

Council/Committee:	Council
Report Title	Recommendations of the Governance and Constitution Review Committee - Members Allowances Scheme 2025/26 - Independent Remuneration Panel Recommendations
Date of Meeting	22 July 2025
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Wards Affected	N/A
Appendices (if any)	Appendix A – Report of the Independent Remuneration Panel

1. Executive Summary

- 1.1 On 16 April 2025, the Independent Remuneration Panel met to consider proposals to introduce a parental leave policy for Elected Members. At the time, the Panel asked that a further report be submitted on a proposed Sandell policy.
- 1.2 The Panel subsequently met on 25 June 2025 to consider the parental leave policy for elected members and the introduction of a Special Responsibility Allowance (SRA) for the Vice Chair of the Audit and Risk Assurance Committee.
- 1.3 The IRP was asked to consider the introduction of a Special Responsibility Allowance for the Vice Chair of the Audit and Risk Assurance Committee. In previous years, the Vice-Chair position was held by an independent co-opted member who did not receive a member allowance; the role is now held by an elected councillor, making them eligible for remuneration under the existing Member Allowances Scheme.
- 1.4 The Governance and Constitution Review Committee met on 8 July 2025 to consider the recommendations of the Panel, in accordance with the terms of reference of the Committee as approved by Council on 13 May 2025.

- 1.5 After considering the Panel's recommendations, the Committee concluded as follows:

Regarding the Parental Leave Policy for Elected Members

- the term "paternity" leave should be replaced with "parental" leave to better reflect alternative carers and same-sex parents;
- there were concerns about differentiating between leave entitlements for same-sex couples versus biological parents/those who give birth;
- acknowledgment that the policy acknowledged the rights of adoptive parents;

Regarding the introduction of a special responsibility allowance for the Vice Chair of the Audit and Risk Assurance Committee:

- the Committee discussed the payment of allowances to vice chairs generally and considered whether this provided value for money. It was felt that the Vice Chair of the Audit and Risk Assurance Committee fulfils a significant function, given the Committee's statutory role, including the approval of the statement of accounts;
- it was noted that the Panel had reviewed benchmarking data before recommending this allowance;
- a further review by the Independent Remuneration Panel would be conducted to examine any potential changes to special responsibility allowances for committee roles;
- it was also noted that a recruitment process is underway to appoint an additional independent member to the Audit and Risk Assurance Committee.

2. Recommendations

For the reasons set out in the report, it is recommended that Full Council:

- 2.1 Consider the report and recommendations of the Independent Remuneration Panel in respect of the Members Allowance Scheme 2025-26, as set out in Appendix A.
- 2.2 That with immediate effect, approval is given to introducing a Parental Leave Policy for elected members for maternity, adoption, or shared parental leave, as set out below, as part of the Scheme of Member Allowances for 2025/26:-
- a) Councillors who give birth or adopt a child can take up to six months of leave, with the option to extend for up to a further 6 months (a total of 52 weeks), by seeking a dispensation by Council in accordance with Section 85 of the Local Government Act 1972.
 - b) Where a birth is premature, the Councillor is entitled to take leave during the period between the date of the birth and the due date in addition to the 6 months' period provided the 'six-month rule' set out in Section 85 as noted above is adhered to.
 - c) Councillors who are biological fathers or nominated carers can take up to two weeks of parental leave.
 - d) Councillors who share parental leave arrangements can split the leave up to 50 weeks.

- e) Councillors must comply with the notice requirements of the Council and keep the Council informed of their intended return dates and requests for extensions.
- f) The basic allowance will continue to be paid; however, any Special Responsibility Allowance received by Councillors will cease during periods of maternity, adoption, or shared parental leave.
- g) The duties associated with the Special Responsibility Allowance of a Councillor on parental leave will be assigned to another elected member at a Council meeting.
- h) Councillors who decide not to return after their leave must notify the Council immediately (allowance will cease from the effective resignation date).
- i) Councillors who are not re-elected or who do not stand for re-election will stop receiving their allowance on the retirement date, usually four days after the election.
- j) Notification of leave and of return Councillors wishing to request parental leave under the policy shall notify the Chief Executive, no later than 28 days before the date they wish the period of leave to start, who will be empowered to determine if the request meets Council policy and accordingly authorise such a period of absence. The period of leave should be agreed between the councillor requesting leave and, if in a group, their group leader, group whip as well as the Chief Executive. The group leader, group whip or councillor concerned should notify the Chief Executive of cover arrangements. The councillor should keep the group leader and Chief Executive informed of their intentions, giving at least one month's notice of their intended return date.

2.3 Following consideration of the recommendations of the Independent Remuneration Panel, Council give approval to the introduction of a Special Responsibility Allowance for the Vice Chair of the Audit and Risk Assurance Committee at 20% of the Leader's Allowance, i.e. £5,716 as part of the Scheme of Member Allowances for 2025/26.

3. Proposals – Reasons for the recommendations

- 3.1 The Council is required to determine a Scheme for Members' Allowances following consideration of a report of an Independent Remuneration Panel convened in accordance with the Local Authorities (Members' Allowances) (England) Regulations 2003.
- 3.2 A Special Responsibility Allowance (SRA) is a payment made to a member in recognition of holding a responsibility over and above that of a normal Member, paid monthly, in arrears. Sandwell has determined that a Member can only receive one SRA regardless of the number of positions that person holds.

4. Alternative Options Considered

- 4.1 The Council has a statutory duty to support an independent review of its Members' Allowances scheme. It is considered good practice to reconvene an Independent Remuneration Panel (IRP) periodically ahead of a future fundamental review of the members allowance scheme in part or full.
- 4.2 The Council could decide not to approve the recommendations of the Independent Remuneration Panel.

5. Consultation

- 5.1 The Panel can consult with key members of the Council for e.g. the Leader, the Deputy Leader, the Leader of the Opposition Group and Chairs of Committees to consider how much time is involved on committee related activities in order to gauge whether the level of allowance is suitable.

6. Financial Implications

Any increase in members allowances and the establishment of a parental leave policy will have financial implications for the authority. Financial implications are anticipated to be minimal, especially given the limited number of simultaneous leave cases. The Panel considered how councillors' ability to take leave would impact the functioning of the council, particularly regarding council meetings, decision-making, and the potential for temporary replacement arrangements.

- 6.1 The current budget does not include provision for the payment of a Vice chair allowance for the Audit and Risk Assurance Committee. Any revisions to the scheme would be incorporated into budget proposals for approval by Council.

7. Legal and Governance Implications

- 7.1 Council is required to consider and approve its scheme of Member Allowances following recommendations by the Independent Remuneration Panel.
- 7.2 There is no legal requirement for the Council to adopt a parental leave policy for Councillors. However, the introduction of such a policy will help the Council advance equality of opportunity and helps to discharge our public sector equality duty in creating positive impacts for protected groups.

- 7.3 In accordance with Section 85 of the Local Government Act 1972, Members of the Council are required to attend a meeting of the Council within a six-month period unless the Council agrees to an extended leave of absence prior to the expiration of that six-month period. Any request for parental leave beyond a six-month period would need to take account of this with either a plan to attend a qualifying meeting during the required time window or a plan to request extended leave.

8. Risks

- 8.1 There are no risks associated with the proposals.

9. Equality and Diversity Implications (including the public sector equality duty)

- 9.1 In line with the Public Sector Equality Duty, public bodies must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not. The implementation of a parental leave policy for councillors will provide councillors who are elected to public office with appropriate leave in relation to maternity, adoption or other appropriate parenting responsibilities. It is considered that access to such entitlements may contribute towards increasing the diversity of gender, experience, age, and background of those standing for election and local authority groups.

10. Other Relevant Implications

- 10.1 A regular cycle of review of allowances through the Independent Remuneration Panel ensures impartial oversight and assessment of the number and level of allowances payable to Elected Members for their varying responsibilities.

11. Background Documents

- 11.1 Not applicable.

12. How does this deliver the objectives of the Strategic Themes?

- 12.1 This report will support the delivery of the following Strategic Themes:-
- Growing up in Sandwell
 - Living in Sandwell
 - Healthy in Sandwell
 - Thriving Economy in Sandwell
 - One Council One Team Approach.