

COUNCIL

26 JANUARY 2023

REPORT OF THE HEAD OF DEMOCRATIC SERVICES

Members' Schedule of Remuneration

Reason for this Report

1. Approval is sought for an amendment to the approved duties contained within Cardiff Council's Members' Schedule of Remuneration as recommended by the Democratic Services Committee.

Background

2. The Independent Remuneration Panel for Wales (IRPW) is a statutory body established initially by the Welsh Government in January 2008 to recommend the levels of salaries, allowances and expenses payable to Councillors and Co-opted Members. The Local Government (Wales) Measure 2011 gave the Panel additional powers to prescribe the levels of Member remuneration and allowances. The Panel also received further powers following the introduction of the Local Government (Democracy) (Wales) Act 2013.
3. On 27 May 2021 the Council approved a revised template for the Members Schedule of Remuneration proforma for 2021-22 and future years to promote best practice and assist with consistency in the production of such schedules within Wales.
4. Specific sections within the document can be amended to suit each Authority's own particular circumstances, and this includes adding to the list of "Approved Duties" for which elected members can be remunerated.

Issues

5. At its meeting on 28 November 2022 the Democratic Services Committee considered the IRPW's Draft Annual Report 2023-24 and a proposal to amend to the Approved Duties contained within the Members' Schedule of Remuneration.
6. It was agreed that the existing approved duties list contained within Schedule 2 of the Schedule of Remuneration did not equitably reflect the remuneration of those duties undertaken by elected members appointed to senior salary roles by the Council, for example, Committee Chairs, and therefore an amendment is proposed to include this as an additional 'approved duty' for which Members may be remunerated.

7. The full wording of the recommended amendment to the list of approved duties is at **Appendix A**. Consultation has been undertaken with group whips to confirm there is no objection to the revised wording.

Legal Implications

8. The legal framework for Members' remuneration is set by Part 8 of the Local Government (Wales) Measure 2011 ("the Measure"), under which the Independent Remuneration Panel for Wales ("the Panel") is given functions relating to payments to Councillors and Councillors' pensions (s.142 of the Measure). The Panel is required to publish an annual report on the exercise of its functions with respect to each financial year (s.143 of the Measure); and the Council must comply with the requirements imposed on it by the Panel's Annual Report (s.153 of the Measure).
9. The IRPW Regulations (Annex 2 within the 2022/23 Annual Report) state that the Council must make provision for reimbursement of care costs, travel and subsistence for Members carrying out 'official business' as a Member or co-opted member of the Council. (The draft Annual Report 2023/24 makes no changes in this regard, which means this requirement will continue to apply for the 2023/24 Schedule.) The definition of 'official business', as reflected in the 'approved duties' listed in Schedule 2 to Cardiff's Schedule of Remuneration 2022/23, includes 'any other duty approved by the authority, [...] undertaken for the purpose of, or in connection with, the discharge of the functions of the authority or any of its committees'. This allows the Council to add to the list of 'approved duties' for which Members may be remunerated.
10. The Council may amend its Schedule of Remuneration at any time during the year, provided that the amendments accord with the Panel's determinations for that year. Any amendments made to the Schedule during the year must be notified to the Panel as soon as possible after the amendment is made.
11. All Members entitled to receive payment have a personal interest in this report which should be declared. However, paragraph 12.2 (b)(iv) of the Code of Conduct states that you will not be regarded as having a prejudicial interest in any business of the Council relating to remuneration or an allowance or payment or pension made in accordance with the Local Government (Wales) Measure 2011 or the Local Government and Housing Act 1989. This means that this personal interest will not preclude any Member from participating in the debate and vote on the recommendations in this report.

Financial Implications

12. The overall financial allocation for Members' Remuneration in 2022/23 was £1.871 million. The amendments to the Members Schedule of Remuneration 2022-23 will be met from within existing budgets.

RECOMMENDATIONS

13. Council is requested to:
 - a. approve the amended list of "Approved Duties" within Schedule 2 of the Members' Schedule of Remuneration 2022/23, as described in **Appendix A**; and

- b. adopt the revised Members' Schedule of Remuneration 2022-23 as attached at **Appendix B** with immediate effect, and ask the Head of Democratic Services to provide the requisite notification to the IRPW; and
- c. authorise the Monitoring Officer to update the Members' Schedule of Remuneration within Part 6 of the Constitution accordingly.

GARY JONES
Head of Democratic Services
20 January 2023

The following Appendices are attached to this report:

- Appendix A Proposed amendments to the list of Approved Duties in Schedule 2 to the Members' Schedule of Remuneration
- Appendix B Revised Members' Schedule of Remuneration 2022/23

Background Papers:

- [Members' Remuneration and Allowances 2021-2022](#) report to Council dated 27 May 2021.
- [Schedule of Remuneration 2023-2024](#) report to Democratic Services Committee dated 28 November 2022.