



Subject:	Revision of the Council's Scheme of Allowances
Date:	21st February, 2020
Reporting Officer:	John Walsh, City Solicitor and Director of Legal and Civic Services
Contact Officer:	Jim Hanna, Senior Democratic Services Officer

Restricted Reports	
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If Yes, when will the report become unrestricted?	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Sometime in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

Call-in	
Is the decision eligible for Call-in?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

1.0	Purpose of Report/Summary of Main Issues
1.1	To consider an amendment to the Council's Scheme of Allowances, as requested by the Department for Communities, to provide for the withholding of allowances to a Lord Mayor or Deputy Lord Mayor who is disqualified, suspended or partially suspended following an adjudication by the Local Government Commissioner for Standards in relation to a breach of the Northern Ireland Local Government Code of Conduct for Councillors, and a further amendment to increase the maximum rate of Dependant's Carers' Allowance for 2020-2021 in line with the National Living Wage.
2.0	Recommendation
2.1	It is recommended that the Committee: <ul style="list-style-type: none">Approve the amendments to the Scheme of Allowances as set out in the report.

3.0	Main Report
3.1	<u>Key Issues</u>
3.1	The Council is required, under the Local Government (Payments to Councillors) Regulations (Northern Ireland) 2012, to publish a Scheme of Allowances which sets out the allowances and support services that apply to a Councillor.
3.2	The Committee, at its meeting on 21st June, 2019, revised the Council's Scheme of Allowances to make arrangements to cover what should happen to the payments of a Councillor's Basic Allowance and/or Special Responsibility Allowance if that Councillor is disqualified, suspended or partially suspended following an adjudication by the Local Government Commissioner for Standards in relation to a breach of the Northern Ireland Local Government Code of Conduct for Councillors.
3.3	No arrangements are in place in regard to Civic Allowances should a similar disqualification or suspension be imposed on the Lord mayor or Deputy Lord Mayor.
3.4	However, the Council has received an addendum to circular LG 23/2016 from the Department for Communities requiring the Council to update its Scheme of Allowances in relation to the payment of Civic Allowances to provide that:
3.5	<i>"A Scheme should state that where a Councillor, in accordance with section 59(5) of the Local Government Act (NI) 2014, the part of the Chairperson/Vice Chairperson Allowance payable to the Councillor in respect of the period for which the Councillor is suspended should be withheld."</i>
3.6	Also, the Department for Communities determines the maximum hourly rates of Dependant's Carers' Allowance for both standard care and specialised care. The rate for standard care is based on the hourly National Living Wage for age 25+, which will increase on 1st April, 2020 from the current rate of £8.21 per hour to £8.72 per hour. The rate for specialised care is double the rate for standard care. In addition, the Department for Communities sets the maximum monthly amounts for standard care and specialised care, capped at the equivalent of 52 hours per month.
3.7	As the Council receives its lawful authority to make any payments from the Department under the Payments to Councillors Regulations, then it must abide by any instructions from the Department in relation to those Regulations.

<p>3.8</p> <p>3.9</p> <p>3.10</p> <p>3.11</p> <p>3.12</p> <p>3.13</p>	<p>Accordingly, in line with the guidance issued by the Department regarding Civic Allowances, and the increase in the National Living Wage, the Committee is requested to agree to the amendments to the Scheme of Allowances as follows:</p> <p><u>“Civic Dignitaries Allowance</u> <i>Where a Lord Mayor or Deputy Lord Mayor is suspended from carrying out the duties of a councillor in accordance with section 59(5) of the Local Government Act (Northern Ireland) 2014, the part of Civic Allowance payable to the Councillor in respect of the period for which the Councillor is suspended will be withheld.”</i></p> <p>and</p> <p><u>“Dependants’ Carers’ Allowance</u></p> <ul style="list-style-type: none"> • <i>Standard Care £8.72 per hour limited to £453.44 per month</i> • <i>Specialist Care £17.44 per hour limited to £906.88 per month”</i> <p><u>Financial and Resource Implications</u></p> <p>In respect of the revision to the arrangements for Civic Allowances, there would not be any adverse impact on the Council’s budgets. Any individual Councillor who is disqualified, suspended or partially suspended may be affected adversely.</p> <p>In respect of the increase to the maximum rate of Dependant’s Carers’ Allowance, this has already been considered and can be met through existing budgets.</p> <p><u>Equality or Good Relations Implications/Rural Needs Assessment</u></p> <p>There are not any Good Relations, Equality or Rural Needs issues associate with this report.</p>
<p>4.0</p>	<p>Appendices - Documents Attached</p>
	<p>Appendix – Scheme of Allowances 2020-2021</p>