April 2019

Grade	Spinal Column Points in Grade							
A	1							
B	2	3						
C	3	4	5					
D	5	6	7					
E	7	8	9	10*	11	12		
F	12	13*	14	15	16*	17	18*	19
G	19	20	21*	22	23	24		
H	24	25	26	27	28			
I	28	29	30	31	32			
J	32	33	34	35	36			
K	36	37	38	39	40			
L	40	41	42	43				
M	43	44	45	46				

NB: SCP's shaded not to be used by local agreement w.e.f.1st April 2019
Pay Award pending w.e.f.1st April 2020

ITEM NO 12**ITEM NO 12**

Report of:	Head of Law and Administration
Contact Officer:	Ian Curran
Telephone No:	01785 619220
Ward Interest:	Seighford & Church Eaton
Report Track:	Council 25/2/20 (Only)

COUNCIL**25 FEBRUARY 2020****Temporary Appointments to Creswell Parish Council****1 Purpose of Report**

- 1.1 To consider whether the Council should use its powers under s.91 Local Government Act 1972 to enable Creswell Parish Council to function until an election is held.

2 Recommendation

- 2.1 That Council delegates authority to the Head of Law and Administration to make an Order under section 91 Local Government Act 1972, in respect of Creswell Parish Council, in the form of the draft order in the **APPENDIX**.
- 2.2 That an election be held for all Creswell Parish Council seats on 7 May 2020.

3 Key Issues and Reasons for Recommendation

- 3.1 Creswell Parish Council consists of five councillors. All five councillors have recently resigned from office. The Parish Council needs to have at least three councillors in order to make decisions. It is therefore currently unable to function.
- 3.2 Where a Parish Council is unable to act, the Borough Council has a discretionary power, under s.91 of the Local Government Act 1972, enabling it to make temporary appointments to any Parish Council vacancies until other councillors are elected.
- 3.3 It is proposed that Borough Councillors Kemp, Price and Sutherland are appointed as temporary parish councillors and that an election for all five seats is held on 7 May 2020.

4 Relationship to Corporate Business Objectives

4.1 Leading and delivering for our community.

5 Report Detail

- 5.1 All five serving councillors at Creswell Parish Council recently resigned from office. The Council needs at least three councillors to be able to act (ie to be “quorate”). The Council is, therefore, currently unable to make any decisions and may not co-opt other councillors to make itself quorate.
- 5.2 Section 91 of the Local Government Act 1972 allows the Borough Council to make temporary appointments to a Parish Council where there are so many vacancies in the office of parish councillor that the Parish Council are unable to act. Such appointments would last until other Councillors are elected to take up office.
- 5.3 In addition, section 39(4)(i) of the Representation of the People Act 1983 enables the Borough Council to “by order make any appointment or do anything which appears to them necessary or expedient for the proper holding of such an election or meeting and properly constituting the council, and may, if it appears necessary, direct the holding of an election or meeting and fix the date for it”.
- 5.4 The people to be appointed must satisfy the usual rules as to standing for any parish council vacancy (including the requirement to live within the parish or within three miles of it).
- 5.5 The Council would need to appoint at least three persons to enable the Parish Council to be quorate. It is proposed that Borough Councillors Kemp, Price and Sutherland are appointed. All three councillors comply with the rules set out in paragraph 5.4 above.
- 5.6 It is also proposed that an election for all five parish council seats be held on 7 May 2020, to coincide with the already scheduled Police & Crime Commissioner elections, and that the appointments last until sufficient candidates become elected following that election.

6 Implications

6.1	Financial	None. Appointments are made by the Borough Council, but any decisions made by the appointees would be as Parish Councillors acting on behalf of the Parish Council. The costs of the election would be recharged to the Parish Council.
	Legal	As set out in the report
	Human Resources	None
	Human Rights Act	None

Data Protection	None
Risk Management	None

6.2 Community Impact Assessment Recommendations	<p>The Borough Council considers the effect of its actions on all sections of our community and has addressed all of the following Equality Strands in the production of this report, as appropriate:-</p> <p>Age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation.</p>
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Previous Consideration - Nil

Background Papers - Nil

COUNCIL
25 FEBRUARY 2020
Temporary Appointments to Creswell Parish Council

Temporary Appointments to Creswell Parish Council
Section 91 Local Government Act 1972

This Order is made on the ____ day of _____ two thousand and twenty by STAFFORD BOROUGH COUNCIL (HEREINAFTER CALLED "The Council")

1. WHEREAS following resignation of Parish Councillors from Creswell Parish Council, three Councillors are required to ensure the Parish Council remains quorate.
2. Under section 91 of the Local Government Act 1972, where there are so many vacancies in the Office of Parish Councillors that the Parish Council are unable to act, the council may, by order, appoint persons to fill all or any of the vacancies until other councillors are elected to take up office.

Now, in pursuance of the power confirmed upon it by section 91 of the Local Government Act 1972 the Council hereby appoints the following persons to act as Members of Creswell Parish Council until an election has been held to fill such vacancies as shall constitute and re-establish a quorum in the respective Parish Council whereupon such appointment shall cease.

Names:

Jack Kemp, Borough Councillor for Coton ward

Jonathan Price, Borough Councillor for Holmcroft ward

Ray Sutherland, Borough Councillor for Seighford & Church Eaton ward

**THE COMMON SEAL OF STAFFORD
BOROUGH COUNCIL was hereunto
affixed in the presence of:**

Authorised Signatory

Date: