

NORTH STRATHCLYDE COMMUNITY JUSTICE AUTHORITY

To: North Strathclyde Community Justice Authority

On: 10 June 2016

Report by: The Clerk and The Treasurer

Heading: Remuneration of Elected Members who are appointed Conveners and Vice-conveners of Community Justice Authorities

1. Background

- 1.1 The Local Governance (Scotland) Act 2004 (Remuneration) Regulations 2007 (hereafter referred to as “the 2007 Regulations”) introduced a system of remuneration for elected members which created four grades of councillors for the purposes of calculating remuneration: (i) the leader of the council, (ii) the civic head, (iii) senior councillors; and (iv) councillors. The yearly remuneration for councillors who are not being paid as leader of the council, civic head or senior councillor is set at a fixed rate (that rate being £16,893 from 1 April 2016).
- 1.2 Each local authority has been banded within Band A, Band B, Band C or Band D for the purposes of payment of remuneration to councillors. East Renfrewshire and Inverclyde Councils are Band A councils and are restricted to a maximum of 9 senior councillors per authority; West Dunbartonshire is a Band B council and is restricted to a maximum of 10 senior councillors; East Dunbartonshire is a Band B council and is restricted to a maximum of 11 senior councillors; and Argyll & Bute and Renfrewshire are Band B councils and are restricted to a maximum of 14 senior councillors.
- 1.3 The 2007 Regulations relate specifically to Scottish local authorities, to fire and rescue joint boards, to police joint boards and to “other” joint boards as defined under prevailing statutes. Subsequent legislation – *The Management of Offenders etc. (Scotland) Act 2005 (Members’ Remuneration and Supplementary Provisions) Order 2008* – provides that the remuneration paid to a convener or vice-convener of a community justice authority should be the same as that paid to a convener or vice-convener of “other” joint boards as defined by the 2007 Regulations.
- 1.4 Since 2007, various amendment regulations have had the effect of amending the yearly remuneration to be paid to elected members, including those elected members who are conveners or vice-conveners of joint boards

and community justice authorities. The most recent amendment regulations were laid before the Scottish Parliament on 13 January 2016 and came into force from 1 April 2016. These amendment regulations – *The Local Governance (Scotland) Act 2004 (Remuneration) Amendment Regulations 2016* (“the 2016 amendment regulations”) – stipulate changes to the remuneration rates payable to elected members.

- 1.5 The main change implemented by the 2016 amendment regulations is, generally, an increase of 1% in the yearly remuneration payable to councillors from 1 April 2016.
- 1.6 The 2016 amendment regulations stipulate that, provided they are not already in receipt of remuneration as a senior councillor of a local authority, or as a convener or vice-convener of any joint board covered by the 2007 Regulations, the **convener of a community justice authority** shall be paid, from **1 April 2016**, a total yearly amount of **£21,118** (equivalent to 75 per cent of the salary of the leader of a Band A council), inclusive of any amount payable to them as a local authority councillor under the 2007 Regulations.
- 1.7 The 2016 amendment regulations also stipulate that, provided they are not already in receipt of remuneration as a senior councillor of a local authority, or as a convener or vice-convener of any joint board covered by the 2007 Regulations, the **vice-convener of a community justice authority** shall be paid, from **1 April 2016**, a total yearly amount of **£20,063** (equivalent to the basic councillor salary plus 75 per cent of the difference between the basic councillor salary and the convener’s salary), inclusive of any amount payable to them as a local authority councillor under the 2007 Regulations.
- 1.8 If the convener or vice-convener is in receipt of remuneration as a senior councillor of a local authority, or as a convener or vice-convener of any joint board covered by the 2007 Regulations, then no additional remuneration shall be due to them as a convener or as a vice-convener of a community justice authority.
- 1.9 The local authorities of which the convener and vice-convener are members require, if necessary, to make administrative arrangements with the community justice authority for reimbursement of any remuneration paid by the local authorities on behalf of the community justice authority. In the case of local authority councillors that are paid, from 1 April 2016, the yearly amount of £16,893 as a councillor, the yearly remuneration of £16,893 should be met by the local authority, and the balance of remuneration should be met by the community justice authority.

2. Recommendations

- 2.1 It is recommended that the Authority notes the revised remuneration levels mandated by The Local Governance (Scotland) Act 2004 (Remuneration) Amendment Regulations 2016 for the Convener and Depute Convener of the North Strathclyde Community Justice Authority, **provided they are not already in receipt of remuneration as a senior councillor of a local authority**, as follows:

Position	yearly remuneration for 2015-2016	yearly remuneration from 1 April 2016
Convener	£20,909	£21,118
Depute Convener	£19,864	£20,063

- 2.2 It is recommended that the Authority notes that if the Convener and / or Depute Convener of the North Strathclyde Community Justice Authority is a senior councillor within their own local authority, or if they are a convener or a vice-convener of any joint board covered by the 2007 Regulations, then no additional remuneration shall be due to them as a convener or as a vice-convener of the Community Justice Authority.
- 2.3 It is recommended that the Authority notes that the difference between such remuneration paid, and that which would otherwise be paid to the Convener / Depute Convener as a local authority councillor, shall be met by the Community Justice Authority.